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Report To:	Planning and Development Committee
Date of Meeting:	December 9, 2024
Report Number:	PDS-050-24
Authored by:	Amanda Tapp, Manager of Development Review
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure Services
Reviewed By:	Mary-Anne Dempster, CAO
By-law Number:	Resolution Number:
File Number:	ZBA2021-0017 (Cross Reference S-C-2021-0006)
Report Subject:	Application by Tribute (King Street) Ltd. for a Zoning By-law Amendment for 203 Apartment Units and 171 Townhouse Unit in Courtice

Recommendations:

1. That Report PDS-050-24 and any related delegations or communication items, be received;
2. That the Zoning By-law Amendment application submitted by Tribute (King Street) Ltd. be approved and the Zoning By-law Amendment in Attachment 1 to Report PDS-050-24 be approved;
3. That the Region of Durham Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-050-24 and Council's decision; and
4. That all interested parties listed in Report PDS-050-24 and any delegations be advised of Council's decision.

Report Overview

This report recommends approval of the Zoning By-law amendment for two Regional Corridor Blocks in the previously draft approved Draft Plan of Subdivision submitted by Tribute (King Street) Ltd. (S-C-2021-0007). At the time of Draft Plan Approval in 2023, the zoning of the two blocks fronting Bloor Street was deferred pending consideration of detailed concept plans for the blocks. The concept plans show a total of 203 apartment units and 171 townhouse units over a total of 4.24 hectares resulting in a density of approximately 88 units per hectare.

1. Application Details

1.1 Owner: Tribute (King Street) Ltd.

1.2 Proposal: Zoning By-law Amendment

To rezone Blocks 160 and 161 in Draft Approved Plan of Subdivision S-C 2021-0007 from "Agricultural (A)" to "Residential Mixed-Use Exception (MU2-4) Zone" and "Residential Mixed-Use Exception (MU2-5) Zone".

1.3 Area: 4.2 hectares (10.5 acres)

1.4 Location: 1593 Bloor Street, 1614 Trulls Road southwest of Bloor Street and Trulls Road, Courtice

1.5 Roll Numbers: 010 070 00600 0000 010 070 00900 0000

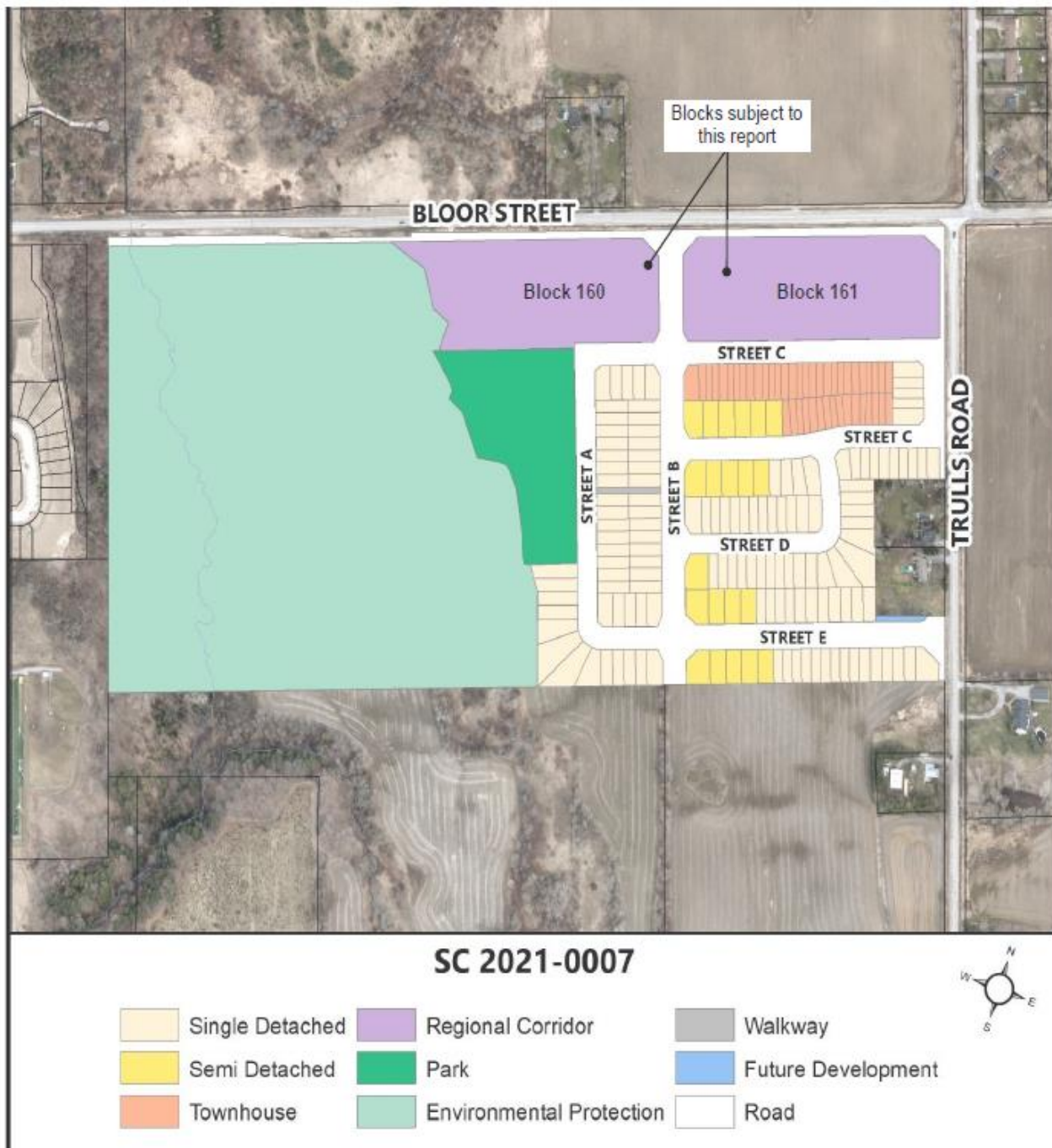


Figure 1 - Area subject to applications

2. Background

- 2.1 In June 2021, Tribute (King Street) Ltd. submitted applications for a proposed Draft Plan of Subdivision and Zoning By-law Amendment for lands at 1593 Bloor Street and 1614 Trulls Road in Courtice.
- 2.2 A Statutory Public Meeting was held on September 12, 2022, to provide background information regarding the applications and to obtain public comments. The proposed re-zoning for Blocks 160 and 161 was presented within the context of Draft Plan of Subdivision S-C-2021-0007 and the re-zoning application for the subdivision as a whole.
- 2.3 Through Report [PDS-046-23](#) dated June 27, 2023, Draft Plan of Subdivision S-C-2021-0007 was endorsed for approval and the Zoning By-law for the balance of the Draft Plan of Subdivision, save and except Blocks 160 and 161, was approved.
- 2.4 With regard to Blocks 160 and 161, Report [PDS-046-23](#) stated as follows:

“The regional corridor blocks will remain zoned “Agricultural (A)” until such time as the necessary concept plans have been provided to staff for consideration. A subsequent report to the Planning and Development Committee to recommend a proposed zoning change for the regional corridor blocks will be scheduled at the appropriate time.”
- 2.5 Since that time, the applicant and staff have held numerous discussions regarding the appropriate design, built form and density for development on the subject blocks. Staff are satisfied with the proposed layout of the most recent concept plan submission by Tribute (King Street) Ltd. and is now bringing forward a Zoning By-law Amendment to implement Regional Corridor development for the subject Blocks.

3. Land Use Characteristics and Surrounding Uses

- 3.1 The subject lands are located south-west of the corner of Bloor Street and Trulls Road within the Southeast Courtice Secondary Plan area. Tribute Communities owns a total of 69.5 hectares in this location. However, only the northern 31.7 hectares are located within the boundary of the Southeast Courtice Secondary Plan and are the subject of the original Draft Plan of Subdivision and Zoning By-law applications in 2021. Furthermore, only a total of 4.24 hectares fronting onto Bloor Street are the subject of this report and the Zoning By-law recommended herein. The subject lands are bounded by: Bloor Street to the north, a Type 'A' Arterial Road under the jurisdiction of the Region of Durham; and Trulls Road to the east, a Type 'B' Arterial Road under the jurisdiction of the Municipality of Clarington.
- 3.2 The neighbouring lands are currently used predominantly for agricultural purposes but are intended for future urban development.

They are described as follows:

- West:** West of the Robinson Creek valley is tableland that is Draft Plan approved for a future residential development and further to the west of the tableland is the existing South Courtice Arena and Recreation Complex.
- North:** Across Bloor Street is farmland designated for future residential development in the Southeast Courtice Secondary Plan.
- East:** Across Trulls Road is farmland designated for future residential development in the Southeast Courtice Secondary Plan.
- South:** Farmland that is currently designated for the industrial development that is under consideration for conversion to residential development. These lands are not within the Southeast Courtice Secondary Plan.

4. Provincial Policy

Provincial Planning Statement (PPS) 2024

- 4.1 The Provincial Planning Statement 2024 (PPS) provides policy direction on land use planning and development for matters of provincial interest. This includes objectives for protecting Provincial resources, public health and safety, and the quality of the natural and built environment. These objectives are to be achieved through efficient land use planning. Through land use designations and policies, municipal official plans and secondary plans are the most important tool for implementing the PPS.

- 4.2 The PPS focuses growth and development within urban and rural settlement areas. Development within these areas must meet the full range of current and future needs of its population by implementing efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Land use patterns should promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.
- 4.3 The proposed Zoning By-law for Blocks 160 and 161 is consistent with the Provincial Planning Statement.

5. Official Plans

Durham Region Official Plan (Envision Durham)

- 5.1 The Durham Region Official Plan designates the lands as Community Areas and Regional Corridors along Bloor Street frontage.
- 5.2 Lands designated Community Areas permit the development of communities incorporating the widest possible variety of housing types, sizes, and tenure to provide living accommodations and address various socio-economic factors. Development applications in Community Areas must consider having a compact built form, including providing intensive residential and mixed uses along arterial roads and transit routes. Consideration must also be given to urban design, pedestrian connections, a grid pattern of roads, and the availability of services and infrastructure.
- 5.3 The Region's Official Plan establishes a framework for Regional Corridors. Corridors are considered the main arteries of the Region's urban structure. Corridors will be developed to, among other things, promote pedestrian activity and public transit ridership through well-designed development, a mix of uses at higher densities, and sensitive urban design that orients development to the corridor, complemented by the consolidation of access points and preserving and enhancing cultural heritage resources. The built form should be a wide variety of building forms, generally mid-rise in height, with some higher buildings.
- 5.4 The policies support the provision of affordable housing units throughout Clarington. The Region of Durham Official Plan also supports the provision of a range of residential unit types in order to support families, seniors, and special needs groups.
- 5.5 The application conforms with the policies and objectives of the Durham Region Official Plan.

Clarington Official Plan (COP)

- 5.6 The Clarington Official Plan seeks to create walkable neighbourhoods and to provide a variety of uses within each neighbourhood. New neighbourhoods will have a variety of housing densities, tenure and types for all incomes, ages, and lifestyles. Three key principles which provide direction for the policies of the Official Plan are: sustainable development, healthy communities, and growth management.
- 5.7 The Clarington Official Plan designates the subject lands as Regional Corridor.
- 5.8 Regional Corridors shall provide for intensification, mixed-use development and pedestrian and transit-supportive development. The development of Regional Corridors aims to improve the public realm and establish walkable, transit-supportive corridors through high-quality streetscaping and built form.
- 5.9 The application conforms with the policies and objectives of the Clarington Official Plan.

Southeast Courtice Secondary Plan

- 5.10 The Southeast Courtice Secondary Plan designates the subject lands as Regional Corridor.
- 5.11 The Secondary Plan establishes that development within the Medium Density Regional Corridor designation shall have an overall average density of 85 units per net hectare. In no case shall an individual development application have a density of less than 60 units per net hectare.
- 5.12 Within the Medium Density Regional Corridor designation, the predominant use of lands is a mix of housing types and tenures in mid-rise building forms. The highest and densest built form shall front on Bloor Street. Retail and service uses are to be provided at strategic locations to reinforce the community structure and provide access to local amenities within walking distance for residents of the surrounding areas.
- 5.13 The Secondary Plan identifies the intersection of Bloor Street and Trulls Road as a Prominent Intersection. Within Regional Corridors, the greatest heights and densities shall occur at Prominent Intersections and the nodes which surround them. The Prominent Intersection at Bloor Street and Trulls Road shall feature built form no less than four storeys in height and is encouraged to include retail and service uses that provide amenities to the surrounding neighbourhoods.
- 5.14 The application conforms with the policies and objectives of the Southeast Courtice Secondary Plan.

Southeast Courtice Urban Design and Sustainability Guidelines

- 5.15 Southeast Courtice Urban Design and Sustainability Guidelines were approved to provide direction in the form of design guidance and strategies to implement the vision and objectives of the Southeast Courtice Secondary Plan. Guidance addresses community structure, street, and block patterns, built form, public realm (including roads), cultural and natural heritage, stormwater management, transitions between uses and implementation.
- 5.16 The application conforms with the policies and objectives of the Southeast Courtice Urban Design and Sustainability Guidelines.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject lands as “Agricultural (A)”.
- 6.2 The Zoning By-law amendment proposes to re-zone the lands to a Residential Mixed-Use Exception Zone to permit the development contemplated in the concept plans. A draft Zoning By-law Amendment for the subject lands is included as **Attachment 1** to this report.
- 6.3 The Holding zone will remain on the lands until the necessary conditions of draft approval and development agreements are in place for the draft plan of subdivision. The development agreements will require the applicant to, among other matters:
- address the recommendations of the background studies, including submission of additional information, plans, and reports; and
 - provide for municipal services and road works that will service the development.

7. Summary of Background Studies

Planning Justification Report, November 2021 (as amended)

- 7.1 The Planning Report prepared and submitted in support of the proposal concludes that the applications represent good planning and are in the public interest.

Functional Servicing Report, November 2021 (as amended)

- 7.2 The Functional Servicing Report submitted in support of the proposal concludes that subject to a trunk water and sewer extension in Baseline Road water and sanitary services will be available to service the proposed development was imposed through the draft approval of plan of subdivision SC-2021-0007.

Stormwater Management Report, November 2021 (as amended)

- 7.3 The Stormwater Management Report submitted in support of the proposal concludes that subject to the construction of storm sewer connections and related infrastructure within the road allowances and the construction of the proposed stormwater management facility on lands to the south, stormwater management is available for this proposed development.
- 7.4 Although the lands to the south are owned by Tribute they fall outside of draft approved plan of subdivision SC-2021-007. Therefore, the applicant will have to submit a severance application to the Region of Durham to create the necessary parcels of land and related easements. Appropriate conditions of draft approval have been imposed through SC-2021-007.

Noise Impact Study, November 2021 (as amended)

- 7.5 The Noise Impact Study submitted in support of the proposal concludes that subject to noise mitigation measures (acoustic fencing, upgraded building materials, mandatory air conditioning) and warning clauses that the sound levels for future residents are acceptable. Appropriate conditions of draft approval have been imposed.
- 7.6 An update to the Noise Impact Study will be required for regional corridor blocks 160 and 161 when subsequent site plan applications are submitted detailing the proposed development for those blocks.

Phase I Environmental Site Assessment, August 2020

- 7.7 The Region of Durham is the approval authority for Environmental Site Assessments. In reviewing the subdivision and providing draft approval, the Municipality has received clearance for these subject lands.

Environmental Impact Study, November 2021 (as amended)

- 7.8 The Environmental Impact Study submitted in support of the proposal concludes that, subject to appropriate buffers and grading, the proposal will not have a negative impact on the natural heritage system.

Energy Efficiency and Sustainability Plan, November 2021

- 7.9 The Energy Efficiency and Sustainability Plan submitted in support of the proposal concludes that the proposal meets the principles of Sustainable Development as outlined in the Municipality of Clarington Official Plan.

Stage 1, 2 and 3 Archaeological Assessment, November 2019, and May 2020

7.10 The Stage 1, 2, and 3 Archaeological Assessments submitted in support of the proposal determined that there is high cultural heritage value and interest potential for recovering significant archaeological resources within the boundaries of the current Study Area. In addition, a Stage 4 Archaeological Assessment is required to be undertaken. It is recommended that development not proceed before receiving confirmation from the Ministry of Heritage, Sport, Tourism, and Culture Industries, (MHSTCI) that the report has been reviewed and entered into the Provincial Register of Reports, and all other government agencies have signed off. An appropriate condition of draft approval has been imposed for SC-2021-007.

Transportation Impact Study, October 2021 (as amended)

7.11 The Transportation Impact Study submitted in support of the proposal concludes that:

- Traffic anticipated to be generated by the proposed development can be accommodated by the study road network; and
- The proposed development implements the TDM measures and incentives identified in the report to support active transportation and transit and to reduce the numbers of single-occupant-vehicle trips to and from the proposed development.

8. Public Submissions

- 8.1 A Statutory Public Meeting was held on September 12, 2022. Notification was provided to all property owners within 120 metres of the site. Signage was posted on the property and notification was also posted to the Municipality's website.
- 8.2 Staff received comments from a local councillor and various members of the public concerning traffic congestion, road and infrastructure improvements, the development of greenfield land and parking shortages.
- 8.3 These comments and concerns in 2023 were considered in the preparation of Report [PDS-046-23](#) and the approval of Draft Plan of Subdivision S-C-2021-0007. The issues with regard to the proposed Zoning By-law are the appropriate design, built form and density for the subject lands. These matters are addressed in Section 10 of this report.

9. Department and Agency Comments

- 9.1 Various agencies and internal departments were circulated for comments on the application. Circulated departments and agencies did not provide objections to the proposed Zoning By-law Amendment. Comments received focused on the proposed Draft Plan of Subdivision S-C-2021-0007 and the forthcoming site plan application. Comments received pertaining to the Draft Plan of Subdivision will be addressed prior to the removal of holding on the zoning or site plan approval by the Deputy CAO of Planning and Infrastructure Services.

10. Discussion

- 10.1 The concerns expressed through the Statutory Public Meeting, the comments review agencies and technical issues leading to conditions of Draft Plan Approval were addressed for the Draft Plan of Subdivision S-C-2021-00007 as a whole through Staff Report PDS-046-23.
- 10.2 The regional corridor blocks (Block 160 and 161) remained zoned “Agricultural (A)” until such time as necessary concept plans were provided to staff for consideration.
- 10.3 The concepts submitted demonstrate full conformity with the policies of the Southeast Courtice Secondary Plan that apply to the Medium Density Regional Corridor designation.
- 10.4 The Medium Density Regional Corridor Designation shall have an overall average density of 85 units per net hectare. In no case shall an individual development application have a density of less than 60 units per net hectare. The concept plans for Blocks 160 and 161 achieve these targets by providing 91 units per hectare and 84 units per hectare respectively.
- 10.5 The concept plans provide for a mix of housing types in mid-rise building forms by providing for townhouses (3 storeys) and apartments (4 to 6 storeys) with the greatest heights and densities oriented to Bloor Street as required by Secondary Plan policy.
- 10.6 The concept plan for Block 161 and proposed Zoning By-law also implement the “Prominent Intersection” policy at the intersection of Bloor Street and Trulls Road by placing the greatest heights and densities in this location and permitting retail and professional service uses.
- 10.7 The proposed Zoning By-law meets the intent of the Provincial Planning Statement, the Durham Region Official Plan and the Clarington Official Plan.
- 10.8 The proposed zoning represents good planning.

11. Financial Considerations

- 11.1 The capital infrastructure required for this development will be built by the developer and assumed by the Municipality upon acceptance. The Municipality will include the new capital assets in its asset management plans and be responsible for the major repair, rehabilitation and replacement in the future.

12. Strategic Plan

- 12.1 The proposed development has been reviewed against the pillars of the Clarington Strategic Plan 2024-27. Clarington's Strategic Plan prioritizes applications the creation of growing resilient, sustainable, and complete communities and connecting residents through the design of safe, diverse, inclusive, and vibrant communities. The proposal aligns with Clarington's Strategic Plan.

13. Climate Change

- 13.1 The applicants prepared an Energy Efficiency and Sustainability Plan in support of the applications. The report concludes that the proposal meets the principles of Sustainable Development as outlined in the Municipality of Clarington Official Plan.

14. Concurrence

- 14.1 Not applicable.

15. Conclusion

- 15.1 In consideration of the previous approval of Draft Plan of Subdivision S-C-2021-0007 and the review of the detailed concept plans submitted by the applicant, it is respectfully recommended that the Zoning by-law Amendment included in **Attachment 1** be approved.

Staff Contact: Amanda Tapp, Manager of Development Review, 905-623-3379 or atapp@clarington.net .

Attachments:

Attachment 1 – Zoning By-law

Interested Parties:

List of Interested Parties available from Department.