

Section 15: Holding (h-) and Temporary (T-) Zones

15.1 Holding (h-) Zone Provisions

Where the symbol “h” appears on a zoning map as a prefix to any *Zone* symbol, the lands have been placed in a ‘Holding *Zone*’ pursuant to Section 36 of the Planning Act. County may pass a By-Law pursuant to Section 36 of the Planning Act to remove the Holding (h) Symbol, thereby placing the lands in the *Zone* indicated by the *Zone* symbol.

While the "h" is in place, the following *uses* shall be permitted:

- a) *Agricultural use*;
- b) *conservation*;
- c) *wildlife and forest management*; and
- d) *existing uses*;

For the purposes of this By-Law, the following references constitute the conditions for removal of the holding (h) symbol:

- a) **(h)** To ensure the orderly *development* of lands and the adequate provision of municipal services, the “h” symbol shall not be removed until an Agreement as required by the Planning Act is entered into for the subject lands with the County.
- b) **(h-1)** To ensure that *development* takes a form compatible with adjacent land *use*, an Area Study shall be required with public consultation in advance of any development proposals including Plans of Subdivision/Condominium being submitted for approval prior to the removal of the “h” symbol.
- c) **(h-2)** To allow for the undertaking of appropriate studies to determine the depth of *development setbacks* to account for the natural heritage features, erosion hazards, safe access for *vehicles/people* during times of erosions as well as other emergencies and abutting land *uses* that surround the subject lands.

15.1.1 Holding Zone Provisions Table

By-Law No.	Zone Code	Property Address	Description
15-12	h-2	54 East River Road	To allow for the undertaking of appropriate studies to determine the depth of development setbacks to account for the natural environmental features, erosion hazards, safe access for vehicles/people during times of erosion as well as other emergencies and abutting land uses that surround the subject lands.
144-18	h-18	419 East River Road	To ensure orderly development of the lands, a detailed review of the location of wells, septic systems, and the <i>dwelling</i> s all four (4) lots (Lots 4, 5, 6, and 7) in the <i>plan of subdivision</i> shall be required. The Chief Building Official must be satisfied that all four (4) <i>lots</i> conform to the Building Code requirements prior to the removal of the holding provision on any portion of the plan.
151-19	h-20	7 Myerscough Road	To allow for the undertaking of further studies relating to an archeological assessment completed on the property and to ensure that <i>development</i> takes a form compatible with adjacent land <i>uses</i> .

15.2 Temporary (T-) Zone Provisions

Where a Zone symbol is preceded by an upper-case letter “T”, a hyphen and a number (T-1), the symbol refers to a temporary use permission that applies to the lands so zoned. The provisions of this By-Law are modified for the lands to which the temporary use permission applies as set out in this section of this By-Law, until the permission granted by the applicable Temporary Use By-Law expires, in accordance with Section 39 of the Planning Act. This Zone permits temporary uses for a specified period of time after which the Temporary (T-) Zone symbol and text are removed and revert back to the main Zone. It is not intended that a temporary Zone will permanently establish a use on a lot.

15.2.1 Temporary Zone Provisions Table

By-Law No.	Zone Code	Property Address	Description	Date Temporary Use Expires
190-02 153-12	T-2	333 Highway #2	In addition to the <i>uses</i> permitted in the Agricultural (A) Zone, a <i>garden suite</i> shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	October 1, 2022
146-05 152-15	T-3	286 McLean School Road	In addition to the <i>uses</i> permitted in the Agricultural (A) Zone, a <i>garden suite</i> shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	September 22, 2025
228-07, 189-17	T-5	94-100 Molson Road	In addition to the <i>uses</i> permitted in the Agricultural (A) Zone, a <i>garden suite</i> shall also be permitted, provided that it is removed on or before December 19, 2027. All other	December 19, 2027

			requirements of the By-Law shall apply.	
159-13	T-14	42 Highway #5	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	August 27, 2033
12-14	T-16	562 Bishopsgate Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	January 28, 2034
68-14	T-17	769 Drumbo Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	May 27, 2034
21-15	T-20	426 Big Creek Road	In addition to the uses permitted in the Agricultural(A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	February 17, 2035

164-08	T-25	226 Burford Delhi Townline Road	In addition to the uses permitted in the Special Exception Agricultural (A-23) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	September 24, 2022
98-12	T-27	289 Seventh Concession Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-law shall apply.	June 5, 2032
44-15	T-28	90 German School Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	February 17, 2035
15-14	T-29	22 McDougall Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	January 28, 2034

78-15	T-30	429 Norwich Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	May 26, 2025
141-15	T-33	23 Brant Church Road	In addition to the uses permitted in Agricultural (A) Zone, one (1) temporary second dwelling being a garden suite shall also be permitted provided that the mobile home portion of the dwelling does not exceed a gross floor area of 56.0 square metres, the additional traditional construction portion of the dwelling does not exceed 52.0 square metres, that the total gross floor area of the dwelling does not exceed 108.0 square metres, and the entire temporary second dwelling is removed from the lot in twenty (20) years' time, being removed on or before 22, 11, 2036. All other requirements of the By- Law shall apply.	September 22, 2036
125-15	T-34	817 Watt's Pond Road	In addition to the uses permitted in the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	August 25, 2035

96-17	T-52	291 Bateman Line Road	<p>Notwithstanding any provision of this by-law to the contrary, within any area zoned T-52 on Schedule “A” hereto, in addition to the uses permitted in the Agricultural (A) Zone, a garden suite for a maximum period of 20 years shall also be permitted, provided that it is removed from the property on or before June 27, 2037. All other requirements of the By- law shall apply.</p>	June 27, 2037
190-17	T-64	1024 Rest Acres Road	<p>Notwithstanding any provision of this by-law to the contrary, within any area zoned T-64 on Schedule “A” hereto, a temporary sales trailer shall be permitted for up to 3 years, subject to the following requirements;</p> <ul style="list-style-type: none"> a) Access to the sales trailer be permitted along Powerline Road until such time that roadway improvements along Rest Acres Road are completed to formalize access to the proposed development; b) Draft Plan of Subdivision has been entered into prior to occupancy of the sales trailer and New Home Development signs being erected; 	December 19, 2020

			<p>c) Signs and the sales trailer is to serve the Scenic Ridge Subdivision development only;</p> <p>d) Sales Centre hours to be restricted to Monday-Thursday 1pm-8pm; Friday 1pm- 6pm; Saturday Closed; Sunday 11am-6pm;</p> <p>e) Temporary sales trailer to be permitted for a time period of up to three (3) years with the structure being removed on or before December 19, 2020.</p> <p>All other requirements of the By-law shall apply.</p>	
16-18	T-66	356 St. George Road	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-66 on Schedule "A" hereto, in addition to the uses permitted within the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	March 1, 2038
98-18	T-68	421 Salt Springs Church Road	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-68 on Schedule "A" hereto, in addition to the uses	July 26, 2038

			permitted within the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed from the property on or before July, 26, 2038. All other requirements of the By-Law shall apply.	
120-18	T-70	60 East River Road	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-70 on Schedule "A" hereto, in addition to the uses permitted within the Agricultural (A) Zone, a garden suite shall also be permitted for a maximum of 20 years, provided that it is removed from the property on or before August 28, 2038. All other requirements of the By-Law shall apply.	August 28, 2038
200-15	T-72	43 Highway #5	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-72 on Schedule "A" hereto, in addition to the uses permitted within the Agricultural (A) Zone, a garden suite shall also be permitted, provided that it is removed from the property on or before December 15, 2035. All other requirements of the By-Law shall apply.	December 15, 2035.

50-19	T-74	345 Norwich Road	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-74 on Schedule "A" hereto, in addition to the uses permitted within the Agricultural (A) Zone, a garden suite for a maximum period of 20 years shall also be permitted, provided that it is removed from the property on or before February 26, 2039. All other requirements of the By-Law shall apply. (Map 178)	February 26, 2039
161-08, 86-19	T-76	1004 Sawmill Road	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-76 on Schedule "A" hereto, in addition to the uses permitted in the Agricultural (A) Zone, a garden suite for a maximum period of three (3) years shall also be permitted, provided that it is removed from the property on or before May 7, 2022. All other provisions of the By-Law shall apply. (Map 80)	May 7, 2022
106-08, 88-19	T-78	189 Maple Avenue North	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-78 on Schedule "A" hereto, in addition to the uses permitted in the Agricultural (A) Zone, a garden suite for a maximum period of three (3) years shall also be	June 4, 2022

			permitted, provided that it is removed from the property on or before June 4, 2022. All other provisions of the By-Law shall apply. (Map 68)	
85-19	T-80	Part of Lots 11 and 12, Concession 1, Geographic Township of Brantford	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-80 on Schedule "A" hereto, a temporary sales trailer that is not located within a registered phase of a subdivision shall also be permitted provided that it is removed on or before June 25, 2022. All other requirements of the By-Law shall apply. (Maps 55, 55B, and 55C)	June 25, 2022
125-19	T-82	226 Burford-Delhi Townline Road	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-82 on Schedule "A" hereto, in addition to the uses permitted in the A-23 Zone, a garden suite shall also be permitted temporarily for a maximum period of three years, provided that it is removed on or before September 24, 2022. All other requirements of the By-Law shall apply.	September 24, 2022
153-19	T-84	623 Highway #54	Notwithstanding any provision of this by-law to the contrary, within any area zoned T-84 on Schedule "A" hereto, in addition to the uses permitted in the Agricultural (A) Zone, a garden suite for a	November 26, 2039

			maximum period of twenty (20) years shall also be permitted, provided that it is removed from the property on or before November 26, 2039. All other provisions of the by-law shall apply.	
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15.2.2 Temporary Home-Based Business Program

Temporary Amending By-Law 82-21

Notwithstanding any provision of this By-Law to the contrary, the provisions for the Temporary Home-Based Business Program and pilot project shall apply to all lands within the County of Brant. The following requirements shall only apply on a temporary basis, with no guarantee for extension, expiring on September 1st, 2022. A *home-based business* shall be permitted in the County of Brant, provided activities classified as a *home-based business*, as defined within this By-Law, meet the following requirements:

a) Size, Scale & Location

- i. A *dwelling unit* must be a permitted and principal use of the property.
- ii. The structure in which the *home-based business* is located shall meet the requirements and provisions of this Zoning By-Law for the applicable use and zone category.
- iii. The *home-based business*, including related activities and storage, shall not exceed 50.0 sq metres of the *gross floor area* of the *dwelling unit* and any and all residential *accessory structures* on the property.

b) Parking

- i. Pick-up and drop-off services provided by a *home-based-business* shall also be permitted.
- ii. One additional parking space, in accordance with the requirements of Section 5 of this By-Law, shall be provided for each *home-based business* involving *direct sales and services*, and shall be provided in addition to those required by this By-Law for other permitted uses on the lot.

c) Nuisance

- i. The temporary permissions for a *home-based business* shall be revocable at the discretion of the County, at any time, where a complaint has been made to the County of Brant By-Law Enforcement Division.
- ii. No *home-based business*, including related activities and storage, shall create or become a public nuisance, particularly with regard to noise, odour, fumes, vibration, traffic, emissions or parking nor shall it cause electrical interference or interference with telephone, television, and radio or satellite equipment reception.
- iii. The *home-based business* shall not create or become a fire, health or building hazard.

d) Location and Character

- i. The residential appearance and character of the *dwelling* and the *lot* shall be maintained, and no exterior *alteration* shall be made to

the *dwelling* which would indicate that any part of the premises is being used for any purpose other than that of a residential *dwelling*.

- ii. A *home-based business* shall be clearly secondary and incidental to a *dwelling unit* and the proprietor shall be an owner or tenant of said dwelling unit.
- iii. A maximum of two *home-based business* operations shall be permitted under this section and may be permitted within one dwelling unit (and/or accessory residential building) provided the two *home-based businesses* do not cumulatively exceed the gross floor area requirements for *home-based businesses* as set out in Section 15.2.1.a.3 above.
- iv. *Open storage* or display of merchandise, material, or equipment shall be prohibited.
- v. Merchandise may be displayed or stored within the *dwelling* or *accessory structure* provided it shall not be visible from outside the *dwelling* or *accessory structure* in which it is located.
- vi. Material, and equipment related to the *home-based business* shall only be permitted when stored within a *structure* and where it is not visible from outside of said *structure*.
- vii. External advertising shall be prohibited except in accordance with the County of Brant Sign By-Law, as amended.

e) Patronage and Employees

- i. Any *home-based business* in any Urban Residential Zone or Non-Urban Residential Zone shall be permitted only one employee, in addition to the proprietor of the business, provided one additional parking is available for said employee. This parking space shall be provided in addition to the parking spaces required by Section 15.2.1.b or required for any other uses on the *lot*.
- ii. Where any permitted home-based business is located outside of an Urban Residential or Non-Urban Residential zone, it shall require one additional parking space per employee. These parking spaces shall be provided in addition to the parking spaces required by Section 15.2.1.b or required for any other uses on the *lot*.
- iii. No more than two (2) clients, customers, or students shall be provided services on-site at any one time.