



Planning and Development Services Committee of Adjustment

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Date of Meeting: May 27, 2021

File Number: A2021-0014

Address: 1475 to 1495 Highway 2, Courtice

Report Subject: A minor variance application to facilitate a proposed multi-unit residential development by permitting Stacked Townhouse Dwellings subject to the regulations for Link Townhouse Dwellings in the R4-30 Zone, and by increasing the maximum percentage of Link Townhouse Dwellings relative to the total number of units in the R4-30 Zone from 15% to 16%.

Recommendations:

1. That the Report for Minor Variance Application A2021-0014 be received;
2. That all written comments and verbal submissions were considered in the deliberation of this application;
3. That application A2021-0014 for a minor variance to Section 15.4.30 a., b. iii) and e. of Zoning By-law 84-63 to facilitate a proposed multi-unit residential development by permitting Stacked Townhouse Dwellings subject to the regulations for Link Townhouse Dwellings in the R4-30 Zone, and by increasing the maximum percentage of Link Townhouse Dwellings relative to the total number of units in the R4-30 Zone from 15% to 16%, be **approved** as it is minor in nature, desirable for the appropriate development or use of the land and maintains the general intent and purpose of the Zoning By-law, the Durham Region Official Plan and Clarington Official Plan; and
4. That all interested parties listed in this report be forwarded a copy of Committee's decision.

1. Application Details

- 1.1 Owner/Applicant: High Street Courtice Inc./SvN Architects + Planners
- 1.2 Proposal: Minor variance to Section 15.4.30 a., b. iii) and e. of Zoning By-law 84-63 to facilitate a proposed multi-unit residential development by permitting Stacked Townhouse Dwellings subject to the regulations for Link Townhouse Dwellings in the R4-30 Zone, and by increasing the maximum percentage of Link Townhouse Dwellings relative to the total number of units in the R4-30 Zone from 15% to 16%.
- 1.3 Area of Lot: 10.11 hectares (25.28 acres)
- 1.4 Location: 1475 to 1495 Highway 2, Courtice (Figure 1)
- 1.5 Legal Description: Part Lot 34, Concession 2, Former Township of Darlington
- 1.6 Zoning: Holding - Urban Residential Exception ((H)R4-30) Zone, Holding - Urban Residential Exception ((H)R3-53) Zone, and Holding - Urban Residential Exception ((H)R1-98) Zone of Zoning By-law 84-63.
- 1.7 Clarington Official Plan Designation: Regional Corridor and Urban Residential
- 1.8 Courtice Main Street Secondary Plan: Mid-Rise High Density Residential
- 1.9 Durham Region Official Plan Designation: Regional Corridor and Living Areas
- 1.10 Heritage Status: None

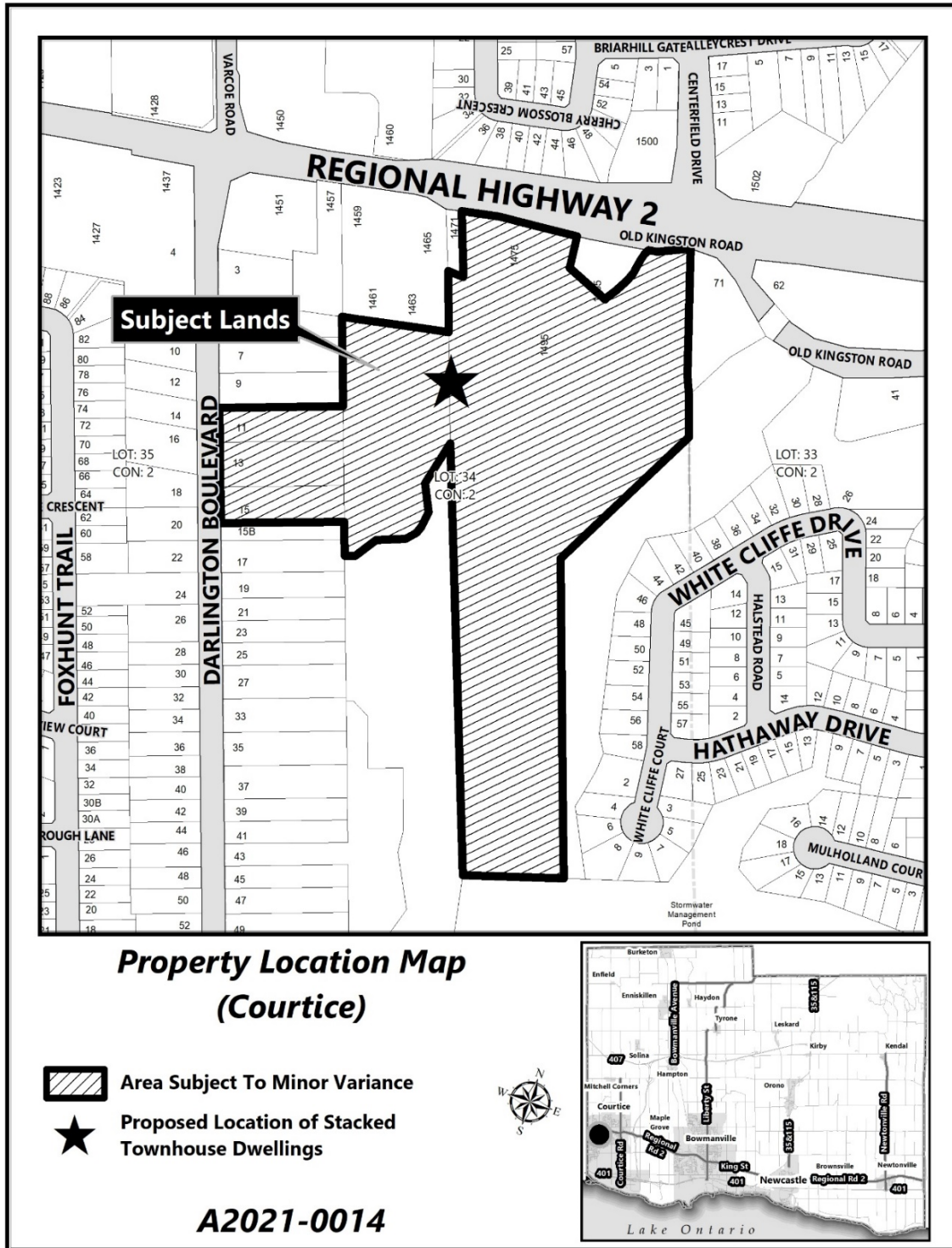


Figure 1 – Location Map

2. Background

- 2.1 An application for Site Plan Approval on the subject lands was submitted in 2018 and has been under review since that time. The site plan (Figure 2) was generally comprised of the following in accordance with the approved Zoning By-law:
- Three apartment buildings (9 and 10 storeys) containing a total of 378 units
 - 81 link townhouses accessed by a private lane
 - Five condominium single detached dwellings fronting onto Darlington Boulevard
- 2.2 A few elements of the development concept are now proposed to be changed through the subject application for minor variance and a revision to site plan application. This application for minor variance only applies to lands zoned (H)R4-30. No changes from what has been shown on previous plans are being proposed for the lands in the other exception zones closest to Darlington Boulevard.
- 2.3 The applicant is seeking approval of a development (Figure 3) with the following characteristics:
- Building B, which was to be a 10-storey condominium apartment building proposed near the centre of the site (refer to Figure 1) is replaced with a three-storey stacked (back-to-back) townhouse building containing 26 units. The units are oriented towards the private internal lanes. The back-to-back units will have two parking spaces, one in a garage, and one on the private driveway.
 - Buildings C and D are each increased to 10 storeys, which is permitted in the R4-30 zone.
 - In total, the proposed development consists of 46,775.02 square metres of gross floor area, resulting in a Floor Space Index (FSI) of 1.05.
 - 465 units would be the new total for the development. The mid-rise buildings would have a total of 341 units combined, there would be 93 link townhouses, 26 stacked townhouses (mentioned above) and five single detached condominium dwellings along Darlington Boulevard.
- 2.4 The changes proposed through this application deal with unit type and percentage breakdown of townhouse dwellings relative to the total number of units in the R4-30 zone. If approved, stacked townhouses would be permitted in accordance with the regulations for link townhouses and result in a one percent increase in the number of townhouses relative to the total number of units. In terms of unit count, the total would increase by one from 464 to 465 total units. The number of apartment units would decrease while the number of townhouse units would increase.

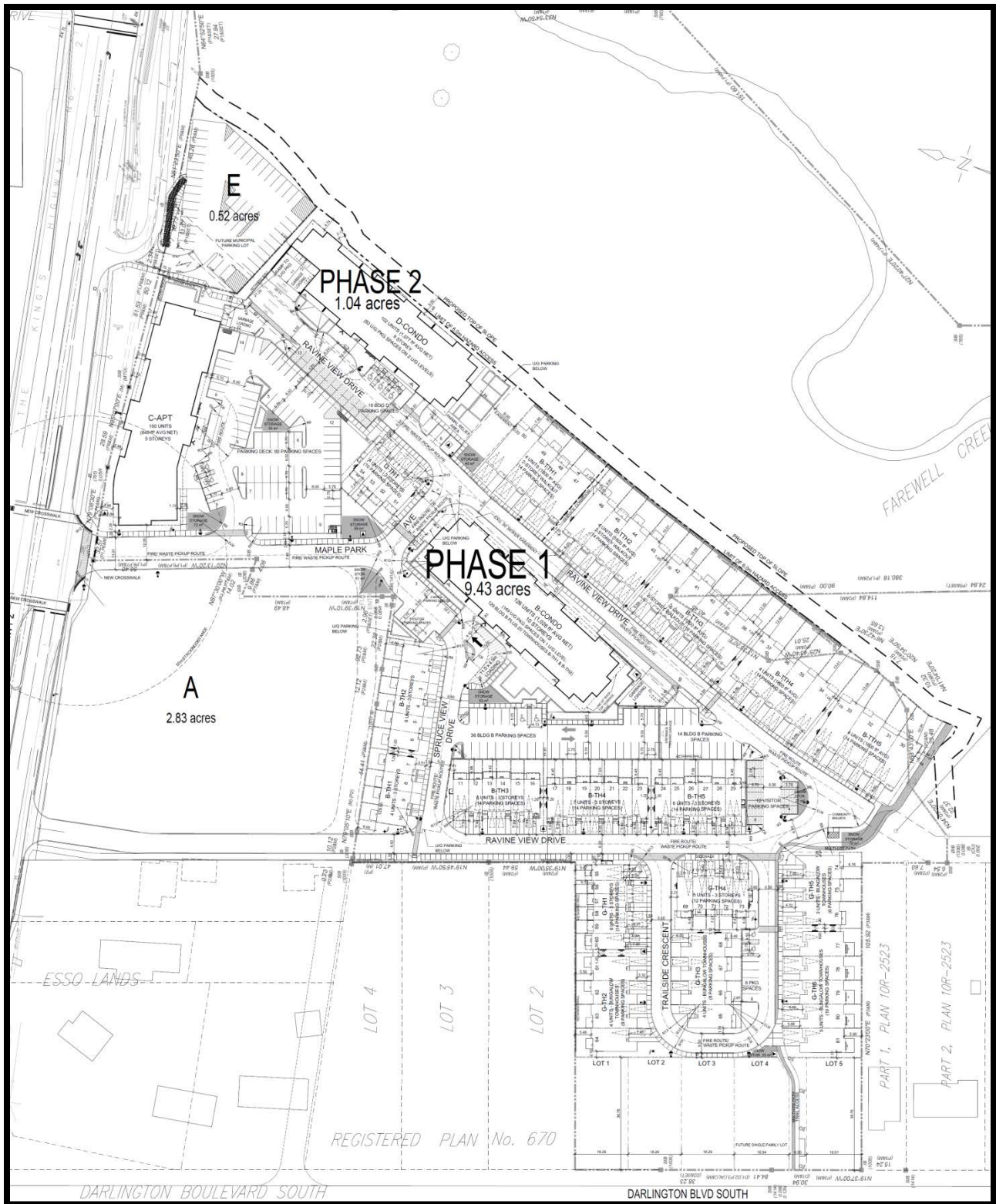


Figure 2 – Initial site plan

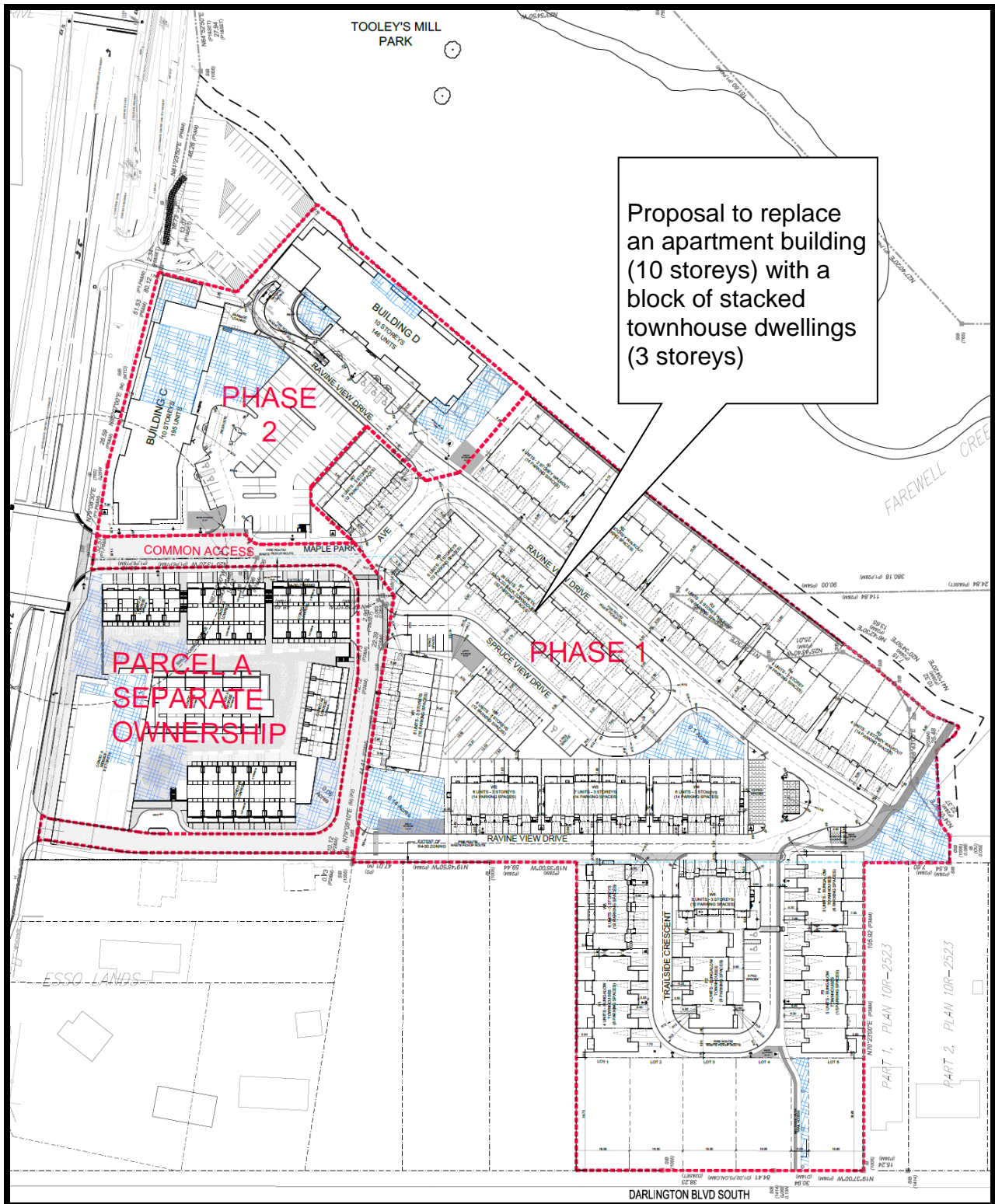


Figure 3 – Current proposed site plan

3. Land Characteristics and Surrounding Uses

3.1 The subject property is located on the south side of Highway 2, east of Darlington Boulevard. The property also has frontage south on Darlington Boulevard. The vacant parcel is 10.11 hectares with approximately 101.4 metres of frontage on Highway 2 and 98.7 metres of frontage on Darlington Boulevard.

3.2 The surrounding uses are as follows:

North – Single detached dwellings on Cherry Blossom Crescent north of Highway 2

South – Farewell Creek Valley

East – Tooley's Mill Park

West – Large lot single detached residential

Northwest – Oshawa Monument Company, Esso/Tim Hortons, 1465 King Street mixed-use development site.

4. Public Notice and Submissions

4.1 Pursuant to the requirements of the Planning Act, the appropriate signage acknowledging the application was installed on the subject lands. In addition, the appropriate notice was mailed to each landowner within the prescribed distance. Beyond the minimum requirements in the Planning Act, notice was mailed to all known interested parties for the Uplands development (the subject of this application) and the adjacent Kingside development.

4.2 Staff received six submissions regarding this proposal. In summary, the submissions express opposition to any proposal that would increase the number of units on this site, which is perceived to exacerbate existing or anticipated concerns of nearby residents. Please refer to the package of comments received that was distributed to the Committee of Adjustment members.

5. Departmental Comments

5.1 The Infrastructure Division of Public Works has no concerns with this application. Final conditions will be addressed through the site plan approval process.

5.2 The Central Lake Conservation Authority has no concerns with this application. A permit from CLOCA will be required for this development.

5.3 The Building Division of Planning and Development Services has no concerns with this application.

- 5.4 Clarington Emergency and Fire Services Department has no fire safety concerns with this application. Final conditions will be addressed through the site plan approval process.

6. Discussion

Conformity with the intent and purpose of the Regional and Clarington Official Plans

- 6.1 Both the Regional and Clarington Official Plans permit the residential use of the property at the density prescribed in the Courtice Main Street Secondary Plan and the implementing Zoning By-law. This proposed development continues to comply with the maximum height allowance of 10 storeys and the minimum density requirement of 100 units per net hectare. Townhouses are permitted by the Official Plan and the Secondary Plan. The urban design policies of the Official Plan will continue to be addressed through the ongoing site plan approval process.
- 6.2 For the above stated reasons, it is staff's opinion that this minor variance application conforms to the intent and purpose of both the Regional and Clarington Official Plans, including the Courtice Main Street Secondary Plan.

Conformity with the intent and purpose of the Zoning by-law

- 6.3 Within the Comprehensive Zoning By-law 84-63, as amended, the subject property is zoned Holding - Urban Residential Exception ((H)R4-30), Holding - Urban Residential Exception ((H)R3-53) and Holding - Urban Residential Exception ((H)R1-98). This minor variance application pertains to the portion of the site zoned "R4-30", which covers the central and northeastern parts of the site. With the exception of the proposed minor variances, the proposal complies with the balance of the requirements of the "R4-30" zone, including but not limited to setbacks, heights, parking, and amenity space requirements.
- 6.4 The general intent of the "R4-30" zone is to permit a multi-unit residential development, as envisioned in the Courtice Main Street Secondary Plan, and requiring the majority of units to be within taller buildings, with a limited component of townhouse units. This minor variance application seeks to permit stacked townhouse units as a transition between link townhouses and apartment buildings. The proposed stacked townhouse building will be fully compliant with the link townhouse development standards. Stacked townhouses were not envisioned at the time these lands were placed into the "R4-30" zone, however the inclusion of stacked townhouses maintains the intent of the Zoning By-law by offering a mix of units with most of the units continuing to be within the two remaining apartment buildings.
- 6.5 The application also seeks a one percent increase in the permitted number of townhouses as a percentage of all units in the "R4-30" zone from 15% to 16%. This is due to an overall decrease in the number of units in the apartment buildings and an increase in the number of townhouse units. The intent of the 15% cap of the townhouse

build form is to ensure a significant component of the units are apartment style which has the objective of meeting density and built form targets, and to provide for additional housing opportunities along the Regional Corridor and transit route. While the predominant built form is apartment buildings, both the stacked and link townhouse built forms further add to the supply of housing options with varying price points, and also serve as a transitional built form to the low-density Darlington Boulevard neighbourhood.

- 6.6 For the reasons outlined above, it is staff's opinion the variances being sought conform with the intent of the Zoning By-law.

Desirable for the appropriate development or use of the land, building or structure

- 6.7 The changes proposed for this development are as a result of site design changes and introducing a new built form that will fit well within the development site. The site plan now has improved site connections and traffic flow between the Uplands and Kingside sites. The latest plan is desirable for logical development of the Kingside and Uplands sites that rely on each other for access, servicing, and amenity space. A variety of units will be offered; additional at grade outdoor amenity space is included; and views to the valley from the subject lands and adjacent lands will be improved. Shadow impacts from the original Building 'B' (10 storeys) will be significantly reduced as a result of introducing a 3 storey townhouse block. Overall, the latest development concept that is appropriate for the development of these lands, and the proposed minor variances to the existing zoning will result in negligible impacts to the existing neighbourhood.

Minor in Nature

- 6.8 The development has been redesigned in a way that addresses some previous concerns with the plans and considers what may be developed on the adjacent lands in a way that was not apparent at the time the lands were rezoned "R4-30". As the proposed development on the adjacent Kingside lands was under review, it became evident that adjustments to the Uplands site would be pursued.
- 6.9 The subtle change in built form to also include stacked townhouse dwellings will allow the site design to be adjusted without significantly impacting unit yields and densities. The view of the development as observed and experienced from Highway 2 and Darlington Boulevard will largely remain the same and in fact some views to the valley will improve as the apartment building is replaced by a 3 storey townhouse block. The one percent increase in the mix of townhouse units to total units in the "R4-30" zone is minor, as is the allowance of stacked townhouses as a unit type, provided that the unit mix remains roughly as indicated on the plan that is the subject of this minor variance application.
- 6.10 Given the comments outlined above, it is staff's opinion the variances being sought are minor in nature.

7. Conclusion

- 7.1 Based on Staff's review of the proposal, this application conforms to the intent and purpose of the Zoning By-law and the Regional and Municipal Official Plans, is desirable for the appropriate development or use of land and surrounding lands and is deemed to be minor in nature.
- 7.2 Given the above comments, Staff recommend approving this application for a minor variance to Section 15.4.30 a., b. iii) and e. of Zoning By-law 84-63 to facilitate a proposed multi-unit residential development by permitting Stacked Townhouse Dwellings subject to the regulations for Link Townhouse Dwellings in the R4-30 Zone, and by increasing the maximum percentage of Link Townhouse Dwellings relative to the total number of units in the R4-30 Zone from 15% to 16%, subject to the condition that stacked townhouses not exceed 30% of the total number of townhouses in the R4-30 zone.

Submitted by:



Anne Taylor Scott, Principal Planner
Development Review Branch

Staff Contact: Mitch Morawetz, Planner

Interested Parties:

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

Suzanne and Dietmar Reiner
Susan Rodesky
Sandra Winkler
Joel Whitmarsh
David & Heather Brown
Sheila & John Costanzi