



## Public Meeting Report

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**Report To:** Planning and Development Committee

**Date of Meeting:** June 7, 2021                    **Report Number:** PDS-032-21

**Submitted By:** Ryan Windle, Director of Planning and Development Services

**File Numbers:** ZBA2021-0002 and SPA2021-0002    **Resolution#:** PD-184-21

**Report Subject:** Application to amend the Zoning By-law to allow two mixed use buildings at the southwest corner of Green Road and Regional Highway 2 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-032-21 be received for information only;
2. That staff receive and consider comments from the public and Council with respect to the above referenced applications; and
3. That all interested parties listed in Report PDS-032-21 and any delegations be advised of Council's decision.

## Report Overview

The Municipality is seeking public input on an application to amend the Zoning By-law to permit a multi-residential, mixed-use development to be constructed in 2 phases. The proposal includes two 11-storey buildings with a total of 228 residential units comprised of condominium apartments and townhouses along with approximately 371 square metres (3,995 square feet) of commercial space on the ground floor. The site is approximately 0.96 hectares, resulting in a housing density of 238 units per hectare. The site plan details and tenure will be addressed through the ongoing Site Plan application and a future Plan of Condominium application.

Both the Zoning By-law Amendment and the Site Plan Application have been deemed complete.

## 1. Application Details

- 1.1 Owner: 1898578 Ontario Limited
- 1.2 Applicant: LARKIN+ Land Use Planners Inc.
- 1.3 Proposal: Zoning By-law 84-63 Amendment

To rezone the lands to a zone appropriate to permit a multi-residential, mixed-use development that includes two 11-storey buildings with a total of 228 residential units comprised of condominium apartments and townhouses along with approximately 371 square metres of commercial space on the ground floor.

- 1.4 Area: 0.96 hectares
- 1.5 Location: 2345 and 2349 Highway 2, Bowmanville
- 1.6 Within Built Boundary: Yes

## 2. Background

- 2.1 On January 28, 2021, 1898578 Ontario Limited submitted an application to amend the Zoning By-law and a corresponding Site Plan Application, to permit a multi-residential, mixed-use development to be constructed in two phases (See **Figure 1**). Phase one will front Highway 2 and will be comprised of 137 residential units and 192.9 square metres of commercial space on the ground floor. Phase two will front along Green Road and will be comprised of 91 residential units and 178.6 square metres of commercial space on the ground floor. Both phases of the development are proposed to be connected through an underground parking level.

2.2 On February 10, 2021 the applications were deemed complete and circulated to departments and agencies for comments.



**Figure 1:** Proposed Site Layout

2.3 The following studies were submitted in support of the applications:

- Planning Rationale Report
- Urban Design Brief
- Geotechnical Investigation
- Phase 1 Environmental Site Assessment (ESA)
- Transportation Impact and On-Site Circulation Study
- Environmental Noise Assessment
- Functional Servicing and Stormwater Management Report
- Fill Management Plan
- Landscape Analysis Plan
- Arborist Report

### **3. Land Characteristics and Surrounding Uses**

3.1 The subject applications are for two neighbouring properties that will be consolidated upon approval of the Zoning By-law and Site Plan applications. The lands are located on the south side of Regional Highway 2 and west of Green Road in Bowmanville.



**Figure 2:** Site Location Map

3.2 The surrounding uses are as follows:

**North:** Regional Highway 2 and existing commercial plaza

**East:** Green Road and Loblaws supermarket

**South:** Existing single detached residential dwellings

**West:** Residential lot with an abandoned new home sales centre.

## 4. Provincial Policy

### Provincial Policy Statement

- 4.1 The Provincial Policy Statement (PPS) policies direct growth to settlement areas and promote compact development forms. Planning authorities are to facilitate development of a variety of housing forms and promote residential intensification to achieve efficient development patterns, especially along public transit and active transportation routes. The definition of 'intensification' includes the development of underutilized lots within previously developed areas and infill development among other uses. Recent changes to the PPS policies state that planning authorities shall also consider market demands when evaluating proposals.
- 4.2 The site is located along a transportation corridor. New development is to use existing infrastructure and public services appropriately, having regard for the site's surroundings.

### Growth Plan for the Greater Golden Horseshoe (Growth Plan)

- 4.3 The Growth Plan is a long-term planning framework that manages growth, mainly within the urban areas of the Greater Golden Horseshoe. It provides policies to encourage complete communities, which includes a diverse mix of land uses, a mix of employment and housing types, high quality public open spaces, and convenient access to local stores and services.
- 4.4 New transit-supportive and pedestrian-friendly developments will be concentrated along existing and future transit routes. The objective is to make efficient use of existing public infrastructure and encouraging compact development within the already built up areas of the Municipality.
- 4.5 The Growth Plan also provides policies on Major Transit Station Areas (MTSAs). MTSAs are lands within an approximate 500-800 metre radius of a transit station. They are intended to be developed as high density, mixed-use, transit-supportive neighborhoods.
- 4.6 The site is within a soon to be defined MTSA in Bowmanville, as delineated in [PDS-008-21](#) as it is within 545 metres of a proposed GO Station site. A minimum of 150 residents and jobs combined per hectare is required within an MTSA. Areas that surround the proposed GO Station site need to be designed to incorporate multi-modal access and connection to transit (including active transportation infrastructure). Land uses within MTSA should be planned for a mix of uses (residential, commercial, office). Lands within the MTSA areas are also appropriate for alternative development standards (i.e. reduced parking requirements).

## **5. Official Plans**

### **Durham Region Official Plan**

- 5.1 The Durham Region Official Plan designates the subject lands as a Regional Centre. Regional Highway 2 is a Type B Arterial Road and functions as a transit spine. Regional Centres are targeted for a concentration of uses, including institutional, commercial, residential, cultural, entertainment, major office and major retail uses.
- 5.2 Regional Centres support an overall, long-term density target of at least 75 residential units per gross hectare and a floor-space index of 2.5 times (not applied on a site basis but rather across the entire area). This means the built form will need to be an appropriate mix of mid-rise and high-rise development (as determined by the area municipalities).
- 5.3 Urban areas across the Region shall be planned to accommodate a minimum 40 percent of all residential development occurring annually through intensification within built-up areas. The Durham Regional Official Plan requires a minimum intensification target of 32 percent for lands within the built boundary in Clarington.
- 5.4 Transit spines facilitate inter-regional and inter-municipal transit services along arterial roads (GO Transit) and intersect with local transit services (Durham Regional Transit). Development along transit spines shall provide for complimentary higher densities and mixed uses in accordance with the Regional Centre policies.
- 5.5 Since the site is along Regional Highway 2, noise impacts from the arterial road must be mitigated in accordance with Ministry of Environment, Conservation and Parks guidelines.

### **Clarington Official Plan**

- 5.6 The subject lands are within an “Urban Centre” within which mixed-use and apartment buildings are to be the predominant housing form with a permitted height from 4 to 12 storeys, and a minimum net density of 120 units per hectare. Proposals for multi-unit residential must consider appropriateness of the site, compatibility, provision of suitable access points, traffic and parking impacts and architectural building massing. The urban design and sustainability policies of the Official Plan must be implemented through the development.
- 5.7 Urban Centres shall be developed as the main concentrations of activity in each community. In particular, the Bowmanville Urban Centres will be planned as a centre of regional significance providing the highest level of retail and service uses and shall be the primary focal point of cultural, community, recreational and institutional uses in Clarington.
- 5.8 Core objectives of the Official Plan are to encourage transit-supportive, mixed use and compact urban form in Priority Intensification Areas, which includes Urban Centres.

### **Bowmanville West Urban Centre Secondary Plan**

- 5.9 The subject site is within the Bowmanville West Urban Centre Secondary Plan. This Secondary Plan is currently being updated to conform with the updated Clarington Official plan as well as to incorporate the Major Transit Station Area of the Bowmanville GO Station.

## **6. Zoning By-law**

- 6.1 The western property, municipally known as 2345 Regional Highway 2 is zoned “Agricultural ((A)”. The zoning permits one single detached dwelling.
- 6.2 The eastern property, municipally known as 2349 Regional Highway 2 is zoned “Holding – Urban Residential Exception ((H) R4-29)”. This zoning permits apartment housing subject to the removal of the holding symbol. The current zoning regulations permit approximately 197 units within one or more buildings with a maximum height of 24 metres (equivalent to six stories). The current zoning was approved in April, 2007, in report [PSD-035-07](#) and by [By-law 2007-069](#).
- 6.3 The current zoning on either property does not permit the proposed development, resulting in the need for the rezoning application.

## **7. Summary of Background Studies**

The following studies were submitted in support of the applications:

### **Planning Justification Report, Larkin + Land Use Planner Inc.**

- 7.1 This report provides the planning context of the subject lands and surrounding neighbourhood. The report identifies that the proposed development meets the requirements of the *Planning Act*, Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Durham Regional Official Plan and the Clarington Official Plan. The report also identifies how the development promotes the vision of the Bowmanville West Urban Centre Secondary Plan.
- 7.2 The report concludes that, in this location, the proposed scale and intensity of the development are in conformity with the applicable planning documents and represents good land use planning.



**Figure 3:** South-east perspective of the proposed 11 storey buildings

#### **Urban Design Brief, Barry Bryan Associates (BBA)**

- 7.3 BBA was retained by the Owners to prepare an Urban Design Brief in support of the development applications. The brief concludes that the proposed development is appropriate and aligns with the goals of the Clarington Official Plan and Bowmanville West Urban Centre and Secondary Plan as the Municipality continues to support new transit-oriented infrastructure.

#### **Geotechnical Investigation, Soil Engineers Ltd.**

- 7.4 Soil Engineers Ltd. was retained by the Owners to carry out a geotechnical investigation for the subject properties. The purpose of the investigation was to reveal the subsurface conditions and to determine the engineering properties of the disclosed soils for the design and construction of the proposed project. The geotechnical findings which warrant special considerations are presented throughout the report and would need to be addressed throughout the Site Plan Approval process as well as the construction process.

#### **Phase One Environmental Site Assessment (ESA), Soil Engineers Ltd.**

- 7.5 Soil Engineers Ltd. was retained by the Owners to carry out a Phase One Environmental Site Assessment (ESA) for the subject properties. The Phase One ESA identifies three areas of potential environmental concern within the site. First, potential use of pesticide during the agricultural activities at the subject site. Secondly, the presence of fill materials of unknown quality at the subject site and lastly, the presence of spill and stain on the basement floor of the building at the site. The report recommends that a phase Two ESA be undertaken to investigate these environmental concerns.

**Transportation Impact and On-Site Circulation Study, NextTrans Consulting Engineers**

- 7.6 NextTrans Consulting Engineers was retained by the Owners to carry out a Transportation Impact and On-Site Circulation Study in support of the proposal. The proposed development will provide a total of 321 parking spaces, with a total of 108 spaces at grade and 213 spaces underground. The report concludes that this amount of parking is sufficient for the proposal.
- 7.7 Vehicular access is envisioned through a full movement entrance that will front Green Road to the east. The study concludes that the development proposal can adequately be accommodated by the existing transportation network with negligible traffic impact to the adjacent public roadways.

**Environmental Noise Assessment, YCA Engineering Limited**

- 7.8 YCA Engineering Limited was retained by the Owners to prepare an Environmental Noise Assessment in support of the proposal. The assessment examined the noise generated by traffic on Regional Highway 2, Green Road and the Canadian Pacific Railway approximately 550 metres to the south. Mitigation measures such as stationary noise outdoor measuers, ventilation requirements, warning clauses and upgraded building components are outlined in the noise assessment and would need to be addressed through the Site Plan Approval process.

**Functional Servicing and Stormwater Management Report, Candevcon East Limited**

- 7.9 Candevcon East Limited was retained by the Owners to prepare a Functional Servicing and Stormwater Management Report in support of the proposal. This report investigated water supply, sanitary sewer and storm drainage for the site. The report provides a number of recommendations for successful servicing and stormwater management for the proposal. The recommendations would be implemented through the Site Plan Approval process.

**Fill Management Plan, Soil Engineers Ltd.**

- 7.10 Soil Engineerings Ltd. was retained by the Owners to carry out a Fill Management Plan (FMP) in support of the proposal. The FMP demonstrates how the earthworks would be completed in accordance with the Ministry of the Environemntal, Conservation and Parks (MECP) requirements as well as the [Clarington Site Alteration By-law 2008-114](#).

**Landscape Analysis Plan, prepared by Gina Brouwer and Terence Radford**

- 7.11 A Landscape Analysis Plan was prepared in support of the proposal. The Plan is provided to assess, describe and interpret the existing context of the subject site.

### **Arborist Report, NewLeaf Landscape Architecture Ltd.**

- 7.12 NewLeaf Landscape Architecture Ltd was retained by the Owners to prepare a tree assessment on the subject lands. The report concluded that due to the extensive development, all the existing vegetation on site requires removal. Recommendations to ensure natural buffering to the southern neighbours have been identified throughout this report and would be implemented as necessary through the Site Plan Approval process.

## **8. Public Notice and Submissions**

### **Applicant Initiated Virtual Open Houses**

- 8.1 Prior to notice being posted on the site, Staff received seven pieces of correspondence and several phone calls from neighbouring residents with concerns about the proposal.
- 8.2 The concerns were all centered around the appropriateness of the scale of the proposal, relative to the existing, low-density homes to the south. There were concerns about the lack of transition proposed to the existing residential neighbourhood to the south and the loss of privacy.
- 8.3 In response to these concerns, Staff encouraged the Applicant to host a virtual Open House to provide more details of the proposed development and hear the neighbouring concerns. The Applicant held two virtual Open Houses on April 20 and April 22, 2021. Comments heard at these meetings generally related to concerns of the proposed height and shadow impact, loss of privacy, whether there has been any effort to create a mature landscape buffer to the adjacent properties and anticipated timing of construction.
- 8.4 Following the Applicant initiated Open Houses, the Statutory Public Meeting was scheduled for June 7, 2021.

### **Notice of the Statutory Public Meeting**

- 8.5 Notice for this Public Meeting was mailed to each landowner within 120 metres of the site on May 13, 2021. A Public Notice Sign was posted both the Regional Highway 2 and Green Road frontages on May 18, 2021.
- 8.6 Since the Notice for the Statutory Public Meeting was sent, Staff have received one phone call from a neighbouring landowner in support of the application who emphasized the need for active transportation linkages adjacent to this site.
- 8.7 Comments received at the Public Meeting and during the continued review of the applications will be considered and included in a future report.

## 9. Agency and Departmental Comments

- 9.1 The applications were circulated to internal departments and external agencies for review and comments. At the time of writing this report, not all comments have been received. A subsequent comment letter coordinating all internal and external comments will be sent to the applicants once they are received.

## 10. Concurrence

Not Applicable.

## 11. Conclusion

The purpose of this report is to provide background information on the proposal to amend the Zoning By-law for the Public Meeting under the *Planning Act*. It is recommended that staff continue to review and process the application and prepare a subsequent report for Council's consideration. Comments received at this Public Meeting will be considered and included in the future report.

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Interested Parties:

List of Interested Parties available from Department.