



Working together with our community

Public Hearings Committee – July 06, 2021

Subject: OPNPL2021070 and ZNPL2021071 – An application has been received to amend the Official Plan to permit the creation of five lots by way of severance instead of through a Plan of Subdivision. Concurrent zoning by-law amendment application (ZNPL2021071) requesting to rezone the subject lands from Agricultural to Hamlet Residential. MARC DEVOS and agent CIVIC PLANNING SOLUTIONS INC has put forth the application affecting the lands described as 124 LaSalette Road.

Report Number: CD 21-56
Division: Community Development Division
Department: Planning
Purpose: For Information

Executive Summary:

This Public Meeting report is for a zoning by-law amendment submitted by CIVIC PLANNING SOLUTIONS INC on behalf of MARC DEVOS with respect to the subject site located at 124 LaSalette Road, in La Salette. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive recommendation report.

The applicant is proposing to amend the Official Plan policy (9.6.3.2) to permit the creation of five lots (four severed and one retained) by way of severance instead of through a Plan of Subdivision. Concurrent zoning by-law amendment application (ZNPL2021071) requesting to rezone Lots A, B, C and D from Agricultural to Hamlet Residential (RH). The farm parcel (retained lands) has no zone change proposed and will remain agriculturally zoned. No special provisions have been requested by the applicant or agent regarding the proposed lot creation.

This report is being presented as part of the statutory public meeting required by the Planning Act. A subsequent report will be brought forward containing a recommendation for Council consideration.

Site Features and Land Use:

As shown in Map 3 of this report, the subject lands are located on the south side of La Salette Road, within the Hamlet boundary La Salette. The subject lands are a farm parcel with an existing single family dwelling and farm structures. The subject lands have an area of approximately 99 acres. The farm parcel will remain as the retained lands, save and except the four (4) lots (A-D) which are intended to be severed from the farm parcel.

The property is currently designated Hamlet and Agricultural in Norfolk County's Official Plan and zoned Agricultural. The Lots A through D are designated Hamlet and the lands which are subject to this application.

The predominant land use in the area is a mix of Hamlet Residential, and farm parcels (Agricultural lands) with single detached residential dwellings. There is a commercial property located at 142 LA SALETTE RD which is encompassed by the subject lands (zoned Hamlet Commercial). During staff's site visit, there was no indication of an active commercial business, but the single detached dwelling on the property did look occupied.



Figure 1: perspective along La Salette Road

Discussion:

The proposed rezoning and official plan amendment to create 5 lots (4 severed, 1 retained) is supported by a site survey and sketch, a functional servicing report, hydrogeological report, and traffic impact study. Based on the submission material reviews and staff comments, the following issues are presented for discussion:

Multiple Lot Severance as Infill: The intent of the subject application is for the five (5) individual lots to be severed in the future (four severed, one retained). According to section 9.6.3.2 (a) of the Official Plan, related to *general consent to sever land policies*, a Plan of Subdivision is the preferred method of land division. If a plan of subdivision is not deemed necessary, regard shall be had to the other policies within this Plan under section 9.6.3.2 (c). The proposed official plan amendment seeks to amend section 9.6.3.2 by permitting the creation of five (5) lots (4 severed, and 1 retained) in the Hamlet area with special consideration for infill lots along an existing and established road without connections to municipal servicing.

Neighbourhood Character and Compatibility: La Salette is a small Hamlet village with mostly low density single-detached residential dwellings and a few commercial operations along the corridor. The village itself is surrounded by Agricultural lands and the character

of the village is that of a typical rural community found throughout the County - primarily low density residential lots, dominated by small to medium lot sizes, moderate setbacks from the dwelling to the road, and soft massing of the homes as a result of the setbacks and the single to two-storey nature of the neighbourhood. The proposed five (5) lot creation (4 severed, 1 retained), facilitated through the Hamlet Residential zone, mirrors the surrounding neighbourhood in character by proposing ample lot size with frontages and area which will provide a footprint for development that will complement the existing built form. The four (4) lots will accommodate a sizeable backyard and a living space which is appropriate for the area.

Reduced lot sizes: Planning staff noted that the applicant is requesting lot sizes for lots B, C and D which are less than the permitted 4000 sq.m (1 acre) minimum lot area needed for lots within the Hamlet Residential zone. In the application, it was not requested as a special provision to have reduced lot sizes. To proceed with the current proposal, a special provision will need to be added to permit a lot size of 3640 sq.m. Staff recognize the hydrogeological report provided which included a septic analysis and outlines that the lots proposed are sufficient in area for on-site sewage and that there will be no impact to neighbouring lands or the groundwater. The report notes that the applicant should consider the inclusion a special provision “to permit a minimum lot area of 3640 sq.m” for the four (4) lots in the RH zone.

Circulation Comments: Planning staff has received department and applicable agency comments which have been consolidated and attached as Appendix A. Comments are pending from Development Engineering and will be circulated to the proponent upon receipt and incorporated into the recommendation report.

Regard for Public Input: No public input was received for this application ahead of the completion of this report.

This report is being presented as part of the statutory public meeting where any comments received during the public meeting will be considered and ultimately reflected in the final recommendation report to Council.

Planning Considerations:

It is owner’s responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

Provincial Policy Statement, 2020

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It promotes efficient development and land use patterns and encourages growth and development within existing settlement areas. The subject land is within the ‘settlement area’ as defined in the Provincial Policy Statement.

Section 1: Building Healthy Communities of the PPS promotes the building of strong, healthy communities and includes policies about avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.3.1 indicates that “Settlement areas shall be the focus of growth and development.” Additionally, Section 1.1.3.2 states that “land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.4 Appropriate development standards should be promoted while facilitate intensification, redevelopment and compact form, while avoiding or mitigating risk to public health and safety.

1.1.3.6 New development taking place in designated growth area should occur adjacent to 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.

Planning Comments: *Planning staff will provide a full conformity check based on the above mentioned policies of the PPS, 2020 within the recommendation report.*

Norfolk County Official Plan

The subject lands are designated “Hamlet” in the Official Plan. This designation accommodates a mix of residential, commercial, industrial, recreational and institutional facilities which provide important services to the surrounding Rural Area. Section 7.5.1 indicates that in addition to (a) low density residential dwellings on lots suitably sized to accommodate private servicing systems shall be the main permitted use.

Section 7.5.2 outlines the regulations which govern future development within the Hamlet Designation and the criteria that must be followed.

Section 6.6 Limited growth will be permitted provided that the growth is within the Hamlet Area boundary designated on Schedule “B” to this Plan, will not be detrimental to the rural character of the surrounding agricultural and/or resource area, will not have adverse environmental or human health consequences, and will not have a negative impact on the County’s financial sustainability.

Section 9.6.3.2 outlines the general consent to sever land policies with the County. This includes section (a) which outlines that plans of subdivision shall be the preferred method of land division. Consents should only be granted when it is clearly not necessary or in the public interest that the land be developed by plan of subdivision. If a plan of subdivision is not deemed necessary, regard shall be had to the other policies within this Plan and to the following criteria when considering an application for consent:

- i) consents shall only be granted when the land fronts onto an existing, assumed public road that is maintained on a year-round basis;
- ii) consents shall have the effect of infilling in existing areas and not extending existing development;
- iii) creation of the lot does not compromise the long-term use of the remaining land or retained parcel; and
- iv) consents may be considered for large parcels, where future development of the large parcels is to proceed by plan of subdivision.

Planning comments: A conformity check of the Official Plan policies will be provided within the recommendation report.

Norfolk County Zoning By-Law 1-Z-2014

Current Zoning

The subject lands are currently zoned 'Agricultural (A)'. There is no permissive policy for lot creation (other than surplus farm severances) within the Agricultural zone (Section 12.1). Therefore, a rezoning is required to permit lot creation.

Surrounding Zoning

The predominant land use in the area is Hamlet Residential and Agricultural, where low-density single detached dwellings are the primary use.

Proposed Zoning

The subject Zoning By-law Amendment proposes to rezone the subject lands from 'Agricultural (A)' to 'Hamlet Residential (RH)' to permit the creation of 4 residential lots. Section 5.7 of the Zoning By-law lists the permitted uses in the RH zone and include, but is not limited to, single-detached dwelling. Lot creation within the RH zones must meet the criteria of section 5.7.2 when it comes to lot area and frontage. It should be noted that the minimum lot area requirements for lots in the RH zone is 4000 sq.m (5.7.2a) and the minimum lot frontage for lots in the RH zone is 30 m (5.7.2b). The subject lots (A through D) comply with the 30 m minimum lot frontage, but lots B, C, and D have lot areas less than 4000 sq.m. The lots are as follows:

- Lot A: 50 m frontage, 4027.72 sq.m
- Lot B: 50 m frontage, 3981.50 sq.m
- Lot C: 46.898 m frontage, 3681.77 sq.m
- Lot D: 46.898 m frontage, 3640.38 sq.m

The applicant has not requested any special provisions but staff note that due to the deficiencies, a request should be made to add a special provision “to permit a minimum lot area of 3640 sq.m” for the four (4) lots in the RH zone.

Planning Comments: *A conformity check of the Zoning By-law policies will be provided within the recommendation report. Further, the proposed zoning is still being evaluated in terms of compatibility with the surrounding neighborhood and staff will be considering built form provisions and character for the final recommendation report to ensure future compatibility with any zone change.*

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities".

Explanation: The proposed lot creation should facilitate and promote appropriate growth and density in the neighbourhood.

Conclusion:

The purpose of this report is to summarize the planning application proposal, provide the comments received from applicable departments and agencies, summarize comments received from member of the public, and to provide general information in relation to the overall application. A staff report with related recommendations will be submitted to Council for consideration at a later date.

Recommendation(s):

THAT Report CD 21-56, Public Hearing report for OPNPL2021070 and ZNPL2021071, be received for information;

THAT any outstanding technical comments received be provided to the applicant and addressed prior to submission of a future recommendation;

AND THAT any comments received as part of the statutory public meeting be considered in a future recommendation staff report.

Attachment(s):

Maps 1 to 4

Appendix A Circulation Comments

Appendix B Public Input

Submitted By:

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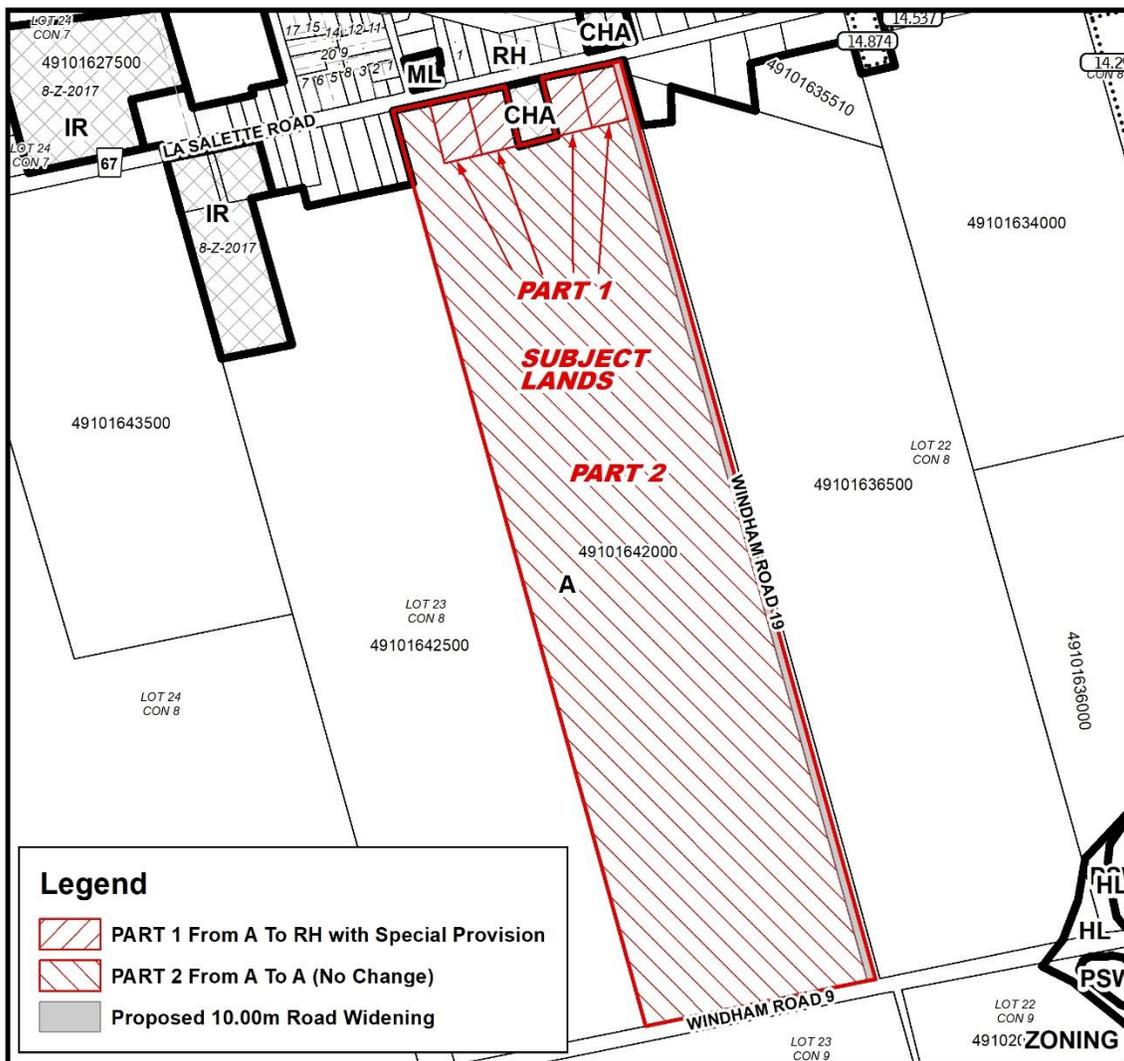
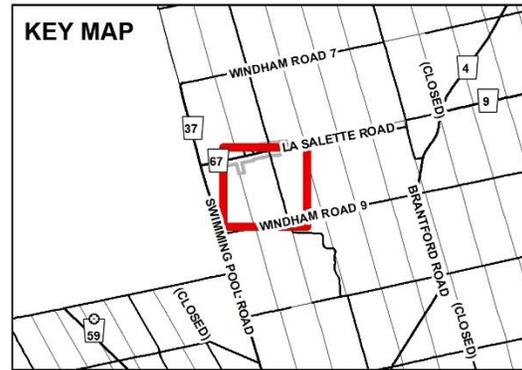
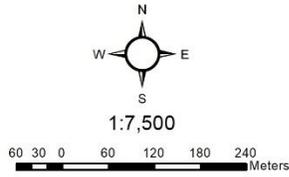
Reviewed By:

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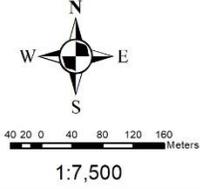
Prepared By:

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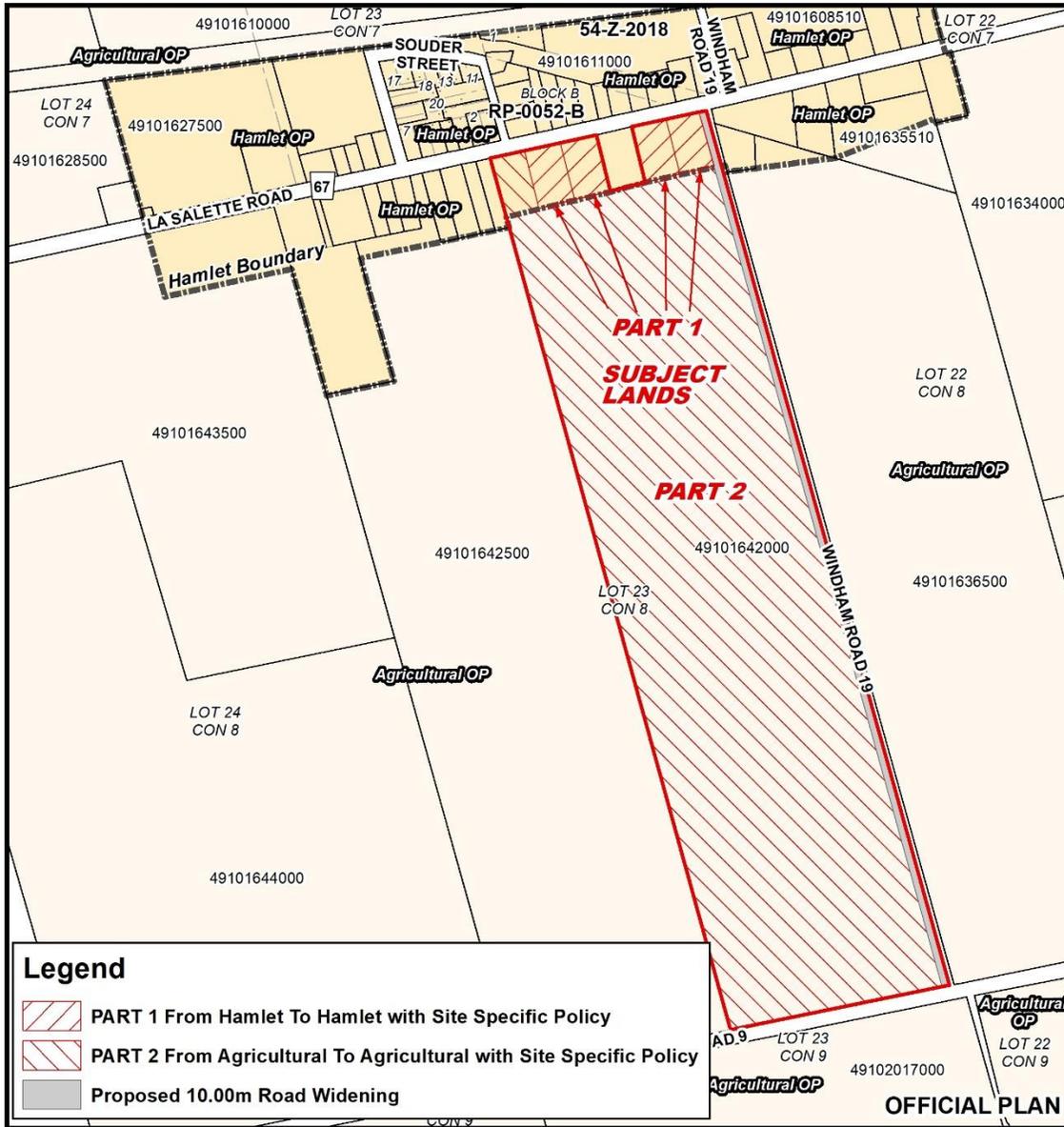
MAP 1
File Number: OPNPL2021070 & ZNPL2021071
 Geographic Township of
WINDHAM



MAP 2
File Number: OPNPL2021070 & ZNPL2021071
Geographic Township of WINDHAM



A north arrow is located in the top right corner of the map frame, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left. Below the north arrow is a scale bar marked from 0 to 160 meters in increments of 40. The scale is labeled '1:7,500'.



Legend

-  PART 1 From Hamlet To Hamlet with Site Specific Policy
-  PART 2 From Agricultural To Agricultural with Site Specific Policy
-  Proposed 10.00m Road Widening

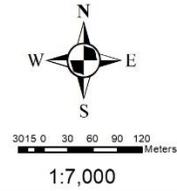
OFFICIAL PLAN

2021-03-29

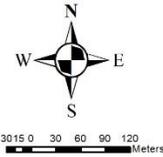
MAP 3

File Number: OPNPL2021070 & ZNPL2021071

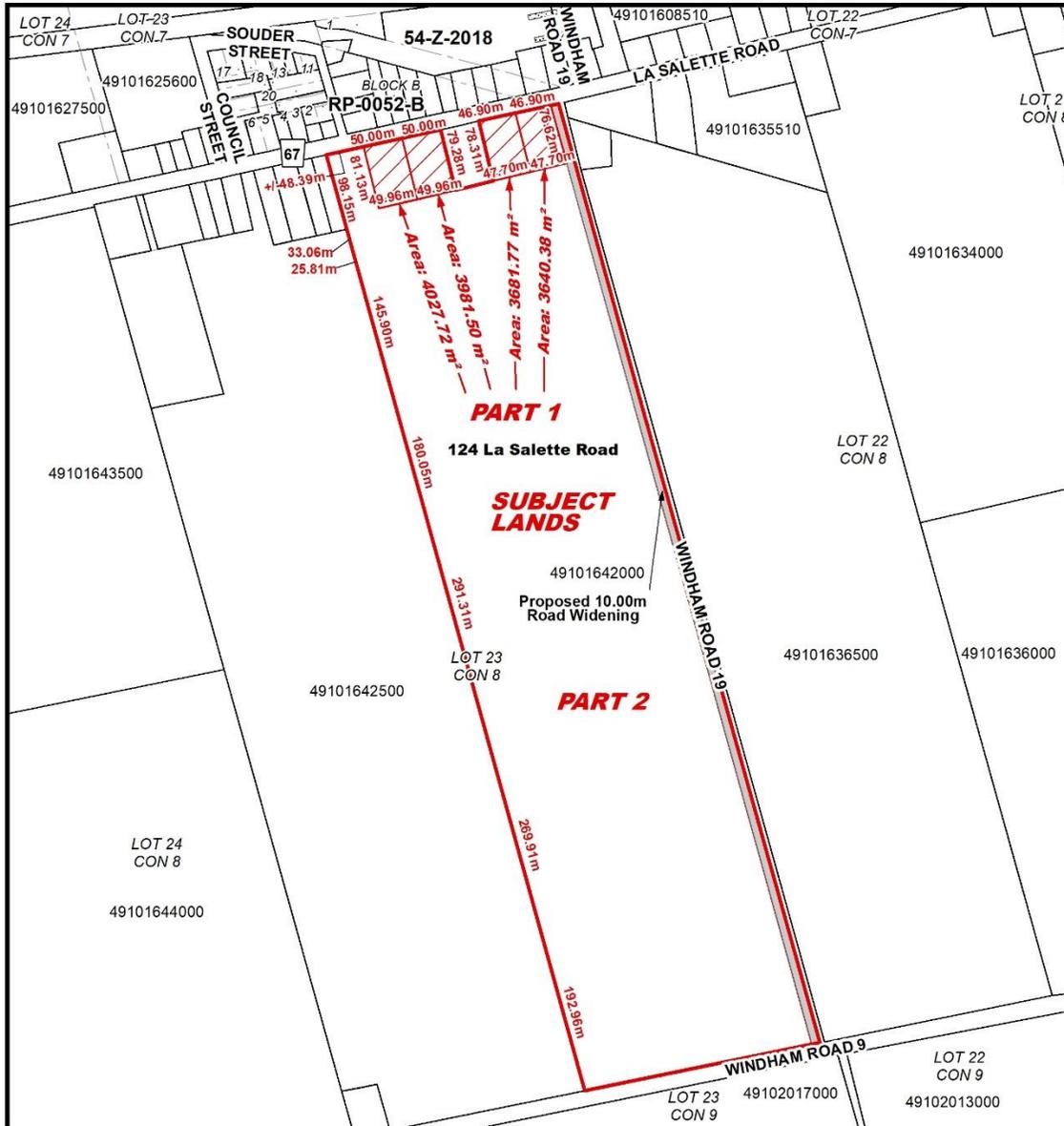
Geographic Township of WINDHAM



MAP 4
File Number: OPNPL2021070 & ZNPL2021071
Geographic Township of WINDHAM



30 15 0 30 60 90 120 Meters
1:7,000



CD 21-56 OPNPL2021070 & ZNPL2021071 – 124 LaSalette Road

Appendix A: Circulation Comments

Financial Services – Circulated - Comments are as follows:

1. Pending comments

Zoning Administrator – Circulated – Comments are as follows:

1. Using this survey provided, lot 2,3,4 and retained will be deficient in lot area. Min lot area in an RH zone is 0.4 hectares (4000sqm)

Development Engineering – Circulated - Comments are as follows:

1. Pending comments

Building and By-Law – Circulated – No concerns

Geographic Information Systems – Circulated – No concerns

Fire – Circulated - No concerns

Canada Post – Circulated – Comments are as follows:

1. Please be advised that these 4 new lots will be serviced by Community Mailboxes in the area. Please advise of the new civic addresses so that we can enter them into our system and the customers will need to register for mail delivery at the Delhi Post Office to obtain their keys.

Paramedic Services – Circulated - No comments received – No concerns

Parks and Recreation – Circulated - No comments received – No concerns

Forestry – Circulated - No comments received – No concerns

Health and Social Services – Circulated - No comments received – No concerns

Economic Development – Circulated - No comments received – No concerns

Health Unit: Residential - Circulated - No comments received – No concerns

Accessibility - Circulated - No comments received – No concerns

1.0 Introduction and Development Proposal

Civic Planning Solutions Inc has been retained by Marc Devos to prepare and provide our professional planning opinion on the combined official plan amendment and zoning by-law amendment for his lands located in the settlement area - hamlet of La Salette in Norfolk County. The owner is proposing to create 4 residential lots through the severance application process and not by means of a plan of subdivision.

This report includes a review of the Provincial Policy Statement 2020, Norfolk County Official Plan and the Norfolk County Zoning by-law.

2.0 Background Information

The lands are legally described as Concession 6, part Lot 23 in the geographic Township of Windham. The lands which are in two parts have a combined frontage of 148.4m and 103.79m, depth of 82m and 78m, width of 147.9m and 105.2m and an area 11945m² and 7621.13m². These lands are part of a farm parcel having an area of 99 acres. The existing farm buildings are located outside the designated hamlet boundary. The lands to be developed are designated as Hamlet in the Norfolk County Official Plan and zoned Agricultural (A) Zone in the Norfolk County Zoning By-law. The proposed lots will utilize on-site well and septic systems and storm water will be contained on each lot through the use of a low impact development (LID) system. These systems are a preferred environmental system.

The adjacent land uses are residential uses located north, east and west with agricultural uses to the south. There are no livestock operation located in this area.

3.0 Planning Document Review

Provincial Policy Statement (2020)

The Provincial Policy Statement guides land use planning for the entire province and the policies are to be read in their entirety. Decisions regarding land use planning matters are to be consistent with the Provincial Policy Statement. The following is a review of pertinent policies for this development proposal.

Provincial Policy Statement 2020	Comments
<p>1.1 Development and Land Use Patterns</p> <p>1.1.3 Settlement Areas</p> <p>Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types</p>	<p>La Salette is designated as a hamlet which is a Settlement Area within the Norfolk County Official Plan.</p> <p>There are no municipal sewers or water system in La Salette. New development must utilize on site septic systems and</p>

<p>of infrastructure available. The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.</p> <p>1.1.3.1 Settlement areas shall be the focus of growth and development.</p> <p>1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed; and g) are freight-supportive. <p>Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.</p> <p>1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p> <p>1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a</p>	<p>wells.</p> <p>The proposed new development will be located within a designated Settlement Area</p> <p>The Proposed development will be an infill development located between existing residential development.</p> <p>The lots will use private on-site services. A hydrogeological report has been prepared that supports the establishment of four new residential lots. The lots are of sufficient size to accommodate the house, accessory buildings, well, septic system and the retention of storm water without the need for an off site outlet.</p> <p>The lots sizes will be adequate to accommodate on-site services.</p> <p>This is an infill development situation which will utilize vacant developable</p>
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compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.	lands within an existing hamlet area.
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Norfolk County Official Plan

The following policies of the Norfolk County Official Plan are relevant to this application:

Norfolk County Official Plan	Comments
<p>6.6 Hamlet Areas</p> <p>Hamlet Areas are settlements that function as small clusters providing limited residential, institutional, recreational and small-scale commercial services to the surrounding agricultural community. The 42 Hamlet Areas identified on Schedule “A” to this Plan are an important component of Norfolk County’s community structure. The County will promote limited growth in Hamlet Areas and support their rural character and evolving role as service and residential centres to the agricultural community in recognition of changing social and economic conditions. Limited growth will be permitted provided that the growth is within the Hamlet Area boundary designated on Schedule “B” to this Plan, will not be detrimental to the rural character of the surrounding agricultural and/or resource area, will not have adverse environmental or human health consequences, and will not have a negative impact on the County’s financial sustainability. Growth in the Hamlets will be carefully monitored. Hamlet Areas have been designated on the basis that they contain a minimum of 25 residential units or possess historical identity as a hamlet, with the entire built up area existing as a distinguishable cluster, with some form of commercial and public service available, as appropriate. The following shall be the policy of the County:</p>	<p>La Salette is a designated Hamlet. The proposed infilling development is located within the defined hamlet boundary.</p>

<p>b) The County shall monitor and review the Hamlet Areas on an on-going basis to ensure that they are appropriately managed and the policies of this Plan are fulfilled. When required, a comprehensive review of Hamlet Area boundaries shall be completed, and undertaken in accordance with Section 9.3 (Official Plan Monitoring and Review). The County shall evaluate proposals to expand a Hamlet Area boundary based on the following criteria:</p> <p>i) no new municipal water and waste water systems will be required for development. The long-term suitability of the area for individual on-site waste water disposal and water supply systems must be demonstrated through a servicing feasibility study completed in accordance with Ministry of the Environment and Climate Change guidelines and approved by the County, in consultation with the Conservation Authority;</p> <p>ii) the population of the Hamlet Area will not exceed 600 people and is in keeping with the size and character of the particular Hamlet Area;</p> <p>iii) it has been demonstrated that there is a need for the land included in the proposed expansion in the context of the supply of designated and available land to accommodate proposed growth in the County;</p> <p>iv) the expansion is a logical extension of the Hamlet Area and is compatible with existing development;</p> <p>v) prime agricultural land will be preserved unless no reasonable alternatives exist;</p> <p>vi) the expansion complies with the Province’s Minimum Distance Separation Formulae;</p>	<p>No new municipal water or sewage system will be required to service the proposed development.</p> <p>The population of La Salette will not exceed 600 people due to the proposed development.</p> <p>No expansion of the hamlet boundaries are proposed by this development.</p>
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<p>vii) Provincially Significant Features, Natural Heritage Features, Hazard Lands and Natural Resource Areas are avoided;</p> <p>viii) potential impacts on cultural heritage resources are assessed and addressed; and</p> <p>ix) the requirements of Section 9.6.1 (Official Plan Amendments) are satisfied.</p> <p>9.6.3.2 General Consent to Sever Land Policies</p> <p>Applications for consent to sever land shall be considered on the basis of the policies of this Section, the underlying land use designation and the associated policies of this Plan. The Committee of Adjustment shall deal with all applications for consent in accordance with the relevant provisions of the Planning Act. The decisions of the Committee of Adjustment shall also be consistent with prevailing Provincial policy. In addition to the specific land division and consent policies associated with the underlying land use designation, the following policies shall apply to applications for consent:</p> <p>a) Plans of subdivision shall be the preferred method of land division. Consents should only be granted when it is clearly not necessary or in the public interest. that the land be developed by plan of subdivision. Plans of subdivision shall be required and applications for consent shall not be approved under the following circumstances:</p> <p>i) more than three (3) lots (two severed and one retained) from a land holding are being created;</p> <p>ii) lots created require a new public road for the provision of access;</p> <p>iii) the provision or extension of municipal services (water and/or sewer, as appropriate) is required; or</p> <p>iv) other matters that may arise during the review of the proposed development.</p>	<p>There are no such features located in this area.</p> <p>The proponent is requesting that the proposed development proceed by consent application rather than through a plan of subdivision process.</p> <p>Due to the limited scale of this development with a total of 4 lots, there doesn't appear to be a need for the full plan of subdivision process. The severance process can require that a lot grading and storm water plan be registered on title to ensure compliance by future home owners.</p> <p>The will be no new road required.</p>
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<p>b) Notwithstanding Section 9.6.3.2 a) i), the requirement for a plan of subdivision may be waived for infilling or redevelopment of up to four (4) lots having frontage on a public road that is maintained on a year-round basis in an Urban Area serviced by municipal water and sanitary sewers.</p> <p>c) If a plan of subdivision is not deemed necessary, regard shall be had to the other policies within this Plan and to the following criteria when considering an application for consent:</p> <p>i) consents shall only be granted when the land fronts onto an existing, assumed public road that is maintained on a year-round basis;</p> <p>ii) consents shall have the effect of infilling in existing areas and not extending existing development;</p> <p>iii) creation of the lot does not compromise the long-term use of the remaining land or retained parcel; and</p> <p>iv) consents may be considered for large parcels, where future development of the large parcels is to proceed by plan of subdivision.</p> <p>d) The size of any parcel of land created by consent should be appropriate for the use proposed, considering the level of services available, the soil conditions, and other factors. No parcel shall be created which does not conform to the provisions of the Zoning By-law, except where a minor variance has been secured, in accordance with Section 9.6.3.1 (Minor Variances) of this Plan.</p> <p>e) A hydrogeological study to confirm soil conditions and suitability for potential future private services may be required where the retained or severed parcel(s)</p>	<p>There will be no extension of municipal services required. Storm water can be controlled on each individual lot by using a low impact development (LID) system.</p> <p>In this case there will be two areas where development will occur. The west infill location will accommodate 2 lots and the easterly infill location will accommodate 2 lots. The retained lands is located outside the settlement area.</p> <p>The fronting road is a well-maintained county road.</p> <p>The consents will not extend existing development but will be clearly infilling.</p> <p>The development of the proposed lots will not impact the use of the retained lands. The far western portion of the lands which are also located in the hamlet designation will not be subdivided as it provides the existing access to the house and other farm buildings via an existing driveway. The remainder of the retained lands are outside the hamlet and are designated Agricultural.</p> <p>The lot area of the proposed lots are appropriate for the proposed use and have</p>
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<p>is(are) sufficiently large to accommodate subsequent lots</p> <p>f) Consents for building purposes shall not be permitted under the following circumstances:</p> <p>i) the land is located within any Natural Heritage Features, as defined by this Plan, and a suitable building site cannot be found through the evaluation completed in an Environment Impact Study;</p> <p>ii) the land is located in a floodplain;</p> <p>iii) the land is located on or within 500 metres of a Bedrock Resource Area, 300 metres of a Sand and Gravel Resource Area, or 75 metres of mineral or petroleum resource deposits or an active petroleum well, as identified in the Oil, Gas and Salt Resources Library of the Ministry of Natural Resources and Forestry;</p> <p>iv) Provincial or County transportation objectives, standards or policies cannot be maintained; or</p> <p>v) the created and retained parcels cannot be provided with an adequate level of service.</p> <p>g) On the granting of an application for consent, conditions may be imposed on the severed and retained parcels.</p> <p>h) Compliance with the Minimum Distance Separation Formulae shall be required subject to the policies of Section 7.2 (Agricultural Designation).</p> <p>i) Subject to the specific policies of this Plan, consents may be permitted for the purposes of making lot boundary corrections, for the purposes of granting easements, for conveyances and consolidations, and other such administrative or technical matters, provided that such matters are minor in nature. The County shall support the consolidation of undersized lots.</p>	<p>been reviewed through the hydrogeological report to be of adequate size to accommodate on-site septic systems.</p> <p>The hydrogeological report has confirmed these conditions.</p> <p>These circumstances do not exist with this development proposal</p> <p>There is no livestock operation in this area.</p>
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Norfolk County Zoning By-law

Norfolk County Zoning By-law 1-Z-2014	Comments
<p>5.7 Hamlet Residential (RH) Zone</p> <p>5.7.1 Permitted Uses In an RH Zone, no land, building or structure shall be used except in accordance with the following uses: a)dwelling, single detached b)bed & breakfast, subject to Subsection 3.4 c)day care nursery d)home industry e)home occupation.</p> <p>5.7.2 Zone Provisions In an RH Zone, no building or structure shall be erected or altered except in accordance with the following provisions: a) minimum lot area:0.4 hectares b) minimum lot frontage: I) interior lot 30 metres ii) corner lot 30 metres c) minimum front yard:6 metres d) minimum exterior side yard:6 metres e) minimum interior side yard: i) attached garage 1.2 metres each side ii)detached garage 3 metres and 1.2 metres f) minimum rear yard: 9 metres g) maximum building height: 11metres</p>	<p>The subject lands shall be rezoned to RH</p> <p>The proposed use of the lands complies with the uses permitted in the RH Zone.</p> <p>The proposed lots (with the exception of one lot) will be slightly deficient with respect to minimum lot area and will require relief from this provision. The hydrogeological report supports the development of these lots. A site-specific amendment will be required with respect to the lots which will not meet the current zone provision for lot area.</p> <p>The lot frontages will conform and new development of the lots will meet the remaining zone provisions.</p>

4.0 Opinion Summary

As part of the development process, the applicant has undertaken and completed the following reports and studies: a detailed survey of the lands to be developed, elevation mapping, a detailed lot grading and storm water plan using a low impact development (LID) system and a hydrogeological report. We have pre-consulted with County staff regarding the proposed development and the development of a total of 4 infill lots is considered to be viable. Section 9.3.6.2 of the Norfolk County Official Plan provides some flexibility to use the Committee of Adjustment consent process rather than the plan of subdivision process. In this case, due to the lack of municipal sewer and water services and the simplicity of what is being proposed, there is no compelling reason to proceed with a plan of subdivision. The development

of the 2-infill situations could normally proceed on their own through the severance process, but because the total number of lots being created will be 4, the official plan policies require that the subdivision process be followed. We see this as a unique situation and reasonable to request an amendment to the Norfolk County Official Plan to permit the owner to use the severance process.

It is also reasonable to rezone the subject lands from Agricultural (A) Zone to Hamlet Residential (RH) Zone to bring the zoning into compliance with the Hamlet designation. It is my opinion, that the proposed official plan amendment and the zoning amendment applications are consistent with the policies of the PPS 2020, and the Norfolk County Official Plan. It is on this basis that we respectfully request council's support for these planning applications.

David Roe, MCIP, RPP

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