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<b>Report To:</b>	<b>Planning and Development Committee</b>		
<b>Date of Meeting:</b>	June 16, 2025	<b>Report Number:</b>	PDS-031-25
<b>Authored By:</b>	Ruth Porras, Senior Planner		
<b>Submitted By:</b>	Darryl Lyons, Deputy CAO, Planning and Infrastructure		
<b>Reviewed By:</b>	Mary-Anne Dempster, CAO		
<b>By-law Number:</b>	<b>Resolution Number:</b>		
<b>File Number:</b>	COPA-2025-0002 and ZBA-2024-0024		
<b>Report Subject:</b>	Official Plan and Zoning By-law applications to facilitate four apartment buildings ranging from 8 to 12 storeys in height with 906 dwelling units and 61 townhouses in the Bowmanville Protected Major Transit Station Area.		

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### Recommendations:

1. That Report PDS-031-25 and any related delegations or communication items, be received;
2. That the Official Plan application submitted by Modo Bowmanville Urban Towns Ltd. and Modo Bowmanville Towns Ltd. (Kaitlin Group) be approved and the Official Plan Amendment in Attachment 1 to Report PDS-031-25, be approved;
3. That the Zoning By-law Amendment application submitted by Modo Bowmanville Urban Towns Ltd. and Modo Bowmanville Towns Ltd. (Kaitlin Group), be approved and that the Zoning By-law Amendment in Attachment 2 to Report PDS-031-25, be approved;
4. That once all conditions contained in the Clarington Official Plan and Zoning By-law 84-63 with respect to the removal of the (H) Holding Symbol and the conditions as outlined in Section 6 of this report are satisfied, the By-law authorizing the removal of the (H) Holding Symbol be approved by the Deputy CAO of Planning and Infrastructure Services;
5. That the Region of Durham Community Growth and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-031-25 and Council's decision; and
6. That all interested parties listed in Report PDS-031-25 and any delegations be advised of Council's decision.

## Report Overview

This report recommends approval of the Clarington Official Plan and Zoning By-law amendments to permit four apartment buildings ranging from 8 to 12 storeys in height, sixty-one townhouse units and a park in the Protected Major Transit Station Area (PMTSA) in Bowmanville. The site is 3.97 hectares in size.

The Statutory Public Meeting for these applications was held on April 14, 2025 ([PDS-017-25](#)). Staff's recommendation to continue to review and process the applications was denied (Resolution # PD-030-25).

At the Council meeting held on April 28, 2025, Council altered the motion from the April 14, 2025, meeting and directed Staff to continue to review and process the applications, including the preparation of a subsequent recommendation report. Staff were specifically instructed to consider infrastructure constraints and the appropriateness of the proposed density and transition to the existing neighbourhood. In addition, Council rejected any notion that there is a correlation between crime and intensification ([Resolution #C-088-25](#)).

Staff held several follow-up meetings with the applicant between April 28, 2025, and the preparation of this recommendation report. In response, the applicant has submitted a Concept Plan, Planning Memo, and Proposed Zoning By-law that illustrates the proposed changes to the proposal in response and inline to comments from staff, the public, the review agencies, and Council.

Should Council support staffs' recommendation, the development applications will have been processed to a positive recommendation in a total of 105 days, 15 days under the statutory requirements for combined Official Plan and Zoning By-law Amendments.

The site plan and tenure details will be addressed through future Site Plan and Plan of Condominium applications.

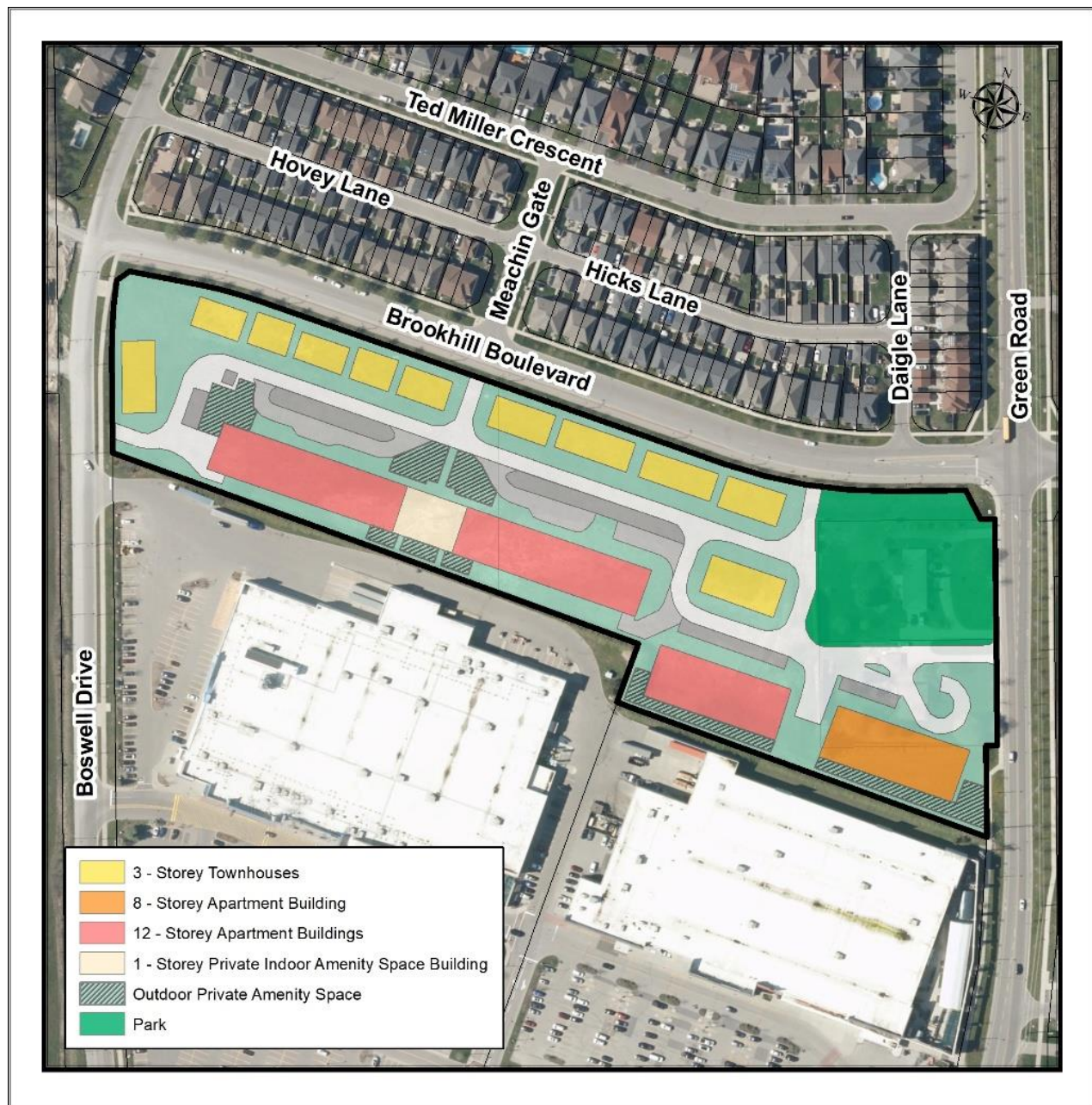
## 1. Application Details

- 1.1 Owner/Applicant: Modo Bowmanville Urban Towns Ltd. and Modo Bowmanville Towns Ltd. (Kaitlin Group)
- 1.2 Proposal: Official Plan Amendment (OPA):  
  
To redesignate a portion of the subject lands located within the Bowmanville West Urban Centre Secondary Plan area from Low Rise High-Density Residential to Mid-Rise High-Density Residential to permit building heights of up to 12 storeys for the proposed development.
- Zoning By-law Amendment (ZBA):  
  
To rezone the subject lands from “Agricultural (A) Zone”, “Holding- Urban Residential Exception ((H)R3-65) Zone” and “Holding- Urban Residential Exception ((H)R4-46) Zone” to residential exceptions zones to an additional 421 residential units compared to the previous approval in 2022.
- 1.3 Area: 9.81 acres (3.97hectares)
- 1.4 Location: 2050, 2078, 2098 Green Road and 279 Boswell Drive in Bowmanville (**see Figure 1**)
- 1.5 Roll Numbers: 18-17-010-020-18432  
18-17-010-030-02705  
18-17-010-030-02710  
18-17-010-030-02800

## 2. Background

- 2.1 A Zoning By-law Amendment was approved in 2022 for a development containing 546 residential units consisting of 62 townhouse units and 4 six-storey apartment buildings with a total of 484 units. Since then, the lands have been identified as being located within Bowmanville’s Protected Major Transit Station Area (PMTSA), where Provincial Policy encourages the most growth.
- 2.2 On October 1, 2024, Modo Bowmanville Urban Towns Ltd., and Modo Bowmanville Towns Ltd. (Kaitlin Group) applied for a Zoning By-law Amendment, followed by an Official Plan Amendment application submitted on February 12, 2025. The proposal consists of four apartment buildings ranging from 8 to 12 storeys in height and 61 townhouses on the subject site. The proposal includes underground and surface parking, indoor and outdoor amenity spaces, and a public park.

- 2.3 The applications were deemed complete by staff on March 13, 2025. In accordance with the *Planning Act*, an applicant can appeal a combined Official Plan and Zoning By-law Amendment application for non-decision 120 days after the application is deemed complete. In this case, the timeline started on March 13, 2025. As a result, an appeal for non-decision can be received as of July 11, 2025. Staff continue to work with the applicant and have brought forward the application to a public meeting to gather input from members of the public on the development proposal.
- 2.4 The Statutory Public Meeting was held on April 14, 2024 ([PDS-017-25](#)). Staff's recommendation to continue to review and process the applications was denied (Resolution # PD-030-25), following concerns expressed by the public related to the location of the proposed intensification and density, building heights, shadow impacts on adjacent properties, the character of the existing neighbourhood, the need for a park and the cost of implementing a proposal with taxpayers' money. Concerns with the impact of development on the community and school related to traffic, noise, safety, garbage, rodent infestation, and crime.
- 2.5 Following the Statutory Public, Staff was directed to work with the developer on a solution that could assist with the community's concerns. At the meeting held on April 28, 2025, the Council of the Municipality of Clarington directed Staff to continue to review and process the applications, including the preparation of a subsequent recommendation report. Staff was specifically instructed to consider infrastructure constraints and the appropriateness of the proposed density and transition to the existing neighbourhood. In addition, the Council rejected any notion that there is a correlation between crime and intensification ([Resolution #C-088-25](#)).
- 2.6 Several follow-up meetings were held with Staff and Modo Bowmanville Urban Towns Ltd. and Modo Bowmanville Towns Ltd. (Kaitlin Group) after April 28, 2025, to discuss a solution per the Council direction. The latest proposed development, as of May 2025, envisions a residential development comprising townhouses and apartment units, totalling 967 units. The applicant has submitted a Concept Plan, Planning Memo, and Proposed Zoning By-law that illustrate the proposed changes to the proposal in response to comments from the public, review agencies, and Council Resolution #C-088-25. The applicant proposed the following key changes that are reflected in **Figure 1**.



**Figure 1:** Proposed Development and Surrounding Context

- Deleted two blocks of townhouses (totalling 13 units) from the plan and used that space to expand the park.
- Underground parking access and all other encumbrances have been removed from the park.
- Reduced number of units from 980 to 967



- A reduction in height of the building closest to Green Road (building D), from 9 storeys to 8 and a reduction in building frontage onto Green Road to ensure a better transition and reduction of shadows to the neighbourhood. Buildings C and D are also located further to the southern property line.
- Proposing Building D to be purpose-built rental housing and exploring funding with Canada Mortgage and Housing Corporation (CMHC). (See Attachment 3 – Letter of Intent - Building D, Purpose-Built Rental Development).

The proposed changes, including the applications evolution summary, are outlined in **Table 1:**

Table 1: Application Evolution Summary June 2022 to May 2025			
Item	Approved By-law dated June 2022	April 2025 Committee Meeting	Current Plan (May 2025)
Apartment Buildings	6 storeys	9 – 12 storeys	8 – 12 storeys
Building A	6 storeys	12 storeys	12 storeys
Building B	6 storeys	12 storeys	12 storeys
Building C	6 storeys	12 storeys	12 storeys
Building D	6 storeys	9 storeys	8 storeys
Townhouses Buildings	3 storeys	3 storeys	3 storeys
Parking spaces	865	1,361	1,097
Public Park Size	N/A	0.25 ha or 2,530 square metres	0.49 hectares or 4,900 square metres
Amenity Space	3,250 square metres	4,406 square metres	3,351square metres
Total Residential Units	546	980	967

- 2.7 The applicant submitted the following supporting plans and studies, which were circulated to departments and agencies for review and comment. They are available upon request and are summarized in Section 8 of this report.

- Architectural Drawings and Sun Shadow Diagrams
- Planning Justification Report
- Urban Design Brief
- Noise Feasibility Study
- Traffic Impact Study
- Functional Servicing and Stormwater Management Report
- Phase 1 and 2 Environmental Site Assessment
- Supplementary Geotechnical Investigation
- Stage 1 and 2 Archaeological Assessment

### 3. Land Characteristics and Surrounding Context

- 3.1 The subject lands are comprised of four properties on the south side of Brookhill Boulevard between Boswell Drive and Green Road, and municipally known as 2050, 2078, 2098 Green Road and 279 Boswell Drive in Bowmanville (See **Figure 1**).
- 3.2 The surrounding land uses are as follows:
- |        |   |
|--------|---|
| North: | Brookhill Boulevard and rear lane townhouses and semi-detached dwellings.         |
| East:  | Green Road and a temporary sales centre, and Clarington Central Secondary School. |
| South: | Commercial, including Walmart and Canadian Tire.                                  |
| West:  | Boswell Drive and a long-term care home under construction.                       |



**Figure 2:** Subject Lands – Looking South along Brookhill Boulevard

## **4. Provincial Policy**

### **Provincial Planning Statement, 2024**

- 4.1 The PPS 2024 identifies settlement areas, such as the Bowmanville Urban Area, as the focus of growth and development to support compact development forms. Land use patterns should be based on densities and a mix of uses that efficiently use land resources, housing options, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit in areas where it exists or is to be developed before other modes of travel. Within settlement areas, growth should be focused in strategic growth areas, including major transit station areas.
- 4.2 The PPS 2024 requires Planning Authorities to identify appropriate locations and promote opportunities for intensification and redevelopment, and the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas. It also requires Planning Authorities to identify the availability of suitable existing or planned infrastructure and public service facilities required to accommodate these projected needs.
- 4.3 The applications are consistent with the Provincial Planning Statement.

## **5. Official Plan**

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

- 5.1 Per Map '1' Regional Structure - Urban and Rural Systems of the Durham Region Official Plan, the subject lands are designated "Protected Major Transit Station Area (PMTSA)".
- 5.2 PMTSAs are communities centered around higher-order transit services. Developments within PMTSAs serve as focal points for high-density, mixed-use destinations characterized by a walkable, transit-oriented, pedestrian-friendly public realm, with strong and active transportation connections within convenient walking distance of existing and planned rapid transit stations. Permitted uses include, but are not limited to, medium and higher-density residential with a density of 150 people and jobs per hectare as a minimum for lands in the PMTSA. The proposal seeks an overall density of approximately 282 units per hectare. The proposal would support and assist in achieving the PMTSA density policies.
- 5.3 The proposal will intensify and redevelop underutilized lands within a PMTSA and conforms to the Durham Region Official Plan.

### **Clarington Official Plan**

- 5.4 Per Map 'A3' of the Clarington Official Plan, the subject lands are designated "Urban Centre". Development within Urban Centres shall provide for a mix of uses with a focus on higher density and a mix of housing types to support the successful development of complete communities.



- 5.5 Per Map 'B' of the Clarington Official Plan, "Urban Centre" are identified as Priority Intensification Areas. Priority Intensification Areas have been identified as the primary locations to accommodate growth and the greatest mix of uses, heights and densities. The minimum density target for Urban Centres is 120 units per hectare. The predominant built forms of sites located within Urban Centres include apartments and mixed-use buildings with building heights ranging between 4 and 12 storeys.
- 5.6 The proposed built form along the southern portion of the site, adjacent to the existing commercial development, is for buildings ranging between 8 and 12 storeys. The Official Plan contains urban design policies that need to be considered when reviewing the application, such as the transition in scale to surrounding uses, which is achieved with the 3-storey townhouses along Boswell Drive and Brookhill Boulevard, as shown on the concept plan. These townhouses were approved with the Zoning By-law Amendment in 2022.
- 5.7 Proposals for multi-unit residential must consider the appropriateness of the site, compatibility, provision of suitable access points, traffic impacts and massing. The urban design and sustainability policies of the Official Plan must be implemented through the development.
- 5.8 Affordable housing is encouraged within Centres to reduce travel needs and facilitate alternative modes of transportation such as public transit, cycling, and walking.

#### **Bowmanville West Town Centre Secondary Plan**

- 5.9 The Bowmanville West Town Centre Secondary Plan designates the subject lands Low Rise High-Density Residential. The Low-Rise High-Density designation permits townhouses and low-rise apartment buildings not exceeding six storeys in height with a density range of 50 and a maximum of 80 units per hectare. The proposed 3-storey townhouses with a density of 50 units per hectare along Boswell Drive and Brookhill Boulevard would provide a transition in scale.
- 5.10 The Official Plan contains a policy that allows the density of the parent plan of 120 units per hectare to prevail. The development does not conform to the height requirements in the existing Bowmanville West Town Centre Secondary Plan and therefore requires an Official Plan Amendment (see **Attachment 1**).
- 5.11 The proposal to increase the maximum permitted building height within the existing Bowmanville West Town Centre Secondary Plan to allow up to 12 storeys along the south side of the property while providing transition in scale with the proposed 3-storey townhouses along Boswell Drive and Brookhill Boulevard meets the intent of the policies of the Clarington Official Plan. As informed by the supporting technical materials submitted, the proposed height balances the need for intensification in a PMTSA, while respecting the surrounding lower density-built forms.
- 5.12 Bowmanville West Town Centre Secondary Plan is currently under review and will be updated to conform with the Clarington Official Plan.

## 6. Zoning By-law 84-63

- 6.1 The subject lands are currently zoned “Holding-Urban Residential Exception ((H)R3-65) Zone”, “Holding-Urban Residential Exception ((H)R4-46) Zone” and “Agricultural (A) Zone”. The lands zoned “Holding - Urban Residential Exception ((H)R3-65) permit the proposed link townhouse dwellings and back-to-back townhouse dwellings. The lands zoned “Holding-Urban Residential Exception ((H)R4-46) Zone” permit apartment buildings.
- 6.2 A rezoning will allow the park, increase building heights, remove parking requirements, provide a minimum density, reduce amenity areas, amend zoning provisions and redefine zoning boundaries. The lands zoned Urban Residential Exception ((H)R3-65) would be rezoned to Holding Urban Residential Exception ((H)R3-81) Zone. “Agricultural (A) Zone” would be rezoned “Urban Residential Type One” ((H)R1) Zone. The recommended zoning by-law is included as **Attachment 2**.

### Holding Symbol

- 6.3 In addition to the regulations of Section 3.10 of Zoning By-law 84-63, the symbol ‘H’ following the zoning on the Zoning Schedule is identified; the ‘H’ shall not be removed until:
- The Applicant provides satisfactory evidence on compliance with Clarington Official Plan policies, including Section 23.4.3; and
  - The Applicant provides satisfactory evidence which addresses all concerns listed in this report and fulfills conditions of the future site plan with the Municipality of Clarington.

## 7. Summary of Background Studies

### Planning Justification Report, Weston Consulting, February 2024, Addendum 2025

- 7.1 A Planning Justification Report was prepared to support Official Plan Amendment and Zoning By-law Amendment applications to permit the proposed development. The report provides an analysis of relevant Provincial, Regional, and Municipal planning policies.
- 7.2 The Planning Justification Report States that the proposed development represents an appropriate level of intensification on an underutilized site in the West Bowmanville Urban Centre and Protected Major Transit Station Area (‘PMSTA’) associated with the future Bowmanville GO Station.

### Urban Design Brief, John G. Williams Limited, February 12, 2024

- 7.3 The Urban Design Brief states that the proposed scale and intensity of the development consider its context and respond to the urban design principles and objectives of the Official Plan and Bowmanville West Town Centre Secondary Plan to create an appropriate built form interface with surrounding land uses and high-quality architectural and landscape treatments.

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**Noise Feasibility Study, HCG, December 11, 2023. Addendum January 29, 2025**

- 7.4 The Feasibility Noise Study was prepared to analyse the noise generated by traffic and the surrounding commercial uses. The report identifies mitigation measures such as acoustic barriers, ventilation requirements, warning clauses and upgraded building components. A revised Noise Feasibility Study will be required once the design of the site and buildings are finalized through the Site Plan application to ensure the required warning clauses and upgraded building components are identified for each unit.

**Traffic Impact Study Update, Arcadis, January 29, 2024**

- 7.5 A Traffic Impact Study was prepared to analyse the anticipated impacts of future area and site-generated traffic for the proposed development. The units are proposed to be serviced with an internal private lane, which eliminates direct vehicle access from individual private entrances and concentrates vehicle access to four points, one onto Boswell Drive, two onto Brookhill Boulevard, and one onto Green Road.
- 7.6 The report concludes that improvements to the traffic operations under future conditions of the full build-out of the site are expected to improve traffic operation. In addition, the study anticipates improvements to traffic operations as the Bowmanville GO Station is operational.
- 7.7 The report concludes that there is sufficient space within the site, on the private lane, to provide for fire and garbage truck movements. The proposed parking and loading spaces are not anticipated to impact the operation of the subject lands. 1,097 parking spaces at a rate of 1.21 spaces per unit are located both on the surface and in the underground parking garage. In addition, each townhouse will have two parking spaces. A future Travel Demand Management (TDM) Plan is anticipated to focus on reducing dependency on single-occupant vehicles (SOV). It is also noted that as a result of Bill 185, *Cutting Red Tape to Build More Homes Act*, municipalities can no longer require minimum parking standards within PMTSAs. An updated Traffic Study will be required prior to the approval of the Site Plan Application.

**Functional Servicing and Stormwater Management Report, Arcadis, December 2023**

- 7.8 The report states that the site is serviceable based on the review of background information from adjacent and existing municipal servicing designs. The report concludes that the proposed road and lot grading scheme follows the Municipality's Engineering Design Standards and respects the perimeter grades of the surrounding properties and further concludes that there are no negative effects on the neighboring properties.
- 7.9 The report states that a stormwater management strategy is proposed utilizing typical underground storage facilities for quantity control. Enhanced water quality control and erosion control are already provided by the existing Brookhill West SWM pond. The report discusses various low-impact development measures to achieve water balance. The report notes that preliminary hydraulic analysis indicates that the system pressures within the subject site meet the Region's pressure requirements. An Updated Functional Servicing and Stormwater Management Report will be required prior to the approval of the Site Plan Application.

**Phase 1 Environmental Site Assessment, GHD, February 15, 2023, and Phase 1 and 2 Environmental Site Assessment, GHD, February 15, 2023, March 11, 2022, and July 18, 2022, Phase 1, GHD, ESA dated January 22, 2025**

- 7.10 A Phase 1 Environmental Site Assessment (ESA) for the subject lands does not identify any potential issues, and no further study is required. The study did not include 2098 Green Road. The assessment did not include 2098 Green Road.
- 7.11 A Phase 1 and 2 Environmental Site Assessment (ESA) for 2098 Green Road identified 2 spots requiring further study. A Phase 1 ESA dated January 22, 2025, does not identify any additional potential spots requiring study, and states that the ones identified previously would need to be addressed prior to redevelopment, and it would be required as part of the Site Plan Application process.

**Supplementary Geotechnical Investigation, Soil Engineers Ltd., July 2024**

- 7.12 The Supplementary Geotechnical Investigation presents geotechnical findings and design recommendations for the proposed development to ensure that design and construction are safe and appropriate for the site-specific ground conditions.

**Stage 1 and 2 Archaeological Assessment, This Land Archaeology Inc., September 15, 2008, and CC Archaeological Consultants Canada, December 9, 2024**

- 7.13 A stage 1 and 2 archaeological assessment did not identify any archaeological resources or sites requiring further assessment. A clearance letter was received from the Ministry of Culture on October 3, 2008. The study did not include 2078 and 2098 Green Road.
- 7.14 A Phase 1 archaeological assessment for the lands located at 2078 and 2098 Green Road concluded that the Stage 2 archaeological assessment of the property is to be submitted to the Ministry of Citizenship and Multiculturalism for approval. A clearance letter from the Ministry of Citizenship and Multiculturalism will be required prior to the approval of the Site Plan Application.

**Environmental Sustainability Plan, Weston Consulting, February 2024**

- 7.15 The Environmental Sustainability Plan concluded that the proposed development would contribute to a healthy and sustainable community with a strong sense of place, aligns with the policies of the Clarington Official Plan.

**Department and Agency Comments**

- 7.16 Various agencies and internal departments were circulated for comments on the application. Circulated departments and agencies did not provide objections to the proposed Official Plan Amendment and Zoning By-law Amendment. Comments received focused on the forthcoming site plan application. Comments received pertaining to the forthcoming site plan application will be addressed prior to the removal of the hold on the zoning or site plan approval by the Deputy CAO of Planning and Infrastructure Services.

## 8. Public Submissions

- 8.1 A Public Meeting was held on April 14, 2025. Details of the applications were also posted on the Municipality of Clarington's development application webpage, various Clarington social media channels, and in the Planning and Infrastructure Services monthly e-mail update.
- 8.2 Notification of the Public Meeting was mailed to property owners within 120 metres of the subject lands. Notification signage was also posted on the property along Boswell Drive, Brookhill Boulevard, and Green Road. Four written submissions were received, and six delegates spoke at the April 14, 2025, Public Meeting. The following inquiries and questions were received from residents, as follows:
- Seek clarity on the PPS. Expected a development consisting of townhouses, semis, and singles to fit the character of the neighbourhood and suggest that increased density be located south of Highway 2.
  - Concern with the proposed built form and mix of building types as required in the Official Plan, the need for a park, the cost of implementing a proposal with taxpayers' money, and whether the municipality is working for the benefit of the community or others.
  - Agree with the development's location being close to transit, shopping, and main roads, but want to know how parking would be addressed. Would like to know if the dwelling units would be rental or condo units.
  - Opposition to the proposed height. Concern with intensification outside the MTSA, lack of sunlight and shadows on the properties located north of the development, and supporting study, traffic congestion on nearby arterial roads.
  - Concern with the impact of development on the community and school related to traffic, different home sizes, noise, safety, construction and parking on the nearby roads, and snow removal, garbage, rodent infestation, and crime
- 8.3 These comments and concerns are further discussed in **Section 9** of this report.

## 9. Discussion

### Provincial, Regional, Municipal policies and the PMTSA

- 9.1 Growth should be focused on areas such as major transit station areas per the Provincial Planning Statement (2024). The subject lands are designated "Protected Major Transit Station Area (PMTSA)" per the 2024 Durham Regional Official Plan.
- 9.2 The proposed development is located within an Urban Centre and a Priority Intensification Area. The predominant residential built form and mix within Urban Centres consists of mid-rise and high-rise buildings between 4 and 12 storeys. The Clarington Official Plan gives an overall percentage for the mix of the built form typologies in the Urban Centre, which generally guides the housing forms across the entire Urban Centre and is to be distributed across the entire Urban Centre designation.

- 9.3 The proposed apartment buildings and townhouses represent a form of residential development encouraged by Provincial, Regional, and Municipal policies. The proposed development seeks to develop a total of 967 units and would be located near the future GO station.

### **Transition**

- 9.4 The Brookhill Secondary Plan permits apartments and townhouses on the subject lands. The applicant has indicated that the townhouses on the north and west portions of the lands along Brookhill Boulevard and Boswell Drive, approved with the Zoning By-law Amendment in 2022, will remain unchanged. The three-storey townhouses would provide the required transition between the existing two-storey neighbourhood located to the north and the proposed 8 to 12-storey residential buildings along the south side of the property.



**Figure 2:** Applicant's elevations of the proposed townhouses along Brookhill Boulevard, Boswell Drive and Green Road



**Figure 3:** Applicant's coloured illustrations of the proposed townhouses along Brookhill Boulevard, Boswell Drive and Green Road



- 9.5 The revised proposal contemplates the removal of 13 townhouse units to be replaced with the expanded public park, along with the reduction in the height and footprint of Building D along Green Road. These measures reinforce an appropriate transition and buffer between the proposed buildings and the existing low-rise neighbourhood to the north, while also providing a buffer that mitigates any impacts the proposed development has on the existing residential context.
- 9.6 A Phasing Plan is required for the applications. The requirements and conditions to ensure development does not negatively impact the adjacent neighbourhood will be confirmed through the site plan review process.



**Figure 4:** Applicant's rendering of the proposed buildings along the north side of the property facing Brookhill Boulevard

### **Density**

- 9.7 The area south of Brookhill Boulevard including the subject lands are part of the Protected Major Transit Station Area and are located near (walking distance) the future Bowmanville GO station. The proposed development will incorporate built forms that provide transition to the established neighbourhood and increased residential densities. Further, the policies of the Durham Region Official Plan and Clarington Official Plan support and encourage increased residential densities and more intense land uses in this context near higher-order transit facilities.

- 9.8 Focusing density and growth within the PMTSAs supports the Municipality's goal of achieving our Housing Pledge of 13,000 homes by 2031 ([PDS-009-23](#)) and the Bowmanville GO Extension. In the context of the changing and evolving planning policy framework for this area and the lands around the future Bowmanville GO Station, the residential densities resulting from the proposed development support and conform with these policies and are supported by staff.

### **Proposed Park, Infrastructure and Amenity Space**

- 9.9 The acquisition of 2098 Green Road provided an opportunity to include a public park within the scope of the proposed development. The proposal presented in April 2025 included a public park of 0.253 ha, and now the revised proposed development has considerably increased the land allocated to a public park of 0.49 hectares. The revised size of the park provides a much larger, more programmable space to serve the needs of residents both within the proposed development and the surrounding community. In addition, the reduction in the required amenity space is supported by the increase in the public park, as it will provide recreational space in a similar manner.
- 9.10 Further to concerns raised regarding parking located underneath the public park through stratified ownership. The footprint of the underground parking garage has been revised to be located entirely outside of the new larger public park block. The proposed park and all proposed infrastructure required for this development will be built by the developer and assumed by the Municipality upon acceptance.
- 9.11 Municipal parkland dedication for this site has been calculated in accordance with the Planning Act under Section 42, as well as the Municipality's Parkland Dedication By-law. It has been determined that the proposal exceeds the Planning Act and the Municipality's Parkland Dedication By-law requirements, as the total parkland to be provided is approximately 0.23 hectares, whereas the proposed park is 0.49 hectares.
- 9.12 The concept plan identifies areas where amenity space could be accommodated and will be confirmed through the Site Plan Approval process. The subject lands will be required to provide amenity space for the residents that meet the intent of Bowmanville West Town Centre Secondary Plan policies and Clarington's Amenity Space Guidelines.

### **Sunlight and Shadow Compatibility**

- 9.13 The COP contains 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).

- 9.14 Chamberlain Architects previously completed a Shadow Study for the proposed development presented in April 2025 that analyzed the shadow impact that the proposed 12-storey apartment buildings. The Shadow Study concluded that the shadow impact is contained to the site and within the public right-of-way. There is no impact on adjacent properties in any of the periods analyzed.
- 9.15 The revised development proposal contemplates revisions to Building D, which include a reduction of one storey, a revised footprint and adjustment of the building shape. Buildings C and D are also located further to the southern property line. In addition, the townhouses have been removed to expand the park block. This reduction further minimizes any shadow impact on the perceived park, beyond the ultimate condition that is currently depicted in the Shadow Study.

### **Vehicle Access, Traffic and Parking**

- 9.16 Although the applicant has not submitted a site plan application, a concept plan has been provided. The proposed concept plan shows four vehicular accesses one onto Boswell Drive, two onto Brookhill Boulevard, and one onto Green Road. The apartment buildings are accessed by a private road network on the subject lands. The street townhouses on the north and west portions of the lands have been designed to face the public street with access to the properties through the private road network.
- 9.17 The proposed development includes the majority of the proposed residential and visitor parking to be provided in an underground parking garage, with surface visitor parking areas. A total of 1,097 parking spaces at a rate of 1.21 spaces per unit are located both on the surface and in the underground parking garage. In addition, each townhouse will have two parking spaces. Staff have no concerns given the site location within the PMTSA. An Updated Traffic Study will be required prior to the approval of the Site Plan Application including future a Travel Demand Management (TDM) Plan that is anticipated to focus on reducing dependency on single-occupant vehicles (SOV).

### **Affordable Units**

- 9.18 The Clarington Official Plan and Secondary Plan encourage a broad range of housing types, tenures and costs to meet the evolving housing needs for people of all ages, abilities, and income groups, with a minimum of 30% of the proposed units to be affordable.
- 9.19 The applicant has provided a formal letter acknowledging the intent of working with CMHC to develop building D into purpose-built rental housing (See Attachment - 3). The proposed 129 purpose-built rental units represent approximately 13% of the overall development. Discussions about the provision of affordable units will be undertaken as part of a site plan application process.

## **Schools**

- 9.20 Per the agency's comments, there is capacity within the School Board to accommodate the number of students generated by the proposed development.

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

- 9.21 The lands zoned "Holding - Urban Residential Exception ((H)R3-65) permit the proposed link townhouse dwellings and back-to-back townhouse dwellings. The lands zoned "Holding-Urban Residential Exception ((H)R4-46) Zone" permit apartment buildings. A rezoning is required to allow the park, increase building heights, remove parking requirements, provide a minimum density, reduce amenity areas, amend zoning designations and redefine zoning boundaries.
- 9.22 It is noted that as a result of Bill 185, *Cutting Red Tape to Build More Homes Act*, municipalities can no longer require minimum parking standards within PMTSAs.
- 9.23 Based on review of the submitted technical studies, traffic, noise, functional servicing and, shadow study, it is staff's opinion that the subject lands and the amount of land area and depth available, can support the proposed four apartment buildings ranging from 8 to 12 storeys in height and 61 3-storey townhouses will not result in any compatibility concerns to the adjacent low density residential neighbourhood.
- 9.24 The proposed Zoning By-law meets the intent of the Provincial Planning Statement, the Durham Region Official Plan, and the Clarington Official Plan.
- 9.25 The proposed Official Plan and Zoning By-law Amendments represent good planning.

## **Transit Station Charge (TSC)**

- 9.26 In preparation for the introduction of a TSC, the Region has commenced work on an Economic Study. The draft study confirms that land value capture is a viable approach to financing the new transit stations.
- 9.27 The potential for the development to be approved prior to a GO station development charge being established requires consideration as part of the approval process.
- 9.28 Between April 28, 2025, and the writing of this report, staff held several meetings between the applicant and regional staff to come to a meaningful solution to ensure the proposed conditions do not halt development within Clarington's PMTSAs and surrounding areas.
- 9.29 The condition below will be incorporated as conditions of the future draft approval of the subdivision, and conditions of approval for a future site plan application:
- *Prior to final approval, and in the event that the appropriate Region of Durham by-law has not yet been enacted under the GO Station Funding Act, 2023, the Owner shall enter into an agreement with the Region of Durham and Municipality of Clarington to pay the Transit Station Charge once the appropriate by-law is enacted under the GO Transit Station Funding Act, 2023.*

- 9.30 The updated verbiage has been reviewed and concurred with by the landowner/applicant, regional staff, and municipal staff. See **Attachment 4**, a letter from the landowner/application supporting the proposed condition to be imposed within the draft approval of the subdivision and the future site plan approval process required for the applications.
- 9.31 Staff continue to work with the Region to ensure an appropriate path forward for the TSC and sequencing with any subsequent development approvals.

### **Site Plan Application**

- 9.32 Staff will continue to collaborate with the owner through a future site plan application. Detailed site design refinements of technical aspects of the project will occur through the Site Plan approval process.

## **10. Financial Considerations**

- 10.1 The capital infrastructure within the right of way required for this development will be built by the developer and assumed by the Municipality upon acceptance. The Municipality will include the new capital assets in its asset management plans and be responsible for the major repair, rehabilitation, and replacement upon assumption.
- 10.2 Maintenance and minor repairs of any public infrastructure will be included in future operating budgets.
- 10.3 The maintenance, repair, and replacement of any private laneways or private amenities will not be the responsibility of the Municipality.
- 10.4 Design and construction funding requests will be made through the appropriate annual budgeting cycles for the public park, subject to availability of funds.
- 10.5 The addition of the 0.49ha parkette will increase operating costs by \$12,377 annually for grass cutting, maintenance, garbage collection, and upkeep of playgrounds and hard structures. Staffing impact is 0.1 Full Time Employees. Future budget requests will account for any additional funds or staff required to maintain services levels. Public Works will work with the Deputy CAO/Treasurer of Finance to address any financial implications of increased operational costs.

## **11. Strategic Plan**

- 11.1 The proposed development has been reviewed against the pillars of the Clarington Strategic Plan 2024-27. Clarington's Strategic Plan prioritizes applications that support and implement the creation of growing, resilient, sustainable and complete communities and connecting residents through the design of safe, diverse, inclusive and vibrant communities. The proposal aligns with Clarington's Strategic Plan.

## 12. Climate Change

The applicant prepared an Environmental Sustainability Plan in support of the applications. The report concludes that the proposal aligns with the policies of the Clarington Official Plan and will contribute to a sustainable community.

## 13. Concurrence

Not Applicable.

## 14. Conclusion

- 14.1 In consideration of the review of the detailed plans, all agency, staff, Council and public comments, it is respectfully recommended that the Clarington Official Plan and Zoning By-law Amendments included in Attachments 1 and 2 be approved. The (H) Holding provision will be removed once the applicant enters into a Subdivision Agreement and all the conditions therein are satisfied.

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Attachments:

Attachment 1 – Proposed Official Plan Amendment

Attachment 2 – Proposed Zoning By-law Amendment

Attachment 3 – Letter of Intent - Building D, Purpose-Built Rental Development

Attachment 4 – Landowner

Interested Parties:

List of Interested Parties available from Department.