

## Staff Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

---

<b>Report To:</b>	Planning and Development Committee		
<b>Date of Meeting:</b>	October 22, 2019	<b>Report Number:</b>	PSD-042-19
<b>Submitted By:</b>	Faye Langmaid, Acting Director of Planning Services		
<b>Reviewed By:</b>	Andrew C. Allison, CAO	<b>Resolution#:</b>	
<b>File Number:</b>	S-C-2018-0003, ZBA2018-0014	<b>By-law Number:</b>	
<b>Report Subject:</b>	Public Meeting - Applications by BV Courtice Partners LP (Trolleybus Urban Development) for a Draft Plan of Subdivision and Zoning By-law Amendment to permit 151 subdivision at the north-west corner of Hancock Road and Nash Road in Courtice.		

---

### Recommendations:

1. That Report PSD-042-19 be received;
2. That the proposed Draft Plan of Subdivision and Zoning By-law Amendment submitted by BV Courtice Partners LP (Trolleybus Urban Development) continue to be processed including the preparation of a subsequent report; and
3. That all interested parties listed in Report PSD-042-19 and any delegations be advised of Council's decision.

# Report Overview

The Municipality is seeking the public's input on applications for a proposed Draft Plan of Subdivision and Zoning By-law Amendment submitted by BV Courtice Partners LP (Trolleybus Urban Development) to permit 151 residential lots, consisting of 85 single detached dwellings and 66 townhouse dwellings, the extension of Tabb and Broome Avenue's and new north-south and east-west roads.

## 1. Application Details

Owner/Applicant: BV Courtice Partners LP (Trolleybus Urban Development)

Proposal: Draft Plan of Subdivision

The proposed Draft Plan of Subdivision would permit 151 residential lots, consisting of 85 single detached dwellings and 66 townhouse dwellings, the extension of Tabb and Broome Avenue's and new north-south and east-west roads.

### Zoning By-law Amendment

To rezone the subject lands from "Agricultural (A)" and "Environmental Protection (EP)" zones to appropriate zones that would permit the singles detached and townhouse dwelling units.

Area: 6.78 Hectares

Location: 1828, 1830, 1832, 1834, 1836, 1840 Nash Road and 3056, 3090, 3112, 3124, 3136, 3142, 3150, 3158 Hancock Road, Courtice.

Roll Number:	1828 Nash Road	181701009010300
	1830 Nash Road	181701009010200
	1832 Nash Road	181701009010100
	1834 Nash Road	181701009010000
	1836 Nash Road	181701009009900
	1840 Nash Road	181701009009800
	3056 Hancock Road	181701009009300
	3090 Hancock Road	181701009009200
	3112 Hancock Road	181701009009100
	3124 Hancock Road	181701009009000

3136 Hancock Road	181701009008900
3142 Hancock Road	181701009008800
3150 Hancock Road	181701009008700
3158 Hancock Road	181701009008600

Within Built Boundary: Yes

## 2. Background

- 2.1. The Hancock Neighbourhood Plan was originally approved by Council in September 1998. The neighbourhood plan was amended in April 2013 to the current plan. The plan was amended in 2013 due to:
  - Identification of Provincially Significant Wetlands by the Ministry of Natural Resources; and
  - Release of Provincial Growth Plans and Region; and
  - Durham Official Plan Amendment 128.
- 2.2. The neighbourhood plan update in 2013 changed the street pattern and lot patterns to the current plan (Figure 1). The Neighbourhood plan is intended to guide development. The exact lot pattern and street layouts are to be determined at the application stage once the required studies, including Environmental Impact Study, Traffic Impact Study, etc., have been submitted to support the application.
- 2.3. Since the Hancock Neighbourhood Plan was updated in 2013 there have been three developments approved in the Hancock Neighbourhood (See Figure 2). Development of the approvals has occurred or is proceeding with the exception of the 19 single detached dwellings, directly west of the subject lands, which were approved as a draft plan of subdivision in 2015. Final approval has not been issued (outlined in blue below, in Figure 2).
- 2.4. In May 2018 BV Courtice Partners LP (Trolleybus Urban Development) submitted Draft Plan of Subdivision and Zoning By-law Amendment applications. The applications were deemed incomplete as a comprehensive Environmental Impact Study was still in the process of being completed. The applications were circulated to internal departments and external agencies for preliminary comments. Preliminary comments were provided to the applicant in November 2018. The applicant submitted the outstanding Environmental Impact Study but requested staff not conduct a public meeting to allow them to address some of the comments provided and resubmit a revised plan that addressed the preliminary staff comments.

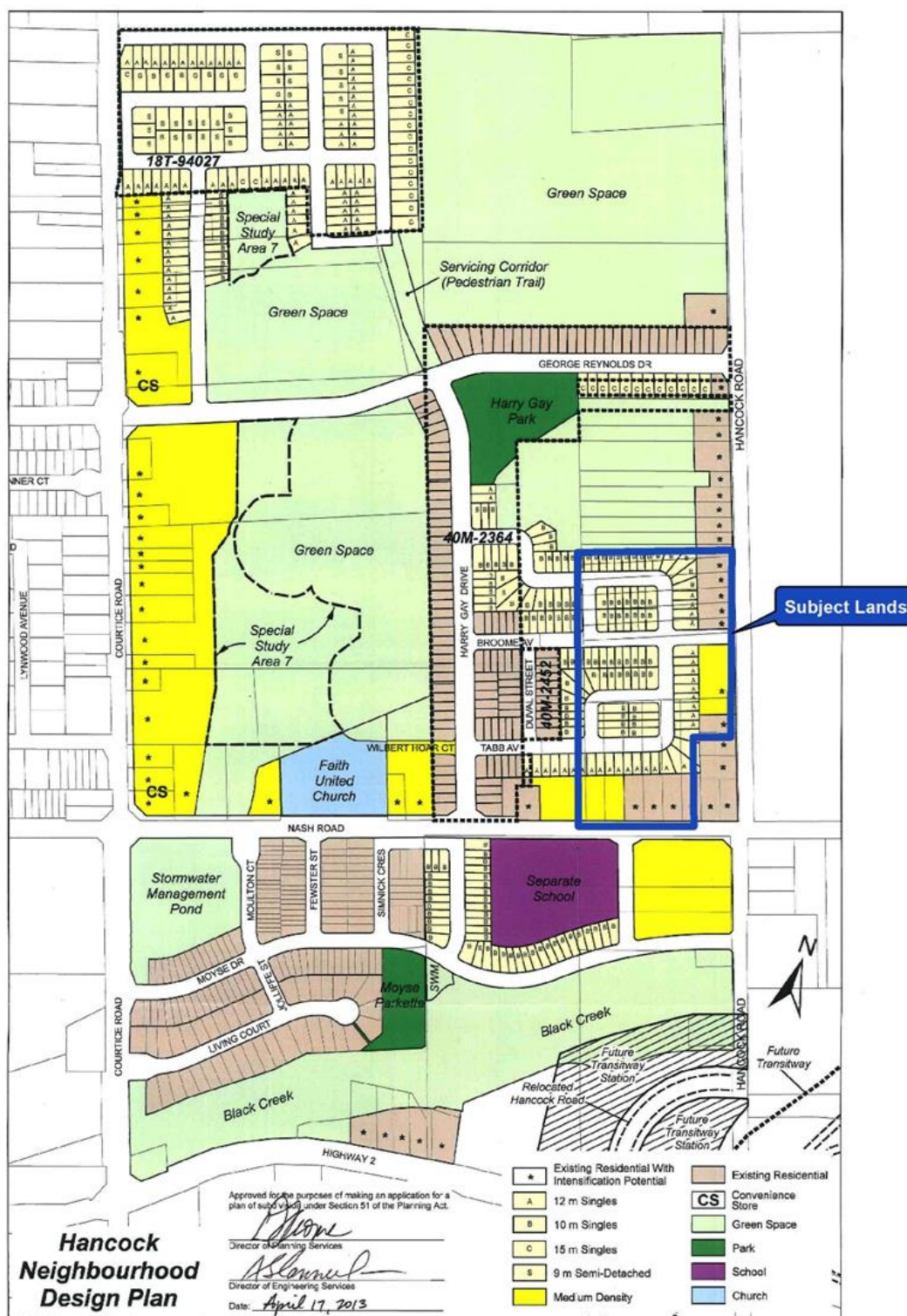


Figure 1: Approved Hancock Neighbourhood Plan with subject lands identified.



**Figure 2:** Subject lands and surrounding development approvals in the Hancock Neighbourhood.

2.5. In August 2019, the applicants submitted revised applications with amended studies. The applicants have submitted the following studies in support of the applications:

- Functional Servicing and Stormwater Management Report;
- Planning Rationale Report;
- Environmental Impact Study;
- Environmental Noise Assessment;
- Phase One and Two Environmental Site Assessment;

- Urban Design Brief; and
- Traffic Impact Study

2.6. The revised studies are being reviewed by staff and agencies and will be summarized in a future report.

### 3. Land Characteristics and Surrounding Uses

3.1. The subject lands consist of six parcels on Nash Road and eight parcels on Hancock Road. All of the parcels currently have a single detached dwellings and accessory buildings on the lands with the exception of 1830 Nash Road which is currently vacant. The properties were mainly used as residential on private services with the exception of 3090 Hancock Road.

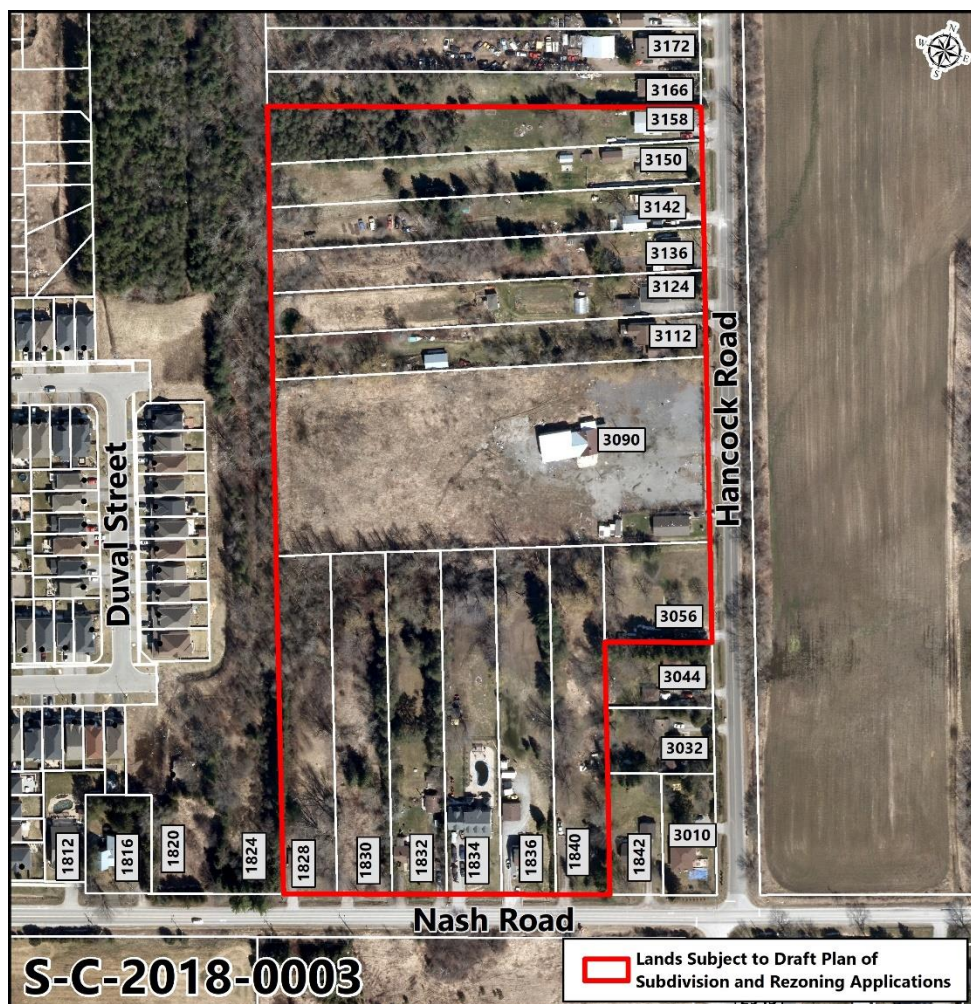


Figure 3: Subject lands.

- 3.2. In addition to having a single detached dwelling on the south end of the property, 3090 Hancock Road has a centrally located garage that was used as part of a former auto wrecker yard (Figure 4). The auto wrecker use had existed on the property since 1964 according to the information submitted in the Environmental Site Assessment, until purchased by the applicant.
- 3.3. As shown in Figure 2, in Section 2 above, there is a parcel of land to the west of the subject lands that separates the existing subdivision to the west. A portion of those lands have been draft approved but cannot be developed until the auto wrecker operation ceases. The remainder of the lands will be subject to future Planning Act applications. Final subdivision approval will be required prior to Tabb Avenue and Broome Avenue being connected to the proposed plan of subdivision.



**Figure 4:** 3090 Hancock Road former auto wrecker business with remaining garage.

The surrounding uses are as follows:

North - Single detached dwellings, woodlot and Provincially Significant Wetland

South - Single detached dwellings and Agricultural

East - Agricultural

West - Single detached dwellings

## **4. Provincial Policy**

### **Provincial Policy Statement**

- 4.1. The Provincial Policy Statement encourages planning authorities to create healthy, livable and safe communities by accommodating an appropriate range and mix of housing types and development patterns, while making efficient use of land and infrastructure.
- 4.2. Healthy and active communities should be promoted by planning public streets to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity. Compact and diverse developments promote active modes of transportation such as walking and cycling.

### **Provincial Growth Plan**

- 4.3. The Provincial Growth Plan encourages municipalities to manage growth by directing population growth to settlement areas, such as the Courtice Urban Area. Municipalities are encouraged to create complete communities by promoting a diverse mix of land uses, a mix of employment and housing types, high quality public open space and easy access to local stores and services.
- 4.4. The subject lands are within the defined Built Boundary and within the Urban Boundary of Courtice. Growth is to be accommodated by directing a significant portion of new growth to the built-up areas through intensification and efficient use of existing services and infrastructure. A minimum of 40 percent of all residential development occurring annually within each upper tier municipality will be within the built-up area.

## **5. Official Plans**

### **Durham Regional Official Plan**

- 5.1. The Durham Region Official Plan designates the subject lands Living Areas. Living Areas permit the development of communities incorporating the widest possible variety of housing types, sizes and tenure to provide living accommodations that address various socio-economic factors.
- 5.2. The Region of Durham Official Plan identifies Key Natural Heritage and Hydrologic Features on the subject lands. Development or site alteration is not permitted in Key Natural Heritage and Hydrologic Features, including any associated vegetation protection zone, as determined through an Environmental Impact Study.

- 5.3. Nash Road is a Type B Arterial Road in the Region's Official Plan.

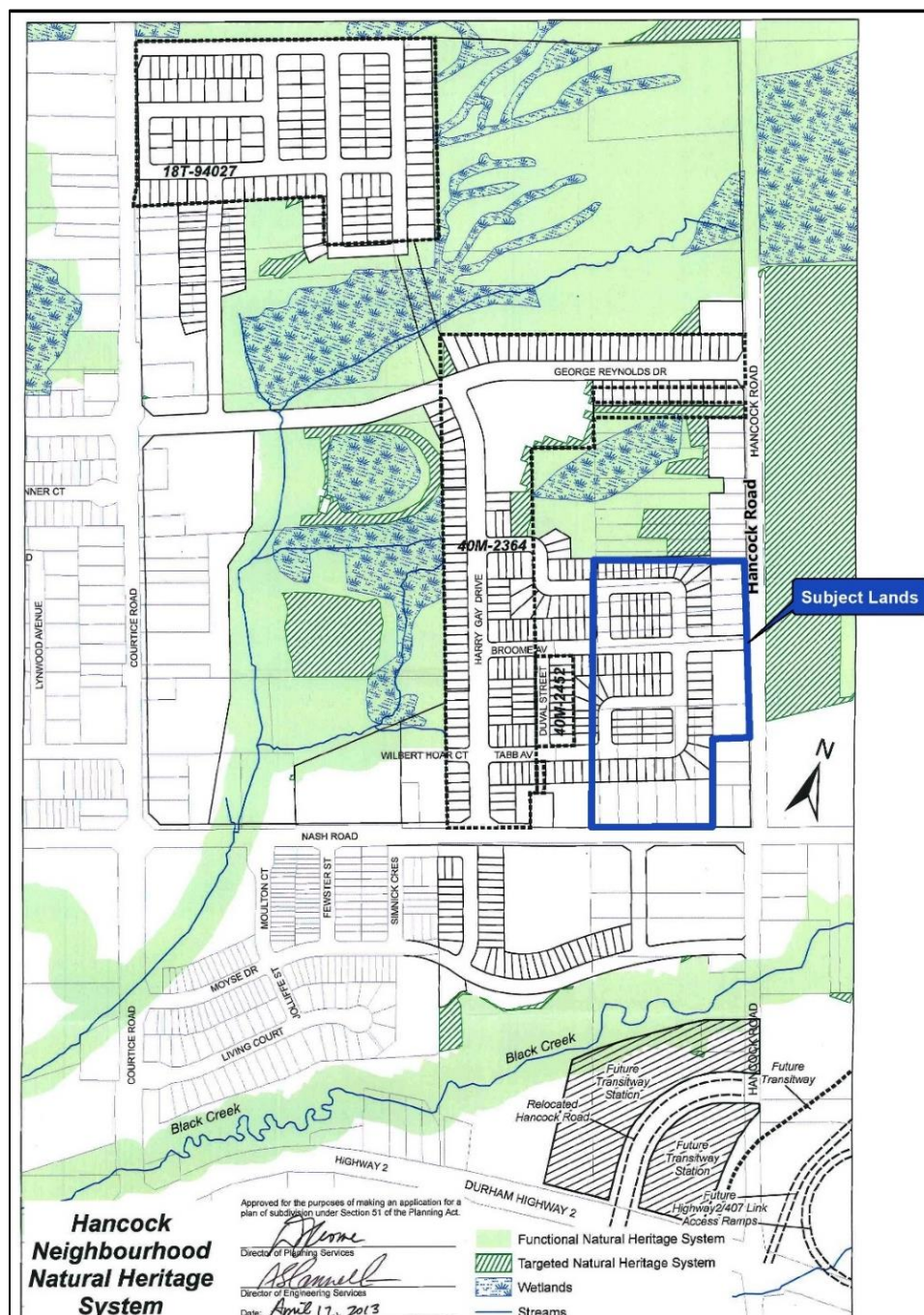
**Clarington Official Plan**

- 5.4. The Clarington Official Plan designates the subject lands Urban Residential and Environmental Protection Area along the north limits of the proposal. The Urban Residential designation is predominately intended for housing purposes. A variety of densities, tenure and housing types are encouraged, generally up to 3 stories in height.
- 5.5. Natural Heritage Features are identified and mapped on the subject lands, including being within the Lake Iroquois Beach. The natural heritage features are designated Environmental Protection Area. The natural heritage system is to be protected and enhanced for the long term to promote responsible stewardship and provide sustainable environmental, economic and social benefits. Studies will determine the appropriate development limit and buffers in accordance with the Official Plan.
- 5.6. Nash Road is a Type B Arterial Road and Hancock Road is a collector road within the Clarington Official Plan.
- 5.7. The minimum density for edge of neighbourhoods and adjacent to arterial roads is 19 units per hectare and the predominant built form is ground related units including townhouses and single detached dwellings.

**Hancock Neighbourhood Design Plan**

- 5.8. Within the Hancock Neighbourhood Design Plan the subject lands are identified with a mix of 10m and 12m single detached dwellings, existing residential and medium density along Nash Road and Hancock Road.
- 5.9. Environmentally sensitive areas have been identified in the Hancock Neighbourhood Plan (Figure 5). The areas were identified based on information received from the Ministry of Natural Resources and Forestry and preliminary work completed by Niblett Environmental Associates. An Environmental Impact Study is required to assess the features on each site, determine buffers and identify development limits.
- 5.10. The existing residential designation was included to recognize existing dwellings where the long term plans were not known. The designation did not indicate a new dwelling form, i.e. medium residential identified on the former auto wrecker site, as the dwellings may have remained; however, the designation allows for alternative dwelling forms should redevelopment be proposed.

5.11. The Hancock Neighbourhood Plan includes the extension of Broome Avenue to Hancock Road, the Extension of Tabb Avenue and new local roads.



**Figure 5:** Approved Hancock Neighbourhood Plan Natural Heritage System with subject lands identified

- 5.12. Approved Neighbourhood Plans will continue to provide guidance for the development of neighbourhoods unless superceded by a Secondary Plan. If a proposed development is not in keeping with the intent of the neighbourhood design plan the plans would need to be amended to a Secondary Plan.

## 6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject lands “Agricultural (A) Zone”. A Zoning By-law Amendment is required to permit the proposed single detached and townhouse dwelling units within the subdivision.

## 7. Public Notice and Submission



**Figure 6:** Revised public meeting sign posted on Hancock Road

- 7.1. Public notice was mailed to each landowner within 120 metres of the subject lands on September 20, 2019 and Public Meeting signs were installed fronting on Nash Road and Hancock Road on September 20, 2019.
- 7.2. On September 30, 2019 Council directed staff to move the October 21, 2019 Planning and Development Committee meeting to October 22, 2019 to avoid conflict with the Federal Election. Staff sent revised notice on October 1, 2019 and the signs on the site were revised on October 4, 2019.

- 7.3. Staff have received correspondence, written and verbal, from several area residents and land owners with concerns with the applications. The concerns identified include:
- Increased traffic in the neighbourhood. Also, increased traffic on Hancock Road as the only access to the subdivision until lands to the west are developed will be via Hancock Road;
  - Concerns with parking on public streets given the number of dwellings and townhouses being proposed;
  - Many residents walk on Hancock Road, which is a rural road, and the increased traffic will make it dangerous as there are no sidewalks;
  - The proposed development is not in keeping with the existing rural residential neighbourhood character. There are no townhouses in the surrounding neighbourhood;
  - Concerns with the trees that will be removed to facilitate the development;
  - Durham Region Transit does not service this neighbourhood;
  - Townhouses will target lower income families and devalue the neighbourhood;
  - Concern regarding potential impact on resident wells in the neighbourhood;
  - The lands to the east, currently agricultural lands, drain towards the neighbourhood and can cause a lot of standing water on properties, especially during the spring months. Some residents are concerned the development may increase the amount of water on their properties or the potential for flooding on their properties;
  - Concerns regarding the proposed servicing to ensure it is consistent with previous development approvals to the west;
  - Questions and concerns regarding the remediation of the former autowrecker yard on the lands at 3090 Hancock Road; and
  - Impact on local parks and schools with an increase in population in the surrounding neighbourhood.

## **8. Agency Comments**

### **Regional Municipality of Durham**

- 8.1. Comments from Durham Region Planning, Works and Transit Departments have not been received at the time of finalizing this report but will be included in a subsequent report.

**Central Lake Ontario Conservation Authority**

- 8.2. Comments from the Central Lake Ontario Conservation Authority have not been received at the time of finalizing this report but will be included in a subsequent report.

**Other Agencies**

- 8.3. Canada Post, Hydro One, and Rogers have indicated that they have no concerns with the applications but request to be included in the detailed design process for servicing should the applications be approved.

## **9. Departmental Comments**

**Engineering Services**

- 9.1. The Engineering Services Department has identified concerns with the proposed stormwater management system, the on-street parking plan, and road layout. The applicant will be required to provide additional details to address Engineering's concerns.

**Emergency and Fire Services**

- 9.2. The Emergency and Fire Services Department have no concerns with the applications.

## **10. Discussion**

- 10.1. The subject lands include natural heritage features identified in the Clarington Official Plan and Hancock Neighbourhood Plan including a woodlot and Provincially Significant Wetlands. The applicants have submitted an Environmental Impact Study and Geotechnical Report that municipal staff and conservation authority staff are currently reviewing.
- 10.2. When the Hancock Neighbourhood Plan was updated in 2013 there were many unknowns with regards to how redevelopment of the subject lands would occur. Specifically, how would land consolidation occur and will the existing dwellings remain or be removed. As the majority of lands have been consolidated it provides an opportunity to develop a subdivision that is consistent with the Hancock Neighbourhood Plan while introducing new elements consistent with the policies of the Clarington Official Plan.
- 10.3. The applicants proposed plan of subdivision maintains many of the elements of the Hancock Neighbourhood Plan. However, some elements differ from the plan, mainly in the central and south portions of the site adjacent to Nash Road. Townhouses or medium density forms of residential were indicated or anticipated along Nash Road and Hancock Road but not internal to the neighbourhood.

- 10.4. The applicants have proposed a window street adjacent to Nash Road that requires a temporary cul-de-sac. This is to provide servicing and access to the lots as direct access cannot be achieved from Nash Road which is an arterial road.
- 10.5. Staff have suggested an alternative design be considered including a new street connection to Nash Road instead of a window street. A new connection would eliminate the need for a window street and temporary cul-de-sac which may not be temporary as there is no timeline for when future development on the lands to the east may occur.
- 10.6. Aspects of the applicant's proposal and subdivision design will be reviewed in more detail, as additional agency and department comments become available. There is an opportunity to provide better development that frames the window street adjacent to Nash Road and provides more options to integrate the future developments to the east and west.
- 10.7. The purpose of the Public Meeting is to provide an opportunity for further public input. These public comments will be compiled, discussed with the applicant and addressed in a subsequent staff report.

## **11. Concurrence**

Not Applicable.

## **12. Conclusion**

The purpose of this report is to provide background information on the Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by BV Courtice Partners LP (Trolleybus Urban Development) to permit a 151 unit subdivision for the Public Meeting under the Planning Act. Staff will continue processing the application including the preparation of a subsequent report.

---

Staff Contact: Brandon Weiler, Planner, (905) 623-3379 ext. 2424 or [bweiler@clarington.net](mailto:bweiler@clarington.net).

Interested Parties:

List of Interested Parties available from the Planning Services Department.