



Public Meeting Report

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Report To:	Planning and Development Committee	
Date of Meeting:	October 21, 2024	Report Number: PDS-046-24
Authored By:	Amanda Tapp	
Submitted By:	Carlos Salazer, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Mary-Anne Dempster, CAO	
File Number:	COPA2023-0005 and ZBA2023-0017	Resolution#:
Report Subject:	Proposed Official Plan and Zoning By-law Amendment for 448 residential units 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-046-24 and any related communication items, be received for information only;
2. That Staff receive and consider comments from the public and Council with respect to the Official Plan and Zoning By-law Amendment applications; and
3. That all interested parties listed in Report PDS-046-24 and any delegations be advised of Council's decision.

Report Overview

In response to the comments received following the proposal's first Statutory Public Meeting held on February 12, 2024, the applicants have submitted a revised proposal resulting in the need for a second public meeting.

The Municipality is seeking the public's input on updated applications for proposed Official Plan and Zoning By-law Amendment submitted on behalf of Your Home Developments (Bowmanville) Inc. to permit a total of 464 residential units, including 448 apartment dwelling units and 16 townhouse dwelling units. The proposal includes two (2) apartment buildings, one (1) 10-storeys and one (1) 14-storeys in height and two (2) blocks of townhouses that are 4-storeys in height.

The conceptual site plan illustrates a right in, right out access from Bowmanville Avenue and a secondary access to the signalized intersection of Bowmanville Avenue and Hartwell Drive via the property to the south at 1505 Bowmanville Avenue. The majority of parking is proposed in an underground parking area, with 11 surface visitor parking spaces. A centralized, at-grade, common outdoor amenity area is also proposed.

The subject lands are located east of Bowmanville Avenue and west of Rhonda Park and are within the boundaries of the proposed Bowmanville West Major Transit Station Area Secondary Plan.

1. Application Details

Owner: Your Home Developments (Bowmanville) Inc.

Agent: Scott Waterhouse, GHD

Proposal: Official Plan Amendment (OPA)

Proposes that in addition to the permitted uses within a local corridor, apartment buildings with a maximum height of 14 storeys be permitted.

Zoning By-law Amendment (ZBA)

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

Area: 1.39 hectares

Location: 1525-1585 Bowmanville Avenue, Bowmanville (see **Figure 1**)

Within the Built Boundary? Yes

Roll Number(s): 18-17-020-040-07200, 18-17-020-040-07100, 18-17-020-040-07000, 18-17-020-040-06900

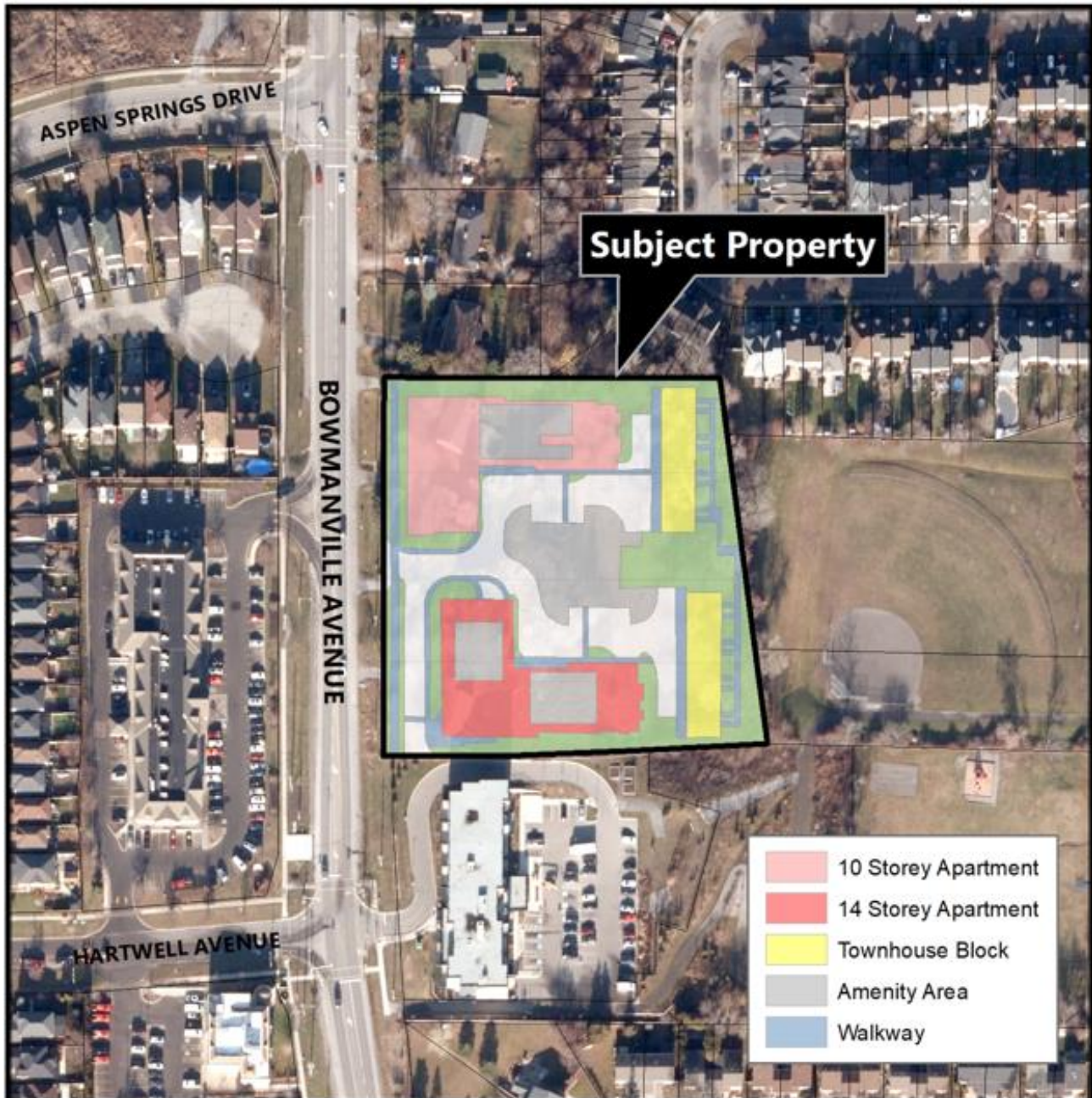


Figure 1 – Location of Subject Land

2. Background

- 2.1 On December 19, 2023, GHD submitted applications for an OPA and ZBA to permit the development of 446 residential units consisting of 430 apartment dwelling units and 16 townhouse dwelling units. The applications were deemed complete on January 8, 2024.
- 2.2 The first Statutory Public Meeting for the proposal 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 On May 10, 2024, a formal re-submission to comments received was provided to Clarington planning staff. 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 provided to Clarington Planning staff on June 7, 2024, and a follow-up meeting was held with Clarington planning staff on June 26, 2024.
- 2.5 On July 5, 2024, the shadow diagrams provided to Clarington planning staff were updated based on a modified height for apartment buildings A and B, to decrease the amount of shadows cast onto the rear yard area of the residential lots on Trewin Lane. These plans now formally illustrate the proposed maximum building height of 10 storeys for building B and 14 storeys for building A. The overall number of apartment dwelling units has increased slightly from 430 to 448, while the number of townhouse dwellings has not changed. Due to an increased in proposed storeys and units from what was presented to the public in February, Staff felt it was appropriate to require a second public meeting. This report outlines the updated proposal.

3. Land Characteristics and Surrounding Uses

- 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 eastern perimeter of the Subject Lands is heavily treed, and the subject lands feature a significant slope towards Rhonda Park.

3.2 The surrounding 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 residential apartment building; and,

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

4. Provincial Policy

Changing Legislation

4.1 Upon the 2024 PPS coming into force on October 20, 2024, the 2020 PPS and the Growth Plan will be repealed and all land use planning decisions made as of October 20, 2024, will need to be consistent with the 2024 PPS, a singular land use policy document for planning authorities to consult. At the time of a recommendation report to Council for the proposed development the appropriate Provincial policies will be reviewed.

Provincial Policy Statement

4.2 The Provincial Policy 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.

4.3 The PPS focuses growth and development within urban and rural settlement areas. Development within these areas must meet the full range of current and future needs of 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.

5. Official Plans

Durham Region Official Plan

- 5.1 At the time the application was submitted, the Region of Durham Official Plan (2020) (DROP) was in effect. However, on September 3, 2024, the Ministry of Municipal Affairs and Housing approved in part, with modifications, the new Region of Durham Official Plan (Envision Durham). As the final version of Envision Durham has not been publicly released these applications have been reviewed against Envision Durham - the 2023 version, and the 77 provincial modifications that are both available online.
- 5.2 The subject lands are within a “Protected Major Transit Station Area” (PMTSA) as delineated by ROPA 186 and further through Envision Durham. There are a number of proposed policies for PMTSA’s within Envision Durham.
- 5.3 Provisions of the final Envision Durham Official Plan will be addressed through the planning process for the applications as appropriate. The relevant policies in the DROP that affect the proposal are briefly discussed below.

Clarington Official Plan (COP)

- 5.4 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.
- 5.5 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.
- 5.6 The proposed height of the 10-storey and 14-storey apartment buildings is not in conformity with the 6-storey height restriction of the “Local Corridor” designation, and therefore, an Official Plan Amendment is required. A draft Official Plan Amendment prepared by the applicant is included as **Attachment 1**. Further analysis will be completed through subsequent processing of the application for Official Plan Amendment.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject lands as “Urban Residential Type One (R1) Zone”. A Zoning By-law Amendment is required to permit and regulate the proposed built form. A draft zoning by-law prepared by the applicant is included as **Attachment 2**.

7. Public Notice and Submissions

- 7.1 Public Notice of this second Statutory Public Meeting was mailed to each landowner within 120 metres of the subject lands and the existing interested parties list, and a public meeting sign was installed on the subject lands fronting Bowmanville Avenue.
- 7.2 As of writing this report, staff had received one comment from the public. The concerns were related to increased density and shadow impacts. Comments received from the public at this Statutory Public Meeting will be considered and included in the recommendation report.

8. Departmental and Agency Comments

- 8.1 The application was circulated to internal departments and external agencies for review and comments. At the time of writing this report, no adverse comments had been received related to the proposed Official Plan and Zoning By-law Amendments.

9. Summary of Background Reports

- 9.1 The applicant has submitted several supporting documents which have been circulated to departments and agencies for review and comment. The list of studies and drawings are on the development application webpage [Proposed Development on Bowmanville Avenue - Clarington](#) and are also available upon request. A summary of the studies and reports will be provided in a future recommendation report.
- 9.2 It is noted that several technical reports were prepared and submitted with the previous submissions. The proposed design changes are focused on the noted building height, and there have been no changes to the building footprint, setbacks or internal road configuration. Based on these considerations, further revisions and updates to the supporting technical reports were not submitted for further consideration of the updated OPA and ZBA applications.

10. Discussion

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

- 10.1 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, 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 are proposed to be designated “Residential Medium Density”, in which this designation permits low-rise apartment buildings and limits the permitted height to 6-stories. 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.

- 10.3 A ZBA 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 22nd, 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. Staff has acknowledged and discussed the error with the applicant, as unfortunately these height permissions are not aligned with the proposed Secondary Plan designation.
- 10.4 As the intent of the accompanying zoning is to implement the Secondary Plan, staff will address the height discrepancy as part of the recommendation report for the Secondary Plan

BOWMANVILLE WEST MAJOR TRANSIT STATION AREA SECONDARY PLAN
SCHEDULE A LAND USE PLAN

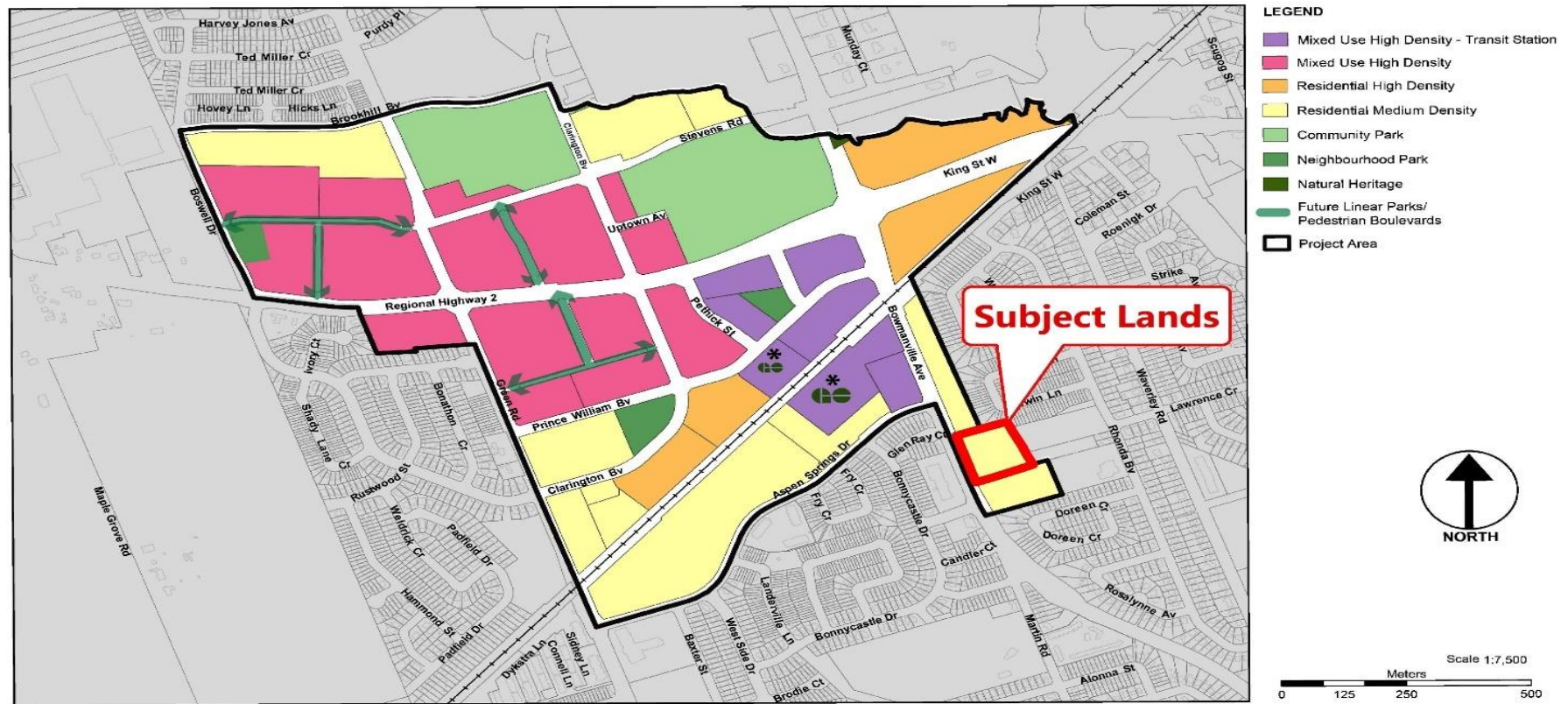


Figure 2 – Draft Land Use Map – Bowmanville West MTSA Secondary Plan

Sunlight and Shadow Compatibility

- 10.5 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).
- 10.6 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 will consider these policies through the review of the submitted sun / shadow diagram.
- 10.7 Affordable units are encouraged to be provided within the proposal. The COP encourages a minimum of 30% of all units within the Urban Areas to be affordable.
- 10.8 Ontario government recently passed legislation known as the *GO Transit Station Funding Act* (Bill 131) that would allow municipalities to collect a transit station charge to pay for costs related to the construction of a new GO transit station from new nearby developments in exchange for reduced parking rates/expedited approval. As more details on the GO Transit Station Funding Act are released, the Municipality will explore the use of this tool.
- 10.9 The applications for OPA and ZBA are required to permit and regulate the proposed built form. Future applications for site plan approval and draft plan of condominium will also be required.
- 10.10 Staff will continue to review the submitted applications for OPA and ZBA amendments and will work with the applicant to address all technical matters. Agency and public comments will be addressed in a subsequent recommendations report to Committee and Council.

11. Financial Considerations

- 11.1 Not Applicable.

12. Strategic Plan

- 12.1 The proposed development will be reviewed against the pillars of the Clarington Strategic Plan 2024-27. Staff will give special attention to the priorities of growing resilient, sustainable and complete communities and connecting residents through the design of safe, diverse, inclusive and vibrant communities. An analysis of the proposed developments interaction with the specific priorities of the Strategic Plan will be included in the future recommendation report.

13. Climate Change

- 13.1 As this is a public meeting report to gather public input and the analysis of the proposal and the reports are being reviewed by the different agencies, a fulsome analysis of the proposal, including the impacts on climate change will be discussed in a subsequent recommendation report.

14. Concurrence

- 14.1 Not Applicable.

15. Conclusion

- 15.1 It is respectfully recommended that the purpose of the Public Meeting report is to provide background information on the updated Official Plan and Zoning By-law Amendment applications to permit a total of 448 residential units for the Public Meeting under the *Planning Act*. Staff will continue processing the applications including preparation of a subsequent recommendation report.

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

Attachments:

Attachment 1 – Draft Official Plan Amendment

Attachment 2 – Draft Zoning By-law Amendment

Attachment 3 – February 12, 2024, PDC Minutes (First Public Meeting)

Attachment 4 – Proposed Sun Shadow Study (March, June, September, December)

Interested Parties:

List of Interested Parties available from Department.