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Report 2024-132

Report Title: Brighton Official Plan Amendment No. 16 – Westgate Development

Committee Name: Economic Development, Tourism and Planning

Committee Meeting Date: October 2, 2024

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Approved by: Jennifer Moore, CAO

Council Meeting Date: October 16, 2024

Strategic Plan Priorities: Innovate for Service Excellence
 Ignite Economic Opportunity
 Foster a Thriving Community
 Propel Sustainable Growth
 Champion a Vibrant Future

Recommendation

That the Economic Development, Tourism and Land Use Planning Committee, having considered Report 2024-132 ‘Brighton Official Plan Amendment No. 16, Westgate Development’, recommend that County Council approve Brighton Official Plan Amendment No. 16; and

Further That the Committee recommend that County Council direct staff to provide a decision notice to the Municipality of Brighton and all prescribed persons in accordance with the *Planning Act*.”

Purpose

The purpose of this report is to recommend approval for Brighton Official Plan Amendment No. 16 – Westgate Development (OPA 16).

Background

The subject property is owned by A. Walas Ltd. with Arcadis as the agent of this development proposal. The property is municipally addressed 114B Ontario Street and is located on the west side of Ontario Street, approximately 525 metres south of the Canadian Pacific Railway right-of-way (refer to Attachment 1 – Location Sketch).

The subject property is 13.83 hectares (ha) or 34.18 acres (ac) in size. The eastern half of the property will accommodate the proposed development on 5.29 hectares (13.07 acres). The subject property supports a detached dwelling, which the Owner proposes to remove from the property. Watercourses and wetlands are also present on the subject property.

Surrounding land uses include: residential; agricultural; railways (Canadian Pacific Railway and Canadian National Railway); as well as natural heritage areas consisting of woodlands, wetlands, and watercourses.

In February 2023, Arcadis applied to the Municipality of Brighton requesting to amend the Municipality of Brighton’s Official Plan on the eastern half of the subject property to permit the following:

Schedule A Map 2 ‘Land Use – Brighton Urban Area’

- Remove the Special Policy #1 overlay and change the current land use designation from “Greenfield”, “Environmental Protection” to “Residential” and “Environmental Protection”;

Schedule “B” Map 2 ‘Natural Features – Brighton Urban Area’

- Reconfigure the limits of the “Wooded Areas,” “Wetlands,” and “Coastal Wetlands.” (refer to Attachments 2 and 3 for maps illustrating land use changes adopted by Brighton Council); and

Schedule “C” Map 2 ‘Transportation – Brighton Urban Area’

- Add three new municipal streets within the proposed subdivision (refer to Attachments 3 to 5).

Arcadis also applied to the Municipality of Brighton for a zoning by-law amendment and draft plan of subdivision on the eastern half of the subject lands to rezone the properties from ‘Future Development’ (FD) Zone to the following zone categories:

- Urban Residential Two No. 47 (R2-47) Zone;
- Urban Residential Four No. 1 (R4-1) Zone;
- Open Space No. 2 (OS-2) Zone; and
- Environmental Protection (EP) Zone.

A related subdivision application proposes various freehold blocks and lots to support 68 residential units. A summary of the land uses proposed within the subdivision plan is provided below:

- 20 lots to accommodate 20 detached dwellings;
- 15 lots to accommodate 30 semi-detached dwellings;
- Two blocks to accommodate 18 multi-residential units;
- An environmentally protected area on the east side of the subdivision;
- Two pedestrian walkway blocks;
- One pumping station block on the east side of the subdivision;
- Two reserve blocks; and
- Three local roads – Streets ‘A’ to ‘C’ (refer to Attachment 2).

On July 17, 2024, the Municipality of Brighton Council adopted OPA 16, which has now been submitted to Northumberland County for approval.

Consultations

On May 13, 2022, Brighton staff and the applicant held an open house, and presented four land use concepts to the public for review and discussion. On July 17, 2024, the Municipality of Brighton held a public meeting to obtain public input on OPA 16. Notice for the meeting was posted on the subject property and mailed to property owners within 120 metres of the property.

Brighton staff advised that the Municipality did not receive any public feedback on the proposed changes to the official plan.

OPA 16 was also circulated to prescribed agencies, including County Planning for review prior to Brighton Council considering the amendment.

Following Brighton’s Council’s adoption of OPA 16, notice of the adoption was sent to all members of the public that participated or provided input through the process.

Discussion / Options

The Brighton Official Plan establishes policies and map schedules to guide development within the municipality, including the Brighton Urban Area, the main urban settlement area. Adopted OPA 16 makes two changes to Brighton Official Plan map schedules:

Schedule A Map 2 ‘Land Use – Brighton Urban Area’

- Remove the Special Policy #1 overlay and change the current land use designation from “Greenfield”, “Environmental Protection” to “Residential” and “Environmental Protection”;

Schedule “B” Map 2 ‘Natural Features – Brighton Urban Area’

- Reconfigure the limits of the “Wooded Areas,” “Wetlands,” and “Coastal Wetlands.” (refer to Attachments 2 and 3 for maps illustrating land use changes adopted by Brighton Council); and

It is noted that the proposed mapping changes to add three new local roads to the Brighton Official Plan transportation schedule were not included in the adopted amendment. It is assumed that the Municipality will consider the layout and configuration of the proposed roadways as part of the subsequent subdivision application.

The adopted schedule/mapping changes to OPA 16 identify where residential development would generally occur on the subject property. The Amendment will also define the general location of natural heritage features, natural hazards, and a watercourse tributary (known as “Environmental Protection”), which are areas intended to be protected from incompatible uses in accordance with existing flood hazard protection policies.

Adopted OPA 16 will utilize the existing land use designations and policies in the Brighton Official Plan to provide opportunities to accommodate various forms of housing on the subject property while preserving the natural environment.

Legislative Authority / Risk Considerations

The adopted land use changes were assessed for their conformity to the County Official Plan (OP). The County OP designates the east half of the property (the subdivision lands) “Urban Areas,” whereas the west half is designated “Rural Areas.” Urban Areas permit a range of land uses including residential that is typically on municipal services (e.g., water, sanitary and storm sewers), whereas Rural Areas permit a range of rural land uses including limited residential that is typically on privately serviced lands.

Even though the subdivision is located on the eastern half of the subject property, a cul-de-sac encroaches beyond the subdivision limits into the Rural Area designation. The Municipality draft approved the plan of subdivision, which illustrated the extension of the cul-de-sac within the Rural Area designation. Since the proposed cul-de-sac is the only road extension outside of the Brighton Urban Area boundary and only intends to service the subdivision development, the adopted land uses conform to the County’s OP.

The adopted land use changes were assessed for consistency with the Provincial Policy Statement (PPS) and conformity with the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The proposed changes are both consistent with the PPS and conform to the Growth Plan since residential land uses are permitted within designated urban settlement areas.

On October 20, 2024, the PPS and the Growth Plan will cease and merge into one policy document called the Provincial Planning Statement. Based on our preliminary review of the Provincial Policy Statement, the proposed development also appears consistent with the future policy document.

The recommendations of the Economic Development, Tourism and Planning Committee are scheduled to be considered by County Council on October 16, 2024.

Once County Council has rendered a decision regarding Brighton Official Plan Amendment No. 16, and the County Clerk has issued the Notice and Decision, a twenty (20) day appeal period will begin during which time any interested party can submit a notice of appeal to the Ontario Land Tribunal. If no appeals are received, County Council’s decision will become final.

Financial Impact

N/A

Member Municipality Impacts

County Planning recommends approval of the Brighton OPA 16, which consists of mapping changes to the Municipality of Brighton Official Plan (refer to Attachment 6), as adopted.

Conclusion / Outcomes

Brighton Official Plan Amendment No. 16 includes mapping amendments that will change the land use designations on a portion of the subject property located on the west side of Ontario Street, south of the Canadian Pacific Railway within the Brighton Urban Area to allow new residential development.

These changes will facilitate an approved zoning by-law amendment and draft plan of subdivision that will permit a development consisting of 68 residential units of varying built forms and densities along with parkland, environmental protection uses and future local roads.

The land use changes are in accordance with County and Provincial requirements; as such, it is appropriate for County Council to approve the amendment.

Attachments

1. Report 2024-132 ATTACH 1 'Location Sketch'
2. Report 2024-132 ATTACH 2 'Draft Approved Subdivision Layout – Westgate Development'
3. Report 2024-132 ATTACH 3 'Adopted Land Use Schedule Amendment – Westgate Development'
4. Report 2024-132 ATTACH 4 'Adopted Natural Features Schedule Amendment – Westgate Development'
5. Report 2024-132 ATTACH 5 'Adopted Brighton Official Plan Amendment No. 16 – By-Law No. 059-2024'