

ATTACHMENT B Planning 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 3 of the Planning Act requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

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

Consistency with the Provincial Planning Statement, 2024

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 proposed Zoning By-law amendment is consistent with Section 2.2 of the Provincial Planning Statement. Section 2.2 of the PPS deals with housing:

1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:
 - a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
 - b) permitting and facilitating:
 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas,

and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3.

The PPS allows for limited non-residential uses in prime agricultural areas in accordance with the following criteria:

1. the land does not comprise a specialty crop area;
2. the proposed use complies with the minimum distance separation formulae;
3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
4. alternative locations have been evaluated, and i. there are no reasonable alternative locations which avoid prime agricultural areas; and ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Norfolk County does not currently have any specialty crop area designated and the proposal complies with MDS formulae. The proposed land use is meant to provide a solution to a gap within the community. While the need is not directly identified within the 25-year time horizon, the immediate need for refugee housing has been identified on a national scale. The use is not intended to function as permanent housing, but as a temporary housing option for refugees entering Canada. It is the opinion of planning staff that, given the potential of the existing development to serve this innovative purpose, and the demonstration of no negative impacts through the previous temporary use by-law, that the proposal is consistent with the intent of the PPS.

Norfolk County Official Plan

The Norfolk County Official Plan (the Plan) provides the essential tool to direct future growth, development and change in the County and to create the community envisioned by Norfolk's residents. This Plan responds to the uncertain nature of the future with clear and resilient principles and policies. It ensures that the planning framework and processes are clearly identified to ensure that Norfolk County remains a healthy, safe and successful community with a rich agricultural base and a strong economy, a diverse natural environment, and a great place to live.

The proposal is consistent with Several sections of the Official Plan including:

- Section 2.2 Goals and Objectives
- Section 4.0 Ensuring Economic Vitality
- Section 4.7 Employment Activity
- Section 5.3 Housing
- Section 6.7 Rural Area
- Section 7 Managing Land Use

The subject lands are designated Agricultural. The buildings exist on the site. No new development is proposed, and no farmland will be removed from production. The primary use of the land will remain agricultural in nature. The applicant proposes to continue the previously-approved temporary use on the subject lands.

Section 5.3.2, Special Needs Housing, states, “The County intends to improve access to housing for those people with special needs, including assisted housing for low income people, seniors housing, as well as various forms of supportive housing, including group homes and emergency/transitional housing, subject to the policies of this Plan. The following shall be the policy of the County:

d) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a group home, hostel, temporary shelter, emergency shelter or other similar form of special needs shelter, the County shall be satisfied that:

- i) the traffic generated from the facility can be adequately accommodated by the road network and will not have a significant impact on adjacent land uses, particularly residential uses;
- ii) the facility is of a design which maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding area and immediate neighbourhood;
- iii) the land, buildings and structures for the proposed facility conform to the provisions of the Zoning By-law, including those related to parking requirements, ensuring that on-site parking is sufficient to meet the needs of residents, support staff and visitors; and
- iv) where appropriate, that a license has been granted by the licensing Provincial or Federal agency.”

The overall directives for this type of housing need (section 5.3) at the local, provincial, national and global level could be considered to be the overall direction and supersede other policies. Further, the Official Plan permits limited non-agricultural uses in some circumstances. In this case, an existing unique site is continuing its use that was previously permitted on a temporary basis. The subject application conforms to the overall intent of the Official Plan.

Zoning By-law 1-Z-2014 and any Proposed Amendments

A portion of the subject lands are currently zoned Agricultural (A) Zone (with a Temporary Use for Special Needs Housing). The applicant proposes to amend the Zoning of that portion of the land to Agricultural with a special provision. The special provision would permit an “emergency/transition shelter” including: temporary incentivized accommodations for immigrants, refugees and low income families, and parking provision ratio of 1 spot to every 4 units.

The proposed Zoning By-law amendment is consistent with the PPS and conforms to the intent of the Official Plan.