

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

15.1 Holding (h-) Zone Provisions

Where the symbol "h" appears on a zoning map, including as a prefix to any zone symbol, a holding provision pursuant to Section 36 of *the Planning Act* has been applied to specify the use to which the lands may be put in the future. A holding provision may be applied where certain conditions are required to be met to the satisfaction of the County of Brant prior to the development of the lands for the intended use. Once the conditions have been satisfied, the holding symbol will be removed by amendment to the by-law and the requirements of the underlying zone shall apply.

- a) Despite any permission to the contrary, including the general permissions of Section 4.40, while a holding provision is in place, the uses of the property shall be limited to the following:
 - i. Lawfully established existing uses
 - ii. Agricultural uses, except that no livestock facility or expansion shall be permitted within a settlement area
 - iii. A stormwater management facility
 - iv. A public park or temporary public use
 - v. Works of a Conservation Authority
 - vi. Wildlife and forest management
- b) Where a minor expansion is proposed to a lawfully existing use, such an expansion may be permitted without the removal of the holding provision only where it has been determined to the satisfaction of the County of Brant that the expansion will not jeopardize the ultimate intended use and development of the lands.
- c) For the purposes of applying general conditions required to be met prior to the removal of a holding provision, the following shall constitute the general conditions for removal of the holding (h) symbol:
 - i. The adequate provision of municipal servicing infrastructure has been determined.
 - ii. The appropriate phasing of the development has been determined.
 - iii. All required studies have been completed to ensure that development meets the objectives of the County of Brant's Official Plan, and/or

- iv. Any applicable development or legal agreement, including the registration of the development and any applicable allocation of municipal servicing.
- d) For the purposes of applying specific conditions required to be met prior to the removal of a holding provision, Table 15.1.1 shall constitute the specific conditions for the removal of site-specific holding symbols:

15.1.1 Holding Zone Provisions Table

By-Law No.	Zone Code	Property Address(es)/ Location	Description
None Available	h-1	Various	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.
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	<p>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</p> <p>(4) <i>lots</i> conform to the Building Code requirements prior to the removal of the holding provision on any portion of the plan.</p>
151-19	h-20	7 Myerscough Road	<p>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>.</p>
81-23	h-21	St. George	<p>To ensure the orderly development of St. George on full municipal water and wastewater servicing, consistent with the recommendations of the St. George Masterplan Study, this holding provision is applied to lands where the cumulative development of lands within proximity has the potential to exceed 2 hectares of developable area or amount to more than 10 units.</p> <p>The removal of this holding provision shall be subject to the following conditions:</p> <p>a) The completion of any studies that may be required to determine the development potential and design of the site, including, but not limited to, studies that pertain to archeology, cultural heritage, land-use compatibility, and risk mitigation.</p>

			<p>b) That sufficient wastewater services have been allocated to the development in accordance with the applicable Servicing Allocation Policy for St. George.</p> <p>c) That sufficient water services have been allocated to the development in accordance with the applicable Servicing Allocation Policy for St. George.</p> <p>For greater clarity, this holding provision shall not apply to prohibit the following:</p> <p>d) Construction works necessary to prepare or place any external infrastructure/services for the purposes of increasing servicing capacity for the St. George Settlement Area.</p> <p>e) Construction works necessary to implement the recommendations of the St. George Masterplan Study or St. George Class Environmental Assessments.</p> <p>f) Minor expansions of lawfully existing uses at the time of passing of this By-Law that are otherwise permitted by the underlying zone category.</p>
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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 requirements of the By-Law shall apply.	December 19, 2027

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
63-20	T-22	465 East Quarter Townline Road	In addition to the <i>uses</i> permitted in the Agricultural (A) Zone, a second temporary dwelling, being a farm help house shall also be permitted to be occupied on a twelve (12) month, year-round, basis, provided it is removed on or before the expiry date stated herein. All other requirements of this By-law shall apply.	July 7 th , 2023

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	September 22, 2036

			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.	
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	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.	June 27, 2037
97-21	T-56-A	249 Garden Avenue	Notwithstanding any provision of this By-Law to the contrary, within any area zoned T-56-A as shown on Schedule 'A' hereto, a temporary sales trailer shall be permitted for up to one (1) year, subject to the following requirements: That the sales trailer shall be removed on or before September 28 th , 2022	September 28 th , 2022
190-17	T-64	1024 Rest Acres Road	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:	December 19, 2020

			<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. c) Signs and the sales trailer is to serve the Scenic Ridge Subdivision development only. d) Sales Centre hours to be restricted to Monday-Thursday 1pm-8pm; Friday 1pm- 6pm; Saturday Closed; Sunday 11am-6pm. 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>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	March 1, 2038

			other requirements of the By-Law shall apply.	
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 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.	July 26, 2038
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 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)	June 4, 2022
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	June 25, 2022

			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)	
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 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.	November 26, 2039
81-20	T-90	5 Melissa Avenue	Notwithstanding any provision of this By-Law to the contrary, within any area zoned T-90 on Schedule 'A' hereto, in addition to the uses permitted in the Suburban Residential (SR) Zone, a garden suite for a maximum period of twenty (20) years shall also be permitted, provided that it is removed from the property on or before August 4, 2040. All other provisions of the By-Law shall apply (Map 126)	August 4, 2040
105-20	T-92	32-34 Dundas Street West	Notwithstanding any provision of this By-Law to the contrary, within any area zoned T-92 on Schedule 'A' hereto, in addition to the uses permitted in the Neighbourhood Commercial (C1) Zone, a bakery / eating establishment and studio on the ground floor and a residential dwelling on the second floor for a period of three years will be permitted.	October 6 th , 2023

			All other provisions of the By-Law shall apply. (Map 41 and 41C)	
107-20	T-94	4 McMillan Road	Notwithstanding any provision of this By-law to the contrary, within any area zone T-94 on Schedule 'A' hereto, in addition to the permitted uses in the Agricultural (A) zone, a garden suite for a maximum period of twenty (20) years shall also be permitted, provided that it is removed from the property on or before October 6, 2040. All other provisions of the By-Law shall apply. (Map 47)	October 6 th , 2040
81-21	T-96	230 Oakland Road	In addition to the uses permitted in the Special Exception Automotive Commercial (C6-3) Zone, a mobile refreshment cart shall also be permitted. Any development or site alteration on the site shall be in accordance with the findings and recommendations of Environmental Impact Study prepared by Terrastory Environmental Consulting Inc. in May 2021. All other provisions of the By-Law shall apply.	July 13 th , 2024

85-21	T-98	1024 Rest Acres Road	<p>To permit a temporary sales trailer for up to three years, subject to the following requirements:</p> <ul style="list-style-type: none"> - The existing entrance fronting Scenic Ridge Gate to the sales trailer is removed and the site trailer entrance to maximize separation from the Scenic Ridge Gate / Rest Acres Road roundabout - The sales trailer is to advertise the Scenic Ridge development only - Sales trailers are permitted for a period of up to three years, with the trailer being removed on or before July 27th, 2024 	July 27 th , 2024
96-22	T-100	428-452 West River Road	<p>As shown on Schedule 'A' of this By-Law, the portion of the property at 428-452 West River Road zoned T-100 shall be permitted a Dwelling, Single Detached, being the historic farmhouse constructed in the late 1800s. This Dwelling shall be permitted in addition to the newly constructed Dwelling, Single Detached located in the Agricultural (A) zone on the same property, for a total of two (2) permitted dwelling units. The permissions and performance standards of the Agricultural (A) zone, as well as all other relevant permissions of the By-Law, shall also continue to apply within the T-100 zone.</p>	September 27 th , 2025

94-22	T-101	532 Blue Lake Road	<p>Notwithstanding any provision of this By-Law to the contrary, within any area zoned T-101 on Schedule "A" hereto, in addition to the uses permitted in the Agriculture (A) Zone, a Home-Based Business operating as a Forest School Program , shall also be permitted for up to two (2) years, provided that it is removed on or before September 27, 2024, and is subject to the following:</p> <ul style="list-style-type: none"> a) A maximum of 20 participants shall be permitted; -Hours of operation shall be from 8:00am to 5:00pm, Monday through Friday; b) No new buildings shall be permitted within the portion of the lands identified as Part 2, on Schedule "A" of By-Law 94-22; c) No new structures shall be permitted within the portion of the lands identified as Part 2, on Schedule "A" of By-Law 94-22, except for small-scale structures for recreational or educational purposes such as picnic tables, benches, and temporary tents provided that no site alteration or tree removal is required for such structures. d) All provisions of Section 15.2.2 being the Temporary Home-Based Business Program shall apply until such time 	September 27 th , 2024
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			<p>that the temporary permissions are repealed, expire, or made permanent.</p> <p>All other provisions of the By-Law shall apply.</p>	
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15.2.2 Temporary Home-Based Business Program

Temporary Amending By-Law 82-21, Extended by By-Law 80-22

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, 2024. 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.