



Public Meeting Report

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Report To:	Planning and Development Committee	
Date of Meeting:	December 9, 2024	Report Number: PDS-051-24
Authored By:	Nicole Zambri, Senior Planner	
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Mary-Anne Dempster, CAO	
File Number:	ZBA-2024-0008 and S-C-2024-0005	Resolution#:
Report Subject:	Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for 60 residential units at 1430 and 1500 Prestonvale Road in Courtice	

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 PDS-051-24 and any related communication items, be received for information only;
2. That Staff receive and consider comments from the public and Council with respect to the Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by the Biglieri Group Ltd., on behalf of Delpark Homes (Prestonvale) Inc. and continue processing the applications including the preparation of a subsequent recommendation report; and
3. That all interested parties listed in Report PDS-051-24 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 Delpark Homes (Prestonvale) Inc. to permit a total of 60 residential units consisting of 42 single detached dwelling units and 18 street related townhouse units. The plan also shows an expansion to a part lot in Phase 1, the extension of Rosswell Drive, and a road widening along Prestonvale Road.

The proposed application would change the zoning on the subject lands from an Agricultural (A) Zone to an appropriate Urban Residential Zone category to facilitate the development. Each zone is proposed to have site-specific performance standards.

The subject lands are located on the west side of Prestonvale Road and south of Bloor Street in Courtice. The draft plan of subdivision shows a new public road connection off of Rosswell Drive. The proposal is also within the Southwest Courtice Secondary Plan Area.

1. Background

- 1.1 On July 5, 2024, the Biglieri Group Ltd., on behalf of Delpark Homes (Prestonvale) Inc., submitted applications for a draft plan of subdivision and rezoning to permit the development of 60 residential units consisting of singles detached and street townhouse dwellings (refer to Attachment 1). The applications were deemed complete on August 7, 2024, and circulated to various agencies and departments for comment. Prior to making the formal application, a Stage Two Pre-consultation application was submitted by the applicant, which included the studies and plans for comment. Preliminary comments were provided to the applicant on October 5, 2023, as part of the Stage Two Pre-consultation process.
- 1.2 The applicant has submitted revised documents with the formal application which are available upon request.
- 1.3 The proposal is for the second phase of the development, with the first phase registered in October 2021 (40M-2704). At that time, the rezoning and subdivision plan for the second phase was deferred given that the Southwest Courtice Secondary Plan update had not been completed and that the original Secondary Plan identified these lands as Future Urban Residential due to servicing constraints.
- 1.4 Since that time, the Southwest Courtice Secondary Plan has been updated and approved, however Phase Two is still dependant on the timing of the delivery of the new sanitary sewer trunk from the Courtice Water Pollution Control Plant (WPCP). Phase One had an opportunity to connect to services on Roy Nichols Drive but due to the topography of the site, Phase Two required the trunk sewer from the Courtice WPCP. In addition to this, water and stormwater to service this development is dependent on the development to the south to bring the services to the subject lands.

1.5 Given that the land use polices are now in place, it is Staff's position that the rezoning can proceed, while the subdivision will be subject to the timing of the sanitary trunk sewer and other technical matters. Recommendations and details on the technical aspects of the project will be part of a future recommendation report.

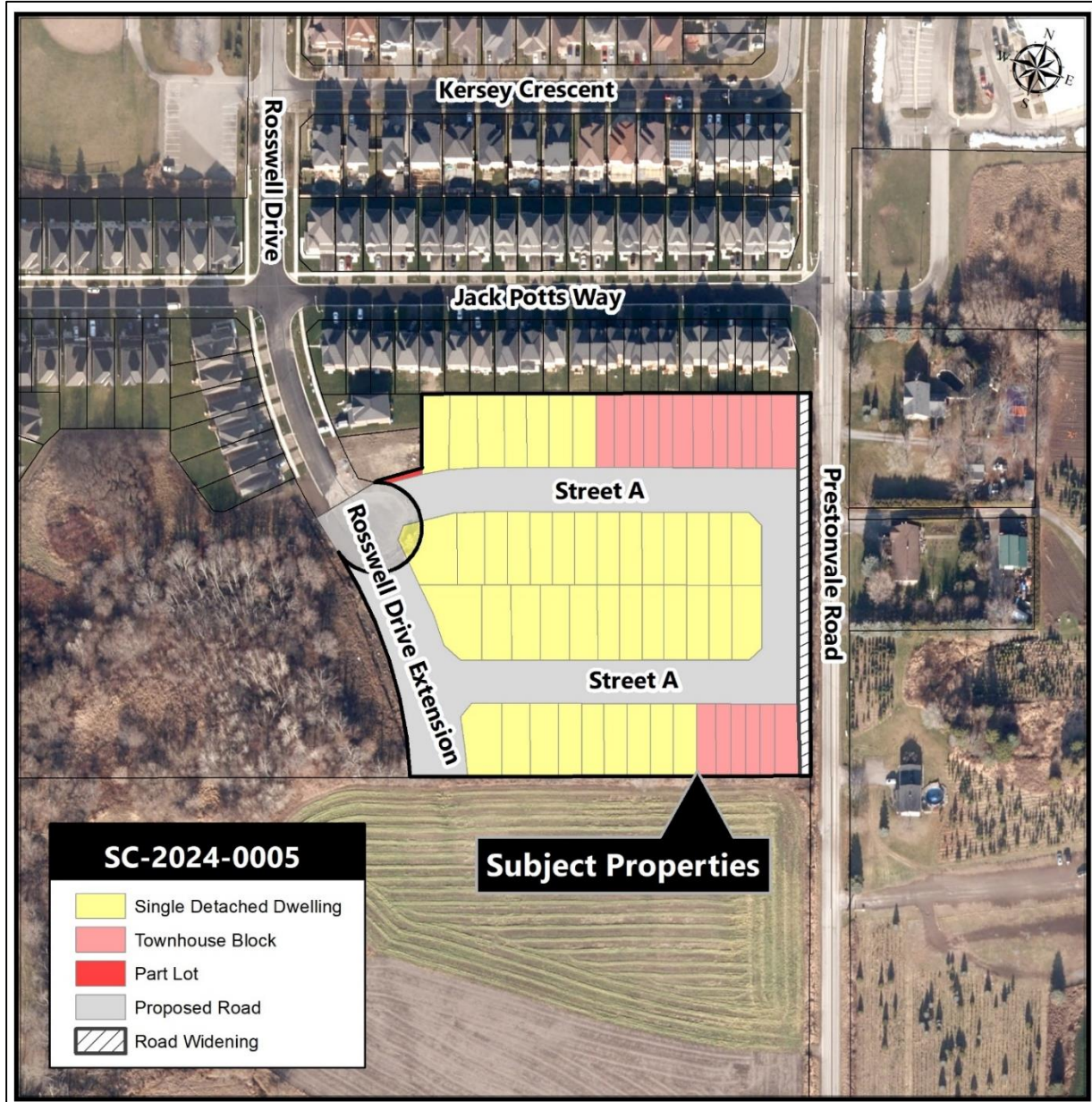


Figure 1 – Proposed Draft Plan of Subdivision



Figure 2 – Different Phases of Development Proposal; source: The Biglieri Group Ltd.

2. Land Characteristics and Surrounding Uses

2.1 The subject lands are located on the west side of Prestonvale Road and south of Bloor Street in the Courtice Urban Area. The lands are currently vacant with some treed areas bisecting the property and along the north property line. The subject application comprises two parcels of land which have frontage on Prestonvale Road and the future extension of Rosswell Drive.

2.2 The surrounding uses are as follows:

North - Phase 1, which consists of single detached and townhouse dwellings.

East - Prestonvale Road and beyond that, South Courtice Recreation Complex, single detached dwellings (including a designated heritage dwelling), agricultural lands (tree farm), and the Robinson Creek.

South - Cultivated agricultural lands subject to development applications (SC-2022-0002 and ZBA-2022-0003).

West - Natural heritage features (including a wetland) and a stormwater management pond beyond.

3. Provincial Policy

Provincial Policy Statement (PPS) 2024

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- 3.1 The Provincial Planning Statement (PPS 2024) 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. Opportunities for redevelopment and intensification are to be promoted where it can be accommodated. These objectives are to be achieved through efficient land use planning. Municipal official plans and secondary plans support the PPS through land use designations and policies.
 - 3.2 The new PPS 2024 has been combined with the Growth Plan and now encourages a minimum density target of 50 residents and jobs per gross developable hectare in designated growth areas. The proposal would be achieving a gross density of approximately 55 people per hectare.
 - 3.3 Healthy and active communities should be promoted by planning public streets to be safe, and 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.
 - 3.4 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.
 - 3.5 The PPS also states that planning for stormwater management shall promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development. The Central Lake Ontario Conservation Authority (CLOCA), in its commenting letter in support of the applications, dated September 18, 2024, has indicated that it requires confirmation that the proposed location of the soak away pits on publicly owned lands is acceptable to the Municipality of Clarington. Staff will continue the discussion regarding stormwater management with the applicant and details will be provided in the recommendation report. Until this issue is resolved, Staff cannot determine whether the proposal is consistent with the policies of the PPS.

4. Official Plans

Durham Region Official Plan (Envision Durham)

- 4.1 On September 3, 2024, the Minister of Municipal Affairs and Housing approved Envision Durham, which is the new Regional Official Plan, with modifications. The Durham Region Official Plan designates the subject lands as “Community Areas” and the western portion of the site is designated “Major Open Space Areas.”
- 4.2 Community Areas are to be planned for a variety of housing types, sizes, and tenures, including singles and townhouse dwellings. These areas can also include population-serving uses and shall be developed in a compact form through higher densities and by intensifying and redeveloping existing areas.

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- 4.3 Major Open Space Areas are a component of the Region's Greenlands System that generally follow major permanent and/or intermittent stream and valleys and contain high concentrations of key natural heritage features and key hydrologic features. These lands are to be protected, enhanced, and conserved to ensure their ecological value is maintained. 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.
- 4.4 An Environmental Impact Study was prepared by GeoProcess Research Associates Inc., dated June 6, 2024, in support of the applications and will be reviewed and assessed in the recommendation report. It should also be noted that the natural heritage features and associated minimum vegetation protection areas identified in the previous study were dedicated to the Municipality as part of Phase One.
- 4.5 The proposed development is also within an Ecologically Significant Groundwater Recharge Area and a Source Water Protection Area which are areas identified to protect groundwater systems and aquifers. Further discussions and environmental work is needed to ensure preliminary geotechnical considerations (infiltration rate, groundwater levels) are addressed in order to determine conformity with the Region Official Plan.

Clarington Official Plan (COP)

- 4.6 The Clarington Official Plan designates the site Urban Residential and is within the Courtice Urban Area. The predominant land use within the Urban Residential designation is for housing purposes. A variety of densities, tenure and housing types are encouraged, generally up to 3 storeys in height. Detached dwellings, semi-detached dwellings, and townhouses are permitted, as proposed.
- 4.7 Prestonvale Road is identified as a Type C Arterial Road in the Region and Clarington Official Plan. Vehicle traffic from this development is directed to the local roads given that there are no vehicle connections currently proposed to Prestonvale Road.
- 4.8 The minimum density along arterial roads is 19 units per hectare and 13 units per hectare internal to the neighbourhood. The proposal would have a density of about 22 units per hectare and shows the denser built forms adjacent to Prestonvale Road.
- 4.9 The COP policies state that multi-unit residential development will be developed on the basis of the following site development criteria:
- a) Suitability of the size and shape of the site;
 - b) Compatibility with the surrounding neighbourhood in terms of scale, massing, height and siting;
 - c) Minimize impact of traffic on local streets;
 - d) Multiple and direct vehicular accesses from public streets, without reliance on easements;
 - e) Townhouses shall not be sited on opposite sides of the street in order to allow for sufficient on-street parking;
 - f) Achieve a mixture of housing types and shall not replicate the same built form; and

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- g) Street townhouses shall generally not comprise more than 6 attached units.
- 4.10 An Environmental Impact Study (EIS) was prepared by the applicant given that wetlands and woodlands are present adjacent to the site (to the west). An EIS was prepared to evaluate the significance of the features identified and demonstrate conformity with Clarington's Official Plan policies. A further analysis of the EIS and the recommendations of the study will be analyzed in a subsequent report.
- 4.11 Section 23 of the Clarington Official Plan also provides criteria to evaluate the approval of residential developments in an urban area, including draft plans of subdivisions:
- a) Ensure sequential development of neighbourhoods
 - b) Proposed development is adjacent to Centres or Built-up Areas
 - c) The economical use and extension of all infrastructure and services
 - d) Ensure it offers intensification; and
 - e) Increase density for new neighbourhoods having regard for proposed measures to integrate into existing stable residential areas.
- 4.12 The policies in the Official Plan indicate that the Municipality may declare a residential draft plan of subdivision premature if the capital works and services required to service the lands are not within the Municipality's current capital budget or 10-year capital forecast. Further discussions in this regard are to be provided in the recommendation report.

Southwest Courtice Secondary Plan Area (Bayview Neighbourhood)

- 4.13 The subject lands are designated Low Density Residential in the approved Southwest Courtice Secondary Plan. The Secondary Plan was approved by the Region in November 2022.
- 4.14 Single detached and townhouse dwelling units are permitted up to three storeys. Townhouses are to account for 20% of the total number of units in the low-density residential designation, while singles and semi-detached dwellings are to make up 80%. This is an overall target for the entire designation in the Secondary Plan. Private streets and private lanes are not permitted within the low-density designation.
- 4.15 The Secondary Plan also requires every development application to include a policy implementation monitoring report as part of a complete application. The monitoring report assesses the individual application in conjunction with the entire Secondary Plan in terms of density, estimated population, number of units, and amount of non-residential space and number of jobs.

5. Zoning By-law

- 5.1 Zoning By-law 84-63 zones the subject lands as "Agriculture (A)". A Zoning By-law Amendment is required to permit the proposed development which consists of single detached dwellings and street related townhouses.

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- 5.2 The proposed rezoning would change the zoning on the subject lands from an Agricultural (A) Zone to an Urban Residential Type Two (R2) Zone for the single detached dwellings and an Urban Residential Type Three (R3) Zone for the street townhouse units. Each zone is proposed to have site-specific performance standards. A draft zoning by-law is included in **Attachment 1**.
- 5.3 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 have been fulfilled.

6. Summary of Background Studies

- 6.1 The applicant has submitted several 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/PrestonvaleCourtice and are also available upon request. A summary of the submitted reports and studies will be provided in a future recommendation report.

7. Public Notice and Submissions

- 7.1 Given the postal strike, Public Notice was hand delivered to approximately 65 residents within 120 metres of the subject lands on November 15, 2024, and 13 notices were sent out by courier to the landowners who resided outside of subject area. A public meeting sign was installed on the subject lands fronting Prestonvale Road and Rosswell Drive. Details of the proposed application were also posted on the Municipality's website and in the Clarington Connected e-newsletter. It was also posted on social media on November 19, 2024. A dedicated webpage was also created for the proposed development.
- 7.2 As of writing this report, staff have received two submissions from the public regarding active transportation connections, preservation of trees on the property, mitigation measures during construction to reduce nuisances, and increase in traffic. Comments received from the public at this Statutory Public Meeting will be considered and included in the recommendation report.
- 7.1 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.

8. Departmental and Agency Comments

- 8.1 The applications were circulated to internal departments and external agencies for review and 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.

9. Discussion

- 9.1 The site is located within the Courtice Urban Area and is considered Greenfield development. It is located along the Prestonvale Road, which is a Type C Arterial Road. Environmental features are adjacent to the property, on the west side and an

Environmental Impact Study was prepared to address any potential impacts from the development. The applicant has proposed a total of 60 units consisting of 42 singles and 18 street related townhouses, as well as a part lot proposed to be melded with a lot in Phase One. The proposal is the second phase of the subdivision to the north since at the time when the original applications were made, the Southwest Courtice Secondary Plan had not been updated and therefore the lands were deferred until the update was complete.

- 9.2 Further discussion on the appropriateness of the land uses proposed and the built form, such as heights, densities and general site layout will be addressed through a subsequent recommendation report.

Pedestrian Connections and Park

- 9.3 Prestonvale Road is currently in the Municipality's Development Charges Study to be urbanized as development moves forward. The applicant will be responsible for completing Prestonvale Road upgrades along the frontage of the site from the Jack Potts Way to the limit of the south property line. This includes the construction of a 3.0-metre-wide multi-use path along the frontage of the site on Prestonvale Road. Further review and comments on the pedestrian connectivity will be dealt with through the planning application review process.
- 9.4 No parks are proposed within this development given the close proximity to Rosswell Park and the South Courtice Recreation Complex. Payment in lieu of parkland would be required as an alternative.

Proposed Zoning By-law Amendment

- 9.5 The draft plan provided by the applicant indicates that a portion of the single detached units will have 9 metre frontages, and the townhouse units are proposed to have 6 metre frontages. Council resolution from 1999 states that townhouses which front on a public road shall be a minimum of 7 metres, as opposed to 6 metres, and singles are to be a minimum of 10 metres. The 7 metre frontages are to allow for on-street parking spaces and greater landscaped open space in the front yards.
- 9.6 The applicant must demonstrate that the lots can accommodate two outdoor parking spaces (as per zoning by-law) plus have enough room to meet the minimum soft landscape open space area of 40%, which was recently amended in in the general zone provisions of By-law 84-63. The applicant must also demonstrate that the on-street parking provided meets Clarington design standards.
- 9.7 A rezoning is required to rezone to an appropriate zone that would permit the proposed Plan of Subdivision. Based on the current provisions for detached dwelling units and townhouses in the R2 and R3 Zones, the implementing zoning by-law for this site would require additional site-specific exception zones. A hold symbol would be required to ensure draft plan of subdivision conditions have been met.

Servicing

- 9.8 Aspects of the applicant's proposal and subdivision design will be reviewed in more detail, as additional agency and department comments become available. The servicing connections to the site will be dependant on external developments proceeding. The timing of those infrastructure requirements will be further discussed with the applicant and addressed in the recommendation report.

Further Considerations

- 9.9 In recent years, the Province of Ontario has updated the applicable Planning Legislation to include policies related to the establishment of additional dwelling units, accessory dwelling units, etc. in order to alleviate the current housing demand. For this reason, the inclusion of accessory/additional dwelling units within the proposed single or townhouses, where possible is encouraged.
- 9.10 Staff will continue to review the submitted Plan of Subdivision and rezoning applications and work with the applicant to address all technical matters. Agency and public comments will be addressed in a subsequent recommendation report to Committee and Council.
- 9.11 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.

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. Climate Change

- 11.1 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.

12. Strategic Plan

- 12.1 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.

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 rezoning proposal for 60 residential units in a draft plan of subdivision 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.

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Attachments:

Attachment 1 – Draft Zoning By-law Amendment
Attachment 2 – Draft Plan of Subdivision

Interested Parties:

List of Interested Parties available from Department.