



Planning and Development Committee Agenda

Date: February 10, 2025
Time: 5:00 p.m.
Location: Council Chambers or Electronic Participation
Municipal Administrative Centre
40 Temperance Street, 2nd Floor
Bowmanville, Ontario

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The Revised Agenda will be published on Friday after 3:30 p.m. Late items added or a change to an item will appear with a * beside them.

	Pages
1. Call to Order	
2. Land Acknowledgment Statement	
3. Declaration of Interest	
4. Announcements	
5. Presentations/Delegations	
6. Consent Agenda	
6.1 PDS-005-25 - Recommendation on Applications by GHD Ltd. for a Clarington Official Plan Amendment and Zoning By-law Amendment to Permit a Total of 464 Residential Units in the Bowmanville Major Transit Station Area	4
6.2 PDS-008-25 - Recommendation on a Rezoning Application to Permit 12 Residential Lots at 3187 Middle Road in Bowmanville	25
7. Items for Separate Discussion	
8. Unfinished Business	
9. New Business	
10. Public Meetings (6:30 p.m.)	
10.1 Public Meeting for a Proposed Zoning By-law Amendment and Draft Plan of Subdivision	41
Applicant: KLM Planning Partners Inc. on behalf of 2265719 Ontario Inc.	
Location: 3071 Bowmanville Avenue, Bowmanville	
Planner: Nicole Zambri, Senior Planner	
10.1.1 PDS-007-25 - Information and Recommendation on a Rezoning and Amendment to a Draft Plan of Subdivision to Permit 22 Townhouse Units on Kenneth Cole Drive in the Northglen Neighbourhood of Bowmanville	42

10.2 Public Meeting for a Proposed Official Plan Amendment and Zoning By-law Amendment

Applicant: Bousfields Inc. on behalf of Stylux Bowmanville Inc.

Location: 500 Mearns Avenue, Bowmanville

Planner: Sarah Parish, Principal Planner

- 10.2.1 PDS-009-25 - Applications by Stylux Bowmanville Inc. for a Clarington Official Plan Amendment and Zoning By-law Amendment to Permit a Total of 97 Residential Units at 500 Mearns Avenue in Bowmanville

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11. Confidential Items

- 11.1 LGS-007-25 - Proposed Acquisition of Property by the Municipality

Municipal Act Section 239(2) (c)

(To be Distributed with the Revised Agenda)

12. Adjournment

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Report To:	Planning and Development Committee		
Date of Meeting:	February 10, 2025	Report Number:	PDS-005-25
Authored By:	Amanda Tapp, Manager of Development Review		
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure		
Reviewed By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology		
By-law Number:		Resolution Number:	
File Numbers:	COPA2023-0005 and ZBA2023-0017		
Report Subject:	Recommendation on applications by GHD Ltd. for a Clarington Official Plan Amendment and Zoning By-law Amendment to permit a total of 464 residential units in the Bowmanville Major Transit Station Area.		

Recommendations:

1. That Report PDS-005-25 and any related delegations or communication items, be received;
2. That the Official Plan application submitted by GHD Ltd. be approved and the Official Plan Amendment in Attachment 1 to Report PDS-005-25 be approved;
3. That the Zoning By-law Amendment application submitted by GHD Ltd. be approved and that the Zoning By-law Amendment in Attachment 2 to Report PDS-005-25 be approved;
4. That once all conditions contained in the Clarington Official Plan and Zoning By-law 84-63 with respect to the removal of the (H) Holding Symbol and the conditions as outlined in Section 6 of this report are satisfied, the By-law authorizing the removal of the (H) Holding Symbol be approved by the Deputy CAO of Planning and Infrastructure Services;
5. That the Region of Community Growth and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS- 005-25 and Council's decision; and
6. That all interested parties listed in Report PDS-005-25 and any delegations be advised of Council's decision.

Report Overview

This report recommends approval of the Clarington Official Plan and Zoning By-law amendments to permit a total of 464 residential units, including 448 apartment dwelling units and 16 townhouse dwelling units in the Protected Major Transit Station Area (PMTSA) in Bowmanville. The proposal includes two apartment buildings, one 10-storeys in height and one 14-storeys in height and two blocks of townhouses that are 4-storeys in height. The net site is approximately 1.34 hectares, producing a housing density of approximately 346 units per hectare.

The site plan and tenure details will be addressed through future Site Plan and Plan of Condominium applications.

1. Application Details

1.1 Owner: Your Home Developments (Bowmanville) Inc.

1.2 Agent: GHD Ltd.

1.3 Proposal: Clarington Official Plan Amendment

To increase the maximum permitted building height from six storeys to fourteen storeys for an apartment building(s) within a local corridor.

Zoning By-law Amendment

To rezone the subject lands from “Urban Residential Type One (R1) Zone” to a “Holding - Urban Residential Type Four (R4) Zone” with exceptions in Zoning By-law 84-63.

1.4 Area: 1.39 hectares

1.5 Location: 1525 – 1585 Bowmanville Avenue, Bowmanville (**Figure 1**)

1.6 Roll Numbers: 18-17-020-040-07200, 18-17-020-040-07100, 18-17-020-040-07000 and 18-17-020-040-06900

2. Background

- 2.1 On December 19, 2023, GHD Ltd. submitted applications on behalf of Your Home Developments (Bowmanville) Inc. to amend the Clarington Official Plan and Zoning By-law 84-63 to facilitate the proposed development. The proposal consists of a 10-storey apartment building, a 14-storey apartment building, and 2 blocks for townhouse units, for a total of 464 residential units. The proposal also includes indoor and outdoor common amenity space as well as enclosed at-grade and below-grade parking.



Figure 1: Proposed Site Layout

- 2.2 The first Statutory Public Meeting was held on February 12, 2024 ([PDS-005-24](#)). Following notice of the first public meeting, staff heard concerns related to increased density, traffic and shadow impacts on adjacent properties.
- 2.3 A formal re-submission in response to comments received was provided to Clarington staff on May 10, 2024. After reviewing this re-submission, Clarington planning staff provided additional comments specific to the proposed building heights and shadowing effects on neighbouring residential properties. These comments were specific to the residential lots on Trewin Lane to the north-east of the subject lands.

- 2.4 Additional shadowing diagrams were submitted to Clarington Planning Staff on June 7, 2024, and a follow-up meeting was held on June 26, 2024. The shadowing diagrams were updated and re-submitted to Clarington staff on July 5, 2024, based on modified heights of the apartment buildings to decrease the amount of shadows cast onto the rear yard area of the residential lots on Trewin Lane. These plans formally illustrated a maximum building height of 10 storeys for building B and 14 storeys for Building A. The overall number of apartment units increased from 430 to 448 while the number of townhouse dwellings did not change.
- 2.5 Due to an increase in proposed storeys and units from what was presented at the February 12, 2024 public meeting, staff deemed it appropriate to hold a second public meeting, which was held on October 21, 2024 ([PDS-046-24](#)). At this second public meeting, staff heard concerns related to increased density, removal of vegetation and shadow impacts.
- 2.6 The applicant submitted the following supporting documents, which were circulated to departments and agencies for review. They are available upon request and are summarized in Section 8 of this report.
- Architectural Drawing Set and Sun Shadow Diagrams
 - Planning Rationale Report, Urban Design Brief and Environmental Sustainability Plan
 - Landscape Analysis
 - Urban Design Brief
 - Transportation Impact Study
 - Functional Servicing and Stormwater Management Report
 - Tree Inventory and Tree Preservation Plan
 - Conceptual Landscape Plan
 - Hydrogeological Investigation
 - Environmental Impact Study and
 - Stage 1 and 2 Archaeological Assessment

3. Land Characteristics and Surrounding Context

- 3.1 The subject lands are located on the east side of Bowmanville Avenue and directly west of Rhonda Park in Bowmanville. The lands currently function as four (4) separate single detached dwellings with associated driveways, accessory structures and buildings. The lands have an area of 1.39 hectares (3.4 acres). The eastern perimeter of the Subject Lands is heavily treed, and the subject lands feature a significant slope towards Rhonda Park.

3.2 The surrounding land uses are as follows:

North: Existing low density residential;

East: Rhonda Park featuring a baseball diamond and play structure, Rhonda Boulevard beyond;

South: Existing 4-storey apartment building; and,

West: Bowmanville Avenue and commercial plaza beyond featuring a variety of convenience commercial and service uses.

4. Provincial Policy

Provincial Planning Statement (PPS)

4.1 The Provincial Planning Statement (PPS) provides policy direction on land use planning and development for matters of provincial interest. This includes the protection of 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 seek to implement the PPS.

4.2 The PPS focuses growth and development within urban and rural settlement areas and promotes compact development forms. Development within these areas must meet the full range of current and future needs of the population by employing 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 PPS requires Planning Authorities to identify appropriate locations and promote opportunities for intensification and redevelopment. It also requires Planning Authorities to identify the availability of suitable existing or planned infrastructure and public service facilities required to accommodate these projected needs.

4.4 Settlement Areas shall encourage opportunities for infill where it can be accommodated. New development is to use existing infrastructure and public services appropriately, having regard for the site's surroundings.

4.5 The proposed development is a form of infill and intensification development that would utilize existing and planned infrastructure and would be appropriate for this context.

4.6 The proposal is consistent with the Provincial Planning Statement.

5. Official Plans

Durham Region Official Plan (2024)

- 5.1 The 2024 Durham Region Official Plan designates the subject lands as a Protected Major Transit Station Area (PMTSA). PMTSAs are communities centered around higher order transit services. Developments within PMTSAs serve as focal points for high-density, mixed-use destinations characterized by a walkable, transit-oriented, pedestrian friendly public realm, with strong and active transportation connections within convenient walking distance of existing and planned rapid transit stations. Permitted uses include, but are not limited to, medium and higher density residential. A density of 150 people and jobs per hectare is a stated minimum for PMTSAs. The proposal achieves a density of approximately 346 units per hectare. The proposal would support and assist in achieving the PMTSA density policies.
- 5.2 The proposal will intensify and redevelop underutilized lands within an PMTSA and conforms to the Regional Official Plan.

Clarington Official Plan (COP)

- 5.3 Per Map 'A3' of the COP, the subject lands are designated "Urban Residential". The Urban Residential designation is predominantly intended for housing purposes. A variety of densities, tenure and housing types are encouraged, generally up to 3 storeys in height.
- 5.4 Per Map 'B' of the COP, Bowmanville Avenue (Regional Road 57) is identified as a "Local Corridor". Local Corridors shall provide for intensification, mixed-use development and pedestrian and transit-supportive development. The development of Local Corridors aims to improve the public realm and establish walkable, transit-supportive corridors through high-quality streetscaping and built form. The minimum density is 40 units per net residential hectare. The standard building height is 2-6 storeys. Low rise is 2-4 storeys, mid-rise is 5-6 storeys. The building form can be mixed-use buildings, apartments and townhouses.
- 5.5 The proposed height of the 10-storey and 14-storey apartment buildings are not in conformity with the 6-storey height restriction of the "Local Corridor" designation. Therefore, an Official Plan Amendment is required. The proposed Official Plan Amendment is included as **Attachment 1**.
- 5.6 Proposals for multi-unit residential must consider the appropriateness of the site, compatibility, provision of suitable access points, traffic and parking impacts and massing. The urban design and sustainability policies of the Official Plan must be implemented through the development.
- 5.7 The proposal to increase the maximum permitted building height within a Local Corridor meets the intent of the policies of the Clarington Official Plan. As informed by the supporting technical materials submitted, the proposed height balances the need for intensification in an PMTSA, while respecting the surrounding lower density-built forms.

6. Zoning By-law

- 6.1 The lands are zoned “Urban Residential Type One” (R1) Zone, which permits single detached dwellings, semi-detached dwellings, duplexes, home occupations, and places of worship, subject to various specific regulations. The R1 Zone does not permit the proposed development. Therefore, a rezoning application has been submitted.
- 6.2 The recommended zoning by-law is included as **Attachment 2**. The Zoning By-law amendment application proposes to rezone the property to an Urban Residential Type Four Exception Zone to permit the proposed development. The Urban Residential Type Four Zone is generally applied to similar higher density residential development in Clarington.

Holding Symbol

- 6.3 In addition to the regulations of Section 3.10 of Zoning By-law 84-63, the symbol ‘H’ following the zoning on the Zoning Schedule is identified, the ‘H’ shall not be removed until:
- The Applicant provides satisfactory evidence on compliance with Clarington Official Plan policies, including Section 23.4.3.
 - The Applicant provides satisfactory evidence which addresses all concerns listed in this report and fulfills conditions of the future site plan with the Municipality of Clarington; and
 - Funding has been secured through the GO Transit Station Funding Act, 2023 or a third-party developer to deliver the GO Transit Station to the satisfaction of the Municipality of Clarington and the Region of Durham (see Sections 10.10 and 10.11 of this report).

7. Public Notice and Submissions

- 7.1 Public Meetings were held on February 12, 2024, and October 21, 2024. Details of the application were also posted on the Municipality of Clarington’s development application webpage, various Clarington social media channels, and in the Planning and Infrastructure Services monthly e-mail update.
- 7.2 Notification of both Public Meetings was mailed to property owners within 120 metres of the subject lands. Notification signage was also posted on the property.
- 7.3 Six written and/or verbal submissions were received, 1 delegate spoke at the February 12, 2024, Public Meeting. Nine written and/or verbal submissions were received, 3 delegates spoke at the October 21, 2024, Public Meeting. The following inquiries and questions were received from residents, as follows:
- Opposition to the proposed height, removal of forested areas. Concern of lack of sunlight, traffic congestion, and water runoff;
 - Concern about rat infestations with the development at 1505 Bowmanville Avenue and the possibility of it becoming worse with this development;

- Concern about transit times, parking, overflow of schools, affordable housing; and who is responsible if the retaining wall shifts; and
- Concern about the removal of mature trees, drainage, and changes to the environment.

7.4 These comments and concerns are further discussed in Section 10 of this report.

8. Summary of Background Studies

Planning Rationale Report, GHD, February 2023, Revised October 2023

- 8.1 A Planning Rationale Report was prepared to support Official Plan Amendment and Zoning By-law Amendment applications to permit the proposed development. The report provides an analysis of relevant Provincial, Regional and Municipal planning policies.
- 8.2 The report states that the proposed development represents an efficient and appropriate use on underutilized lands in the West Bowmanville Urban Centre and Protected Major Transit Station Area. The proposed development is consistent with the policy framework of the draft West Bowmanville Urban Centre and Protected Major Transit Station Area Secondary Plan which supports and encourages more intense residential development in the vicinity of a future GO Station.

Urban Design Brief, GHD, October 2023

- 8.3 This brief concludes that in this location, the proposed scale and intensity of the development considers its context and appropriately responds to the urban design objectives of the Clarington Official Plan.

Transportation Impact Study GHD, February 2023, Addendum October 2023

- 8.4 The site proposes a right-in/right-out access on Bowmanville Avenue and an internal roadway connecting to the existing signal intersection of Hartwell Avenue and Bowmanville Avenue via an access easement across the adjacent property. The development includes an appropriate amount of resident and visitor parking at a ratio of 1.0 / 0.2 parking spaces per dwelling unit. The study states that the proposed supply of onsite parking will be sufficient in the context of parking proxy surveys completed at similar developments in Durham Region. It is also noted that as a result of Bill 185, *Cutting Red Tape to Build More Homes Act*, municipalities can no longer require minimum parking standards within PMTSAs.
- 8.5 The study concludes that under the future traffic forecasts, the traffic generated by the proposed development along with non-site related traffic growth can be accommodated by the existing street system with optimized signal timings at the Bowmanville Avenue /Aspen Springs Drive and planned future roadway network.
- 8.6 The Durham Region staff confirmed that Bowmanville Avenue (Regional Road 57) requires an ultimate 40 m right of way width. To implement this policy, the proposed development includes a 4.76 m road widening along the Bowmanville Avenue frontage of the subject lands.

Functional Servicing and Stormwater Management Report, SCS Consulting, October 2023

- 8.7 This report investigated water supply, sanitary sewer, and storm drainage for the site. The report concludes that the existing 300 mm diameter watermain on the east side of Bowmanville Avenue can sufficiently accommodate the proposed development. The sanitary sewers from the proposed development will connect into the future sanitary sewer to be constructed by Durham Region along Bowmanville Avenue from the CP rail line to Hartwell Avenue. Storm drainage will be conveyed east to Rhonda Park/Rhonda Boulevard storm sewers and west to Bowmanville Avenue future storm sewers.
- 8.8 This report discusses various low impact development measures to achieve water balance and notes that lot grading will be subject to further analysis at the detailed design stage.

Hydrogeological Investigation, DS Consultants, May 2024

- 8.9 A Hydrogeological Investigation was prepared to provide an overview of the existing geological and hydrogeological conditions of the site and surrounding area. The report also provides an assessment of the hydrogeological constraints, impacts of the proposed development on the local groundwater, and an estimation of construction dewatering and permanent drainage requirements during the development phase.
- 8.10 Groundwater quality generally meets the sanitary sewer discharge requirements except for an exceedance in total suspended solids. In accordance with the Region's sewer use by-laws, groundwater cannot be discharged to the Region's sanitary and storm sewers without treatment.

Environmental Impact Study, Palmer Environmental Consulting, January 2023

- 8.11 This study was completed in light of the identified Natural Heritage Feature on a portion of the site associated with the existing vegetated area. The study included a background review, ecological field survey, as well as wildlife and 'species at risk' screenings.
- 8.12 This study concludes that the vegetated area has a low ecological function, and the site does not contain a suitable habitat for Species at Risk. The study also concludes that the existing vegetated area does not meet the threshold of a significant woodland, and the removal of the vegetated area is consistent with Official Plan and Conservation Authority policies.

Stage 1 and 2 Archaeological Assessment, Archeoworks, October 2022

- 8.13 A Stage One and Two Archaeological Assessment was completed for the subject lands. Stage One research indicated that the property may have archaeological potential due to the proximity of a documented pre-ca 1900 Euro-Canadian settlement, one listed heritage property, and one previously registered archaeological site.

- 8.14 Further assessment did not result in the discovery of any material of cultural significance. If any archaeological resources should be discovered during the course of development, all excavation must stop immediately, and the Ministry of Tourism, Culture and Sport shall be contacted immediately. A clearance letter will be required from the Ministry of Heritage, Sport, Tourism and Culture Industries prior to the approval of the Site Plan application.

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 Official Plan Amendment and Zoning By-law Amendment. Comments received focused on the forthcoming site plan application. Comments received pertaining to the forthcoming site plan application 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.



Figure 2 – View of proposed development from Bowmanville Avenue



Figure 3 – View of proposed development from Rhonda Park

10. Discussion

Bowmanville West Urban Centre and Major Transit Station (GO Station) Area Secondary Plan Update

- 10.1 The subject lands are part of the Bowmanville West Urban Centre and Major Transition Station (GO Station) Area Secondary Plan. The Municipality is in the process of updating the existing Bowmanville West Urban Centre Secondary Plan. Part of this update includes the expansion of the Secondary Plan boundary to match the boundary of the PMTSA in the Regional Official Plan, therefore including the subject lands.
- 10.2 The draft Official Plan Amendment, inclusive of the Secondary Plan, was presented at a Statutory Public Meeting on January 22nd, 2024. The subject lands were identified as “Residential Medium Density”, in which this designation permits low-rise apartment buildings and limits the permitted height to 6-storeys. The planned function of this designation is to provide for development along the edges of the Secondary Plan that will provide a transition in height from taller buildings in the plan area to the surrounding lower density residential areas.

Sunlight and Shadow Compatibility

- 10.3 The COP contains infill development policies that need to be considered when reviewing the application, such as lot size, transition and impacts to surrounding uses (specifically refer to Section 5.4 of the COP).

- 10.4 The draft Bowmanville West Urban Centre and Major Transit Station Area Secondary Plan includes draft sunlight and shadow policies that articulate the priorities of the COP. Staff have considered these policies through the review of the submitted sun / shadow diagrams. Based on the revised shadow diagrams submitted by the applicant, it is staff's opinion that the proposed building heights / building setbacks conform with the applicable sunlight and shadow policies of the Clarington Official Plan and will cause minimal shadowing on adjacent low density residential areas.

Density

- 10.5 The area around the subject property is generally comprised of low-density residential uses. However, the subject lands and other lands along the east side of Bowmanville Avenue are part of the Protected Major Transit Station Area and are in close proximity (walking distance) to the future Bowmanville GO Station. Further, the policies of the Durham Region Official Plan and Clarington Official Plan support and encourage increased residential densities and more intense land uses in this context adjacent to higher order transit facilities. Focusing density and growth within the PMTSAs supports the Municipalities goal of achieving our Housing Pledge of 13,000 homes by 2031 ([PDS-009-23](#)). In the context of the changing and evolving planning policy framework for this area and the lands around the future Bowmanville GO Station, the residential densities resulting from the proposed development support and conform with these policies and are supported by staff.

Vehicle Access and Traffic

- 10.6 Access is proposed to the development directly from Bowmanville Avenue via a right in right out access confirmation. Further, a secondary access to the signalized intersection to the south at Hartwell Avenue is available via an assessment easement in favour of the subject lands over the abutting lands to the south. Staff are satisfied with the proposed vehicle access arrangements.

Parking

- 10.7 The proposed development includes the majority of residential and visitor parking to be provided in an underground parking garage, with some / limited surface visitor parking areas. The submitted Transportation Impact Study recommends a combined residential and visitor parking ratio of 1.2 spaces per dwelling unit based on proxy parking surveys at similar developments in Durham Region. Staff have reviewed the TIS and proposed parking ratios and have no concerns given the sites location and context near future higher order transit facilities.

Cutting Red Tape to Build More Homes Act (Bill 185)

- 10.8 Bill 185 updated legislation to streamline planning approvals. Most notably for this project is that the Bill eliminated minimum parking requirements within PMTSAs.

Parks

- 10.9 The subject site proposes private outdoor amenity spaces for the new development, at a minimum ratio of 4 square metres per unit. This is reflected as a minimum requirement in the proposed zoning by-law amendment for the subject site and is in

accordance with Clarington's Amenity Guidelines for Medium and High-Density Residences. The outdoor amenity areas include common areas on the roof of the parking structure, as well as a patio on the rooftop terrace of the high-rise building. Additionally, the townhouses will also contain individual private rooftop amenity space. Payment-in-lieu of parkland dedication will also be required for this development as the private outdoor amenity space is only intended for the residents of the site, given the lack of private outdoor space for each of the units. Private outdoor amenity space does not count towards the public park contributions.

- 10.10 Municipal parkland dedication for this site will be calculated in accordance with the Planning Act under Section 42, as well as the Municipality's Parkland Dedication By-law. The final parkland calculation will be determined through the site plan stage, and payment is required prior to issuing a building permit

Stormwater Management

- 10.11 Staff and CLOCA are satisfied with the proposed management of stormwater quality and quantity. The final design details of infiltration areas and other stormwater management features will be confirmed at the site plan approval stage. Appropriate conditions for future maintenance and operation of stormwater management elements will be included in the site plan and condominium agreements. The future condominium corporation(s) will be responsible for not only the on-site stormwater structures but the outlets in the valley as well.

Proposed Zoning By-law Amendment

- 10.12 A Zoning By-law Amendment to implement the entirety of the Bowmanville West Urban Centre and Major Transit Station Area Secondary Plan was drafted and presented at the statutory public meeting held on January 22, 2024. As presented, the draft implementing zoning by-law zones the subject lands as the "Residential – Medium Density (R-MD) Zone" with a holding symbol and height permissions ranging from 6 to 12 storeys.
- 10.13 A rezoning is required to rezone the lands from "Urban Residential Type One (R1) Zone" to Urban Residential Four Exception Zone that will facilitate the proposed development. A Zoning By-law Amendment has been prepared which would zone the subject lands to the "Urban Residential Four Exception (R4-49) Zone".
- 10.14 Based on review of the submitted technical studies, including shadow diagrams, traffic, servicing and environmental studies, it is staff's opinion that the subject lands and the amount of land area and depth available, can support the proposed 10 and 14 storey building heights and the revised building design proposed, will not result in any compatibility concerns to the adjacent low density residential neighbourhood.
- 10.15 The proposed Zoning By-law meets the intent of the Provincial Planning Statement,

the Durham Region Official Plan and the Clarington Official Plan.

- 10.16 The proposed Official Plan and Zoning By-law Amendments represent good planning.

Transit Station Charge (TSC) By-law

- 10.17 In preparation for the introduction of a TSC, the Region has commenced work on an Economic Study. The draft study confirms that land value capture is a viable approach to financing the new transit stations.
- 10.18 Until such time as the Transit Station Charge bylaw is enacted, it is critical that all development applications within the PMTSAs that precede the adoption and subsequent approval of the PMTSA Secondary Plans, and their implementing zoning by-laws, be subject to a Holding symbol to signal that payment of a transit station charge may be required.

Site Plan Application

- 10.19 Staff will continue to collaborate with the owner through a future site plan application. Detailed site design refinements will occur through the Site Plan approval process, such as technical issues that deal with grading, stormwater management, traffic, and emergency response.

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 public capital assets in its asset management plans and be responsible for the major repair, rehabilitation, and replacement of the public assets in the future.
- 11.2 Maintenance and minor repairs of any public infrastructure will be included in future operating budgets.
- 11.3 The maintenance, repair, and replacement of any private laneways or private amenities will not be the responsibility of the Municipality.

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 that support and implement 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 applicant 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 review of the detailed plans, all agency, staff and public comments, it is respectfully recommended that the Clarington Official Plan and Zoning By-law Amendments included in **Attachments 1 and 2** be approved. The holding will be removed once the conditions as outlined in this report are satisfied.

Staff Contact: Amanda Tapp, Manager of Development Review, 905-623-3379 ext. 2427 or atapp@clarington.net.

Attachments:

Attachment 1 – Proposed Clarington Official Plan Amendment

Attachment 2 – Proposed Zoning By-law Amendment

Interested Parties:

List of Interested Parties available from Department.

The Corporation of the Municipality of Clarington

Amendment Number 140

To the Municipality of Clarington Official Plan

Purpose: To amend the Clarington Official Plan to permit an apartment building(s) with a height of 14 storeys within a Local Corridor land use designation.

Location: The amendment to the Official Plan applies to the properties at 1525 to 1585 Bowmanville Avenue, in Bowmanville.

Basis: This amendment is based on applications by Your Home Developments (Bowmanville) Inc. to permit 464 dwelling units, two apartment buildings and two townhouse buildings.

The amendment meets the review criteria for amendments to the Clarington Official Plan under section 23.2.6 of the Official Plan by: conforming to municipal goals and objectives of the Durham Region Official Plan and the Clarington Official Plan; contributing to the overall structure of the Municipality; being compatible with adjacent land uses; and being supported by infrastructure to service the development.

Actual Amendment: The Clarington Official Plan is hereby amended by adding an exception to Section 23.19.1.ix “Residential Exceptions” as follows:

- ix. Notwithstanding Table 4-3 “Summary of Urban Structure Typologies”, lands identified by Roll Numbers 18-17-020-040-07200, 18-17-020-040-07100, 18-17-020-040-07000, 18-17-020-040-06900 (1525 to 1585 Bowmanville Avenue in Bowmanville) located within a *Local Corridor* may also include apartment buildings with a maximum height of 14 storeys.

The implementing Zoning By-law will contain performance standards to ensure that the new development will be compatible with the physical character of the established residential neighbourhood.

Implementation: The provisions set forth in the Municipality of Clarington Official Plan regarding the implementation of the Plan shall apply in regard to this Amendment.

Interpretation: The provisions set forth in the Municipality of Clarington Official Plan regarding the interpretation of the Plan shall apply in regard to this Amendment.

If this information is required in an alternate format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131

The Corporation of the Municipality of Clarington
By-law Number 2025-_____

being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63, as amended, of the Corporation of the Municipality of Clarington for ZBA 2023-0017;

Now Therefore Be It Resolved That, the Council of the Corporation of the Municipality of Clarington enacts as follows:

1. Section 15.4 'Special Exceptions – Urban Residential Type Four (R4) Zone' is amended by adding Special Exception Zone 15.4.49 as follows:

“15.4.49 Urban Residential Type Four Exception (R4-49) Zone

Notwithstanding Sections 15.1 and 15.2, those lands zoned R4-49 on the Schedule A to this By-law shall subject to the following:

Permitted Uses

- a. Permitted Uses
 - i. Apartment Building
 - ii. Link townhouse dwelling

Regulations for Residential Uses

- b. Density (Maximum) 335 units per net hectare
- c. Yard Requirements

- i) Front Yard
 - ii) Interior Side Yard 6.0 metres for apartment building,
3.0 metres for link townhouse dwelling
 - iii) Rear Yard 6.0 metres
- d. Notwithstanding the above, the minimum yard setbacks to an underground parking structure located below established grade shall be 3.0 metres
- e. Notwithstanding the above, the minimum yard setbacks to an underground parking structure projecting above grade but below finished ground floor elevation shall be 0.5 metres
- f. Lot Coverage (Maximum) 40 percent
- g. Landscaped Open Space (Minimum) 35 percent
- h. Building Height
- i. Maximum 14 storeys (47.0 metres) for apartment buildings
 - ii. Maximum 4 storeys (13.0 metres) for link townhouse dwellings
- i. Podium Height
- i. Minimum 2 storeys,
 - ii. Maximum 4 storeys
- j. Apartment Building Separation (Minimum) 25.0 metres for any floor above the 3rd storey
- k. Bicycle Parking (Minimum)
- i. 0.1 per unit (short term)
 - ii. 0.5 per unit (long term)
- l. Street Façade Length (Minimum) 70% to Bowmanville Avenue
- m. Buildings six storeys or taller shall setback all floors above the fourth storey that face a public street (Minimum) 1.2 metres
2. Schedule 3 to By-law 84-63, as amended, is hereby further amended by changing the zone designation from:

“Urban Residential Typer One (R1) Zone” to “ Holding - Urban Residential Type Four
Exception ((H) R4-49) Zone”

as illustrated on the attached Schedule ‘A’ hereto.

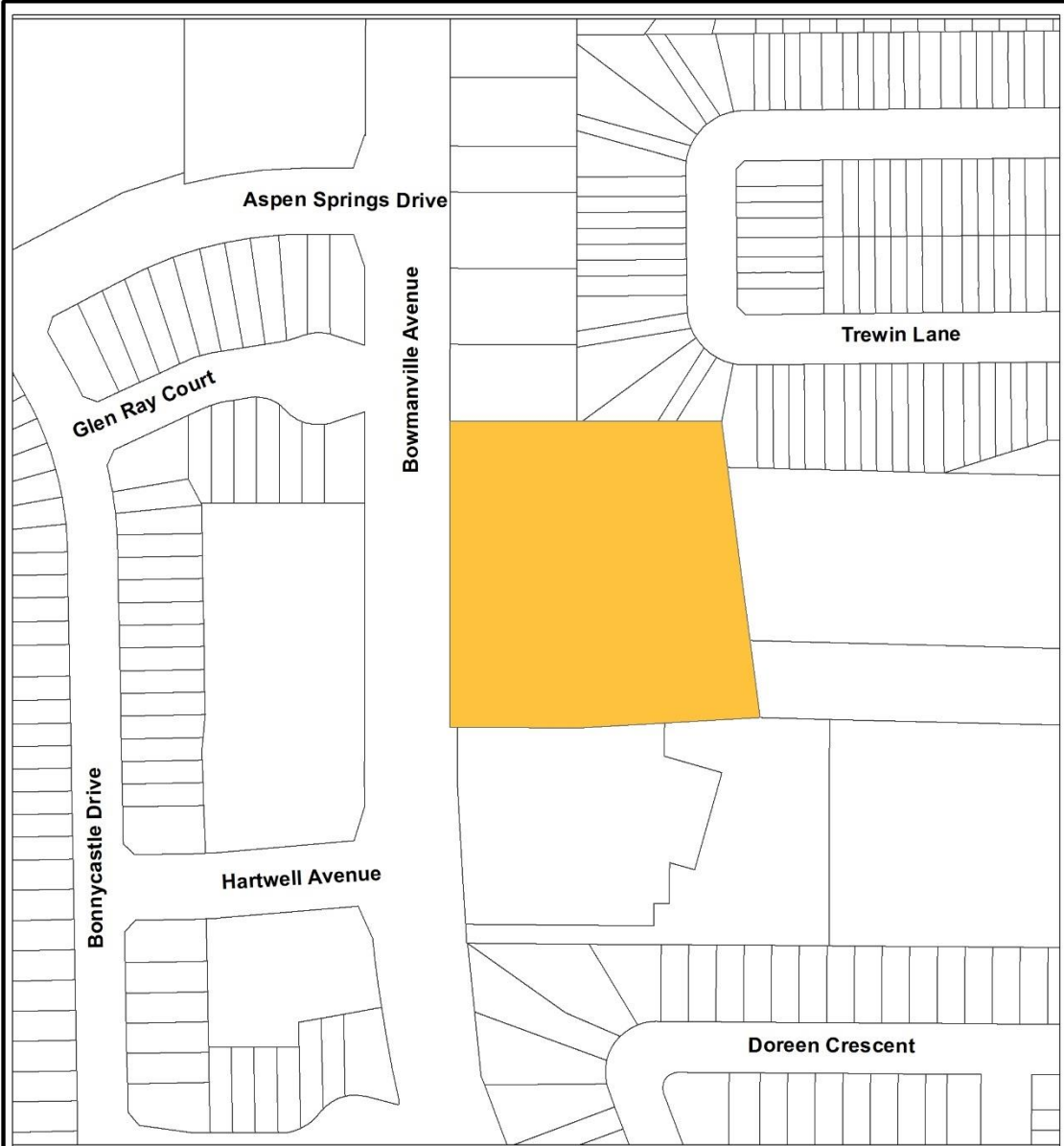
3. Schedule ‘A’ attached hereto shall form part of this By-law.
4. This By-law shall come into effect on the date of passing hereof, subject to the provisions of Section 34 and Section 36 of the Planning Act.

Passed in Open Council this _____ day of _____, 2025

Adrian Foster, Mayor

June Gallagher, Municipal Clerk

This is Schedule "A" to By-law 2025- , passed this day of , 2025 A.D.



 Zoning Change From 'R1' To '(H)R4-49'



Bowmanville • ZBA 2023-0017 • Schedule 3

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To:	Planning and Development Committee		
Date of Meeting:	February 10, 2025	Report Number:	PDS-008-25
Authored By:	Tyler Robichaud, Senior Planner		
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure		
Reviewed By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology		
By-law Number:		Resolution Number:	
File Number:	ZBA2024-0017 and S-C-2024-0008		
Report Subject:	Recommendation on a rezoning application to permit 12 residential lots at 3187 Middle Road in Bowmanville.		

Recommendations:

1. That Report PDS-008-25 and any related delegations of communication items, be received;
2. That the Zoning By-law Amendment application submitted by Akero Developments be approved and the By-law contained in Attachment 1 to Report PDS-008-25 be approved;
3. That the application for Draft Plan of Subdivision S-C-2024-0008 submitted by Akero Developments be supported, subject to the conditions approved by the Deputy CAO of Planning and Infrastructure Services;
4. That once all conditions contained in the Clarington Official Plan and Zoning By-law 84-63 with respect to the removal of the (H) Holding Symbol and the conditions of the Subdivision are satisfied, the By-law authorizing the removal of the (H) Holding Symbol be approved by the Deputy CAO of Planning and Infrastructure Services;
5. That the Region of Durham Community Growth and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-008-25 and Council's decision; and
6. That all interested parties and any delegations be advised of Council's decision.

Report Overview

This report is recommending the approval of the Zoning By-law Amendment submitted by D.G Biddle and Associates, on behalf of Akero Developments, and to support the further processing of the Draft Plan of Subdivision application to permit the development of 12 detached dwellings and extension of Douglas Kemp Crescent in Bowmanville.

1. Application Details

1.1 Owner: Akero Developments

1.2 Applicant: D.G Biddle and Associates

1.3 Proposal: **Draft Plan of Subdivision**

Proposed Draft Plan of Subdivision to permit 12 detached dwellings and the extension of Douglas Kemp Crescent in the Northglen Neighbourhood of Bowmanville.

Zoning By-law Amendment

To rezone the subject lands from “Agricultural Exception (A-1) Zone” to “Holding - Urban Residential Exception ((H)R2-54) Zone” and “Holding - Urban Residential Exception ((H)R2-55) Zone” to permit the 12 single detached dwellings.

1.4 Area: 0.782 hectares

1.5 Location: 3187 Middle Road, Bowmanville (see **Figure 1**)

1.6 Roll Number: 18-17-010-080-04100

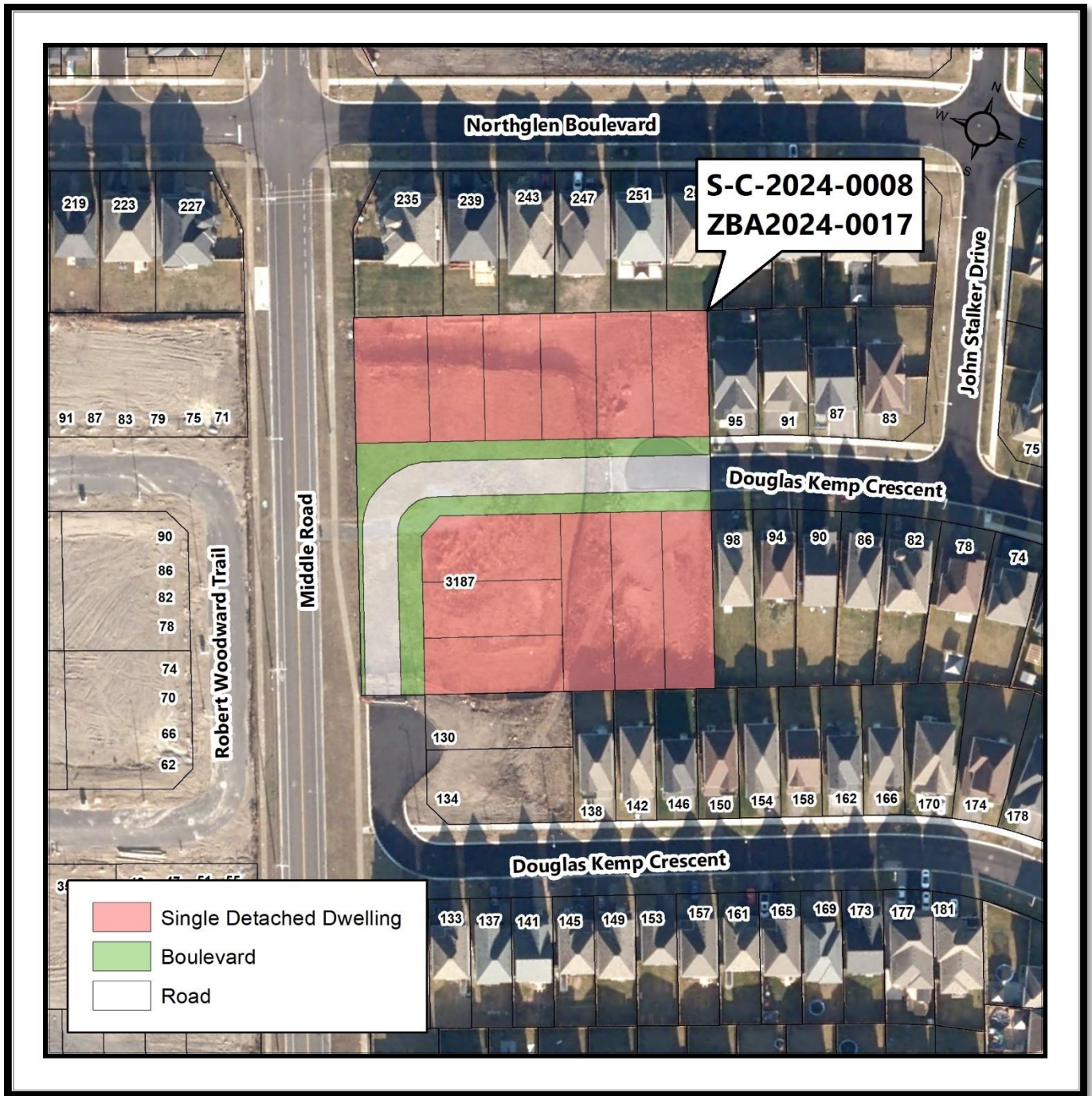


Figure 1: Proposed Draft Plan of Subdivision and Surrounding Context

2. Background

- 2.1 In April 2024, Clarington Staff held a Stage 1 pre-consultation meeting with D.G Biddle & Associates, to discuss a development proposal on the subject lands. A comprehensive list of the required plans and studies for the proposed development was provided to the applicant in the meeting minutes.
- 2.2 In May 2024, Clarington Staff conducted a Stage 2 pre-consultation with D.G Biddle & Associates. A comment letter was issued providing the applicant with a comprehensive list of department and agency comments following a review of the required reports and drawings requested at the Stage 1 pre-consultation meeting.
- 2.3 On August 26th, 2024, D.G Biddle & Associates on behalf of Akero Developments, submitted applications for a Zoning By-Law Amendment and Draft Plan of Subdivision to permit a low-density development, within the Northglen Neighborhood. The applications were simultaneously deemed complete on September 26th, 2024.
- 2.4 The proposal includes 12 detached dwellings and connecting/extending Douglas Kemp Crescent between two existing temporary turning circles.
- 2.5 The proposal is illustrated on the proposed conceptual plan (**See Figure 1**) as well as in the Draft Plan of Subdivision in **Attachment 2**.

3. Land Characteristics and Surrounding Uses

- 3.1 The 0.782-hectare parcel of land is located in the Northglen Neighbourhood along the east side of Middle Road and south of Northglen Boulevard in Bowmanville. The subject lands are adjacent to an existing registered plan of subdivision to the north, east and south.
- 3.2 The surrounding land uses are as follows:
 - North** – Existing single detached residential
 - South** – Existing single detached residential
 - East** – Existing single detached residential
 - West** – Middle Road and future low density residential



Figure 2 – Picture of subject lands looking east from Middle Road

4. Provincial Policy

Provincial Planning Statement (PPS) 2024

- 4.1 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.
- 4.2 The PPS policies direct growth to settlement areas and promote compact development forms. The subject lands are within the Bowmanville Urban Settlement boundary. 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.
- 4.3 The proposal is consistent with the Provincial Planning Statement.

5. Official Plans

Durham Region Official Plan (Envision Durham)

- 5.1 The subject property is designated as 'Community Area' in Envision Durham which permits the proposed residential use.
- 5.2 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.
- 5.3 The proposal conforms to the recently approved Regional Official Plan.

Clarington Official Plan (COP)

- 5.4 The subject lands are designated 'Urban Residential' within the Municipality of Clarington Official Plan (COP).
- 5.5 Section 4.3 of the COP contains policies related to the intended Urban Structure within the Municipality. The COP states that priority intensification areas are intended as the primary locations to accommodate growth, these areas include 'Greenfield Areas'. Municipal decisions are to support the development of the priority intensification areas.
- 5.6 The subject property is a 'Greenfield Area' within the Bowmanville Urban Area boundary and outside the Built-up Area, as identified on Map B within the COP. 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.
- 5.7 The development is in conformity with the policies in the COP.
- 5.8 The approved Northglen Neighborhood Design Plan (NDP) was approved in 2008. The proposed draft plan will compliment the lotting and road pattern as depicted in the approved NDP. One minor deviation from the Northglen NDP is that the former Kemp homestead was to remain as a singular lot. The dwelling was demolished in September 2023. The proposal is consistent with the NDP except for the two additional lots in the location of the former Kemp homestead that was demolished.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject site "Agricultural Exception (A-1) Zone". A Zoning By-law Amendment is required to permit the proposed 12 lots. The zoning by-law schedule is included as **Attachment 1**.
- 6.2 The proposed zoning by-law amendment includes a Holding (H) Symbol. The Holding would remain on the lands until the necessary conditions of draft approval and a subdivision agreement is in place for the Draft Plan of Subdivision in conformity with the policies of the Clarington Official Plan.

7. Public Notice and Submissions

- 7.1 Given the postal strike, Public Notice was hand delivered to approximately 98 residents within 120 metres of the subject lands on November 18, 2024, and 11 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 Middle Road and at the Douglas Kemp Crescent temporary turning circle. 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 A Public Meeting was held on December 9, 2024. No members of the public were present to speak in support or opposition to the proposed development and no written comments have been received.

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 agency and internal department comments received can be found in **Attachment 3**.

9. Summary of Background Studies

- 9.1 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 available on the development application webpage <https://www.claringtonconnected.ca/3187-Middle-Road> and are also available upon request.

Stage 1 and 2 Archaeological Assessment, prepared by Advance Archaeology, November 27, 2006

- 9.2 The Archaeological Assessment was prepared for the larger subdivisions in the Northglen Subdivision and included the subject lands. The Stage 1 research carried out for the subject property had potential for the presence of historic and pre-contact sites or cultural heritage on the subject property. Consequently, a Stage 2 assessment was carried out. The Stage 2 field work consisted of shovel testing at moderate-potential (10 metre) and high-potential (5 metre) intervals, including the area surrounding the former Kemp Homestead. No remains of historic or pre-contact structures were found, and no historic or pre-contact artifacts or other cultural heritage resources were recovered during the Stage 2 assessment. The assessment report recommendation was for complete clearance of the archaeological condition on the subject property. A letter issued by the Ministry of Culture on March 18th, 2008, deeming the Stage 1 and 2 assessment satisfactory for any concerns for impacts to archaeological resources.

Traffic Brief, prepared by GHD, July 27, 2024

- 9.3 The purpose of the Traffic Brief is to estimate the trip generation for the proposed residential development. The results of the study concluded that the proposed development will not generate a significant amount of traffic and the impact on the surrounding area will be negligible.

Cultural Heritage Evaluation Report Addendum and Commemoration Plan, prepared by LHC Heritage Planning and Archaeology, August 1, 2024

- 9.4 The Cultural Heritage Evaluation Report (CHER) Addendum was prepared to fulfill the requirements of the Heritage Impact Assessment (HIA) requested by the Municipality as part of the Stage 1 pre-consultation, and to address further comments as part of the Stage 2 pre-consultation. The Addendum was prepared to supplement the CHER. The Addendum suggests a commemoration plan in recognition of the Historic ownership of the Kemp Homestead by the Kemp family. A commemorative plaque with a draft statement was suggested. The implementation of a commemorative plaque will be detailed in the draft conditions of the plan of subdivision and in consultation with Clarington Public Works, Heritage Committee and Parks Division.

Noise Impact Study, prepared by D.G Biddle and Associates, August 12, 2024

- 9.5 The Noise impact Study was prepared to determine the noise generated by vehicular traffic, from Middle Road to Concession Road 3 and its impact on the proposed development. The Study concluded that with the implementation of the noise abatement measures, such as acoustic fencing, forced-air heating systems with ducting to allow for central air conditioning installation and standard Ontario Building Code construction materials, outdoor and indoor noise levels are within the Ministry of the Environment, Conservation and Parks requirements.

10. Discussion

General

- 10.1 The subject lands are located within the Bowmanville Urban Area and is considered a Greenfield development. The development is adjacent to Middle Road however, there will be no access from Middle Road as all proposed lots will be fronting the extension of Douglas Kemp Crescent which is a local road.
- 10.2 The applicant will be responsible for completing the Douglas Kemp Crescent connection between the two existing temporary turning circles. This includes the construction of all infrastructure, boulevard works and sidewalks to Municipal standards.

- 10.3 The proposed dwellings will be subject to the Architectural Guidelines (2011) prepared by Cassidy & Co to be consistent with design, finishes and massing with the existing adjacent homes in the Northglen Neighbourhood.
- 10.4 No parks are proposed within this development given the scale of the development. Douglas Kemp Parkette and the Northglen Neighbourhood Park are in close proximity to the site. Cash in lieu of parkland will be required as a condition of draft approval.

Heritage

- 10.5 The property was the former location of the Kemp family Homestead, which was classified a 'primary' heritage resource on Clarington's inventory of heritage properties. The existing dwelling was never designated or added to the Municipal Heritage Register by Council under Section 27 of the *Ontario Heritage Act*. The building was demolished the week of September 3, 2023. As part of the applications, the applicant submitted a Cultural Heritage Evaluation Report Addendum that included a Commemoration Plan given the historical ownership of the subject lands. The report recommends recognizing the historical significance of the property by incorporating a commemorative plaque with a statement and a photograph of the building. The commemorative plaque will be situated within the Douglas Kemp Park nearby and will be a condition of draft approval.

Proposed Zoning By-law Amendment

- 10.6 A rezoning is required to facilitate the development and rezone the lands from "Agricultural Exception (A-1)" to "Holding - Urban Residential Exception ((H)(R2-54)" and "Holding - Urban Residential Exception ((H)(R2-55)" which permits interior detached units with 12.2 – 13.5 metre frontages and the external lot will have a 15.94 metre frontage.
- 10.7 The zoning includes a Holding symbol and will be removed once the applicant has entered a Subdivision Agreement, and all obligations therein have been fulfilled. The draft conditions of the subdivision application will be prepared at a later date, provided Council supports the recommendations in this report.

Further Considerations

- 10.8 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 detached dwellings, where possible is encouraged.

11. Financial Considerations

- 11.1 This proposal is considered infill and was contemplated for development in the approved Northglen Neighbourhood Design Plan approved in 2008. 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 Applicant has prepared an Energy Conservation and Sustainability Plan in accordance with Clarington's Priority Green Standards for Subdivisions. This project considers climate risks by considering electrical vehicle charging stations at each proposed residential dwelling, improving air quality during construction by implementing dust mitigation measures, reducing energy and water consumption and reducing the urban heat island effect through landscaping measures.

14. Concurrence

Not Applicable.

15. Conclusion

- 15.1 In consideration of all comments, it is respectfully recommended that the applications by Akeru Developments for a Draft Plan of Subdivision consisting of 12 detached dwelling units be supported and that the zoning by-law amendment to facilitate the subdivision, be approved, with a (H) Holding Symbol. It is also recommended that the (H) Holding Symbol be removed once the applicant enters into a Subdivision Agreement and all the conditions therein are satisfied. The conditions for the subdivision will be issued after Council makes a decision on the rezoning application.

Staff Contact: Tyler Robichaud, Senior Planner, (905) 623-3379 ext. 2420 or
TRobichaud@clarington.net.

Attachments:

Attachment 1 – Draft Zoning By-law Amendment

Attachment 2 – Draft Plan of Subdivision

Attachment 3 – Department and Agency Comments

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

Agent: D.G Biddle and Associates

Owner: Akero Developments

If this information is required in an alternate format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131

The Corporation of the Municipality of Clarington
By-law Number 2025-_____

Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington.

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63, as amended, of the Corporation of the Municipality of Clarington for ZBA-2024-0017.

Now therefore the Council of the Municipality of Clarington enacts as follows:

1. Schedule '3' to By-law 84-63, as amended, is hereby amended by changing the zone designation from:

"Agricultural Exception (A-1) Zone" to "Holding - Urban Residential Exception ((H)(R2-54) Zone" and;

"Agricultural Exception (A-1) Zone" to "Holding - Urban Residential Exception ((H)(R2-55) Zone"

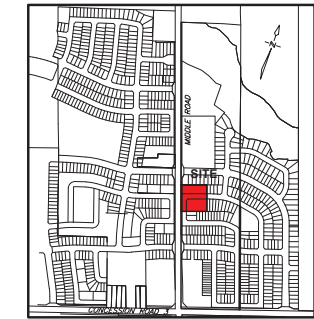
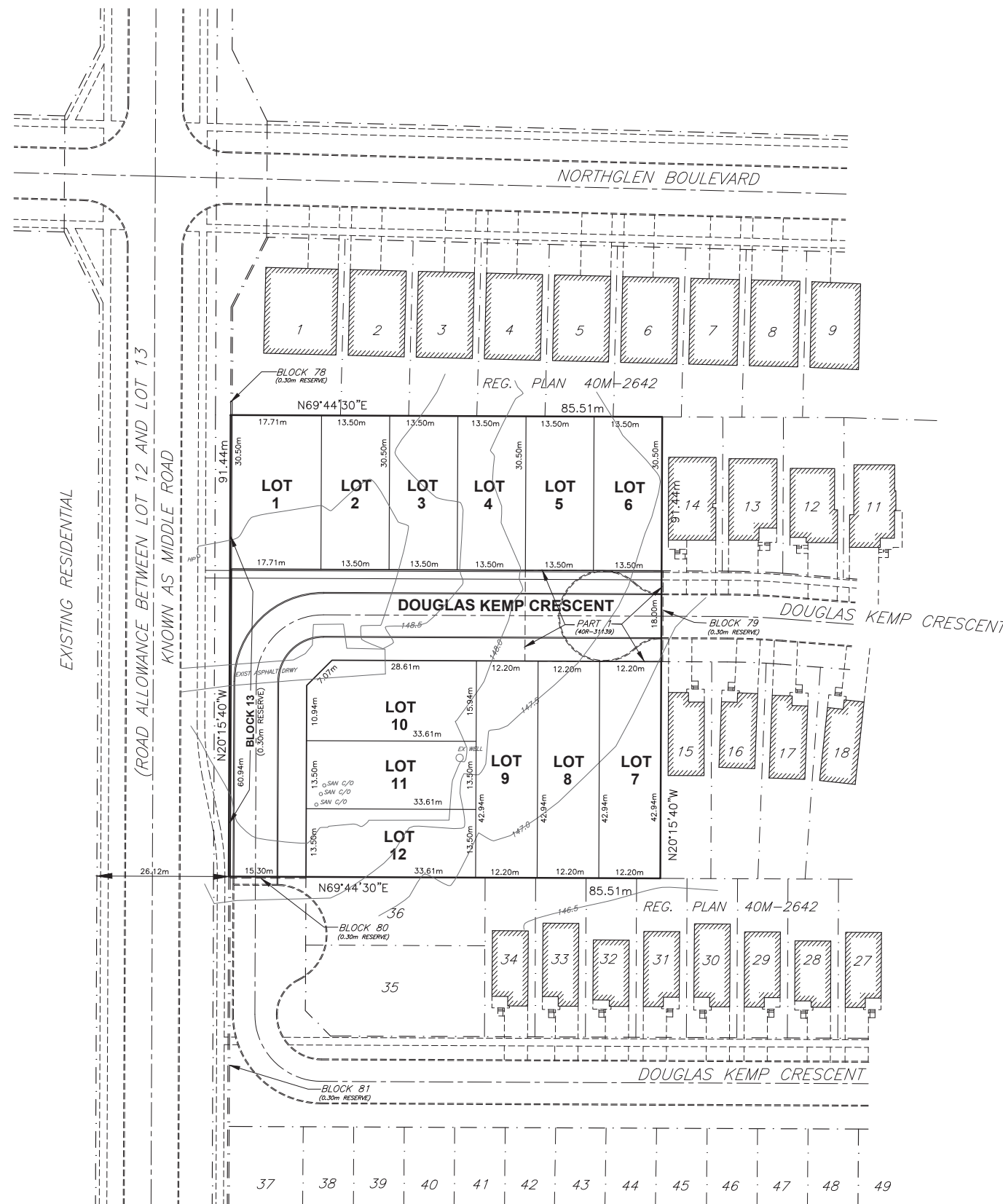
as illustrated on the attached Schedule 'A' hereto.
2. Schedule 'A' attached hereto shall form part of this By-law.
3. This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Section 34 and Section 36 of the *Planning Act*.

Passed in Open Council this _____ day of February 2025

Adrian Foster, Mayor

June Gallagher, Municipal Clerk





KEY PLAN
NOT TO SCALE

BENCHMARK BM2002-2 ELEVATION 128.708m

LOCATED ON THE WESTERLY SIDE OF MIDDLE ROAD, OPPOSITE GOODWIN AVENUE. BRASS PLAQUE IS SET VERTICALLY IN THE EAST FACE OF THE BRICK WALL OF ST. STEPHEN'S SECONDARY SCHOOL AT THE SOUTH EAST CORNER.
POST 1978 SOUTHERN ONTARIO ADJUSTMENT.

LAND USE SCHEDULE

PROPOSED USE	LOT/BLK #	# OF LOTS/BLKS	# OF UNITS	AREA (ha)
LOW DENSITY RESIDENTIAL SINGLE DETACHED (12.2m)	LOT 7,8,9,10	4	4	0.209
SINGLE DETACHED (13.5m)	LOT 1-6,11,12	8	8	0.351
TOTAL			12	0.560
NON RESIDENTIAL 0.3m RESERVE ROAD	BLOCK 13 18.0m ROW	1 0	0 0	0.003 0.219
TOTALS		13	12	0.782

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- E NORTH - RESIDENTIAL
- SOUTH - RESIDENTIAL
- EAST - RESIDENTIAL
- WEST - RESIDENTIAL
- H - PIPED MUNICIPAL WATER
- I - TILL
- K - ALL MUNICIPAL SERVICES AVAILABLE

OWNER'S AUTHORIZATION	SURVEYOR'S CERTIFICATE
<p>I/WE LAND OWNER</p> <p>BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZE D.G.BIDDLE AND ASSOC. LTD. TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL</p> <p>SIGNED _____ TITLE _____ DATE _____</p>	<p>I HEREBY CERTIFY THAT THE BOUNDARY OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN</p> <p>ONTARIO LAND SURVEYOR ONTARIO LAND SURVEYORS</p> <p>SIGNED _____ O.L.S. DATE _____</p>

No.	REVISION	DATE	BY	APPROVED
REVISIONS				

PROPOSED DRAFT PLAN
PART OF LOT 12, CONCESSION 3
PART 2 OF 40R-28713
FORMERLY IN THE TOWNSHIP OF DARLINGTON
NOW IN THE
MUNICIPALITY OF CLARINGTON
REGIONAL MUNICIPALITY OF DURHAM

D.G. Biddle & Associates Limited
consulting engineers and planners
96 KING STREET EAST • OSHAWA, ON L1H 1B6
PHONE (905) 576-8500 • FAX (905) 576-9730
info@dgbidate.com

	SCALE: 1:500	122149
	DRAWN BY: B.B.	DP-1
	DESIGN BY: M.F.	
	CHECKED BY: M.F.	
	PLOT DATE: 17/07/2023	

Attachment 3 – Agency and Department Comments

The following agencies and internal departments were circulated for comments on the applications. Below is a chart showing the list of circulated parties and whether or not we have received comments to date.

Department/Agency	Comments Received	Summary of Comment
Durham Region Planning Department	☒	<p>The Region has no objection to draft approval of the subdivision application.</p> <p>The Region has provided conditions of draft approval that must be fulfilled prior to clearance by the Region for registration of this plan.</p>
Durham Region Works Department	☒	<p>The Regional Works Department has no objection to the further processing of the rezoning and subdivision applications. The conditions of approval shall be complied with prior to its consent for registration of the plan of subdivision and the conditions shall form part of the Subdivision Agreement.</p>
Clarington Engineering Development Division	☒	<p>Engineering has no objection to the proposal and offers comments as follows which can be addressed at the detailed design stage:</p> <p>FSR Plans</p> <ul style="list-style-type: none"> • A hydrant shown between Lots 8 & 9 will conflict with the driveway location at Lot 8. Further, the Municipality requires a minimum of 1.0m clearance for any above-ground utility. Relocate the hydrant accordingly. Adjust on-street parking if required. • Review and revise the centerline road grade at CB1. As shown, the road centerline is higher than the edge of ROW and the road will pond to the west. <p>ESC Plan</p> <ul style="list-style-type: none"> • Provide details of interceptor swales for temporary sediment trap A.
Clarington Emergency Services	☒	<p>No objection.</p>

Department/Agency	Comments Received	Summary of Comment
Clarington Building Division	<input checked="" type="checkbox"/>	No objection.
Enbridge Gas	<input checked="" type="checkbox"/>	No objection.
Hydro One	<input checked="" type="checkbox"/>	No objection.
Bell	<input checked="" type="checkbox"/>	No objection.
Rogers Cable	<input checked="" type="checkbox"/>	No objection.

Statutory Public Meeting

ZBA2024-0018 and SC-2007-0004

Location: 3071 Bowmanville Ave,
Bowmanville

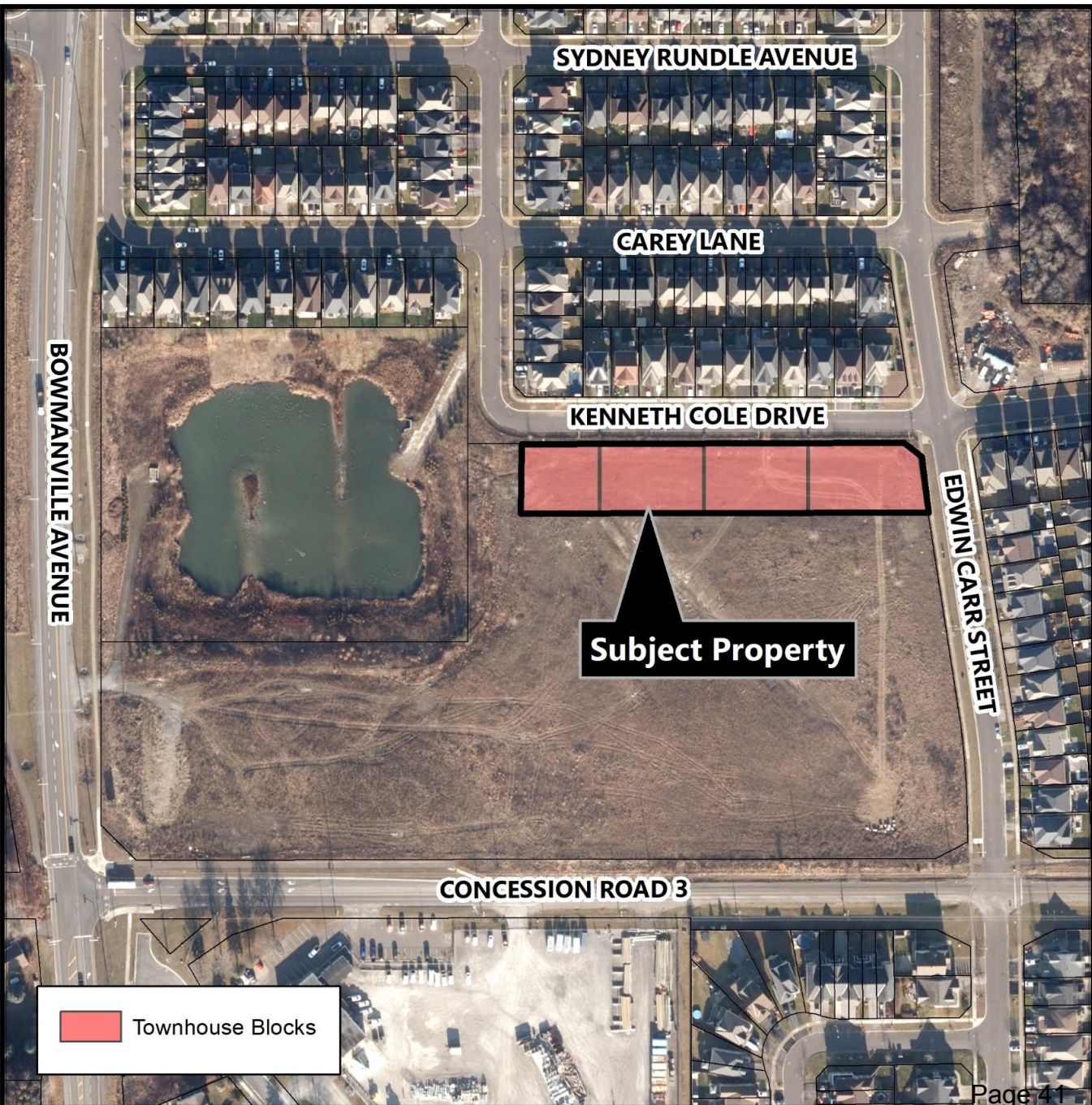
Meeting Date: February 10th, 2025

Owner/Applicant: 2265719 Ontario Inc.

Application Details:

Proposal for a Zoning By-law Amendment application and Draft Plan of Subdivision Amendment application to permit 4 blocks consisting of 22 street related townhouse units. The townhouses would be severed from the larger Mixed Use Block (Block 801) on the draft plan..

The total site area is Entire Block 801 - 5.14 hectares (12.7 acres); Proposed area for the 22 townhouse units is 0.52 hectares (1.27 acres).



Public Meeting Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To:	Planning and Development Committee	
Date of Meeting:	February 10, 2025	Report Number: PDS-007-25
Authored By:	Nicole Zambri, Senior Planner	
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology	
File Number:	ZBA2024-0018 and SC2007-0004	Resolution#:
Report Subject:	Information and Recommendation on a rezoning and Amendment to a Draft Plan of Subdivision to permit 22 Townhouse Units on Kenneth Cole Drive in the Northglen Neighbourhood of Bowmanville.	

Purpose of Report:

The purpose of this report is to provide information and gather input from the public and Council, as well as recommend approval if there are no major concerns raised from the public.

Recommendations:

1. That Report PDS-007-25 and any related communication items, be received;
2. That the rezoning application submitted by 2265719 Ontario Inc., be approved and the By-law in Attachment 1 to Report PDS-007-25 be approved;
3. That the application for an Amendment to the Draft Plan of Subdivision S-C-2007-0004 submitted by 2265719 Ontario Inc. to permit 22 townhouse units be supported subject to the amending conditions to be approved by the Deputy CAO of Planning and Infrastructure Services;
4. That any Council and/or Public concerns regarding the subdivision be addressed through the amending conditions of draft approval;
5. That once all conditions contained in the Official Plan with respect to the removal of the (H) Holding Symbol and the conditions of the Subdivision are satisfied, the By-law authorizing the removal of the (H) Hold Symbol be approved;
6. That the Region of Durham Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-007-25 and Council's decision; and

-
7. That all interested parties listed in Report PDS-007-025 and any delegations be advised of Council's decision.

Report Overview

The Municipality is seeking public input on applications for a proposed Zoning By-law Amendment and Amendment to an approved Draft Plan of Subdivision. The applications were submitted by 2265719 Ontario Inc. to permit 22 townhouse units along Kenneth Cole Drive in Bowmanville.

The townhouses would be removed from a larger mixed-use block upon registration of the amended draft plan.

Should there be no significant concerns from the public, Staff recommend that the zoning by-law amendment be approved.

1. Application Details

1.1 Owner: 2265719 Ontario Inc.

1.2 Applicant: KLM Planning Partners Inc.

1.3 Proposal: **Draft Plan of Subdivision - Amendment**

Proposed Draft Plan of Subdivision amendment to permit 22 street townhouse units in the Northglen Neighbourhood of Bowmanville.

Zoning By-law Amendment

To rezone the subject lands from “Agricultural Exception (A-1) Zone” to “Holding - Urban Residential Exception ((H)R2-32) Zone” to permit the 22 street townhouse dwellings.

1.4 Area: 0.662 hectares (0.52 for the townhouse blocks)

1.5 Location: 3071 Bowmanville Ave, Bowmanville (see **Figure 1**)

1.6 Roll Number: 18-17-010-080-21001

2. Background

2.1 On September 18, 2024, KLM Planning Partners Inc., on behalf of 2265719 Ontario Inc., submitted applications for a rezoning and an amendment to the Draft Approved Plan of Subdivision to facilitate the development of 22 townhouse units within the

Northglen Neighbourhood (Figure 1). Each unit is proposed to have direct vehicle access off Kenneth Cole Drive which is an existing public street.



Figure 1 – Subject Lands

- 2.2 The subject lands are part of a larger draft approved plan of subdivision which was originally approved on May 5, 2008. The subdivision has received multiple amendments and extensions to the draft approved conditions over the years as different phases were developed. The last extension was granted on February 14, 2020, for a further 6-year extension to February 14, 2026.
- 2.3 The 22 townhouse units were originally shown in the proposed draft plan of subdivision. At that time, Staff recommended that the units meld together with the mixed use block to allow flexibility in the design of the various medium and high residential components as well as the commercial uses within this block ([PSD-041-08](#)). The lands also remained zoned as Agricultural Exception (A-1).

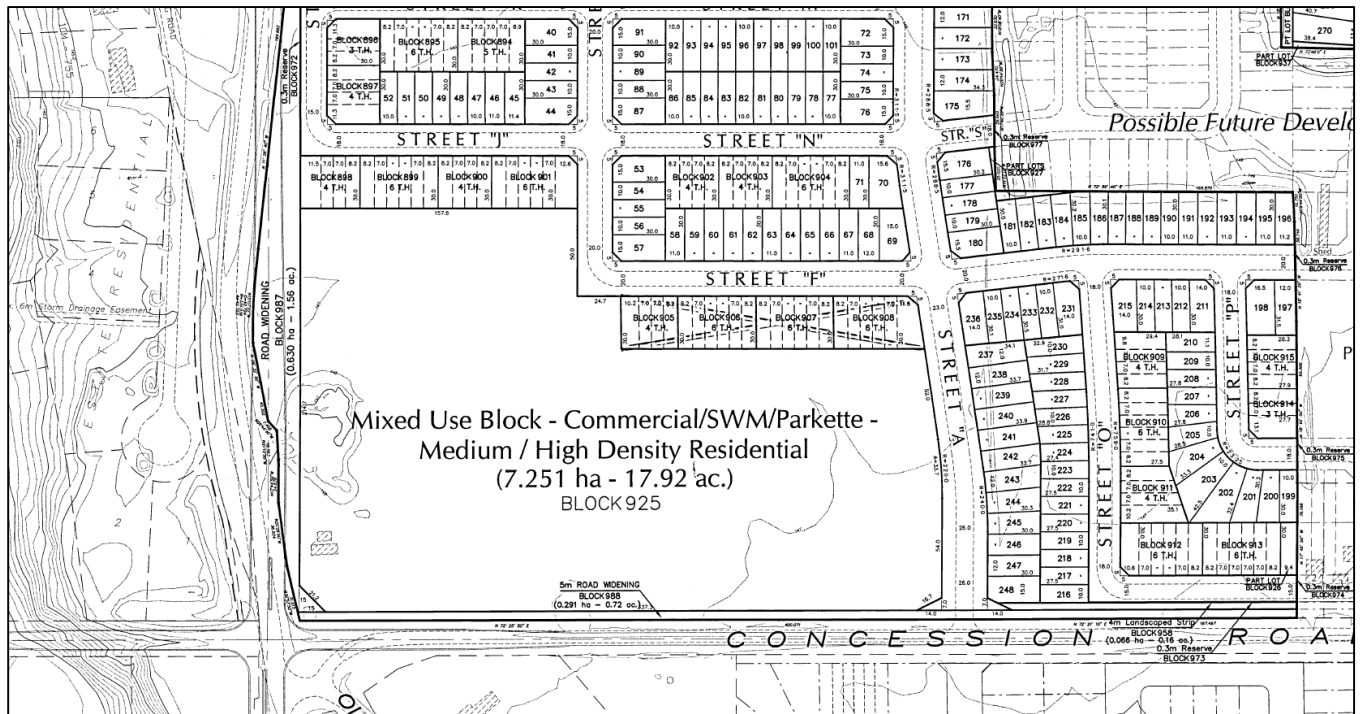


Figure 2 – Draft approved plan of subdivision from 2008 showing the redline revision which removed the 22 townhouse units from the larger mixed use block

- 2.4 The latest approved Draft Plan of Subdivision now shows this block as Block 801, and it is approximately 5.14 ha (12.7 acres). The stormwater pond to the west has been developed and removed from the mixed-use block and is now in Municipal ownership, see Figure 3.

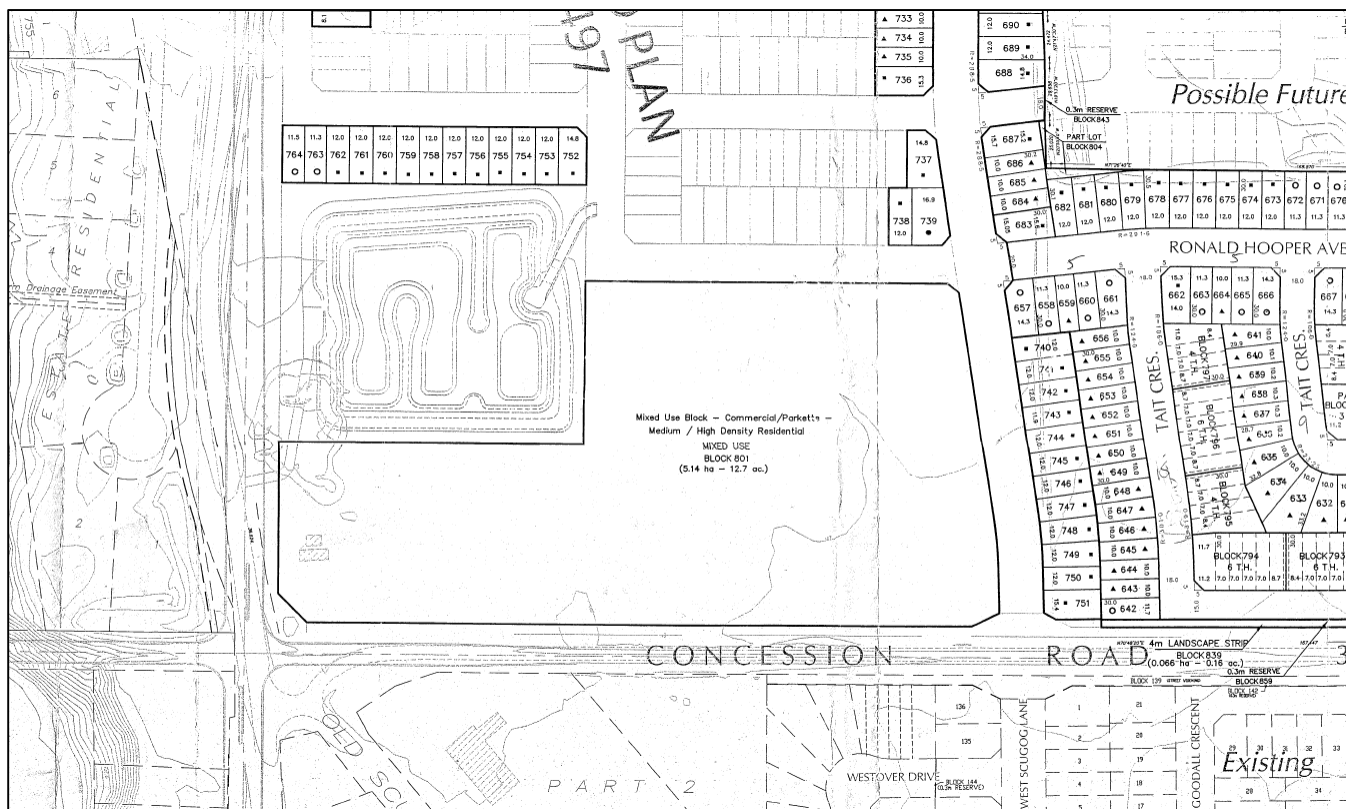


Figure 3 – Latest Draft Approved Plan of Subdivision showing Block 801

- 2.5 Concept plans for the mixed-use block were submitted to Municipal Staff for review and discussion. Formal Official Plan and Zoning By-law Amendment applications were also submitted in 2021, however were put on hold at the Owner's request, while alternative designs were prepared to address some of Staff's concerns with the proposal. In 2022, a revised concept plan was submitted for discussion, which was generally in line with the vision and policy direction for this area. The Owner is currently working towards submitting a formal application based on the revised concept plan. The applicant has demonstrated that the 22 townhouse units on Kenneth Cole could proceed in advance of the Site Plan for the mixed-use block showing that it would not jeopardize or preclude the development of the block. Staff agreed to proceed with the rezoning and amendment to the subdivision to facilitate the 22 townhouse units on Keneth Cole Drive.
- 2.6 The applicant has submitted supporting documents which have been circulated to various departments and agencies for review. They are available upon request and are summarised in this report.

3. Land Characteristics and Surrounding Uses

- 3.1 The subject property is located at 3071 Bowmanville Ave. and is currently vacant. The site has frontage on four public roads, Bowmanville Avenue, Concession Road 3, Edwin

Carr Street, and Kenneth Cole Drive. The subject lands are also located within the Northglen Neighbourhood Design Plan.

3.2 The surrounding land uses are as follows:

North – A stormwater management pond and single detached homes.

East –Edwin Carr Street, and mainly single detached dwellings and some street townhouses beyond.

South –Concession Road 3, and the Hydro One facility and single detached dwellings and townhouses beyond.

West – Bowmanville Ave., and residential estate homes beyond.

4. Provincial Policy

Provincial Planning Statement (PPS) 2024

- 4.1 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.
- 4.2 The PPS policies direct growth to settlement areas and promote compact development forms. The subject lands are within the Bowmanville Urban Settlement boundary. 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.
- 4.3 The proposal is consistent with the Provincial Planning Statement.

5. Official Plans

Durham Region Official Plan (Envision Durham)

- 5.1 On September 3, 2024, the Minister of Municipal Affairs and Housing approved Envision Durham, which is the new Regional Official Plan, with modifications. As of January 1st, of this year, the Region of Durham Official Plan became the Municipality's document to implement as a result of the Province's decision to remove planning responsibilities from upper-tier municipalities. As such, all land use matters that were the Region's responsibility have now been transferred to the Municipality to enforce.

- 5.2 The Durham Region Official Plan designates the subject lands as “Community Areas”. Community Areas are to be planned for a variety of housing types, sizes, and tenures, including 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.
- 5.3 Development within this area shall be planned to achieve a minimum density target of 53 people and jobs per hectare. The proposal is would have approximately 107 people per hectare.
- 5.4 The proposal conforms to the approved Envision Durham Official Plan.

Clarington Official Plan (COP)

- 5.5 The Clarington Official Plan designates the property “Urban Residential” and “Neighbourhood Centre”. The subject site is also located within a “Local Corridor”, which is along Concession Road 3. It is adjacent to the intersection of two arterial roads, Bowmanville Avenue and Concession Road 3. Bowmanville Ave is a Type A arterial road and Concession 3 is a Type B arterial road. Edwin Carr Street is a collector road.
- 5.6 The proposal for 22 townhouse units is a form of infill development as this block is one of the last remaining blocks to be completed within the Northglen Neighbourhood. The development would utilize existing public services and infrastructure since the street network is already established and services were installed when the first phase of the subdivision was constructed.
- 5.7 Table 4-3 of the Plan provides the Urban Structure Typologies for specific areas of the Municipality. These identified areas provide a hierarchy for growth and density. The larger mixed-use block is located near the edge of a neighbourhood and adjacent to arterial roads, however the specific proposal for the 22 townhouse units is further internal to the neighbourhood.
- 5.8 The subject lands are required to meet a minimum net density of 13 units per hectare. Proposal is for about 42 units per net hectare. The built form shall be between 1 to 3 storeys and primarily used for ground related units including limited townhouses, semi-detached, or detached dwellings.
- 5.9 Multi-unit residential development will be developed on the basis of the following site development criteria, as per policy 9.4.5:
- Suitability of the size and shape of the site;
 - Compatibility with the surrounding neighbourhood;
 - Minimize impact of traffic on local streets;
 - Direct vehicular accesses from public streets, without reliance on easements;
 - Variety of unit designs;
 - Townhouses shall not be sited on opposite sides of the street unless adequate on-street parking can be provided; and
 - Street townhouses shall generally not comprise more than 6 attached units.

- 5.10 The proposal is for 22 townhouse units up to three storeys and each unit has direct vehicle access off of Kenneth Cole Drive. The proposal for townhouses would adequately transition between the existing lower density single detached dwellings to the north and the medium and higher densities proposed to the south. All townhouse blocks proposed have 6 attached units or less.
- 5.11 The proposal is in conformity with the policies of the Clarington Official Plan.

Northglen Neighbourhood Design Plan

- 5.12 The subject lands are also within the approved Northglen Neighbourhood Design Plan. The plan identifies the subject lands as a medium and high-density block with mixed-use, commercial space, a stormwater management pond, and a parkette.
- 5.13 The 2008 proposed plan of subdivision showed 22 townhouses along the south side of Kenneth Cole Drive but was later redlined out and melded with the mixed-use block when it was draft approved. Prior to the submission of the recent applications, the Owner was exploring two additional townhouse units for a total of 24 units. This significantly reduced the parkette area located to the west of the townhouses. Services were also pre-subbed for 22 units when the road was constructed, which was cautioned by Staff at the time because it pre-determined the form of development. After further discussions with Staff, the Owner agreed to the 22 units in keeping with the original plan. This would allow for a wider promenade parkette feature at the street elbow which would create a more inviting entrance to the mixed-use block and enhance the visual sight lines into site.
- 5.14 The parkette vision was further detailed in 2008 through the Northglen Neighbourhood Landscape Master Plan and the Owner has provided a concept plan showing a design of the parkette in keeping with this vision and how it integrates with the larger mixed-use block. Staff were supportive of the size of the parkette and the general concept plan. The finalization of the parkette size and design will be considered through a future application for the rezoning of the mixed use block. The acceptance of the parkette would also be secured through the processing of the applications for the mixed use block.
- 5.15 The proposal is in keeping with the vision of the Northglen Neighbourhood Design Plan.

6. Zoning By-law

- 6.1 The property is zoned “Agricultural Exception (A-1)” in Zoning by-law 84-63. The Agricultural Zone is a common zone category for underdeveloped lots located within Settlement Areas. The Agricultural zone does not permit the proposed townhouses, and as such, the rezoning application was required.
- 6.2 The draft zoning by-law amendment proposes the lands be rezoned to the “Urban Residential Exception (R3-32) Zone, which is a zone category used for townhouses within the Northglen Neighbourhood. The R3-32 zone permits street townhouse dwellings with a minimum lot frontage of 7 metres, in keeping with the lot frontages not only within the Northglen Neighbourhood, but also as per Council’s 1999 resolution.

- 6.3 The proposed zoning by-law amendment would permit the development of 22 townhouses and a Holding (H) Symbol would be placed on the zoning until this phase of the Draft Plan of Subdivision is registered.

7. Public Notice and Submissions

- 7.1 Public notice was mailed to approximately 95 residents within 120 metres of the subject lands on January 17, 2025. Signage was also posted on the property, along Bowmanville Ave., Concession Road 3, Edwin Carr Street, and Kenneth Cole Drive, advising of the complete application received by the Municipality and details of the public meeting. Details of the application were also posted on the Municipality's website and Clarington Connect.
- 7.2 At the time of writing this report, no public comments were received.

8. Department 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 are included in **Attachment 3** of this report.

9. Summary of Background Studies

- 9.1 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 available on the development application webpage [Proposed development at 3071 Bowmanville Avenue, Bowmanville | Clarington Connected](#) and are also available upon request.

Sustainability Brief, Cassidy and Company Architectural Technologists Inc., September 11, 2023

- 9.2 A Sustainability Report was prepared to demonstrate how the development will achieve the Municipality's main environmental sustainability objectives. It includes a checklist from the Municipality's Priority Green Development Framework and Implementation Plan. The report indicates that the proposal for the 22 townhouses utilizes existing services and infrastructure, connects into the broader plan of subdivision which supports active transportation connections, and dust and erosion mitigation measures will be practiced during construction.
- 9.3 Units will have low flow toilets, faucets and showerheads, tankless water heaters will be offered for purchase, homeowner information package on eco-friendly and sustainability features, and regional waste pick up will be accommodated, among others.

Noise Impact Study Addendum, YCA Engineering Ltd., August 16, 2023

- 9.4 A Noise Impact Study Addendum was prepared to examine the noise levels from road traffic from the two adjacent arterial roads, Bowmanville Ave and Concession Road 3. The study concluded that all sound levels, internally and externally meet the Ministry of Environment Conservation and Parks noise guidelines sound level limits, therefore noise mitigation measures will not be required for the 22 townhouses.

Geotechnical Letter of Opinion, Soil Engineers Ltd., October 5, 2023

- 9.5 The Geotechnical Investigation indicated that boreholes were not carried out within the townhouse blocks, however, previous and ongoing geotechnical investigations were carried out at the surrounding sites with the plan of subdivision. The investigation shows that the subsurface soils in the surrounding areas consist of compact to very dense, mostly dense sands and silty sand till, with some stiff to hard clay till in some instances. Groundwater was encountered in the upper strata of the boreholes and appears to be due to infiltrated precipitation as the mid and lower soil strata remained relatively dry.
- 9.6 Based on the findings from the boreholes on the surrounding sites, the letter concludes that the subject site is suitable for the proposed townhouses. The general recommendations in the 2004 geotechnical report can be applied to this site as well. However, test pits should be carried out to confirm the soil conditions during site grading and prior to construction. This will be a condition of approval for the subdivision.

Hydrogeological Assessment, GHD, Sept. 6, 2023

- 9.7 The Hydrogeological Assessment was completed in 2005, and an update was prepared to specifically look at the proposal for the townhouses. The conclusions from the update states that no further field work is required based on the required mitigation techniques to maintain the water balance. The report indicated that by directing roof leaders to rear yards, and with impervious surfaces potentially providing up to 20% infiltration, and the incorporation of swales and infiltration galleries, the change in infiltration would be negligible between pre- and post-development. The Report indicated that there would be little or no impact to the local groundwater and surface water regimes and their interactions.

Functional Servicing and Stormwater Management Letter, Nicolaas Mensink, October 24, 2024

- 9.8 The Functional Servicing and Stormwater Management letter was prepared subsequent to the original Study completed in 2007. The townhouses can be adequately serviced with municipal water and sanitary sewer. There is also capacity in the existing stormwater management pond for the 22 townhouse units. The units were pre-serviced as part of the registered Phase 1 subdivision.

Transportation Impact Brief, Candevcon Group Inc., September 28, 2023

- 9.9 A Transportation Impact Brief was prepared to assess the traffic impacts to the surrounding network from the proposed increase in townhouse units. Trip counts were taken from traffic studies within the vicinity of the subdivision. The findings indicated that impacts to the surrounding road network from the townhouse units are anticipated to be negligible.

Archeological Assessment – Stage 1-3

- 9.10 A Stage 1 - 3 Archeological Assessment was completed for the subject lands as part of the original plan of subdivision. The Ministry of Culture (at the time) issued a letter on June 29, 2007, stating that one historic Euro-Canadian site with artifacts extracted was identified but was concluded to not have any cultural heritage value or interest. The Ministry concurred with this conclusion and stated that no further archeological assessment or impact mitigation would be required.

Phase One Environmental Site Assessment (ESA) Update, GHD, November 3, 2023

- 9.11 A Phase One ESA Update was submitted to determine if there were any new potential contaminants identified on or near the subject lands which are proposed to be redeveloped for residential uses. The report gave an update to the previous Phase One ESA reports that were carried out for the property in 2004 and 2014. Based on the updated site reconnaissance, records review, and interviews, the previously identified potentially contaminating activities associated with the Hydro One Service Centre and the auto wrecker yard do not result in a new area of potential environmental concern because of the separation of roadways and other lots and the inferred groundwater flow direction. The update concluded that no further work is recommended.

10. Discussion

- 10.1 The site is situated in the Northglen Neighbourhood Design Plan Area and would be considered Phase 5 of the existing draft Plan of Subdivision SC-2007-0004. The proposed townhouse units were originally shown on the proposed draft plan but were removed by a redline revision, and as a result, one larger mixed-use block was shown when the draft plan received conditional approval. The application for the mixed-use block is expected imminently and Staff are generally satisfied with the proposed concept plans and do not foresee any issues with allowing the townhouse to advance separately from the mixed-use block.

10.2 The reason why the townhouses were removed in the original draft plan was to ensure the block would be developed as a whole and coordinated to ensure orderly development. Condition #38 states *“that the development of Block 925 cannot proceed until such time as the developer has entered into a Site Plan Agreement with the Municipality for the development of this Block.”* In order to proceed with the proposed townhouses along Kenneth Cole, an amendment to the draft plan of subdivision was submitted and the conditions will need to be amended as such. Staff have been involved with many reiterations of the proposed concept for the mixed-use block and have finally come to a general acceptance of the overall layout. The larger site has frontage on three other public roads.

Minimum Width of Townhouse Units

10.3 The minimum width of townhouses units have been debated by Municipal Staff and Council over the years in order to ensure appropriate growth and density can be accommodated, while still meeting other competing demands, such as parking and landscaped open space. Typically, as a result of a Council Resolution from 1999, and a recent Council decision in 2024 to have a minimum soft landscaping in the front yard of 40%, townhouses which have access from a public road are recommended to have a frontage of at least 7 metres. The proposal is in keeping with the minimum 7 metre frontages, which is also similar to the existing lot fabric within the Northglen neighbourhood.

10.4 A rezoning is required to rezone the lands from “Agricultural Exception (A-1) Zone” to “Holding - Urban Residential Exception (R3-32) Zone” in order to facilitate the proposed development. A Zoning By-law Amendment has been prepared, and the proposed zone would align with the approved vision for the Northglen Neighbourhood Design Plan.

10.5 A hold symbol is proposed for the subject lands and will be removed once the Applicant fulfills conditions of the subdivision with the Municipality of Clarington. The amendment to the draft conditions of the subdivision would be prepared at a later date, provided Council approves the recommendations in this report.

Park and Parkland Considerations

10.6 The proposal would be subject to parkland dedication requirements, in conjunction with the entire draft plan of subdivision. The park areas were predetermined through the approved Northglen Neighbourhood Design Plan from 2008. The two SC-2007-004 (Northglen West) and SC-2007-005 (Northglen East) subdivision applications contained the majority of these park areas. The total planned parkland area in Northglen is approximately 6.2 ha. To date, 5.43 ha has been dedicated.

10.7 The entire mixed use block site area, including the proposed townhouses, is 5.14 hectares. The parkland dedication requirements for the 22 townhouses will be addressed through the conditions of subdivision, as well as through the development applications for the mixed use block. Any remaining amount of parkland owed would result in a payment equivalent to the value of lands for that portion. There may be some lost revenues to the Municipality as a result of Bill 23 changes when the mixed-use

block is realized however those lost revenues are not directly related to the approval of the 22 proposed townhouses, which is the subject of this application.

Updating Reports

- 10.8 Many of the reports submitted with the application relied on previous studies from when the subdivision application was originally made in 2007. This may be appropriate in some instances, for example the Archeological Study, however other studies will need to be updated or prepared such as the Geotechnical and Hydrogeological Study, the Stormwater Management Study and a Phase Two ESA as a condition of approval. This will ensure that the data is current, especially given the development that has occurred surrounding the subject lands which may have impacted the physical characteristics of this site.

11. Financial Considerations

- 11.1 The capital infrastructure required for this development will be negligible given that the majority of the services and the road are already constructed. The Municipality will be responsible for the major repair, rehabilitation, and replacement in the future for any capital assets. There are no sidewalks proposed on the southside of Kenneth Cole Drive. Any financial considerations related to the parkette within the mixed use block will be dealt with through the development applications for the mixed use block.

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 Applicant has prepared a Sustainability report in accordance with Clarington's Priority Green Standards for Subdivisions as explained in Section 7 of this report. This project considers climate risks by providing stormwater management controls and mitigation measures through LID infiltration.

14. Concurrence

- 14.1 Not Applicable.

15. Conclusion

- 15.1 Should there be no significant concerns from the public meeting, Staff recommend that the applications by 2265719 Ontario Inc. to amend Zoning By-law 84-63 to permit 22 townhouse units be approved, with a holding symbol, subject to the amending conditions to be approved by the Deputy CAO of Planning and Infrastructure Services. The holding will be removed once the conditions of the subdivision are satisfied. The

amending conditions for the subdivision will be issued after Council makes a decision on the rezoning application.

Staff Contact: Nicole Zambri, Senior Planner, 905-623-3379 ext. 2422 or
nzambri@clarington.net.

Attachments:

- Attachment 1 – Zoning By-law Amendment
- Attachment 2 – Draft Plan of Subdivision
- Attachment 3 – Department and Agency Comments

Interested Parties:

List of Interested Parties available from Department.

Corporation of the Municipality of Clarington

By-law Number 2025-_____

being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63, as amended, of the Corporation of the Municipality of Clarington for ZBA 2024-0018;

Now Therefore Be It Resolved That, the Council of the Corporation of the Municipality of Clarington enacts as follows:

- 1. Schedule '3' to By-law 84-63, as amended, is hereby further amended by changing the zone designation from:

"Agricultural Exception (A-1) Zone" to "Holding - Urban Residential Exception ((H)R3-32) Zone"; and

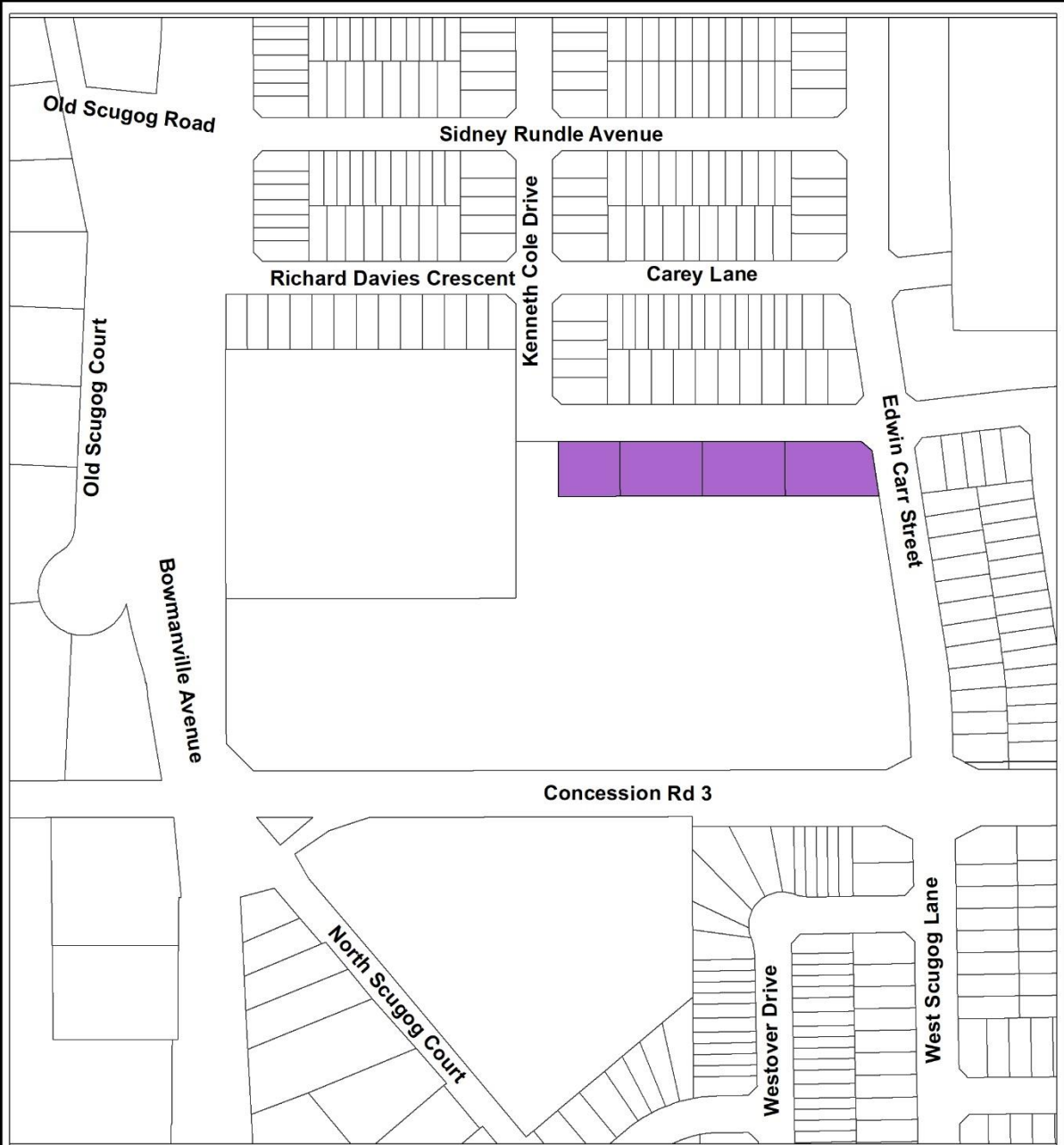
as illustrated on the attached Schedule 'A' hereto.
- 3. Schedule 'A' attached hereto shall form part of this By-law.
- 4. This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Section 34 and Section 36 of the Planning Act.

By-Law passed in open session this _____ day of February, 2025

Adrian Foster, Mayor

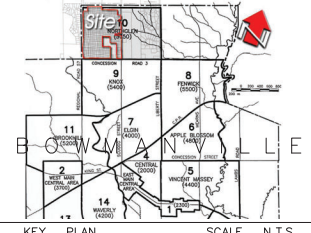
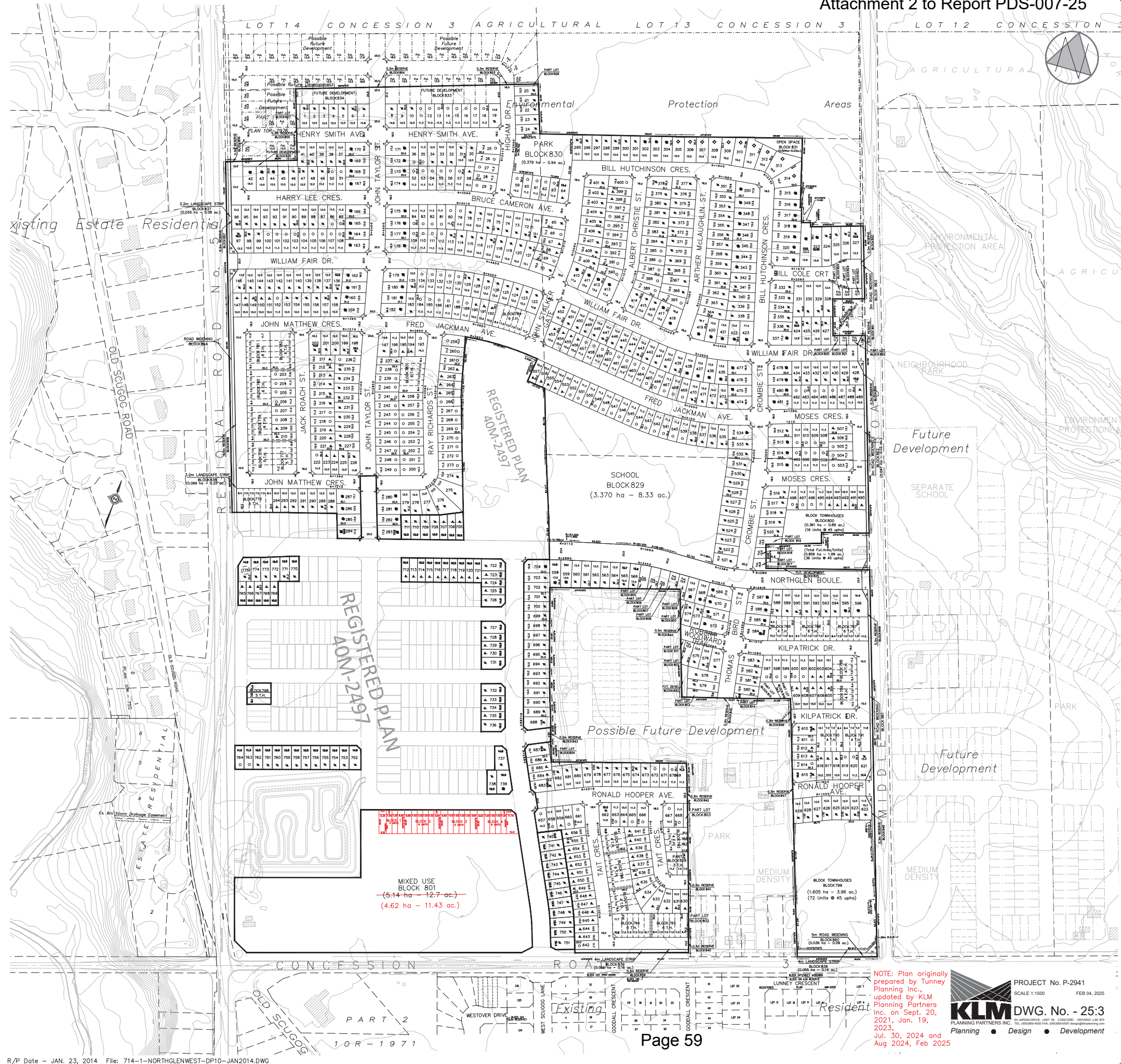
June Gallagher, Municipal Clerk

This is Schedule "A" to By-law 2025- , passed this day of , 2025 A.D.



 Zoning Change From 'A-1' To '(H)R3-32'





REVISION No. 11
TO DRAFT APPROVED PLAN
SC-2007-0004
 PART OF LOTS 13 & 14
 CONCESSION 3
 MUNICIPALITY OF CLARINGTON
 REGIONAL MUNICIPALITY OF DURHAM

Northglen West – Relevant Data

▲ 10.0 m+ FRONTS – LOTS (DETACHED DWELLINGS)	(122 LOTS / 122 UNITS)
○ 11.3 m+ FRONTS – LOTS (DETACHED DWELLINGS)	(195 LOTS / 195 UNITS)
■ 12.0 m+ FRONTS – LOTS (DETACHED DWELLINGS)	(348 LOTS / 348 UNITS)
● 13.5 m+ FRONTS – LOTS (DETACHED DWELLINGS)	(100 LOTS / 100 UNITS)
◆ 15.0 m+ FRONTS – LOTS (DETACHED DWELLINGS)	(10 LOTS / 10 UNITS)

TOTAL # LOTS/UNITS RESIDENTIAL	(775 LOTS / 775 UNITS)
TOTAL AREA SINGLE FAMILY RESIDENTIAL	= 29.58 ha
MEDIUM DENSITY RESIDENTIAL	= 3.34 ha
7m STREET TOWNHOUSES	= 1.97 ha (128 UNITS)
BLOCK TOWNHOUSES	= 1.97 ha (88 UNITS)
MIXED USE BLOCK	= 2.62 ha (133 UNITS)
TOTAL # UNITS RESIDENTIAL	(1124 UNITS)
TOTAL AREA RESIDENTIAL	(1402 UNITS)
PART LOTS/BLOCKS	= 0.62 ha
SCHOOL	= 3.37 ha
PARK	= 0.38 ha
OPEN SPACE	= 0.09 ha
FUTURE DEVELOPMENT	= 0.59 ha
LANDSCAPED STRIPS	= 0.22 ha
0.3m RESERVES	= 0.05 ha
ROAD WIDENINGS	= 0.50 ha

ROADS	15.0 m R.O.W. = 520 m = 0.78 ha
	18.0 m R.O.W. = 4324 m = 6.26 ha
	20.0 m R.O.W. = 3088 m = 5.02 ha
	23.0 m R.O.W. = 1300 m = 0.91 ha
TOTAL AREA OF SUBMISSION	58.30 ha

SUBMISSIONS	
1. ORIGINAL SUBMISSION	K.T. FEB. 2006
2. REVISION TO DRAFT PLAN	K.T. JAN. 2007
3. REVISION TO DRAFT PLAN	K.T. MAY, 2007
4. REVISION TO DRAFT PLAN SC-2007-0004	K.T. SEPT., 2007
5. REVISION TO DRAFT PLAN SC-2007-0004	K.T. FEB. 2008
6. DRAFT APPROVED REDLINE REVISION TO DRAFT PLAN SC-2007-0004	K.T. MAY, 2008
7. REDLINE REVISION TO DRAFT APPROVED PLAN	K.T. FEB. 2009
8. SECOND REDLINE REVISION TO DRAFT APPROVED PLAN	K.T. MAR. 2011
9. THIRD REDLINE REVISION TO DRAFT APPROVED PLAN	K.T. OCT. 2013
10. REVISION	K.T. JAN. 2014
11. REVISION	K.T. FEB. 2025

SECTION 51(17) OF THE PLANNING ACT
 UNDER SECTION 51(17) OF THE PLANNING ACT INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G & J SHOWN ON DRAFT AND KEY PLANS.

OWNER'S CERTIFICATE
 WE, THE REGISTERED OWNER OF THE SUBJECT LANDS, HEREBY AUTHORIZE TUNNEY PLANNING INC. TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.
 2265719 Ontario Inc.
 SIGNED: "Domenic Tassone"
 DATE: "March 4, 2011"
 2084165 Ontario Limited
 SIGNED: "Hannu Halminen"
 DATE: "February 3, 2006"
 SIGNED: "Kirk C. Kemp"
 DATE: "February 3, 2006"
 Douglas Gordon Kemp
 SIGNED: "Kirk Kemp"
 DATE: "February 3, 2006"

Northglen West

tunney Planning and Land Management Consultants
 340 Byron Street South, Suite 200
 Whitby, Ontario L1N 4P8
 Phone: (905) 666-9735
 Fax: (905) 666-2468

DESIGN	K. TUNNEY	DRAWN	A.G.	APPROVED	[Signature]	PROJECT No.	TUN 745-1
DATE	January, 2014	SCALE	1:1500	DRAWING No.	DP-10		

NOTE: Plan originally prepared by Tunney Planning Inc., updated by KLM Planning Partners Inc. on Sept. 20, 2021, Jan. 19, 2023, Jul. 30, 2024 and Aug. 2024, Feb 2025

PROJECT No. P-2941
 SCALE 1:1500
 FEB 04, 2025

KLM DWG. No. - 25:3
 PLANNING PARTNERS INC. Planning • Design • Development

Attachment 3 – Agency and Department Comments

The following agencies and internal departments were circulated for comments on the applications. Below is a chart showing the list of circulated parties and whether or not we have received comments to date.

Department/Agency	Comments Received	Summary of Comment
Durham Region Planning Department	<input type="checkbox"/>	
Durham Region Works Department	<input checked="" type="checkbox"/>	No objection.
Central Lake Ontario Conservation Authority (CLCOA)	<input checked="" type="checkbox"/>	No objection. Applicant to explore opportunity to include low impact development measures between Block 1 and the stormwater management pond.
Kawartha Pineridge District School Board	<input checked="" type="checkbox"/>	No objection.
Peterborough, Victoria, Northumberland, Clarington Catholic District School Board	<input type="checkbox"/>	
French Public Board: Conseil Scolaire Viamonde	<input checked="" type="checkbox"/>	No objection.
French Catholic Board: Conseil Scolaire Catholique Mon Avenir	<input type="checkbox"/>	
Clarington Engineering Development Division	<input checked="" type="checkbox"/>	No objection. No construction traffic or parking permitted on Kenneth Cole Drive or Edwin Carr Street. Grading to be revised to split drainage to rear yard swale.
Clarington Emergency Services	<input checked="" type="checkbox"/>	No objection.
Clarington Building Division	<input checked="" type="checkbox"/>	No objection.
Enbridge Gas	<input checked="" type="checkbox"/>	No objection.
Hydro One	<input type="checkbox"/>	
Bell Canada	<input checked="" type="checkbox"/>	No objection.
Rogers Cable	<input checked="" type="checkbox"/>	No objection.
Canada Post Corporation	<input type="checkbox"/>	No objection.



Public Meeting Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To:	Planning and Development Committee	
Date of Meeting:	February 10, 2025	Report Number: PDS-009-25
Authored By:	Sarah Parish, Principal Planner	
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology	
File Number:	COPA2024-0007 and ZBA2024-0031	Resolution#:
Report Subject:	Applications by Stylux Bowmanville Inc. for a Clarington Official Plan Amendment and Zoning By-law Amendment to permit a total of 97 residential units at 500 Mearns Avenue in Bowmanville.	

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-009-25 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 Official Plan Amendment and Zoning By-law Amendment applications submitted by Bousfields Inc. on behalf of Stylux Bowmanville Inc. and continue processing the applications including the preparation of a subsequent recommendations report; and
3. That all interested parties listed in Report PDS-009-25 and any delegations be advised of Council's decision.

Report Overview

The Municipality is seeking the public's input on applications for a proposed Official Plan Amendment and Zoning By-law Amendment to permit 97 residential units that consist of three (3) storey link townhouse dwelling units with an internal private road and amenity area at 500 Mearns Avenue in Bowmanville.

1. Application Details

Owner: Stylux Bowmanville Inc.

Agent: Bousfields Inc.

Proposal: Official Plan Amendment (OPA)

The purpose of this amendment is to amend 'Map A3 Land Use Bowmanville Urban Area' to remove the 'Environmental Protection Area' designation on the subject site to facilitate the development of 97 residential units.

Zoning By-law Amendment (ZBA)

To rezone the subject lands from "Environmental Protection (EP)" and "Holding Urban Residential Exception ((H)R3-12) Zone" to "Urban Residential Type Three (R3) Zone" with exceptions to facilitate the development of 97 residential units.

Area: 5.6 acres (2.2 hectares)

Location: 500 Mearns Avenue, Bowmanville (**see Figure 1**)

Roll Number: 18-17-020-060-11000

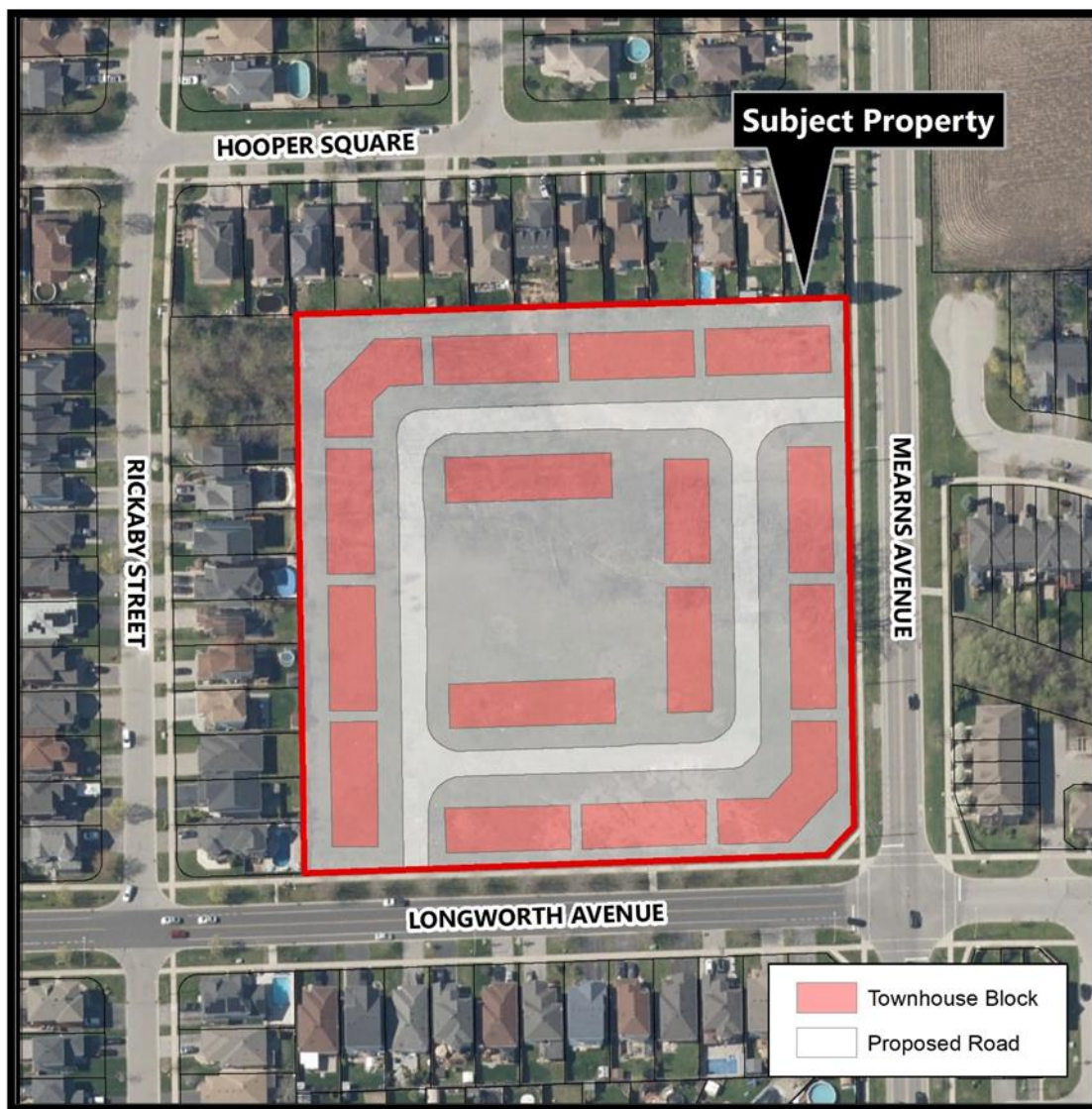


Figure 1 – Location of Subject Lands

2. Background

- 2.1 A stage 1 pre-consultation meeting (PC2022-0038) was requested by Bousfields Inc. on behalf of Stylux Bowmanville Inc. for a proposal at 500 Mearns Avenue in Bowmanville to develop 77 townhouse dwelling units and 2 semi-detached dwelling units on a private internal road network. The meeting was held August 22, 2022, with staff and agencies.
- 2.2 Staff sent the stage 2 pre-consultation comments directly to the applicant on October 4, 2023 on the revised proposal to permit 97 residential units that consist of three (3) storey link townhouse dwelling units.
- 2.3 On December 6, 2024, Bousfields Inc., on behalf of Stylux Bowmanville Inc., submitted applications for an Official Plan Amendment and Zoning By-law Amendment to permit a development consisting of 97 residential units that consist of three (3) storeys link townhouse dwelling units with an internal private road and amenity area at 500 Mearns Avenue.
- 2.4 The applications were deemed complete by staff on January 8, 2025.
- 2.5 A Draft Plan of Subdivision (SC2024-0017) application was also received for this site on December 5, 2024. The Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications will be processed in tandem.
- 2.6 A subsequent Site Plan Approval Application and Draft Plan of Condominium Application will be filed at a later date.

3. Land Characteristics and Surrounding Uses

- 3.1 The subject lands are located at the northwest corner of Mearns Avenue and Longworth Avenue, municipally known as 500 Mearns Avenue, Bowmanville. The site has approximately 148 metres of frontage on Mearns Avenue and 146 metres of frontage on Longworth Avenue.
- 3.2 The subject lands are currently vacant. The site area is approximately 5.6 acres (2.2 hectares). The northern half of the site is recognized as part of Clarington's Natural Heritage System under Clarington's Official Plan.

3.3 The surrounding uses are as follows:

North: Existing low density, single detached residential houses.

East: Existing low density, single detached residential houses (on the east side of Mearns Avenue) with some wooded, environmentally protected areas.

South: Existing low density, single detached residential houses.

West: Existing low density, single detached residential houses, a school and a park.

4. Provincial Policy

The Provincial Planning Statement (2024)

- 4.1 The Provincial Planning Statement, 2024 (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. Opportunities for redevelopment and intensification are to be promoted where it can be accommodated.
- 4.2 The PPS policies direct growth to settlement areas and promote compact development forms. The subject lands are located within the Bowmanville Urban Area. Planning authorities are to facilitate a variety of housing forms and promote residential intensification to achieve efficient use of land, especially along public transit and active transportation routes.
- 4.3 The PPS encourages a minimum density target of 50 residents and jobs per gross developable hectare in designated growth areas.
- 4.4 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 their ecological functions.

5. Official Plan

Durham Region Official Plan (Envision Durham)

- 5.1 On September 3, 2024, the Ministry of Municipal Affairs and Housing approved Envision Durham, which is the new Regional Official Plan, with modifications. The Durham Region Official Plan (Envision Durham) designates the subject lands as “Community Areas.”
- 5.2 Envision Durham provides a long-term policy framework that is used to manage Durham Region’s growth and development. The intent of Envision Durham is to manage resources, direct growth and establish a basis for providing Regional services in an efficient and effective manner.
- 5.3 Community Areas are to be planned for a variety of housing types, sizes, and tenures, including townhouses and apartments within connected neighbourhoods. 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.

Municipality of Clarington Official Plan

- 5.4 The Clarington Official Plan designates the subject lands “Urban Residential” on the southern portion of the lot, well the norther portion is designated “Environmental Protection Areas.” The Urban Residential designation is predominantly intended to provide for a variety of housing densities, tenures, and types in neighbourhoods for all incomes, ages, and lifestyles.
- 5.5 The Clarington Official Plan contains criteria for multi-unit residential development. The policies state that development shall be suitable to accommodate the proposed density and built form and shall be compatible with the surrounding context. Any intensification or infill development in established neighbourhoods, such as the one being proposed, must also consider and respect the surrounding neighbourhood. Consideration will be given to:
 - Pattern of lots;
 - Suitability of the size and shape of the site;
 - Compatibility with the surrounding neighbourhood;
 - Building types of nearby properties;
 - Height, scale, and siting of buildings;
 - Setback of buildings from the street;
 - Rear and side yard setbacks;
 - Shadowing, and the location of parking and amenity areas;
 - Minimize the impact of traffic on local streets;

- Multiple and direct vehicular accesses from the public street, without reliance on easements;
 - Variety of unit designs; and
 - Townhouses sited on blocks shall generally not exceed 50 units.
- 5.6 The Clarington Official Plan provides the Urban Structure Typologies for specific areas of the Municipality. These identified areas are where growth and higher intensity-built forms are to be directed. Sites adjacent to arterial roads shall have a minimum density of 19 units per hectare. The built form shall be between 1 to 3 storeys and primarily used for ground-related units including townhouses, semi-detached, or detached dwellings, and limited apartments.
- 5.7 Environmental Protection Areas are recognized as the most significant components of the Municipality's natural environment. As such, these areas and their ecological functions are to be preserved and protected from the effects of human activity.
- Environmental Protection Areas include the natural heritage features and hydrologically sensitive features that comprise the natural heritage system as well as those lands within the regulatory flood plain of a watercourse.
 - The property is located within a tributary of Soper Creek and contains a number of regulated natural features. Adjacent to the tributary the site is heavily treed. An Environmental Impact Study (EIS) is currently under review by staff and will determine the exact limits of development, including limits to natural heritage system. The EIS must demonstrate that the proposal is consistent with Official Plan policies.
- 5.8 Where a development or redevelopment proposal includes non-developable land or land designated as an Environmental Protection Area, the Municipality may require that such land be dedicated to the Municipality and will not be accepted as statutory parkland dedication.
- 5.9 A draft Official Plan Amendment (OPA) that was submitted as part of the application by Bousfields Inc. is included in **Attachment 1**.

6. Zoning By-law 84-63

- 6.1 The subject lands are currently zoned "Environmental Protection (EP)" and "Holding Urban Residential Exception ((H)R3-12)" within Zoning By-law 84-63.
- 6.2 Finalization of appropriate zone uses and provisions will be determined after all public and agency comments have been received and will be brought forward in a subsequent recommendation. A hold symbol will be implemented as part of the Zoning By-law

Amendment to ensure the conditions of the draft plan of subdivision, site plan approval and draft plan of condominium have been fulfilled.

- 6.3 A draft Zoning By-law Amendment that was submitted as part of the application by Bousfields Inc. is included in **Attachment 2**.

7. Summary of Background Studies

- 7.1 The applicant has submitted the required supporting plans and studies which have been circulated to departments and agencies for review and comment. The list of studies and drawings are on the development application webpage at www.clarington.net/500MearnsAvenue and are also available upon request. A summary of the submitted reports and studies will be provided in a future recommendation report.

8. Public Notice and Submissions

- 8.1 Public Notice was mailed to 168 households within 120 metres of the subject lands on January 17, 2025. Two public meeting signs were installed on the subject lands, one sign fronts onto Mearns Avenue and the other onto Longworth Avenue. Details of the proposed application were also posted on the Municipality's website, and in the Clarington Connected e-newsletter.
- 8.2 At the time of writing this report, staff have received inquiries from one resident with respect to the proposed development. The resident had concerns with the environmental features on the site, how stormwater management would be handled, and if there were any issues stemming from the geotechnical and hydrological reports. This resident also requested and had all the plans and studies pertaining to this proposed development sent to them.
- 8.3 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. Departmental and Agency Comments

- 9.1 The applications were circulated to internal departments and external agencies for review and comments. At the time of writing this report, staff have not received 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.

10. Discussion

- 10.1 The proposed residential development is located within the Bowmanville Urban Boundary and the proposed residential uses represent a form of development encouraged for the most part by Provincial, Regional, and Municipal policies. It aims to develop a total of 97 residential units that consist of three (3) storeys link townhouse dwelling units. An internal private road and amenity area will service the proposed development.
- 10.2 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.

Urban Design

- 10.3 The Clarington Official Plan contains policies and guidelines for developments within the Urban Residential and Environmental Protection designations that will need to be considered when reviewing the applications, such as built form, relationship of buildings to the street, impacts on the public realm, impact on the environment, and the interface to existing/proposed uses. Careful attention and consideration of these policies will enhance the development while being respectful to the existing built form and the surrounding community.
- 10.4 The subject lands front onto Mearns Avenue which is a Type C Arterial Road. Sites adjacent to arterial roads shall have a minimum density of 19 units per hectare. This proposed development will provide approximately 44 units per hectare. This site is located at the edge of the established neighbourhood and is surrounded by already established residential properties. A significant portion of the subject lands contain natural heritage features.
- 10.5 Further discussion on the appropriateness of the proposed built form, heights, densities, reduced front yards general site layout and interface with the natural heritage features will be addressed through a subsequent recommendation report.

Affordable Units

- 10.6 The Clarington Official Plan encourages a minimum of 30% of the proposed units to be affordable. The *Planning Act* also requires the adequate provision of a full range of housing, including affordable housing as a matter of Provincial interest. The Planning & Urban Design Rationale Design Report submitted by the applicant does not have any reference to providing affordable housing units.

Environmental Protection Areas

- 10.7 The property is located within a tributary of Soper Creek and contains a number of regulated natural features. Adjacent to the tributary the site is heavily treed. An Environmental Impact Study (EIS) is currently under review by staff and will determine the exact limits of development, including limits to natural heritage system. The EIS must demonstrate that the proposal is consistent with Official Plan policies.
- 10.8 The Environmental Protection designation can be refined through various studies, including the Environmental Impact Study, and the findings of the studies are to be reflected in the implementing site-specific zoning-by-law. The EIS must demonstrate that the proposal is consistent with the Official Plan policies. Further discussion on the findings of the EIS submitted for review and the appropriateness of the proposed removal of the natural heritage feature and Vegetative Protection Zone (VPZ) encroachment will be addressed through a detailed review and a subsequent recommendation report.

11. Financial Considerations

- 11.1 Not applicable, as this is a public meeting report to gather public input on the proposal. Financial considerations will be addressed in the 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 development's interaction with the specific priorities of the Strategic Plan will be included in the future recommendation report

13. Climate Change

- 13.1 The application, including submitted reports are being reviewed by staff and circulated agencies. Analysis of the proposal, including the impacts on climate change will be discussed in a subsequent recommendation report.

14. Concurrence

- 14.1 Not Applicable.

15. Conclusion

- 15.1 The purpose of this report is to provide background information and obtain comments on the submitted applications for Official Plan Amendment and Zoning By-law Amendment for 97 residential units that consist of three (3) storey link townhouse dwelling units at the Statutory Public Meeting under the *Planning Act*. Staff will continue to review and process the applications, 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 Official Plan Amendment

Attachment 2 – Draft Zoning By-law Amendment

Interested Parties:

List of Interested Parties available from Department.

Amendment No. XX
To The Municipality of Clarington Official Plan

Purpose:	The purpose of this Amendment is to amend ‘Map A3 Land Use Bowmanville Urban Area’ to remove the ‘Environmental Protection Area’ designation on the Subject Site.
Location:	The Subject Site is municipally addressed as 500 Mearns Avenue, Municipality of Clarington. The Subject Site is located at the intersection of Mearns Avenue and Longworth Avenue and has a total area of 2.19 hectares with 139 metres of frontage on Longworth Avenue and 141 metres of frontage on Mearns Avenue.
Basis:	<p>The purpose of this Official Plan Amendment is to amend ‘Map A3 Land Use Bowmanville Urban Area’ to remove the ‘Environmental Protection Area’ designation on the Subject Site.</p> <p>Existing environmental and hydrogeological features on the Subject Site were not found to be significant based on the findings of an Environmental Impact Study and hydrogeological drainage feature assessment.</p>
Actual Amendment:	<p>The Municipality of Clarington Official Plan is hereby amended as follows:</p> <ol style="list-style-type: none"> 1. Existing section 23.19.1 is amended by adding the following: <ol style="list-style-type: none"> XX. Notwithstanding the existing land use designations identified on Map A3 – Land Use Bowmanville Urban Area, for the lands identified as Assessment Roll Number 181702006011000, Part of Lot 9, Concession 2, former Township of Darlington, the ‘Urban Residential’ designation shall apply to the entirety of the lands.
Implementation:	The provisions set forth in the Municipality of Clarington Official Plan, regarding the implementation of the Plan, shall apply in regard to this Amendment.
Interpretation:	The provisions set forth in the Municipality of Clarington Official Plan, regarding the implementation of the Plan, shall apply in regard to this Amendment.

The Corporation of the Municipality of Clarington
By-law Number 2025-_____

being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for
the Corporation of the Municipality of Clarington

Whereas the Council of the Corporation of the Municipality of Clarington deems it
advisable to amend By-law 84-63, as amended, of the Corporation of the Municipality of
Clarington for ZBA XXXXX:

Now therefore the Council of the Municipality of Clarington enacts as follows:

1. Section 14.6 “SPECIAL EXCEPTIONS – URBAN RESIDENTIAL TYPE THREE (R3) ZONE” is hereby amended by adding a new “Urban Residential Exception (R3-XX) Zone” and “Urban Residential Exception (R3-YY) Zone” as follows:

14.6.XX URBAN RESIDENTIAL EXCEPTION (R3-XX) ZONE

“Notwithstanding Sections 3.1(g)iv), 3.16(c)iii), 14.1(a)(iii), 14.4(a) 14.4(b), 14.4(c)(ii), 14.4(c)(iii), 14.4(c)(iv), 14.4(f), and 14.4(g), on those lands zoned “R3-XX” on the Schedules to this By-law shall be subject to the following zone provisions:

No person shall within the Urban Residential Exception (R3-XX) zone use any building or structure except as specified hereunder:

a. Residential Uses

- i. Link Townhouse Dwellings collectively within R3-XX and R3-YY shall not exceed a density of 45 units per hectare;
- b. For the purpose of establishing regulations for the Link Townhouse units, the following specific regulations shall apply as if each unit is located on a lot.

i.	Lot Frontage (Interior)	5.5 metres
ii.	Lot Frontage (Exterior)	6.0 metres
iii.	Side Yard (Interior)	1.5 metres
iv.	Rear Yard	4.0 metres
v.	Landscaped Open Space (minimum per block)	20 per cent

- vi. Building Height (maximum) 13.25 metres
- vii. Notwithstanding the yard and setback provisions of this By-law to the contrary, every part of any yard to be provided in all zones shall be open and unobstructed by any structure from the ground to the sky, except for the following:
 - a. Balconies, canopies, unenclosed porches, steps, patios, ramps, or decks attached or directly abutting the principle or main building; either above or below grade; may project into any required front, side or rear yard to a distance of not more than 2 metres, but in no instance shall a required side yard be reduced to below 0.6 metres;

- 2. Section 14.6 “SPECIAL EXCEPTIONS – URBAN RESIDENTIAL TYPE THREE (R3) ZONE” is hereby amended by adding a new “Urban Residential Exception (R3-YY) Zone” as follows:

14.6.XX URBAN RESIDENTIAL EXCEPTION (R3-YY) ZONE

“Notwithstanding Sections 3.1(g)iv), 3.16(c)iii), 14.1(a)(iii), 14.4(a), 14.4(b), 14.4(c)(ii), 14.4(c)(iii), 14.4(c)(iv), 14.4(f), and 14.4(g), on those lands zoned “R3-YY” on the Schedules to this By-law shall be subject to the following zone provisions:

No person shall within the Urban Residential Exception (R3-YY) zone use any building or structure except as specified hereunder:

a. Residential Uses

- i. Link Townhouse Dwellings collectively within R3-XX and R3-YY shall not exceed a density of 45 units per hectare;

b. For the purpose of establishing regulations for the Link Townhouse units, the following specific regulations shall apply as if each unit is located on a lot.

- i. Lot Frontage (Interior) 5.5 metres
- ii. Lot Frontage (Exterior) 6.3 metres
- iii. Side Yard (Interior) 1.5 metres
- iv. Side Yard (Exterior) 4.3 metres
- v. Rear Yard 7.5 metres
- viii. Landscaped Open Space (minimum per block) 20 per cent
- vi. Building Height (maximum) 14.25 metres

- vii. Notwithstanding the yard and setback provisions of this By-law to the contrary, every part of any yard to be provided in all zones shall be open and unobstructed by any structure from the ground to the sky, except for the following:
 - a. Balconies, canopies, unenclosed porches, steps, patios, ramps, or decks attached or directly abutting the principle or main building; either above or below grade; may project into any required front, side or rear yard to a distance of not more than 2 metres, but in no instance shall a required side yard be reduced to below 0.6 metres;
- 2. Schedule '3H' to By-law 84-63, as amended, is hereby further amended by changing the zone designation from "Urban Residential Exception (R3-12) Zone" and "Environmental Protection (EP) Zone" to "Urban Residential Exception (R3-XX) Zone" and "Urban Residential Exception (R3-YY) Zone" as illustrated on the attached Schedule 'A' hereto.
- 3. Schedule 'A' attached hereto shall form part of this By-law.

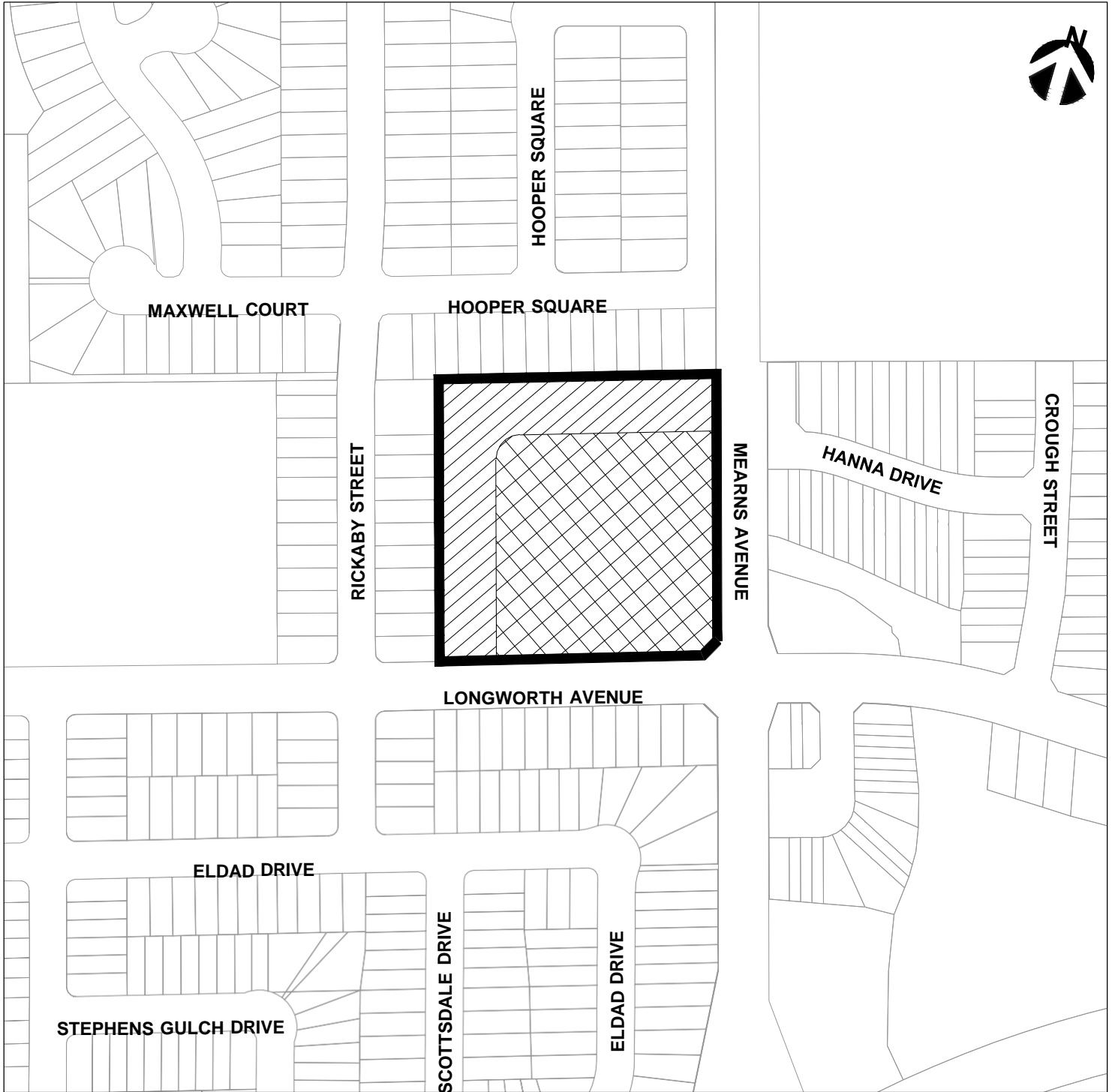
This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Section 34 and Section 36 of the Planning Act.

Passed in Open Council this _____ day of _____, 2025

Adrian Foster, Mayor

June Gallagher, Municipal Clerk

This is Schedule "A" to By-law 2023-____, passed this ____ day of _____, 2023 A.D.



ZONING CHANGE FROM '(H)R3-12' AND 'EP' TO R3-XX



ZONING CHANGE FROM '(H)R3-12' AND 'EP' TO R3-YY

Mayor

Clerk