



Municipality of Port Hope

Staff Report

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Report Title: Housing and Additional Residential Unit Zoning By-law Amendment – Recommendation Report (ZB06-2025)

Report to: Committee of the Whole

Date of meeting: May 5, 2026

Report Author:

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Department responsible:

Development Services

Report Number: DS-07-26

Recommended Motion:

That a by-law be presented to Council to authorize Zoning By-law Amendment (File No. ZB06-2025) that will amend the Comprehensive Zoning By-law 20/2010 in order to permit more flexible Additional Residential Unit development and innovative housing types throughout the Municipality.

Highlights:

- The effect of the proposed Zoning By-law amendment is to more easily permit the development of innovative and affordable housing within the Municipality.
- The proposed Zoning By-law amendment consists of two components:
 - 1) Amendments to existing Additional Residential Unit provisions and introduction of an innovative housing provisions; and,
 - 2) Amendments to existing definitions and the introduction of definitions relative to “Residential Building” and “Dwelling Unit” types.
- A Public Meeting was held on December 9, 2025 to present the proposed municipality initiated Zoning by-law amendment. Comments received have been considered and are provided below under the Communication and Public Engagement section of this report.

Background:

1.1 Purpose

The purpose of the report is to present background information concerning the proposed Zoning By-law Amendment (ZBA) application initiated by the Municipality of Port Hope. The purpose and effect of the ZBA is to amend Zoning By-law 20/2010 to

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more easily permit the development of housing within the Municipality. This would be achieved through two components:

- 1) Amendments to existing Additional Residential Unit provisions and the introduction of innovative housing provisions; and,
- 2) Amendments to existing definitions and the introduction of definitions relative to “Residential Building” and “Dwelling Unit” types.

1.2 Proposal History

An Affordable Housing Strategy was one of the pillars of the Port Hope Strategic Plan (2019-2022) with the stated objective of “facilitating the development of more affordable housing”. The Northumberland Affordable Housing Strategy was approved in February 2019 and included recommendations for supporting the improvement of affordable housing throughout the County.

In 2022, Council approved By-laws 47/2022 and 48/2022 to approve an Official Plan amendment (File # OP01-2022) and Zoning By-law amendment (File # ZB02-2022) which brought the Municipality’s current Accessory Residential Unit (ARU) Official Plan policies and zoning provisions into effect.

In 2023, Zoning By-law 20/2010 was updated through By-law 31/2023. The purpose of the Zoning By-law update was to implement “housekeeping” revisions to the Zoning By-law approved in 2010. The intent of the update was to implement the priorities of the Municipality and community. In addition, the review ensured that the Zoning By-law better aligned with the Provincial Policy Statement, 2020 (now the Provincial Planning Statement, 2024) and the Growth Plan for the Greater Golden Horseshoe (repealed through the Provincial Planning Statement, 2024).

On August 1, 2023, Council provided staff the following direction to staff:

“That staff be directed to review the municipal zoning by-law provisions and all associated by-laws with respect to alternative and affordable housing options including but not limited to ARUs, tiny homes, and trailers in order to consider a spectrum of affordable housing required in the community, so that Staff can report back to Council with holistic recommendations on these types of housing model in the Municipality moving forward.”

This direction resulted in staff preparing a Housing Action Strategy through a staff report presented to Council on July 15, 2025. The Housing Action Strategy consists of two overarching phases: “**Key Actions – Immediate**” and “**Key Actions – Future**”. A description of each Key Action is as follows:

- The “**Key Actions - Immediate**” identify immediate changes that could be made to the Zoning By-law to consider a range of affordable and alternative housing options by modifying existing definitions and zone provisions.
- The “**Key Actions - Future**” identify further changes that can be made to increase housing development opportunities in Port Hope, as well as expedite planning processes for a range of housing options, but these actions would require additional review and more wide sweeping changes to both the Official Plan and Zoning By-law.

The staff report introducing the Housing Action Strategy and the Key Actions may be found in the following link: [Housing Action Strategy - Staff Report - July 15, 2025](#). This report also discusses Ontario Building Code considerations, and the existing zoning provisions affecting innovative housing options (i.e. Mobile Homes, Modular Homes, Tiny Homes, etc.).

This ZBA forms the implementation of the “**Key Actions – Immediate**” phase of the Housing Action Strategy. The “**Key Actions – Immediate**” consist of amendments which are consistent with the Provincial Planning Statement, 2024 as well as the Northumberland County Official Plan and the Municipality of Port Hope Official Plan, as discussed below.

On December 9, 2025, a Statutory Public Meeting was held on the subject ZBA. Within the Public Meeting Report, the following documents were introduced for discussion purposes:

- 1) “Conceptual Provision Amendments” dated November 17, 2025; and,
- 2) “Conceptual Definition Amendments” dated November 17, 2025.

These documents were intended to address shortcomings of the existing relevant zoning provisions and definitions, as identified by staff and through public engagement at the Public Open House that occurred on September 25, 2025. These conceptual documents are attached to this report (see **Attachment 1 & 2**).

Through discussion and comments received at the Statutory Public Meeting, and through further research, staff have revised the conceptual amendments to created finalized proposed amendments for Council’s and the public’s consideration. The proposed amendments may be found within the following materials:

- 3) “Proposed Provision Amendments” dated April 20, 2026;
- 4) “Proposed Definition Amendments” dated April 20, 2026; and,
- 5) A Draft Zoning By-law amendment.

These documents have been attached to this report (see **Attachment 3, 4 & 5**). These proposed amendments are discussed in greater detail in the “Proposed Amendments” section of this report.

Discussion:

Proposed Amendments

As discussed above, the proposed amendments consist of two components: amendments to zoning provisions and amendments to zoning definitions.

Below is an overview of the two components of the proposed Zoning By-law amendment:

Proposed Amended Provisions

The “Proposed Provision Amendments”, dated April 20, 2026 outlines proposed amendments to the “Section 4 – General Provisions” and “Section 5 – Parking and Loading Provisions” of Zoning By-law 20/2010.

Staff have proposed provisions that would implement more flexible development permissions for housing development. The “Proposed Provision Amendments” outlines new and amended provisions that would permit greater bedroom counts; gross floor area; lot coverage; building height; and reduced parking rates for ARU developments. Additionally, the amending provisions includes a provision that would allow Tiny Houses and other innovative housing technologies as a Primary Dwelling (as defined) or an ARU, where permitted. Further, permitting Mobile Homes as ARUs in Countryside Zones, where permitted, has also been proposed.

The “Proposed Provision Amendments” document (**Attachment 3**) outlines each proposed provision amendment with rationales for each provision. Furthermore, this document also includes discussion on how the proposed provisions have changed from the initial “Conceptual Provision Amendments” as introduced at the December 9, 2025 Statutory Public Meeting.

Proposed Amended Definitions

The “Proposed Definition Amendments” document dated April 20, 2026 outlines recommended amendments to the “Section 3 – Definitions” of Zoning By-law 20/2010.

Through the preparation of the Conceptual Amendments (dated November 17, 2026) staff identified the need to introduce a “Dwelling” definition, in addition to the existing “Dwelling Unit” definition to adequately define housing types/configurations. In short, the introduction of a “Dwelling” definition allows the Zoning By-law to identify dwelling types (i.e. apartment buildings, single detached dwellings) whereas the term “Dwelling Unit” describes a unit within a “Dwelling”. As outlined in the “Proposed Definition Amendments” (dated April 20, 2026) staff have proposed to use the term “Residential Building” instead of “Dwelling” to make the definition more comprehensive and clear (see below discussion).

Several notable changes have been made from the “Conceptual Definition Amendments” to prepare the “Proposed Definition Amendments”. An overview of these notable changes are as follows:

1. Use the term “Residential Building” instead of “Dwelling” as a defined term.

As discussed above, the use of the term “Residential Building” has been proposed to be utilized instead of the term “Dwelling”. Staff are of the opinion that the term “Residential Building” provides a more clear, comprehensible approach to defining structures that contain a “Dwelling Unit”, as defined.

2. Redefining “Mobile Homes”.

The term “Dwelling” (now “Residential Building”) has been removed from the definition of “Dwelling, Mobile Home”. The intent of this proposed definition change is to allow the Zoning By-law to differentiate standard “Residential Building” types, as defined, and Mobile Homes. This is due to the unique development characteristics of a Mobile Home.

The new definition of “Mobile Home” includes several defining traits that are unique to Mobile Homes. Most notably, Mobile Homes must be identified by the Canadian Standards Associate Group (“CSA”) and are subject to CSA standards. Mobile Homes must be constructed in accordance with CSA-Z240 standards. These standards govern the construction and installation methods for Mobile Homes and are consistent throughout Canada. In short, these standards are to ensure suitable and safe conditions for inhabitants of Mobile Homes. In addition to CSA standards, Mobile Homes must be developed in accordance with the Ontario Building Code, where applicable.

In considering CSA-Z240 Standards, staff have included relevant considerations of Mobile Homes, which includes the following:

- a) Mobile Homes must be designed, built, and manufactured to CSA-Z240, as required in the Ontario Building Code;
- b) Mobile homes are limited to one storey in height;
- c) Mobile homes shall not contain a basement;
- d) Not greater than two sections in size, where each section is 4.88 metres (16 feet) in size; and,
- e) Only specific additions are permitted, including minor enclosed porch or breezeway, or attachment to an existing dwelling, when permitted.

The purpose and intent of the definition requirements are to ensure that CSA-Z240 Standards are not voided through alterations (adding a basement, second storey addition, or specific structural additions). Further, it is noted that Mobile Homes are prefabricated to a maximum width (16 feet) due to transportation limitations.

3. Redefining “Modular Home”.

Staff have removed the term “Residential Dwelling” from the term “Modular Home” given that the term “Modular Home” refers to a construction method, being a prefabricated building or structure that may result in the development of a “Residential Dwelling” or “Dwelling Unit”.

Further, within the new definition of “Modular Home”, staff have included the applicable CSA standard (being the CSA A-277 standard) which is the certification of factory built-houses in Canada. This is to ensure that modular homes are developed in accordance with the applicable CSA standards, and the Ontario Building Code, where applicable.

4. Removal of the term “Dwelling” (now “Residential Dwelling”) from “Accessory Dwelling Unit”, “Additional Dwelling Unit” definitions.

Staff have proposed to remove the term “Residential Dwelling” from the terms “Accessory Dwelling Units” and “Additional Dwelling Units” due to their accessory nature. Further, these uses may exist in the same building of the principal use of a lot, therefore not being consistent with the definition of “Residential Dwelling”.

5. Removal of prescriptive language from defined terms.

Staff have proposed the removal of language “placed on a permanent foundation over a concrete slab or basement” in several definitions, including “Dwelling” (now “Residential Building”), “Tiny Home”, “Modular Home” and “Mobile Home”. This language has been proposed to be removed to allow for flexibility in residential construction methods, where appropriate. It should be noted that all development will be developed in accordance with the Ontario Building Code, therefore, through removal of this prescriptive language, development may occur if it meets the requirements of the Ontario Building Code.

Planning Review

Planning Act

All land use planning decisions in the Province of Ontario must be consistent with Part 2 of the Planning Act, which broadly sets out the matters of Provincial interest. Section 34 (Zoning By-laws) outlines the legislative requirements municipal governments must abide by specific to zoning matters. This includes Zoning By-law amendment applications.

Bill 17 - Protect Ontario by Building Faster and Smarter Act

The Planning Act was amended by Bill 17 - Protect Ontario by Building Faster and Smarter Act, which received Royal Assent on June 5, 2025 and took effect upon filing on November 21, 2025. Although this Bill is not directly related to the subject ZBA application, it may have implications on the development of housing within Port Hope.

The amendment to allow variations to be permitted “as-of-right” (or without Minor Variance or Zoning By-law amendment) if a proposal is within 10% of setback requirements applicable to specified lands. For example, if a 1.0 metre setback is required, a 0.90 metre setback may be permitted as-of-right.

In the context of Port Hope, this will only affect the residential lands within the Urban Area and Rural Settlement Areas outside of the Oak Ridges Moraine.

Bill 185 - Cutting Red Tape to Build More Homes Act

The Planning Act was amended by Bill 185 - Cutting Red Tape to Build More Homes Act, which received Royal Assent on June 6, 2024. Similar to the above discussion on Bill 17, this amendment is not directly related to the subject ZBA application, but it did affect a proposed provision.

The amendment enacted several provisions through O. Reg. 462/24 that affects ARU development Province-wide. Several of the provisions do not affect Port Hope (i.e. Floor Area Ratio, Angular Plan provisions); however, staff have considered a lot coverage provision as implemented through O. Reg. 462/24. Section 5(1) of the O. Reg permits up to 45% of an urban residential lot to be covered by structures. This provision has been include in the proposed Section 4.2.1.3 which outlines a maximum lot coverage of

45% for all development within a Residential Zone.

Northumberland County Official Plan

Section C1.5 (Housing Policies) of the Northumberland County Official Plan states that it is the intent of the Official Plan to “*meet the County's current and future housing needs by ensuring the provision of an appropriate range of housing types and densities to meet the needs of current and future residents*” and “*permitting the development of secondary suites*”.

More specifically, Section C1.5.3 (Secondary Residential Units) states that:

- a) *Local municipalities are required to establish local Official Plan policies that permit a secondary residential unit in a detached, semi-detached and row house dwelling unit provided a secondary residential unit is not located in an accessory building on the same lot, subject to the regulations contained within the local municipal zoning by-law, and;*
- b) *Local municipalities are also required to permit a secondary residential unit in an accessory building, provided only one dwelling unit is located within the principal building on the lot that is used as a detached, semi-detached or row house dwelling unit, subject to the regulations contained within the local municipal zoning by-law.*

Staff are therefore of the opinion that the proposed Zoning By-law amendment conforms to the Northumberland County Official Plan.

Municipality of Port Hope Official Plan

Section C9.1.2.1.b) of the Municipality's Official Plan permits up to two (2) ARUs on a site already containing a single detached, semi-detached or street townhouse dwelling, subject to the provisions of the Zoning By-law.

Staff are of the opinion that the proposed Zoning By-law amendment conforms to the Port Hope Official Plan.

Municipality of Port Hope Zoning By-law 20/2010

ARUs are permitted within the Municipality's Urban and Rural Areas with specific provisions that permit up to two (2) ARUs, with limited floor area, number of bedrooms, and specific locations in which they are permitted. The intent of these provisions is to maintain a secondary nature to the Primary Dwelling that must exist on the same lot as well as connect to the same services. The Proposed Amendments are outlined in the Proposed Provision and Definition documents attached to this report, and the draft amending By-law (see **Attachment 3, 4 & 5**). The existing ARU provisions and dwelling type definitions are attached to this report (see **Attachment 6 & 7**).

Financial Considerations:

The development of ARUs does have impact on Assessment Value, as determined by Municipal Property Assessment Corporation (MPAC), which in turn affects the annual property tax amount a landowner pays each year. Staff have reviewed two properties

that have developed ARUs. One property owner developed an ARU within the existing single detached dwelling's basement; the other property owner developed an ARU within a detached accessory structure. Both examples show assessment values and tax increases from 2023. An overview of the tax implications for each development is as follows:

2023 Assessment Value / Property Tax Increases		
ARU Type	Assessment Value Increase	2023 Municipal, County, Education Tax Rate Increase (Annual)
Basement ARU	\$20,000	\$394.65
Detached ARU	\$45,000	\$908.00

Communication and Public Engagement:

Open House

A Public Open House was held by the Planning Division on September 25, 2025. The Open House consisted of a presentation, interactive display boards outlining themes for potential amendments, and questionnaires. A total of 16 residents attended the Open House.

Several discussion themes / questions were asked from the public at the Open House, which included: property tax implications from developing ARUs; ARUs as short-term rentals; purpose of servicing the ARUs from existing wells; and, purpose of the maximum separation distance from an ARU.

Responses to all questions, as well as an overview of the findings of the Open House, may be found in Communication and Public Engagement section of the Public Meeting Report, which may be found here: [Public Meeting Report - December 9, 2025](#)

Statutory Public Meeting

A statutory public meeting occurred on December 9, 2025. At the meeting, several discussion themes / questions were raised. The questions / themes of discussion, with responses to these themes, are outlined below.

1) Proposed height not sufficient for Additional Residential Unit development.

The proposed height of for Additional Residential Units was 7 metres within the Conceptual Provisions (dated November 17, 2025) and is now 6.5 metres, to a maximum of 2 storeys, within the Proposed Provisions (dated April 20, 2026). The current height permission for a detached Additional Residential Unit is 5 metres. The intent of the proposed height is to allow for a 2-storey additional

residential development, with the currently proposed provision ensuring that 2 storeys is not exceeded.

The Building Department has confirmed that the proposed 6.5 metres is appropriate and sufficient to allow for a 2-storey residential development, built in accordance with the Ontario Building Code.

2) The proposed floor areas are not sufficient to allow for 3-bedroom Additional Residential Units.

The proposed gross floor area maximums have been revised to permit greater floor area. The proposed provisions are as follows:

- ARUs within a Primary Dwelling may not exceed the 50% of the GFA of the Primary Dwelling; however, if an ARU is located within a basement, the entirety of the basement may be used as an ARU.
- Detached ARUs within the Residential Zones may not exceed 75% of the GFA of the Primary Dwelling, subject to a maximum of 45% lot coverage.
- Detached ARUs within Countryside Zones may be equal to, but shall not exceed the GFA of the Primary Dwelling, to a maximum of 100 sq. metres.

These floor area and lot coverage provisions would result in the ability to develop 3-bedroom ARUs, subject to sufficient lot area and floor area of existing Primary Dwellings. If an ARU is unable to achieve 3-bedrooms, it is due to existing conditions of the lot / Primary Dwelling which would restrict an ARUs floor area.

3) The term “Dwelling” (now “Residential Building”) should consider less prescriptive language for development options.

The language “placed on a permanent foundation over a concrete slab or basement” has been removed to permit development to occur in accordance with the Ontario Building Code.

4) Permitting Mobile Homes as-of-right as an Additional Residential Unit.

Staff have proposed to permit Mobile Homes as-of-right as an Additional Residential Unit within Countryside Zones (the Rural Area). This would result in the introduction of Mobile Homes as an Additional Residential Unit into the Municipality. The development of Mobile Homes would be in accordance with CSA-Z240 Standards, as required through the proposed definition of Mobile Home.

Staff intend to monitor uptake and development of Mobile Homes throughout the Rural Area for consideration in the “Key Actions – Future” of the Municipal Housing Strategy. This will allow for a more fulsome review of Mobile Home

development in the Municipality and implement Official Plan policy / further zoning amendments accordingly.

It is noted that through the introduction of the Mobile Home provision, staff are able to assess Mobile Home proposals within the Urban Area through planning applications (minor variance or Zoning By-law amendment). This will allow review of Mobile Homes on a case-by-case basis throughout the Urban Area.

Municipal Engagement Tools

The [current planning applications page](#) on Municipality's website contains links to all the materials supporting the subject application. Additionally, this ZBA application has a dedicated [Port Hope Engagement webpage](#), which is updated as this initiative progresses. As of the date of the writing of this report, planning staff have not received comments from the public on the proposed ZBA.

Strategic Plan Alignment:

Strategic Plan Pillar: Pillar 1: Inclusive

Strategic Plan Objective: Pillar 1 Objective: Remove barriers and facilitate housing of all kinds

The proposed amendments would allow for greater ability to develop housing throughout the Municipality.

Equity, Diversity and Inclusion Considerations:

The ARU and Innovative Housing Zoning By-law update is intended to provide a zoning framework to more easily permit housing development for a range of social groups, incomes, and life stages. This initiative may also increase the rental unit inventory throughout the Municipality, thereby providing greater housing opportunities to those who do not own property within the Municipality.

Through public engagement (Open House and Statutory Public Meeting), staff have prepared updated zoning provisions that have considered / addressed public comments. This Zoning By-law update also addressed opportunities and shortcomings as they have been identified by staff. Additionally, the proposed zoning updates are intended to make zoning permissions more clear, comprehensive, and accessible. The Port Hope Engagement webpage has been updated regularly to keep members of the community informed on this initiative.

As discussed above, this Zoning By-law amendment implements the "Immediate Key Actions" of the Municipality's Housing Action Strategy. Through the upcoming "Future Key Actions" staff will consider and review more wide-sweeping Official Plan policy changes and subsequent Zoning By-law changes to further address housing needs within the community. It is noted that further permissive zoning amendments are anticipated; however, further review of data and planning considerations is required for such amendments to occur.

The recommended provisions are in accordance with Provincial direction / requirements on ARUs and housing development. These Provincial considerations allow Municipalities to create a zoning framework that is appropriate for each Municipality's unique physical and social character. Further, the Zoning By-law update is an example of how Municipalities can work towards addressing the well-documented housing crisis (at Federal and Provincial levels) affecting communities across Canada.

Conclusion:

The effect of the proposed Zoning By-law amendment (File No. Z06-2025) is to more easily permit the development of innovative and affordable housing within the Municipality. This is proposed to be achieved through amending existing and introducing new definitions and provisions within Zoning By-law 2010/20, as amended.

A Public Open House was held by the Planning Division on September 25, 2025, and a Statutory Public meeting on December 9, 2026. The discussions, comments and questions assisted in shaping the proposed definitions and provisions, as outlined within the Proposed Definition Amendments and Proposed Provision Amendments documents (**Attachment 3 & 4**).

It is recommended that the attached Draft Zoning By-law be presented to Council to give effect to the proposed Zoning By-law Amendment.

Attachments:

- Attachment 1 – Conceptual Definition Amendments, dated November 17, 2026
- Attachment 2 – Conceptual Provision Amendments, dated November 17, 2026
- Attachment 3 – Proposed Definition Amendments, dated April 20, 2026
- Attachment 4 – Proposed Provision Amendments, dated April 20, 2026
- Attachment 5 – Draft Zoning By-law Amendment
- Attachment 6 – Existing ARU Provisions
- Attachment 7 – Existing Definitions