

## **ATTACHMENT B**

### **Existing Policies and Zoning Considerations**

#### **Planning Act**

Section 2 of the Planning Act outlines those land use matters that are of provincial interest and for which all county planning decisions shall have regard. The provincial interests that apply to development on this site are:

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development;

Section 34 of the Planning Act permits amendments to the zoning by-law by Councils of local municipalities.

#### **Provincial Policy Statement – 2020**

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development, which is intended to be complemented by local policies addressing local interests. The PPS promotes healthy, livable and safe communities through the efficient use of land throughout the Province of Ontario. The PPS directs municipalities to focus their growth within settlement areas where full municipal services are available.

The PPS seeks to promote compact development and create complete, inclusive communities with diverse housing options. The PPS also outlines lot creation policies, which includes the severance of dwellings surplus to an agricultural operation, provided that the lot is limited in size needed to accommodate the use and appropriate water and sewage services.

***Planning Comments:*** *The subject lands are agricultural in nature, being designated and zoned as Agricultural as per the Official Plan and the Zoning By-law respectively. Generally, barns are not considered to be part of the residential use for the lands, and as such, would not be considered necessary to accommodate the use. By removing the lands including the barn from the proposed severed lot, additional potentially farmable land would remain as part of the agricultural retained lands.*

#### **Norfolk County Official Plan**

Existing Land Use Designation: “Agricultural”, “Hazard Land”

Section 7.2. outlines permitted uses and land use policies for the Agricultural designation, which includes the severance of habitable dwellings considered surplus to the needs of a farming operation, subject to the policies of Section 7.2.3 b) and c). These policies state that dwellings must be at least 10 years old at the date of

application for severance, the lot shall be of an appropriate size for the intended residential use and shall minimize the amount of agricultural land removed from active production, and that the severed lot be serviced by appropriate water and sewage services, among others.

Section 7.3. outlines permitted uses and land use policies for the Hazard Land designation.

**Planning Comments:** *The subject application seeks facilitate the severance of a dwelling surplus to the needs of agriculture, and specifically, to retain an existing barn as part of the proposed severed lands.*

*With the inclusion of the barn on the proposed severed lands, the parcel would be significantly larger than needed to accommodate the residential use. The barn is not strictly necessary to the needs of the residential use, and the exclusion of the barn would not result in issues with water or sewage servicing, both of which are located within proximity to the dwelling. While the applicant has indicated that the barn does not hold any agricultural significance at this time, it and the lands it sits on could be used in the future for agricultural purposes.*

## **Zoning By-law 1-Z-2014**

Existing Zoning: Agricultural Zone

Proposed Zoning: Agricultural Zone with Special Provision

Section 12.1.1. outlines permitted uses in the Agricultural Zone, which includes a range of agricultural and agricultural-related uses, single detached dwellings, cannabis production and processing, bed & breakfasts, home industries, home occupations, accessory residential dwelling units and uses accessory to permitted uses.

Section 3.2 outlines the provisions for structures accessory to residential uses.

**Planning Comments:** *The application seeks to add a Special Provision to the lands to permit an accessory structure with a total usable floor area of 600.5 square metres within the Agricultural Zone.*

*The existing barn is currently falls under the provisions of Section 3.1 Accessory Uses to Non-Residential Uses, as it is considered to be an agricultural building. Should the proposed future severance of the dwelling include the barn, it would be considered to fall under the policies of Section 3.2 Accessory Uses to Residential Uses, and thus would not comply with the Zoning By-law, being that it exceeds the maximum usable permitted.*

*The proposed severed lot would meet the minimum lot requirements without the inclusion of the barn and the associated lands. No deficiencies would be created should*

*the lot be severed without the inclusion of the subject barn, and thus would meet all policies of the Zoning By-law.*