



Working together with our community

### Public Hearings Committee – April 03, 2024

Subject: Application ZNPL2024044 proposing to amend the Zoning By-Law from Agricultural to Hamlet Residential, Hamlet Residential with a special provision and Agricultural with a special provision for the lands described as 196 Old Highway 24, Bloomsburg

Report Number: CD 24-023  
Division: Community Development  
Department: Planning  
Ward: Ward 7  
Purpose: For Public Meeting

#### Recommendation(s):

That staff Report CD-24-023 for development application(s) ZNPL2024044 be received for information; and

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

#### Public Meeting Notification:

A public meeting is a statutory requirement in accordance with the Planning Act, and is intended to allow members of the public to submit written or oral comments in relation to the proposed development. Additionally, any person may make written submissions at any time prior to County Council making its final decision on the application.

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 (“Planning Act”), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting. Notifications were mailed to neighbors within 120 m of the subject lands; and a yellow notification sign was posted on the site on March 13, 2024.

#### Discussion:

The applicant is proposing a zoning by-law amendment to facilitate three future consent to sever applications (two lots created and one lot line adjustment) for continued residential use and future residential development.

An overview summary of the development application(s) that have been submitted for the subject property at 196 Old Highway 24, Bloomsburg is contained within Attachment

A. This includes an outline of the site context, the applications and technical reports, any technical or public feedback to date and overview of development considerations. The submitted or draft by-law amendment is included as Attachment C.

### **Strategic Plan Linkage**

This report aligns with the 2023-2026 Council Strategic Priority "Building Norfolk".

Explanation: Development that results from applications under consideration can help contribute to developing supports needed for complete communities.

### **Conclusion:**

A recommendation report will be provided on this matter following review of the circulation, planning considerations and this statutory public hearing meeting regarding the submitted, "complete" development applications.

### **Attachments:**

Attachment A Development Application Overview  
Attachment B Existing Planning Policy and Zoning Overview  
Attachment C Proposed Zoning Bylaw Amendment

### **Approval:**

Approved By:  
Brandon Sloan, BES, MCIP, RPP  
General Manager  
Community Development Division

Reviewed By:  
Tricia Givens, M.Sc.(PI), MCIP, RPP  
Director, Planning  
Community Development Division

Prepared By:  
Hannelore Yager, MScPI.  
Planner  
Community Development Division

Attachment A - Report CD 24-023  
Development Application Overview

# 196 Old Highway 24, Bloomsburg

Application File Numbers: ZNPL2024044

Applicant: 2716452 Ontario Ltd.

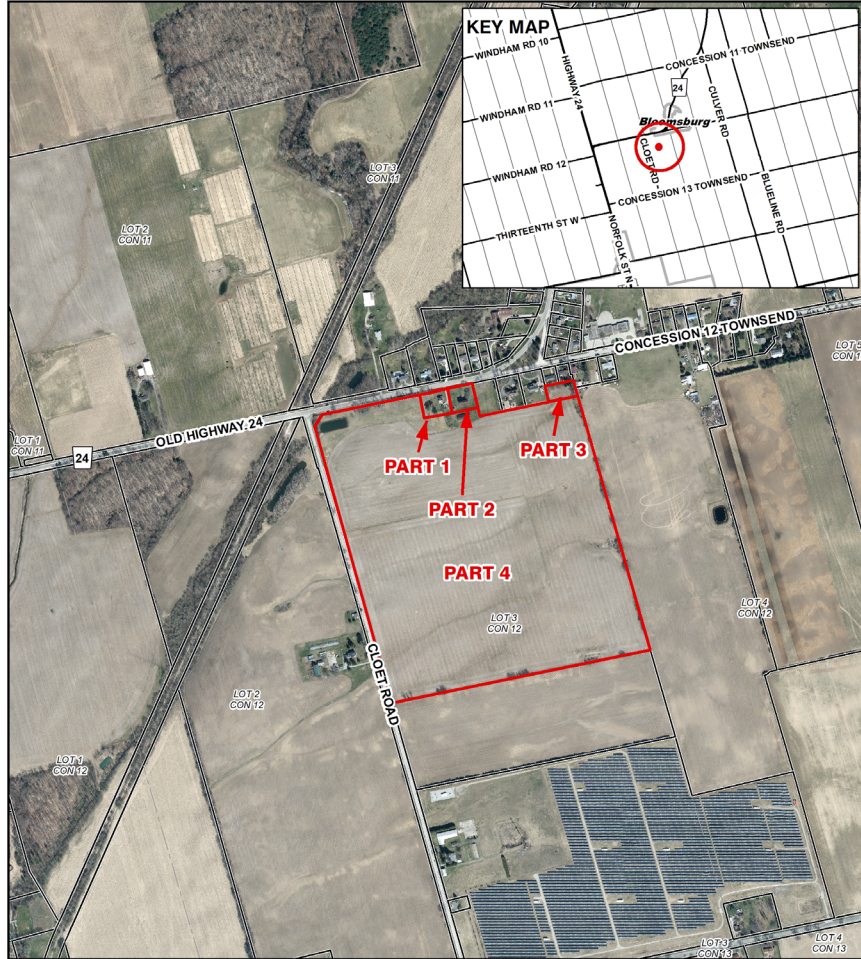
Agent: R.C. Dixon

**Statutory Public Hearing**

Date: April 3, 2024

1

# Site Context



Legend

- Subject Lands
- Lands Owned

2020 Air Photo

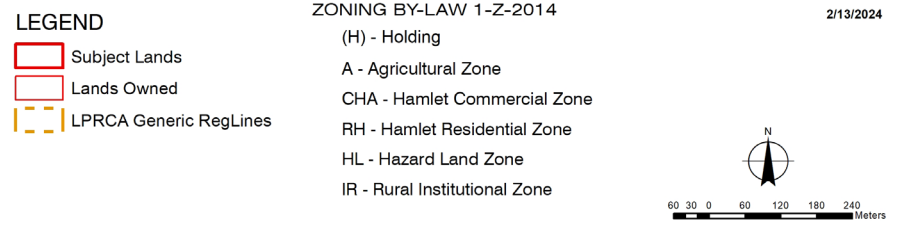
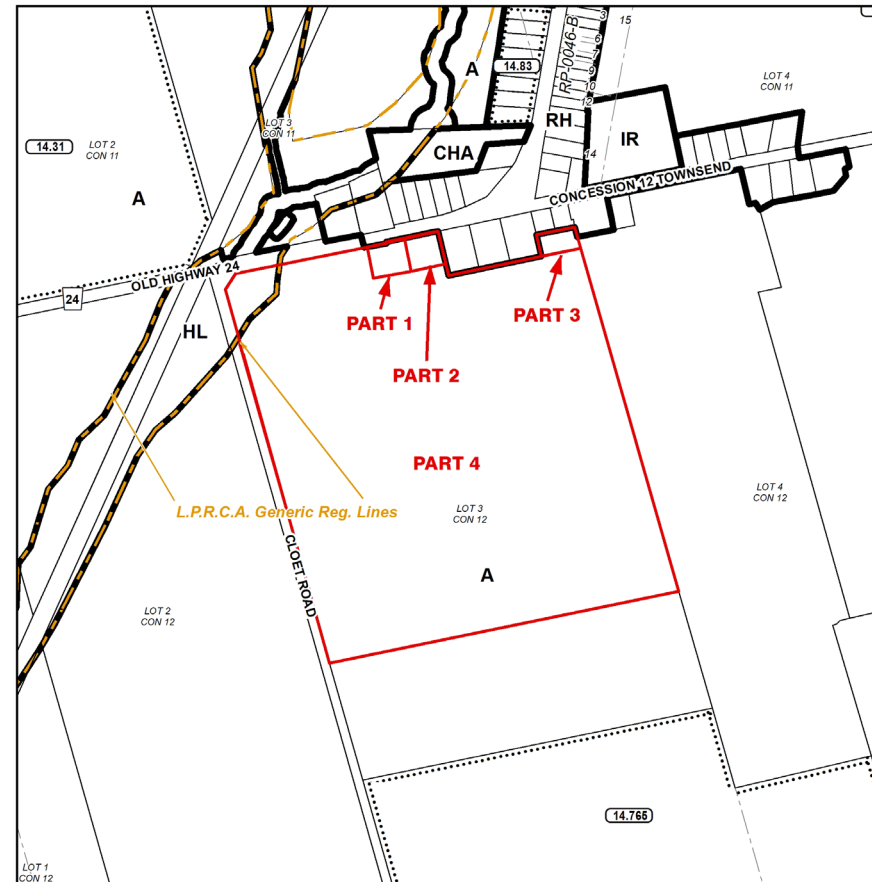
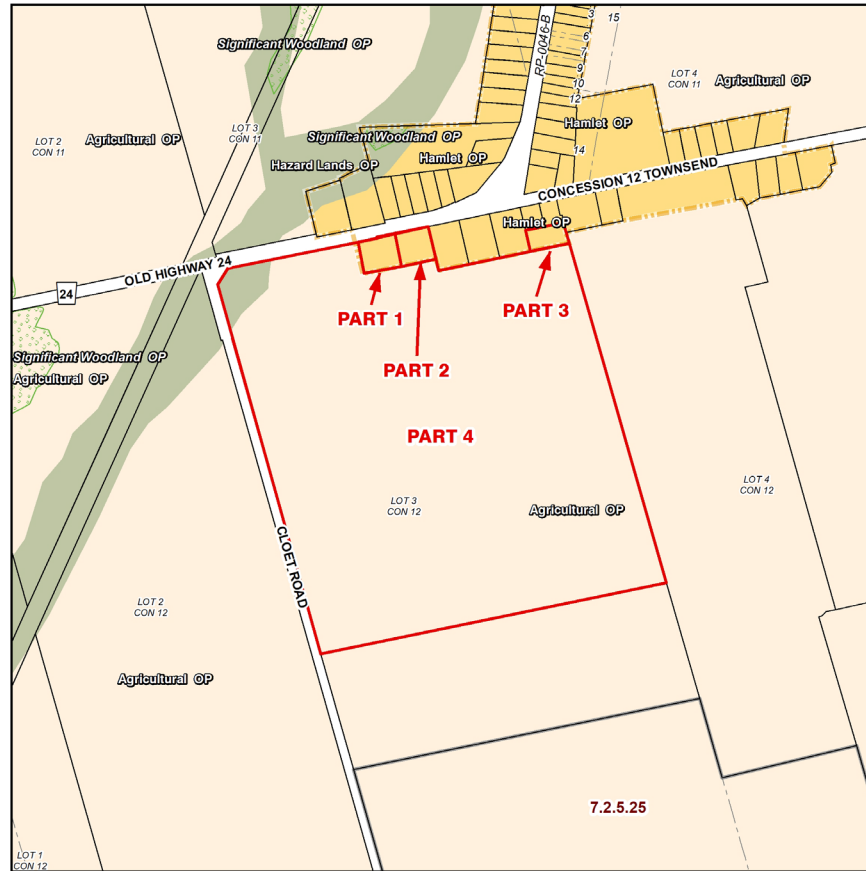
2/13/2024

## Characteristics:

- Located east of the intersection of Cloet Road and Old Highway 24
- Partially within Hamlet of Bloomsburg
- Privately serviced

## Surrounding Land:

- Primarily residential to the north
- Surrounding lands primarily agricultural
- Hazard lands and Waterford Heritage recreational trail to the northwest

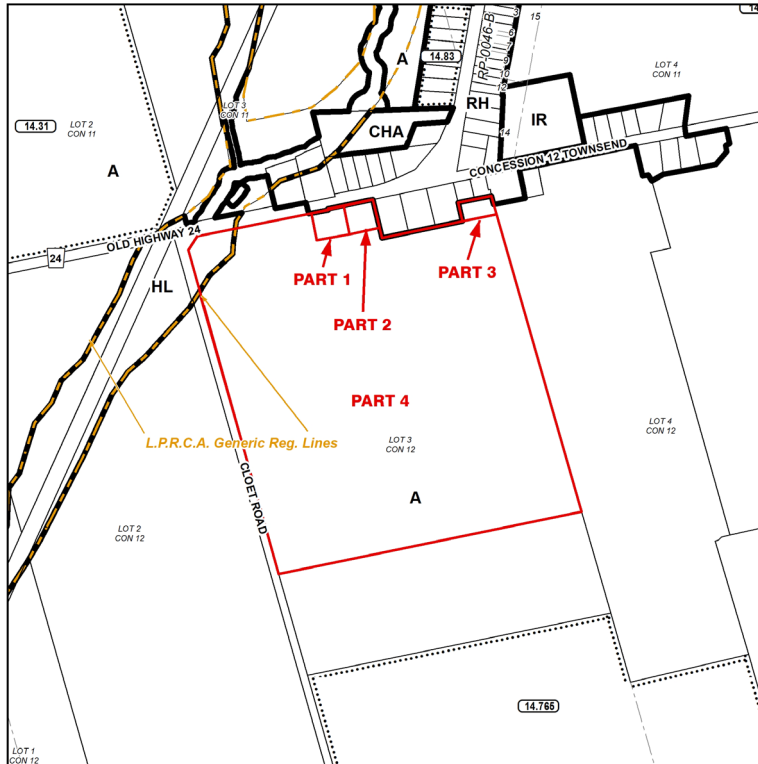


# Development Proposal

## MAP C

PROPOSED ZONING BY-LAW AMENDMENT MAP  
Geographic Township of TOWNSEND

ZNPL2024044



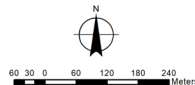
### LEGEND

- Subject Lands
- Lands Owned
- LPRCA Generic Reg Lines

ZONING BY-LAW 1-Z-2014

2/13/2024

- (H) - Holding
- A - Agricultural Zone
- CHA - Hamlet Commercial Zone
- RH - Hamlet Residential Zone
- HL - Hazard Land Zone
- IR - Rural Institutional Zone



## Key Features:

- One single detached dwelling and detached garage
- One barn proposed to be removed

## Proposed Zoning Amendment:

- Part 1 and 2: From Agricultural (A) to Hamlet Residential (RH) with site specific provision to permit reduced lot area
- Part 3: From Agricultural (A) to Hamlet Residential (RH)
- Part 4: From Agricultural (A) to Agricultural (A) with special provision to permit reduced lot area

# Preliminary Review

## Technical Reports

- Geotechnical Report

## Consultation Comments to Date:

- No key concerns identified by staff as of the writing of this report.

## Public Input

- None received as of the writing of this report.

# Preliminary Considerations



**Agriculture:** Prime agricultural land shall be protected from the intrusion of incompatible uses, non-farm related rural development shall not be permitted except in accordance with 7.2.3 of the Official Plan or an existing lot of record.



**Housing:** Application will facilitate creation of new lots and expansion of existing lot through consents to sever, all located within the Hamlet designation.



**Servicing:** Subject lands are privately serviced; Geotechnical Report submitted to demonstrate proposed lot areas are viable from a technical perspective.



# Next Steps & Recommendation

- Consideration of Public Hearing Input
- Review of all Technical Comments
- Recommendation Report

## Public Hearing Committee Report Recommendation:

*THAT staff Report CD 24-023 for development application ZNPL2024044 be received for information;*

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

## **Attachment B Existing Planning Policy and Zoning**

### ***Planning Act Considerations***

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:

1. the orderly development of safe and healthy communities;
2. the appropriate location of growth and development;
3. the co-ordination of planning activities of public bodies
4. The promotion of built form that,
  - (i) is well-designed,
  - (ii) encourages a sense of place

### **Provincial Policy Statement, 2020 Considerations**

The Provincial Policy Statement, 2020 (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.

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. 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;

Section 3.1. of the PPS outlines policies pertaining to Natural Hazards, specifying through section 3.1.1.b) that “Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards”.

Section 2.6: Cultural Heritage and Archaeology of the PPS requires through section 2.6.2. “Development and site alteration shall not be permitted on lands containing

archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved”. Further, section 2.6.5. requires, “Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources”.

**Planning comment:** The portion of land which is proposed to be re-zoned is within a *settlement area* as defined in the Provincial Policy Statement. The subject application will not have the effect of expanding a *settlement area* boundary or requiring additional infrastructure and public service facilities.

Section 2.3 outlines considerations for the protection and support of agricultural activities on agricultural lands and areas. Section 2.3.4.3 states, “the creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c)” which pertains to residences surplus to a farming operation.

*Prime agricultural area* is defined as “areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture”.

**Planning comment:** The subject application seeks to re-zone a portion of land which is part of the existing *settlement area*, to facilitate three future consent to sever applications (two lots to be created and one parcel to added to an existing residential parcel). The portion of land proposed to be retained are predominantly Class 1-3 soils (with a band of Class 4 that occurs along the eastern portion) and therefore can be understood as *prime agricultural areas*. It is staff’s opinion the severance will meet PPS policies regarding lot creation in agricultural areas and settlement areas.

It is the understanding of staff that the only hazardous lands are proposed to be retained through future consent to sever applications. The subject application does not seek to grant additional permissions on the existing lands affected by section 3.1. of the PPS. The subject has been circulated to the LPRCA for comment on section 3.1. of the PPS.

Recognizing the proximity to an existing body of surface water and direction of section 2.6. of the PPS, this application has been circulated to Six Nations of the Grand River to identify any cultural heritage and archaeological resources affected by the application.

## **Official Plan Considerations**

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

Section 7.2. outlines permitted uses and land use policies for the Agricultural designation. The subject application will facilitate a severance to create a lot which does not intersect with any lands designated Agricultural.

Section 7.5. outlines permitted uses and land use policies for the Hamlet designation. A range of small scale and low-density uses, including single detached dwellings, are permitted. Section 7.5.2. (Land Use Policies) notes additional residential development within a Hamlet Area shall be encouraged to occur through infilling or in-depth development.

Section 9.6.3.2. outlines considerations for consents to sever in Norfolk County. Subsection d) states, "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". Additionally, Subsection e) states, "A hydrogeological study to confirm soil conditions and suitability for potential future private services may be required where the retained or severed parcel(s) is(are) sufficiently large to accommodate subsequent lots".

**Planning comment:** The subject application proposes to re-zone the portion of land intended to be severed, located within the Hamlet designation. This is intended to create a lot for a single detached dwelling.

The applicant has submitted a Geotechnical Report study to demonstrate the soil conditions can support the proposed lots to be created as having areas ranging from approximately 3200 – 3800 sq. m. (0.32 – 0.38 ha). A site specific provision will grant the needed permission for lots having a lot area below the required 0.4 ha in the Hamlet Residential Zone. A fulsome review of Official Plan severance policies will occur at time of application submission for consents to sever.

### **Zoning By-Law Considerations**

Existing Zoning: Agricultural (A) Zone, Hazard Land (HL) Zone

Proposed Zoning: Hamlet Residential (RH) Zone

Section 5.7.1. outlines permitted uses in the RH Zone – which includes single detached dwellings, bed & breakfasts, day care nurseries, home industries, home occupations, accessory residential dwelling units and uses accessory to permitted uses. Provision 5.7.2 outlines requirements for lands, buildings and structures in the RH Zone – subsection a) requires a lot area of 0.4 ha or 4000 sq. m.

**Planning comment:** Planning staff note that the application to amend the zone of the lands to be severed will conform to the underlying Hamlet designation. It is the understanding of staff that the intention of the minimum lot area identified in the Zoning

By-Law is to ensure rural lots can support private services and reflect the surrounding rural character.

Planning staff note that within the hamlet of Bloomsburg there are existing lots which are also below the 0.4 ha lot area requirement which reflect the surrounding hamlet character. For example, there are several lots located across from the subject lands on Old Highway 24 which range in area from 0.3 acres (0.12 ha) to 0.5 acres (0.2 ha).

The subject Zoning By-law Amendment is not proposed to amend the existing Hazard Land zone located on the western portion of the lands.



## The Corporation of Norfolk County

### By-Law \_\_-Z-2024

**Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Concession 12 Part Lot 3, Townsend, located at 196 Old Highway 24, Bloomsburg, Norfolk County.**

Whereas Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended; and

Whereas this By-Law conforms to the Norfolk County Official Plan; and

Now therefore the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Parts 1 and 2 on Map A (attached to and forming part of this By-Law) from Agricultural *Zone* (A) to Hamlet Residential (RH) *Zone* with special provision 14.\_\_\_\_
2. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Part 3 on Map A (attached to and forming part of this By-Law) from Agricultural *Zone* (A) to Hamlet Residential (RH) *Zone*
3. That Schedule A of By-Law 1-Z-2014, as amended, is hereby further amended by changing the zoning of the subject lands identified on Part 4 Map A (attached to and forming part of this By-Law) from Agricultural *Zone* (A) to Agricultural (A) *Zone* with special provision 14.\_\_\_\_
4. That Subsection 14 Special Provisions is hereby further amended by adding new 14.\_\_\_\_ as follows:
  - 14.\_\_\_\_ In lieu of the corresponding provisions in the RH *Zone*, the following shall apply to Part 1:
    - a) minimum *lot area*:
      - i. *interior lot* – 3817 square metres;
  - 14.\_\_\_\_ In lieu of the corresponding provisions in the RH *Zone*, the following shall apply to Part 2:

b) minimum *lot area*:

i. *interior lot* – 3275 square metres;

14.\_\_\_\_\_ In lieu of the corresponding provisions in the A Zone, the following shall apply to Part 4:

c) minimum *lot area*: 39.06 ha

5. That the effective date of this By-Law shall be the date of passage thereof.

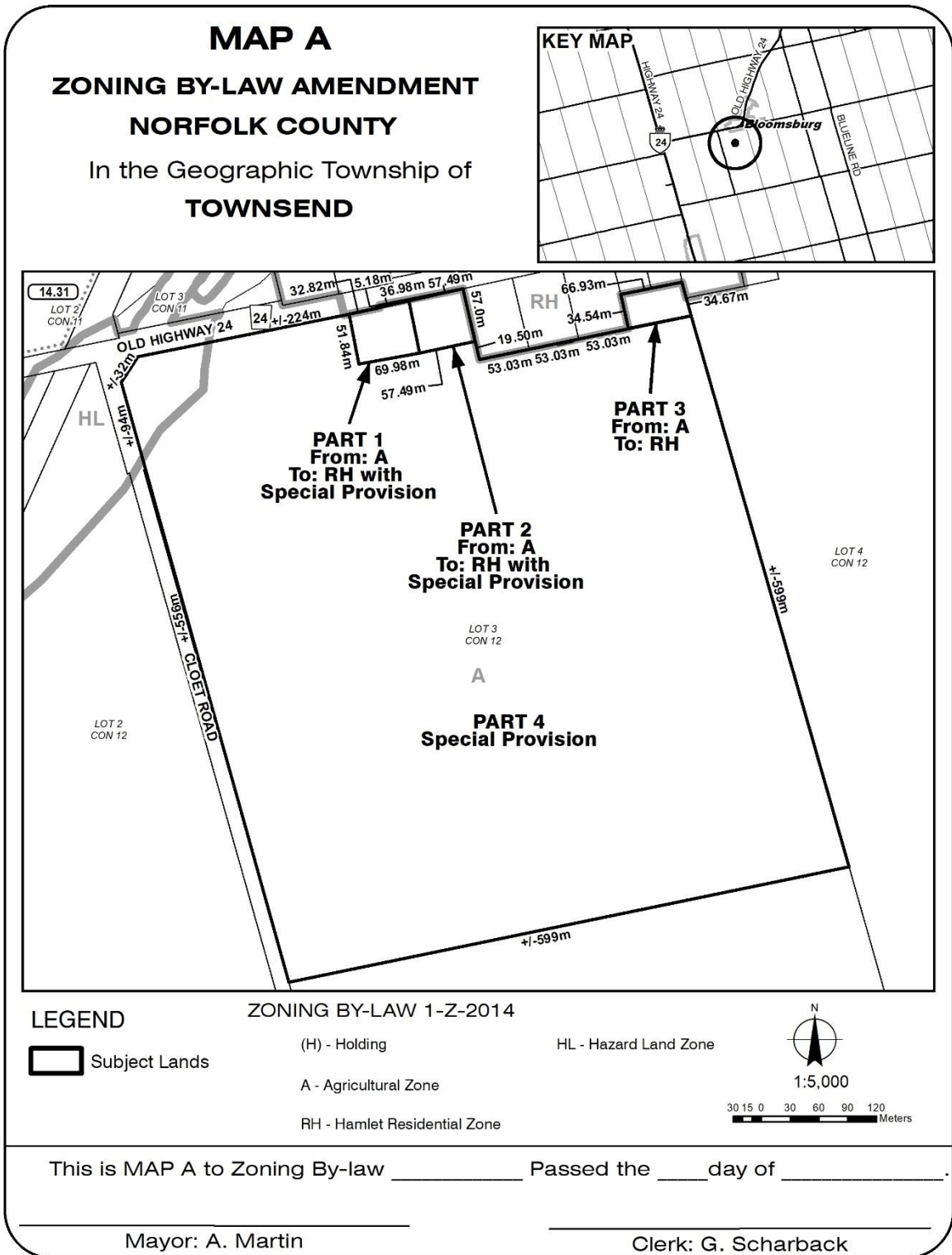
Enacted and passed this date day of month, 2024.

---

Mayor: A. Martin

---

County Clerk: G. Scharback





**Explanation of the Purpose and Effect of  
By-Law \_\_-Z-2024**

This By-Law affects a parcel of land described as Concession 12 Part Lot 3, Townsend, located at 196 Old Highway 24, Bloomsburg, Norfolk County.

The purpose of this By-Law is to change the zoning on the subject lands from Agricultural to Hamlet Residential and Hamlet Residential with special provision on Parts 1 - 3, and from Agricultural to Agricultural with special provision on Part 4. The change would have the effect of facilitating three future consent to sever applications (two lots created and one boundary adjustment) for continued residential use and future residential development.