

PLANNING JUSTIFICATION REPORT

Temporary Use Zoning By-law

Voyageur Services Limited
1516 Wesleyville Road

PART OF LOT 24, CONCESSION 1 and PARTS 4 & 5, REGISTERED
PLAN 9R-245, MUNICIPALITY OF PORT HOPE, NORTHUMBERLAND
COUNTY



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1.0

INTRODUCTION

D.G. Biddle and Associates Limited have been retained by Voyageur Services Limited to provide professional consulting services in support of an application to request a temporary use by-law to the Municipality of Port Hope Zoning By-law 20/2010 to allow for contractors yard, outdoor storage and accessory office uses. The subject application applies to the southeast portion of the property municipally addressed as 1516 Wesleyville Road, and legally described as Part of Lot 24, Concession 1, and Parts 4 & 5, Registered Plan 9R-245 in the Municipality of Port Hope and Northumberland County.

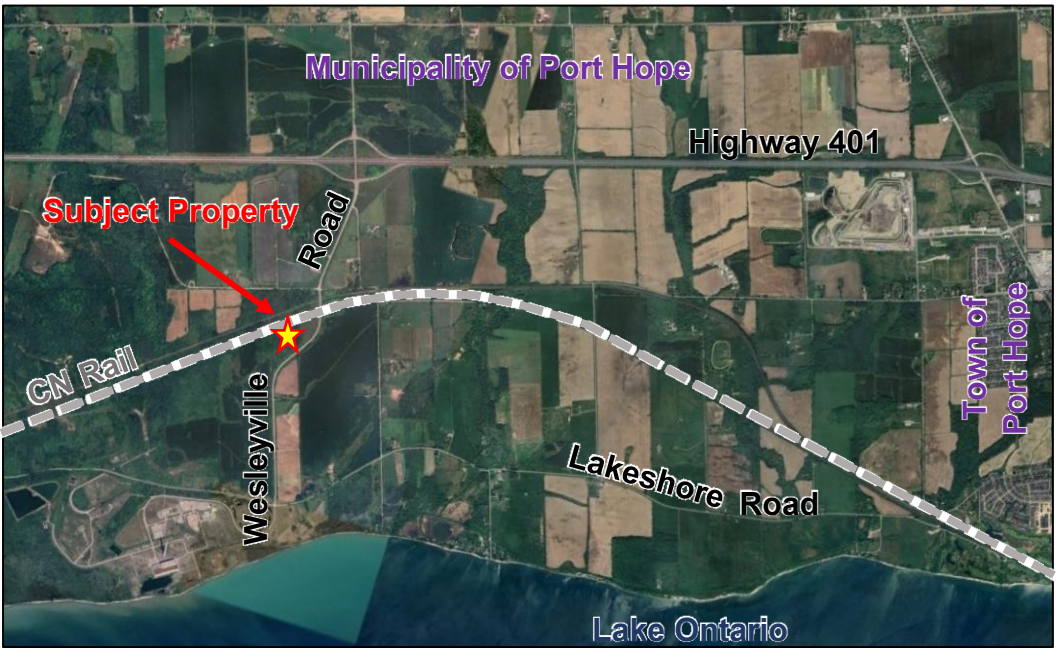


Figure 1: Location of subject property in the Municipality of Port Hope, Ontario

Document	Requested Temporary Uses
Municipality of Port Hope Zoning By-law No. 20/2010	A) Add site-specific temporary use to Zoning By-law Section 14.2 to allow for a contractors yard, outdoor storage and accessory office uses.

This Planning Justification Report will evaluate the proposed temporary use based on conformity with the applicable planning legislation and provincial and local planning policy and will ensure compatibility with surrounding uses. Further, this report will provide comment on the integration of the

proposed uses into the existing neighbourhood and demonstrate compatibility with adjacent uses while mitigating potential adverse impacts on surrounding areas.

2.0 SUMMARY OF FINDINGS

The proposed contractors yard, outdoor storage and accessory office uses are in conformity with the overarching provincial planning policy and are consistent with the permissions of the land use designations of the Northumberland County Official Plan and Municipality of Port Hope Official Plans. The proposed uses are not permitted under the current applicable Zoning By-law permissions. A temporary use by-law is required to allow for the proposed uses.

The proposed temporary use by-law is in conformity with applicable planning policy and demonstrates further merit as described herein:

- The proposed temporary uses allow for greater economic feasibility of the site while the applicable planning designation is being considered by the municipality for the property.
- The proposed temporary uses are supported by the existing transportation infrastructure.
- The proposed temporary uses are compatible with the surrounding agricultural, rural residential and employment uses.
- The proposed temporary uses are not located on agricultural or environmentally sensitive lands.

3.0 SITE AND NEIGHBOURHOOD CONTEXT

3.1 SITE CONTEXT

The subject property is located on the northwest side of Wesleyville Road just south of the intersection of Mail and Wesleyville Roads. The property has frontage of 633m (2,077 ft.), a depth of approximately 67.5m (222 ft.), and an area of 92,000m² (22.7 acres).

The property slopes down from the northeast corner to the southwest corner. There are no buildings or structures located on the property. There are a number of trees located primarily on the west half of the property. There is an existing gravel driveway off Wesleyville Road located on the southwest corner of the property. There are no water features present on site. There are no other significant features on the site.

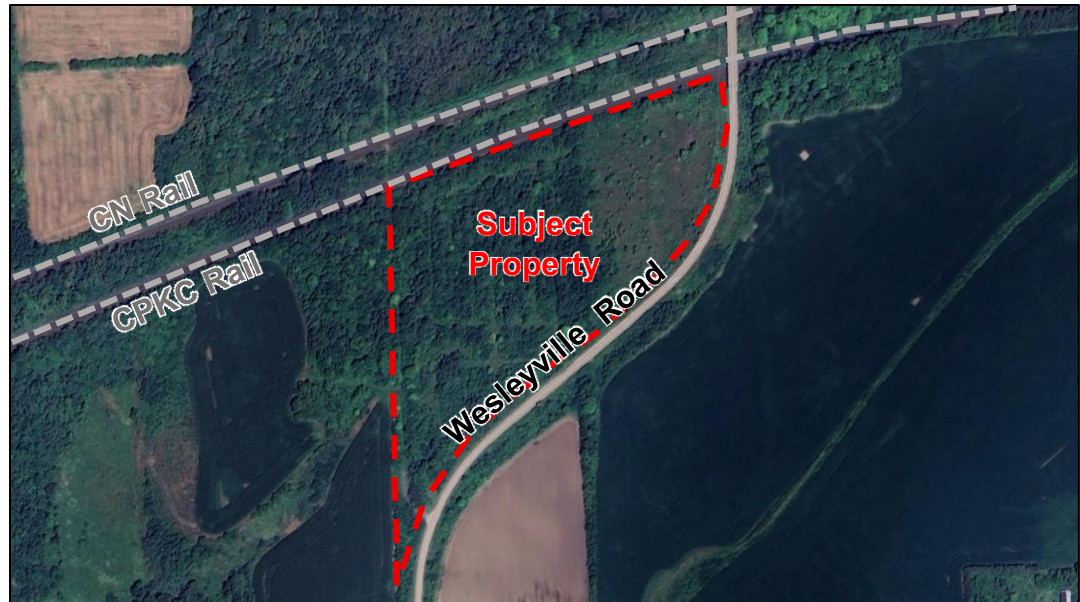


Figure 2: Site Context

3.2 NEIGHBOURHOOD CONTEXT

Surrounding land uses include railway corridors and industrial (solar electrical power generation) to the north. To the south there are agricultural and limited rural residential uses. To west there are agricultural uses. To the east, there are agricultural, railway and limited rural residential uses.

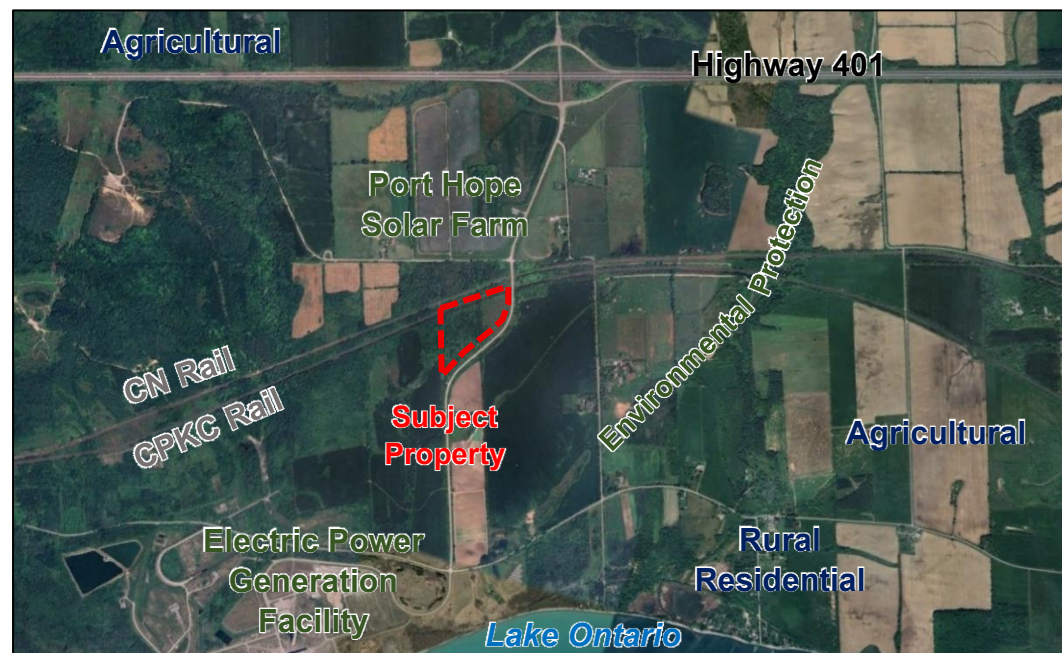


Figure 3: Neighbourhood context

Land uses in broader neighbourhood include Highway 401 to the north, environmental protection lands, Ontario Power Generation Plant and Lake Ontario to the south, environmental protection and agricultural lands to the east, and agricultural lands to the east.

4.0 PROPOSED DEVELOPMENT

The southeast corner of the site will be developed for a contractors yard. The entire site will be gravelled, save and except for a vegetation buffer adjacent to Wesleyville Road. The site will include a site trailer and no other proposed features.

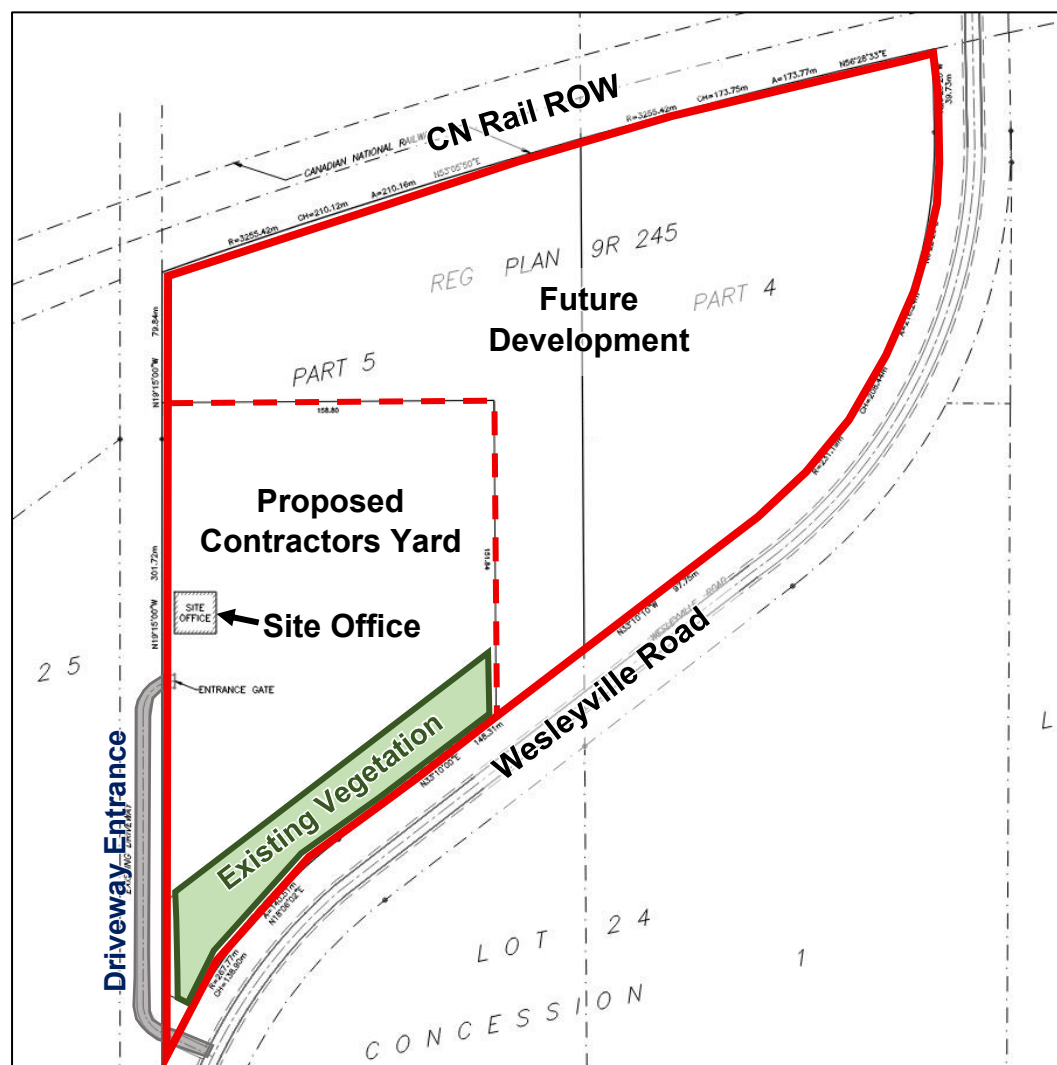


Figure 4: Proposed Site Plan

The remainder of the site will remain undeveloped waiting on the approval of a secondary plan for the area and future development applications.

The contractors yard use will be permitted by a temporary use by-law with the intent to allow the use through a zoning by-law amendment after the secondary plan comes into effect.

The trees located within the proposed contractors yard are proposed to be cleared with the exception of the vegetation strip along Wesleyville Road which is intended to be used for screening purposes. Additional details on the types and numbers of removed trees will be provided at the Site Plan application stage.

The proposal incorporates an existing driveway off Wesleyville Road as the primary vehicle entrance at the south-west corner of the property. An accessory office use is requested as part of the temporary use by-law to allow for future placement of portable office trailers

5.0 PLANNING CONTEXT

The subject lands benefit from the Rural Settlement Area permissions of the Northumberland County Official Plan and the Employment General Area designation of the Municipality of Port Hope Official Plan.

5.1 NORTHUMBERLAND COUNTY OFFICIAL PLAN

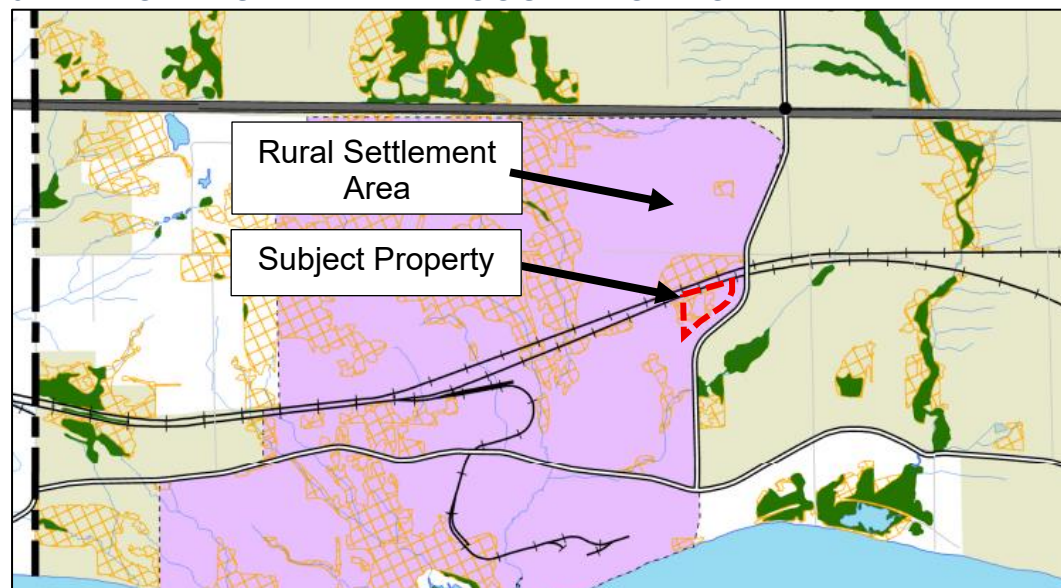


Figure 6: Northumberland County Official Plan, Schedule 'A' Land Use excerpt

The Northumberland County Official Plan designates the area in and around the subject property as **Rural Settlement Area**. Wesleyville is classified as a **Local Arterial Road**. The Rural Settlement Area land use designation permits development based on nature of required servicing in accordance with lower tier municipality official plans.

Having evaluated the proposed temporary use against the land use policies of the Northumberland County Official Plan, we have determined that the proposed contractors yard use is appropriate in the context of applicable planning policy and the built form and land uses of the surrounding area.

5.2 MUNICIPALITY OF PORT HOPE OFFICIAL PLAN

The Municipality of Port Hope Official Plan designates the subject property as **Employment General Area** and within the **Special Policy Area #15**. Wesleyville Road is classified as an **Arterial Road**.

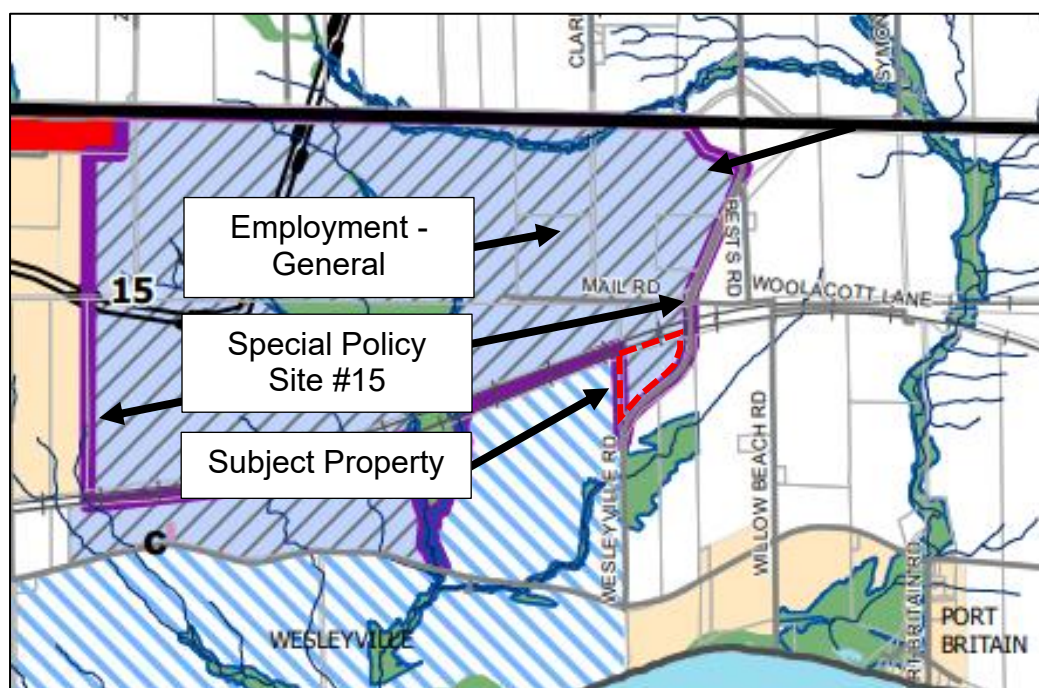


Figure 7: Municipality of Port Hope Official Plan, Schedule C - Land Use excerpt

The Employment General Area land use designation permits a wide range of industrial, and employment uses including manufacturing, processing, storage, warehousing, contracting yards, transportation terminals, wholesale distribution centres, repair and service operations. The Rural employment settlement designation is intended to be generally developed for employment generating uses. Despite the use permissions of the Employment General Area the special policy area 15 limits the permitted

uses on the site to uses existing prior to the adoption of the Official Plan Amendment. The general intent of the Special Policy designation is to limit development unit such time as Secondary Plan is completed for the subject area. The proposed uses are temporary, do not interfere with the Secondary Plan planning process and are consistent with the originally permitted uses on site.

Having evaluated the proposed temporary use against the land use policies of the Municipality of Port Hope Official Plan, we have determined that the development of a site for a temporary use of proposed contractors yard is appropriate in the context of applicable planning policy the surrounding land uses.

5.3 MUNICIPALITY OF PORT HOPE ZONING BY-LAW NO. 20/2010

The subject property is zoned General Employment Holding (EMP1(H1)) Zone as per the Municipality of Port Hope Zoning By-law No. 20/2010.

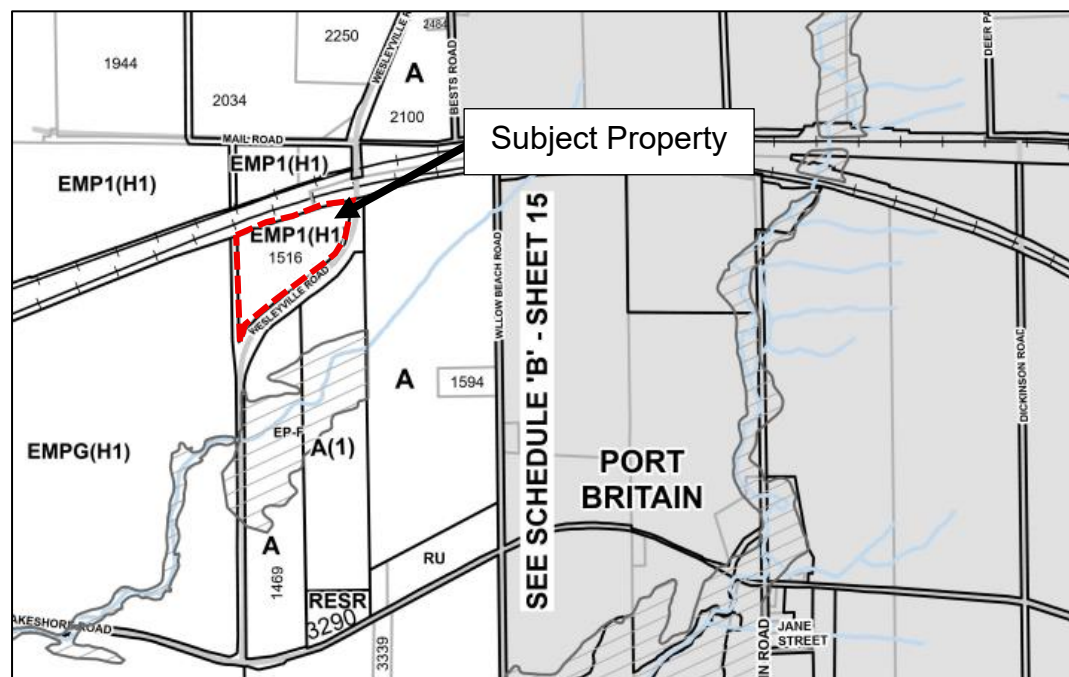


Figure 8: Municipality of Port Hope Zoning By-law 20-2010, Schedule 'B' – Sheet 16 excerpt

The General Employment (EMP1) Zone permits a broad range of employment-generating uses, including industrial, manufacturing, warehouse, and contractors-related activities, along with research, laboratory, and emergency service facilities. Limited commercial, service, automotive, agricultural, and hospitality uses are also permitted where they

support or complement the employment function of the area. The EMP1 zone is subject to minimum lot frontage and setback requirements in accordance with Table 8.2. In accordance with section 2.6 of the zoning by-law despite the permission of the applicable zone, the holding symbol limits the use of the property to uses which legally existed on the date the holding provision came into affect. A temporary use by-law is required to allow for the desired use permissions.

6.0 REQUIRED APPROVALS

The following approvals are required to allow for the use of the property as a contractors yard:

6.1 TEMPORARY USE BY-LAW

A temporary use zoning by-law is required to allow the property to be used as a contractors yard in the interim while the Municipality of Port Hope prepares their secondary plan for the area. The temporary use zoning by-law can grant use permissions for up to a three-year period without granting or guaranteeing those use permissions beyond the three years.

6.2 SITE PLAN CONTROL

A site plan control application is required to ensure development standards are reviewed and approved by the Municipality prior to the issuance of a building permit or use permit.

7.0 PLANNING POLICY

The planning policy justification for the proposed temporary use is based on a review of the applicable policies in the Provincial Planning Statement 2024, the Northumberland County Official Plan 2016, the Municipality of Port Hope Official Plan and other local planning policy 2017.

7.1 PLANNING ACT 1990

The Ontario Planning Act prescribes permissions to grant temporary use permission under the Section 39 (1), which reads as follows: “*The council of a local municipality may, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law*”. Temporary uses are allowed to be granted for properties for a period not exceeding 3 years from the day of passing of the by-law. The Planning Act also allows for the extension of such temporary uses for not more than three years at a time.

The process as outlined in the Planning Act allows for the establishment of the proposed temporary use. The requested duration of the temporary use does not exceed the maximum allowable time.

7.2 PROVINCIAL PLANNING STATEMENT 2024

The Provincial Planning Statement 2024 *“provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.”*

The vision for the Provincial Planning Statement is grounded in the following selected principles that provide the basis for guiding decisions on how land is developed, and resources, infrastructure, public health and safety are managed and protected. The goals of the Provincial Planning Statement will be achieved through the following directions:

- Plan development where infrastructure and transportation are available and supportive to promote a strong and competitive economy that is investment ready.
- Promote the long-term viability of rural areas through the focus of growth, development, vitality and regeneration.
- Protect agricultural lands, the environmentally sensitive areas, public health and safety.

The proposed temporary use permissions meet and/or address relevant policies of the Provincial Planning Statement as described herein:

- The proposed contractors yard use allows for the interim use of the property while the applicable planning designation is being considered by the municipality for the property.
- The proposed temporary use is supported by the existing transportation infrastructure.
- The proposed temporary use does is not located on agricultural and environmentally sensitive lands.

The Provincial Policy Statement policies that specifically relate to and support the subject proposal are described in Appendix “B”.

7.3 NORTHUMBERLAND COUNTY OFFICIAL PLAN

The Northumberland County Official Plan designates the area in and around the subject property as **Rural Settlement Area**. The Rural Settlement Area land use designation permits development based on nature of required

servicing in accordance with lower tier municipality official plans. Wesleyville Road is designated as a **Local Arterial Road**.

The relevant directions within Policy A2 – Guiding Principles identifies the following principles:

- *“To provide opportunities for economic development in both urban and rural areas in a manner that fosters competitiveness and a positive and attractive business environment.*
- *To direct most forms of development to urban areas where full services are available and to support the efficient use of land and infrastructure to meet the needs of present and future residents and businesses and ensure that an adequate supply of land and housing choices are available for present and future residents.*
- *To protect and enhance the character of existing urban areas and rural settlement areas, and to maintain them as diverse, livable, safe, thriving and attractive communities.*
- *To protect natural heritage features and areas and their associated ecological functions so that they can be enjoyed by future generations and serve as a legacy to all peoples within the County”.*

The proposed development meets and addresses the relevant policies of the Northumberland County Official Plan as described herein:

- The proposed temporary use allows for greater economic feasibility of the site while the applicable planning designation is being considered by the municipality for the property.
- The proposed temporary use is supported by the existing transportation infrastructure.
- The proposed temporary use is compatible with the surrounding agricultural, rural residential and employment uses.
- The proposed temporary use does not located on agricultural and environmentally sensitive lands.

Northumberland County Official Plan policies for planning, growth management, and employment are addressed by the proposed temporary use permission as further described in Appendix “B”.

7.4 MUNICIPALITY OF PORT HOPE OFFICIAL PLAN

The subject property is located within a **Rural Employment Area** (Schedule “A” – Settlement Structure) and **Employment General Area** (Schedule “B” – Land Use) land use designations and within the **Special Policy Area #15**. Wesleyville Road is classified as an **Arterial Road**.

The Employment General Area permits a wide range of industrial and employment uses. Despite the permission of the applicable land use, the

use of the properties within the Special Policy Area #15 is limited to existing uses. The purpose of the special area use restriction is to allow time to complete a detailed secondary plan process to the satisfaction of Council.

7.4.1 TEMPORARY USE PERMISSIONS

The Municipality of Port Hope Official Plan includes permissions for granting temporary uses under Section E9. The following criteria are prescribed for the consideration of temporary use by law:

Table 5: Official Plan Temporary Use Policy Requirements

Criteria	Application
The proposed use is in general conformity with the intent and policies of this Plan	The proposed temporary use confirms and does not conflict with the policies of the Official Plan. The proposed uses meet the general intent of the Special Policy Area #15 by limiting the development of lands to temporary uses without permanent structures. The proposed uses are consistent with previously permitted uses on site. The proposed uses will not interfere with the secondary plan process.
The proposed use is temporary in nature and appropriate for a limited time span and can be terminated when the authorizing bylaw expires	The proposed use is intended for a fixed period as prescribed in the Planning Act. No major changes are proposed on site that will allow for easy termination of the use.
The temporary use shall not hamper the ability of the land, building or structure to subsequently be used in accordance with the provisions of this Plan	No major changes to the site are proposed to accommodate the temporary use. Usability of the property for future development remains intact.
Circumstances which are unique or particular to the subject property or proposed use	The proposed temporary will allow for increased usability of the property for the time being of establishing secondary plan area.
The proposed use is generally compatible with the surrounding area;	The proposed use is compatible with the surrounding lands designated for employment uses. Screening is proposed to ensure visual compatibility.

Representations by the public	The approval of the temporary use by-law will through the public process which will allow for representation of the public.
Any required capital expenditures	No capital expenditures are associated with the proposed temporary use.

7.4.2 LAND USE AND COMPATIBILITY

The proposed temporary use does not require significant modifications to the site, nor does it require additional buildings or structures. Policies in support of the proposed development with regard to land use and urban design are described within Appendix “A” attached hereto, and are generally addressed as follows:

- Existing tree coverage will act as buffering to ensure visual compatibility;
- Existing infrastructure will be sufficient to allow for the proposed temporary use;
- The proposed use will be compatible with the surrounding lands designated for employment uses.

7.5 CONFORMITY WITH POLICY

The proposed development satisfies the relevant policies of the Provincial Planning Statement (2024), the Northumberland County Official Plan (2026) and the Municipality of Port Hope Official Plan (2017), as described in detail within Appendix “B”

8.0 MUNICIPALITY OF PORT HOPE ZONING BY-LAW NO. 20-2010

The subject property is zoned General Employment Holding (EMP1(H1)) Zone. The General Employment (EMP1) Zone permits uses include industrial (contractors yard, dry industrial, warehouse) and office uses (professional office), as well as outdoor storage. Despite the permissions of the described in EMP1 Zone, the EMP1(H1) Zone permits only uses that legally existed on the date the by-law enacting the gold was passed.

Table 6: Zoning By-law EMP1 Zone Compliance Analysis

Regulation EMP1 Zone (Private Servicing)	Required	Proposed
Minimum Lot Area	4,000m ²	92,000m ²
Minimum Lot Frontage	30m	633m

A temporary use by-law is required to allow for development of the lands for a temporary use as a contractors yard. The proposed site office is intended to be portable in its nature, as such no zoning review compliance for setbacks is provided at this time.

9.0 SITE SERVICING, GRADING & STORMWATER MANAGEMENT

The site servicing, grading and stormwater management will be managed as existing on site in accordance with the requirements of Municipality of Port Hope, County of Northumberland and Ganaraska Region Conservation Authority. Should the existing services be determined to be deficient, such services will need to be expanded, or other appropriate arrangements made to accommodate the proposal.

10.0 DISCUSSION

The contractors yard use is currently not permitted under the General Employment Holding (EMP1(H1)) Zone permissions of the Municipality of Port Hope Zoning By-law 20/2010. The request for a temporary use by-law is required to allow for the requested use.

Proposed contractors yard is permitted in the applicable Employment General designations of the Municipality of Port Hope Official Plan. The lands are located within the Special Policy Area #15 under the Municipality of Port Hope Official Plan which limits the permissions of the land until such time as a detailed secondary plan process has been completed. The proposed temporary uses comply with the general intent of the Port Hope Official Plan. The proposed temporary use is not a permanent development and as such will not influence the process and establishment of the Secondary Plan. The proposal complies with all other permissions of the applicable Official Plans.

The proposed temporary use by-law is given powers under the Planning Act Section 39(1). The Port Hope Official Plan prescribes the criteria for establishing the temporary uses. These criteria include considerations for Official Plan conformity, appropriateness and compatibility with surrounding uses, duration of the use and administrative considerations. The proposed temporary use generally conforms to the permissions of the Northumberland County and Municipality of Port Hope Official Plans. The proposed temporary uses are appropriate for the site and will not require any significant changes to the existing site. The uses will be compatible with

the surrounding industrial and agricultural uses. The proposed temporary uses have been designed to limit the potential impact on the surrounding uses through implementation of planting buffer zones along Wesleyville Road and CN rail tracks.

The proposed temporary uses will meet the application criteria prescribed by the official plan and will ensure economic viability of the lands in accordance with the Provincial Planning Statement and Northumberland Official Plan.

The draft Zoning By-law Amendment (Appendix “B”) proposes to include permissions for contractors yard, outdoor storage and accessory office uses as they apply to a portion of the subject property for a period of three years.

12.0 CONCLUSIONS AND PLANNING JUSTIFICATION

The proposed development satisfies the relevant policies of the Provincial Planning Statement (2024), the Northumberland County Official Plan (2026), and the Municipality of Port Hope Official Plan (2017).

This report has reviewed the proposed temporary use by-law for the purpose of establishment of temporary contractors yard use on the portion of the property and concluded that the development is appropriate for the site and neighbourhood from a land use planning perspective.

It is the opinion of the writer that the proposed development as outlined in this Planning Justification Report, is consistent with the Provincial Policy initiatives and current Regional and Municipal planning policy and represents good planning.

Respectfully submitted,
D.G. BIDDLE & ASSOCIATES LIMITED
ENGINEERS AND PLANNERS

Prepared by:



Lisa Klets, R.P.P.
Intermediate Planner

Reviewed by:



Michael J. Fry, M.C.I.P., R.P.P.
Planning Manager



APPENDIX “B” – POLICY REVIEW		
Policy Review		
Provincial Planning Statement 2024		
Policy No.	Policy Text	Analysis
Section 2.3.1 – Settlement Areas, Policy 1	<i>Settlement areas</i> shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The proposed uses are located within a designated rural settlement area. The interim use allows the land to remain economically viable while longer-term planning for the settlement area is undertaken by the Municipality. The proposal does not preclude or undermine future development consistent with settlement area policies.
Section 2.5 – Rural Areas in Municipalities, Policy 1	Healthy, integrated and viable rural areas should be supported by: a) building upon rural character, and leveraging rural amenities and assets; d) using rural <i>infrastructure</i> and <i>public service facilities</i> efficiently; e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; g) conserving biodiversity and considering the ecological benefits provided by nature;	The proposed temporary use supports the healthy and integrated rural areas by: • Building upon the employment rural character of the area; and • Relying on existing road access and infrastructure; and • Supporting economic viability of the property in the interim of the subsequent planning approvals.
Section 2.5 – Rural Areas in Municipalities, Policy 3	When directing development in rural <i>settlement areas</i> in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.	The proposal is appropriate for the rural settlement context and is compatible with surrounding employment, agricultural, and rural uses. The proposed temporary uses do not require new buildings or servicing upgrades and utilize an existing driveway for site access.
Section 3.4 – Airports, Rail and Marine Facilities, Policy 1	Planning for land uses in the vicinity of <i>airports</i> , <i>rail facilities</i> and <i>marine facilities</i> shall be undertaken so that: a) their long-term operation and economic role is protected; and b) <i>airports</i>, <i>rail facilities</i> and <i>marine facilities</i>, and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.	The proposed contractors yard is a non-sensitive use and is compatible with rail operations. Existing vegetation is retained to provide buffering between the two uses.
Northumberland County Official Plan		
Policy No.	Policy Text	Analysis
Section D1.3 – General Land Use Objectives for Rural Settlement Areas	The following objectives are intended to be considered by the local municipalities in developing Official Plan policies, zoning by-laws and other municipal plans and strategies and when reviewing applications for development in <i>rural settlement areas</i> : a) To maintain and enhance the character and identity of <i>rural settlement areas</i>; c) To promote the efficient use of existing and planned <i>infrastructure</i> and <i>public services facilities</i>; f) To provide opportunities for employment uses to provide jobs for local residents;	The proposed development supports the policies of the rural settlement area by: • Building upon the employment rural character of the area; and • Relying on existing road access and infrastructure; and • Supporting economic viability of the property in the interim of the subsequent planning approvals; and • Providing opportunities for employment.

	g) To promote the diversification of the economic base through the provision of goods and services, including value-added products and the sustainable management or use of resources;	
Section D1.4 – Permitted Uses in Urban Areas and Rural Settlement Areas	Within <i>rural settlement areas</i> , uses that are appropriate for <i>rural settlement areas</i> based on the nature of their servicing is also permitted, subject to the policies of the local Official Plans.	The proposed temporary use is appropriate for the level of private servicing available on the site. The proposal is temporary in nature and does not require additional servicing infrastructure.
Section G4 - Local Zoning By-Laws	At their sole discretion, Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or variations to similar uses, provided that such uses: i) Have no adverse effect on present uses of surrounding lands or the implementation of the provisions of this Plan; ii) Have regard for the MDS Formula as amended from time to time, if applicable; and, iii) Are subject to any conditions that may be contained in a local Official Plan.	The proposed temporary use represents a variation to the currently permitted uses and compiles with the policy of the Official Plan by: • Limiting negative impacts n surrounding land uses; and • Aligning with the applicable Official Plan policies subject to appropriate municipal review and applicable conditions.
Section G12.1 – General	This Plan is a statement of policy. It is intended as a guide to <i>Council</i> , however, some flexibility in interpretation may be permitted provided that the general intent is maintained.	The proposed temporary use represents a flexible planning response that maintains the general intent of the County Official Plan by supporting economic activity, protecting future land use planning options, and ensuring compatibility with surrounding uses.
Municipality of Port Hope Official Plan		
Policy No.	Policy Text	Analysis
Section C1- Settlement Structure	Rural Employment Area: This area is planned to be the site of employment generating uses.	The proposed temporary contractors yard is an employment-generating use.
Section C12.1.2 – Hamlet and Rural Areas Private Servicing Systems	All development, except in areas specifically designated for municipal sewer and water systems shall be served by private sewer and water systems. Prior to approving a Zoning By-law amendment or issuing a building permit, Council, in consultation with the Ministry of the Environment and Climate Change (MOECC) and the applicable authority, shall ensure that there is an adequate on-site supply of potable groundwater and that on-site soils and lot sizes are adequate for the required sewage disposal system. Minimum lot sizes for lots with individual private sewer and water systems shall be set forth in the implementing Zoning By-law, although larger lot sizes may be required by the MOECC or the applicable authority, depending on groundwater or soil conditions in the area. MOECC approval is required under the Ontario Water Resources Act for large sub-surface sewage systems with a design capacity of greater than 10,000 litres per day. Where development is serviced by a subsurface sewage system with a design capacity of 10,000 litres per day or less, proponents should consult the appropriate MOECC guideline in order to assess the cumulative impact of development on the water supply and to protect the quality of groundwater.	The proposed temporary use is appropriate for the level of private servicing available on the site. The proposal is temporary in nature and does not require additional servicing infrastructure.

Section C13.5 – Road Access Requirements	No land shall be developed for residential, commercial, industrial, recreational, institutional or community facility purposes, unless such land is accessible by means of an improved public street or road, maintained year-round, and provided further that such public street or road has sufficient capacity and levels of service to accommodate the traffic generated by new development.	The subject property has direct frontage and access from Wesleyville Road, which is maintained year-round and classified as a local arterial road. The proposed temporary uses will utilize existing driveway access and are supported by the existing road network.
Section C13.8 - Rail	All proposed development adjacent to railway rights-of-way shall be required to incorporate appropriate safety measures, such as setbacks, berms and security fencing, to the satisfaction of the Municipality of Port Hope in consultation with the relevant public agencies and the appropriate railway company.	The proposed contractors yard is a non-sensitive use and is compatible with rail operations. Existing vegetation is retained to provide buffering between the two uses.
Section D4.1.1 – General Employment, General	The land designated “General Employment” shall be used primarily for uses that have one or more of the following characteristics: a) large physical size of site or facilities; b) outdoor storage of materials, products or equipment; c) large production volumes or large product sizes; d) frequent or continuous shipment of products and/or materials; e) long hours of production and shift operations; f) likelihood of nuisances, such as noise, odour, dust or vibration; and/or g) multi-modal transportation facilities.	The proposed temporary contractors yard is characteristic of general employment use, including outdoor storage and employment-related activity on a large site.
Section D4.1.2 – Permitted Uses	Uses permitted include manufacturing, processing, storage, assembly, fabricating of goods and materials and assembly, wholesale distribution centres, warehousing, building or contracting yards, transportation terminals, repair and service operations, existing automotive recycling facilities and similar uses, business and professional offices, and research and development facilities. In addition, accessory sales outlets, truck and machinery rental, and sales and servicing, equipment repair and service shops may be permitted.	The proposed temporary uses are permitted in the General Employment designation.
Section D4.1.3 – Policies, Private Services	Land designated General Employment outside the Urban Area are expected to develop on the basis of private water supply and sewage disposal systems. It is not anticipated that municipal servicing systems will be extended to service General Employment land outside the Urban Area. The installation of all private water supply and sewage disposal systems shall be in accordance with the standards and regulations of the authority responsible for their approval. The developer/owner shall be required to complete a detailed hydrogeological and soil analysis report prior to the installation of the private services. The report shall address the adequacy of the ground water supply and the ability of the soils to sustain development on the basis of private services. In this regard, the comprehensive Zoning Bylaw shall limit the uses permitted in the General Employment areas serviced by private services to those characterized as ‘dry’ industries, and the By-law may restrict permitted uses to those that exist when the By-law is passed by Council.	The proposed temporary use is appropriate for the level of private servicing available on the site. The proposal is temporary in nature and does not require additional servicing infrastructure.

Section D4.1.3 – Policies Building Design	A high standard of building and site design, landscaping and signage will be encouraged in the implementing Zoning By-law and through site plan approval. Landscaping will be provided to define and enhance the appearance of roads and pedestrian spaces, to buffer adjacent dissimilar uses and to minimize the visual impact of parking and loading areas.	No permanent buildings are proposed as part of temporary use. Existing vegetation is proposed to be retained to provide visual buffering along Wesleyville Road and adjacent rail lands.
Section D8 – Special Site Policies	Wesleyville Employment-General Lands These lands shall only permit uses existing as of the day of the Council adoption of the Official Plan Amendment (with provisions for minor expansion or extensions to these uses), and that these lands shall be prohibited from further development until such time as a detailed Secondary Plan process has been completed to the satisfaction of Council and shall include components such as: land use designations, future development pattern, archaeological assessment, agricultural opportunities, a Cultural Heritage Master Plan, and Natural Heritage mapping and policies; for clarification, the lands owned by ‘Ontario Power Generation’ shall not be included in this Special Site Policy area.	The subject lands are located within Special Policy Area #15, which limits permanent development until the completion of a Secondary Plan. The proposed temporary use is expressly intended as an interim measure and does not interfere with or preempt the planned Secondary Plan process. The proposal maintains conformity with the Special Policy Area by avoiding permanent development and allowing only temporary use permissions.
Section E9 – Temporary Uses Criteria	In considering a request for a temporary use by-law, Council will consider the following: a) the proposed use is in general conformity with the intent and policies of this Plan; b) the proposed use is temporary in nature and appropriate for a limited time span and can be terminated when the authorizing bylaw expires; c) the temporary use shall not hamper the ability of the land, building or structure to subsequently be used in accordance with the provisions of this Plan; d) circumstances which are unique or particular to the subject property or proposed use; e) the proposed use is generally compatible with the surrounding area; f) representations by the public; and, g) any required capital expenditures.	The proposed temporary use meets the criteria for uses by: • Conforming to the general intent and policies of the Official Plan; and • Limiting the time of the use on the property through a by-law and allowing termination upon expiry of the temporary use by-law; and • Limiting the required major site alterations and ensuring the land remains suitable for future development; and • Ensuring compatibility with surrounding employment, agricultural and infrastructure uses; and • Following the required public planning process.

Appendix “B” – Draft Zoning By-law Amendment

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2026

The Council of The Corporation of the Municipality of Port Hope, in accordance with the Provisions of Section 39 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 lands described as Part of Lot 24, Concession 1 Formerly in the Township of Hope, Now in the Municipality of Port Hope, County of Northumberland, municipally known as 1516 Wesleyville Road in the Municipality of Port Hope, in the County of Northumberland.

WHEREAS through Section 39(1) and Section 39(3) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the council of a local municipality may, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law;

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 the provisions of the Planning Act has the authority to do so;

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

1. THAT Schedule “B” – “Sheet 16” (Zone Map) forming part of Zoning By-law 20/2010, as otherwise 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 General Employment ‘EMP1 (H1)’ Zone **to** General Employment Temporary ‘EMP1 TX’ Zone in accordance with Schedule “A” attached hereto and forming part of this By-law;
2. THAT Part 14.2, entitled “TEMPORARY USE ZONES” of Zoning By-law No. 20/2010, as otherwise amended, is hereby amended by adding the following to Part 2 – Site Specific Permissions:

Col. 1	Col. 2	Column 3	Column 4	Column 5	Col. 6	Col. 7
Exception Number	Zone	Subject Property	Temporary Uses Permitted	Special Provisions	Date Enacted	Date Expires
TX	EMP1	Part of Lot 24 Concession 1 (Southwest corner of 1516 Wesleyville)	(i) contractors yard, (ii) outdoor storage (iii) accessory office uses.		Xx, xx, 2027	Xx, xx, 2030

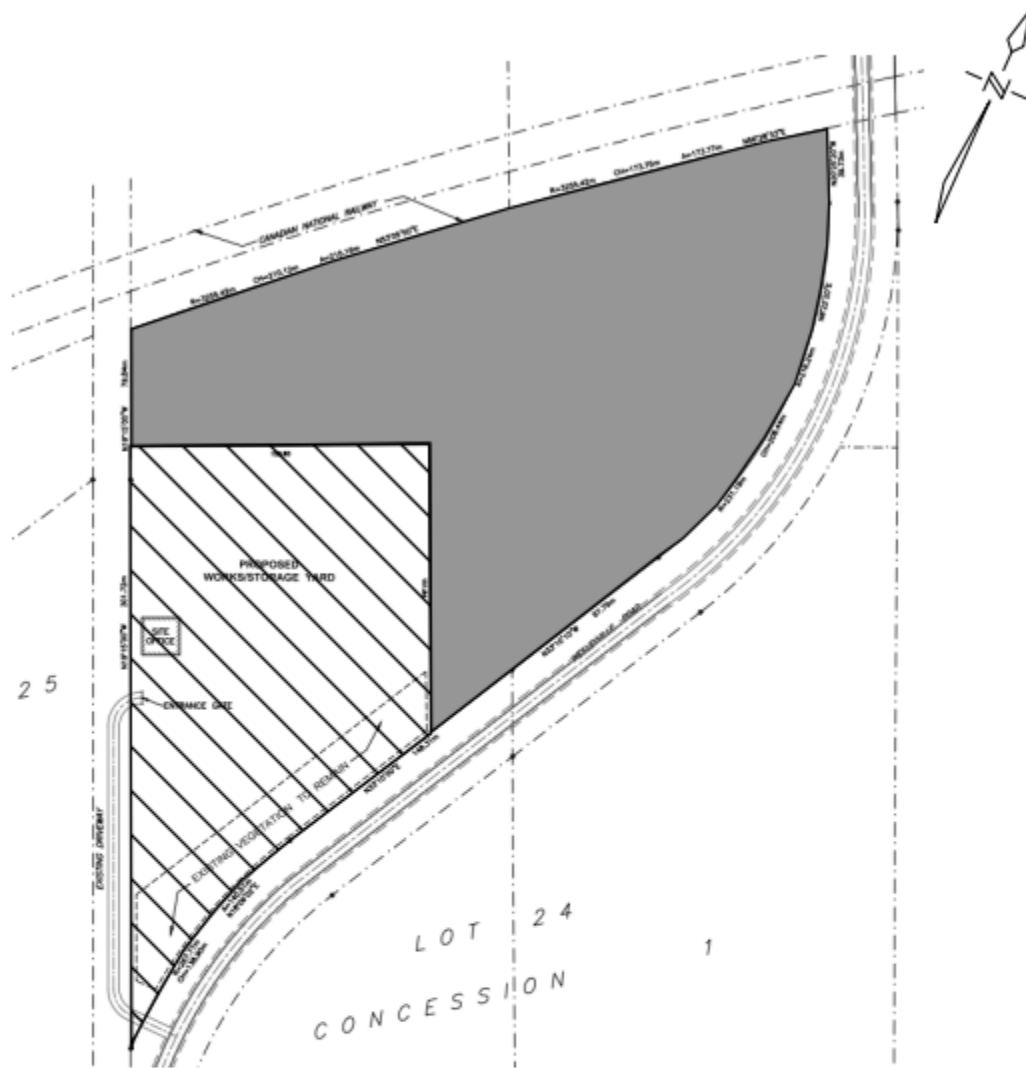
4. THAT Zoning By-law No. 20/2010, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 20/2010, as otherwise amended, shall in all respects remain in force and effect save as same may be otherwise amended or hereinafter dealt with.
5. THAT this By-law shall come into force on 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 in Open Council this

_____ the day of _____, 2027.

Olena Hankivsky, Mayor

Shrishma Davé, Clerk



LANDS TO BE REZONED FROM THE GENERAL EMPLOYMENT HOLDING (EMP1 (H1)) ZONE TO THE GENERAL EMPLOYMENT TEMPORARY (EMP1 TX) ZONE



LANDS TO REMAIN GENERAL EMPLOYMENT HOLDING (EMP1 (H1)) ZONE

ZONING BY-LAW AMENDMENT SCHEDULE 1516 WESLEYVILLE ROAD PART OF LOT 24, CONCESSION 1 FORMERLY IN THE TOWNSHIP OF HOPE NOW IN THE **MUNICIPALITY OF PORT HOPE** COUNTY OF NORTHUMBERLAND



96 King Street East
 Oshawa, Ontario, L1H 1B6
 Phone: 905-576-8500
 info@dgbiddle.com
 dgbiddle.com

SCALE NOT TO SCALE
 DRAWN L.K.
 DESIGN L.K.
 CHECKED M.F.
 DATE SEP 25/26

PROJECT **125063**

DWG **FIG 1**