

Second Submission from Sue Stickley 231 Walton Street, Port Hope ON

Theodhora Merepeza, Planning Manager, Municipality of Port Hope March 4, 2020

## **COMMENTS ON MASON/PENRYN PHASE 5 DEVELOPMENT APPLICATION**

I concluded my preliminary comments (Feb 2, 2020) on this development by saying, “I look forward to reviewing Municipal Staff assessments of all previous approvals and conditions and the application’s concurrence with the Municipality of Port Hope’s Strategic Plan.”

**I am now guessing that although the public and agencies have submitted many comments and questions related to these applications that no results of Planning Staff review and/or developer review will be presented on March 10, 2020 at the public meeting. Is that correct?**

A Backgrounder issued by the Municipality on Feb. 3 2020 stated:

“At the March 10, 2020 public meeting (assuming the date is approved by Council) the applicant will make a presentation and hear from the community. Staff will be there to gather information communicated. Municipal staff will not be presenting a recommendation at that time.

This formal public meeting is a vital and necessary means to inform the public and ensure that the community has a full and open opportunity to provide information, submit questions and to express their concerns or support for the application.”

**When, if ever, will answers to questions be provided?**

It seems you attempted to provide some answers in this backgrounder but see blue comments below –

**“ 4. Is the proponent, Penryn-Mason Homes, going to cut trees down in the subject area before they receive approval to develop the subdivision and are they allowed to do so?**

**Answer:** No to both of these questions.

**Penryn-Mason Homes has advised the Director of Community Development that there are no plans to cut any trees down prior to receiving approvals for their subdivision development.** They have indicated that, notwithstanding the fact that the lands which include the wooded area have long been approved for residential development, they very much prefer to work with the Municipality to address all comments received.

Earlier last year, AON Inc. had sought permission from the County to remove trees from the property. The County advised AON that it could not proceed with AON's application due to the issues identified by the Municipality and the GRCA."

**Tree removal in the Phase 5 application area took place last year and continues this winter! The Penryn Park woodlot on Victoria Street has been spared due to public scrutiny but to the west even the heritage 50 metre high white pines in CPT3 on the Tree Identification and Preservation report are destroyed. The Treescape report states "The White Pine located in this area are quality mature specimens worth considering for retention."**

**" 5. There have been suggestions that there is a Conservation Agreement with AON Inc. as well as a Tree Identification and Vegetation Conservation Plan that may limit or control the removal of trees on the subject lands. Is this true?**

**Answer:** The Conservation Agreement dated August 31st, 2004 pertains to the Little Creek Valley lands and does not relate to the subject lands for Phase 5 planning applications and as such is not applicable.

The Tree Identification and Vegetation Conservation Plan referenced was prepared as part of a servicing plan to support a residential subdivision development in this area of the Municipality, but the development did not relate to the subject lands. Its purpose was to make recommendations on the protection measures that should be considered when these services were being constructed in support of the Ferguson Farms North subdivision."

**If none of the reports in the 2005 AON agreement apply to this application why is it referenced as support in the planning justification report? – "PARKLAND** -The required parkland dedication for the majority of the subject lands (locally known as the "Penryn" and "Redner" lands) was established under Schedule "G" of the executed Subdivision Agreement (dated February 15, 2005) between Aon Inc. and the Municipality of Port Hope for all plans of subdivision within the larger land holding of the Aon Inc. lands, in which a portion of the proposed subdivision forms part of. All parkland dedications were taken and the cash in lieu of parkland payment was made to the Municipality on February 9, 2006."

**To me the 2005 AON Agreement seems to apply -**

"Staff and agencies will review these documents for clarity on this matter. However, neither the Conservation Agreement or the Tree Identification and Vegetation Conservation Plan would appear to limit or control the removal of trees on the subject lands, including the wooded area.

**WHEREAS** the lands affected by this Agreement are located in part of S. Cumberland Lot Plan 25, Part of Lots 9, 10 and 11 Concession 1, Part of Lots 9, 10 and 11 Broken Front Concession and part of the road allowances between Broken Front Concession and Concession 1, between Lots 10 and 11 Concession 1 and between Lots 10 and 11 Broken Front Concession, Municipality of Port Hope, formerly Town of Port Hope, geographic Township of Hope, , as described in Schedule "A" attached hereto, and are hereinafter called the "AON Lands" which are more particularly referred to as including the following draft approved plans of subdivision;

- (a) Ferguson Farm South – File No. 2.G.11.A
- (b) Ferguson Farm North – East of Little's Creek – File No. 2.G.11.C
- (c) Ferguson Farm North – North west of Little's Creek – File No. 2.G.11.B
- (d) Penryn Park – File No. 14-T-89017
- (e) Redner - File No. 2.G.12

Yes the Penryn Park woodland (previously Phase 9) seems not to be included (no utility corridors?) but please take another look at the 2004 report:

### 1.0 PURPOSE OF REPORT

To identify the type and quality of vegetation for the area of Penryn Park Estates which is slated for development, and to identify vegetation that should be conserved in advance of site disturbance.

### 2.0 SUBJECT AREA

The following key plan indicates the area of assessment. It includes Ferguson Farms South, the road allowance extending east from Ferguson Farms South toward Victoria Street (Strachan Street Extension), and the possible utility corridor extending north from the northwest corner of Ferguson Farms South toward Ferguson Farms Northwest and the proposed east/west road adjacent to the north boundary of the site. The subject area also includes Street B and the South Easement, the Strachan Street Extension North, and the proposed utility corridor at the Existing Farm Crossing.



Figure 1. Area of Vegetation Assessment

My question continues to be what good are any agreements or guarantees when no one enforces them? It took me 2 ½ years to obtain a copy of the Tree Identification and Vegetation Conservation Report included in the 2005 agreement. Much development has been approved on these lands over the past 15 years but I have found no reference to the recommendations from this report.

I will be making another submission regarding these Phase 5 applications.