

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

**BY-LAW NO. XX/2023
(APPROVED BY ORDER OF ONTARIO LAND TRIBUNAL)**

Being a By-law to adopt Official Plan Amendment No. 12 to the Official Plan for the Municipality of Port Hope, which will re-designate certain lands municipally known as Part of Lot 9 Concession 1, and Part of Part 1 Plan 9R-2726, Part of Part 7 Plan 11123, Part of Part 8 Plan 11123, Part 12 Plan 11123 and Part of Part 13 Plan 11123, Municipality of Port Hope, County of Northumberland

Whereas the Ontario Land Tribunal, pursuant to its Order dated xx, XX 2023, deems it advisable to amend the Municipality of Port Official Plan as follows:

1. That Amendment No. 12 to the Official Plan of the Municipality of Port Hope, being the attached Schedule "A" is hereby approved.

Approved by Order of the Ontario Land Tribunal
Decision/Order issued XX, 2023, OLT-22-003126.

Schedule “A” to By-law XX/2023 (OLT)

AMENDMENT NO. 12

Municipality of Port Hope Official Plan

Amendment No. 12

Municipality of Port Hope Official Plan

PART A: BACKGROUND INFORMATION

1. THE PURPOSE OF AMENDMENT NO. 12

The purpose of Amendment No. 12 to Municipality of Port Hope Official Plan is to amend the Official Plan in order to redesignate the subject lands to a Special Site Policy exception permitting residential uses in order to facilitate the development of the subject lands to allow for residential uses similar to those permitted on the adjacent lands to the west which are designated 'Residential 2'. The residential development will consist of approximately 58 single detached dwelling units with a range of lot sizes and 43 townhouse dwellings in a plan of subdivision which includes public streets and lanes. The amendment will establish a population threshold density of development in the Greenfield Area of the urban area of the Municipality of Port Hope in excess of the current density target in the Official Plans of the County of Northumberland and the Municipality of Port Hope, and consistent with the density target of the Growth Plan 2020.

2. LANDS AFFECTED BY AMENDMENT NO. 12

Amendment No. 12 applies to the lands Municipally known as Part of Lot 9 Concession 1, and Part of Part 1 Plan 9R-2726, Part of Part 7 Plan 11123, Part of Part 8 Plan 11123, Part 12 Plan 11123 and Part of Part 13 Plan 11123, Municipality of Port Hope, County of Northumberland. The land has an area of approximately 4.899 ha (12.12 ac) and contain a single detached dwelling. General location of the subject lands within the Municipality is shown on the attached Schedule "A" to Amendment No. 12.

3. BASIS OF AMENDMENT NO. 12

An application has been submitted to amend the Official Plan designation and the Zoning By-law currently in effect in order to permit residential uses on the subject lands. The application seeks to amend the current Official Plan "Residential 1", "Residential 2" and "Local Commercial 1" designations within Special Policy Area 9 to a new Special Policy Area 12 which will provide for a mix and range of size of residential dwelling units within the community. The amendment provides for the introduction of single detached residential dwellings on lots which are smaller than those otherwise permitted by policy and townhouses on the subject lands. The proposed development will maintain an appropriate and compatible land use relationship with the surrounding area.

4. PLANNING RATIONALE

The proposed amendment is consistent with the Provincial Policy Statement (2020) (PPS) and complies with the Provincial Growth Plan (2020) (Growth Plan). It is consistent with the urban area development pattern of the Municipality of Port Hope, policies of the Municipal Official Plan, and the County of Northumberland Official Plan.

Provincial Policy Statement (2020)

The PPS provides policy direction on all matters of provincial interest relating to land use planning and development and came into effect on May 1, 2020. All decisions made with respect to applications submitted on or after May 1, 2020 “shall be consistent with” the PPS.

PPS Policies 1.1.1 a) b) and d) promote efficient development patterns and the provision of a market-based range and mix of residential types.

PPS Policies 1.1.3.1 and 1.1.3.2 focus development within settlement areas promoting land use patterns that prioritize the efficient use of land and resources and infrastructure and are transit supportive.

PPS Policy 1.4.3 calls for an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents, including special needs requirements.

PPS Policy 2.1.5 provides that development in significant woodlands is not permitted unless it is demonstrated that there will be no negative impacts on the natural features or ecological functions. It is not a strict prohibition against any development in significant woodlands where development can proceed without impacting the ecological function of the natural feature. The ecological function, as a whole, has been considered through an Environmental Impact Study and arborist report.

PPS Policy 2.6.3 protects heritage properties by prohibiting development and site alteration on adjacent lands except where the proposed development and site alteration has been evaluated and demonstrates that the heritage attributes of the protected heritage property will be conserved. Conditions of approval of a draft plan of subdivision will require a review of heritage attributes and implementation of any required mitigation measures.

The development provides for an efficient development pattern that will result in a range of residential units in the context of a larger community; makes full use of planned and available infrastructure and municipal services; contributes to the housing supply in the Greenfield urban area; and provides for further consideration

of areas of significant built heritage.

Based on supporting studies that have been submitted and/or will be completed through the approval of a draft plan of subdivision, the proposed amendment is consistent with the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan took effect on August 28, 2020, and was established under the Places to Grow Act, 2005, for municipalities within the Greater Golden Horseshoe. While the PPS provides overall policy direction on matters of provincial interest, the Growth Plan builds on the policy direction of the PPS and provides additional and more specific policy direction. Accordingly, the Growth Plan, providing policies to manage growth to the year 2051, is to be read in conjunction with the PPS.

Growth Plan Policy 1.2.1:

- Supports the achievement of complete communities that are designed to support healthy and active living.
- Prioritizes intensification and higher densities to make efficient use of land and infrastructure and support transit viability.
- Supports a range and mix of housing options.

Growth Plan Policy 2.2.1 directs that the vast majority of growth will be focused in settlement areas that:

- Have a delineated built boundary.
- Have existing municipal water and wastewater systems.
- Can support the achievement of complete communities.

Growth Plan Policy 2.2.6 encourages the achievement of intensification and supports a range and mix of housing options.

The proposed minimum density required by the amendment is consistent with the minimum density target of the designated Greenfield Areas, as set out in Policy 2.2.7 of the Growth Plan. The proposed residential use provides an opportunity for a range of residential units in the context of a larger community development; makes full use of surrounding infrastructure and services; and contributes to the range of housing supply opportunities in the primary urban area within the Municipality.

The proposed amendment complies with the Growth Plan.

Northumberland County Plan (2016)

The County Official Plan designates the entirety of the subject site as “Urban Area”. In the context of the Municipality of Port Hope this area is intended to be the focus of growth within the County with greater specificity of the range of permitted uses to be determined in the local Official Plan.

Section B10 of the County Official Plan provides a minimum designated greenfield area density target (residents and jobs combined per hectare) of 35 people and jobs per gross hectare in the Municipality of Port Hope.

The proposed development conforms to and is consistent with the community development policies of the Northumberland County Official Plan. The proposed subdivision will exceed the minimum density target of 35 residents and jobs per hectare of the in-force Northumberland County Official Plan.

Municipality of Port Hope Official Plan (2017)

The subject lands are included in the Greenfield area within the Urban Settlement Area of the Municipality of Port Hope.

The lands are currently designated “Residential 1”, “Residential 2” and “Local Commercial 1” within Special Policy Area 9 in the Official Plan. Section B12.3 of the Official Plan provides a minimum designated greenfield area density target of 35 residents and jobs per hectare.

The purpose of the Official Plan Amendment would be to redesignate the subject lands in order to facilitate the development of the subject lands primarily for a range of grade related housing, with a density of development of approximately 40 persons per hectare exceeding the minimum designated greenfield area density target of 35 residents per acre.

Implementation

The proposed development of the subject lands shall be implemented through an appropriate Zoning By-law Amendment and approval of a draft plan of subdivision.

PART B: THE AMENDMENT

The Municipality of Port Hope Official Plan is hereby amended as follows:

- i. That Schedule C-1 (Land Use – Urban Area Detail) is hereby amended by removing Special Policy Area 9 and adding a reference to Special Site Policy area *18, in accordance with Schedule “A” attached hereto and forming part of this amendment.
- ii. That the following new Special Site Policy area *18, be inserted in Section D8:

“D8	*18	Penryn Mason Homes – South of Strachan Street and west of Victoria Street South
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Notwithstanding anything in the Plan to the contrary, the lands identified as *18 shall be subject to the following policies:

- a) Within the area identified as “Special Policy Area *18” on Schedule C1, the main permitted uses shall include single-detached residential dwellings and townhouse dwellings.
- b) Development shall achieve a minimum population density of 40 residents per hectare.

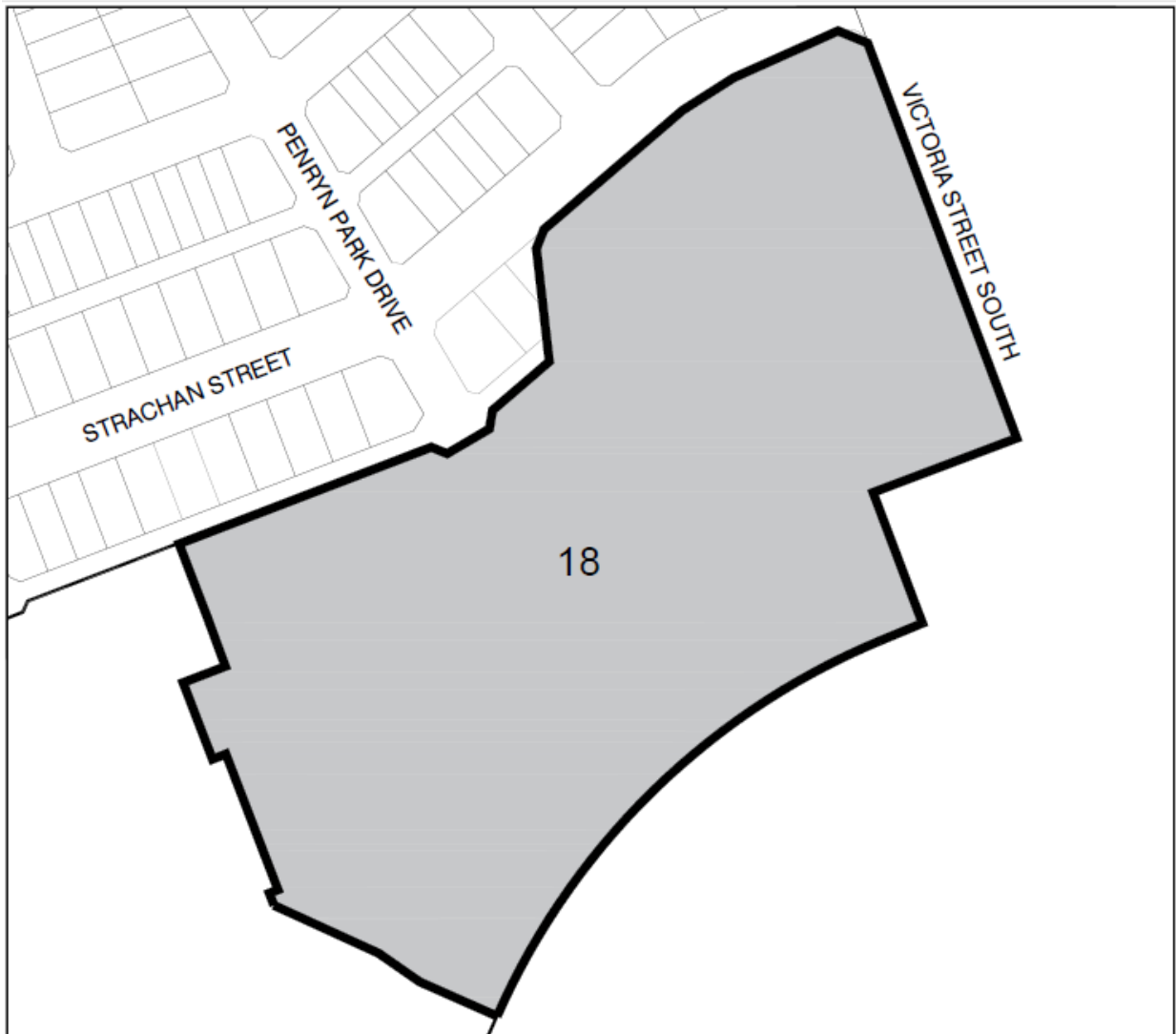
5. IMPLEMENTATION

This Amendment No. 12 to the Municipality of Port Hope Official Plan shall be implemented by an amendment to the Municipal Zoning By-law, pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P. 13. and approval of a draft plan of subdivision, pursuant to Section 51 of the Planning Act, R.S.O. 1990, c.P. 13.

6. INTERPRETATION

- a) The provisions of the Municipality of Port Hope Official Plan, as amended from time to time, shall apply in regard to Amendment No. 12.

SCHEDULE "A"



18 Re-designate Subject Lands from 'Residential 1, Residential 2 and Local Commercial 1' in Special Policy Area 9 to Special Policy Area 18

**SCHEDULE 'A'
OFFICIAL PLAN AMENDMENT
NO. 12**



The Corporation of the
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