

Section 1: **Application and Enforcement**

1.1 **Title of the By-Law**

This By-Law shall be known as the “Comprehensive Zoning By-Law.”

1.2 **Lands Subject to the By-Law**

The provisions of this By-Law shall apply to all lands lying within the corporate limits of the County of Brant (referred to as “County” in the By-Law).

For the purpose of this By-Law, the corporate limits of the County of Brant exclude the City of Brantford, the Township of Tuscarora being Indian Reserves 40 and 40A, and the portion of the former Township of Onondaga that is part of the Six Nations Reserve being Indian Reserve 40B.

1.3 **Compliance with other Laws**

All references to statutes or regulations of Government of Canada or the Province of Ontario, or to any other County By-Law, shall be deemed to mean reference to that statute, regulation or By-Law as amended or replaced.

Nothing in this By-Law shall serve to relieve any *person* from any obligation to comply with the requirements of any other County By-Law or any other statute or regulation of the Government of Canada or the Province of Ontario that may otherwise affect the *use* of land, *buildings*, or *structures*.

1.4 **Conformity with the By-Law**

No lands shall be used and no *building* or *structure* shall be *erected*, *altered*, or *used* within the County except in conformity with the provisions of this By-Law.

1.5 **Permits**

The requirements of this By-Law must be met before a building permit is issued for the change of *use*, *erection*, addition or *alteration* of any *building* or *structure*.

1.6 Building Permits

This By-Law shall be considered “made under Section 34 of the Planning Act” for the purposes of the Building Code (Ontario Regulation 332/12) Section 1.4.1.3 (1) (f) – Definition of Applicable Law, on the day it comes into force by operation of statute, approval of the approval authority or Ontario Municipal Board, as applicable.

1.7 Administration

This By-Law shall be administered by the Policy Planning Division, or, in the event of staffing changes, such other *person(s)* appointed by the General Manager of Development Services

1.8 Enforcement, Violations and Penalties

This By-Law shall be enforced by the *person* appointed by the *Council*.

Any *person* that contravenes any provision of this By-Law and if the *person* is a corporation, every director or officer of the corporation who knowingly contravenes this By-Law, is guilty of an offense and upon conviction is liable to the penalty as provided for in the Planning Act. The *County* may remedy any violation at the contravening *person's* expenses as authorized by provincial statute.

1.9 Requests for Amendments

Any *person* may apply for a minor variance or amendment to this By-Law as authorized under the Planning Act.

1.10 Validity

A decision of a court of competent jurisdiction that one or more of the provisions of this By-Law or any portion of the Zoning Maps to this By-Law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-Law.

1.11 Repeal of Former By-Laws

County of Brant By-Law 110-01 is repealed in its entirety, including all of the Sections, Schedules and Amendments that apply to all lands subject to By-Law 110- 01.

Section 2: Zones, Schedules, and Interpretation

2.1 Classification of Zones

The lands subject to this By-Law are divided into the following zones:

2.1.1 Zone Classification Tables

Zone	Classification	Symbol	Section
Agricultural	Agricultural	A	6
Agricultural Employment	Agricultural	AE	7

Zone	Classification	Symbol	Section
Residential Singles	Urban Residential	R1	8
Residential Singles and Semis	Urban Residential	R2	8
Residential Multiple Low Density	Urban Residential	RM1	8
Residential Multiple Medium Density	Urban Residential	RM2	8
Residential Multiple High Density	Urban Residential	RM3	8

Zone	Classification	Symbol	Section
Suburban Residential	Non-Urban Residential	SR	9
Residential Hamlet and Villages	Non-Urban Residential	RH	9
Rural Residential	Non-Urban Residential	RR	9

Zone	Classification	Symbol	Section
Neighbourhood Commercial	Commercial	C1	10
General Commercial	Commercial	C2	10
Shopping Centre Commercial	Commercial	C3	10
Core Area Commercial	Commercial	C4	10
Mixed Use Commercial	Commercial	C5	10
Automotive Commercial	Commercial	C6	10

Zone	Classification	Symbol	Section
Prestige Industrial	Employment	M1	11
Light Industrial	Employment	M2	11
Heavy Industrial	Employment	M3	11
Energy and Waste Industrial	Employment	M4	11

Zone	Classification	Symbol	Section
Resource Extraction	Resource Extraction	EX	12

Zone	Classification	Symbol	Section
Minor Institutional	Institutional	N1	13
Major Institutional	Institutional	N2	13

Zone	Classification	Symbol	Section
Natural Heritage Zone	Open Space	NH	14
Open Space	Open Space	OS1	14
Recreational Facilities	Open Space	OS2	14
Recreational Trailer Parks	Open Space	OS3	14

2.2 Schedules to the By-Law

Schedule’s ‘A’, ‘B’, ‘C’ and ‘D’ which are attached and described in this subsection, form a part of this By-Law to the same extent as if included.

Schedule ‘A’ contains the Zone maps that depict the Zone category of all lands. All the maps together constitute Schedule ‘A’ of this By-Law.

Schedule ‘B’ depicts the areas affected by the Brantford Municipal Airport Height Restrictions.

Schedule ‘C’ depicts the areas affected by Brantford Municipal Airport Protection Overlay Zone.

Schedule ‘D’ depicts the Wellhead Protection Areas (WHPA) and groundwater recharge areas.

2.3 Appendices

Illustrations provided in the appendices to this By-Law are for illustrative and information purposes only and do not form part of this By-Law.

2.4 Zone Symbols

Zone symbols may be used to refer to lots, buildings, and structures and to the uses of lots, buildings and structures permitted by this By-Law. For each Zone, a separate section of this By-Law sets out the uses permitted, development and performance standards and any such specific provisions relating to such Zone.

2.4.1 Overlay Zone Symbols

Where a zone symbol is preceded by an additional zone symbol, such a zone is generally applied as an overlay zone. For each overlay zone, this By-Law sets out standards and special provisions that are applied in addition to the standards of the underlying zone category. Overlay standards are similar to site-specific standards in that they may apply or remove provisions of the underlying zone category in specific

geographic areas. It is the general intent of this By-Law that overlay zones may be refined but are not to be removed. For the purposes of applying Overlay Zone symbols, the classification of overlay zones of this By-Law shall be as noted in Table 2.4.1:

Table 2.4.1 – Overlay Zone Classifications

Overlay Name	Overlay Zone Symbol	Overlay Description
Heritage Area	HA	Where the symbol "HA" appears on any map in Schedule 'A', the lands are identified as an area with cultural heritage value. The provisions and standards applicable are detailed in Section 4.43 -Heritage Area Overlay.
Holding Provision	h	Where the symbol "h" appears on any map in Schedule 'A', a holding provision has been applied to the lands in accordance with Section 36 of the Planning Act. The provisions and standards applicable are detailed in Section 15 -Holding and Temporary Zone Overlays.
Floodplain	fp	Where the symbol "fp" appears on any map in Schedule 'A', the lands are identified as a regulated floodplain by the applicable conservation authority. The provisions and standards applicable are detailed in Section 4.36.1 Regulated Floodplain Overlay.
Paris Special Policy Area Floodplain	s	Where the symbol "s" appears on any map in Schedule 'A', special requirements related to the policies of the Paris Special Policy Area Floodplain apply. The provisions and standards applicable are detailed in Section 4.36 Special Policy Area
Steep Slope	ss	Where the symbol "ss" appears on any map in Schedule 'A', special requirements related to steep slopes and erosion hazards shall apply. The provisions and standards applicable are detailed in Section 4.37 Steep Slopes
Temporary Provisions	t	Where the symbol "t" appears on any map in Schedule 'A', a Temporary Zone, permitted under Section 39 of the Planning Act shall apply. The provisions and standards applicable are detailed in Section 15 Holding and Temporary Zone Overlays.
Watercourse and Municipal Drains	w	Where the symbol "w" appears on any map in Schedule 'A', the lands are identified as being within proximity to a watercourse or municipal drain. The provisions and standards applicable are detailed in Section 4.34 - Special Setbacks

2.4.2 Special Zone Provisions

Wherever a Zone symbol on Schedule 'A' is followed by a dash and a number, such as "R2-1 ", special provisions shall apply to such lands. Such special exceptions can be found by referencing the section of the By-Law for the underlying zone category and are found in a table format after the permitted uses and zone requirements.

2.5 Interpreting Zone Boundaries

When determining the boundary of or where uncertainty exists with any *Zone*, the following provisions shall apply:

- a.) *Zone* boundaries shall be interpreted wherever possible to be concurrent with municipal boundaries, lot boundaries; streets, lanes, road allowances, rights-of-way for railways, hydro corridors, or pipelines; high water marks; flooding hazard; or boundaries of registered plans.
- b.) Where the boundary of a Natural Heritage (NH) Zone, as interpreted in the field to the satisfaction of the County of Brant in consultation with the Conservation Authority having jurisdiction, varies from the limit shown on Schedule 'A', the refined limit shall be deemed to be the *Zone* boundary.
- c.) In the event that a *street* or *lane* that forms the boundary between two or more different *Zones* is closed, the boundary between such *Zones* shall be interpreted as the centreline of the said closed *street* or *lane*.
- d.) Where a lot is divided into two or more *Zones*, the *Zone* boundary dividing the lot shall be deemed to be a lot line for purposes of calculating required setbacks and coverage, and each portion of the lot is required to satisfy the provisions of this By-Law for the applicable *Zone*.
- e.) The *Zone* boundary shall be interpreted to follow the centerline of the streets, lanes, road allowance and rights-of-way for railways.

2.6 Special Policy Area and Steep Slopes

Where a *Zone* symbol on Schedule 'A' is preceded by a small "s" or "ss" (for example, s-C1, or ss-C1), then special requirements apply to such lands that can be found in General Provisions Section 4.36 and 4.37 of this By-Law.

2.7 Interpretation of the By-Law

The definitions and interpretations set out in Section 3 shall apply. Words and terms not defined shall have the customary meaning.

2.8 Abbreviations and Rules of Measurement

- a.) Abbreviations

- i) ac – acres; acres
- ii) ha – hectare; hectares
- iii) m – metre; metres
- iv) sq. m, m² - square metres

b.) Measurements

All measurements of length or area used in this By-Law shall be subject to the normal rules of rounding numbers, unless specifically stated in the By-Law, within the degree of precision specified by the number of digits following the decimal point (if any), so that:

- i.) For a whole number, measurements of less than 0.5 shall be rounded downward to the next whole unit;
- ii.) For a whole number, measurements of 0.5 and greater shall be rounded upward to the next whole unit;
- iii.) For a number having one decimal place, measurements of less than 0.05 shall be rounded downward to the next one-tenth unit;
- iv.) For a number of one decimal place, measurements of 0.05 and greater shall be rounded upward to the next one-tenth unit;
- v.) Ratios and percentage figures shall not be subject to rounding;
- vi.) The rounding provision applies to two decimal places in case of lot area calculations;
- vii.) Measurements in metric are the requirement of the By-Law.