MUNICIPALITY OF PORT HOPE

56 Queen Street Port Hope, ON L1A 3Z9 | t: 905-885-4544 | f: 905-885-7698

# Zoning By-law or Official Plan Amendment

For additional details on the application process please contact:
Planning Division
Tel. 905-885-2431
Email: planning@porthope.ca
5 Mill Street South
Port Hope, ON L1A 2S6

| **[Office Use Only] File No.:** | **[Office Use Only] Date Received:** | **[Office Use Only] Deemed Complete:** | **[Office Use Only] Fee Paid:** |
|---|---|---|---|
| | | | |

**[Office Use Only] Received by:**

# General Information

# Application Fees

The application fees can be found on the Fees and Charges page either in the **'Official Plan Amendment'** or **'Zoning By-law Amendment'** tables.

Note: Any further costs and expenses which may be incurred by the Municipality of Port Hope in the processing of a Zoning By-law or Official Plan Amendment application, as determined by Municipal Council, may be charged to the applicant.

**Please indicate which application you are applying for.**

- [x] Zoning By-law Amendment- Basic Amendment, Temporary Use
- [ ] Zoning By-law Amendment - Major (large scale residential and ICI projects), Interim Control
- [ ] Zoning By-law Amendment - Remove Holding Symbol
- [ ] Temporary Use By-law
- [ ] Temporary Use By-law Extension
- [ ] Official Plan Amendment - Basic
- [ ] Official Plan Amendment- Major (large scale residential and ICI projects)
- [ ] Concurrent Official Plan and Zoning By- Law Amendments

# Owner/Applicant/Agent Information

**Owner(s) of Subject Lands:**

Sandra Lunney-McDonalt & Chelsea-Lunney McDonald

**Mailing Address:**

5351 6th Line, Port Hope, ON, L7A 3V8

**Telephone number**

905-244-8816

**Fax:**

**Owner's Email:**

chelseamcd123@icloud.com mcamleigh@gmail.com

**Applicant:**

☐ Check if different than owner

**Applicant name:**

**Mailing Address:**

**Telephone:**

**Fax:**

**Applicant's Email:**

**Agent:**

☐ Check only if applicable

**Agent name:**

Jim Kotsopoulos

**Mailing Address:**

27 Fieldflower Crescent, Richmond Hill, ON, L4E 5E9

**Telephone:**

416-435-5876

**Fax:**

**Agent's Email:**

jkoplanning@gmail.com

**Who would you like the communications to be sent to? (Check all that apply)**

☑ Owner ☐ Applicant ☑ Agent

# Description of the Subject Land

**Location of the Subject Lands**

☐ Urban (Roll # starts with 1423-125)

☐ Rural (Roll # starts with 1423-223)

**Municipal Number:**

5351

**Street Name:**

6th Line

**Lot Number(s):**

9

**Concession:**

5

**Lot(s)/Block(s):**

**Registered Plan No:**

**Part Number(s):**

**Reference Plan No:**

**Length of Ownership:**

**Are there any encumbrances affecting the subject lands? (i.e. Existing Mortgages, Easements, Right-of-Ways, Restrictive Covenants, Site Plan Agreements)**

☐ Yes

☐ No

**If yes, please describe:**

There is an easement on the East side of the property, right on the property line. The hydro corridor also runs through the property (running east/west, in the southern portion). Ontario Hydro Easement

# Description of Subject Lands

Provide all measurements in metric units.

**Frontage:**

400m

**Area:**

35.0134 ha

**Average Width:**

400m

**Average Depth:**

1000m

**Existing Use(s):**

Residential, agricultural (small scale livestock + accessory uses)

**Abutting land uses (surrounding properties that share a common boundary with the subject land)**

Residential, agricultural

**Official Plan Designation**

Agricultural - General

**Zoning By-law Designation**

Rural (RU)

# Existing Building(s) of Structure(s)

If there are any existing buildings or structures, please complete the details below. If there are no existing buildings or structures, please continue to the next section 'Proposed Uses, Building(s) or Structure(s)'.

**1. Type of building or structure**

Primary Residential Dwelling Unit

**Date constructed**

**Front lot line setback**

186m

**Rear lot line setback**

325m

**Side lot line setback**

75m

**Other side lot line setback**

300m

**Height of building**

6.5m

**Dimensions**

**Floor area**

**2. Type of building or structure**

Accessory Structure

**Date constructed**

June 2022 , December 2023 (ARU)

**Front lot line setback**

46.61m

**Rear lot line setback**

470m

**Side lot line setback**

250m

**Other side lot line setback**

130m

**Height of building**

7.67m

**Dimensions**

30.48m x 15.24m

**Floor area**

464.52 square metres

**3. Type of building or structure**

**Date constructed**

**Front lot line setback**

**Rear lot line setback**

**Side lot line setback**

**Other side lot line setback**

**Height of building**

**Dimensions**

**Floor area**

# Proposed Uses, Building(s) or Structure(s)

Complete the section below if there are any proposed changes to the uses, building(s) or structure(s) on the subject land, including new builds.

**1. Type of building or structure**

**Front lot line setback**

**Rear lot line setback**

**Side lot line setback**

**Other side lot line setback**

**Height of building**

**Dimensions**

**Floor area**

**2. Type of building or structure**

**Front lot line setback**

**Rear lot line setback**

**Side lot line setback**

**Other side lot line setback**

**Height of building**

**Dimensions**

**Floor area**

**3. Type of building or structure**

**Front lot line setback**

**Rear lot line setback**

**Side lot line setback**

**Other side lot line setback**

**Height of building**

**Dimensions**

**Floor area**

# Access and Services

**What form(s) of access are available to the subject land? Select all that apply.**

- [ ] Unopened road allowance
- [x] Open municipal road/street
- [ ] County road
- [ ] Provincial highway
- [ ] Other public road/street
- [ ] Existing right-of-way
- [ ] No access

**Specify location:**

# Water and Wastewater/Sewage Disposal Services

**Indicate which water supply service is currently available on the subject land. Select all that apply.**

- [ ] Municipal Water System
- [x] Well-Privately owner and operator, individual or communal
- [ ] Other
- [ ] No water supply service currently available

**If you selected 'other', provide details. If you selected 'no water supply service currently available', indicate the proposed service type and approximate date of installation.**

**Indicate which wastewater/sewage disposal service is currently available on the subject land. Select all that apply.**

- [ ] Municipal sanitary sewage system
- [x] Septic system: privately owned and operated
- [ ] Privy
- [ ] Other
- [ ] No wastewater/sewage disposal service currently available

**If you selected 'other', provide details. If you selected 'no wastewater/sewage disposal service currently available', indicate the proposed service type and approximate date of installation.**

**Indicate which storm drainage service is currently available on the subject land. Select all that apply.**

- [ ] Sewers
- [x] Ditches
- [x] Swales
- [ ] Other
- [ ] No storm drainage service currently available

**If you selected 'other', provide details. If you selected 'no storm drainage service currently available', indicate the proposed service type and approximate date of installation.**

# Status of other Planning Applications

**Is the subject land currently the subject of a Plan of Subdivision application?**

- [ ] Yes
- [x] No

**If yes, please indicate the file number(s).**

**Is the subject land currently the subject of a Consent application?**

- [ ] Yes
- [x] No

**If yes, please indicate the file number(s).**

**Is the subject land currently the subject of a Minor Variance application?**

- [ ] Yes
- [x] No

**If yes, please indicate the file number(s).**

**Is the subject land currently the subject of a Site Plan application?**

- [ ] Yes
- [ ] No

**If yes, please indicate the file number(s).**

**Apart from this current application, have you applied for an Official Plan, Zoning By-law amendment, Plan of Subdivision, Consent, Minor Variance or Site Plan for any land that is located within 120 metres of the subject land?**

- [ ] Yes
- [ ] No

**If yes, please indicate the file number(s).**

# Purpose of Official Plan Application

Complete this section if you are applying for an Official Plan Amendment.

**Which type of Official Plan amendment is being proposed?**

- [ ] To add a new policy to the Official Plan or change, delete or replace existing Official Plan policy
- [ ] To change or replace the existing Official Plan land use designation of the subject lands

**What is the requested land use designation for the subject land?**

**What land uses are permitted by the current designation?**

**Is this a proposal to alter the boundary of a settlement area or to implement a new area of settlement?**

- [ ] Yes (application must be accompanied by supporting material to fulfill the requirements of a comprehensive review, as defined)
- [ ] No

**Is this a proposal to remove land from an area of employment?**

- [ ] Yes (application must be accompanied by supporting material to fulfill the requirements of a comprehensive review, as defined).
- [ ] No

**Describe the purpose of the proposed Official Plan Amendment?**

**Describe the policy to be added, changed, replaced, or deleted.**

# Purpose of Zoning By-law Amendment Application

Complete this section if you are applying for a Zoning By-law Amendment.

### Describe the nature and extent of the proposed rezoning.

Notwithstanding Section 4.2.1.2(c) and Section 4.2.1.4(b) within the RU(X) Zone, an Additional Residential Unit shall be permitted with a Gross Floor Area of 134 square metres.

Notwithstanding Section 4.2.1.4(c) within the RU(X) Zone, an Accessory Building containing an Additional Residential Unit shall have a maximum height of 7.67 metres.

Notwithstanding Section 4.2.1.1(e) within the RU(X) Zone, an Additional Residential Unit shall have a maximum separation distance from the Primary Dwelling of 136 metres.

### Why is this rezoning being requested?

To legalize the existing residential use (Additional Residential Unit) within the existing accessory building and to add site-specific exemptions to By-Law 45-2026.

# Previous Land Use of the Subject Land

If you answer 'Yes' to any of the questions below, you are required to include a previous use inventory with the application submission, showing all former uses of the subject land and/or adjacent land.

**What was the previous use of the subject land?**

Agricultural/residential

**Has there been an industrial or commercial use on the subject land or land adjacent to the subject land?**

- [ ] Yes
- [x] No
- [ ] Unknown

**Has the grading of the subject land been changed by adding earth or other material?**

- [ ] Yes
- [ ] No
- [x] Unknown

**Has a gas station been located on the subject land or land adjacent to the subject land?**

- [ ] Yes
- [x] No
- [ ] Unknown

**Has there been petroleum or other fuel stored on the subject land or land adjacent to the subject land?**

- [ ] Yes
- [ ] No
- [x] Unknown

**Is there reason to believe the subject land may have been contaminated by formed uses on the site or adjacent sites?**

- [ ] Yes
- [x] No
- [ ] Unknown

**What information did you use to determined the answers to the above questions?**

Ownership knowledge of site history

# Provincial Policy

Please identify the features or development circumstances of interest to the Municipality by answering the questions below. Each question will note the 'potential information needs'.

**Class 1 Industry: small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Assess development for residential and other sensitive uses within 70 metres.

**If a feature, specify the distance in metres.**

**Class 2 Industry: medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Assess development for residential and other sensitive uses within 300 metres.

**If a feature, specify the distance in metres.**

**Class 3 Industry within 1000 metres: processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Assess development for residential and other sensitive uses within 1000 metres.

**If a feature, specify the distance in metres.**

**Landfill site**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Address possible leachate, odour, vermin, and other impacts.

**If a feature, specify the distance in metres.**

**Sewage treatment plant**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Address the need for a feasibility study for residential and other sensitive uses.

**If a feature, specify the distance in metres.**

**Waste stabilization pond**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Assess the need for a feasibility study for residential and other sentitive uses.

**If a feature, specify the distance in metres.**

**Active railway lines**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Evaluate impacts within 100 metres.

**If a feature, specify the distance in metres.**

**Controlled access highways or freeways, including designated future ones.**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Evaluate impacts within 100 metres.

**If a feature, specify the distance in metres.**

**Operating mine site**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Will development hinder continuation or expansion of operations?

**If a feature, specify the distance in metres.**

**Non-operating mine site within 1000 metres**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?

**If a feature, specify the distance in metres.**

**Electric transformer stations**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Determine possible impacts within 200 metres.

**If a feature, specify the distance in metres.**

**High voltage electric transmission lines**

- [x] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [ ] No

Potential Information Needs

Consult the appropriate electrical power service.

**If a feature, specify the distance in metres.**

**Transportation and infrastructure corridors**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Will the corridor be protected?

**If a feature, specify the distance in metres.**

**Prime agricultural land**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [ ] No

Potential Information Needs

Demonstrate the need for use other than agricultural and indicate how impacts are to be mitigated.

**If a feature, specify the distance in metres.**

**Agricultural operations**

- [x] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [ ] No

Potential Information Needs

Development to comply with the Minimum Distance Separation Formulae.

**If a feature, specify the distance in metres.**

**Mineral Aggregate resource areas**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Will development hinder access to the resource or the establishment of new resource operations?

**If a feature, specify the distance in metres.**

**Mineral Aggregate operations**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Will development hinder continuation of extraction?

**If a feature, specify the distance in metres.**

**Existing pits and quarries**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Will development hinder continued operation or expansion?

**If a feature, specify the distance in metres.**

**Significant wetlands**

- [x] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [ ] No

Potential Information Needs

Demonstrate no negative impacts.

**If a feature, specify the distance in metres.**

**Significant portions of habitat of endangered and threatened species**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Demonstrates no negative impacts.

**If a feature, specify the distance in metres.**

**Significant: fish habitat, woodlands, valley lands, areas of natural and scientific interest, wildlife habitat.**

- [x] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [ ] No

Potential Information Needs

Demonstrate no negative impacts.

**If a feature, specify the distance in metres.**

**Sensitive groundwater recharge area, headwaters, and aquifers**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Demonstrate the groundwater recharge areas, headwaters and aquifers will be protected.

**If a feature, specify the distance in metres.**

**Significant built heritage resources and cultural heritage landscapes**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Development should conserve significant built heritage resources and cultural heritage landscapes.

**If a feature, specify the distance in metres.**

**Significant archaeological resources**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Assess development proposed in areas of medium and high potential for significant archaeological resources. These resources are to be studied and preserved, or where appropriate, removed, catalogued and analyzed prior to development.

**If a feature, specify the distance in metres.**

**Erosion hazards**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Determine feaibility within the 1:100 erosion limits of ravines, river valleys and streams.

**If a feature, specify the distance in metres.**

**Floodplains**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Where two-zone floodplain management is in effect, development is not permitted in the floodway. Where a Special Policy Area (SPA) is in effect, development must meet the official plan policies for SPA.

**If a feature, specify the distance in metres.**

**Contaminated sites**

- [ ] Yes - feature is on site or within 500 metres
- [ ] Yes - development circumstances apply
- [x] No

Potential Information Needs

Assess an inventory of previous uses in areas of possible soil contamination.

**If a feature, specify the distance in metres.**

**Describe how the application is consistent with the Provincial Policy Statement and any applicable Provincial Plans. Does the proposal conform to or does it conflict with the applicable plans? Explain below or attach separate pages.**

Please reference PJR.

# Signature Pages

Applicant is not the owner: complete the 'Authorization of Owner for Applicant to Submit Application' forms and the 'Affidavit'.

Applicant is the owner: complete the 'Owner Authorization to Submit Application' forms and the 'Affidavit'.

## Authorization of Owner for Applicant to Submit Application

If the owner is not the applicant, please print and have the owner sign the following forms:

- Application Authorization
- Applicant Disclosure of Personal Information
- Cost Reimbursement

The original forms can be submitted either in person at 5 Mill St. S., Port Hope, ON L1A 2S6 or mailed to 56 Queen St., Port Hope, ON L1A 3Z9.

## Owner Authorization to Submit Application

If the applicant is the owner, please print and sign the following forms:

- Disclosure of Personal Information
- Cost Reimbursement

The original forms can be submitted in person at 5 Mill St. S., Port Hope, ON L1A 2S6 or mailed to 56 Queen St., Port Hope, ON L1A 3Z9.

## Affidavit

The Affidavit must be signed in front of a Commissioner of Oaths or lawyer. For your convenience, there are staff members at the Municipality of Port Hope that are able to commission documents. Please contact us at 905-885-2431 or via email at planning@porthope.ca to book an appointment.

The original form can be submitted in person at 5 Mill St. S., Port Hope, ON L1A 2S6 or mailed to 56 Queen St., Port Hope, ON L1A 3Z9.

# Application Submission Checklist

The application and supporting documentation can be submitted in one of the following ways:

- In person at 5 Mill Street South, Port Hope, ON L1A 2S6
- Mail to 56 Queen Street, Port Hope, ON L1A 3Z9
- Email to planning@porthope.ca

**Please confirm you will be submitting the following documents in person, by mail or via email to planning@porthope.ca:**

- [x] Application Fee - Cheques can be made payable to the Municipality of Port Hope (please note that there will be other fees imposed by other agencies for their review)
- [x] Application Form
- [x] Signature pages and affidavit
- [ ] Recent Survey - One (1) copy prepared by an Ontario Land Surveyor
- [x] Drawings and/or plans
- [ ] Reduced copy of drawings and/or plans - No larger than 11-inches x 17-inches
- [x] Digital copy of drawings and/or plans - A digital PDF version of all required drawings and/or plans
- [ ] Studies identified during the pre-consultation meeting
- [x] Planning Justification Report
- [ ] Other supporting materials as deemed necessary by the Municipal Planner

**If you need to provide any comments regarding the checklist above, please provide them in the space below.**