

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** October 30, 2023

**CASE NO(S):** OLT-22-003126  
(Formerly PL200619)

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Appellant	2107401 Ontario Inc. Et Al
Subject:	Request to amend the Official Plan – Failure to adopt the requested amendment
Description:	OPA/ZBA/DPS - Phase 5 - Lakeside Village
Reference Number:	OP01-2019
Property Address:	Various Locations
Municipality/UT:	Municipality of Port Hope
OLT Case No:	OLT-22-003126
Legacy Case No:	PL200619
OLT Lead Case No:	OLT-22-003126
Legacy Lead Case No:	PL200619
OLT Case Name:	2107401 Ontario Inc. Et Al v. Port Hope (Municipality)

**PROCEEDING COMMENCED UNDER** section 34(11) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description:	OPA/ZBA/DPS - Phase 5 - Lakeside Village
Reference Number:	ZB06-2019
Property Address:	Various Locations
Municipality/UT:	Port Hope/Northumberland
OLT Case No:	OLT-22-003127
Legacy Case No:	PL200620
OLT Lead Case No:	OLT-22-003126
Legacy Lead Case No:	PL200619

**PROCEEDING COMMENCED UNDER** section 51(34) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Subject:	Proposed Plan of Subdivision – Failure of Approval Authority to make a decision
Description:	OPA/ZBA/DPS - Phase 5 - Lakeside Village
Reference Number:	SU01-2019
Property Address:	Various Locations
Municipality/UT:	Port Hope/Northumberland
OLT Case No:	OLT-22-003129
Legacy Case No:	PL200621
OLT Lead Case No:	OLT-22-003126
Legacy Lead Case No:	PL200619

**Heard:** September 7-8, 2023 via video hearing

#### **APPEARANCES:**

##### **Parties**

21007401 Ontario Inc. et al  
(the “Applicant”)

Town of Port Hope  
(the “Municipality”)

##### **Counsel**

Paul DeMelo

Jennifer Savini

#### **MEMORANDUM OF ORAL DECISION DELIVERED BY S.L. DIONNE AND N. EISAZADEH ON SEPTEMBER 8, 2023 AND ORDER OF THE TRIBUNAL**

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[Link to Final Order](#)

#### **INTRODUCTION AND BACKGROUND**

[1] The matter before the Tribunal is a settlement hearing respecting Phase 2 of an appeal for non-decision by the Municipality of applications for an Official Plan Amendment (“OPA”), Zoning By-law Amendment (“ZBA”), and a Draft Plan of

Subdivision (“Draft Plan”), to facilitate a development proposal for the lands known locally as Phase 5B of the Lakeside Village Development in the Town of Port Hope (“Subject Lands”).

[2] By Order of this Tribunal dated June 9, 2021, this appeal was bifurcated into two Phases in order to facilitate the hearing of a partial settlement reached for the entirety of the development lands, save and except for the Subject Lands (referred to locally as Phase 5B) which is comprised of a contested woodlot found in Block 272 as well as a 120 metre (“m”) buffer thereof (“Woodlot Lands”). The Parties had agreed that further study was warranted for the Woodlot Lands and so a Settlement Hearing for the balance of development lands (also referred to as Phase 5A) proceeded as Phase 1; while Phase 2 (comprised of the Subject Lands and referred to as Phase 5B) was adjourned *sine die* pending completion of the further required studies. By the same prior Decision of this Tribunal, the Settlement for Phase 1 was approved, the appeal was allowed in part, and approval of the planning instruments to facilitate Phase 5A of the development proposal was granted.

[3] The requisite additional studies on the Woodlot Lands were subsequently completed, which has led to the present Settlement Hearing wherein the Parties have entered into Minutes of Settlement (“MOS”) dated July 5, 2023, setting out the proposal that is the subject of the present Hearing (“Settlement Proposal”). The MOS have been approved by Council of the Municipality and have been made available to the Public.

[4] For the reasons that follow, the Panel determined that this Phase 2 appeal should be allowed, and approval of the applications granted.

## **PARTIES AND PARTICIPANTS**

[5] While there were two Non-Appellant Parties initially involved in this Phase 2 Hearing, they have both withdrawn their status such that the Statutory Parties are the only remaining parties to the present appeal.

[6] In particular, the two Non-Appellant Parties previously granted Party status are PHorests 4 R PHuture Community Associations Inc. (“PHorests Group”), and Jeremy Holmes and Dianne Despot. Both Parties subsequently withdrew their Party status and opted instead to proceed by way of Participant Status. However, the only additional Participant Statement received in this regard is from the PHorests Group and is dated, July 20, 2023.

[7] PHorests Group filed an additional Supplementary Participant Statement, particularly in respect of this Settlement Hearing, dated September 1, 2023. Counsel for the Statutory Parties took no objection with the filing and consideration of the PHorests Group Supplementary Participant Statement.

[8] There were no further Participant Statements received by the Tribunal beyond those mentioned above or listed in Attachment 1 to the prior Decision of this Tribunal dated June 9, 2021. The list of Participants whose statements were considered on the present Settlement Hearing include the following:

- a. Architectural Conservancy of Ontario, Port Hope Branch
- b. Williams Port Condominium Board
- c. David Elliot
- d. Glen Keilder and Jennifer Cooper
- e. Wayne Johnson
- f. Shannon Linton
- g. Ian McCrae
- h. Carole Payne
- i. Lisa Poirier
- j. Joachim Schmeiss

- k. Christopher Terry
- l. Suzanne Stickley
- m. Lance Gifford
- n. Janette Johnston
- o. Laura Steen
- p. Jane Zednik

## **THE SETTLEMENT PROPOSAL**

[9] The MOS proposes the development of a residential plan of subdivision on the Subject Lands, comprised of a total of 101 residential units, a 0.057 hectare (“ha”) Parkette, a 0.03 ha Open Space Block, a 0.029 ha Future Residential Development Block, 0.3 m Reserves, as well as streets and lanes. The 101 residential units consist of 43 rear-lane townhouse dwellings and 58 single-detached dwellings on various types and sizes of lots.

[10] To implement the Settlement Proposal, the MOS outline proposed amendments to the Municipality’s Official Plan to amend the designation of the Subject Lands from “Residential 1”, “Residential 2” and “Local Commercial” within Special Policy Area 9, to a proposed new “Special Site Policy Area “18” which would provide for a mix and range of residential dwelling units, including single-detached dwellings and townhouse dwellings, at a minimum population density of 40 residents per ha. The proposed OPA, is found in Exhibit 1, Tab 13.

[11] The Settlement also proposes an amendment to the Municipality’s Zoning By-law No. 20-2010 to rezone the Subject Lands from High Density Residential Exception 28 Holding One ‘RES4(28)(H1)’, Medium Density Residential Exception 115 ‘RES3(115)’, and General Commercial Exception 30 Holding One ‘COM2(30)(H1)’, to Medium Density Residential Exception 48 ‘RES(148)’ and Medium Density Residential Exception 149 ‘RES(149)’. The proposed ZBA may be found in Exhibit 1, Tab 14.

[12] The OPA and ZBA are necessary to facilitate approval of the proposed Draft Plan, SU01-2019 prepared by Innovative Planning Solutions (File: 21-1147) dated August 18, 2023 , which is found in Exhibit 1, Tab 15. The recommended conditions of Draft Plan Approval (“DPA”) are detailed in Exhibit 1, Tab 16.

## **THE EVIDENCE AND HEARING**

[13] In support of the Settlement reached, the Applicant called Kevin Bechard, a Registered Professional Planner who was qualified, on consent, to provide expert opinion evidence in the field of Land Use Planning. At the request of the Tribunal, the Applicant also called Chris Ellingwood, Senior Terrestrial and Wetland Biologist with GHD who prepared the Environmental Impact Study with respect to the Woodlot Lands. Mr. Ellingwood was also qualified, on consent, as an Ecologist/Biologist expert to provide opinion evidence in the field of Ecology.

[14] The Tribunal marked the following documents as Exhibits on the Settlement Hearing:

- Exhibit 1: Witness Statement of Kevin Bechard dated August 29, 2023, with all attachments and exhibits thereto
- Exhibit 2: Ariel Photograph of the Subject Lands
- Exhibit 3: OPA Excerpt with Mapping Photograph
- Exhibit 4: GHD Environmental Impact Study – Phase 5 dated December 17, 2021 (“EIS”)
- Exhibit 5: FSmith Consulting Woodlot Assessment Report dated April 2023 (“WA Report”)
- Exhibit 6: North-South Environmental Peer Review of EIS Update dated April 12, 2022 (“Peer Review Report”)
- Exhibit 7: Curriculum Vitae of Chris Ellingwood, Ecologist Biologist Expert

- Exhibit 8: Acknowledgment of Expert Duty Form of Chris Ellingwood, Ecologist Biologist Expert

[15] The Panel also reviewed the Municipal Record available to it as forwarded by the Municipality, as well as considered all Participant Statements as filed.

[16] The most contentious aspect of this development proposal may be summarized as related to environmental concerns and natural heritage policies set out in the Provincial Policy Statement, 2020 (“PPS”). It is agreed that the Woodlot Lands constitute Significant Woodlands as defined under the relevant governing legislative, statutory and policy framework. Pursuant to policy 2.1.5 of the PPS, development in Significant Woodlands is not permitted unless it is demonstrated that there will be no negative impacts on the natural features and their functions. It is agreed among the Parties that policy 2.1.5 of the PPS does not provide an outright prohibition against development, rather the test to be satisfied is whether there is no negative impact on the natural features and function of the Significant Woodlands.

[17] Many of the Participant Statements question the potential consequences that might arise from the removal of the Woodlot in order to accommodate the proposed development and contend that such removal is contrary to Provincial Policy. Most notably, the Participant Statement and Supplementary Statement from the PHorests Group detail its opposition to the Settlement Proposal, which essentially removes the entirety of the trees and vegetation of the approximate 3.15 ha of the Woodlot, alleging it is contrary to Provincial Policy as well as the position taken in the Peer Review Report of the Applicant’s EIS, commissioned by the Municipality prior to reaching a settlement.

[18] To answer these questions, Mr. Ellingwood was called at the request of the Tribunal to speak to his EIS and expand further on his written opinions and conclusions reached.

[19] In summary, Mr. Ellingwood credibly defended his EIS and confirmed that the Woodlot in question could be removed as the ecological function of environmental features that were identified are limited. Mr. Ellingwood explained that the Woodlot is an isolated portion of a larger woodlands system that provides limited ecological function on its own and can be enhanced and improved elsewhere through a Compensation Plan. He confirmed his opinion that the proposed development could proceed as the removal of the subject Woodlot would not negatively impact the balance of the Significant Woodland feature or its ecological functions.

[20] Mr. Ellingwood also provided his recommendations as to how the proposed development may proceed in order to ensure that the ecological functions of the larger Woodland would not be negatively impacted through various mitigation measures and a compensation plan, as reflected in the Conditions to the DPA.

[21] Mr. Bechard also provided evidence related to the significance of the Woodlot and the application of the relevant natural heritage policies, including policies 2.1.4, 2.1.5, and 2.1.8 of the PPS. Notably, Mr. Bechard pointed to the FSmith Consulting WA Report summarizing its conclusion that the overall health of the forest is poor, in decline, will exhibit pronounced and prolonged heath issues in the decades to come, and will require large inputs of time and investment over a decade in order to correct.

[22] Mr. Bechard further emphasized the conclusions of the EIS which contend that the Woodlot may be removed as the ecological function of the environmental features that have been identified are limited, that the Woodlot is at the edge and a part of a larger Woodland, and that the Woodlot provides limited ecological functions on its own that can be enhanced and improved elsewhere. Mr. Bechard opined that the WA Report and EIS reinforce one another, and he relies on them in arriving at his overall opinion that due to the declining poor health of the Woodlot and its limited ecological function, its removal would not have any negative impact, and would satisfy the requisite conformity test. He added that without significant ecological contribution, the



alternative of preserving a degraded Woodlot over the provision of housing, which is in significant demand, is not in the public interest.

[23] Mr. Bechard also considered the mitigation measures and compensation plan recommendations contained in the EIS concurring they would ensure no negative impact to the ecological features and functions of the larger woodlands system. Mr. Bechard opined further that the Proposed Settlement goes beyond the mitigation strategies and compensation recommendations of the EIS by providing additional contribution to the Municipality. Specifically, the MOS includes a financial contribution to the Municipality, not mandated or otherwise required by any legislative, statutory or policy framework, that will be used to provide for enhanced planting of trees throughout the Municipality in areas that the Municipality determines would best benefit the community.

[24] Respecting the balance of the Planning evidence in support of the Proposed Settlement, Mr. Bechard opined that the Settlement Proposal represents good planning and is in the public interest.

[25] More particularly, and regarding the legislative tests for the proposed OPA, ZBA, Draft Plan and Conditions of DPA, Mr. Bechard opined as follows:

- a. They have appropriate regard for matters of Provincial interest identified in s. 2 of the Act,
- b. They have appropriate regard for the decisions of the Municipality's Council as reflected in the MOS;
- c. They are consistent with the PPS;
- d. They conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as amended, (the "Growth Plan");
- e. They conform to the County of Northumberland Official Plan ("County OP");
- f. They conform to the general intent and purpose of the Town OP;

- g. The ZBA standards and regulations implement the proposed OPA;
- h. The proposed Draft Plan satisfies all the criteria pursuant to s.51(24) of the Act, is not premature, and is in the public interest;
- i. The proposed Conditions of DPA are reasonable and appropriate for the development of the Subject Lands;
- j. The proposed planning instruments represent good planning;
- k. Approval of the Phase 2 planning instruments would be in the public interest; and,
- l. It would be appropriate if the Tribunal was to delegate authority to the Municipality for the granting of final plan approval of the plan of subdivision pursuant to s. 51(56.1) of the Act.

## **FINDINGS**

[26] With regard to Phase 2, the Panel has the uncontested expert land use planning evidence of the Applicant's Planner, and the uncontested ecological evidence of the Applicant's Ecologist/Biologist.

[27] The Panel accepts the uncontroverted expert opinion evidence of Mr. Ellingwood and Mr. Bechard, as well as the documentary evidence filed with respect to the Woodlot Lands, its designation as Significant Woodlands and the application of the relevant natural heritage policies to those lands. Given the overall poor and declining health of the Woodlot, its isolation from a neighbouring larger woodlands system and its limited ecological functions and features on its own, the Panel accepts that its removal would not have any negative impact on the features or functions provided the mitigation strategies and compensation plan are followed, as set out in the Conditions to the DPA.

[28] The Panel accepts the uncontroverted planning opinion evidence of Mr. Bechard in support of the Settlement Proposal in that it meets all the statutory tests, represents good planning and is in the public interest, and further that the planning instruments set out in Attachments 1 to 4 to the Order below are appropriate.

[29] The Panel finds that the Settlement Proposal has had proper regard for the assessment of ecological systems, including natural areas in considering the removal of the Woodlot, and has been arrived at through extensive engagement of the public, municipal bodies and agencies, and it will contribute to the supply and range of housing within the Municipality and use existing and planned services in the area.

[30] The Panel finds that the Settlement Proposal and the planning instruments are consistent with the PPS, conform, do not conflict, with the Growth Plan, conform with the County OP, conform with the general intent and purpose of the Town OP, satisfy the criteria of s. 51(24) of the Act, as applicable, have regard to the Municipality's Decision expressed by way of the MOS, and have regard to s. 2 of the Act respecting matters of Provincial interest.

[31] Accordingly, the Panel allows the appeals and grants the requested approvals, as set out in the details below.

## **ORDER**

[32] **THE TRIBUNAL ORDERS** that the appeal filed pursuant to section 22(7) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, is allowed, and Amendment No. 12 to the Official Plan for the Town of Port Hope, as set out in Attachment 1 to this Order, is approved.

[33] **AND THE TRIBUNAL ORDERS** that the appeal filed pursuant to Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, is allowed in part , and that By-law No. XX-2023 is hereby amended in the manner set in Attachment 2 to this Order. The Tribunal authorizes the Municipal clerk to assign a number to this by-law for record keeping purposes.

[34] **AND THE TRIBUNAL ORDERS** that the appeal filed pursuant to section 51(34) of the *Planning Act*, R.S.O., 1990, as amended, is allowed in part and the draft plan shown on the plan prepared by Innovative Planning Solutions dated, August 18, 2023, as set out in Attachment 3, is approved subject to the fulfillment of the conditions set out in Attachment 4 to this Order.

[35] **AND THE TRIBUNAL ORDERS** that pursuant to s. 51(56.1) of the *Planning Act*, R.S.O., 1990, as amended, the Town of Port Hope shall have the authority to clear the conditions of draft plan approval and to administer final plan approval of the plan of subdivision for the purposes of s. 51(58) of the Act. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

[36] The Tribunal may be spoken to in the event that any issues should arise in connection with the implementation of this Order.

*“S.L. Dionne”*

S.L. DIONNE  
MEMBER

*“N. Eisazadeh”*

N. EISAZADEH  
MEMBER

### **Ontario Land Tribunal**

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

**ATTACHMENT 1**

**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.

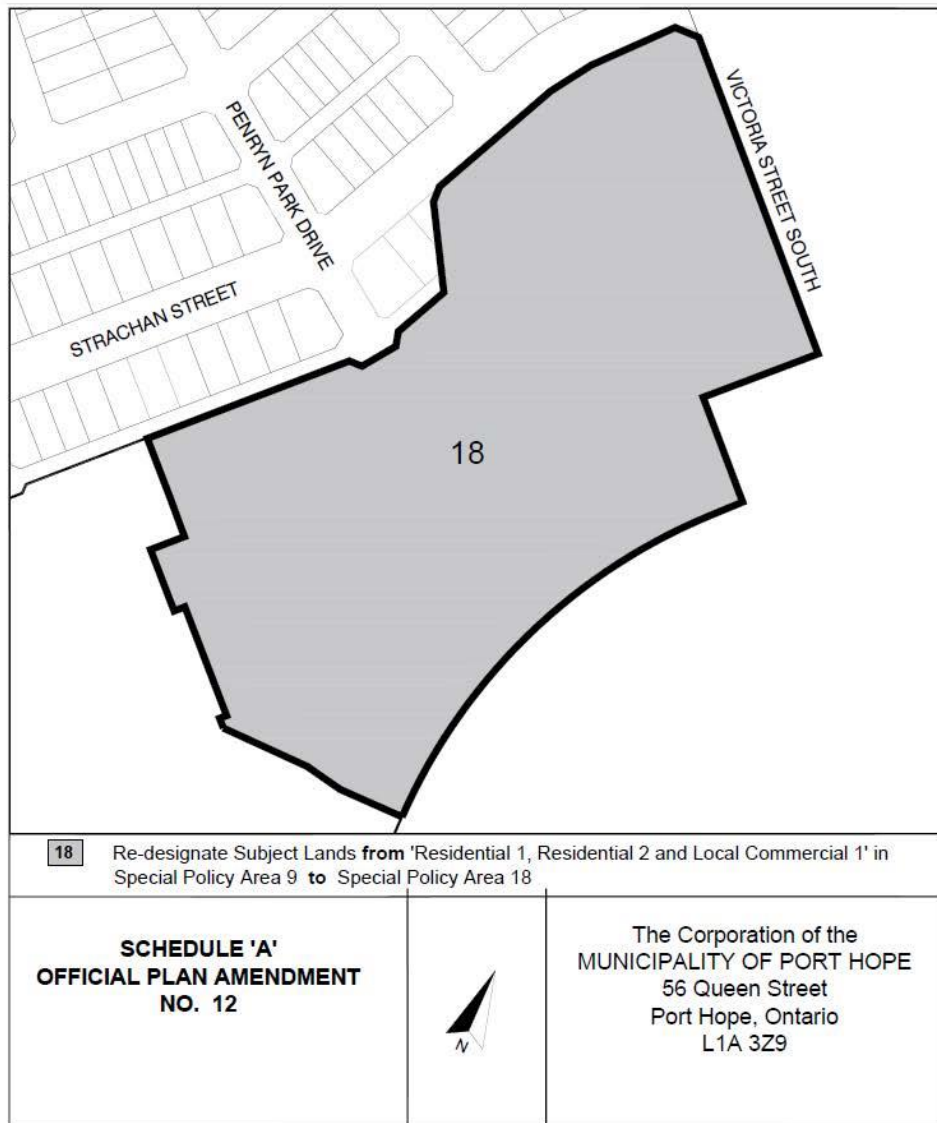
5. IMPLEMENTATION

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"**



## ATTACHMENT 2

### THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

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

*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 by By-law 31/2023, of the Corporation of the Municipality of Port Hope, for 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 authority is given to the Ontario Land Tribunal (OLT) by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to approve this By-law;

THEREFORE, Zoning By-law No. 20/2010, as amended, is further amended as follows:

1. THAT Schedule A - Sheet 4 (zone map) forming part of Zoning By-law No. 20/2010, as amended, is hereby amended by changing the zone classification on the subject lands identified on Schedule "A" to this By-law hereto **from** the current High Density Residential 'RES4(28)(H1)', Medium Density Residential Exception 115 'RES3(115)', and General Commercial Exception 30 Holding One 'COM2(30)(H1)' **to** Medium Density Residential Exception 148 'RES3(148)' and Medium Density Residential Exception 149 'RES3(149)', all in accordance with Schedule "A" attached hereto and by this reference forming part of this By-law;
2. That Schedules 'C-12.1', 'C-12.2' and C-12.3' of the Municipality of Port Hope Zoning Comprehensive Zoning By-law 20/2010 are hereby deleted and replaced with new Schedules 'C-12.1', 'C-12.2' and C-12.3' as shown on Schedules "B", "C" and "D" of this By-law;
3. THAT Part 12, entitled "EXCEPTIONS" of Zoning By-law No. 20/2010, as amended by By-law 31/2023, as otherwise amended, is hereby amended by adding the following to Part 12 – Exceptions:

Col.1	Col.2	Col.3	Column 4	Column 5	Column 6
Zone	Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RES3	148 (OLT XX/2023)		(i) Single Detached  (ii) a Public Use including a school, park, or walkway  (iii) Additional residential units in accordance with Section 4.2.1		(i) Minimum Lot Area – 230 square metres  (ii) Minimum Lot Frontage – 8.4 metres  (iii) Minimum Required Front Yard to the main wall of the dwelling a. Lot with vehicular access from a public street (front) – 4.5 metres b. Lot with vehicular access from a

					<p>lane (rear) – 3.0 metres</p> <p>(iv) Minimum Required Setback to Attached Garage from a public street – 6.0m</p> <p>(v) Minimum Required Exterior Side Yard</p> <p>a. Abutting a local road right-of-way of 17.0 metres or greater – 3.0 metres</p> <p>b. Abutting a local road right-of-way of 14.5 metres or lane right-of-way of 7.5 metres – 2.0 metres</p> <p>(vi) Minimum Required Interior Side Yard - 1.2 metres and 0.6 metres (provided the minimum cumulative interior side yard of abutting yards shall be 1.8 metres)</p> <p>(vii) Minimum Required Rear Yard</p> <p>a. Lot with vehicular access from a public street (front) – 6.0 metres</p> <p>b. Lot with vehicular access from a lane (rear) – 10.5 metres to the main rear wall of the dwelling excluding any breezeway, attached private garage, or porch</p> <p>c. For the purpose of Clause (vii) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres on</p>
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					<p>a lot having a frontage of 7.6 metres in width. The width of a breezeway may be increased by 0.3 metres for each additional 0.3 metres of lot frontage to a maximum of 4 metres. The measurement of the width shall be from the inner side of the exterior walls or supporting structure.</p> <p>(viii) Notwithstanding the provisions of Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback for a private garage from a lot line dividing the lot from a lane shall be 0.3 metres from the lot line</p> <p>(ix) For the purpose of Clauses (iii) to (viii), in the case of a corner lot, the setbacks of the dwelling and garage shall be calculated as if the exterior side lot line was extended to its hypothetical point of intersection with the extension of the front lot line and rear lot line dividing the lot from a lane</p> <p>(x) Maximum number of dwellings – 60 (does not include additional residential units)</p> <p>(xi) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any</p>
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					<p>other provision in this By-law:</p> <p>a. the provision for 'Setback from exterior side lot line' shall not apply</p> <p>b. The maximum floor area for any accessory buildings and structures shall be 20%</p> <p>(xii) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(xiii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or any other provision in this by-law, for lots 14.0m or larger, accessed from a lane, a balcony may be permitted on the roof top of an attached garage provided:</p> <p>a. the garage is no higher than one storey beyond the main rear wall;</p> <p>b. that the minimum distance between any two balconies on abutting properties is 6.0 metres, and;</p> <p>c. that the garage has a minimum setback of 6.0 metres from the rear lot line.</p> <p>(xiv) Notwithstanding the provisions of Section 4.8</p>
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				<p>(Encroachment of Architectural Features), or any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2 metres to the interior side lot line.</p> <p>(xv) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p>
RES3	149 (OLT XX/2023)		<p>(i) Street Townhouse</p> <p>(ii) a Public Use including a school, park, or walkway</p> <p>(iii) Additional residential units in accordance with Section 4.2.1</p>	<p>(i) Minimum Required Front Yard to the main wall of the dwelling – 3.0 metres</p> <p>(ii) Minimum Required Rear Yard – 15.0 metres to the main rear wall of the dwelling excluding any breezeway, attached private garage, or porch</p> <p>a. For the purpose of Clause (v) a breezeway shall not be more than one (1) storey in height and shall not have a width greater than 2.2 metres.</p> <p>(iii) Notwithstanding the provisions of</p>

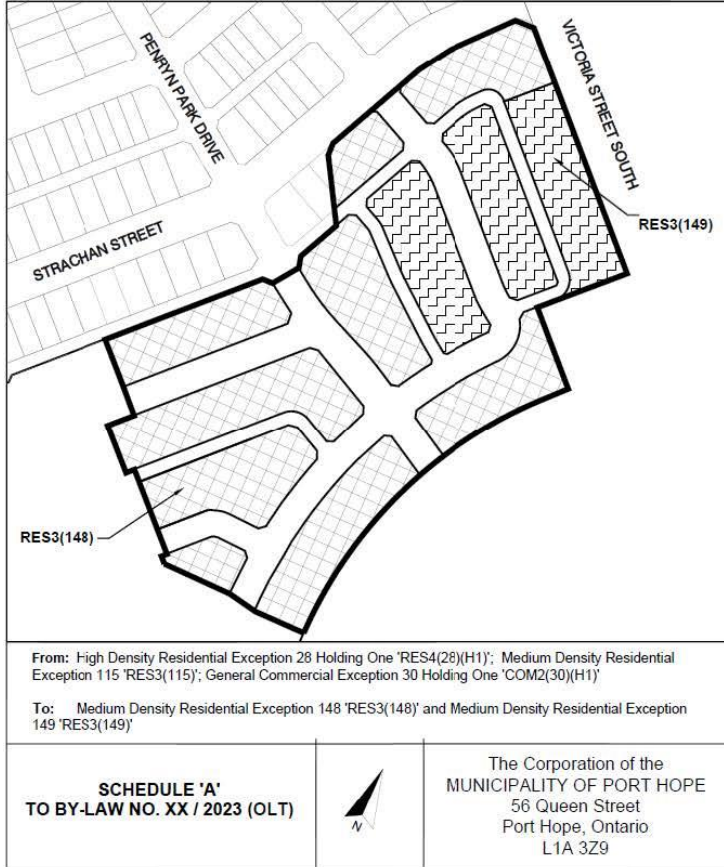
					<p>Section 4.1.1 (Private Garages) or any other provision in this By-law, the minimum setback for a private garage from a lot line dividing the lot from a lane shall be 5.55 metres from the lot line.</p> <p>(iv) Maximum number of dwellings – 43 (does not include additional residential units)</p> <p>(v) Notwithstanding the provisions of Table 4.1 (Provisions for Urban Residential, Commercial, Employment and Institutional Zones), or any other provision in this By-law:</p> <p>a. the provision for 'Setback from exterior side lot line' shall not apply</p> <p>b. The maximum floor area for any accessory buildings and structures shall be 20%</p> <p>(vi) Notwithstanding the provisions of Section 4.33.1 (Sight Triangles - Application), or any other provision in this By-law, the minimum sight triangle dimensions shall be 3.0m for Local Roads with a connection to Strachan Street, and 1.5m for Laneways</p> <p>(vii) Notwithstanding the provisions of Section 4.8 (Encroachment of Architectural Features), or</p>
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					<p>any other provision in this by-law, architectural features such as sills, belt courses, cornices, chimney breasts, pilasters and roof overhangs, are permitted to encroach into the smallest interior side yard on the lot provided that in no case shall the architectural feature be located closer than 0.2 metres to the interior side lot line.</p> <p>(viii) Notwithstanding the provisions of Section 4.15 (Model Homes), or any other provision in this by-law, not more than 10% of the total number of residential units contained in the draft approved Plan of Subdivision are constructed as model homes.</p>
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4. THAT Zoning By-law No. 20/2010, as amended by By-law 31/2023, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 20/2010, as otherwise amended, shall in all respects remain in force and effect save as same may be otherwise amended or hereinafter dealt with.

Approved by Order of Ontario Land Tribunal –  
Decision/Order issued XX, 2023 in OLT File No. OLT-22-003127

**SCHEDULE "A"**



From: High Density Residential Exception 28 Holding One 'RES4(28)(H1)'; Medium Density Residential Exception 115 'RES3(115)'; General Commercial Exception 30 Holding One 'COM2(30)(H1)'

To: Medium Density Residential Exception 148 'RES3(148)' and Medium Density Residential Exception 149 'RES3(149)'

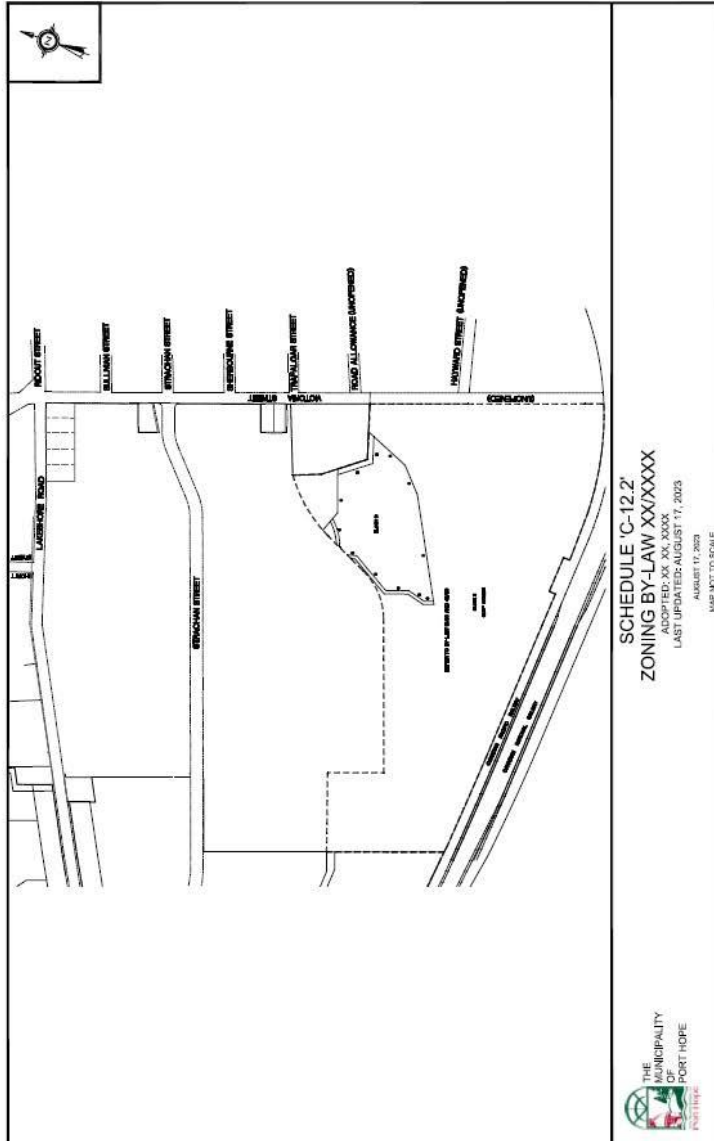
**SCHEDULE 'A'**  
**TO BY-LAW NO. XX / 2023 (OLT)**



The Corporation of the  
**MUNICIPALITY OF PORT HOPE**  
56 Queen Street  
Port Hope, Ontario  
L1A 3Z9



Schedule "C"









## ATTACHMENT 4

### Conditions of Draft Approval

(Approved by order of Ontario Land Tribunal)

<b>Plan of Subd:</b>	<b>SU01-2019 (Phase 5B of the Lakeside Village Community)</b>
<b>Applicant:</b>	<b>AON Inc., 2107401 Ontario Inc., Penryn Park Estates Inc. and Penryn Mason Homes Inc.</b>
<b>Location:</b>	<b>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</b>

**Conditions of Draft Approval to be cleared prior to Final Plan approval and Registration of this Subdivision are as follows:**

1. That this approval applies to the Draft Plan of Subdivision for 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, in the Municipality of Port Hope, County of Northumberland as prepared by Innovative Planning Solutions, revised August 18, 2023 illustrating:

<b>Land Use</b>	<b>Area (Hectares/ Acres)</b>
Single Detached Residential Lots (58 dwellings)	2.351 ha/ 5.81 ac
43 Townhouses (Blocks 59-64)	0.987 ha/ 2.44 ac
Parkette/Open Space (Blocks 65 and 66)	0.087 ha/0.21 ac
Future Residential Development (Blocks 67)	0.029 ha/0.07 ac
0.3 m Reserve (Block 68)	0.003 ha/0.007 ac
Public Roads & Lanes	1.442 ha/3.56 ac
<b>TOTAL</b>	<b>4.899 ha/12.10 ac</b>

2. That the public road allowances included in this draft plan shall be shown and dedicated as public highways.
3. That the streets shall be named by the Municipality of Port Hope.
4. That prior to final approval, the Owner agrees to prepare a Heritage Impact Assessment, to the satisfaction of the Municipality, to address any development impacts on the cultural heritage landscape and features identified in the LHC

Cultural Heritage Evaluation Report (May 2021) and implement any recommendations of the Heritage Impact Assessment on the lots within this plan of subdivision as identified in the assessment.

5. The owner acknowledges that parcel fabric along the southern eastern boundary of the Draft Plan may change as result of the findings and recommendations of the Heritage Impact Assessment. The HIA will need to address the trees identified in the LHC Cultural Heritage Evaluation Report (May 2021) along the northern edge of the Ontario Heritage designated property known as 88 Victoria Street South.
6. That prior to final approval, the Owner agrees to prepare an archaeological assessment for the subdivision lands and submit it to the municipality and Ministry of Citizenship and Multiculturalism. Any archaeological concerns shall be addressed as per the recommendations of the archaeological assessment report; a copy of the Ministry review and acceptance letter for any archaeological assessments shall be provided to the Municipality. No demolition, grading or other soil disturbances shall take place on the subject property prior to the municipality and the Ministry of Citizenship and Multiculturalism confirming that all archaeological concerns have met licensing and resource conservation requirements. The owner acknowledges that parcel fabric of the Draft Plan may change as result of the archaeological assessment findings and recommendations.
7. That prior to final approval, the Owner agrees to provide:
  - i. a statement from a professional engineer indicating whether any works related to this application are subject to a Schedule "C" class environmental assessment; and,
  - ii. a statement from a professional engineer, regarding potential site contamination.
8. That prior to final approval, the Owner agrees to revise servicing blocks, as required, subject to the satisfaction of the Director, Works and Engineering.
9. That prior to final approval, the Owner agrees to submit an updated Functional Servicing & Stormwater Management Report, as prepared by D.M. Wills Associates Limited, dated May 2020, subject to the satisfaction of the Director, Works and Engineering, prior to proceeding with the first detailed design submission.
10. That prior to final approval, the Owner agrees to provide a detailed design, including a hydraulic analysis of the proposed water distribution system, to confirm sufficient fire flow protection as per Municipal and agency guidelines.
11. That the Owner shall pay for a peer review of any study, report or guideline, if/as required by the Municipality of Port Hope.
12. In the event that the subdivision agreement is not executed within one (1) calendar year from the date of approval of the engineering drawings, they shall be

resubmitted to the Director, Works and Engineering for approval prior to execution of the subdivision agreement.

13. That prior to final approval, the following lands will be conveyed to the Municipality of Port Hope:
  - i. Open Space Blocks identified as Blocks 65 and 66.
14. That prior to final approval, the Owner shall prepare a drawing to identify to the satisfaction of the Director, Works and Engineering the following:
  - i. Penryn Park Drive will be two-way traffic.
  - ii. Redpath Street will be two-way traffic.
  - iii. Harrigan Street will be two-way traffic.
  - iv. Collett Street will be one-way traffic.
  - v. Foley Lane will have no parking and traffic will be one-way.
  - vi. Bristow Lane will have no parking, and traffic will be one-way.
  - vii. Lane "1" will have no parking and traffic will be one-way.
  - viii. Lane "2" will have no parking and traffic will be one-way.
  - ix. An Active Transportation Plan to confirm sidewalk locations and connections.
  - x. Sightline analysis requirements at select locations based on geometric configurations and/or proposed landscape features. Any additional right-of-way required to facilitate the implementation of the said sightline analysis is at the sole expense of the owner.
15. That prior to final approval, the Owner agrees to prepare a Utility Coordination Plan to the satisfaction of the Municipality.
16. That prior to final approval, the Owner agrees to prepare a full streetlighting design to the satisfaction of the Municipality.
17. That prior to final approval, the Owner agrees to prepare a Soil Management Plan in accordance with the Ontario Regulation for Excess Soils and to the satisfaction of the Director, Works and Engineering.
18. That prior to final approval, the Owner agrees to prepare a Construction Traffic Management Plan, including dust control, to the satisfaction of the Director, Works and Engineering.
19. That the Owner agree in the subdivision agreement to carry out or cause to be carried out all of the measures and recommendations contained within the Construction and Traffic Management Plan prepared pursuant to Condition No. 18.
20. That the subdivision agreement between the Owner and the Municipality of Port Hope contain provisions requiring the Owner to undertake the regular cleaning of

the streets within Phase 5B of “Lakeside Village Community” subdivision as well as adjacent streets, as impacted by construction activity, all to the satisfaction of the Director, Works and Engineering.

21. That the Owner agrees in the subdivision agreement, in wording acceptable to the Municipality of Port Hope:
  - i. to design and implement on-site erosion and sediment control, in order to meet the requirements of the Municipality and the Ganaraska Region Conservation Authority (GRCA);
  - ii. to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair, in a manner satisfactory to the Municipality and the Ganaraska Region Conservation Authority (GRCA).
22. That the Owner agrees in the subdivision agreement, in wording acceptable to the Municipality of Port Hope, to design and implement a landscaping plan for landscaping along the boundary of Victoria Street South, in general conformity with the Landscaping Plan prepared by John Lloyd Associates dated August 18, 2023.
23. That the Owner shall agree to design and construct all servicing requirements (roads, sidewalks, water, sanitary, storm, electrical, etc.) to the specifications of the approving authorities (the Municipality of Port Hope, Elexicon, etc.) and the cost thereof shall be paid by the Owner.
24. That the Owner shall provide proof of an ‘Offer to Connect’ from Elexicon, and also agree to protect any existing Elexicon facilities during the construction of this subdivision.
25. That prior to the commencement of any grading or construction on site, or final registration of the plan, the Owner shall submit to the satisfaction of the Ganaraska Region Conservation Authority (GRCA) the following:
  - i) That this approval relates to a draft plan of subdivision prepared by Innovative Planning Solutions (File No: 21-1147) last revised August 18, 2023.
  - ii) Prior to final approval and to any on-site grading taking place, a detailed stormwater management plan in accordance with current MECP criteria, and the Phase 5 Functional Servicing Report prepared pursuant to Condition No. 9.
  - iii) That the Owner submit a plan to the satisfaction of the GRCA and the Municipality detailing the means whereby erosion and siltation will be minimized and contained on the site both during and subsequent to the construction period, in accordance with Provincial guidelines.
  - iv) That the Owner agree in the subdivision agreement to carry out or cause to

be carried out all of the measures and recommendations contained within the reports approved under conditions ii) and iii) above.

26. That the locations for all community mailboxes for mail delivery shall be located to the satisfaction of Canada Post and the Municipality of Port Hope.
27. That the subdivision agreement between the Owner and the Municipality of Port Hope shall contain the following warning clause:  
  
***NOTE:** Purchasers are advised that it is unlikely that there will be door-to-door mail delivery within this subdivision. Canada Post intends to service this property through the use of community mailboxes that may be located in several locations within this subdivision.*
28. That the subdivision agreement between the Owner and the Municipality of Port Hope shall contain the following warning clause:  
  
***WARNING:** Purchasers are advised that the grading and drainage of the subdivision including all individual lots are designed utilizing sheet flow, side yard swales, rear yard swales and occasionally via rear lot catchbasins. It is the purchaser's responsibility to not block drainage by the construction of any fencing, decks, landscaping, etc. Any proposed changes to the grading, by the purchaser, must be approved by the Municipality.*
29. That prior to final approval, the Owner shall submit a Water Modeling Report to the satisfaction of the Director, Works and Engineering.
30. That such easements as may be required for utility, telecommunication services, drainage or servicing purposes shall be conveyed to the appropriate authority.
31. That prior to final approval, Bell Canada shall confirm by letter that satisfactory arrangements, financial and otherwise, have been made with Bell Canada for any Bell Canada facilities servicing this plan of subdivision which facilities are required by the Municipality of Port Hope to be installed underground.
32. That prior to final approval, the Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
33. That prior to final approval, the Owner will obtain a letter from the Historic Waste Program Management Office, (or its equivalent) that the schedule of the excavation phase of construction is in accordance with the Construction Monitoring Program. This shall include road, sewer and lot development excavations.

34. That the subdivision agreement between the Owner and the Municipality contain provisions, with wording acceptable to the Historic Waste Program Management Office, wherein the Owner agrees to contact the Historic Waste Program Management Office to implement the scheduled monitoring of excavations.
35. That the Owner shall enter into a subdivision agreement with the Municipality of Port Hope. Without limiting the generality of the foregoing, the Owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Municipality of Port Hope, including the provision of roads, sidewalks, boulevards, installation of services, stormwater management and drainage.
36. That the Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the Municipality of Port Hope is satisfied that adequate road access, municipal water supply, hydro service, sanitary sewers, and storm drainage facilities are available to service the proposed development.
37. The owner shall agree in the Municipality of Port Hope subdivision agreement to include the following warning clause in all purchase and sale agreements for prospective home buyers:  
  
***WARNING:** Purchasers of lots with vehicular access from a public rear lane are advised that waste collection services from the County of Northumberland shall be from the fronting public street and not the rear lane.*
38. The Owner agrees to the installation of a fence along the western boundary of Block 66. Such fence shall be constructed by the owner at its sole cost and designed to the satisfaction of the Manager, Planning, the Director, Parks Recreation and Culture and the Director, Works and Engineering.
39. Prior to removal of any trees within the woodland, records of consultation with the Ministry of Environment, Conservation and Parks are required to be provided to the municipality that identify the following related to Species at Risk bat habitat and requirements under the *Endangered Species Act*:
  - i) Timing windows for tree removal to avoid the roosting period of bats; and
  - ii) Requirements related to authorization and/or compensation measures resulting from the destruction of the Habitat of Endangered or Threatened Species as per the regulations under the Endangered Species Act.

**NOTES TO DRAFT APPROVAL:**

1. That engineering drawings be prepared in accordance with current Municipality of Port Hope standards, policies and requirements. Prior to the preparation of the subdivision agreement, the plans and drawings are to be submitted to and approved by the Director, Works and Engineering.
2. It is the applicant's responsibility to fulfill the conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agency to the Municipality of Port Hope, quoting the Municipal file number, within 3 (three) years of the Draft Approval date.
3. We suggest that you make yourself aware of:
  - a. section 143(1) of the Land Titles Act, which requires all new plans be registered in a land titles system;
  - b. section 143(2) allows certain exceptions.
4. All measurements in subdivision final plans must be presented in metric units.
5. Registration: The final plan approved by the Municipality must be registered within 30 days or the Municipality may withdraw its approval under Section 51(59) of the Planning Act.
6. Clearance is required (in writing to the Manager, Planning) from the following agencies:
  1. Ganaraska Region Conservation Authority, how Condition 25 has been satisfied;
  2. Canada Post Corporation, how Conditions 26 and 27 have been satisfied;
  3. Bell Canada, how Condition 31 has been satisfied;
  4. Elexicon, how Condition 24 has been satisfied; and
  5. Historic Waste Project Management Office, how Condition 33 has been satisfied.