



Municipality of Port Hope

Staff Report

porthope.ca/agendas-and-minutes

Report Title: Zoning By-law Amendment Application (ZB05-2022)

Report to: Planning & Development Committee

Date of meeting: January 10, 2023

Report Author:

Vanessa Wismer, MSc, Planner

Department responsible:

Planning & Development

Report Number: PD-02-23

Recommendation:

That a by-law be presented to Council to rezone the Subject Lands municipally known as 4839 County Road 2 from Development 'D' to Hamlet Residential One 'RESV1'.

Highlights:

- It is the opinion of Planning staff that the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan, County of Northumberland Official Plan and the Municipality of Port Hope Official Plan.

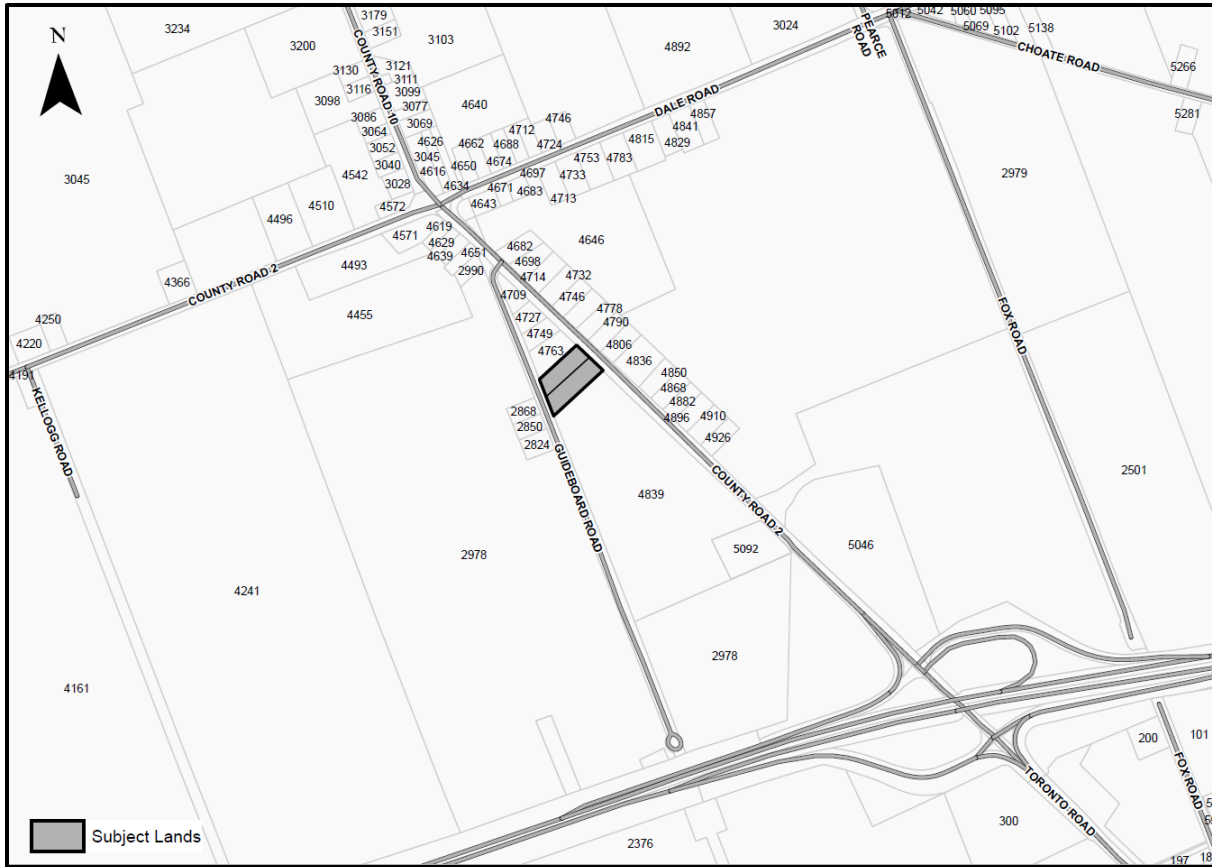
Background:

This Recommendation Report follows the December 13th, 2022 Public Meeting and will provide a summary of the Zoning By-law Amendment application submitted by Michael and Amanda Stewart. This report will also include a policy/zone standard review, review of agency comments, and comments received as part of public consultation, and municipal financial considerations. It will conclude with staff's professional opinion and recommendation regarding approval of the proposed Zoning By-law Amendment.

Site and Area Description:

The subject lands are currently vacant. The total area of the subject lands is 0.61 ha (1.51ac) comprised of 2 future residential lots, one lot being 0.28 ha (0.70 ac) and the other 0.32 ha (0.80 ac) respectively. Both proposed lots have 30m of frontage on County Road 2 and 33m of frontage on Guideboard Road. The subject lands are currently serviced by existing municipal water and would be developed on private sewage services.

Figure 1: Subject Lands Map



The 'subject lands' represent the northern portion of 4839 County Road 2 and encompass two lots conditionally approved through the related consent applications.

The subject lands are currently designated as 'Hamlet' in the Municipality of Port Hope Official Plan and are zoned Development 'D' by the Comprehensive Municipal Zoning By-law 20/2010, as amended.

The purpose of the proposed Zoning By-law Amendment is to rezone the subject lands from Development 'D' to Hamlet Residential One 'RESV1' to accommodate future residential development on each lot. The remainder of the property will remain in Development 'D' and Agricultural 'A' zones and is not subject to the rezoning application.

Documents Submitted in Support:

The application was deemed complete on October 25, 2022 and circulated to agencies for review. The application submission contained the following documents:

- Application Form
- Concept plan and relevant drawings

Policy and Zone Standard Review:

The public meeting report (Attachment 1) provided analysis of the relevant provincial and municipal land-use and development policies (PPS, Growth Plan, County and MPH OPs) that apply to the proposed application. This report provides a summary of relevant policy.

Provincial Policy Statement (PPS) informs 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.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2020) informs decision making regarding growth management and environmental protection in the Greater Golden Horseshoe.

The Growth Plan identifies the subject lands as part of a Settlement Area which is defined as *'urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are built up areas where development is concentrated, and which have a mix of land uses and lands which have been designated in an official plan for development.* As such, the policies applicable to Settlement Areas within the Growth Plan would apply:

Section 2.2.6 encourages Municipalities to support housing choice through a diverse mix and range of housing and affordability options to create complete communities.

The County of Northumberland Official Plan (NCOP) provides land use policies at a regional level. The subject lands are designated as Rural Settlement Area and the current policies apply:

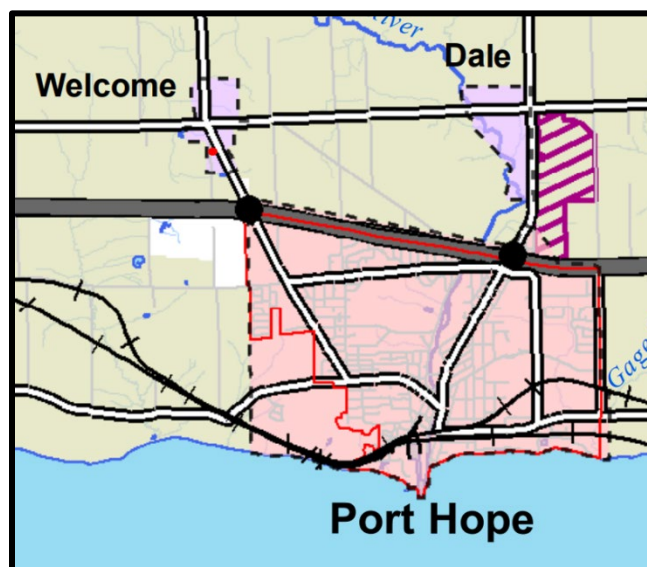


Figure 2: Extract Schedule A – Land Use

Section C1.1 describes how Municipalities are to encourage the development of complete communities where there is a range and mix of housing types and uses.

Section C1.3 outlines the criteria to be considered for review of development applications in Rural Settlement Areas. This includes supporting proposals that enhance and maintain the character of rural settlement areas, promote a diverse mix and range of housing types, and the efficient use of existing infrastructure and services.

Section C1.5 policy supports residential intensification and development in rural settlement areas where the appropriate infrastructure and level of servicing is available. A mix and range of housing types are encouraged.

The Municipality of Port Hope Official Plan designates the subject lands as 'Hamlet' on Schedule C – Land Use.

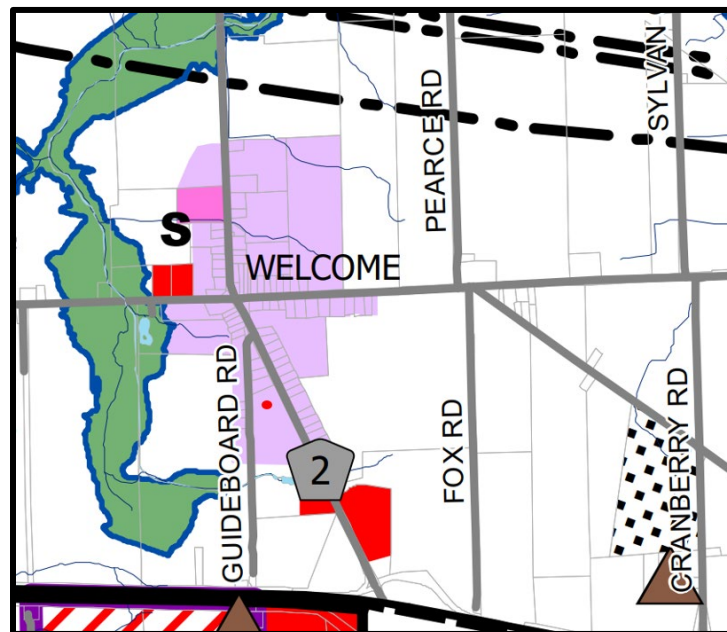


Figure 3: Extract from Schedule C - Land Use, Port Hope Official Plan

Section C11.3.5 policy requires that development is established neighbourhoods be designed to be complementary as per the Integration of Built Form Criteria.

Section C12.1.1 describes that all development in the Hamlet area, unless specifically designated for municipal sewer and water systems, shall be serviced by private sewers and water systems.

Section D2.2 describes the uses permitted in the Hamlet designation which includes single detached dwellings, limited commercial, industrial, and community uses, and other residential uses including bed and breakfast establishments, home occupations as

an accessory residential use, and senior citizen housing. Growth shall be encouraged that is consistent with neighbouring environmental, physical, and socio-economic conditions and supported by private septic and water systems. Clustered growth around existing areas of concentration is supported.

On the basis of a review of the above criteria, it is the opinion of Planning Staff that the proposed Zoning By-law Amendment application meets the applicable policies as per the Provincial Policy Statement, Growth Plan, County of Northumberland Official Plan, and Municipality of Port Hope Official Plan.

Residential uses, specifically single detached dwellings supported by private septic and water systems, are the primary use encouraged within the Hamlet designation. The proposed residential use on part of the subject lands is located in the Hamlet of Welcome adjacent to existing residential development and will be serviced with municipal water and private septic services as required by the above policies.

Municipality of Port Hope Zoning By-Law 20/2010, as amended, zones the subject lands as Development 'D' on Schedule B – Sheet 23. This zone identified lands that are designated for development in the municipality by the Official Plan but have yet to be granted full development permissions.

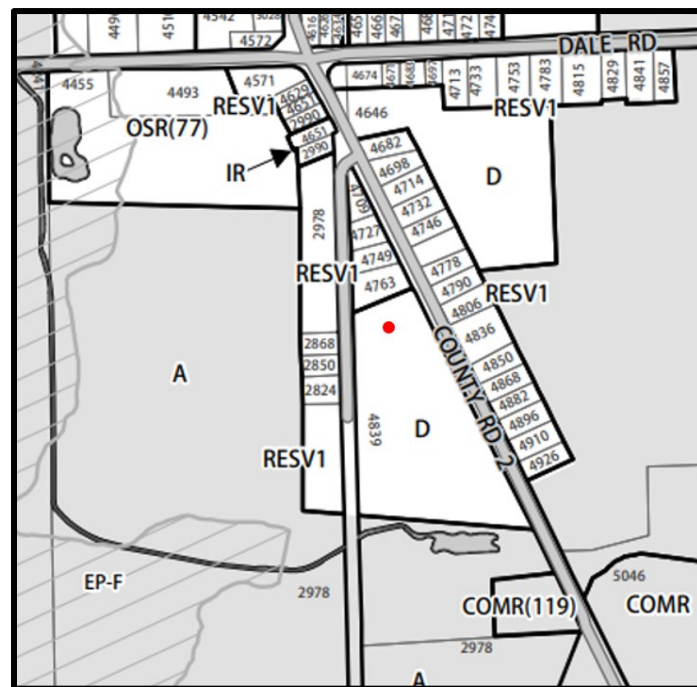


Figure 4: Extract from Zoning Schedule B-23

As a result, the applicant would like to rezone the subject lands from Development 'D' to Hamlet Residential One 'RESV1' such that future residential development is permitted.

The conditionally severed lots are in compliance with the zone standards *required for the Hamlet Residential One 'RESV1' zone* in Part 9 and Part 10 of the Municipal Zoning By-law. For ease of reference, **Table 1** outlines the standards required.

Table 1: Standards for Hamlet Residential 'RESV1' Zone

	'RESV1'	Proposed Severed Lot 1	Proposed Severed Lot 2
Min. Lot Area	2,800.00 m²	2,843 m ²	3,259 m ²
Min. Lot Frontage	30.0 m	30.0 m – County Road 2 33.00 m – Guideboard Road	30.0 m – County Road 2 33.00 m – Guideboard Road
Min. Required Front Yard	10.0 m	TBD	TBD
Min. Required Exterior Side Yard	10.0 m	TBD	TBD
Min. Required Interior Side Yard	3.0 m	TBD	TBD
Min. Required Rear Yard	10.0 m	TBD	TBD
Max. Lot Coverage	30%	TBD	TBD
Min. Landscaped Open Space	30%	TBD	TBD
Max. Height	11.0 m	TBD	TBD

It is the opinion of staff that the proposed Zoning By-law Amendment application be approved.

Communication and Public Engagement:

In accordance with the Planning Act, a Notice of Complete Application and Public Meeting for the Zoning By-law Amendment application was given to all assessed persons within 120 metres of the subject lands and was mailed on November 17th, 2022. Similarly, the notice was published in the local newspaper (Northumberland

News) on November 17th, 2022. In addition, a sign was posted on the subject lands on County Road 2 and Guideboard Road.

Four comments were received during technical circulation as part of the Zoning By-law Amendment application process and can be reviewed in **Attachment 3**. No concerns were identified by the Ministry of Transportation (MTO), Works and Engineering, Corporate Services, and Canada Post pertaining to the application submitted. No comments were received from the Public as part of technical circulation.

A Public Meeting was held on December 13th, 2022. One objection to the proposed Zoning By-law Amendment Application was received from John Bickle at 4709 County Road 2. The main concerns identified relate to lot size, loss of farmland, traffic on Guideboard Road, and municipal water servicing.

As described previously, the conditionally severed lots are in compliance with the Hamlet Residential One 'RESV1' zone standards, which include a minimum lot size of 2,800.00 m². While the subject lands may have been used for agricultural purposes prior to the Zoning By-law Amendment application, the subject lands are within the Development 'D' zone and as such, are intended for future development. During technical circulation, no concerns related to traffic were identified by Northumberland County or the Municipality of Port Hope Works and Engineering Department.

During the Public Meeting three questions were received from Council related to the size of single detached dwellings on the conditionally approved lots and the cost of municipal water servicing.

As described by both the applicant and Planning Staff at the time of the Public Meeting, no dwellings are proposed on the subject lands at this time, however, as per the 'RESV1' zone standards a maximum lot coverage of 30% is permitted. In terms of servicing, the lots are to be serviced by private septic and municipal water. The costs related to the installation of municipal water are at the expense of the property owner and based on the current approved fees would be \$3,606.

Financial Considerations:

The proposed development applications will be subject to building permit fees, which will be calculated at the time of building permit.

Conclusion:

The Applicant has submitted a Zoning By-law Amendment application to support the re-zoning of the subject lands from Development 'D' to Hamlet Residential One 'RESV1' to facilitate future residential development. Planning staff are of the opinion that the application is consistent with the Provincial Policy Statement, the Growth Plan, the County of Northumberland Official Plan, and Municipality of Port Hope Official Plan. No objections were made through agency comments. Public comments were received through the public review process, however, it is the opinion of Staff that the proposed use on the subject lands is consistent with applicable policy.

Following the Public Meeting held on December 13th, 2022 regarding the Zoning By-law Amendment application for 4839 County Road 2, Planning staff support the proposal and recommend approval of a By-law authorizing rezoning to allow for the proposed rezoning.

Attachments:

Attachment 1: Public Meeting Report – ZB05-2022

Attachment 2: Agency Comments

Attachment 3: Proposed Zoning By-law Amendment