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Report 2025-013

Report Title: Brighton Official Plan Amendment No. 13 -
207 Middle Ridge Road, Brighton

Committee Name: Economic Development, Tourism and Planning

Committee Meeting Date: January 8, 2025

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Director
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Approved by: Jennifer Moore, CAO

Council Meeting Date: January 22, 2025

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

Recommendation

That the Economic Development, Tourism and Land Use Planning Committee, having considered Report 2025-013 'Brighton Official Plan Amendment No. 13 - 207 Middle Ridge Road, Brighton', recommend that County Council approve Brighton Official Plan Amendment No. 13; 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. 13 – 207 Middle Ridge Road.

Background

The subject property, 207 Middle Ridge Road, is located on the east side of Middle Ridge Road, approximately 750 metres south of Telephone Road in the Municipality of Brighton. The property is located approximately 1.2 kilometres west of the Brighton/Quinte West municipal boundary (refer to Attachment 1 – Location Sketch).

The subject property totals 20.28 hectares (ha) or 50.11 acres (ac) in size and was previously used as a gravel quarry, which ceased operations in 2015. The aggregate pit license was surrendered in accordance with the *Aggregate Resources Act*. As a condition of surrendering the license, the Ministry of Natural Resources and Forestry (MNR) required the owner to rehabilitate the property through tree planting/restoration. MNR inspected the subject property and considered the restoration satisfactory. MNR also considered a portion of the property safe for residential use provided that no tree removal occurs within the wooded and regenerated areas of the property.

Surrounding land uses include agricultural properties (most of which contain a detached house); natural heritage areas consisting of woodlands, wetlands, and watercourses; rural residential properties, a golf course and Highway 401 (approximately 850 metres north of the subject property).

In December 2022, the Municipality of Brighton Official Plan received applications to facilitate the development of three rural residential lots for detached dwellings on the subject property. The proposed lots are approximately 0.8 ha (2.0 ac) in size and retain a 17.45 ha (43.12 ac) woodlot containing an existing storage shed (refer to Attachment 2 – Proposed Conceptual Lot Layout). To facilitate the proposed development, the proponent requested the following site-specific land use changes to the Brighton Official Plan:

Schedule A – Map 1 ‘Land Use – Brighton Rural Area’

- Redesignate the future rural residential lots from “Aggregate Resource” to “Rural”; and
- Modifications to expand the existing “Environmental Protection” designation throughout the remainder of the subject property to also include the woodland area;

Schedule B – Map 1 ‘Natural Features – Brighton Rural Area’

- Remove the “Wooded Areas” Natural Feature from the map; and
- Remove a portion of the “Wetlands” Natural Feature from the map

Schedule D – Map 1 ‘Aggregate Resource Areas’

- Remove the “Inactive Pits” and “Primary” Resource Features from the map (refer to Attachment 3 – Proposed Schedule Amendments).

On July 26, 2023, the Municipality of Brighton adopted Amendment No. 13 to the Brighton Official Plan. In accordance with *Planning Act* requirements, the Municipality submitted the adopted Amendment to Northumberland County for approval (refer to Attachment 4 – Adopting By-law Amendment). County Planning staff reviewed the Amendment package and requested that the proponent provide a Record of Site Condition (RSC), in accordance with the Environmental Protection Act, since the development proposes to introduce a more sensitive land use (i.e., from an industrial pit to residential).

On November 21, 2024, Brighton staff circulated to County Planning MECP's written acknowledgement dated November 20, 2024 noting that the RSC was filed in its Environmental Site Registry.

If the County grants final approval to Amendment No. 13, the applicant plans to finalize three consent and zoning by-law amendment applications that were submitted to the Municipality of Brighton with the official plan amendment. The proposal will permit residential development on the southwest corner of the property.

Consultations

On July 26, 2023, 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 on Amendment No. 13.

The proposed amendment 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 Official Plan Amendment No. 13, 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 property and surrounding area.

The Brighton Official Plan designates most of the subject property as "Aggregate Resource" and "Environmental Protection" in proximity to an existing watercourse centrally located on the property. Rural residential severance(s) are not permitted in either the Municipality's Aggregate Resource or Environmental Protection designations.

Section 4.9.7 (Rehabilitation of Mineral Aggregate Operations) of Brighton's Official Plan 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 a variety of land uses; some of which include woodlots, watercourses and rural residential uses. In support of the proposed development, the proponent prepared various studies consisting of a Land Use Compatibility/Mineral Aggregate Assessment; an Environmental Site Assessment/Record of Site Condition and an Environmental Impact Study (EIS) and Hydrogeological Site Assessment 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 compatible and appropriately separated from natural heritage features and any adjacent lands for future aggregate use.

Adopted Amendment No. 13 would change a portion of Brighton Official Plan map schedules to accommodate rural lot creation and additional housing on the southwest corner of the subject property while preserving significant environmental features and maintaining sufficient separation distances between other aggregate land uses.

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 Planning Statement (PPS). The proposed changes are consistent with the PPS.

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 November 15, 2023. Once County Council has rendered a decision regarding Brighton Official Plan Amendment No. 13, 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 previously submitted consent and zoning by-law amendment applications to the Municipality of Brighton to facilitate the creation of up to three rural residential lots for detached houses.

Conclusion / Outcomes

Brighton Official Plan Amendment No. 13 includes land use mapping changes on the property 207 Middle Ridge Road in rural Brighton. If approved, the amendment will facilitate the creation of three rural residential lots for detached houses and retain a woodlot in accordance with MNRF's rehabilitation requirements on lands previously used as a gravel quarry.

Adopted Amendment No, 13 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 2025-013 ATTACH 1 'Map – Location Sketch'
2. Report 2025-013 ATTACH 2 'Proposed Conceptual Lot Layout'
3. Report 2025-013 ATTACH 3 'Proposed Schedule Amendments to Official Plan Amendment No. 13'
4. Report 2025-013 ATTACH 4 'Adopted Brighton Official Plan Amendment No. 13 – By-Law No. 067-2023'