

## **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 and

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 PPS 2024 promotes strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Section 2.2.1.1 promotes a flexible and adaptable economic environment that encourages investment and a broad range of employment opportunities while recognizing retail trends and community needs.

Section 2.3.1 related to Settlement Areas states that Settlement areas shall be the focus of growth and development. It further states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 4.1 states that the Official Plan maintains an appropriate land use framework to accommodate evolving land use needs as they related to economic activity.

Section 4.3 states that the County shall act to capitalize on the opportunities for economic activity by adopting different strategies for different parts of the County in an

effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing development and services they require to thrive.

### **Conformity with the Official Plan**

The proposed development is within the designated area of 'Shopping Centre Commercial OP' in the Norfolk County Official Plan. This designation permits uses which are less diverse than in the Downtown Designation and are primarily of a general retail nature, and may include drug stores, hardware, general merchandise, automotive and highway commercial uses, personal service shops, restaurants, and a limited amount of office uses related to the local area or which cannot be reasonably justified within the Downtown Designation, in accordance with the policies of Section 6.4 (b) (Urban Areas).

Section 7.10.2 states that the following policies apply to land designated Shopping Centre Commercial.

- a) Shopping Centre Commercial development shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses.
- b) Adequate off-street parking and loading spaces shall be provided in accordance with the Zoning By-law.
- c) Shopping Centre Commercial uses shall generally only locate on Provincial Highways, subject to the approval of the Province and the County, or arterial roads, subject to the approval of the County.
- d) A high standard of site design, including landscaping, buffer areas, building design and location, parking and loading areas, pedestrian and vehicular circulation, lighting and signage shall be required and shall be subject to the Site Plan Control Bylaw.
- e) Any enlargement of an existing Large Retail Use in the Shopping Centre Commercial Designation shall only be permitted by way of site-specific amendment to the Zoning By-law. Prior to considering a Zoning By-law amendment to accommodate an enlarged Large Retail Use, the following criteria shall be met to the satisfaction of the County:
  - i) a planning rationale report, shall be completed assessing the expansion in relation to the planned function of the Downtown Designation, the Shopping Centre Commercial Designation and the Commercial Designation, impacts on adjacent uses, as well as any other matters determined by the County;
  - ii) a retail market impact study shall be completed in accordance with the policies of Section 9.7.2 (Retail Market Impact Study) of this Plan;
  - iii) a traffic impact study shall be completed in accordance with the specific requirements of the County and the Province, as appropriate;
  - iv) an urban design study and guidelines shall be completed, as outlined in policies of Section 5.4 (Community Design) of this Plan; and
  - v) a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian

amenities, and other site elements, shall be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.

**Planning Comments:** The proposed amended use shall be evaluated in relation to these policies.

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

The subject lands are currently zoned as “Shopping Centre Commercial (CSC)” with special provision 14.611 (originally known as 38.127 in the Town of Simcoe Zoning By-law No. 1-S 83 as amended) which states at Section 2.(b) that notwithstanding the permitted uses of the Service Commercial Zone, the land shall be used only for a department store. The use of the land was amended to Shopping Centre Commercial as part of the Town of Simcoe Zoning by-law No. 1-1999 as amended but carried over this special provision as CSC.1a. This was then added to subsequent Norfolk County By-law amendments to become 14.611.

Permitted Uses in CSC zone (Section 6.2.1) only includes multiple commercial uses which includes places of sports and recreation, restaurants and retail. For a full list, please refer to Zoning By-law 1-Z-14 Section 6.2.

**Planning Comments:** The removal of the Special Provision will be evaluated against the permitted uses and zone provisions of the by-law.