



# Municipality of Port Hope

## Public Meeting Report

[porthope.ca/agendas-and-minutes](http://porthope.ca/agendas-and-minutes)

---

**Report Title:** SU01-2022 – Draft Plan of Subdivision  
ZB02-2022 – Zoning By-law Amendment Application  
3852 Ganaraska Road

---

**Report to:** Planning & Development Committee

**Date of meeting:** August 3, 2022

**Report Author:**

Theodhora Merepeza

Manager, Planning

**Department responsible:**

Planning & Development

**Report Number:** PD-28-22

---

Planning Report PD-28-22 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13.

Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning & Development Department on the proposed applications. Also, any person may make written submissions at any time before Council makes a decision.

Additional information regarding statutory public meetings under the Planning Act can be found on the municipal website.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Port Hope before a final decision is made the person or public body is not entitled to appeal the decision of Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Staff do not make a recommendation nor does Council make a decision on this application at this Public Meeting.

### Highlights:

- The purpose of the Draft Plan of Subdivision application is to facilitate the development of 43 single detached dwellings and one block for a 10 to 21-unit apartment building on the subject lands.
- The purpose of the proposed Zoning By-law Amendment application is to rezone the subject lands from Development 'D' zone to site specific RESV1(137) and

---

RESV2(138), Open Space and Environmental Protection Zone to permit the proposed land uses.

- This report prepared for the Statutory Public Meeting provides an overview of the subject lands, describes the proposed development applications, includes an analysis of the current planning policy framework and comments received to date.

### **Purpose:**

The purpose of the report is to present background information concerning the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by Monument Geomatics on behalf of Mistral Land Development Inc.

This report has been prepared for the Statutory Public Meeting for the proposed development applications and it provides an overview of the subject lands, describes the proposed development applications and includes an analysis of the current planning policy framework. The report also includes all the comments submitted to date from agencies and departments as well as the public.

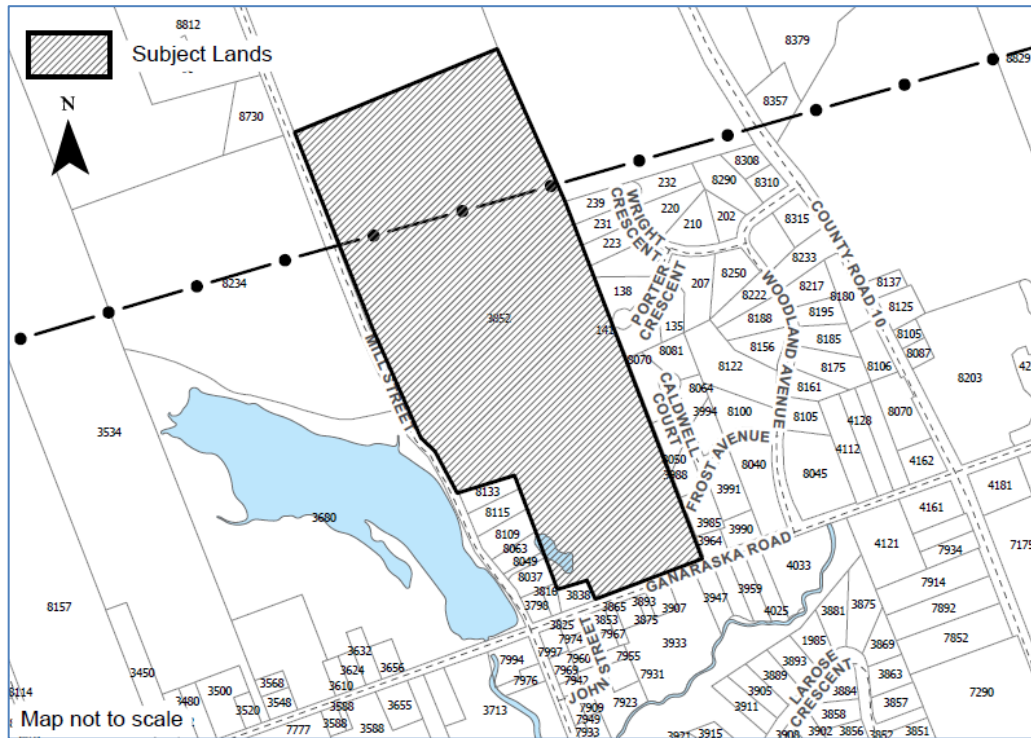
### **Background:**

#### **1.1. Site and Area Description**

The subject lands are located east of Mill Street and north of Ganaraska Road in the Hamlet of Garden Hill (**Figure 1: Subject Lands Map**). The subject lands are legally described as Part of Lot 16 Con 8, being Parts 1, 2 & 3 of Registered Plan 39R-14329 and municipally known as 3852 Ganaraska Road. The subject lands comprise an area of 36.6 ha with 227.7 metres of frontage on Ganaraska Road as well as along Mill Street. The southern half of the property largely consists of various cropped fields with some hedgerows and areas of vegetation in the vicinity of the watercourses, whereas the northern portion is heavily forested with a high voltage hydro easement bisecting through the property east to west.

Access to the property is currently gained from Ganaraska Road (also known as County Road 9). The subject lands consist of an existing barn and storage building located at the southern portion of the property, adjacent to County Road 9, that is proposed to be demolished to accommodate the development.

The site includes a mixed topography that generally slopes gradually downward from north to south, towards Ganaraska Road. The topography in the southern half is relatively flat from decades of agricultural activity. The northern portion of the site (forested lands) has a more variable topography, dominated by upland ridges, vernal pools, depressional wetlands and watercourses.



**Figure 1: Subject Lands Map**

The woodland feature to the south of the hydro corridor occupies a total area of 9 ha (22.2 ac), including contiguous features to the east. The Garden Hill Pitted Outwash (Earth Science) Area of Natural and Scientific Interest is located on the site, adjacent lands, and adjacent landscape extending to the northeast and southwest of the site.

**Figure 2** provides an overview of the natural heritage and hydrological features present on the subject lands. The site is situated in the Ganaraska River Watershed. There are two permanent watercourses overlapping the site. The first watercourse crosses the southeastern corner of property (south watercourse). The second watercourse is located within the forest portion conveying flow from the northeast corners and merges with the west watercourse along the western boundary, outletting to the Mill Pond (north/west watercourse). Additionally, numerous vernal ponds and areas of standing water are identified within the forested portion of the site, located south of the hydro corridor. Both watercourses are tributaries of the Ganaraska River.

Two distinct wetland communities having an area of approximately 0.84 ha (2.07 ac) are located in the southern half of the property. The southern most wetland is located in the southeast corner of the site, adjacent to the watercourse. The other wetland is located along the eastern property boundary, adjacent to the existing Woodland estate residential subdivision and just south of the forested area. Provincial mapping also shows an evaluated wetland feature overlapping the northeast corner of the subject

---

lands. Additional wetlands were documented in the hydro corridor along the western property boundary and within the northernmost position of the forested lands.

The subject lands are currently designated 'Hamlet', 'General Agriculture', 'Natural Environment' and 'Floodplain' in the Municipality of Port Hope Official Plan and are zoned Development 'D', Rural 'RU' and Environmental Protection – Floodplain 'EP-F' Overlay Zone by Zoning By-law 20/2010, as amended.

Surrounding Land Uses:

The subject lands are surrounded by:

- Rural - 'RU', Oak Ridges Moraine Core - 'ORM-C', and Oak Ridges Moraine Environmental Protection - 'ORM-EP' to the north;
- Rural - 'RU', 'EP-F' Environmental Protection - Floodplain Overlay, Open Space (Garden Hill Conservation Area) to the west;
- Hamlet Residential One - 'RESV1' and Hamlet Commercial - 'COMV' to the south; and
- Hamlet Residential One - 'RESV1' and Rural - 'RU' to the east.

## **1.2. Application**

The applicant, Monument Geomatics on behalf of Mistral Land Development Inc., has submitted a Draft Plan of Subdivision application proposing to develop 43 lots for single detached dwellings, and the Block 104 for a 10-21 unit apartment building supported by on-site private services (well and septic). The single detached dwelling lots will be accessed through an internal road network (Street A and B) that will connect Ganaraska Road to the proposed Plan of Subdivision from the south and Porter Crescent to the east. The internal roads will terminate at two cul-de-sacs at the northern portion of the development area. The proposed apartment block will be accessed via the existing Frost Avenue to the east. Both Porter Crescent and Frost Avenue are local roads that service the existing Plan of Subdivision to the east of the subject lands.

The proposed Plan of Subdivision (see **Attachment 1: Draft Plan of Subdivision**) will also feature the following:

- Blocks 100, 101, and 102 for two stormwater management ponds and a drainage easement;
- Block 103 dedicated to wetland compensation and the protection of existing natural features;
- Block 106 that encompasses the existing hydro transmission line to the north of the development area;
- Blocks 105 and 107 comprised of the remaining lands that are not to be developed as part of this proposal; and
- Block 108- future road widening of the Ganaraska Road



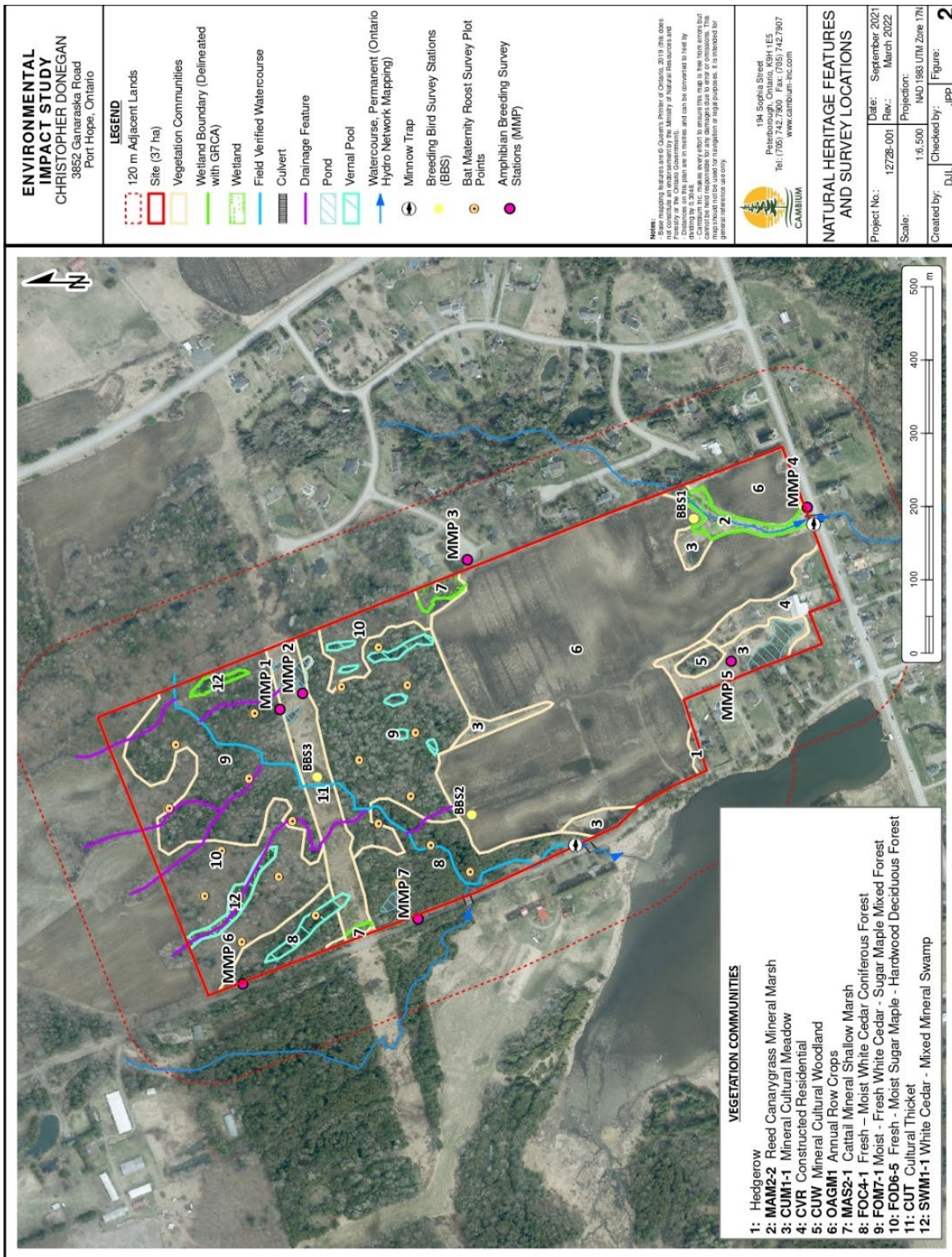


Figure 2: Natural Heritage Features and Survey Locations

The applicant's plan proposes the removal of wetlands features with an area 0.18 ha (0.44 ac) along the eastern property boundary, north of the proposed road access to Porter Crescent. A wetland compensation feature is proposed to occupy in the southeast quadrant of the site, to the west of the southeast watercourse. The wetland is proposed to be 0.35 ha (0.86 ac) in area, compensating for the loss of the wetland features using an approximate 2:1 ratio.

The applicant's plan also proposes the removal of 1.5 ha (3.70 ac) of woodland to accommodate nine of the proposed lots. To offset the tree removal, a total of 3.0 ha (7.41 ac) of woodland will be enhanced using a compensation ratio of 2:1.

The applicant has also submitted a Zoning By-law amendment application. The purpose of the proposed Zoning By-law amendment is to rezone approximately 15.95 ha (39.4 ac) of the subject lands from Development - 'D' zone to site specific Hamlet Residential One - 'RESV1' and Hamlet Residential Two - 'RESV2' to allow for the residential development. Approximately 14.3 ha (35.3 ac) will be rezoned to Open Space and approximately 2.59 ha (6.4 ac) is to be rezoned to Environmental Protection 'EP'.

The following section provides a review of the proposed development's key details and features.

As illustrated in **Attachment 1**, the proposed Draft Plan of Subdivision indicates the layout of the proposed roads and blocks. The proposed plan will consist of 43 residential lots for single detached dwellings with a minimum frontage of 18.6 meters and minimum lot area of 0.30 ha (0.75 ac) and one apartment building block with a frontage of 50.7 m and lot area of 0.67 ha (1.65 ac). In further detail, the proposed land uses are summarized below in **Table 1**:

**Table 1: Site Statistics**

<b>Land Use</b>	<b>Area (Hectares/ Acres)</b>
43 Residential Lots (Lots 1-43)	15.95 ha / 39.41 ac
Stormwater Management Ponds (Blocks 100 - 101)	0.72 ha / 1.77 ac
Drainage Easement (Block 102)	0.11 ha / 0.27 ac
Wetland Compensation / Watercourse (Block 103)	1.82 ha / 4.49 ac
10-21 Unit Condominium / Apartment Building (Block 104)	0.67 ha / 1.65 ac
Regulated Lands (Block 105 and 107)	12.9 ha / 31.87 ac
Hydro Easement (Block 106)	1.87 ha / 4.62 ac
Future Road Widening (Block 108)	0.15 ha / 0.37 ac
20.0 m Municipal Road Allowance - Street A, B, and C	2.40 ha / 5.93 ac
<b>TOTAL</b>	<b>36.60 ha / 90.44 ac</b>

---

### **1.3. Documents Submitted in Support**

In support of the proposed development applications, the proponent has submitted a number of technical reports, including:

- Planning Justification Report prepared by EcoVue Consulting Services Inc., dated May 2022.
- Environment Impact Study prepared by Cambium Inc., dated April 14, 2022.
- Geotechnical Report prepared by Terraspec Engineering, dated May 6, 2021.
- Servicing and Stormwater Management Report prepared by Monument Geomatics, dated April 14, 2022.
- Hydrogeology and Servicing Assessment prepared by The Greer Galloway Group Inc, dated April 2022.
- Traffic Study Report prepared by Transplan Associates, dated April 2022.
- Evaluation of ANSI prepared by GHD, dated December 2021.
- Phase One Environmental Site Assessment prepared by The Greer Galloway Group Inc., dated May 2021.

All studies, reports, and drawings can be found on the Municipality's Current Planning applications page at <https://www.porthope.ca/en/business-and-development/current-planning-applications.aspx#SU01-2022-3852-Ganaraska-Road>. Staff and commenting agencies have reviewed these studies and their comments have been summarized later in this staff report. No further submissions from the proponent have been made as of the date of writing this report. The applicant will be required to address the comments in a future submission.

#### Servicing:

The proposed lots are to be serviced by private wells and on-site septic systems. In support of the proposed applications, the applicant has submitted a Hydrogeological Study. The study indicated that the site is underlain by a confined deep overburden and bedrock aquifer system that is able to yield sufficient quantities of potable water to meet the residential demand of the proposed subdivision. Furthermore, the report concludes that the proposed lot density can be supported by individual septic systems.

A Functional Servicing and Stormwater Management (SWM) report has also been submitted in support of the proposed development to demonstrate how the site will be serviced with sewage and water systems, and how stormwater quantity and quality will be attenuated on-site. Stormwater quantity and quality will be accommodated on site through a Low Impact Development (LID) treatment train approach directing water from front and rear yards to roadside ditches (including a dedicated drainage block (102)), then to two ponds within Blocks 100 and 101.

Fire protection is proposed by using the existing dry fire hydrant installed along the banks of the Garden Hill Conservation Reservoir on Mill Street.

---

Traffic:

Access to the Plan of Subdivision is proposed through an internal road network that will connect to Ganaraska Road to the south, and both Porter Crescent and Frost Avenue to the east to accommodate both the proposed single detached dwellings and apartment building on-site. Both Porter Crescent and Frost Avenue are local roads that serve the existing Woodlands subdivision.

In support of the proposed development application, a Traffic Study Report was completed by Tranplan Associates. Based on field observations and traffic analyses, it concluded that with the new site entrance and roadways constructed to current Northumberland County and Municipality of Port Hope standards, future site traffic will have an acceptable impact on adjacent roads and intersections. No other new road infrastructure will be required to support traffic from the proposed Plan of Subdivision.

Environmental Impact Study

The Environmental Impact Study prepared by Cambium Inc. assessed the potential negative impacts to natural heritage features identified during the preliminary development review process. Accordingly, the site contains or is adjacent to (within 120 m of) the following natural heritage and/or hydrologic features:

- significant woodland
- wetlands (non-significant)
- watercourses/waterbodies,
- candidate significant wildlife habitat (SWH)
- Earth Science Area of Natural Scientific Interest (ANSI; Garden Hill Pitted Outwash).
- Habitat of endangered or threatened species

The Applicant is proposing to remove the wetland feature [area 0.18 ha (0.44 ac)] along the eastern property boundary, north of the proposed road access to Porter Crescent. A wetland compensation feature is proposed in the southeast quadrant of the site, to the west of the southeast watercourse. Using a 2:1 ratio, the wetland is proposed to be 0.35 ha (0.86 ac) in area, compensating for the loss of the existing wetland features on-site. A 15 meter setback is proposed for the wetland surrounding the southeast watercourse and a 5 meter setback is proposed for the compensation feature, in addition to sediment fencing to establish a buffer from adjacent land uses.

The watercourse at the southeast corner of the Site is a warmwater tributary to the Ganaraska River. A 15 meter setback is proposed to protect the feature from development pressures, including sediment fencing. The watercourse along the western boundary of the site is identified as a permanent coldwater feature, supporting sensitive fish species. A 30 meter setback from this watercourse has been proposed on-site, in addition to sediment fencing throughout the construction period. The 30 meter setback



---

will remain in the current vegetated state and no private property will be created within this setback.

The woodland feature to the south of the hydro corridor is considered significant and occupies a total of 9.0 ha (22.2 ac), including contiguous features to the east. The applicant proposes the removal of 1.5 ha (3.70 ac) of woodland to accommodate 9 of the proposed lots. To offset the tree removal, an enhancement of 3.0 ha (7.41 ac) of woodland is proposed at a location within 2.5 km of the subject lands. However, at this time no details are provided to the exact location and the existing conditions of the woodland enhancement area. No vegetation removals are proposed within 30 meters of watercourse setback and a 10 meter setback is proposed for the area of the woodland feature that is to remain undeveloped as per this proposal. Vernal pools were also observed in the forested section of the property and are to be maintained to the extent possible.

In the woodland to the north of the hydro corridor, Candidate Bat Maternity Colony SWH was identified, however, EIS states that no physical changes to this feature are anticipated as the area proposed for development is located to the south. A Candidate Waterfowl Nesting Area was identified to the south of the hydro corridor overlapping the proposed development footprint. An addendum to the EIS will be provided to Municipal Staff to determine whether the field study conducted in Spring of 2022 identifies potential impacts to this species. A threatened Species at Risk (SAR), specifically the Barn Swallow nests, were identified in the existing barn on the subject lands. Cambium Consulting Inc. recommends that the barn cannot be removed until the requirements of O. Reg. 830/21 are met.

The Garden Hill Pitted Outwash (Earth Science) ANSI, is located on the site, adjacent lands and adjacent landscape extending to the northeast and southwest of the site, covering an area of 1,000 ha. The study undertaken by GHD concluded that the ANSI does not overlap the proposed development area and that no related impacts to this feature are anticipated.

The EIS details all the mitigation measures, compensation strategy as well as additional studies that will be required at the detailed design stage for the proposed development.

The Municipality retained North-South Environmental Inc. (NSE) to undertake a peer review to provide a third party, science-based review of the Applicant's EIS. The purpose of the peer review is to ensure the subject planning applications will conform with applicable natural heritage policies and legislation.

The NSE concluded that the EIS is generally well organized and follows a logical approach. However, it identifies some shortcoming in the field surveys, assessment of significance, as well as the impact assessment that should be addressed in an updated EIS. The Peer Review report is provided in its entirety as **Attachment No. 2**.

---

Parkland:

Alex Caruthers Memorial Park is located in the proximity of the subject lands, therefore no parkland has been identified within the Plan of Subdivision, so it is anticipated that the applicant will provide cash-in-lieu of parkland. In accordance with the Municipality of Port Hope Parkland Dedication By-law 65-2007, a payment of five percent (5%) of value of the lands is required.

Archeology:

The applicant is currently in the process of conducting a Stage One Archaeological Assessment as part of a condition of Draft Plan of Subdivision approval. This assessment will determine whether there is potential for archaeological sites on the property given the two watercourses that traverse the subject lands as tributaries of the Ganaraska River. Based on a review of the geographic, land use, and historical information for the subject lands and the relevant surrounding area, it will be determined whether a Stage Two Study is required to identify any archaeological resources on-site.

**Discussion:**

This section provides a high-level analysis of relevant provincial and municipal land-use and development policies that apply to the proposed applications.

**1.4. Planning Act**

All land use planning decisions in the Province of Ontario must be consistent with Part 1(2) of the *Planning Act*, which broadly sets out matters of provincial interest.

Section 51(24) of the *Planning Act*, R.S.O., 1990, C. P.13, outlines criteria that need to be satisfied when the Municipality considers a draft plan of subdivision. Planning Justification Report prepared by Ecovue discusses in detail the criteria and the applicable list of matters of provincial interest.

**1.5. Provincial Policy Statement**

The PPS is an important part of Ontario's land use planning system, setting out the provincial land use policy direction that guides municipal decision making. Municipalities play a key role in implementing provincial land use policies through local official plans, zoning by-laws and other planning decisions. The *Planning Act* requires that decisions on land use planning matters be consistent with PPS policies.

Section 1.1.3 of the Provincial Policy Statement (PPS) categorizes the subject lands as being within a 'Settlement Area' (Hamlet of Garden Hill) of the Municipality of Port Hope. As such, these areas shall be the focus of growth and development and their vitality and regeneration shall be promoted (PPS - 1.1.3.1). The policies contained in the PPS direct growth to urban areas and rural settlement areas and require the provisions of lands for

---

efficient development patterns, diverse uses, the protection of resources, promotion of green spaces, and the effective use of infrastructure and public service facilities.

Section 1.1.4 of the PPS outlines policies related to rural areas in municipalities, stipulating that rural areas should be supported by building upon existing rural character and accommodating an appropriate mix and range of housing. The Hamlet of Garden Hill is considered a Rural Settlement Area.

Section 1.4 outlines the policies related to housing, specifically that a diverse range and mix of housing types, affordability, and density be provided by the Municipalities.

Section 1.6.6 of the PPS allows the use of the individual on-site sewage services and on-site water services where municipal sewage services and municipal water services are not provided. The proposed development is to be serviced as per the Servicing and Stormwater Management Report with individual on-site sewage and water systems.

Section 2.1 of the PPS describes natural heritage as those features that are to be protected for the long term. Development and site alteration is generally not permitted within significant wetlands, woodlands, wildlife habitat, valleylands, and areas of natural and scientific interest. The description of the natural features on the subject lands and associated proposed mitigation measures is provided earlier in the EIS subsection of this report.

The PPS provides flexibility regarding development in some natural features and areas through an assessment of negative impacts on the natural features or their ecological functions. This is recognized through the later part of policy 2.1.5 where there can be some impacts to significant features provided these impacts are not 'negative impacts', where negative impacts are defined as "degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities."

As per Section 2.6 of the PPS, significant built heritage resources and cultural landscapes are to be conserved and site alteration is not permitted unless it is demonstrated that there are no features of significance on the subject lands. An Archaeological Assessment is currently being undertaken on the subject lands given the proximity of the proposed Plan of Subdivision to the Ganaraska River.

Section 3.2 of PPS describes policies related to natural and human made hazards. The subject property contains a floodplain associated with two watercourses and a reservoir for the Ganaraska River. The Phase 1 Environmental Site Assessment by Greer Galloway Group Inc. concludes that there are no areas of potential contamination of soil and groundwater on the site of the proposed Draft Plan of Subdivision.

On the basis of the above, residential uses are permitted on the subject lands provided it can be demonstrated that there are no negative impacts on natural heritage and hydrological features and functions identified on or adjacent to the subject lands.

---

**1.6. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020)**

The Growth Plan informs decision making regarding growth management and environmental protection in the Greater Golden Horseshoe.

Section 2.2.1 directs limited growth to settlement areas that are delineated built up areas and are not serviced by municipal water and wastewater systems. As the subject property is part of the Rural Areas, Section 2.2.9.6 directing new multiple lots or units of residential development to settlement areas also applies to the proposal.

Section 2.2.6 provides policies that support a diverse range and mix of housing options and densities. Section 3.2.7 states that the proposals for the large-scale development proceeding by way of a plan of subdivision will be supported by a stormwater management plan. GRCA and the County have reviewed the proponent's Servicing and Stormwater Management Report and provided their comments (see **Attachment No. 3**).

The Growth Plan affords protection from development to significant features in the Natural Heritage System (NHS). As per Section 4.2.2 of the Plan, NHS map prepared by the province excludes land within settlement area boundaries that were approved and in effect as of July 1, 2017. The area south of the hydro corridor is not identified in the Growth Plan mapping. Therefore, the NHS policies of the Growth Plan would not apply to the proposed development. Accordingly for settlement areas the Growth Plan reverts back to the responsibility of the Municipality to protect the natural heritage features under the Section 2.1 policies of the PPS (i.e. "no negative impact" test).

**1.7. County of Northumberland Official Plan**

The Northumberland County Official Plan (NCOP) designates the majority of the subject lands as 'Rural Settlement Area.' A range of land uses appropriate for the 'Rural Settlement Area' are permitted based on the nature of their servicing in accordance with Municipality of Port Hope Official Plan policies and land use designations.

Section C1.3 of the Official Plan sets out the land use objectives for 'Rural Settlement Area' including:

- a) Maintain and enhance the character and identity of rural settlement areas;
- b) To encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds and needs provided appropriate servicing is available;

Section C1.5.1 b) of the NCOP states that an appropriate range of housing types and densities should be provided to meet the needs of current and future residents.

In rural settlement areas where municipal sewage services and municipal water services or private communal sewage services and private communal water services

are not provided, Section B14 allows for the use of on-site sewage services and individual on-site water services provided that site conditions are suitable. The proposed development will be serviced by private wells and septic systems. The Hydrogeological Study and Functional Site Servicing and Stormwater Management Report supporting this proposal indicate that the subject development will be adequately serviced. GRCA and the County have provided their comments regarding both reports (see **Attachment No. 3**).

Section D1.5 of the NCOP consists of policies related to development and site alteration in natural heritage resource areas including:

“b) Development and site alteration shall not be permitted in the following features unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions:

- i) Significant woodlands;
- ii) Significant valleylands;
- iii) Non-significant coastal wetlands;
- iv) Significant wildlife habitat; and,
- v) Significant Areas of Natural and Scientific interest.

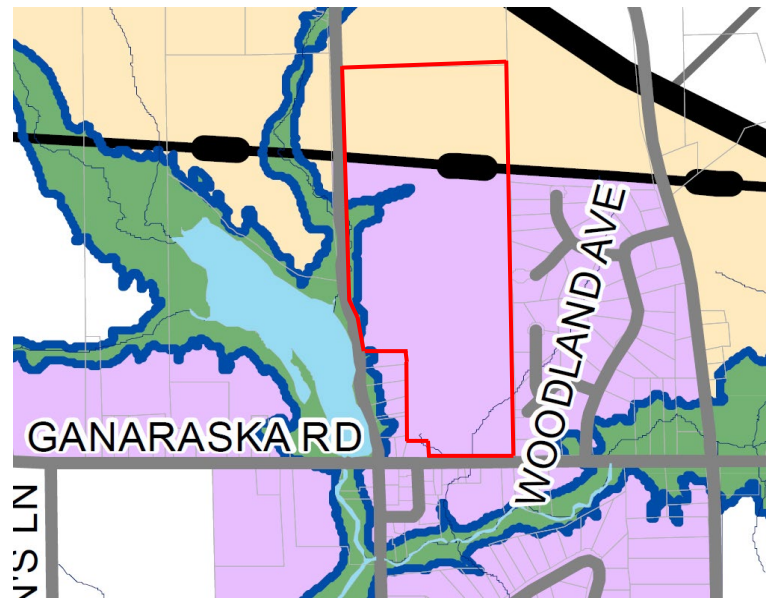
d) Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.”

Section E1.4 of the NCOP sets out the subdivision review considerations which the municipalities prior to the consideration of the Plan of subdivision should review and be satisfied with.

### **1.8. Port Hope Official Plan**

In the Schedule C of the Official Plan, the majority of the subject lands is designated as ‘Hamlet’, while the lands north of the hydro corridor are designated ‘General Agriculture’. ‘Natural Environment’ and ‘Floodplain’ designations are also present along the western boundary associated with a watercourse and a “Floodplain’ area is mapped traversing the southeastern corner of the property (see **Figure 3: Excerpt from Schedule ‘C’**).

As per Section D2.2 of the Municipal Official Plan, a mix of suitable residential, commercial, community facilities, and small scale industrial uses developed on private sewage and water systems at appropriate densities and sizes is encouraged within the Hamlet designation. The proposed Plan of Subdivision features single detached dwellings and a multi-storey apartment building, both permitted uses in the Hamlet Designation. To discourage sprawling development, the proposed lots are ‘in-depth’ from the existing strip of residential development on Ganaraska Road within the Hamlet of Garden Hill, a Rural Settlement Area identified within the Municipality of Port Hope.



**Figure 3: Except from Schedule 'C'**

Internal roads are to be constructed in accordance with Municipal standards and are the responsibility of the developer for a period specified in the subdivision agreement which will be developed as part of the Final Approval process. The proposed access from Ganaraska Road to the south and both Porter Crescent and Frost Avenue to the east, will allow for access to the individual lots within the proposed Plan of Subdivision.

Section D7.2 outlines the policies and permitted uses related to General Agriculture. No changes are proposed north of the hydro corridor.

Schedule B2 Development Constraints of the Official Plan identifies the Flood Plain Areas and Regulatory Flood Lines within the Rural Area of the Municipality of Port Hope. Those areas identified as a hazard are subject to the policies of Section C.5 of the Official Plan. The subject property contains a floodplain associated with two watercourses and a reservoir for the Ganaraska River.

As required by the Official Plan, the proponent has consulted with GRCA and Cambium Inc. to demonstrate via an Environmental Impact Study that the proposed development on-site considers and mitigates all impacts on the natural hazard features. The peer review and GRCA are recommending that the EIS be updated to address a number of comments.

Schedule B1 Developmental Constraints of the Official Plan identifies natural heritage features outside of the Oak Ridges Moraine, which includes those portions of the subject lands that are identified as significant woodlands, valleylands, areas of natural and scientific interest, and significant groundwater recharge area that are subject to the policies of Section C5.2.2.2.



In regards to the “negative impact test” policy direction, Section 5.2.2.2 of the Official Plan states that “... any proponent of development or site alteration within or adjacent to lands classified as Natural Heritage shall demonstrate in accordance with provincial legislation, policies and appropriate guidelines and to the satisfaction of Council that there shall be no negative impacts on the natural feature or the ecological function for which the area has been identified, that cannot be mitigated. Proponents proposing development within or adjacent to natural heritage features as defined in Table 1 shall complete an environmental impact study in accordance with Section C20.3 of this Plan”.

As described earlier in this report, an Environmental Impact Study was completed by Cambium Inc. in support of the proposed development, provided that the recommendations as outlined in the study are implemented accordingly.

Section C12.1.2 of the Official Plan sets out the servicing policy in the Hamlet and Rural Areas where all development is to be served by private sewer and water systems. Adequate on-site supply of potable groundwater must be demonstrated. On-site soils and lot sizes must also be determined to be adequate for proposed sewage disposal systems. A detailed hydrogeological study is required to determine that the proposed septic system and wells do not have any negative effects of surrounding uses. The applicant submitted Hydrogeological and Servicing Assessment and Stormwater Management Report to demonstrate that surface and groundwater is protected and maintained. Planning staff are waiting for the proponent’s response to the comments provided regarding both reports.

As per Section C12.1.3, all developments shall provide adequate stormwater management facilities as approved by the Municipality and the GRCA. Further, such facilities must be designed to protect adjacent watercourses and land uses from any negative impacts of the stormwater run-off. GRCA and Northumberland County comments regarding Functional Servicing and Stormwater Management Report have been provided to the proponent.

Section E.3.1 outlines the requirements that must be met as part of review for a Draft Plan of Subdivision. As part of the Plan of Subdivision and Zoning By-law Amendment applications submitted, the applicant completed a detailed review of the Planning Act, Provincial Policy Statement, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, discussed the suitability of the proposed development on the subject lands, in addition to the proposal’s impacts to the public interest, illustrated the dimensions and shapes of the proposed lots via a Draft Plan of Subdivision, and discussed how the proposal is consistent with all applicable provincial and local planning policies. It is anticipated that the applicant will provide cash-in-lieu of parkland and the additional residential units proposed in the Rural Settlement Area will provide additional tax revenue for the Municipality.

### 1.9. Zoning By-law

The subject lands are currently zoned Development 'D', Rural 'RU' and Environmental Protection – Floodplain 'EP-F' Overlay Zone by Zoning By-law 20/2010, as amended. Residential uses are prohibited on lands zoned as Development 'D' except where such use existed as of the date of the passing of the By-law. A Zoning By-law Amendment to address the change in use and deficient zoning provisions is required.

To accommodate the proposed development, the subject lands will be rezoned into the following zones (see **Figure 4: Proposed Zoning Schedule**):

- The proposed 43 lots for single detached dwellings will be rezoned to the Hamlet Residential One Exception 137 'RESV1(137)' Zone in order to permit the lots/units, as well as provide site-specific lot provisions/regulations.
- The proposed Block 104 that will accommodate the higher density building will be rezoned to the Hamlet Residential Two Exception 138 'RESV2 (138)' Zone.
- The stormwater blocks (Blocks 100-102) and the block containing the hydro easement (Block 106) will be rezoned to the Open Space 'OS' Zone.
- The blocks containing natural heritage features and compensation areas (Blocks 103, 105 and 106) will be rezoned to the Environmental Protection 'EP' Zone.
- The EP Zone will also apply to portions of the lots that contain the Significant Woodland and the associated dripline setback.

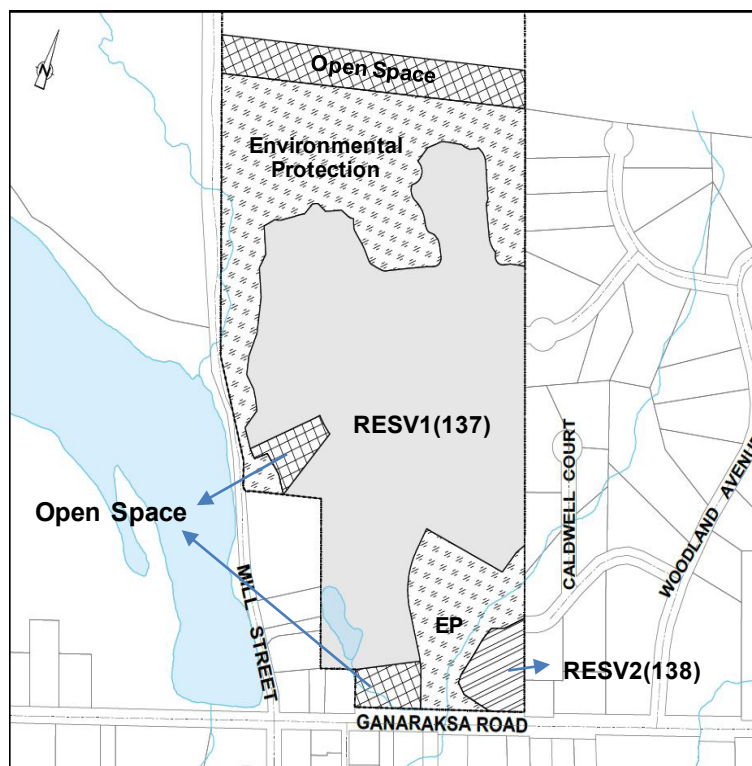


Figure 4: Proposed Zoning Schedule

The Zoning By-law for RESV1 requires a minimum lot area of 2,800 m<sup>2</sup> and minimum frontage of 30.0 m. The proposed lot sizes range from 3,036 m<sup>2</sup> and 6,117 m<sup>2</sup> thus meeting the minimum lot area requirement. Proposed lot frontages range from 18.6 m to 85.3 m, so some of the lots do not meet the minimum lot frontage requirement. Furthermore, the proposed high-density block does not meet the minimum lot area of the RESV2 Zone. The minimum required lot area for RESV2 Zone is 8,000 m<sup>2</sup> and the proposed lot area is 6,720 m<sup>2</sup>. The site-specific Zoning By-law Amendment is required to address these deficiencies. **Table 2** below provides a summary of the performance standards proposed for the 'RESV1(137)' Zone and 'RESV2 (138)' Zone:

**Table 2: Proposed Performance Standards**

	<b>Performance Standards for RESV1</b>	<b>Proposed</b>	<b>Performance Standards for RESV2</b>	<b>Proposed</b>
Minimum Lot Area	2,800 m <sup>2</sup>	3,036 m <sup>2</sup>	8,000 m <sup>2</sup>	<b>6,720 m<sup>2</sup></b>
Minimum Lot Frontage	30 m	<b>18.6 m</b>	30 m	59.7 m
Minimum Front Yard	10 m	As Required	12 m	As Required
Minimum Interior Side Yard	3 m	As Required	3 m	As Required
Minimum Exterior Side Yard	10 m	As Required	12 m	As Required
Minimum Rear Yard	10 m	As Required	12 m	As Required
Maximum Lot Coverage	30%	As Required	30%	As Required
Minimum Landscaped Open Space	30%	As Required	30%	As Required
Maximum Height	11 m	As Required	11 m	As Required

Staff also note Section 4.32.3- Other Dwelling Units in the Hamlet Areas, stating that “Notwithstanding Section 4.32.2 above an apartment dwelling, a duplex dwelling, a multiple dwelling and a townhouse dwelling shall not be erected, used or altered in the Hamlet Residential Two (RESV2) Zone after the passage of this By-law unless the use is to be serviced by municipal sewage and water services.” No municipal services are available in the area, therefore the RESV2(138) Zone will also include a special provision to account for private services.

**Communication and Public Consultation:**

In accordance with the *Planning Act*, Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the

meeting date. Furthermore, two public notice signs have been erected on Ganaraska Road and Mill Street in accordance with the Municipality's notification procedures.

**Consultation with other Departments/Sources:**

On June 8, 2022, the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications, along with all applicable supporting studies, were circulated to applicable internal departments and external agencies. Comments relating to the subject applications are summarized in **Table 3**, with full comments available (see **Attachment 3**).

**Table 3: Summary of Comments**

Dept. or Agency	Summary of Comments
Parks, Recreation and Culture	Parkland cash-in-lieu (June 23, 2022)
Bell Canada	Draft Conditions (June 21, 2022)
Works and Engineering	Draft Plan Conditions (Jun 27, 2022)
Hydro One Networks Inc.	Property abutting and/or encroaching into a HONI high voltage transmission corridor Conditions of Draft Plan Approval (June 21, 2022)
Canada Post	June 22, 2022
County of Northumberland – Septic	Building Inspection Report (June 21, 2022)
Ganaraska Region Conservation Authority ('GRCA')	Updating the submitted studies to reflect various comments received regarding natural hazards, stormwater management, hydrogeology, natural heritage and wetlands (July 4, 2022)
County of Northumberland – Planning	Draft Plan Conditions (June 23, 2022)
County of Northumberland – Transportation	Revisions to the submitted studies and plans (June 23, 2022)
Building	No Comments/concerns (June 28, 2022)
Corporate Services	No Comments. (June 28, 2022)
Fire and Emergency Services, KPRD School Board, PVNCCD School Board, CSD catholique centre-sud, Ministry of Culture and Heritage	No comments received to date

---

## **Public Engagement:**

The Municipality has undertaken an extensive public consultation, using *Planning Act* tools such as resident mail outs, on-site posting and newspaper notices, all enhanced by other forms of communication including Municipal Website, Community Consultation Webpage, social media posts, and public announcements at Council meetings.

In accordance with the *Planning Act*, the combined Notice of Complete Application and Public Meeting for the Zoning By-law Amendment and Draft Plan of Subdivision application was given to all assessed persons within 120 metres of the subject lands and was mailed on June 3, 2022. Similarly, the notice was published in the local newspaper (Northumberland News) on June 9, 2022 and posted on the municipal website. The Proponent also posted two site signs on the property using the approved corporate branded signage for development projects.

However, the public meeting scheduled for July 6, 2022 was rescheduled for August 3, 2022. A revised Notice of Public Meeting for both the applications was given to all assessed persons within 120 metres of the subject lands and was mailed on June 29, 2022. Similarly, the notice was published in the local newspaper (Northumberland News) on July 7, 2022 and posted on the municipal website. A Notice sign was posted on the property on June 16, 2022.

The current planning applications page on Municipality's website contains links to all the materials submitted by the Proponent, as well as allows for feedback to be submitted by the residents during the review process. The page is updated periodically.

One voluntary Open House was conducted by the proponent on June 22, 2022. The invitations for the Open House were sent by the proponent to all property owners within 120 metres of the subject lands. In total 85 people attended, of which 5 submitted comments.

As of the writing of this report, planning staff are in receipt of comments received from a number of local residents regarding the subject applications. The concerns regarding the Draft Plan of Subdivision centered on apartment building not in character with the Hamlet, wetland relocation, loss of significant woodland, hydrology of the site and the impact on the existing wells, siting of Blanding Turtles on the site. All the written correspondence received up to the date of the writing of the report are included as **Attachment 4: Correspondence from Residents.**

## **Conclusion:**

The proposed development would create 43 lots for single detached dwellings and one block for a 10 to 21 unit apartment building supported by on-site private services (well and septic) as part of a Plan of Subdivision. The single detached dwelling lots will be accessed through an internal road network that will connect Ganaraska Road to the

proposed Plan of Subdivision from the south and Porter Crescent to the east. The proposed apartment block will be accessed via the existing Frost Avenue to the east.

The proposed zoning by-law amendment is intended to rezone approximately 15.95 ha (39.4 ac) of the subject lands from Development - 'D' zone to site specific Hamlet Residential One - 'RESV1' and Hamlet Residential Two - 'RESV2' to allow for residential development. The remainder of the subject lands will be zoned to Open Space and Environmental Protection.

### **Next Steps**

The purpose of Public Meeting is to consider the staff report and provide a public forum for questions and feedback on the merits of the development applications. At this time, Planning staff are not providing a recommendation. There are outstanding information and responses from the proponent to the agencies and department comments. Planning staff will prepare a Planning Recommendation Report in the future and it will be presented to a Committee of the Whole meeting, prior to Council rendering a decision.

The planning applications support the Municipality's strategic plan vision by contemplating mixture of housing to accommodate a variety of needs and the community's priorities of intentional growth planning and the affordability of housing options for our residents.

### **Attachments:**

- Attachment 1: Draft Plan of Subdivision
- Attachment 2: NSE Peer Review Report
- Attachment 3: Department and Agency Comments
- Attachment 4: Correspondence from Residents