



Public Meeting Report

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Report To:	Planning and Development Committee	
Date of Meeting:	October 21, 2024	Report Number: PDS-044-24
Authored By:	Sarah Parish	
Submitted By:	Carlos Salazar, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Mary-Anne Dempster, CAO	
File Number:	ZBA2024-0016, S-C-2024-0006	Resolution#:
Report Subject:	Applications for a Zoning By-Law Amendment and Draft Plan of Subdivision – Courtice Road and Bloor Street	

Purpose of Report:

The purpose of this report is to provide information to the public and Council. It does not constitute, imply or request any degree of approval.

Recommendations:

1. That Report PSD-044-24 and any related communication items, be received for information only;
2. That Staff receive and consider comments from the public, review agencies, and Council with respect to the Zoning By-Law Amendment and Draft Plan of Subdivision applications submitted by KLM Planning Partners on behalf of 2056421 Ontario Inc., and continue processing the applications including the preparation of a subsequent recommendations report; and
3. That all interested parties listed in Report PSD-044-24 and any delegations be advised of Council’s decision.

Report Overview

The Municipality is seeking the public's input on applications for a Zoning By-law Amendment and Draft Plan of Subdivision to Applications to develop 1,356 residential dwelling units of various built forms, consisting of two (2) high density mixed-use blocks, three (3) medium density blocks, a neighbourhood park, an open space block, and a stormwater management block. A future GO transit station and major transit station will be located approximately 1 km to the south if this proposed development.

1. Background

- 1.1 In February 2022, Clarington Staff held a stage 1 pre-consultation meeting with KLM Planning Partners and representatives from 2056421 Ontario Inc., to discuss the overall feasibility of the project in relation to the land use. A comprehensive list of plans and studies for the proposed development was also provided to the applicants as part of this meeting.
- 1.2 In August 2023, Clarington Staff met with KLM Planning Partners and representatives from 2056421 Ontario Inc., for a stage 2 pre-consultation meeting. At that meeting it was discussed that the proposed neighbourhood park was not in an appropriate location as it was not consistent with the Secondary Plan and should be located east and expand further into and abut the medium density area. The applicants have since revised the neighbourhood park location and Clarington staff are satisfied with the revised and current location of the neighbourhood park.
- 1.3 On August 29th, 2024, KLM Planning Partners on behalf of 2056421 Ontario Inc., submitted an application for a Zoning By-law Amendment and a Draft Plan of Subdivision to permit a high density and medium density mixed use residential development at the northwest corner of Bloor Street and Courtice Road. These applications were deemed complete by Staff on September 11th, 2024.
- 1.4 The proposal will include the development of 1,356 residential units in a range of sizes and forms including four storey apartment buildings in the medium density blocks and predominantly 8 to 12 storey buildings in the high-density blocks. One 25 storey tower is proposed at the corner of Courtice Road and Bloor Street. The development will take place mainly along the Courtice Road frontage
- 1.5 The proposal is illustrated in the proposed conceptual plan (**see Figure 1 and associated legend**) and contains the following:

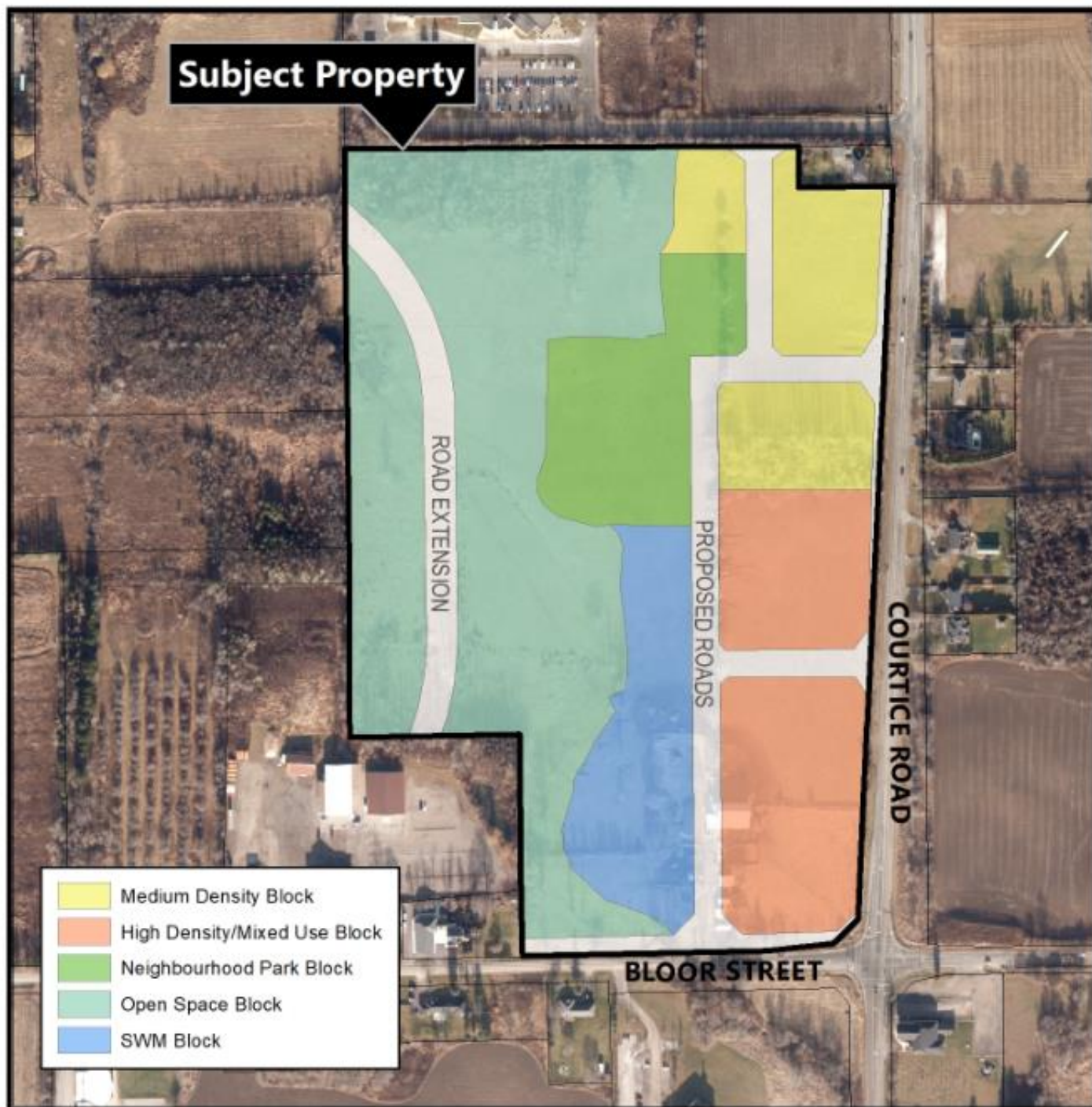


Figure 1 – Proposed Conceptual Plan

- Medium density block, apartment buildings, total of 256 units
- High density mixed use block, apartment buildings, total of 1100 units; buildings to have a 3-storey podium with commercial space available at street level.
- Neighbourhood Park Block
- Stormwater Management Pond Block
- Open Space Block
- Road Widening Block

1.6 Two road entrances are proposed from Courtice Road, and one entrance is proposed from Bloor Street. A connection to the proposed Meadowglade Road extension which borders the northern boundary of the property is also proposed.

2. Land Characteristics and Surrounding Uses

2.1 The subject lands are located at the northwest corner of Bloor Street and Courtice Road in an area identified for more intense urban uses in the Southeast Courtice Secondary Plan. The property was previously used for agricultural purposes and contains a dwelling, and outbuildings associated with the former agricultural use. The topography of the site is relatively flat.

2.2 The subject property consists of a 20.7-hectare greenfield site that was previously used for agricultural purposes. The property contains a farmhouse and outbuildings. A section of Tooley's Creek and its associated valley is located in the central and western part of the property.

2.3 The subject property has frontage on Courtice Road, Bloor Street and the proposed extension of Meadowglade Road.

2.4 The surrounding uses are as follows:

North - The proposed extension of Meadowglade Road, Holy Trinity Catholic Secondary School, and vacant sites for future residential development purposes.

South - Bloor Street, vacant land, and Beyond Our Dreams Pre-school.

East - Courtice Road, agricultural uses, rural residential uses, Ebenezer United Church and lands for future residential development.

West - Valley lands and natural heritage features associated with a portion of Tooley's Creek that are part of the Natural Heritage System. Courtice Flea Market, Hope Fellowship Church, low rise residential neighbourhoods, agricultural lands, and sites for future residential developments are located further to the west.

3. Provincial Policy

Changing Legislation

- 3.1 Upon the 2024 PPS coming into force on October 20, 2024, the 2020 PPS and the Growth Plan will be repealed and all land use planning decisions made as of October 20, 2024, will need to be consistent with the 2024 PPS, a singular land use policy document for planning authorities to consult. At the time of a recommendation report to Council for the proposed development the appropriate Provincial policies will be reviewed.

The Provincial Policy Statement

- 3.2 The PPS encourages planning authorities to create healthy, livable, and safe communities by accommodating an appropriate range and mix of housing types, including affordable housing, and shall promote development patterns that efficiently use land and infrastructure.
- 3.3 The PPS policies direct growth to settlement areas and promote compact development forms. The subject lands are proposed within the Courtice Urban Area. Planning authorities are to facilitate a variety of housing forms and promote residential intensification to achieve efficient development patterns, especially along public transit and active transportation routes.

4. Official Plans

Durham Region Official Plan

- 4.1 The subject property is designated as 'Community Area' in Envision Durham which permits the proposed residential mixed use.
- 4.2 Chapter 5 of Envision Durham sets out policies for Vibrant Urban System which includes Community Area and Corridors. The intent of these land use designations is for a full range of housing to be developed in Community Areas based upon a number of principles, including intensification and good urban design practices.
- 4.3 Corridors are to be developed at higher densities in order to promote transit ridership. In policy 5.3.7 Envision Durham requires that Regional Corridors to be built multi storey, compact, pedestrian friendly and transit supportive, and apply the relevant transit oriented development design principles.

- 4.4 Portions of the Regional Corridor with an underlying Living Area designation which are identified for higher densities in local Official Plans are to support a long term density target of at least 60 residential units per gross hectare and a floor space index of 2.5.
- 4.5 Specific policies for Community Areas are provided in Section 5.4 of Envision Durham which requires that Community Areas should be used predominantly for housing but can also include limited office and commercial uses as components of mixed-use developments.

Municipality of Clarington Official Plan

- 4.6 The Municipality of Clarington Official Plan (MCOP) designates the subject property as Urban Residential, Regional Corridor and Environmental Protection Area.
- 4.7 In Chapter 3 the MCOP sets out policies for the protection of the natural environment and managing natural resources. These policies apply to the portion of the subject property which contains a section of Tooley's Creek, and which is within the Environmental Protection Area designation.
- 4.8 The area of Tooley's Creek located on the subject property is identified as Natural Heritage System on Map D1 of the MCOP and is subject to the requirements in Section 3.4. The Tooley's Creek Natural Heritage Evaluation is currently underway and not yet finalized, once finalized the development limits on the property may be subject to change.
- 4.9 Section 4.3 of the MCOP contains policies related to the intended Urban Structure within the Municipality. The MCOP states that priority intensification areas are intended as the primary locations to accommodate growth, these areas include Regional Corridors (such as Bloor Street and Courtice Road) and Municipal decisions are to support the development of the priority intensification areas.
- 4.10 The subject property is a greenfield area. Section 4.5 states that the municipality will support a target of 50 residents and jobs combined per gross hectare and the development of residential lands in greenfield areas is to proceed in accordance with a Secondary Plan.
- 4.11 As this property falls within the Southeast Courtice Secondary Plan, the Secondary Plan policies prevail, with the exception of heights or densities, where if indicated lower in the Secondary Plan then the Official Plan policies prevail.
- 4.12 Urban design requirements for Centres, Corridors and priority intensification areas are set out in Section 5.4.3 and include, but are not limited to the following:
 - Buildings are to be sited near the street line to contribute to a sense of enclosure and a strong street edge;

- Recognize the historic context of the area and enhance the built environment with attention to massing, building articulation, exterior cladding, architectural detail, the use of local materials and styles; and
- Enhance the pedestrian environment with awnings, pedestrian scale lighting, landscaping, benches, and other street amenities.

4.13 Chapter 8 of the MCOP includes policies for the protection of cultural heritage and archaeological resources. The property is included in the Municipality's list of significant cultural Heritage sites. A Heritage Impact Assessment has been completed for the property which addresses the need to protect the cultural resource in the context of these and other applicable policies. Also Stage 1 and 2 archaeological assessments have been completed for the property which found artifacts in the southern part of the property, but not in the eastern area where the development is proposed.

Southeast Courtice Secondary Plan

- 4.14 The subject property is designated as High Density/Mixed Use, Medium Density Regional Corridor, Neighbourhood Park and Environmental Protection Area in the Southeast Courtice Secondary Plan (SECSP). The Southeast Courtice Secondary Plan (SECSP) provides more detailed requirements for developments in the Southeast Courtice area.
- 4.15 The vision for the Southeast Courtice Secondary Plan area states that it will be a liveable, sustainable, inclusive community that will include nature as a key part of the area's identity. In addition, the major roads in the Southeast Courtice are to serve as defining features including landscaping, built form, a mix of uses and connections to the interior of the neighbourhood. They are intended to be community focal points.
- 4.16 Policies that apply to Regional Corridors are included in Section 3.1 which that Regional Corridors are to be the location of the highest densities, tallest buildings and greatest mixing of uses in order to concentrate population in areas with good transit access and amenities. Development in Regional Corridors is intended to achieve a density of 85 units per net hectare. The public right of way and private built form are to be designed to create public spaces which contribute significantly to the identity of the area and serve as community focal points.
- 4.17 The intersection of Bloor Street and Courtice Road is identified as a prominent intersection in Section 3.2 of the SECSP. Section 3.2.3 states that within Regional Corridors prominent intersections and the nodes around them shall have the greatest densities and heights. They are also encouraged to have the greatest concentration of commercial retail and service uses.
- 4.18 Section 3.2.4 (a) states that Bloor Street and Courtice Road shall feature the greatest heights and densities, and the primary concentration of retail and service uses.

- 4.19 The policies in Section 3.4 provide for inclusion of Environmental Protection areas including the Tooley's Creek valley in the Municipality's Parks and open space system and that parks will be provided to meet the needs of current and future residents.
- 4.20 Policies that apply to high-density mixed-use areas are set out in Section 4.3 of the SECSP. They are intended to contain the greatest concentration and mix of uses. The predominant use is intended to be housing in combination with concentrations of retail and service uses.
- 4.21 Section 4.3.7 requires that the height of permitted buildings in the High-density Mixed-Use area be 7 to 12 storeys. Density in these areas should be a minimum of 120 units per net hectare.
- 4.22 Through section 4.3.10 the 12-storey height limit may be exceeded at the prominent intersection of Bloor Street and Courtice Road subject to the following conditions:
- a) The development is complementary with the scale of surrounding buildings;*
 - b) There is high-quality architectural design and treatment to create a signature, landmark development*
 - c) The massing of the development includes a podium and tower element. The floor plate of the tower element is no greater than 750 square metres to ensure a slim profile and fast-moving shadow;*
 - d) Development ensures comfortable conditions on surrounding pedestrian spaces in terms of wind; and*
 - e) No incremental shadow impacts are created on adjacent public parks or other sunlight sensitive land uses.*

The design of the 25-storey tower and the supporting documents submitted by the Applicant are intended to address the above requirements.

- 4.23 In Section 4.4, the SECSP sets out requirements for areas designated at Medium Density within the Regional Corridor. They are to be used for a mix of housing types with retail and service uses to be provided at strategic locations. Permitted dwelling types include apartment dwellings, townhouses and stacked townhouses.
- 4.24 In Section 5, the SECSP includes requirements for urban design. The intent of these policies is to provide attractive and harmonious built form which creates visual interest and contributes to a positive public realm.

- 4.25 Natural heritage policies are provided in Section 6 of the SECSP. They include the requirement to adhere to the policies of the MCOP and undertake Environmental Impact Studies where significant natural heritage features might be negatively impacted. The policies also require the consideration of headwater areas of Tooley's Creek.
- 4.26 According to Section 6.3.3, stormwater ponds should not be located within areas that are designated as Environmental Protection Area.
- 4.27 Section 7 includes requirements for parks and community facilities. Section 7.2.5 requires neighbourhood parks to be between 1.5 and 3 hectares in size and to provide a variety of amenities including sports fields. They are also to be located in central locations with easy access. The development includes proposed Neighbourhood Park in Block 6, and it is 1.9 hectares in size.
- 4.28 Section 8 provides policies related to Community Culture and Heritage issues. These policies require that the conservation of significant cultural heritage resources should be consistent with the policies of the MCOP and provincial requirements. Also, Cultural Heritage Reports and Heritage Impact Assessments may be required for properties that may have cultural heritage value. As stated earlier, the farmhouse on the property has been included on the Municipality's list of significant buildings. The Applicant has submitted a Cultural Heritage report to address this requirement.
- 4.29 In Section 10 the SECSP provides policies related to the provision of housing. A variety of forms of housing are to be provided to meet the needs of a diverse population. Purpose built rental and seniors housing is encouraged. Also, affordable housing is encouraged to locate within or in proximity to Regional Corridors.

5. Zoning By-law 84-63

- 5.1 Zoning By-Law 84-63 zones the subject lands as Agricultural (A). The applicant is proposing to change the zoning of the site from Agricultural to Residential Mixed-Use Exception MU2-xx), Urban Centre Mixed Use Exception (MU3-xx), and Environmental Protection (EP).
- 5.2 Section 16 of the Zoning By-Law provides the regulations for Mixed Use zones. The MU-2 zone is intended to apply to residential mixed-use areas, while the MU-3 zone applies to urban centre mixed use areas. Apartment buildings and mixed-use buildings and a variety of commercial uses are permitted in both zones.
- 5.3 Section 16 A.3 requires that non-residential units must be located on the first floor of mixed-use buildings and within the business establishment street façade.
- 5.4 The EP zone is intended to be applied to the Tooley's Creek valley and associated natural heritage area and buffers.

5.5 Finalization of appropriate zone categories will be determined after all public and agency comments have been received and will be brought forward at a future date with the recommendation report. A Hold symbol will be implemented as part of the rezoning to ensure the conditions of the draft plan of subdivision or site plan have been fulfilled.

6. Summary of Background Studies and Agency Comment

6.1 Multiple reports have been submitted in support of the application including:

Heritage Impact Assessment	Arborist Report
Draft Plan of Subdivision	Environmental Impact Study
Environmental Noise Assessment	Erosion and Siltation Plan
Floodplain Analysis Report	Functional Servicing Report
General Plan	Geotechnical Report
Grading Plan – Parts 1 to 4	Park Concept Plan – Parts 1 to 2
Phase 1 and 2 Environmental Site Assessment	Planning Brief Addendum Letter
Hydrogeological Assessment	Planning Justification Report
Sediment Control Plan	Soil Results Letter
Urban Design Brief	Transportation Impact Study
Tree Inventory and Preservation Plan	Response to Transportation Letter
Stage 1-2 Archaeological Assessment	Stormwater Management Pond and Dry Pond Details

- 6.2 The applicant has submitted supporting documents which have been circulated to departments and agencies for review and comment. The list of studies and drawings are on the development application webpage www.clarington.net/CourticeAndBloor and are also available upon request. A summary of the studies and reports will be provided in a future recommendation report.

7. Public Notice and Submissions

- 7.1 Public Notice was mailed to approximately 24 landowners within 120 metres of the subject lands on October 1st, 2024, and two public meeting signs was installed on the subject lands along Bloor Street and on Courtice Road. Details of the proposed application were also posted on the Municipality's website, and in the Clarington Connected e-newsletter.
- 7.2 As of writing this report, staff have not received any public submissions.

8. Department and Agency Comments

- 8.1 The applications were circulated to internal departments and external agencies for review and comments. At the time of writing this report, staff did not receive all of the agency and department comments. A list and summary of the agency and internal department comments received, as well as all public comments received, will be included in a subsequent recommendation report.
- 8.2 Staff will continue to process any public inquiries received. Comments received at the Statutory Public Meeting will also be considered and included in the recommendation report.

9. Discussion

- 9.1 The application represents a significant proposal that is intended to implement a number of the objectives in the MCOP and the SECSP for a property that is within a Regional Corridor and at a prominent intersection. These areas are intended to accommodate residential intensification and mixed use.
- 9.2 The proposed development complies with height requirements for Medium Density and High-Density blocks except for the tower at the corner of Bloor Street and Courtice Road. Section 4.3.10 of the SECSP permits the height limit of 12 stories to be exceeded when the provisions of that policy area are met. This issue will require careful review to ensure that the proposed height of the tower is acceptable as it will be a dominant feature at a prominent intersection.

Heritage Impact Assessment

- 9.3 The Heritage Impact Assessment evaluated the cultural heritage features of the subject property which is listed in the Municipality's heritage register. The report includes recommendations to mitigate impacts on the heritage value of structures on the property. Mitigation measures will be determined as the applications are processed and discussed in a subsequent recommendation report.

Stage 1 and 2 Archaeological Assessments

- 9.4 Stage 1 and 2 Archaeological Assessments were carried out for the property which found areas of significance in the eastern portion of the property where the majority of the development is proposed, but found artifacts in the southern part of the property that may require protection. Further action regarding this issue is required and a Stage 3 Assessment has been proposed.

Arborist Report and Tree Preservation Plan

- 9.5 Strybos Barron King Ltd. prepared an Arborist Report and Tree Preservation Plan which identifies all the existing trees that are proposed to be retained and removed, as well as a tree protection to protect private and public trees from harm during construction of the proposed development. Due to the constraints of the proposed development, all of the existing trees within the development area of the property require removal. All trees located beyond the limit of disturbance and within the adjacent residential lots to the northeast, north and west are to be retained and protected throughout the development construction process and after construction. Existing trees located within the future development phases to the west are to be retained in the interim.

Transportation Impact Study

- 9.6 A Transportation Impact Study (TIS) was prepared by WSP, dated April 2023. An additional transportation letter has been prepared, dated December 7, 2023, to incorporate additional information which reflects the revisions to the original submission and to respond to comments received by the Municipality and external agencies.

Environmental Impact Study

- 9.7 According to Section 3.4.13 of the MCOP, development is not to be approved where an Environmental Impact Study, Natural Heritage Evaluation or Hydrogeological Evaluation identifies unacceptable negative impacts in the natural heritage system. An Environmental Impact Study has been prepared for the proposal which includes recommendations to protect natural heritage features and functions.

- 9.8 The policies in Section 3.7.19 of the MCOP apply to contaminated sites. Past land use activities have resulted in some contamination which the applicant is addresses through Environmental Site Assessment report.

Floodplain Analysis

- 9.9 The floodplain analysis completed for the proposal includes a cut and fill proposal. The comments and approval of the Central Lake Ontario Conservation Authority is required to ensure that the proposal is acceptable and the that the flood lines identified in the report are accurate.
- 9.10 The section of Tooley's Creek on the property contains a floodplain which is subject to policies which restrict development. They include the requirements in Sections 3.7.1 to 3.7.5 of the MCOP. A floodplain study has been completed for the proposal which includes a cut and fill proposal for the Tooley's Creek valley areas. Flood lines have been calculated and identified for the proposal which are contained within the lands designated as Environmental Protection Area.

Affordable Units

- 9.11 The proposal has not addressed the potential for providing affordable units as a component of the development. The provision of affordable units is encouraged in the MCOP and in Section 10 of the SECSP. The Applicant should address these policies and the potential for including affordable units as a component of the development.
- 9.12 Staff will continue to review the submitted applications and work with the applicant to address all technical matters as well as concerns raised by the public. Agency and public comments will be addressed in a subsequent recommendation report to Committee and Council. Future applications for site plan approval will also be required to facilitate the proposed development.

10. Financial Considerations

- 10.1 Not applicable, as this is a public meeting report to gather public input and the analysis of the proposal and the reports are being reviewed by the different agencies, additional financial considerations that may arise will be discussed in a subsequent recommendation report.

11. Strategic Plan

- 11.1 The proposed development will be reviewed against the three pillars of the Clarington Strategic Plan 2024-27. Staff will give special attention to the priorities of growing resilient, sustainable and complete communities and connecting residents through the design of safe, diverse, inclusive and vibrant communities. An analysis of the proposed

developments interaction with the specific priorities of the Strategic Plan will be included in the future recommendation report.

12. Climate Change

- 12.1 As this is a public meeting report to gather public input and the analysis of the proposal and the reports are being reviewed by the different agencies, a fulsome analysis of the proposal, including the impacts on climate change will be discussed in a subsequent recommendation report.

13. Concurrence

- 13.1 Not Applicable.

14. Conclusion

- 14.1 The purpose of this report is to provide background information and obtain comments on the proposed Zoning By-law Amendment, and Draft Plan of Subdivision for approximately 1356 residential units, and a mixed-use component at the Statutory Public Meeting under the *Planning Act*. Staff will continue to review and process the application, including consideration of department, agency and public feedback and will prepare a subsequent recommendation report for Council's consideration. Comments received at this public meeting will be considered and included in the final recommendation report.

Staff Contact: Sarah Parish, Principal Planner, (905)623-3379 ext. 2432 or sparish@clarington.net or Amanda Tapp, Manager of Development Review, (905)623-3379 ext. 2527 or atapp@clarington.net.

Attachments:

Attachment 1 – Draft Zoning By-Law Amendment

Attachment 2 – Draft Plan of Subdivision

Interested Parties:

List of Interested Parties available from Department.