



## Public Meeting Report

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<b>Report To:</b>	<b>Planning and Development Committee</b>		
<b>Date of Meeting:</b>	January 20, 2025	<b>Report Number:</b>	PDS-003-25
<b>Authored By:</b>	Nicole Zambri, Senior Planner		
<b>Submitted By:</b>	Darryl Lyons, Deputy CAO, Planning and Infrastructure Services		
<b>Reviewed By:</b>	Mary-Anne Dempster, CAO		
<b>File Number:</b>	ZBA2022-0026 and SC-2022-0015	<b>Resolution#:</b>	
<b>Report Subject:</b>	Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 285 residential units at 2499 Nash Road, 2538 and 2494 Bowmanville Avenue in Bowmanville.		

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### 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-003-25 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 Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by Tribute Tercot Brookhill 2 Inc. and continue processing the applications including the preparation of a subsequent recommendation report; and
3. That all interested parties listed in Report PDS-003-25 and any delegations be advised of Council's decision.

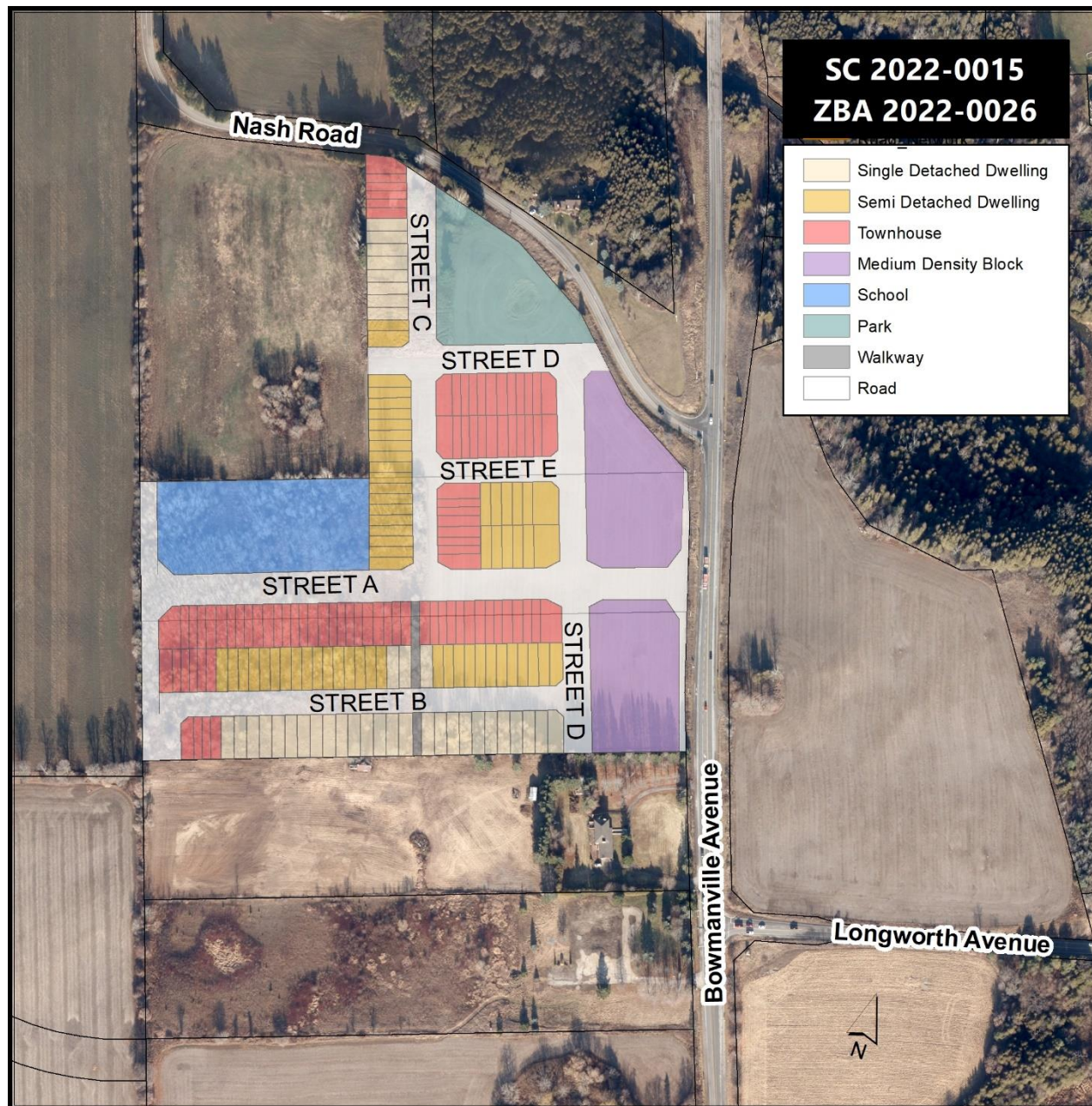
## Report Overview

The Municipality is seeking the public's input on applications for a Zoning By-law Amendment and Draft Plan of Subdivision to create a total of 285 residential units consisting of 37 single detached dwelling units, 60 semi detached dwelling units, 88 street related townhouse units and two medium density blocks showing a total of 100 stacked townhouse condominium units in Bowmanville. A park and partial school site are also proposed.

The subject lands are located on the west side of Bowmanville Avenue and south of Nash Road in Bowmanville. The draft plan of subdivision shows a public road connection off of Bowmanville Avenue. The proposal is also within the Brookhill Secondary Plan Area.

## 1. Background

- 1.1 On December 12, 2022, Tribute Tercot Brookhill 2 Inc. submitted applications for a draft plan of subdivision and rezoning to permit the development of 285 residential units consisting of singles, semis, street townhouse and stacked townhouses (refer to Attachment 1).
- 1.2 The proposal shows a block proposed for the extension of Clarington Boulevard on the west side and an intersection at Bowmanville Avenue and Street A. Each lot will have frontage on a public road, with the exception of the two condominium blocks (Blocks 85 and 86) which will have vehicle access from the internal private road. The proposal also shows a park block at the northeast portion of the site and a block for a catholic elementary school which is intended to be melded with the adjacent lands to the north to complete the school block (see **Figure 1**).
- 1.3 The applications were submitted prior to the Brookhill Secondary Plan being approved by the Region of Durham, which was counter to Staff's recommendation at the pre-consultation meeting. The applications were determined to be premature and were deemed incomplete until the Brookhill Secondary Plan Amendment received final approval by the Region of Durham.
- 1.4 The Region approved the Brookhill Secondary Plan on July 25, 2024, with minor modifications. Four appeals were received upon giving notice of approval. All four appeals are related to the site-specific designation on the appellant's lands. Therefore, the entire Brookhill Secondary Plan is currently under appeal until the appeals are scoped or resolved by the Tribunal. Staff will closely monitor the appeals to determine if any modifications would be required to the subject applications. No decision on the applications should be made until the appeals have been resolved.



**Figure 1 – Proposed Draft Plan of Subdivision**

## 2. Land Characteristics and Surrounding Uses

2.1 The subject lands are located on the west side of Bowmanville Avenue and south of Nash Road in the Bowmanville Urban Area. The lands are currently vacant and being used for agricultural purposes. The subject application comprises three parcels of land which have frontage on Nash Road and Bowmanville Avenue, however this segment of Nash Road is proposed to be removed after Clarington Boulevard is extended north to Nash Road (Concession 3).

2.2 The surrounding uses are as follows:

North: Nash Road, a single detached dwelling and the Bowmanville Creek

East: Bowmanville Avenue and vacant agricultural lands. Applications have been submitted by Tribute Tercot Brookhill 1 Inc. for a draft plan of subdivision and rezoning.

South: Single detached dwellings on large lots and agricultural lands. Longworth Avenue is proposed to be extended from Bowmanville Avenue to Green Road.

West: Predominantly vacant agricultural lands proposed for redevelopment to residential uses.

## 3. Provincial Policy Statement

### Provincial Policy Statement (PPS) 2024

3.1 The Provincial Planning Statement (PPS 2024) encourages planning authorities to create healthy, livable, and safe communities by accommodating an appropriate range and mix of housing types and development patterns, while making efficient use of land and infrastructure. Opportunities for redevelopment and intensification are to be promoted where it can be accommodated. These objectives are to be achieved through efficient land use planning. Municipal official plans and secondary plans support the PPS through land use designations and policies.

3.2 The new PPS 2024 has been combined with the Growth Plan and now encourages a minimum density target of 50 residents and jobs per gross developable hectare in designated growth areas. The proposal would be achieving a gross density of approximately 60 people per hectare.

- 3.3 Healthy and active communities should be promoted by planning public streets to be safe, and meet the needs of pedestrians, foster social interaction, and facilitate active transportation and community connectivity. Compact and diverse developments promote active modes of transportation such as walking and cycling.
- 3.4 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 within natural heritage features or adjacent to the features unless the ecological function has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.
- 3.5 The PPS also states that planning for stormwater management shall promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

## **4. Official Plans**

### **Durham Region Official Plan (Envision Durham)**

- 4.1 On September 3, 2024, the Minister of Municipal Affairs and Housing approved Envision Durham, which is the new Regional Official Plan, with modifications. The Durham Region Official Plan designates the subject lands as “Community Areas”.
- 4.2 Community Areas are to be planned for a variety of housing types, sizes, and tenures, including singles and 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.
- 4.3 Envision Durham policies also require natural heritage features and the associated minimum vegetation protection zones to be protected from development impacts. The Region of Durham relies upon the local municipality’s policies to determine the minimum distance to the features for the sufficient protection of the feature and its functions.

### **Clarington Official Plan (COP)**

- 4.4 The Clarington Official Plan designates the site Urban Residential and is within the Bowmanville Urban Area. A variety of densities, tenure and housing types are encouraged, generally up to 6 storeys in height along Local Corridors and up to 3 storeys internal to neighbourhoods. Detached dwellings, semi-detached dwellings, and townhouses are permitted, as proposed.
- 4.5 There are two medium density blocks proposed within the draft plan of subdivision. The COP policies state that multi-unit residential development will be developed on the basis of the following site development criteria:

- a) Suitability of the size and shape of the site;
  - b) Compatibility with the surrounding neighbourhood in terms of scale, massing, height and siting;
  - c) Minimize impact of traffic on local streets;
  - d) Multiple and direct vehicular accesses from public streets, without reliance on easements;
  - e) Townhouses shall not be sited on opposite sides of the street in order to allow for sufficient on-street parking;
  - f) Achieve a mixture of housing types and shall not replicate the same built form;
  - g) Street townhouses shall generally not comprise more than 6 attached units; and
  - h) Townhouses sited on blocks shall generally not exceed 50 units.
- 4.6 An Environmental Impact Study was prepared by SLR Consulting Ltd. (formerly Palmer), given that wetlands and woodlands are present on the subject site. The EIS was prepared to evaluate the significance of the features identified and demonstrate conformity with Clarington's Official Plan policies. The features were not shown on Map D 'Natural Heritage System' of the Clarington Official Plan but still need to be evaluated for protection on a site-by-site basis through the findings of the EIS.
- 4.7 The Municipality has retained Aquafor Beech Ltd. to conduct a peer review of the findings given that the identified environmental features on the property are proposed to be removed in its entirety. All findings will be reviewed and assessed in a subsequent recommendation report.
- 4.8 Section 23 of the Clarington Official Plan also provides criteria to evaluate the approval of residential developments in an urban area, including draft plans of subdivisions:
- a) Ensure sequential development of neighbourhoods
  - b) Proposed development is adjacent to Centres or Built-up Areas
  - c) The economical use and extension of all infrastructure and services
  - d) Ensure it offers intensification; and
  - e) Increase density for new neighbourhoods having regard for proposed measures to integrate into existing stable residential areas.
- 4.9 The policies in the Official Plan indicate that the Municipality may declare a residential draft plan of subdivision premature if the capital works and services required to service the lands are not within the Municipality's current capital budget or 10-year capital forecast. Further discussions in this regard are to be provided in the recommendation report.

**Brookhill Neighbourhood Secondary Plan Area**

- 4.10 Clarington Staff completed the update to the existing Brookhill Secondary Plan; however, the updated Plan was appealed to the Ontario Land Tribunal. The lands in the existing Secondary Plan designate this area as a Future Development Area. As per the policy 11.4 of the in force and effect Brookhill Secondary Plan, areas designated Future Development Area cannot proceed until the Secondary Plan has been amended to include this area and the designations.
- 4.11 Specifically, the Secondary Plan states that Future Development Areas include proposed land uses that will come into effect after a further amendment to this Plan and subsequent to a comprehensive review of the Clarington Official Plan. Until such time, only the Environmental Protection Area and the Separate Elementary School designations are in force and effect. All other land uses are subject to the Future Urban Residential designation and policies of the Clarington Official Plan.
- 4.12 Policy 9.4.4 of the Clarington Official Plan states that land uses are restricted to agricultural purposes or other land uses that do not jeopardize the orderly future development of the lands for urban uses until the completion of a Neighbourhood Secondary Plan.

**Brookhill Secondary Plan (approved by Region on July 25, 2024, under appeal)**

- 4.13 Within the updated Brookhill Secondary Plan, the subject lands are designated 'Low Density Residential', 'Medium Density Residential', and 'Medium Density Local Corridor'. A Parkette and elementary school symbol are also shown on Land Use Schedule A, as well as an Environmental Constraint overlay. A trail is also proposed to the north of the subject lands, on the south side of the Bowmanville Creek valley. The Secondary Plan was approved by the Region on July 25, 2024, however, it is currently under appeal.

*Low Density Policies*

- 4.14 The predominant use of lands within the Low-Density Residential designation shall be a mix of housing types and tenures in low-rise building forms. The following building types are permitted:
- a. Detached dwellings;
  - b. Semi-detached dwellings;
  - c. Street townhouses; and
  - d. Accessory apartments, as per Policies 7.2.21 and 7.2.22 of this Plan.



- 4.15 Detached and semi-detached dwelling units shall account for a minimum 80 percent of the total number of units in the Low-Density Residential designation, with units in other building types accounting for the remaining 20 percent. Generally, this ratio should be applied for each plan of subdivision to encourage an even distribution of townhouse units.
- 4.16 Townhouses should generally be located in proximity to open spaces and neighbourhood commercial uses to allow for easy access to amenity spaces and services. Private streets and private lanes are not permitted within the Low-Density Residential Designation. Block 85 is a proposed townhouse condominium block within the Low-Density Residential designation. An Official Plan Amendment would be required in order to allow for the private street within the Low-Density designation if development proceeds as proposed.
- 4.17 Residential development shall contribute to the overall appearance of the streetscape. Garage doors shall not dominate the view of the streetscape. Front and exterior side yard porches shall be encouraged.

*Medium Density Residential*

- 4.18 The Medium Density Residential designation is shown in portions of the draft plan that are internal to the subject lands. The following building types are permitted within the Medium Density Residential designation:
- a. Street townhouses;
  - b. Block townhouses;
  - c. Stacked townhouses;
  - d. Back-to-back townhouses;
  - e. Apartment buildings; and
  - f. Accessory apartments, as per Policies 7.2.21 and 7.2.22 of this Plan
- 4.19 Building heights shall be 2-4 storeys. The minimum net density is 40 units per net hectare. Currently the plan shows semi-detached dwellings within a portion of the Medium Density Residential designation, which is not a permitted building type. An Official Plan Amendment would also be required to permit semi-detached dwellings in addition to the permitted building types within the Medium Residential designation.



*Medium Density Local Corridor Policies*

- 4.20 The Medium Density Local Corridor designation allows for a concentration of density and mix of uses. The predominant use of lands within the Medium Density Local Corridor designation is housing in mid-rise building forms combined with cultural, entertainment, recreational, offices, restaurants, retail, and/or service commercial uses within mixed-use buildings. The following building types are permitted:
- a) Street townhouses;
  - b) Block townhouses;
  - c) Stacked townhouses;
  - d) Back-to-back townhouses;
  - e) Apartment buildings;
  - f) Mixed-use buildings; and
  - g) Accessory apartments, as per Policies 7.2.21 and 7.2.22 of this Plan
- 4.21 The height of any building shall be a minimum of 3 storeys and a maximum of 6 storeys. Development on lands designated Medium Density Local Corridor shall have a minimum net density of 40 units per net hectare.

*Environmental Constraint*

- 4.22 Schedule A also includes an Environmental Constraint overlay that establishes an area where further study is required before development can proceed with the underline designation. These areas have been identified as having potential significance and a study is required to evaluate such significance.
- 4.23 The presence and precise delineation of these features and areas and the level of development acceptable shall be determined through an EIS prepared as part of the review of development applications in accordance with the policies of the Clarington Official Plan. If the study establishes that development can proceed, then the underlying designation shall apply over those lands. Further, it may also be determined that only a portion of the lands within the Environmental overlay may be available for development, if any.
- 4.24 An EIS was prepared for the subject lands to evaluate the features identified. The EIS recommended that the features be removed, and that compensation would be provided. Further ongoing discussions are required with Staff and CLOCA to ensure the Clarington Official Plan policies are satisfied by demonstrating that the proposed development conforms to the Official Plan and Secondary Plan policies. Staff have also retained Aquafor Beech Ltd. to complete a peer review of the EIS.

*Elementary School Symbol*

- 4.25 The elementary school site is planned for the Peterborough, Victoria, Northumberland and Clarington Catholic District School Board. Elementary school sites have been located central to the Brookhill Neighbourhood to support walkability. Elementary schools also act as a neighbourhood focal point and when located adjacent to a neighbourhood park further creates opportunities for the sharing of facilities.
- 4.26 The configuration and size of school sites will be defined in consultation with the School Boards through an application for approval of a proposed plan of subdivision.
- 4.27 The proposed school site is shown as 2.14 ha and is split between a proposed future school block on adjacent lands under separate ownership. The area of the school block on the adjacent lands is shown to be approximately 1.13 ha which totals 3.27 ha for the entire school block. The school block is also proposed to have frontage along Clarington Boulevard, Street A and Street D.
- 4.28 The area shown for the school block within the draft plan of subdivision is almost entirely within the natural heritage features identified on the lands. If it is determined that the features are to be protected, then adjustments to the land use designations and road network within the Brookhill Secondary Plan may be necessary.

*Parkette*

- 4.29 Parkettes and urban squares are smaller components of the parks system and offer passive recreation opportunities. The precise number, size and location of Parkettes shall be determined at the time of development review and approval.
- 4.30 Parkettes are smaller scale parks, between 0.5 to 1.0 hectare in size, and are intended to provide passive open space areas, serve as focal points within sub areas of each neighbourhood, and shall:
  - a) Be easily accessible for residents within a 400-metre radius (5-minute walking distance);
  - b) Be designed to have significant public exposure and access. Urban design options include surrounding the park with streets or fronting dwellings directly on to the parkette/village square;
  - c) Reflect the needs of surrounding residents including places to sit and socialize, junior play area for children, and a significant tree canopy for shade; and
  - d) Be designed with 50 percent public frontage but may be less where other design alternatives achieve public view and access. Public frontage can be a public road, a school, or natural heritage features.

*Minor Deviations to Official Plan Designations*

- 4.31 Policy 11.2.6 states that land use designations are identified in Schedule A of the Secondary Plan. Minor alterations which maintain the general intent of the policies of this Secondary Plan may occur without amendment through the development approval process in accordance with policies 24.1.2 and 24.1.3 of the Official Plan.
- 4.32 Policy 24.1.2 and 24.1.3 of the Clarington Official Plan states that where examples of permitted uses are listed under any specific land use designation, they are intended to provide examples of possible uses. Other similar uses may be permitted provided they conform to the intent and all applicable provisions of this Plan. Where the boundaries of various land use designations as shown on Map A coincide with physical features such as creeks, rail lines, roads and utility lines, or instruments such as lot and concession lines or property limits, these boundaries are meant to be exact. In the absence of any of the above, minor deviations to the boundary may be permitted without amendment provided such deviations do not alter the intent of this Plan.

## 5. Zoning By-law 84-63

- 5.1 Zoning By-law 84-63 zones the subject lands as “Agriculture (A)”. A Zoning By-law Amendment is required to permit the proposed development which consists of single detached, semis and townhouses, including two townhouse condominium blocks. The proposed rezoning would change the zoning on the subject lands from an Agricultural (A) Zone to an Urban Residential Type Two (R2) Zone for the single detached and semi-detached dwellings and an Urban Residential Type Three (R3) Zone for the stacked townhouse and street townhouse units. Each zone is proposed to have site-specific performance standards. A draft zoning by-law is included in **Attachment 1**.
- 5.2 Finalization of appropriate zone categories 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 have been fulfilled.

## 6. Summary of Background Studies

- 6.1 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 [www.clarington.net/NashBowmanvilleAve](http://www.clarington.net/NashBowmanvilleAve) and are also available upon request. A summary of the submitted reports and studies will be provided in a future recommendation report.

## 7. Public Notice and Submissions

- 7.1 Public Notice was delivered via express courier to approximately all residents within 120 metres of the subject lands on December 20, 2024. A public meeting sign was installed on the subject lands fronting Bowmanville Avenue and Nash Road. 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 December 23, 2024. A dedicated webpage was also created for the proposed development.
- 7.2 As of writing this report, staff have received three comments from the public regarding general interest from nearby residents. Comments received from the public, including those received during the Statutory Public Meeting, will be considered and included in a forthcoming recommendation report.

## 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 the agency and internal department comments received, as well as all public comments received, will be included in a subsequent recommendation report.

## 9. Discussion

- 9.1 The site is located within the Bowmanville Urban Area and is considered Greenfield development. It is located along the Bowmanville Avenue. Local Corridor. Environmental features are present on the property which are considered isolated features. The applicant has proposed a total of 285 units consisting of 37 singles, 60 semis, 88 street related townhouses, and two medium density blocks. It also shows a parkette and a partial school site.
- 9.2 The subject lands are also within the Brookhill Secondary Plan Area. The proposal provides for a denser urban form along the Local Corridor (Bowmanville Avenue) and transitions to lower, ground related units internal to the neighbourhood. 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.

### Pedestrian Connections and Park

- 9.3 The proposal shows a mid block pedestrian connection (Blocks 89 and 90) which will connect the south end of the site to the park and school to the north. The proposal also shows pedestrian trail off site, along Nash Road, which is consistent with the Secondary Plan. Further information will need to be provided on how the trail will connect further east, across Bowmanville Avenue to the adjacent site. Further review and comments on the pedestrian connectivity will be dealt with through the planning application review process.

- 9.4 A park is proposed within the subject site to the north. The size and configuration of the park will need to be reviewed and assessed further through the review of the application.

### **Proposed Zoning By-law Amendment**

- 9.5 The plan indicates the proposed townhouses will have 6 metre frontages. Council resolution from 1999 states that townhouses frontages on a public road shall be a minimum of 7 metres, as opposed to 6 metres. The 7 metre frontages are to provide for more on-street parking spaces and greater landscaped open space in the front yards.
- 9.6 Singles are to be a minimum of 10 metres, whereas the draft plan has indicated 9 metre singles. The applicant must demonstrate that the lots can accommodate two outdoor parking spaces (as per zoning by-law) plus have enough room to meet the minimum landscape areas. Applicant must also demonstrate that on-street parking is feasible.
- 9.7 A rezoning is required to rezone to an appropriate zone that would permit the proposed Plan of Subdivision. Based on the current provisions for detached dwelling units and townhouses in the “R2” and “R3” zones, the implementing zoning by-law for this site would require additional site-specific exception zones to reduce the lot frontages. A hold symbol would be required to ensure draft plan of subdivision conditions have been met.

### **Further Considerations**

- 9.8 In recent years, the Province of Ontario has updated the applicable Planning Legislation to support the establishment of Additional Dwelling Units (ADUs) or Additional Residential Units (ARUs) to increase housing supply. For this reason, the inclusion of accessory/additional dwelling units within the proposed single, semi or townhouses, where possible is encouraged.
- 9.9 Staff will continue to review the submitted Plan of Subdivision and rezoning applications and work with the applicant to address all technical matters. Agency and public comments will be addressed in a subsequent recommendation report to Committee and Council.

## **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. 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 developments 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 rezoning proposal for 285 residential units in a draft plan of subdivision at the Statutory Public Meeting under the Planning Act. Staff will continue to review and process the application, 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.

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Staff Contact: Nicole Zambri, Senior Planner, (905) 623-3379 x 2422 or [nzambri@clarington.net](mailto:nzambri@clarington.net) or Amanda Tapp, Manager, Development Review, (905) 623-3379 x 2427 or [atapp@clarington.net](mailto:atapp@clarington.net).

Attachments:

Attachment 1 – Draft Zoning By-law Amendment  
Attachment 2 – Draft Plan of Subdivision

Interested Parties:

List of Interested Parties available from Department.