

## Staff Report

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<b>Report To:</b>	<b>Planning and Development Committee</b>	
<b>Date of Meeting:</b>	November 15, 2021	<b>Report Number:</b> PDS-058-21
<b>Submitted By:</b>	Ryan Windle, Director of Planning and Development Services	
<b>Reviewed By:</b>	Andrew C. Allison, CAO	<b>Resolution#:</b>
<b>File Number:</b>	ZBA2021-0023	<b>By-law Number:</b>
<b>Report Subject:</b>	<b>An Application by National Homes (Prestonvale) Inc. for the removal of (H) Holding symbol to permit a total of 112 townhouse units at the northeast corner of Prestonvale Road and Bloor Street, Courtice</b>	

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### Recommendations:

1. That Report PDS-058-21 and any related communication items, be received;
2. That the By-law attached to Report PDS-058-21, as Attachment 1, be approved;
3. That Council's decision and a copy of Report PSD-058-21 be forwarded to the Region of Durham and the Municipal Property Assessment Corporation; and
4. That all interested parties listed in Report PDS-058-21 and any delegations be advised of Council's decision.

## Report Overview

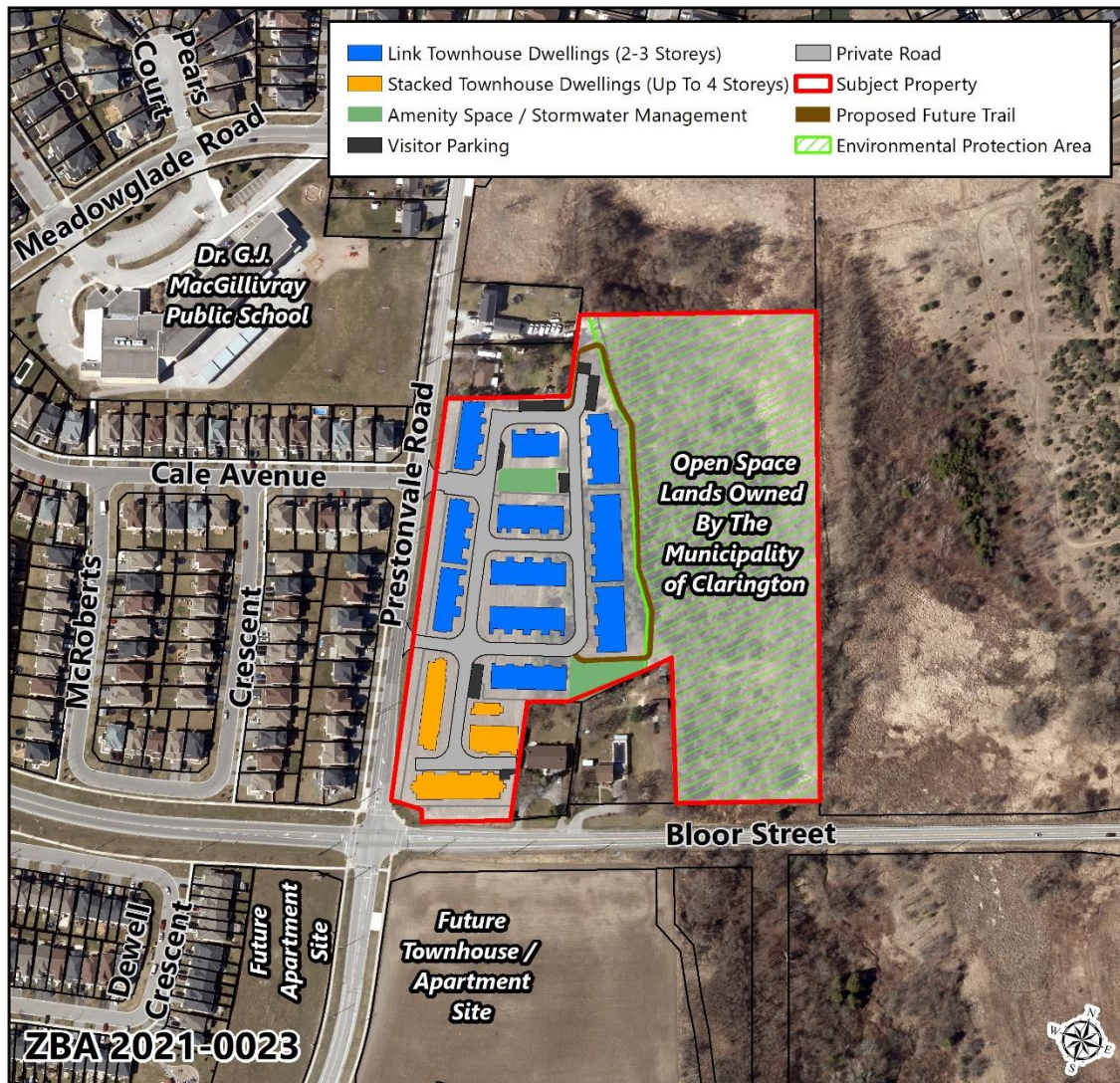
This report is recommending approval of an application by National Homes (Prestonvale) Inc. to remove the (H) Holding symbol which would have the effect of allowing the construction of 112 townhouse units to proceed.

## 1. Application Details

- |     |                        |  |
|-----|------------------------|--|
| 1.1 | Owner/Applicant:       | National Homes (Prestonvale) Inc.  |
| 1.2 | Proposal:              | Removal of (H) Holding symbol from:<br>“Holding – Urban Residential Exception ((H)R3-58) Zone” |
| 1.3 | Area:                  | 2.29 hectares  |
| 1.4 | Location:              | Northeast corner of Prestonvale Road and Bloor Street (see Figure 1)                           |
| 1.5 | Roll Number(s):        | 18-17-010-060-07000 and 18-17-010-060-06810  |
| 1.6 | Within Built Boundary: | Yes  |

## 2. Background

- 2.1 The subject lands are within a registered plan of subdivision and zoned to permit a total of 112 townhouse units. While the approval of the Draft Plan of Subdivision was recommended before the Planning and Development Committee and Council, and eventually approved by the Director of Planning Services, the associated rezoning application (ZBA2017-0032) was appealed the Ontario Land Tribunal (formerly known as the Ontario Local Planning Appeal Tribunal) due to a failure of decision by the Municipality within the prescribed time frame. Prior to a formal hearing the parties settled the appeal and in December 2019 the By-law was approved.



**Figure 1** – Subject lands illustrating proposed townhouse blocks

- 2.2 The standard direction from the Planning and Development Committee and Council endorsing the process to remove the (H) Holding symbol at such time as Staff deems it appropriate is not available as a result of the LPAT process. This has resulted in this standalone application to remove the (H) Holding symbol.
- 2.3 The Subject property is zoned "Holding — Urban Residential Exception ((H)R3-58) Zone". To proceed with the release of building permits for the proposed townhouse development, the (H) Holding symbol must be removed from (H)R3-58 zone.

### 3. Staff Comments

- 3.1 The Holding (H) symbol is a provision enabled by the Official Plan and Zoning By-law to ensure that certain obligations have been considered prior to development and redevelopment of the lands. This includes: servicing, access, protection of natural areas, measures to mitigate the impact of development, submission of required studies, execution of agreements and financial obligations, and any other requirements as may be deemed necessary by Council including the implementation of the policies of this Plan.
- 3.2 The site-specific Zoning By-law Amendment approved by LPAT also included additional provisions for removal of the (H) Symbol, including:
- a) Stormwater outlet location and design prepared by a qualified Engineer, Environmental Consultant and related disciplines to the satisfaction of the Director of Engineering Services, the Director of Planning Services and the Central Lake Ontario Conservation Authority;
  - b) Tree removals justification and compensation plan prepared by a qualified Environmental Consultant, Arborist and Landscape Architect to the satisfaction Director of Engineering Services, the Director of Planning Services and the Central Lake Ontario Conservation Authority;
  - c) Final subdivision approval for the purposes of creating blocks for residential development, and the conveyance of Open Space lands to the Municipality of Clarington; and
  - d) Approval of site plan drawings and execution of a Site Plan Agreement.
- 3.3 Council must be satisfied that the provisions of the Official Plan and Zoning By-law are met prior to removing the Holding symbol.
- 3.4 The subdivision and site plan approvals have now been finalized. The additional provisions for removal of the (H) Symbol identified in Paragraph 3.2 above were satisfied as part of the final approval process and are considered fulfilled. The applicant has entered into a subdivision and site plan agreement with the Municipality and the subdivision plan was registered on August 24, 2021 as Plan 40M-2702. The Municipality is in receipt of all securities and payments.
- 3.5 The developer is currently on site installing underground services and private lanes and will be applying for building permits in the coming months.
- 3.6 The applicant has filled all conditions of approval within the Subdivision and Site Plan Agreements to allow for the issuance of building permits on site and it is appropriate to now recommend the removal of the (H) Holding Symbol in accordance with the provisions of the Official Plan and Zoning By-law.
- 3.6 All taxes owing to the Municipality of Clarington are paid in full.

## 4. Concurrence

Not Applicable.

## 5. Conclusion

- 5.1 In consideration of the comments noted above, approval of the removal of the "Holding H)" symbol on the subject lands as shown on the attached By-law and schedule (**Attachment 1**) is recommended.

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Attachments:

Attachment 1 – By-Law and Schedule

Interested Parties:

The following interested parties will be notified of Council's decision: