

13 May 2020

Municipality of Port Hope  
56 Queen Street  
Port Hope, ON L1A 3Z9

**Attention: Ms. Theodhora Merepeza  
Planning Manager**

Dear Ms. Merepeza,

**RE: PLANNING JUSTIFICATION REPORT UPDATE  
Draft Plan of Subdivision, Official Plan Amendment and Zoning By-Law  
Resubmission for Phase 5 (Bifurcation of Phase 5)**  
Part of the S. Cumberland Lot, Registered Plan No. 25 (laid out on Part of  
Part of Lot 9 and 10, Concession 1 Lot 10  
Municipality of Port Hope  
Penryn-Mason Homes Inc.  
2107401 Ontario Inc.  
File Nos. SU01-2019, OP01-2019 and ZB06-2019  
WND File No. 14.643.04

Walker, Nott, Dragicevic Associates Limited (“WND”) are the planning consultants for AON Inc., 2107401 Ontario Inc., Penryn Park Estates Inc., and Penryn Mason Homes Inc. with respect to the Draft Plan of Subdivision, and Official Plan and Zoning By-law Amendment applications on the lands located on the west side of Victoria Street South, south of Lakeshore Road/Ridout Street, located in the Municipality of Port Hope, in the County of Northumberland (“subject site”).

The initial planning applications were filed in October 2019 and deemed complete in November 2019. A public open house hosted by the owners was held in December 2019 and a formal statutory public meeting held by the Municipality in March 2020 in respect of the application as submitted.

This letter provides an update to the Planning Justification Report, dated November 2019, and summarizes revisions made to the applications for Draft Plan of Subdivision approval, as well as the Official Plan and Zoning By-law Amendments which now proposes a phased approval for the subject site. This update also provides a summary of the technical report updates which have occurred to address the revisions to the applications. This update and the updated technical reports continue to demonstrate that the applications are appropriate and justified, consistent with and not in conflict with the applicable Provincial and County policy framework, represents good planning, and should therefore be approved.

Responses to comments received during the circulation of the applications are provided in the submission materials and summarized in the attached Application Comment Responses matrix.

## 1 Summary of Revisions

The Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments have been modified in response to the comments available through circulation of the applications circulated by the Municipality, agencies and the public. The majority of the comments that have been received have related to the wooded area and in particular whether or not the current official plan designation for this wooded area which permits higher density residential development should be amended to either allow for a slightly lower form of development as proposed or to protect the wooded area from future development. The applications filed as they relate to the wooded area seek to redesignate the lands to allow for medium density development to proceed. Our clients have now proposed that the determination of the appropriate designation of this wooded area and associated lands for study should be deferred at this point and as such the focus of this update is to address a proposed bifurcation plan that would allow the parties to resolve any planning issues related to the wooded area while allowing those lands that are unrelated to the wooded area to proceed to development in accordance with the proposed planning instruments. The following revisions are now proposed to the initial applications:

### Draft Plan of Subdivision

1. The wooded area of the subject site, located at the southwest corner of Strachan Street and Victoria Street South, has been staked along the tree boundary on the West side and surveyed on site. The tree boundary was then assigned a minimum tree protection zone to the west and this line which has been delineated on the Draft Plan of Subdivision to create Block 305 (Other Lands Owned by Applicant). Block 305 is 2.84 ha (7.0 ac) in area and by the draft plan providing for a deferral with regards to the development of this Block, it will allow for additional review of the wooded area as well as the lands to the west within 120m of the Block should it be determined that the wooded area is a Provincially Significant Woodlot. Refer to Figure 1, Revised Draft Plan of Subdivision.

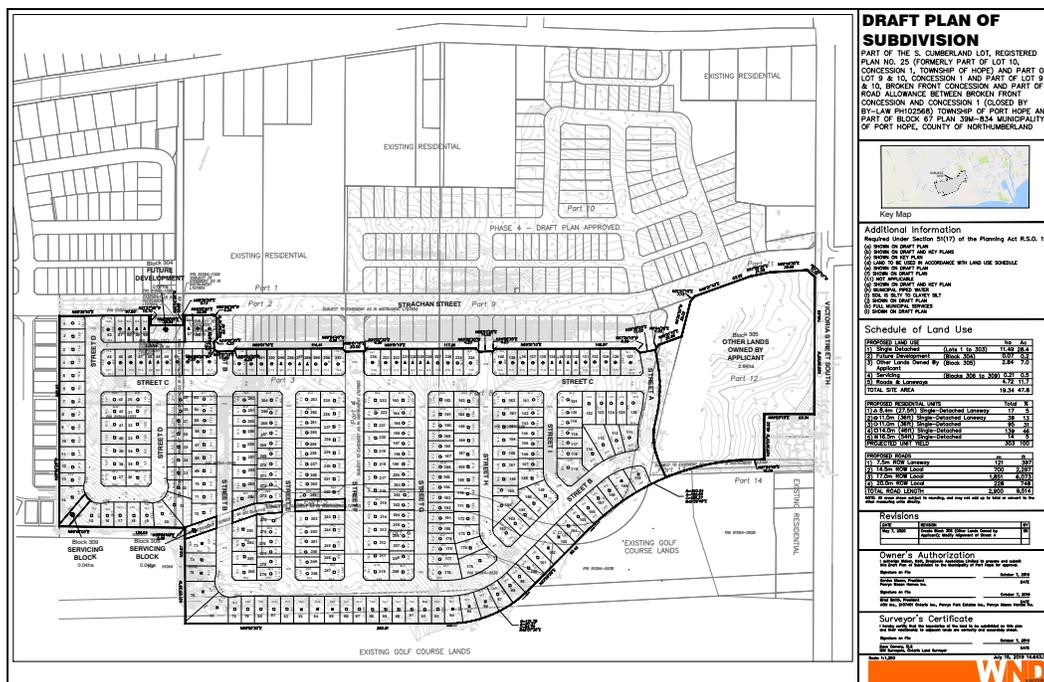
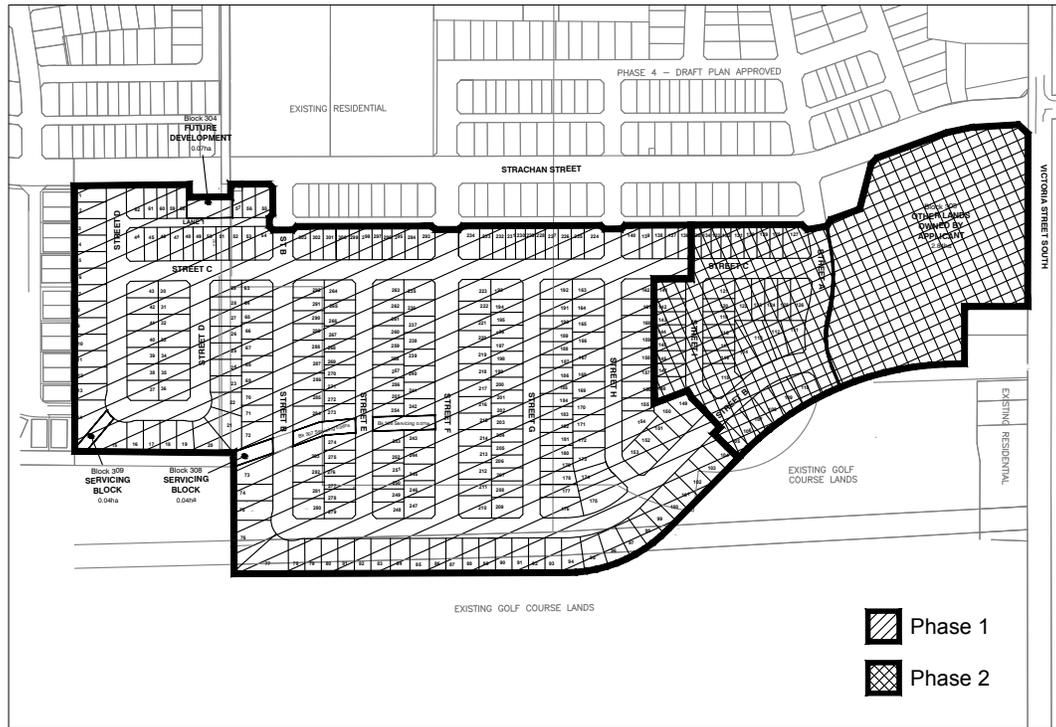


Figure 1: Revised Draft Plan of Subdivision (May 2020)

2. The alignment of Street A has been shifted slightly to the west to run parallel to the western boundary of Block 305 and therefore exclude the wooded area. Street A been designed to ensure that in the event Block 305 is designated as a Provincially Significant Woodland that the proposed road pattern can continue to provide for a complete road network for the remainder of the subdivision.
3. The proposed subdivision now consists of a two-phased residential development which will occur from the west to east. Phase 1 consists of the development of 264 residential lots. The wooded area and associated buffer area will be subject to further study should there be a determination that the wooded area is a Provincially Significant Woodland. This approach, from a planning perspective is prudent and conservative, allowing for development of Phase 1. And appropriate review and study of the Phase 2 area will follow should the woodlot be determined to be of Provincial significance. A copy of the proposed Phasing Plan is attached as Figure 2.
4. An area to the west of Block 305 , as shown on Figure 2, is also part of Phase 2. This is an area which extends 120m west of Block 305 inclusive of a buffer area and area of study area consistent with Provincial policy, should there be a determination that the wooded area is a Provincially Significant Woodlot.

It is expected that appropriate conditions will be included in any approval of the draft plan to ensure that these lands are not developed until a determination has been made in respect to the status of the wooded area as a Provincially Significant Woodlot and that development can proceed within this 120m without negatively impacting the form and function of the protected area.

5. As a result of the above noted revisions to the Draft Plan of Subdivision, the total number of proposed single detached lots has been reduced from 326 to 303.
  6. The nine (9) proposed townhouse blocks (43 units) previously provided along the Victoria Street South frontage have been removed. Should the determination of the status of the woodlot be determined not to be of Provincial significance, the development of this portion of the subject site will be subject to further review and approval by the Municipality.
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**PHASE 5** Phasing Plan  
Municipality of Port Hope

Figure 2: Phasing Plan

### Official Plan Amendment

1. The eastern boundary of the area subject to the Official Plan Amendment has been adjusted to align with the western limit of Block 305, inclusive of the buffer, as delineated on the Draft Plan of Subdivision. Block 305 is, therefore, not included within the boundary of the lands subject to the Official Plan Amendment, allowing for further evaluation of the wooded area if determined to be necessary. The current underlying designation of the proposed Block 305, permitting residential uses, would therefore remain unchanged, as a result of this modified boundary of the area subject to the revisions in this submission.
2. The proposed amendment provides a policy basis for the use of a Holding (“H”) Provision in any implementing zoning by-law and allowance for the use of conditions of Draft Plan Approval to permit the future residential development of the lands, located within 120m of the staked treeline (located within Block 305), only following further assessment of the wooded area, through an Environmental Impact Statement, in the event that the wooded area is determined to be Provincially significant.
3. The resultant minimum density target for the residential development has been reduced slightly to approximately 40 residents/jobs per hectare. In the event that Block 305 is not part of the development area, the overall density for the draft plan is 46 residents/jobs per hectare. If it is further determined that the lands within the 120m of the staked tree line are also not part of the

development area, the overall density is 47 residents/jobs per hectare. An overview of the preliminary density calculations is provided in Table 1.

DEVELOPMENT AREA	TOTAL AREA (ha)	RESIDENTIAL UNITS	POPULATION	DENSITY (r+j/ha)
		Single Detached	PERSONS PER UNIT (PPU)* Singles & Semi-Detached 2.523	
<b>Area of Draft Plan of Subdivision</b> <i>(Includes area of Phases 1 &amp; 2)</i>	<b>19.3</b>	303	764	<b>40</b>
<b>Area Not Including Block 305</b>	<b>16.5</b>	303	764	<b>46</b>
<b>Area Not Including Block 305 or Lands within 120m of Treeline</b> <i>(Include only area of Phase 1)</i>	<b>14.2</b>	264	666	<b>47</b>

*\*Based on the average PPU of the 2019 Development Charges Background Study (Schedule 4) prepared for the Municipality of Port Hope*

Table 1: Density Calculations

**Zoning By-law Amendment**

1. Consistent with the Official Plan Amendment, the eastern boundary of the area subject to the Zoning By-law Amendment has been adjusted to align with the western limit of Block 305, inclusive of the buffer, as shown on the Draft Plan of Subdivision. Block 305 is currently not included within the boundary of the lands subject to the Zoning By-law Amendment to allow for further evaluation of the Block 305 area. The current zoning of Block 305, permitting residential uses, therefore remains unchanged, at this time.
2. The zone category allowing for the townhouse units and associated regulations has been removed from the draft zoning by-law amendment.
3. A Holding (“H”) Provision has been included in the draft zoning by-law amendment to provide for the future residential development of these lands. The holding provision would apply to those lands located within 120m of the field surveyed and staked treeline (located within Block 305), requiring an environmental review should there be a determination that the wooded area is Provincially significant. If the wooded area is not determined to be Provincially significant, the holding provision would not apply and these lands could be developed, as per the underlying zone regulations, once further assessment of the wooded area has been completed. As outlined in Table 1, in the event that Block 305 is not part of the development area, the overall density for the draft plan is 46 residents/jobs per hectare, and if it is further determined that the lands within the 120m of the staked tree line are also not part of the development area, the overall density is 47 residents/jobs per hectare.
4. The zoning bylaw amendment would allow for the development of the Draft Plan of Subdivision, as proposed and the holding provision would apply to approximately 39 residential lots.

## 2 Planning Justification Report Update

The WND Planning Justification Report (November 2019) provided a detailed overview of the Planning Act, Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2019), the Northumberland County Official Plan, and the Municipality of Port Hope Official Plan and Zoning By-law.

The following review does not duplicate the planning policy review of the 2019 Planning Justification Report. This update provides a planning rationale and basis for the modifications to the proposed development as outlined along with discussion of more recent updated legislative requirements and policies as required. This letter should, therefore, be read in conjunction with the 2019 Planning Justification Report.

### 2.1 Planning Act

The Planning Act, R.S.O. 1990 (the 'Act') is Provincial legislation that governs matters of land use planning within the Province of Ontario. It grants authority to municipalities or regional governments to control and regulate land uses within their borders and provides the high-level framework to guide the Provincial Policy Statement. The Act also sets out the framework for appellant rights and dispute resolution matters.

*In our opinion, the revised residential subdivision has appropriate regard for the identified matters of Provincial interest provided within Section 2 of the Planning Act. The criteria set out in Section 51 (24) of the Planning Act have been considered in our review of the latest draft plan of subdivision, and the modified draft plan of subdivision application satisfies the criteria set out in the Planning Act.*

### 2.2 Provincial Policy Statement 2020

The Provincial Policy Statement, 2020 (the "PPS"), released in February 2020, came into effect on May 1, 2020 and provides direction on matters of Provincial interest related to land use planning and development. Per Section 3(5) of the Planning Act, all land use planning decisions made in the Province of Ontario after May 1, 2020 must be "consistent with" the PPS, 2020.

The PPS provides a comprehensive vision with respect to land use and growth patterns. It is the intent of the PPS to focus growth within settlement areas to better optimize land, public infrastructure, and service facilities, while protecting resources of provincial interest, public health and safety, and the quality of the natural environment and built heritage resources. The PPS supports intensification, and contains policies that encourage a mixing of uses, especially where redevelopment occurs within existing urban areas, and where services and infrastructure already exist to support growth.

*The revised subdivision consisting of 303 residential dwelling units will provide a mix of single detached units that will offer a range of housing options on lots of varying size and price-points to accommodate the needs of various household sizes and incomes within the designated Greenfield area of the Municipality.*

Policy 2.1.8 states that: "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 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 on their ecological functions."

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*As noted above, the wooded area of the subject site, located at the southwest corner of Strachan Street and Victoria Street South, has been staked and surveyed, and has been delineated on the Draft Plan of Subdivision as Block 305 (Other Lands Owned by Applicant) to allow for further evaluation of the wooded area. As no change in the official plan designation for Block 305 is being requested at this time, our planning analysis in this update is directed to the remainder of the lands and not Block 305. As part of this analysis we are required to consider and have concluded that regardless of the ultimate designation of Block 305 the proposed instruments will allow for development that is consistent with the PPS 2020 and ensure that any further consideration of Block 305 will be consistent with the PPS 2020.*

*As outlined in the Environmental Impact Study Addendum letter, as prepared by Niblett Environmental Associates (dated May 4, 2020), the development of 264 residential dwelling units proposed in Phase 1 can proceed without any negative impacts to the wooded area and the lands located within 120m of the staked treeline and buffer area.*

Policy 2.6.3 of the PPS states that “Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

For the purposes of Policy 2.6.3, the PPS defines “adjacent lands” to mean “those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.”

*The dwelling located south of the subject site (88 Victoria Street South) is a designated heritage property. The proposed development is separated from the heritage property by the western portion of the Aon Inc. lands (Part 13 of Plan 39R-11123) located immediately south of the subject site. As defined by the PPS, the subject site is not adjacent to the protected heritage property and as such this policy is not applicable and no impact assessment arising from development on the subject site would be required as previously confirmed by the Municipality.*

*In our opinion, and as indicated in our November 2019 report, the revised draft plan of subdivision is consistent with all of the applicable policies of the Provincial Policy Statement. The development provides for an efficient development pattern that will result in a range of residential units in the context of a larger community development plan for the Municipality of Port Hope; makes full use of planned and available infrastructure and municipal services; contributes to the housing supply in the Greenfield urban area within the Municipality of Port Hope; and provides adequate protection of areas of environmental constraints or significant built heritage.*

### **2.3 Places to Grow: Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), prepared by the Ministry of Public Infrastructure Renewal, took effect on May 16, 2019, and was established under the Places to Grow Act, 2005, for municipalities within the Greater Golden Horseshoe. The Growth Plan, as amended, now contains a set of policies to manage growth to the year 2041 and is to be read in conjunction with the Provincial Policy Statement (“PPS”). The Growth Plan prevails where there is a conflict with the PPS. The Growth Plan applies to all land use planning decisions made after May 16, 2019.

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Policy 2.2.7.2(b), Designated Greenfield Areas, states that the “City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, **Northumberland**, Peterborough, Simcoe and Wellington will plan to achieve within the horizon of this Plan a minimum density target that is not less than 40 residents and jobs combined per hectare”. *(bolding added)*

*The proposed subdivision of 303 residential dwelling units will achieve approximately 40 residents per hectare, based on the number of persons in private households (2.523 PPU for single detached units, and 2.031 for multiples), as set out in the in the 2019 Development Charges Background Study (Schedule 4) prepared for the Municipality of Port Hope.*

*As outlined in Table 1, in the event that Block 305 is not part of the development area, the overall density of the draft plan is 46 residents/jobs per hectare. If it is further determined that the lands within the 120m of the staked tree line are also not part of the development area, the overall density is 47 residents/jobs per hectare.*

The Growth Plan provides protection to key natural heritage features, key hydrologic features, federal and provincial parks and conservation reserves, and other natural heritage features and areas.

Policy 4.2.2 of the Growth Plan provides policies to protect the Natural Heritage System (“NHS”) from development by identifying the NHS “to support a comprehensive, integrated, and long-term approach to planning for the protection of the region’s natural heritage and biodiversity”.

*The wooded area located in the subject area is not identified in the Natural Heritage Areas mapping of the Province. Therefore, the NHS policies of the Growth Plan do not apply to the wooded area of the subject site.*

Policy 4.2.7 provides policies for protecting cultural heritage resources stating that “cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas”.

*As noted above, 88 Victoria Street South is a designated heritage property. The proposed residential development is not adjacent to the heritage property by a portion of the Aon Inc. lands (Part 13 of Plan 39R-11123), and will, therefore, not negatively impact the features of the heritage property.*

*In our opinion, the proposed development represents a type of development that the Growth Plan encourages, and accordingly the proposed development conforms to with the policies of the Growth Plan for the Greater Golden Horseshoe.*

#### **2.4 The Northumberland County Official Plan (2016)**

The Northumberland County Official Plan was adopted by County Council on September 17, 2014 and approved by the Ontario Municipal Board on November 23, 2016.

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The County Official Plan designates the entirety of the subject site as 'Urban Area' which are areas that are intended to be the focus of growth within the County with greater specificity of the range of permitted uses to be determined in the local Official Plan. A minimum of 80% of the anticipated population and employment is expected to occur in the 'Urban Areas' identified in the County with a population growth forecast for 2041 of 6,290 persons in Port Hope which represents the most significant growth area within Northumberland County.

Section B10 of the County Official Plan provides a minimum designated greenfield area density target for new Greenfield development (residents and jobs combined per hectare) of 35 people and jobs per gross hectare.

*The proposed subdivision of 303 residential dwelling units will exceed the minimum density target of 35 residents and jobs per hectare of the current in-force Northumberland County Official Plan, based on the persons in private households (2.523 PPU for single detached units, and 2.031 for multiples), as established in the 2019 Development Charges Background Study (Schedule 4) prepared for the Municipality of Port Hope (at approximately 40 residents and jobs per hectare).*

*As outlined in Table 1, in the event that Block 305 is not part of the development area, the overall density for the draft plan is 46 residents/jobs per hectare, and if it is further determined that the lands within the 120m of the staked tree line are also not part of the development area, the overall density is 47 residents/jobs per hectare.*

*The Northumberland County Official Plan has not been subject to a review to bring the Official Plan into conformity with the 2019 Growth Plan for the Greater Golden Horseshoe, therefore, the minimum density target of the Growth Plan must be provided.*

Section D1.2 of the Official Plan provides policies to establish and protect provincially significant wetlands and Areas of Natural and Scientific Interest which are designated 'Environmental Protection Area' on Schedule A to the Official Plan.

*The Official Plan designates the entirety of the subject site as 'Urban Area'. The wooded area located on the Victoria Street South frontage of the subject site is not identified as an 'Environmental; Protection Area' on Schedule A of the Official Plan and as such those policies related to the protection of such lands would not apply.*

*The lands proposed for the development of the proposed residential dwelling units will occur within the area of the subject site that that were plowed fields and the former fairways of the Port Hope Golf and Country Club. As outlined in the Environmental Impact Study Addendum letter, as prepared by Niblett Environmental Associates (dated May 4, 2020), the development of 264 residential dwelling units proposed in Phase 1 can proceed without any negative impacts to the wooded area and the lands located within the 120m setback from the staked treeline.*

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Northumberland County is currently developing a draft Natural Heritage System Plan to manage growth within the County that preserves and enhances the natural environment. The wooded area has been identified for consideration as part of the natural heritage system that may be affected by one or more of the options presented in the draft Northumberland County Natural Heritage System Plan. While the development of this plan is incomplete and would in our opinion ultimately not be determinative of the current application given the date of the filing of the applications, the proposed bifurcation of the plan will allow for consideration of the wooded area to be guided by appropriate studies and if determined appropriate to be included as part of a future natural heritage system.

*In our opinion, the proposed development conforms to and is consistent with the community development policies of the Northumberland County Official Plan.*

## **2.5 Municipality of Port Hope Official Plan**

The Official Plan for the Municipality of Port Hope was adopted on September 26th, 2006 and approved with modifications by the Province in 2008. The current Official Plan was updated (Official Plan Amendment No. 7) and approved with modifications in January 2017 by the Ontario Municipal Board, pursuant to the Growth Plan 2019 and the PPS 2014.

The entirety of the proposed development is located within the 'Designated Greenfield Area' within the 'Urban Settlement Area' of Port Hope, with the majority of the subject site designated 'Residential 1', 'Residential 2', 'Recreational Open Space', 'Local Commercial 1' and 'Country Inn Commercial' within 'Special Policy Site Area 9' (Penryn Park Estate). The western portion of the subject site (locally known as the "Skora lands") is designated 'Low Density Residential – Urban' and is not subject to a Special Policy Site Area 9.

Section B12.3 of the Official Plan states that "Development in these areas is required to contribute to the achievement of the minimum designated greenfield area density target of 35 residents + jobs per hectare (r+j/ha) for the 48.86 ha of land designated as Greenfield in the Municipality (generating a total of approximately 1,710 r+j)", but not accounting for commercial jobs.

*The revised subdivision of 303 residential dwelling units will exceed the minimum density of 35 residents and jobs per hectare (approximately 40 residents and jobs per hectare), based on the person in private households (2.523 persons per unit for single detached units, and 2.031 for multiples), as established in the 2019 Development Charges Background Study (Schedule 4) prepared for the Municipality of Port Hope. The density of the proposed development will exceed the minimum density target of the current in-force Northumberland County Official Plan and the current in-force Municipality of Port Hope Official Plan.*

*The density of the proposed development will exceed the minimum density target of the current in-force Northumberland County Official Plan and the current in-force Municipality of Port Hope Official Plan. The Growth Plan provides for a minimum density target that is greater than the density target of the Official Plan. The Municipality of Port Hope Official Plan has not been subject to a review to bring the Plan into conformity with the Growth Plan 2019. The minimum density target of the Growth Plan must be provided until the Municipality of Port Hope Official Plan is amended to conform with the Growth Plan. The*

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*proposed subdivision of 303 residential dwelling units would achieve approximately 40 residents and jobs per hectare as required by the Growth Plan.*

*As outlined in Table 1, in the event that Block 305 is not part of the development area, the overall density for the draft plan is 46 residents/jobs per hectare, and if it is further determined that the lands within the 120m of the staked tree line are also not part of the development area, the overall density is 47 residents/jobs per hectare, which would exceed the 40 residents and jobs per hectare as required by the Growth Plan.*

In 2014, the Official Plan for the Municipality of Port Hope underwent a five-year review update to reflect changes to applicable Provincial legislation and local land-use issues. The 2014 Official Plan introduced a new policy (Section C5.2.4, Target Natural Heritage System) pertaining to the expansion of existing natural cover in the Municipality. Schedule B-1 of the 2014 Official Plan identified a woodland and unevaluated wetland within the subject site.

At that time in the November 2014 Report to the Planning and Development Committee, prepared by the Director of Planning and Development Services, Mr. Ron Warne, included a consolidation of the text and schedule changes to the Official Plan for Council adoption. This report also responded to specific concerns, raised by the owners of the subject site, pertaining to the new proposed policies and overlay mapping of Schedule B-1 by stating that “The Special Site Policies will take precedence over the target natural heritage system as these are more detailed policies with respect to what is permitted on the lands.” We concur with the opinion of the Director of Planning and Development Services with respect to the precedence of the Special Site Policy to allow for development on the wooded.

*As the entirety of the wooded area is located within ‘Special Policy Site Area 9’ (Penryn Park Estate), the Special Site Policies take precedence, and the natural heritage system policies do not apply to the subject site and in particular do not impact the designation on the wooded area.*

*As we have noted, there are a number of concerns raised during the public review of the original application including the proposed use of the wooded area of the subject site for the development of townhouse units. Our client has engaged consultants to stake and survey the wooded area and a buffer area which has been delineated on the Draft Plan of Subdivision as Block 305 (Other Lands Owned by Applicant) to allow for further evaluation of the wooded area to proceed, allowing for a determination with regards to the status of the wooded areas to be made at a later date once the appropriate studies have been completed.*

*The remaining lands which have been intended for the development of the proposed residential dwelling units will occur within the area of the subject site that that were mostly plowed fields and the former fairways of the Port Hope Golf and Country Club, areas which and do not contain any areas of environmental significance. As outlined in the Environmental Impact Study Addendum letter, as prepared by Niblett Environmental Associates (dated May 4, 2020), the development of 264 residential dwelling units proposed in Phase 1 can proceed without any negative impacts to the wooded area and the lands located within the 120m setback from the staked treeline.*

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*An Official Plan Amendment is required to the redesignate a portion of the Port Hope Golf and Country Club lands (designated as 'Recreational Open Space', 'Local Commercial 1', and 'Country Inn Commercial') within the Designated Greenfield Area of the urban area of the Municipality of Port Hope to an appropriate land use designation allowing for the types of residential uses proposed, largely a range of single detached residential lots fronting on public streets as compared to the block form of development contemplated under earlier approvals.*

*The draft Official Plan Amendment has been modified to include an allowance for the use of holding provisions in the implementing zoning by-law to set aside the development of the lands within the 120m of the delineated wooded area that, in the event that the wooded area determined to be a Provincially Significant Woodland. If such determination is made, an Environmental Impact Study is to be completed to the satisfaction of the Municipality.*

*The draft Official Plan Amendments also carries forward provisions to provide direction to prevent registration of that portion of the draft plan that may be potentially affected by a determination of Provincial significance in the wooded area.*

*In our opinion, the proposed Official Plan Amendment represents appropriate land use planning, providing for and appropriate balance of development of the Greenfield Area of the Municipality and the provision of appropriate safeguards to the wooded area of the subject site and any potential area required for buffer consideration should the wooded area be determined Provincially significant.*

## **2.6 Municipality of Port Hope Zoning By-Law 20/2010**

The Municipality of Port Hope Zoning By-law 20/2010 was adopted by Council in June 2010 and approval by the Ontario Municipal Board (OMB) in February 2011. The Zoning By-law was last updated in January 2019.

Zoning By-law 20/2010 places the proposed subdivision in five residential zoning categories: 'Medium Density Residential 3 Exception 47 Holding (RES3(47)(H1)) Zone', 'Medium Density Residential 3 Exception 48 Holding (RES3(48)(H1)) Zone', 'Medium Density Residential Exception 115 (RES3(115) Zone'; 'High Density Residential 4 Exception 28 Holding (RES4(28)(H1)) Zone', and 'Low Density Residential 1 Holding (RES1-1(H1)) Zone'; and two commercial zone categories: Neighbourhood Commercial Exception 29 Holding 'COM1(29)(H1)' Zone and General Commercial Exception 30 Holding 'COM2(30)(H1)' Zone, as well as Open Space Exception 56 Holding 'OS(56)(H1)' Zone, Major Recreational Exception 46 Holding 'OSR(46)(H1)' Zone, and Major Recreational Exception 46 Holding 'OSR(27)(H1)' Zone.

*The purpose of the zoning by-law amendment is to rezone the subject site, including the portions of the subject site that that were previously part of the Port Hope Golf and Country Club that are currently placed in the General Commercial Exception 30 Holding 'COM1(29)(H1)' Zone and General Commercial Exception 30 Holding 'COM2(30)(H1)' Zone, as well as Open Space Exception 56 Holding 'OS(56)(H1)' Zone, Major Recreational Exception 46 Holding 'OSR(46)(H1)' Zone, and Major Recreational Exception 46 Holding 'OSR(27)(H1)' Zone, with site specific development standards and a site specific holding provision.*

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*The development standards are proposed to be generally identical to the single detached residential standards approved by Council in March 2018 for the residential subdivision located on the north side of Strachan Street, north of the subject site (Zoning By-law 32/2018).*

*A holding provision is proposed in the zoning by-law amendment to set aside the development of the lands within the 120m of the surveyed and staked wooded area at the southwest corner of Victoria Street South and Strachan Street until such time as there is a determination as to the status of the wooded area. If the wooded area is determined to be a Provincially Significant Woodland, an appropriate Environmental Impact Study will be required to be completed to the satisfaction of the Municipality, prior to any development approvals for these lands.*

*In our opinion, the proposed zoning by-law represents appropriate land use planning, providing for and appropriate balance of development of the Greenfield Area of the Municipality and the provision of appropriate safeguards to the wooded area of the subject site and any potential area required for buffer consideration should the wooded area be determined Provincially significant.*

### 3 Supporting Studies

The following studies have been modified to address the comments received and included with this revised submission to support the proposed applications. All of the studies have been updated to reflect the proposed bifurcation of the plan so as to ensure that irrespective of the final decision with respect to the wooded area that development on the remaining land can proceed in an appropriate manner with regards to all matters identified.

#### **3.1. Functional Servicing & Stormwater Management Report**

An updated Functional Servicing Report and addendum letter as prepared by D.M. Wills Associates Limited to provide guidance for the future detailed design of sanitary, water, stormwater and utility servicing of the proposed residential development.

The report concluded that issues pertaining to the ability to service the proposed development with respect to sanitary sewer, storm sewer, watermain and utility servicing are not anticipated. Servicing can be achieved through connecting to the existing services and utilities with the information currently available.

The addendum letter confirmed that Phase 5 can be adequately serviced in the two-phase approach for storm, sanitary and water in accordance with the general servicing strategy outlined in the FSR.

#### **3.2 Environmental Impact Study**

An Environmental Impact Study Addendum was completed by Niblett Environmental Associates Inc. ("Niblett") to address the modifications the draft plan of subdivision and the potential impacts to the area from the proposed development.

Niblett concluded that, given that no development would be able to proceed in the proposed second phase of development without a determination of the status of the wooded area, the proposed plan as proposed in the first phase, is an appropriate and reasonable approach that will fully protect those areas

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that may potentially be determined to be environmentally significant while allowing those areas which do not contain any areas of significance to proceed to development.

### **3.3 Tree Inventory and Preservation Plan Report**

An updated tree preservation assessment and addendum letter for Phase 5 was carried out by Treescape Certified Arborists for the tree resources located within and adjacent to all boundaries of the subject site to assess the health and viability of the trees that currently exist within and in close proximity to the Phase 5 lands in order to assess the health of those trees and to identify those that merit protection, including trees which are identified as being species at risk. Phase 5, as currently proposed, involves a bifurcation of the plan where no development is sought with respect to the wooded area and associated potentially buffer at this time and ensures the continued protection of those areas and any trees within those areas until that determination has been made.

The findings of the updated assessment indicated that a number of trees have been identified for removal as a result of being dead, dying or diseased, or in conflict with the limits of excavation and/or grading.

The report outlines sufficient preservation measures for the maximum number of trees possible/feasible given the extent of the proposed development and grade changes across the site.

### **3.4 Transportation Impact Study Addendum**

A Transportation Impact Study Addendum letter was completed by Paradigm Transportation Solutions Limited to address changes in the draft plan of subdivision. The addendum concludes that the revised alignment of Street A provides the same traffic service, functionality, and level of safety as would the original alignment of Street A, and from a traffic perspective, the proposed modification of the Street A alignment is acceptable.

### **3.5 Noise Impact Study**

The revisions outlined in this letter do not modify the conclusions of the submitted Noise Impact Study (Valcoustics Canada Ltd. (October 10, 2019), which determined that a suitable acoustical environment can be provided, and the applicable MOE noise guideline requirements can be met with the introduction of appropriate acoustical design.

The bifurcation of the proposed plan does not give rise to any changes in any conclusions.

### **3.6 Archaeological Assessment**

The modifications to the applications outlined in this letter do not modify the conclusions of the submitted Stage 3 Archaeological Assessment (Northeastern Archaeological Associates Limited, November 8, 2018), which stated that based on age and nature of the material recovered, as well as the observed damage to site integrity, Northeastern Archaeological Associates Limited found that the site possesses no further Cultural Heritage Value or Interest (CHVI) and that no further archaeological assessment is recommended.

The bifurcation of the proposed plan does not give rise to any change in any conclusions.

## **4 Conclusion**

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The revisions to the applications reviewed in this update and outlined in the supporting technical report addendums accompanying this resubmission do not alter the conclusions of the Planning Justification Report prepared by WND Associates, dated November 2019.

The revisions to the proposal allow for the timely development of the subject site within the Greenfield area of the Municipality, providing appropriate consideration to the protections that would require should the wooded area be determined to be Provincially significant. The policy approach in the Official Plan amendment provides appropriate policy support to the use of holding provisions in an implementing zoning by-law and the application of conditions to draft plan approval for protection and consideration of the wooded area along the Victoria Street South frontage, including any potentially associated area for study, as appropriate.

The proposed development of the subdivision provides for an appropriate introduction of the additional freehold ownership dwellings south of Lakeshore Road/Ridout Street, consistent with the existing neighbourhood context in terms of building height and scale, contributing to safe and attractive streetscapes.

The lands proposed for residential use are suitable for development and can be accommodated without a negative or adverse impact to the Municipality generally, or to surrounding land uses specifically. The proposed nature, scale, type and density of residential development provides for a range of housing that is compatible with the surrounding area.

The development represents good planning and is consistent with the density targets of the Provincial Growth Plan and the in-force County and Municipal Official Plan in the form and manner proposed.

The proposed development of the subdivisions effectively responds to Provincial and Municipal Growth Management policies within the Municipality of Port Hope by enhancing the range of housing opportunities within an area that is targeted for residential growth and that makes full use of existing urban infrastructure and services. Port Hope has more than sufficient capacity to accommodate growth both in terms of available land and infrastructure available to provide for the proposed development.

The proposed zoning by-law amendment will provide for development standards that are appropriate to the type of residential development contemplated and consistent with the other recent approvals in the area south of Lakeshore Road. The proposed zoning by-law amendment will properly implement the development of the draft plan of subdivision which is consistent with and in conformity to the proposed Official Plan amendment.

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Should you have any questions or require any additional information, please do not hesitate to contact the Shannon Sigouin at WND Associates.

Yours very truly,

**WND associates**  
planning + urban design

A handwritten signature in black ink, appearing to read 'S. Sigouin'.

Shannon Sigouin, MCIP, RPP  
Senior Associate, Urban Design

**RDlandPlan Consultants**  
Urban Planners

A handwritten signature in black ink, appearing to read 'Robert A. Dragicevic'.

Robert A. Dragicevic, MCIP, RPP  
Senior Consultant