



Public Meeting Report

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Report To:	Planning and Development Committee	
Date of Meeting:	October 21, 2024	Report Number: PDS-045-24
Authored By:	Sarah Parish	
Submitted By:	Carlos Salazar, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Mary-Anne Dempster, CAO	
File Number:	COPA-2024-0004, ZBA-2024-00010	Resolution#:
Report Subject:	Applications for a Clarington Official Plan Amendment and Zoning By-law Amendment - Mearns and Concession Road 3	

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-045-24 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 Clarington Official Plan Amendment and Zoning By-Law Amendment applications submitted by Innovative Planning Solutions on behalf of Eiram Development and continue processing the applications including the preparation of a subsequent recommendations report; and
3. That all interested parties listed in Report PDS-045-24 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 a 12-storey mixed use building and a 3-storey townhouse building consisting of 275 residential units at the southwest corner of Mearns Avenue and Concession Road 3 in Bowmanville.

The proposed development will provide approximately 251 square metres of commercial gross floor area located on the ground floor of the mixed-use building.

1. Background

- 1.1 The owner previously submitted a Zoning By-law Amendment application (ZBA 2017-0020) on May 24, 2017, to permit a mixed-used development on the subject lands proposing 69 residential units and 849 square metres of commercial space. The Zoning By-law Amendment application was approved and passed by council on June 25, 2018, which amended the Municipality of Clarington By-law 84-63 to create the "Urban Residential Exception (R3-56) Zone".
- 1.2 A Stage 1 Pre-Consultation meeting (PC2022-0041) was held on September 8, 2022, with Clarington Staff, Region of Durham Staff and Central Lake Ontario Conservation Authority (CLOCA) Staff to discuss an Official Plan Amendment and Zoning By-law Amendment applications for the subject lands to permit a 12-storey mixed use apartment building with 90 townhouse units.
- 1.3 A Stage 2 Pre-Consultation meeting (PC2023-0076) was held on November 27, 2024, to further discuss the Official Plan Amendment and Zoning By-law Amendment applications which reduced the total number of townhouse units from 90 units to 64 townhouse units.
- 1.4 On July 18, 2024, Innovative Planning Solutions, on behalf of Eiram Developments Ltd. submitted applications for an Official Plan Amendment and Zoning By-law Amendment to permit a 12-storey mixed-use building (212 residential units) as well as 3-storey townhouse buildings (63 townhouse units) on the southwest corner of Mearns Avenue and Concession Road 3 (**see Figure 1**). These applications were deemed complete by Staff on August 12th, 2024.

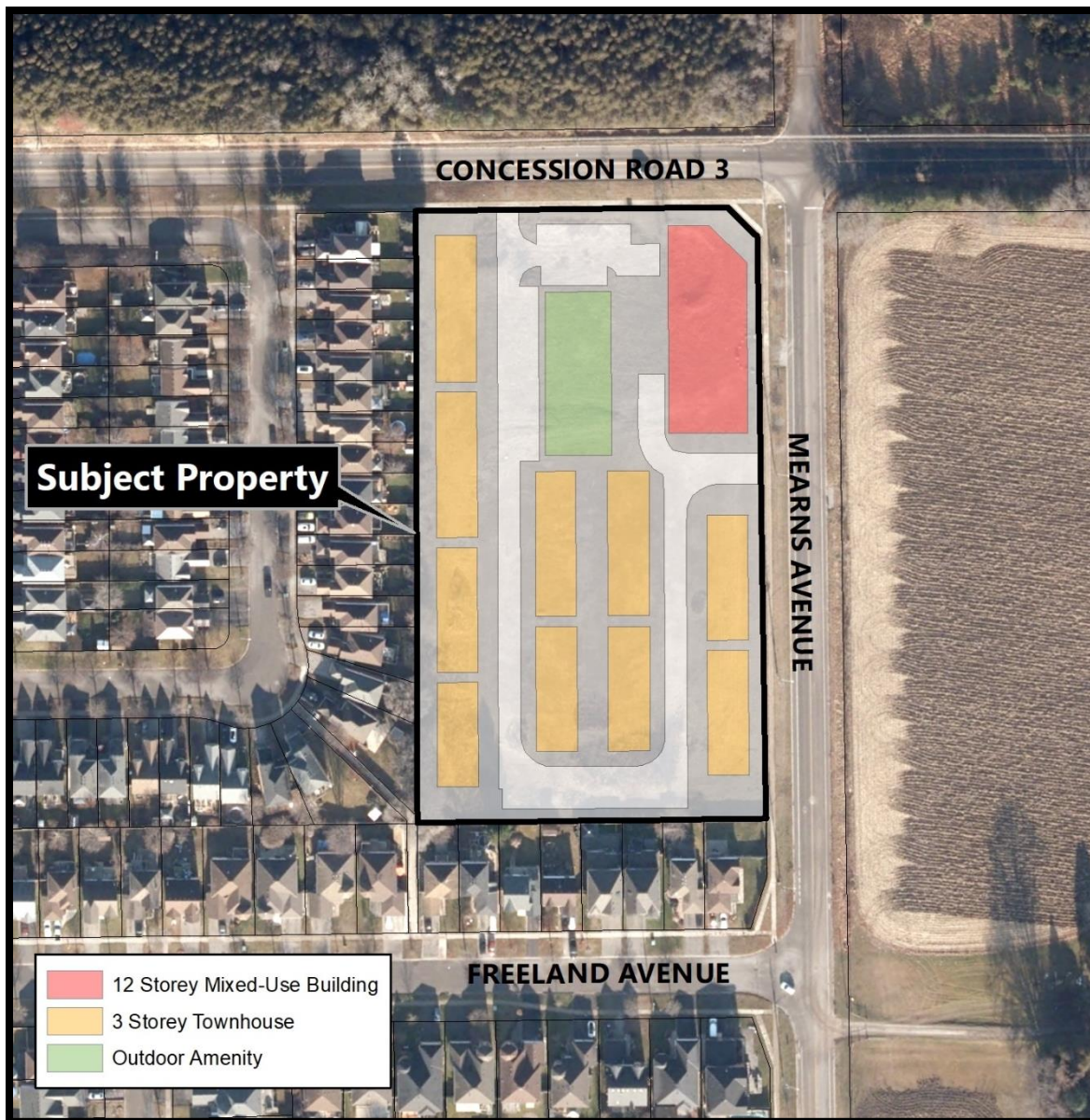


Figure 1 – Proposed Conceptual Plan

- 1.5 The mixed-use building will contain approximately 251 square metres of commercial gross floor area on the ground floor and the entrance will be from the southwest corner of Concession Road 3 and Mearns Avenue.
- 1.6 The 10 townhouse blocks front onto an internal street network and two parking spaces are provided for each townhouse unit – one in the garage and one on the driveway. A total of 126 residential townhouse parking spaces and 17 surface level visitor parking spaces including 5 barrier free parking spaces are also provided as part of the proposed development.

- 1.7 Parking for the 12-storey mixed use building is provided above and below ground in the underground parking garage. 35 visitor/commercial parking spaces are provided on the surface, 5 of which are barrier free. 273 parking spaces are provided on Level P1 and P2 of the underground parking garage, 24 of which are visitor parking on P1, 1 is barrier free visitor parking on P1 and 248 are resident parking on P1 and P2.
- 1.8 The proposed development will feature a 130 square metre privately owned public space neighbourhood centre/public square at the northeast corner of the subject lands and serve as a focal point for the neighbourhood fronting Concession Road 3.
- 1.9 456 square metres of indoor amenity space is provided on the first floor of the mixed-use building and 4,135 square metres of private amenity space is provided from the public square (924 square metres), townhouse backyards, balconies and courtyard/dog walk area.
- 1.10 Access to the site is proposed off Mearns Avenue and Concession Road 3 and sidewalks are proposed along the internal road network.

2. Land Characteristics and Surrounding Uses

- 2.1 The subject lands are located on the south side of Concession Road 3 and west of Mearns Avenue. There is minimal vegetation on the subject lands, but some boundary trees are located along the south and west property lines while the remainder of the lands contain grass and shrubs. The subject lands slope downwards approximately 7 metres from the west to the east across the site.
- 2.2 A 9.0-metre-wide easement in favour of the Region of Durham exists along the south boundary of the subject lands to allow for sanitary service connection from the adjacent residential homes to the west.
- 2.3 The surrounding uses are as follows:

North: Environmental Protection Area Lands (on the north side of Concession Road 3) including agricultural lands further north. The agricultural lands further north are planned to be developed as part of the Soper Springs Secondary Plan, which proposes a mix of low to medium density residential developments.

East: Agricultural lands (on the east side of Mearns Avenue) as well as environmental protection area lands further east.

South: Existing low density residential homes – primarily single detached houses with townhouses, a school and park located to the southwest.

West: Existing low density residential homes – primarily single detached houses with some semi-detached and townhouses further west.

3. Provincial Policy

Changing Legislation

- 3.1 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.

The Provincial Policy Statement

- 3.2 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.
- 3.3 The PPS policies direct growth to settlement areas and promote compact development forms. The subject lands are proposed within the Bowmanville Urban Area. 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. Official Plan

Durham Region Official Plan

- 4.1 Envision Durham provides a long-term policy framework that is used to manage Durham'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.
- 4.2 The subject lands are designated "Community Areas" in Envision Durham and is adjacent to the "Delineated Built Boundary".
- 4.3 Housing policies of Envision Durham ensure that an adequate supply of housing units and land are available to accommodate growth in Durham and that a range and mix of housing options are provided, including affordable housing.
- 4.4 Community Areas are intended to develop as complete communities and offer a range and mix of uses to current and future residents to live, shop, work, socialize and access services and amenities. Community Areas are comprised of housing, retail, offices, schools, parks, libraries and community services and facilities.

Municipality of Clarington Official Plan

- 4.5 The Clarington Official Plan designates the subject lands “Urban Residential” with a “Neighborhood Centre” identified on the site. The subject lands are also adjacent to the Local Corridor along Concession Road 3.
- 4.6 Lands in the Urban Residential designation should primarily be used for housing purposes, but commercial uses may be permitted based on the nature of the activity, scale, design and location in relation to residential uses.
- 4.7 Priority Intensification Areas are the primary locations to accommodate growth and the greatest mix of uses, heights and densities which includes Local Corridors like Concession Road 3.
- 4.8 Section 10.6 speaks to Corridors and how they shall provide for intensification, mixed-use development and pedestrian and transit supportive developments. In summary, Corridors shall:
- Provide for residential and/or mixed-use developments in higher densities and compact built forms.
 - Complement other uses along the Corridor.
 - Be compatible with the existing neighbourhoods.
 - Protect and enhance the natural heritage system.
- 4.9 Neighbourhood Centres seek to:
- Serve the daily needs of residents with a mix of retail, service, and community uses.
 - Be pedestrian-friendly, with buildings oriented towards the street and parking located at the rear.
 - Encourage a combination of residential and commercial uses to create vibrant, walkable communities.
 - Emphasize the importance of public squares and green spaces to enhance community interaction and well-being.

5. Zoning By-law 84-63

- 5.1 The subject lands are currently zoned 'Urban Residential Type Three Exception (R3-56)'. The proposed Zoning By-law Amendment (ZBA) seeks to rezone the lands to the 'Urban Residential Type Three Exception (R3-XX)' and 'Urban Residential Type Four Exception (R4-XX)' zones to permit the mixed-use development on the subject lands. A draft zoning by-law was prepared by the applicant and is included in **Attachment 2**.
- 5.2 Finalization of appropriate zone uses and provisions will be determined after all public and agency comments have been received and will be brought forward at a future date with the recommendation report. A Hold symbol will be implemented as part of the rezoning to ensure the conditions of the draft plan of subdivision/condominium or site plan have been fulfilled.

6. Summary of Background Studies and Agency Comments

- 6.1 The following reports were submitted in support of the applications and are currently under review:

Architectural Drawings, Plans and Elevations	Archaeological Reports Entered into Registry Confirmation
Draft Official Plan Amendment	Draft Zoning By-law Amendment
Functional Servicing & Stormwater Management Report	Geotechnical Report
Grading Plan	Hydrogeological Report
Landscape Plans	Noise Impact Study & Addendum
Phase 1 Environmental Site Assessment	Phasing Plan
Planning Rationale Report	Sediment & Erosion Control Plan
Servicing Plan	Stage 1 & 2 Archaeological Report
Sustainability Report	Traffic Impact Study
Urban Design Report	

- 6.2 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 on the development application webpage www.clarington.net/MearnsConcession3 and are also available upon request. A summary of the studies and reports will be provided in a future recommendation report.

7. Public Notice and Submissions

- 7.1 Public Notice was mailed to 108 households within 120 metres of the subject lands on October 1st, 2024. and two public meeting signs were installed on the subject lands along Mearns Avenue and Concession Road 3. Details of the proposed application were also posted on the Municipality's website, and in the Clarington Connected e-newsletter.
- 7.2 As of writing this report, staff have not received any public submissions.
- 7.3 The applicant hosted their own Neighbourhood Meeting on March 20, 2024, at the Garnet B. Rickard Recreation Complex. Notice of the meeting circulated to properties within 120 m in the built-up area and 300 m in the nearby rural area. A total of 13 neighbours attended the meeting. Comments were received and considered by the applicant. No changes were made to the plan as a result of the meeting.
- 7.4 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.

8. Department and Agency Comments

- 8.1 The applications were circulated to internal departments and external agencies for review and comments. At the time of writing this report, staff did not receive 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.
- 8.2 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. Discussion

- 9.1 The proposal aims to develop a total of 275 residential units, comprising 212 units (a mix of 1-bedroom and 2-bedroom) within a 12 storey mixed-use building that provides commercial space on the ground floor, and 63 units spread across 10 townhouse blocks.
- 9.2 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

- 9.3 The Clarington Official Plan contains policies and guidelines for developments within the Urban Residential and Neighbourhood Centre 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, 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.

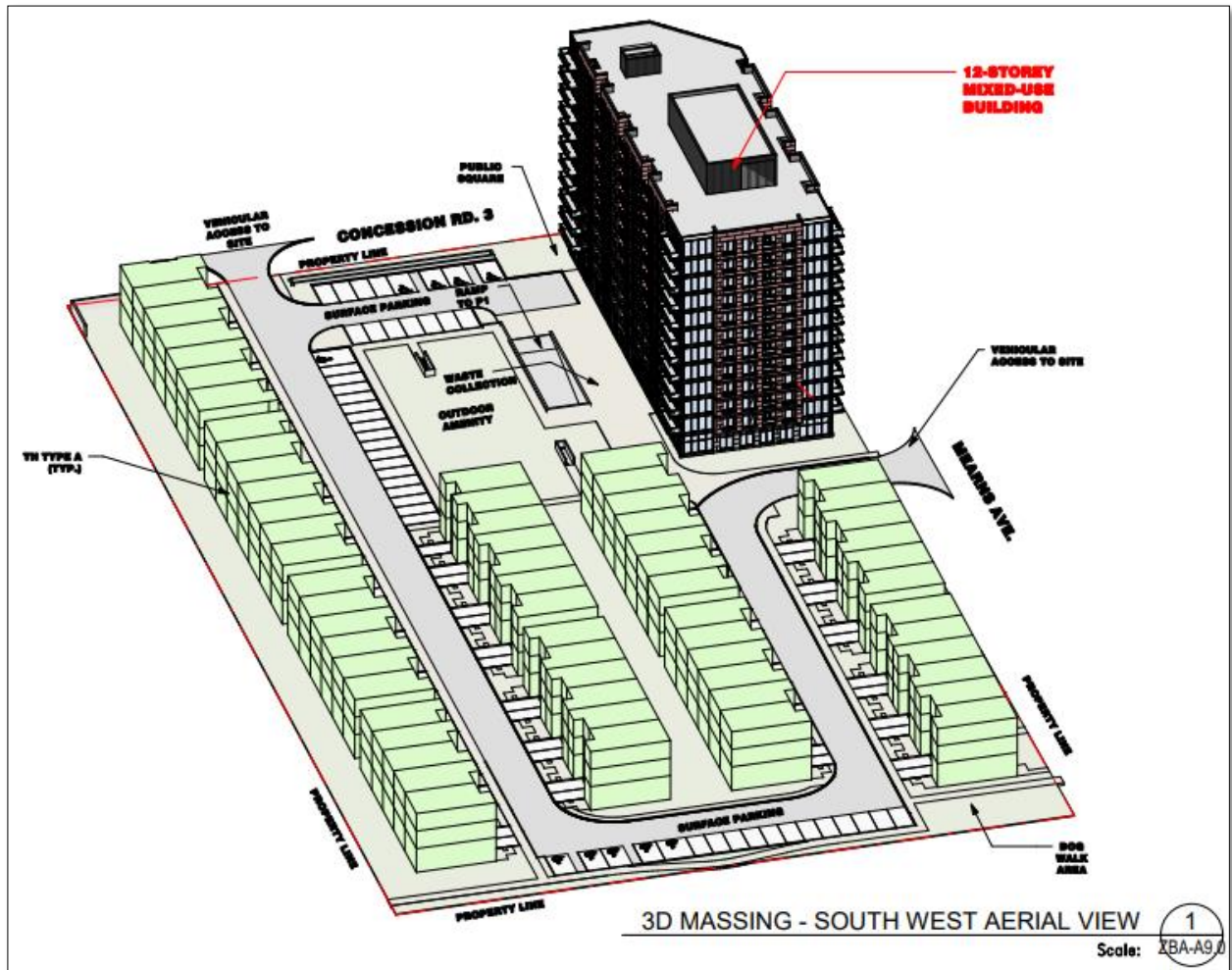


Figure 2 – Massing of the Proposed Development

- 9.4 A shadow analysis was prepared by the applicant to identify impacts of the development on surrounding areas, as well as the site itself.
- 9.5 In the absence of a podium structure, architectural elements/projections reinforcing the active frontage of the ground floor may further reinforce and address urban design elements of the Neighbourhood Centre.

Pedestrian Connections, Amenity Space, and Landscaping

- 9.6 The interface of the at-grade amenity space will be assessed in terms of size, interface with the loading areas and back of apartment building, and visual connection with Concession Road 3.
- 9.7 Opportunities for canopy tree planting internal to the subject site and along condominium roads will need to be explored.

Affordable Units

- 9.8 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 Justification Report prepared by the applicant does not have any reference to affordable housing units.

Traffic, Circulation and Parking

- 9.9 The 10 townhouse blocks are situated along an internal street network, with each unit having two parking spaces, one in the garage and one on the driveway. In total, there are 126 residential townhouse parking spaces and 17 surface-level visitor parking spaces, including 5 barrier-free spaces.
- 9.10 For the 12-storey mixed-use building, parking is available both above and below ground in the underground garage. There are 35 visitor/commercial parking spaces on the surface, 5 of which are barrier-free. The underground garage on Levels P1 and P2 provides 273 parking spaces, with 24 visitor spaces on P1 (including 1 barrier-free space) and 248 resident spaces on P1 and P2.
- 9.11 The location of the east access in proximity to the intersection of Mearns Avenue and Concession Road 3 will be examined further as a Sight Distance Analysis was not provided for this entrance.
- 9.12 Staff will continue to review the submitted applications and work with the applicant to address all technical matters as well as concerns raised by the public. Agency and public comments will be addressed in a subsequent recommendation report to Council. Future applications for site plan approval and draft plan of condominium will also be required to facilitate the development.

10. Financial Considerations

- 10.1 Not applicable, 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, additional financial considerations that may arise will be discussed in a subsequent recommendation report.

11. Strategic Plan

- 11.1 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.

12. Climate Change

- 12.1 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.

13. Concurrence

- 13.1 Not Applicable.

14. Conclusion

- 14.1 The purpose of this report is to provide background information and obtain comments on the Official Plan Amendment and Zoning By-law Amendment for 275 residential units contained in a 12-storey mixed-use building and 3 storey townhouse blocks 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: 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.