



Public Meeting Report

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Report To:	Planning and Development Committee		
Date of Meeting:	June 28, 2021	Report Number:	PDS-036-21
Submitted By:	Ryan Windle, Director of Planning and Development Services		
File Number:	S-C-2021-0001 and ZBA2021-0007	Resolution#:	
Report Subject:	Applications by Fairhaven Investments Inc. for Draft Plan of Subdivision and Zoning By-law Amendment to permit 34 residential units consisting of 8 single detached units and 26 townhouse units.		

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-036-21 be received for information only;
2. That staff receive and consider comments from the public and Council with respect to the Draft Plan of Subdivision and Zoning By-law Amendment applications; and
3. That all interested parties listed in Report PDS-036-21 and any delegations be advised of Council's decision.

Report Overview

The Municipality is seeking the public's input on applications for a proposed Draft Plan of Subdivision and Zoning By-law Amendment, submitted by Fairhaven Investments Inc. to permit 34 residential units consisting of 8 single detached units and 26 townhouse units. The subdivision would extend Nelson Street north and create a new local road internal to the site.

1. Application Details

1.1 Owner/Applicant: Fairhaven Investments Inc.

1.2 Agent: Humphries Planning Group Inc.

1.3 Proposal: **Draft Plan of Subdivision**

The proposed Draft Plan of Subdivision would permit 34 residential units consisting of 8 single detached units and 26 townhouse units. The subdivision would extend Nelson Street north and create a new local road internal to the site.

Zoning By-law Amendment

To rezone the lands from "Holding – Urban Residential Type 2 ((H)R2)", "Holding – Urban Residential Exception ((H)R2-33)", and "General Industrial Exception (M2-1)" to appropriate zones that would permit single detached and townhouse dwelling units with the proposed lot sizes and provisions.

1.4 Area: 1.63 Hectares (4.03 acres)

1.5 Location: Blocks 112 and 113 on Plan 40M-2294, north of Albert Street, south of the former Goodyear lands in Bowmanville. See Figure 1.

1.6 Roll Number: 181702010018048
181702010018098

1.7 Within Built Boundary: Yes

2. Background

- 2.1 The subject lands are two blocks remaining from the previous subdivision approvals, Plan 40M-2294, which included the lands to the south, along Nelson Street, Albert Street and Alfred Shrub Lane.
- 2.2 The original subdivision was draft approved in 1995 with amendments to draft approval in 2002 and 2004. The original application and two amendments included significantly different proposals with different building forms including single detached, semi-detached and townhouse dwellings. The 2004 approval had the least number of total units consisting of 106 single detached lots on 12 metre frontages.
- 2.3 When the subdivision was approved the industrial lands to the north were still in operation, with licences to operate from the provincial government. To ensure compliance with provincial licences, Block 113 was not able to develop for residential purposes as the required setback from the industrial use to the north, specifically the reclaimed rubber plant, could not be met. Block 112 was intended for residential uses in the future should the industrial uses to the north cease to exist.

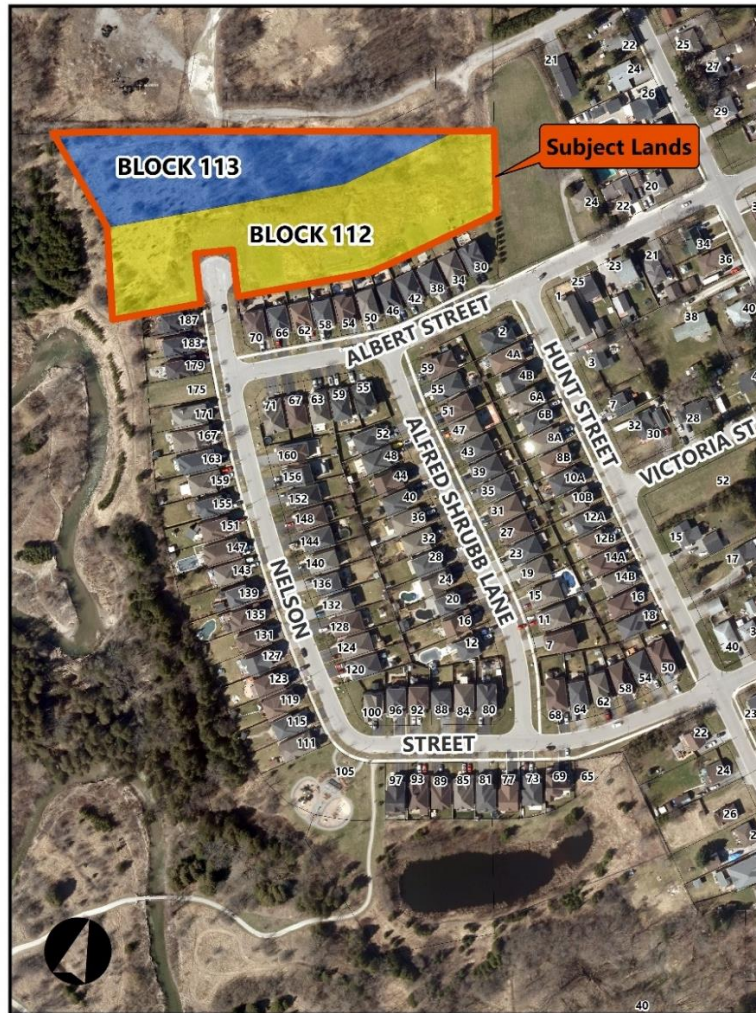


Figure 1: Subject lands shown as Blocks 112 and 113 in Plan 40M-2294.

- 2.4 The industrial use is no longer in operation and the environmental compliance permits with the Ministry of the Environment, Conservation and Parks were revoked in 2017. The current Official Plan designates the former industrial lands and some surrounding residential lands as Special Study Area 3. Special Study Area 3 envisions the area to be redeveloped as a mixed-use residential area, taking advantage of its location to downtown Bowmanville and the Bowmanville Creek valley. See Figure 2. Prior to any redevelopment a comprehensive plan shall be prepared and adopted as an amendment to the Bowmanville East Town Centre Secondary Plan. The Secondary Plan review process is currently underway.
- 2.5 The subject lands are not included in Special Study Area 3; however, they are adjacent to the special study area and will need to provide flexibility and the ability to integrate with the future mixed-use residential development.

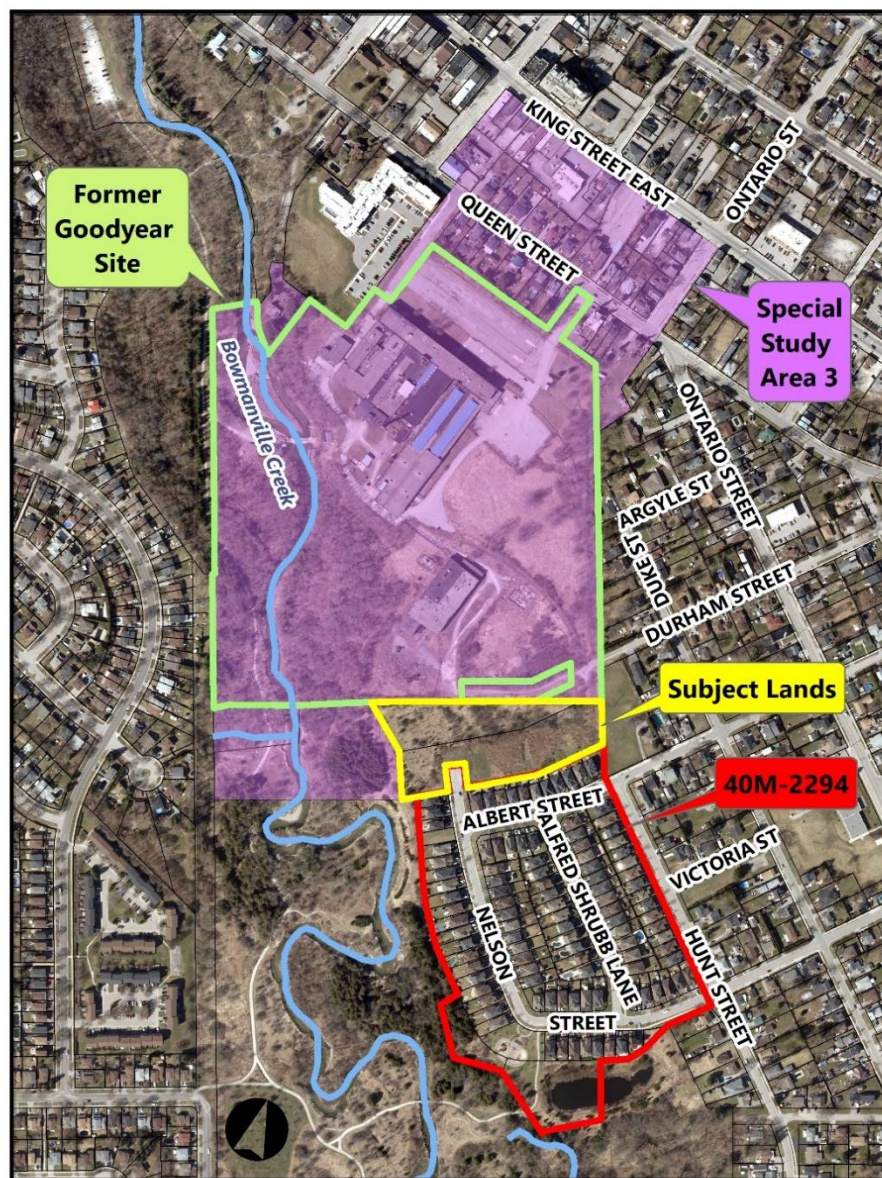


Figure 2: Aerial of subject lands, surrounding land uses including the previous subdivision approval, former industrial lands and Special Study Area 3.

- 2.6 On April 28, 2021 Fairhaven Investments Inc. submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment to permit 34 residential units consisting of 8 single detached units and 26 townhouse units. See Figure 3. The applications were circulated for comments on May 17, 2021 to applicable departments and agencies.



Figure 3: Proposed Draft Plan of Subdivision

- 2.6 The applicant has submitted the following studies in support of the applications:
- Functional Servicing and Stormwater Management Report;
 - Landuse Compatability Study;
 - Environmental Impact Study;
 - Environmental Noise Assessment;
 - Phase One Environmental Site Assessment; and
 - Tree Preservation Plan;
- 2.7 The studies are being reviewed by departments and agencies and will be summarized in a future report.

3. Land Characteristics and Surrounding Uses

- 3.1 The subject lands are located at the north end of Nelson Street, west of Duke Street and east of Bowmanville Creek. The site is currently vacant with a significant mound in the middle of the site which appears to be left over fill from the previous development to the south. See Figure 4. The site currently slopes to towards Bowmanville Creek to the west.



Figure 4: Subject lands looking east from Nelson Street.

- 3.2 The surrounding uses are as follows:

North - Unoccupied industrial lands, formerly Goodyear

South - Single detached dwellings

East - Single detached dwellings

West - Bowmanville Creek

4. Provincial Policy

Provincial Policy Statement

- 4.1 The Provincial Policy Statement identifies settlement areas as the focus of growth. Land use patterns shall be based on densities and a mix of land uses that efficiently use land, resources and infrastructure.

- 4.2 Opportunities for redevelopment and intensification are to be promoted where it can be accommodated. Municipalities must provide a variety of housing types and densities, efficiently utilizing existing infrastructure and public transit facilities.

Provincial Growth Plan

- 4.2 The subject lands are within the defined Built Boundary and within the Urban Boundary of Bowmanville.
- 4.3 Growth is to be accommodated by directing a significant portion of new growth to the built up areas through intensification and efficient use of existing services and infrastructure. A minimum of 40 percent of all residential development occurring annually within each upper tier municipality will be within the built up area.
- 4.4 The development of complete communities is encouraged by promoting a diverse mix of land uses, a mix of employment and housing types, high quality public open space and easy access to local stores and services.

5. Official Plans

Durham Regional Official Plan

- 5.1 The Durham Region Official Plan designates the subject lands Living Areas. Living Areas permit the development of communities incorporating the widest possible variety of housing types, sizes and tenure to provide living accommodations that address various socio-economic factors.
- 5.2 Living Areas shall be developed in a compact form through higher densities and by intensifying and redeveloping existing areas.
- 5.3 The Region of Durham Official Plan identifies Key Natural Heritage and Hydrologic Features to the west of the subject lands. Development or site alteration is not permitted in Key Natural Heritage and Hydrologic Features, including any associated vegetation protection zone, as determined through an Environmental Impact Study.

Clarington Official Plan

- 5.4 The Clarington Official Plan designates the lands Urban Residential and Environmental Protection. The Urban Residential designation is predominately intended for housing purposes. A variety of densities, tenure and housing types are encouraged, generally up to 3 storeys in height.

- 5.5 Natural Heritage Features are also identified and mapped on the west side of the subject lands and adjacent to the subject lands. This area is designated Environmental Protection Area. The natural heritage system is to be protected and enhanced for the long term to promote responsible stewardship and provide sustainable environmental, economic and social benefits. Studies will determine the appropriate development limit and buffers in accordance with the Official Plan. The policies require an Environmental Impact Study to be submitted in support of development, to determine the extent of the feature and appropriate buffer limits, with a minimum of 15 metres to waterways and valleylands.
- 5.6 The lands directly to the north of the subject lands are former industrial lands that are now subject to Special Study Area 3 within the Official Plan. The outcomes of Special Study Area 3 will determine how the lands to the north of the proposed subdivision will develop and integrate with the proposed subdivision.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject lands “Holding – Urban Residential Type 2 ((H)R2)”, “Holding – Urban Residential Exception ((H)R2-33)”, and “General Industrial Exception (M2-1)”. A Zoning By-law Amendment is required to permit the proposed single detached and townhouse dwelling units with the proposed lot sizes and provisions.

7. Public Notice and Submissions

- 7.1 Public notice was mailed to each landowner within 120 metres of the subject lands on June 1, 2021. and a Public Meeting Sign installed at the north end of Nelson Street on June 2, 2021. See Figure 5.



Figure 5: Public notice sign on subject lands at the end of Nelson Street looking north.

Staff have received inquiries and questions from residents, as follows:

- Timing regarding the proposed development, should it be approved;
- Requesting information regarding studies submitted, specifically the Environmental Site Assessment and potential impact from the former industrial lands to the north;
- Requesting information on the future development of the former industrial lands north of the subject lands, Special Study Area 3; and
- Requesting information on previous plans for the Blocks when the subdivision to the south was developed and setbacks from the industrial use.

8. Agency Comments

Regional Municipality of Durham

- 8.1 Comments from Durham Region Planning, Works and Transit Departments have not been received at the time of finalizing this report but will be included in a subsequent report.

Central Lake Ontario Conservation Authority

- 8.2 Comments from the Central Lake Ontario Conservation Authority have not been received at the time of finalizing this report but will be included in a subsequent report.

Other

- 8.3 Enbridge, Bell Canada, the school boards, and Canada Post have no concerns with the applications.

9. Departmental Comments

Public Works Department

- 9.1 The Public Works Department has no objections, in principle, to the applications.
- 9.2 Public Works has identified concerns with the two proposed temporary cul-de-sacs. The concerns include ensuring they are located within the limits of the subdivision and meet the requirements for waste trucks and snow plows. The on-street parking plan submitted does not meet Public Works standards and will need to be revised.
- 9.3 The applicant will also need to address additional preliminary stormwater drainage and grading comments in a revised submission.

Emergency and Fire Services

- 9.4 The Emergency and Fire Services Department has no objection to the applications.

10. Discussion

- 10.1 The Bowmanville East Town Centre Secondary Plan is currently under review, which includes Special Study Area 3, to the north of the subject lands. The development of the lands are not dependant on the study being completed but the plan must allow for integration options and flexibility with the future development between the two sites and privately owned lands remnant lands abutting both sites.



Figure 6: Excerpt from Block Plan submitted by Humphries Planning Group Inc.

- 10.2 Consideration must be given to the broader surrounding context of how the development integrates with the existing neighbourhood and future development. This includes future road and pedestrian connections and the future lot layout with the remnant blocks within the proposed draft plan and the development potential of privately owned smaller parcels immediately adjacent to the draft plan. Staff required the applicant to submit a block plan showing how the plan and remnant blocks within the plan can integrate with the surrounding lands in the future. This is done to ensure all lands, within the proposed plan and to the north, can be used for development in the future and excluded due to their size or configuration. See Figure 6.
- 10.3 Particular attention must be given to the future road connections, Hunt Street and Durham Street. There will be lands within the proposed subdivision and on adjacent lands that will need to be combined to complete street patterns. This may impact the lot configuration on the east side of the site. Furthermore, if Durham Street is extended as shown in the proposed block plan the result would be the townhouses on the north side of the new local road backlotting onto that extension. This is discouraged by the Official Plan policies.
- 10.4 The draft plan must also allow for proper cul-de-sacs within the limits of the draft plan.

- 10.5 The Block Plan needs to demonstrate an efficient use of land within the draft plan and the surrounding lands. Further discussion and refinement of the Block Plan is required.
- 10.6 The subject lands include natural heritage features identified in the Clarington Official Plan associated with the Bowmanville Creek Valley. The applicants have submitted an Environmental Impact Study, Meander Belt Study, and Geotechnical Report that municipal staff and conservation authority staff are currently reviewing. The results of these studies may redefine the lot depth on the west side of the site.
- 10.7 The purpose of the Public Meeting is to provide an opportunity for further public input. These public comments will be compiled, discussed with the applicant and addressed in a subsequent staff recommendation report.

11. Concurrence

- 11.1 Not Applicable.

12. Conclusion

- 12.1 The purpose of this report is to provide background information on the Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by Fairhaven Investments Inc. for the Public Meeting under the *Planning Act*. Staff will continue processing the applications including the preparation of a subsequent report upon receipt of all agency and department comments and the resolution of identified issues.

Staff Contact: Brandon Weiler, Planner, 905-623-3379 ext. 2424 or bweiler@clarington.net.

Interested Parties:

List of Interested Parties available from Department.