

# Municipality of Port Hope Public Meeting

## 3402 Ganaraska Road

Zoning By-law Amendment (ZB03-2022)

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*December 14, 2022*



MUNICIPALITY OF

# PORT HOPE

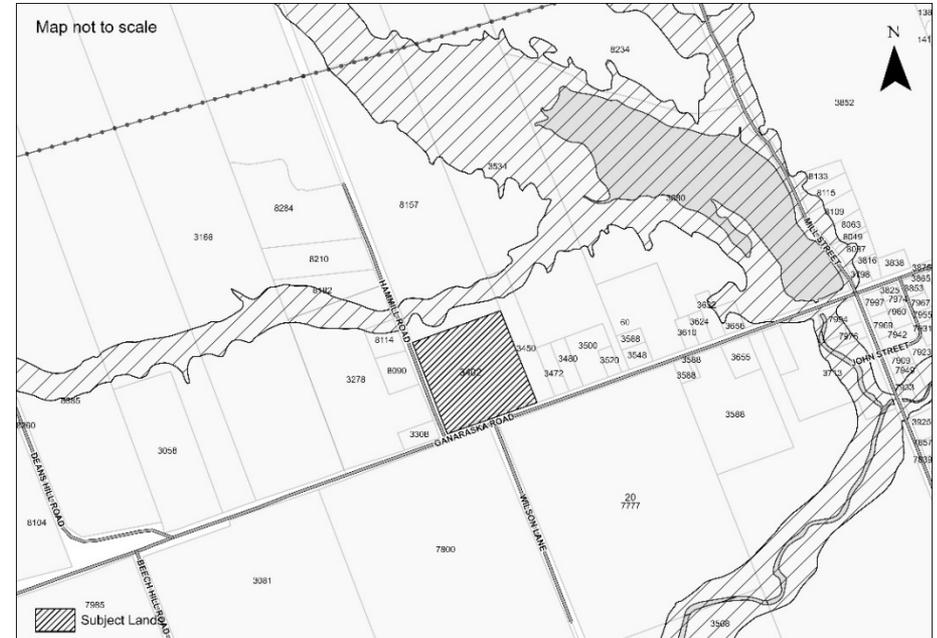


# Overview of Presentation

- Subject Lands
- Surrounding Land Uses
- History
- Current Development Applications
  - Zoning By-law Amendment
- Overview of Applicable Provincial Policies – High level
- Overview of the Official Plan Policies – High level
- Port Hope Zoning By-law
- Public Consultation
- Next Steps

# Subject Lands

- Area of 4.34 ha (10.72 acres)
- 206.12 metres of frontage on Ganaraska Road
- Site currently occupied by:
  - Active agricultural fields
  - Single storey building having an area of 440m<sup>2</sup> erected since Summer 2022 without a building permit
- Unnamed Creek located approx. 50m north of site which flows into Garden Hill Reservoir
- Access off Ganaraska Road (Temporary Entrance Permit)



**Figure 1:** Subject Lands Map

# Surrounding Land Uses



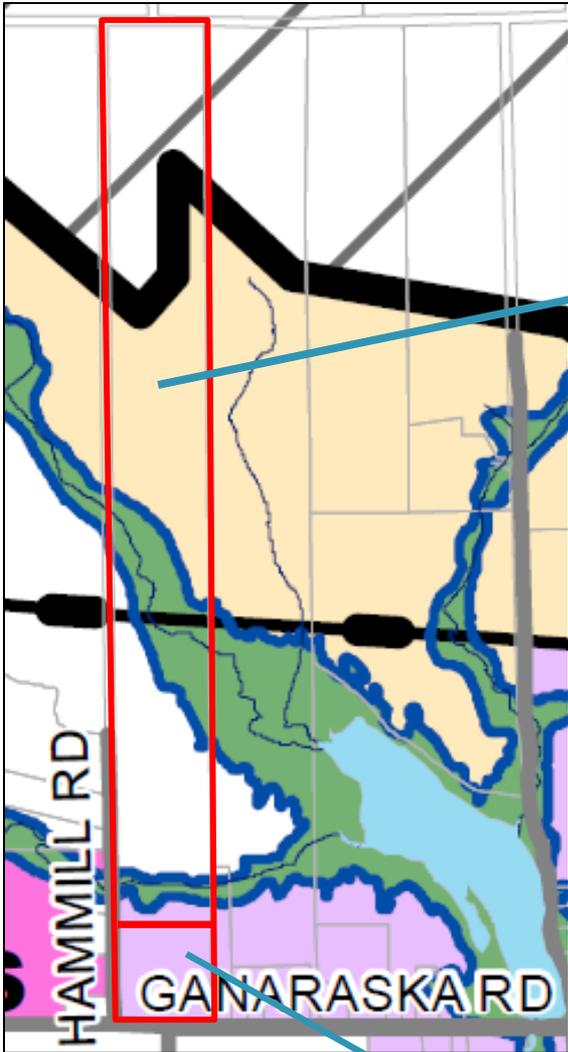
**Figure 2:** Subject Lands Image from Google Earth

The subject lands are surrounded by:

- Religious retreat (Ganaraska Woods) to the north
- Farm fields to the south
- Single-detached dwellings to the east and west.
- Elementary school (North Hope Central School) to the west.

# History

- Subject lands were severed in 2020 from the northern portion of the property municipally known as 8157 Hammill Road.
- 1993 Official Plan of Township of Hope
  - 8157 Hammill Road designated as “**Priority Agricultural Lands**”
- Former Zoning By-law 3350 (Township of Hope, 1991) zoned the property as Rural Exception #2 ‘**RU(2)**’
  - Permitted uses: Standard rural uses (farm, single detached dwelling and seasonal/temporary farm produce retail sales outlet), plus a church and accessory buildings
- 2006 Official Plan of Municipality of Port Hope
  - Designated only the southern portion of 8157 Hammill Road to ‘**Hamlet**’
- 2014 Official Plan (Current OP)
  - ‘**Hamlet**’ Designation was carried forward.
- Zoning By-law 20/2010, as amended
  - Rural Institutional Exception #2 ‘**IR(2)**’ to align with new OP.



**Northern Portion  
8157 Hammill Road**



**Southern Portion  
3402 Ganaraska Road  
(Subject Lands)**

# Development Applications

## Zoning By-law Amendment (ZB03-2022)

- The Applicant has submitted an application for a **Zoning By-law Amendment** to:
  - Rezone the subject lands from Rural Institutional Exception 2 'IR(2)' Zone to a site-specific Development 'D' zone to permit a **year-round farm market store, café/bakery with commercial kitchen** and recognition of the current legal non-conforming agriculture activities (excluding livestock facilities). The applicant is also proposing to permit other **potential future uses** including:
    - a single detached dwelling,
    - accessory farm employee accommodation,
    - accessory buildings or structures,
    - a home occupation,
    - farm-related tourism establishment and
    - community garden.

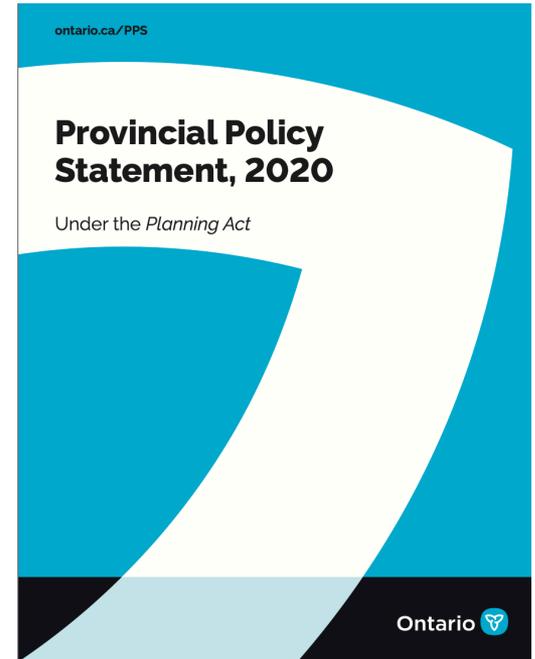
# Supporting Documents

- The Applicant has submitted the following in support of the proposed **Zoning By-law Amendment**:
  - Application form
  - Recent survey prepared by an Ontario Land surveyor
  - Site Plan, Monument Geomatics, October 5, 2022
  - Construction drawings
  - Grading and Stormwater Management Plan, Monument Geomatics, August 11, 2022
  - Site Drainage Letter, Monument Geomatics & Estimating Inc., August 10, 2022
  - Desktop Hydrogeological Assessment, C.F. Crozier and Associates, August 29, 2022
  - Traffic Impact Study, D.M. Wills, April 2022
  - Planning Justification Report prepared by Jamie and Kristin Ferguson, August 26, 2022



# Provincial Policy Statement (2020)

- 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.
- The PPS categorizes the subject lands as a Settlement Area. Growth and development are to be promoted and a diverse range and mix of housing provided on private services where Municipal sewage and water services are unavailable.
- PPS indicates that the vitality of rural settlement areas (which include hamlets) is critical to the long-term economic prosperity of communities.



# Growth Plan (2020)

- The Growth Plan informs growth management and environmental protection in the Greater Golden Horseshoe.
- The Growth Plan encourages municipalities to plan for a variety of cultural, and economic opportunities within rural settlements to serve the needs of rural residents and area businesses.
- The Growth Plan states that resource-based recreational uses should be limited to tourism-related and recreational uses that are compatible with the scale, character, and capacity of the resource and the surrounding rural landscape.

# Northumberland County Official Plan ('NCOP')

- Designates the subject lands as '**Rural Settlement Area**'.
- Rural Settlement Area" provide for a mix of residential options supported by servicing; commercial uses supportive of the local residents and area; employment uses that provide for local needs; and sustainable, diversified tourism.
- County OP also permits existing agricultural uses within rural settlement areas.

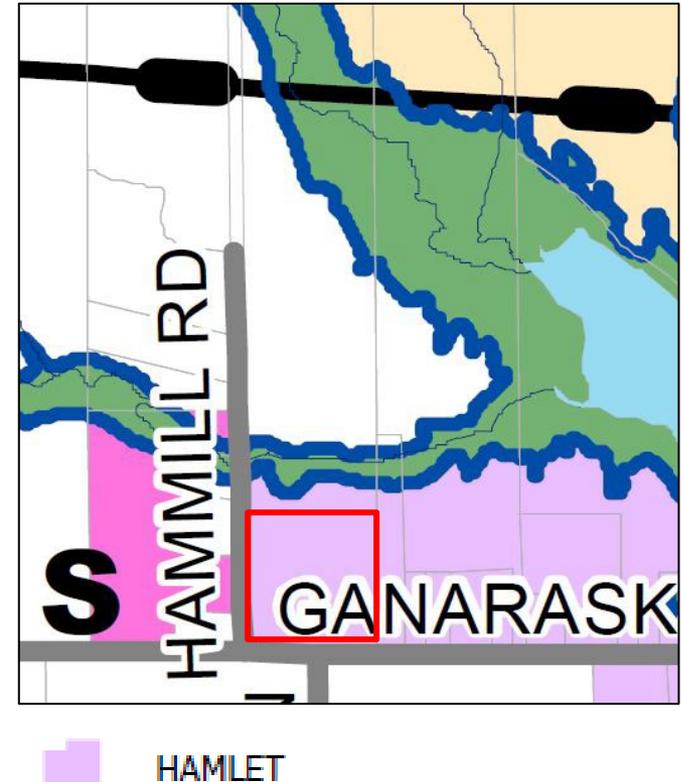
County Official Plan Excerpt



 Rural Settlement Area

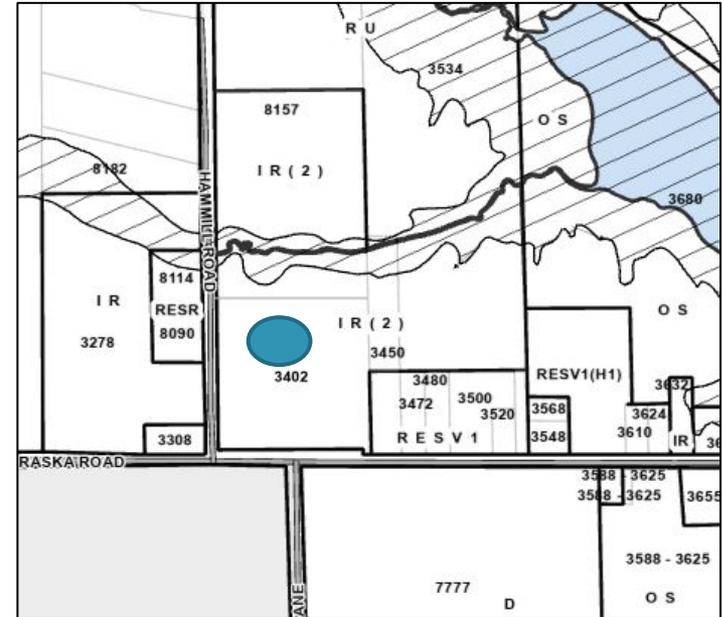
# Port Hope Official Plan ('PHOP')

- Designates the subject lands as 'Hamlet'.
- OP directs a mix of suitable residential, commercial, community facilities, and small scale industrial provided that a detailed hydrogeological study confirms an adequate supply of groundwater and the ability of the site soils to assimilate the wastes from the septic systems.
- OP directs that all developments shall provide adequate stormwater management facilities as approved by the Municipality and such facilities must be designed to protect adjacent watercourses and land uses from any negative impacts of the stormwater run-off.



# Port Hope Zoning By-law 20/2010

- Subject lands are zoned as Rural Institutional Exception #2 'IR(2)'.
- The current exception on the zone permits only “a place of worship” and “accessory guest house”.
  - Clerical error when Zoning By-law was adopted in 2010
  - Place of worship and guest house should be ‘Additional Permitted Uses’.



Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
IR	2 (3350) (B-24)	←	(i) Places of worship;  (ii) Guest house, accessory.		(i) Maximum lot coverage for all buildings – 10%  (ii) Minimum required landscaped open space – 30%

- This error has no bearing on the proposed future development of the property.
  - The **year-round farm market** outlet was **NOT** permitted in the:
    - 'RU(2)' zone of the former Township of Hope Zoning By-law 3350
    - 'IR' Zone of the current Zoning By-law 20/2010.
  - Rezoning will be required to permit the desired uses.
- Agriculture uses are not permitted in the 'IR' zone
  - Croplands are considered a **legal non-conforming use** and may continue as such.
- Applicant wants to rezone the lands to a site-specific Development 'D' zone.
  - In the Zoning By-law 20/2010, Development 'D' zone are lands designated for development in the Municipality by the Official Plan but have yet to be granted full development permissions.
  - Only permitted uses in the Development 'D' zone - uses legally existing on the effective date of the By-law (i.e. 2010).

- In support of the proposed site specific 'D' zone, the PJR (Planning Justification Report) submitted by applicant includes some examples from a number of municipalities where the desired uses are permitted.
- Staff conducted selected research on these examples and further contacted the planning staff of two municipalities (Township of Alnwick/Haldimand and Cramahe Township) to confirm the information provided in PJR.
  - 'D' is a place holder zone acknowledging the existing uses/structures on the property
  - Farm produce outlet and single detached dwelling are only permitted if they are legal existing uses.
  - Changes to the Development Zone would have to go through the whole planning process (i.e. subject to a zoning by-law amendment application)

# Public Consultation

- **Planning Act Tools:**
  - Resident Mail outs
  - On-site Posting
  - Newspaper Notice
- **Other forms of communication**
  - Municipal Website
  - Social Media Posts
- **Notice of Complete Application:** September 29, 2022
- **Newspaper Notice of Complete Application:** October 6, 2022
- **Notice of Public Meeting:** November 16, 2022
- **Newspaper Notice for Public Meeting:** November 17, 2022
- **Site Signs Posted:** September 29, 2022

# Next Steps

Following this Public Meeting, the next steps in the planning process include:

- Planning Recommendation Report to Committee of the Whole;
- Council Decision; and,
- Notice of Decision.

Site Plan application for the farmers market – in process.