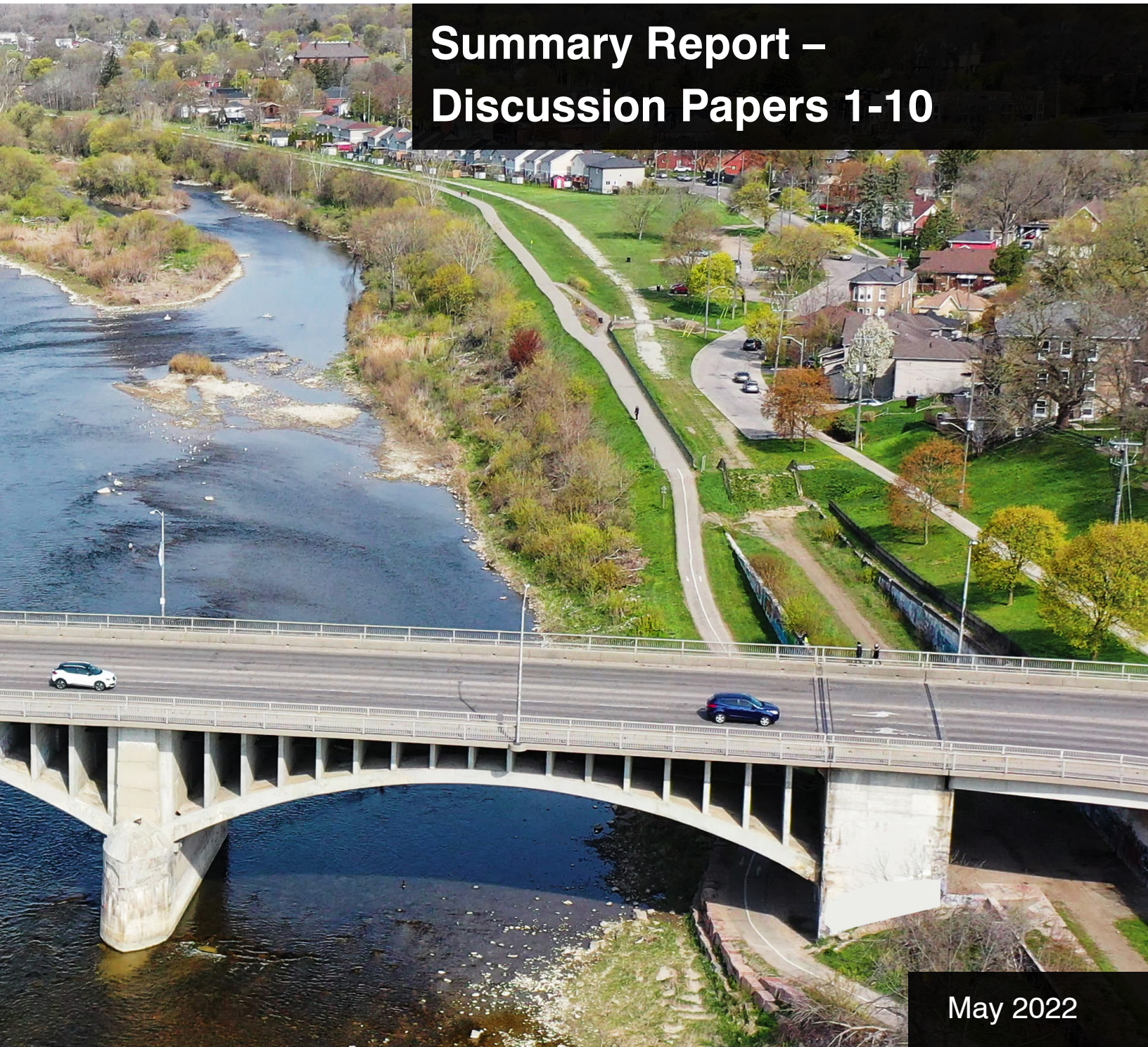




# New Zoning By-law Project

## Summary Report – Discussion Papers 1-10



May 2022



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# 1. Introduction



The City of Brantford New Zoning By-law Project is a comprehensive phased approach that will establish a new Zoning By-law for the City of Brantford that is in conformity with the City's Official Plan - Envisioning Our City: 2051, Provincial policies and emerging best practices. It will replace the current City of Brantford Zoning By-law 160-90 and the County of Brant Zoning By-law 61-16 where it applies to the municipal boundary adjustment lands. The new Zoning By-law will regulate all lands within the City of Brantford, including the former County lands, and it will provide zoning direction in a clear, concise and easy to read document.

The New Zoning By-law Project will occur over approximately twenty-seven months, divided into six phases, as outlined below.

**Phase 1** included background research related to development activity within the City and variances to the existing Zoning By-laws. In addition, the phase included a review of the City's reports related to land use, transportation, parking, and urban design.

**Phase 2** included the preparation of the Public Consultation and Communication Plan, outlining the key timelines for engagement and presentation to the project's commenting committees. Engagement feedback will be incorporated into the Discussion Papers in the third phase and the subsequent new Zoning By-law.

**Phase 3** includes the preparation of Discussion Papers related to:

- Zoning By-law Structure;
- General Provisions;
- Definitions;
- Parking and Loading Standards;
- Residential Zones;
- Mixed-Use Zones;
- Employment Zones;
- Institutional Zones;
- Agricultural Zones; and
- Other Zones.

Phase 3 will also include public input into the Discussion Papers, as well as presentations to Council's Zoning By-law Task Force, and the Committee of the Whole – Planning and Administration.

**Phase 4** will include the preparation of the Strategic Directions Report, public engagement opportunities, and a presentation to the Zoning By-law Task Force and the Committee of the Whole – Planning and Administration.

**Phase 5** will include the preparation of the first draft of the new Zoning By-law, as well as public consultations, and the circulation of the draft to City Departments and commenting agencies.

**Phase 6** will include the preparation and approval of the final new Zoning By-law, as well as public consultations, and circulation among City Departments and commenting agencies. The final Zoning By-law will be presented to the Zoning By-law Task Force prior to a statutory public meeting at the Committee of the Whole – Planning and Administration and Council approval.

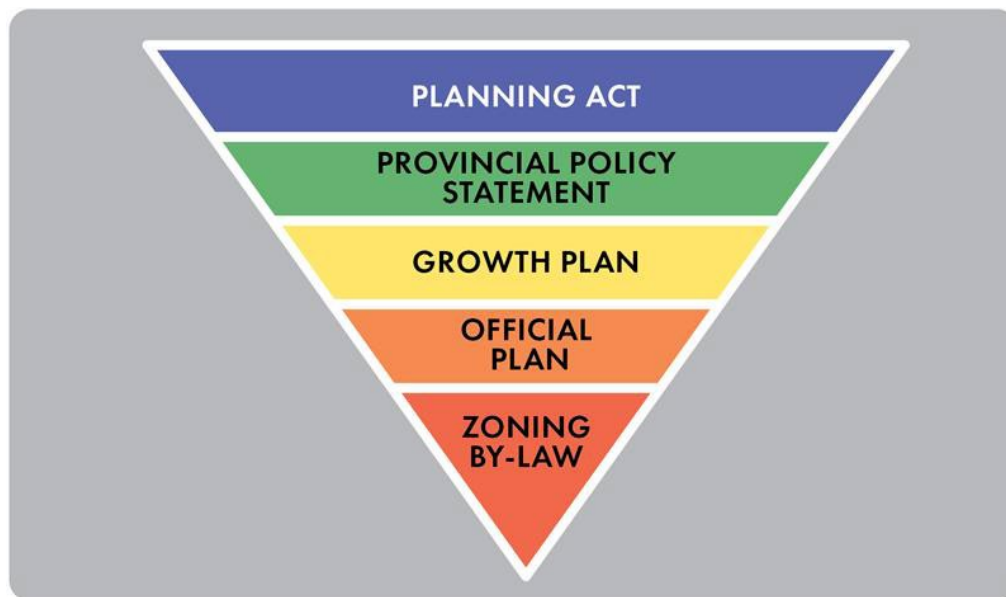
## **1.1 What is a Zoning By-law?**

A Zoning By-law implements the direction of the Official Plan and contains specific requirements for parcels of land including but not limited to:

- Permitted uses;
- Permitted building types;
- Building height;
- Where buildings and structures can be located on a lot – i.e., front, side and rear yard setbacks;
- Lot standards such as minimum lot area and frontage; and
- Parking standards.

As noted above, a Zoning By-law implements the direction of the Official Plan, which is required to be consistent with and conform to Provincial policies. Provincial land use documents in Ontario, such as the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, outline the rules and direction for land use. Provincial policies typically provide more general direction for land uses where Official Plans provide more details for land uses within a municipality. A Zoning By-law provides specific details for an individual property. Ontario's land use planning framework is illustrated in **Figure 1**.





**Figure 1: Ontario's land use planning framework**

## **1.2 Why does it matter to you?**

The new Zoning By-law will implement the vision of the City's new Official Plan - Envisioning Our City: 2051, influencing the look and feel of the City.

As residents and stakeholders in and around the City, you have an important role to play in shaping the future of the City. As experts of your community, you can provide insights to help inform and influence a variety of aspects of the Zoning By-law such as urban design standards, provisions related to parking and park space, as well as building types and density.

## **1.3 Purpose of this Paper**

This paper summarizes the ten Discussion Papers from Phase 3.

## **1.4 Structure of the Paper**

The contents of this Discussion Paper are outlined below:

- Chapter 1: provides an overview of the purpose of this Paper, as well as outlining what a Zoning By-law is and why it is relevant to the growth of the City.
- Chapter 2: summarizes Discussion Paper #1 - Zoning By-law Structure;
- Chapter 3: summarizes Discussion Paper #2 - General Provisions;
- Chapter 4: summarizes Discussion Paper #3 - Definitions;
- Chapter 5: summarizes Discussion Paper #4 - Parking and Loading Standards;

- Chapter 6: summarizes Discussion Paper #5 - Residential Zones;
- Chapter 7: summarizes Discussion Paper #6 - Mixed-Use Zones;
- Chapter 8: summarizes Discussion Paper #7 - Employment Zones;
- Chapter 9: summarizes Discussion Paper #8 - Institutional Zones;
- Chapter 10 summarizes Discussion Paper #9 - Agricultural Zones;
- Chapter 11: summarizes Discussion Paper #10 - Other Zones;
- Chapter 12 describes the next steps for New Zoning By-law Project.

## 2. Zoning By-law Structure



Discussion Paper #1 – Structure summarized the existing Zoning By-law structure in the City of Brantford Zoning By-law 160-90 and the County of Brant Zoning By-law 61-16 to understand the existing framework and provisions. The Structure Discussion Paper also included a review of the different structural approaches utilized in Zoning By-laws within other Ontario municipalities to identify potential options for the structure of the City's new Zoning By-law.

The current Zoning By-law 160-90 applies to all land within the City's limits, whereas the lands that were brought into the City's limits from the County of Brant are currently subject to the County's Zoning By-law 61-16.

The layout and structure of the current Zoning By-laws follow a common approach starting with defined terms, the area the Zoning By-law applies to, the types of zones, a list of schedules, and general provisions that apply to all zones. The zones are arranged in land use categories; i.e., Residential, Institutional, Commercial, Industrial, Open Space and Development Constraint. Multiple zones are then found under each land use category.

Each zone is generally structured with a list of permitted uses followed by applicable zoning standards related to that use, such as lot requirements. Site-specific exceptions are included at the end of each zone and numbered consecutively for the zone.

Discussion Paper #1 – Structure outlined the various approaches in which a Zoning By-law can be structured and identified strengths and weaknesses of each approach. The approaches include:

1. Traditional By-law

This approach includes general land use categories such as residential, commercial and industrial that each contain multiple zones, each with different permitted uses, densities, and lot standards that dictate the built form. This approach can result in creating multiple similar zones that differ slightly, resulting in the duplication of provisions and creating lengthy zoning by-laws.

2. Official Plan Categories

This approach aligns the Zoning By-law organization with the Official Plan's land use designations or Secondary Plan designations. This approach enables zones such as residential to include multiple building types that are permitted within the Official Plan, as well as a more seamless transition in reading the Official Plan and the Zoning By-law, which reduces confusion for readers.



3. Form Based Code

This approach incorporates specific controls and zoning permission related to the built form, shape, and features of a building while applying a more flexible approach to permitted uses. Permitted uses are controlled through the built form permissions, where uses that are compatible with that built form would be permitted. The approach relies on the built form to discourage uses.

A strong benefit of this approach is it generally pre-zones properties and areas for a specific built form and provides specific regulations to ensure the buildings are compatible with adjacent properties. However, it is a prescriptive approach to the built forms and lot standards which could result in a greater number of variance applications.

4. Land Use Categories

The Land Use Categories approach is similar to the Official Plan approach in that it uses land use categories for zones. The approach enables multiple built forms to be grouped within a single land use category, which reduces overlap and duplication. However, there can be compatibility concerns if only one type of building or use is appropriate in a specific area.

5. Overlay Zones

Overlay layers can be utilized to regulate specific matters across multiple zones, such as height, flood plain constraints, specific parking requirements or prohibiting specific uses. A strong benefit of this approach is that it reduces the number of provisions within each zone and can enable a consistent regulation to be applied over multiple zones.

6. Standard Sub-Categories

This approach is similar to the Overlay Zones, where similar provisions can be applied across a number of zones. Sub-category symbols can be applied to zoning schedules to identify different provisions, such as height or lot coverage, that apply to different areas of a similar zone.

For example, a zone symbol RD3.35 indicates a Residential Detached 3 Zone with a maximum 35% lot coverage requirement; whereas the zoning symbol, RD3.25 includes the same permissions as RD3.35 but with a maximum lot coverage of 25%.

Based on discussions with the Staff Working Group, the Official Plan Categories are the preferred approach while recognizing that overlays and sub-categories may assist in creating a simplified Zoning By-law that works in tandem with the Official Plan.

The Structure Discussion Paper also provided a summary of additional options for the overall layout and organization that support the recommended approach, which includes:

- A User Guide, to assist in how to use and read the Zoning By-law;
- A Definition Section with visuals to interpret technical definitions;
- A standalone Parking chapter, making it easier to locate the applicable parking provisions;
- The use of tables to show zoning provisions in a clear, concise and understandable way;
- The use of illustrations and visuals where possible to illustrate key concepts and helps the reader interpret information;
- The use of coloured schedules and maps; and
- The use of simple numbering within the By-law that makes it easier to read and interpret.

All of the layout concepts in this section were favoured in discussions with the Staff Working Group and should be considered in the new Zoning By-law with the caveat that coloured schedules may have some limitations on accessibility, and the use of specific colours will need to be carefully considered as the schedules are prepared.

### 3. General Provisions



Discussion Paper #2 – General Provisions reviewed the general provisions in both the City of Brantford Zoning By-law 160-90 and County of Brant Zoning By-law 61-16 to identify which provisions should be deleted or carried forward and any potential refinements for clarity. The report also reviewed the general provisions used in other Ontario municipal zoning by-laws and compared them to Brantford’s provisions.

#### General Provisions to Carry Forward or to Delete

From the review, there are a number of general provisions which are typical to both the existing Brantford and Brant County Zoning By-laws, as well as other municipal zoning by-laws, that are recommended to be carried forward. They include, for example, public uses, legal non-conformity, etc. as shown in Table 1. In addition, a number of the existing provisions may need to be updated. For the full list of provisions to be carried forward, and suggested changes to those provisions, please refer to Discussion Paper #2 – General Provisions.

**Table 1: Existing Provisions to Carry Forward into the New Zoning By-law**

Uses Permitted in All Zones
Uses Prohibited in All Zones
Accessory Uses, Buildings and Structures
Swimming Pools
Permitted Encroachments in Required Yards
Non-Conforming Uses
Reduction of Requirements
Buffering
Planting Strip/Visual Barrier
Height Exceptions
Group Homes
Home Occupations
Sight Triangles



Availability of Municipal Services
Public Services
Temporary Uses
Setbacks from Railways
Accessory Dwelling Units
Number of Dwelling Units on a Lot
Model Homes
Residential Sales Office
Day Nursery
Buffering
Bed and Breakfast Establishment
Conformity with an Established Building Line
Drive-Through Facilities and Stacking Lanes/Spaces
Common Walls on Lot Lines
Yards and Planting Strips/Roads Widths
Highway Corridor Setback
Wayside Pits and Quarries
Detached Garage and Car Ports
Flood “F” Prefix
Mini Group Homes, Crisis Residence, Group Correctional Home and Group Correctional Residence
Greenhouse Regulations
Minimum Distance Separation
Refreshment Trailers
Temporary Sales Events
Wellhead Protection Areas
Location of Gasoline and Propane Pumps and Canopies/Fuel Tanks

Restaurant Patios (Uses Associated with a Restaurant)

Cannabis Production Facilities

Special Policy Area

Short-Term Accommodations

Additionally, a number of provisions are not recommended to be carried forward into the new Zoning By-law based on an analysis of best practices and comments provided by City of Brantford Staff and consultant team members. Where necessary, these provisions can be addressed in other sections of the Zoning By-law if necessary.

The following list describes the recommended provisions to be deleted as well as the rationale for not including the provisions:

- Satellite Dishes:
  - This has become outdated and is a less common provision. Any small satellite dish will be addressed as an accessory structure.
- Accessory General Office:
  - This use should be addressed in the new Employment Zones.
- Accessory Caretaker's Residence
  - This use should be addressed in the new Employment Zones.
- Accessory Used Motor Vehicle's
  - This use should be addressed in the new Commercial Zones.
- Accessory Retail Sales
  - This use should be addressed in the new Employment Zones.
- Open Storage
  - This use should be addressed in the appropriate applicable zones.
- Ontario Hydro as a Use Permitted in All Zones
  - Ontario Hydro is no longer an entity.
- Amusement Arcades as a Use Prohibited in All Zones
  - This use has become outdated.

- Flood Lighting
  - This is already a standard in the Site Plan Manual.
- Location of Propane Storage Tanks
  - This use is usually found in the rural areas to heat dwellings where other energy sources are not available. It is not needed in the urban area and rural yards are large enough to accommodate it.
- Interior Side Yard – Common Walls
  - This regulation should be addressed in the appropriate applicable zones.
- Steep Slopes
  - This is not a common provision and is more of an Official Plan policy than a zoning provision.
- Site Plan Control
  - This regulation is addressed in the Site Plan Manual.
- Special Setbacks to Core Areas
  - This regulation should be addressed in the appropriate applicable zones.
- Special Setbacks to Built-Up Areas
  - This regulation should be addressed in the appropriate applicable zones.
- Built and Cultural Heritage
  - This regulation refers to a zone overlay in Brant County which isn't present in Brantford.
- Surplus Farm Dwellings
  - This provision should be addressed in the new Agricultural Zone section.
- Accessory Uses Permitted in all Zones
  - This is not a common provision and is typically addressed in each zone.
- Connected Structure
  - This is not a common provision and is more of an interpretation matter that is not needed.



## Additional General Provisions from Best Practices

The best practice review of other municipal zoning by-laws also identified common general provisions that are not currently included in the Brantford or Brant County Zoning By-laws. These additional general provisions are recommended to be considered for inclusion in the new Zoning By-law and are listed in **Table 2**.

**Table 2: Additional General Provisions from Best Practices**

Temporary Uses	Outdoor Display and Sales Areas
Setbacks to Pipelines	Frontage on a Public Street
Community Gardens	Accessory Farm Employee Accommodation
Kennels	Medical Marihuana Production Facilities
Waste Storage, Disposal, Processing and Transfer Areas	Garden Suites
Restaurant Patios	Trail Corridors and Playgrounds
Truck, Bus and Coach Bodies for human habitation	Location of Gasoline and Propane Pumps and Canopies/Fuel Tanks
Multiple Uses and Zones on one Lot (both apply)	Conservation Authority Regulated Areas
Through lots	Portable Classrooms
Adult Entertainment Uses	Home Daycare/Daycare Centres
Snow Storage Areas	Barrier-Free Ramps
Hazardous uses	Heating, Ventilation and Air Conditioning Equipment (HVAC)
Emergency Shelter	Micro-Industrial Use
Utilities	Home Industries
Outdoor Lighting	Minimum Distance Separation
0.3 metre reserves	

## Additional General Provisions to Conform to the Official Plan

Additionally, to better conform with the Official Plan, the following Official Plan policies should be addressed in the new General Provisions section of the new Zoning By-law:

- Special needs housing, communal housing;

- Live-work units;
- Home industries and on-farm diversified uses;
- Small scale and large-scale places of worship;
- Day care facilities;
- Permissions for wayside pits and quarries;
- Permissions for auto-focused uses; and
- Prohibition of land uses posing significant drinking water threats.

Updates to the General Provisions will be provided in the next phases of the New Zoning By-law Project to reflect the comments made in the Discussion Paper. The General Provisions will also be further refined as the New Zoning By-law Project progresses including further addition or deletion of provisions as needed.

## 4. Definitions



Discussion Paper #3 - Definitions reviewed each of the definitions in both the City of Brantford Zoning By-law 160-90 and County of Brant Zoning By-law 61-16 to identify which terms should be deleted or carried forward and any potential refinement of the terms for clarity. Consideration was given to best practices where needed to help guide the review. The Paper organized all of the existing definitions into the following categories:

- **Carry forward:** The existing definitions (included in the City's Zoning By-law 160-90 or the County's 61-16) are recommended to be brought forward into the new Zoning By-law;
- **Carry forward with edits:** The existing definitions are recommended to be brought forward, with some revisions;
- **Carry forward but may not be needed:** The existing definitions are recommended to be brought forward, but at this point it is not clear whether the term will be needed in the new Zoning By-law. These terms will be considered further in the next phases of the New Zoning By-law Project; and
- **Delete:** The definition is no longer needed and is recommended to be deleted from the new Zoning By-law.

The considerations that were used to review the definitions were generally made up of the following:

- Common terms do not need to be defined, especially where a typical dictionary definition appropriately captures the intent;
- The definitions should be easy to read and understand;
- Terms that are no longer relevant can be deleted;
- Terms that are not used in the new Zoning By-law do not need to be defined;
- Simplicity and flexibility can be achieved by not 'over defining' uses, for example, not defining very specific uses that can be captured by "retail store";
- Definitions should not be used to regulate a matter or contain numerical regulations; and
- Definitions should not be located in site-specific exceptions; they should apply comprehensively in the by-law.



## **Definitions to Carry Forward**

Those definitions that are recommended to be carried forward, unchanged, and included in the new Zoning By-law are listed below:

- Abattoir
- Agricultural Related Use
- Art Gallery
- Attic
- Automobile Repair Garage
- Automobile Gas Bar
- Automobile Washing Facility
- Banquet Hall
- Basement
- Batching Plant
- Boat House
- Building, Main or Principal
- Building, Step Back
- Building Supply Centre
- Campground
- Campsite
- Canopy
- Catering Service/ Establishment
- Columbarium
- Commercial Parking Lot
- Commercial Vehicle
- Community Centre or Community Hall
- Condominium
- Crematorium
- Dwelling, Apartment
- Dwelling, Duplex
- Dwelling, Fourplex
- Dwelling, Primary Unit
- Existing
- Financial Institution
- Flooding Hazard
- Food Service Vehicles
- Food Processing Plant
- Fresh Product Outlet
- Funeral Home
- Gaming Establishment
- Garage
- Garage, Integral
- Garden Suite
- Gasoline Pump Island
- Gasoline Pump Island Canopy
- Gasoline Pump Island Kiosk
- Gatehouse
- Golf Course
- Grade
- Hallway
- Home Occupation
- Impounding Yard
- Industrial Mall
- Industrial Rental Establishment
- Liquid Waste Transfer Station
- Loading Space
- Lot
- Lot, Corner
- Lot, Interior
- Lot Depth
- Lot Line
- Lot Line, Side
- Lot Line, Exterior
- Lot Line, Interior
- Mausoleum
- Medical Clinic
- Medical Office
- Mineral Aggregate Operation
- Mineral Aggregate Resource Conservation
- Minimum Distance Separation Guidelines
- Mobile Home Park
- Model Home
- Municipal Drain
- Museum
- Neighbourhood Convenience Store
- Non-Conforming Use
- Noxious Use
- On-Farm Diversified Use
- Open Storage
- Park
- Park, Private
- Parking Space
- Parking Space, Tandem
- Patio
- Patio, Outdoor

- Personal Store/Establishment
- Pharmacy
- Pit
- Planting Strip
- Principal Use
- Printing Establishment
- Public Transit Facility
- Public Utility
- Quarry
- Recreational Trailer Park
- Recreational Vehicle
- Recycling Operation
- Restaurant, Fast Food
- Riding Stable or Arena
- Salvage Yard
- School, Arts
- School, Post-Secondary
- Service Industry
- Setback
- Shipping Container
- Shopping Centre
- Short-Term Rental Accommodation
- Sign
- Speciality Event Sale
- Stacking Lane
- Stacking Space
- Storey, First
- Stormwater Management Facility
- Street
- Street Line
- Studio
- Traffic Aisle
- Transfer Station
- Transportation/Truck Terminal
- Use
- Utility Service Equipment
- Veterinary Clinic
- Warehouse or Warehouse Use
- Warehouse, Public Storage
- Wayside Pit
- Wayside Quarry
- Wholesale or Wholesale Use
- Works Yard, Municipal or Provincial
- Yard
- Yard, Exterior Side
- Yard, Front
- Yard, Interior
- Yard, Side
- Zone
- Zone Boundary

## **Definitions to Carry Forward with Edits**

Those definitions that are recommended to be carried forward with edits in the new Zoning By-law include:

- Accessory Building
- Additional Residential Unit/Accessory Dwelling Unit/Accessory Residential Unit
- Adult Live Entertainment Parlour
- Agricultural Service and Supply Establishment
- Agricultural Use
- Air Treatment Control
- Alternative Health Care Practice
- Amenity Space/Area
- Amusement Park
- Animal Shelter and Control Facility
- Assembly Hall
- Autobody Repair Shop
- Automobile Sales Establishment
- Aviary
- Bed and Breakfast Establishment
- Berm
- Boat Dock
- Body Rub Parlour
- Brewing on Premises Establishment
- Brewpub
- Building
- Cannabis Production Facility
- Carport

- Common Wall
- Construction Equipment
- Contractor's Yard
- Crisis Residence
- Day Care/Nursery
- Drive-Through Service
- Driveway
- Dwelling, Back-to-Back Townhouse
- Dwelling, Block Townhouse
- Dwelling, Stacked Townhouses
- Dwelling, Street Townhouse
- Dwelling, Triplex
- Dwelling Unit
- Emergency Shelter
- Established Front Building Line
- Events, Short Term Shows
- Events, Special Sales
- Finished Grade Level
- Floor Area
- Garden Supply Centre
- Greenhouse
- Grocery Store
- Gross Floor Area (G.F.A.)
- Gross Leasable Area (G.L.A)
- Ground Floor Area
- Ground Floor Height
- Group Correctional Home
- Group Home
- Habitable Living Space
- Building Height
- Hospital
- Hotel
- Kennel
- Landscaped Open Space
- Liquid Industrial Waste
- Lodging House
- Lot, Through
- Lot Area
- Lot Coverage
- Lot Line, Front
- Lot Line, Rear
- Flour Mill
- Mobile Refreshment Cart
- Freeway
- Garage, Mutual
- Lot Width
- Manufacturing or Manufacturing Use
- Merchandise Display Cart
- Mini-Group Home
- Mixed Use Building
- Mobile Home Dwelling
- Nursery Garden Centre
- Nursing Home
- Office, General
- Parking Area
- Propane Filling Plant/Transfer Facility
- Public Agency
- Research or Research Use
- Reserve or Access Reserve
- Restaurant
- Retail Store
- Retirement Home
- School, Commercial
- School, Elementary
- School, Secondary
- Service or Repair Shop
- Storey
- Street, Private
- Structure
- Taxi Stand/Establishment
- Temporary Sales Office
- Theatre
- Visibility Triangle
- Yard, Rear

### **Definitions that May Not be Needed**

Those definitions that are recommended to be carried forward in the new Zoning By-law only if determined to be needed when the draft text is written include:

- Agricultural Equipment Sales
- and Service Establishment
- Agricultural Processing Facility

- Agroforestry
- Automobile Supply Store
- Breezeway
- Buffer or Buffering
- Building Line
- Built and Cultural Heritage
- Bulk Sales Establishment
- Bunkhouse
- Bus
- Carport, Integral
- Commercial Use
- Crafts Shop
- Density
- Department Store, Junior
- Dormitory
- Dry Cleaning Establishment
- Dwelling, Seasonal Cottage
- Electric and Electronic Products Industry
- Electricity Generation Facility
- Energy from Waste
- Erect
- Erosion Hazard
- Fairground
- Farm-Related Commercial Use
- Farm-Related Industrial Use
- Farm/Farming Operation
- Farm Production Outlet
- Feed Mill
- Fertilizer Blending Station
- Fish Farm
- Flea Market
- Flood, One Hundred Year
- Forestry Use
- Fuel Pump Island
- Fuel Storage Tank
- Gaming Position
- Grain Elevator and Drying Facility
- Hazard Lands or Sites
- Hazard or Toxic Substances
- Home Improvement Centre
- Hospice Centre
- Industry or Industrial Use
- Key Hydrologic Features
- Key Natural Features
- Lane
- Livestock
- Livestock Facility
- Livestock Sales Market
- Limousine
- Local Road
- Lot of Record
- Lumber Mill or Sawmill
- Main Building
- Meat Store
- Mutual Driveway
- Natural Heritage
- Office Supply Outlet
- Owner
- Pawnbroker Shop
- Permitted Capacity
- Photocopy Shop
- Prescribed Drainage Feature
- Public Service
- Rail Line, Main
- Rail Line, Branch
- Residence of Residential Use
- Residential Character
- Restoration
- Right-of-Way or Easement
- Road Allowance
- Slot Machine
- Speciality Drug/Food Warehouse
- Specialty Retail Store
- Storey, Half
- Table Game
- Telecommunication Centre
- Telecommunication Services
- Top of Bank
- Trade School
- Trailer
- Wetland



## **Definitions to be Deleted**

Those definitions that are recommended to be deleted from the new Zoning By-law include:

- Accessory Structure
- Accessory Use
- Act (as a noun)
- Aisle
- Alteration
- Alternative Health Care
- Amusement Arcade
- Amusement Device
- Apiary
- Aquaculture
- Arterial Road, Major
- Arterial Road, Minor
- Club, Private
- Place of Assembly
- Public Hall
- Assisted Housing
- Auction Establishment
- Auditorium
- Garage, Public
- Automobile Rental Establishment
- Automobile Service Station
- Automotive Use
- Bakery
- Boarder
- Boarding House
- Boat
- Boat Ramp
- Boat & Recreational Vehicle Sales Establishment
- Body Rub
- Microbrewery
- Building Area
- Building, Converted
- Building Inspector
- Building Permit
- Bus, School
- Call Centre
- Cannabis
- Car wash
- Cemetery
- Chemical and Pharmaceutical Industry
- Chief Building Official
- Church
- City
- Clerk
- Collector Road, Major
- Collector Road, Minor
- Conservation Authority
- Continuum of Care Facility
- Corridor
- Council
- County
- Daycare, Private Home
- Department Store, Major
- Development
- Dry Cleaning Depot/Laundromat
- Dwelling
- Dwelling, Converted
- Dwelling, Double Duplex
- Dwelling, Modular
- Dwelling, Multiple
- Dwelling, Rowhouse
- Dwelling, Single-Detached Cluster
- Enlarge
- Essential Emergency Service
- Excavate
- Farm Labour Housing
- Fill
- Floodproofing
- Florist Shop
- Flour Mill
- Mobile Refreshment Cart
- Freeway
- Garage, Mutual
- Group Correctional Residence
- Group Residence
- Habitable Room
- Height
- Heritage Building
- Herein
- Home for the Aged
- Home Furnishing Store
- Household Pet
- Household Sale/Garage Sale
- Hydro Corridor
- Institutional Use
- Kennel, Boarding Facility

- |                              |                            |                                    |
|------------------------------|----------------------------|------------------------------------|
| • Lease Lot                  | • Park, Public             | • School, Music                    |
| • Legal or Lawful            | • Park Model Trailer       | • School, Private                  |
| • Library                    | • Parking Structure        | • School, Private Elementary       |
| • Local Board                | • Person                   | • School, Private Secondary        |
| • Manse or Parsonage         | • Health Club              | • School, Public                   |
| • Medical Practitioner       | • Poultry                  | • Separation Distance              |
| • Monastery                  | • Private                  | • Service and Rental Establishment |
| • Motel                      | • Processed Goods Industry | • Setback, Street                  |
| • Motor Home                 | • Public                   | • Structure, Air Supported         |
| • Motor Vehicle              | • Renovation               | • Supermarket                      |
| • Mushroom Operation         | • Required                 | • Unit                             |
| • Non-Compliant Use          | • Restaurant, Full Service | • Utility                          |
| • Normal Farm Practices      | • Restaurant, Take-Out     | • Vehicle                          |
| • Office, Industrial Service | • Retail Food Warehouse    | • Visual Barrier                   |
| • Office, Support            | • Retail Warehouse         | • War Games                        |
| • Paper Products Industry    | • Satellite Dish           | • Waste Disposal                   |
|                              | • School                   |                                    |

Most of the definitions in the current Zoning By-laws are recommended to be carried forward. Several definitions are proposed to be deleted and several may not be needed but will be confirmed as the permitted uses in the new Zoning By-law are finalized. As the New Zoning By-law Project progresses, additional definitions may also need to be considered.

## 5. Parking and Loading Standards



Discussion Paper #4 – Parking and Loading Standards reviewed and considered the existing parking and loading provisions in the City of Brantford and County of Brant Zoning By-laws, including a best practice review of other municipalities.

### Role of Parking

The role of parking provisions is to ensure that a property contains a sufficient supply of parking on the lot to meet parking demands of residents, employees and visitors. Determining what constitutes a sufficient amount of parking becomes a challenge when a municipality evolves from an auto-oriented community to one where transit and active transportation are expected to take on a larger transportation role into the future.

Parking requirements can play other important roles. Reduced parking requirements can have a significant fiscal impact on higher density housing forms thereby acting as an incentive to promote higher density, mixed-use development in the City's Strategic Growth Areas. Reducing parking can also encourage other forms of mobility including transit. In an evolving City like Brantford, efforts to find the right balance between minimum and/or maximum parking requirements is linked to the quality of the adjacent transit system, the intensity and mix of uses within a proposed development, and the timing of the maturity of the urban structure.

### Parking Rates

The Discussion Paper compared the minimum parking rates for uses by municipality including Brantford and Brant County. Comments and recommendations were provided for each use. Upon review of the parking rates, several existing parking rates are recommended to be reconsidered to better align with best practices. These include:

- Several retail uses are to be revised to have a consistent retail rate including accessory retail, adult video store, the retail component of agricultural processing and agricultural service and supply, art galleries, etc.;
- Arenas or rinks should have a parking rate of 1 space per 50m<sup>2</sup> of gross floor area (GFA);
- The parking rate for assembly halls should be based on gross floor area (GFA), rather than capacity, at 1 space per 20 m<sup>2</sup> GFA;
- Automobile rental establishments should be consistent with the personal service store rate of 1/ 30 m<sup>2</sup> GFA;
- Brantford includes two separate parking rates for automobile sales establishments having a repair garage and those that do not have a repair garage. Most automobile sales have repair garages, and the parking rate distinction does not need to be made;

- Automobile washing facilities should be addressed under stacking requirements rather than a parking space rate;
- Apartment parking rates should be updated to a rate of 1 space per unit plus 0.25 spaces per unit for visitor parking which is similar to St. Catharines;
- Fourplex or double duplexes and stacked townhouses should be consistent with the apartment parking rates;
- Several best practices require 2 spaces per dwelling unit for single detached, semi-detached and street townhouses. While Brantford currently requires only 1 space, the regulations generally result in two parking spaces. The 1 required space is not permitted in the required front yard and must be set back, resulting in an additional (but not required) parking space in the driveway between the front lot line and the required front yard setback. The required space may or may not be within a garage. To be clearer to the public, it is recommended the standard be changed to a rate of 2 spaces per unit which may be anywhere on the driveway or in the garage; and
- Several uses including electrical and electronic products industry, feed mill, fertilizer blending station, etc., should maintain an industrial standard of 1 space per 100m<sup>2</sup> GFA.

Parking rate provisions that should be deleted include rates for flea market, open storage, outdoor retail display and telecommunication services. Several of the parking rates will be captured under other uses for simplification, such as a group correctional home which can be captured under the group home rate, supermarkets and grocery stores which can be captured together, or accessory retail sales which can be captured under retail sales. For a full scope of recommendations for deleted and modified parking rates, refer to Discussion Paper #4 – Parking and Loading Standards.

### **Additional Parking Supply Regulations**

Other parking supply regulations and recommendations include:

- Parking Exemptions and Reductions
  - The Brantford Zoning By-law provides three parking exemption areas in a portion of the Downtown Urban Growth Centre as shown in **Figure 2**. Consideration should be given to whether the existing exemption areas and rates should remain. It is recommended that the boundaries of areas where parking rates are reduced in the new Zoning By-law align with the Upper Downtown and Historic Mainstreets Precincts of the Official Plan (i.e., the older areas of the Downtown). Consideration should also be given to allow reductions in parking space requirements where car-share parking is provided.
- Shared Parking

- Brantford's Zoning By-law does not contain any standards for shared parking. These provisions are used in mixed-use areas in order to decrease the overall requirements for parking by sharing parking between commercial and residential visitor parking as the parking demand for these types of uses can vary depending on the time of day. Shared parking standards are not commonly used but are gaining traction in some municipalities as mixed-uses become more prevalent, and therefore further consideration as to whether this approach should be used in Brantford will be needed as the New Zoning By-law Project progresses.



**Figure 2: Brantford Parking Exemption Areas**

- Cash-in-lieu of Parking
  - This provision can be removed as it is addressed in the City's Cash-in-lieu of Parking By-law.
- Parking Deficiencies
  - Brantford's standards are appropriate and recommended to be carried forward as they allow for the adaptive reuse of existing buildings.

## **Other Parking Regulations**

The following summarizes the City's other requirements related to parking and the proposed recommendations for the new Zoning By-law:

- **Parking Space Dimensions**
  - Brantford's parking space size standards are consistent with other municipalities' standards and are recommended to be maintained in the new Zoning By-law. Consideration should be given to increasing the required width of a parking stall when one side abuts a wall or column other than in a private garage or carport.
- **Parking Location**
  - Several provisions reference current zones and will need to be revised to reflect the zones in the new Zoning By-law. It is recommended that Brantford consider allowing off-site parking to facilitate small infill and intensification where there is inability to provide parking on the lot.
- **Access to Parking/Aisle Widths**
  - No changes are proposed to the parking aisle widths although the provisions should be set out in a table for simplicity.
- **Parking Structure and Surface**
  - This provision is recommended to be removed as it can be addressed through the Site Plan Manual.
- **Accessible Parking**
  - Accessible parking standards require a minimum proportion of the required parking spaces to be provided as accessible parking spaces for the use of persons with disabilities. It is recommended that the Brant County standards be included in the new Zoning By-law as they are similar to many other of the municipalities reviewed and directly implement the Design of Public Spaces Standards of the Integrated Accessibility Standards (O. Reg. 191/11) prescribed under the Accessibility for Ontarians with Disabilities Act, 2005.
- **Storage of Motor Homes, Trailers, Boats, Snowmobiles and Commercial Vehicles**
  - Brantford's standards are appropriate and are recommended to be carried forward to the new Zoning By-law.
- **Stacking Rate Comparison**
  - Brantford's standards are generally consistent with best practices and are recommended to be carried forward to the new Zoning By-law.



- **Bicycle Parking Requirement**
  - Brantford should consider adding a simple set of bicycle parking provisions in the new Zoning By-law to support active transport that reduces the reliance on automobiles.
- **Electric Vehicle Parking/Charging**
  - Brantford's Zoning By-law does not currently contain any requirements for electric vehicle parking/charging. However, such provisions should be further considered as these vehicles are becoming more prevalent.

### **Loading Space Requirement**

A simpler system for determining loading spaces by differing land uses should be considered in the new Zoning By-law. Consideration shall also be given to reducing the loading requirement in the Downtown Urban Growth Centre.

### **Parking Requirements in the Official Plan**

A number of Official Plan policies give direction on parking requirements. These policies will need to be taken into consideration as the parking provisions are prepared for the new Zoning By-law.

## 6. Mixed-Use Zones



Discussion Paper #5 – Mixed-Use Zones reviewed the mixed-use sections of the Brantford Official Plan followed by a review of the existing zones applicable to lands within each designation. The three land use designations focused on mixed-use development include:

- Downtown Urban Growth Centre;
- Major Commercial Centre; and
- Intensification Corridor.

The Downtown Urban Growth Centre (UGC) is comprised of 3 precincts which include the Historic Mainstreets Precinct, the Lower Downtown Precinct and the Upper Downtown Precinct, each including its own set of policies that apply to the respective areas (**Figure 3**). Based on the review as described in the Discussion Paper, it is recommended that a new distinct zone be created in the new Zoning By-law for each designation, as well as each precinct in the Downtown Urban Growth Centre to ensure the Official Plan policies are fully implemented. The following sections summarize each of the proposed new zones.

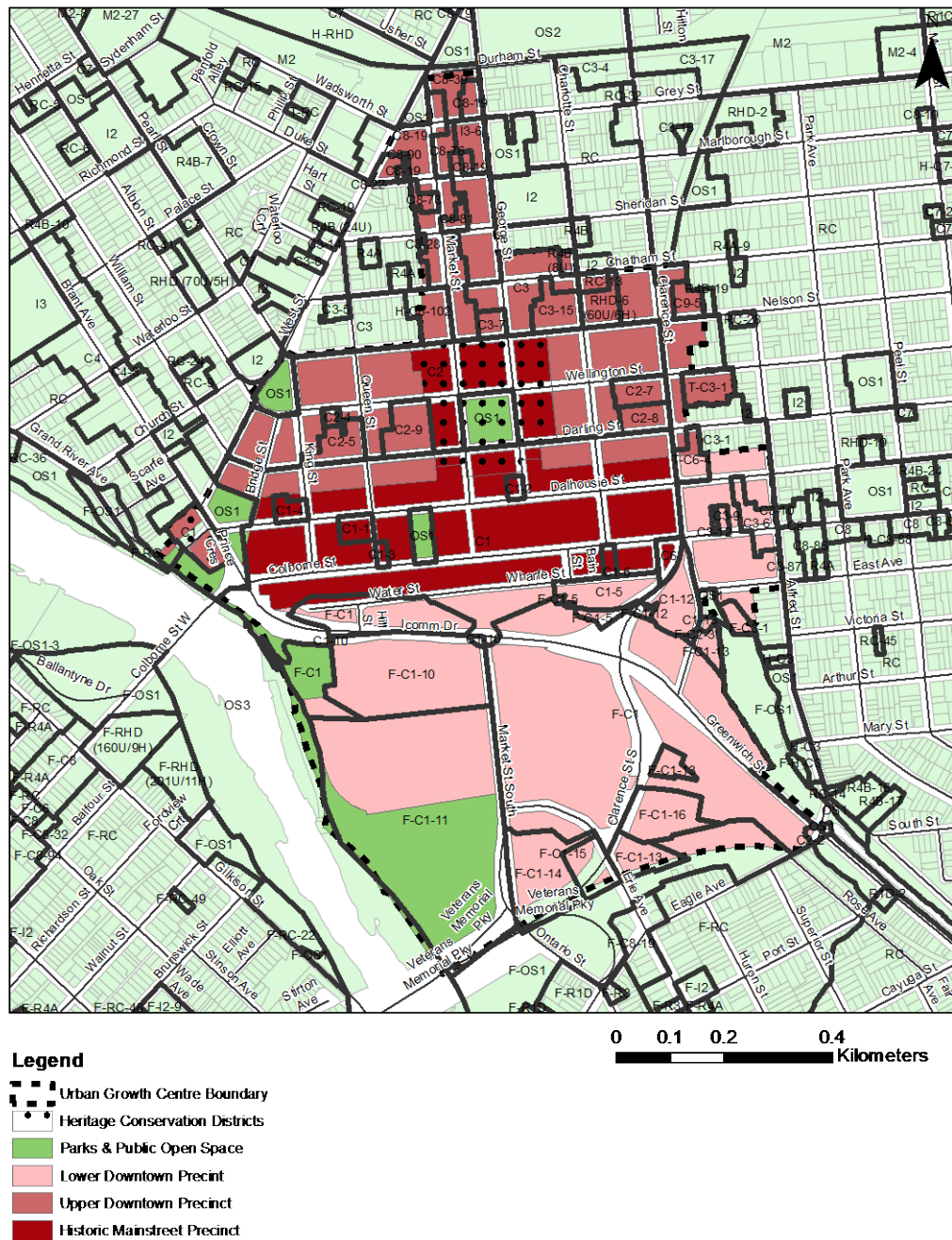


Figure 3: Brantford's Downtown Urban Growth Centre with Current Zones

## **Downtown Urban Growth Centre**

### **The Historic Mainstreets Precinct**

A new Historic Mainstreets Zone is recommended to be modelled after the Historic Mainstreets Precinct in the Official Plan. The range of permitted uses should be based on the existing C1 and C3 Zones which are zones that currently apply to lands within this precinct. The C6 Zone is also found on one site in the Historic Mainstreets Precinct; however the C6 Zone is focused on automobile services which are not permitted by the Official Plan and do not currently exist in the Precinct. Existing uses present within the area that do not conform with the zone permissions will continue as legal non-conforming uses or be recognized with a site-specific exception.

Area specific requirements or a schedule overlay will be considered to prohibit residential uses at-grade along Water Street, Wharfe Street, Colborne Street, Dalhousie Street and Market Street in conformity with the Official Plan.

Zone provisions for the new Historic Mainstreets Zone are recommended to be modelled after the C1 Zone with the inclusion of a provision for a minimum building height of 3 storeys or 10 metres, whichever is greater. The C1 zone provisions will be further reviewed with the Official Plan policies and other best practices.

### **The Lower Downtown Precinct**

A new Lower Downtown Zone is also recommended for the new Zoning By-law. The range of permitted uses should be modelled after the C1, C3 and C8 Zones which are the zones that currently apply to lands within this precinct. Zone provisions for the new Lower Downtown Zone are recommended to be modelled after the C1 Zone but will differ from the Historic Mainstreets Zone by allowing building heights higher than 8 storeys. Similar to the Historic Mainstreets Zone, the new Lower Downtown Zone provisions will also need to require a minimum building height of 3 storeys or 10 metres. A maximum height is not set out in the Official Plan policies but will be included in the new Zoning By-law, which will be determined in the next phases of the New Zoning By-law Project.

### **The Upper Downtown Precinct**

The Upper Downtown Precinct is the only precinct within the Downtown UGC that allows standalone residential uses. It is recommended that the existing low-rise residential areas be zoned in a low-rise residential zone, and the new Upper Downtown Zone should be created for lands around the transit terminal and for lands with existing commercial zoning, combining the Commercial (C1, C2, C3, C8) Zones which are present in the precinct. Applying these two different zones will ensure that the character is maintained in the existing residential areas of the precinct, while permitting mixed-use in the remaining areas.

The permitted uses in the new Upper Downtown Zone are recommended to be modelled after the existing commercial zones within the Upper Downtown Precinct but

should not include automobile gas bars, automobile rental establishments, automobile service stations, automobile washing facilities, public garages, boat and recreational vehicle sales establishments and propane storage tanks as these uses are not permitted in the precinct by the Official Plan.

It is recommended that a combination of the C1 and C2 zone provisions be the basis for the new Upper Downtown Zone provisions. These zone provisions best fit the intent of the Official Plan and should be further refined as best practices are reviewed in the next phases of the New Zoning By-law Project. A height overlay will be considered to regulate heights along arterial and collector roads and in proximity to the Downtown transit terminal, and a minimum building height of 2 storeys or 7m should be specified per the Official Plan policies. Provisions for the low-rise residential zone are discussed in the Discussion Paper #6 – Residential Zones and Chapter 7 of this Summary Report.

### Major Commercial Centre

It is recommended that a new Major Commercial Centre Zone be modelled after the Official Plan designation, with permitted uses based on a consolidation of permitted uses from the Residential (RHD, R4A) zones and the Commercial (C8, C10, C11) zones which are found within the designation (**Figure 4**). A number of uses permitted in these zones do not conform to the Official Plan and will need to be removed from the new zone's list of permitted uses.

The zone provisions are recommended to be modelled after a combination of the C10, C11 and RHD Zones with different provisions set out by use (i.e., different provisions for mixed-use, shopping centres, apartment buildings, etc.). The provisions will need to include a minimum building height of 3 storeys and cap on the size of new offices, not exceeding 4,000 square metres of gross floor area (GFA).

There are lands zoned M1 and M2 in the designation which should be rezoned per the new Major Commercial Centre Zone to better conform with the Official Plan. Also, a separate zone is recommended for gas bars and car washes that would apply throughout the City based on the C6 and C8 Zones.





Figure 4: Brantford's Major Commercial Centre Designation with Current Zones

## Intensification Corridors

The Intensification Corridors are broken down into two areas, and two proposed zones.

### Brant Avenue Heritage Conservation District

The zones present within the Brant Avenue Heritage Conservation District (C1, C4, R4B, I2 and I3) (**Figure 5**) do not conflict with uses permitted in the Official Plan. These zones are generally recommended to be carried forward as one consolidated Brant Heritage Conservation Zone except that the lands zoned Institutional School (I2) and Institutional Major (I3) should continue to be regulated by an Institutional zone further discussed in Discussion Paper #7- Institutional Zones. The new Brant Heritage Conservation Zone provisions should be modelled after the C1 Zone but with different



provisions for mixed-use and standalone residential uses. Since main street type development is intended in this zone, consideration should be given as to whether minimum lot coverage, width and lot area are necessary for the zone as such provisions are often not applied to main street type uses. The zone will establish a maximum building height of 3 storeys or 10 metres, whichever is less, consistent with the requirements of the Official Plan and the Brant Avenue Heritage Conservation District (HCD) Study. A full scope of permitted uses and provisions will also be reviewed with the HCD Study requirements and finalized in the next phases of the New Zoning By-law Project.



**Figure 5: Brant Avenue Heritage Conservation District with Current Zones**

### 6.1.1. Remaining Intensification Corridors

Lands within the remaining Intensification Corridors designation are currently regulated by several Commercial, Residential, Industrial, Institutional and Open Space zones (see **Figures 6a, 6b, 6c**).



Figure 6a: Intensification Corridors with Current Zones



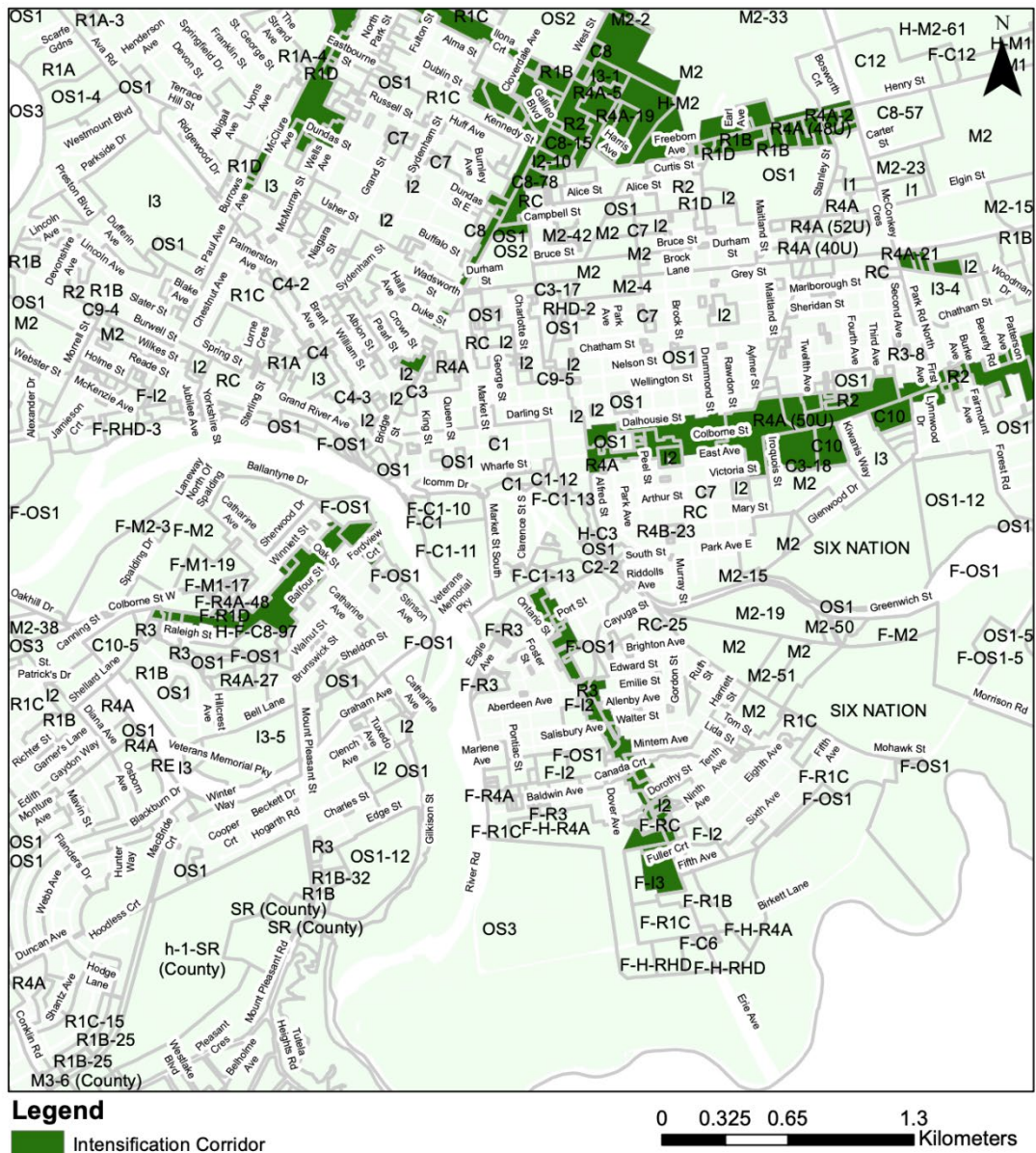
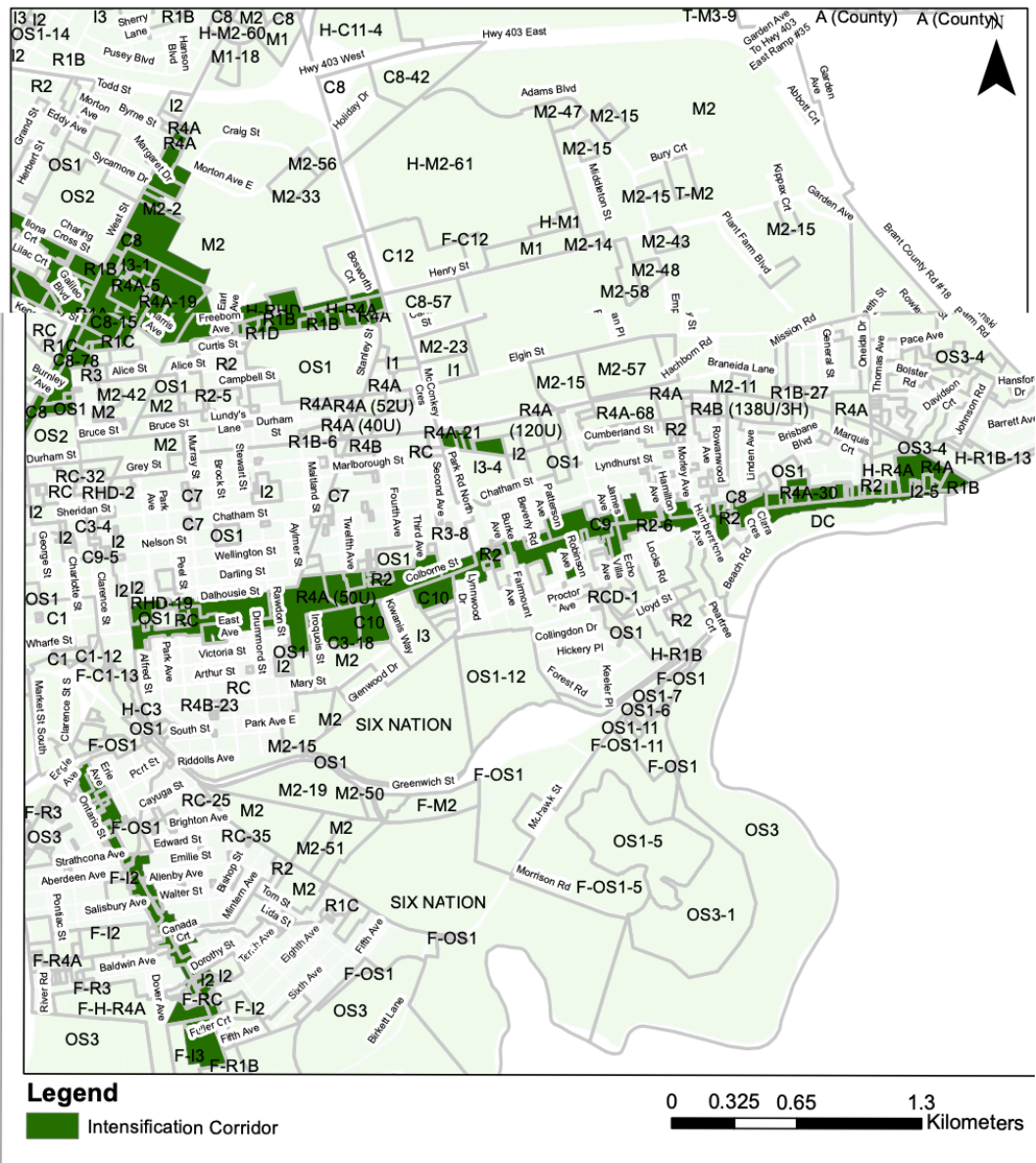


Figure 6b: Intensification Corridors with Current Zones



**Figure 6c: Intensification Corridors with Current Zones**

It is recommended that the Commercial (C6, C7, C8, C9, C10) Zones be combined into an Intensification Corridor Zone with a scope of permitted uses implementing the uses set out by the Official Plan. A number of uses that do not conform to the Official Plan should be removed from the list of permitted uses in the new zone. A combination of the C9 and C10 Zones would be most appropriate in modelling the commercial and mixed-use components of the new Intensification Corridor Zone. Provisions should be set out by use (i.e., mixed-use, shopping centre, sole residential, etc.). The minimum building height should be changed to 3 storeys with maximum building heights along Erie Avenue set at 6 storeys to conform with the Official Plan. Per the Official Plan,

maximum gross floor area for retail, service commercial and restaurant uses should be capped at 8,000m<sup>2</sup> and 4,000m<sup>2</sup> for office uses.

The Institutional (I1, I2, I3) Zones should remain zoned Institutional per the new recommended Institutional Zones described in Discussion Paper #8 Institutional. The Open Space (OS1) Zone should remain Open Space as in Discussion Paper #10 – Other Zones.

The Residential (RC, R1B, R1D, R4A, R2, R3, RHD) Zones and Industrial (M2) Zones are recommended to also be rezoned to the new Intensification Corridor Zone. Pre-zoning helps promote intensification by reducing the need for developers to submit applications for a zoning by-law amendment which saves time, consulting fees and provides greater certainty to the development community and residents. This approach is beneficial for the Intensification Corridors as the area is predominantly made up of low-rise single uses and offers a great opportunity to achieve intensification while ensuring appropriate transition.

The new zone should identify pedestrian prominent areas and require ground floor commercial uses to ensure compatibility with the existing character and avoid commercial development in non-pedestrian prominent areas where single detached dwellings are dominant. Pedestrian prominent areas will be identified in the next stages of the New Zoning By-law Project. The new Zoning By-law should also recognize existing uses, such as industrial uses, so that they're not considered legal non-conforming and can remain and expand on site. A holding provision should apply to any change of use to ensure land use compatibility is assessed through site plan applications.

### **Built Form Best Practices**

Based on a review of built form best practices and the Brantford Urban Design Manual, the new Zoning By-law should include provisions for step-backs, podium heights, stepbacks to towers, tower separation, tower floor plates, balconies, ground floor height for mixed-use buildings, landscaped open space, amenity space, angular plane, and main wall length and setback. The provisions should be based on the mid-rise and high-rise building guidelines from the Brantford Urban Design Manual.

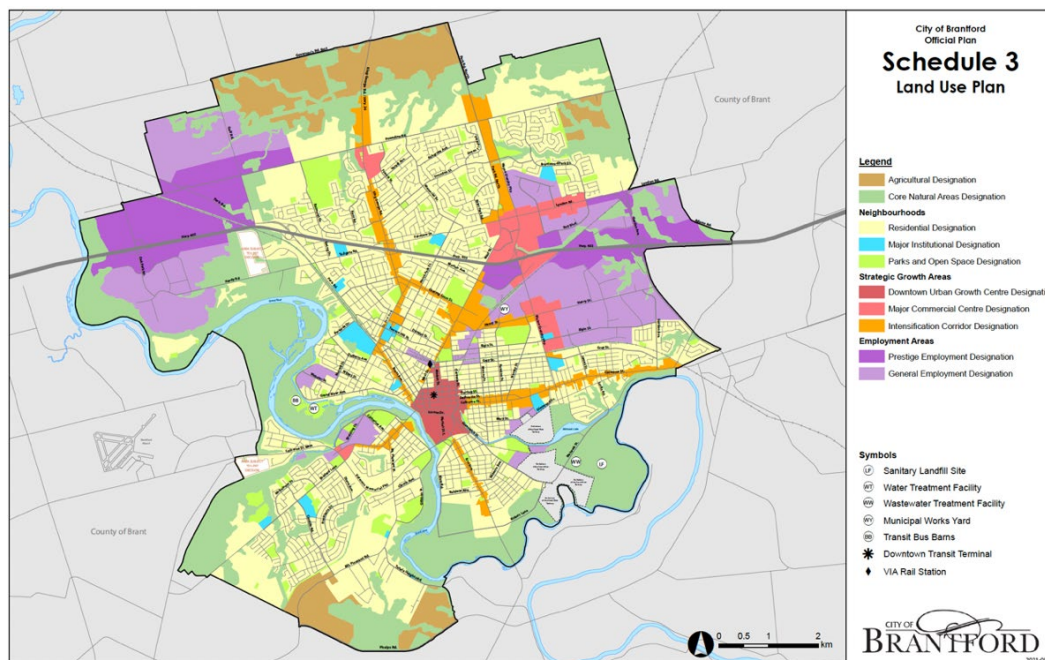


## 7. Residential Zones



Discussion Paper #6 – Residential Zones reviewed the Residential sections of the Brantford Official Plan followed by a review of existing Residential and Commercial Zones.

Official Plan Schedule 3: Land Use Plan delineates the location of the Residential Designation as shown in **Figure 7**. The Residential Designation permits a wide range of residential dwelling types as well as uses that support residents such as retirement homes, live-work units, day care facilities, and schools. Permitted building types within the Residential Designation include Low-Rise Residential Buildings, Mid-Rise Residential Buildings and High-Rise Residential Buildings.

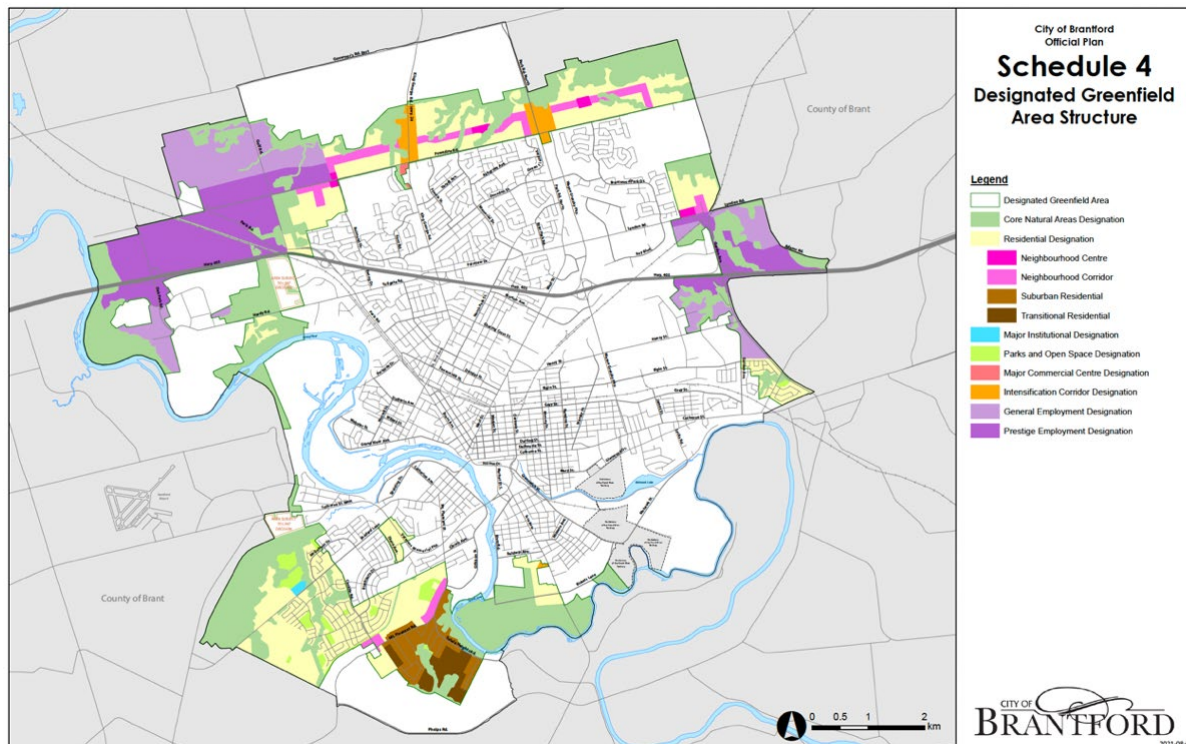


**Figure 7: City of Brantford Official Plan Schedule 3 Land Use Plan**

The Residential Designation within the Designated Greenfield Area, as shown in **Figure 8**, is further refined into the following four categories:

- Neighbourhood Centre;
- Neighbourhood Corridor;
- Suburban Residential; and
- Transitional Residential.





**Figure 8: City of Brantford Official Plan Schedule 4 Designated Greenfield Area Structure**

Within the Residential Designation, there are 15 different residential zones between the City of Brantford Zoning By-law No. 160-90 and the County of Brant Zoning By-law No. 61-16. The analysis in the Residential Discussion Paper did not include the Planned Unit Development Type One (PUD1) Zone, which is addressed in Discussion Paper #10 - Other Zones, and the Residential Cluster Dwelling (RCD) Zone, which is a site-specific exception zone. The recommended approach is to consolidate and reduce the 13 zones into five new zones that are based on similar dwelling types and aligned with the Official Plan designations.

## Suburban Residential

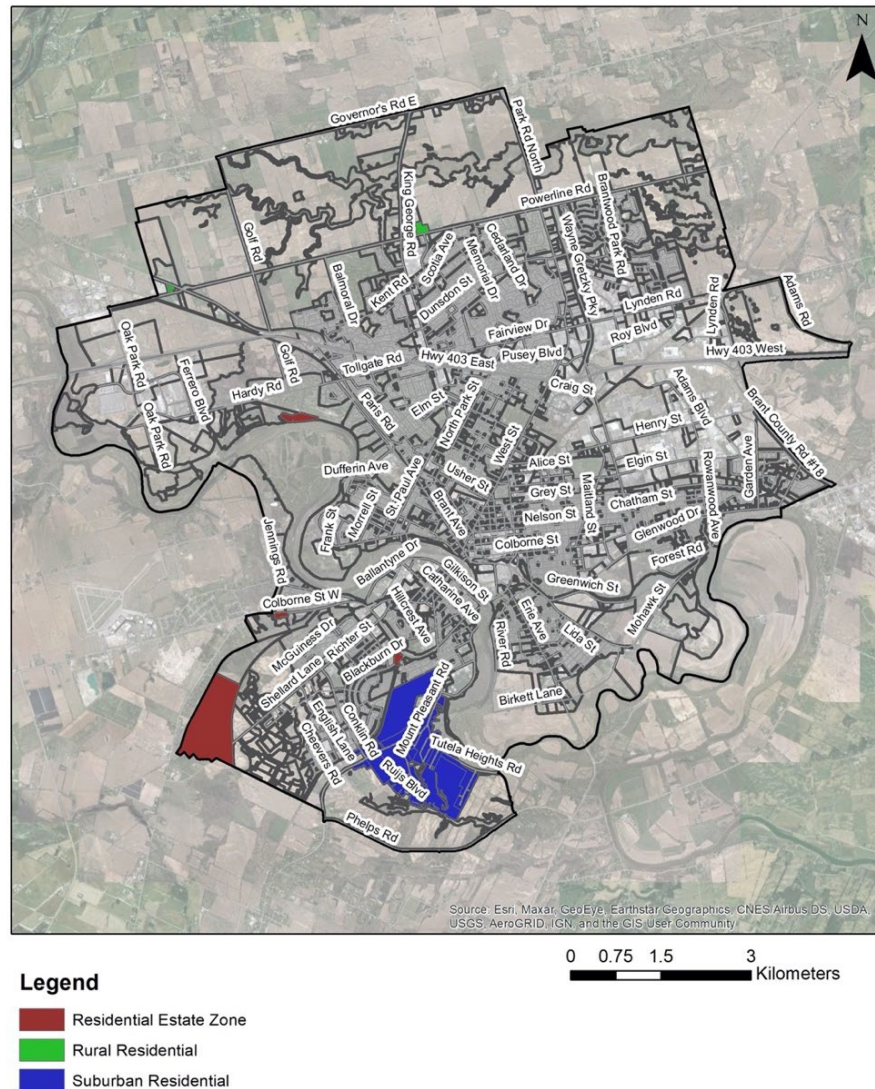
There are currently three rural residential and estate residential zones applicable to lands within the Residential Designation as shown in **Figure 9**. These zones include:

- The Residential Estate (RE) Zone which applies to four clusters of larger lots;
- The Rural Residential (RR) Zone (County) which applies to two clusters of homes along Powerline Road; and
- The Suburban Residential (SR) Zone (County) which applies to the Tutela Heights area.

It is recommended that the new Zoning By-law include one new Suburban Residential Zone that matches with the Suburban Residential category in the Official Plan. The new

zone would capture the three rural residential and estate residential zones (RE, RR and SR), as there are similarities in permitted built forms and lot standards among the zones.

The new zone will permit detached dwellings, accessory buildings, home occupations and additional residential units. A minimum lot area of 4,000m<sup>2</sup> is recommended to address the septic system requirements since the lands are not serviced with sanitary sewers. Also, a lot frontage of 24 metres is recommended to create more compact lots along the road frontage.



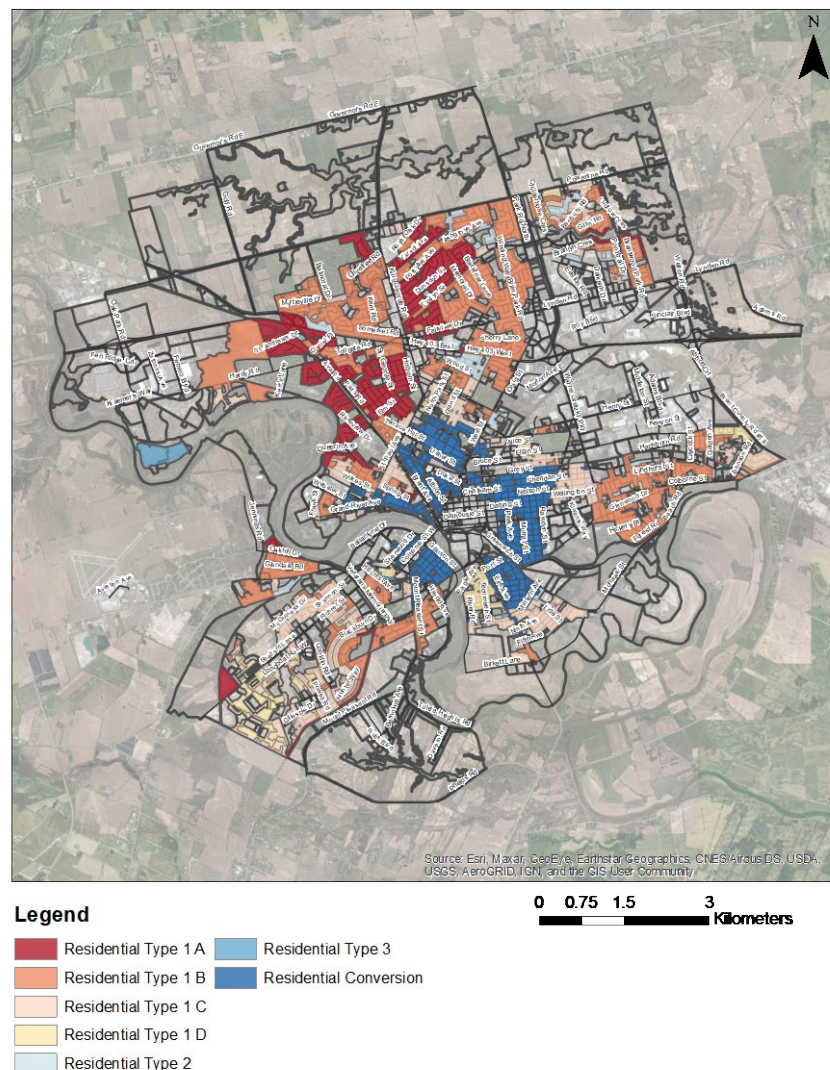
**Figure 9: Rural / Estate and Suburban Residential Zone locations**



## Low-Rise Zones

There are seven low density residential zones within the Brantford Zoning By-law applicable to lands within the Residential Designation. These zones are spread out across the city as shown in **Figure 10** and listed below:

- Four Residential Type 1 zones (R1A, R1B, R1C, R1D);
- The Residential Type 2 Zone (R2);
- The Residential Type 3 Zone (R3); and
- The Residential Conversion Zone (RC).



**Figure 10: Low Density Residential Zone locations**

Among the seven low density residential zones, there is often overlap in permitted built forms with slight changes to lot standards such as lot area, frontage and coverage. For example, the Residential Type 1 zones (R1A, R1B, R1C, and R1D) all permit detached dwellings but have different minimum lot frontages. To further understand the impact of changing the low density residential zones, a mapping exercise was conducted that examined the lot areas, frontages, and coverages of low density residential zones. This exercise illustrated existing lots generally met the respective zone requirements. In light of the Official Plan promoting infill development and the emerging best practices of utilizing overlays and subcategories to differentiate between lot standards, the following is recommended:

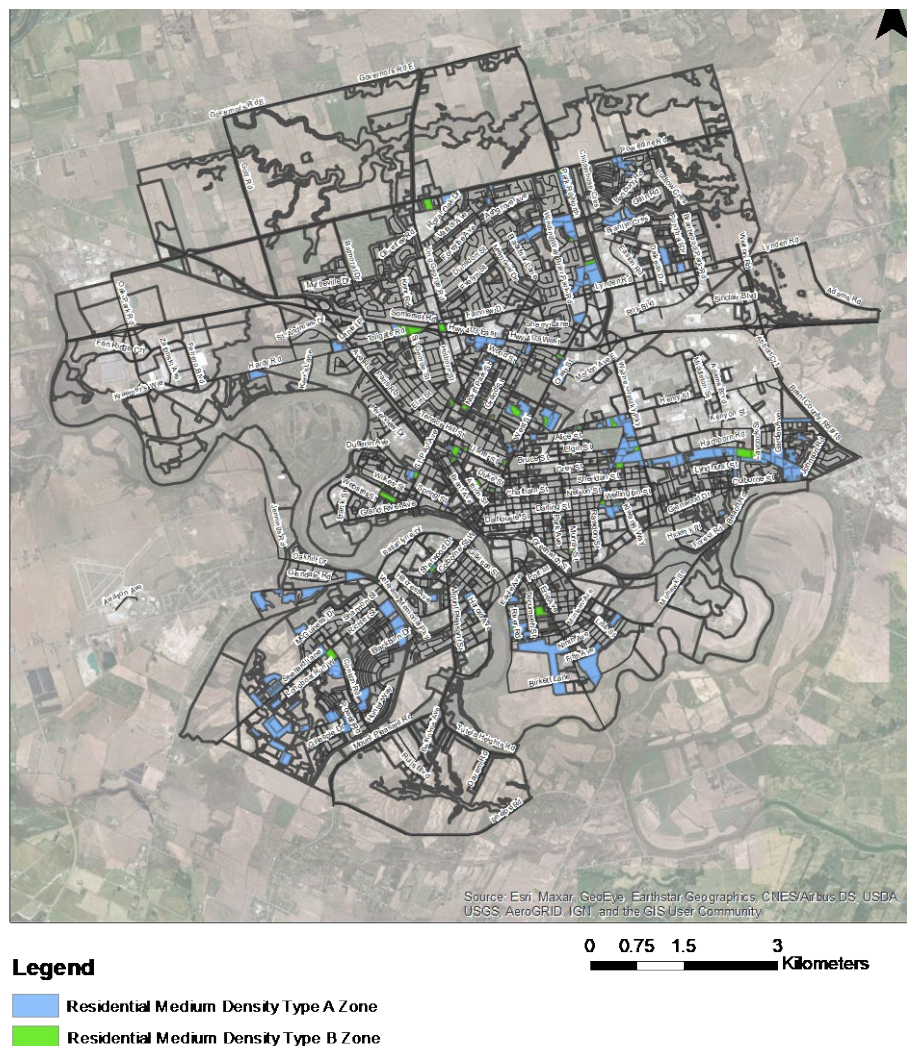
- A Residential Low-Rise Zone 1: Existing Neighbourhood Zone (RLR1) would permit single, semi-detached and duplex dwellings. Zone sub-categories would provide for differing lot standards, i.e., differing lot area and frontage. The zone sub-categories could also be used to address the requirements of the Transitional Residential category from the Official Plan, with different subcategories to address larger lot requirements;
- A Residential Low-Rise Zone 2: Greenfield Neighbourhoods Zone (RLR2) would apply to lands within the Designated Greenfield Area and permit a range of low-rise, multiple unit dwellings;
- A Residential Low-Rise Zone 3: Neighbourhood Corridor Zone (RLR3) would permit a broader range of multiple unit housing forms. It would apply to the Neighbourhood Corridor Designation within the Designated Greenfield Area as well as other existing areas which currently permit a broader range of low-rise multiple unit housing forms.

The next phases of the New Zoning By-law Project will review and finalize whether the existing standards and setbacks from the Residential Low Rise zones should be carried forward to the new Zoning By-law across all three of the new low-rise residential zones or whether RLR2 and RLR3 should provide for reduced standards to facilitate a compact built form. Other things to note include that additional dwelling units (accessory dwelling units) are not permitted in the current R2, R3 and RC zones. The new Zoning By-law should permit additional dwelling units in all residential zones in accordance with Official Plan and Provincial policy.

## **Mid-Rise Zone**

There are two existing medium density residential zones within the Brantford Zoning By-law applicable to lands within the Residential Designation. These lands are typically located at the peripheries of neighbourhoods or adjacent to collector and arterial roads (**Figure 11**). They include:

- the Residential Medium Density Type A (R4A) Zone; and
- the Residential Medium Density Type B (R4B) Zone.



**Figure 11: Medium Density Residential Zones Locations**

The medium density zones include permission for a mix of built forms and uses ranging from duplexes to low rise apartment buildings as well as retirement homes, with maximum height permissions ranging from 3-4 storeys. The Residential Medium Density Type A (R4A) Zone permits grade related residential uses such as duplexes, fourplexes and townhouses, whereas the Residential Medium Density Type B (R4B) Zone permits low-rise apartment dwellings. As a result of the different types of housing permitted between the two zones, there is little overlap in the lot standards.

It is recommended that one Mid-Rise Zone be created in the new Zoning By-law that permits all mid-rise dwelling types with varying built form standards for each housing type.

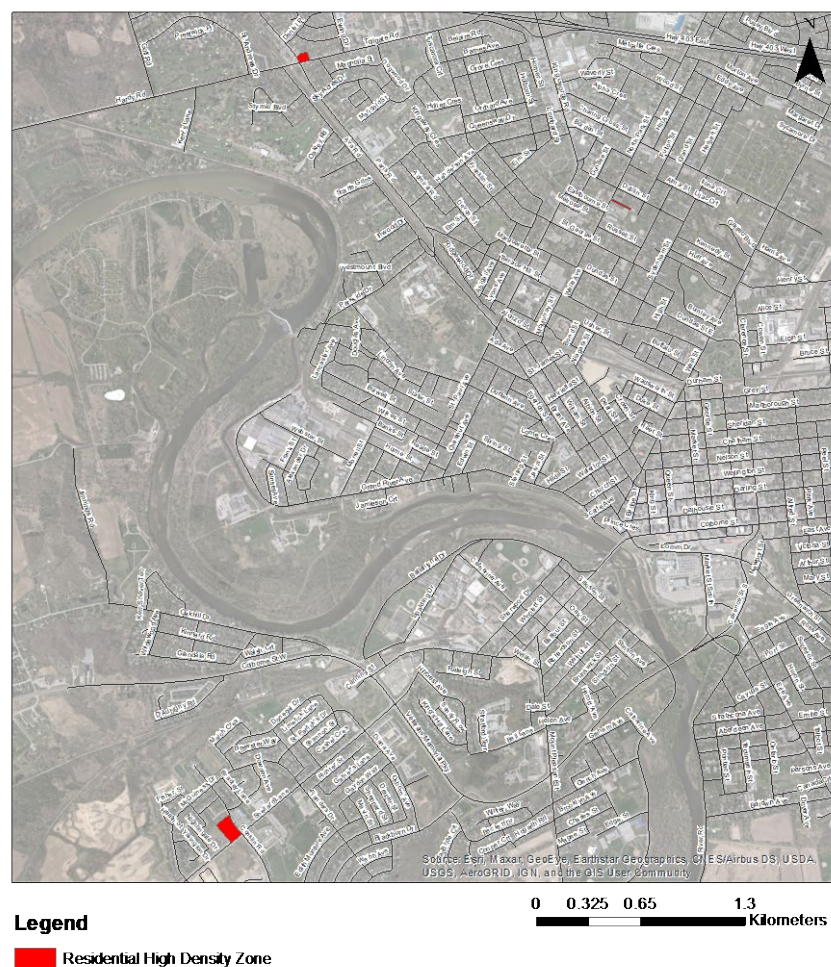
The existing permissions for maximum building height in the current Zoning By-law are 3 storeys in the R4A Zone, and 4 storeys in the R4B Zone. The new Official Plan permits a range of 3-6 storeys for mid-rise residential buildings; however, this height



range may not be appropriate across the entirety of the lands within the new Mid-Rise Zone. Therefore, it is recommended that a height overlay schedule be utilized in the new Zoning By-law which provides different heights for different properties in the new Mid-Rise Zone, with a maximum height of 6 storeys for all new Mid-Rise zoned sites and a maximum height of 4 storeys for all existing R4A and R4B zoned sites.

## High-Rise Zone

The existing Residential High Density (RHD) Zone in the Brantford Zoning By-law 160-90 is the only high density residential zone located outside of the Downtown Urban Growth Centre, the Intensification Corridors and the Major Commercial Centres. The RHD Zones are located on the west end of the City, with two sites north of the Grand River, and one site south of the Grand River, as shown on **Figure 12**.



**Figure 12: High Density Zone Locations outside of the Downtown, Intensification Corridors and Major Commercial Centres**

The Residential High Density (RHD) Zone currently permits a range of denser built



forms such as apartment dwellings, retirement homes and institutional uses such as group homes, as well as convenience stores and personal service stores. It is recommended that the existing RHD Zone and the current use permissions should be maintained in the new Zoning By-law while also permitting non-residential uses on the ground floor.

## Commercial Zones within the Residential Designation

There are six different commercial zones within the Residential Designation, including Mixed Commercial Residential (C3), Automobile Service Commercial (C6), Convenience Commercial (C7), General Commercial (C8), Neighbourhood Centre Commercial (C9) and the Community Centre Commercial (C10).

### Mixed Commercial Residential (C3) Zone

The Mixed Commercial Residential (C3) Zone permits a range of commercial uses, as well as a wide range of residential uses including apartment dwellings, duplexes, fourplexes, semi-detached dwellings, single-detached dwellings, street townhouses, and triplexes. Lands zoned C3 surround the Downtown and are located along Grand River Avenue, as shown on **Figure 13**.



Figure 13: Mixed Commercial Residential zone locations

## The Automobile Service Commercial (C6) and General Commercial (C8) Zones

The Automobile Service Commercial (C6) Zone permits a range of automotive-related uses such as gas stations, service stations, garages, and used motor vehicle sales. The General Commercial (C8) Zone permits a broad range of commercial uses including automotive-related uses similar to those permitted in the C6 Zone. The General Commercial (C8) and Automobile Service Commercial (C6) zones are typically located in clusters along arterial roads, as shown on **Figure 14**. The lot standards between the Automobile Service Commercial (C6) and General Commercial (C8) zones are generally similar, with slightly larger minimum lot area, maximum lot coverage, and maximum height permissions within the General Commercial (C8) Zone.



**Figure 14: Example of Automobile Service Commercial (C6) and General Commercial (C8) Zone locations**



### Convenience Commercial (C7) Zone

The Convenience Commercial (C7) Zone permits a limited range of commercial uses typical of small neighbourhood oriented retail facilities including bakeries, delicatessens, convenience stores, personal service stores and pharmacies as well as residential units within the same building. The Convenience Commercial (C7) Zone is generally located along local residential streets, as shown in **Figure 15**.

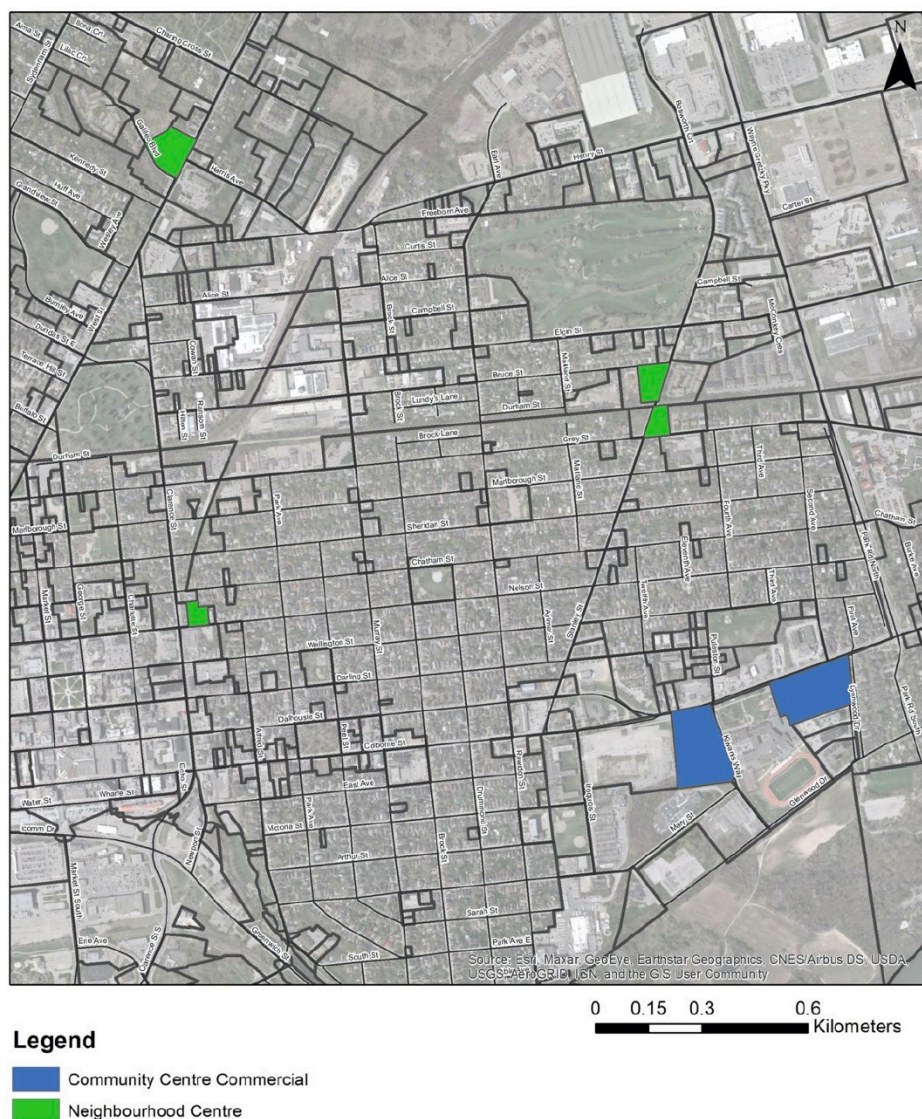


**Figure 15: Example of Convenience Commercial (C7) Zone locations**

### Neighbourhood Centre Commercial (C9) and Community Centre Commercial (C10) Zones

The Neighbourhood Centre Commercial (C9) and Community Centre Commercial (C10) Zones each permit a similar range of commercial uses. Lands zoned C10 are

predominantly developed with large commercial plazas, and lands zoned C9 generally contain small strip malls (**Figure 16**). The two zones have different lot standards, in particular the minimum lot area.



**Figure 16: Example of Neighbourhood Centre Commercial (C9) and Community Commercial (C10) Zone locations**

### Recommended Approach to Commercial Zones within the Residential Designation

The recommended approach for commercial zones in the new Zoning By-law is to establish three discrete commercial zones based on the commercial function taking place and to ensure compatibility with surrounding uses. These zones will include an Automobile Service/Gas Station Zone, a Convenience Commercial Zone and a Neighbourhood Commercial Zone. Within the Neighbourhood Commercial Zone,



residential uses should be permitted above the ground floor with commercial uses required at grade.

The existing Mixed Commercial Residential (C3) Zone is similar to the proposed Convenience Commercial Zone for the commercial uses permitted, however much of the lands within the existing C3 Zone are occupied with residential uses. Further consideration needs to be given as to whether most of the lands should be changed to a residential zone or remain in a new mixed commercial residential zone.

## 8. Institutional Zones



Discussion Paper #7 – Institutional Zones reviewed the Institutional sections of the Brantford Official Plan followed by a review of existing Institutional Zones. The Major Institutional Designation is the only institutional designation in the Official Plan. As such, the Discussion Paper documented which zones apply to lands within this Designation and reviewed the permitted uses within each of these zones.

In addition, several Institutional Zones apply to lands within other land use designations in the Official Plan (i.e., the Residential Designation) and were profiled in the Discussion Paper.

### Institutional Designation

The Major Institutional Designation is located across the city as shown in **Figure 17**.

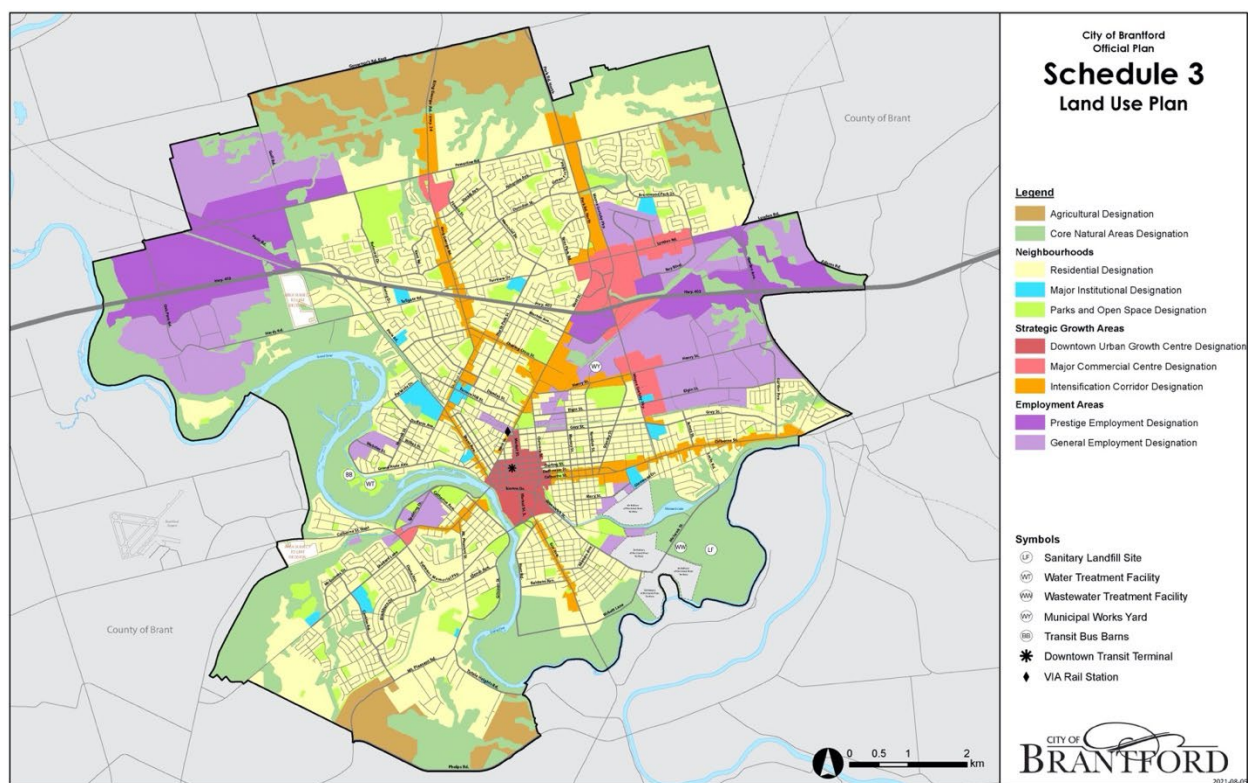


Figure 17: City of Brantford Official Plan Schedule 3: Land Use Plan



The Major Institutional Designation permits institutional uses at a City-wide or regional scale. Permitted uses include:

- Large-scale public service facilities, including secondary schools, post-secondary educational facilities, hospitals, police stations, and emergency medical service (EMS) stations;
- Retirement homes and communal housing which may include special needs housing and nursing homes;
- Large-scale places of worship that may include daycare facilities; and
- Complementary uses to a permitted use, listed above.

A mapping exercise that compared the locations of the existing Institutional Zones in the City relative to the land use designations in the Official Plan is shown on **Figure 18**. Lands within the Major Institutional Designation are predominantly developed with secondary schools and post-secondary schools, as well as medical-related uses which include a hospital and medical centres. Institutional uses are not exclusively located within the Major Institutional Designation and are located across the city in other land use designations which permit smaller-scale institutional uses. Outside of the Major Institutional Designation, the most common designation for an Institutional zone to occur in is the Residential Designation, followed by the Intensification Corridor Designation.

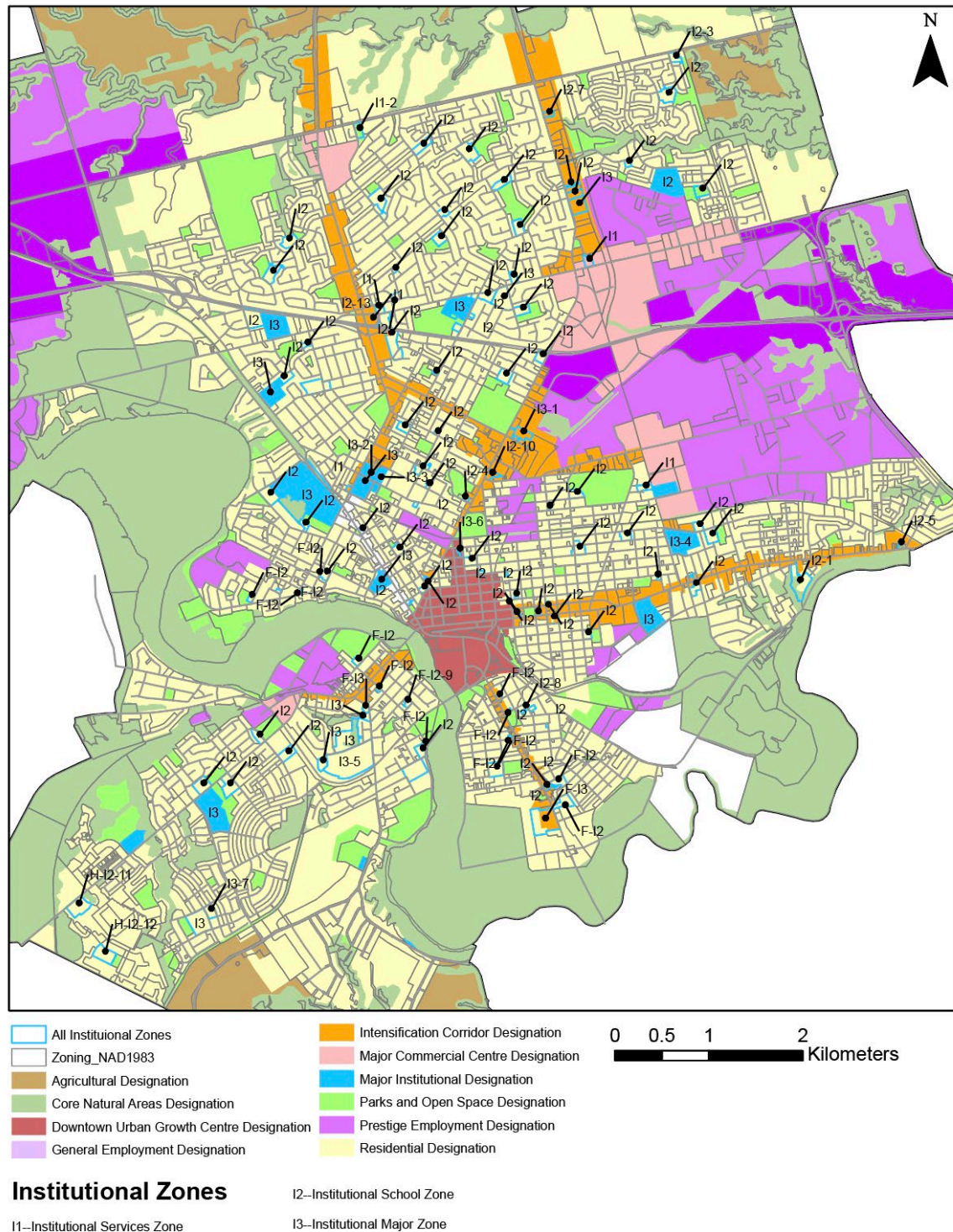


Figure 18: Existing Institutional Zones in comparison to the Official Plan Land Use Designations

## **Current Institutional Zones**

Within the two in-effect Zoning By-laws, there are four (4) Institutional Zones including:

- I1 Institutional Services Zone;
- I2 Institutional School Zone;
- I3 Institutional Major Zone; and
- N1 Minor Institutional – County of Brant Zoning By-law.

Among the Institutional Zones, there is overlap with permitted uses and the built form standards, but there are slight differences between them. For example, the Institutional Services (I1) Zone has the least number of permitted uses and focuses only on emergency services including police, ambulance and fire stations, as well as accessory uses. In contrast, the Institutional Major (I3) Zone permits the widest range of uses, including both large and small scale uses, followed by the Major Institutional (N2) Zone from the County of Brant's Zoning By-law. The Institutional School (I2) Zone focuses on schools and more localized institutional uses including places of worship and day cares.

In regard to built form standards, there are very few similarities among the zones except for the minimum lot frontage requirement, which is either 20 metres or 30 metres for the zones in the City's Zoning By-law and 15 metres for the zones in the County's Zoning By-law. The minimum lot area requirements range from 450 m<sup>2</sup> up to 10,000 m<sup>2</sup> depending on the zone and the use. Front yard setbacks range from 6 metres to 15 metres depending on the zone and the use. Lot coverage is also generally consistent, ranging from 35% to 40%.

## **Options for Institutional Zones**

To simplify the existing Institutional Zones and recognize the Major Institutional Designation, three options were considered for the new Zoning By-law, which included:

1. Maintain the existing Institutional Zones

The first option maintains the existing three Institutional Zones and combines the County's N1 Zone with the City's I2 Zone. It is the easiest approach to implement, but it does not relate well to the Official Plan structure and provides for a lengthier Zoning By-law.

2. One Institutional Zone

One Institutional zone would streamline the Zoning By-law and permit all institutional uses within the one zone. This option would permit more intense institutional uses as of right on lands currently zoned institutional within the Residential Designation, which may create compatibility issues. However, in most cases, such new uses would not be locating on an existing vacant Institutional zoned site but rather on a new site and would be approved through a site-specific process.

3. Two Institutional Zones related to the Official Plan Designation

This option would relate to the Official Plan with one Major Institutional Zone for lands within the Major Institutional Designation and a second Minor Institutional Zone for existing Institutional Zoned lands outside of the Major Institutional Designation.

New institutional uses outside of existing uses and existing institutional zoning would be subject to a Zoning By-law amendment except for those public uses permitted in all zones as will be set out in the General Provisions section of the new Zoning By-law.

**Recommended Institutional Zones**

The recommended approach is Option 3 with two Institutional Zones, a Major and a Minor Institutional Zone, as this approach best matches the permitted uses in the Official Plan.



## 9. Employment Zones



Discussion Paper #7 – Employment Zones reviewed the employment land use designations in the Brantford Official Plan followed by a review of the existing zones applicable to lands in each designation. There are two employment land use designations in the Official Plan: The Prestige Employment Designation and the General Employment Designation shown on **Figure 19**. The existing employment zones that are applicable to lands within the General Employment Designation include Brantford's Industrial Commercial (M1) Zone, General Industrial (M2) Zone and Business Park Industrial (M3) Zone while the zones that are applicable to lands within the Prestige Employment designation additionally include Brant County's Light Industrial (M2) Zone and Heavy Industrial (M3) Zone.

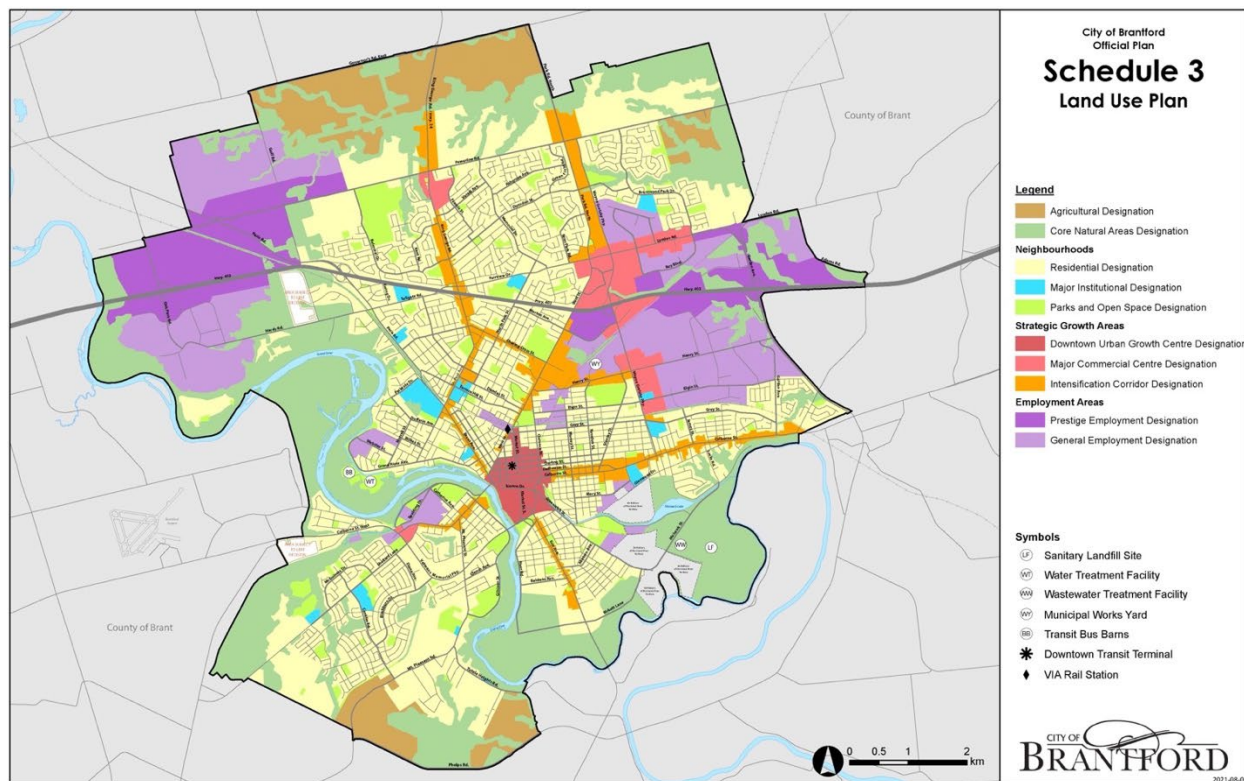


Figure 19: City of Brantford Official Plan Schedule 3 Land Use Plan

### Recommended Zones

It is recommended that two separate Employment zones be created in the new Zoning By-law – a Prestige Employment (PE) Zone and a General Employment (GE) Zone.

## **General Employment Zone**

A new General Employment Zone is recommended to apply to lands designated General Employment in the Official Plan. The permitted uses in the Zone will conform to the Official Plan policies and be modelled largely after the M2 Zone.

Although used and/or recycled automobile dealerships are permitted in the General Employment Designation, new automobile dealerships are not. It is recommended that used and/or recycled automobile dealerships be removed from the scope of permitted uses in the General Employment Designation in the Official Plan.

Several other permitted uses should be removed including those covered by another use, such as a postal station which is covered by a service store, uses that should be permitted in all zones and uses that do not conform with the Official Plan such as agricultural uses, banquet halls, building supply centres, home furnishing stores, etc. For a full scope of uses to be removed, refer to Discussion Paper #8 – Employment Zones.

The zone provisions of the existing employment zones: M1, M2, M3, M1 (Brant County) and M2 (Brant County) Zones were reviewed to determine the provisions for the new General Employment Zone. The Business Park Industrial (M3) (Brantford) Zone is the only zone that sets out a cap for office uses at 50% of maximum gross floor area. A similar provision will be needed in the new General Employment zone to reflect the Official Plan requirement for ancillary offices only. Coverage requirements should be eliminated and instead require a landscape strip along road frontages or a landscaped open space requirement to encourage more intense employment uses. Overall, Brantford's current provisions are consistent with the approach of the best practices and should be refined in the next Phase of this study.

## **Prestige Employment Zone**

A Prestige Employment (PE) Zone is recommended to apply to lands designated Prestige Employment. The permitted uses are proposed to be revised to conform to the Official Plan policies and be modelled largely after the M1 and M3 Zones. Similar to the new General Employment Zone, several uses would be removed and will be further refined in the next phases of this New Zoning By-law Project.

The zone provisions of the existing employment zones M1, M2, M3, M1 (Brant County) and M2 (Brant County) Zones were reviewed to determine appropriate provisions for the new Prestige Employment Zone. The Prestige Employment Zone will permit major office, however, per the Official Plan policies, the use will be restricted at a size cap of 4,000 m<sup>2</sup>. Retail sale of items manufactured on the property should also be added as a permitted use.

Similar to the General Employment Zone, coverage requirements should also be eliminated and replaced with landscape buffers informed by best practices, as further refined in the next phases of this Study. The lot frontage requirement for the new



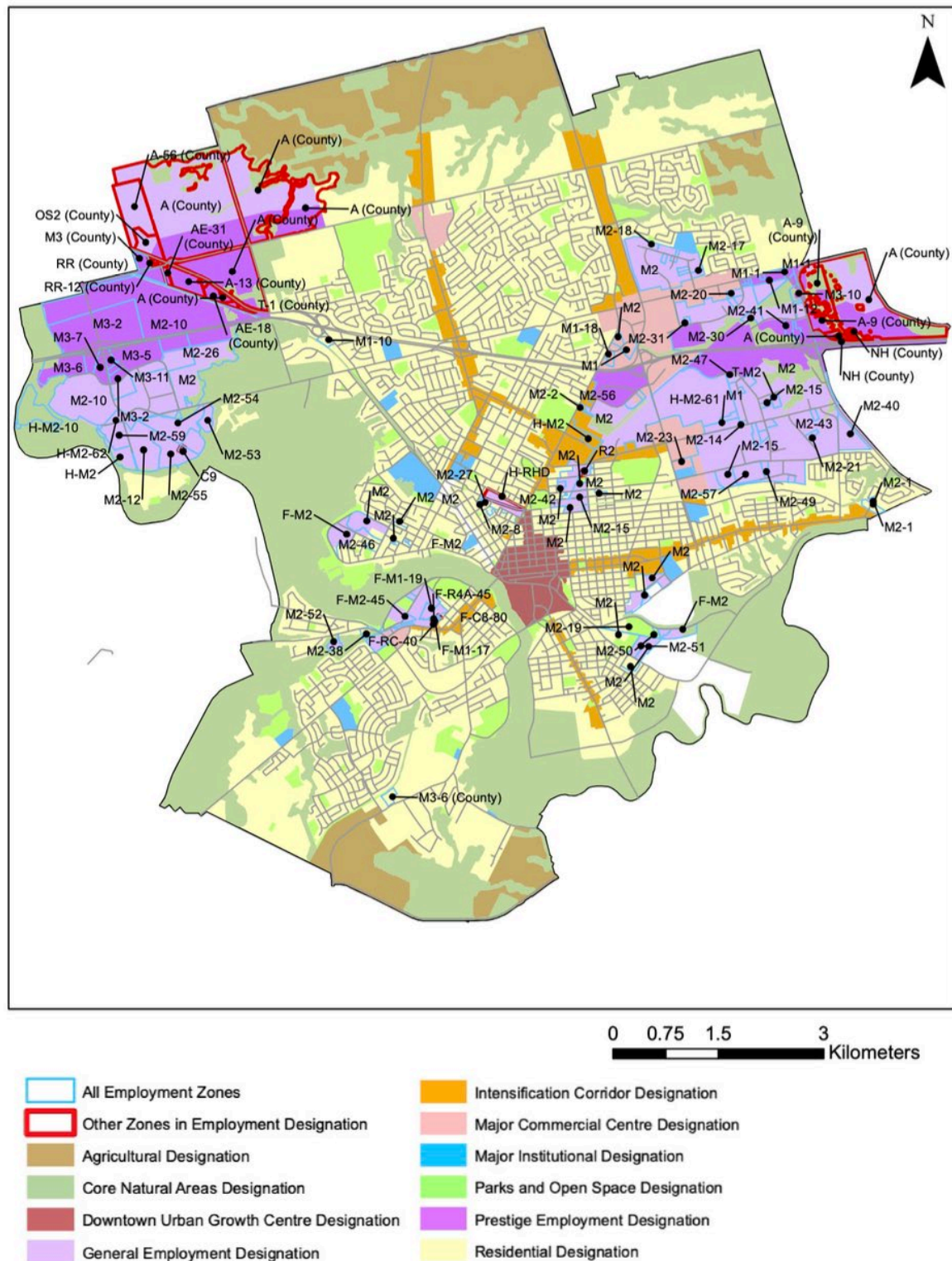
Prestige Employment Zone will be determined through a review of the best practices in the next phase of the New Zoning By-law Project. Both the new General Employment and Prestige Employment zones should also incorporate provisions that implement the built form guidelines described in Brantford's Urban Design Manual for employment buildings and the built form. The specific zone provisions will be determined in the next phase of the New Zoning By-law Project.

### **Other Zones in the Employment Land Use Designations**

Given that the employment area boundaries were reviewed and revised in the new Official Plan, there are several instances in which non-employment zones appear in the General and Prestige Employment Designations as shown in **Figure 20**. Agricultural (A) and Rural Residential (RR) zones from the County of Brant Zoning By-law apply to some lands within the employment land use designations and are recommended to be pre-zoned for employment uses to directly implement the Official Plan. Likewise, the Neighbourhood Centre Commercial (C9) Zone, located at Oak Park Road and Wright Street which is vacant and the Residential High Density (RHD) Zone, located at the southwest corner of Usher Street and West Street which contains no residential uses are also recommended to be rezoned to the new General Employment Zone.

### **Employment Zones outside of the Employment Designations**

There are also instances of employment zones that apply outside of the employment land use designations including within the Residential Designation, the Major Commercial Designation and Intensification Corridor Designation. The existing uses on each of these sites are described in the Discussion Paper and most are no longer occupied by industrial uses, but rather a combination of commercial and residential uses. As discussed in Discussion Paper #5 – Mixed Use, the employment zones found in the Major Commercial and Intensification Corridor designations should be pre-zoned to permit mixed-use development as per the Official Plan designation. The employment zones found in the Residential Designation should also be pre-zoned to directly implement the Official Plan which may be a residential or commercial zone. Those few remaining industries not within an employment land use designation will become legal non-conforming uses.

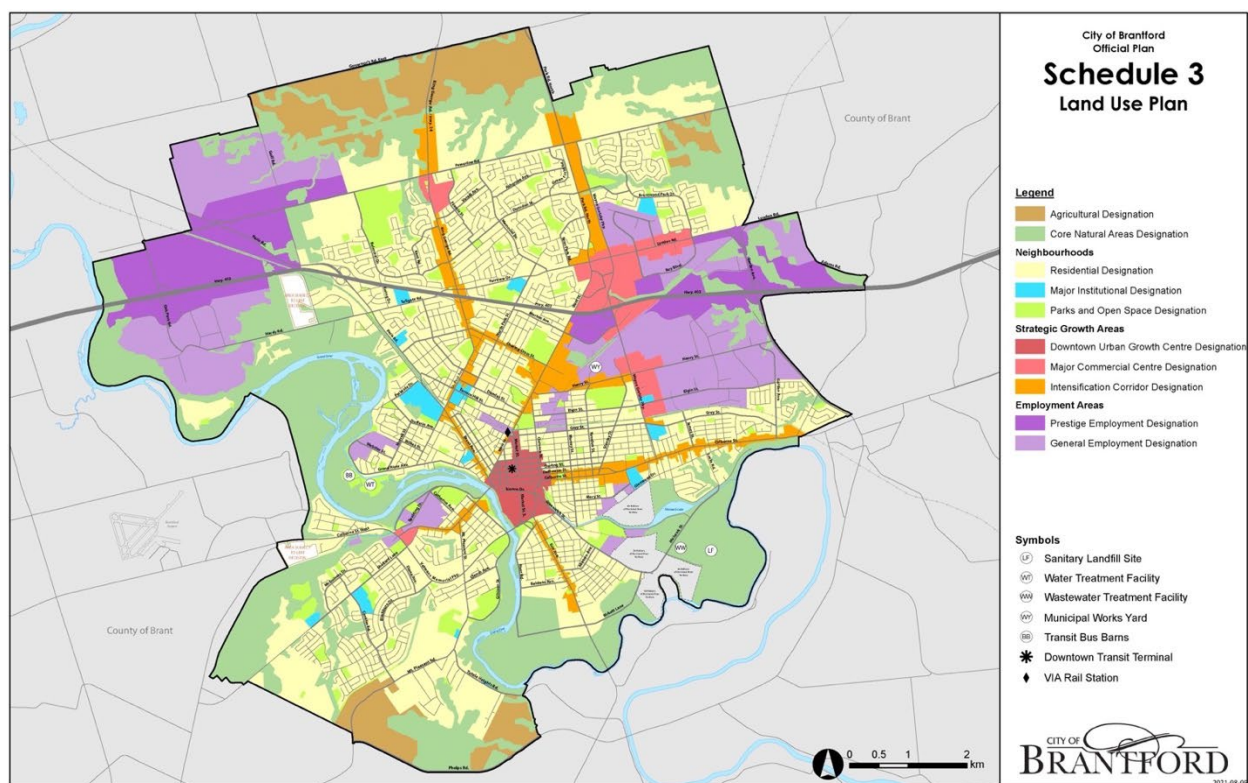


**Figure 20: Land Use Designations within Current Employment Zones**

## 10. Agricultural Zones



Discussion Paper #9 – Agricultural Zones reviewed the Agricultural Designation of the Official Plan followed by a review of the existing zones applicable to lands within the designation. The Agricultural Designation and is generally located between the Jones Creek Corridor and the municipal boundary along Governors Road to the north, south of Powerline Road near the municipal boundary to the east, and in the south part of Tutela Heights as shown in **Figure 21**.



**Figure 21: City of Brantford Official Plan Schedule 3 Land Use Plan**

There are no Agricultural Zones in the City of Brantford's Zoning By-law; rather, all the zones present within the Agricultural Designation are within the Brant County Zoning By-law. The Agricultural and Agricultural Employment Zones are the applicable zones within the Agricultural Designation.

It is recommended that the Agricultural Zone be streamlined into one zone that implements the Official Plan policies. There are two properties that are currently zoned Agricultural Employment, both of which have site specific exceptions. These site-



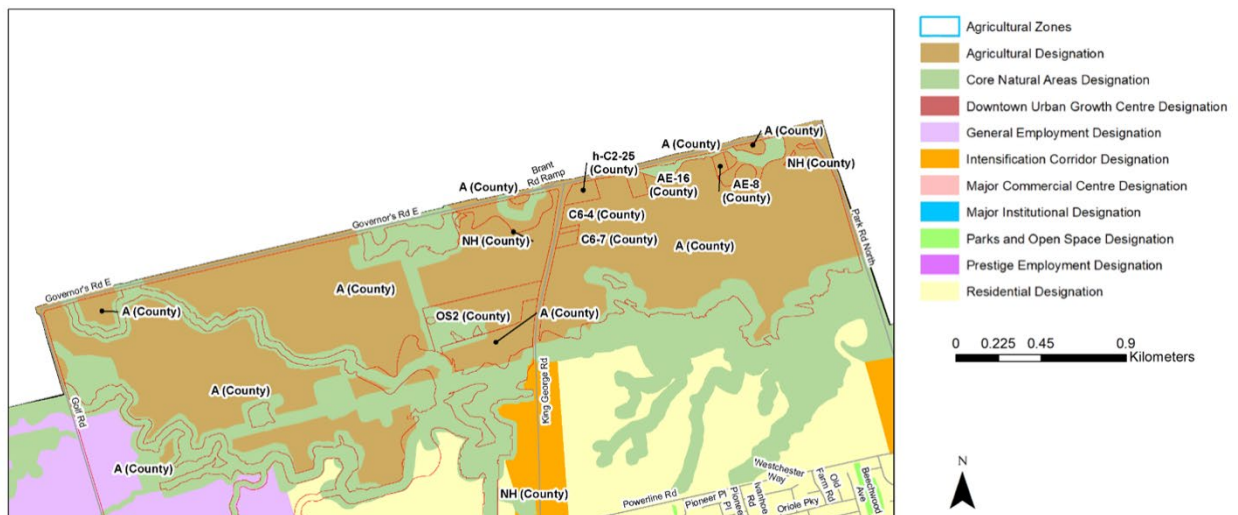
specific exceptions are recommended to be carried forward as exceptions in the new Agricultural Zone.

Permitted uses for the new zone should be modelled after the County's Agricultural Zone as it best reflects the Official Plan policies, but it should be updated to include the addition of agri-tourism uses, accessory residential uses, bed and breakfast establishments, home occupations and home industries. Shipping containers should be removed as it should be considered an accessory structure and not a use. Medical marijuana production facilities should also be removed to comply with the recent amendment to Brant's Zoning By-law.

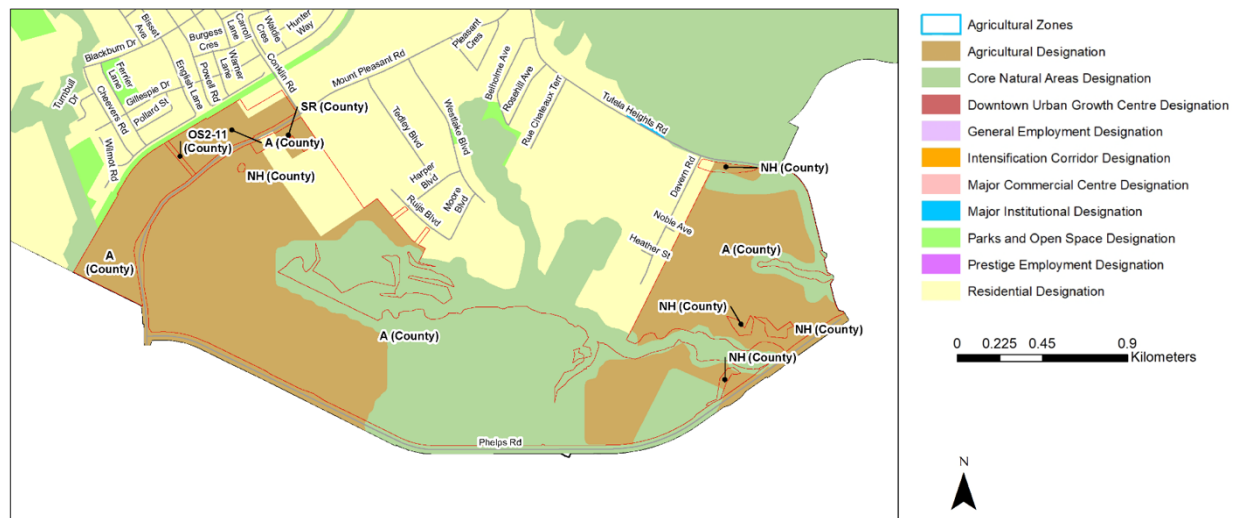
Provisions should be modelled after the existing Agricultural Zone and include different provisions for farms, dwellings, farm production outlets and greenhouses in the General Provisions. Minimum landscape requirements should be removed.

Several other non-agricultural zones occur within the Agricultural designation as shown in **Figures 22 and 23** and include:

- Automotive Commercial (County) (C6) Zone;
- General Commercial (County) (C2) Zone;
- Recreational Facilities (County) (OS2) Zone; and
- Suburban Residential (County) (SR) Zone.



**Figure 22: Existing Agricultural Zones in the Agricultural Designation, North of Powerline Road**



**Figure 23: Existing Agricultural Zones in the Agricultural Designation, Tutela Heights**

The C2 Zoned site is vacant with a holding provision and site-specific provision permitting a variety of commercial uses. Three options were proposed to address the property, including:

- Option 1: Maintain a commercial zone with the site specific provision;
- Option 2: Zone the site to an Agricultural Zone with the same site-specific permissions; or
- Option 3: Zone the site to an Agricultural Zone with no site-specific permissions.

These options will be further explored as the New Zoning By-law Project progresses. If the site-specific permissions are maintained through Options 1 or 2, the Official Plan should be amended to include a Modified Policy Area for this property to permit the range of uses contained in the site-specific zoning permission.

For the C6 Zone, it is recommended that the zoning be changed to the new Agricultural Zone to match the Official Plan designation while carrying forward the site-specific permissions to address current uses. In addition, amendments to the Official Plan are recommended to add Modified Policy Areas to recognize the existing uses.

The other two zones: OS2 and SR should be changed to the new Agricultural Zone with a site-site specific provision for the OS2 site.



## 11. Other Zones



Discussion Paper #10 - Other Zones reviewed and evaluated the Core Natural Areas and Parks and Open Space Designations and related zones (**Figure X**). It also reviewed all other remaining zones in the City of Brantford and County of Brant Zoning By-laws which were not captured in the previous Discussion Papers including the Development Constraint (DC) Zone, Planned Unit Development Type 1 (PUD1) Zone; Zones that exist in the Zoning By-law but have not been applied to any lands in Brantford, Source Water Protection areas and Holding, Flood and Temporary Use Zones.

The following recommendations are proposed for each of these zone categories.

### Core Natural Zones

A new Core Natural Zone should be developed to implement the Core Natural Areas Designation in the Official Plan and should be modelled after the existing Natural Heritage (NH) Zone in the County of Brant Zoning By-law 61-16. The new zone will follow the boundaries of the Core Natural Areas Designation irrespective of property lines. An amendment to the Zoning By-law will be required if the boundaries of the Core Natural Areas change through detailed studies submitted with development applications.

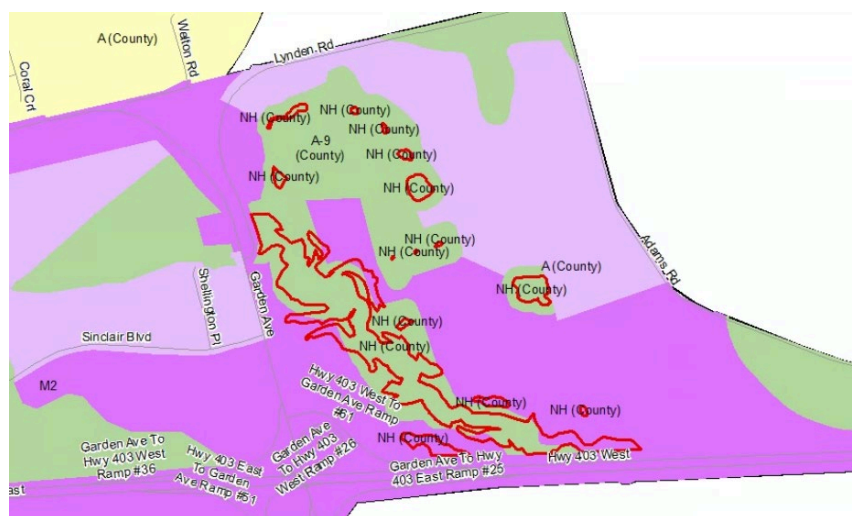
There are several other zones that currently apply to lands within the Core Natural Areas Designation that need to be addressed. The recommendations for these zones are outlined below:

- All lands zoned Agricultural should be rezoned to a Core Natural Zone in the new Zoning By-law to ensure conformity to the Core Natural Areas Designation;
- The Business Park Industrial (M3) Zone located southwest of Oak Park Road and Highway 403 is part of Modified Policy Area (MPA) 24 which permits Prestige Employment uses provided studies and a comprehensive plan are completed to the satisfaction of the City. It is recommended that the area be included in the Core Natural Zone with a site-specific permission to address the MPA;
- Three properties zoned General Commercial (C8) at King George Road and Powerline Road are currently vacant and are located within a woodlot and stream corridor. They are recommended to be included in the Core Natural Zone to protect the natural heritage features;

- A Mixed Commercial Residential (R3) Zone located on the corner of Shellard Lane and Hillcrest Avenue is occupied by a steep wooded slope and is recommended to be included in the new Core Natural Zone;
- Two Residential Estate (RE) Zones, one adjacent to the Grand River and another along Shellard Lane, are subject to Modified Policy Area (MPA) 7 and 20 respectively. These lands are recommended to be included in the Core Natural Zone with a site-specific provision to reflect the policies of the respective MPAs;
- A Residential Type 1A (R1A) Zone is located along Golf Road and subject to MPA 26, which permits low-rise residential dwellings. These lands are recommended to be included in the Core Natural Zone with a site-specific provision to reflect the policies of the MPA; and
- Three Residential Type 1B (R1B) Zones, two near Johnson Road and Harsford Drive and one near Hardy Road and Gold Road, should also be included in the new Core Natural Zone with the site along Hardy Road zoned with a site-specific permission for a single detached dwelling.

The Development Constraint Zone (DC) and Planned Unit Development Type 1 Zone (PUD1) are also found in the Core Natural Areas Designation and are discussed below. Each site is described in detail in Discussion Paper #10 – Other Zones.

There are also several instances of the County's Natural Heritage (NH) Zone occurring outside of the Core Natural Designation which appears to be a discrepancy between the mapping in the County's Zoning By-law 61-16 and the mapping in the City's new Official Plan (**Figure 24**). The boundaries of the Natural Heritage Zone will need to be updated to reflect the more recent natural heritage mapping within the Official Plan.



**Figure 22: Natural Heritage (County) Zones within the Prestige Employment Designation**

## Open Space Zones

There are currently three open space zones in the Brantford Zoning By-law and one open space zone in the Brant County Zoning By-law. It is recommended that the Open Space Zone be streamlined into one zone that implements the Official Plan, permitting all open space uses including cemeteries and golf courses.

The current Open Space Zones allow for a number of institutional uses which are not permitted in the Parks and Open Space Designation. However, a number of large institutional uses are located in the designation. It is recommended that the Official Plan be amended to either permit the uses, redesignate the lands to Institutional or apply a modified policy area to recognize these uses. Agricultural uses are also recommended to be removed from the list of permitted uses in the Open Space Zone, consistent with the Official Plan policies for the Parks and Open Space Designation.

For the new Open Space Zone, the provision regarding minimum landscaped open space requirement is not necessary, provided that institutional uses are removed from the permitted uses. Requirements for minimum lot area, lot frontage, landscaped open space and maximum lot coverage are also not necessary. Separate provisions should be provided for cemeteries and golf courses.

There are also several non-open space zones that apply to lands in the Parks and Open Space Designation including:

- General Industrial Zone (M2);
- Institutional School Zone (I2);
- Institutional Service Zone (I1);
- Residential Medium Density Type A Zone (R4A);
- Residential Type 1B Zone (R1B); and
- Residential Type 2 Zone (R2).

The location and existing uses present within the above noted zones are described in detail in Discussion Paper #10 - Other Zones. It is recommended that these other zones be changed to a Parks and Open Space Zone in the new Zoning By-law with the exception of the Residential Medium Density Type A Zone, known as 15, 17 and 19 Burnley Avenue as shown in **Figure 25**. These lands have been included within the Parks and Open Space Designation in error and should be changed to the Residential Designation and corresponding residential zone.



**Figure 25: Residential Medium Density Type A (R4A) Zones in the Parks and Open Space Designation**

There are also several instances where the Open Space Zones are found in other land use designations though this can be common as parks and open spaces are permitted in all designations. These properties are recommended to be zoned as part of the new Open Space Zone.

## Other Zones

The recommendations for the remaining zones not addressed within other discussion papers are provided below:

- The Development Constraint Zone should be combined into the new Natural Heritage Zone with a site-specific provision to address the slope hazard;
- The lands currently regulated by the Planned Unit Development Zone should be zoned according to the Official Plan designations which would include a Residential Zone, an Institutional Zone, an Open Space Zone, and a Core Natural Zone;
- The Highway Commercial Residential (C5) and the Industrial Extraction Zone (M4) will not be carried forward into the new Zoning By-law as they are not applied to any properties in Brantford;
- Several archaeological sites are zoned OS3-6 in Brantford. It is recommended that a site-specific Open Space or Core Natural Zone apply to all archaeological sites to limit the use of the lands to open space purposes and prohibit the erection of any buildings or structures;
- The flood zones overlay is recommended to be carried forward in the new Zoning By-law; and
- A new overlay zone for intake protection zones for source water protection is recommended and should be accompanied by a provision to require the submission of a Restricted Land Use Declaration Form prior to development.



## 12. Next Steps



The options and recommendations set out within the Discussion Papers summarized in this report will be considered further as the Strategic Directions Report is drafted in Phase 4 of the New Zoning By-law Project. The Strategic Directions Report will include clear recommendations for permitted uses and provisions by zone as well as setting out the structure of the new Zoning By-law.

As the New Zoning By-law Project progresses and the zoning provisions are refined, there may be a need to implement additional zones, lot provisions and/or permitted use requirements in order to ensure the Official Plan policies are fully implemented.