Planning Justification Report
5351 6th Line
Port Hope, ON



JKO Planning Services

Prepared by:
JKO Planning Services Inc.

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1.0 Introduction

JKO Planning Services has been retained by Sandra Lunney-McDonald and Chelsea Lunney-McDonald to undertake a Planning Justification Report for the property municipally known as 5351 6th Line in Port Hope, Ontario (herein referred to as the "subject property").

The subject property is legally described as:

PT LT 9 CON 5 HOPE AS IN PH110271

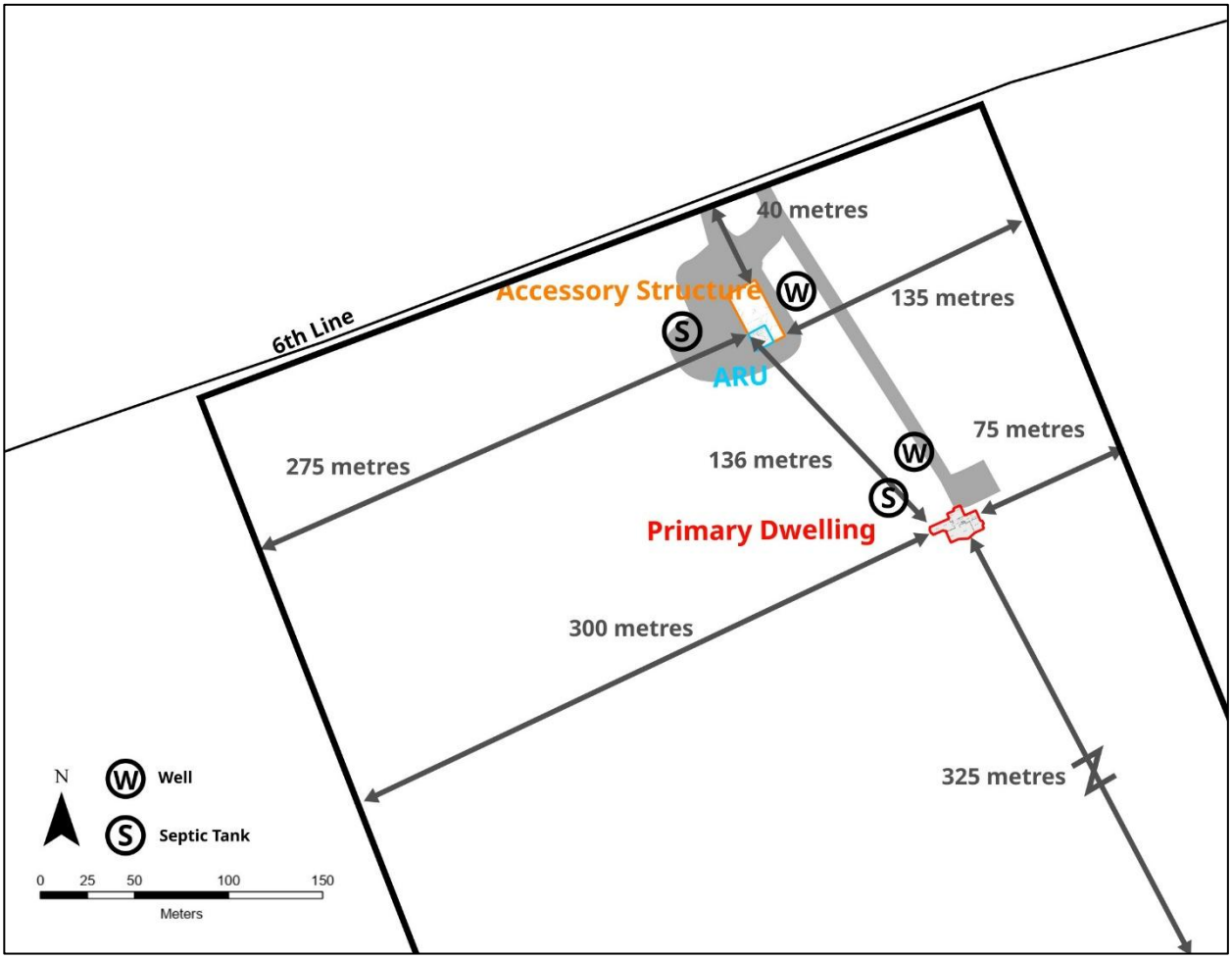
A building permit was issued by the Town of Port Hope for the accessory structure to be in the front yard and is therefore legally existing. Town Staff subsequently advised that a Minor Variance application was then required in accordance with By-law 45-2026 for the existing ARU. After several weeks of consultation with Town Staff, this Minor Variance application was formally submitted on March 26, 2026. Upon the application submission, Town Staff made the determination that a Zoning By-law Amendment application would be required rather than a Minor Variance application in order to "properly" facilitate the proposal.

The analysis presented in this report is founded on the following work and policy documents:

- A review of all available background reports and information;
- A detailed examination of existing development constraints and issues (i.e., transportation and planning);
- Ontario Planning Act, R.S.O. 1990;
- The Provincial Planning Statement, 2024;
- Northumberland County Official Plan, 2026;
- Township of Port Hope Official Plan, 2014;
- Township of Port Hope Zoning By-law 45-2026.

Figure 1: Existing Site Plan

5351 6th Line, Port Hope, ON



2.0 Site Characteristics

The subject property contains a single detached dwelling unit (primary dwelling), as well as three accessory buildings, one of which contains the existing ARU. The property's land cover is predominantly grassland and low brush with considerable woodlands in the southern rear-yard area. The subject property is generally flat with minor variations in elevation and contains managed woodlands, agricultural uses, and residential uses. A hydroelectric corridor runs east-west and intersects the property in its rear yard area. The portion of the subject property south of the hydro corridor contains some environmental features.

Figure 2: Land Use Context

5351 6th Line, Port Hope, ON



Source: ArcGIS Pro, ESRI World Imagery 2026

3.0 Surrounding Land Use Context

The subject property is located along the south side of 6th Line in a rural area of the Township of Port Hope southeast of Perrytown. The subject property abuts a hydroelectric utility corridor to the south, and rural parcels to the north, east and west. The subject property's surrounding context was assessed, and it was determined that the minimum distance separation requirement under Section 4.2.1.1o) iv) does not apply.

Immediate Context

North: Agricultural, agricultural/residential.

East: Agricultural, residential.

South: Agricultural, hydro easement, agricultural/residential.

West: Agricultural, agricultural/residential.

Surrounding Context

North: Agricultural, agricultural/residential.

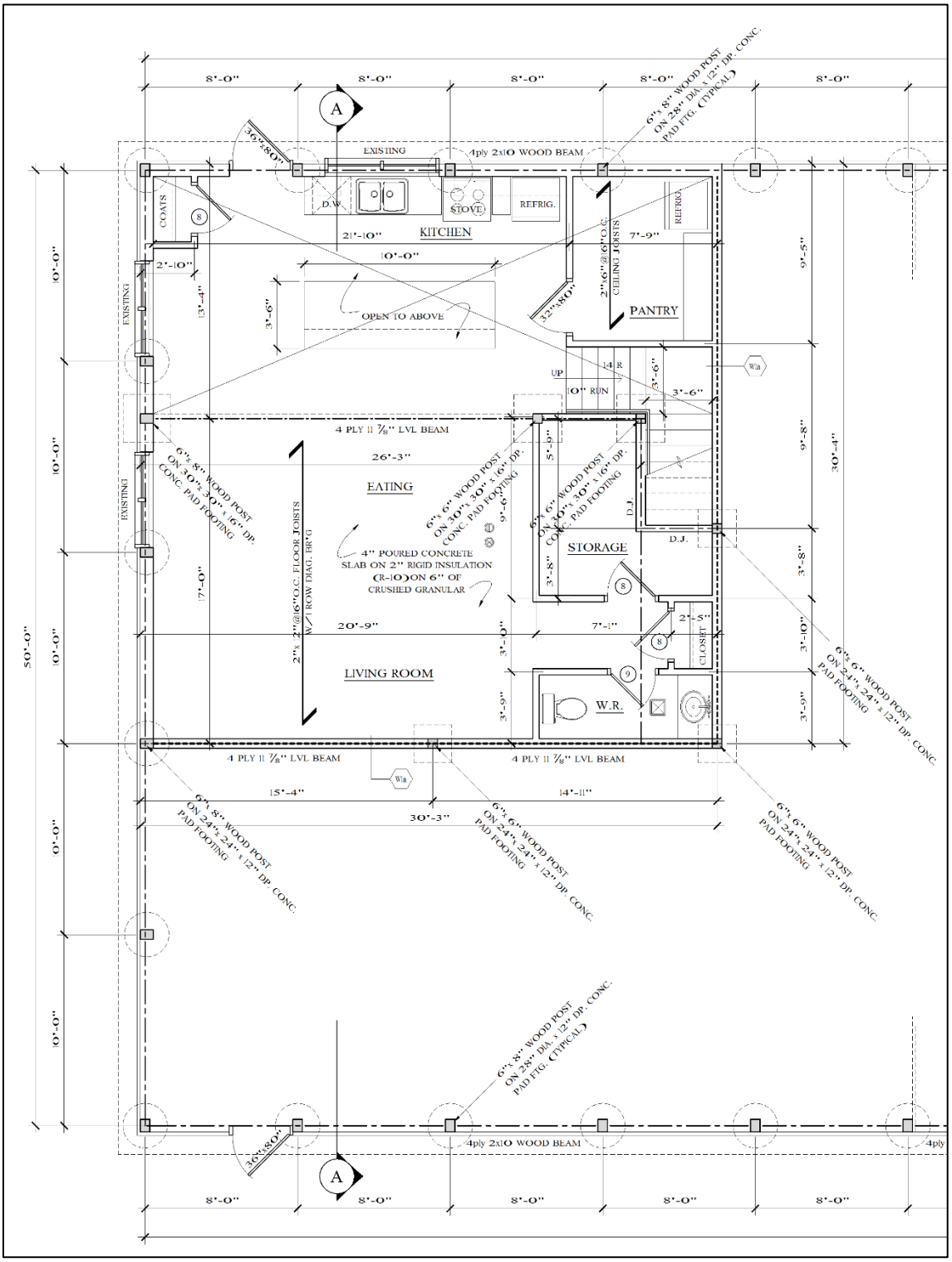
East: Agricultural, hydro easement, hamlets.

South: Agricultural, agricultural/residential, hydro transfer station, minor community uses.

West: Agricultural, agricultural/residential.

Figure 3: ARU First Storey Floor Plan

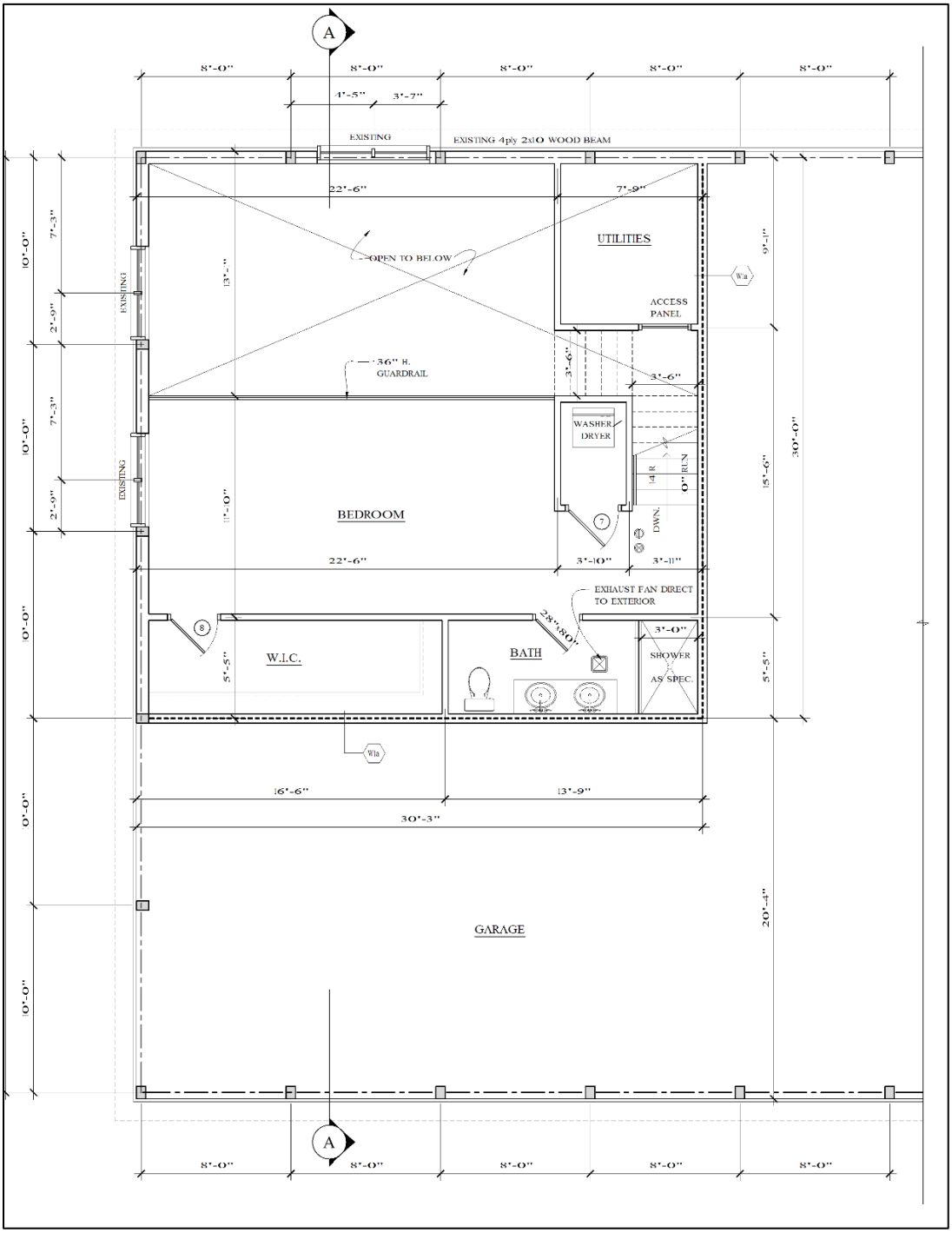
5351 6th Line, Port Hope, ON



Source: New Castle Drafting & Design Inc.

Figure 4: ARU Second Storey Floor Plan

5351 6th Line, Port Hope, ON



Source: New Castle Drafting & Design Inc.

Figure 5: ARU & Accessory Building Elevations

5351 6th Line, Port Hope, ON



Source: New Castle Drafting & Design Inc.

4.0 Description of the Proposal

The purpose of this application is to obtain planning permission that will legalize the additional residential unit (ARU) that is built within a legally existing accessory structure that partially contains agricultural storage uses.

Standard	Primary Dwelling	Accessory Structure
Lot Area	35.0134 ha	
Lot Frontage	400 m	
Setbacks		
Front	±186 m	±46.61 m
Rear	±325 m	±470 m
Int. Side	±75 m, ±300 m	±130 m, ±250 m
Lot Coverage		464.52m^2
GFA		
Storage	-	379.26 m^2
ARU	-	134 m^2
ARU Proximity to Primary Dwelling	±136 m	
Height	6.5 m	7.67 m
No. Storeys	1	1 (storage), 2 (ARU)

Table 1: Proposed Building and Lot Standards

This application seeks to permit the following exceptions through a site-specific Zoning By-law Amendment that will apply to the subject lands under By-law No. 45-2026 as described in Section 6.5 of this report.

4.1 Summary of Rationale

The ARU was constructed within an existing accessory structure, improving the residential efficiency of the subject property without further reducing permeable area or adding unnecessary infrastructure that could potentially disturb the natural environment as well as surrounding ecosystem services and processes. This represents a more sustainable and efficient use of land relative to the construction of a new foundation and structure elsewhere on the property.

The addition of the ARU to the existing accessory structure does not increase the overall lot coverage, does not result in undue visual impact upon the 6th Line public right of way, nor upon abutting lots due to its maintenance of minimum setback requirements.

The ARU's situation within the existing accessory structure is consistent with the site's surrounding pattern of land use and land cover, as the accessory structure (which supports the subject property's agricultural operations) remains as the dominant visual element from the public right of way, which is a determining factor for site compatibility. The negative visual effect of locating an ARU closer to the front lot line than the primary dwelling is therefore mitigated, where the legibility of the property remains consistent with the surrounding rural character, and ensures that the built environment is not perceived to be overcrowded or urbanized.

The primary well is located at the top of a hill on the subject lands and is only sufficient to service the primary residence. The well is registered under the Ontario Ministry of the Environment, Conservation and Parks (Well Tag No. A377787). The construction of the well did not result in adverse impacts on the subject property's-built environment. The ARU's containment within the accessory structure and orientation towards the interior lot area ensures that there is no visual impact of a comparatively disproportionately sized ARU in a separate structure on site.

Additionally, the proposed legalization of the ARU is appropriate and within the public interest in that it:

- Conforms to the policies of the Planning Act of Ontario, Provincial Planning Statement, the Town of Port Hope Official Plan, and many of the requirements of the Town of Port Hope Zoning By-law No. 45-2026;
- Adds a low-impact additional residential unit to house family members;
- Does not propose changes to the existing building's footprint;
- Does not detract from the subject property's agricultural potential, nor from existing agricultural activities;
- Does not result in an increase in transportation demand or local traffic;
- Does not impact existing key natural heritage features (KNHFs) or key hydrological features (KHFs);
- Will not result in a situation of land use incompatibility and shall be integrated into surrounding residential and agricultural uses;
- Facilitates social integration of different population demographics; and,
- Supports compact residential development.

5.0 Public Consultation Strategy

To adequately inform the public and to keep them involved in the planning process, in addition to the mandatory Public Hearing that will be held as outlined in the Planning Act, a Public Open House/Neighbourhood Consultation Meeting is recommended. This will allow for a more informal opportunity for any interested parties to come out, view and comment on the application. This event can be scheduled by either the applicant and/or with the assistance from the Local Councillor.

The applicant has the following objectives they wish to accomplish by engaging and consulting with the public regarding their proposal.

- Share information related to the proposal with the public and any interested stakeholders;
- Provide all interested persons and groups, the opportunity to participate in the engagement process and provide feedback by using various methods of engagement;
- Identify common themes and patterns from the participants and work to incorporate this feedback into the further refinement of the development scheme;
- Communicate with the public in a transparent and open manner about the proposal as well as the engagement process;
- Work in a collaborative manner with all stakeholders and interested parties throughout the engagement process; and,
- Report back to the public with the outcome of the consultation strategy.

6.0 Planning Policy Regime

6.1 Ontario Planning Act

The Ontario Planning Act R.S.O. 1990 is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. The purpose of the Planning Act is to facilitate transparency in planning by making processes open, accessible, timely and efficient and to promote sustainable economic development in a healthy natural environment within a provincial policy framework.

Policy Overview

The Planning Act establishes matters of "provincial interest" on land use planning which decision makers are to have regard to when carrying out their responsibilities under the Act. Matters of provincial interest are also integrated into provincial and municipal planning decisions by the Act's requirement that all decisions be consistent with the Provincial Policy Statement and not conform/not conflict with provincial plans.

Matters of provincial interest are outlined in the Planning Act under Section 2, where the following provisions are applicable to this application:

The Minister, the council of municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

a) The protection of ecological systems, including natural areas, features and functions;
b) The protection of the agricultural resources of the Province;
c) The conservation and management of natural resources and the mineral resources base;
d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
e) The supply, efficient use and conservation of energy and water;
f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
g) The minimization of waste;
h) The orderly development of safe and healthy communities;

h.1) The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

i) The adequate provision and distribution of educational, health, social cultural and recreational facilities;
j) The adequate provision of a full range of housing, including affordable housing;
k) The adequate provision of employment opportunities;
l) The protection of the financial and economic well-being of the Province and its municipalities;
m) The co-ordination of planning activities of public bodies;
n) The resolution of planning conflicts involving public and private interests;
o) The protection of public health and safety;

p) The appropriate location of growth and development;
q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
r) The promotion of built form that,
s) Is well-designed,
t) Encourages a sense of place, and
u) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
v) The mitigation of greenhouse gas emissions and adaption to a changing climate.

Summary of Compliance

The proposal has regard to the provisions of Section 2 of the Planning Act by:

- The proposal does not impact existing Key Natural Heritage Features, Key Hydrological Features, nor natural areas, features and function that are on site;
- The proposal does not hinder existing agricultural uses, nor does it limit the subject property's agricultural potential;
- The proposal is not located on lands that contain natural resources nor is it located on lands that are within the mineral resource base;
- The subject property does not contain features of significant, cultural, historical, archaeological, or scientific interest;
- The subject property is privately serviced and will not require the extension of municipal utilities;
- The proposal improves the subject property's residential capabilities through the addition of an ARU within an existing accessory building;
- The proposed ARU intends to provide a residential unit for family members such that they can live on the subject lands and assist with agricultural operations on site;
- The proposal is subject to further discussion and consultation with Town Staff which provides for the ability to further address any issues as they may arise;
- The proposal abides by the requirements of the Ontario Building Code, ensuring that public health and safety are protected during and after the construction phase of development; and
- The proposal does not alter the permitted building footprint and shall have no impacts upon the built environment nor upon the pedestrian realm.

6.2 Provincial Planning Statement

Policy Overview

The Provincial Planning Statement (PPS), 2024 is a province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents.

The PPS establishes the objective of increasing the supply and mix of housing options to address the full range of housing affordability needs, and to support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. The PPS prioritizes compact, transit-supportive design – where locally appropriate – and the optimization of investments in infrastructure and public service facilities.

Protection of the agricultural sector and other sensitive areas is established, where growth and development are prioritized within urban and rural settlements. Local food production, the agri-food network as well as natural areas, water, aggregates and agricultural lands are slated for protection.

Chapter 2 of the PPS addresses residential development, where growth forecasts shall be based on Ontario Population Projections published by the Ministry of Finance. Section 2.1.4 establishes the goal of providing an appropriate range and mix of housing options and densities to accommodate growth.

Chapter 2.2 outlines housing policies, where the provision of an appropriate range and mix of housing options and densities is again emphasized, along with transit-supportive and compact development through the following:

a) Establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate-income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options, including affordable housing needs;

b) Permitting and facilitating:

1. *All housing options required to meet the social, health, economic, and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
2. *All types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

c) Promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation; and

d) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

Section 2.6 provides land use policies regulated Rural Lands in municipalities, where residential development is permitted where site conditions are suitable for the provision of suitable sewage and water services, and where agricultural and other resource-related uses are to be protected. The following policies apply under Section 2.6:

1. *On rural lands located in municipalities, permitted uses are:*
    a) *the management or use of resources;*
    b) *resource-based recreational uses (including recreational dwellings not intended as permanent residences);*
    c) *residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;*
    d) *agricultural uses, agriculture-related uses, on-farm diversified uses, and normal farm practices, in accordance with provincial standards;*
    e) *home occupations and home industries;*
    f) *cemeteries; and*
    g) *other rural land uses.*
2. *Development that can be sustained by rural service levels should be promoted.*
3. *Development shall be appropriate to the infrastructure which is planned or available and avoid the need for the uneconomical expansion of this infrastructure.*
4. *Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*
5. *New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

Section 4 outlines Wise Use and Management of Resources, including Natural Areas, Water, and Agriculture among others.

Section 4.1 regulates Natural Heritage, where natural features and areas are intended to be protected and enhanced through the following policies:

1. *Natural features and areas shall be protected for the long term.*
2. *The diversity and connectivity of natural features in an area, along with the long-term ecological function and biodiversity of natural heritage systems, should be:*
    a) *maintained,*
    b) *restored, or*

c) *improved, where possible, recognizing linkages between and among natural heritage features and areas, surface water features, and groundwater features.*

3. *Natural heritage systems shall be identified in Ecoregions 6E & 7E1, acknowledging that these systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.*
4. *Development and site alteration shall not be permitted in:*

    a) *significant wetlands in Ecoregions 5E, 6E, and 7E1; and*

    b) *significant coastal wetlands.*

5. *Development and site alteration shall not be permitted in:*

    a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E, and 7E1;*

    b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);*

    c) *significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);*

    d) *significant wildlife habitat;*

    e) *significant areas of natural and scientific interest; and*

    f) *coastal wetlands in Ecoregions 5E, 6E, and 7E1 that are not subject to policy 4.1.4.b), unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

6. *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
7. *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
8. *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated, and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*
9. *Nothing in policy 4.1 is intended to limit the ability of agricultural uses to continue.*

Section 4.3 outlines policies for agriculture and agricultural land uses. Agricultural land uses are intended to be protected and enhanced. Lot creation is discouraged, especially in Prime Agricultural Areas – which are subject to strict land use policies restricting non-agricultural development. The following policies apply under Sections 4.3.1 – 4.3.6:

Section 4.3.1 General Policies for Agriculture:

1. *Planning authorities are required to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.*

2. *As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.*

3. *Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.*

Section 4.3.2 Permitted Uses:

1. *In prime agricultural areas, permitted uses and activities are agricultural uses, agriculture-related uses, and on-farm diversified uses based on provincial guidance.*
   Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. *In prime agricultural areas, all types, sizes, and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.*

3. *New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

4. *A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).*

5. *Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:*

   a) *comply with the minimum distance separation formulae;*

   b) *are compatible with, and would not hinder, surrounding agricultural operations;*

   c) *have appropriate sewage and water services;*

   d) *address any public health and safety concerns;*

   e) *are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and*

   f) *minimize land taken out of agricultural production.*
      Lots with additional residential units may only be severed in accordance with policy 4.3.3.1.c).

6. *For greater certainty, the two additional residential units that are permitted on a lot in a prime agricultural area in accordance with policy 4.3.2.5 are in addition to farm worker housing permitted as an agricultural use.*

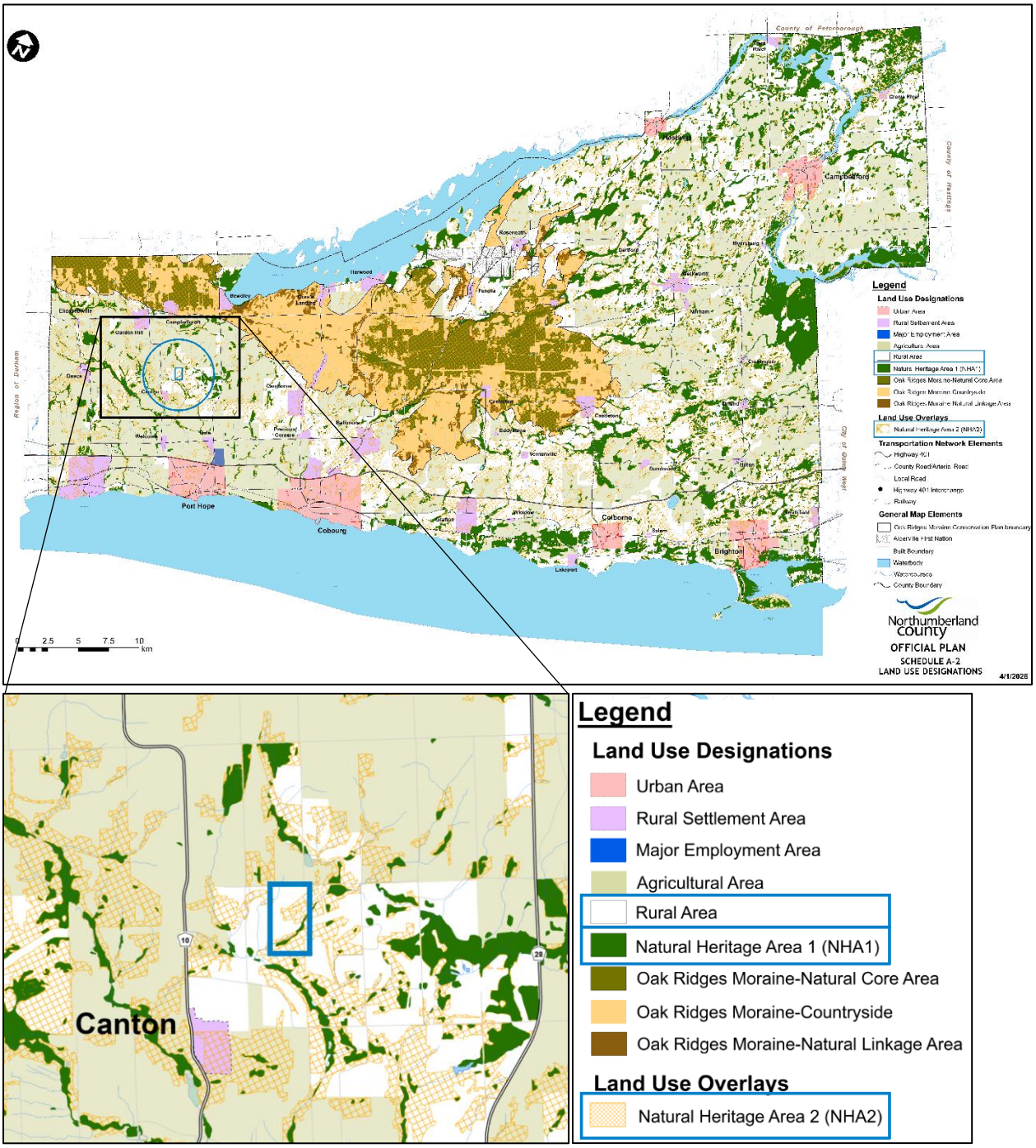
Summary of Compliance

The proposed development conforms with the policies of the PPS in that it:

- Contemplates a compatible and socially supportive use in an existing building;
- Efficiently uses the land, resources, infrastructure and public service facilities;
- Constitutes compact development that is compatible with the existing agricultural land uses on site and within the subject property's context area;
- Complies with the permitted uses of Prime Agricultural areas under Section 4.3.2.5 where the ARU is compatible with and does not hinder surrounding agricultural operations through its integration within an existing accessory structure, has appropriate sewer and water services, is of a limited scale, and does not take lands out of agricultural production;
- Does not remove lands from the Prime Agricultural land use designation, nor create a new lot within said designation;
- Does not result in the fragmentation of agricultural land or land uses;
- Provides for an appropriate development that is not within a Natural Hazard Area; and,
- Does not impact existing KNHFs or KHFs on site.

Figure 6: Official Plan Schedule A3

5351 6th Line, Port Hope, ON



6.3 Northumberland County Official Plan

Policy Overview

The Northumberland County Official Plan establishes land use categories and policies to manage growth and protect resources within the County until the year 2051. The primary purpose of the County Official Plan is to provide the basis for growth management that emphasizes the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage in a manner that has the greatest positive impact on the quality of life in the County.

Section B9 outlines the County Official Plan's housing policies, where subsection B9.1(c) establishes the goal of permitting the development of additional residential units in accordance with the Planning Act

The subject lands are within the "Rural Area" land use designation, which is described under Section A3.4 as lands outside of the urban areas and rural settlement areas and which are not within the Agricultural Area designation. It must be noted that the County Official Plan only designates Prime Agricultural lands as within its "Agricultural Area" designation.

Rural Areas are further regulated under Section D4, where the following objectives are established under Section D4.1:

- Promote the diversification of the economic base and employment opportunities through the provision of goods and services, including value-added products and the sustainable management or use of resources;
- Encourage the establishment of sustainable and diversified tourism opportunities;
- Promote the development of commercial, recreational and industrial uses that are appropriate for the rural and recreational areas of the County;
- Promote a diverse, innovative and economically strong agricultural industry and associated activities by enhancing their capacity to contribute to the economy of the County;
- Encourage local municipalities to recognize and preserve lands that are locally significant for agricultural uses;
- To provide for residential uses and lands that are not constrained or protected for their resource value; and,
- Preserve the open space character of the rural landscape.

Section D4.4 establishes the following permitted uses:

- All uses permitted in the Agricultural Area designation in Section D3.3 of this Plan;
- Permanent and seasonal dwellings;
- Resource based recreational uses;
- Cemeteries;
- Recreation and tourism use subject to Section D4.5 of this Plan;
- Forestry uses; and,

- Rural commercial and industrial uses that are appropriate for the Rural Area designation and which cannot be located in urban areas or rural settlement areas, subject to the approval of a local Official Plan Amendment.

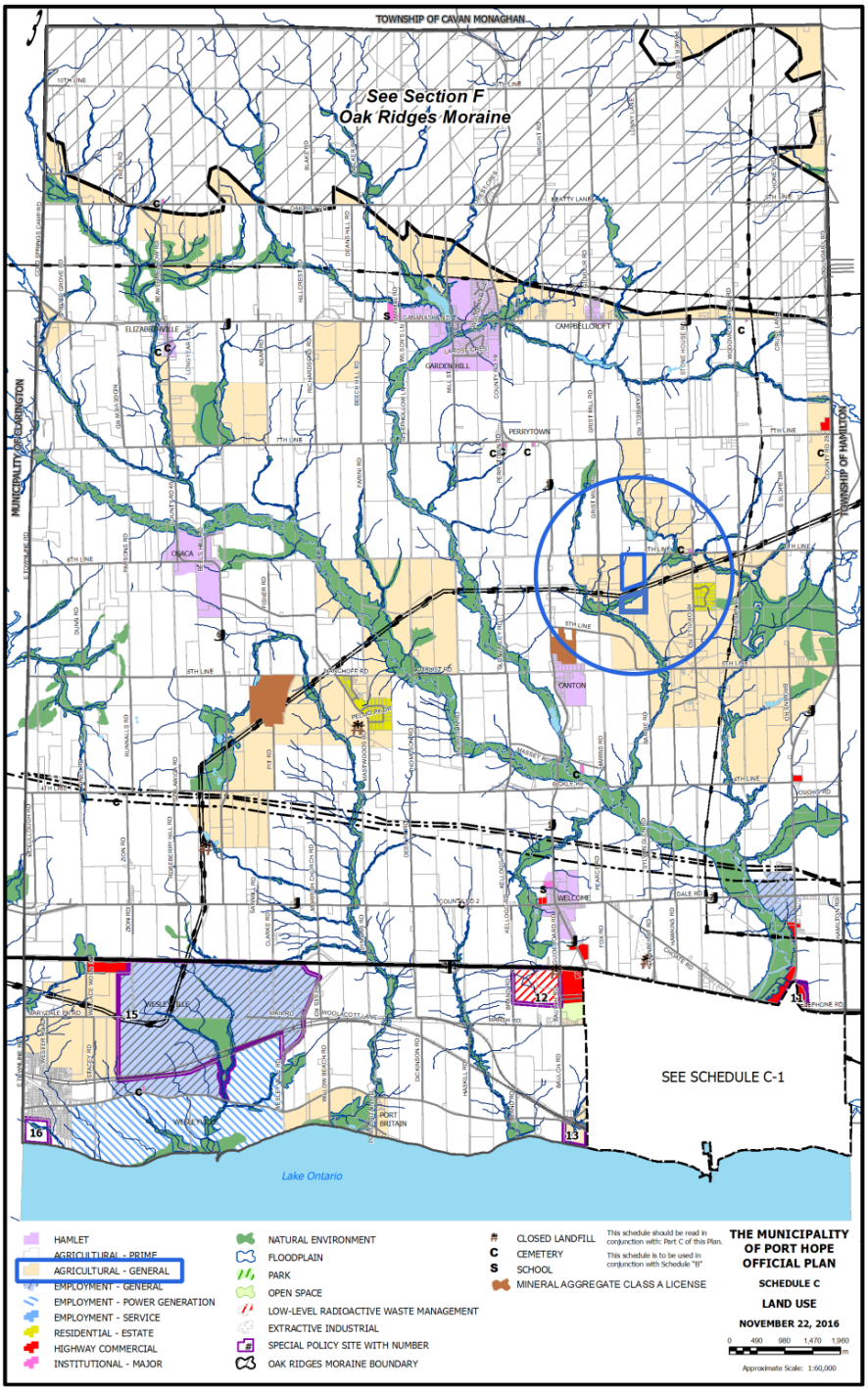
Summary of Compliance

The County Official Plan regulates land use and development on a high level. The Municipal Official Plan provides more detailed policies regarding the proposed development.

Nevertheless, the proposed legalization is consistent with the objectives of the Rural Area land use. While the subject lands contain both Natural Heritage Area 1 and 2 designations as per Schedule A3 (Figure 6 of this report), the accessory building and ARU are not within these areas. No lands designated as significant woodlands, valleylands, wetlands, nor Areas of Natural and Scientific Interests are impacted.

Figure 7: Official Plan Map 7

5351 6th Line, Port Hope, ON



Source: Municipality of Port Hope Official Plan

6.4 Municipality of Port Hope Official Plan

Policy Overview

The Municipality of Port Hope Official Plan was adopted in 2006 and subsequently updated in 2014 to reflect changes to applicable Provincial legislation and local land use issues. The Official Plan provides a framework for the physical development of the Municipality over a 20-year period, taking into account important social, economic and environmental matters.

The subject lands are designated within the "Agricultural – General" land use designation as per Map 7. Section B6 outlines the objectives for agricultural lands, where the following are established:

- Ensuring the continuation of a strong agricultural community in the Municipality through sound land use planning policy in such a manner as to minimize the impact of non-agricultural uses;
- To preserve the rural area for agriculture and other compatible uses; and
- To preserve areas demonstrating high capability for agricultural production for that purpose and develop land use policies which do not allow for the further fragmentation of farmland, nor its adoption by dissimilar, non-compatible forms of land use, and thereby reinforce the agricultural function.

Section B9 establishes the goals and objectives for social and housing matters within the municipality, where the following pertinent points are established, among others:

- To encourage the provision of an adequate supply of housing accommodation, by type and tenure, in relation to the needs and demands of both present and future inhabitants of the Municipality as identified in the County of Northumberland 10-year Housing and Homelessness Plan in a form that generates a choice of lifestyles.
- To permit additional residential units as a way to achieve housing affordability, compact development, and intensification.

The proposal is consistent with the goals and objectives for both agricultural and housing land use and development. The legalization of the ARU maintains the subject property's agricultural productivity and does not remove area from the existing agricultural uses on site. The subject property's continued agricultural operation further indicates that said uses have not been hindered.

Section B9 further permits the construction of additional residential units, where the ARU improves the residential efficiency of the subject lands while maintaining compatibility with their agricultural uses as well as with the primary residential unit on site.

The "Agricultural – General" land use designation is regulated under Section D7.2. Section D7.2.1 emphasizes the importance of Port Hope's agricultural land as a source of employment and food security. Scattered development of uses unrelated to agriculture are discouraged, through limited residential development is permitted under Section D7.2.2 where development does not result in the fragmentation of farmland and does not interfere with or limit surrounding farm activity and appropriate infrastructure is made available (D7.2.1, D7.2.3).

Section D7.2.3 further specifies that forest resources must be protected as an integral part of the municipality's agricultural operation, as well and a key environmental resource.

The maintenance of continuous farmland on site following the construction of the accessory building containing the ARU has been established, as has the subject property's unhindered agricultural capabilities. As such, the legalization of the ARU is supported under Section D7.2.1 due to the minimal impact upon the subject land's agricultural operations and its seamless integration within a structure that also supports said operations. The existing forest base on site, which consists of a managed forest of 28.02 ha, is not impacted.

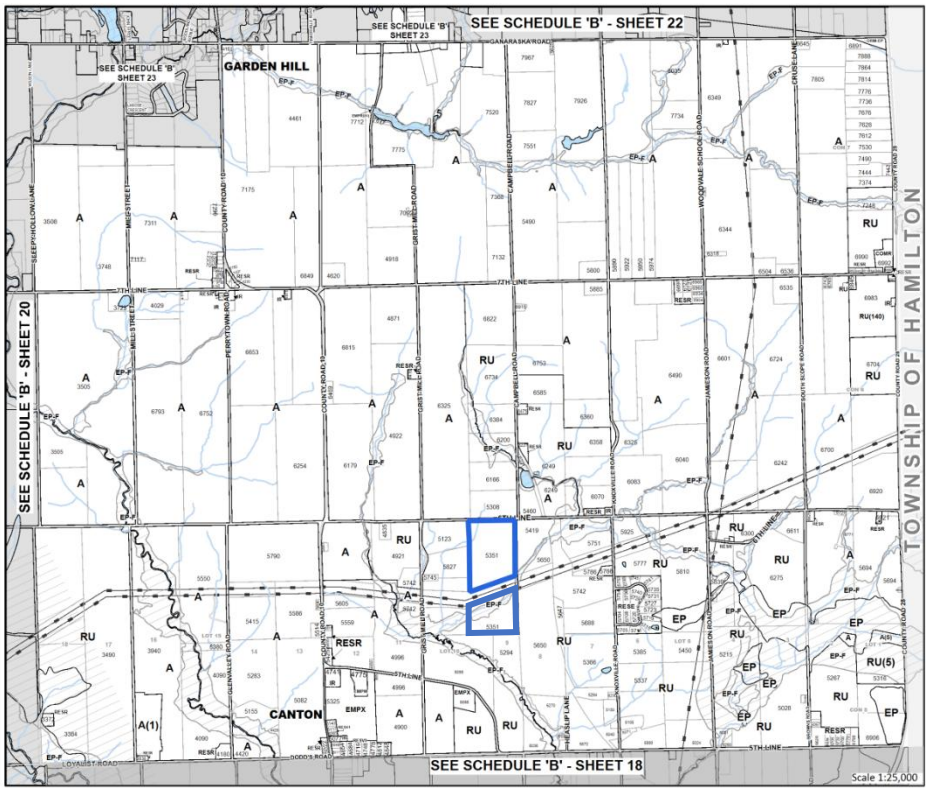
Summary of Compliance

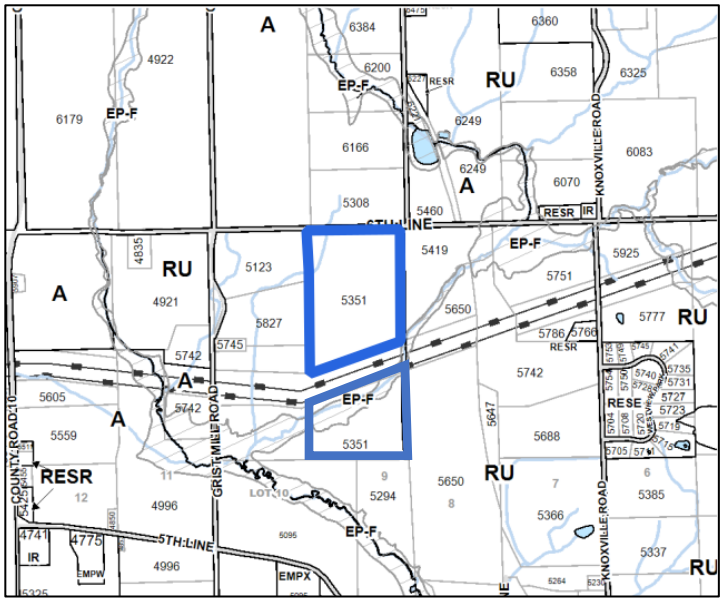
The proposed development complies with the provisions of the Municipality of Port Hope Official Plan in that it:

- Proposes an ARU within a building that has been approved and deemed compliant with planning policies and design guidelines without changing the building envelope or site exterior;
- Is within a land use designation which permits additional residential uses;
- It effectively aligns with the municipality's policies for agricultural land in maintaining a continuous agricultural land base and through the continuous agricultural operations on site;
- Supports ownership's family and intends to house family members;
- Does not hinder the agricultural operations of surrounding lands;
- Is privately serviced and shall not require the expansion of municipal services; and
- Maintains natural landcover on the subject lands.

Figure 8: By-law 45-2026 Map

5351 6th Line, Port Hope, ON





Source: Municipality of Port Hope Zoning By-law 45-2026

6.5 Municipality of Port Hope Zoning By-law No. 45-2026

By-law 45-2026 was ratified by the Council of the Municipality of Port Hope on August 10, 2026, and includes provisions regulating ARU structures, where the following sections are relevant to this application:

The following uses are permitted for the RU zone:

- Agricultural Use;
- Bed and Breakfast Establishment;
- Boarding or Rooming House;
- Conservation Use;
- Dwelling, Single Detached;
- Equestrian Centre;
- Farm Employee Accommodation, Accessory;
- Farm Produce Outlet, Accessory;
- Farm Related Tourism Establishment;
- Forest Management;
- Home Industry;
- Home Occupation
- Park, Public;
- Private Home Daycare.

Table 9.2 of By-law 45-2026 establishes the following zone regulations and relevant proposed development standards below:

Standard	RU Zone	Primary Dwelling	Accessory Structure
Lot Area (min.)	40.0 ha	35.0134 ha	
Lot Frontage (min.)	165.0 m	400 m	
Setbacks (min.)			
Front	15.0 m	±186 m	±46.61 m
Rear	15.0 m	±325 m	±470 m
Int. Side	6.0 m	±75 m, ±300 m	±130 m, ±250 m
Lot Coverage (max.)	30%	0.005% (176.52m^2)	0.01% (464.52m^2)
GFA	-	176.52m^2	513.26 m^2
Storage	-	-	379.26 m^2
ARU	-	-	134 m^2
ARU Proximity to Primary Dwelling (max.)	40 m	±136 m	
Height (max.)	10.0 m	6.5 m	-
Accessory Structure	5.0 m	-	7.67 m
No. Storeys	-	1	1 (storage), 2 (ARU)

Table 2: By-law 45-2026 Building and Lot Requirements

Table 2 above demonstrates that the primary and accessory structures meet the pertinent building and lot standards required within the Rural zone. The subject property is of sufficient size to accommodate the ARU without hindering existing agricultural uses. The maintenance of these standards demonstrates that the proposed development shall have the same relationship with surrounding built form and that no adverse spatial impacts shall result from the addition of the ARU.

The subject property complies with the required zone standards under Table 9.2 – including all minimum required setbacks to abutting lands, frontage and maximum lot coverage – demonstrating that the existing buildings are consistent with the required building and lot standards established under By-law 45-2026.

Table 9.1, furthermore, permits two (2) additional residential units under Table 9.1. The subject property is within this limitation, demonstrating further compliance with By-law 45-2026.

Section 4.2.1.1:

Servicing

r) Where municipal services are available, both the primary dwelling unit and the additional residential unit(s) on the same lot shall be connected to municipal water and sewer services of adequate size.

s) If a new additional residential unit is proposed, staff may require the demonstration of sufficient municipal water and/or wastewater servicing capacity to service an additional residential unit to the satisfaction of the Municipality from an independent qualified professional (P. Eng).

t) An additional residential unit may be permitted on a lot where a municipal water supply system and/or municipal sanitary sewer are unavailable within the Hamlet Residential One and Two (RESV1 and RESV2), Rural Residential (RESR), Estate Residential (RESE), Agricultural (A), and Rural (RU) Zones.

Section 4.2.1.2(c):

The maximum gross floor area of an additional residential unit(s) may not singularly exceed 50% of the gross floor area of the primary dwelling unit. Notwithstanding the above, if additional residential unit(s) are located in the basement, such additional residential unit(s) may occupy the entire basement.

Section 4.2.1.4(b):

The maximum gross floor area of the additional residential unit within a detached accessory building shall not exceed the lesser of the gross floor area of primary dwelling unit or 100 m^2.

Section 4.2.1.4(c):

Notwithstanding Table 4.2 of this By-law, where an additional residential unit is within an accessory structure, the maximum height of that accessory structure shall not exceed the height of the primary building or 6.5 metres, whichever is less, to a maximum of 2-storeys. Notwithstanding the above, an additional residential unit may be within a detached accessory structure used as an agricultural building that does not exceed 9 metres in height.

The legalization of the existing ARU still requires site-specific exemptions to By-law 45-2026 standards due to building/use area requirements under Sections 4.2.1.2(c), 4.2.1.4(b), and 4.2.1.4(c) established under By-law 45-2026.

No standards for ARU front yard setback nor separation from the primary dwelling are established in By-law 45-2026.

Section 4.2.1.4(c) specifies that if an ARU is located within a detached accessory structure, a maximum height of 9 metres is permitted. As such, the existing height of the ARU at 7.67m complies with By-law 45-2026; and,

A Zoning By-law Amendment has been submitted for By-law 45-2026 addressing the ARU's deficiencies under said by-law outlined above after deliberation with Town Staff regarding the effect of by-law 45-2026 on this application.

Based on the above analysis, the Zoning By-law Amendment is deemed appropriate for the subject property and the surrounding neighbourhood context. The proposed development provides for an appropriate land use in the Municipality of Port Hope, maintaining the subject land's agricultural operations and capabilities while providing an ARU to support the owner's family. The proposed development enhances the existing community and respects the policy initiatives of the Planning Act of Ontario, Provincial Planning Statement, the Northumberland County Official Plan, the Municipality of Port Hope's Official Plan, and the Municipality of Port Hope By-law No. 45-2026.

The proposed development application has been prepared in the context of the existing municipal and provincial planning policy framework, is based on good land use planning principles, is in the public interest and should proceed through the planning process under the Planning Act.