



Public Meeting Report

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| 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

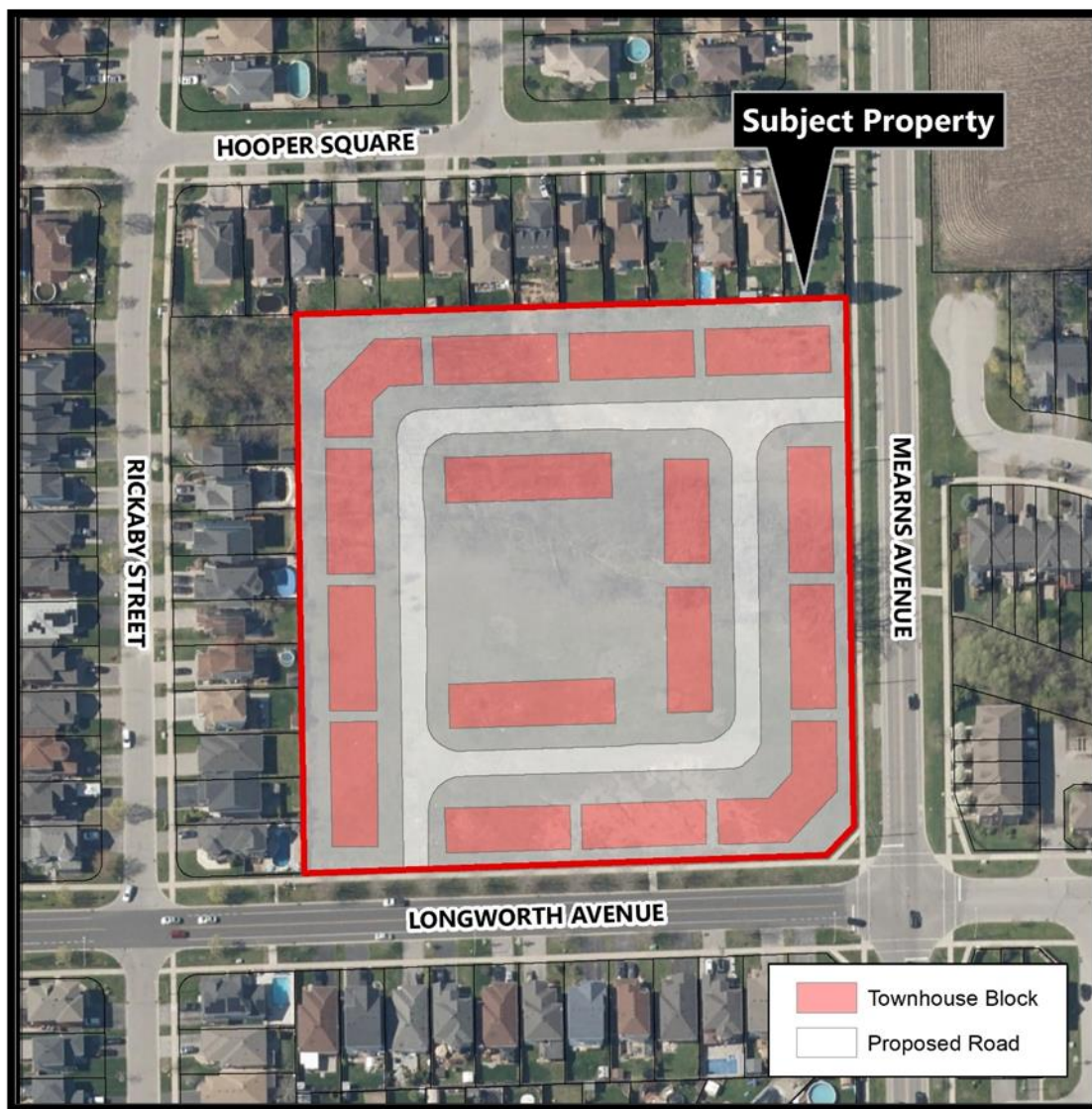


Figure 1 – Location of Subject Lands

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.