



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:

(note: this copy an amendment of original rec'd Aug 9
2022)

* Amendment to complete application ZB03-2022 *

this amendment submitted Sept 29 2022 to record for clarification
to requested zoning to development (D) exception zone



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Owner/Applicant/Agent Information

Owner(s) of Subject Lands:

Jamie and Kristin Ferguson

Mailing Address:

7994 Mill St. South Garden Hill ON L0A1B0

Telephone number

2892516403

Fax:

Owner's Email:

Ferguson.farms@yahoo.ca

Applicant:

☐ Check if different than owner

Applicant name:

Mailing Address:

7994 Mill St. South Garden Hill ON L0A1B0

Telephone:

Fax:

Applicant's Email:

Agent:

☐ Check only if applicable

Agent name:

Mailing Address:

7994 Mill St. South Garden Hill ON L0A1B0

Telephone:

Fax:

Agent's Email:

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:

3402

Street Name:

Ganaraska Rd.

Lot Number(s):

18

Concession:

8

Lot(s)/Block(s):

Registered Plan No:

39r14123

Part Number(s):

1

Reference Plan No:

Length of Ownership:

2 years

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:

Description of Subject Lands

Provide all measurements in metric units.

Frontage:	Area:	Average Width:	Average Depth:
206.12 m	4.348 ha	206.12	210.7 m

Existing Use(s):	Abutting land uses (surrounding properties that share a common boundary with the subject land)
rural institutional zoned current use is agricultural	residential retreat

Official Plan Designation
rural hamlet

Zoning By-law Designation
rural institutional (2)

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	Date constructed
Farm Market	June 2022

Front lot line setback	Rear lot line setback	Side lot line setback	Other side lot line setback
53 m	144m	60m	107m

Height of building	Dimensions	Floor area
6.5m	29/14.6m	423 m sq

2. Type of building or structure

Farm Market

Date constructed

June 2022

Front lot line setback

53 m

Rear lot line setback

144m

Side lot line setback

60m

Other side lot line setback

107m

Height of building

6.5m

Dimensions

29/14.6m

Floor area

423 m sq

3. Type of building or structure

Farm Market

Date constructed

June 2022

Front lot line setback

53 m

Rear lot line setback

144m

Side lot line setback

60m

Other side lot line setback

107m

Height of building

6.5m

Dimensions

29/14.6m

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

Farm Market

Front lot line setback

53 m

Rear lot line setback

144m

Side lot line setback

60m

Other side lot line setback

107m

Height of building

6.5m

Dimensions

29/14.6m

Floor area

423 m sq

2. Type of building or structure

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423 m sq

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53 m

Rear lot line setback

144m

Side lot line setback

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Other side lot line setback

107m

Height of building

6.5m

Dimensions

29/14.6m

Floor area

423 m sq

Access and Services

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

- ☐ Unopened road allowance
- ☐ Open municipal road/street
- ☒ County road
- ☐ Provincial highway
- ☐ Other public road/street
- ☐ Existing right-of-way
- ☐ No access

Specify location:

3402 Ganaraska Rd.

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
- ☒ 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
- ☒ 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
- ☒ Ditches
- ☐ 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

☒ No

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

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

☐ Yes

☒ No

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

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

☐ Yes

☒ 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.

N/A

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.

Rezoning the subject lands to a Development (D) Exception zone permitting the following uses:

- Residential uses
- one single family detached dwelling,
- accessory farm employee accommodation
- Non-Residential Uses
- Agricultural uses excluding a feed lot or any building or structure or part thereof used for the housing of livestock.
- A farm produce outlet/market garden including café
- Community garden
- Accessory uses, buildings and structures
- A home occupation
- Farm Related Tourism Establishment

Why is this rezoning being requested?

To allow for agricultural uses including a year round farm produce/market garden including cafe to operate on the subject property.

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

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

☐ Yes

☒ No

☐ Unknown

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

☒ Yes *As part of build of farm market structure*

☐ No

☐ Unknown

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

☐ Yes

☒ No

☐ Unknown

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

☐ Yes

☒ No

☐ Unknown

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

☐ Yes

☒ No

☐ Unknown

What information did you use to determine the answers to the above questions?

Historical review of the area via review of well records and discussion with previous land owner. In addition, the applicant has actively farmed the area in recent years and there is no indication of contamination or modification of

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

☒ 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

☒ 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

☒ 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
- ☒ 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
- ☒ 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
- ☒ No

Potential Information Needs

Assess the need for a feasibility study for residential and other sensitive 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
- ☒ 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
- ☒ 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
- ☒ 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
- ☒ 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
- ☒ No

Potential Information Needs

Determine possible impacts within 200 metres.

If a feature, specify the distance in metres.

High voltage electric transmission lines

- ☐ 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
- ☒ 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

Agricultural operations

- ☒ Yes - feature is on site or within 500 metres
- ☐ Yes - development circumstances apply
- ☐ No

Mineral Aggregate resource areas

- ☐ Yes - feature is on site or within 500 metres
- ☐ Yes - development circumstances apply
- ☒ No

Mineral Aggregate operations

- ☐ Yes - feature is on site or within 500 metres
- ☐ Yes - development circumstances apply
- ☒ No

Existing pits and quarries

- ☐ 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 use will continue

Potential Information Needs

Development to comply with the Minimum Distance Separation Formulae.

If a feature, specify the distance in metres.

Agricultural use will continue

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.

Potential Information Needs

Will development hinder continuation of extraction?

If a feature, specify the distance in metres.

Potential Information Needs

Will development hinder continued operation or expansion?

If a feature, specify the distance in metres.

Significant wetlands

- ☐ 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
- ☒ 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.**

- ☒ 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
- ☒ 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
- ☒ 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
- ☒ 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
- ☒ No

Potential Information Needs

Determine feasibility 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
- ☐ 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
- ☒ 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.

The zoning change is in line with provincial policies and the golden horse shoe growth plan to allow for rural employment in sustainable agriculture and providing the hamlet and surrounding community access to locally grown produce and products.

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:

- ☒ 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)
- ☒ Application Form
- ☒ Signature pages and affidavit
- ☒ Recent Survey - One (1) copy prepared by an Ontario Land Surveyor
- ☐ Drawings and/or plans
- ☐ Reduced copy of drawings and/or plans - No larger than 11-inches x 17-inches
- ☐ 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
- ☒ 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.

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Zoning By-law and/or Official Plan Amendment

Consent of Owner to the Use and Disclosure of Personal Information

If the applicant is the owner of the land that is the subject of this application, the written authorization of the owner concerning personal information is set out below.

I, Jamie Ferguson, am the owner of the land that is the subject of this application for a Zoning By-law and/or Official Plan amendment and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to, any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

Owner's Signature: _____

Date: _____

Aug 9 2022



Zoning By-law and/or Official Plan Amendment

Cost Reimbursement

It is required that the applicant agree to be responsible for all reasonable costs and expenses as stated below.

I, Jamie Ferguson, am the applicant and agree to reimburse the Municipality of Port Hope for all reasonable costs and expenses, as determined by Municipal Council, in excess of the application fee, which may be incurred by the Municipality in the processing of this Zoning By-law and/or Official Plan amendment application.

Applicant's Signature: _____

A handwritten signature in black ink, appearing to be "JF", written over a horizontal line.

Date: _____

Aug 9 2022



Affidavit or Sworn Declaration by the Applicant

I, Jamie Ferguson, of the Municipality
of Port Hope, in the County
of Northumberland:

Make oath and say (or solemnly declare) that all the above information and statements contained in this application are true and that the information contained in documents that accompany this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Sworn (or declared) before me at:

The Municipality of Port Hope in
the County of Northumberland
this 9th day of August, 2022.

Commissioner of Oaths, etc. Signature: Amanda Leigh Kort

Applicant's Signature: Jamie Ferguson

Commissioner of Oaths Stamp:

Amanda Leigh Kort, a Commissioner, etc.,
Province of Ontario
for the Corporation of the Municipality of Port Hope,
Expires August 8, 2023

While every attempt will be made to ensure all submission requirements have been relayed to the applicant, the Municipality of Port Hope does not constitute this application to be a "complete application." The Council of the Municipality of Port Hope will notify the applicant that the information and material required has been provided, or has not been provided, as the case may be, and in accordance with the Planning Act.

Personal information is being collected on this form under the authority of the *Municipal Act* and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). Please note that personal information collected will form part of the public record and is public information subject to the MFIPPA regulations and may be published as part of Council agenda and / or public consultation processes. Questions about the collection of personal information may be directed to the Municipal Clerk at 905.885.4544 or clerk@porthope.ca.