



## Public Meeting Report

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<b>Report To:</b>	<b>Planning and Development Committee</b>		
<b>Date of Meeting:</b>	January 16, 2023	<b>Report Number:</b>	PDS-001-23
<b>Submitted By:</b>	Carlos Salazar, Director of Planning and Development Services		
<b>Reviewed By:</b>	Mary-Anne Dempster, CAO		
<b>File Number:</b>	ZBA2022-0024	<b>Resolution#:</b>	PD-XXX-XX
<b>Report Subject:</b>	<b>Application to amend Zoning By-law 84-63 to permit a Temporary Sales Office in Courtice.</b>		

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### Purpose of Report:

The purpose of this report is to provide information to the public and Council.

### Recommendations:

1. That Report PDS-001-23 and any related communication items, be received;
2. That provided there are no significant concerns to the application during the Public Meeting, the application submitted by Nash Developments Limited to change the zoning to permit a new temporary home sales office and an associated parking lot for a maximum of three (3) years be approved;
3. That Staff receive and consider comments from the public and Council with respect to the Rezoning Application (ZBA2022-0024) through the site plan process;
4. That the Durham Regional Planning Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-001-23 and Council's decision; and
5. That all interested parties listed in Report PDS-001-23 and any delegations be advised of Council's decision.

## Report Overview

The applicant is proposing to construct a mobile 1-storey Temporary Sales Office at the Southwest corner of Nash and Hancock Road in Courtice.

- 1.1 Owner / Applicant: Nash Developments Limited c/o Marlin spring.
- 1.2 Proposal: To amend the Zoning By-law to permit a mobile temporary sales office for a maximum three (3) years. To rezone the proposed location of the temporary sales office from "Holding – Urban Residential Type One (R1) Zone" to a "Urban Residential Type One Exception (R1-103).
- 1.3 Area: The lot area of the "Urban Residential Type One Exception (R-103) zone", where the temporary sales office will be situated is 5,985 square metres (64,422 square feet) (See **Figure 1**). Gross floor area for the Temporary Sales Office is 161.97 square metres (1, 743.43 square feet).
- 1.4 Location: 2936 and 2910 Hancock Road, Courtice, Part Lots 27 Concession 2, former Township of Darlington.
- 1.5 Within Built Boundary: Yes

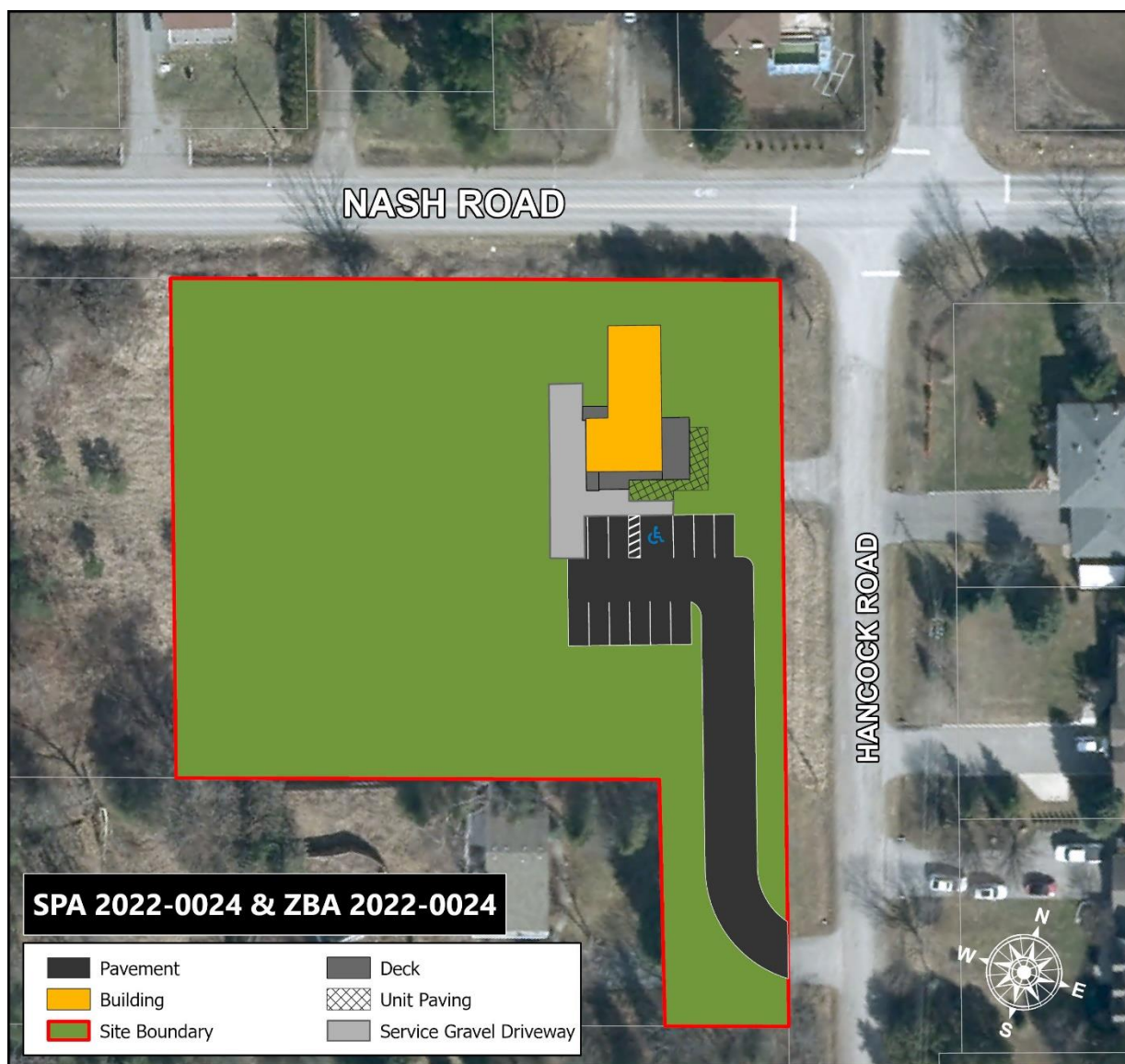


Figure 1: Proposed site plan of the Temporary Sales Office

## 1. Background

- 1.1 On September 7<sup>th</sup>, 2022, an application for a Site Plan Agreement was submitted by the applicant to construct a mobile Temporary Sales Office New Paragraph information.
- 1.2 On November 10<sup>th</sup>, 2022, an application for a Zoning By-law Amendment was submitted by the applicant to permit the temporary use of a mobile Temporary Sales Office.
- 1.3 The proposed temporary sales office is fronting Hancock Road, at the Southwest Corner of Hancock Road and Nash Road. The building is setback 6.13 metres from the north property boundary and 12.73 metres from the eastern property boundary (the front lot line). The site is proposed to be accessed using the existing driveway at 2910 Hancock

Rd. to provide sufficient space between the site entrance and the Hancock/Nash intersection (See **Figure 1**).

- 1.4 The application for Zoning By-law Amendment and Site Plan was deemed complete on November 24<sup>th</sup>, 2022.

## 2. Land Characteristics and Surrounding Uses

- 2.1 The subject site is located at 2936 and 2910 Hancock Road where the proposed temporary home sales office will be situated near the intersection of Nash and Hancock Road. The subject site is comprised of two merged residential parcels, each lot containing an existing single detached home that will be demolished. The parcels of land contain some trees and brush with some cleared areas throughout, primarily on the eastern portions of the parcels that front Hancock Road. The eastern portion of the properties is regulated by CLOCA.

- 2.2 The surrounding uses are as follows:

North: Nash Road, Agricultural parcels of land containing single-detached dwellings.

South: One residential parcel with a single detached dwelling located at 2894 Hancock Road.

East: Residential Cluster containing multiple residential lots with single detached dwellings.

West: Vacant, cleared land zoned for future residential development.

- 2.3 A corresponding Site Plan Application has been deemed complete and was circulated with the Rezoning Application. The Site Plan review process is ongoing. **Figure 1** shows the proposed site plan for the location of the Temporary Sales Office. The temporary sales office is proposing access from Hancock Road and includes visitor parking and private services.

- 2.4 Staff will continue to work with the applicant through the Site Plan Approval process.

## 3. Provincial Policy

- 3.1 The application is proposing to rezone the subject lands to permit a Temporary Sales Office for a proposed subdivision. The temporary nature of the proposed use in this application is not addressed in Provincial Policy and the proposal does not conflict with Provincial Plans.

## 4. Official Plans

- 4.1 Durham Regional Official Plan

The subject lands are designated "Major Open Space Area" in the ROP. The predominant use of lands in the Major Open Space Areas shall be conservation, and a full range of agricultural, agricultural-related and secondary uses. Area municipal official plans may further distinguish between non-agricultural uses which are compatible with the character of the Major Open Space Areas in urban and rural areas. The site is also adjacent to Nash Road, designated as a 'Type B' arterial road, in the ROP. Arterial roads connect with freeways, arterials, collectors and have minimal local road access.

#### **4.2 Clarington Official Plan**

The Clarington Official Plan designates the subject lands Urban Residential and Nash Road as a 'Type B' Arterial Road. The predominant use of lands designated Urban Residential shall be for housing purposes. Other uses may be permitted which by the nature of their activity, scale and design, and location are supportive of, and compatible with, residential uses. 'Type B' arterial roads are designed to move significant volumes of traffic at moderate speeds from one part of the municipality to another.

The Clarington Official Plan allows Council to pass temporary use by-laws to permit the use of lands, buildings or structures, on a temporary basis, for any purpose provided that:

- a. the proposed use is temporary in nature;
- b. the proposed use is compatible with adjacent existing land uses, there is minimal impact on natural features and land characteristics, or satisfactory measures to mitigate any adverse impacts will be applied;
- c. there will be no adverse impacts on traffic or transportation facilities or services in the area;
- d. adequate access and parking are provided;
- e. the use can be removed and the site can be restored to its original condition;
- f. adequate sewage disposal and water services are available in compliance with provincial and regional standards; and
- g. it does not jeopardize the long term implementation of the Plan.

### **5. Zoning By-law**

- 5.1 Within Zoning By-law 84-63, the subject lands are zoned "Holding – Urban Residential Type One ((H) - R1) Zone". Commercial type uses, are not permitted within Residential Zones. A temporary use Zoning By-law Amendment is required in order to permit a Temporary Sales Office on the subject property.
- 5.2 The proposed rezoning would permit a Temporary Sales Office, for up to a maximum three years. A site-specific zone would be recommended for the proposal (see **Attachment 1**).

## 6. Public Notice and Submissions

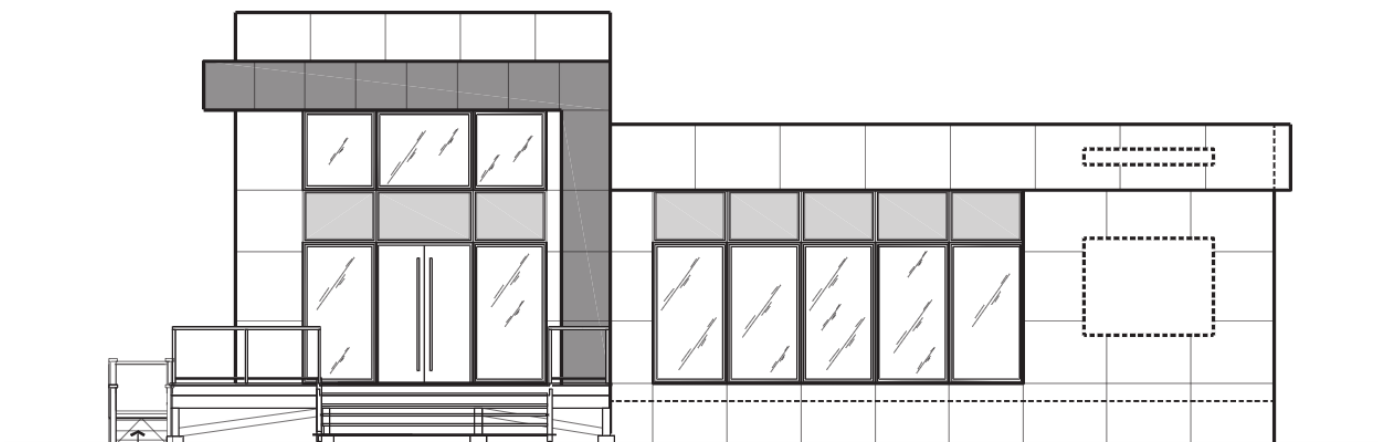
- 6.1 Public notice was given by mail to each landowner within 120 metres of the subject site and two public meeting signs were installed along the Nash Road and Hancock Road frontages.
- 6.2 At the time of writing this report, no public submissions had been received.

## 7. Agency and Departmental Comments

- 7.1 The application was circulated to internal departments and external agencies for review and comments. At the time of writing this report, no adverse comments had been received related to the proposed temporary use zoning by-law. A subsequent comment letter coordinating all internal and external comments will be sent to the applicants once they are received related to the ongoing site plan application

## 8. Discussion

- 8.1 The Site Plan Application for the Temporary Sales Office is ongoing. The drawings and reports have been circulated for review by various departments and agencies. **Figure 2** shows an elevation rendering of the temporary sales office. The proposed Temporary Sales Office is to be serviced by a private and self-contained servicing.



FRONT ELEVATION

**Figure 2:** West Elevation rendering facing Hancock Road

- 8.2 No sign permit application has been submitted for the Temporary Sales Office. Planning staff will review any sign permit application in conjunction with the site plan approval process.

- 8.3 A portion of the proposed location for the Temporary Sales Office is regulated by the Central Lake Ontario Conservation Authority. The applicant should work with the Conservation Authority on any environmental concerns raised in the regulated area. The applicant/owner should also provide all requested information with respect to the limit of the natural heritage features and their vegetation protection zones on the proposed location to CLOCA. and the Municipality.
- 8.4 Municipal water and sanitary sewers are not currently serviced to the subject site this area of Courtice. The proposed Temporary Sales Office is to be serviced by a private and self-contained servicing (trucked-in water). The portable washroom will be managed by an outside company. The water supply for the temporary sales office will be connected to a private non-potable water tank external to the building. A water meter will not be required. Temporary Sales Office is located approximately 25m from the existing fire hydrant on Nash Road.

## **9. Financial Considerations**

The recommendations of this report do not have any significant financial implications for the Municipality

## **10. Concurrence**

This report has been reviewed by the Deputy CAO/Treasurer.

## **11. Conclusion**

Provided there are no significant concerns with the application during the Public Meeting, Staff recommend the application submitted by Nash Developments Limited to change the zoning to permit a new temporary home sales office and an associated parking lot for a maximum of three (3) years be approved.

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Staff Contact: Tyler Robichaud, Planner 1, 905-623-3379 ext.2420 or [trobichaud@clarington.net](mailto:trobichaud@clarington.net).

Attachments:

Attachment 1 - Zoning By-law Amendment and Schedule

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

Mr. Ore Alade, Nash Developments Limited