# THE COUNTY OF BRANT OFFICIAL PLAN

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# 1.0 INTRODUCTION

## 1.1 PREFACE

The Official Plan for the County of Brant (this Plan) is the County's tool to guide planned change and the physical development of the County over the planning horizon. This Plan provides contemporary policies to assist in planning a strong, prosperous County by managing growth until 2031.

The policies of this Plan will ensure that growth and development in the County are undertaken efficiently and will result in strong, balanced, sustainable, and complete communities. The policies of this Plan will also ensure that the County's resources are used and managed wisely, and that public health and safety are protected.

The objectives, strategies, and policies of this Plan are interrelated and should be read in conjunction with and in consideration of each other. This Plan has been prepared to balance the social, economic and environmental conditions and needs of the County. Important policy linkages occur throughout the sections and schedules of this Plan, and should be read in their entirety.

# 1.2 ORGANIZATION OF THE OFFICIAL PLAN

The following text and Schedules A to E inclusive constitute the Plan and shall apply to all of the land located within the County's corporate limits. The policies and land use designations described in this Plan shall guide physical change and development in the County until the year 2031.

**Section 1.0 – "Introduction"** sets the organization, scope, time period, strategic direction, basis, and objectives of the Plan. Section 1.0 sets the general direction and framework for subsequent sections of the Plan.

Section 2.0 - "Planning Strategy and General Development Policies" outlines specific strategies Plan (including Growth of the Potential Management, Natural Heritage, Resources and Hazard Management, Economic Development, General Housing, and Development), which are intended to establish a policy framework, and also establishes general development policies to achieve the objectives of the Plan.

**Section 3.0 – "Land Use Designations"** provides policies that are specific to the County's designated land uses. Section 3.0 outlines permitted uses and related policies to guide the physical development of the County. The County's land use designations include: Agriculture, Urban Residential, Suburban

Residential, Hamlets and Villages, Rural Residential, Core Area, General Commercial, Shopping Centre Commercial, Mixed Use, Employment, Resource Development, Institutional, Parks and Recreation and Natural Heritage System.

**Section 4.0 – "Site Specific Policies"** sets out additional policies for areas of the County where site specific direction for land use is required beyond the Planning Strategy and general policy framework provided by the Official Plan. Section 4.0 is also intended to include completed and approved detailed Area Studies that will provide specific policies for identified areas of the County.

**Section 5.0 – "Infrastructure, Services, and Facilities"** sets out the policies related to the provision of infrastructure systems, services, and facilities, including water and sanitary sewage systems, stormwater management, transportation systems, community facilities and services, waste management, utilities and telecommunication, and capital and public works.

**Section 6.0 – "Implementation and Administration"** identifies the implementation tools available under the <u>Planning Act</u> and other statutes to achieve the objectives of the Plan. Section 6.0 guides the process for amendments to this Plan, the preparation of zoning and other implementing by- laws, requirements for studies prepared in support of planning applications, and other planning tools.

**Section 7.0 – "Interpretation"** contains a glossary of terms used in the Plan for consistent interpretation.

**Schedules** – The following list of schedules have been prepared to conceptually illustrate and enhance the understanding of the strategies, land uses, and policies of this Plan:

Schedules A-1 to A-10 (collectively known as Schedule A) is the Land Use Plan:

Schedule B is the Transportation Plan;

Schedule C-1 to C-10 (collectively known as Schedule C) illustrates the features of the County's Natural Heritage System designation (as shown on Schedule A) and other natural and human-made development constraints:

Schedule D illustrates the Special Floodplain Policy Areas; and

Schedule E illustrates mineral aggregate resources and petroleum resources in the County.

**Appendix** – In addition to the schedules of this Plan, an appendix has been prepared to further enhance the understanding of the strategies, land uses, and policies of this Plan. The following is attached as an appendix to the County of Brant Official Plan:

Appendix 1 illustrates Areas of Potential Archaeological Resources.

Appendices do not form part of the Official Plan, but are intended to be of assistance in the interpretation of policies contained in this document.

# 1.3 THE PLANNING AREA

The County was created on January 1, 1999 as a single-tier municipality under the name of the Corporation of the County of Brant. The County includes the former Town of Paris, Township of Brantford, Township of Burford, Township of Oakland, Township of Onondaga, and the Township of South Dumfries.

The County of Brant is situated in southwestern Ontario and is bordered on its perimeters by the City of Hamilton, Haldimand County, Norfolk County, the County of Oxford, the Region of Waterloo, Six Nations of the Grand River and the Mississaugas of the New Credit First Nations. The County geographically encircles the City of Brantford.

The County includes the Urban Settlement Areas of Paris, St. George, Burford, Cainsville / Brant East, Mount Pleasant/Tutela Heights, Oakhill/Airport, Oakland, Scotland, and the Highway 403 and County Road 25 (Middle Townline Road) Interchange Employment Area, as identified on Schedule A.

#### 1.4 PLANNING HISTORY

Each of the six former municipalities of the County had an approved Official Plan and Zoning By-law in place. This Plan replaces the six former municipal Official Plans.

The first County Official Plan was adopted by the Council of the County of Brant on November 7, 2000, and came into effect in 2003. In 2006, the County initiated a review of the Official Plan, as mandated by the <u>Planning Act</u>. The purpose of the Official Plan Review was to address the unique planning issues facing the County and to implement the direction of the Provincial Policy Statement, and the Growth Plan for the Greater Golden Horseshoe (GGH).

The Official Plan Review also implements recent statutory changes, including amendments to the *Planning Act*, and Provincial regulations and guidelines that affect the County.

# 1.5 LEGISLATIVE AUTHORITY

In accordance with the <u>Planning Act</u>, the Council of a municipality may provide for the preparation of a plan suitable for adoption as the Official Plan of the municipality.

An Official Plan is defined in the <u>Planning Act</u> as a document approved by the Minister of Municipal Affairs and Housing and containing objectives and policies to guide the physical development of a municipality, while having regard for relevant social, economic and environmental matters.

Where an Official Plan is in effect, no public work shall be undertaken and no by-law passed for any purpose unless it is in conformity with the Official Plan.

# 1.6 TIME PERIOD OF THE OFFICIAL PLAN

This Official Plan is a long-range document that will manage planned change and the physical development of the County over the planning horizon. The planning horizon for the Official Plan of the County of Brant is to 2031.

The document shall be reviewed every five years in accordance with the <u>Planning Act</u> or when social, economic, or environmental conditions suggest that an amendment in policy direction and/or land use designations would be in the public interest.

# 1.7 OTHER STATUTORY APPROVALS

In situations where statutory approvals may be required under Provincial legislation other than the <u>Planning Act</u> (including but not limited to the <u>Ontario Water Resources Act</u>, the <u>Environmental Assessment Act</u>, and the <u>Environmental Protection Act</u>) the proponent of new development is encouraged to consult directly with the responsible Ministry to determine any necessary requirements and/or conditions.

Compliance with such requirements and/or conditions, however, does not mean acceptance or approval of a planning matter governed by this Official Plan. All applicable policies of this Plan must be met.

# 1.8 CROSS-JURISDICTIONAL MATTERS

The County recognizes the need to coordinate various matters addressed by this Official Plan with adjacent planning authorities, in order to ensure a coordinated, integrated, and comprehensive approach to crossjurisdictional planning matters.

Cross-jurisdictional matters include but are not limited to the implementation

of Provincial Plans (such as the Growth Plan for the Greater Golden Horseshoe), growth projections, growth management, natural heritage features, areas, and systems, water resources, agriculture, infrastructure, public service facilities, and waste management systems.

The County of Brant shall participate in decisions related to cross-jurisdictional planning matters that are of particular interest to the County with the City of Hamilton, Haldimand County, Norfolk County, the County of Oxford, the Region of Waterloo, Six Nations of the Grand River and the Mississaugas of the New Credit First Nations, and the City of Brantford.

# 1.9 PURPOSE OF THE OFFICIAL PLAN

The Official Plan for the County sets out in general terms policies to guide planned change and physical development for the County over the planning horizon.

The Plan's purpose is to:

- a. Implement Provincial legislation, regulations and policies in a manner which reflects the County's unique needs and interests.
- b. Establish objectives for the social, economic, and natural environments of the County, as expressed by the greater community.
- c. Provide a long-term strategic framework that will achieve objectives, and shall contribute to orderly, efficient, and sustainable development within the County to the year 2031.
- d. Identify long-term policies that will manage growth and ensure the provision of a range and mix of housing, employment opportunities, and other land uses through new development, redevelopment, and intensification, in order to accommodate projected population and employment growth for the County.
- e. Provide policies that will encourage the long-term financial sustainability of the County by ensuring the efficient use of existing and proposed infrastructure, and by promoting the County as a desirable place to work, live, and visit.
- f. Provide policies that will protect and enhance the County's various resources, including agriculture, aggregate, natural heritage, and built heritage, and cultural heritage landscapes.
- g. Provide land use designations and a policy framework that will encourage the development of compact, vibrant, and complete communities.

- h. Provide a framework for Council, various committees, staff, and regulatory agencies in making decisions regarding future changes and development within the County.
- i. Provide certainty to the private and public sectors with respect to priorities and standards for future development within the County.
- j. Establish a framework for public involvement in land use decisions.
- k. Provide a framework for the future coordination of cross-jurisdictional issues with the City of Brantford, Six Nations of the Grand River and the Mississaugas of the New Credit First Nations, and other adjacent municipalities, including the City of Hamilton, Haldimand County, Norfolk County, Oxford County, and the Regional Municipality of Waterloo.

# 1.10 STRATEGIC DIRECTION OF THE OFFICIAL PLAN

The following Mission Statement represents the philosophy behind the policy direction of this Plan:

"The planning and development of the County of Brant is influenced by demographics, environment, economics, finance, geography, municipal services, human resources and technology. The planning process in the County of Brant will strive to ensure a healthy environment for the residents and future residents, will give priority to the needs of the collective community known as Brant, will encourage and facilitate balanced and sustainable economic growth in appropriate locations, will protect the natural environment, will protect the agricultural resources and rural character that is synonymous with a safe community, will respect the cultural diversity and heritage of the area, will strive for orderly and economically viable development, will endeavour to provide quality services in a fair and equitable manner that are responsive to the general and specific needs of this community, will promote this community, will encourage residents to become involved in their community, and will strive to ensure the wise use of the natural resources bestowed on this geographic region."

The Mission Statement is in keeping with the objectives of the Plan, as presented in Section 1.11.2, which have been identified with input from the residents of the County.

# 1.11 BASIS AND OBJECTIVES OF THE OFFICIAL PLAN

# 1.11.1 BASIS OF THE PLAN

The foundation of the Official Plan for the County of Brant is presented below, which guides the directions and policies of this Plan.

The basis of the Official Plan for the County is as follows:

- a. This Plan has been prepared in accordance with the <u>Planning Act</u>, which prescribes the contents of an Official Plan, including objectives, goals, and policies to manage and direct physical change and the effects on the social, economic, and natural environments of the County.
- b. This Plan implements the direction and policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. Generally, the Plan reflects the current Provincial planning context, which supports the creation of strong communities, the wise use and management of resources, and the protection of public health and safety. This Plan is consistent with the vision and framework for building stronger, prosperous, sustainable communities by better managing growth.
- c. This Plan is based on a planning horizon to the year 2031 as required by the Provincial Policy Statement and the Growth Plan, including population and employment targets provided in Schedule 3 of the Growth Plan.
- d. This Plan is based on planning direction and decisions made by the County.
- e. This Plan is based on a Growth Analysis Study (2006 to 2031) and a Growth Strategy and Policy Directions Report, which provide the basis for planned change and physical development in the County by forecasting both residential and employment growth, and identifying the associated land needs over the planning period.
- f. This Plan is based on recent and previously completed background and master plan studies related to growth management including field surveys, a Transportation Master Plan (2008), Employment Lands Comprehensive Review (2009), and water and sanitary sewage investigations.
- g. This Plan and its supporting studies have been prepared in consultation with the public (including a Citizen's Advisory

Committee), County staff, a Steering Committee, Planning Advisory Committee, a Technical Advisory Committee, and the Council of the County of Brant.

## 1.11.2 OBJECTIVES OF THE PLAN

# 1.11.2.1 Growth and Development

#### 1.11.2.1.1 Context

There are numerous factors that influence population and employment growth in the County of Brant. Importantly, the County is located in the fringe of one of the fastest growing regions in North America: the Greater Golden Horseshoe. According to the Provincial Growth Plan for the GGH, over the next 20 years and beyond, the share of future urban development is anticipated to continue to shift from the larger urban centres of the Greater Toronto Area to the less urbanized municipalities in the fringe of the GGH, including the County of Brant.

The County's 2008 Growth Analysis Study states that growth in the County will primarily be driven by the supply of affordably priced, ground-oriented housing, increased proximity to employment markets within the surrounding market area, and the availability of competitively priced serviced employment land along the Provincial Highway 403.

# 1.11.2.1.2 Objectives

The following objectives apply to growth and development in the County:

- a. To ensure sufficient land is available and to accommodate projected growth and direct planned change and physical development to the most appropriate locations in the County's Primary and Secondary Urban Settlement Areas.
- b. To provide the necessary infrastructure (including existing and planned road networks, County water and sanitary sewage systems, and public service facilities) in order to meet current and projected needs in a financially sustainable manner.
- c. To provide a full range and mix of housing types, tenures, and densities in order to ensure that the needs of all socio-economic groups in the County can be met.
- d. To provide a full range of employment types and densities (such as institutional, commercial and industrial opportunities).
- e. To continue to ensure resource protection in the County by protecting

the agricultural and aggregate land base, and the County's natural heritage features and functions, and by preventing rural-urban conflicts as a result of new development, redevelopment, and intensification.

- f. To promote growth and development patterns that will incorporate appropriate buffer/separation distances, will support public health and safety, and will minimize negative impacts to resources, the environment, and adjacent uses.
- g. To ensure that, wherever possible, a barrier-free environment is created.
- h. To ensure that the long-term financial sustainability of the County is maintained by promoting development that is orderly, efficient, sustainable, and minimizes land consumption and servicing costs.

# 1.11.2.2 **Housing**

#### 1.11.2.2.1 Context

As further described by the Plan's Growth Management Policies (Section 2.2), the County has identified the following Primary and Secondary Urban Settlement Areas as the main areas for residential development:

- Paris:
- St. George;
- Cainsville / Brant East;
- Burford;
- Mount Pleasant/Tutela Heights;
- Oakhill/Airport;
- Oakland; and
- Scotland.

The Primary Urban Settlement Areas of Paris, St. George and Cainsville / Brant East are where the greatest concentration of development (including infrastructure systems, and community facilities and services) exists or is planned. Paris, St. George and Cainsville / Brant East shall continue to be the prime areas of new urban development, redevelopment, and intensification, in accordance with Section 2.2 of this Plan.

# 1.11.2.2.2 Objectives

The following objectives have been established in regard to the provision and development of housing in the County:

- a. To direct new urban development, redevelopment, and intensification principally to the County's Primary Urban Settlement Areas, and to a lesser extent to the County's Secondary Urban Areas, in accordance with the Growth Management Policies in Section 2.2 of this Plan.
- To ensure that at all times a minimum of 10 years of residential growth, including development, redevelopment, and intensification, can be accommodated.
- c. To maintain a minimum 3 year supply of land that is able to be serviced and suitably designated for residential and employment development, redevelopment, and intensification.
- d. To develop plans that achieve the intensification contemplated in Section 2.2 of this Plan.
- e. To ensure that development occurs in the appropriate locations and in an orderly, efficient, and sustainable manner, in keeping with the capacity of the infrastructure and public service facilities available and the financial capability of the County.
- f. To permit the division of land through draft plans of subdivision/condominium and the consent process, in a manner that is relevant, reasonable, and appropriate for the County.
- g. To promote and encourage opportunities for residential intensification (including infilling, accessory apartments, conversions, and redevelopment) in appropriate locations within the built boundary of the County's Primary and Secondary Urban Settlement Areas.
- h. To prohibit rural residential development in areas that are not currently designated Rural Residential.
- i. To establish safe residential communities and protect existing and future residential areas, from conflicting and incompatible land uses.

# 1.11.2.3 Economic Development

# 1.11.2.3.1 Context

The County has the attributes of a growing and vibrant business centre. Located within the Greater Golden Horseshoe, the County is accessible to many large urban centres, including the Cities of Toronto, Hamilton, and Buffalo.

Highway 403, which bisects the County in an east to west direction, provides

a link to Ontario's major transportation systems, including the Queen Elizabeth Way and Highway 401. The Lester B. Pearson (Toronto) International Airport, the John C. Munro (Hamilton) International Airport, the London International Airport, and the Region of Waterloo International Airport are all within a one hour drive of the County.

The County's largest industries include agriculture, manufacturing, business services, and other service industries. Because of its accessibility, there is further opportunity for economic development in the County through the development of employment land along Highway 403, in close proximity to interchanges. Tourism, built heritage resources, cultural heritage landscapes, and resource development also provide opportunities for economic development in the County.

# 1.11.2.3.2 Objectives

The following objectives have been established to ensure that the County remains economically progressive:

- a. To direct commercial and employment growth to appropriate locations that have sufficient existing or planned infrastructure, community services, and facilities.
- b. To maintain a servicing capability for employment land and ensure that there is a constant supply of developable employment land.
- c. To ensure the long-term economic sustainability of the County's downtowns and main streets.
- d. To promote and encourage the economic development opportunities associated with Highway 403 interchanges, and other roads such as Middle Townline Road, Highway #2, Highway #53, Highway #5 and Brant Road / King George Road, where transportation opportunities and compatible land use patterns exist.
- e. To maintain and strengthen the interconnectedness of the County's Primary and Secondary Urban Settlement Areas through innovative and leading edge infrastructure, and through integrated, sustainable transportation systems.
- f. To protect agricultural resources and encourage value-added agricultural industries in order to strengthen the viability of the County's agricultural operations.
- g. To promote the remediation and redevelopment of brownfield sites and contaminated sites.

- h. To promote and encourage sustainable energy use through energy conservation, building design, green technologies, and other means.
- i. To promote and encourage balanced and diversified economic opportunities.
- j. To encourage tourism and recreation opportunities in the County by promoting and investing in the Grand and Nith Rivers and their shorelines, walking trails, cycling trails, natural heritage, built heritage resources, cultural heritage landscapes, restaurants, accommodations, businesses and special events.
- k. To plan for and coordinate economic development opportunities and initiatives throughout the County with agencies, landowners, and local groups.
- I. To encourage the implementation of an Economic Development Strategy to promote commercial development and the strategic development of employment land.

# 1.11.2.4 **Servicing**

#### 1.11.2.4.1 Context

Both the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe direct development to Urban Settlement Areas that offer municipal water and sanitary sewage systems and limit development in Urban Settlement Areas that have partial or private water and sanitary sewage systems.

The County's fully serviced Primary Urban Settlement Areas are Paris, St. George and Cainsville / Brant East. A majority of new residential development, redevelopment, and intensification in Brant County shall be directed to these Primary Urban Settlement Areas.

The partially serviced Secondary Urban Settlement Areas include Mt. Pleasant/Tutela Heights, and Oakhill/Airport. These areas are projected to receive a modest amount of the new development.

Areas without County water and sewer services are projected to accommodate a limited amount of the County's forecasted growth. This includes existing lots of record in Agricultural Areas, Hamlets and Villages, and existing Rural Residential Areas.

# **1.11.2.4.2 Objectives**

The following objectives apply to the servicing of land through the provision

of County water and sanitary sewage systems in Paris and St. George:

- a. To ensure that the provision of water and sanitary sewage systems is orderly, efficient, financially sustainable, protects human health and the environment and does not require the premature extension of municipal infrastructure in order to accommodate anticipated growth to 2031.
- b. To encourage the preparation of Master Servicing Plans that will document existing servicing conditions, identify future servicing needs, options, and upgrades, and recommend a servicing plan for implementation.
- c. To avoid inefficient development patterns that are not coordinated with existing and planned water and sanitary sewage systems.
- d. To lower per capita water consumption on an on-going basis by promoting water conservation and efficient water use.
- e. To encourage and support the implementation of innovative stormwater management actions as part of new development, redevelopment and intensification proposals.
- f. To ensure that where the extension of full municipal services is contemplated, municipal water supply, and sewage conveyance and treatment are extended in a coordinated manner that is financially feasible.

# 1.11.2.5 Transportation

#### 1.11.2.5.1 Context

The County has prepared a new comprehensive Transportation Master Plan (TMP) that recommends policies, guidelines and an implementation strategy to assist the County in addressing major transportation issues over the next 20-25 years.

The TMP provides a detailed overview of the existing transportation system conditions within the County. According to this overview, Provincial highways and County arterial roads are the key linkages for travel from the County to other urban centres.

There is significant reliance on the use of private automobiles in the County, as only limited transit opportunities exist. Alternative modes of transportation, such as cycling and walking, also take place within the County's Primary and Secondary Urban Settlement Areas, Hamlets and Villages, and Agricultural Areas. Such modes of transportation are

generally for leisure, recreation, and group activities. The Grand River Conservation Authority owns and operates three multi-use trails that have been built on abandoned railway corridors within the County. As well, part of the Trans Canada Trail network runs through the County and its neighbouring municipality, the City of Brantford. The County is preparing a trails master plan and it is anticipated that the trails system will expand over the planning period.

The Brantford Municipal Airport is part of a broader Regional transportation system but is currently limited in terms of service to corporate and recreational aircraft. While it has a minor role in the movement of people and goods in and out of the County, it is still an important transportation service for the continued economic development and vitality of the County, the City of Brantford and surrounding municipalities.

# 1.11.2.5.2 Objectives

The following objectives apply to the transportation system in the County:

- a. To promote a land use pattern, density, and mix of uses that makes use of existing and planned transportation systems and infrastructure, supports transit opportunities, promotes walkability, and is oriented to pedestrians, in order to minimize the length and number of vehicle trips required by County residents.
- b. To provide a transportation system that is safe, financially sustainable, energy efficient, facilitates the movement of people and goods, and accommodates projected growth and development.
- c. To increase the availability of a range of efficient and reliable modes of transportation (including cycling and walking) in order to reduce reliance upon any single mode of transportation. To encourage the development of facilities that will encourage alternative modes of transportation such as cycling and walking.
- d. To encourage pedestrian movement and walkability through pedestrian friendly design.
- e. To consider, integrate, and coordinate transportation issues Countywide, at all stages of the planning process.
- f. To improve and promote a connected trails and pathways system through appropriate land acquisition strategies.
- g. To plan for and protect corridors, adjacent land uses, and rights-of-way for transportation, transit and infrastructure facilities as required to

meet current and projected needs.

- h. To facilitate the efficient movement of goods and people, through prioritized improvements to County Roads Middle Townline Road, Highway #2, Highway #53, and Highway #5.
- i. To implement policies and strategies for Transportation Demand Management, which are intended to reduce automobile travel demand.
- j. To improve connectivity within the County, and connections with the City of Brantford and surrounding municipalities.
- k. To ensure that land uses in the vicinity of the Brantford Municipal Airport protect the long-term operation and economic role of the airport.
- I. To encourage the County to identify existing and anticipated transportation deficiencies at a strategic level and to assess strategic transportation service options and improvements (i.e., roads, transit, other modes) in the context of both urban and rural transportation requirements.
- m. To coordinate suitable haulage/truck routes with the Province and adjacent municipalities in order to address the needs of both aggregate and industry, and to minimize the negative impacts of truck routes on adjacent non-employment uses.
- n. To improve transportation linkages between highways 403 and 401.
- To implement where financially viable the County's Transportation Master Plan in order to address major transportation issues over the planning horizon.

# 1.11.2.6 Agriculture

#### 1.11.2.6.1 Context

Agricultural land uses make up a significant portion of the County. The County is comprised of large areas of prime agricultural land and land that has considerable agricultural potential, subject to adequate drainage, irrigation, or specialty crop farming.

The predominant soil classification throughout the County (and particularly within the Agriculture designation, as described in Section 3.3) is Class 1 and 2 under the Canada Land Inventory (CLI) land classification system. There are also selective pockets of Class 4, and Class 5 and significant areas of a Class 3-5 blend within the County. However, despite these limited poorer

pockets of associated Canada Land Inventory Class 4 to 7 soils, the entire Agricultural designation constitutes a *prime agricultural area*.

Some of the County's farms may have a variety of soil types and soil characteristics. Despite the challenges this may pose to the application of uniform farm practices, the viability of the agricultural economy should be protected by prohibiting incompatible, non-farm development in the County's Agricultural Area.

# 1.11.2.6.2 Objectives

The following objectives have been identified with respect to agricultural land in the County:

- a. To recognize the agricultural industry as an important component of the County's economic base and as a contributor to the County's rural character.
- b. To protect the County's prime agricultural area for long-term agricultural purposes.
- c. To protect the right to farm based on normal farm practices.
- d. To promote and encourage a wide range and scale of agricultural activities, including community gardening and value-added agricultural industries that are limited in scale, directly related to a farm operation and compatible with surrounding agricultural operations.
- e. To restrict the creation of new residential lots and other non-farm development in the County's Agricultural Areas.
- f. To preserve and enhance natural features such as hedge rows, fence rows, water tables and woodlands, in order to sustain Agricultural Areas and the ability to grow crops and/or raise livestock.
- g. To encourage agricultural uses to operate in a manner that preserves and enhances the natural environment.
- h. To ensure the continued presence of farm-related services, infrastructure, and social and recreational facilities within the agricultural portion of the County in order to support agricultural operations and communities.
- i. To direct the development of urban and nonfarm-related land uses to the County's Primary and Secondary Urban Settlement Areas and Hamlets and Villages, or areas specifically intended for the proposed land use, in order to protect the long-term operation and economic

role of agriculture.

- j. To ensure that agricultural operations are protected from surrounding land uses by incorporating the Minimum Distance Separation Formulae in order to prevent adverse effects from odour.
- k. To permit farming operations that will help the County as a whole adjust to changing economic and technological conditions.
- I. To promote and encourage organic and non-traditional farming and to support the sale and availability of locally produced food.
- m. To encourage the introduction of specialty crops those traditionally have not been grown in the area but which offer greater agricultural diversity.

# 1.11.2.7 Recreation

#### 1.11.2.7.1 Context

A Recreation Master Plan has been prepared for the County (2000), which provides an inventory of all existing recreation facilities including parks, playgrounds, arenas, trails, etc.

# 1.11.2.7.2 **Objectives**

The following objectives apply to parks and recreational land uses in the County:

- a. To provide a full range and equitable distribution of accessible opportunities for recreation (including parks, playgrounds, open space areas, trails, water-based activities, golf courses, campgrounds, sports facilities, amusement parks, and facilities such as restaurants, snack bars, parking areas, and auxiliary buildings).
- b. To ensure that there are adequate opportunities for recreation land uses and facilities in order to meet the anticipated demand in accordance with population and housing projections prepared for the County.
- c. To ensure adequate opportunities for public access to the Grand and Nith River shorelines.
- d. To enhance the financial sustainability of the County by promoting recreational and related tourism opportunities.
- e. To ensure that the location and design of recreational land uses and facilities minimizes negative impacts to the environment, protects

adjacent land uses from adverse impacts, and supports public health and safety.

- f. To support passive recreational opportunities where appropriate.
- g. To ensure that the impacts of planning decisions are considered with respect to open space, parks, and conservation areas within the County.
- h. To incorporate natural heritage features into the County's recreational and social programs.
- i. To promote walkability through urban design.

# 1.11.2.8 Cultural Heritage Resources

#### 1.11.2.8.1 Context

There are a number of cultural heritage resources within the County of Brant. These resources generally include built heritage resources, cultural heritage landscapes, and archaeological sites, including aboriginal and Euro-Canadian archaeological sites.

Significant sites include the Bell Homestead and the Battle of Malcolm Mills (the site of the last land battle on Canadian soil against a foreign power). As well, both Onondaga and Oakland are noted as being historically significant (i.e., War of 1812, navigation).

The County's heritage resources also include vistas, views, formal gardens, river valleys, streetscapes, landscapes and architecture (including museums, cobblestone buildings, and bridges). Both Paris and the former Township of South Dumfries are known for their unique cobblestone buildings. The downtowns of Paris, St. George and Burford are also considered important cultural heritage landscapes because they include a concentration of important historic sites and other built and cultural heritage resources.

# 1.11.2.8.2 Objectives

The following objectives have been identified with respect to built heritage resources, cultural heritage landscapes, and archaeological sites in the County:

a. To ensure that built heritage resources, cultural heritage landscapes, and archaeological sites are conserved, promoted, and restored (where feasible), in order to maintain their economic and social benefits.

- b. To work to prevent the demolition, destruction, or inappropriate alteration or use of built heritage resources, and to encourage adaptive re-use of heritage properties.
- C. To enhance and maintain the integrity of built heritage resources, cultural heritage landscapes, and archaeological sites within the County through compatible design, development and site alteration, on-site or on land adjacent to heritage sites or features.
- d. To consider, integrate, and coordinate built heritage resources, cultural heritage landscapes, and archaeological sites into development proposals at the appropriate stages of the planning process.
- e. To encourage and support the research of built heritage resources, cultural heritage landscapes, and archaeological sites, and to identify and promote methods for preservation, enhancement, and utilization of such resources.
- f. To develop and encourage creative, appropriate, and economic uses of built heritage resources, cultural heritage landscapes, and archaeological sites, that consider and reflect social, economic, and community needs.
- g. To encourage and foster public awareness, participation and involvement in the preservation, restoration and utilization of built heritage resources, cultural heritage landscapes, and archaeological sites.
- h. To incorporate heritage promotion and education in tourism documents/initiatives.

# 1.11.2.9 Natural Heritage

# 1.11.2.9.1 Context

The County of Brant includes extensive areas of important natural heritage features, areas, and systems. Notably, this includes the Grand River and its watershed. The Grand River has been declared a Canadian Heritage River by the Federal Government, and as such, the County supports the identification of the Grand River as a Canadian Heritage River and shall continue to support appropriate initiatives to maintain, enhance, manage and conserve its associated natural heritage features, areas, and systems.

There are substantial portions of Brant that are part of the County's natural heritage features, areas, and systems. These include both Provincially significant and locally significant wetlands, Provincially significant woodlands, other woodlands and vegetation, significant valleylands, Environmentally Significant Areas, fish habitat, significant habitat of endangered and threatened species, significant wildlife habitat, areas of natural and scientific interest (ANSIs), and watercourses.

# 1.11.2.9.2 Objectives

The following objectives have been established with respect to the protection, enhancement and restoration of natural heritage features, areas, and systems in the County:

- a. To identify and encourage the protection, maintenance, enhancement and restoration of the County's natural heritage features, areas, and systems in accordance with Section 2.3 of this Plan.
- b. To monitor and periodically assess the condition of the County's natural heritage features, areas and systems.
- c. To direct development away from the County's natural heritage features, areas, and systems, in accordance with Section 2.3 of this Plan.
- d. To prevent the development or site alteration of lands that are adjacent to Provincially significant natural heritage features, areas, and systems, including the diversity and connectivity of such features and functions, unless it can been demonstrated that there shall be no negative impacts on the features or their ecological functions.
- e. To encourage the investigation and identification of additional locally significant natural heritage features, areas, and systems within the County, including potential linkages and corridors between both locally and Provincially significant natural heritage features, areas, and systems.
- f. To consider, integrate, and coordinate natural heritage features, areas, and systems at the appropriate stages of the planning process.
- g. To balance the County's agricultural goals with the conservation and enhancement of natural heritage features, areas, and systems.
- h. To promote the efficient and sustainable use of water resources, including practices for water conservation, sustaining water quality,

and sourcewater protection.

# 1.11.2.10 Natural and Human-Made Hazards

#### 1.11.2.10.1 Context

The presence of significant valleylands along the Grand River, the Nith River, Whitman's Creek, and Fairchild Creek contribute to the character of the County, but also represent a potential natural hazard. Gypsum mines, erosion, steep slopes, and flooding of land adjacent to these waterways must also be addressed by the policies of this Plan with guidance from the Grand River and the Long Point Region Conservation Authorities.

# 1.11.2.10.2 Objectives

The following objectives have been identified with respect to protection of the County, property and the general public from natural and humanmade hazards:

To reduce the potential for public cost or risk to the County from natural hazards (including flooding, or erosion hazards), and from human-made hazards (including mine hazards, oil, gas and salt hazards, or former mineral, mining and/or aggregate mining operations, or petroleum resource operations).

- a. To reduce the potential for public cost or risk to the County from natural hazards (including flooding, or erosion hazards), and from human-made hazards (including mine hazards, oil, gas and salt hazards, or former mineral, mining and/or aggregate mining operations, or petroleum resource operations).
- b. To direct development away from areas of natural or human-made hazards, where there is a risk to public health, safety, or property damage.
- c. To minimize negative impacts to the environment and support public health and safety by prohibiting development and site alteration within areas of real or potential natural and human-made hazards.
- d. To promote the redevelopment and remediation of brownfield sites and contaminated sites, such that there shall be no adverse effect on future uses and the natural environment.
- e. To minimize emissions of noxious gases, particulates, and dust caused by various land uses in order to improve air quality.
- f. To manage noise, vibration, and odour levels, in addition to other contaminants, and to manage appropriate relationships between

sensitive land uses, in order to ensure the health and well-being of the County's residents.

# 1.11.2.11 Resource Development

#### 1.11.2.11.1 Context

The County of Brant is rich in quality mineral aggregate resource deposits. The richest deposits of sand and gravel are found in the northeast part of the County and extend south westerly through the north western area of the City of Brantford and into the former Township of Burford.

# 1.11.2.11.2 Objectives

The following objectives have been identified with respect to resource development in the County:

- a. To promote efficient and sustainable resource development in a manner that is in accordance with Provincial legislation, including the <u>Ontario Mining Act, Oil, Gas and Salt Resources Act</u> and the Ontario <u>Aggregate Resources Act</u>.
- b. To enhance the financial sustainability of the County by promoting resource development opportunities, where appropriate and consistent with the County's land use designations.
- c. To protect mineral aggregate, petroleum resources, and other resources within the County for long-term use.
- d. To protect resource development opportunities from development and incompatible uses that would prevent expansion or continued use.
- e. To provide adequate separation between resource development activities and other land uses that are not compatible.
- f. To recognize the interim nature of extraction activities and to ensure that progressive and final rehabilitation of former resource extraction sites is undertaken to accommodate subsequent land uses, including agriculture, after extraction activities have ceased.
- g. To ensure that resource extraction and rehabilitation is undertaken in a manner that minimizes social and environmental impacts.
- h. To promote the conservation of mineral aggregate resources by

making provisions for the recovery of these resources, where feasible.

# 2.0 PLANNING STRATEGY AND GENERAL DEVELOPMENT POLICIES

#### 2.1 PREFACE

The following sections collectively comprise a Planning Strategy, which establishes a broad, integrated, and long-term approach to all aspects of planned change and physical development in the County, as well as general development policies based on the Strategy. The policies of this section are intended to contribute to orderly, efficient, and sustainable future development within the County of Brant to the year 2031.

The Planning Strategy and General Development Policies section is made up of the following interrelated components:

- Growth Management Policies (Section 2.2);
- Natural Heritage, Potential Resource, and Hazard Management Policies (Section 2.3);
- Housing Policies (Section 2.4);
- Economic Development Policies (Section 2.5);
- Community Improvement Policies (Section 2.6); and
- General Development Policies (Section 2.7).

Each component of the Strategy establishes a policy framework for growth, development, and preservation. The Planning Strategy and General Development Policies shall provide direction and guidance to Council, County staff, landowners, businesses, and residents over the course of the planning horizon.

The Planning Strategy is intended to be read in conjunction with all other sections and policies of this Plan. Additionally, this Strategy provides guidance on how to use and interpret the other policies of the Plan.

This section also contains general development policies that do not apply to a specific land use designation. These policies are intended to guide growth and development in a manner that is coordinated throughout the County and is consistent with the Planning Strategy.

#### 2.2 GROWTH MANAGEMENT POLICIES

#### **2.2.1 GENERAL**

Based on population and employment projections, a land needs analysis, and other background studies, Growth Management Policies have been prepared to guide the nature and physical extent of anticipated growth in the County of Brant to the year 2031.

The Growth Management Policies for the County of Brant provides a basis for future planning activities throughout the County, and implements the direction of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

### 2.2.2 GROWTH PROJECTIONS AND LAND NEEDS ANALYSIS

The County's Growth Analysis Study (2006 to 2031) was prepared in order to assist in understanding future population and employment projections, residential and employment land needs, and housing requirements, for the purposes of developing Growth Management Policies.

The following is a brief summary of the growth projections and land needs analysis, which contributed to the preparation of the Growth Management Policies. For detailed information related to growth and development in the County of Brant, including trends, projections, and long-term land needs, the County's Growth Analysis Study (2006 – 2031) should be consulted.

# 2.2.2.1 Growth Projections

Table 2.1 provides population and employment projections to 2031 prepared for the County of Brant as part of the Growth Analysis Study

Table 2.1: Population and Employment Projection Comparison for the County of Brant 2001-2031

Year	Population Projection	Employment Projection
2001	34,800	15,700
2006	38,400	17,500
2031	47,000	19,000

According to the study, the County's population growth will increase by 12,200 people over the 2001-2031 period, representing an overall increase of 35%.

The employment forecast presented by the Growth Analysis Study projects an increase of 3,300 jobs over the 2001-2031 period. This represents an overall increase of 21%.

Schedule 3 of the Growth Plan for the Greater Golden Horseshoe also provides growth targets for the municipalities that comprise the Greater Golden Horseshoe, including the County of Brant. A comparison of the projections provided by Schedule 3 of the Growth Plan with the projections above indicate that the projections prepared for the County are generally consistent with growth targets provided by the Province.

The policies of this Plan recognize that the projections are partially dependent on factors outside of the County's control. As such, the County's planning and growth management activities will ensure flexibility to accommodate growth, while avoiding inefficient and costly development patterns. In addition, the County shall monitor the population and employment forecasts in accordance with the policies of Section 6.3 of this Plan.

# 2.2.2.2 Land Needs Analysis

According to the 2008 Growth Analysis Study, there is a sufficient supply of land designated for both residential and employment long-term growth in the County of Brant. All of the residential growth that is anticipated to 2031 can be accommodated within the existing settlement area boundaries. In addition, there is a sufficient amount of employment land designated in the County to accommodate the projected employment growth to 2031.

# 2.2.2.3 Designated Greenfield area Density Targets

The designated Greenfield area of the County will be planned to achieve a minimum density target that is not less than 30 residents and jobs combined per hectare, increasing to 35 residents and jobs combined per hectare by 2012, and 40 residents and jobs combined per hectare by 2022.

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

#### 2.2.3 COMMUNITY STRUCTURE

The County of Brant comprises the former Town of Paris, and the former Townships of Brantford, Burford, Oakland, Onondaga and South Dumfries. The County is a single-tier municipality with multiple settlement areas, which poses both opportunities and challenges with respect to growth and development.

The objectives of this Plan will ensure that sufficient land is available in the County to accommodate projected growth in a variety of suitable locations, densities, and housing types, and to provide employment opportunities and economic growth. This Plan also intends to ensure that new development, redevelopment and intensification is appropriately located in an orderly,

efficient, sustainable, and compact manner that is compatible with surrounding land uses.

In order to achieve these objectives, the Growth Management Policies identify a Community Structure for the County of Brant. The Community Structure is based on the land needs analysis and represents the desired form and composition for the County's multiple settlement areas. It provides long-term guidance for planned change and physical development in Brant. The Community Structure is described below, and presented on Schedule A of this Plan.

The County's Community Structure acknowledges the interrelationship between land use planning and infrastructure planning, including existing and planned County water and sanitary sewage systems. Some of the Community Structure policies overlap with each other and with other policies of this Plan, such as land use designations and their respective policies (as provided by Section 3.0).

The Community Structure for the County is made up of the following areas:

- a. Urban Settlement Areas Urban Settlement Areas are further classified as:
- b. **Primary Urban Settlement Areas** (Paris, St. George and Cainsville / Brant East) generally have full County water and sanitary sewage systems and are intended to accommodate the majority of commercial, residential, institutional, employment and recreational growth and development in the County and function as the primary activity centres. Policies for the County's Primary Urban Settlement Areas are provided in Section 2.2.3.1.1. The Primary Urban Settlement Areas are identified on Schedule A.
- c. **Secondary** Urban Settlement Areas (Burford, Mount Pleasant/Tutela Heights, Oakhill/Airport, Oakland, Scotland and the Highway 403 and County Road 25 (Middle Townline Road) interchange employment area) - have either full or partial municipal services, or private water and sanitary sewage systems and are not intended to accommodate major commercial, residential, institutional, employment and recreational growth, but rather limited infilling, minor rounding out within the existing boundary of the settlement area and small scale intensification subject to the availability of appropriate servicing systems. Policies for the County's Secondary Urban Settlement Areas are provided in Section 2.2.3.1.2. The Secondary Urban Settlement Areas are identified on Schedule A.
- d. Hamlets and Villages Hamlets and Villages do not have County

water or sanitary sewage systems and are intended to function as small rural clusters which may accommodate limited growth that is restricted to infilling and minor rounding out of commercial, residential, institutional, and recreational areas to service the surrounding agricultural community. Hamlets and Villages are considered areas of settlement. Policies for the County's Hamlets and Villages are provided in Section 2.2.3.2. The County's Hamlets and Villages are identified on Schedule A.

- e. Rural Residential Areas Rural Residential Areas consist of existing clusters of large lot residential development serviced by private water and sanitary sewage systems. Rural Residential Areas are not considered settlement areas. Policies for the County's Rural Residential Areas are provided in Section 2.2.3.3. The Rural Residential Areas, consisting of the Rural Residential land use designation, are identified on Schedule A.
- f. Agricultural Areas Agricultural Areas are intended to accommodate rural resource activities including primarily agriculture and natural resource extraction and resource-based uses and related uses. Policies for the County's Agricultural Areas are provided in Section 2.2.3.4. The Agricultural Areas, which consist of the Agriculture land use designation, are identified on Schedule A.

#### 2.2.3.1 Urban Settlement Areas

The County's Urban Settlement Areas provide the widest range of land uses and County services relative to smaller communities that have a smaller range of land uses and partial or no County services.

To recognize the range of land use characteristics and servicing capacities in each of the County's Urban Settlement Areas, and the need to accommodate anticipated growth over the planning horizon, two classes of Urban Settlement Areas have been identified and are shown on Schedule A:

- a. Primary Urban Settlement Areas; and
- b. Secondary Urban Settlement Areas.

The following sections describe the function of and provide guidance for each of the classes of the County's Urban Settlement Areas.

# 2.2.3.1.1 Primary Urban Settlement Areas

The County's Primary Urban Settlement Areas of Paris, St. George and Cainsville / Brant East have been identified based on their servicing capacity

and ability to accommodate projected growth through development, redevelopment, and intensification opportunities. Primary Urban Settlement Areas have access to full County services and have an existing supply of designated land that can accommodate development.

The County's Primary Urban Settlement Areas shall function as the main areas for growth, development, and urban activities in the County over the course of the planning horizon.

The following policies shall apply to the County's Primary Urban Settlement Areas:

- a. Each of the Primary Urban Settlement Areas has a built boundary as identified in Section 2.2.5.1 of this Plan and as shown on Schedule A.
- b. As it is anticipated that there is sufficient land to accommodate the majority of projected population and employment growth for the County to the year 2031, the majority of growth and development shall be directed to the County's Primary Urban Settlement Areas.
- c. The County shall work with development proponents to ensure that development will be provided with County sanitary sewage, stormwater management, and potable water services, as well as an appropriate level of transportation infrastructure to accommodate the growth projected to 2031.
- d. In order to encourage intensification, the County shall direct a significant portion of its population and employment growth to appropriate areas within the built boundary in accordance with the intensification policies of Section 2.2.5.2.
- e. With the exception of infilling, new residential growth and development occurring in the designated Greenfield area (as defined in Section 2.2.5.1 e)) between the settlement area boundary and the built boundary may require the completion of an Area Study, in accordance with Section 2.2.4 of this Plan.
- f. In accordance with the requirements of Section 2.2.4.3, Area Studies shall establish densities for the study area that contribute to the achievement of the designated Greenfield area density target in Section 2.2.2.3
- g. Primary Urban Settlement Areas shall support orderly, efficient, and sustainable opportunities for development, redevelopment, and intensification.

- h. All development, redevelopment, and intensification shall take into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs.
- i. All development shall be consistent with and guided by the Servicing Systems policies in Section 5.2 of this Plan.
- j. Primary Urban Settlement Areas shall develop as complete communities by accommodating a mix and range of urban land uses including residential, commercial, employment, retail, institutional, cultural, recreational, and open space uses.
- k. All development, redevelopment, and intensification shall be designed to create high quality urban spaces and public open spaces that promote opportunities for transit, walking, and cycling.
- I. The County shall not permit the establishment of new Primary Urban Settlement Areas.
- m. Primary Urban Settlement Area boundary expansions shall only occur as part of a Municipal Comprehensive Review in accordance with Section 2.2.3.1.3 of this Plan.

# 2.2.3.1.2 Secondary Urban Settlement Areas

The County's Secondary Urban Settlement Areas have also been identified based on their servicing capacity and ability to accommodate projected growth through development, redevelopment, and intensification opportunities. Although they have a land supply that can accommodate development, only parts of Oakhill/Airport have access to full County water and sanitary services.

In accordance with the growth and development objectives of this Plan, the County shall promote development that is orderly, efficient, and sustainable. The County's Secondary Urban Settlement Areas shall not function as the main areas for growth, development, and urban activities in the County.

The following policies shall apply to the County's Secondary Urban Settlement Areas:

- a. The Secondary Urban Settlement Area of Burford has a built boundary as identified in Section 2.2.5.1(b) of this Plan and as shown on Schedule A.
- b. All other Secondary Urban Settlement Areas have a built-up area that is made up of existing developed urban areas within the settlement area

- c. A limited amount and type of growth and development shall be permitted in the County's Secondary Urban Settlement Areas.
- d. Secondary Urban Settlement Areas shall contribute to achieving the County's goals with respect to intensification, as established in Section 2.2.5.2 of this Plan, by accommodating limited infill development, and small scale intensification within the built boundary/built-up area, subject to the availability of appropriate servicing systems.
- e. New residential development that is located outside the built boundary/built-up area may be subject to the preparation and approval of an Area Study, in accordance with Section 2.2.4 of this Plan.
- f. A mix and range of urban land uses and activities shall be permitted, including residential, commercial, employment, office, institutional, entertainment, cultural, recreational, and open space uses.
- g. All development shall be consistent with and guided by the Servicing System policies in Section 5.2 of this Plan.
- h. All development, redevelopment, and intensification shall take into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs.
- i. All development, redevelopment, and intensification shall be designed to create high quality urban spaces and public open spaces that promote opportunities for walking and cycling.
- j. The County shall not permit the upgrading of a Secondary Urban Settlement Area to a Primary Urban Settlement Area, unless it can be demonstrated that:
  - i. full sanitary sewage, stormwater management, and potable water services, as well as an appropriate level of transportation infrastructure, can be provided to accommodate future growth, at no cost to the County;
  - ii. sufficient opportunities for growth are not available within existing Primary Urban Settlement Areas to accommodate projected needs over the planning horizon.
  - iii. opportunities for intensification, infill, and redevelopment within existing Primary Urban Settlement Areas have been accounted for in evaluating the need to upgrade to a Primary Urban

#### Settlement Area; and

- iv. an Area Study has been completed and approved by the County, in accordance with Section 2.2.4 of this Plan.
- k. The County shall not permit the establishment of new Secondary Urban Settlement Areas.
- I. Boundary expansions shall only occur as part of a Municipal Comprehensive Review in accordance with Section 2.2.3.1.3 of this Plan.

# 2.2.3.1.3 Urban Settlement Area Boundary Expansions

Urban Settlement Area boundary expansions shall only occur as part of a Municipal Comprehensive Review of this Plan. A Municipal Comprehensive Review is an Official Plan review, which may be initiated at any time by the County of Brant. As part of the Municipal Comprehensive Review, it shall be demonstrated that:

- a. sufficient opportunities to accommodate forecasted growth are not available within the existing Urban Settlement Areas;
- b. the expansion makes sufficient land available to accommodate growth over the horizon of this Plan;
- c. the timing of the expansion and phasing of development shall not adversely affect the achievement of the County's intensification policies and the density target for the designated Greenfield area;
- d. the proposed expansion is an efficient, sustainable, and logical extension of the Urban Settlement Area and the existing or planned infrastructure, services, and facilities required to accommodate the proposed expansion can be provided in an environmentally sustainable manner and at no cost to the County:
- e. the land is physically suitable for development, considering any constraints to development, including topography, hazard lands, natural heritage features, areas, and systems, and natural resources;
- f. where Agricultural Areas are included, they are lower priority agricultural land, unless there are no reasonable alternatives to lower priority agricultural land. Specialty crop areas shall not be included within the proposed expansion;
- g. the proposed expansion satisfies the Minimum Distance Separation Formulae and impacts from new or expanding Urban Settlement Areas on Agricultural Areas are mitigated;

- h.the transportation network can accommodate the additional volume of traffic and demand for services;
- i. a suitable plan for phasing, financing, and constructing of the infrastructure for the expansion is demonstrated;
- j. there is an adequate supply of land designated Employment within or in the immediate vicinity of the Urban Settlement Area to provide a minimum of one full-time job per three residents anticipated in the expanded area;
- k. the proposed expansion will not negatively impact cultural heritage resources; and
- I. where appropriate, cross-jurisdictional issues are considered.

# 2.2.3.2 Hamlets and Villages

The County's Hamlets and Villages are areas of settlement that are intended to function as small rural clusters providing limited residential, commercial, industrial, institutional, and recreational services to the surrounding agricultural community. Hamlets and Villages have been identified based on their role as service and residential centres within the agricultural community, and for their rural character. They do not have access to County services (either water or sanitary sewage systems). It is not anticipated that the County's Hamlets and Villages will accommodate significant growth and development during the course of the planning horizon.

The location and boundaries of the County's Hamlets and Villages are identified on Schedule A of this Plan. The following policies shall apply to the County's Hamlets and Villages:

- a. Designation of Hamlets and Villages does not mean that the land is suitable for further development. A limited amount of growth and development may occur, subject to the following criteria:
  - i. the proposed development is subject to the policies of Section 3.6 of this Plan;
  - ii. the proposed development is within the area of settlement's boundary and has access to potable water;
  - iii. new development that is in the form of infilling and minor rounding out of the existing built-up area shall be prioritized;
  - iv. a servicing feasibility study has been completed in accordance with the Ministry of the Environment guidelines which demonstrates that the impact of new development on ground

- and surface water shall be within acceptable limits;
- v. the proposed servicing is appropriate for the proposed densities and land uses;
- vi. the available community facilities, such as community centres, schools, commercial, recreational or cultural facilities can accommodate the proposed development; and
- vii. the proposed development is compatible with existing surrounding land uses.
- b. Subject to the criteria in policy (a), Hamlets and Villages may contribute to achieving the County's intensification policies, as established in Section 2.2.5.2 of this Plan, by accommodating limited infill development and small scale intensification.
- c. New residential development that is located outside the built-up area may be subject to the approval of an Area Study prepared by the development proponent.
- d. Growth and development that may adversely affect the rural character of the community, including the agricultural and/or natural resources shall only be permitted in accordance with the policies of this Plan.
- e. Development that is related to the management or use of resources, open spaces, recreational activities, and other rural land uses that may not be suitable for the County's Urban Settlement Areas shall be permitted.
- f. New multiple lot residential development and multi-unit residential development that is more appropriate for and better accommodated within the County's Urban Settlement Areas shall not be permitted.
- g. All development shall be appropriate for the infrastructure which is planned or available.
- h. All development shall be consistent with and guided by the Servicing System policies in Section 5.2 of this Plan.
- i. The County shall plan for a variety of cultural and economic opportunities in order to serve the needs of rural residents and areas businesses.
- j. The County shall not permit the establishment of new Hamlets and Villages.
- k. Expansions to the boundaries of the Hamlets and Villages shall only

be considered as part of a Municipal Comprehensive Review in accordance with Section 2.2.3.1.3 of this Plan.

#### 2.2.3.3 Rural Residential Areas

The County's Rural Residential Areas are existing areas of large lot residential developments that are designated Rural Residential by this Plan. Existing Rural Residential Areas have been identified based on their role as residential areas outside of the Urban Settlement Areas, Hamlets and Villages, and within the agricultural community. These areas do not have access to County water or sanitary sewage systems.

It is anticipated that the County's Rural Residential Areas will not accommodate significant additional growth and development during the course of the planning horizon. Development shall be limited to infilling on existing lots of record or new draft plans of subdivision within the boundaries of the Rural Residential designation, as shown on Schedule A.

The County shall not permit the establishment of new Rural Residential Areas. The boundaries of existing Rural Residential areas shall not be permitted to expand.

The following policies shall apply to the County's Rural Residential Areas:

- a. Designation of a Rural Residential Area does not mean that the land is suitable for further development. A limited amount of growth and development may occur, subject to the following criteria:
  - i. the proposed development is subject to the policies of Section 3.7 of this Plan;
  - ii. the proposed development represents infill development or minor rounding out;
  - iii. the proposed development has access to potable water, and such supply does not adversely affect adjoining properties;
  - iv. a servicing feasibility study has been completed in accordance with the Ministry of the Environment guidelines which demonstrates that the proposal's impact on ground and surface water shall be within acceptable limits;
  - v. the proposed servicing shall be appropriate for the proposed densities and land uses;
  - vi. the pattern of new development shall be logical in the context of existing development;

- vii. the proposed development complies with the Minimum Distance Separation Formulae;
- viii. the proposed development is compatible with existing development; and
- ix. each lot proposed shall include a comprehensive drainage and lot grading plan demonstrating no adverse impacts on surrounding properties and a satisfactory outlet for stormwater.
- b. Development shall be consistent with and guided by the Servicing System policies in Section 5.2 of this Plan.
- c. Development shall be limited to large lot residential development, in accordance with the Rural Residential designation in Section 3.7 of this Plan. Proposed lots shall be of a size similar to existing lots.

# 2.2.3.4 Agricultural Areas

The County's Agricultural Areas include areas of agricultural activity within the County, and also accommodate rural resource activities, including natural resource extraction, other resource-based uses, and related and compatible uses. The County's Agricultural Area is predominately prime agricultural land and is therefore considered a prime agricultural area. For its economic, environmental, and cultural benefits, the County's agricultural land base should be protected and the use of the land should be predominantly related to agriculture, with aggregate resource extraction as an important secondary use.

The County of Brant has a significant Agricultural Area, which is not serviced by County water and sanitary sewage systems. While the County appreciates that a degree of non-farm growth will also provide benefits to the agricultural community, the extent of non-farm growth shall be limited.

The following policies shall apply to the County's Agricultural Areas:

- a. In circumstances where non-agricultural growth and development is permitted to occur, as outlined in the strategies and policies of this Plan,priority shall be given to less productive agricultural land for non- agricultural development, where it is feasible and practical to do so.
- b. Unless otherwise designated, the use of prime agricultural land shall be subject to the policies of the Agriculture designation in Section 3.3 of this Plan. New non-agriculturally related uses on land within the Agriculture designation shall not be permitted, unless otherwise

specifically permitted by this Plan.

- c. On land within the Agriculture designation, for any proposals or applications to permit a settlement area expansion or a use not currently permitted in the Agriculture designation, it shall be demonstrated that the land subject to the proposal or application does not comprise a specialty crop area or aggregate resource areas.
- d. New lots shall only be permitted in accordance with the agricultural lot creation and lot adjustment policies of Section 6.8.2.1 of this Plan.
- e. Any new development within and in proximity to the Agricultural Area shall comply with the Minimum Distance Separation Formulae.

#### 2.2.4 AREA STUDIES

Growth and development on large tracts of vacant land within the County's settlement areas and areas of settlement shall be preceded by and managed through the preparation of Area Studies. These studies may be incorporated into this Plan and shall be carried out in accordance with the provisions of the Planning Act, Environmental Assessment Act where appropriate and this Plan. Technical studies shall be prepared in support of the Area Study, as set out in this Plan. The preparation of Area Studies shall be subject to a formal public review and comment process in accordance with the requirements of the Planning Act, Environmental Assessment Act where appropriate and this Plan. The Area Studies shall establish land use designations and associated policies to serve as a guide for development.

Area Studies are anticipated by the County to be prepared primarily for lands within the Primary Urban Settlement Areas of Paris, St. George and Cainsville / Brant East. Area Studies may also be prepared for lands within the Secondary Urban Settlement Areas. It is not anticipated that Area Studies will be prepared for lands outside of the Primary and Secondary Urban Settlement Areas within the planning horizon.

#### 2.2.4.1 Criteria for the Preparation of Area Studies

With respect to the preparation of Area Studies, the following County policies shall apply:

- a. The County may prepare or require a landowner/proponent to prepare an Area Study based on one or more of the following criteria:
  - i. the proposed development is located outside of the built boundary or the existing built-up area of a settlement area, as identified in Section 2.2.5.1 and on Schedule A of this Plan; and/or

ii. the proposal requires the extension of County water or sanitary sewage services or infrastructure, roads, stormwater management facilities, or the establishment of communal water or sanitary sewage services.

# 2.2.4.2 Area Study Process

The following policies outline the process for the preparation of Area Studies:

- a. At the outset of the Area Study process, key participants such as Six Nations of the Grand River and the Mississaugas of the New Credit First Nations, and neighbouring municipalities, as appropriate, shall be notified. The Area Study process shall provide for the early involvement of the key participants in the planning process.
- b. Prior to the preparation of an Area Study, a detailed Terms of Reference shall be prepared by the County, or jointly between the landowner or proponent of development and the County, which establishes the specific details of the Area Study Process, including:
  - i. participants in the Area Study Process (including landowner groups, consultants, peer reviewers and the general public);
  - ii. general agreements and commitments established between the participants of the Area Study Process; and
  - iii. specific requirements of the Area Study, beyond the General Area Study Requirements outlined in Section 2.2.4.3.
- c. The cost of preparing an Area Study and any other required supporting documentation shall be borne by the proponent. Costs incurred by the County for engaging peer review consultants to evaluate the proposal and supporting documentation shall also be borne, or reimbursed, by the proponent.
- d. Prior to the preparation of an Area Study, boundaries shall be established by the County based on common key infrastructure components such as water distribution system, trunk sewer lines, and stormwater management/sewage treatment facilities, with the approval of the County. Natural heritage features, areas, and systems, and mineral aggregate and petroleum deposits, shall also be considered when establishing Area Study boundaries. Boundaries of the area to be studied may extend beyond settlement area boundaries in order to fully evaluate the impacts of development on infrastructure and natural heritage, for example.
- e. The preparation of Area Studies shall involve a consultation process

that involves land owners within the defined land affected by the Area Study. At least three public meetings shall be undertaken as part of the consultation process, including a meeting at the initiation of the Study, a meeting upon the preparation of a draft Area Study, and a Statutory Public Meeting in accordance with the Planning Act, Environmental Assessment Act where appropriate, upon the presentation of the Area Study to Council.

- f. Area Studies shall be presented to the County in the form of recommendations for land use, servicing, and financing. Where appropriate and required, policies shall be included in the Official Plan by way of amendment.
- g. Area Studies shall be evaluated based on the general requirements outlined in Section 2.2.4.3 and based on the detailed Terms of Reference prepared as part of the Area Study Process.

# 2.2.4.3 General Area Study Requirements

For the preparation of all Area Studies within the County of Brant, the following general requirements shall be met:

- a. Area Studies shall be prepared in a manner that is consistent with or conforms to Provincial Plans, policies, regulations, requirements, standards, and guidelines, as appropriate.
- b. Area Studies shall be prepared in accordance with the policies of this Plan, and County By-laws, guidelines, and standards.
- c. A land use component shall be prepared as part of the Area Study, and supported by the necessary studies, which:
  - i. identifies existing land use designations and their respective densities;
  - ii. proposes land use designations and their respective densities, including opportunities for balanced economic growth through the provision of employment land and opportunities for mixed uses and a variety of forms of housing types;
  - iii. establishes densities for the study area that contribute to the achievement of the designated Greenfield area density target in Section 2.2.2.3, and provides justification for these densities;
  - iv. demonstrates that new development taking place in designated Greenfield areas will be planned, designated, zoned and designed in a manner that:

- contributes to creating complete communities;
- creates street configurations, densities, and an urban form that supports walking, cycling, other forms of alternative transportation;
- 3. provides a diverse mix of land uses to support vibrant neighbourhoods and reduce automobile dependency; and
- creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.
- v. provides phasing policies, and other strategies, for designated Greenfield areas to achieve the County's intensification policies, established in Section 2.2.5 of this Plan, including the density target for designated Greenfield areas;
- vi. delineates all identified and unidentified natural heritage features, areas, and systems and existing mineral aggregate operations and known deposits of mineral aggregate resources in proximity to and within the study area, in a manner that is consistent with the Natural Heritage, Potential Resource, and Hazard Management Policies in Section 2.3 of this Plan;
- vii. demonstrates how natural heritage features, areas, and systems and existing mineral aggregate operations and known deposits of mineral aggregate resources in proximity to and within the study area shall be protected and enhanced in a manner that is consistent with the Natural Heritage, Potential Resource, and Hazard Management Policies in Section 2.3 of this Plan:
- viii. demonstrates that the proposed development serves a greater long- term public interest and addresses issues of public health and safety and environmental impacts;
- ix. identifies required neighbourhood parks, public and private open spaces, recreational facilities, and trails;
- x. identifies required community services and facilities, including schools;
- xi. considers development applications with respect to their general conformity to the proposed Area Study, if the Area Study is being undertaken within an active development area;
- xii. proposes principles of urban design that are complimentary to

- any existing urban form within the study area,
- xiii. demonstrates why the development of the study area represents a logical sequential expansion of the existing urban form, in accordance with the County's Growth Management Policies.
- xiv. assesses, where applicable, that consideration has been given to development within hazardous areas, including those impacted by flooding and/or erosion; and,
- xv. identifies, where applicable, any headwater watercourse channels.
- d. A servicing component shall be prepared as part of the Area Study, and supported by the necessary studies, which:
  - i. identifies existing service infrastructure and capacity for water supply, sanitary sewage disposal, and stormwater management;
  - ii. proposes a servicing strategy for the entire study area that optimizes the use of existing infrastructure and identifies necessary upgrades, extensions, construction of new infrastructure, and conveyances;
  - iii. establishes the anticipated timing of implementation for the proposed servicing strategy;
  - iv. sets out the anticipated cost of implementation for the proposed servicing strategy, including an acknowledgement from the landowner and/or proponent of development that the private sector shall be prepared to accept the County share of the cost of infrastructure;
  - v. proposes a stormwater management plan that is consistent with the County's Engineering and Development Standards, but that maximizes opportunities for infiltration (based on a comprehensive evaluation of soil types) and minimizes the number of proposed stormwater retention ponds;
  - vi. identifies existing and proposed utility supplies such as hydro and natural gas;
  - vii. identifies existing road network and traffic circulation patterns; and
  - viii. proposes a road network and street patterns, identifying upgrades to the existing network and opportunities for both

vehicular and pedestrian traffic.

- e. A financial component shall be prepared as part of the Area Study, and supported by the necessary studies, which:
  - i. establishes a proposed approach to the financing of implementation of the Area Study, taking into account the anticipated costs outlined in the servicing strategy;
  - ii. demonstrates how the proposed approach to the financing of implementation will minimize costs to the County and will be within the financial capability of the County to maintain; and
  - iii. where necessary, identifies an area-specific Development Charge to cover the implementation costs by the proponent, taking into account growth related capital costs, and nongrowth related capital costs
- f. Notwithstanding any of the general requirements identified above, at the discretion of the County, Area Studies that do not comprehensively address these general requirements may be authorized subject to consistency with Provincial Plans and policies and this Plan. The County further reserves the right to add additional requirements if in the opinion of the County such requirements are deemed to be in the best interests of the County.

# 2.2.5 INTENSIFICATION

Residential development through intensification is efficient, cost-effective, and reduces the need to develop land within the County's designated Greenfield areas. Residential intensification also reduces the need for urban expansions encroaching into the County's Agricultural Area, and ensures the protection of agricultural land. The following represents the County's approach to achieving intensification in appropriate areas over the planning period.

#### 2.2.5.1 **Built Boundary**

A built boundary and/or built-up area has been identified for the County's Urban Settlement Areas and is shown on Schedule A to this Plan.

Land within the built boundary/built-up area of the County shall be subject to the County's intensification policies, as established by Section 2.2.5.2 of this Plan, and density target for designated Greenfield areas, established by Section 2.2.4.3 (c) iii of this Plan. The built boundary/built-up area shall also be used to measure the County's progress towards achieving these policies and targets.

The built boundary is described in the following policies:

- a. A built boundary for the Primary Urban Settlement Areas of Paris and St. George are identified in the Growth Plan for the Greater Golden Horseshoe and shown on Schedule A.
- b. A built boundary for the Secondary Urban Settlement Area of Burford is identified in the Growth Plan for the Greater Golden Horseshoe and shown on Schedule A.
- c. A built boundary has not been identified in the Growth Plan for the Greater Golden Horseshoe for the County's remaining Urban Settlement Areas. However, the existing developed urban areas within the settlement area boundary shall represent the existing built-up area for these settlement areas.
- d. Any development occurring within the County's built boundary/built-up area shall be considered when measuring the County's progress towards achieving its intensification goals, as described in Section 2.2.5.2 (b).
- e. Land located outside of the built boundary/built-up area, as described in policies (a) and (b) above, but within the settlement area boundary, represents the County's designated Greenfield areas. Development within the County's designated Greenfield areas is subject to the designated Greenfield area density target in Section 2.2.2.3 and may be subject to the preparation of Area Studies.

### 2.2.5.2 Intensification

The following shall be the policies of the County:

- a. Recognizing that there are limited opportunities, the County shall encourage intensification within the existing built boundary/built-up area wherever possible. By the year 2015 and for each year thereafter the County shall strive to meet a minimum target of 15 percent of all residential development occurring within the municipality to be within the built boundary/built-up area.
- b. Recognizing that all land located within the County's built boundary/built- up area may not necessarily be suitable or appropriate for large-scale intensification, the County shall encourage intensification that is of an appropriate scale and character, specifically within the following general areas:
  - i. lands designated Core Area (excluding land within the Special Policy Area for the Paris flood plains);
  - ii. any other commercial designation, including the General

- Commercial, Shopping Centre Commercial and Mixed Use designations;
- iii. vacant, underutilized sites in any other land use designation, where permitted by the policies of this Plan; and
- iv. Community Improvement Project Areas.
- c. Notwithstanding policy b) above, intensification shall only be encouraged subject to other policies of this Plan, including the availability of servicing, and the protection of existing stable neighbourhoods.
- d. Intensification shall include any of the following:
  - i. small scale intensification through modifications to an existing dwelling to include a second unit or construction of a new building containing one or two units (including the development of accessory residential dwellings, as guided by the policies of Section 2.4.5.1 and the development of garden suites, as guided by the policies of Section 2.4.5.2);
  - ii. infill residential development and new residential development of vacant land or underutilized land in existing neighbourhoods; and/or
  - iii. redevelopment which includes either the replacement of existing residential uses with compatible new residential developments at a high density or the replacement of non-residential uses with compatible residential or mixed use development with a residential component.
- e. The following criteria shall assist the County in the evaluation and consideration of applications for intensification:
  - i. the development proposal is located within the built boundary/built-up area;
  - ii. the existing water and sanitary sewer services can accommodate the additional development;
  - iii. the road network can accommodate the traffic generated;
  - iv. the development proposal is adequately serviced by parks, schools and other community facilities;
  - v. the proposed development is compatible with the existing development and the physical character and scale of adjacent buildings, streetscapes, and surrounding neighbourhood; and

- vi. the proposed development is consistent with the policies of the appropriate land use designation associated with the land.
- f. Through the development approvals and building permitting process, the County shall ensure that proposals for intensification can be satisfactorily integrated with the physical characteristics of residential and commercial areas and that proper health and safety standards are maintained.
- g. Land use compatibility assessments and urban design assessments may be required as a component of the planning rationale report accompanying development applications.
- h. Small scale intensification shall be permitted in all areas of the Primary and Secondary Urban Settlement Areas, except where infrastructure is inadequate or there are significant constraints such as natural hazards, heritage resources, or other constraints.
- i. The County shall monitor intensification activity and, based on the results, undertake the appropriate actions to ensure that opportunities exist for intensification activity.

# 2.3 NATURAL HERITAGE, POTENTIAL RESOURCE AND HAZARD MANAGEMENT POLICIES

#### **2.3.1 GENERAL**

The County shall ensure, in partnership with the Federal and Provincial governments, applicable Conservation Authorities, and other cross-jurisdictional authorities, that natural resources and natural heritage features and areas are protected from development in accordance with the policies of this Plan and that the public is protected from risks to health, safety, and/or property damage.

The Natural Heritage, Potential Resource, and Hazard Management Policies provide a basis for decision making with respect to the wise use and management of natural heritage features, areas, and systems; potential mineral, mineral aggregate and petroleum resources; and the management of both natural and human-made hazards. This Plan recognizes that these resources and hazards are inter-related. The policies also implement the direction of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

There are policies of this Section which may overlap with other policies of this Plan, including land use designations and their respective policies (Section 3.0).

#### 2.3.2 NATURAL HERITAGE FEATURES, AREAS AND SYSTEMS

The County has numerous natural heritage features and areas which link to, and form larger inter-related natural heritage systems. Some of the features and areas that make up the County's natural heritage systems include wetlands, woodlands and vegetation, valleylands, fish habitat, significant habitat of endangered and threatened species, significant wildlife habitat, Areas of Natural and Scientific Interest (ANSIs), watercourses, and other natural heritage features and areas.

In some cases, features and areas are considered to be Provincially significant, and must be protected in accordance with Provincial policy. Other features are considered locally significant, and should also be protected for their value to the County.

The County recognizes that linkages between and among natural heritage features and areas are important to the County's environmental and social values. It also recognizes that as part of a broader ecosystem, natural heritage systems also have a relationship with surface and groundwater features and require long-term maintenance, restoration, and improvement (where possible).

The County has therefore identified a Natural Heritage System land use designation that is comprised of the following natural heritage features and areas:

- significant habitat of endangered species and threatened species;
- Provincially significant wetlands and significant wildlife habitat;
- significant wildlife habitat
- hazardous sites; and
- hazardous lands, including flooding hazards (except where a Special Policy Area has been approved) and erosion hazards.

The Natural Heritage System designation is identified on Schedule A (where the feature or area is well understood and has been identified and delineated as of the date of this Plan) and shown in greater detail on Schedule C. The natural heritage features and areas that are included within the designation preclude development and are deemed to be exclusionary. In addition to the policies of this Section, lands designated Natural Heritage System are further addressed by the land use policies in Section 3.16.

Other natural heritage features and areas surrounding the Natural Heritage System designation represent a constraint to development. This section of the Plan sets out criteria that, if met, may permit certain types of development within such natural heritage features and areas.

Natural heritage features and areas that represent a constraint to development include:

- woodlands, Provincially significant woodlands, and vegetation;
- areas of natural and scientific interest (ANSI);
- significant valleylands;
- watercourses and other surface water features:
- wetlands which have been evaluated and are not considered to be Provincially significant, (as defined in Section 7.0 of this Plan);
- fish habitat.

In some cases, these natural heritage features and areas have been identified and delineated by the Ministry of Natural Resources (including Provincially significant wetlands and ANSIs) while in other cases they have been identified and delineated by the County (such as locally significant wetlands). Where these natural heritage features and areas are well understood and have been identified and delineated as of the date of this Plan, they are shown on Schedule C of this Plan. The policies of Section 2.3.2 shall apply to these features and areas.

# 2.3.2.1 Identification and Delineation of Natural Heritage Features and Areas

Many of the natural heritage features and areas addressed by this Plan (such as Provincially significant wetlands, hazard lands, and ANSIs) are relatively well understood, have been delineated, and are therefore shown on Schedule C of this Plan. Other features (such as unevaluated wetlands, and significant habitat of endangered species and threatened species) may not be well understood and have not been delineated by the Province, County or any other agency.

To the greatest extent possible, natural heritage features and areas shall continue to be identified, delineated and refined in partnership with public agencies and private developers. With respect to the identification and delineation of natural heritage features and areas, the following policies shall apply:

a. All natural heritage features, areas and systems shall be protected for the long-term in accordance with the policies of this Plan and given due consideration in the development, redevelopment, and alteration of land.

- b. Numerous natural heritage features and areas are not identified or delineated on the schedule mapping at this time. The policies protecting these features shall apply, notwithstanding the designation illustrated on Schedule A and the information provided by Schedule C.
- c. Natural heritage features and areas identified, evaluated, and delineated by the Ministry of Natural Resources shall be recognized by the County.
- d. The identification significance and delineation of natural heritage features and areas shall also be determined and/or refined by the preparation of Area Studies, in accordance with Section 2.2.4 of this Plan.
- e. The identification significance and delineation of natural heritage features and areas shall also be determined and/or refined by the preparation of a detailed Environmental Impact Study (EIS), as required for development and site alteration proposals, in accordance with Section 2.3.2.2.
- f. Where new, previously unidentified features are identified, they shall be protected in accordance with the policies of this Section and the policies of the Natural Heritage System designation (section 3.16), as applicable.
- g. The County may not require an Official Plan Amendment for the refinement of natural heritage features and areas shown on Schedule C.
- h. New natural heritage features and areas that are identified, evaluated, and/or delineated shall be incorporated into Schedule A or Schedule C of this Plan as soon as reasonably practical.
- i. The County shall pursue the development linkages between the natural heritage features and areas for wildlife corridors and other environmental benefits, in accordance with the Natural Heritage Linkage Strategy policies in Section 2.3.2.4, and in recognition of the interconnectedness and interdependence of natural heritage features and areas, groundwater features, and surface water features.

# 2.3.2.2 **Development and Site Alteration**

The following policies apply to proposals for development and site alteration, within natural heritage features and adjacent to natural heritage features:

a. The County shall ensure, in partnership with the Federal and

- Provincial governments, that Provincially significant natural heritage resources and locally significant natural heritage resources are protected from development and site alteration.
- b. Development and site alteration within natural heritage features and adjacent to natural heritage features, shall only occur in accordance with the standards of this section, including Table 2.2 and the policies for Woodlands and Vegetation, including Significant Woodlands (Section 2.3.2.3), and the policies of the Natural Heritage System designation (Section 3.16).
- c. Where permitted, development or site alteration proposed in or adjacent to a natural heritage feature or area (whether delineated or not as of the date of this Plan) shall require the completion of an Environmental Impact Study (EIS), prior to development or site alteration.
- d. The completion of an EIS shall be subject to the requirements, standards and guidelines of the Ministry of Natural Resources' Natural Heritage Reference Manual and any other requirements, standards and guidelines as established by the appropriate Conservation Authority. An EIS shall include but not be limited to, a review of the potential for significant habitat of endangered or threatened species as well as a review of the potential for any unevaluated wetlands to be considered significant.
- e. Development or site alteration in, or on land adjacent to, natural heritage features and areas shall not be permitted unless it has been demonstrated to the satisfaction of the County that there shall be no negative impacts on the natural heritage features and areas or on their ecological functions. The extent of adjacent land shall be defined as indicated in Table 2.2.
- f. Numerous natural heritage features and areas, such as the significant habitat of endangered and threatened species and significant wildlife habitat, are not identified on the schedule mapping at this time. These features may be identified through appropriate studies, such as a sub- watershed plan or an Environmental Impact Study (EIS). The policies protecting these features shall apply, notwithstanding the land use designations illustrated on Schedule A.

Table 2.2 – Extent of Land Adjacent to Natural Heritage Feature

Natural Heritage Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which development or site alteration may be permitted within land adjacent to the feature
Significant wetlands	Wetland evaluation carried out according to procedures established by the Ministry of Natural Resources	120 metres	there shall be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them
Significant and wildlife habitat	Based on criteria established by the Ministry of Natural Resources and/or the appropriate Conservation Authority	50 metres	EIS demonstrates there will be no negative impacts on wildlife or their habitat
Significant habitat of endangered and threatened species	As defined and approved by the Ministry of Natural Resources	50 metres	EIS demonstrates there shall be no negative impacts on wildlife or their habitat.
Fish habitat	As defined by the Ministry of Natural resources and/or the appropriate conservation Authority	120 metres	there will be no negative impacts on the natural features or the ecological or hydrological functions that sustain them

Natural Heritage Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which development or site alteration may be permitted within land adjacent to the feature
Woodlands and vegetation, including Provincially significant woodlands	Based on evaluation criteria established and conducted by the Ministry of Natural Resources or based on the local evaluation criteria established by the County in Section 2.3.2.3	Dripline plus 45 metres	there will be no negative impacts on the natural features of the woodlands and vegetation, and the ecological functions that sustain them.
Areas of natural and scientific interest (ANSIs)	As defined by the Ministry of Natural Resources	50 metres	thereshall be no negative impacts on the ANSI and the ecological or geological functions that sustain them
Significant valleylands	As defined by the appropriate Conservation Authority.	50 metres from the boundary of the significant valleylands	there shall be no negative impacts on the natural features of the significant valleylands and the ecological functions that sustain them.
Wetlands that have been evaluated and are not considered to be provincially significant (Identified on Schedule C)	Wetland evaluation carried out according to procedures established by the Ministry of Natural Resources.	120 metres	there shall be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.

- g. When considering proposals for development or site alteration, the County shall discourage the fragmentation of land parcels associated with natural heritage features, areas, and systems.
- h. The County shall encourage that trees and vegetation are replanted to replace trees removed because of new development. The County shall also encourage the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, in the context of new development. Financial compensation for tree loss is not considered the preferable means of appropriate mitigation for development.
- i. The County shall encourage opportunities that may arise with development proposals to create new or expand existing habitats, regenerate natural vegetation, conserve natural landforms and functions in order to protect and enhance groundwater and surface water resources, and to promote environmental education and interpretation.
- j. For replanting, regeneration, and the creation of new habitats, the County shall encourage the use of native species.
- k. The County acknowledges the significance of species recovery strategies in accordance with the Endangered Species Act (2007), with respect to the protection and recovery of endangered and threatened species listed on the Species at Risk in Ontario list. As such, the County shall require the protection of species at risk, either aquatic or terrestrial. The County shall also require the implementation of the relevant findings of recovery strategies. This may include amendments to this Plan.
- I. Where components of the natural heritage features, areas, and systems are held in private ownership, nothing in this Plan shall require that these lands be free and available for public use, and the identification of land shall not oblige the County or appropriate Conservation Authority, or other public agencies to purchase the land.
- m. The County shall, to the extent feasible, ensure that required maintenance of existing drains is carried out in a manner that mitigates impacts on natural heritage features, areas, and systems.
- n. When considering applications or initiating projects under the Drainage Act or Ontario Water Resources Act for drainage works, the County, in consultation with the Province and/or the appropriate Conservation Authority shall be satisfied that the works are engineered and constructed to ensure that there are no negative impacts on natural

- heritage features, areas, and systems. Such considerations may include completion of an EIS or an environmental evaluation/appraisal carried out under the Drainage Act.
- o. Nothing in this Plan is intended to limit the ability of existing agricultural uses to continue on land in, or adjacent to, a natural heritage feature, area, or system. New agricultural uses that require approval under the Planning Act will be permitted in or adjacent to, a natural heritage feature, area, or system if it has been demonstrated to the satisfaction of the County that there will be no negative impact on the natural heritage feature or their ecological functions.
- p. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

# 2.3.2.3 Woodlands, Significant Woodlands, and Vegetation

#### 2.3.2.3.1 Context

The County of Brant currently has 13% woodland or forest coverage. Over 25% of all woodland is found in 5 forests. Most of the woodlands are found in association with other natural environmental features such as the Oakland Swamp, the Hatchley Swamp or the various wetland complexes of South Dumfries. Likewise, other ecosystems and vegetation areas in the County are threatened. Less than 0.02% of prairies, for example, have been conserved and exist in isolated patches along railway corridors and roadways.

The intent of this Plan is to preserve existing woodlands and vegetation and prohibit incompatible land uses that deter their long term benefits. Woodlands and vegetation have been identified (and will continue to be identified) based on the criteria established by the policies of Section 2.3.2.3.2. Woodlands and vegetation are illustrated on Schedule C; however, some areas may not be identified since the exact boundaries of mapped areas may change over time

#### 2.3.2.3.2 Policies

Subject to the applicable strategies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining land uses that are generally permitted in areas of woodlands and vegetation:

- a. Woodlands and vegetation have been identified and delineated by the County of Brant as a constraint to development and are shown on Schedule C of this Plan. All lands identified as woodlands and vegetation as well as land adjacent to woodlands and vegetation are subject to the policies of Section 2.3.2.2 and 2.3.2.3 of this Plan.
- b. Woodlands and vegetation include treed areas, woodlots, or forested

# areas, including:

- i. Provincially significant woodlands, as defined in Section 7.0 of this Plan;
- ii. areas that are located in urban settlements and are at least 2 hectares in size:
- iii. areas that are located in the agricultural area and are at least 4 hectares in size; or,
- iv. areas that contain rare, threatened or endangered species and their habitat.
- c. Development proposals involving woodlands and vegetation, as identified on Schedule C, or land adjacent to woodlands and vegetation, as defined in Table 2.2, shall first evaluate the woodlands and vegetation and determine whether the feature is a significant woodland or significant wildlife habitat, as defined in Section 7.0.
- d. Woodlands and vegetation will continue to be identified and delineated by the County through the preparation of a required Environmental Impact Study (EIS) prior to development or site alteration taking place within or adjacent to woodlands and vegetation.
- e. As part of the identification and delineation of woodlands and vegetation, rural roads, utility corridors and water courses shall not be considered to represent a fragmentation of woodlands.
- f. The predominant use of land in areas that have been identified as woodlands and vegetation shall be limited to uses permitted within the overriding land use designation, conservation uses, wildlife management areas and passive open space uses.
- g. When evaluating woodlands and vegetation, the opportunity for linkages with adjacent natural heritage functions, features and areas (including hedgerows, parks, and open spaces) shall be considered.
- h. If the land identified as woodlands and vegetation is not a Provincially significant feature, as determined through an Environmental Impact Study, the overriding land use designation and all applicable policies shall apply.
- i. Development and site alteration within significant woodlands may be permitted if it can be demonstrated that there shall be no negative impact on the natural feature or on its ecological functions.
- j. In accordance with Section 2.3.2.2 of this Plan, development and site alteration shall not be permitted on land adjacent to a significant

- woodland, as defined in Table 2.2, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.
- k. Development within Primary or Secondary Urban Settlement Areas that may impact existing trees may be required to submit a detailed plan indicating how trees are to be saved. The plan may include individual lot layouts that maximize tree protection, a requirement for tree planting within boulevards and restrictions on site alteration prior to final grading plan approval and/or final plan registration. In some instances, restrictive zoning may be used for the protection of environmental features.
- I. Land identified as significant woodlands shall not be accepted as part of the required 5% parkland dedication, but may be accepted in addition to it.
- m. Innovative zoning may be applied to assist in increasing the number of trees saved by bonusing development to enhance the natural features of the site.
- n. The County shall maintain and enforce a Tree Cutting By-law and shall periodically review the By-law to ensure it reflects the current understanding of the stewardship required to maintain woodlands.
- o. Public works that involve the widening or redevelopment of roadways shall have regard for established trees or prairies, and attempt to protect and preserve existing habitats where ever possible. In particular, the identification and protection of endangered or threatened tree species shall be encouraged. Replacement shall occur in appropriate locations having regard to future improvements and public safety.
- p. Notwithstanding the policies of Sections 2.3.2.2 and 2.3.2.3, mineral aggregate operations may be permitted in natural heritage features and areas that are determined not to be provincially significant, subject to the policies of Sections 2.3.4 and 3.13.

# 2.3.2.4 Natural Heritage Linkage Strategy

A County-wide Natural Heritage Linkage Strategy to reinforce the protection, restoration and enhancement of identified natural heritage features and areas would promote the overall diversity and interconnectivity of natural heritage features and areas. Promoting linkages or connections between natural heritage features and areas, and considering the relationship of those features with groundwater and surface water features, ensures that sustainable natural heritage systems are created or enhanced, and that

County's natural heritage features and areas are sustained in the long-term.

The following policies of the County shall guide the preparation and implementation of a Natural Heritage Linkage Strategy for the County:

- a. The County, in consultation with the Ministry of Natural Resources and the appropriate Conservation Authorities, may undertake a Natural Heritage Linkage Strategy for natural heritage features and areas, as well as surface water features and groundwater features, which will identify, map and detail features, areas and corridors, including the form and function of the identified features, areas and corridors, and to identify existing and potential linkages and connections between these features, for the purpose of creating, maintaining, enhancing or restoring natural heritage systems, and identifying their relationship to surface water and groundwater features.
- b. To ensure protection of natural heritage features and areas and natural heritage systems, the County may consider options for the acquisition of land associated with natural heritage features, functions, corridors and linkages, in accordance with the public land acquisition policies of Section 6.11 of this Plan.
- c. The Natural Heritage Linkage Strategy may be further enhanced and supported by the identification of linkage opportunities between natural heritage features and areas, ecological functions, public parks, and open spaces, in accordance with Section 2.7.4 of this Plan.

#### 2.3.3 WATER RESOURCES

Within the geographic boundaries of the County, there are rivers, streams, ponds and wetlands, which support natural heritage functions, features, areas, and systems, significant groundwater recharge areas, and the existing community.

The County depends on groundwater for the supply of water. The County's groundwater aquifers and wellheads require protection from human activity that places demands on water resources and can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, and deteriorating water quality.

The following Sections of the Natural Heritage, Potential Resource, and Hazard Management Policies outline a policy framework that will balance human activity and water use and the need to protect the water resources in the County.

#### 2.3.3.1 General Water Resource Protection

In order to ensure that the quality and quantity of water resources in the County remain healthy and plentiful, the following shall be the policies of the County:

- a. In accordance with Section 2.3, the County shall encourage the protection and restoration of natural heritage functions, features, and areas to improve water quality and quantity.
- b. The County shall implement the general policies for the protection of water resources in conjunction with the policies in Section 2.3 relating to Development Constraints, and shall support appropriate flood control management programs of the Conservation Authorities.
- c. The County shall encourage sound management practices for agriculture which promote proper storage, use, and application of fertilizers, nutrients, herbicides and pesticides, and where possible, the reduction of their use. As well, the County shall encourage practices that reduce runoff and silt loading into rivers and streams.
- d. The County shall monitor waste management sites (either active or inactive) in cooperation with the Ministry of the Environment.
- e. The County shall discourage or prohibit new uses within source water protection areas that pose a risk to public, private and communal wells.
- f. The County shall support agency initiatives to develop standards, regulations and procedures to prevent the spillage of toxic materials. It shall support the development of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials shall be encouraged.
- g. The County shall require the use of stormwater management facilities where appropriate, to mitigate development impacts on stormwater quantity and quality. The County shall promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes. Applications for development may be required to be supported by a stormwater management study.
- h. A Permit to Take Water (PTTW), in accordance with the Ontario Water Resources Act shall be required from the MOE where more than 50,000 litres a day of groundwater/surface water will be drawn. Applications for development requiring dewatering or using significant amounts of groundwater or surface water from rivers, streams, ponds may be subject to a holding provision in the Zoning By-law in accordance with Section

6.5.2 of this Plan, provided that the County has received confirmation that a PTTW has been granted by the Ministry of the Environment, or that a PTTW is not required. For the purposes of this policy, "significant" means water requirements that exceed what would be usually expected to sustain normal farming practices such as those found within the County. Approvals may also be required from other relevant agencies.

- i. The County shall work with various agencies to develop a septic system management program for the County. Through a collaborative effort with other partners, the management program shall address the Ontario Building Code, facility design and permitting, landowner education and awareness, as well as monitoring and inspections.
- j. In cooperation with the private sector and the community, the County shall encourage the reduction of water consumption through the promotion of the efficient use of water and the implementation of water saving technologies.
- k. The County may specify appropriate water conservation measures within existing and new development.
- I. The County shall promote the use of water capture technologies to reduce dependence on well water.

#### 2.3.3.2 Groundwater Protection

The County depends on groundwater and aquifers for the supply of all of the community's water needs, base flow for creeks and streams, and water sources for ponds and wetlands. The County's environmental health and social wellbeing is linked to the protection of groundwater features.

Of particular concern with respect to the protection of groundwater from contamination are surface and subsurface areas that surround a water well or well field that supply a potable water supply system to the County. These areas have been identified by the County of Brant as Wellhead Protection Areas (WHPA) and groundwater recharge areas, which are both illustrated on Schedule A of this Plan. Identified WHPAs and groundwater recharge areas shall be protected to ensure the protection of the County's sourcewater.

At the time of approval of this Plan, the County acknowledges that its approach and policies to WHPAs and groundwater recharge areas proceeds in advance of Provincial source water protection planning processes under the Clean Water Act. Upon the establishment of such processes, the County also acknowledges that amendments to this Plan may be required.

To ensure the protection of WHPAs and groundwater recharge areas, the

following policies shall apply:

- a. The County shall support initiatives of the Conservation Authorities and other agencies, such as the Province and neighbouring municipalities, in identifying strategies to define and protect groundwater resources.
- b. Assurance that groundwater quality and quantity will not be negatively impacted shall be required by the County prior to the approval of development applications.
- c. Within an identified WHPA and groundwater recharge area, the following uses are not permitted:
  - i. underground transmission of oil, gasoline, or other petroleum liquid products;
  - ii. commercial wood preserving and treating;
  - iii. furniture and wood stripping and refinishing;
  - iv. outdoor storage of road salt, or other de-icing materials and dumping of salt-laden snow;
  - v. petroleum product refining and manufacturing;
  - vi. landfills:
  - vii. chemical/biological laboratory;
  - viii. chemical manufacturing/industrial areas;
  - ix. disposal of leachable waste;
  - x. electroplaters and metal fabricators;
  - xi. facilities generating, treating or disposing hazardous wastes;
  - xii. automobile wrecking yards;
  - xiii. bulk fuel oil storage yards;
  - xiv. car washes:
  - xv. cemeteries:
  - xvi. dry cleaning facilities;
  - xvii. gasoline service stations;
  - xviii. underground storage tanks; and
- d. Prior to the approval of an application for any industrial or commercial uses within the a WHPA, the proponent shall outline the nature of the business, details of the operation, specify if any chemical substances are used or stored on site, and the measures proposed for spill containment.

An assessment of potential water quality and stream flow impacts shall be required. Periodic groundwater quality monitoring for the area down gradient from the development may also be required as part of the approval process as well as on-site inspections.

- e. Applications for golf courses within the WHPA shall require a site specific assessment of the potential impact on the WHPA, including water quality and stream flow impacts, and periodic groundwater quality monitoring for the down gradient from the development as part of any approval process.
- f. The establishment of any new aggregate extraction pit within a WHPA shall require a site specific assessment of the potential impact on the WHPA, including water quality and stream flow impacts.
- g. The County shall require all abandoned wells be decommissioned in accordance with O. Reg. 903 under the Ontario Water Resources Act.
- h. Applications for multi-unit residential development (and other uses and activities as deemed appropriate by the County) based on a private water source shall be required to submit a detailed hydrogeological study to determine the suitability of the land for groundwater extraction and for private subsurface sewage disposal systems. The hydrogeological study shall be prepared to the satisfaction of the County and the appropriate Conservation Authority, in consultation with the Province.
- i. Wherever practical, the County shall encourage the recharge of the aquifer through the design of stormwater management facilities and the use of soak-away pits and/or infiltration galleries.
- j. In consultation with the Conservation Authorities and the Province, a Groundwater Protection Plan shall be developed and implemented for the County, which addresses potential threats to surface and groundwater quality and quantity and introduces appropriate policies in order to prevent, mitigate or eliminate negative impacts of human activity on groundwater.

## 2.3.3.3 Watercourses and Watersheds

Schedule C to this Plan illustrates the major watercourses, watersheds and associated subwatersheds in the County. There is a relationship between the management of watercourses and watersheds, and land uses and development activity on land adjacent to watercourses. As such, these water resources shall be protected from contamination and impacts associated with new development, in accordance with the General Water Resource Protection policies in Section 2.3.3.1, and the following:

- a. The County, in cooperation with the Ministry of Natural Resources and the appropriate Conservation Authority, shall consider land use and development decisions within the context and scale of the County's watercourses, including those that extend beyond the County's geographic boundaries.
- b. The County shall encourage and support the preparation and implementation of both watershed and subwatershed management plans to facilitate water resource and land use planning and to minimize negative impacts to watersheds and ecosystems.
- c. Matters that are not addressed by watershed or subwatershed plans, such as social and economic impacts, shall also be considered in order to facilitate the protection of watersheds.
- d. The County shall promote tree and vegetation planting along watercourses, where possible, in order to enhance the natural corridor function, provide for cool water temperatures and protect banks from erosion.
- e. The County shall ensure that best management practices and interim measures are utilized during construction projects adjacent to watercourses in order to reduce sedimentation and erosion.
- f. The County shall ensure that the construction of tile outlets do not contribute to erosion along watercourses.
- g. The County, in consultation with the appropriate Conservation Authority, shall require an appropriate setback from the top of bank for all new development, site alteration, and expansions in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat, in accordance with Section 2.3.2.2 of this Plan.
- h. For those watercourses where engineered floodlines are not available, the County in consultation with the appropriate Conservation Authority, shall establish and implement required building setbacks from the top of bank of such watercourses. When determining such setbacks, the County shall take into consideration the type of watercourse, bank stability, Provincial standards, the Environmental Protection Act and other relevant guidelines and standards.
- i. In evaluating development applications for land adjacent to any watercourse, drain or marsh, the County in consultation with the appropriate Conservation Authority, may request the proponent to establish appropriate flood proofing elevations, which shall be implemented through the Zoning By-law and Development Agreements.

j. The County shall promote the use of watercourses and adjacent land for pedestrian movement and passive recreation areas, where feasible. However, this shall not be construed to mean that such lands are publicly owned, or proposed to be publicly owned, and it should not be construed that public access is permitted to privately-owned land.

## 2.3.4 POTENTIAL RESOURCES

There are lands in the County that are currently being used for the extraction of resources. Petroleum resources and mineral aggregate resources are shown on Schedule E. These existing land uses are included within the Resource Development designation and are illustrated on Schedule A of this Plan. For all existing resource development uses, the designation specific policies in Section 3.13 apply.

There are also lands in the County that are not currently being used for the extraction of resources, but may have the potential for resource development. For lands that are not designated and not actively used for resource development, but have the potential, the policies of the following Sections shall apply.

#### 2.3.4.1 Mineral and Petroleum Resources

The following policies are in place to guide the development and protection of mineral and petroleum resources:

- a. An Official Plan Amendment shall be required to redesignate the land from the existing designation to Resource Development prior to extraction of mineral resources. In accordance with Section 2.3.4.3, however, an Official Plan Amendment shall not be required for wayside pits and quarries, portable concrete plants, and portable asphalt plants. An Official Plan Amendment shall not be required to establish a petroleum resource operation.
- b. Exploration and extraction of mineral resources and petroleum resources shall be undertaken in accordance with Federal and Provincial legislation and the policies of this Plan.
- c. Mineral and petroleum resources shall be protected by the County for long-term use.
- d. Development and changes in land use which would preclude or hinder future access, use or extraction shall not be permitted in and adjacent to areas that are known to have the potential for mineral resource or petroleum resource development, unless it can be demonstrated that:
  - i. the resource use would not be feasible; or

- ii. he proposed development and change in land use serves a greater long-term public interest; and
- iii. issues of public health, public safety and environmental impact are addressed.

# 2.3.4.2 Mineral Aggregate Resources

There are known mineral aggregate resource areas within the County that are not currently licensed for extraction, but have the potential for exploration and extraction. These areas are identified on Schedule E of this Plan.

For lands that are not designated Resource Development, but have potential, the following policies shall apply.

- a. As much of the mineral aggregate resource shall be made available to supply mineral resource needs, as close to market as possible.
- b. The County shall generally not permit new mineral aggregate operations within the Natural Heritage System designation, as identified on Schedule A and in accordance with the policies for this designation in Section 3.16. Prior to the development of new mineral aggregate operations within or adjacent to other natural heritage features and areas, an EIS shall be prepared to determine the significance of features and which demonstrates that there will be no negative impacts on significant natural features or their ecological functions.
- c. The establishment of a new licensed mineral aggregate operation shall be required to obtain Official Plan and Zoning By-law Amendments. Applications shall be reviewed based on the following, as required by the County:
  - i. compatibility with the surrounding land uses;
  - ii. impact of the proposed truck haul routes;
  - iii. potential impact on groundwater quality and quantity, and Provincially significant, natural heritage features;
  - iv. potential impact on groundwater quality and quantity, and Provincially significant, natural heritage features;
  - v. environmental impact and hydrogeological assessments of the area, as required,
  - vi. noise, dust and vibration assessments in accordance with the Provincial Standards of the Aggregate Resources Act, and ability to implement the attenuation and mitigation measures as

recommended by the assessments;

- vii. rehabilitation plans;
- viii. matters raised by the Province or the appropriate Conservation Authority;
- ix. archaeological significance; and
- d. Where extraction is proposed on prime agricultural land, rehabilitation of the site shall be carried out so that the same areas and the same average soil quality for agriculture are restored.
- e. Where extraction is proposed in the Agriculture designation, rehabilitation of the site shall be carried out so that the same areas and same average soil quality for agriculture are substantially restored.
- f. Where extraction is proposed below the water table, the following criteria shall be satisfied:
  - i. a Permit To Take Water, in accordance with the Ontario Water Resources Act shall be required from the MOE where more than 50,000 litres a day of groundwater/surface water will be drawn. A hydrogeological study shall be conducted for aggregate operations that intend to use groundwater to wash aggregate and will use greater than 50,000 litres per day during this washing process;
  - ii. in prime agricultural land, a substantial quantity of mineral aggregate is located below the water table warranting extraction below the water table;
  - iii. in prime agricultural land, other alternatives have been considered by the applicant and have been found unsuitable. Other alternatives include resources on land committed to future urban uses, areas of Canada Land Inventory Class 4 to 7 soils, and resources in the Agricultural Area where rehabilitation to agricultural uses is possible; and
  - iv. in prime agricultural land, in those areas remaining above the water table following extraction, agricultural rehabilitation shall be maximized.
- g. Development and changes in land use which would preclude or hinder the establishment of new mineral aggregate operations or access to resources shall not be permitted in or adjacent to mineral aggregate resource areas unless it has been demonstrated that:

- i. resource use would not be feasible; or
- ii. the proposed land use or development serves a greater longterm public interest; and
- iii. issues of public health, public safety and environmental impact are addressed.
- h. Applicants for development or land use change within or adjacent to a mineral aggregate resource areas shall be required to submit an Aggregate Impact Assessment which provides information assessing the potential impact of the proposed development on the resource in accordance with i, to iii, above.

# 2.3.4.3 Wayside Pits, Quarries and Portable Asphalt Plants and Portable Concrete Plants

For lands that have the potential to be used for wayside pits and quarries, portable asphalt plants and portable concrete plants, the following policies shall apply.

- a. Wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects shall be permitted without requiring an amendment to this Plan or the Zoning By-law, provided that the following requirements are met:
  - i. portable asphalt plants shall obtain a Certificate of Approval (Air), pursuant to Section 9 of the Environmental Protection Act, and are only permitted for a public project;
  - ii. portable asphalt plants shall be removed from the site upon completion of the public project; and
  - iii. sites used for portable asphalt plants in the Agricultural Areas shall be rehabilitated to their former agricultural use.
- b. Subject to the above policy, new wayside pits and quarries, portable asphalt plants and portable concrete plants shall not be permitted within areas designated as Provincially significant wetlands, or within significant habitat of endangered or threatened species or areas of existing development and shall only be permitted within areas adjacent to these Provincially significant features in accordance with the Development and Site Alteration policies of Section 2.3.2.2 of this Plan. New wayside pits and quarries, portable asphalt plants and portable concrete plants will only be permitted in significant woodlands, significant valleylands and significant wildlife habitat where it has been demonstrated that there will be no negative impacts on the natural features or their ecological

functions in accordance with the policies of Section 2.3.2.2 of this Plan.

- c. Utilization of aggregate from sites licensed under the Aggregate Resources Act and wayside pits and quarries shall be encouraged.
- d. Portable asphalt plants and portable concrete plants used for public authority projects shall be subject to Site Plan Control in accordance with Section 6.7 of this Plan.
- e. The County shall ensure that the necessary statutory and County approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

#### 2.3.5 HAZARDS AND DEVELOPMENT CONSTRAINTS

Development constraints include both naturally occurring environmental features and human made features or conditions. It is the policy of this Plan that, to the greatest extent possible, naturally occurring environmental features shall be protected from negative impacts associated with human activities. Some human made features or conditions represent a potential hazard to human activities. It is the policy of this Plan to ensure that new development is not negatively impacted by human made hazards, and that human health and safety is protected. The following policies are intended to protect naturally occurring environmental features from human activity and to protect the public from human made features or conditions that represent a potential hazard.

## 2.3.5.1 Paris Flood Plains Special Policy Area

#### 2.3.5.1.1 Context

The County has identified a Special Policy Area for the Paris flood plains (SPA- PFP), as identified on Schedule D. The SPA-PFP has been divided into two sub-areas known as the "Downtown Core" and "The Flats".

The County shall regulate the development and redevelopment of land within the SPA-PFP in order to provide adequate flood protection and enhance the water quality and environmental, aesthetic and recreational potential of the Grand and Nith Rivers.

The following Sections outline general policies for the broader SPA-PFP, in addition to policies specific to each of the sub-areas.

#### 2.3.5.1.2 General Policies

The following policies apply to the broader SPA-PFP:

a. Commercial development, redevelopment, and expansions shall be permitted where floodproofing to the Regulatory Flood Level can be

achieved.

- b. New development associated with substances of a chemical, hazardous or toxic nature, which would pose an unacceptable threat to public health or safety if damaged as a result of flooding or failure of floodproofing measures, shall not be permitted in the Special Policy Area.
- c. New nursing homes, hospitals, homes for the aged, senior citizen apartments, group homes for persons with physical or mental disabilities or similar uses, shall not be permitted in the Special Policy Area.
- d. Minor additions and alterations representing less than 50% of ground floor area shall be permitted within the Special Policy Area, provided the new habitable floor space is constructed no lower than the existing habitable floor space and floodproofed to the existing floor and/or opening elevation, where practical and feasible.
- e. Flood proofing shall be applied to all new development, redevelopment, expansion, major renovation or conversion below the level of the Regulatory Flood and shall be designed and constructed to the satisfaction of the County and the appropriate Conservation Authority.
- f. Where practical, new mechanical, electrical and heating services shall be located above the level of the Regulatory Flood. Where this is not feasible, such services shall be flood proofed using measures satisfactory to the County and the appropriate Conservation Authority.

#### 2.3.5.1.3 The Downtown Core

The following policies shall apply to the sub-area within the Special Policy Area for the Paris flood plains, known as the Downtown Core, as identified on Schedule D:

- a. The construction of new residential dwelling units above existing commercial uses and the conversion of existing commercial buildings to a residential use shall be permitted conditional on the dwelling unit being located at a minimum elevation equal to the Regulatory Flood Level.
- b. Existing residential dwelling units located above the commercial uses are recognized and the owner of such dwelling units shall be encouraged to continue maintenance and improvement. Council shall encourage proposals to convert these existing residential dwelling units to any nonresidential uses such as office space. Once such a change has occurred, a reconversion to a residential use will not be permitted.
- c. Residential development and redevelopment or a major renovation of an existing residential building shall be permitted provided that the habitable floor space of any new residential dwelling unit is located at a minimum

elevation equal to the Regulatory Flood Level and that the structure is flood proofed to the Regulatory Flood Level.

#### 2.3.5.1.4 The Flats

The following policies shall apply to the sub-area within the Special Policy Area, known as the Flats, as identified on Schedule D:

- a. Residential development shall be permitted, including minor expansions, provided that the habitable floor space of any new residential dwelling unit is located at a minimum elevation equal to the Regulatory Flood Level and that the structure is flood proofed to the Regulatory Flood Level.
- b. Conversion of existing buildings to a residential use shall be permitted provided that the habitable floor space of any new residential dwelling unit is located at a minimum elevation equal to the 100 Year Flood Level and that the structure is flood proofed to the Regulatory Flood Level.
- c. Major renovations and redevelopment existing residential buildings shall be permitted provided that the habitable floor space of any new residential dwelling unit is located at a minimum elevation equal to the 100 Year Flood Level and that the structure is flood proofed to the Regulatory Flood Level.

## 2.3.5.2 Paris Two-Zone Flood Plain

A portion of the Paris flood plains is identified as a Two-Zone Flood Plain policy area, and is identified on Schedule D. The Two-Zone floodway-flood fringe concept is selectively applied to portions of the flood plain where significant development exists and that could support further infill development with no adverse impacts.

The following policies shall apply to the Two-Zone Flood Plain in Paris, as identified on Schedule D:

- a. Under the Two-Zone concept, the floodway and the flood fringe shall be identified as follows:
  - i. Floodway the hazardous portion of the flood plain where flood depths and/or velocities are considered to be such that they pose a significant threat to life and/or property. In all circumstances, the floodway shall be accurately delineated by the Grand River Conservation Authority based on depth and velocity parameters.
  - ii. Flood Fringe the portion of the flood plain between the limits of the floodway as defined by the Grand River Conservation Authority and the Regulatory Floodline. Flood depth and velocity is generally

less severe in this portion of the flood plain.

- b. Development in the flood fringe shall be restricted to infilling, redevelopment or replacement of existing buildings or structures and major additions or alterations to buildings existing as of October 2000.
- c. Development in the floodway shall be restricted to minor expansions and minor alterations to buildings existing as of the date of adoption of this Plan, provided no new dwelling units are created.
- d. Public and private works that must locate in the flood plain by nature of their use shall be permitted in both the flood fringe and the floodway. Roads that appropriate planning studies have determined must be located in the flood plain shall also be permitted in both the flood fringe and the floodway.
- e. With the exception of consents to subdivide lots containing existing dwellings, no land severances shall be permitted on properties located entirely within the floodway. Severances may be permitted on lots located partially within the floodway provided that the proposed development can be sited on the portion of the subject property located outside the floodway.
- f. New development which conforms to the land use description outlined above may be permitted within the flood plain provided that the following conditions are met:
  - i. a permit is issued by the appropriate Conservation Authority under the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations on the basis that no adverse effects on the hydraulic characteristics of flood flows shall occur:
  - ii. all new structures are suitably flood proofed to the Regulatory Flood level as determined by and to the satisfaction of the appropriate Conservation Authority and the County of Brant;
  - iii. all habitable floor space shall be constructed at or above the Regulatory Flood elevation and all essential building services (i.e., electrical, telephone, heating, etc.) be constructed at or above or protected to the Regulatory Flood elevation;
  - iv. the creation of any uninhabitable floor space below the Regulatory Flood elevation where there is the possibility of conversion to habitable floor space shall not be permitted;
  - v. notwithstanding (iv) above, the creation of uninhabitable floor

space below the Regulatory Flood elevation may be permitted if it is associated with a multi-unit residential, commercial, industrial or other non-residential development. Such areas in a multiple residential development may include foyers, recreation rooms, communal storage areas, or other uninhabitable floor space that is normally associated with this type of development. All such floor space in any development shall be flood proofed to the Regulatory Flood elevation with the maintenance of safe access ensured;

- vi. ingress/egress for all new habitable buildings located in the flood fringe shall be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured. The determination of safe access shall be made by the appropriate Conservation Authority based on the depth and velocity factors as they affect individual sites; and
- vii. conversions on non-residential buildings in the flood fringe to residential use may be permitted provided that the requirements of (i) through (vi) above are satisfied.
- g. Unless specifically permitted in a particular Secondary Plan, enclosed underground parking facilities shall not be permitted within the Regulatory Flood Plain in Two-Zone Flood Plain areas. Where enclosed underground parking facilities are provided for in a Secondary Plan, the installation of stringent flood proofing measures to the elevation of the Regulatory Flood line shall be required as specified by the appropriate Conservation Authority.

# 2.3.5.3 Implementation of the Special Policy Area for the Paris Flood Plains and Two-Zone Flood Plain Policy Area

All lands identified as the Special Policy Area Policy Area for the Paris Flood Plains (SPA-PFP) and the Two-Zone Flood Plain Policy Area on Schedule D shall be shown in the Zoning By-law in order to reflect their condition of flood susceptibility.

No site plan shall be approved or building permit issued unless it is in conformity with the policies of this Plan and a required permit is given by the appropriate Conservation Authority through the issuance of a permit under a Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

The lands identified by this Plan as being within the flood hazard areas shall be designated and zoned as follows:

- All developed, vacant or otherwise undeveloped lands in the floodway portion of the flood plain at the time of adoption of this Plan shall be designated Natural Heritage System and zoned accordingly
- b. All land where development exists in the floodway portion of the flood plain at the time of adoption of this Plan shall be designated Natural Heritage System and zoned to recognize the existing use.
- c. Such zoning category shall recognize legally existing development and allow for minor expansions and alterations provided that there will be no adverse effects on the hydraulics or storage capacity of the floodway and subject to the issuance of a permit under the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations and the implementation of floodproofing measures, as deemed necessary by the appropriate Conservation Authority. Any application for expansion or alternation to an existing building will evoke a review of all existing outdoor storage areas.
- d. All land located within the flood fringe portion of the flood plain shall be designated for the appropriate use and shall be zoned accordingly. A suffix or a prefix may be applied to the zoning category to serve as notice that properties so zoned shall be constrained beyond the regulations of the Zoning By-law. In this circumstance, new development, expansions or alterations shall be subject to implementation of flood proofing measures as deemed necessary by the Conservation Authority and the issuance of a permit under the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations.

## 2.3.6 HUMAN MADE DEVELOPMENT CONSTRAINTS

For lands and uses that have the potential to be a hazard as a result of human activity, including waste disposal sites, potentially contaminated sites, and the creation of noise, dust and emissions, the policies of the following sections shall apply.

# 2.3.6.1 Waste Disposal Sites

The expansion of active waste disposal sites and the location of new waste disposal sites shall be limited and avoided where possible through the promotion of waste diversion activities throughout the County. Where it cannot be avoided, expansions or the location of new waste disposal sites shall ensure that there are no adverse effects to public and environmental health and safety.

Development within proximity to former or active waste disposal sites shall also be carefully regulated to minimize land use conflicts and the potential for any adverse impacts.

The following shall be the policies of the County:

- a. Notwithstanding the general nature of the identification of waste disposal sites in this Plan, new or expanding waste disposal sites shall proceed by way of a site-specific Official Plan Amendment, Zoning Bylaw Amendment, and Site Plan approval in accordance with Section 6.4 of this Plan, and subject to the relevant policies of this Plan.
- b. Prior to approval of the Official Plan Amendment, Zoning By-law Amendment, and Site Plan approval, new waste disposal sites or expansions, shall ensure that any applicable requirements of the Environmental Assessment Act have first been addressed.
- c. Development proposals within 500 metres of the perimeter of the fill areas of either former or active waste disposal site (within the County or adjacent municipalities) shall be subject to consultation with the Ministry of the Environment and accompanied by a study prepared by the proponent that satisfies the County and the requirements of the Ministry of the Environment guidelines related to land uses on or near landfills and dumps. The study shall evaluate the presence and impact of environmental contaminants including but not necessarily limited to methane gas and leachate. The study shall also address the feasibility of mitigation measures if required.
- d. If it is found that a potential adverse effect or potential risk to public and environmental health and safety does exist with respect to the establishment of new waste disposal sites or expansions of active waste disposal sites, proposals shall be restricted and/or refused unless the impacts can be mitigated.
- e. Redevelopment of former waste disposal sites may be permitted by way of Official Plan and/or Zoning By-law amendments, subject to the County consulting with the Ministry of the Environment and/or other appropriate jurisdictions, and the following policies:
  - i. written approval has been received from the Ministry of the Environment;
  - ii. the studies required by the County and the Ministry of the Environment should Section 46 of the Environmental Protection Act apply, shall be carried out to the satisfaction of the County, and the County and the Ministry of the Environment respectively should Section 46 of the Environmental Protection Act apply, shall demonstrate that development

is compatible and can proceed without negative impact;

- iii. the County shall require the construction and phasing of all development to coincide with the implementation of any recommended mitigative measures and/or monitoring identified and recommended by any required studies; and
- iv. the required studies of waste disposal site generated gases, leachate and hydrogeology shall be completed to the satisfaction of the County and the Ministry of the Environment if Section 46 of the Environmental Protection Act is applicable.
- f. Wherever possible, methane or other greenhouse gas emissions from waste disposal operations shall be captured and used as an alternative energy source.
- g. The County shall encourage recycling and other waste diversion programs that will have the effect of reducing, reusing and recycling waste, throughout the County.
- h. The County shall support the management of solid waste in accordance with the policies of Section 5.6 of this Plan.

# 2.3.6.2 Potentially Contaminated Sites

The historic use of land in the County has resulted in the potential for some land to be contaminated as a result of previous activities. For the purposes of this Plan, potentially contaminated sites includes land where contaminants may be present due to previous industrial, transportation, landfill, utility or similar uses. Sources of site contamination may include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses such as gasoline stations and automotive repair garages have a similar potential.

Potentially contaminated sites represent a potential hazard to human health, ecological health and the natural heritage features, areas, and systems. However, these sites also represent opportunities for potential redevelopment and reintegration into the community, subject to proper remediation to suit a new use of the site.

The following shall be the policy of the County with respect to potentially contaminated sites:

a. The County shall encourage the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate redevelopment, in accordance with Provincial regulations and procedures and additional policies of this Plan.

- b. For land with a historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, Environmental Site Assessments shall be undertaken by the proponent as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements.
- c. Where there is reasonable evidence to believe or suspect that development is being proposed on land that may have been contaminated, the County shall require that a soil study be prepared, in accordance with Provincial guidelines for the decommissioning and clean-up of the contaminated site and submitted along with the development application.
- d. Where a change in land use is proposed and the previous or existing use has the potential to cause environmental contamination, the County shall require that the site be decommissioned and/or remediated in accordance with O.Reg. 153/04.
- e. Where a change in land use is not proposed but the previous or existing use has the potential to cause environmental contamination, the County shall encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.
- f. Development of any contaminated site shall not be permitted until the site is decommissioned or cleaned up to the satisfaction of the County and subject to a Ministry of the Environment acknowledged Record of Site Condition.
- g. The County shall require the proponent of development within or immediately adjacent to abandoned mine sites as shown on Schedule C, where there is a known present or past underground gypsum mining activity, to successfully complete a geo-technical study prepared by a qualified professional to confirm that the site is suitable for the proposed development.

## 2.3.6.3 **Emissions**

Air quality may be improved within the County, adjacent municipalities, and Province-wide, by reducing emissions of noxious gases, particulates, and dust into the air. There are many sources of emissions that contribute to poor air quality; however the primary sources include industrial operations and motor vehicles.

The following shall be the policy of the County:

- a. The County shall encourage the creation and implementation of Provincial and Federal initiatives to develop and enforce improved emission standards for industrial operations and motor vehicles.
- b. The County shall encourage industries to, and support government programs that aim to, substantially reduce the production of chemical products known to have negative impacts on air quality.
- c. The County recognizes that the presence of trees throughout the County, in addition to having an aesthetic value, improves air quality and reduces energy use through shading and protection, and shall therefore prepare and adopt a forestry program for the maintenance and planting of trees throughout the County.
- d. The County shall undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on County property to improve air quality.
- e. The County shall encourage the replacement of trees that must be removed from County road allowances. The Ministry of Transportation is encouraged to enact a similar program along Provincial Highways.
- f. The County shall strive to ensure the development of compact, mixed use, transit-supportive and pedestrian friendly neighbourhoods and communities, which will reduce dependency by County residents upon motor-vehicles.
- g. The County shall encourage urban design to promote pedestrian and bicycle access and linkages.

## 2.3.6.4 Noise, Dust, Vibration, Odour, and Other Contaminants

There is potential that noise, dust, vibration, odour and other contaminants resulting from industrial activity and airports, for example, can impact adjacent land uses, and the residents, businesses and visitors of the County.

The proper management of noise, vibration and odour levels throughout the County is important to ensuring the health and well-being of the County, and in managing appropriate relationships and interfaces between sensitive land uses, and land uses that emit noise, vibration and/or odour.

The following shall be the policy of the County:

a. The Brantford Airport is recognized as a potential source of noise. The development of adjacent compatible uses shall be permitted, provided that appropriate separations and buffers are established, and subject

- to conformity with Transport Canada's noise exposure and obstacle limitation guidelines, which shall be implemented by the County in its Zoning By- law.
- b. The development of incompatible uses which may negatively impact the Airport's operation shall not be permitted in proximity to the Brantford Airport.
- c. New residential or other sensitive uses, including community services and facilities, shall not be located in noise sensitive areas unless noise amelioration techniques are employed to reduce the noise to comply with the Ministry of the Environment sound level criteria/guidelines.
- d. New residential or other sensitive uses, including community services and facilities, shall not be permitted in any area where it is anticipated that noise from vehicular traffic or from the nature of the use will exceed Ministry of the Environment sound level criteria and/or guidelines.
- e. Only those new commercial or employment uses that can meet the Ministry of the Environment's sound level criteria shall be permitted in any area where it is anticipated that noise from vehicular traffic or from the nature of the use will exceed Ministry of the Environment sound level criteria and/or guidelines.
- f. The development of new industrial/business park uses shall have regard for the Ministry of the Environment guidelines respecting separation distances between industrial uses and sensitive uses. In considering locating any sensitive land use in the vicinity of any established or approved employment use, the County shall have regard for the relevant Ministry of the Environment criteria and/or guidelines.
- g. For any proposed development of a sensitive land use in proximity to a railway right-of-way, Provincial Highway, and/or County Road, a noise and vibration study may be required to be prepared by a proponent by a qualified acoustical consultant in accordance with the appropriate Provincial guideline to the satisfaction of the County, and/or other jurisdiction prior to development approval.
- h. The recommendations of approved noise and vibration reports shall be incorporated in the development agreement for implementation.
- i. The cost of noise and vibration studies and any other required supporting documentation shall be borne by the proponent. Costs

incurred by engaging peer review consultants to evaluate the proposal and supporting documentation shall also be borne, or reimbursed, by the proponent.

- j. The County shall support initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. The County shall support agencies and firms in the development of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials shall be encouraged.
- k. Development proposals for uses that involve the storage or processing of hazardous materials shall demonstrate, to the satisfaction of the County, that they will comply with all relevant Provincial and/or Federal regulations.
- I. Compliance with the Minimum Distance Separation Formulae shall be required to minimize odour conflicts associated with livestock operations.

# 2.3.6.5 **Sewage Treatment Plants and Lagoons**

Development within proximity to sewage treatment plants and lagoons shall be carefully regulated to minimize land use conflicts and the potential for any adverse impacts.

The actual separation distance to an adjoining municipal or County sewage works shall be dependent upon the recommendation of the Ministry of the Environment as determined by the type, capacity, and nature of waste being treated.

Consideration shall be given to the Ministry of the Environment D-Series Guidelines, specifically D-2 Compatibility Between Sewage Treatment and Sensitive Land Use, which provides information on suggested separation distances, how to measure separation distance, and the use of buffers and other mitigation measures.

## 2.4 HOUSING POLICIES

#### **2.4.1 GENERAL**

It is necessary that the County maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, new residential development. It is also necessary that housing for special needs of socio-economic groups such as seniors, the physically challenged, and low-income persons are being met.

The following Sections establish policies for the provision of housing to accommodate the existing and future residents of the County. The Housing Policies ensure that this Plan allows for a range and mix of housing types, tenures, and densities, taking into account affordable housing needs, throughout the County.

The policies of the section also implement the direction of the Provincial Policy Statement, and the Growth Plan for the Greater Golden Horseshoe.

## 2.4.2 HOUSING SUPPLY

The provision of housing is an essential part of planning in the County. However, there are many factors that affect supply and demand in the housing market, and only some of them can be managed by the County.

In accordance with Section 5.0 of this Plan, the County may influence the location, timing and scale of development through the provision of infrastructure, the review and approval of residential development proposals, and the phasing of development.

In addition, the County manages the supply of housing by encouraging the development industry to provide an adequate supply of the most appropriate mix of housing stock to meet the County's residential needs.

As such, the following shall be the policies of the County:

- a. The County shall ensure that its housing supply is in accordance with the policies of the Growth Management Policies in Section 2.2.
- b. The County shall ensure that an appropriate amount of land is designated for residential redevelopment and intensification so that at minimum, a ten year supply of housing is maintained at all times. The majority of the designated land shall be located within the County's Primary Urban Settlement Areas.
- c. Where new development is to occur in accordance with the Growth Management Policies, the County shall maintain a continuous three year supply of land with servicing capacity to accommodate a combination of draft approved and/or registered lots and blocks on plans of subdivision, or in the case of redevelopment and intensification, land appropriately zoned in the Zoning By-law.
- d. The County shall review on an annual basis the supply of vacant land designated for residential development in draft approved and/or registered lots and blocks on plans of subdivision against the objective to maintain a minimum continuous three-year supply.
- e. The County shall evaluate residential proposals with the intent to

achieve a mix of housing types and tenures.

- f. The County shall encourage and assist in the provision of an adequate supply of affordable housing in accordance with the policies of Section 2.4.3.
- g. The County shall continue to encourage and assist, where feasible, in the improvement and rehabilitation of the existing housing stock, particularly in older residential areas.
- h. The County shall work with proponents through the development approval process to create a variety of options with respect to housing type and tenure.

## 2.4.3 AFFORDABLE HOUSING

The provision of housing in the County that is affordable and accessible to low and moderate income households shall be a priority.

The following policies shall apply to the provision of affordable housing within the County:

- a. The County shall encourage and assist in the provision of an adequate supply and mix of affordable housing by:
  - i. expediting the development approval process and other administrative processes when addressing proposals for affordable housing;
  - ii. encouraging innovative and alternative residential development standards that facilitate affordable housing and more compact development form, and, where appropriate, apply more innovative and flexible zoning to permit a broad and varied range of housing forms, types, sizes and tenures, except in locations serviced by individual or communal sewage disposal systems;
  - iii. promoting additional rental housing supply programs when the vacancy rate for rental housing falls below three percent;
  - iv. considering, where feasible, the introduction of cost reduction techniques such as reduced setbacks, reduced right-of-way widths, reduced lot sizes, and other modifications to the Zoning By-law;
  - v. supporting increased residential densities and a full range of housing types in appropriate locations, where practical;
  - vi. authorizing increases in the height and density of development

- for the provision of affordable housing;
- vii. ensuring the timely provision of infrastructure in the Urban Settlement Areas in a financially viable manner; and
- viii. negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process.
- b. A County Housing Strategy may be completed by the County as a companion to the City of Brantford Housing Strategy to establish an appropriate target for the provision of affordable housing for low and moderate income households. The Strategy shall identify and implement annual housing targets, mixes of housing types, affordability thresholds and related data.
- c. The County may adopt a County Housing Facilities By-law as a companion to the City of Brantford document to develop affordable housing as a "community facility" under the Municipal Act.
- d. In an effort to facilitate affordable housing the County may:
  - i. enter into capital facility agreements and/or partnerships with both private and non-profit organizations for affordable housing;
  - ii. use available grants and loans, including tax-equivalent grants or loans to encourage the construction of affordable housing;
  - iii. enter into public/private partnerships for the provision of new affordable housing;
  - iv. defer tax increases for vacant industrial sites being converted to affordable housing; and
  - v. give priority to service allocation for affordable housing projects.
- e. The County shall encourage the consideration of affordable housing when opportunities for redevelopment become available. This includes the redevelopment of existing single-use and underutilized areas with full County services, such as shopping plazas, business and employment sites and older commercial and residential areas, especially where the land is in close proximity to community facilities and services. Special attention shall be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed redevelopment is physically compatible with the adjacent uses.
- f. The County shall first consider surplus County land for affordable housing. Furthermore, the County shall work with other levels of

- government to make surplus land available to providers of affordable housing at little or no cost and shall take advantage of federal and provincial housing programs.
- g. The County shall encourage opportunities for more affordable housing to be provided in the Primary and Secondary Urban Settlement Areas.
- h. The County shall consider opportunities for permitting additional units in existing dwellings.
- i. The County shall encourage the development of low income housing intended specifically for seniors, which may include lower maintenance housing types such as apartments and townhouses.
- j. The County shall work with senior levels of government to address identified needs for affordable housing and shall participate in government programs that fund affordable housing.
- k. The County may monitor housing and subdivision activity, achievement of affordable housing targets and land availability.

## 2.4.4 SPECIAL NEEDS HOUSING

The County shall continue to improve access to housing for those people with special needs, including assisted housing for low income people, seniors housing, as well as various forms of supportive housing, including group homes and emergency/transitional housing.

The following policies shall apply to the development of special needs housing within the County:

- a. The County shall work with other agencies and local groups to assess and monitor the extent of the need for special needs housing among residents of the County. The County shall respond to the needs of residents with other agencies and local groups through the provision of special needs housing.
- b. The County shall support community agencies interested in pursuing additional funding from senior levels of government to address identified needs for special needs housing.
- c. The design of any special needs housing shall be sensitive to the characteristics of the surrounding existing development.
- d. Long-term care facilities that meet the needs of the community shall be encouraged.
- e. In order to prevent an undue concentration of group homes in specific areas of the County, group homes shall not be concentrated and shall

be generally located throughout the Urban Settlement Areas and within areas designated Hamlets and Villages. Standards requiring a minimum distance separation between these facilities shall be incorporated in the implementing Zoning By-law.

- f. Group homes with any correctional purpose shall be treated as an institutional and not a residential use by this Plan and the Zoning Bylaw.
- g. Aging-in-place for seniors shall be encouraged so that individuals living in a non-healthcare environment, shall have access to County services and amenities so that they may carry out their daily life without having to relocate as their circumstances change.
- h. In accordance with the County's General Development Policies of Section 2.7 of this Plan, the County shall endeavour to provide a barrier-free environment, and shall have regard for the requirements of the Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act, as outlined in the barrier-free design policies in Section 2.7.5.2 of this Plan.

#### 2.4.5 ACCESSORY HOUSING

# 2.4.5.1 Accessory Residential Dwelling Units

The development of accessory residential dwelling units shall be considered small scale intensification. An accessory dwelling unit shall be defined as separate dwelling unit that is contained within an existing single detached residential dwelling structure or accessory building.

The following policies shall apply to the development of accessory residential dwellings units within the annexed lands:

- a. A maximum of one accessory residential dwelling units shall be permitted per lot in conjunction with the principal dwelling unit, with a maximum of one unit located within the main dwelling, and a maximum of one unit located in an accessory building.
- b. When considering proposals for accessory residential dwelling units, the City shall identify specific requirements and limitations which should be included in a Zoning By-law amendment, site plans and agreements, or otherwise make a condition of approval.
- c. Where another similar housing form, such as a garden suite or mobile home, lawfully exists on the same lot, only one accessory residential dwelling unit shall be permitted.
- d. Appropriate water and sanitary sewage systems shall be provided to

the accessory residential dwelling unit, to the satisfaction of the approval authority having jurisdiction.

#### 2.4.5.2 Garden Suites

The development of garden suite dwelling units within the built-up area of the County's settlement areas shall be considered small scale intensification. Garden suites are one-unit accessory residential dwellings that take the form of a small building, physically separate from the principal dwelling unit with which it is associated, contain bathroom and kitchen facilities, and are designed to be portable.

The following policies shall apply to the development of garden suites within the County:

- a. A garden suite shall only be permitted in association with a single-detached residential dwelling on a lot. Where another special housing form, including an accessory dwelling unit or mobile home exists on the lot, a garden suite unit shall not be permitted.
- b. A garden suite shall be permitted by way of a Temporary Use By-law, in accordance with the policies of Section 6.5.3 of this Plan and Section 39 of the Planning Act.
- c. Notwithstanding Section 6.5.3 of this Plan, garden suites, as defined by the Planning Act, may be permitted for up to ten years from the date of passage of a Temporary Use By-law.
- d. In addition to the requirements of Section 6.5.3, prior to approval of the Temporary Use By-law, the County shall be satisfied that:
  - i. a legitimate and justified need exists to accommodate a person, who is most likely disabled, elderly or retiring, in a separate garden suite unit that is in close proximity to the principal unit;
  - ii. appropriate water and sanitary sewage systems shall be provided to the garden suite, to the satisfaction of the approval authority having jurisdiction;
  - iii. the garden suite shall comply with the minimum yards and lot coverage provisions as required by the Zoning By-law;
  - iv. the siting of the unit and any related features shall have a minimal effect on light, view and privacy of adjacent yards;
  - v. the unit shall be removed upon the expiration of the implementing Temporary Use-By-law or once the legitimate need no longer exists; and

vi. the owner enters into an agreement to remove the unit, including a security deposit.

## 2.5 ECONOMIC DEVELOPMENT POLICIES

#### **2.5.1 GENERAL**

There are many opportunities for economic development in the County, including the development of employment lands, tourism, agriculture, cultural and resource development, and the revitalization of existing downtowns of Urban Settlement Areas. In order to ensure that the County remains economically prosperous, opportunities for economic development and revitalization shall be explored and promoted.

The following Sections establish policies to respond to changing economic conditions and to encourage economic development in a manner that balances social, cultural, natural environment and other factors. The Economic Development Policies, in association with other policies of this Plan, shall maintain an appropriate land use framework to accommodate evolving land use needs as they relate to economic activity.

The policies of this Section also implement the direction of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

## 2.5.2 LOCATION OF ECONOMIC ACTIVITY

There are forms of economic activity within the County that have specific locational requirements in order to provide an optimal environment for economic success. For example, concentrated employment activities including industrial parks have specific requirements such as access to transportation networks and services.

The County shall therefore promote opportunities for economic activity in different areas of the County in an effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing development they require to thrive.

As such, the following shall be the policy of the County:

- a. Commercial, retail and office employment uses shall be prioritized on land that is in proximity to Highway 403, including interchanges, and on land that is fully serviced or on land where services can be reasonably extended.
- b. Commercial, retail and office employment uses shall also be encouraged in the Core Area designation in accordance with Section 3.8 of this Plan, to create strong central business district environments. The County will designate and preserve lands within

- settlement areas in the vicinity of existing major highway interchanges, rail yards and the Brantford airport as areas for manufacturing, warehousing and associated retail, office and ancillary facilities, where appropriate.
- c. Intensive employment uses shall be directed to lands designated Employment, in accordance with Section 3.12 of this Plan, and shall be located adjacent to or in close proximity to Provincial Highways and major arterial roads where an appropriate level of County services are provided in accordance with the policies of this Plan.
- d. The County shall support the use of Community Improvement Plans, in accordance with Section 2.6 of this Plan, to proactively stimulate community improvement, rehabilitate and revitalize areas in need of improvement, including downtowns, brownfield sites, and former resource extraction sites.
- e. The County shall support the expansion and development of transportation, parking and telecommunications infrastructure to increase the locational advantage of existing and proposed business and employment uses.
- f. Commercial and industrial uses which support agricultural activities may be permitted in areas designated Agriculture, where proximity to agricultural operations is required and in accordance with the policies of this Plan.
- g. The sustainability of the agri-food sector shall be promoted by the County through the protection of agricultural resources and by minimizing land use conflicts.
- h. The County shall encourage the creation of cultural facilities and other opportunities that will promote and support activities that benefit the economic base.
- i. The County shall implement the economic development strategy.
- j. The County shall encourage undertaking joint economic development projects with neighbouring municipalities.

#### **2.5.3 TOURISM**

The County features many existing and potential tourism assets and opportunities, including the Grand River and associated recreational uses sponsored by the local Conservation Authorities, cultural and heritage resources, parks and open spaces, and areas of agricultural and natural amenity. The development of these sustainable tourism opportunities

contribute to long-term economic prosperity in the County.

As such, the following shall be the policies of the County:

- a. The County may develop a tourism strategy to identify the County's tourism assets and opportunities and to promote and enhance tourism. The strategy may also provide guidance with respect to the protection of natural heritage features, areas, and systems, and agricultural areas with respect to tourism opportunities.
- b. The County may promote the maintenance and improvement of existing tourism and tourist destination-oriented uses in the County and encourage the establishment of additional tourism opportunities in the form of accommodation facilities, and appropriate entertainment and recreational attractions.
- c. The County recognizes and supports the development of tourism uses within the Urban Settlement Areas and the Grand River that will encourage visitor stops, provided such uses do not detract from the principal functions and uses of these areas. Such initiatives may include, but not limited to, support for:
  - i. tourist-recreational activities associated with the Grand River and initiatives to enhance the Primary and Secondary Urban Settlement Areas;
  - ii. multi-purpose trail systems connecting the County's Urban Settlement Areas and other population centres, natural amenities, the Grand River, and other significant natural features;
  - iii. new and existing tourism related attractions particularly if such uses are located to encourage interaction within the Urban Settlement Areas or the Grand River and other significant natural features; and
  - iv. establishment of Heritage Conservation Districts to promote cultural heritage resources, particularly in the established Urban Settlement Areas.
- d. The County shall support the development and promotion of functional, scenic, recreational and educational pathways, trails, and parkways with well signed and interesting attractions along the Grand River and other significant natural features, and throughout the County.
- e. The County may promote the growth of agricultural-related tourism opportunities that do not conflict with or pose a threat to the operation

of existing agricultural operations, in accordance with the policies of this Plan.

- f. The County supports the maintenance and improvement of accommodations for tourists, including hotels, motels, bed and breakfast establishments and camping facilities.
- g. The County encourages undertaking joint tourism projects with neighbouring municipalities and local Conservation Authorities.

## 2.6 COMMUNITY IMPROVEMENT AND REVITALIZATION POLICIES

## **2.6.1 GENERAL**

The County recognizes that community improvement and revitalization initiatives will contribute significantly to the economic development of the County. Community improvement initiatives including the preparation of Community Improvement Plans will be supported in accordance with the following Sections.

## 2.6.2 COMMUNITY IMPROVEMENT AND REVITALIZATION INITIATIVES

The following policies shall apply to community improvement and revitalization initiatives and proposals within the County:

- a. In accordance with the policies of this Plan, the County shall actively participate in initiatives that are intended to stimulate community improvement and revitalization of areas in need of improvement and revitalization, including downtowns and brownfield sites.
- b. The County shall encourage the preparation and implementation of Community Improvement Plans, in accordance with the policies of Section 2.6.3, in order to proactively stimulate development, redevelopment, rehabilitation, revitalization, and intensification of areas in need of improvement and revitalization, including downtowns, brownfield sites, former resource extraction sites, and areas requiring improvements to infrastructure and servicing.
- c. The County shall give high priority to proposals for development, redevelopment, rehabilitation, revitalization, and the intensification of areas in need of improvement and revitalization, including downtowns and brownfield sites. It shall further give high priority to proposals that also demonstrate energy efficiency, heritage restoration and high standards of urban design and shall contribute to compact, sustainable and pedestrian friendly communities.
- d. The County shall give high priority to the proposals for the development of sites in the County's downtown areas.

- e. The County may undertake leadership initiatives to improve and revitalize the County's downtown areas by making use of small spaces for such amenities as benches and planting, ensuring the adequate provision of marked parking, and to improving the design of street lighting and other street furniture.
- f. The County shall encourage an adequate standard of building maintenance on all properties, through the enforcement of a Property Standards By-law.
- g. The County shall encourage redevelopment and intensification efforts both small and large that encourage and enable pedestrian movement.
- h. The County may consider the assembling of land within its downtown areas in order to assist private redevelopment or rehabilitation schemes.

## 2.6.3 COMMUNITY IMPROVEMENT PLANS

In accordance with Section 2.6.2 (b), in order to proactively stimulate development, redevelopment, rehabilitation, revitalization, and the intensification of areas in need of improvement and revitalization, including the County's downtown areas and brownfield areas, the County shall identify Community Improvement Project Areas and prepare Community Improvement Plans for those areas, in accordance with the provisions of the Planning Act, and as deemed necessary and appropriate by the County.

The following Sections provide guidance with respect to the preparation and implementation of Community Improvement Plans in the County.

# 2.6.3.1 Community Improvement Goals and Objectives

The goals and objectives for the preparation of Community Improvement Plans in the County include the following:

- a. To designate, by By-law, Community Improvement Project Areas, the boundaries of which may be the whole of the County of Brant or any part thereof.
- b. To prepare, adopt, and implement Community Improvement Plans that will:
  - i. enhance areas of the County of Brant which the County and its residents have identified as areas in need of planning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, and the provision of

- residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces;
- ii. eliminate deficiencies in County services, infrastructure, street furniture, and recreational facilities, for example, wherever it is economically and physically possible; and
- iii. establish programs to encourage private sector investment in order to improve the overall appearance of properties and buildings, act as a catalyst for further improvement, and encourage development or redevelopment, environmental conditions, energy efficiency, affordable housing opportunities, and/or social development issues/needs.
- c. To involve the residents, business owners, and other interested groups and organizations, in the identification of deficiencies and establishing priorities in Community Improvement Project Areas and in the development of Community Improvement Plans.

2.6.3.2

# 2.6.3.3 Identification of Community Improvement Areas

In identifying Community Improvement Areas within the County, one or more of the following criteria shall apply:

- a. There is a deficiency or deterioration in County infrastructure, including but not limited to, sewers and watermains, stormwater management, soil stability, roads, parking facilities, curbs and sidewalks, gutters, and/or streetscapes, street lighting and utilities.
- b. There is a deficiency or deterioration in community and social services and facilities, including but not limited to public indoor/outdoor recreational facilities, public parks, open spaces, and/or community centres, libraries, arenas, cultural facilities, etc.
- c. Buildings, building facades, and/or property, including buildings, structures, and landscapes of heritage and/or architectural significance, are in need of preservation, restoration, repair, rehabilitation, or redevelopment.
- d. There are non-conforming, conflicting, encroaching, or incompatible land uses or activities.
- e. There are no indications of major redevelopment plans other than those in the form of improvements.

- f. There is an inadequate mix of housing types, such that the area is composed of predominantly low and moderate income households in relation to average provincial household income or to the rest of the community, or there is a need for more affordable forms of housing.
- g. There is poor road access and/or traffic and pedestrian circulation.
- h. There are symptoms of physical, functional and/or economic decline in the form of buildings in need of rehabilitation, decrease in retail sales, high vacancy rates, or declining tax base.
- i. There is known or suspected environmental contamination.
- j. The overall visual characteristics of the area are poor, including but not limited to streetscapes, urban design, and other physical amenities.
- k. There are built or natural heritage features and resources that require preservation, rehabilitation, or renewal.
- I. The area is a former resource extraction site that requires rehabilitation for new land uses.
- m. There is a shortage of land to accommodate the widening of existing rights-of-way, building expansions, parking, and/or loading facilities.
- n. There is the potential for, or existence of, a Business Improvement Area.
- o. There are any other economic, environmental, or community development reasons that are consistent with the requirements of the Planning Act.

# 2.6.3.4 Preparation of Community Improvement Plans

- Upon designation of a Community Improvement Project Area by By-law, a Community Improvement Plan may be prepared and adopted in order to:
  - a. Undertake the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation or other improvement of land or buildings within the Community Improvement Project Area.
  - b. Improve the energy efficiency of buildings within the Community Improvement Project Area.
  - c. Improve the provision of residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces within the

Community Improvement Project Area.

- d. Encourage the construction of a range of residential development, including the provision of affordable housing, and other types of infill and intensification within the Community Improvement Project Area.
- e. Upgrade and improve County services and public utilities such as sewers and watermains, stormwater management, roads, parking facilities, curbs and sidewalks, gutters, and/or streetscapes, street lighting and utilities within the Community Improvement Project Area.
- f. Encourage the preservation, restoration, reuse and improvement of buildings exhibiting significant heritage or architectural elements within the Community Improvement Project Area.
- g. Improve traffic and pedestrian circulation within the Community Improvement Project Area.
- h. Encourage off-street parking and provide County parking facilities within the Community Improvement Project Area, where feasible and appropriate.
- i. Promote the on-going viability and revitalization of the County's Core Areas.
- j. Facilitate and promote community economic development.
- k. Improve social, community, or environmental conditions, with respect to quality, safety, and sustainability.

## 2.6.3.5 Implementation

As part of the implementation of Community Improvement Plans within designated Community Improvement Project Areas, the County may undertake any of the following actions:

- a. When necessary, acquire properties that are within Community Improvement Project Areas in order for the subsequent:
  - i. clearance, grading, or environmental remediation of these properties;
  - ii. repair, rehabilitation, construction, or improvement of these properties;
  - iii. sale, lease, or other disposition of these properties to any person or government authority; and/or
  - iv. other preparation of land or building for community improvement.

- b. Reconsider land uses in areas that have the potential for community improvement in order to identify the potential redesignation or rezoning of areas and the relocation of non-conforming and incompatible land uses.
- c. Provide public funds in the form of grants, loans, tax assistance, and other financial instruments.
- d. Make use of any senior level of government programs for financial assistance as part of a redevelopment or rehabilitation initiative, or to participate in any other senior level of government programs that provide assistance to private landowners for the purposes of community improvement.
- e. Encourage the rehabilitation of private buildings by advising property owners of government subsidies and programs, and assisting where possible, the property owners in obtaining grants, loans, or rebates.
- f. Establish a marketing program in order to inform the property owners and other eligible residents of the County of financial incentive programs available as part of the Community Improvement Plan, and other government subsidies and programs available.
- g. Enforce, where necessary, any controls, including the Ontario Building Code and County Property Standards By-law.
- h. Encourage the residents, landowners, business owners, Business Improvement Areas, Chambers of Commerce, and ratepayers, to participate in the implementation of Community Improvement Plans.
- i. Support heritage conservation through the establishment of heritage designations through the Ontario Heritage Act, and other incentives in association with the Municipal Heritage Committee.
- j. Support the efforts of Business Improvement Areas and Chambers of Commerce in order to revitalize the County's Core Areas, through the implementation of various programs, including façade improvement.
- k. Encourage the establishment, continuation, and enlargement of the County's Business Improvement Areas.
- I. Encourage off-street parking and the provision of County parking facilities where feasible and appropriate.
- m. Encourage infill development in appropriate areas.
- n. Cooperate with County boards, service clubs, business organizations, educational institutions, and other organizations to facilitate the utilization of existing facilities and, where feasible, to rehabilitate these

facilities to offer new and/or better services to the community.

## 2.7 GENERAL DEVELOPMENT POLICIES

#### **2.7.1 GENERAL**

In order to ensure that development proposals in the County are consistently subject to the same requirements, the following General Development Policies shall be implemented by the County as part of its Planning Strategy.

The General Development policies shall achieve a number of the County's objectives, including objectives for servicing, recreation, and built and cultural heritage, as set out in Section 1.11 of this Plan.

## 2.7.2 SITE SUITABILITY

Growth and development patterns in the County shall be planned to minimize negative impacts to adjacent land, the environment, and the public. Site suitability shall be considered for all development proposals in the County.

The following shall be the policies of the County when considering site suitability with respect to proposed development:

- a. Prior to the approval of any development or amendment to this Plan, it shall be established to the satisfaction of the County and all other bodies having jurisdiction that:
  - i. soil and drainage conditions are suitable to permit the proper siting of buildings;
  - ii. the services and utilities whether they are full, partial, or private, can adequately accommodate and sustain the proposed development, without resulting in unacceptable impact to the environment. Full or private communal water and sanitary sewage services shall be the preferred method of servicing development;
  - iii. the road system is adequate to accommodate projected increases in traffic:
  - iv. the land fronts on a public road which is of a reasonable standard of construction;
  - v. lot frontage and area is suitable for the proposed use and conforms to the standard required by the implementing Zoning By-law; and
  - vi. adequate measures shall be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any proposed or existing adjacent use or on the natural

heritage features, areas, and systems.

## 2.7.3 DEVELOPMENT COSTS

Development costs shall be managed to ensure development is orderly, efficient, and sustainable, and that land consumption and servicing costs are minimized. The cost of development shall be considered for all development proposals in the County.

The following shall be the policies of the County when considering development costs related to proposed development:

- a. Development shall be permitted only in locations where demands on public services shall be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided by the developer and maintained by the County.
- b. The ability to properly service the land shall determine development, in accordance with the existence of an appropriate Official Plan designation and/or zoning.
- c. In order to defray costs to the County associated with any development or redevelopment, the County may implement any or all of the provisions of the Development Charges Act, as amended.
- d. Prior to the registration of any development, the County may require servicing agreements to be in place.
- e. In order to minimize the cost of community services and facilities provided by the County and other public agencies, no new development in the County shall be permitted in any location where it would contribute to a demand for community services and facilities, which are not economically feasible to provide, improve, or maintain.
- f. In order to encourage employers to locate within the County, the County may participate in the provision of services to Employment lands, so as to ensure an adequate supply of available serviced lands designated Employment within the County.
- g. Any costs associated with the planning approvals such as peer review, the preparation of Area Studies, and any additional supporting studies shall be borne by the proponent of development.

# 2.7.4 PUBLIC PARKS AND OPEN SPACE

Public parks and open space shall generally be permitted in a wide range of land use designations, in accordance with the land use policies of Section 3.0 of this Plan. In addition, the following Sections provide guidance with respect to the provision of parkland, parkland dedication, and an approach to

improved linkage of parkland and open space.

## 2.7.4.1 Public Parkland Standards

At present, the greatest concentration of existing public parkland is within Paris, St. George, and Burford. In order to ensure that there continues to be adequate public parkland to serve the needs of the residents of the County, the following standards shall apply to the establishment of new public parkland, in accordance with the County's Recreation Master Plan:

- a. It is the County's intent to achieve a parkland provision rate of approximately 3 hectares per 1,000 people.
- b. The primary locations for public parkland shall occur within the Primary and Secondary Urban Settlement Areas, and Hamlets and Villages.

## 2.7.4.2 Parkland Dedication

The County shall secure the maximum benefit provided by the Planning Act with respect to land dedication for public parkland development from residential development. The following shall be the policy of the County, with respect to parkland dedication, in accordance with the Planning Act:

- a. Where development, redevelopment, or intensification of land is proposed for residential purposes, the County shall, as a condition of approval, require the conveyance of land for park purposes (or the equivalent cash- in-lieu) in accordance with the maximum of the following criteria or combination thereof:
  - i. five percent (5%) dedication of the gross area of the land proposed for development; and/or
  - ii. dedication at a rate of one hectare per 300 dwelling units.
- b. Where development, redevelopment, or intensification of land is proposed for commercial and industrial purposes, the County may, as a condition of approval, require that up to two percent (2%) of such land (or the equivalent cash-in-lieu) be conveyed to the County for parkland, in accordance with County policies.
- c. Where land in a draft plan of subdivision is to be used for any use other than residential, industrial or commercial purposes, the County may require conveyance of land for parkland purposes or equivalent cashin- lieu at a rate of five percent (5%) of the gross area of the land proposed for development.
- d. Parkland dedication shall be calculated based on the gross area of the land within the plan of subdivision and/or site plan.

- e. Where new development is proposed on a site, part of which has physical limitations or hazards, or consists of small, fragmented, or isolated parcels, then such land shall not necessarily be acceptable as part of the land dedication under the Planning Act.
- f. The County may consider or require the developer to convey cash-inlieu of parkland. The cash value of such land shall be determined by an appraisal authorized by the County, and in accordance with the Planning Act.
  - i. The County may accept cash-in-lieu of the parkland dedication to be paid into a special account and used as specified in the Planning Act. The County shall consider cash-in-lieu of parkland dedication under the following circumstances:
  - ii. the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland to meet the intended parkland requirements in accordance with Section 2.7.4.2;
  - iii. the required dedication of parkland would render the remainder of the site unsuitable or impractical for development; and/or
  - iv. the area is well served with park and open space land and no additional parkland is required.
- g. Funds collected under the policies for cash-in-lieu shall be used by the County for parkland acquisition, parkland development, parkland amenities, and acquisition of natural habitat areas and for the protection of natural habitat areas.
- h. All land dedicated to the County shall be conveyed in a physical condition satisfactory to the County, and shall meet minimum standards in terms of drainage, access grading and general condition. The land shall also be in full compliance in regards to any natural or human-made hazards, potential or real contamination, or related requirements.
- i. As a condition of development approval, a proponent may be required to provide a park facilities design satisfactory to the County for any park within the development including the provision of appropriate fencing, landscaping and playground equipment.

# 2.7.4.3 Public Parks and Open Space Linkages

A County-wide Natural Heritage Linkage Strategy, as introduced in Section 2.3.2.4, would reinforce the protection, restoration and enhancement of

identified natural heritage features, areas, and systems, and will promote the overall diversity and interconnectivity of features, areas, and systems. Linkage opportunities will be explored through the development of a Trails Master Plan.

There is an opportunity within the County for the creation of public parklands and the identification of open space to contribute to the Linkage Strategy. Public parkland and open space can improve linkages between and among natural heritage features, areas, and systems.

As such, the following shall be the policies of the County, and shall enhance the Natural Heritage Linkage Strategy policies set out by this Plan:

- a. Land deemed by the County to be significant to or contribute to the Linkage Strategy shall be retained in public ownership for the purpose of implementing a linked system.
- b. In addition to those options for the acquisition of land outlined in Section 6.11, the County may create linked open spaces through the integration of:
  - i. natural heritage features, areas, and systems;
  - ii. abandoned rail lines in public ownership;
  - iii. existing rights-of-way;
  - iv. established and proposed service and utility corridors;
  - v. existing parkland and open space;
  - vi. sidewalks and pathways;
  - vii. linkages provided through the draft plan of subdivision approval process;
  - viii. agreements with private land owners;
  - ix. retention or acquisition of access easements; and
  - x. land acquisition.
- c. The County shall support the provision of recreational trail opportunities and access along the Grand River and other watercourses in order to contribute to the Linkage Strategy.
- d. The County shall promote the integration and accessibility of community uses including schools, County facilities, institutional uses, parks and open spaces and recreational uses through the Linkage Strategy.
- e. The County shall require the provision of certain pedestrian, cycling

and trail linkages through the development approvals process, in accordance with the policies of this Plan and associated Area Studies as approved by the County.

- f. Design principles should be established to accommodate parking at strategic locations along the linkage system.
- g. When dealing with Planning Act applications, the County shall actively encourage residential, commercial and industrial developers to connect with and provide opportunities to extend the community trail system.

#### 2.7.5 COMMUNITY AND URBAN DESIGN

It is generally acknowledged that safe and well-designed neighbourhoods contribute to the overall community health of the County. Community and urban design is essential for creating an accessible physical environment where people have the appropriate places to interact, live, work, visit and generally reside.

The policies of this Section relate to the built form and physical design of communities and buildings.

## 2.7.5.1 General Design Policies

The following shall be the policies of the County:

- a. The County shall seek to maintain and improve the physical design characteristics of the Primary and Secondary Urban Settlement Areas in the context of new and existing development, and shall promote a generally high quality of community design and built form.
- b. To achieve excellence in community design through the review of development applications, including plans of subdivision, infill development proposals, site plans and other development proposals, the County shall:
  - i. ensure that new development is designed in keeping with the traditional character of the Primary and Secondary Urban Settlement Areas in a manner that both preserves their traditional community image and enhances their sense of place within the County;
  - ii. promote efficient and cost-effective development design patterns that minimize land consumption and make efficient use of existing services;
  - iii. promote the improvement of the physical character, appearance

- and safety of streetscapes, civic spaces, and parks;
- iv. encourage community and development design patterns that promote pedestrian movement through pedestrian friendly design, such as pedestrian-scaled streets, sidewalks, trails and a well-connected street network;
- v. encourage cycling through the provision of bicycle lanes and cycling trails, where appropriate;
- vi. encourage the provision of facilities that promote cycling and walkability, specifically within the County's Urban Settlement Areas:
- vii. encourage tree retention or tree replacement; and
- viii. encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure.
- c. The County may also require, at its sole discretion, that proponents submit design guidelines with development applications establishing how the policies of this Plan have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, signage, garage placement, and architectural treatment.
- d. Wherever possible, new development shall be oriented toward streets or parks. Development design that establishes reverse lotting on County roads or requires features such as noise attenuation or privacy fencing shall generally be discouraged. However, reverse-lotting may be permitted along Urban Residential Collector Roads, Urban Employment Collector Roads, Urban Arterial Roads, Rural Arterial Roads and Rural Collector Roads at the discretion of the County and subject to the provision of uniform noise attenuation or privacy fencing and a suitable maintenance program to the satisfaction of the County, which may include 100 percent of the replacement costs.
- e. The County shall require that intensification and infill developments be scaled and designed in a manner that is compatible with the surrounding built environment and in order to enhance the character of the area.
- f. Contextually appropriate streetscaping that reflects the intended character of the Primary or Secondary Urban Settlement Area shall be encouraged.

- g. The County, in consultation with a development proponent(s) and the Municipal Heritage Committee, may define a style of street furnishing that should include shared and accessible bicycle racks, garbage receptacles, benches and street lamps to be used in a new development.
- h. A high quality of architecture and site design for institutional uses such as schools, places of worship, community centres, libraries and other public service buildings shall be encouraged.
- i. A high quality of park and open space design shall be strongly encouraged. The land for parkland dedication shall be carefully selected to facilitate its use as a central focal point for new or existing neighbourhoods.
- j. Public art in the County shall generally be encouraged to incorporate themes supporting and promoting local history, civic pride, historical businesses, and technology. The provision of public art in the Core Area designation shall be encouraged, particularly with larger development proposals. The County may consider granting increases in height or density for a particular development proposal in exchange for the provision of public art, in accordance with Section 6.5.5 of this Plan.
- k. The County may undertake the preparation of Urban Design Guidelines to achieve the policies of this Section for all or parts of the County, particularly Primary and Secondary Urban Areas, Core Area designations, and in association with Area Studies.
- I. The County shall encourage development design that considers the principles of Crime Prevention through Environmental Design (CPTED). Specifically, the County shall encourage proponents of new development to situate buildings on lots to maximize natural surveillance and to use appropriate lighting to deter crime.
- m. The County shall consider locating utilities within the public rights-of-way as well as on private property. Utilities shall be clustered or grouped where possible to minimize visual impact. The County encourages utility providers to consider innovative methods of containing utility services on, or within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large utility equipment and utility cluster sites.
- n. The County shall review the design and layout of parking areas in accordance with the County's parking guidelines and the County Zoning By-law.

# 2.7.5.2 Barrier-Free Design Policies

It is an objective of this Plan to ensure that wherever possible, the County's built environment is designed to improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal, and prevention of barriers.

In order to meet the barrier-free design objective, the following shall be the policies of the County:

- a. Barrier-free design shall be applied to:
  - i. public and private infrastructure;
  - ii. parking lots;
  - iii. curb cuts and entrance ramps;
  - iv. traffic signals, intersections, and pedestrian crossings;
  - v. transportation services and facilities;
  - vi. sidewalks, walkways, and trails;
  - vii. public buildings/facilities;
  - viii. outdoor parks and public spaces;
  - ix. draft plans of subdivision;
  - x. new housing; and
  - xi. new institutional, recreational, commercial, industrial, or multi-unit structures.
- b. The County, when reviewing development applications and undertaking public works, shall give consideration to ensuring barrierfree design in order to eliminate barriers for people and visitors with disabilities.
- c. The County shall remove barriers from existing public facilities and outdoor public spaces in order to eliminate barriers for people and visitors with disabilities.
- d. The County shall undertake the preparation of a an Annual Accessibility Plan covering the identification, removal, and prevention of barriers to persons with disabilities in by-laws and policies, programs, practices and services, in accordance with the requirements of the Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act.
- e. The County shall maintain the Accessibility Advisory Committee, which

may request to review plans and drawings submitted in support of development applications, in order to ensure barrier-free design is addressed.

- f. The County shall seek the advice of the Accessibility Advisory Committee on the accessibility of all existing and new County facilities, and where appropriate, on the accessibility of development proposals.
- g. The County shall have the Accessibility Advisory Committee advise Council annually about the preparation, implementation and effectiveness of the Annual Accessibility Plan.
- h. In order to ensure that people with disabilities are consulted on planning matters, the County shall use multiple formats for public notice of applications as well as alternative methods of communication at public meetings, as required.

#### 2.7.6 HERITAGE CONSERVATION

The County's heritage resources include built heritage resources, cultural heritage landscapes, and archaeological sites. More specifically, there are buildings, structures, monuments, cemeteries, bridges, and other artefacts of historical and/or architectural value or interest in the County, and areas of unique or rare settlement composition, view/vista, streetscape, landscape, or archaeological value or interest in the County. These features are important to the County's history and community identity, and the conservation of cultural heritage resources.

#### 2.7.6.1 Built Heritage Resources and Cultural Heritage Landscapes

In accordance with the Provincial Policy Statement, the County shall conserve built heritage resources and cultural heritage landscapes. In order to do so, the following shall be the policies of the County:

- a. Significant built heritage resources and cultural heritage landscapes shall be conserved by the County. In partnership with Federal and Provincial governments and with property owners, the County shall continue to identify built heritage resources and cultural heritage landscapes, and ensure that such resources are protected from development and site alteration, and where possible, enhanced.
- b. Heritage Areas are identified on Schedule A. Heritage Areas include the County's historical centres of Burford, St. George, and Paris, which have a significant number of built heritage resources. Several structures and areas within these Core Areas have been designated under Part IV of the Ontario Heritage Act or identified as an important

heritage resource. The following policies shall apply to Heritage Areas as identified on Schedule A:

- i. permitted uses shall be those permitted in the underlying land use designations as shown on Schedule A;
- ii. every effort should be made by both the owner and the County, to ensure the continued existence of the structure in its historical form;
- iii. the implementing Zoning By-law may contain additional restrictions or permission to ensure there is proper regard for the Heritage Area, and will consider such elements as height, setback and parking. In some instances, this could result in height limitations or reductions of setbacks in order to encourage maintenance of the heritage character of the area.; and
- iv. all proposals for new development within Heritage Areas will be commented on by the County's Municipal Heritage Committee who will advise Council of their position and comments.
- c. When appropriate and necessary, the County shall use the provisions of the Ontario Heritage Act to conserve, protect and enhance the County's built heritage resources and cultural heritage landscapes, in accordance with the policies of Sections 2.7.6.1.1 and 2.7.6.1.2.
- d. The County may seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties in perpetuity. When necessary, the County may acquire, restore, and appropriately manage or dispose of built heritage resources on a selective basis.
- e. The County, where feasible, shall conserve, restore, rehabilitate, enhance, and/or maintain built heritage resources and cultural heritage landscapes owned by the County of Brant, in fulfillment of the heritage objectives and policies of this Plan. Where feasible, relevant by-laws, programs, and public works undertaken by the County shall conform to and further the heritage objectives and policies.
- f. The County shall ensure that each County-owned built heritage resource or cultural heritage landscape which is sold, transferred or leased to another owner or lessee is subject to a heritage easement agreement which shall guarantee its preservation and maintenance, and which shall be used in a manner that respects its heritage significance. When appropriate, the County may require a heritage

- restoration agreement which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Municipal Heritage Committee and the County.
- g. The County may pass by-laws providing for the making of a grant or loan to the owner of a property designated under Part IV of the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of maintenance, preservation, restoration or alteration of such designated property, on such terms and conditions as the County may prescribe.
- h. The County shall prepare and maintain a built heritage database and/or heritage management plans for planning purposes, containing an inventory of registered heritage buildings, significant heritage buildings, Heritage Conservation Districts, cultural heritage landscapes, archaeological sites, and areas of archaeological potential within the County.
- i. In accordance with Part IV of the Ontario Heritage Act, the County shall maintain a municipal register of all property designated under this Act and any property the County believes to be of heritage value or interest. The latter, while not designated, is afforded interim protection should an owner seek to demolish a building or structure located on a designated property.
- j. The County shall undertake heritage plans and programs in accordance with a system of priorities. In particular, the following shall be regarded as priority guidelines for County programs:
  - i. the protection of Heritage Areas, as identified on Schedule A;
  - ii. the encouragement of preservation, restoration, rehabilitation, and utilization of built heritage resources and cultural heritage landscapes by the public; and
  - iii. selective restoration and rehabilitation of built heritage resources and cultural heritage landscapes by the County.
- k. The County shall develop and establish heritage plans and programs in coordination with County planning needs and requirements.
- I. The County shall coordinate its heritage plans and programs with heritage plans and programs of the senior levels of government, in an effort to avoid duplication of effort and to reinforce mutual objectives. When possible, the County shall take advantage of programs offered by the senior levels of government to assist in the protection of built heritage resources and cultural heritage landscapes, and shall support

- applications for funds through various senior governmental programs to assist individual property owners with building improvements.
- m. The County may undertake a Cultural Heritage Management Plan which may address matters such as:
  - i. resource mapping and inventories;
  - ii. identification and evaluation of resources, facilities and organizations;
  - iii. strategies for conserving and enhancing these identified resources;
  - iv. programs to foster interpretation and promotion; and
  - v. education and public participation in heritage conservation.
- n. The County shall consider social and community needs in the preservation, improvement, and utilization of heritage resources, and shall consult with and involve County residents and the Municipal Heritage Committee in heritage planning and programs.
- o. The County shall undertake whatever additional research is required on a County-wide, or neighbourhood basis, on heritage resources and may adopt specific policies on these matters from time to time upon completion of this research.
- p. With respect to development adjacent to designated heritage properties or conservation districts (as identified in Sections 2.7.6.1.1 and 2.7.6.1.2), development and site alteration may be permitted on land adjacent to protected heritage properties, where the proposed development and site alteration has been evaluated and where it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property.

#### 2.7.6.1.1 Heritage Conservation Districts

In specific areas of the County of Brant, significant cultural heritage landscape characteristics may exist. In these cases, the County may exercise the powers under Part V of the Ontario Heritage Act to conserve, protect and enhance built heritage resources and cultural heritage landscapes through the designation of Heritage Conservation Districts. When designating an area as a Heritage Conservation District, the County may pass a by-law defining an area to be examined for future designation as a Heritage Conservation

District, or may prepare a study for the area to determine the feasibility and appropriateness of such a designation. Such a study should be prepared in accordance with the Province's Heritage Conservation District Guidelines.

In addition to the Provincial guidelines, the County has established the following criteria for the identification of Heritage Conservation Districts:

- a. A significant number of buildings within the proposed district should reflect an aspect of the historical heritage of a community by nature of its historical location and significance of setting.
- b. A significant number of buildings within the proposed district should exhibit an architectural style of construction which is significant historically or architecturally to the community, Province, or Country.
- c. The proposed district may contain other notable physical, environmental, and aesthetic characteristics, or which express other natural, historic, aesthetic, architectural, scenic, scientific, cultural, social or spiritual values, which in themselves do not constitute sufficient grounds for the designation of a district, but which lend support when evaluating the criteria for designation. Such features may include important vistas and views between and towards buildings and spaces within the proposed district. The diversity of the lifestyle and the traditions of the residents in the proposed district may also be indicative of the historic significance of a proposed district.
- d. The proposed district may be in an area surrounding several individually designated buildings, sites, and structures, or a more extensive area such as a neighbourhood or several blocks.
- e. The boundaries of the proposed district should be delineated based on such features as changes in land use, buildings, or environmental character, topography, or traffic corridors.

## 2.7.6.1.2 Heritage Properties

The County may also utilize its powers under Part IV of the Ontario Heritage Act to conserve, protect and enhance the cultural heritage resources of the County through the designation of individual properties, buildings or structures.

The County and its Municipal Heritage Committee shall consider the following criteria when evaluating cultural heritage value or interest for the purpose of designation under the Ontario Heritage Act:

- a. The property has historical value or associative value because it has direct associations with a theme, event, belief, person activity, organization or institution that is significant to a community.
- b. The property embodies distinguishing characteristics or an architectural type recognized for its style or period of construction, or is a notable example of or demonstrates or reflects the ideas or workmanship of an architect, artist, builder, designer or theorist who is significant to a community. It is not imperative that antiquity alone be the basis for selection; however, it should be an important consideration if other more significant examples have disappeared.
- c. The property displays a high degree of craftsmanship or artistic merit.
- d. The property demonstrates a high degree of technical or scientific achievement.
- e. The property has special significance in that it is important in defining, maintaining or supporting the character of an area, or is physically, functionally, visually or historically linked to its surroundings, or is considered by a community to be a landmark.
- f. The potential for illustrating the heritage value should be such that it shall be possible for visitors to gain from the building or structure an appreciation for the architecture or history with which it is associated.
- g. Intangible elements such as feeling, association, and aesthetics shall be considered as important as the physical appearance of the building or structure.
- h. Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other detail including windows, doors, lights, signs, and other fixtures of such buildings and the relation of such factors to similar features of buildings or structures in the immediate surroundings.

# 2.7.6.2 Archaeological Sites

The County recognizes that there are a significant number of archaeological remnants of pre-contact habitation within the County of Brant and important archaeological evidence of historic activities, which would be of value in future conservation of the County's heritage.

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

Areas of potential archaeological resources are identified on Appendix 1 of this Plan. However, Appendix 1 should not be interpreted as being all encompassing. There may well be archaeological sites in other areas of the County. Proponents of new development should contact the County and other agencies to determine if the site for the proposed development should be subject to an archaeological study.

In these cases, the following shall be the policies of the County:

- a. Archaeological site locations and areas of archaeological potential shall be determined by the County based on registered site data, potential screening criteria, and other information provided to the County by Six Nations of the Grand River and the Mississaugas of the New Credit First Nations, the Province, or criteria based on known archaeological records with the County.
- b. The County shall identify any development applications that shall affect areas containing registered archaeological sites or lands of archaeological potential. Development on land containing significant archaeological resources or in areas of archaeological potential shall avoid the destruction or alteration of these resources.
- c. Where avoidance is not possible, the development proponent shall conserve significant archaeological sites through the removal and documentation in advance of any land disturbances, and in accordance with archaeological licensing provisions of the Ontario Heritage Act.
- d. The County may also maintain the integrity of archaeological sites by prohibiting incompatible land uses and/or the erection of buildings or structures on land that is a site of a significant archaeological resource.

- e. The County shall facilitate surveys by government or private agencies should those agencies deem it necessary.
- f. The County shall require an archaeological assessment conducted by an archaeologist licensed under the Ontario Heritage Act as a condition of any development proposal affecting areas containing a known archaeological resource or areas of archaeological potential. The required archaeological assessment shall, at a minimum:
  - i. assess the area of archaeological potential and archaeological resources on the property;
  - ii. assess the impact of the proposed development and site alteration on any such resources;
  - iii. recommend methods to mitigate any adverse impact of the proposed development on any archaeological resources identified, including methods of excavation or preservation on the site:
  - iv. comply with current Ministry of Culture Standards and Guidelines for Consulting Archaeologists;
  - v. be reviewed by the Ministry of Culture, who will issue an acceptance letter; and
  - vi. be provided to the County by the licensed archaeologist who completed the assessment along with a copy of the acceptance letter issued by the Ministry of Culture.
- g. The County may, prior to approving a development proposal, require a marine archaeological survey to be conducted by a licensed marine archaeologist to the satisfaction of the County and Ministry of Culture, pursuant to the Ontario Heritage Act. Any marine archaeological resource that is identified must be reported to the Ministry of Culture. The Ministry shall determine whether the resource shall be left in situ or may be removed, through excavation, by licensed marine archaeologists under the direction of the Ministry of Culture.
- h. The County shall ensure adequate archaeological assessment and consult with Six Nations of the Grand River and the Mississaugas of the New Credit First Nations, and appropriate government agencies, including the Ministry of Culture and the Ministry of Government Services, when an identified, marked or unmarked cemetery is impacted by development. The provisions of the Ontario Heritage Act and the Cemeteries Act will apply.

i. The County, on the advice of Six Nations of the Grand River and the Mississaugas of the New Credit First Nations and the Ministry of Culture, may undertake the preparation of an Archaeological Master Plan for all or a portion of the County. The Master Plan may outline policies, programs and strategies to protect significant archaeological sites.

## 2.7.6.3 **Development Policies**

With respect to development and site alteration in areas of or in proximity to built and cultural heritage resources, the following shall be the policies of the County:

- a. New development and redevelopment shall consider built heritage resources, cultural heritage landscapes, and archaeological sites and shall, wherever feasible, incorporate these resources into any plan that may be prepared for such new development or re-development within the County.
- b. The County shall encourage the conservation and protection of built heritage resources, cultural heritage landscapes and archaeological sites, or the mitigation of adverse effects on such resources through conditions of planning application approval and agreements. Pregrading of land shall not be permitted without County approval or prior to the completion of an archaeological assessment that is accepted by the Ministry of Culture.
- c. In areas considered to be of value, the County shall encourage the preservation of the built heritage resources, cultural heritage landscapes and archaeological sites to be included in proposals for redevelopment, intensification or infill.
- d. The County, with the advice and assistance of its Municipal Heritage Committee, shall regulate and guide alterations and additions to heritage resources. The County shall exercise its legislative authority to control the demolition and alteration of heritage resources. Where the County has through by-laws designated individual buildings or districts under the Ontario Heritage Act, or established an area of Demolition Control under the Planning Act, no person shall demolish the whole or any part of a designated property or property in a designated area, without first receiving a permit issued by the County.
- e. The County shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse when considering demolition

applications for designated heritage properties.

- f. The County shall ensure that all heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation shall be the responsibility of the applicant in consultation with the Municipal Heritage Committee and the Ministry of Culture.
- g. Development and site alteration may be permitted on land adjacent to protected heritage properties where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the adjacent protected heritage property.
- h. The County shall regulate, as appropriate, the character, use and development of areas surrounding heritage resources in order to protect and benefit heritage resources. When required, the County shall regulate traffic matters in these areas, which may affect heritage resources.
- i. Special heritage zones may be established within the County's Zoning By- law, in order to enable the County to regulate matters such as the use of land, and the height, bulk, density, setback, and exterior design of buildings which are essential to the maintenance of the overall character of areas of built and cultural heritage resources.
- j. Applications for severances and minor variances to the Zoning By-law's Heritage Zones shall be carefully considered by the Committee of Adjustment and shall require input from the Municipal Heritage Committee. Applications shall only be approved when they are considered desirable in order to achieve the heritage objectives and policies of this Plan.
- k. The County may enact a Sign By-law to regulate signs in heritage zones. This legislation shall allow the County to control the visual impact of advertising and sign design and/or placement within the Heritage Area. Where a Sign By-law is in effect, the approval of the Committee of Adjustment is required before a variance to the Sign Bylaw may occur.
- I. A Site Plan Control By-law may be enacted to require an owner of property within a Heritage Area as a condition of development or redevelopment to enter into an agreement with the County. These

agreements shall establish conditions which shall be met by the property owner with regard to site development or redevelopment, and any other matters (permitted by the Planning Act) which the County deems necessary to achieve certain objectives of this Plan.

- m. When required, the County shall amend its Property Standards Bylaw, as appropriate, to meet the needs of heritage resources.
- n. The County may consider amendments to the Zoning By-law, including increased density provisions, which would facilitate the restoration or preservation of an historical facility.
- o. The County may, when appropriate for specific development proposals, consider excluding designated heritage resources from the parking requirements of the Zoning By-law to facilitate the retention of built heritage resources, cultural heritage landscapes and archaeological sites.
- p. To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures shall be discouraged.
- q. The construction of new buildings on vacant lots in Heritage Conservation Districts shall be encouraged to be complimentary to the heritage character of the area.

# 2.7.7 ENERGY CONSERVATION, EFFICIENCY AND GENERATION

The County shall explore and promote the use of energy conservation and efficiency measures through development, and shall explore the possibility of alternative energy generation sources.

In order to do so, the following shall be the policies of the County:

- a. The County shall encourage developers to implement designs that attempt to minimize energy use. Such techniques as innovative building designs, building orientation, efficient road patterns, narrow rights-of-way, lot layouts and angles, landscaping, options for nonautomotive modes of transportation, and other innovative approaches to the design of housing developments shall be encouraged and considered when evaluating new proposals for development.
- b. The County shall also encourage water conservation through the promotion of the efficient use of water and the implementation of water saving technologies in new development, in accordance with the policies of Section 2.3.3 of this Plan.
- c. The County shall participate in and encourage participation in various energy efficiency and conservation programs, as promoted by various

levels of government, and other agencies.

- d. Energy efficient construction of housing shall be encouraged in the County, provided it meets the requirements of the Ontario Building Code. For example, the County shall promote building styles, designs and construction techniques which conserve energy and include highefficiency heating/cooling and lighting systems, fixtures and appliances. In general, the County shall consider carefully designed experimental housing that is compliant with the Ontario Building Code.
- e. The County shall encourage public/private partnerships to finance, acquire and construct a linked open space system consisting of bikeways, trails, and walkways which promote walking, cycling and non-motorized modes of transportation within and between communities.
- f. The County shall use any energy conservation grants, loans and audit services to retrofit or renovate older County-owned buildings and structures to incorporate energy saving mechanical, electrical and lighting systems.
- g. The County shall involve local utilities and elementary and secondary schools to develop educational programs that will increase public awareness of energy conservation techniques, and shall promote the utilization of energy saving fixtures, appliances and modes of transportation.
- h. The County shall promote increased energy supply by exploring and providing opportunities for renewable energy generation facilities to accommodate current and projected needs, and the use of renewable energy systems and alternative energy systems, where feasible.
- i. The County shall permit the establishment of alternative energy systems and renewable energy systems in accordance with requirements established by the Green Energy Act and senior levels of government. These systems should be designed and constructed to minimize impacts on surrounding land uses.

#### 2.7.8 BUFFERING

Generally, the proposed use of land throughout the County of Brant shall be compatible with adjacent land uses. In the case where land uses are located in proximity to more sensitive land uses, and there is the potential for undesirable air quality, excessive noise, and vibration, or visual impact, adequate buffering between land uses shall be implemented.

As such, the following shall be the policies of the County:

- a. The County may use Site Plan Control in accordance with Section 6.7 of this Plan to require buffering between uses of land where there may be conflicts such that one use may detract from the enjoyment and functioning of the adjoining use. Such buffering shall be considered in light of the Ministry of the Environment's Land Use and Compatibility Guidelines, and may include landscaping, screening, berming, noise mitigation, and the separation of uses by extra distance between them.
- b. Added conditions such as increased yard requirements, planting strips, fencing, and/or berms, deflective lighting, restrictions of use of certain portions of the land, noise mitigation, etc., are all added requirements that may be imposed to offset aspects of incompatibility between any land uses.
- c. In areas where a conflict already exists between residential and non-residential land uses, the County may consider the erection of a buffer, such as sound attenuation fencing, as either a general or local improvement.
- d. The County may also consider the installation of attractive buffering to screen storage and loading areas, particularly where there is an interface with sensitive uses or major roads.
- e. Measures shall be taken to ensure that the permitted uses address compatibility with adjacent land uses. Adequate separation buffering or screening shall be provided between any uses where land use conflicts might be expected, such as the provision of grass strips and appropriate
- f. planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also represent appropriate buffering measures.
- g. The County may use the Zoning By-law to limit the type and nature of employment uses where such uses introduce conflict, potential conflict, or unduly impact to existing adjacent residential development or other sensitive land uses.

#### 2.7.9 DRIVE THROUGH FACILITIES

Where drive-through facilities are permitted, the following shall be the policies of the County:

a. A drive-through facility shall not be permitted between a main building and the public sidewalk in the Core Area and Mixed Uses designations.

- b. The County may establish minimum requirements to regulate drivethrough facilities in the Zoning By-law, including:
  - i. a minimum setback from adjacent residential zones;
  - ii. minimum requirements for buffers, screening and fences; and/or
  - iii. minimum landscaping coverage.

# 3.0 -LAND USE DESIGNATIONS

### 3.1 PREFACE

The County of Brant Official Plan establishes 14 land use designations, as illustrated in Schedule A, that designate all of the land within the County.

The County's land use designations include:

- Agriculture;
- Urban Residential;
- Suburban Residential:
- Hamlets and Villages;
- Rural Residential;
- Core Area;
- General Commercial;
- Shopping Centre Commercial;
- Mixed Use;
- Employment;
- Resource Development;
- Institutional;
- Parks and Recreation; and
- Natural Heritage System.

This Section identifies permitted uses and land use policies for each of the County's 14 land use designations.

#### 3.2 POLICIES APPLICABLE TO ALL DESIGNATIONS

The following general policies apply to all land use designations in the County, in addition to the land use policies specific to each designation:

- a. The County Zoning By-law shall establish permitted uses for each of the zones associated with the County's land use designations.
- b. Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and/or essential to that use shall also be permitted and may be established in the County Zoning By-law.
- c. Any designation may be further classified through separate zoning categories in the County's Zoning By-law.

- d. Development within any designation shall be further subject to the Community Structure policies of the County's Growth Management policies, as provided by Section 2.2 of this Plan.
- e. Servicing within any designation shall be subject to the Infrastructure, Services, and Facilities policies of Section 5.0 of this Plan, and subject to any required approvals under the Environmental Assessment Act.
- f. Development within any designation shall also be subject to the Natural Heritage, Potential Resource, and Hazard Management policies in Section
- g. 2.3 to identify and evaluate any natural heritage features and functions, potential resources, and natural or human-made hazards which may be a constraint to development.
- h. Proposals for new development within any designation may be subject to Site Plan Control in accordance with the policies of Section 6.7 of this Plan.
- i. The creation of new building lots shall primarily be accommodated in the County's Urban Settlement Areas, and discouraged in all other areas of the Community Structure, as outlined in Section 2.2.3, subject to the land division policies of Section 6.6 and Section 6.8.2 of this Plan.

## 3.3 AGRICULTURE

The Agriculture designation has been applied to land that is either prime agricultural land (Canada Land Inventory Classes 1, 2 and 3), that is currently under agricultural production (or that is surrounded by land in agricultural production), and associated agricultural and rural uses. Land designated Agriculture is illustrated on Schedule A. The Agriculture designation is a significant part of the County's prime agricultural area.

The intent of this designation is to ensure that prime agricultural land and the agricultural activities and lifestyle of the County of Brant are protected and have the opportunity to flourish. The purpose of the County's land use policies for the Agriculture designation is to encourage and promote agricultural land for agricultural activities. Provincial policy requires that agricultural land be protected for agricultural uses unless appropriate justification is provided for alternative uses.

The County of Brant endorses the "right-to-farm" principle, which acknowledges that farming involves activities that produce dust, noise, light, flies, conflicts due to traffic, smoke, vibration and odours. The Agriculture designation shall ensure that agricultural land and activities are promoted and that potential conflicts between land uses are avoided.

#### 3.3.1 PERMITTED USES

Subject to the applicable strategies, as introduced by Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Agriculture:

- a. The primary form and predominant use of land in the Agriculture designation shall include all types of farming and normal farm practices, including the growing of crops, the raising of livestock and other animals for food, fur, or fibre; associated on-farm buildings and structures, including accommodation for associated full-time farm labour as required based on the size and nature of the operation; agricultural research operations; uses connected with the conservation of water, soil, wildlife and other natural resources; and resource extraction and resource-based uses.
- b. The development of urban and non-farm related land uses shall not be permitted on lands that are designated Agriculture. These uses shall be directed to Settlement Areas or areas specifically intended for the proposed or existing land use.
- c. Generally, one residential dwelling unit shall be permitted per lot in the Agriculture designation.
- d. Notwithstanding policy (c) above, a secondary farm residence may also be permitted when the size and nature of the operation requires additional farm help, and provided the secondary farm residence is:
  - i. on the same lot:
  - ii. accessory to the main farm operation;
  - iii. located to discourage severing in the future;
  - iv. used to accommodate seasonal or temporary farm help;
  - v. adequately serviced; and
  - vi. not proposed in conjunction with a consent for land division.
- e. Notwithstanding policy (c) above, a maximum of one accessory apartment per residential dwelling unit or a garden suite shall also permitted in the Agriculture designation subject to the following criteria:
  - i. the unit can be adequately serviced;
  - ii. the unit is required on a temporary basis; and
  - iii. permission has been obtained from the County of Brant or its designated agent by way of a Temporary Use By-law.
- f. Bed and breakfast establishments and agricultural home occupations shall be permitted, provided the use remains clearly secondary to the

residential use and is conducted from the main residence or from an accessory building by a resident. Agricultural home occupations may include:

- i. sales outlets for agricultural products produced on the farm;
- ii. farm vacation and tourism enterprises; and
- iii. small-scale home industries.
- g. The number of employees, the gross floor area, outside storage, and the number of bed and breakfast rooms associated with an agricultural home occupation may be limited in the County Zoning By-law.
- h. Entrances serving home occupations, industry or businesses located adjacent to Provincial Highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation shall require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.
- i. Greenhouse farms shall be permitted in the Agriculture designation, provided the following policies are considered:
  - i. specific development standards are provided in the County Zoning By-law;
  - ii. the greenhouse farm is subject to a Site Plan Control to review and control such issues such as stormwater runoff, lighting and parking;
  - iii. the proposed development may be subject to on-site stormwater management as a condition of development; and
  - iv. the recycling of irrigated water by greenhouse farms shall be required in order to reduce primary water use.
- j. Agriculture-related commercial and industrial uses which are directly supportive and related to the agricultural operation (such as bulk seed, warehousing of produce, cold storage, packaging or processing plants, logging and lumber mills, agricultural trucking establishments) are permitted in the Agriculture designation subject to the following criteria:
  - i. the agriculturally related commercial and agriculturally related industrial use cannot reasonably be located in a non-agricultural

- designation, is not compatible with urban land uses, and is required in close proximity to the farm operation;
- ii. such uses shall be located to conform with the Minimum Distance Separation Formulae;
- iii. an amendment to the County Zoning By-law is approved;
- iv. the agriculturally related commercial and agriculturally related industrial use is subject to Site Plan Control;
- v. the agriculturally related commercial and agriculturally related industrial use shall neither require large volumes of water nor generate large volumes of effluent and shall be serviced with appropriate water supply and sewage treatment facilities;
- vi. the agriculturally related commercial and agriculturally related industrial uses shall be located and designed to minimize potential adverse impacts including noise, visual, odours, and air emissions, upon nearby residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout;
- vii. the location of agriculturally related commercial and agriculturally related industrial uses shall provide for appropriate access and minimum sight distances in either direction along a County road; and
- viii. the agriculturally related commercial and agriculturally related industrial use may require on site water storage for firefighting.
- k. Secondary uses, which may include the retail sale of products grown on the farm, the processing, preserving, storing, and packaging of the farm's produce on the farm property, and establishments for the sale, repair, and service of agricultural machinery, may only be permitted subject to the following criteria:
  - i. the proposed use will remain secondary to the principal use of the property, namely agriculture;
  - ii. the proposed use is limited in scale; and
  - iii. the proposed use is compatible with, and shall not hinder, surrounding agricultural operations.
- I. Mushroom operations including the growing, harvesting, cleaning, packaging and shipping of mushrooms and any other uses related to mushroom production, including the creation of compost, shall be permitted in the Agriculture designation, subject to the following criteria:
  - i. the mushroom operation is located no closer than 300 metres from a residential dwelling;

- ii. specific development standards are provided in the County Zoning By-law;
- iii. the mushroom operation is subject to Site Plan Control in accordance with Section 6.7 of this Plan;
- iv. the recycling of irrigated water by the mushroom operation shall be required in order to reduce primary water use; and
- m. Fish farming operations including the raising, harvesting, cleaning, packaging and shipping of fish and any other uses related to fish production shall be permitted in the Agriculture designation subject to the following criteria:
  - i. specific development standards are provided in the County Zoning By-law;
  - ii. the fish farming operation is subject to Site Plan Control in accordance with Section 6.7 of this Plan:
  - iii. the required approvals have been obtained from the Ministry of the Environment, the Ministry of Natural Resources, and the appropriate Conservation Authority;
  - iv. any discharge into a County drain is not harmful to the function of the drain and downstream users and that an engineering study has been conducted, to the satisfaction of the County, to determine the potential effects, outline the steps to be taken to ensure no adverse effects shall occur and prepare, if necessary a reassessment of the drain;
  - v. the proposed operation shall not conflict with other neighbouring uses;
  - vi. an Environmental Impact Study had been completed, including impacts on water courses within 120 metres of the facility; and
  - vii. if in the development of a pond for a fish farm there is the removal of material that can be processed as sand or gravel, a license under the Aggregate Resources Act may be required.
- n. Tree farms and retail nursery outlets shall be permitted in the Agriculture designation without an amendment to the County Zoning By-law provided that all the primary goods and materials for sale are grown or produced on site.
- o. New livestock facilities and the expansion of existing livestock shall be permitted in the Agriculture designation without an amendment to the County Zoning By-law provided the proposed location is in compliance with the Minimum Distance Separation Formulae.
- p. New livestock facilities and the expansion of existing livestock

- operations shall be permitted in the Agriculture designation without an amendment to the County Zoning By-law subject to the nutrient management requirements of the Province including the provision of a nutrient management plan.
- q. The extraction of aggregate or mineral resources shall be permitted in accordance with the *Aggregate Resources Act*, the *Mining Act* or the *Oil, Gas and Salt Resources Act*, as appropriate, subject to the policies of Section 3.13 of this Plan.

#### 3.3.2 LAND USE POLICIES

#### 3.3.2.1 General Policies

The following general policies apply to land designated Agriculture:

- a. In order to avoid land use conflicts with the Agricultural Designation, it is the policy of this Plan that the Minimum Distance Separation (MDS) Formulae be used to establish appropriate standards for separating proposed uses from existing livestock facilities (MDS I) and for applying appropriate standards for the separation of new or expanding livestock facilities from existing adjacent uses (MDS II). The County Zoning Bylaw shall establish separation distances between livestock operations (to be defined within the By-law) and non-agricultural land uses in accordance with the Minimum Distance Separation Formulae.
- b. Land application of manure, biosolids and septage is regulated by the Province in accordance with the Nutrient Management Act, the Clean Water Act, the Sourcewater Protection Act, and the Environmental Protection Act. Land application of manure, biosolids and septage shall follow the requirements of the above noted legislation, and the regulations made under those Acts. The County encourages the dewatering of biosolids prior to application.
- c. Proposed development in the Agriculture designation shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals for non-agricultural uses shall demonstrate the suitability of the site for the proposed method of water supply, sanitary sewage disposal and stormwater management to the satisfaction of the County and other approval agencies.
- d. This Plan recognizes the importance of trees and significant vegetation areas in maintaining the natural environment and ecological balance in areas designated Agriculture, as well as their importance in maintaining the long-term viability of agricultural land. Where possible, woodlots and forests located within the Agriculture designation, owners are encouraged to protect and expand.
- e. In the Agriculture Designation, where a cemetery is closed and receives

low levels of visitation it may be treated by the County as a Type A land use for the purposes of applying the Minimum Distance Separation Formulae.

#### 3.3.2.2 Parcel Size

The following policies shall also apply to land designated Agriculture, specifically with respect to parcel size:

- a. The minimum lot size within the Agriculture designation for newly created lots shall be 40 hectares, except as otherwise permitted by this Plan.
- b. Specialty farm operations and greenhouse operations may be established on existing smaller lots of record subject to appropriate conditions as set out by the County and/or a justification of the agricultural viability of the farm unit. Viability shall be to the satisfaction of the County after considering if it is appropriate for the type of agricultural use, appropriate and common for the type of agriculture in the area and allow for flexibility for other types of agricultural uses.
- c. Lot size requirements of the Agriculture designation may also apply to lands designated Natural Heritage System.

## 3.3.2.3 Existing Lot of Record

The following policies shall apply to existing lots of record within the Agriculture designation:

- a. The County shall not apply the Minimum Distance Separation Formulae to approved residential development proposed by building permit on existing lots of record.
- b. The County shall not apply the Minimum Distance Separation Formulae to the construction of a new residential dwelling that is replacing a dwelling destroyed in whole, or in part, by a catastrophe, provided that the new dwelling is located no closer to an existing livestock facility than prior to the catastrophe.
- c. New residential uses on existing vacant lots of record and lots created by consent shall be permitted in accordance with the requirements of the County Zoning By-law.
- d. Where an existing lot of record falls within the Natural Heritage System designation, any new development shall be required to obtain the approval of the appropriate Conservation Authority.

#### 3.4 URBAN RESIDENTIAL

#### **3.4.1 INTENT**

The Urban Residential designation applies to the Primary and Secondary Urban Settlement Areas of the County.

The intent of the Urban Residential designation is to accommodate safe and well-designed neighbourhoods and to contribute to the creation of complete communities. The Urban Residential designation shall ensure that the required services and amenities, including parks, educational facilities, and neighbourhood-oriented commercial uses, shall be available to residents in order to support functional residential areas and promote walkability.

In addition to general permitted uses and general land use policies for the Urban Residential designation, there are specific policies and locational criteria to permit a range of densities and locations for Urban Residential development and other community supportive land uses.

#### 3.4.2 PERMITTED USES

Subject to the applicable strategies, as provided in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Urban Residential:

- a. The predominant use of land in the Urban Residential designation shall be for a variety of residential housing types, in accordance with the density and location criteria outlined in the following Urban Residential designation policies and in the County Zoning By-law.
- b. Neighbourhood commercial uses that support residential neighbourhoods shall be permitted in the Urban Residential designation, subject to meeting the following criteria:
  - i. uses shall be limited to small-scale commercial uses, personal service shops, businesses and offices which provide for the sale of convenience goods and other personal services to meet the daily living needs of local residents, such as medical clinics, convenience stores and daycare centres. Drive-through facilities and automobile service stations, including gas bars and repair garages, shall not be permitted;
  - ii. the scale of development shall be guided by the population of the area to be served, however, no single development shall exceed 500 gross square metres;
  - iii. adequate off-street parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that shall minimize the

danger to both vehicular and pedestrian traffic;

- iv. no open storage shall be permitted on-site;
- v. any lighting or signs associated with the permitted use located on local collector roads and intersections will be designed and arranged to blend with the character of the surrounding Urban Residential area;
- vi. the use shall be included in separate zoning classifications in the County Zoning By-law;
- vii. where the use is proposed at the intersection of two collector or arterial roads, proposed uses shall be of a height and scale that is consistent with existing uses in the surrounding area; and
- viii. where the use is proposed within 500 metres of an existing neighbourhood commercial use, it shall not be permitted.
- c. Institutional uses that support residential neighbourhoods shall be permitted in the Urban Residential designation, including libraries, retirement and nursing homes, public and private educational facilities, and places of worship.
- d. Opportunities to provide housing for individuals or groups with special needs shall be permitted and encouraged in the Urban Residential designation, in accordance with the policies of the Housing policies in Section 2.4.
- e. Home occupation uses shall be permitted in the Urban Residential designation, subject to meeting the following criteria:
  - i. the use does not change the residential character of the building;
  - ii. the use meets the requirements of the County Zoning By-law, including requirements related to the number of employees of a home occupation;
  - iii. the use is compatible with surrounding residential land uses; and
  - iv. sufficient parking is available on-site.
- f. Bed and breakfast establishments shall be permitted in any singledetached residential dwelling, provided that all requirements of the County Zoning By-law are met.

#### 3.4.3 GENERAL POLICIES

The following policies apply to all lands designated Urban Residential:

a. In addition to other policies of this Plan, new development, redevelopment, and intensification within any Urban Residential designation, including applications to amend the County's Zoning Bylaw in order to permit a proposed development, shall be subject to the following criteria:

- i. the density, height and character of the proposed development project shall be compatible with existing adjacent uses;
- ii. a report on the contribution of the proposed development towards the County's intensification policies or Density Target may be required by the County;
- iii. the height and massing of the buildings at the edge of the proposed development project shall have regard to the height and massing of the buildings in adjacent areas and may be subject to additional setbacks and design elements, or landscaping to provide an appropriate transition;
- iv. existing water and sanitary sewer systems shall be capable of accommodating the proposed development project, or the proponent shall commit to extending services at no cost to the County, save and except where private septic systems are permitted;
- v. a report on the adequacy of the road network to accommodate the expected traffic flows and the adequacy of water and sewer services may be required by the County;
- vi. the proposed development project shall be adequately serviced by parks and educational facilities;
- vii. for lands identified as Heritage Areas on Schedule A of this Plan, the policies of 2.7.6.1 (b) shall apply;
- viii. the proposed development project shall be designed and landscaped, and buffering may be required, to ensure that the visual impact of the development on adjacent uses is minimized; and
- ix. all required parking shall be provided on-site. Cash-in-lieu of required parking shall not be accepted by the County.

#### 3.4.4 LOW DENSITY URBAN RESIDENTIAL POLICIES

Low Density Urban Residential development shall be permitted in the Urban Residential designation, subject to meeting the following density and locational requirements:

a. Low Density Urban Residential development shall be limited to single detached dwellings, semi-detached dwellings, duplex dwellings, streetfronting townhouse dwellings and converted dwellings containing no more than two dwelling units.

- b. The maximum density of new Low Density Urban Residential development shall not exceed 20 units per net hectare.
- c. Access to new Low Density Urban Residential development shall be by local or collector roads.
- d. Proposals for new Low Density Urban Residential development may be subject to a subdivision agreement and the use of holding zones, in accordance with the policies of Section 6.0 of this Plan.
- e. New development shall be phased in accordance with the Allocation and Phasing of Servicing policies in Section 5.2.2 of this Plan, with subsequent phases being permitted after building permits have been issued for 50 units.
- f. The conversion of dwelling units into two or more dwelling units shall be subject to the following criteria:
  - i. all required parking shall be provided on the site. Cash-in-lieu of required parking shall not be accepted by the County; and
  - ii. there is no change to the height and character of the dwelling.

#### 3.4.5 MEDIUM DENSITY RESIDENTIAL POLICIES

Medium Density Residential development shall be permitted in the Urban Residential designation, subject to meeting the following density and locational requirements:

- a. Medium Density Residential development shall be limited to duplex/triplex/fourplex dwellings, converted dwelling units containing more than two dwelling units, cluster townhouses, low-rise apartment buildings with a maximum height of four stories, and special needs housing.
- b. The maximum density of new Medium Density Urban Residential development shall not exceed 50 units per net hectare.
- c. The following criteria shall be met before approval of the proposed development by the County:
  - i. the proposed development should have frontage on an urban arterial or urban collector road as designated on Schedule B of this Plan;
  - ii. the proposed development shall abut or be located within a reasonable walking distance of a public park;
  - iii. is conveniently located within reasonable distance of recreational open space and shopping facilities and, if the building is proposed to be designed for occupancy by households with children, is also located within convenient walking distance of an

elementary school;

- iv. has a suitable size and configuration to:
- v. permit the separation or appropriate integration of on-site vehicular and pedestrian traffic;
- vi. provide for adequate access and circulation by emergency vehicles;
- vii. provide adequate on-site landscaping to establish suitable outdoor amenities and recreational facilities for the buildings occupants, screen parking areas, and provide effective buffering and screening to ensure the privacy of outdoor recreational areas on the site as well as on adjoining properties; and
- viii. provide adequate grading and stormwater management features to ensure the drainage of surface waters to on-site stormwater management facilities or to public storm drainage facilities and not to adjoining properties.
- ix. ensure that buildings generally have their principle building façade and entrance to face the primary public street and be designed with articulated facades.
- x. is proposed to be developed in such a manner and at such a scale that the site and building design, building height, setbacks, landscaping and vehicular circulation will ensure compatibility of the proposed development with existing development; and
- xi. will include, wherever possible, the preservation and protection of the natural environment and built heritage resources.
- d. Further to Section 3.4.5 (c) (i) above, proposals for new Medium Density Urban Residential development shall be encouraged to have direct access to or be in close proximity to an arterial or collector road, where possible and appropriate; and
- e. On-site recreational facilities or amenities such as private open space including playground equipment may be required.

## 3.4.6 HIGH DENSITY RESIDENTIAL POLICIES

High Density Urban Residential development shall be permitted in the Urban Residential designation, subject to meeting the following density and locational requirements:

a. High Density Residential development shall be limited to stacked townhouses, apartment buildings, special needs housing, and any development permitted by the Low and/or Medium Density Urban Residential policies.

- b. The maximum density of new High Density Residential development shall not exceed 100 units per net hectare.
- c. The following criteria shall be met before approval of the proposed development by the County:
  - i. the proposed development shall have frontage on an urban arterial road as designated on Schedule B of this Plan;
  - ii. the proposed development shall abut/or be located within a reasonable walking distance of a public park;
  - iii. is conveniently located within reasonable distance of recreational open space and shopping facilities and, if the building is proposed to be designed for occupancy by households with children, is also located within convenient walking distance of an elementary school;
  - iv. has a suitable size and configuration to:
  - v. permit the separation or appropriate integration of on-site vehicular and pedestrian traffic;
  - vi. provide for adequate access and circulation by emergency vehicles;
  - vii. provide adequate on-site landscaping to establish suitable outdoor amenities and recreational facilities for the buildings occupants, screen parking areas, and provide effective buffering and screening to ensure the privacy of outdoor recreational areas on the site as well as on adjoining properties; and
  - viii. provide adequate grading and stormwater management features to ensure the drainage of surface waters to on-site stormwater management facilities or to public storm drainage facilities and not to adjoining properties.
  - ix. ensure that buildings generally have their principle building façade and entrance to face the primary public street and be designed with articulated facades.
  - x. is proposed to be developed in such a manner and at such a scale that the site and building design, building height, setbacks, landscaping and vehicular circulation will ensure compatibility of the proposed development with existing development; and
  - xi. will include, wherever possible, the preservation and protection of the natural environment and built heritage resources.
- d. Further to Section 3.4.6(c)(i) above, proposal for new High Density Urban Residential development shall have direct access on an urban arterial road; and

e. On-site recreational facilities or amenities such as private open space including playground equipment may be required.

## 3.5 SUBURBAN RESIDENTIAL

## **3.5.1 NTENT**

The County's Suburban Residential designations apply to certain land within the Secondary Urban Settlement Areas.

The intent of the Suburban Residential designation is to recognize existing clusters of suburban development within the County and to provide policies that will ensure efficient and orderly future growth. Lands designated Suburban Residential will function predominantly as low density residential areas.

## 3.5.2 PERMITTED USES

The following policies shall apply in determining uses that are permitted on land that is designated Suburban Residential:

- a. The predominant use of land in the Suburban Residential designation shall be for low density residential dwellings, including single detached dwellings, semi-detached dwellings, duplex/triplex/fourplex dwellings and converted dwelling units containing two or more dwelling units.
- b. Institutional uses that support residential neighbourhoods shall be permitted in the Suburban Residential designation, including libraries, public and private educational facilities, and places of worship.

## 3.5.3 LAND USE POLICIES

The following policies apply to all lands designated Suburban Residential:

- a. Development on partial systems will be limited to infilling or minor rounding out of existing development on partial County services in accordance with the servicing requirements in Section 5.2.3 of this Plan.
- b. Where new residential development is proposed for undeveloped land, the development shall connect to municipal water supply and/or sewage disposal systems, where they exist. Where such development is proposed, existing water and sanitary sewer systems shall be capable of accommodating the proposed development project, or the proponent shall commit to extending services at no cost to the County.
- c. In addition to other policies of this Plan, new development, redevelopment, and intensification within the Suburban Residential designation, including applications to amend the County's Zoning Bylaw in order to permit a proposed development, shall be subject to the following criteria:

- i. a report on the contribution of the proposed development towards the County's intensification goals or Density Target may be required by the County;
- ii. the height and massing of the buildings at the edge of the proposed development project shall have regard to the height and massing of the buildings in adjacent areas and may be subject to additional setbacks and design elements, or landscaping to provide an appropriate transition;
- iii. a report on the adequacy of the road network to accommodate the expected traffic flows and the adequacy of water and sewer services may be required by the County;
- iv. the proposed development project shall be adequately serviced by parks and educational facilities;
- v. the proposed development project shall be designed and landscaped, and buffering may be required, to ensure that the visual impact of the development on adjacent uses is minimized; and
- vi. all required parking shall be provided on-site. Cash-in-lieu of required parking shall not be accepted by the County.

## 3.6 HAMLETS AND VILLAGES

#### **3.6.1 INTENT**

The Hamlets and Villages designation applies to small communities outside of the Primary and Secondary Urban Settlement Areas of the County, in accordance with the Community Structure, as presented in Section 2.2.3 of this Plan.

Lands designated Hamlets and Villages originated as service and residential centres, which supported and were supported by the County's surrounding agricultural community.

Lands designated Hamlets and Villages in the County of Brant include the communities of Brant Mills, Burtch, Cathcart, Falkland, Fairfield, Glen Morris, Gobles, Harley, Harrisburg, Kelvin, Middleport, Muir, New Durham, Onondaga and Princeton. Hamlets and Villages are illustrated on Schedule A.

The intent of the Hamlets and Villages designation is to accommodate a limited amount of residential, commercial, community, and industrial service uses in order to prevent scattered, non-farm development in the Agriculture designation and provide service support for the surrounding agricultural areas.

## 3.6.2 PERMITTED USES

Subject to the applicable strategies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are permitted on land that is designated Hamlets and Villages:

- a. The predominant use of land in the Hamlets and Villages designation shall be low density residential dwellings, including single detached dwellings, semi-detached dwellings, duplex/triplex/fourplex dwellings and converted dwelling units containing two or more dwelling units.
- b. Neighbourhood commercial uses that support residential neighbourhoods shall be permitted in the Hamlets and Villages designation, subject to meeting the following criteria:
  - i. uses shall be limited to small-scale businesses and offices, which provide for the sale of convenience goods and other personal services to meet the daily living needs of local and surrounding agricultural residents;
  - ii. the scale of development shall be guided by the population of the area to be served, with the maximum gross square metres of a single establishment, and the maximum size of any site being set out in the Zoning By-law;
  - iii. no open storage shall be permitted on-site; and
  - iv. the use shall be included in separate zoning classifications in the County Zoning By-law and shall be subject to Site Plan Control.
- c. Home occupation uses shall be permitted in the Hamlets and Villages designation, subject to the criteria established in Section 3.6.2 policy e).
- d. Bed and breakfast establishments shall be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to standards in the County Zoning By-law.
- e. Small-scale industrial uses, and expansions to existing small-scale industrial uses, shall be permitted subject to Site Plan Control provided they are of a dry nature and do not require significant or excessive amounts of water for their operations, and are compatible with adjacent uses.
- f. Small-scale institutional uses shall be permitted subject to Site Plan Control.
- g. Opportunities to provide housing for individuals or groups with special needs shall be permitted and encouraged in accordance with Section 2.4.4 of this Plan.

## 3.6.3 LAND USE POLICIES

The following policies apply to land designated Hamlets and Villages:

- a. Existing non-residential uses shall be allowed to expand subject to meeting the following criteria:
  - i. the non-residential uses shall be limited to those which provide for the sale of convenience goods and other personal services to meet the daily living needs of local and surrounding agricultural residents.
  - ii. adequate off-street parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic.
  - iii. any lighting or signs associated with the permitted use shall be designed and arranged to blend with the character of the surrounding residential area.
  - iv. the expansion shall be subject to Site Plan Control.
- b. In accordance with the Community Structure policies of this Plan, the boundaries of the Hamlets and Villages shall only be expanded as part of a Municipal Comprehensive Review of this Plan, and in accordance with Section 2.2.3.2 of this Plan.
- c. Development shall occur on private systems in accordance with the private servicing requirements in Section 5.2.3.4 of this Plan.

## 3.7 RURAL RESIDENTIAL

#### **3.7.1 INTENT**

The primary intent of the Rural Residential designation is to only recognize existing concentrations of large lot residential development in order to prevent scattered land consumption, inefficient use of existing infrastructure, and non-farm development in the Agriculture designation.

#### 3.7.2 PERMITTED USES

Subject to the applicable strategies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are permitted on land that is designated Rural Residential:

- a. Single detached residential dwellings shall be permitted in the Rural Residential designation.
- b. An accessory residential dwelling unit shall also be permitted in the Rural Residential designation, in accordance with Section 2.4.5 of this Plan.

c. Bed and breakfast establishments shall be permitted in the Rural Residential designation.

## 3.7.3 LAND USE POLICIES

The following policies apply to land designated Rural Residential:

- a. Designation of a Rural Residential area does not mean that the land is suitable for further development. A limited amount of growth and development may occur within Rural Residential areas subject to the following criteria:
  - i. the proposed development represents an infill development within an existing Rural Residential area;
  - ii. the proposed development has access to potable water, and such supply does not adversely affect adjoining properties;
  - iii. it has been demonstrated to the satisfaction of the County that on- site servicing is feasible;
  - iv. the proposed servicing shall be appropriate for the proposed densities and land uses:
  - v. the pattern of new development shall be logical in the context of the existing development within the Rural Residential area;
  - vi. the proposed development is compatible with existing development; and
  - vii. each lot proposed shall have provided a comprehensive drainage and lot grading plan demonstrating no adverse impacts on surrounding properties and a satisfactory outlet for stormwater.
- b. Development in the County's Rural Residential areas shall be consistent with and guided by the Servicing System policies in Section 5.2 of this Plan.
- c. Within the Rural Residential designation, the maximum density for new development shall not exceed 3 units per net hectare.
- d. Building permits shall be refused within areas designated Rural Residential if adequate servicing cannot be provided.
- e. Where the number of units warrant, development may be required to supply a reservoir of water of sufficient volume to ensure adequate fire protection and a hydrogeology report on the adequacy of potable water.
- f. Lots created within this designation must be consistent with the size and nature of surrounding lots while being consistent with the minimum size and frontage requirements of the Zoning By-law.

## 3.8 CORE AREA

#### **3.8.1 INTENT**

The County's Core Area designations are located within the Primary and Secondary Urban Settlement Areas, including Paris, St. George, and Burford.

The intent of the Core Area designation is to recognize the importance and role of the historic downtown areas of the County. Lands designated Core Area will function as primary activity centres and gathering places within the County, and the location for the fullest range of uses, including retail, service commercial, cultural, tourism, recreational, entertainment, business and professional, government, institutional, social and community, employment, and residential uses.

There are a wide range of existing uses within the Core Areas, which shall continue to be permitted. A diversity of land uses shall continue to be promoted within the Core Area designation, while conserving and enhancing heritage resources. The policies of the Core Area designation are intended to promote, encourage, and ensure the viability of the County's historic downtown areas.

#### 3.8.2 PERMITTED USES

Notwithstanding the Paris Flood Plains Special Policy Area policies of Section 2.3.5.1 of this Plan, the following policies shall apply in determining uses that are permitted on land that is designated Core Area:

- a. The Core Area designation shall accommodate a broad range of land uses, such as personal, service and retail commercial (excluding large format retail uses), residential, offices, places of entertainment, cultural uses, eating establishments, hotels and motels, funeral parlours, and community facilities.
- b. Institutional uses such as hospitals, nursing homes, preschools, school nurseries, day care, and schools, are not permitted within hazardous lands, in accordance with Section 2.3.5.1 of this Plan.
- c. Parking and drive-through facilities shall not be permitted in the Core Area designation in front of any building or structure, or between the public sidewalk and any building or structure and shall be subject to the policies of Section 3.8.3 o).
- d. Open storage shall be not permitted in the Core Area designation.
- e. Residential uses shall be permitted in commercial establishments in accordance with Section 2.3.5.1 of this Plan, and provided that the commercial frontage on the ground floor of the establishment is maintained.

- f. Subject to the policies of Section 2.3.5.1, existing single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not substantially change.
- g. Medium and high density residential uses shall be permitted in the Core Area designation. The following criteria shall be addressed in the consideration of applications for medium and high density residential uses, especially in proximity to lower density residential development:
  - i. the density, height and form of the proposed development shall have no undue adverse impacts in terms of overshadowing, increased traffic or loss of amenity area on surrounding residential uses:
  - ii. the site shall have the ability to accommodate necessary facilities and amenities, such as garbage storage, parking and landscaped areas;
  - iii. the proposed development shall have an appropriate transition in height and density wherever possible to nearby lower density residential uses;
  - iv. the site shall have access to open space amenities and community service facilities such as parks and educational facilities;
  - v. the use shall be subject to Site Plan Control, in accordance with the policies of Section 6.7 of this Plan; and
  - vi. through the Site Plan Control process, screening between Core Area uses and adjoining residential units will be required.
- h. Subject to Section 2.3.5.1 of the Plan, opportunities to provide housing for individuals or groups with special needs shall be permitted and encouraged in accordance with the policies of the Housing policies (Section 2.4).
- i. Home occupation uses shall be permitted in the Core Area designation, subject to meeting the criteria established in Section 3.6.2 policy e).
- j. Bed and breakfast establishments shall be permitted in any singledetached residential dwelling, provided that all parking requirements, in accordance with the criteria established by the County Zoning By-law, are met.

## 3.8.3 LAND USE POLICIES

The following policies apply to all lands designated Core Area:

a. Development within the Core Area designation shall be compatible with surrounding uses with respect to building form, height, and setback,

- and shall be adequately buffered from adjacent sensitive land uses.
- b. Buildings within the Core Area designation, and associated lighting or signs, shall be designed, erected and installed to minimize the impact on any adjoining residential uses in accordance with the County's Sign By- law.
- c. In order to promote compact and pedestrian oriented downtown areas, new development should be planned as an extension of the existing business area. Opportunities for intensification and redevelopment, including the redevelopment of vacant or derelict commercial buildings, within the Core Area designation shall be encouraged and prioritized by the County before considering amendments to the County Zoning Bylaw to permit expansion into adjacent land uses.
- d. The residential standards of the County Zoning By-law may be reduced within the Core Area designation in order to encourage intensification and redevelopment that is deemed to have a positive impact on the downtown and broader Urban Settlement Area, provided full services are available and have the capacity to provide service.
- e. In cases where sufficient on-site parking cannot be accommodated in the Core Area designation, the County at its sole discretion may collect cash- in-lieu of parking pursuant to Section 40 of the Planning Act to be used expressly for the provision of additional parking spaces in an appropriately defined area.
- f. Within the County's Core Area designation, there are areas that also are of built and cultural heritage value. In order to encourage the conservation, protection, and enhancement of buildings and sites having built and cultural heritage value within the Core Area designation, the Heritage Conservation policies of Section 2.7.6 shall apply.
- g. A high standard of site design and maintenance shall be required. The County may implement Urban Design Guidelines, specific to the County's Core Area designation in order to identify the County's design objectives for the downtown areas.
- h. Individual site designs for proposed development within the Core Area designation shall be coordinated and shall provide integrated solutions to pedestrian and vehicular traffic circulation problems.
- i. Improvements to the Core Area areas of Paris, St. George, and Burford should consider the use of streetscape elements as an aesthetically desirable option, as well as decorative lighting standards, sign control, development of enhanced planting areas, and other improvements.
- j. The County shall encourage the provision of facilities that promote cycling and walkability.

- k. The County shall encourage the improvement and revitalization of lands designated Core Area by making available small surplus parcels of land for such amenities as benches and planting and to improve the design of street lighting and other street furniture.
- I. The County shall also contribute to the improvement and revitalization of lands designated Core Area, by encouraging merchants and property owners to improve their shop fronts and signs and thereby improve the overall appearance of the Core Areas. The County may implement Community Improvement Plans for its Core Areas, in accordance with the policies of Section 2.6.
- m. The County shall encourage an adequate standard of building maintenance within the Core Area designation through the enforcement of a Property Standards By-law.
- n. The County shall consider the assembling of land within the Core Area designation in order to promote, encourage, and assist proposed redevelopment or rehabilitation projects or for public open spaces to provide for a community focus.
- o. A drive through facility shall not be permitted in the Core Area designation, except in accordance with the following criteria:
  - i. a site specific amendment to the Zoning By-law shall be required to permit a drive-through use.
  - ii. the development shall be subject to Site Plan Control to ensure that the potential impacts of the drive-through use are addressed and that the drive-through is compatible with surrounding uses. When proposing a new drive through facility, site design should consider appropriate separation between vehicles and residential uses.
  - iii. in its application for Zoning By-law Amendment and Site Plan Approval, the applicant shall be required to demonstrate that the following impacts on adjacent or nearby residential uses have been minimized or controlled to the satisfaction of the County:
    - 1. noise:
    - 2. light penetration, including overhead lighting and light from vehicle headlights; and
    - traffic impacts, including volume and the location of access/egress and stacking spaces associated with the drive- through facility.

## 3.9 GENERAL COMMERCIAL

## **3.9.1 INTENT**

The intent of the General Commercial designation is to provide for commercial establishments offering goods and services which primarily serve the County's market area.

#### 3.9.2 PERMITTED USES

The following policies shall apply in determining uses that are permitted on land that is designated General Commercial:

a. The primary form and predominant use of land in the General Commercial designation shall be limited to retail commercial establishments, places of entertainment, professional offices, financial institutions, assembly halls, eating establishments, automotive uses, hotels and motels, community facilities, convenience stores, and residential uses above the first floor.

## 3.9.3 LAND USE POLICIES

The following policies apply to all lands designated General Commercial:

- a. Development within the General Commercial designation shall be compatible with surrounding uses with respect to building form, height, and setback, and shall be adequately buffered from adjacent sensitive land uses.
- b. Buildings within the General Commercial designation, and associated lighting or signs, shall be designed, erected and installed to minimize the impact on any adjoining residential uses in accordance with the County's Sign By-law.
- c. Adequate off-street parking facilities shall be provided for all permitted uses and access points to such parking shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic. Where possible, shared accesses and driveways shall be provided.
- d. The County shall encourage the provision of facilities that promote cycling and walkability.
- e. A high standard of site design and maintenance shall be required through Site Plan Control, in accordance with Section 6.7 of this Plan.

## 3.10 SHOPPING CENTRE COMMERCIAL

#### 3.10.1 INTENT

The Shopping Centre Commercial designation shall provide a broad range commercial uses in Primary Urban Settlement Areas designed to function as a unit with common parking facilities, access points, and maintenance standards.

The Shopping Centre Commercial designation is intended to serve residents of the County of Brant and customers residing beyond the limits of the County.

## 3.10.2 PERMITTED USES

The following policies shall apply in determining uses that are permitted on land that is designated Shopping Centre Commercial:

- a. The primary commercial form and predominant use of land in the Shopping Centre Commercial designation shall be a broad range of primarily retail stores as well as personal and service commercial uses, restaurants, financial institutions, and commercial recreational establishments.
- b. In addition, business and professional offices may be permitted in the Shopping Centre Commercial designation, provided that they do not constitute a predominant use in the shopping centre and are not free standing buildings.
- c. Large format retail uses shall be permitted in the Shopping Centre Commercial designation, within Primary or Secondary Urban Settlement Areas, by way of a site-specific amendment to this Plan and the County Zoning By-law. Prior to considering an amendment to this Plan to accommodate the development of a new large format retail use, or the expansion of an existing large format retail use, the following criteria shall be met to the satisfaction of the County:
  - i. a planning rationale report, shall be completed assessing the use in relation to the planned function of the Core Area designation, the Shopping Centre Commercial designation and the General Commercial designation, as well as impacts on adjacent uses;
  - ii. a retail market impact study shall be completed and shall demonstrate that the proposed Shopping Centre Commercial use will not adversely affect the role, function, and economic vitality of the County's Core Areas;
  - iii. a transportation impact study shall be completed in accordance with the specific requirements of the County and the Province, as appropriate;
  - iv. an urban design study and guidelines shall be completed; and
  - v. a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian amenities, lighting, and other site elements, shall

be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.

## 3.10.3 LAND USE POLICIES

The following policies apply to all lands designated Shopping Centre Commercial:

- a. Development within the Shopping Centre Commercial designation shall be compatible with surrounding uses with respect to building form, height, and setback, and shall be adequately buffered from adjacent sensitive land uses.
- b. Buildings within the Shopping Centre Commercial designation, and associated lighting or signs, shall be designed, erected and installed to minimize the impact on any adjoining residential uses in accordance with the County's Sign By-law.
- c. Off-street parking facilities in accordance with the requirements of the County Zoning By-law shall be provided and access points to such parking shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic.
- d. The County shall encourage the provision of facilities that promote cycling and walkability.
- e. No open storage of goods or materials shall be permitted.
- f. Amendments to the Plan to establish a new Shopping Centre Commercial designation shall be subject to preparing a Planning Impact Analysis and a Market Study to ensure that the proposed Amendment will not adversely affect the role, function, and economic vitality of the County's Core Areas.
- g. Delivery and loading areas shall be both physically and acoustically shielded from adjoining residential land uses.

## 3.11 MIXED USE

#### 3.11.1 INTENT

The County's Mixed Use designation provides for a broad range of commercial and residential uses that are characteristic of a pedestrian friendly, transit supportive, and higher intensity Mixed Use areas.

The intent of the Mixed Use designation is to not only permit a variety of uses, but also provide for a transition of density, height, and built form to ensure land use compatibility with adjacent uses.

## 3.11.2 PERMITTED USES

The following policies shall apply in determining uses that are permitted on land that is designated Mixed Use:

- a. Residential uses shall be permitted in commercial establishments provided that the commercial frontage on the ground floor of the establishment is maintained.
- b. Existing single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not substantially change.
- c. Personal, service and retail commercial uses, offices, eating establishments, and similar types of uses are permitted in the Mixed Use designation.
- d. A drive-through facility shall not be permitted in the Mixed Use designation, except in accordance with the following criteria. When proposing a new drive through facility, site design should consider appropriate separation between vehicles and residential uses:
  - i. A site specific amendment to the Zoning By-law shall be required to permit a drive-through use.
  - ii. The development shall be subject to Site Plan Control to ensure that the potential impacts of the drive-through use are addressed and that the drive-through is compatible with surrounding uses.
  - iii. In its application for Zoning By-law Amendment and Site Plan Approval, the applicant shall be required to demonstrate that the following impacts on adjacent or nearby residential uses have been minimized or controlled to the satisfaction of the County:
    - 1. noise;
    - 2. light penetration, including overhead lighting and light from vehicle headlights; and
    - traffic impacts, including volume and the location of access/egress and stacking spaces associated with the drive- through facility.
- e. Employment uses shall also be permitted in the Mixed Use designation, exclusive of industrial-related uses such as manufacturing, warehousing, processing, assembly, trucking and storage uses.
- f. Open storage shall be not permitted in the Mixed Use designation.
- g. Medium density residential uses shall be permitted in the Mixed Use designation, including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two

dwelling units, walk-up apartments, and similar medium profile residential buildings, subject to the following criteria:

- i. the development shall be encouraged to have direct vehicular access to an arterial or collector road, where possible and appropriate;
- ii. the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to extending or expanding services at no cost to the County;
- iii. the development shall be adequately serviced by parks and educational facilities;
- iv. the development shall be designed to ensure that the visual impact of the development on adjacent uses is minimized;
- v. all required parking shall be provided on the site, and cash-in-lieu of required parking shall not be accepted by the County;
- vi. in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
- vii. for small-scale residential developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the County; and
- viii. triplexes, fourplexes, freehold street townhouses or other similar housing types, shall be subject to Site Plan Control, in accordance with the policies of Section 6.7 of this Plan.
- h. Places of worship, neighbourhood community and cultural centres and institutional uses of similar scale shall be permitted in the Mixed Use designation, provided the following criteria are met:
  - i. the use shall have direct access to an arterial or collector road;
  - ii. the density, height and character of the development shall be compatible with adjacent uses;
  - iii. the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County;
  - iv. the development shall be designed to ensure that the visual impact of the development on adjacent uses is minimized;
  - v. all required parking shall be provided on the site, and cash-in-lieu

of required parking shall not be accepted by the County; and

- vi. the use shall be subject to Site Plan Control, in accordance with the policies of Section 6.7 of this Plan.
- i. Opportunities to provide housing for individuals or groups with special needs shall be permitted and encouraged in the Mixed Use designation, in accordance with the policies of the Housing policies in Section 2.4.

## 3.11.3 LAND USE POLICIES

The following policies apply to all lands designated Mixed Use:

- a. Development within the Mixed Use designation shall be compatible with surrounding uses, with respect to building form, height, and setback, and shall be adequately buffered from adjacent sensitive land uses.
- b. Buildings within the Mixed Use designation, and associated lighting or signs, shall be designed, erected and installed to minimize the impact on any adjoining residential uses in accordance with the County's Sign By- law.
- c. The County shall encourage the provision of facilities that promote cycling and walkability.
- d. Buildings within the Mixed Use designation shall demonstrate a high standard of site design in accordance with Section 6.7 and any applicable County Urban Design Guidelines.

## 3.12 EMPLOYMENT

#### **3.12.1 INTENT**

The Employment designation applies to land that is comprised of or intended to be developed for light, heavy and prestige industrial uses, limited service commercial uses, and related uses as set out in Section 3.12.2, and are generally highly visible land uses. Land designated Employment is illustrated on Schedule A.

## 3.12.2 PERMITTED USES

Subject to the applicable strategies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Employment:

- a. The primary employment form in the Employment designation shall be limited to prestige, light and heavy industrial uses, as defined in Section
- b. 7.0 of this Plan, such as manufacturing and processing plants, fuel storage, warehouses, public self-storage, truck or transportation terminals, railway uses and motor vehicle body shops, which may

- involve bulk open storage of goods or materials. Offices, medical/dental clinics, laboratories and research facilities, communication facilities, printing and publishing plants shall also be permitted as a primary form of employment.
- c. Commercial uses that serve the industrial area, such as restaurants, shall be permitted in the Employment designation. Daycare services and fitness centres shall also be permitted in the Employment designation, provided that the Employment designation is located within one of the County's Urban Settlement Areas.
- d. Where the Employment designation has frontage on an arterial road, as shown on Schedules A and B, a hotel/motel, and/or land uses catering to the traveling public shall also be permitted.
- e. Commercial recreational uses shall be permitted in the Employment designation.
- f. Agricultural uses may continue to exist in the Employment designation until the land is developed for employment purposes.
- g. Institutional, general commercial, and large format retail uses shall not be permitted in the Employment designation.

#### 3.12.3 LAND USE POLICIES

The following policies apply to lands designated Employment:

- a. Save and except for land identified as Site Specific Policy Area 16 in Section 4.2.16 of this Plan, the County may permit conversion of land designated Employment to non-employment uses without a Municipal Comprehensive Review or Area Study. The County acknowledges that the land use regime in such areas may include a combination of employment and non-employment uses to provide for land use transition and compatibility. The County shall be satisfied in relation to the following criteria prior to approval of applications to redesignate Employment land for non-employment uses:
  - i. the land proposed for re-designation should be on the periphery of an Employment area;
  - ii. the proposed re-designation shall not jeopardize the planned role and function of other land use districts nor set a precedent for further re- designation;
  - iii. there shall be a demonstrated need for the proposed use(s);
  - iv. the new land use(s) shall not negatively impact the viability and stability of any of the remaining Employment land in the long-term:
  - v. the boundaries to be changed shall be logical and appropriate for

- the area, shall provide opportunities to minimize incompatibility between land uses, and shall create a defined edge which will be stable over the long-term;
- vi. the new development shall be compatible within the context of the surrounding existing development in scale, height and built form;
- vii. the density and massing of new development should complement the existing built form context;
- viii. the new development can be integrated and linked into the fabric of the surrounding community, where appropriate, such as through the provision of public streets, pedestrian walkways and the location of public parks;
- ix. the continued operation of existing Employment uses which remain in the area of a redevelopment can be encouraged through measures such as the phasing of development, the provision of on-site building setbacks, landscaped areas, intervening facilities, building and fencing, and the protection of trucking routes and driveways.
- x. that adequate parkland, amenities, community facilities and social services can be provided for future residents;
- xi. that sufficient sewage treatment, water and transportation capacity can be provided to meet the needs of redevelopment area; and
- xii. subject to other policies of the Plan in this regard, the environmental conditions of the development area shall be suitable for the proposed land use(s).
- b. In reviewing proposals for the development of employment uses, consideration shall be given to the potential adverse effects of industrial land use activities such as noise, vibration, smoke, odour, toxic substances, fire and explosive hazards, lighting, and visual impacts.
- c. For proposed employment uses that exhibit any of the following characteristics, a study shall be prepared in accordance with the relevant Ministry of the Environment guidelines, and any other Provincial standards, in order to demonstrate that the proposed employment use is compatible with any adjacent potentially incompatible or sensitive uses:
  - i. outdoor storage of goods and materials;
  - ii. frequent shipment of products and/or materials;
  - iii. long production hours and shift operations/unusual hours of

operation;

- iv. large volumes of traffic at off-peak hours; and/or
- v. likelihood of nuisances, such as noise, odour, dust, lighting or vibration.
- d. Employment uses that are proposed to be located adjacent to a Provincial Highway or arterial road shall generally be limited to prestige industrial uses, and self-contained non-noxious uses. Increased setbacks, landscaping requirements, and signage controls may be required for such employment uses. Outside storage shall not be permitted where employment uses are located adjacent to a Provincial Highway or arterial road or residential uses.
- e. Heavy industrial employment uses structures shall not be located within 50 metres of the boundary of lands designated Employment or within 50 metres of an arterial or collector road to ensure that the impact of the employment uses on adjacent uses is minimized. Accessory uses such as parking areas, appropriately screened outside storage areas shall be permitted within 50 metres of the boundary of the Employment designation or arterial/collector road. However, it is not the intent of this policy to permit large fences that screen outside storage areas abutting areas designated for residential development or abutting arterial or collector roads.
- f. For permitted uses that involve bulk open storage of goods or materials, the County shall require that open storage be screened such that it is not visible from a Provincial Highway/Limited Access Freeway, Urban Arterial Road, Rural Arterial Roads, Urban Residential Collector Roads and Urban Employment Collector Roads. Loading spaces, docks, and doors shall also not be located in the front yard or exterior side yard of the building.
- g. An appropriate separation distance, based upon the Ministry of the Environment's land use compatibility guidelines shall be established between an industrial land use and any sensitive land use, including residential uses. This separation distance may be implemented through a site specific amendment to the County Zoning By-law and Site Plan Control through the use of a minimum building setback applied to any industrial use building adjacent to an established or approved sensitive land use.
- h. Deviation from established separation distances shall require detailed supporting studies of the potential impacts on the sensitive land use by the industrial employment use, and vice-versa, and any recommended mitigation measures.
- i. Separation distances between sensitive land uses and any industrial

use, or for industrial uses abutting Provincial Highways or arterial roads shall be implemented through the County Zoning By-law, as a condition of draft plan approval and/or through Site Plan Control and may include measures such as:

- i. building orientation, design and setbacks;
- ii. landscaping and screening;
- iii. odour, dust and noise mitigation measures;
- iv. access controls;
- v. road improvements and widenings;
- vi. restrictions on the range of permitted uses; and
- vii. restrictions on outside storage.
- j. Adequate off-street parking facilities shall be provided for all permitted uses, including industrial employee and visitor parking areas.
- k. The County shall encourage the provision of facilities that promote cycling and walkability.
- I. Adequate off-street loading and unloading facilities shall be provided and located to avoid conflict with sensitive land uses, pedestrian circulation, service vehicles and movement along the public rights-of-way, visibility from roadways.
- m. The provision of appropriate and adequate landscaping and/or other forms of buffering shall be provided to:
  - i. enhance all parking lots, and outdoor loading, storage and service areas; and
  - ii. provide separation between the use and any adjacent use, where appropriate.
- n. Industrial uses shall be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads.
- Vehicle access shall be oriented such that industry-related traffic shall be discouraged from using local roads where other options are available.
- p. Access to a Provincial Highway and County road if in the close proximity (within the provincial permit control area) to an intersection or interchange of a Provincial Highway shall require approval from the Province and the County. Access to a County road beyond the provincial permit control shall require approval from the County.
- q. A high standard of site design and maintenance shall be required

through Site Plan Control in accordance with Section 6.7 and any applicable County Urban Design Guidelines (including Industrial Design Guidelines).

- r. New employment uses that are proposed to be developed adjacent to existing employment uses within the Employment designation shall be encouraged to integrate the design and dimensions of structures, parking areas and access points with those of the adjacent uses.
- s. In order to enhance the viability of uses in the Employment designation, the County, where feasible and deemed appropriate, may encourage and assist the appropriate authorities to establish and/or maintain accessibility through the provision of highways, arterial roads, and rail services.
- t. The County may encourage, and where feasible, assist in the relocation of existing uses generally not permitted in the Employment designation in order to locate permitted employment uses.

## 3.13 RESOURCE DEVELOPMENT

#### 3.13.1 INTENT

Section 2.3.4 of this Plan provides policies for lands in the County that are not currently designated Resource Development and are not currently being used for the extraction of natural resources such as mineral aggregates and petroleum resources, but may have or be known to have the potential for resource development.

However, there are also existing pits, quarries, and extraction operations within the County. These existing land uses are included within the Resource Development designation, illustrated on Schedule A. The components of this designation are illustrated in more detail on Schedule E of this Plan.

The intent of the Resource Development designation is to provide policies for lands that are currently being used, or were formerly used, for the extraction of mineral, petroleum, or mineral aggregate resources.

Schedule E of this Plan identifies mineral aggregate resource areas of primary, secondary and tertiary significance, as well as petroleum resource areas and wells and should be used as a guide in the consideration of amendments involving Resource Development designation.

#### 3.13.2 PERMITTED USES

Subject to the applicable strategies and policies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are permitted on land that is designated Resource Development:

a. The primary form and predominant use of land in the Resource

- Development designation shall be the extraction of natural resources, including mineral aggregate operations, mineral and petroleum resources operations and mineral mining operations.
- b. Wayside pits and quarries and portable asphalt plants shall be permitted in the Resource Development designation.
- c. The temporary storage of used asphalt and concrete for off-site disposal shall also be permitted in the Resource Development designation.
- d. Agricultural land uses shall be permitted in the Resource Development designation, subject to the policies of Section 3.3 of this Plan.

## 3.13.3 LAND USE POLICIES

The following policies apply to lands designated Resource Development:

- a. Resource Development uses shall be included in a separate zoning classification in the County Zoning By-law. The zoning classification distances shall be consistent with Provincial Guidelines entitled Aggregate Resources of Ontario - Provincial Standards.
- b. Resource Development uses within the designated lands shall be permitted to continue and shall be protected from new incompatible adjacent land uses and activities.
- c. Lands designated Resource Development, and the exploration and extraction of mineral aggregate resources and petroleum resources from those lands, shall be in accordance with Federal and Provincial legislation, including the Aggregate Resources Act and Oil, Gas and Salt Resources Act.
- d. All Resource Development uses shall satisfy the requirements of the Ministry of the Environment with respect to water supply, disposal of liquid waste, pumping operations, and the control of atmospheric emissions (i.e., air, noise, dust, vibration).
- e. Establishment of new resource development land uses including the establishment of new pits and quarries shall be subject to the policies of Section 3.13 of this Plan.
- f. Applications to expand legally existing pits or quarries in the Resource Development designation on the same lot shall be permitted without an amendment to this Plan, but shall require an amendment to the County Zoning By-law.
- g. Development and changes in land use which preclude or hinder future access, use or extraction of land designated Resource Development, or which would be incompatible for reasons of public health, public safety or environmental impact, shall not be permitted in and adjacent to identified Resource Development as illustrated on Schedule A.

- h. As a condition of approving a development proposal, the County shall require that improperly abandoned wells that are known or discovered on the land during development shall be properly plugged, capped or otherwise made safe in accordance with the applicable regulations and standards under the Oil, Gas and Salt Resources Act.
- i. Development proposals in close proximity to licensed aggregate extraction areas shall be evaluated in terms of potential incompatibilities and addressed accordingly in consultation with the Province. Pertinent information regarding surface and groundwater, dust, vibration, noise, traffic routes in connection with the licensed aggregate extraction area, and buffering shall be considered to ascertain the effect these existing factors shall have on the proposed new development.
- j. Development proposals within 300 metres of a known aggregate pit operation or within 500 metres of a known bedrock quarry operation shall be also evaluated in terms of potential impacts on other aggregate pit or bedrock quarry operations and the potential for these other operations to continue use or to expand through the preparation of an Aggregate Impact Assessment. The applicant shall provide information on the potential impact of the proposed development on the continued use or expansion of any mineral aggregate operation or adjacent land and the long term availability of mineral aggregate resources on the site of the development application and adjacent land.
- k. Residential and institutional development within and adjacent to mineral aggregate resource areas, and adjacent to licensed mineral aggregate operations illustrated on Schedule E and A, shall generally not be permitted. Proposed residential or institutional development within these areas shall be supported by studies that demonstrate that any land use conflicts shall be fully mitigated.
- I. The County shall require that proponents of development within 75 metres of potential mineral resource extraction areas, as shown on Schedule E, shall successfully complete a geotechnical study prepared by a qualified professional to confirm that the site is suitable for the proposed development.
- m. Once the mineral aggregate resources of the site have been depleted, the site shall be developed with uses generally consistent with surrounding land uses in accordance with policies (i), (ii), (iii), (iv) and (v) below:
  - i. rehabilitation of mineral aggregate extraction sites shall be required in accordance with the requirements of the Aggregate Resources Act. Progressive rehabilitation shall be encouraged. Progressive and final rehabilitation shall be required to

accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and the land use designation of the lot and surrounding lots into consideration.

- ii. a rehabilitation program shall generally ensure that the pit or quarry can be utilized for agricultural purposes. Land shall be rehabilitated to ensure that substantially the same areas and average soil quality for agriculture are restored. On prime agricultural lands, complete agricultural rehabilitation is not required if:
  - 1. extraction is permitted below the water table;
  - other alternatives have been considered and found unsuitable; and
  - 3. agricultural rehabilitation in remaining areas is maximized.

Where complete agricultural rehabilitation is not required, other appropriate after uses, such as recreational uses may be considered in accordance with the policies of this Plan. Proposals to change the use of the land to any use not already permitted in the Agriculture designation will require an amendment to this Plan. Sites may also be rehabilitated or restored using native species as means of promoting comparable species composition to what existed on the site prior to extraction.

- iii. the County shall actively pursue programs, in cooperation with the Province and owners to rehabilitate abandoned pits and quarries.
- iv. rehabilitation of mineral and petroleum resource land after operations have ceased is required in accordance with the provision of the Mining Act and the Oil, Gas and Salt Resources Act.
- v. where rehabilitation proposes uses that are urban in nature and a logical extension of existing development, the rehabilitation plan shall address servicing related issues, including post-extractive servicing. In preparing the licence, such after use shall be recognized to allow eventual development in a sustainable manner.
- vi. the proposed uses for rehabilitation shall not result in the expansion of settlement area boundaries.
- n. Minerals and petroleum resources will be protected for future use. Subject to consultation with the Ministry of Natural Resources and the Ministry of Northern Development and Mines, minor modifications to

the boundaries of the areas identified on Schedule E will not require an amendment to this Plan.

- o. Within all land use designations, new building construction will not be permitted within 75 metres of existing petroleum resource operations. Lesser setbacks for new building construction may be permitted in consultation with the Ministry of Natural Resources. This setback does not apply to petroleum operations decommissioned according to Provincial abandonment and rehabilitation requirements.
- p. The County will require that proponents of development within 75 metres of petroleum resource areas will successfully complete a geotechnical study prepared by a qualified professional to confirm that the site is suitable for the proposed development.
- q. The County will not permit new petroleum wells and associated works in a Provincially Significant Wetland and the Significant Habitat of Endangered Species and Threatened Species. Prior to the development of new pits and quarries, and new petroleum wells and associated works adjacent to any Provincially Significant Wetland or Significant Habitat of Threatened Species and Endangered Species, an EIS will be prepared in accordance with the policies of Section 2.3.2.2.

## 3.14 INSTITUTIONAL

## 3.14.1 INTENT

The Institutional designation accommodates important land uses that provide specialized services and employment, including but not limited to major hospitals, medical and dental clinics, homes for the aged, retirement homes, group homes, major community uses, university and college campuses, secondary schools, detentions centres, fire halls, police stations, places of worship, cemeteries, offices used by utility providers, and government centres. Land designated Institutional is illustrated on Schedule A.

The intent of the Institutional designation is to recognize public institutions that serve and benefit the residents of local communities and in some cases residents of the broader County. Institutional uses are often intensely built and attract high volumes of traffic. They are generally operated by the County or other public agencies and regulated organizations.

## 3.14.2 PERMITTED USES

Subject to the applicable strategies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Institutional:

a. The primary form and predominant use of land in the Institutional designation shall include major institutional uses, such as hospitals,

- clinics and treatment facilities, secondary schools, post-secondary educational facilities, community facilities, government offices, places of worship, cemeteries, and government-operated institutions.
- b. Places of worship, nursing and retirement homes, museums and other cultural establishments, and private clubs which are permitted principally in other land use designations shall also be permitted within the Institutional designation.

## 3.14.3 LAND USE POLICIES

The following policies apply to lands designated Institutional:

- a. New major institutional uses shall be directed to lands designated Institutional that are also located within one of the County's Urban Settlement Areas.
- b. Where an existing use in the Institutional designation ceases, the County may consider the redesignation of the site to an appropriate alternative designation only after examination of the following options for part or all of the site:
  - i. the use of the site for a suitable alternative institutional purpose;
  - ii. acquisition of the site or a portion of it by the County for institutional or open space use, based on the community park needs of the County and surrounding area;
  - iii. the use of the site to meet housing targets, particularly for special needs housing; and
  - iv. the use of the site for other appropriate land uses.
- c. Any proposal to expand an existing Institutional designation shall be evaluated on the basis of:
  - i. the impact on and the compatibility with the uses surrounding the proposed site; and
  - ii. the adequacy of social and physical services, including roads to accommodate the proposed use.
- d. Adequate off-street parking and loading areas shall be provided in accordance with the provisions of the County Zoning By-law, and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic.
- e. Where possible, permitted uses within the Institutional designation shall be located where there is direct access to an arterial or collector road to discourage traffic from using local roads.
- f. Urban design and character of proposed institutional uses shall relate to the adjacent buildings and uses and result in a gradual transition in

terms of the profile of buildings, where applicable and appropriate.

- g. Institutional uses and sites shall be designed to be accessible to all persons within the community, including the elderly and those persons with physical disabilities, in accordance with the Barrier-Free Design policies of Section 2.7.5.2 of this Plan.
- h. Appropriate landscaping and buffers shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.
- i. Where land designated Institutional is under private ownership, it is not intended that this land shall remain so designated indefinitely, nor shall it be construed to imply that these areas are free and open to the general public or that they shall be purchased by the County or any other public agency.

## 3.15 PARKS AND RECREATION

## 3.15.1 3.15.1 INTENT

The Parks and Recreation designation accommodates a variety of open space and recreational areas, including parks, public and commercial recreational facilities, and community facilities.. Land designated Parks and Recreation is illustrated on Schedule A.

A Parks and Recreation Master Plan has been prepared for the County, which identifies recreational needs and facilities County-wide and has guided the policies of the Parks and Recreation designation, and the relevant policies of the Planning Strategy in Section 2.0.

The intent of the Parks and Recreation designation is to recognize a range of passive and active recreational opportunities for residents and visitors of the County of Brant.

#### 3.15.2 PERMITTED USES

Subject to the applicable strategies, as introduced by Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Parks and Recreation:

- a. The primary form and predominant use of land in the Parks and Recreation designation shall include major public parks, community parks, public recreational facilities, community centres, conservation areas, fairs or exhibition grounds, and open spaces.
- b. In addition, commercial recreational facilities that are largely established for commercial gain (such as golf courses, fee fishing, campgrounds, and amusement parks) shall be permitted within the Parks and Recreation designation.

- c. Trailer parks and other seasonal residential uses shall not be permitted within the Parks and Recreation designation.
- d. The specific uses permitted and accessory uses shall be established in the County Zoning By-law.

## 3.15.3 LAND USE POLICIES

The following policies apply to lands designated Parks and Recreation:

- a. New public recreational facilities, community centres, exhibition grounds, and commercial recreational facilities that are largely established for commercial gain (such as golf courses, fee fishing, campgrounds, and amusement parks) shall be directed to lands designated Parks and Recreation that are also located within one of the County's Urban Settlement Areas.
- b. Commercial recreational facilities shall be developed in accordance with the following criteria:
  - i. the permitted use shall be compatible with the adjacent surrounding uses and with respect to building height and form, lighting and parking;
  - ii. all uses should have adequate access roads and have relatively easy access to the Provincial Highway system or a County collector or arterial road; and
  - iii. adverse effects to the natural environment should be minimized with development being subject to the completion of an Environmental Impact Study, where necessary.
- c. Development proposals may be required to prepare a comprehensive stormwater management plan for all phases of construction and the completed development, to the satisfaction of the County and the Ministry of Natural Resources and/or the appropriate Conservation Authority, in accordance with the best management practices prescribed in Provincially sanctioned guidelines and interim guidelines and requirements of Section 53 of the Ontario Water Resources Act.
- d. New recreational uses shall be allowed to proceed subject to an amendment to the County Zoning By-law and a Site Plan Control agreement stipulating the height and siting of buildings, landscaping, parking, location of services, access, grading and methods o protecting and enhancing the shoreline, and other matters as set out in the Planning Act.
- e. All existing recreational uses at the date of the adoption of this Plan shall be allowed to expand provided they are able to conform to the policies of this subsection and to the zoning requirements. Within areas designated as Agriculture, any such expansion will require an

amendment to this Plan.

- f. Within the Parks and Recreation designation, the County shall:
  - i. discourage the application of pesticides, herbicides and fertilizers;
     and
  - ii. encourage the planting of native species.

#### 3.16 NATURAL HERITAGE SYSTEM

## 3.16.1 3.16.1 INTENT

The Natural Heritage System designation applies to land that has been identified by the County, a local Conservation Authority, or the Ministry of Natural Resources as:

- a. significant habitat of endangered species and threatened species;
- b. significant wetlands;
- c. hazardous sites; and
- d. hazardous lands flooding hazard (except where a Special Policy Area has been approved) or erosion hazard.

Generally, these areas are designated Natural Heritage System on Schedule A and are illustrated on Schedule C. Locational information on the habitat of endangered species and threatened species is not included on Schedule A or Schedule C in order to protect these areas from human disturbance.

In addition to the policies of this Section, the Natural Heritage policies of Section 2.3 of this Plan also apply.

Nothing in these policies is intended to limit the ability of existing agricultural uses to continue.

#### 3.16.2 PERMITTED USES

Subject to the applicable strategies as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Natural Heritage System:

- a. The primary form and predominant use of land in the Natural Heritage System designation shall be limited to conservation uses, fish and wildlife management areas, and passive open space uses, such as trails and bike paths.
- b. Facilities and structures such as flood and/or erosion control works, boardwalks, duck blinds, and fish huts may also be permitted in the Natural Heritage System designation.
- c. All permitted uses shall be determined in consultation with the

- appropriate Conservation Authority, and the Ministry of Natural Resources.
- d. Legally existing agricultural uses and buildings, as of the date of adoption of this Plan, shall be permitted on land that is designated Natural Heritage System. Such uses and buildings shall be permitted to expand with approval of the appropriate Conservation Authority and the Ministry of Natural Resources.
- e. Development and site alteration, including aggregate extraction, shall not be permitted on land that is designated Natural Heritage System, except in accordance with the policies in Sections 3.16.3, 3.16.4 and 3.16.5.
- f. New utilities or facilities such as roads, sewer or water lines shall be located outside of the Natural Heritage System designation. No utility structures, including communications towers, shall be located within the Natural Heritage System designation.

## 3.16.3 SIGNIFICANT HABITAT OF ENDANGERED SPECIES AND THREATENED SPECIES

Significant habitat of endangered species and threatened species form part of the Natural Heritage System designation; however, these areas are not delineated on any mapping. It is anticipated that significant habitat of endangered species and threatened species will be identified through Environmental Impact Studies, and shall be addressed in accordance with the following policies:

- a. The precise delineation of significant habitat of endangered species and threatened species will not be delineated as part of Schedule A and Schedule C but shall be identified through a required EIS prior to development or site alteration or any other study undertaken by a public agency, and will be approved by the Ministry of Natural Resources.
- b. No development or site alteration will be permitted in significant habitat of endangered species or threatened species except in accordance with provincial requirements.
- c. Development or site alteration shall generally not be permitted on land within 50 metres of a significant habitat of endangered species and threatened species unless an Environmental Impact Study demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them, to the satisfaction of the County, and the Ministry of Natural Resources.
- d. Significant habitat of endangered species and threatened species shall be protected according to the policies of this Plan through the County

Zoning By-law.

## 3.16.4 SIGNIFICANT WETLANDS

Significant wetlands have been identified and delineated by the Ministry of Natural Resources and form part of the Natural Heritage System designation on Schedule A and are also shown on Schedule C. The following policies shall apply to significant wetlands:

- a. All unevaluated wetlands in the County should be assessed, if not already done so, in order to determine if they are significant, prior to any development proposals being approved.
- b. Based on mapping provided by the appropriate Conservation Authority or the Ministry of Natural Resources, which is updated from time to time, the precise delineation of significant wetlands on Schedule C may be refined without amendment to this Plan. The County shall maintain up-to-date schedules reflecting the current delineation provided by the Conservation Authority and the Ministry of Natural Resources. The addition or removal of significant wetlands shall require an amendment to this Plan; however, refinements to the boundaries shall not.
- c. No development or site alteration will be permitted in significant wetlands.
- d. Where development is permitted, in consultation with the appropriate Conservation Authority, the County shall determine if Site Plan Approval is also required.
- e. Significant wetlands shall be protected according to the policies of this Plan through the County Zoning By-law.
- f. If development proposals are located adjacent to significant wetlands in Primary or Secondary Urban Settlement Areas, a Bonus By-law may be passed by Council to assist in the creation of innovative site design and to enhance, restore and improve the ecological and/or hydrological form and function of the wetland.

#### 3.16.5 HAZARDOUS SITES

Sites identified by the County and a Conservation Authority as having the potential to be a hazardous site due to steep slopes and/or unstable soils and erosion are designated Natural Heritage System and are subject to the following policies.

- a. Development within areas that are subject to hazards due to steep slopes, unstable soils, and/or erosion, including setbacks from the stable top of bank shall generally not be permitted.
- b. The County shall require that the stable top of bank be determined by a qualified professional, in consultation with the County and the

appropriate Conservation Authority.

- c. Required setbacks, as identified by the qualified professional, in consultation with the County and the appropriate Conservation Authority shall reflect the degree, severity and extent of the hazard, and shall be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance.
- d. The County, in consultation with the appropriate Conservation Authority, shall require a geotechnical study or engineering analysis in order to determine the feasibility of proposed development in the setback areas adjacent to areas subject to hazards due to steep slopes, unstable soils, and/or erosion. A minimum setback may be included in the implementing Zoning By-law.
- e. The following shall be considered in the review of development proposals within the setback areas associated with unstable slopes, and the County shall consult the appropriate Conservation Authority in this regard:
  - i. the existing physical hazards;
  - ii. the potential impacts of these hazards;
  - iii. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
  - iv. the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
  - v. protection of natural heritage functions, features and areas.

## 3.16.6 HAZARDOUS LANDS

Lands identified by the County and a Conservation Authority as having the potential to be hazardous due to flood prone areas and floodplains, have been designated Natural Heritage System and the following policies shall apply.

The portions of the Natural Heritage System designation that are flood prone and flood plains and the associated steep valley slopes are based upon mapping supplied by the Grand River Conservation Authority and the Long Point Region Conservation Authority.

In the absence of more detailed mapping regarding flood hazards, the land lying between the more restrictive of the flood line or the defined top of bank and a watercourse, as shown on Schedule A and Schedule C, shall

be considered Flood Prone Areas and therefore subject to further restrictions and controls, as outlined in the following policies.

- a. Hazardous lands which are not identified as a Special Policy Area have been identified and delineated by a Conservation Authority or the County of Brant and are illustrated on Schedule C. These lands are also included within the Natural Heritage System designation, which is illustrated on Schedule A of this Plan. All the lands identified as hazardous lands are subject to the policies of Section 3.16 of this Plan.
- b. An amendment to this Plan shall not be required for changes in the flood line boundary where it is deemed to be suitable for development after consultation with the appropriate Conservation Authority having jurisdiction over the watercourse. In such cases the adjacent land use designation and all of the applicable policies shall apply.
- c. An amendment to this Official Plan is not required to remove the flood line as long as the changes are deemed to be suitable to the County after consultation with the appropriate Conservation Authority and the proposed use of the land is in conformity to the adjacent land use designation. Requests for land use changes shall be given consideration after taking into account:
  - i. the existing environmental hazards;
  - ii. the potential impacts of these environmental hazards;
  - iii. the proposed methods by which impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and
  - iv. the costs and benefits in monetary terms of any engineering works and/or resource management practices needed to overcome these impacts.
- d. There is no public obligation, however, either to change the delineation of or to purchase any area within the flood line.
- e. Development and site alteration is not permitted within the flood prone and flood plain areas identified on Schedule C except for the following uses:
  - i. uses which by their nature must be located within the floodway;
  - ii. flood and/or erosion control works;
  - iii. minor additions and/or non-structural passive/agricultural uses, where appropriate, which do not affect flood flows; and
  - iv. other uses and activities where written permission from appropriate Conservation Authority has been obtained.

f. Where development is permitted, in consultation with the appropriate Conservation Authority, the County shall determine if Site Plan Approval is also required.

Certain flood plains in the Primary Urban Settlement Area of Paris have been designated a Special Policy Area for the purpose of managing development and re-development. These areas are identified on Schedule D. Policies dealing with hazard management in these areas are found in Section 2.3.5.1.

## 4.0 SITE SPECIFIC POLICY AREAS

## 4.1 PREFACE

There are some areas of the County of Brant where site specific direction for land use is required that is outside of the Planning Strategy and general policy framework provided by the Official Plan. This section of the Plan identifies each of the County's Site Specific Policy Areas and provides policies for those sites and areas. Policies in this Section of the Plan will take precedence in the case of a conflict with other policies of this Plan.

In addition to addressing Site Specific Policy Areas, this Section also provides special policies for those areas of the County where detailed Area Studies have been completed.

## 4.2 SITE SPECIFIC POLICY AREAS

Within the land use designations of the County, Site Specific Policy Areas have been identified and are illustrated on Schedule A. The following Sections outline the policies that are specific to the identified sites and areas.

## 4.2.1 SITE SPECIFIC POLICY AREA 1 PARIS GOLF COURSE - PARIS LINKS ROAD

The Site Specific Policy Area 1 applies to lands within the Primary Urban Settlement Area of Paris as illustrated on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 1:

- a. In addition to the uses otherwise permitted under the Urban Residential land use, the following shall be permitted:
  - i. a golf course, including a pro shop and other accessory uses, buildings and structures; and
  - ii. a corporate centre with a maximum of five (5) guest rooms for accommodation and the facilities for recreation, social, educational and or meeting purposes.

# 4.2.2 SITE SPECIFIC POLICY AREA 2 CAINSVILLE / BRANT EAST EMPLOYMENT LANDS – GARDEN AVENUE

The Site Specific Policy Area 2 applies to lands within the Primary Urban Settlement Area of Cainsville / Brant East, designated Employment and noted with the number 2, as illustrated on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 2:

a. Industrial development shall only occur when full services are provided to these lands.

# 4.2.3 SITE SPECIFIC POLICY AREA 3 WATTS POND ROAD AGGREGATES - WATTS POND ROAD

The Site Specific Policy Area 3 applies to a large licensed pit lying within the Telfer Well field and to the east of the Gilbert Well field noted with the number 3 on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 3:

a. Other uses of the pit south of Watts Pond Road and the southern portion of the pit north of Watts Pond Road may include Recreation, subject to meeting the policies of the Parks and Recreation Designation and the results of a Planning Impact Analysis.

## 4.2.4 SITE SPECIFIC POLICY AREA 4 PARIS WEST RESOURCE LANDS - KEG LANE / SILVER STREET

The Site Specific Policy Area 4 applies to lands located in the western portion of the Primary Settlement Area of Paris, north and south of Keg Lane / Silver Street noted with the number 4 on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 4:

a. Prior to redevelopment, an Area Study in accordance with Section 2.2.4 shall be prepared to ensure land use compatibility for both the new and existing uses.

# 4.2.5 SITE SPECIFIC POLICY AREA 5 POTTRUFF ROAD RESOURCE LANDS – POTTRUFF ROAD AND HIGHWAY 403

The Site Specific Policy Area 5 applies to lands located on Pottruff Road and Highway 403 intersection, noted with the number 5 on Schedule A. The following are policies of the County, applicable to the areas identified as Site Specific Policy Area 5:

- a. The identified sites are intended to have the ability to redevelop as Employment uses, as an alternative to Agriculture subject to the policies of the Employment Designation.
- b. Full or partial build-out of the Employment land in the southwest quadrant of the Highway 403 and Highway 24 (Rest Acres Road) interchange will require the removal of the private access located midblock between the interchange and Bethel Road. Suitable access to Site Specific Policy Area 5 shall be obtained via the intersection of Highway 24 (Rest Acres Road) and Bethel Road, subject to the review and approval of a Traffic Impact Study.

## 4.2.6 SITE SPECIFIC POLICY AREA 6 CIRCLE SQUARE RANCH - COLBORNE STREET EAST

The Site Specific Policy Area 6 applies to lands located in part of Lot 9, 1

R.S.H.R. (known as Circle Square Ranch) noted with the number 7 on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 6:

a. Notwithstanding any other policies of this Plan to the contrary, permitted uses may also include a place of worship and two residential dwelling units in association with the campground.

#### 4.2.7 SITE SPECIFIC POLICY AREA 7 HIGH STREET

The Site Specific Policy Area 7 applies to lands within the Primary Urban Settlement Area of St. George, located on 68 High Street in St. George and noted with number 7 on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 7:

- a. In addition to the uses permitted under the Urban Residential land use, the following shall be permitted:
  - i. a fitness club shall be located in an existing building no greater than 260 m2 in total floor area;
  - ii. the building shall be designed and maintained to be consistent with the residential character of the neighbourhood;
  - iii. the on-site parking shall be one space per 20 m2 of fitness club floor space;
  - iv. the on-site signage shall be limited to one fascia sign, one ground sign and one sandwich board sign;
  - v. front lit signs shall only be permitted on the site; and
  - vi. any development of the site, other than for residential uses exempt by the Site Plan Control By-law, will be regulated by the Zoning By- Law and a Site Plan Control Agreement.

#### 4.2.8 SITE SPECIFIC POLICY AREA 8 RECREATIONAL TRAILER PARKS

The Site Specific Policy Area 8 applies to lands located on Kitchen School Road also known as Shamaranne Park; Fourth Concession Road also known as Crestwood Lake Park; Brant Road also known as St George Camp and Oakland Road also known as Willow Lake Resort Park that are identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 8:

a. Seasonal tourist trailers or campers shall be permitted within the Site

Specific Policy Area 8.

## 4.2.9 SITE SPECIFIC POLICY AREA 9 RECREATIONAL TRAILER PARKS AND DWELLING UNITS

The Site Specific Policy Area 9 applies to lands located on West Quarter / Townline Road also known as Lyons Shady Acres Recreation Park and Sixth Concession Road also known as Little Austria Trailer Park that are identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 9:

 a. In addition to seasonal tourist trailers or campers, one permanent dwelling unit shall also be permitted within the Site Specific Policy Area
 9.

#### 4.2.10 SITE SPECIFIC POLICY AREA 10 EAST RIVER ROAD

The Site Specific Policy Area 10 applies to lands located on East River Road also known as Braeside Camp that are identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 10:

a. In addition to seasonal tourist trailers or campers, seasonal cottages and two permanent dwelling units shall also be permitted within the Site Specific Policy Area 10.

#### 4.2.11 SITE SPECIFIC POLICY AREA 11 DUMFRIES STREET

The Site Specific Policy Area 11 applies to lands within the Primary Settlement Area of Paris, located on 45 Dumfries Street in Paris that are identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 11:

a. In addition to the uses otherwise permitted under the Urban Residential land use designation, General Commercial shall also be a permitted use.

#### 4.2.12 SITE SPECIFIC POLICY AREA 12 982 - 986 REST ACRES ROAD

The Site Specific Policy Area 12 applies to lands within the Primary Settlement Area of Paris, located on 982-986 Rest Acres Road in Paris that are identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 12:

- a. In addition to the uses permitted in the Employment designation, permitted uses on the lands shall also include:
  - i. funeral homes:
  - ii. veterinary clinics; and,

- iii. hotels and motels.
- b. In addition to the uses permitted in the Employment designation, permitted uses on the lands shall also include large-scale and other retail uses which have employment characteristics, such as:
  - i. commercial uses which provide services to the business and employment areas;
  - ii. the requirement for larger development properties (including areas for outdoor sales and/or storage) which properties cannot be readily accommodated within other designated commercial areas such as the Downtown Commercial designation;
  - iii. commercial uses which include a significant warehouse function (such as, but not limited to, home improvement, home furnishings and appliances, and home décor sales); and
  - iv. commercial uses which do not serve the daily or weekly shopping needs of the residential communities and therefore can be characterized as an infrequent shopping destination.
- c. The land uses permitted by a) and b) above, shall be permitted by way of a site specific amendment to the County Zoning By-law.
- d. Such re-zoning application shall include the following:
  - i. a traffic impact study prepared in accordance with the specific requirements of the County and the Province, as appropriate
  - ii. where multiple buildings are proposed, a comprehensive development master plan which identifies the size and location of proposed buildings, parking, landscaping, pedestrian amenities and other site elements; and
  - iii. an urban design study and guidelines prepared to the satisfaction of the County.
- e. No new full movement public road, private road, or commercial access connections shall be permitted from Highway 24 (Rest Acres Road) between Bethel Road and Powerline Road. All access to Highway 24 (Rest Acres Road) shall be via Bethel Road and Powerline Road. Existing access for the current use and zoning shall be permitted to remain.
- f. Highway improvements necessitated by land development within the Ministry of Transportation's permit control area as specified in the PTHIA shall generally be the responsibility, financially and otherwise,

of the development proponent and the County. Improvements shall be based on the recommendations of a Ministry of Transportation approved Traffic Impact Study (TIS), which shall identify the transportation needs and traffic impacts that land use development will have on the surrounding highway network including the interchange of Highway 24 (Rest Acres Road) and Highway 403. The cost of a TIS is the financial responsibility of the development proponent.

#### 4.2.13 SITE SPECIFIC POLICY AREA 13 2 GRAND RIVER STREET SOUTH

The Site Specific Policy Area 13 applies to lands within the Primary Settlement Area of Paris, located at 2 Grand River Street South in Paris that are identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 13:

a. In addition to the uses permitted in the Urban Residential land use designation, a business and non-medical related professional office may be permitted within the existing building, provided traffic to the property is not increased over the current volume, as a land development office.

#### 4.2.14 SITE SPECIFIC POLICY AREA 14 17 BARKER STREET

The Site Specific Policy Area 14 applies to lands within the Primary Settlement Area of Paris, located on 17-19 Barker Street in Paris that is identified as such on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 14:

a. In addition to the uses permitted under Urban Residential land use designation, residential apartments with maximum density of 70 units per hectare shall also be permitted.

#### 4.2.15 SITE SPECIFIC POLICY AREA 15 OAKHILL/AIRPORT AREA

The Site Specific Policy Area 15 applies to lands within the Oakhill/Airport Area that is identified on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 15:

a. For lands within the Employment designation in the Oakhill/Airport Settlement Area, the land uses shall be limited to uses that have limited or restricted outside storage, light industrial uses and may also include workshops, warehouses, service shops, commercial land uses such as office supplies, home furnishings and appliances, veterinary offices, funeral homes, assembly halls and recreational facilities. All development shall incorporate more prestige site design characteristics that will assist in creating a good impression on visitors, the community and the traveling public. b. Site Specific Policy Area 15 shall also apply to the area including and abutting the Brantford Airport. It is recognized that the Brantford Municipal Airport is a multi-use facility owned and operated by the City of Brantford. Nothing in this Plan shall inhibit its use for activities related to its function as an airport including the operation, repair, maintenance and storage of aircraft and ancillary functions such as private clubs and commercial aircraft or related companies. The restrictions noted in Site Specific Policy Area 15 are not intended to impact upon the operations of the Brantford Airport.

#### 4.2.16 SITE SPECIFIC POLICY AREA 16 PRIORITY EMPLOYMENT AREAS

The Site Specific Policy Area 16 applies to certain lands designated Employment on Schedule A. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 16:

a. As part of the Municipal Comprehensive Review of Employment Land (2009), a report was prepared which establishes that there is more vacant land within the County that is designated Employment than is required to meet the needs of the County within the planning period. The Site Specific Policy Area 16 has been applied to Employment Areas designated accordingly on Schedule A, which shall be deemed to be priority Employment Areas as envisaged by Provincial policy. A Municipal

Comprehensive Review and Area Study shall be required prior to the consideration of a change from Employment to another land use.

b. The County has established a Green Energy Accord, which seeks to protect Employment Areas along the Highway 403 corridor as a priority for employment uses related to green energy technology.

## 4.2.17 SITE SPECIFIC POLICY AREA 17 40 BEVERLY STREET WEST – FORMER PARMALAT PROPERTY

The Site Specific Policy Area 17 applies to those lands formerly occupied by Parmalat, designated on Schedule A as Employment. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 17:

a. In addition to those uses permitted in the Employment Designation, the lands designated Site Specific Policy 17 on Schedule A attached to the Official Plan, may also be used for Low Density Urban Residential uses as contemplated by and subject to the policies of section 3.4.4, for Medium Density Residential uses as contemplated by and subject to the policies of section 3.4.5, and for High Density Residential uses

as contemplated by and subject to the policies of section 3.4.6.

#### 4.2.18 SITE SPECIFIC POLICY AREA 18 352 GOVERNOR'S ROAD EAST

The Site Specific Policy Area 18 applies to lands located at 352 Governor's Road East that are identified as such on Schedule A. The following policies are of the County, applicable to the area identified as Site Specific Policy Area 18:

a. Notwithstanding any other policies of this plan to the contrary, the site shall be limited to commercial uses as set out in the Site Specific Zoning By-law as well as all other Agricultural uses under this plan.

#### 4.2.19 SITE SPECIFIC POLICY AREA 19 26 REID STREET

The Site Specific Policy Area 19 applies to lands located at 26 Reid Street that are identified on Schedules A and A-2. The following policies are of the County, applicable to the area identified as Site Specific Policy Area 19:

- a. In addition to the uses permitted in the Urban Residential designation, rowhouses will also be permitted; and
- b. In addition, the maximum density will be 21 units per gross hectare.

#### 4.2.20 SITE SPECIFIC POLICY AREA 20 1318 COLBORNE STREET WEST

The Site Specific Policy Area 20 applies to lands located at 1318 Colborne Street West that are identified on Schedules A and A-3. The following are policies of the County, applicable to the area identified as Site Specific Policy Area 20:

 a. In addition to the uses of the Employment designation, retail and recreational activities will be permitted as set out in the Site Specific Zoning By-law

## 4.2.21 SITE SPECIFIC POLICY AREA 21 PART OF LOTS 43 AND 44, CONCESSION 3,

The Site Specific Policy Area 21, Hopewell Lands as identified on OMB decision PL090536 as Part of Lots 43 and 44, Concession 3, Former Township of Brantford, that are identified on Schedule A:

# CURRENTLY UNDER JUDICIAL REVIEW STEMMING FROM OMB DECISION

## 5.0 INFRASTRUCTURE, SERVICES, AND FACILITIES

#### 5.1 PREFACE

The County's infrastructure, services, and facilities include all roads, trails, walkways, sewers, watermains, electrical systems, utilities, waste disposal, and telecommunications systems. They play an important role in supporting the County's social, economic, and environmental functions, and ensure its efficiency and sustainability.

The policies of this section of the Plan address the following County systems:

- Water and Wastewater Servicing and Stormwater Management (Section 5.2);
- Transportation (Section 5.3);
- Community Services and Facilities (Section 5.4);
- Utilities (Section 5.5);
- Solid Waste Management (Section 5.6); and
- Capital and Public Works (Section 5.7).

The following subsections shall ensure the efficient and cost-effective coordination between long-term growth management and the provision of infrastructure, services, and facilities, County-wide.

#### 5.2 SERVICING SYSTEMS

While it is acknowledged that the City of Brantford is a service provider to a portion of the County's water system, the County shall ensure that a cost effective and adequate system of water supply and sewage treatment is provided to support, enhance, and sustain the Community Structure, as described in Section 2.2.3 of this Plan.

In order to do so, this section identifies a hierarchy of services and provides policies for the County's servicing system, including the allocation and phasing of servicing County-wide and provides policies for each type of servicing system.

The servicing system policies of the County of Brant provide a basis for decision making with respect to the provision of services throughout the County.

#### 5.2.1 SERVICING HIERARCHY

A hierarchy of sewage and water services in the County is provided in Table

5.1. The servicing hierarchy provides guidance with respect to planning for

sewage and water services. It identifies the areas of the County's Community Structure, their respective preferred servicing systems, and provides direction for servicing to accommodate growth.

The Servicing Hierarchy prioritizes and directs development to areas of the Community Structure, in accordance with the Growth Management policies in Section 2.2.

**Table 5.1: Servicing Hierarchy for the County of Brant Community Structure** 

Community Structure Area	Settlement Area	Water Servicing Systems	Sewage Servicing Systems
Paris*	Primary Urban Settlement Areas	County	County
St. George*	Primary Urban Settlement Areas	County	County
Cainsville/Brant East **	Primary Urban Settlement Areas	County	County
Burford	Secondary Urban Settlement Areas	Private	Private
Mount Pleasant/ Tutela Heights	Secondary Urban Settlement Areas	County	Private
Oakhill/Airport*	Secondary Urban Settlement Areas	County	County
Oakland	Not Applicable	Private	Private
Scotland	Not Applicable	Private	Private
Hamlets and Villages	Not Applicable	Private	Private
Rural Residential Areas	Not Applicable	Private	Private
Agricultural	Not Applicable	Private	Private

<sup>\*</sup> Some areas of Paris, St. George and Oakhill/Airport have partial (water) servicing.

\*\*Some areas of Cainsville / Brant East have private water and/or sewer servicing.

In support of and in accordance with the servicing hierarchy, the following shall be the policies of the County:

- a. In order to achieve a more efficient use of land in urban areas and to achieve the density targets required by the Province, full County water and sanitary sewage systems shall be the preferred form of servicing for Primary Urban Settlement Areas. In accordance with policy 5.2.3.2 (i), for any development occurring without the immediate benefit of full municipal servicing, the proponent must enter into an agreement stating that if services are eventually extended to the area, the owners of the lot will connect to the services provided at the owner's expense. The letter of intent shall be registered against the title of the land and shall also include a commitment to pay all applicable charges for the share of services provided.
- b. Partial or private services shall continue to provide the primary means of water and sanitary sewage systems within the Secondary Urban Settlement Area boundaries, until it is financially feasible to extend or develop full County services as required to accommodate projected growth and development within the planning horizon.
- c. Individual on-site sewage disposal systems shall continue to provide the primary means of sanitary sewage disposal and private wells shall continue to be the primary means of water supply in the County's Hamlets and Villages, Rural Residential Areas, and Agricultural Area.
- d. Priority shall be given to the development, redevelopment and intensification of land that is currently serviced by County water and sanitary sewage systems, or to areas that can most easily be serviced at minimal cost.
- e. The construction of new, or expansion of existing servicing systems shall be permitted if:
  - i. water conservation, water use efficiency, and other water demand management strategies are established and implemented in the existing service area;
  - ii. the construction or expansion of the service area supports the intensification target that has been established for areas within the Built Boundary in the Primary Urban Settlement Areas, as identified by Section 2.2.3.1.1;
  - iii. the construction or expansion of this service area supports the

- achievement of the density target for the designated Greenfield area.
- iv. the construction or expansion of the service area has been considered in the context of all applicable Great Lakes Basin Agreements;
- v. the City of Brantford, who is a provider of a portion of the County's servicing capacity, confirms that it is capable of providing and is in agreement with the requested construction or expansion of services; and
- vi. the appropriate environmental assessment process (as contained within the Municipal Engineers Association Class Environmental Assessment) must also have been completed.
- f. The County shall participate in any sub-area assessment with the Minister of Energy and Infrastructure, in order to determine the implications of anticipated growth for servicing systems.
- g. The County shall undertake Master Servicing Plans in accordance with the Master Plan Approach of the Municipal Class Environmental Assessment (Class EA) in order to identify and plan for future servicing needs.
- h. The County may also consider extension or development of its sanitary sewage services or potable water supply systems in order to address an existing sewage disposal or water quality problem that represents a hazard to public health and safety, provided that the County is satisfied that there is positive public benefit from such action for County residents.
- The County shall coordinate its planning for servicing systems with municipalities that share inland water sources, including the City of Brantford.

#### 5.2.2 ALLOCATION AND PHASING OF SERVICING

As part of the implementation of the servicing hierarchy provided in Table 5.1 and in order to ensure that servicing is provided in a manner that is integrated with the planning process, and is sustainable, financially viable, and protects human health and the environment, the following shall be the policy of the County:

- a. The timing of development shall be based on the management of the geographic sequence and balance such that:
  - i. there is a logical extension of County services that avoids,

- where possible, large undeveloped tracts of land between the existing urban development areas and the proposed development;
- ii. a compact form and pattern of development is maintained;
- iii. the impacts to Natural Heritage Features and watercourses have been considered and have been adequately mitigated or eliminated;
- iv. the provision of all County services, as appropriate, proceeds in an economically viable manner; and
- v. first priority is given to reserving servicing capacity for employment lands, affordable housing, infilling, intensification and redevelopment.
- b. New proposals for Greenfield development on service systems shall not be granted planning approval unless adequate uncommitted reserve water and sewage treatment capacity are demonstrated to be available for allocation in order to accommodate the development of the site, or unless the County has executed construction contracts for the expansion of servicing capacity. The availability of uncommitted reserve servicing shall be based on the Ministry of the Environment policies and guidelines.
- c. When allocated servicing capacity does not exist for a proposed development, the County may consider the application premature and defer final approval until capacity is available, or until a servicing agreement in the form of a prepayment or front ending agreement is in place prior to the entering into the subdivision agreement to ensure that such capacity will be available to service the development within three years of the granting of the planning approval. Where a subdivision is draft approved, the land will be placed in an "h" holding zone. This "h" holding zone shall not be removed unless or until actual servicing capacity for both water and sewers will be available to the site in time for the completion of housing units for occupation. Prior to the removal of the "h" the applicant must sign the required subdivision or site plan agreement.
- d. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist or if a servicing agreement is in place. Allocation for draft approved plans of subdivision shall be limited to a maximum of five years in order to ensure reserve capacity is efficiently and effectively used.

- e. When the capacity of the County's water and sewage facilities has been fully allocated and prior to the facilities reaching their hydraulic capacity, the County shall demonstrate a commitment to the expansion of the facilities in accordance with the Growth Management policies of this Plan, prior to the draft approval of plans of subdivision. This should be demonstrated through the completion and approval of any required environmental approvals for the expansion of the municipal system.
- f. The County of Brant may enter into servicing agreements with the City of Brantford and other adjacent municipalities.
- g. Alternative servicing proposals shall be considered based on sound engineering, environmental and financial assessments to the satisfaction of the County of Brant dealing with both the capital cost and the long term operating costs.
- h. When conditions of development approval, draft plan approval or otherwise, are not fulfilled within the reasonable time period for which development approval has been granted, the County may not support the extension of development approval and may assign the servicing allocation to other developments or areas of the County, or hold the capacity in reserve.

Prior to the lapsing of development approval, the development proponent may request an extension to fulfill the conditions of approval. Prior to any extension of draft approval, the applicant must demonstrate, to the satisfaction of the County, what steps have been taken to satisfy the conditions of draft approval and why such conditions have not been met. Provided the County is satisfied with the merits of the request for an extension of development approval and the developer has demonstrated that appropriate efforts have been made to satisfy the conditions, the County may choose to extend the approval period. If the County is not satisfied with the efforts that have been made, the County may choose not to extend draft approval and at that point the draft approval will lapse. No extension is permissible if the draft plan of subdivision or condominium approval has lapsed before the extension is given.

#### **5.2.3 SERVICING SYSTEM REQUIREMENTS**

In addition to the County's Servicing hierarchy, and policies for the phasing and allocation of servicing, the following Sections provide general and specific policies for each of the servicing requirements of the hierarchy.

### 5.2.3.1 General Servicing Requirements

The following policies shall apply to all existing and proposed development

serviced by full, partial, or private services:

- a. All servicing systems shall comply with the requirements of the Ministry of the Environment, the Environmental Protection Act, Ontario Water Resources Act, Clean Water Act and the Safe Drinking Water Act and other Provincial and County requirements, as applicable.
- b. All servicing systems shall be provided and maintained in accordance with the County's Servicing hierarchy, and in a manner that is integrated with the planning process, sustainable, financially viable, and protects human health and the environment.
- c. The County will strive to generate sufficient revenue to recover the full cost of providing municipal water and wastewater systems.
- d. The County, in conjunction with the appropriate Conservation Authority, may prepare and implement plans and studies related to watersheds in order to guide development decisions and water and wastewater servicing decisions.
- e. Water conservation and water use efficiency shall be promoted for all servicing systems in all areas of the County.
- f. Development in proximity to any water pollution control plant (WPCP) or sewage treatment plant shall adhere to the separation distances of the appropriate Ministry of the Environment guidelines. Prior to the approval of any development of a sensitive land use in proximity to a WPCP, the Ministry of the Environment shall be consulted, and its guidelines shall be satisfied.

### 5.2.3.2 Full County Servicing Requirements

The following policies shall apply to areas of the Community Structure that are serviced by County water and sanitary service systems:

- a. Full County water and sanitary sewage systems shall be the required form of servicing for Primary Urban Settlement Areas, except in areas designated by by-law, to be an area where partial servicing is permitted.
- b. The County shall make best efforts that its water and sanitary sewage systems perform within permitted operating standards. The County shall continue to monitor treatment capacities and operational effectiveness of its servicing systems.
- c. Limitations on the capacity or operating performance of full servicing systems shall be a constraint to further development.

- d. Priority shall be given to the development, redevelopment and intensification of land that is currently serviced by County water and sanitary sewage systems, or to areas that can most efficiently be serviced at minimal cost.
- e. Infilling of vacant areas which are already provided with County water and sanitary service systems is encouraged, where capacity exists, and shall be considered when evaluating proposed plans of subdivision and consents, with respect to the extension or development of services, utilities or the associated construction.
- f. Prior to development approval involving significant lot creation and/or development, the County shall require the preparation and approval of a Servicing Study, which shall demonstrate available capacity of existing water and sanitary sewage systems.
- g. Where the servicing of new urban development requires extensions, development, and/or improvements to the existing public piped systems, such servicing shall generally be financed, constructed, and maintained by the developer before being conveyed to the County.
- h. The application of a holding symbol in accordance with the policies of Section 6.5.2 of this Plan may be implemented until such time as County water and sanitary service systems are available.
- i. In order to ensure the efficient use of land and County services, development (including lot creation) on private systems shall not be permitted, in areas with County water and sanitary service systems. However, exceptions may be considered in areas not serviced by County systems on the basis of a site-specific amendment to the Zoning By-law, and satisfaction of the following criteria:
  - a water and sewage servicing master plan is in place, or an Area Study has been completed, to provide future County water and sewage systems to service the land;
  - ii. the development of the land and accommodation of a private servicing system shall not preclude the ultimate extension or development of County water and sewage disposal systems;
  - iii. the topography, soil and environmental characteristics of the land is able to accommodate an appropriate private water and sewage system that will minimize adverse environmental impacts;
  - iv. the proposed development is consistent with this Plan and the County's objectives; and

v. the proponent signs a letter of intent stating that if services are eventually extended to the area, the owners of the lot will connect to the services provided and will properly decommission any private services that have been used in the interim at the owner's expense. The letter of intent shall be registered against the title of the land and shall also include a commitment to pay all applicable charges for the share of services provided.

### **5.2.3.3 Partial Servicing Requirements**

The following policies shall apply to areas of the Community Structure that are partially serviced:

- a. Partial services shall only be permitted in the following circumstances:
  - i. where they are necessary to address failed individual on-site sewage disposal systems in existing development; and
  - ii. within Secondary Urban Settlement Areas, to allow for infilling and minor rounding out of existing development on partial County services provided that:
    - 1. the development is within the reserve water system capacity of the County's potable water system; and
    - 2. site conditions are suitable for the long-term provision of such services.
- b. Subject to policy (a) above, partial services shall continue to provide the primary means of water supply and sanitary sewage disposal systems within the Secondary Urban Settlement Area boundaries, until it is financially viable to extend or develop full County services as required to accommodate projected growth and development within the planning horizon.
- c. The County shall make best efforts that any of its water and sanitary sewage systems operating within a partially serviced area, performs within permitted operating standards. The County shall continue to monitor treatment capacities and operational effectiveness of its servicing systems.
- d. Priority shall be given to the development, redevelopment and intensification of land that is currently serviced by a County system, or to areas that can most easily be serviced at minimal expense.
- e. The County may consider extension or development of its sanitary sewage or potable water supply systems or development of new

- sanitary sewage or potable water supply systems in order to address an existing sewage disposal or water quality problem that represents a hazard to public health and safety, provided that the County is satisfied there is positive public benefit.
- f. Areas currently on partial systems shall be required to connect to a County system should full services become available. Existing private services that have been used in the interim shall be properly decommissioned.
- g. If a site is located in an area where a public sanitary sewage system is not readily available or is not intended, development may take place on individual on-site sewage treatment systems or on private communal sewage treatment systems in accordance with Provincial Policy.
- h. Where a private communal water or sewage system is proposed, the County may restrict the type, make or model, and installation of the system to one that is acceptable to the County.
- i. Where a private communal water or sewage system is proposed, the property owner shall own the system or shall make alternative ownership arrangements that comply with the Ministry of Environment requirements. Any development proposing a communal servicing system shall satisfy the requirements of the Ministry of Environment and subject to any necessary
- j. financial and/or responsibility agreements. In order for development on a private communal water or sewage system to proceed, the County must be willing to enter into a responsibility agreement with the developer.
- k. Private sewage disposal systems may be provided by the septic tank and weeping tile system, or other alternative systems, subject to the approval of the County (treatment capacity up to 10,000 litres/day) or the Ministry of the Environment (treatment capacity exceeding 10,000 litres/day).
- Nothing in this plan shall be construed to be interpreted that the County is a supporter of communal systems and will enter into a responsibility agreement for the long term maintenance of any communal system.
- m. The County and/or the appropriate approval authority/agency is responsible for the approval of all new septic tank and tile or leaching systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.

- n. Any lot affected by an application for consent or plan of subdivision shall be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
- o. Where multi-lot or multi-unit residential of more than two lots/units or employment development is proposed for more than two lots/units on partial servicing systems, an Impact Assessment shall be prepared by the applicant and submitted to the County of Brant at the time of application. The report shall address potable groundwater quality, groundwater yield, possible groundwater interference, soil suitability and the lot area for effluent treatment.
- p. If the proposed use of individual sewage disposal systems is to handle effluent in quantities greater than 4,500 litres per day, a hydrogeological study shall be prepared that demonstrates such system can operate satisfactorily on the site.
- q. The application of a holding symbol in accordance with the policies of Section 6.5.2 of this Plan may be implemented until such time as:
  - i. full County servicing systems are available; or
  - ii. the appropriate permits are received for the provision of private water and\or sewage systems.
- r. Holding tanks shall not be permitted for new development. Holding tanks shall only be permitted for existing development where the County is satisfied that there is no other alternative to solving a deficiency with an existing septic system or where servicing contracts have been tendered and awarded for the extension or development of services or the development of new services and for business related region construction of a commercial or industrial use is in the best interests of the County.
- s. Where a holding tank is permitted, the County shall ensure that appropriate provisions are in place for disposal of hauled sewage, and that there is treatment capacity for hauled sewage at a facility that has received statutory approval from the applicable approval authority.
- t. Where a holding tank is permitted, all necessary statutory approvals from the applicable approval authority shall be obtained.
- u. When development will utilize a private sewage disposal system, then the lot area shall comply with requirements of the County or its designated agent for the type of development proposed and the type of private system to be used.

v. Where private wells are proposed, cisterns will be required for wells yielding between 4.5 and 13 litres per second. Wells yielding less than 4.5 litres per second shall not be considered an adequate well.

### 5.2.3.4 Private Servicing Requirements

The following policies shall apply to areas of the Community Structure that are serviced only by private systems:

- a. Individual on-site sewage disposal systems shall continue to provide the primary means of sanitary sewage disposal and private wells shall continue to be the primary means of water supply in the County's Hamlets and Villages, Rural Residential Areas and Agricultural Areas.
- b. In areas outside of the established County service areas, the County may consider extension or development of its sanitary sewage services or potable water supply systems or development of new sanitary sewage services or potable water supply systems in order to address an existing sewage disposal or water quality problem that represents a hazard to public health and safety, provided that the County is satisfied that there is positive public benefit from such action for County residents. The County shall undertake any extensions or new servicing developments in accordance with the applicable requirements of the Environmental Assessment Act.
- c. Areas currently on private systems shall be required to connect to a public system should the services become available. Existing private services that have been used in the interim shall be properly decommissioned.
- d. Development may take place within Hamlets and Villages, Rural Residential Areas and Agricultural Areas on individual on-site sewage treatment systems.
- e. Where a private communal system is proposed, the County may restrict the type, make or model, and installation of the system to one that is acceptable to the County.
- f. Where a private communal system is proposed, the County shall own the system or shall make alternative ownership arrangements that comply with the Ministry of Environment requirements. Any development proposing a communal servicing system shall satisfy the requirements of the Ministry of Environment, in addition to the following County requirements:
  - i. securities to guarantee a replacement strategy should the

servicing systems fail;

- ii. a full peer review of the proposed system;
- iii. description of the anticipated operating costs, which will be covered by the private sector;
- iv. the completion of a responsibility agreement with the County; and
- v. a security deposit for operating and capital costs.
- g. Private sewage disposal systems may be provided by the septic tank and weeping tile system. The installation of septic systems is subject to approval by the County.
- h. The County is responsible for the approval of all new septic tank and tile or leaching systems not approved by the Ministry of the Environment. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.
- i. Holding tanks shall not be permitted for new development. Holding tanks shall only be permitted for existing development where the County is satisfied that there is no other alternative to solving a deficiency with an existing septic system.
- j. Where a holding tank is permitted, the County shall ensure that appropriate provisions are in place for disposal of hauled sewage, and that there is treatment capacity for hauled sewage at a County facility that has received statutory approval from the applicable approval authority.
- k. Where a holding tank is permitted, all necessary statutory approvals from the County shall be obtained.
- I. When development will utilize a private sewage disposal system, then the lot area shall comply with requirements of the County or its designated agent for the type of development proposed and the type of private system to be used.
- m. Any lot affected by an application for consent or plan of subdivision shall be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
- n. Where multi-lot or multi-unit residential or employment development is proposed for more than two lots/units on individual wells and/or private sewage disposal system, an Impact Assessment shall be prepared by

the applicant and submitted to the County of Brant at the time of application. The report shall address potable groundwater quality, groundwater yield, groundwater interference, soil suitability and the lot area for effluent treatment.

- o. If the proposed use of individual sewage disposal systems is to handle effluent in quantities greater than 4,500 litres per day, a hydrogeological study shall be prepared to demonstrates such system can operate satisfactorily on the site.
- p. The County will encourage, and in the case of phases of a subdivision or condominium the County will require, the provision of sewage systems which provide for high nitrate removal.
- q. The application of a holding symbol in accordance with the policies of Section 6.5.2 of this Plan may be implemented until such time as the appropriate permits are received for the provision of private water and/or sewage systems.

#### **5.2.4 STORMWATER MANAGEMENT**

Stormwater Management is required to control flooding, erosion and sedimentation and to enhance water quality, aquatic habitat and groundwater recharge.

With respect to stormwater management, the following shall be the policies of the County:

- a. Prior to development, approval the County shall require the preparation of a Stormwater Management Plan that is acceptable to the County and in accordance with the guidelines of the appropriate Conservation Authority and the current Ministry of the Environment Stormwater Planning and Design Manual.
- b. The County shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The County shall promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes.
- c. Pre-submission consultation with the appropriate Conservation Authority on measures of stormwater management works pursuant to the Ministry of Environment's guidelines is encouraged. Where development is proposed adjacent to a Provincial Highway the Ministry of Transportation should also be consulted on stormwater management plans. Where development is proposed adjacent to a railway the appropriate railway operator should also be consulted.

- d. The Stormwater Management Plan shall determine the effect of increased run-off due to development of the site, and shall identify stormwater management measures necessary to control any increases in flows in downstream watercourses, up to and including the 100-year or Regional Storm, and to prevent or mitigate potential pollution. The integration of natural vegetative features adjacent to and within new facilities shall be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged.
- e. The development proponent shall install the stormwater management measures identified in the Stormwater Management Plan as part of the development of the site, to the satisfaction of the County of Brant, the appropriate Conservation Authority, and other agencies.
- f. The County shall encourage the preparation of stormwater management plans on a watershed or subwatershed basis. Consideration shall also be given to the recommendations of the D'Aubigny Creek Master Watershed Plan (1992) and the Gilbert Creek Subwatershed Study (1999). These studies shall provide guidance when dealing with any new development within these two watersheds.
- g. In the Primary and Secondary Urban Settlement Areas it may be necessary for some storm sewer oversizing and deepening to occur. The design and construction of all storm sewers and improvements to natural watercourses shall have sufficient capacity to serve all areas which ultimately may be connected to sewers or open watercourses. Modifications to existing natural watercourses shall only be undertaken where natural features can be integrated with the optimal design ensuring quality and quantity impacts are mitigated. In reviewing individual development applications, the County shall, where applicable, require developers to utilize appropriate stormwater management techniques to minimize erosion and siltation of watercourses and open drains and to not adversely affect upstream or downstream property owners.
- h. Prior to development approval, the development proponent shall consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses.
- i. Prior to development approval, the proponent shall provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used

to form part of a natural trail or open space system. Roads and sidewalks within the development shall have access to these natural areas. The use of dry ponds which can be located adjacent to parkland for the purpose of maximizing the space available for public use is encouraged. Wet ponds are encouraged to be incorporated into subdivision designs as aesthetic features of the community.

- j. In order to ensure that the size, configuration and grade of the land surrounding the facility can be efficiently programmed as a component of a trail or open space system, it may be necessary to prepare a landscape design as a condition of development approval.
- k. Areas required for stormwater management shall not be considered part of the parkland dedication required under the provisions of the Planning Act, and this Plan. However, the development of these areas into parkland facilities, such as the provision of paths, may be considered as an alternative to a portion of cash-in-lieu of parkland contribution. The provision of additional land to facilitate the use of these areas as parkland may also be considered.
- I. The County shall ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements.
- m. The County shall own, operate and maintain all public stormwater management facilities.
- n. The County shall incorporate stormwater management requirements as a component of the development approvals process.
- The County shall implement and support innovative stormwater management actions that are part of redevelopment and intensification.
- p. The County shall coordinate its planning for stormwater management systems with neighbouring municipalities that share inland water sources such as rivers and lakes, including the City of Brantford.
- q. The County, where appropriate, shall require the maximization of infiltration to ensure groundwater recharge.

#### 5.3 TRANSPORTATION SYSTEMS

Transportation systems play an important role in contributing to the quality of life within a community through the level of service and accessibility that is provided to residential, employment, social, recreational, and commercial opportunities.

The County of Brant Transportation Master Plan, prepared in support of this

Plan, identifies existing and future levels of travel demand throughout the County and sets out the transportation infrastructure required to ensure the safe and efficient movement of people, goods and services.

The County's road network is illustrated on Schedule B and is based on the inter-relationship of land use and transportation. The primary objective of the road network shall be to provide optimum conditions for the movement of people and goods from one portion of the County to another and to facilitate traffic movement throughout the County.

The County shall ensure that the road pattern connects with that of adjoining municipalities, and that there are linkages to the provincial road system. As detailed transportation studies are completed, this Plan shall be amended to reflect appropriate recommended changes.

#### 5.3.1 MOVEMENT OF GOODS AND PEOPLE

The County provides a range of transportation systems and networks for the movement of goods and people, including roads, cycling paths and trails, water transportation, air transportation and rail corridors. The County has excellent access to higher-order transportation systems including Provincial Highways 24 (Brant Road / King George Road / Rest Acres Road) and Highway 403, and rail corridors. Every effort shall be made to ensure an efficient and effective transportation systems in place to encourage and support the development of recreational tourism and economic activities.

In order to achieve these goals, the following shall be the policies of the County:

- a. The County shall work with transportation industries to facilitate the efficient movement of goods by improving the level of service while maintaining community safety and minimizing risk. The County shall endeavour to maintain at least Level of Service (LOS) D conditions on all County roads in the PM peak hour. Once the LOS is measured or forecast to exceed the level of service (LOS) D on a section of road or an intersection in the County, the County may take actions to regain the minimum LOS D standard.
- b. The County shall ensure that appropriate transportation services are provided to lands that are designated Employment.
- c. The County shall ensure that designated commercial areas are serviced by roads with appropriate traffic capacity.
- d. The County shall maintain and encourage the protection of rail corridors for other linear uses should they become abandoned.

- e. The County shall encourage the creation of transit opportunities (including the extension of existing public transit systems into the County) and other sustainable transportation modes such as walking and cycling.
- f. The County shall encourage the implementation of transportation demand management strategies to reduce the demand for vehicular travel by changing travel demands, times and increase the modal share of transportation alternatives. The policies of this Plan supports increased densities and mixed-use development within urban communities to promote the use of alternative travel modes and to support a viable and more comprehensive transit service.

#### 5.3.1.1 Truck Routes

The County may establish a Strategic Goods Movement Network Plan to identify the primary travel routes for the movement of goods throughout the County. It is recognized that consultation with neighbouring municipalities is required to ensure that the movement of goods do not negatively affect the communities of the County of Brant, or adjacent municipalities.

This Plan recognizes the possibility of a new intersection with Highway 403, should a westerly truck route be selected with the Region of Waterloo to aid in a north-south connection.

As such, the following shall be the policies of the County:

- a. The County may establish an as-required Trucking Advisory Group to review all transportation and land use policy and plan directives that potentially affect the trucking industry.
- b. The County and the Trucking Advisory Group may develop a Strategic Goods Movement Network Plan showing the origins, destinations and primary travel routes of the primary goods movement in the County. This should then be compared with the existing and planned land use patterns along these routes to highlight existing or potential goods movement conflicts.
- c. The County of Brant may exercise its legislative authority to ensure trucks are restricted to those origins and/or County road designations and/or specific communities such as Paris, and Scotland. Truck haul routes are restricted to Arterial Roads and non-residential collector roads, as indicated on Schedule B, thereby avoiding local roads in residential neighbourhoods, in order to protect residents from noise and corridor emission pollutants.

- d. The County may, through the passing of by-laws, investigate the potential designation of a new truck route by-pass of the Paris community provided that the new by-pass would not require any new road or waterway crossing works that would necessitate the preparation of a Class Environmental Assessment.
- e. The County may consider a similar truck route designation and By-law enforcement process around any other Settlement Area where the through movement of truck traffic is proven to be a community issue.

#### 5.3.2 ROAD SYSTEM

The County's Road System will be made up of different classes of roads that have different characteristics, depending on the nature of the surrounding land use and the intended function that they serve. The County's Road System will facilitate the safe and efficient movement of both people and goods through the County at minimal economic, environmental and social cost. Additionally, the road system is intended to promote the established and anticipated development pattern in the County and be supportive of economic activity.

The following shall be the policies of the County:

- a. The efficiency of the transportation network should be maximized by coordinating transportation planning initiatives and activities with other levels of government, neighbouring municipalities, and transportation agencies.
- b. All transportation services shall be planned and constructed in a manner that supports the policies of this Plan. Upgrades to transportation services are subject to the requirements of the Municipal Engineers Association's Class Environmental Assessment (MEA Class EA).
- c. Corridors and rights-of-way for significant transportation facilities shall be planned for and protected to serve the long-term needs of the County. Development that could preclude the use of a corridor or rightof-way for its long-term purpose shall not be permitted.
- d. The preservation and reuse of abandoned transportation corridors for purposes that maintain the corridor's continuous linear characteristics shall be encouraged, whenever appropriate and feasible.
- e. Connectivity of the transportation network within the County and into adjacent jurisdictions shall be maintained and improved, where possible and feasible.

- f. The County shall ensure that adverse environmental effects, such as noise, vibration and air quality deterioration, will be mitigated in the planning, design, and construction of elements of the transportation network.
- g. The automobile will continue to be the main mode of transportation within the County due to its predominantly rural character and Settlement Area, Hamlets and Villages, and Rural Residential Area clusters, and dispersed population. Notwithstanding this, a land use pattern, density and mix of uses shall be promoted in the Primary and Secondary Urban Settlement Areas, particularly along major transportation corridors that reduces the length and number of vehicle trips.
- h. Safe and convenient pedestrian interfaces with roads shall be encouraged in consultation with the Brant County Health Unit.
- i. The impact of a development proposal on the transportation system, including increased traffic and the means of access, shall be examined through a multimodal transportation impact study. Only those development proposals that can be accommodated in the existing system shall be permitted. Where the transportation system is not adequate, the County shall require, as a condition of development approval, that the proponent of the development:
  - i. improve the transportation system to accommodate the proposed development to the satisfaction of the County, without the County incurring any costs;
  - ii. make the necessary financial contributions for the required improvements; and/or
  - iii. dedicate rights-of-way for the development of roads, trails and walkways.
- j. The cost of traffic impact studies and any other required supporting documentation shall be borne by the proponent. Costs incurred by the County in engaging peer review consultants to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.
- k. Transportation impact studies shall be undertaken in accordance with the County's Transportation Impact Study Guidelines.
- I. There are very few private roads in the County that service development. There are private roads as part of the golf course residential development in the community of Paris and there may be private roads developed in the future as part of medium density

- residential, high density residential, recreational trailer parks and planned condominium communities. It is the intent that traditional low density residential development take place on public roads and that only in condominium developments and rental projects shall private roads be considered.
- m. New developments shall have frontage on and access to a public road which is maintained on a year-round basis.
- n. The County shall, as needed, enact access control by-laws for specified County roads with existing or anticipated high traffic flows. Access control by-laws may be developed for any County road where there is high traffic or a significant percent of truck traffic.
- Road access points shall be designed to the satisfaction of the County and be in locations that will not create a hazard due to impaired line of sight, or any other safety, transportation or land use planning conflicts.
- p. As a measure of maintaining a satisfactory road system, the County shall pursue a program of improving road alignments, surfaces, and pavement widths, and establishing adequate road allowances for new roads as development occurs. Provision shall be made in the Zoning By-law for adequate setbacks for all new development, having regard for the width and function of the abutting road.
- q. Proposals to widen, extend, realign or improve roads shall consider Natural Heritage Features and cultural heritage landscape factors and attributes of adjacent land, including views created by the road. The County may require a landscape assessment prior to approval or endorsement of any proposals to widen, extend, realign or improve roads.
- r. Paved streets, curbs and gutters shall be provided for any major new development or redevelopment in the County's Settlement Areas to the satisfaction of the County. Sidewalks may be required to be provided in new development or redevelopment as determined by the County in accordance with the policies of this Plan. The County may consider alternative development standards subject to the policies of this Plan.
- s. Any application for development in a settlement area must demonstrate how the sidewalk in their proposed development links to existing sidewalks in the settlement area. Where such linkages do not exist, the developer may be required to pay the cost or provide the linkage of such sidewalks to the existing sidewalks.
- t. As traffic conditions warrant, improvements in the form of jog

eliminations, regulation of turn movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization construction shall be undertaken at intersections, as required.

#### 5.3.2.1 Classification of Roads

Public roads in the County shall be classified into a hierarchy on the basis of jurisdiction, function, user characteristics, speed and interconnections. The Transportation Master Plan and Development Manual provide further guidance with respect to the transportation network and road hierarchy and classifications. The classification of roads and the existing and proposed road system is shown on Schedule B.

The following shall be the policies of the County:

- a. The County shall review road corridors, in consultation with the Province where required, to determine if a change in road classification is necessary. The transfer of a road from one jurisdiction to another shall not require an amendment to this Plan, notwithstanding the change in classification.
- b. Any change in the function of a road shall not require an amendment to this Plan to change the classification depicted on Schedule B. The Official Plan may be modified as a result of such a change in the function of a road at the time of a Five-year Review in accordance with Section 6.3. Similarly, minor road widening, re-alignments, by-passes, establishment of new roads, road reclassification or alteration of a proposed alignment shall not require an amendment to this Plan.
- c. Minimum right-of-way widths are provided for each classification of road. However, in the Primary or Secondary Settlement Areas, Hamlets and Village, and in certain other circumstances, the County may consider alternative development standards including reduced right-of-way widths. The County recognizes that in some existing developed areas the reconstruction of roads to the standards required by the policies of this Plan may be economically or physically not feasible due to constraints of existing buildings, existing services, access driveways and other conditions. In order to secure needed road improvements in such cases, a realistic balance between accepted engineering standards and the disruptive effects upon existing conditions shall be achieved.
- d. Where additional land is required for road widening and extensions, such land shall be dedicated wherever possible, in the course of approving draft plans of subdivision or condominium, consents or site

plan agreements, without amendment to this Plan. The dedication of such land shall take into account the following:

- i. the extent of the right-of-way that may be required as established in the policies of this Plan;
- ii. road widening being taken equally on either side of the centre line of existing roads. However, unequal widening may be required where factors, such as topography, historic building locations, grade separation, channelization, existing development or road offsets or other unique conditions make the dedication of equal widening infeasible;
- iii. the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, sight triangles at intersections including intersections of an arterial road and a railway line, railway grade separations and/or any other traffic or road engineering consideration. The extent of the widening shall be based on specific characteristics of the intersection and shall be determined in accordance with accepted traffic engineering design criteria; and
- iv. other requirements as established by the County.
- e. No development or redevelopment of land shall be approved in close proximity to an intersection or railway crossing which is scheduled for improvement until the improvement has been sufficiently designed to determine the land requirement for the improvement.
- f. The County may encourage the use of traffic calming management techniques to reduce the impact of traffic on neighbourhoods and communities by improving road user safety, pedestrian safety and quality of life. This may include the use of physical road treatments such as reduced right-of-way widths, textured pavements, curb extensions or medians, traffic circles, bicycle lanes or on-street parking. The type of traffic calming technique shall depend on the road characteristics and degree of required traffic flow impedance.

#### 5.3.2.1.1 Provincial Highways

There are two Provincial Highways located within the County - Provincial Highway 24 (Brant Road / King George Road / Rest Acres Road) and Highway 403. New entrances or the upgrading of entrances onto a Provincial Highway shall be subject to the approval of the Ministry of Transportation. Furthermore, development which is situated adjacent to a Provincial Highway shall also be subject to the requirements and permit control of the Ministry of

Transportation. Requirements of the Ministry of Transportation my exceed the requirements of the County of Brant.

With respect to Provincial Highways, the following shall be the policies of the County:

- a. The Ministry of Transportation shall have jurisdiction and control over access to Provincial Highways 24 (Brant Road / King George Road / Rest Acres Road) and 403 and development within the Ministry's permit control area.
- b. Direct private access to the Provincial Highway shall be restricted and shall require the approval and permit(s) from the Ministry of Transportation. Developments and private access driveways shall be encouraged to use existing County roads and service roads wherever possible. Where access from the Provincial Highway is feasible, it shall only be considered for those properties that meet the minimum safety and geometric requirements of the Ministry of Transportation. Where sufficient/adequate access is available to a County road, access to the Provincial Highways shall not be permitted.
- c. The Ministry of Transportation shall determine the right-of-way width for the Provincial Highways.
- d. All development in proximity and adjacent to a Provincial Highway shall be subject to the safety and geometric requirements and permits of the Ministry of Transportation. The Ministry of Transportation may require a site specific transportation impact study to be submitted for review and approval in order to determine the impact of development on a Provincial Highway.
- e. Generally, open storage and loading areas shall be screened from Provincial Highways.
- f. Existing uses, or new uses that are compatible with the operation of a patrol yard, shall be permitted to locate adjacent to the patrol yard generally located at the intersection of Highway 24 (Rest Acres Road) and Bethel Road.

#### 5.3.2.1.2 Urban Arterial Road

Urban Arterial Roads are roads designed to carry high volumes of traffic from Provincial Highways and other Urban Arterial Roads to the collector road system, and vice-versa.

With respect to Urban Arterial Roads, the following shall be the policies of the County:

- a. Access to Urban Arterial Roads to private properties is generally discouraged.
- b. The standard road right-of-way width for an Urban Arterial Road may range from 24 to 45 metres. The roadway width may vary for Urban Arterial Roads due to the range of intended use, topography and varying adjacent land development. Setbacks from arterial roads shall be established in the Zoning By-law.
- c. In the Primary and Secondary Urban Settlement Areas, sidewalks shall generally be constructed on both sides of an Urban Arterial Road.
- d. Dedicated bikeways or separate cycling facilities may be provided where required on Urban Arterial Roads.
- e. Traffic calming is typically not provided.
- f. Transit service is permitted on Urban Arterial Roads when and where it is feasible.

#### 5.3.2.1.3 Rural Arterial Road

Rural Arterial Roads are roads designed to provide mobility to traffic throughout areas of low density and low development activity. Rural Arterial Roads typically link centres of activity separated by large distances and provide connections with collectors, other arterial roads or highways. Rural Arterial Roads typically service relatively high volumes of traffic at high speeds.

With respect to Rural Arterial Roads, the following shall be the policies of the County:

- a. The standard road right-of-way width for a Rural Arterial Road may range from 24 to 45 metres. The roadway width may vary for Rural Arterial Roads due to the range of intended uses, topography and varying adjacent land development. Setbacks from Rural Arterial Roads shall be established in the Zoning By-law.
- b. Sidewalks are typically not required and shoulder bike lanes may be considered on Rural Arterial Roads, particularly where the Rural Arterial Road is a connecting link to a Primary or Secondary Settlement Area or is identified as a bicycle route.
- c. On certain Rural Arterial Roads that exhibit high traffic volumes, access limitations may be required.
- d. The County shall address the adequacy of sight distances related to the road alignment and shall avoid multiple individual access points when reviewing development applications on Rural Arterial Roads.

- e. Traffic calming is typically not provided.
- f. Transit service is typically not provided.
- g. On-street parking is typically not provided.

#### 5.3.2.1.4 Urban Residential Collector Road

Urban Residential Collector Roads are designed with the dual function of carrying moderate volumes of local traffic to arterial roads, and distributing arterial traffic to local roads, while providing access to abutting properties. Urban Residential Collector Roads are adjacent to residential and commercial uses and provide connections to local, collector and arterial roads.

With respect to Urban Residential Collector Roads, the following shall be the policies of the County:

- a. Urban Residential Collector Roads shall generally be two traffic lane roads with a road right-of-way width of 20 to 26 metres and be designed to carry traffic to and from residential neighbourhoods and act as the connector between local and arterial roads.
- b. On-street parking may be permitted on one side of the road in the Primary and Secondary Urban Settlement Areas, although location and time restrictions may be enforced in specific instances;
- c. Direct access to collector roads shall be permitted, subject to geometric design considerations.
- d. In the Primary and Secondary Urban Settlement Areas, sidewalks shall generally be constructed on both sides of Urban Residential Collector Roads.
- e. Dedicated bikeways, separate cycling facilities or wider curb lanes are permitted.
- f. Passive traffic calming devices are permitted, where appropriate.
- g. Transit service is permitted on Urban Residential Collector Roads.

#### 5.3.2.1.5 Urban Employment Collector Road

Urban Employment Collector Roads are designed with the dual function of carrying moderate volumes of local traffic to arterial roads, and distributing arterial traffic to local roads, while providing access to abutting properties. Urban Employment Collector Roads are adjacent to employment and commercial uses. Urban Employment Collector Roads provide connections to local, collector and arterial roads.

With respect to Urban Employment Collector Roads, the following shall be the policies of the County:

- a. Urban Employment Collector Roads shall generally be two traffic lane roads with a road right-of-way width of 20 to 26 metres and be designed to carry traffic to and from designated Employment lands and act as the connector between local and arterial roads.
- b. On-street parking may be permitted on one side of the road.
- c. Direct access to Urban Employment Collector Roads shall be permitted, subject to geometric design considerations.
- d. In the Primary and Secondary Urban Settlement Areas, sidewalks shall generally be required on one side of Urban Employment Collector Roads.
- e. Dedicated bikeways or separate cycling facilities are generally not required.
- f. Traffic calming is generally not permitted.
- g. Transit service is permitted on Urban Employment Collector Roads.

#### 5.3.2.1.6 Rural Collector Road

Rural Collector Roads are roads designed to primarily provide access to individual properties throughout areas of low density and low development activity and land access. Rural Collector Roads typically service lower traffic volumes at slightly lower speeds than Rural Arterial Roads.

With respect to Rural Collector Roads, the following shall be the policies of the County:

- a. The basic road right-of-way width for a Rural Collector Road may range from 24 to 45 metres. The roadway width may vary for Rural Collector Roads due to the range of intended use, topography and varying adjacent land development. Setbacks from Rural Collector Roads shall be established in the Zoning By-law.
- b. Sidewalks are typically not required and shoulder bike lanes may be considered on Rural Collector Roads, particularly where the Rural Collector Road is a connecting link to a Primary or Secondary Settlement Area or is identified as a bicycle route.
- c. The County shall address the adequacy of sight distances related to the road alignment and shall avoid multiple individual access points when reviewing development applications on Rural Collector Roads.
- d. Traffic calming is typically not provided.
- e. Transit service is generally not provided.

f. On-street parking is generally not provided.

#### 5.3.2.1.7 Urban Residential Local Road

The primary intended function of Urban Residential Local Roads is to provide land access to adjacent residential, commercial, institutional or other uses. Urban Residential Local Roads are intended to carry low volumes of traffic.

With respect to Urban Residential Local Roads, the following shall be the policies of the County:

- a. Urban Residential Local Roads shall generally be two traffic lane roads with a road right-of-way width of 20 to 22 metres and be designed to carry local traffic and to provide land access to abutting properties. Any reduction in the required road allowance width may be considered where it has been demonstrated appropriate to the satisfaction of the County.
- b. On-street parking may be permitted on both sides of the road in the Primary and Secondary Urban Settlement Areas, subject to guidelines created by the County and subject to location and time restrictions, which may be enforced in specific instances; for example, adjacent to schools or during peak periods of traffic demand.
- c. Urban Residential Local Roads shall be designed to discourage high speed traffic through appropriate traffic control and design measures.
- d. In the Primary and Secondary Urban Settlement Areas, sidewalks may be required on one or both sides of Urban Residential Local Roads. In instances where Urban Residential Local roads lead directly to a school, park, community facility or other facility which generates pedestrian traffic, or where the safety of pedestrians are of particular concern, sidewalks should be considered on both sides of the road. In some cases, cul-de- sacs may not be required to provide sidewalks at the sole discretion of the County.
- e. Dedicated bikeways or separate cycling facilities are typically not required on Urban Residential Local Roads.
- f. Traffic calming techniques may be incorporated where required.
- g. Transit service is generally not provided.

#### 5.3.2.1.8 Urban Employment Local Road

The primary intended function of Urban Employment Local Roads is to provide land access to adjacent employment and commercial uses. Urban Employment Local Roads are intended to carry low volumes of traffic.

With respect to Urban Employment Local Roads, the following shall be the policies of the County:

- a. Urban Employment Local Roads shall generally be two traffic lane roads with a road right-of-way width of 20 to 22 metres and be designed to carry local traffic and to provide land access to abutting properties.
- b. On-street parking may be permitted on one side of the road in the Primary or Secondary Settlement Areas, although location and time restrictions may be enforced in specific instances; for example, during peak periods of traffic demand.
- c. Urban Employment Local Roads shall be designed to discourage high speed traffic through appropriate traffic control and design measures.
- d. In the Primary or Secondary Settlement Areas, sidewalks may be required on one or both sides of Urban Employment Local Roads. In instances where Urban Employment Local Roads lead directly to a park, community facility or other facility which generates pedestrian traffic, or where the safety of pedestrians are of particular concern, sidewalks should be considered on both sides of the road.
- e. Dedicated bikeways or separate cycling facilities are typically not required on Urban Employment Local Roads but may be required where the roads serve as linkages to other parks or recreational facilities.
- f. Traffic calming is typically not provided.
- g. Transit service is generally not provided.

#### 5.3.2.1.9 Rural Local Road

Rural Local Roads are roads designed to primarily provide access to individual properties throughout areas of low development activity and land access. Rural Local Roads service lower traffic volumes at slightly lower speeds than Rural Collector Roads.

With respect to Rural Local Roads, the following shall be the policies of the County:

- a. The basic road right-of-way width for a Rural Local Road may range from 20 to 24 metres. The roadway width may vary for Rural Local Roads due to the range of intended use, topography and varying adjacent land development. Setbacks from Rural Local Roads shall be established in the Zoning By-law.
- b. Sidewalks are typically not required and shoulder bike lanes may be

considered on Rural Local Roads, particularly where the Rural Local Road is a connecting link to a Primary or Secondary Urban Settlement Area, park or recreational use or is identified as a bicycle route.

- c. Traffic calming is typically not provided.
- d. Transit service is generally not provided.
- e. On-street parking is generally not provided.

#### 5.3.2.1.10 Public Lane

A Public Lane is normally located in land designated residential or employment in order to provide land access. Through traffic is generally prohibited as traffic movement is not a consideration. Public Lanes are intended to carry low volumes of traffic with no provision for pedestrian, cyclist or transit facilities.

The following shall be the policies of the County:

- a. A Public Lane shall generally be two traffic lane roads with a road rightof- way width of 6 to 10 metres and be designed to carry low volumes and provide land access to lands designated residential or employment.
- b. Sidewalks, bicycle lanes and transit facilities are not intended on Public Lanes.
- c. On-street parking is not provided.
- d. Traffic calming is typically not provided.
- e. Transit service is not permitted.
- f. Public Lanes shall be designed to serve adjoining land uses only.

## **5.3.3 PARKING**

The parking policies of this Plan focus on the promotion of efficiently planned, compact and accessible development for all modes of transportation. Given that the automobile will continue to be the principle mode of transportation within the County, the provision of sufficient off-street parking, in terms of size, location and quantity is an important consideration in this Plan.

The policies of this Plan shall ensure that sufficient off-street parking facilities are established as required to serve the needs of the intended use. Whether an off-street parking program is developed entirely by the County, by private enterprise, or jointly by the County and private enterprise, reasonable parking facilities should be established, consistent with anticipated demand, and in accordance with the following general principles:

- a. With the exception of the Core Area designation, all new development and redevelopment, including re-use of existing buildings, shall be required to provide adequate off-street parking and loading spaces in accordance with standards established in the Zoning By-law. Access and egress to all off- street parking or loading spaces shall be limited in number and designed to minimize danger to vehicular and pedestrian traffic.
- b. In the Core Area designation, the County shall assess parking needs in order to provide adequate on- and off-street parking, to accommodate short-term parking for shopping and business purposes and long-term parking for those employed in the area.
- c. In cases where sufficient on-site parking cannot be accommodated in the Core Area designation, the County at its sole discretion may collect cash- in-lieu pursuant to Section 40 of the Planning Act to be used expressly for the provision of additional parking spaces in an appropriately defined area.
- d. Where possible, landscaped off-street parking areas may be located behind stores and businesses in the County's Core Areas in order to provide short-term parking opportunities for customers.
- e. Shared parking amongst non-residential uses may be promoted to provide for a more efficient use of fewer parking spaces.
- f. Efficient site design practices shall be promoted which focus on compact and accessible land development to minimize land consumption.
- g. When new residential low density development proposes lots with less than 12 m of frontage, proponents will be required to submit on street parking plans in accordance with County standards. These plans will be required prior to the granting of any draft plan of subdivision approvals by the County.
- h. Opportunities to provide alternative modal choices such as cycling, walking and transit shall be promoted to reduce parking demand.
- i. The County shall review the design and layout of parking areas in accordance with the County's parking guidelines.

# 5.3.4 WALKING, CYCLING AND TRAIL SYSTEMS

A shift towards active lifestyles and increasing demands for sustainable modes of transportation presents a need for a useful and accessible walking and cycling network in the County. This Plan recognizes that bicycle and pedestrian trails and paths contribute to the quality of life and healthy

communities and support sustainable modes of travel, while reducing automobile dependence. Furthermore, trails may provide for the maintenance of unobstructed corridors for possible servicing needs.

The County provides numerous major off-road trails which include: the Hamilton to Brantford Rail Trail; SC Johnson Trail; Mount Pleasant Trail; and the Cambridge to Paris Rail Trail. The Grand Valley Trails Association also provides off-road trails throughout the County.

The County encourages the development and enhancement of pedestrian and shared use of non-motorized trails and bicycle routes. In order to do so, the following shall be the policies of the County:

- a. The County shall support the preparation of a Trails Master Plan for the County's trail system to identify a preferred on-road and off-road trail and cycling network to accommodate a variety of non-motorized activities including cycling, walking, and running. The Trails Master Plan should provide for the delineation of existing and proposed trail systems, linkages to natural heritage features, destinations, the County sidewalk system, specific trail standards and design criteria, among other matters.
- b. The County shall encourage community partnerships for acquisition, improvement(s) and maintenance of the trail system.
- c. The County may work towards providing safe bicycle and pedestrian paths, both separated from the roadway, on existing and proposed roads, on abandoned rail corridors, on utility corridors, and within parks and open spaces, as appropriate.
- d. The County may consider adapting roads to provide safer travel for bicycles and pedestrians on road pathways, where feasible and appropriate.
- e. The County shall undertake to interconnect existing walking trails and bicycle paths, where feasible and appropriate to provide continuous trail system linkages. Routes should provide continuous access between neighbourhoods, parks, schools, recreation facilities, along the Grand River, commercial and employment areas and other public buildings and services.
- f. The County shall promote accessible and convenient trail systems within a reasonable distance from neighbourhoods and major destinations.
- g. The County shall promote aesthetically pleasing trail systems, particularly for recreational purposes. Attention shall be given to trail systems associated with natural assets such as waterfronts, parks, and

- natural heritage features. Where it is possible, the planting of locally native species along these trail systems shall be promoted.
- h. The implementation of trail systems should be feasible given the consideration of the costs and benefits associated with the route selection. This should take into consideration the costs of healthy living, environmental sustainability, and the quality of neighbourhood character.
- i. The County shall encourage the integration of bicycle path and walkway systems into the design of transportation facilities by including facilities such as sufficient and protected bicycle storage areas at places of employment and major community, institutional, educational, cultural and shopping locations, where appropriate.
- j. The County shall implement and operate an effective trail system maintenance program.
- k. In partnership with surrounding municipalities, the County shall promote opportunities for public access to the Grand River waterfront areas and the development of a river trail system and open space linkages throughout the County.
- I. The County may explore opportunities for the reuse of abandoned rail corridors for potential trail systems.
- m. The County shall evaluate and promote walking systems in new development proposals and consider the overall connectivity of the system.
- n. Any public or private trail crossing a Provincial Highway is subject to approval and the restrictions imposed by the Province. Trails running along a Provincial Highway will not be permitted.
- o. In developing the trail system, consideration shall be given to impacts on hazardous lands, watercourses and natural heritage features such that any such impacts are eliminated or reduced to the greatest extent possible.

## 5.3.5 RAILWAYS

The County supports the continuation of a safe and efficient railway within the County. Development adjacent to railways shall be carefully controlled to eliminate land use conflicts and ensure the safe and continued operation of the rail line.

As such, the following shall be the policies of the County:

a. Any proposed new development within 75 metres of an active railway

right-of-way shall be supported by a vibration impact study, completed to the satisfaction of the County, in consultation with the appropriate railway company, and if required, shall undertake appropriate measures to mitigate any adverse effects from noise and/or vibration that were identified.

- b. New residential development and other sensitive land uses requiring an official plan amendment, a zoning by-law amendment, a plan of subdivision or a plan of condominium, shall not be permitted within 300 metres of a railway yard without the express approval of the appropriate railway company and the County.
- c. All proposed development adjacent to a railway right-of-way shall ensure that appropriate safety measures such as setbacks, berms and security fencing and appropriate noise and vibration mitigation are provided, to the satisfaction of the County in consultation with the appropriate railway.
- d. Proponents of development within 300 metres of an active railway rightof- way are encouraged to consult with the appropriate railway company prior to filing formal development applications.
- e. All new residential development and other sensitive land uses within 1,000 metres of a railway yard that require an official plan amendment, zoning by-law amendment, a plan of subdivision or a plan of condominium, shall be required to undertake noise and vibration studies, to the satisfaction of the County and the appropriate railway, to support the feasibility of such development and, if such studies determine that development is feasible, the appropriate measures identified in such studies shall be implemented to mitigate any adverse effects from noise and vibration that were identified.
- f. The County shall encourage economic development opportunities associated with the rail transportation system, which may include rail yards associated with employment uses, and the accommodation of future inter-modal facilities.
- g. The County supports the reuse of abandoned rail corridors for potential trail systems or pedestrian and cycling links.

## **5.3.6 TRANSIT SYSTEMS**

While there is no existing comprehensive public transit system in the County of Brant, a very limited privately-owned transit service is provided between the City of Brantford bus terminal and Paris. The County shall support the provision and enhancement of the transit system within the County and

connections to the City of Brantford where and when feasible. Paris Road, Oak Park Road and Powerline Road are envisaged as a strategic corridor for the creation of a public transit system which connects Paris with the City of Brantford.

As such, the following shall be the policies of the County:

- a. The County shall encourage the extension of the Brantford Transit service into appropriate service areas of the County and encourage connections with other municipal or Provincial transit systems.
- b. The County shall support Paris Road, Oak Park Road and Powerline Road as transit supportive corridors and work with the City of Brantford and transit providers to provide a viable transit service for the County. Where transit corridors exist or are to be developed, the County shall identify density targets for areas adjacent or in proximity to these corridors.
- c. The County shall promote transit connections to major community destinations, including lands designated commercial and employment, institutional and public services and major recreational destinations.
- d. The County shall support the provision of alternative service delivery methods to provide a more comprehensive transit system, which may include van/carpooling services, dial-a-bus services, shared ride taxi services and fixed route transit services.

## 5.3.7 AIRPORT

The Brantford Municipal Airport is part of the County of Brant transportation system but is currently limited in terms of service to corporate and recreational aircraft. It is still an important transportation service for the continued economic development and vitality of both the County of Brant and City of Brantford.

As such, the following shall be the policies of the County:

- a. The County will encourage the provision of a broader range of aircraft services.
- b. The County will support the continued long-term operation and economic role of the airport by ensuring that only compatible land uses locate within the vicinity of the airport and protecting land for the future expansion of the airport.

## 5.4 COMMUNITY SERVICES AND FACILITIES

The County of Brant shall endeavour to provide adequate community services and facilities to meet the needs of the County's existing and future residents, businesses and visitors through the provision of adequate opportunities for education, health care, parks, open space and recreation, libraries, cultural and heritage facilities, health and safety.

As such, the following shall be the policies of the County:

- a. In consultation with the School Boards, the need for new schools shall be identified. Where closure and sale of a school is proposed, the open space component of the school site may be retained or incorporated in a redevelopment proposal.
- b. A wide-range of alternative educational opportunities shall be encouraged to support life-long learning and skills development, including apprenticeship, co-operative learning, adult and continuing education.
- c. The provision of social infrastructure such as daycare centres shall be encouraged within larger development proposals. The County may facilitate the provision of social infrastructure through bonusing policies that allow for increased development density where a developer provides certain facilities.
- d. The County shall encourage the provision of community-serving health care facilities, which shall be directed to the Primary or Secondary Urban Settlement Areas.
- e. New development shall be served with adequate emergency services. Stations for emergency vehicles shall be located on arterial roads. New stations shall be designed to minimize negative noise, traffic or other impacts.
- f. Museums, theatres, cultural facilities, places of worship, health care facilities and recreation facilities in the County shall be supported.
- g. The County shall encourage the provision of libraries as an important cultural and community resource for learning, research and community activities and may include joint use agreements with local school boards.

## 5.5 UTILITIES

The continual advancement of utilities and telecommunications technology, coupled with the need for rapid information transfer, will have a significant impact on the future development and economic vitality of the County.

In order to ensure the most efficient and effective advancement of utilities and telecommunications technology, the following shall be the policies of the County:

- a. The County shall facilitate the coordination between growth management and the maintenance and expansion of the utilities and telecommunication sector, both in terms of technological advancement and service provision.
- b. Proponents of development applications shall confirm with public and private utility providers that adequate servicing 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.
- c. All utilities shall be planned for and installed in initial common trenches, wherever possible, in a coordinated and integrated basis in order to minimize disruption.
- d. The County shall ensure that consideration be given to the location requirements for larger utility and telecommunications infrastructure within public rights of way, as well as easements on private property.
- e. Utilities shall be clustered or grouped where possible to minimize visual impact. The County of Brant encourages utility providers to consider innovative methods of containing utility services on, or within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large utility equipment and utility cluster sites.
- f. Through the County's planning activities, existing utility, communication, and transmission corridors and networks shall be protected and enhanced.
- g. The County shall support the service providers and business community in the establishment of a modern telecommunications network.
- h. The County shall work to ensure that utility, communication, and transmission corridors are constructed, maintained and operated to minimize their impact on the community.
- i. The County shall promote and encourage the shared and multiple use of

telecommunications towers and corridors for utility uses. Additionally, the County shall support the use of corridors for transportation and trail uses.

- j. The County shall implement the policies of this Plan by cooperating with both private and public telecommunication companies and utilities responsible for the regulation, transmission and delivery of telecommunication and utility services within the County in planning the future development and staging of networks.
- k. The County shall ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its environment.
- I. The County shall promote and encourage innovative telecommunications systems in the County.

## 5.6 SOLID WASTE MANAGEMENT

Solid waste disposal sites are required to manage the solid waste generated by residences and businesses in the County. Reducing the volume of solid waste through a diversion program helps to ensure a sustainable natural environment and County sustainability. The County of Brant shall effectively and efficiently manage the solid waste generated within the County.

The following shall be the policies of the County:

- a. Waste management shall include waste diversion (composting and recycling), waste disposal and waste as a potential resource. The County recognizes and supports the Provincial initiative of reducing waste through a diversion action plan, and may initiate its own diversion plan.
- b. A recycling collection box system or equivalent shall be available throughout the County.
- c. Residential composting shall be encouraged.
- d. The County shall co-operate with all levels of government and other agencies in promoting public awareness of waste issues and in promoting waste diversion strategies.
- e. The collection of household hazardous wastes may be accommodated by holding hazardous waste drop-off days at special locations as deemed appropriate by the County.
- f. Wherever possible and practical, methane or other greenhouse gas emissions from waste management operations shall be captured and

used as an alternative energy source.

g. Given the potential impacts, only land uses compatible with waste disposal sites and the associated engineered controls shall be permitted in proximity to those sites.

# 5.7 CAPITAL AND PUBLIC WORKS

The extension or construction of capital or public works shall be carried out in accordance with the policies of this Plan. The County shall prepare annually and adopt without amendment to this Plan, a capital works program in accordance with the policies of this Plan. This program shall be cognizant of changing conditions of supply and demand for services, and significant changes in economics and technology.

Public buildings, structures, infrastructure, easements or rights-of-way may be considered within any designated area if suitable buffering and screening from adjacent uses are provided.

Any public works undertaken by the County be subject to the requirements of the Municipal Engineers Association's Class Environmental Assessment (MEA Class EA) and if not, could be subject to the requirements of the Environmental Assessment Act.

# 6.0 IMPLEMENTATION AND ADMINISTRATION

## 6.1 PREFACE

This Official Plan shall be implemented by means of the powers conferred upon the County of Brant by the Planning Act, the Municipal Act, the Ontario Heritage Act, the Development Charges Act, and such other statutes as may be applicable.

In particular, this Plan shall be implemented by Master Plans, Zoning By-laws, a Property Standards By-law, legislation pursuant to the Municipal Act, subdivision and part-lot control By-laws, Site Plan Control, Area Studies, the construction of public works, and a capital works program.

The following sections provide an overview of the tools that shall be used by the County in order to implement this Plan, in addition to the County's administrative procedures with regard to implementation.

## 6.2 DELEGATED AUTHORITY

Where reference is made to approvals from a Provincial Ministry or Conservation Authority, and the responsibility is subsequently assigned to a different Ministry or a delegated agent, this Plan shall be interpreted to read "or its delegated agent".

## 6.3 GENERAL REVIEW OF THE PLAN

The policies of this Official Plan are based on the vision and objectives of the County and its residents and are consistent with the Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe. It takes into account the results of several public consultation exercises. Furthermore, the policies of this Plan are based on a set of assumptions and a regulatory environment that are subject to change over time. Therefore, Plan monitoring and review is required to identify trends in planning issues in the County, to analyze the effectiveness of the policies of this Plan, and to allow for adjustments and updating.

This Plan shall be reviewed in light of changing conditions and a general review of the whole Plan shall take place at least once every five years. Any Area Studies completed and adopted by the County, shall be incorporated into the Official Plan by amendment if such Area Studies have not already been incorporated by a free standing amendment. With respect to the General Review of this Plan, the following shall be the policies of the County:

a. As provided for in the Planning Act, the County shall provide the opportunity for interested citizens and organizations to present submissions on this Plan no less than every five years after this Plan

comes into effect. Through this process, the County shall determine the need to amend this Plan to ensure that the policies remain realistic and appropriate with regard to changing social, economic and environmental circumstances; conforms or does not conflict with provincial plans and policies; has regard to matters of provincial interest and is consistent with the Provincial Policy Statements issued under subsection 3(1) of the Planning Act.

- b. The County will monitor annually the supply of designated and available Urban Residential and Employment lands in order to ensure a sufficient supply.
- c. Monitoring of specific policies is prescribed in the policies of this Plan, and will be undertaken in accordance with those policies.
- d. The County shall continue to develop and maintain a County geographic information system for planning and management purposes, and provide updated mapping information, statistics, forecasts and analyses related to planning issues and Plan policies.
- e. In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario, or other planning initiatives, the County may initiate an amendment process to this Plan at any time.
- f. Where judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the County's interpretation or intent in the policies of this Plan, the County may choose to initiate a review of any or all of the policies at any time.
- g. Additional monitoring of this Official Plan and the monitoring of sewer and water servicing capacity in the Primary and Secondary Urban Settlement Areas may be included in:
  - i. annual briefings or status reports;
  - ii. annual reports, such as reports prepared for capital and/or operational budgeting purposes; and
  - iii. Provincial performance measures reporting.

## 6.4 AMENDMENT PROCEDURES

The County of Brant shall be responsible for the review of all proposed Official Plan and Zoning By-law amendments, plans of subdivisions, and all other planning related activities in the County.

An amendment to this Plan is required to permit the establishment of uses

other than those provided for and to change Settlement Area boundaries in accordance with the policies of this Plan. In considering an amendment to this Plan, the County shall consider the following:

- a. The Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe or other Provincial Plans, legislation and regulations.
- b. The completion of supporting studies, information, and materials that may be required as part of an application for draft plans of subdivision, in accordance with the policies for complete applications, as established by Section 6.13 of this Plan.
- c. The desirability and appropriateness of changing the Official Plan to accommodate the proposed use in light of the Planning Strategy and General Development Policies (Section 2.0 of this Plan).
- d. The objectives and policies of this Plan.
- e. The need for the proposed use including justification for the amount of land proposed for a change in designation based on existing undeveloped lands available for development.
- f. Whether the land is adjacent to or in close proximity to significant wetlands, significant woodlands, significant valley lands, areas of natural and scientific interest (ANSIs), significant wildlife habitat, significant habitat of endangered and threatened species, other locally significant natural heritage features and areas, and the subsequent results of an Environmental Impact Study which is required for development and site alteration within or adjacent to these features, as required by Section 2.3.2 of this Plan.
- g. The effect on the economy and financial position of the County of Brant.
- h. The compatibility of the proposed use with existing uses or potential uses in adjoining areas and the effect of such use on the surrounding area including the natural environment.
- i. The location of the site with respect to the transportation system, the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other County services as required including whether or not logical extensions to services could be provided.
- j. The physical suitability of the land for the proposed use.
- k. The effect on the provision of affordable housing in the County of Brant.
- I. Whether the land contains locally significant natural features that should

be subject to an Environmental Impact Study.

The County may also initiate amendments to the Official Plan if:

- a. The County has determined that the assumptions and conditions on which policies were based have changed to the extent that the policies are no longer appropriate; and
- b. As a result of more detailed studies such as servicing strategies, or transportation plans, or environmental studies, or area plans, the policies and/or designations need to be refined and/or changed.

## 6.5 BY-LAWS

## 6.5.1 ZONING BY-LAW

It is intended that a comprehensive Zoning By-law shall be brought into effect in accordance with the provisions of the Planning Act by the County of Brant.

With respect to the County's Comprehensive Zoning By-law, the following shall be the policies of the County:

- a. Such By-laws shall zone land in accordance with the land use designations and policies this Plan and shall establish regulations to control the use of land and the character, location, and use of buildings and structures.
- b. No application may be approved or By-law passed that does not conform to this Plan, save and except a By-law pursuant to Section 24 of the Planning Act.
- c. Lands designated on Schedule A may be zoned to a "Holding" or "Agricultural" Zone, or other interim zone, pending their appropriate timing for their respective uses in accordance with the designations as shown on the Land Use Plan and policies related thereto, when the County is satisfied that the resulting development is desirable and appropriate.
- d. Existing uses may be recognized in the implementing Zoning By-law, notwithstanding the policies of this Plan.
- e. The County shall consider all applications to amend the Zoning By-law and shall provide notice of such application in accordance with the provisions of the Planning Act.
- f. As part of the approval of an amendment to the Zoning By-law, the County may apply conditions for rezoning.
- g. In accordance with the provisions of the Planning Act, to address challenges associated with a proposed development or to achieve

locally important goals, the County may impose one or more prescribed conditions on the use, erection or location of buildings and structures through zoning. The County may also require a landowner to enter into agreements registered on title to enforce those conditions.

### 6.5.2 HOLDING BY-LAWS

Not all land shall necessarily be zoned immediately in the implementing Bylaw to permit the uses as designated on Schedule A of this Plan. Land may be zoned only to conform to and wherever possible, to implement policies of this Plan and where County services, roads and community facilities are or will be available as required. In such cases, in accordance with Section 36 of the Planning Act, the County may apply a Holding By-law.

With respect to the application of a Holding By-law, the following shall be the policies of the County:

- a. The County may, through its Zoning-By-law and by the use of the symbol "h" as a prefix or a suffix in conjunction with any zone, specify the use of land, buildings or structures.
- b. A Holding Symbol shall enable the holding of land designated for specific land uses in this Plan until such time as the land is required for that use for phasing purposes, or until necessary concept plans or subdivision approvals have been given and agreements signed, or until other land use planning approvals are in place.
- c. A Holding Symbol shall be removed by amendment to the By-law.
- d. Removal of the Holding Symbol from a parcel of land shall be conditional upon the developer of the land satisfying specific requirements of the County. These actions or requirements include, but are not necessarily limited to, the following:
  - i. the timing of the provision of County services.
  - ii. the phasing and logical progression of development.
  - iii. the provision of adequate service or road infrastructure and works.
  - iv. the completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the County.
  - v. the completion of the appropriate supporting study(ies) to the satisfaction of the County, in consultation with other agencies, as required.

- vi. confirmation that the requisite permits and approvals from external authorities have been received.
- vii. the approval of all land use applications, including the negotiation of a development or subdivision agreement.
- viii. that site plan approval has been granted by the County, and a site plan agreement has been entered into, pursuant to the provisions of the Planning Act.
- ix. that the specific policies of this Plan have been complied with.
- x. additional actions or requirements may be identified in the Official Plan through a site-specific or general amendment, at the discretion of the County.
- xi. it is the intention of the County to prezone employment lands, by the use of the symbol "h", to control development until such time as the necessary servicing, subdivision and/or site plan agreements have been registered and required securities in place.
- e. Although notice of a Holding Symbol shall be given by By-law, there may be no objection or referral to the Ontario Municipal Board. However, should the County refuse to pass an amending By-law to remove the Holding Symbol, if it is felt the development is premature due to demand or failure to meet a requirement of this Plan, the applicant may appeal the decision to the Ontario Municipal Board in the normal manner.
- f. While the "h" is in place, the following uses shall be permitted:
  - i. agriculture;
  - ii. conservation;
  - iii. wildlife and forest management; and
  - iv. existing uses.

## 6.5.3 TEMPORARY USE BY-LAWS

The County may, in a By-law passed under Section 39 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by this Plan or by the Zoning By-law.

With respect to the passing of a Temporary Use By-law, the following shall be the policies of the County:

- a. The County shall satisfy itself that the proposed use is temporary, and shall not create detrimental impacts on the surrounding area. Any temporary use permitted shall comply with the General Development Policies contained in Section 2.7 of this Plan.
- b. A By-law authorizing a temporary use shall define the area to which the temporary use By-law applies and the period for which it shall be in effect, not to exceed three years from the date of passing of the By-law (with the exception of by-laws authorizing Garden Suites). The three year time period may, by By-law, be extended for a maximum additional three year term. The temporary use shall not become a legal non-conforming use at the date of expiry of the By-law.
- c. The type of uses envisaged by the County when passing a temporary use By-law include, but not limited to, parking lots, fairs, special events, ploughing match, or the temporary use of a mobile home as a dwelling unit.
- d. In enacting a Temporary Use By-law, the County shall consider the following:
  - i. the proposed use shall be of a temporary nature, and shall not entail major construction or investment on the part of the owner so that the owner shall not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions;
  - ii. the compatibility of the proposed use with the surrounding land uses and character of the surrounding area;
  - iii. the proposed use shall be properly serviced and not require the extension or expansion of existing County services;
- e. the proposed use shall not create any traffic problems within the surrounding area, or adversely affect the volume and/or type of traffic commonly found on the areas roads;
- f. parking facilities shall be provided entirely on-site; and
- g. the proposed use shall generally be beneficial to the surrounding community.

#### 6.5.4 INTERIM CONTROL BY-LAWS

An Interim Control By-law may be used by the County to restrict development in areas subject to certain studies such as land use studies, servicing feasibility studies, parkland feasibility studies, community improvement plans, etc. In accordance with Section 38 of the Planning Act, where the County has

by By- law or resolution directed that a review or study be undertaken in respect of land use planning policies in the County, or any defined area or areas, the County may pass an Interim Control By-law.

With respect to the passing of an Interim Control By-law, the following shall be the policies of the County:

- a. The By-law may specify a time period (less than one year) prohibiting the use of land, buildings or structures for, or except for, such purposes as set out in the By-law.
- b. When the time period of the By-law has expired, the period of time during which the Interim Control By-law may remain in effect may be extended to a maximum of two years from the date of initial passing of the By-law.
- c. If the County has not passed a By-law in accordance with the Planning Act, subsequent on the completion or review of the study within the period of time specified in the Interim Control By-law, the provisions of any By- law passed that applied to the subject land immediately prior to the coming into force of the Interim Control By-law again come into force.
- d. Where an Interim Control By-law ceases to be in effect, the County may not, for a period of three years, pass a further Interim Control By-law that applies to any lands to which the original Interim Control By-law applied.

## 6.5.5 BONUS BY-LAWS

The County may pass a By-law in accordance with Section 37 of the Planning Act, to authorize increases in height and density of development in return for the provisions of certain facilities, services or other matters outlined in the By-law.

With respect to bonusing, the following shall be the policies of the County:

- a. A By-law to authorize bonusing shall identify areas or zone categories where the bonus provisions apply, and shall specify the amount by which the height or density of the development would be permitted to increase.
- b. The County shall give consideration to proposals to increase the height and/or density for a specific site, but such proposals may not necessarily be granted. When considering such proposals, the County shall have due regard to the compatibility and scale of the proposed development in relation to the existing land uses, and to the cumulative

impact resulting from granting bonuses in the general area.

- c. The provision of facilities, services, or other matters as required in the By- law may include, but shall not be limited to:
  - i. the provisions of affordable housing units to meet established housing targets;
  - ii. day care centres/facilities;
  - iii. parkland beyond the legislated requirements;
  - iv. the restoration of ecosystems and natural habitats or creation of new environmental habitats:
  - v. the restoration of adjacent significant wetlands in Primary or Secondary Urban Settlement Areas, in accordance with Section 3.16.4 (e);
  - vi. the provisions of community or recreational facilities;
  - vii. County servicing facilities (sanitary and storm sewers and watermains) above and beyond those required to service the development;
  - viii. increased buffering or landscaping;
  - ix. the use or re-use of vacant land and/or buildings (particularly in the commercial core area);
  - x. the provisions of public art;
  - xi. heritage preservation; and
  - xii. the redevelopment of brownfield sites, in accordance with the following:
    - Generally, the County shall authorize bonusing in conjunction with medium and high density residential developments, and mixed use commercial/residential projects.

## 6.6 PLANS OF SUBDIVISION/CONDOMINIUM

The following shall be the policies of the County with respect to lot creation through plan of subdivision or condominium:

- a. Lot creation within the County shall proceed by way of draft plan of subdivision when:
  - i. the development entails the extension of a road that is to be assumed and maintained by the County; or

- ii. the development requires the extension of a municipal water and/or sewer system.
- b. Draft plans of subdivision or condominium shall proceed in accordance with the policies of this section, the Growth Management Policies of Section 2.2, and the Allocation and Phasing of Servicing policies of Section 5.2.2 of this Plan.
- c. Certain supporting studies, information, and materials shall be required as part of an application for draft plans of subdivision, in accordance with the policies for complete applications, as established by Section 6.13 of this Plan.
- d. Before recommending a plan of subdivision or condominium for approval, the County shall be satisfied that the area to be subdivided can be provided with necessary services and amenities, at no cost to the County and that the long term maintenance of the proposed development is financially sustainable by the County.
- e. Where a draft plan of subdivision is proposed adjacent to a Provincial Highway, the layout of the subdivision should be designed such that the lots back onto the Provincial Highway and front onto a local internal street.
- f. The County may require that approvals of draft plans of subdivision include a lapsing date in accordance with Section 51(32) of the Planning Act.

If the approval of a draft plan of subdivision lapses, the growth management objectives of this Plan shall be considered as a key component of the development review process.

If a plan of subdivision or part thereof has been registered for eight years or more, and does not meet the growth management objectives of this Plan, the County shall use its authority under Section 50(4) of the Planning Act to deem it not to be a registered plan of subdivision."

## 6.7 SITE PLAN CONTROL

The County has, by By-law, designated areas where Site Plan Control shall be in effect as provided in Section 41 of the Planning Act. The entire County of Brant, with the exception of land used or proposed for single detached or two family dwellings or for most agricultural land uses or aggregate extraction, is identified as a Site Plan Control Area and all non-residential structures erected within these areas shall be subject to the policies of this Section. Non-agricultural land uses and second dwelling units permitted within areas designated Agriculture and Natural Heritage System within the County of

Brant are in the County's Site Plan Control Area. Single detached and two family dwellings within a Heritage Zone may be subject to Site Plan Control.

The following shall be the policies of the County with respect to its Site Plan Control Area:

- a. For the approval of developments proposed in the Site Plan Control Area, in accordance with the provisions of the Planning Act, the County may require plans showing the location of buildings, structures and facilities to be developed in order to ensure that such plans meet the objectives stated below. The County may also require drawings showing plan, elevation, and cross-section views for each building to be erected.
- b. The overall objective of Site Plan Control is to promote the efficient use of land and services, to protect adjacent land uses, and to encourage a more attractive form of development by:
  - i. improving the treatment of site plan details to maintain a consistent County standard of development in the proposed Site Plan Control Area;
  - ii. ensuring safe and efficient vehicular and pedestrian access;
  - iii. minimizing land use incompatibility between new and existing development;
  - iv. providing functional and attractive on-site facilities such as landscaping and lighting;
  - v. controlling the placement and provision of required services such as driveways, parking, loading facilities and garbage collection areas:
  - vi. securing easements to provide for public utilities and site drainage;
  - vii. providing for accessibility;
  - viii. controlling the external design of buildings including character, scale, appearance, design and sustainable design features; and
  - ix. ensuring that the development proposed is built and maintained as approved by the County.
- c. In order to achieve these objectives, Site Plan Control shall address such matters as the location of buildings and structures, proposed road widening, location of access points, off-street parking and loading facilities, pedestrian circulation, lighting, landscaping, garbage storage

- facilities, private and common outdoor areas, easements, grading of land, provision for stormwater management facilities, exterior design, and such matters as may be appropriate in each case.
- d. Site Plan Control may be used by the County of Brant to secure property for proposed road widening or intersection improvement without compensation to the landowner and also to provide for the general improvement of intersections through the acquisition of daylight triangles. In cases that existing uses or topographical features do not allow for equal widening of both sides of a roadway, a side being measured from the centreline of the road outwards, then only one-half of the total widening shall be taken under Site Plan Control and the remainder shall be obtained by other means at fair market value in accordance with the County's policy on land dedication.
- e. The County may require proponents to execute a site plan agreement under circumstances where there is construction of more than one building or structure, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the development of a parking lot, and/or in other circumstances deemed appropriate by the County.
- f. The County shall consult the appropriate Conservation Authority and any other relevant agency when considering applications for site plan approval, where applicable.
- g. The County may require consultation with neighbouring landowners or a public meeting for informational purposes, when considering applications for site plan approval.
- h. The County may apply certain conditions to site plan approval, and may require that a certain standard of design be applied.
- i. The County shall require financial security through letters of credit or other financial arrangement prior to development.

## 6.8 COMMITTEE OF ADJUSTMENT

## **6.8.1 MINOR VARIANCES**

The Committee of Adjustment shall deal with all applications for minor variances to the provisions of the Municipal Act, the Zoning By-law, the Sign By-law and other By-laws, as delegated by the County. The Committee of Adjustment shall deal with such applications in accordance with the relevant provisions of the Planning Act. The decisions of the Committee of Adjustment shall also comply with the general intent of this Plan and the Zoning By-law.

Pursuant to Section 45(9) of the Planning Act, the Committee of Adjustment may impose a time limitation on its decision and may impose any other conditions as the Committee sees fit. Such conditions are set out in the Committee of Adjustment's decision.

The Committee of Adjustment will not consider an application for a Minor Variance within two years of the passing of an applicant initiated Zoning Bylaw Amendment, unless permitted by Council through a resolution.

## 6.8.2 CONSENTS

The following is the County's policy with respect to lot creation in the Agriculture and Non-Agriculture designations.

# 6.8.2.1 Agriculture Consents

In addition to the Agriculture land use policies included in Section 3.3, the following policies shall also apply:

- a. Consents for the division of land in the Agriculture designation shall be discouraged. No consent shall be allowed within the Agriculture designation which may have the effect of creating lots that are not primarily related to agriculture, or agriculture-related commercial/industrial, or as specified by this Plan.
- b. An application for a consent shall be denied in the following instances:
  - i. the lot does not front on a public road;
  - ii. the lot is situated in an area where the County of Brant (or its designated agent) believes is unsuitable for sanitary services;
  - iii. the lot is entirely contained within the Natural Heritage System designation or Provincially significant woodlands; or
  - iv. the lot is entirely contained within an area identified as a primary aggregate resource area.
- c. Consents may be granted, subject to the above restrictions, for the following:
  - i. consents may also be permitted for legal or technical reasons, including severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments. In the case where the minor boundary adjustment is for the purposes of conveying land to an existing non-farm use, only the minimum amount of land required for the enlargement shall be conveyed and reasoning shall be provided to demonstrate the appropriateness of the land area to be

- severed (i.e. land need, servicing, parking, etc.). In all cases, the granting of such a consent shall not be permitted if it results in the creation of a new lot:
- ii. consents may be granted to create a smaller farm parcel size than the 40 hectare minimum lot size outlined above if the proposed farm unit is a sustainable agricultural operation. The Ministry of Agriculture Food and Rural Affairs may be consulted in this evaluation, or a peer review may be required. The Minimum Distance Separation Formulae shall also be met. Certain conditions may also be imposed by the Committee of Adjustment to ensure that the proposed use is developed as described in the application. Such conditions could include the requirement that the agricultural buildings be substantially completed prior to the stamping of the deed and /or the construction of any residential unit or the requirement of certain environmental enhancement features such as topsoil preservation, water quality restriction, etc.;
- iii. woodlands shall generally not be severed but shall remain with the farm unit unless the woodland is to be acquired for preservation or conservation purposes by the County of Brant or other public authority; and
- iv. where previous or current farm consolidations have rendered a residence surplus to a farming operation, or where an established farm has more than one habitable dwelling which is considered surplus to the needs of the farm operation, a consent may be considered to sever the surplus farm dwelling from the farm unit, provided that, in addition to the general consent policies of this Plan, all of the following conditions are met:
  - 1. the lot severed for non-farm use is large enough to accommodate the use and on-site servicing (i.e. subsurface sewage disposal and well) while ensuring that as little acreage as possible is taken out of productive agricultural land and shall generally be less than 0.6 hectares in size;
  - the Minimum Distance Separation Formulae can be met with the formulae applied as if the property was zoned or designated as a residential lot;
  - 3. the lot severed, for the non-farm use, shall neither create

nor add additional dwelling units; and

- the remnant parcel of farmland created by the severance is rezoned to prohibit the future construction of a new dwelling.
- d. A consent to create a lot of less than 40 hectares may be granted conditional on one of the parcels being added to an abutting property and the existing dwelling unit remains with the remaining parcel so that no new building lots have been created.
- e. Consents for farm parcels smaller than 40 hectares can be considered in special circumstances if the consent is considered appropriate by OMAFRA or as a result of a peer review, and may be subject to the provision and review of business plans. Generally, the lot remaining shall either be:
  - i. of viable farm parcel size; or
  - ii. consistent with the policy for the surplus farm dwellings, and be generally less than 0.6 hectare in size unless suitable justification can be provided for a larger lot.

## 6.8.2.2 Non-Agricultural Consents

The following shall be the policies of the County with respect to residential lot creation, through consent, in accordance with the policies of the applicable land use designation as established in Section 3.0:

- a. The division of land shall only be granted when the retained and severed parcels abut a public road of a standard of construction and maintenance acceptable to the County of Brant (and the Ontario Ministry of Transportation, where applicable) and safe and suitable access is available.
- b. The division of land shall not be granted where access to the retained or severed parcels could result in a traffic hazard because of limited sight lines on curves or grades or proximity to intersections. Access may also be restricted and/or prohibited to an Arterial Road and Provincial Highways if required to ensure safe traffic movement. It may be a condition of consent that a service road be constructed at the sole expense of the applicant to the satisfaction of the County.
- c. The division of land shall only be granted when it has been established that soil and drainage conditions for the retained and severed parcels are suitable:
  - i. to permit the proper sitting of a building;

- ii. to obtain a sufficient and potable water supply if a County water supply is not available; and/or
- iii. to permit the installation of an adequate means of sewage disposal. In areas where no piped County services are available and the installation of a septic tank system or other private sewage disposal system is therefore required, the standards established by the Ministry of the Environment and/or its designated agent shall be met.
- d. Further to policy c) above, the following studies may also be required:
  - i. lot grading and drainage plan;
  - ii. hydrogeology study;
  - iii. geotechnical study;
  - iv. archaeological study;
  - v. Environmental Impact Statement; and/or
  - vi. other studies as deemed appropriate by the County.
- e. The division of land shall only be granted if the retained and severed parcels comply with the provisions of the County Zoning By-law.
- f. The division of land shall not be granted if development will occur on land subject to severe flooding, wetlands, severe erosion or unstable conditions or any other physical limitations as determined by the County of Brant in consultation with the appropriate Conservation Authority, unless adequate mitigation measures are approved by the County and the Conservation Authority having jurisdiction.
- g. Notwithstanding any other section of this Plan, consents for the creation of easements or rights-of-way are permitted and minor lot adjustments or minor boundary changes are permitted provided they are granted conditional to Section 50(3) or 50(5) of the Planning Act, and the consent would not result in the creation of a new building lot.
- h. The consent-granting authority may exercise its powers under Section 53(2) of the Planning Act when reviewing the shape, or size of any proposed lot.

## 6.9 NON-CONFORMING USES

A "non-conforming use" within the context of a Zoning By-law is an existing use which was legally established but is not permitted in the zone within which it is located. Under the provisions of the Planning Act, the County may approve extensions and enlargements to such non-conforming uses.

As such, the following shall be the policies of the County with respect to nonconforming uses:

- a. Where there is a reasonable degree of harmony with neighbouring conforming uses in the opinion of the County, unless a policy of the relevant land use designation is to the contrary, a non-conforming use may be expanded by a Zoning By-law Amendment and without an amendment to this Plan, subject to the following:
  - i. the County shall first determine that unnecessary hardship would result if the application was not approved;
  - ii. the County shall then determine the feasibility of acquiring the property or possibly at some future date and of holding, selling, leasing, or redeveloping the property, in accordance with the provisions of the Planning Act. Special attention shall be given to the chances for the re-establishment of the use under consideration in a different location where it would be able to perform and produce under improved conditions, in accordance with the policies of this Official Plan;
  - iii. if acquisition or relocation at this time does not appear to be feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non- conforming use, the County may consider the passing of a Zoning By-law pursuant to Section 34 of the Planning Act; and
  - iv. the individual may also apply to the Committee of Adjustment for a minor variance from the provisions of the By-law, in respect of the land, building or structure or use thereof as long as the variance is desirable for the appropriate development or use of the land, building or structure and provided that in the opinion of the Committee of Adjustment, the general intent and purpose of the By-law and this Official Plan are being maintained.
- b. Prior to making any decision on the application, the County shall investigate such application on the various aspects of the matter. The County, before passing such a By-law, shall be satisfied that each of the following requirements which are relevant to the specific application for the extension or enlargement of the use are, or shall be, fulfilled in order to safeguard the wider interests of the general public:
  - i. that the proposed extension or enlargement of the established use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the

- Official Plan and the requirements of the implementing Zoning By-law applying to the area;
- ii. that the proposed extension or enlargement shall be minor in nature;
- iii. that an application which would affect the boundary areas of different land use designations on the Land Use Plan shall only be processed under these policies, if it can be considered as a "minor adjustment" without the need for an amendment to this Plan:
- iv. the characteristics of the existing use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting, trafficgenerating capacity and compatibility with existing abutting or adjoining land uses. No amendment to the implementing By-law shall be made if one or more of such nuisance factors shall be created or increased and add to the incompatibility of the use with the surrounding area. If there is any doubt in this regard, the County shall consult with the Ontario Ministry of Environment prior to making a decision on the compatibility of any proposed extension or enlargement of an industrial use;
- v. that the neighbouring uses shall be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances, and where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, be extended to the established use in order to improve its compatibility with the surrounding area;
- vi. that traffic and parking conditions in the vicinity shall not be adversely affected by the application, and existing traffic hazards shall not be exacerbated:
- vii. that adequate provisions have been, or shall be, made for offstreet parking and loading facilities; and
- viii. that applicable County services such as water supply, sewage treatment and roads, etc. are adequate or can be made adequate.

- c. Generally, where a non-conforming use ceases to exist and where an intervening use has been established, the use shall be deemed to have lost its status as a non-conforming use.
- d. The land area occupied by a non-conforming use shall not be permitted to expand.

## 6.10 NON-COMPLYING USES

Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying.

As such, the following shall be the policies of the County with respect to non-complying uses:

a. Applications for the expansion, alteration or addition of the non-complying use shall be considered by way of Zoning By-law amendment or minor variance, depending on the nature of the proposal and provided that the proposal can demonstrate that the expansion will have a minimal impact on surrounding land uses.

## 6.11 PUBLIC LAND ACQUISITION

The County may acquire land to implement any element of this Plan in accordance with the provisions of the Municipal Act, the Planning Act, or any other Act. County land assembly shall be permitted for residential, commercial, industrial, institutional, natural heritage function or open space uses, provided such activity complies with the policies of this Plan.

- a. The County shall consider all options for the acquisition of land, including:
  - i. dedication;
  - ii. donations;
  - iii. assistance from other levels of government, agencies and charitable foundations:
  - iv. the bonusing provisions of the Planning Act, subject to the other relevant policies of this Plan;
  - v. density transfers;
  - vi. land exchange;
  - vii. long-term lease;
  - viii. easement agreements;

- ix. purchase agreements;
- x. partnerships;
- xi. land trusts;
- xii. placing conditions on development approval; and
- xiii. expropriation;
- b. Where park and open space dedicated land is insufficient in size or shape for the intended uses and needs, the County shall consider acquisition of additional land for park and open space purposes.
- c. Notwithstanding the above, the County shall not be obligated to acquire or purchase any land, save and except for where specifically required to do so in order to obtain necessary Federal and/or Provincial statutory approvals.

## 6.12 PROPERTY STANDARDS BY-LAW

The County has passed a By-law pursuant to the Ontario Building Code Act, to establish minimum property standards to conserve sustain and protect existing and future development of the municipality. The Property Standards By-law, applicable to all property, establishes requirements with respect to:

- a. Garbage disposal;
- b. Pest prevention;
- c. Structural maintenance of buildings;
- d. Safety of buildings;
- e. Cleanliness of buildings;
- f. Services to buildings plumbing, heating, and electricity;
- g. Keeping land free from rubbish, debris, weeds, abandoned or used vehicles, trailers, boats, barges, mechanical equipment or material;
- h. Maintaining yards, land, parking, and storage areas;
- Maintaining fences, swimming pools, accessory buildings, and signs; and
- j. Occupancy standards.

The County has appointed a Property Standards Officer who shall be responsible for administering and enforcing the Property Standards By-law.

The County has appointed the Committee of Adjustment, in accordance with

Section 31 of the Planning Act, for the purpose of hearing appeals against an order of the Property Standards Officer.

The measures to be used generally in achieving the property maintenance program would include an education and public relations program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment.

Complementary to the enforcement of standards on private properties, the municipality shall undertake to keep in a fit and well-mannered condition all municipally owned properties and structures, and to provide or maintain in good repair.

## 6.13 COMPLETE APPLICATIONS

Certain supporting studies, information and materials shall be required as part of a development application or as part of a detailed planning study as identified throughout this Plan. The need, extent, and timing of such supporting studies, information and materials shall be determined by the County on a site- specific basis in consideration of the site's land use context and regard to the policies of this Plan.

- a. Applicants seeking development approval shall participate in a preapplication consultation meeting to determine the information, supporting studies, and application materials that will be required as part of a complete application.
- b. The following information may be identified during pre-application consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance:
  - i. Deed and/or Offer of Purchase:
  - ii. Topographic Plan of Survey;
  - iii. Site Plan (Conceptual);
  - iv. Floor Plan and/or Elevations:
  - v. Record of Site Condition (RSC);
  - vi. Municipal Financial Impact Statement;
  - vii. Draft Plan of Subdivision:
  - viii. Condominium Description;
  - ix. where applicable an Area Study, as outlined in this Plan; and/or

- x. other information relevant to the development and land impacted by the proposed development approval application.
- c. The following supporting studies may be identified during preapplication consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance in accordance with accepted professional standards and/or guidelines, as applicable:
  - i. owner's authorization, where agents are making applications;
  - ii. Planning Rationale Report;
  - iii. Retail Market Impact Study;
  - iv. Urban Design Study;
  - v. Archaeological Study;
  - vi. Hydrogeological Study;
  - vii. Groundwater Impact Study;
  - viii. Environmental Impact Study;
  - ix. Phase I Environmental Site Assessment (ESA);
  - x. Approved Class Environmental Assessment;
  - xi. Noise and/or Vibration Study;
  - xii. Transportation Impact Study;
  - xiii. On- and/or Off-Street Parking Study;
  - xiv. Geotechnical Study;
  - xv. Functional Servicing Report;
  - xvi. Stormwater Management Plan;
  - xvii. Master Environmental Servicing Plan (MESP);
  - xviii. Comprehensive Development Master Plan;
  - xix. Agricultural Impact Study;
  - xx. Heritage Impact Study;
  - xxi. Tree Survey and Protection Report including a Tree Retention Plan:
  - xxii. Lot grading and Drainage Report;
  - xxiii. Lighting Study;

- xxiv. Aggregate Impact Assessment, as described in Section 3.13.3 j); and
- xxv. other supporting studies relevant to the development and land impacted by the proposed development approval application.

xxvi. Public Consultation Strategy.

- d. Supporting studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications shall be advised in writing by the County of the required supporting study contents during the pre-application consultation process.
- e. At the discretion of the County, supporting studies shall be peer reviewed at the cost of the development proponent.
- f. The following additional materials may be identified during preapplication consultation as part of a complete application at the time of submission for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Consent or Minor Variance:
  - i. completed application form;
  - ii. current application fee; and
  - iii. draft proposed amendment, including schedules and text.
- g. Under the provisions of the Planning Act, when the pre-application consultation process for a proposed development approval application identifies the need for information, supporting studies, and materials, the application shall not be considered complete for processing purposes until the required information, supporting studies, and materials is prepared and submitted to the satisfaction of the County.
- h. Notification of a complete application shall be given in writing to the applicant and all other parties by the County in accordance with the Planning Act.
- i. The County shall ensure that information, supporting studies, and materials provided by an applicant as part of a complete application shall be made available to the public for review.
- j. While the need for additional studies may emerge through the circulation of the application, it is intended that at the conclusion of the preconsultation meeting, the potential applicant will know what studies

and material needs to be filed with the application to have a complete application.

## 6.14 LEGISLATION PURSUANT TO THE MUNICIPAL ACT

It is intended that the County of Brant review existing legislation pursuant to the Municipal Act governing such uses as recreational trailer parks, automobile salvage/re-cycling yards and signs, and where necessary, amend existing By- laws or pass new By-laws as may be required to ensure such uses are properly regulated and controlled.

# 6.15 ENACTMENT OF MISCELLANEOUS BY-LAWS

The County shall review legislation pertaining to or affecting the use or redevelopment of land and where necessary amend existing By-laws or pass new By-laws to ensure that such matters are properly regulated and controlled. Examples of such By-laws include sign control and "deeming" By-laws which effectively de-register old plans of subdivision, the development of which could frustrate the objectives and policies of this Plan.

## 6.16 FINANCIAL MANAGEMENT

The County will strive to ensure optimal service delivery and implementation of this Plan. With limited financial resources available to all levels of government, the implementation of this Plan must be financially viable and sustainable. This Plan shall be managed to ensure that the required capital expenditure to provide the services for development and improvement are paid in an equitable and appropriate manner by those benefiting from the services for development and improvement. The County shall strive to maintain financial sustainability and integrity by managing its financial resources and by undertaking development in a fiscally responsible manner.

The following shall be the policy of the County:

- a. The County may use the population, dwelling and employment targets in this Plan in budget planning, and to coordinate public works and related initiatives.
- b. The County shall diligently seek the maximum revenues possible from senior levels of government to compensate it for any federal or provincial responsibilities transferred to it in relation to the provision of public infrastructure, community soft services, and land use planning.
- c. Where possible, the County shall use financial mechanisms available to it under any legislative authority, including the Municipal Act, Development Charges Act, Planning Act and any other applicable

legislation.

- d. The County shall recover growth-related capital costs through development charges, in accordance with Provincial legislation. The County may pass development charges By-laws that apply to the County, as a whole and/or that apply to specific geographic areas within the County.
- e. The construction of public works, within the County of Brant, shall be carried out in accordance with the policies of this Plan.
- f. It is intended that this Plan shall enable the County of Brant to prepare and adopt successive five-year capital works programs based upon the policies of this Plan.

### 6.17 PUBLIC CONSULTATION AND PARTICIPATION

The public actively participated in the development of this Plan. The County shall take steps to ensure the continuation of a public consultation program, to actively involve the public in the monitoring of this Plan, and to ensure that alternative means to resolve planning disputes and objections are pursued.

The following shall be the policy of the County:

- a. The County shall provide the opportunity for residents and property owners to become involved and participate in the planning process related to the implementation of this Plan in accordance with the policies of this Plan and the requirements of the Planning Act. In order to do so:
  - i. The County shall use a variety of techniques to encourage the participation of the public when changes to this Plan are being considered. Subject to the requirements of the Planning Act, the County may establish the public consultation program it feels shall best deal with the matters before it.
  - ii. The County shall provide notification of any amendment to this Plan in accordance with the requirements of the Planning Act, and may consider additional notice to ensure that the potentially affected residents in the County are aware of the amendment.
  - iii. The County shall require a pre-submission consultation on privately- initiated applications processed under the Planning Act.
  - iv. The County recognizes that the provisions of the Planning Act require it to take action on a development application within a prescribed period of time, subject to the application being

- complete and the provision of adequate information regarding the proposal being available to the public and the County so that informed decisions can be made.
- b. The County shall actively seek the views and participation of the public prior to making any decisions regarding amendments to this Official Plan or the Zoning By-law for the County of Brant. In each case involving such planning matters, at least one public meeting shall be called and the public shall be encouraged to offer their opinions and suggestions. Notice of said public meetings shall be provided in accordance with the Planning Act.
- c. Calling and holding public meetings on planning matters shall be the responsibility of the County Council or, in cases where Council has delegated the responsibility, to a formal Committee of Council.
- d. In order to provide ample opportunity to the general public to review and discuss proposed Official Plan and or Zoning By-law amendments and to prepare their comments, at least 14 days advance notice of the public meeting shall be given for site specific Zoning By-law amendments and 20 days for site specific Official Plan amendments.
- e. Notice of the public meeting shall be given by the clerk in the following manner:
  - i. By personal service or prepaid first class mail, to every owner of land, in the area to which the proposed amendment would apply and within 120 metres of the area to which the proposed amendment would apply.
  - ii. As shown on the last revised assessment roll of the County, at the address shown on the roll, but, where the clerk of the County has received written notice of a change of ownership of land, notice shall be given only to the new owner at the address set out in the written notice.
  - iii. Notice of a public meeting for the purpose of informing the public in respect of a site specific Official Plan amendment or site specific Zoning By-law amendment shall be given by personal service or prepaid first class mail to every person and agency that has given the clerk of the County a written request for such notice in respect of the proposed official plan or plan amendment. A written request to be notified given shall show the person's or agency's address.
- f. The notice of the public meeting shall contain the following information:

- i. date, time, and place of meeting;
- ii. a key plan showing the location of the subject site; and
- iii. a description of the proposal, or a description of the matters which may be addressed in an amendment to the Official Plan or Zoning By-law in the event that the application is approved.
- g. In addition to the notice of public meeting, the applicant in the case of a site specific amendment to the Official Plan or Zoning By-law shall be required to post a notice on the property to the satisfaction of the County, clearly visible to the general public, which would briefly describe the development proposal. The notice shall be in place at least twenty (20) days in advance of the public meeting.
- h. Notwithstanding the notice period prescribed in this Section, a 20-day notice period as set out in the Planning Act, shall apply in instances of a general Official Plan or Zoning By-law amendment, Official Plan or By-law amendment where there is no public notice sign placed on the subject property or where the County considers a development proposal to be of a scale which may impact significantly on neighbouring properties.
- i. The provisions of this subsection shall be implemented by the County Clerk giving notice in the manner prescribed in this amendment.
- j. The County will work to consult with Six Nations of the Grand River and the Mississaugas of the New Credit on matters of mutual interest. In particular, Six Nations of the Grand River and the Mississaugas of the New Credit shall be notified in regards to the identification of burial sites and significant archaeological resources relating to the activities of their ancestors.

### 6.18 CREATION OF COMMITTEES

In order to assist the County in dealing with various community issues, advisory committees may be created.

a. To assist in the program for preservation of the County of Brant's heritage, the County has, under Section 28 of the Ontario Heritage Act, established a "County Heritage Committee". It is recommended that members of this Committee be selected from local organizations, historical groups, architectural societies, and other appropriate bodies where they exist. This shall provide a combination of diverse skills and interests to complement the general heritage preservation goals and objectives. The Committee's primary purpose shall be to advise and assist Council on all specified matters relating to the Ontario Heritage

- Act. The Committee shall be responsible for other special heritage concerns of the County of Brant.
- b. To assist in the program of identifying and preserving the natural environment, the County may establish an "Environmental Advisory Committee". It is recommended that members of this Committee be selected by Council from a balanced representation of the local public at large, the local hunting and fishing community, naturalists, large land owners, and persons with an interest in the preservation and enhancement of wetlands, woodlands and other areas of natural heritage landscape. The Committee shall assist Council with technical expertise, advice and the identification of issues related to the environment. Council shall ensure the effective function of this advisory committee by adopting terms of reference for their mandate and operation, appointing one or more members of Council to the Committee and providing support services through staff.
- c. To assist in the management of change, land use conflicts and other issues occurring in agricultural designations, the County may establish an "Agricultural Advisory Committee". It is recommended that members of this Committee be selected by Council to include representatives from the County's agricultural community, including agricultural landowners, farm workers, and other industry representatives. The Committee shall advise Council on matters related to the agricultural industry and development proposals occurring in or near agricultural areas. Council shall ensure effective operation of this Committee by adopting terms of mandate for their mandate and operation, appointing one or more members of Council to the Committee and providing support services through staff.
- d. To assist in the development of accessibility standards and policies, and to assist in the review of development proposals, the County may establish an "Accessibility Advisory Committee". It is recommended that members of this Committee be selected by Council to include representatives from the public, of which a majority are persons with disabilities or representatives of a person or persons with disabilities. The Committee shall fulfill the minimum responsibilities of the Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act and other matters as prescribed by Council. Council shall ensure effective operation of this Committee by adopting terms of mandate for their mandate and operation, appointing one or more members of Council to the Committee and providing support services through staff.

# 7.0 INTERPRETATION

### 7.1 GENERAL INTERPRETATION

County Council, appointed Committees and County staff shall be responsible for interpreting all aspects of this Plan. Where policies may reference specific issues of significance to the Province, the interpretation of this Plan shall be conducted in conjunction with the Ministry of Municipal Affairs and Housing. As the sections of this Plan are interrelated, this Plan shall be read and interpreted in its entirety.

The following shall be the policy of the County in relation to the interpretation of this Official Plan:

- a. The following items are exempted and may be changed or deviated from, to the extent stated without an amendment to this Plan. When minor deviations to this Plan are made, however, in accordance with the rules outlined below, these deviations shall be incorporated in the next amendment in order to show the up-to-date situation.
  - i. Boundaries between designated land uses may be adjusted where such boundaries are not coincidental with roads, railways or other similar features, so long as the intent and purpose of the Official Plan is maintained and the adjustments are of a minor nature.
  - ii. In undeveloped areas, school sites, parks and neighbourhood commercial areas may be incorporated into subdivision designs in a manner most suitable to topography and layout, so long as they conform to the details and intent shown in the Land Use Schedules of this Plan.
  - iii. In the text and when shown on the Land Use Schedule, locations relating to parks, roads, services and other public works are not intended to be exact or rigid but to be close approximations. It is intended that reasonable latitude shall be available to the County in the interpretation and application of this information when actually establishing or approving the size and exact location of such facilities, so long as the intent and purpose of the Official Plan are maintained.
- b. Any reference to numerical values such as quantity, area, density, or population and employment targets shall be considered as approximate only and not absolute. Minor changes shall not necessitate an amendment to this Plan.
- c. Any modifications or revisions to community names in this Plan or

- Schedules shall not require an amendment to this Plan.
- d. In the case of a discrepancy between the policies in the text and related schedule, the policies in the text shall take precedence.
- e. In the case of a perceived discrepancy between the policies, the more restrictive policy, as determined by the County, shall apply.
- f. Terms and words used in this Plan shall be interpreted as defined in Section 7.0 of this Plan, and in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe or the Zoning By-law, where such terms are defined by said documents. In the case of a discrepancy between the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Zoning By-law, the Zoning By-law shall prevail in the definition of a term or word. The County shall ensure that the definitions in the Zoning By-law are consistent with the Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe.
- g. Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.
- h. Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.
- i. The effect of this Plan is such that no County public works shall be undertaken, and no County By-law passed for any purpose, that does not conform to and comply with this Plan.
- j. The County may undertake studies that do not conform to this Plan to study the feasibility of development prior to undertaking any Official Plan Amendment.
- k. Public works undertaken by all other levels of government or public agencies, including the Government of Canada and the Province of Ontario, shall also be required to conform to this Plan, except where exempted under specific Federal or Provincial legislation.
- I. The references to "the County" in this Plan shall mean the Corporation of the County of Brant, a municipality in the Province of Ontario to which this Plan applies.
- m. Sections 1.0 through 7.0 inclusive and the Schedules shall be considered operative components of this Plan. Any Appendices to this

Plan, whether embodied in the text of this Plan or located at the end, shall not be considered to be an operative component. Any changes to an Appendix to this Plan shall not require an amendment.

#### 7.2 DEFINITIONS

The following definitions are intended to assist in the interpretation of the policies and schedules of this Plan. Where definitions are taken directly from Provincial documents, they are cited.

Accessory building or structure – means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot and that is not used for human habitation. Accessory buildings or structures may also be referred to as accessory dwellings or accessory units.

**Accessory use** – means the use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same lot.

**Adverse effects** – as defined in the Environmental Protection Act, means one or more of:

- a. impairment of the quality of the natural environment for any use that can be made of it;
- b. injury or damage to property or plant or animal life;
- c. harm or material discomfort to any person;
- d. an adverse effect on the health of any person;
- e. impairment of the safety of any person;
- f. rendering any property or plant or animal life unfit for human use;
- g. loss of enjoyment of normal use of property; and
- h. interference with normal conduct of business.

# Affordable - means

- a. In the case of ownership housing, the least expensive of:
  - i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low and moderate income households; or
  - ii. housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional

market area.

- b. In the case of rental housing, the least expensive of:
  - i. a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
  - ii. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

For the purposes of this definition:

Low and moderate income households means, in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the regional market area; or in the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the regional market area.

(Source: Provincial Policy Statement, 2005)

**Agricultural-related uses** – means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

(Source: Provincial Policy Statement, 2005)

**Agricultural uses** – means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

(Source: Provincial Policy Statement, 2005)

Alternative energy systems – means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. Alternative Energy Systems may include wind and solar power, and may also be referred to as green power.

(Source: adapted from the Provincial Policy Statement, 2005)

**Amenity area** – means an interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and recreation of the occupants of the dwelling.

Archaeological resources - includes artefacts, archaeological sites and

marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

(Source: Provincial Policy Statement, 2005)

Areas of Natural and Scientific Interest (ANSI) – means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

(Source: Provincial Policy Statement, 2005)

**Assisted housing** – means housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

**Barrier** – means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

(Source: Accessibility for Ontarians with Disabilities Act)

**Bed and breakfast** - means establishments with the primary purpose of providing short-term overnight accommodations.

**Brownfield sites (brownfields)** – means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built boundary** – means the limits of the developed urban area as defined by the Minister of Energy and Infrastructure Renewal in accordance with Policy 2.2.3.5 of the Growth Plan for the Greater Golden Horseshoe.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Built heritage resources** – means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

**Built-up area** – means all land within the built boundary.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

Where the built boundary is not identified, as in the case of some of the County's Secondary Urban Settlement Areas, the built-up area generally refers to all developed land which is occupied by residential uses, commercial uses, employment/industrial uses, institutional uses, and other buildings and structures, but excludes rural land uses such as agricultural uses.

**Catastrophe** – means an unanticipated, disastrous loss of part, or all, of a livestock facility due to fire, collapse, flood, wind, or other such event.

(Source: Ontario Ministry of Agriculture, Food, and Rural Affairs)

**Community park** – means a neighbourhood-scale public facility or open space that provides passive and/or active recreational opportunities for local residents.

Compact form or compact development – means a land-use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), proximity to transit and reduced need for infrastructure. Compact urban form can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Complete application** – means all supporting studies required by this plan must be submitted at the time of submitting the application in order to deem the application complete.

**Complete communities** – complete communities meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including affordable housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Conservation** – means the wise management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to man and the environment.

**Cultural heritage landscape** – means a defined geographical area of heritage significance which has been modified by human activities and is

valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

(Source: Provincial Policy Statement, 2005)

**Designated Greenfield area** – means the area within a settlement area that is not built-up area. Where a settlement area does not have a built boundary, the entire settlement area is considered designated Greenfield area.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Designated heritage property** – means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

(Source: Provincial Policy Statement, 2005)

**Development** – means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

- a. activities that create or maintain infrastructure authorized under an environmental assessment process; and
- b. works subject to the Drainage Act. (Source: Provincial Policy Statement, 2005)

**Development application** – means a formal request to the County of Brant for an Official Plan Amendment, change in zoning, site plan approval, land conveyance, part lot control, minor variance approval, plan of subdivision, and/or condominium.

**Development control areas** – means lands which because of their physical characteristics in combination with their location sustain a risk for the occupants of loss of life, property damage, and social disruption, if developed.

**Dwelling unit** – means a room or suite of rooms designed and intended for use by one household in which full culinary and sanitary facilities are provided

for the exclusive use of that household.

**Ecological function** – means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

(Source: Provincial Policy Statement, 2005)

**Endangered species** – means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

(Source: Provincial Policy Statement, 2005)

**Erosion hazard** – means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

(Source: Provincial Policy Statement, 2005)

**Existing use** – means the use of any land, building or structure legally existing on the day of adoption of the appropriate local Plan and the day of approval of the respective Plan.

**Farm unit** – means the composite of all parcels operated as a farm, the principal farm residence, any accessory residences, woodlots, barns or other structures necessary to support agricultural and ancillary uses.

**Fish** – means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

(Source: Provincial Policy Statement, 2005)

**Fish habitat** – as defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

(Source: Provincial Policy Statement, 2005)

**Flood fringe** – for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

**Flood plain** – for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

(Source: Provincial Policy Statement, 2005)

**Flooding hazard** – means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a. Along the shorelines of the Great Lakes-St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
  - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  - ii. the one hundred year flood; and
  - iii. a flood which is greater than i or ii. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

(Source: Provincial Policy Statement, 2005)

**Floodproofing** – means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes – St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

**Floodway** – for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

(Source: Provincial Policy Statement, 2005)

**Floor area, gross** – means the total floor area in a building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street unloading, parking and mechanical.

**Full County Services** – means that an area is serviced by both municipal water and wastewater systems. Municipal water systems are all or part of a drinking-water system:

- a. that is owned by a municipality or by a municipal service board established under section 195 of the Municipal Act, 2001;
- b. that is owned by a corporation established under section 203 of the Municipal Act, 2001;
- c. from which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or
- d. that is in a prescribed class of municipal drinking-water systems as defined in regulation under the Safe Drinking Water Act, 2002.

Municipal wastewater systems means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

(Source: Adapted from the Growth Plan for the Greater Golden Horseshoe, 2006 and Provincial Policy Statement, 2005)

**Garden suite** – means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

(Source: Planning Act)

**Greater Golden Horseshoe (GGH)** – the geographic area designated as the Greater Golden Horseshoe growth plan area in Ontario Regulation 416/05.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Ground water features** – refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

(Source: Provincial Policy Statement, 2005)

Hazards – means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. Hazards also include property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

(Source: Adapted from Provincial Policy Statement, 2005)

**Hazardous lands** – means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. Hazards also include property or lands that could be unsafe for development and site alteration due to naturally occurring hazards.

(Source: Adapted from Provincial Policy Statement, 2005)

**Hazardous sites** – means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

(Source: Provincial Policy Statement, 2005)

**Hazardous wastes** – means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

(Source: Provincial Policy Statement, 2005)

Heritage features - means the principal features, characteristics, context

and appearance that contribute to the cultural heritage significance of a protected heritage property.

(Source: Provincial Policy Statement, 2005)

**Heritage resources** – means a feature of the landscape which by itself, or together with its associated environment, is unique or representative of past human activities or events. Such feature may include a site or area of archaeological or historical value and it may include a building or structure of architectural and/or historical importance.

**Hydrologic function** – means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

(Source: Provincial Policy Statement, 2005)

**Industrial, heavy** – means employment uses associated with significant land use impacts such as odour, noise, dust, smoke, vibration, the potential for fire and explosive hazards, etc. Examples of such uses may include manufacturing facilities, the storage, processing, refinement or production of hazardous, toxic or substances, etc.

**Industrial, light** – means employment uses associated with little or no significant land use impacts including odour, noise, dust, smoke, vibration, the potential for fire and explosive hazards, etc. Examples of such uses may include light and small-scale manufacturing facilities, warehouses, wholesale establishments, offices and business services such as printing establishments.

**Industrial, prestige** – includes only non-noxious office employment uses and associated accessory uses such as restaurants, parking facilities and business services.

**Infrastructure** – means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

**Intensification** – means the development of a property, site or area at a higher density than currently exists through:

- a. redevelopment, including the reuse of brownfield sites;
- b. the development of vacant and/or underutilized lots within previously developed areas;
- c. infill development; or
- d. the expansion or conversion of existing buildings.

(Source: Provincial Policy Statement, 2005)

**Intensification, small-scale** – means intensification (as defined by this Plan) where there is no need to expand existing water or sewer infrastructure to accommodate the new lot(s) or unit(s).

**Intensification Areas** – means lands identified by municipalities or the Minister of Public Infrastructure Renewal within a settlement area that are to be the focus for accommodating intensification. Intensification areas include urban growth centres, intensification corridors, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings and greyfields.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

Large format retail – means retail service establishments typically occupying a single-storey building with a large building footprint. These establishments often cluster at locations with high accessibility including major arterial and highway intersections, and provide primarily surface parking to accommodate employees and customers.

**Level of Service (LOS)** – is described in the County's Transportation Master Plan as a volume versus capacity ratio used in order to determine capacity deficiencies. An LOS that is characterized as LOS D is approaching an unstable traffic flow.

**Livestock** – includes dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer & elk, game animals, birds, etc.

(Source: Ontario Ministry of Agriculture, Food, and Rural Affairs)

**Lot** – means a parcel or tract of land which is recognized as a separate parcel of land under the provisions of the Planning Act.

**Major public park** – means a public facility or open space that provides sufficient passive and/or active recreational opportunities to accommodate the recreational needs of residents within a large region or County-wide.

Manure or material storage – means permanent storages, which may or may not be associated with a livestock facility containing liquid manure (<18% dry matter), solid manure (≥ 18% dry matter), or digestate. Permanent storages may come in a variety of locations (under, within, nearby, or remote from barn); materials (concrete, earthen, steel, wood); coverings (open top, roof, tarp, or other materials); configurations and shapes; and elevations (above, below or partially above grade).

(Source: Ontario Ministry of Agriculture, Food, and Rural Affairs)

**Mineral aggregate operation** – means lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto; and, associated facilities used in the extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

(Source: Provincial Policy Statement, 2005)

**Mineral aggregate resources** – means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

(Source: Provincial Policy Statement, 2005)

**Minor rounding out** – means the minor infill or development of lands outside of the Built Boundary of a Settlement Area which is intended to capitalize on existing infrastructure and results in a more rounded built-up area.

**Natural environment** – means the land, air or water or any combination or part thereof.

Natural heritage features and areas – means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest (ANSIs), which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system – means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

(Source: Provincial Policy Statement, 2005)

The land use designation Natural Heritage System, as described in Section 3.17 and illustrated on Schedule A, is recognized by the County as an important natural heritage system, as defined above, but may not be the only natural heritage system in the County. Throughout this Plan, the land use designation Natural Heritage System (Section 3.16) is differentiated from the broader definition of natural heritage system by capitalization of the land use designation.

# Negative impacts – means

- a. in regard to policy 2.2 of the Provincial Policy Statement (2005), degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities:
- b. in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and
- c. in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

(Source: Provincial Policy Statement, 2005)

**Non-farm development** – a residential, commercial, recreational, institutional, or industrial land use either permitted within the Agricultural Area but not an agricultural operation, or as permitted within a Settlement Area, or a Site Specific Land Use designation.

**Normal farming practices** – means a practice, as defined in the Farming and Food Production Protection Act, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper

advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, and the regulations made under that Act.

(Source: Provincial Policy Statement, 2005)

**Nutrient Unit** – means an amount of nutrients that give fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as a nutrient.

(Source: Ontario Regulation 267/03 made under the Nutrient Management Act)

One hundred year flood – for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

(Source: Provincial Policy Statement, 2005)

#### Partial services - means

- a. municipal sewage services or private communal sewage services and individual on-site water services; or
- b. municipal water services or private communal water services and individual on-site sewage services.

(Source: Provincial Policy Statement, 2005)

**Petroleum resource operations** – means oil, gas and brine wells, and associated facilities, oil field brine disposal wells and associated facilities, and facilities for the underground storage of natural gas and other hydrocarbons.

**Petroleum Resources** – means oil, gas and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

### Portable asphalt plant - means a facility

- a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

(Source: Provincial Policy Statement, 2005)

**Portable concrete plant** – means a building or structure

- a. with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

(Source: Provincial Policy Statement, 2005)

**Preserve** – To maintain the quality or condition of a resource in its current form, and to slow down the deterioration of the resource.

**Prime agricultural area** – in accordance with the Provincial Policy Statement, 2005, means areas where prime agricultural lands predominate. Within the County of Brant, lands designated Agricultural are considered to be part of the prime agricultural area.

**Prime agricultural land** – means land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

(Source: Provincial Policy Statement, 2005)

**Private communal water and wastewater systems** – Private communal water systems are drinking-water systems that are not municipal water systems as defined in municipal water and wastewater systems, and that serve six or more lots or private residences, and Private communal wastewater systems are sewage works that serve six or more lots or private residences and are not owned or operated by a municipality.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Private sewage services** – means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O. Reg. 403/97, under the Building Code Act, that are owned, operated and managed by the owner of the property upon which the system is located.

(Source: Provincial Policy Statement, 2005)

**Private water services** – means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Protection works** – means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

(Source: Provincial Policy Statement, 2005)

**Public service facilities and buildings** – means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

(Source: Provincial Policy Statement, 2005)

**Quality and quantity of water** – is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Recreation** – means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

**Redevelopment** – means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

(Source: Provincial Policy Statement, 2005)

**Regulatory flood** – means the approved standard(s), being a regional flood or a one-in-one-hundred-year flood, used in a particular watershed to define the limit of the flood plain for regulatory purposes.

**Rehabilitate** – means to treat land, buildings or structures so that their use or condition is restored to its former use or condition, or may be changed to another use or condition that is or will be compatible with adjacent land uses.

**Renewable energy systems** – means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

(Source: Provincial Policy Statement, 2005)

Residence surplus to a farming operation – means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

(Source: Provincial Policy Statement, 2005)

**Residential intensification** – means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacantor underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

(Source: Provincial Policy Statement, 2005)

**Secondary uses** – means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

(Source: Provincial Policy Statement, 2005)

**Sensitive uses** – means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

(Source: Provincial Policy Statement, 2005)

**Significant** – (including the term Provincially significant but excluding the term locally significant) – means

- a. in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b. in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of

- endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle. The Species at Risk in Ontario List (SARO), prepared and updated by the Ministry of Natural Resources, lists endangered and threatened species.
- c. in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. Significant woodlands will be identified in accordance with criteria recommended by the Province, as may be amended from time to time.
- d. in regard to wildlife habitat, means areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Significance may be demonstrated when wildlife habitat is ecologically important in terms of features, functions, representation, or amount and contributes to the quality and diversity of the greater natural heritage system. Significant wildlife habitat areas are defined as consisting of one or more of the following:
- e. habitat areas that provide for seasonal concentrations of animals;
- f. wildlife movement corridors;
- g. rare vegetation communities or specialized habitats for wildlife; and/or
- h. habitats for species of conservation concern.
- i. in regard to other features and areas, means ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.
- j. in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
- k. in regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and

I. in regard to cultural heritage and archaeology, means resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

(Source: Provincial Policy Statement, 2005)

**Site alteration** – means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of this Plan, site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act.

(Source: Provincial Policy Statement, 2005)

**Site Plan Control** – a process which requires the preparation of detailed site specific development plans, and enables the review of such matters as building location, and massing, access, outdoor storage, amenity space, walkways, landscaping, grading and external non-design features. Site Plan Control can only be used to establish on-site physical conditions such as setbacks and layout as well as road widening and intersection improvement.

**Small-scale** – when used in the context of businesses, offices and industries, means those commercial or industrial uses that do not exceed the following:

- a. employs no more than the equivalent of five (5) full time employees in addition to the owner;
- b. occupies a structure not exceeding 250 square metres in area;
- c. is recognized through an appropriate zoning by-law amendment by the County; and
- d. outdoor storage and display is limited to an area not greater than 750 gross square metres.

**Soil classification** – when reference is made to Soil Classification, the Canada Land Inventory (CLI) classification system is implied.

**Specialty crop area** – means areas designated using evaluation procedures established by the Province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

a. soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or

b. a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

(Source: Provincial Policy Statement, 2005)

**Streetscape** – means the visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

**Surface water feature** – refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

(Source: Provincial Policy Statement, 2005)

**Threatened species** – means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

(Source: Provincial Policy Statement, 2005)

**Transit-supportive** – means anything which makes transit viable and improves the quality of the experience of using transit. When used in reference to development, it often refers to compact, mixed-use development that has a high level of employment and residential densities to support frequent transit service. When used in reference to urban design, it often refers to design principles that make development more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network; pedestrian-friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/rear of buildings; and improved access between arterial roads and interior blocks in residential areas.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Utility** – means a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telegraph and telephone lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

**Valleylands** – means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the

year.

(Source: Provincial Policy Statement, 2005)

**Waste management system** – means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

(Source: Provincial Policy Statement, 2005)

**Watershed** – means an area that is drained by a lake or river, and its tributaries.

(Source: Provincial Policy Statement, 2005)

Watershed Plan – means a watershed plan provides a framework for integrated decision-making for the management of human activities, land, water, aquatic life and aquatic resources within a watershed. It includes matters such as a water budget and conservation plan; land and water use management strategies; an environmental monitoring plan; requirements for the use of environmental management practices and programs; criteria for evaluating the protection of water quality and quantity, and hydrologic features and functions; and targets for the protection and restoration of riparian areas.

(Source: Growth Plan for the Greater Golden Horseshoe, 2006)

**Wayside pits and quarries** – means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

(Source: Provincial Policy Statement, 2005)

**Wetlands** – means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

See also the definition for significant. (Source: Provincial Policy Statement, 2005)

**Wildlife habitat** – means areas where plants, animals and other organisms

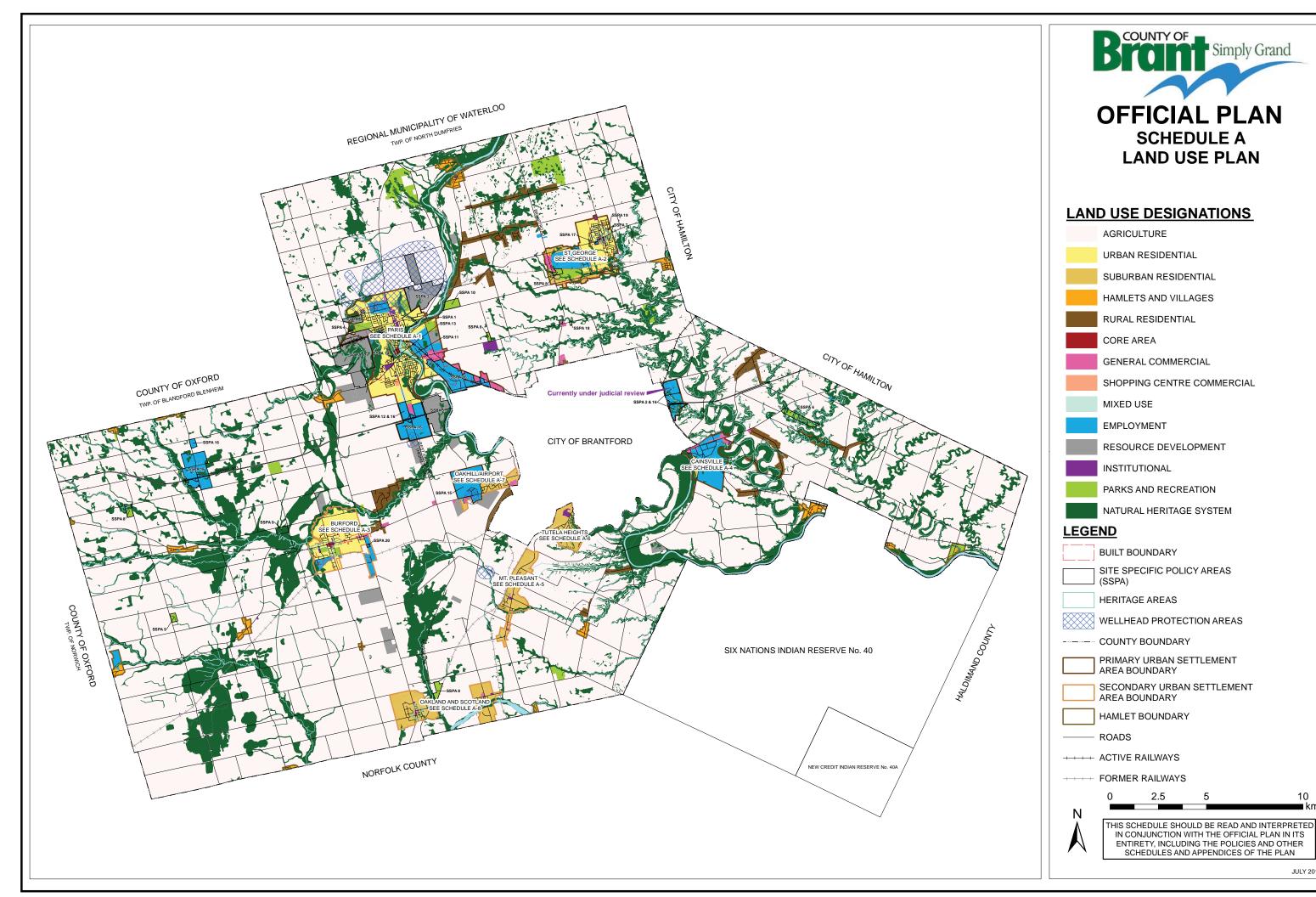
live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

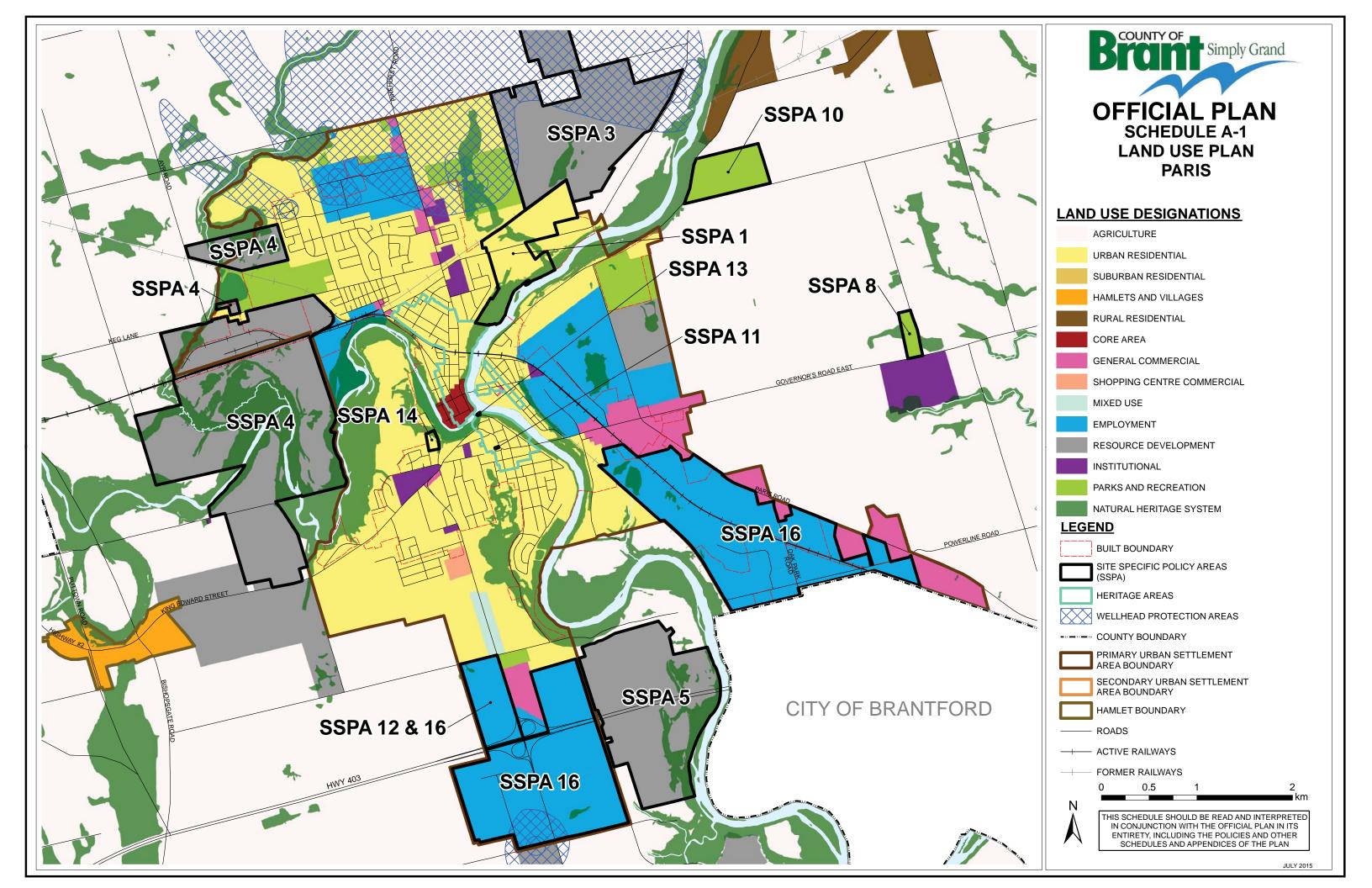
See also the definition for significant.

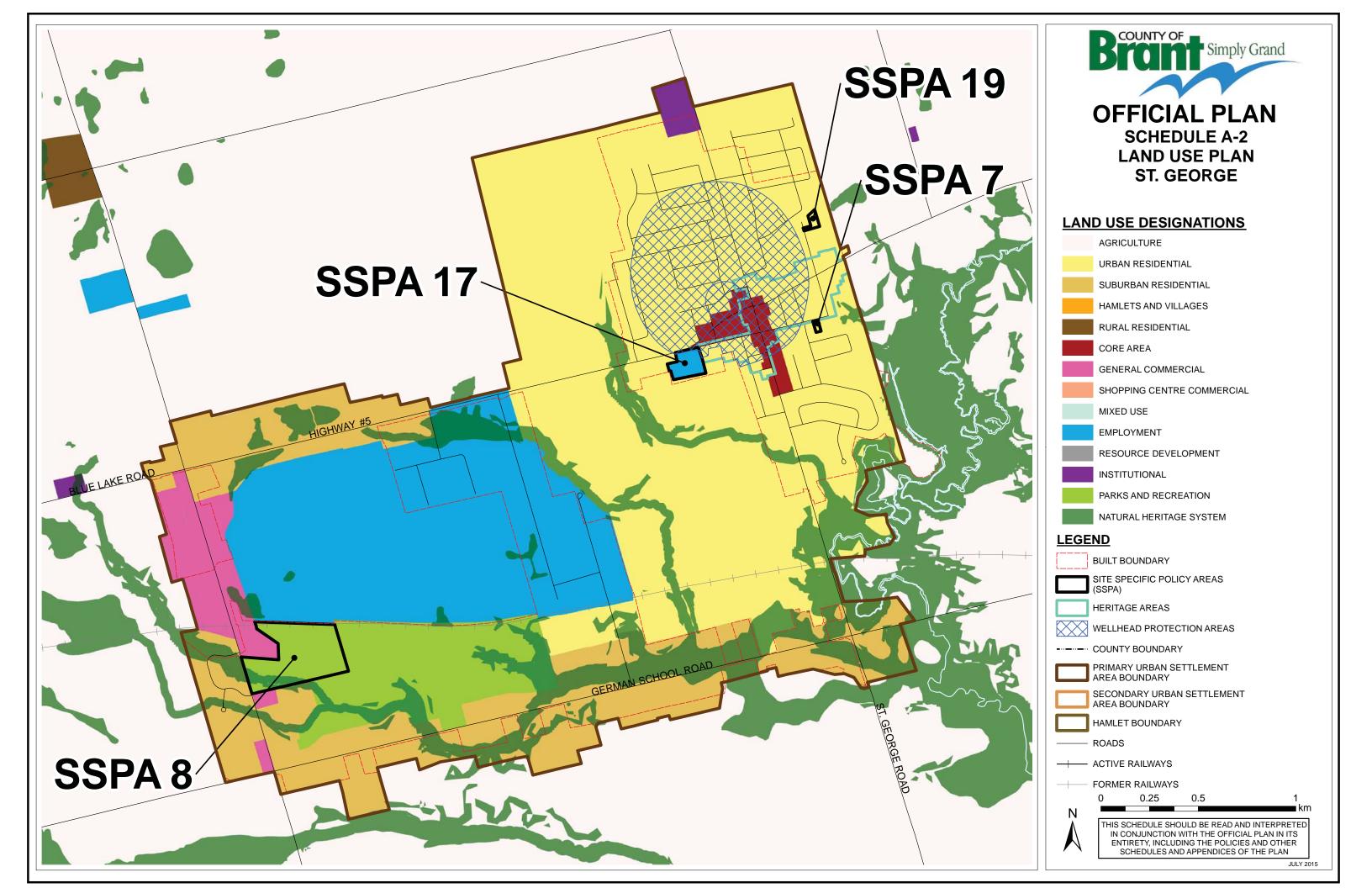
(Source: Provincial Policy Statement, 2005)

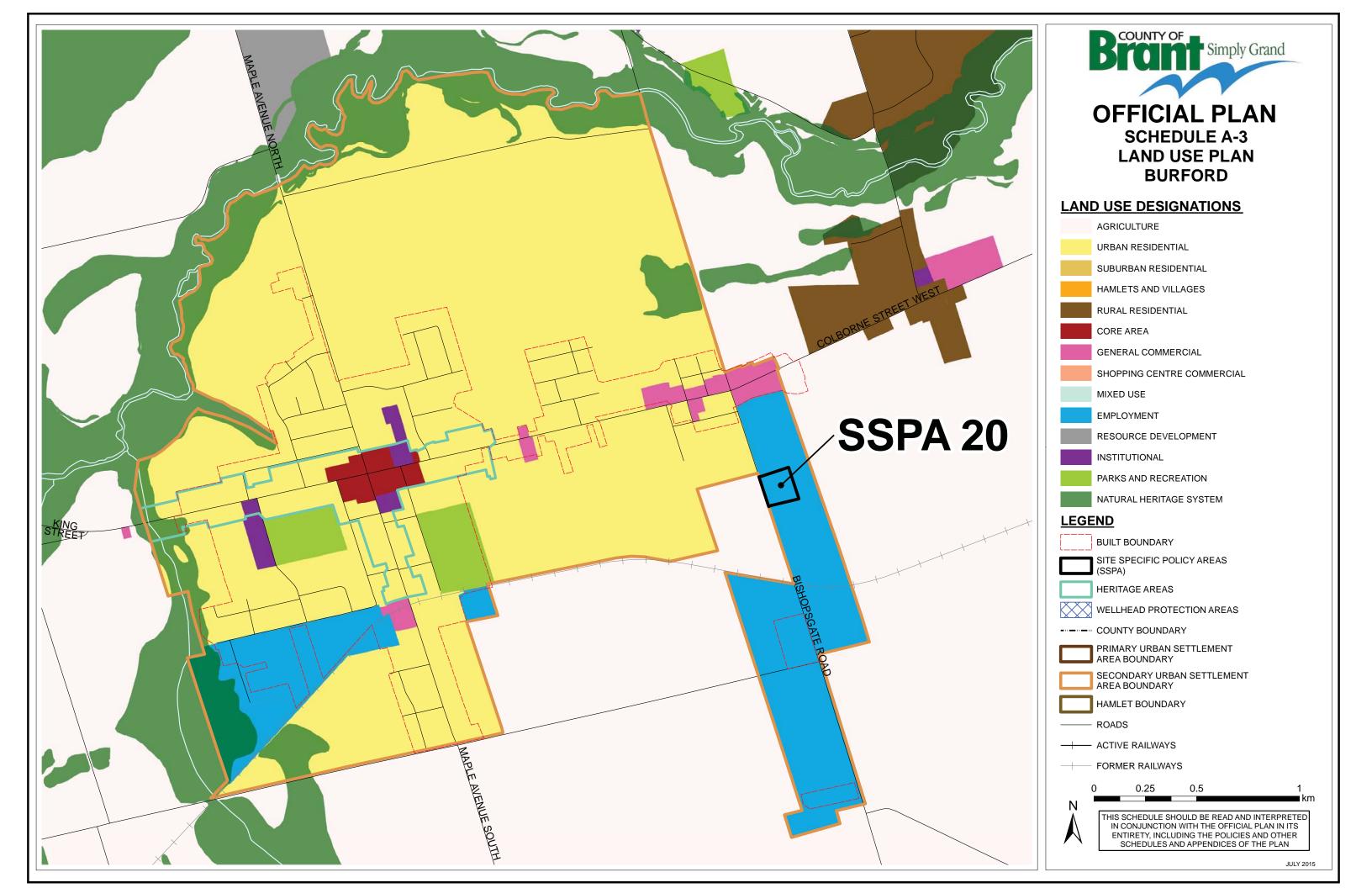
**Woodlands** – means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.

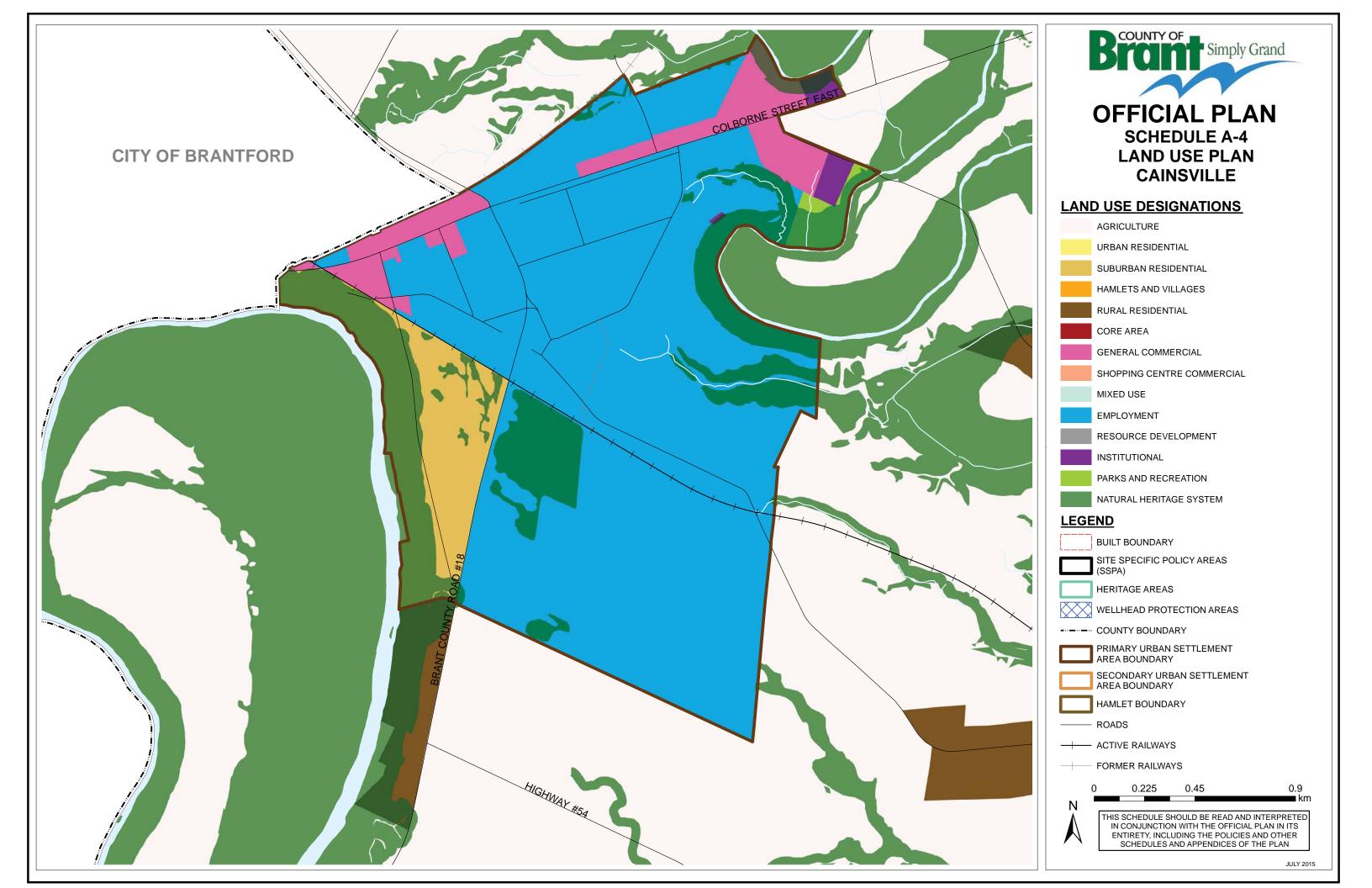
See also the definition for significant. (Source: Provincial Policy Statement, 2005)

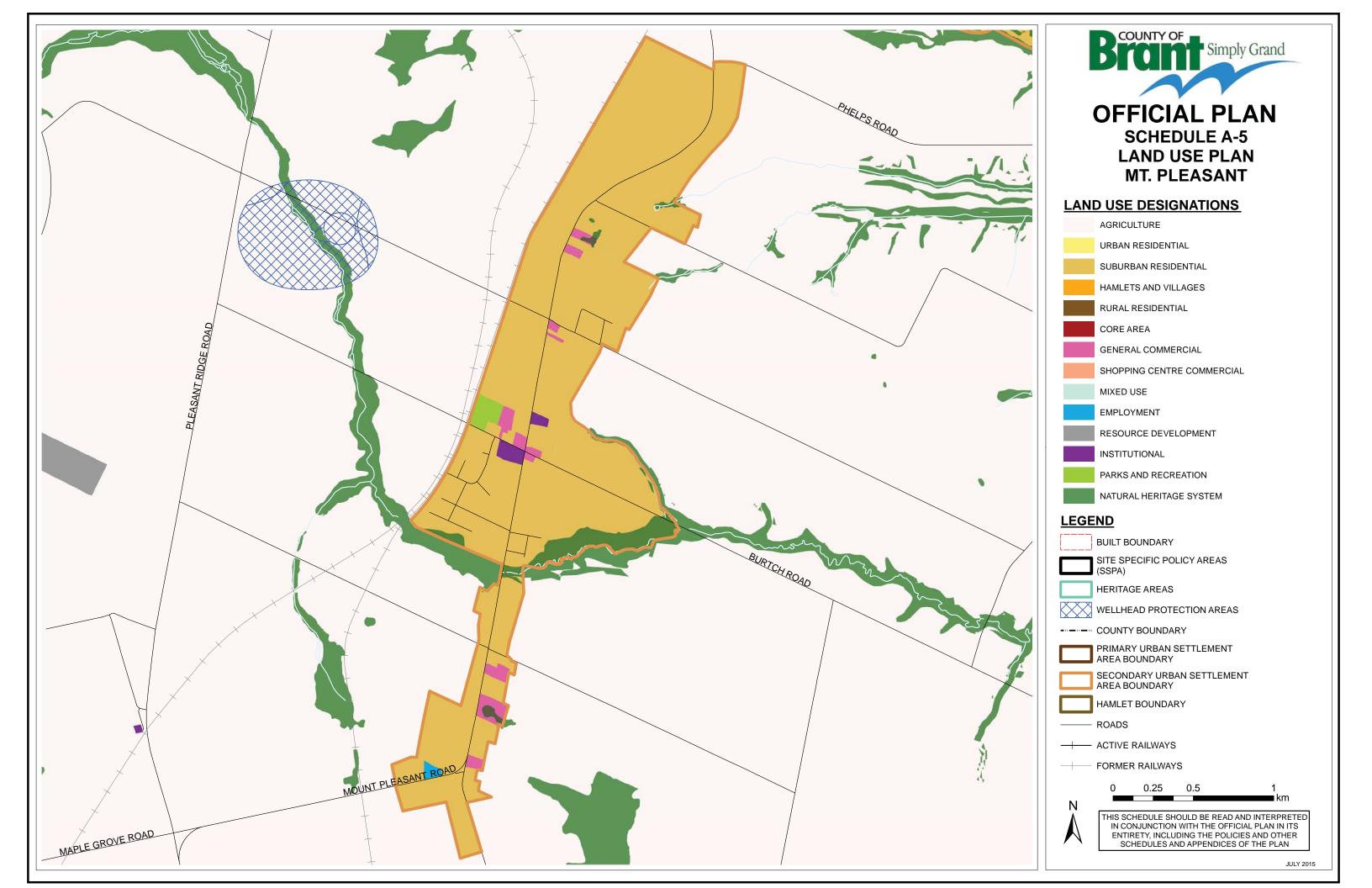


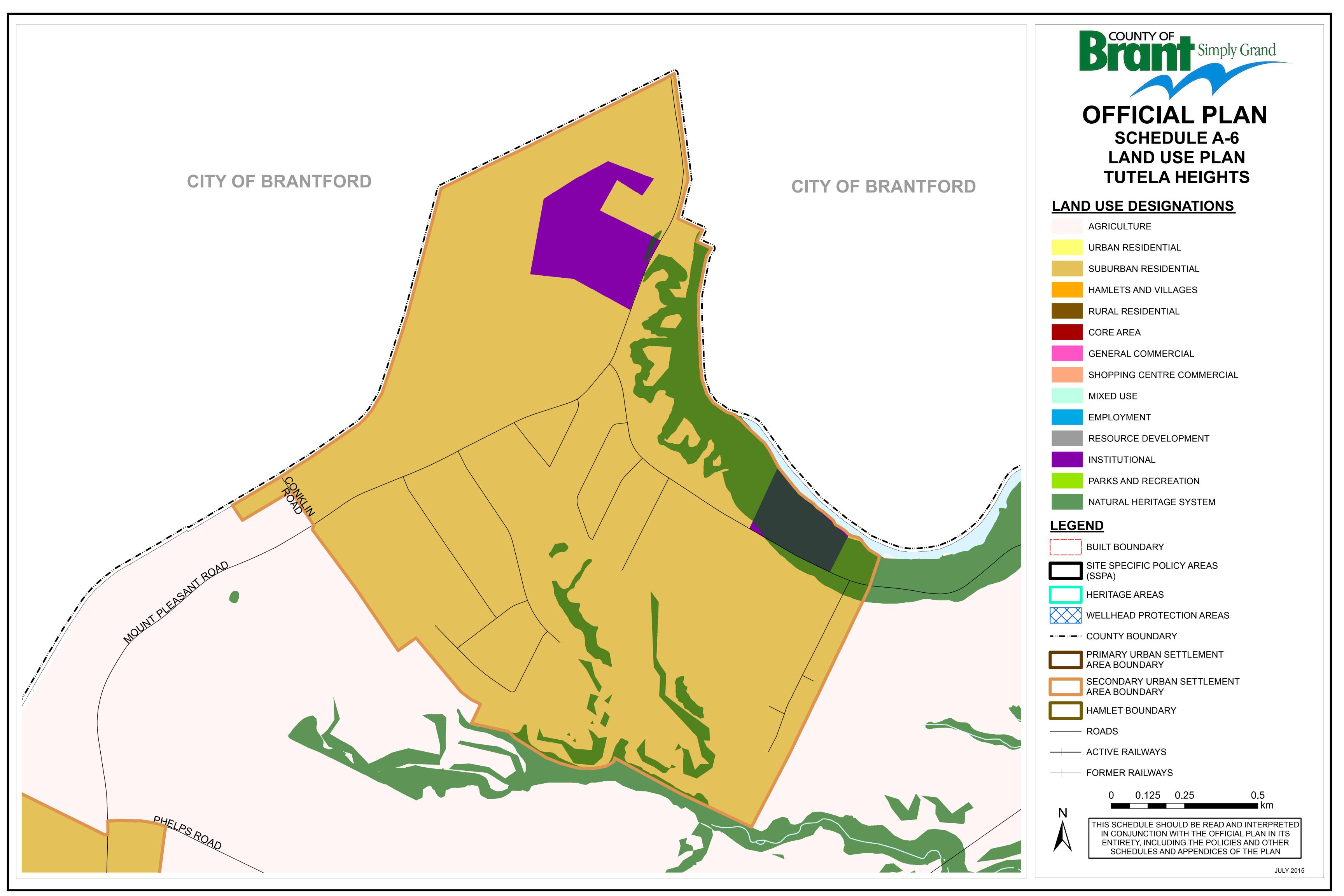


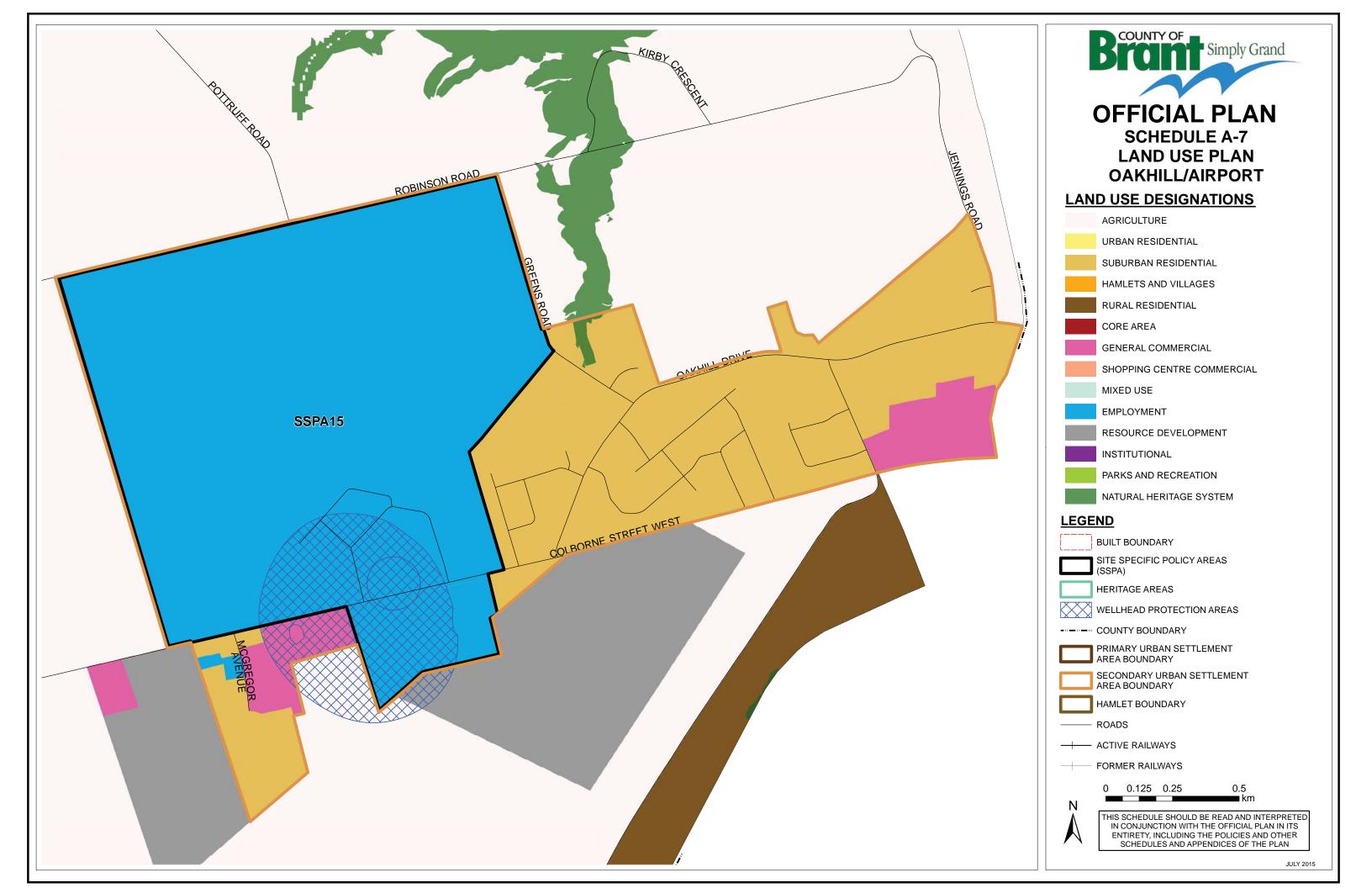


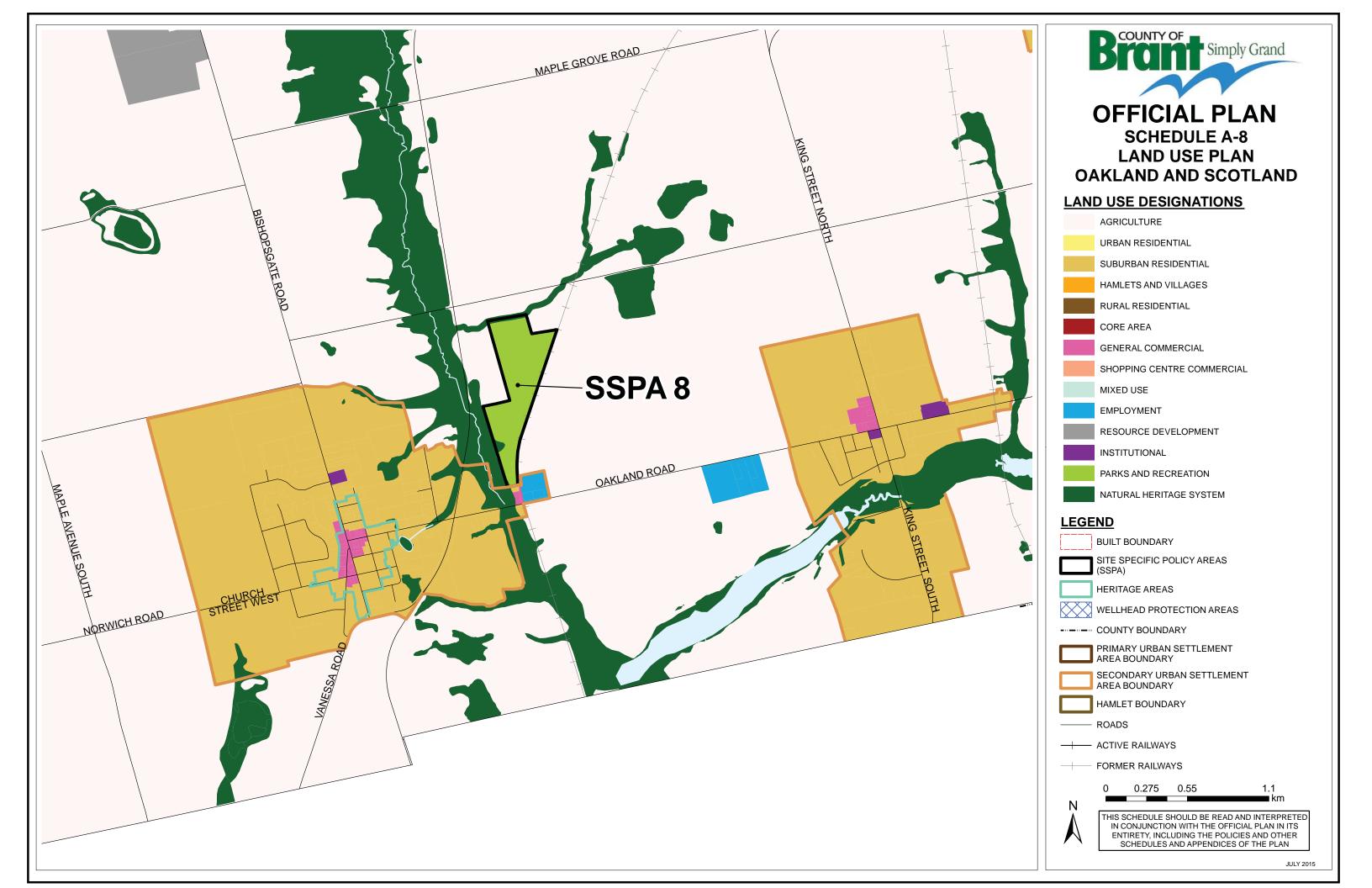


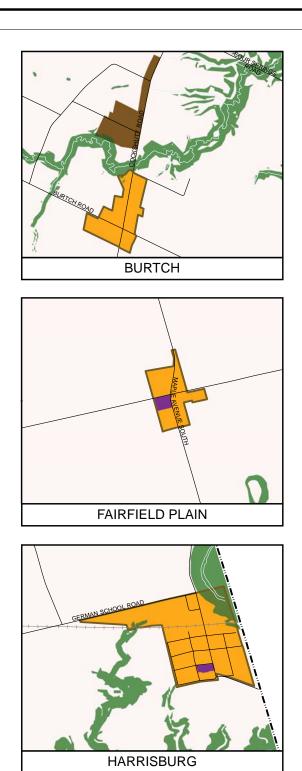




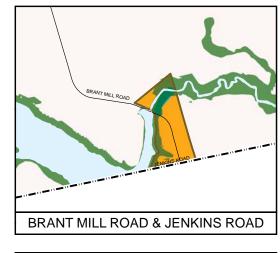




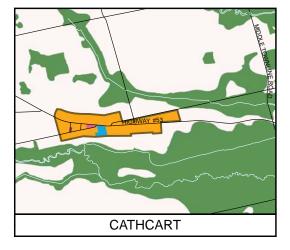


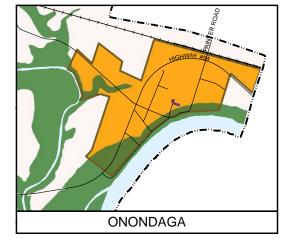


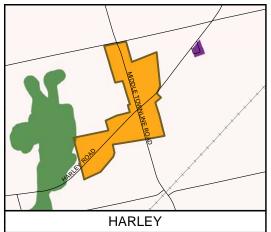
**MIDDLEPORT** 

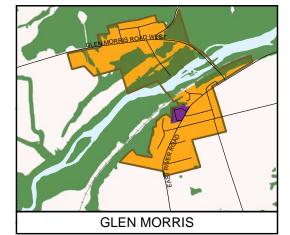


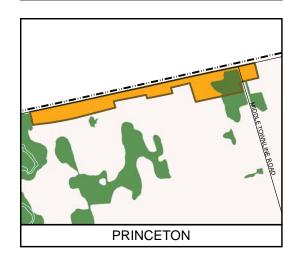
**FALKLAND** 

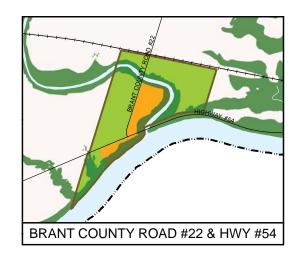


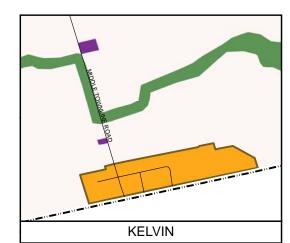




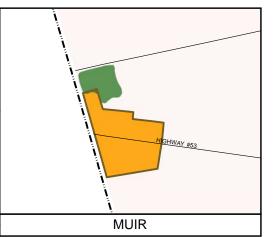


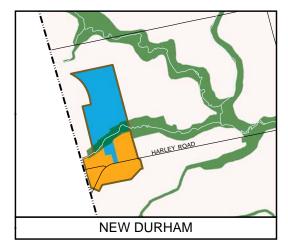






**GOBLES** 

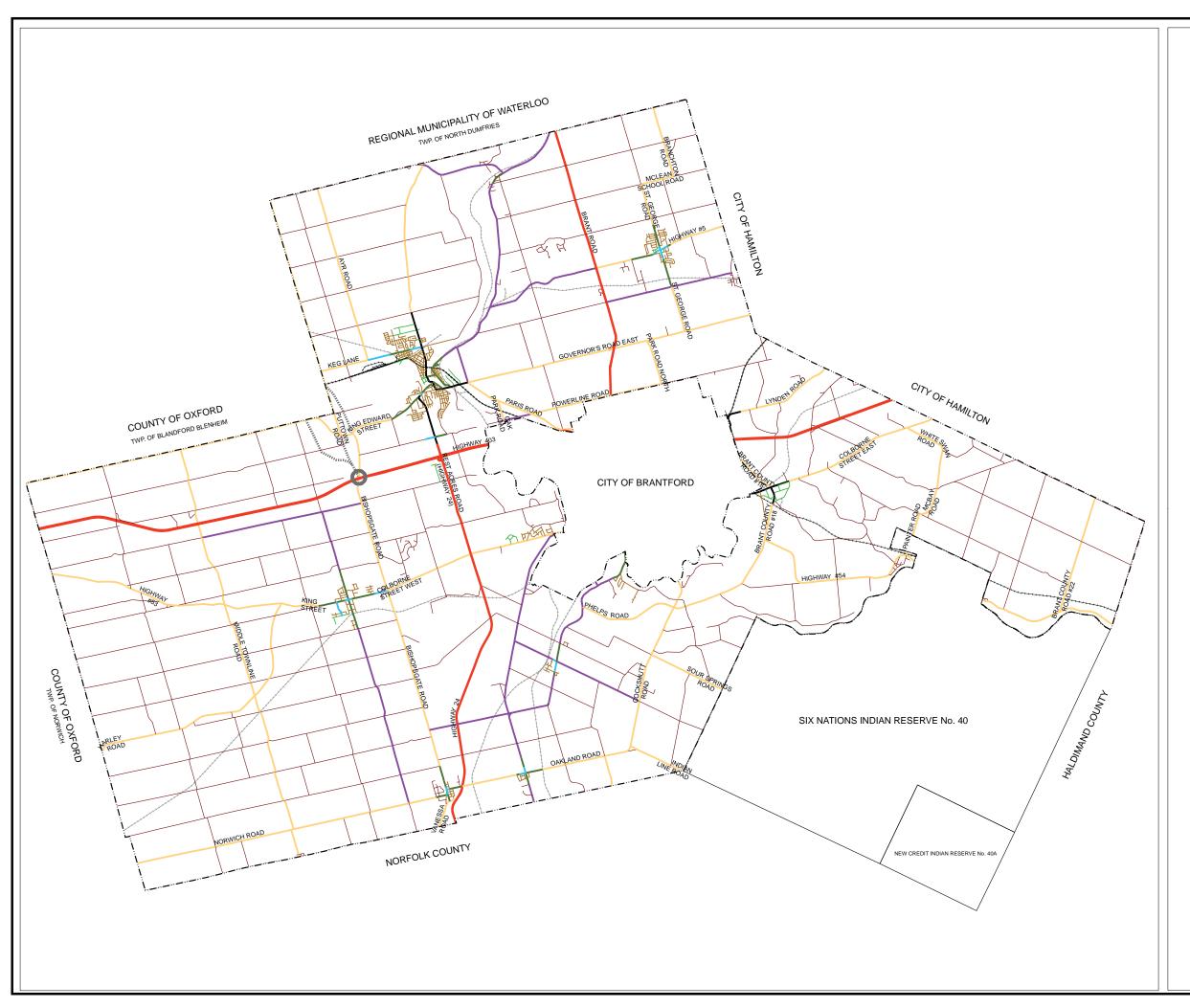








SCHEDULES AND APPENDICES OF THE PLAN





## OFFICIAL PLAN SCHEDULE B TRANSPORTATION PLAN

## **LEGEND**

- ---- COUNTY BOUNDARY
- PROVINCIAL HIGHWAYS
- ----- URBAN ARTERIAL ROAD
- ---- RURAL ARTERIAL ROAD
- ----- URBAN RESIDENTIAL COLLECTOR ROAD
- URBAN EMPLOYMENT COLLECTOR ROAD
- ----- RURAL COLLECTOR ROAD
- URBAN RESIDENTIAL LOCAL ROAD
- URBAN EMPOLYMENT LOCAL ROAD
- ----- RURAL LOCAL ROAD
  - PUBLIC LANE
- ----- ACTIVE RAILWAYS
- ----- FORMER RAILWAYS
- PROPOSED ROADS (CONCEPTUAL)
- PROPOSED FUTURE INTERCHANGE (CONCEPTUAL)





THIS SCHEDULE SHOULD BE READ AND INTERPRETED IN CONJUNCTION WITH THE OFFICIAL PLAN IN ITS ENTIRETY, INCLUDING THE POLICIES AND OTHER SCHEDULES AND APPENDICES OF THE PLAN

