



6098 & 6158 Bells Hill Rd

PLANNING JUSTIFICATION REPORT

Municipality of Port Hope, ON

IPS NO. 12-398

March 2023



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6098 & 6158 BELLS HILL ROAD

MUNICIPALITY OF PORT HOPE

APPLICATIONS FOR

ZONING BY-LAW AMENDMENT & CONSENT

PREPARED BY

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ON BEHALF OF

RAKESH GUPTA

MARCH 2023

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1.0 INTRODUCTION

Innovative Planning Solutions has been retained by Rakesh Gupta to prepare a Planning Justification Report relative to applications for Zoning By-law Amendment and Severance for lands legally known as Part of Lots 27 and 28, Concession 6 and municipally known as 6098 and 6158 Bells Hill Road in the Municipality of Port Hope. The subject lands have a total area of 44.5 hectares (110 acres) with 772.3 frontage along Bells Hill Road. **Figure 1** shows the location of the subject lands.

The subject lands are currently designated 'Rural Settlement Area', 'Agricultural Area' and 'Environmental Protection Area' in the Northumberland County Official Plan. The subject lands are designated 'Hamlet', 'Agricultural – Prime', and 'Natural Environment' in the Municipality of Port Hope Official Plan, and are zoned 'Development (D)', 'Agricultural (A)', 'Environmental Protection (EP)', and 'Environmental Protection – Floodplain (EP-F)' in the Municipality of Port Hope Zoning By-law. The purpose of the subject applications is to obtain approval for the rezoning and severance of the subject lands in order to facilitate the creation of one (1) new lot, positioned for the most part outside of the Osaca Settlement Area, and one (1) retained lot positioned within the Osaca Settlement Area.

This report will review the applicable policies found within the documents noted below to demonstrate consistency with good planning principles.

- Provincial Policy Statement, 2020
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020
- Official Plan of the County of Northumberland, 2016
- Official Plan of the Municipality of Port Hope, 2017
- Municipality of Port Hope Zoning By-law 20/2010

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LEGEND



Subject Lands

Figure 1

Subject Lands

Source: Google Maps

Drawn By: CM

File: 12-398



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2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

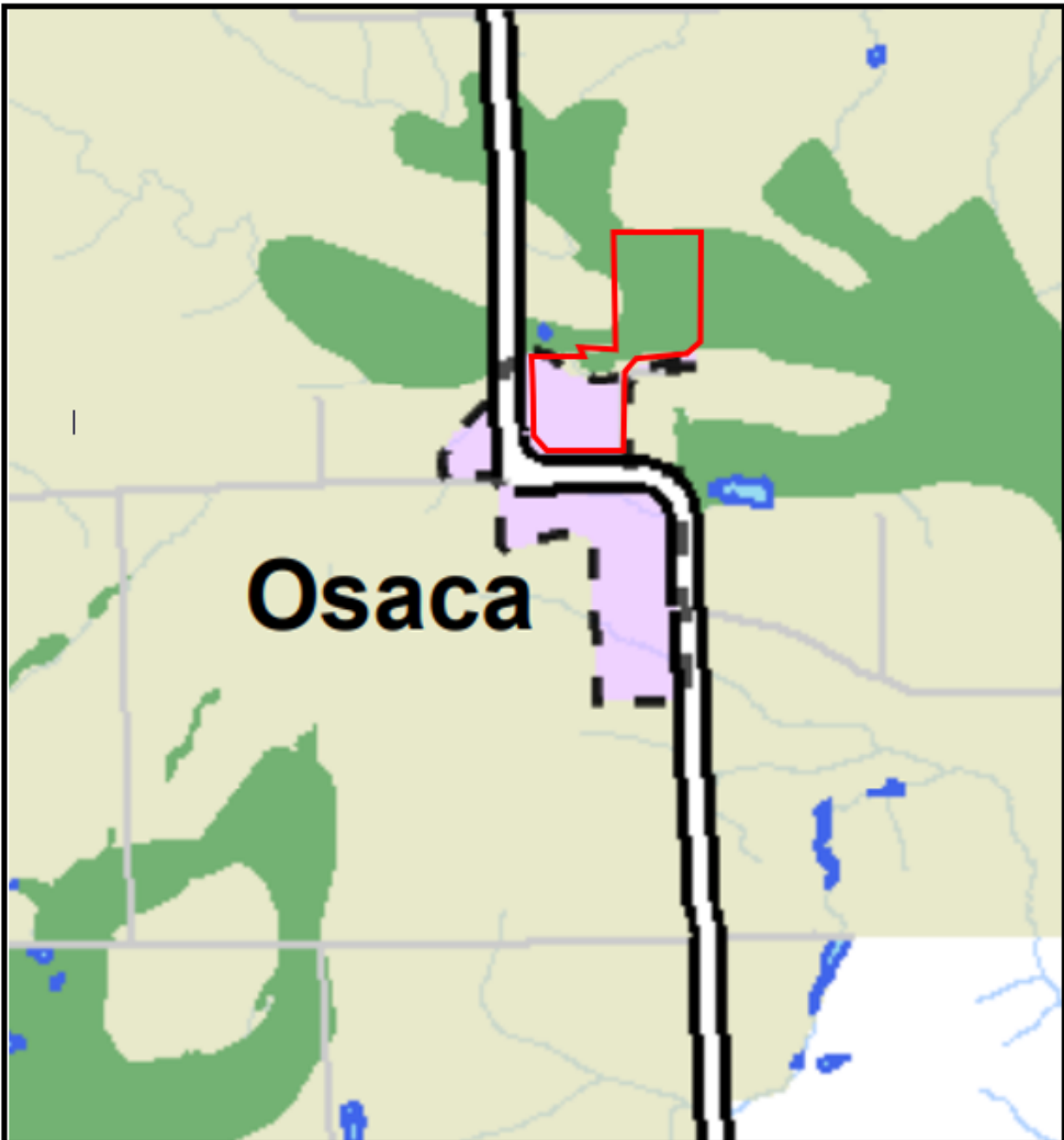
The subject lands are located within the County of Northumberland, in the Municipality of Port Hope, at the intersection of Bells Hill Road and County 65 Road. The subject lands hold two (2) residential dwellings, 6158 and 6098 Bells Hill Road, with vehicle access to both provided off Bells Hill Road. The north half of the site consists largely of wooded area. This wooded area contains the Ganaraska River, which bisects the site. The south half consists mostly of agricultural fields.

The Subject Lands are designated 'Rural Settlement Area', 'Agricultural Area' and 'Environmental Protection Area' in the Northumberland County Official Plan (**Figure 2**). The subject lands are designated 'Hamlet', 'Agricultural – Prime', and 'Natural Environment' in the Municipality of Port Hope Official Plan (**Figure 3**) and are zoned 'Development (D)', 'Agricultural (A)', 'Environmental Protection (EP)', and 'Environmental Protection – Floodplain (EP-F)' in the Municipality of Port Hope Zoning By-law (**Figure 4**).

Figure 5 depicts aerial photography of the subject lands and surrounding land uses. The surrounding land uses include:

- North:** Lands designated 'Environmental Protection' and 'Agricultural' consisting of a large, wooded area and farming land, outside of the settlement area.
- South:** Directly adjacent is Bells Hill Road and County Road 65, further south are lands zoned 'Hamlet Residential (RESV2)', 'Hamlet Residential One (RESV1)', 'Development (D)', and 'Agricultural (A)' within the settlement area of Osaca.
- East:** Directly adjacent is Bells Hill Road. Fronting Bells Hill Road, on the other side, are lands zoned 'Hamlet Residential (RESV2)'.
- West:** Directly adjacent is County 65 Road, on the other side of which are lands designated 'Hamlet', and 'Agricultural – Prime (A)'. The lands directly adjacent are zoned 'Development', and further west are lands designated 'Agricultural (A)', and 'Environmental Protection (EP)'.

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- Subject Lands
- Urban Area
- Rural Settlement Area
- Major Employment Area (Preferred Location)
- Agricultural Area
- Rural Area
- Oak Ridges Moraine
- Environmental Protection Area

Figure 2

County of Northumberland Official Plan

Source: County of Northumberland Official Plan,
Schedule A: Land Use

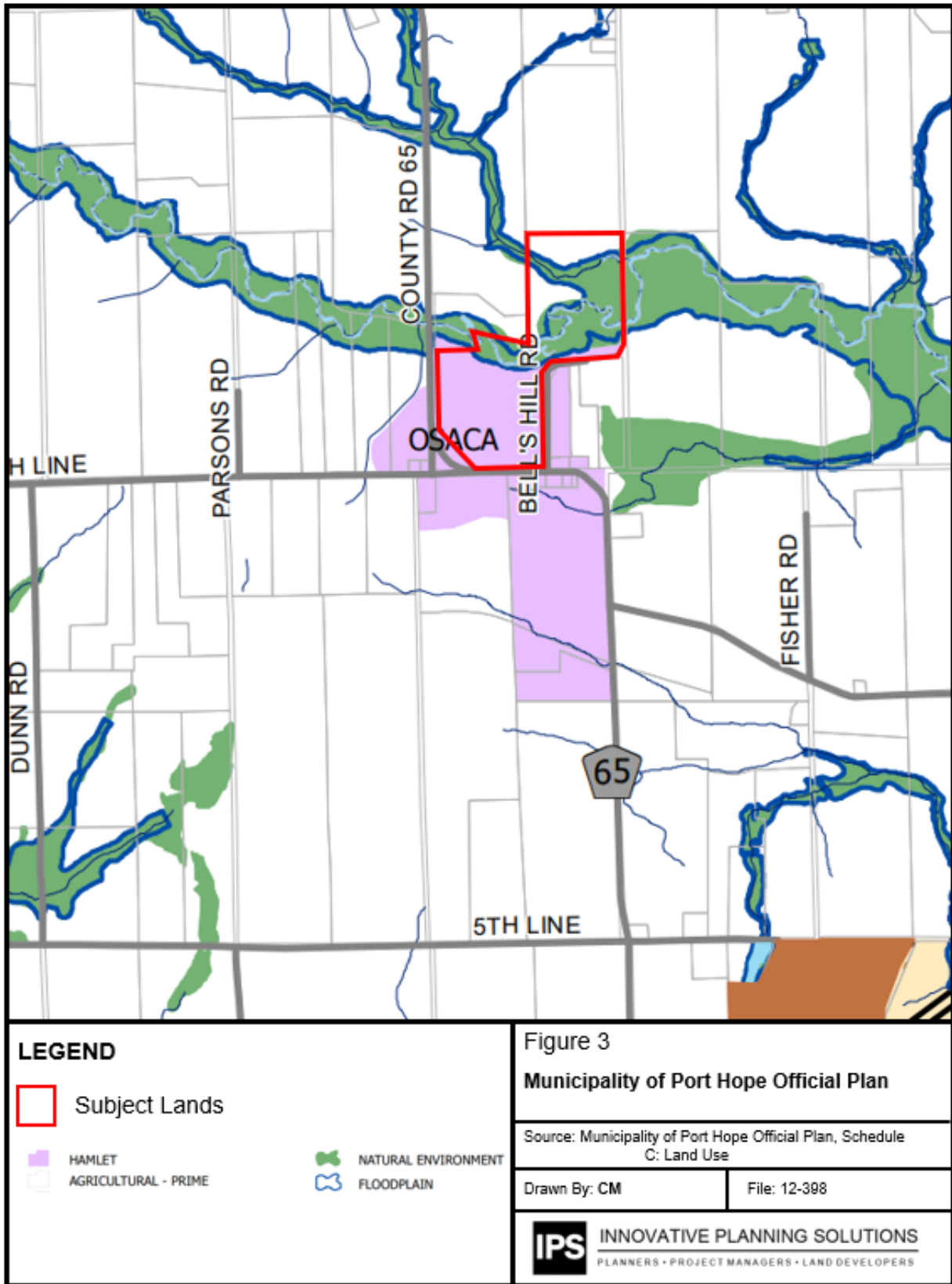
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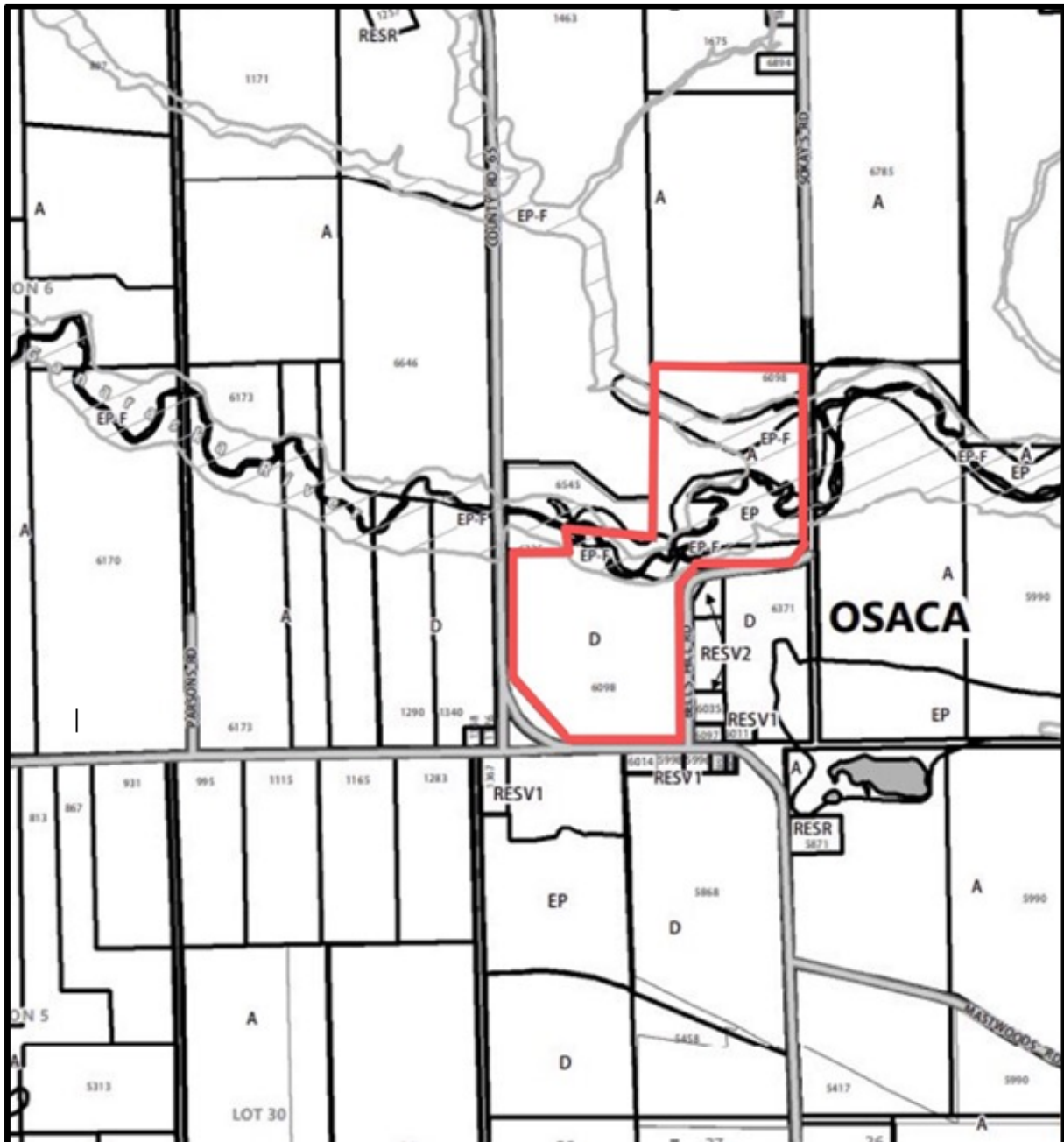


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LEGEND

Subject Lands

Figure 4

Municipality of Port Hope Zoning By-Law

Source: Port Hope Zoning By-Law 20/2010

Drawn By: CM

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 Subject Lands

Figure 5
SURROUNDING CONTEXT

Source: Google Maps, 2023.

Drawn By: MA

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3.0 DESCRIPTION OF DEVELOPMENT

The subject application seeks to sever the existing lot into two (2) new lots, while proposing that a portion of the severed lot be rezoned to accommodate the development of one (1) new residential dwelling. The proposed Consent application will ensure the continued protection of the environmental features found on the northern half of the subject lands, while allowing for potential future development to take place on the retained lot within the Osaca Settlement Area.

In order to permit the proposed development, one (1) Consent Application and an accompanying Zoning By-law Amendment are requested. The following sections further outline the details for these applications.

3.1 CONSENT APPLICATION

One (1) application for Consent is proposed to facilitate the creation of one (1) new lot on the subject lands, resulting in a total of two (2) lots. The Severed Lot will include the entirety of lands zoned EP along with a small portion of land currently zoned Development. The severance promises to provide additional protection to the EP lands, while permitting the development of a single-detached dwelling on the Severed Lot. This Consent will also allow for potential future development to take place on the Retained Lot, within the Settlement Area. The proposed severance sketch is provided in **Figure 6** and **Appendix 1**.

Consultation was held with the Ganaraska Region Conservation Authority (GRCA) to determine the appropriate lot line between the Retained and Severed lots. A site visit with the GRCA was held on June 10, 2022, where the top of bank and drip line were staked. Through consultation with the GRCA a setback of 6 metres from the top of bank was established as an appropriate lot line between the Retained and Severed lots, providing for an appropriate setback from the environmental lands.

The Retained Lot would possess a lot area of 19 hectares (46.95 acres) with 374.8 metres (1,229 feet) of frontage along Bells Hill Road. The Severed Lot would result in a lot area of 25 hectares (61.8 acres) with 397.5 metres (1,304 feet) of frontage along Bells Hill Road. The lands to be rezoned from 'Development' (D) zone to 'Hamlet Residential 1' (RESV1) are located within the Severed Lot and have an area of approximately 3,700m².

3.2 ZONING BY-LAW AMENDMENT

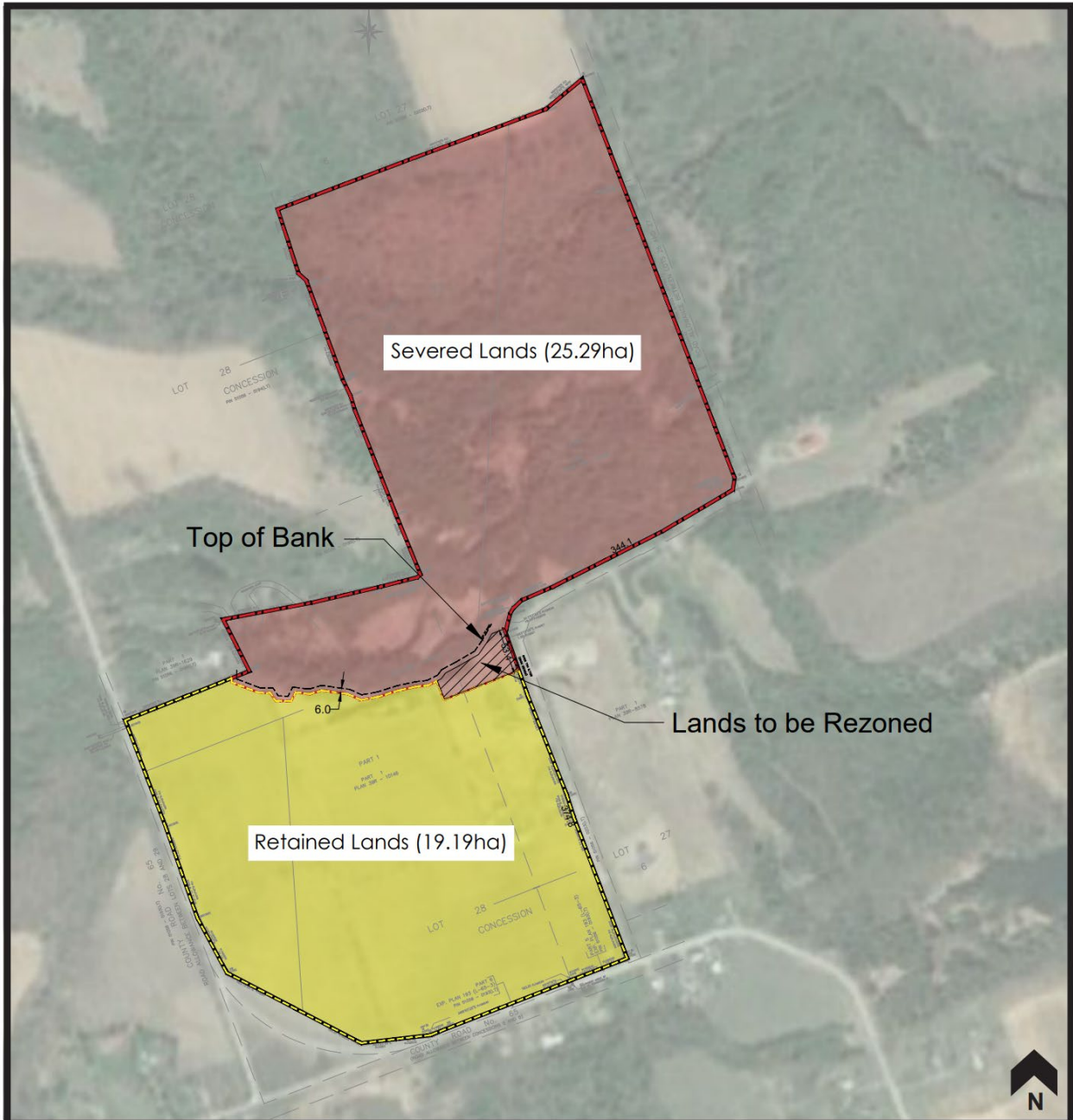
The ZBA seeks to rezone a portion of the Severed Lot from ‘Development (D)’ to the ‘Hamlet Residential 1 (RESV1)’ zone, in order to create a portion of the severed lot suitable for construction of one (1) new single family residential dwelling. The lands subject to the ZBA are located within the Rural Settlement Area (designated by the County) and the Osaca Hamlet Area (designated by the Municipality). The single-detached dwelling will be serviced by private water and sewer services, while the lot will maintain protection of the Environmental lands located within the north half of the site. The proposed area to be rezoned has an area of approximately 3,700m² and would provide for 53m of frontage along Bells Hill Road, in alignment with the RESV1 zoning requirements.

The area to be rezoned is depicted in **Figure 7** and **Appendix 2**, demonstrating that a single-detached dwelling can be accommodated for on the lands to be rezoned while meeting all RESV1 zoning provisions. The building envelope shown on the Site Plan is for conceptual purposes only. **Table 1** demonstrates that the area to be rezoned is of an appropriate size and configuration to accommodate a residential dwelling that will be serviced by individual private water and septic systems. Municipal services are not available in the area. The area to be rezoned is consistent with the surrounding rural character, while conforming to the RESV1 zoning provisions as demonstrated.

Table 1. Hamlet Residential 1 (RESV1) Zoning Provisions		
Provisions	Required	Lands to be Rezoned
Lot Area (min.)	2,800 m ²	3,727 m ²
Lot Frontage (min.)	30.0 m	53 m
Front Yard Setback (min.)	10.0 m	10.0 m
Interior Side Yard Setback (min.)	3.0 m	11 m
Exterior Side Yard Setback (min.)	10.0 m	N.A.
Rear Yard Setback (min.)	10.0 m	73 m
Landscaped Open Space (min.)	30%	86%
Lot Coverage (max.)	30%	10%
Height of Building	11.0 m	<11.0 m

A copy of the draft Zoning By-law Amendment Text and Schedule are provided in **Appendix 3**.

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- Subject Lands (444,891.83m² / 44.48ha)
- Severed Lands
- Area: 252,996.75m² / 25.29ha
- Frontage: 397.50m
- Retained Lands
- Area: 191,895.08m² / 19.19ha
- Frontage: 374.80m
- Lands to be rezoned from 'Development (D)' zone to 'Hamlet Residential 1 (RESV1)' zone (3,727.86m²)

**Figure 6
SEVERANCE SKETCH**

Source: IPS

Drawn By: MA

File: 12-398



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4.0 PLANNING POLICY AND ANALYSIS

This Section will outline the applicable planning and development policies that impact this application. Each section will contain planning rationale on how the proposed development demonstrates consistency and/or conformity with the applicable planning policies and development principles.

4.1 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) has been reviewed relative to this application. The PPS is a guiding planning document that outlines overarching goals and visions related to the development and use of land within Ontario. Applicable policies for this application are outlined below.

Managing Growth & Settlement Areas

Section 1.1.1 of the PPS provides various strategies on how to manage and direct land use to achieve efficient and resilient development and land use patterns. Healthy, livable, and safe communities are sustained through the promotion of efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. Collectively, the PPS directs municipalities to ensure that there is sufficient land available through redevelopment within settlement areas, to encourage housing options for all demands (1.1.2). The subject applications remain consistent with the above policies in relation to developing land efficiently and resiliently. The proposed development integrates the possibility of growth while maintaining the protection of environmental lands now and in the future.

The proposed severance and rezoning is further strengthened by Section 1.1.3 (settlement areas) and Section 1.1.4 (rural areas in municipalities). Policy 1.1.3 places emphasis on using land and resources judiciously in order to advocate for efficient development patterns, the protection of resources, and effective use of infrastructure. Biodiversity should be considered as well as natural occurring ecological benefits (1.1.4.1). Policy 1.1.4.2 and 1.1.4.3 outlines how to direct growth and development in rural areas as well as the scale of developments in these areas. The subject applications will provide additional protection to the environmental lands, while accommodating for the development of a single-detached dwelling that is consistent with adjacent uses.

Infrastructure: Water & Wastewater Systems

Infrastructure and sewage policies set out in Section 1.6.6 outlines the importance of accommodating forecasted growth to promote efficient and optimal services. Policy 1.6.6.4 outlines the use of individual on-site water services and individual on-site water services where needed. These existing systems should be provided in a sustainable and feasible way that protects human health, safety, and natural environment and resources. The subject applications will rezone a portion of the lands to an appropriate size that is able to accommodate a single-detached residential dwelling that will utilize private sewage and water services.

Natural Heritage

Section 2.1 of the PPS establishes policies for the protection and maintenance of natural heritage areas. Natural areas and features are to be protected for the long term along with diversity and connectivity, restoring, improving, and recognizing linkages between and within natural heritage areas should happen when possible (2.1.1 & 2.1.2). The proposed rezoning & severance intends to maintain the environmental protection zone and its features over the long-term. No development is proposed in the northern portion of the subject lands, zoned 'Environmental Protection (EP)' and 'Environmental Protection – Floodplain (EP-F)'. Development and site alteration is not permitted on adjacent lands to natural heritage features unless ecological function of the adjacent lands has been evaluated and demonstrates that no negative impacts on the natural features or ecological functions are expected (Policy 2.1.8). The Municipality's Official Plan identifies the subject lands as significant valley land, as a result, the top of bank and area to be rezoned have been staked by the Ganaraska River Conservation Authority (GRCA) and have been appropriately setback outside of adjacent lands as required.

Based on a review of the applicable policies noted above, the proposed development demonstrates consistency with the Provincial Policy Statement.

4.2 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

The Growth Plan for the Greater Golden Horseshoe (herein referred to as 'the Growth Plan') is a provincial plan that looks to guide growth and development within the Greater Golden Horseshoe (GGH) region. This Plan seeks to support economic prosperity, protect the environment, and help achieve a higher quality of life.

Managing Growth & Rural Areas

The Growth Plan provides guiding principles through Section 2.1, and recognizes the importance of strong, healthy, and prosperous rural settlement areas. The proposal is located within a rural settlement area and on lands designated and zoned for development. Section 2.2.9 further supports the proposed severance and rezoning applications as new lots, or units are to be directed to Settlement areas and on rural lands in site specific locations (2.2.9.6). The proposed severance will consolidate all future development lands on the southern half of the site within the settlement area, while protecting the northern half of the property, outside of the settlement area, for it's natural heritage characteristics.

Housing

Section 2.2.6 of the Growth Plan provides policy on housing. On a small scale the proposed development assists the County and Municipality in meeting its housing goals and intensification targets. The subject applications provide for an additional housing option to the Osaca Rural Settlement Area, where future residential development is expected (2.2.6.1).

Protecting What Is Valuable

Section 4.2 establishes policies for protecting what is valuable through new development and site alterations that demonstrate there will be no negative impacts on the environment or key natural heritage features. The proposed development conforms to this policy as the portion to be rezoned is located outside of the Natural Heritage lands and outside of adjacent lands. As previously mentioned, there is no current or future development planned within the northern portion of the subject lands.

Based on a review of the applicable policies noted above, the proposed development demonstrates conformity with the Growth Plan for the Greater Golden Horseshoe.

4.3 COUNTY OF NORTHUMBERLAND OFFICIAL PLAN

The Official Plan of the County of Northumberland provides direction and framework in order to manage decisions regarding growth and land use. It also recognizes the importance of land use planning and aims to provide necessary guidance for future strategies, policies, and land use designations.

The County Official Plan designates the subject lands as the following:

- Schedule A – Land Use ‘**Rural Settlement**’, ‘**Environmental Protection**’, ‘**Agricultural Area**’
- Schedule B – Resource Areas ‘Areas of Natural and Scientific Interest’
- Schedule C – Transportation ‘Local Road’ (Bells Hill)

Rural Settlements

Section B1 of the County Plan states that both urban areas and rural settlement areas shall be the focus of growth and that their vitality and regeneration shall be promoted. The addition of one new lot for one new dwelling aligns with this policy and further helps the County and Municipality in meeting the growth forecast for 2041, as set out in Section B6.

Section B14 outlines servicing in Rural Settlements. This section notes that individual on-site services may be used where no municipal or private services are provided, as long as site conditions allow for it and there are no negative impacts. The proposed development conforms to this policy as it provides for limited development (one new lot and dwelling) within the subject lands serviced by individual on-site services, in the same fashion as the balance of the Osaca Settlement Area. Private services are suitable for the site and are not expected to cause negative impacts to the subject lands or surrounding areas.

Policies that guide future development are outlined in Section B16 as it relates to new developments being proposed outside the built boundaries in urban areas but remain within the urban and rural settlement areas boundary. Developments within these areas is possible if/when the new development area will be a logical extension to the existing built-up area and as long as the required infrastructure is available. The proposed development conforms to this policy as the severance will consolidate all future development lands into 1 parcel, while allowing 1 new dwelling in an appropriate location within the settlement area consolidated with the environmental lands on the north half of the lot.

The Official Plan Policy C1.3 provides further policies that must be considered when applications are submitted regarding development in rural areas. Policy C1.3(a) notes such developments are acceptable if they are able to maintain and enhance the existing character of the rural settlement area. The proposed severance and proposed development will not negatively impact the character and surrounding lands. The character of the surrounding land uses is mostly low density

single-detached dwellings or undeveloped lands, as the proposed development is a single-detached residential dwelling, it will compliment and be consistent with the character of the surrounding area.

Environment

Section D1 provides policies related to natural heritage resources which seek to maintain the health, diversity, size, and connectivity of natural heritage systems. Section D1.5 further states that development and site alteration shall not be permitted within natural heritage features. The subject applications abide by this policy as the 'Environmental Protection (EP)' lands within the subject site will remain undeveloped and protected from future development. The proposed Consent Application provides for the EP lands on one lot, maintaining them under separate ownership and protecting them from future development on the Retained lands. The health, diversity, size, and connectivity of the existing system are not expected to be impacted negatively.

The portion of lands to be rezoned, to permit one single-detached dwelling, are located outside of the environmental lands, on lands zoned for development, and on lands already consisting of a single-detached dwelling. The proposed development can therefore be considered minor and not anticipated to cause a negative impact on the natural heritage feature. Additional consultation with the GRCA has been held where a 6-metre setback from the top of bank was established as being a sufficient setback (D1.9.2.c).

Lot Creation

Policy E1.5.1 provides policies regarding the creation of new lots through consent. Applicable conditions of approval for severed and/or retained lots are as follows:

- a) *Fronts on and will be directly accesses by a public road that is maintained on a year-round basis unless otherwise permitted in the local Plan;*
- b) *Does not have direct access to a County Road, unless the County permits a request for access;*
- c) *Will not cause a traffic hazard;*

Comment: The proposed lots front onto Bells Hill, a local road, with no direct access to a County Road. The addition of one dwelling is not expected to cause any traffic hazards.

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- d) *Has adequate size and frontage for the proposed use in accordance with the local zoning by-law;*
- e) *Notwithstanding d) above, where a zoning by-law amendment or minor variance is required, approval of such amendment or variance shall be included as a condition of the approval of the consent;*

Comment: The Consent and ZBA Applications provide for appropriate lot sizes that meet the zoning provisions of the local by-law.

- f) *Can be serviced with an appropriate water supply and means of sewage disposal, provided there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services;*
- g) *Will not have a negative impact on the drainage patterns in the area;*

Comment: The lands to be zoned RESV1 are proposed to be serviced through private water and septic systems, which is consistent with the servicing in the balance of Osaca, and supported by Planning policy. The resulting lot creation is not expected to have any negative impact on the drainage patterns in the area.

- h) *Will not restrict the development of the retained lands or those other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;*
- i) *Will not have a negative impact on the significant features and functions of any natural heritage feature; in this regard, lots should be restricted in size in order to conserve other lands in larger blocks for natural heritage purposes;*

Comment: The proposed Consent Application will not restrict development of the subject lands, but further facilitates future development of the Retained Lot by separating the Environmental lands outside of the Osaca Settlement Area from the lands designated and zoned for future development within the Osaca Settlement Area. The natural features of the Severed Lot promise to be maintained and protected over the long term horizon. The lands to be rezoned have been appropriately set back from the top of bank, as confirmed by the Conservation Authority.

Based on a review of the applicable policy listed above, the proposed development demonstrates conformity with the County of Northumberland Official Plan.

4.4 MUNICIPALITY OF PORT HOPE OFFICIAL PLAN

The Official Plan of the Municipality of Port Hope contains guiding policies developed under the Planning Act that guides physical development within the municipality that takes important social, economic, and environmental matters into consideration.

Growth Concept

The Municipality of Port Hope's Official Plan outlines their growth concept in Section B4. It places emphasis on compatible residential, commercial, and employment-generating uses. The proposed development conforms to this policy as it is compatible with the surrounding residential developments. As the proposed development is small in scale and similar to that of surrounding land uses, there is no disturbance being caused to the overall character of the area.

Environment

Section B5 aims to set out applicable objectives regarding the environment and subject lands. This policy aims to protect lands with significant environmental characteristics by using Provincial policy to protect, maintain, and/or enhance natural heritage features and areas along with their ecological functions. The subject applications maintain the goals and objectives by providing further protection to the environmental lands. The Consent application seeks to sever the environmental lands from the development lands, keeping them consolidated on one lot and separating them from any future development applications on the Retained lands. The proposed ZBA application proposes development on lands designated and zoned for development and outside of any environmental features. The environmental lands within the subject site are to remain undeveloped and protected, keeping with the existing character.

Servicing

Policy C12.1.2, which relates specifically to servicing within hamlet and rural areas, states that all development shall be served by private sewer and water systems. In alignment with this policy the proposed development will use private water and sewage systems to service the additional single dwelling. The proposed maintains the existing method of servicing as currently used by the existing dwellings present on the site and in the Osaca Settlement Area, demonstrating compatibility with the proposed. Furthermore, the minimum lot size, as implemented through the Zoning By-law, is maintained through the proposed, providing for adequate space to accommodate private servicing and an appropriately sized dwelling.

Hamlet Designation

Section D2.2, which provides policy specific to the Hamlet designation states that, *it is the policy of the Official Plan to provide for the maintenance and reinforcement of the existing community structure and to define and encourage the in-depth development of certain selected hamlets in accordance with their ability to sustain growth.* Policy D2.2.1 notes a mix of suitable residential, commercial, community facilities and small-scale industrial uses, developed on private sewage and water systems, at appropriate densities, shall be encouraged within the Hamlet designation. The future growth of hamlet areas should be consistent with environmental, physical, and socio-economic conditions. Policy D2.2.2 says the predominant form of land use shall be single detached dwellings. The subject lands are within Hamlet designation area. The proposed severance and development is consistent with environmental, physical, and socio-economic policies within the County and Municipality Official Plans. The single-detached dwelling proposed on the Severed lot will blend with the existing character of the surrounding area.

Consent is permitted for separating existing legal uses which applies to the subject lands as identified by the municipality in the pre-consultation comments. Policy E3.2.1.3 outlines limitations for consents to sever lands and shall only be granted so long as the following is met:

- a) *The intended use of the severed and retained parcels conform with the intent and policies of this Plan;*
- b) *The size and dimensions of the severed parcel(s) and the retained parcel are appropriate to accommodate the proposed use or uses;*
- c) *The proposed lot(s) shall not have detrimental effect on the Municipality of Port Hope's financial status. Accordingly, a consent shall generally not be granted where the extension of any road or public facility or service may be required for the proposed consent;*
- d) *The proposed use of the lot(s) to be severed and retained are compatible with the adjacent or adjoining land uses;*
- e) *The proposed use of the lot(s) will not restrict options for future development on adjacent land;*

Comment: The intended use of the Severed and Retained Lots conform with the intent and policies of the Official Plan, as demonstrated through this report. The lands to be rezoned to the RESV1 zone are within lands designated and currently zoned for development. The size and dimensions of both lots are appropriate for their current uses; the portion of lands to be rezoned are of an appropriate size and configuration to permit a single-detached dwelling that is

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compatible with adjacent and surrounding land uses. The extension of municipal roads or services are not required through the subject applications and future development is not restricted on adjacent lands as a result of the subject applications.

- g) The proposed and retained lot(s) front directly onto an improved public street or road, excluding Highway, which is maintained year-round and is of a reasonable standard of constriction;*
- h) The development of the proposed lot(s) shall not create a traffic hazard of further an existing traffic hazard as a result of limited sight lines, curves or grades;*

Comment: Each of the proposed lots maintain access off Bells Hill Rd, a local municipal road. The proposed development is not expected to create any traffic hazard as minimal traffic will be generated from the proposed.

- i) The proposed lot(s) shall not have an effect of creating or extending a form of development deemed to be inappropriate to the land use designation;*
- j) The development shall not landlock or limit the potential use or redevelopment of the property;*
- k) The severed parcel(s) and retained parcel outside the Urban Area and Hamlets comply with the Minimum Distance Separation (MDS) formulae;*

Comment: The proposed development provides for development that is compatible with the surrounding land uses and will not have the effect of creating or extending inappropriate uses. Both lots maintain frontage on a public road, are not land locked, and facilitate future development of the Retained Lot. The Retained Lot and portion of lands to be rezoned are within a designated Hamlet area where future growth is anticipated.

- l) Adequate sewage and water servicing can or will be provided in accordance with part C of this Plan;*
- m) Adequate community services, emergency services, and other similar services, can or will be provided;*
- n) The severed and retained parcels will be connected to municipal services, wherever available;*

Comment: Municipal services are not available to the subject lands or the entirety of the Osaca Settlement Area; private water and septic systems are proposed through the subject applications

and align with servicing systems available to the subject lands and those supported by Planning policy.

- o) Comments related to the application have been received from the applicable Municipal Departments, the Conservation Authority, Health Unit and other Ministries, as deemed appropriate; and,*
- p) The proposed lot(s) will be suitable for the use(s) proposed with respect to flooding, erosion, steep slopes, other hazardous conditions or constraints, as identified by the Municipality in consultation with the Conservation Authority.*

Comment: Comments were received through the Pre-consultation process and applied to the subject applications. Additional consultation has been held with the GRCA (conservation authority) to determine the location of, and appropriate setbacks from, the top of bank, which have been incorporated into the subject applications.

Policy E3.2.3 provides specific policies applicable to hamlets and permits consents for separating existing legal uses. The proposed consent aligns with this policy as it seeks to sever the environmental lands from the lands zoned for development. Policy E3.2.3 further states that consent(s) to sever land within a Hamlet are limited to no more than two (2) new lots in addition to one retained lot being created. The proposed severance abides by this policy as there will be one (1) new lot in addition to the Retained Lot being created. As previously mentioned, the subject lands are within a Hamlet and the severance and rezoning of the Severed Lot is in line with policies regarding the separating existing legal use consent type.

Based on a review of the applicable policies listed above, the proposed development demonstrates conformity with the Municipality of Port Hope Official Plan.

5.0 CONCLUSION

The purpose of the subject applications is to obtain approval for the severance and rezoning of the subject lands in order to facilitate the creation of one (1) new lot and the creation of one (1) new single-detached dwelling.

The Consent Application seeks to sever the lands zoned 'Environmental Protection (EP)' from most of the lands zoned 'Deferred Development (D)', providing enhanced protection to the natural features of the Severed Lot, while consolidating future development on the Retained Lot.

The ZBA seeks to rezone a small portion of the Severed Lot from 'Deferred Development (D)' to 'Hamlet Residential (RESV1)' in order to permit a single-detached dwelling that is consistent with surrounding uses.

It is our professional planning opinion that the requested Zoning By-law Amendment and Consent Applications demonstrate consistency with, and conform to, applicable Provincial, County and Municipal policies and principles.

Respectfully submitted,
Innovative Planning Solutions



Darren Vella, MCIP, RPP
President & Director of Planning



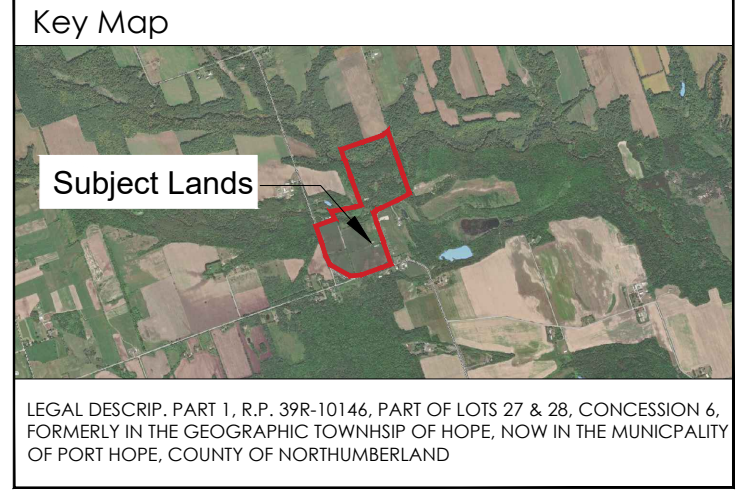
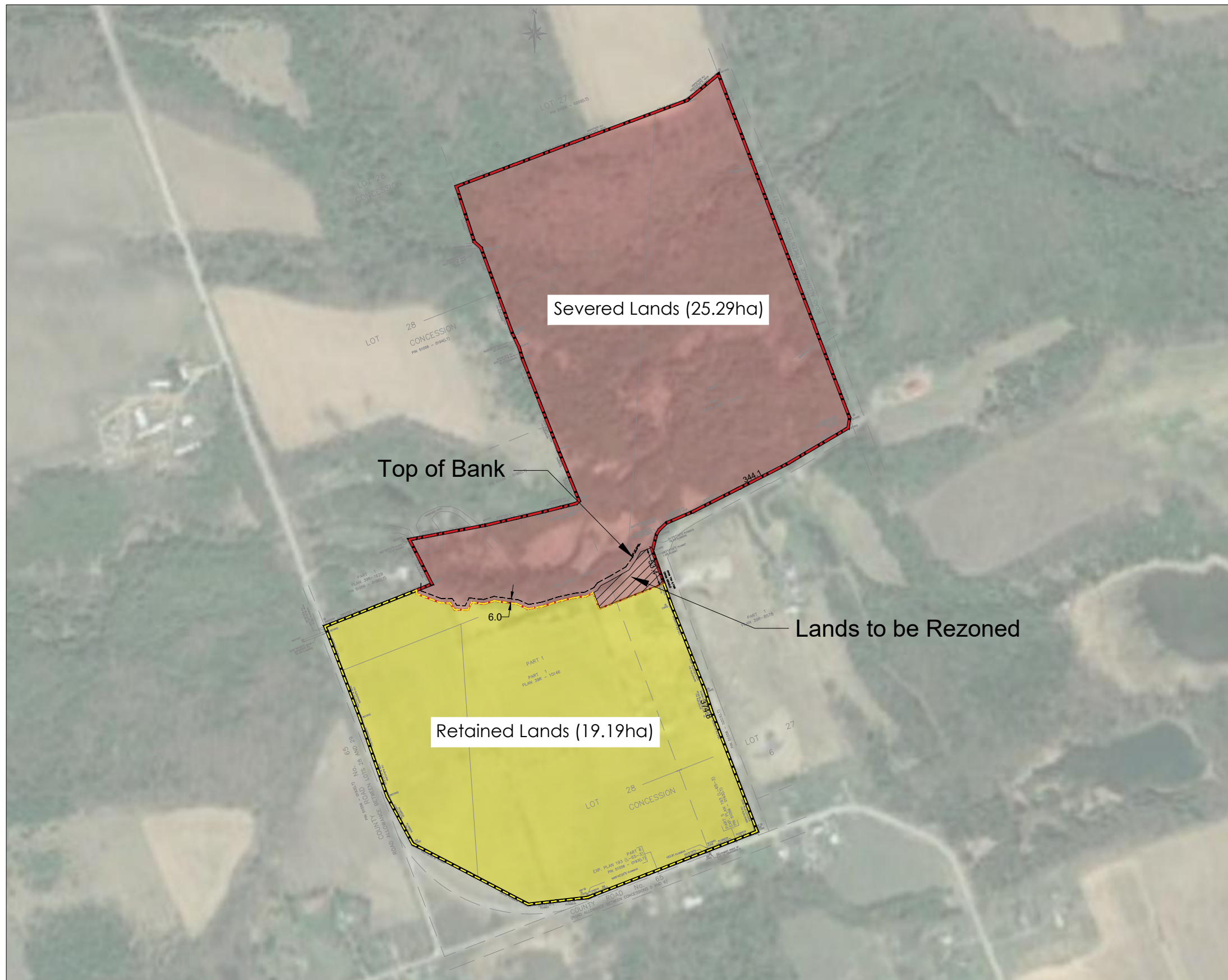
Courtney Mark
Junior Planner



Megan Asbil
Junior Planner

APPENDICES

APPENDIX 1: SEVERANCE SKETCH



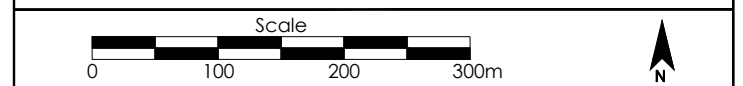
LEGEND

- Subject Lands (444,891.83m² / 44.48ha)
- Severed Lands
 - Area: 252,996.75m² / 25.29ha
 - Frontage: 397.50m
- Retained Lands
 - Area: 191,895.08m² / 19.19ha
 - Frontage: 374.80m
- Lands to be rezoned from 'Development (D)' zone to 'Hamlet Residential 1 (RESV1)' zone (3,727.86m²)

Zoning Table - Hamlet Residential 1 (RESV1) Zone

Provisions	Required	Severed Lot	Lands to be Rezoned
Lot Area (min.)	2,800m ²	±25ha	3,727.8m ²
Lot Frontage (min.)	30.0m	>30.0m	>30.0m
Front Yard (min.)	10.0m	>10.0m	>10.0m
Interior side yard(min.)	3.0m	>3.0m	>3.0m
Exterior side yard (min.)	10.0m	>10.0m	>10.0m
Rear Yard (min.)	10.0m	>10.0m	>10.0m
Landscaped Open Space (min.)	30%	>30%	>30%
Lot Coverage (max.)	30%	<30%	<30%
Height of Building (max.)	11.0m	<11.0m	<11.0m

Note: This drawing is for discussion purposes only. The information shown is approximate and subject to change.



Date: January 10, 2022 Scale:
 File: 12-398 Drawn By: J.V. / A.S.

CONCEPTUAL SEVERANCE PLAN

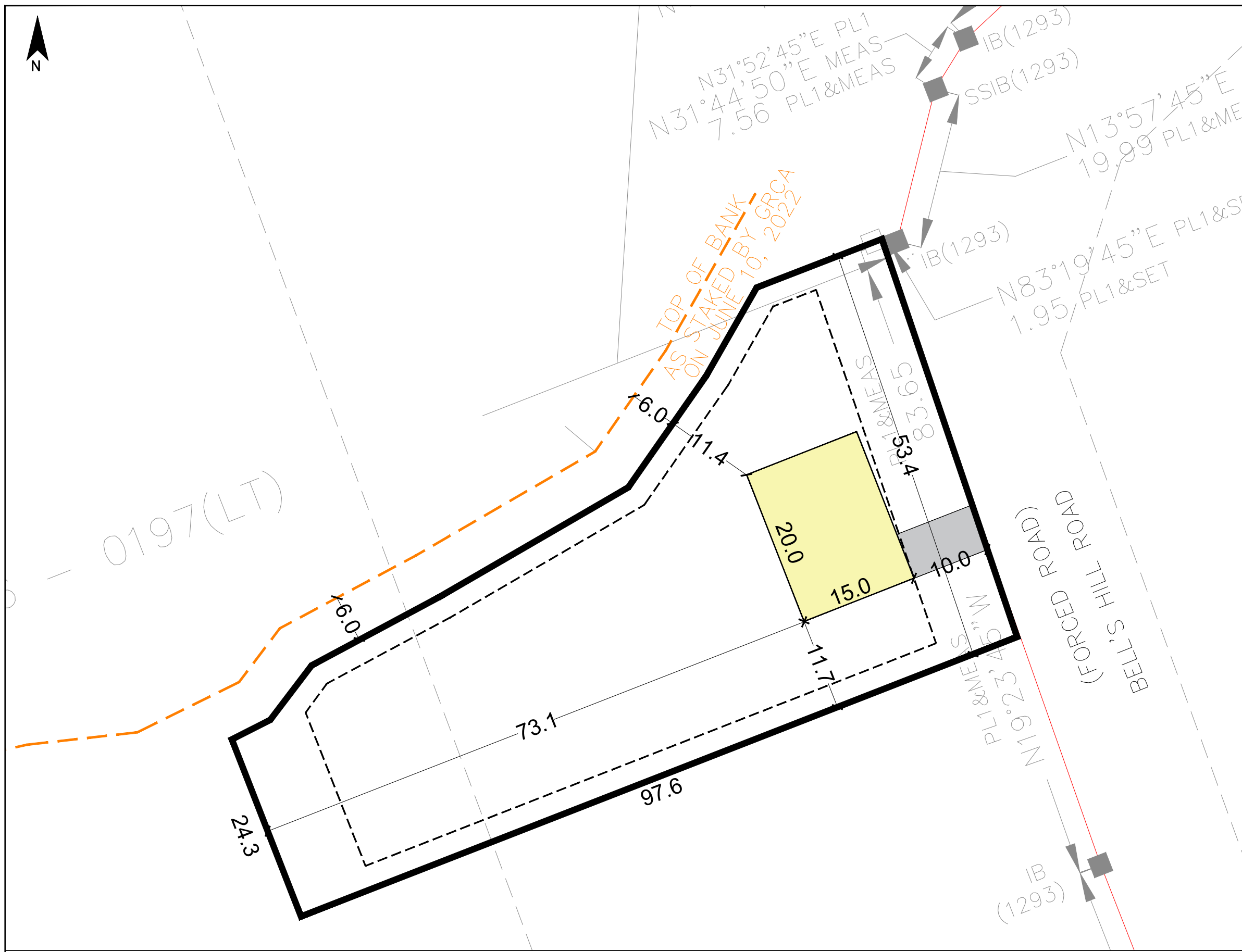
6158 BELLS HILL ROAD, PORT HOPE

SCHEDULE OF REVISIONS

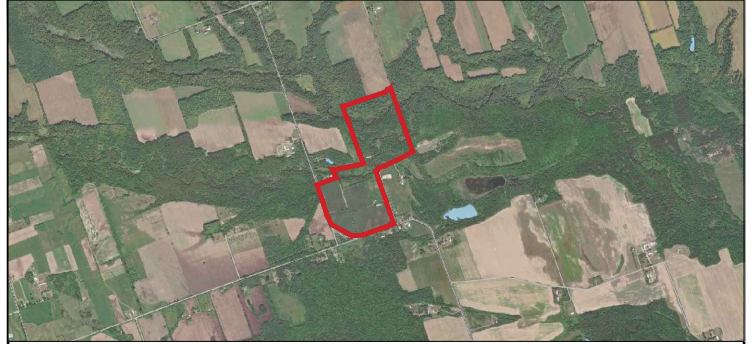
No.	Date	Description	By
1.	March 25, 2022	Update air photo;	A.S.
2.	Oct. 4, 2022	Update limits of lands to be rezoned;	A.S.

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 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS
 647 WELHAM RD., UNIT 9, BARRIE, ONTARIO, L4N 0B7
 tel: 705 • 812 • 3281 fax: 705 • 812 • 3434 e: info@ipsconsultinginc.com www.ipsconsultinginc.com

APPENDIX 2: REZONING SKETCH



Key Map



LEGAL DESCRIP. PART 1, R.P. 39R-10146, PART OF LOTS 27 & 28, CONCESSION 6, FORMERLY IN THE GEOGRAPHIC TOWNSHIP OF HOPE, NOW IN THE MUNICIPALITY OF PORT HOPE, COUNTY OF NORTHUMBERLAND

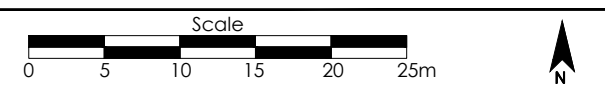
LEGEND

- Subject Site (444,891.83m² / 44.48ha)
- Lands to be Rezoned to RESV1 (3,727.86m²)
- Conceptual 1 Storey Dwelling - G.F.A.: 300.0m²
- Conceptual Driveway
- Developable Limit

ZONING TABLE - HAMLET RESIDENTIAL 1 (RESV1) ZONE

Provisions	Required	Provided
Lot Area (min.)	2,800m ²	3,727.8m ²
Lot Frontage (min.)	30.0m	53.4m
Front Yard (min.)	10.0m	10.0m
Interior side yard(min.)	3.0m	3.0m
Exterior side yard (min.)	10.0m	N.A.
Rear Yard (min.)	10.0m	52.2m
Landscaped Open Space (min.)	30%	86.1%
Lot Coverage (max.)	30%	10.0%
Height of Building (max.)	11.0m	<11.0m

Note: This drawing is for discussion purposes only. The information shown is approximate and subject to change.



Date: October 4, 2022	Drawn By: A.S.
File: 12-398	Checked By: M.A.

CONCEPTUAL SEVERANCE PLAN - LANDS TO BE REZONED

6158 BELLS HILL ROAD, PORT HOPE

SCHEDULE OF REVISIONS			
No.	Date	Description	By

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**APPENDIX 3: DRAFT ZONING BY-LAW AMENDMENT
TEXT & SCHEDULE**

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

ZONING BY-LAW NO. xx/2023

Being a By-law Under the Provisions of Section 34 of the Planning Act, R.S.O, 1990,c.P.13 as Amended, to Amend Zoning By-law 20/2010, as Amended, of the Corporation of the Municipality of Port Hope, for the lands legally described as Parts of Lots 27 and 28, Concession 6, municipally known as 6098 and 6158 Bells Hill Road, in the Municipality of Port Hope, in the County of Northumberland.

WHEREAS Zoning By-law No. 20/2010, as amended, was passed under authority of Section 34 of the Planning Act, R.S.O, 1990, c.P.13, as amended;

AND WHEREAS this By-law conforms with the general intent of the Municipality of Port Hope Official Plan, as amended;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope deems it advisable to amend Zoning By-law No. 20/2010, as otherwise amended, with respect to the above-described lands, and under provisions of the *Planning Act* has the authority to do so;

NOW THEREFORE the Council of the Corporation of the Municipality of Port Hope hereby ENACTS as follows:

1. THAT Schedules "B" and "B-20" (Zone Map) forming part of Zoning By-law No. 20/2010, as otherwise amended, are hereby amended by changing the zone classification, on a portion of the subject lands, from the current 'Development' (D) Zone to 'Hamlet Residential One' (RESV1) Zone, all in accordance with Schedule "A" attached hereto and forming part of this By-law.
2. THAT this by-law shall take effect as of the date it is passed by the Council of The Corporation of the Municipality of Port Hope, subject to the applicable provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

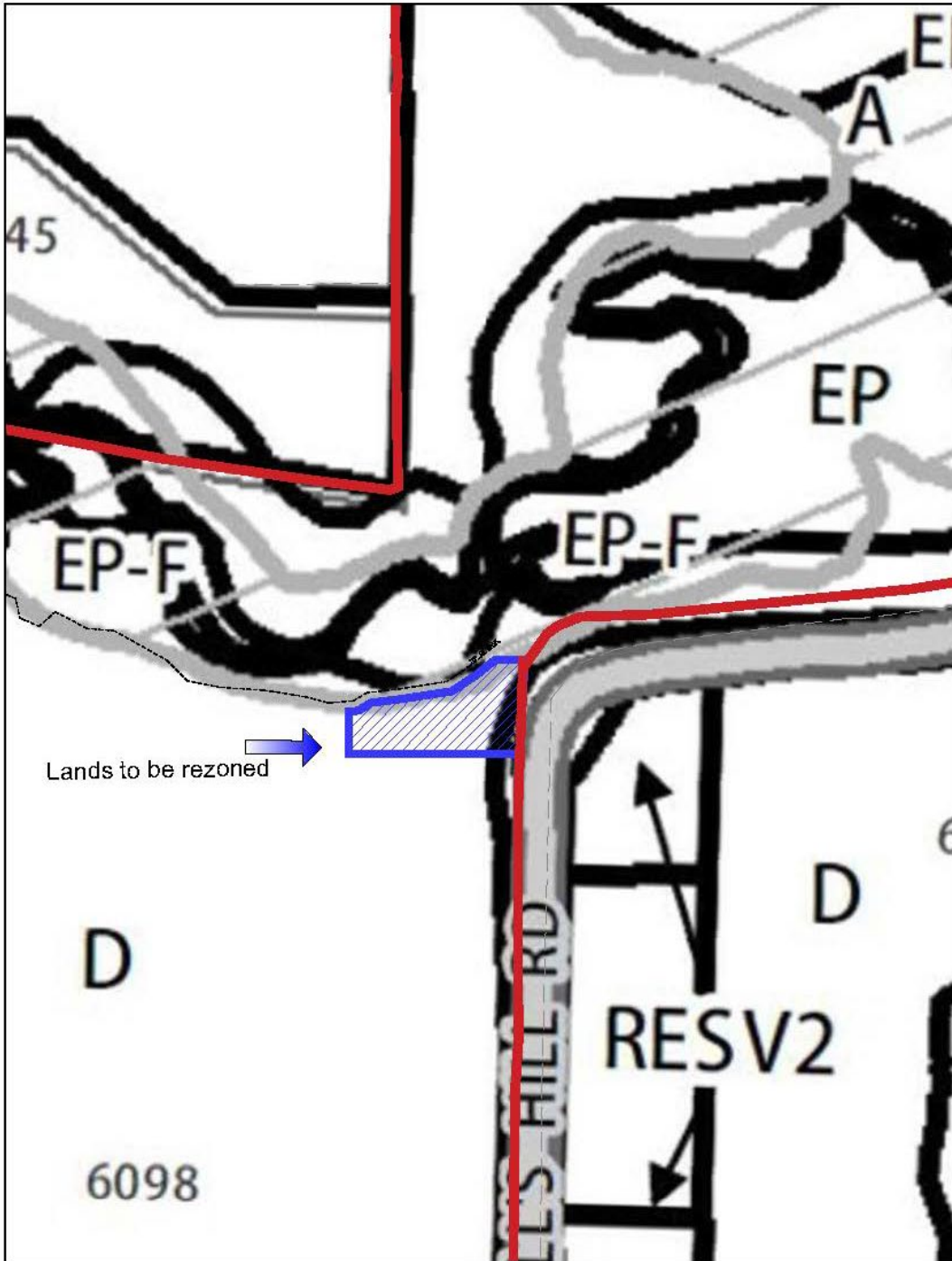
READ A FIRST, SECOND, and THIRD TIME and finally passed on the ____ day of _____, 2023.

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

Mayor

Clerk

Schedule "A" to By-law 20/2010



LEGEND
 SUBJECT LINES (442/0.333 km)
 LANDS TO BE REZONED FROM DEVELOPMENT (D) ZONE TO HIGH DENSITY PLANNED (H) ZONE (12/0.533 km)

SCHEDULE "A"
 ZONING BY-LAW AMENDMENT
 6158 BELLS HILL ROAD,
 PORT HOPE

Scale
 0 20 40 60 80
 Source: Assisted by Port Hope Planning By-law 20/2010
 Note: Information shown is a reference and is subject to change.

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 ENVIRONMENTAL CONSULTANTS

REV. 04/20/2010
 No. 12/2010
 Drawn by: C.P.
 Checked:



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