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Report 2024-133

Report Title: Brighton Official Plan Amendment No. 17
Bonn Road

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 2024-133 ‘Brighton Official Plan Amendment No. 17, Bonn Road’, recommend that County Council approve Brighton Official Plan Amendment No. 17; 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. 17 – Bonn Road.

Background

The subject site consists of properties located on either side of Bonn Road, south of White's Road. The property on the southeast corner of Bonn Road and White's Road (referred to as Bonn Road East) is municipally addressed 134 Bonn Road. The property on the west side of Bonn Road (referred to as Bonn Road West) is approximately 210 metres south of White's Road and extends to Georgina Road. This property does not currently have a municipal address. It is our understanding that Bonn Road West previously consisted of two properties that were merged on-title. These properties are located approximately 800 metres northeast of the Brighton Urban Area (refer to Attachment 1 – Location Sketch).

Bonn Road East is 27.9 hectares (68.94 acres) in size. Bonn Road West is 30.8 hectares (76.11 acres) in size. Both properties were used as an aggregate pit operation, which ceased operations in 2019. The owner has also surrendered the aggregate pit licenses in accordance with the Ministry of Natural Resources and Forestry (MNR) and the Municipality of Brighton requirements. As a condition of surrendering the licenses, the Municipality of Brighton required the owner to rehabilitate a segment of Bonn Road.

Land uses surrounding the subject site include: agricultural properties (most of which contain a detached dwelling accessory to an agricultural land use); natural heritage areas consisting of woodlands, wetlands, watercourses, a former pond; Matson Lake and rural residential properties.

Related to the official plan amendment is six consent/severance applications and a zoning by-law amendment application. Together, these applications will facilitate the development of eight rural residential lots each intended to support a detached dwelling (four on either side of Bonn Road).

The proposed severed lots on the Bonn Road East site range between 0.7 hectares (1.73 acres) to 6.4 hectares (16.56 acres) in size with frontages and vehicular entrances from Bonn Road, retaining a vacant lot of approximately 19.5 hectares (48.18 acres) in size predominantly consisting of woodlots and pond with frontages off Bonn Road and White's Road (refer to Attachment 2 – Proposed Conceptual Lot Layout – Bonn Road East).

The proposed severed lots on the Bonn Road West site range between 0.92 hectares (2.27 acres) to 2.3 hectare (5.68 acres) in size with frontages and vehicular entrances off Bonn Road, retaining a vacant lot of approximately 26.6 hectares (65.73 acres) in size predominantly consisting of woodlots and watercourses with frontages from both Bonn Road and Georgina Street (refer to Attachment 3 – Proposed Conceptual Lot Layout – Bonn Road East).

To facilitate the proposed development, the proponent requested the following site-specific land use changes to the Brighton Official Plan:

Bonn Road East, Schedule A – Map 1 'Land Use – Brighton Rural Area' (Part of Lot 30, Concession A)

- Redesignate the subject property from "Aggregate Resources" to "Rural" (while keeping the existing "Environmental Protection" designations on the property).

Bonn Road East, Schedule D – Map 1 ‘Aggregate Resource Areas’ (Part of Lot 30, Concession A)

- Redesignate the subject property from “Active Pits” to “Inactive Pits” (refer to Attachment 4 – Proposed Schedule Amendments – Bonn Road East).

Bonn Road West, Schedule A – Map 1 ‘Land Use – Brighton Rural Area’ (Part of Lots 31 and 32, Concession A)

- Redesignate a portion of the subject property (including the future rural residential lots) from “Aggregate Resources” to “Rural”; and
- Expand the existing “Environmental Protection” designation on a portion of the subject property to include an environmental buffer around an existing watercourse;

Bonn Road West, Schedule D – Map 1 ‘Aggregate Resource Areas’ (Part of Lots 31 and 32, Concession A)

- Redesignate a portion of the site from “Active Pits” to “Inactive Pits” (refer to Attachment 5 – Proposed Schedule Amendments – Bonn Road West).

On July 17, 2024, the Municipality of Brighton adopted Amendment No. 17. In accordance with *Planning Act* requirements, the Municipality submitted the adopted Amendment to Northumberland County for approval (refer to Attachment 6 – Adopting By-law Amendment).

If the County grants final approval to Amendment No. 17, the applicant plans to finalize the consent and zoning by-law amendment applications that were submitted to the Municipality of Brighton with the official plan amendment. The proposal will permit limited residential development on either side of Bonn Road.

Consultations

On July 17, 2024, the Municipality of Brighton held a public meeting to obtain public input on the official plan amendment. Notice for the meeting was posted on the subject property and mailed to property owners within 120 metres of the property.

Brighton staff did not receive any public comments opposed to Amendment No. 17.

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

Following Brighton Council’s adoption of Official Plan Amendment No. 17, 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 land uses to guide development throughout the Municipality, as well as to ensure the protection of natural heritage features and aggregate resources. Brighton Official Plan Schedule “A” – Land Use, Map 2- Brighton Rural Area Plan illustrates the land use designations on the subject lands and surrounding area.

The Brighton Official Plan designates most of the subject lands as “Aggregate Resource” and “Environmental Protection” in proximity to existing watercourses located on the northwest and southeast portions of the Bonn Road East site (refer to Attachments 4 and 5). Rural residential

severances are not permitted in either the Municipality's Aggregate Resource or Environmental Protection designations.

Brighton's Official Plan Section 4.9.7 (Rehabilitation of Mineral Aggregate Operations) requires progressive and final rehabilitation of mineral aggregate operations to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. The policy also states that final rehabilitation shall take into consideration surrounding land uses and approved land use designations as identified in Schedule A (land use map) of the Brighton Official Plan.

As noted above, the subject property is in proximity to woodlots, watercourses and rural residential uses. In support of the proposed development, the proponent prepared various studies consisting of an Environmental Site Assessment/Record of Site Condition, an Environmental Impact Study (EIS), a Hydrogeological Brief, Minimum Distance Separation calculations and Aggregate Surrender Letters for the proposed development. Upon Brighton and County Planning staff review of the studies, the proposal is appropriate provided that the future residential lots are appropriately separated from natural heritage features and any adjacent lands for future aggregate use.

Adopted Amendment No. 17 would change a portion of Brighton Official Plan map schedules to accommodate rural lot creation and additional housing on the subject lands while preserving significant environmental features and maintaining sufficient separation distances between other land uses that may be used for aggregate purposes.

Legislative Authority / Risk Considerations

The adopted mapping changes were assessed for conformity with the Northumberland County Official Plan (OP). The proposed changes conform to the County OP.

The adopted mapping changes were also 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 consistent with the PPS and conform to the Growth Plan.

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 review of the Provincial Planning Statement, the proposed development also appears consistent with the future policy document.

The adopted amendment is being approved by the Council of the County of Northumberland in accordance with the provisions of the *Planning Act* and Council By-law 2016-58.

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. 17, and County staff issue the decision notice, a 20-day appeal period will begin during which time any interested party can submit an 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

If County Council grants final approval, the proponent intends to finalize their consent and zoning by-law amendment applications with the Municipality of Brighton to facilitate the creation of up to eight rural residential lots for detached houses.

Conclusion / Outcomes

Brighton Official Plan Amendment No. 17 includes land use mapping changes on the subject properties on either side of Bonn Road, south of White's Road in rural Brighton. If approved, the amendment will facilitate the creation of up to eight rural residential lots for detached houses and retain woodlots, watercourses and their associated buffer areas (where appropriate) on either side of Bonn Road in accordance with MNR's and the Municipality of Brighton's rehabilitation requirements on lands previously used as an aggregate pit operation.

Brighton's adopted amendment is in accordance with County Official Plan policies and applicable Provincial land use policies. As such, it is appropriate for County Council to approve the amendment.

Attachments

1. Report 2024-133 ATTACH 1 'Location Sketch'
2. Report 2024-133 ATTACH 2 'Proposed Conceptual Lot Layout – Bonn Road East'
3. Report 2024-133 ATTACH 3 'Proposed Conceptual Lot Layout – Bonn Road West'
4. Report 2024-133 ATTACH 4 'Adopted Land Use Schedule Amendment – Bonn Road East'
5. Report 2024-133 ATTACH 5 'Adopted Land Use Schedule Amendment – Bonn Road West'
6. Report 2024-133 ATTACH 6 'Adopted Aggregate Resource Areas Schedule Amendment'
7. Report 2024-133 ATTACH 7 'Adopted Brighton Official Plan Amendment No. 17 – By-Law No. 060-2024'