



Public Meeting Report

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Report To:	Planning and Development Committee	
Date of Meeting:	June 17, 2024	Report Number: PDS-032-24
Authored By:	Nicole Zambri	
Submitted By:	Carlos Salazar, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Rob Maciver, Acting CAO	Resolution#: PD-051-24
File Number:	COPA-2024-0001, ZBA-2024-0002, S-C-2024-0001	
Report Subject:	Applications for Clarington Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit a mixed-use intensification proposal consisting of nine high-rise buildings between 30 and 40 storeys and containing a total of 3,900 uni	

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-032-24 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 Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Weston Consulting on behalf of Kaitlin Corp. and continue processing the applications including the preparation of a subsequent recommendation report; and
3. That all interested parties listed in Report PDS-032-24 and any delegations be advised of Council's decision.

Report Overview

The Municipality is seeking the public's input on applications for a proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit a mixed-use intensification proposal consisting of nine high-rise buildings between 30 and 40 storeys and containing a total of 3,900 units and 2,700 square metres of retail space in the proposed Bowmanville Transit Station Area.

The applicants are looking to advance their development proposal, ahead of the adoption or approval of the ongoing Bowmanville West Major Transit Station Area Secondary Plan. The current Secondary Plan is being updated to reflect the new policy and development framework of Major Transit Station Areas where the Bowmanville Go Strain Station is proposed.

The subject lands are located at the southwest corner of Bowmanville Ave. and Highway 2, in Bowmanville adjacent to the Bowmanville Go Station.

1. Application Details

- 1.1 **Owner:** Kaitlin Corp
- 1.2 **Agent:** Weston Consulting
- 1.3 **Proposal:** Clarington Official Plan Amendment

A site-specific amendment to the Clarington Official Plan to:

- to increase the maximum building height within the Urban Centre from 12 storeys to 40 storeys;
- to remove the minimum building height of 4 storeys; and
- to allow for a linear park and strata parks.

Secondary Plan Amendment

A site-specific amendment to the Bowmanville West Town Centre Secondary Plan to:

- to permit transit-supportive, high-rise mixed use development;
- to delete policies related to the General Commercial, Office Commercial, Residential and Park designations and apply a new site-specific designation "High-Rise High Density Mixed Use";
- to permit mixed use buildings in conjunction with apartment buildings located on the same site;
- to permit a range of retail and service commercial uses, office uses, hotel and convention facilities, as well as public and private type uses;
- to allow a linear park on Map A, as opposed to a neighbourhood park;
- to delete policies related to restrictions on retail thresholds for accessory use and maximum full-service banks and financial institutions; and

- to delete policies related to the setbacks to the CP Rail corridor and replace with setbacks and requirements to the satisfaction of the rail authority and Metrolinx.

Zoning By-law Amendment

To rezone the subject lands from “Agricultural (A) Zone”, “Holding – Office Commercial ((H)OC) Zone” and “Agricultural Exception (A-82) Zone” to an appropriate “Urban Centre Mixed Use Exception (MU3) Zone” for the high-rise mixed-use development in Zoning By-law 84-63.

The rezoning also proposes to recognize a linear park through a hatched area of the draft zoning by-law.

- 1.4 **Area:** 4.8 Hectares
- 1.5 **Location:** 0 Prince William Boulevard; 1800 and 1850 Bowmanville Avenue, Bowmanville (see **Figure 1**)
- 1.6 **Roll Numbers:** 1817-010-020-16000, 1817-010-020-17290, 1817-010-020-17292
- 1.7 **Within the Built Boundary?** Yes

2. Background

- 2.1 On November 10, 2023, Weston Consulting, on behalf of Kaitlin Corporation submitted applications for an Official Plan Amendment, Zoning By-law Amendment and draft plan of subdivision to permit a high-density, mixed-use development adjacent to the future GO station in Bowmanville.
- 2.2 Prior to submitting the applications, Staff suggested that the applicants hold off on submitting the applications until the Bowmanville West Major Transit Station Area Secondary Plan was complete. However, the applicants decided to proceed with the applications in advance.
- 2.3 The site at 1850 Bowmanville Ave. (southwest corner) was previously subject to an application to amend the Official Plan and Zoning By-law to permit a drive-through restaurant, a restaurant, a bank with a drive-through and two office buildings, one with ground floor retail and restaurant uses (file numbers COPA-2013-0003 and ZBA-2013-0029). The applications were approved in 2014, however a site plan application was never pursued by the developers.
- 2.4 The site at 1800 Bowmanville Ave. currently contains a home sales office which has been used for the sale of multiple developments since approximately 2008.
- 2.5 The proposal will be developed in four phases and consists of a total of nine high-rise mixed-use buildings with heights ranging from 30 to 40 storeys. The first phase proposes the construction of Street A which connects Highway 2 to Prince William Blvd. and will serve as the construction/emergency access until the rest of the phases are constructed. It also facilitates the easterly extension of Prince William Boulevard and connects to Bowmanville Ave. which will provide better transportation connections to the future Bowmanville GO station. The remaining three phases are shown as blocks on the draft plan of subdivision (see **Figure 1**).



Figure 1 – Proposed Conceptual Plan

- Phase 2 - Block B (adjacent to the CP Rail)
 - 1.78 ha
 - 1,369 residential units
 - 2,100 square metres of non-residential floor space
 - Contains three apartment buildings up to 36 storeys, connected by an above ground four storey parking garage/podium and a six-storey podium fronting Prince William Boulevard, which contains retail and office uses on the ground floor and residential units above.
 - Amenity deck above four storey parking garage
 - One level of underground parking

- Phase 3 - Block C (northeast corner of Pethick Street and Prince William Blvd.)
 - 1.4 ha
 - 985 residential units
 - 600 square metres of non-residential floor space
 - Contains two apartment buildings
 - The 34 storey building faces Pethick Street and contains all residential units
 - The 36-storey building faces the linear park and Prince Willima Blvd. and proposes ground floor retail and office uses and residential units above.
 - One level of underground parking
 - Linear Park and outdoor amenity space
- Phase 4 - Block A (southwest corner of Bowmanville Ave. and Highway 2)
 - 1.6 ha
 - 1,611 residential units
 - Contains four apartment buildings (two 40 storey buildings, one 34 storey building, and one 30 storey building)
 - All buildings have a 6-storey podium for residential units
 - No commercial uses proposed for this block
 - One level of underground parking
 - Outdoor amenity area at grade

3. Land Characteristics and Surrounding Uses

- 3.1 The subject lands are comprised of four separate parcels and located on the west side of Bowmanville Avenue and south of Regional Highway 2 in the Bowmanville Urban Area. The lands are predominantly vacant with shrubs and trees, with the exception of a home sales office at the southeast corner. The topography of the site has a high point at the intersection of Highway 2 and Bowmanville Ave. and along portions of Pethick Street.
- 3.2 The site currently has frontage on Bowmanville Ave., Highway 2, Pethick Street and the future extension of Prince William Boulevard.
- 3.3 The surrounding uses are as follows:
- North:** Highway 2 and the Garnet B. Rickard Recreational Complex, as well as the Clarington fire station and multiple big box commercial retail stores.
- East:** Bowmanville Ave., and beyond a vacant site with a draft approved site plan for 3 apartment buildings between 6 and 12 storeys containing a total of 425 units residential development, including underground and surface parking, and amenity space (project name YYZ).

South: CP Rail Line and vacant lands owned by Metrolinx for additional parking for the GO Train Station. At the corner of Aspen Springs and Bowmanville Ave., there is a proposed development application consisting of two 25 storey residential buildings and a nine-storey building.

West: Immediately northwest of the subject lands is a church. To the west is a park-and-ride facility associated with the GO bus area and future GO Train Station, as well as retail commercial uses. Beyond the GO facility is a retirement home, a three-storey apartment condominium building, and a 12-storey apartment condominium building under construction.

4. Provincial Policy

Provincial Policy Statement (PPS)

- 4.1 The PPS encourages planning authorities to create healthy, livable, and safe communities by accommodating an appropriate range and mix of housing types, including affordable housing, and shall promote development patterns that efficiently use land and infrastructure.
- 4.2 The PPS policies direct growth to settlement areas and promote compact development forms. The subject lands are proposed within the Bowmanville Urban Area. Planning authorities are to facilitate a variety of housing forms and promote residential intensification to achieve efficient development patterns, especially along public transit and active transportation routes.
- 4.3 Planning authorities should also establish and implement phasing policies to ensure the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan)

- 4.4 The Growth Plan provides guidance on where and how to grow within the Greater Golden Horseshoe. This includes requiring Municipalities to maintain a three-year supply of serviced land for residential development.
- 4.5 The Growth Plan encourages municipalities to manage growth by directing population growth to settlement areas, such as the Bowmanville Urban Area and more specifically to the designated built-up areas and high frequency public transportation routes. Municipalities are encouraged to create complete communities by promoting a diverse mix of land uses and housing types.
- 4.6 The subject property is within the delineated existing “Built-Up Area” within Clarington and adjacent to a station connected to the committed GO transit rail extension. There is an existing park-and-ride for the existing GO bus connections, which is proposed to be the train station, once GO Transit Rail is extended to Bowmanville.

- 4.7 Development proposals shall prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. In addition to this, developments shall support retail and office uses, with a range and mix of housing options to serve all sizes, incomes, and ages of households.

5. Official Plans

Durham Region Official Plan (ROP)

- 5.1 The Durham Region Official Plan (ROP) provides a long-term policy framework that is used to manage Durham's growth and development. The intent of the ROP is to manage resources, direct growth and establish a basis for providing Regional services in an efficient and effective manner.
- 5.2 The subject property is designated "Regional Centre" in the ROP and is adjacent to a future GO Station. Regional Centres are to be developed as the main concentration of commercial, residential, cultural and government functions in a well designed and intensive land use form. They are to be the focal point of culture, art, entertainment, and assembly through the use of facilities, parks, and other public facilities. A grid system and mix of uses that favours pedestrian and public transit are to be incorporated into the design.
- 5.3 In the recently adopted Regional Official Plan – Envision Durham, yet to be approved by the Province, the subject site is designated "Protected Major Transit Station Area (PMTSA)". These areas will act as focal points for higher density mixed use development and represent unparalleled opportunities to create Transit Oriented Communities, anchored by rapid transit stations, each containing a wide range of housing opportunities, including affordable housing, office uses, street-oriented commercial uses, institutional uses, a wide range of recreational uses and public amenities. The minimum overall density target is 150 people and jobs per gross hectare. The Region of Durham policies of the Official Plan remain in effect until Envision Durham is approved by the Ministry of Municipal Affairs and Housing.

Clarington Official Plan (COP)

- 5.4 The Clarington Official Plan designates the site "Urban Centre". It is also adjacent to the GO Transportation Hub. Urban Centres are considered one of the highest Priority Intensification Areas and shall be developed as the main concentrations of activity in each community. They shall provide an array of retail and personal service, office, residential, cultural, community, recreational and institutional uses.
- 5.5 Urban Centres will function as the focal point of culture, art, entertainment and civic gathering, be places of symbolic and physical interest for residents, and foster a sense of local identity. Each Centre will have a distinct character. The Bowmanville Urban Centre will be planned and developed 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, while maintaining and enhancing the historic character of the community.

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- 5.6 Urban Centres shall be comprehensively developed in accordance with the Secondary Plan. They shall provide for residential and/or mixed-use developments in order to achieve higher densities, achieve transit-oriented development and reinforce the objective of achieving a diverse mix of land uses;
- 5.7 Within Urban Centres, permitted uses include mixed-use buildings and apartments and can be within a mid-rise (4-6 storeys) or high-rise (7-12 storeys) built form. The minimum net density is 120 units per net hectare. Proposal is for 820 units per hectare.
- 5.8 The COP identifies the intersection of Durham Highway 2 and Bowmanville Ave. as a Gateway and a Prominent Intersection which requires buildings to be designed to provide a community focal point.
- 5.9 Prominent intersections in the Municipality shall be designed to provide a community focal point by having:
- Massing and height sufficient to emphasize the significance of the intersection;
 - High quality building materials and building articulation along street frontages;
 - Significant areas of transparent glass;
 - Special architectural elements such as the corner design, massing and height, awnings, and entrance door features;
 - The main public entrance located at the corner; and
 - Landscaping, street furniture and where appropriate, public art elements to complement the intersection and the building design.
- 5.10 The proposal shows a linear park (about 0.5 hectares in size) on Block C (corner of Pethick Street and Prince William Boulevard). It runs along Prince William Blvd. and has commercial uses adjacent to the park, which may include patios. The proposed strata park would be publicly accessible at grade and the private parking garage is proposed to be underneath. The applicant has indicated that the linear park is intended to provide linear connectivity through the site to the future GO Train Station.
- 5.11 The COP states that Public Squares are intended to enhance the public realm by providing defined spaces for social interaction and are generally incorporated within Priority Intensification Areas or other high traffic areas. They shall be up to 1 ha in size and can be used for cultural events, public art, farmer's markets, and small-scale outdoor activities/games. They shall be highly visible from the dominant street frontage and shall be designed to support activity year-round.
- 5.12 Both the policies of the Official Plan and the Clarington Parkland and Opens Space By-law do not accept or recognize Privately Owned Publicly accessible spaces (POPs) as suitable lands for parkland dedication.
- 5.13 The Province also released Bill 23 which introduced changes to the *Planning Act* to recognize POPs or strata parks as some form of parkland contribution (although the in-effect date for this proposed legislative change has yet to be determined and it is not in force). Also, the prescribed criteria and requirements for municipal acceptance of POPs has not been established yet by the Province.

Bowmanville West Town Centre Secondary Plan (in effect)

5.14 The subject lands are located within the Bowmanville West Town Centre Secondary Plan and are designated 'Office Commercial Area', 'Neighbourhood Park', and 'Mid-Rise High Density Residential' on Land Use Schedule A. There is also a north-south public road shown which connects Highway 2 to Prince William Blvd., and the future extension of Prince William Blvd. to Bowmanville Ave. which intersects the development.

Office Commercial Policies

5.15 The Office Commercial designation is located directly at the intersection of Highway 2 and Bowmanville Ave. The predominant use of lands within the Office Commercial designation shall be office employment opportunities in addition to residential and commercial uses at a highly visible location in the West Town Centre. This is the only site in Clarington which has this stand-alone designation.

5.16 It should also be noted that this site was amendment in 2014 to allow for a broader range of land uses, including an additional financial institution and retail space on the ground floor, provided there is at least 8,000 square metres of office space above and a minimum height of eight storeys.

Neighbourhood Park Policies

5.17 The general intent of the neighbourhood park designation is to serve both the active and passive recreation needs of residents of the Municipality of Clarington, as well as future residents of the West Town Centre. Their exact locations shall be determined in the Zoning By-law in conjunction with the site plan and subdivision approval processes.

Mid-Rise High Density Residential Policies

5.18 The Mid-Rise High Density Residential designation is shown along Pethick Street and adjacent to the rail corridor. Residential uses shall be a minimum of 50 and a maximum of 300 units per net hectare and may be up to 12 storeys in height. A minimum of 30% of the housing units shall be affordable and development will comply with the urban design and energy conservation polices.

5.19 Indoor and outdoor amenities shall be provided in accordance with the Municipality's Amenity Guidelines for Medium and High-Density Residences. The policies also indicate that appropriate separation from the rail corridor is required.

Proposed Bowmanville West Major Transit Station Area Secondary Plan

5.20 The site is within the proposed Bowmanville West Major Transit Station Area Secondary Plan. The draft Secondary Plan released to the public in January 2024 proposes to designate the lands Mixed-Use High-Density Transit Station, which would provide for mixed-use development, including residential, major office, and accessory commercial uses, as well as recreational and institutional uses. The designation provides for a height range between 12 and 18 storeys.

- 5.21 A portion of the lands, located at the northeast corner of Prince William Boulevard and Pethick Street is designated Neighbourhood Park. The Secondary Plan also includes policies related to Tall Building Guidance, and Sunlight and Shadows. The proposal for nine high-rise apartment buildings ranging between 30 and 40 storeys does not align with the current proposed draft.
- 5.22 It is also noted that the draft Secondary Plan contains policies that speak to phasing relative to the timing of the development of the GO Transit Station. Specifically, the draft policies state the Municipality may apply a holding symbol to planned intensification sites within the MTSA until greater certainty around the timing of the GO Transit rail services and the GO Transit Station is determined.
- 5.23 Further ongoing discussions would be required to demonstrate how the proposed development can align with the planned area around the future GO Station. It would be crucial to ensure that the proposed development does not undermine the ongoing work of the Secondary Plan update if it proceeds in advance of the adoption or approval of the Secondary Plan.
- 5.24 It also is important to note that the policies and regulations related to height and densities within a Protected Major Station Area are not appealable to the Ontario Land Tribunal. Further, once the policies in a PMTSA are adopted, no person or public body shall request an amendment in respect to any of the policies in that established area, unless council has declared by resolution, that a request is permitted
- 5.25 Additionally, if any lands are identified to be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public, it may be acquired through a condition of the subdivision application.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject lands as “Agricultural (A)”, “Holding – Office Commercial ((H)OC)”, and “Agricultural Exception(A-82)”. A Zoning By-law Amendment is required to permit the proposed development. A draft zoning by-law was prepared by the applicant and is included in **Attachment 2**.
- 6.2 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 or site plan have been fulfilled.
- 6.3 Further, it is critical that all development applications within the MTSA that precede in advance of the adoption of the MTSA Secondary Plans, and their implementing zoning by-laws, be subject to a Holding symbol to signal that payment of a transit station charge may be required.

- 6.4 The Holding Zone contained within the latest draft implementing zoning by-law for the Bowmanville MTSA Secondary Plan, which was developed with input from the Region, provides a good base for the requested Holding Zone. As such, in addition to Section 6.2 of this report, a future Holding Symbol will not be removed until the following condition has been met:
- a. Funding has been secured through the GO Transit Station Funding Act, 2023 or a third-party developer to deliver the GO Transit Station to the satisfaction of the Deputy CAO of Planning and Infrastructure, in collaboration with the Region of Durham.

7. Public Notice and Submissions

- 7.1 Public Notice was mailed to approximately 80 landowners within 120 metres of the subject lands on May 24, 2024, and three public meeting signs were installed on the subject lands along the Bowmanville Avenue, Highway 2, and Pethick Street frontages. Details of the proposed application were also posted on the Municipality's website, in the Orono newspaper, and in the Clarington Connected e-newsletter. It was also posted on social media on May 24th and May 27th.
- 7.2 As of writing this report, staff have received 18 public submissions and a number of comments on social media regarding the applications. Out of the 18 submissions received, five were to acquire further information, and four were in support of the applications. The remaining submissions had concerns or comments as follows:
- Concern with the scale of the development and it appears to be out of context with the Bowmanville small town feel;
 - Concern with capacity to service the number of residents in terms of soft services, police, doctors, schools, hospital capacity, jobs to support new residents, etc.;
 - Want affordability and housing choice but in a development form that is more suitable to the Bowmanville context;
 - Concerns regarding congestion and capacity to deal with increased traffic for this development;
 - Would like to see a multi use path to connect to Longworth Ave.
 - Should have childcare and office uses within the proposed buildings;
 - Should have a variety of bedroom units for every age and lifestyle (one-, two-, and three-bedroom units);
 - Concerns with the significant noise and construction for years to come and concerns on impacts on health and living conditions;
 - Concern with parking for the development overspilling into neighbourhood and onto the public streets;
 - Preference would be for multi-family townhomes, mid-rise buildings up to 12 or 15 storeys;

- 7.3 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.

8. Departmental and Agency Comments

- 8.1 The applications were circulated to internal departments and external agencies for review and comments. At the time of writing this report, staff did not receive all of the agency and department comments. A list and summary of the agency and internal department comments received, as well as all public comments received, will be included in a subsequent recommendation report.

9. Summary of Background Studies

- 9.1 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/BowmanvilleHighRise and are also available upon request. A summary of the studies and reports will be provided in a future recommendation report.

10. Discussion

- 10.1 The site is located within the Bowmanville Urban Area and is within a Priority Intensification Area, given its location adjacent to the future GO Station. It is bounded by Bowmanville Ave, Highway 2, Pethick Street and the future extension of Prince William Blvd.
- 10.2 The applicant has proposed a total of approximately 3,900 units within nine towers, ranging in heights between 30 to 40 storeys. Blocks B and C both have non-residential uses on the ground floor and Block C has a linear park which is intended to provide a promenade to the station as you walk from the major intersection of Bowmanville Ave. and Highway 2.
- 10.3 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, Wind and Shadows

- 10.4 The COP and the Secondary Plan contain policies and guidelines for developments within the Urban Centre which will need to be considered when reviewing the applications, such as built forms, relationship of buildings to the street and impacts on the public realm, and the interface to existing or proposed uses. Careful attention and consideration of these policies would enhance the development while being respectful to the existing built form and the surrounding community.
- 10.5 A shadow and wind study were prepared by the applicant to identify impacts of the development on surrounding areas, as well as the site itself. The draft Secondary Plan also includes policies on Tall Building Guidance and Shadows. These policies will be considered through the review process.

Pedestrian Connections and Park

10.6 The proposal shows a linear park in substitution of the neighbourhood park originally shown in the Secondary Plan. The park runs along the north side of Prince William Blvd. and would provide an east-west linkage to the future GO Station. The linear park also proposes to connect to the outdoor amenity space at the intersection of Highway 2 and Bowmanville Ave. Sidewalks would be provided along Prince William Blvd. and Pethick Street. Future discussions will be needed regarding Street A and whether or not it is to be a public road (as per the Secondary Plan) or private road.

Tree Preservation

10.7 In addition to the Landscape Analysis Report, HKLA prepared a Tree Preservation Plan, which identifies all the existing trees that are proposed to be retained and removed, as well as a tree protection to protect private and public trees from harm during construction of the proposed development. All trees on site are proposed to be removed, with the exception of those on the periphery.

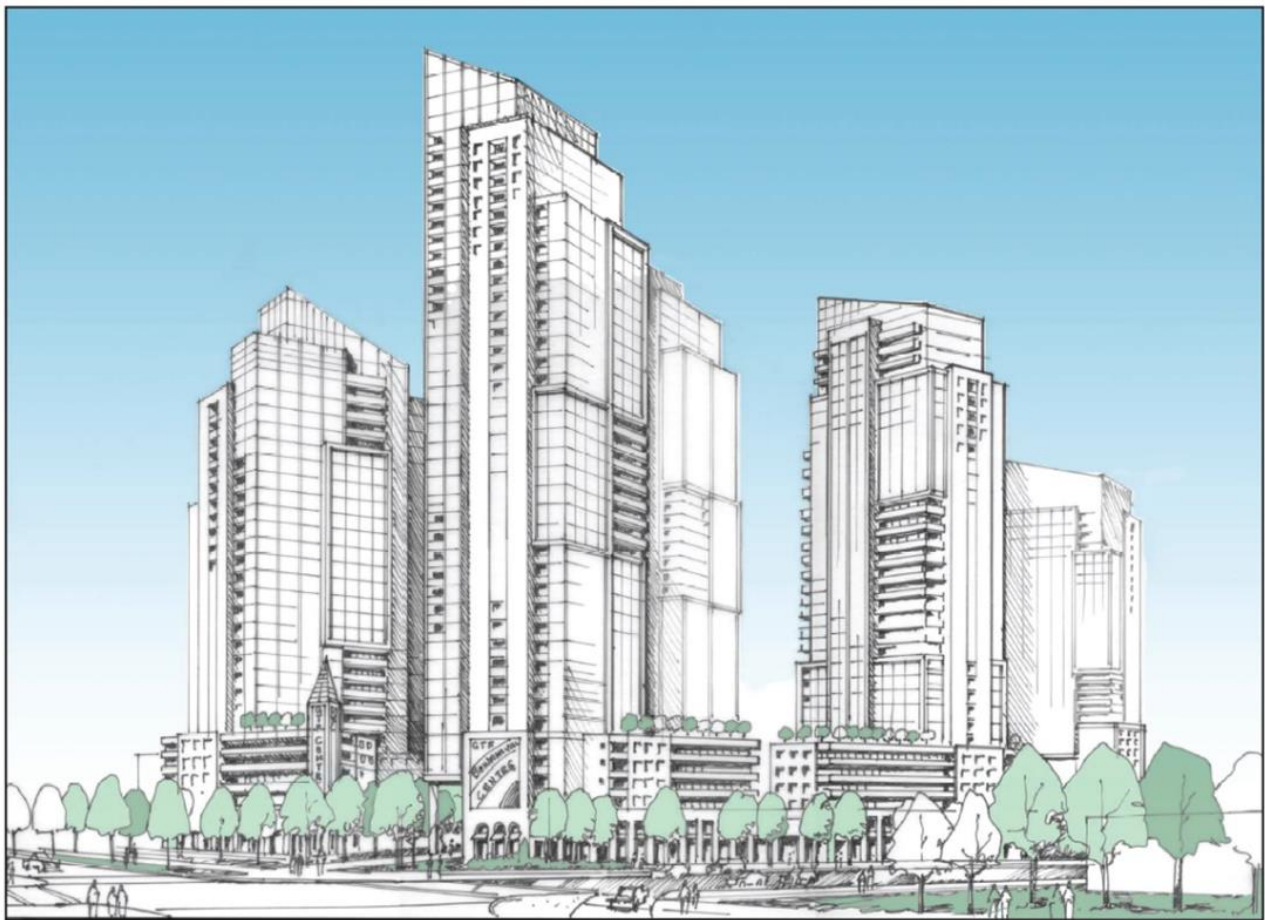


Figure 2 – Conceptual Elevations of Proposed Development

Affordable Units

- 10.8 The Official Plan and Secondary Plan require a minimum of 30% of the proposed units to be affordable. The Planning Act also requires the adequate provision of a full range of housing, including affordable housing as a matter of Provincial interest. The Planning Justification Report prepared by the applicant has indicated that the development does not specifically include any affordable housing units; and continues on to say that the community is composed of a compact built form offering a range of unit size and mix alternatives to the market, that is adaptive to changing demographics in the Municipality and Region and will support more affordable housing options.
- 10.9 The draft Secondary Plan proposes policies that would help to raise funds towards affordable housing developments in Clarington in accordance with the affordable housing directions of the Official Plan and Clarington's Affordable Housing Toolkit. Policies have been included to direct applicants to contribute \$2,500 per unit to the Municipality to be used for affordable housing initiatives.
- 10.10 The Region is also establishing a framework to define what qualifies as "affordable" and the length of time the units are to remain affordable since this may set up the framework for incentives such as decreased development charges and decreased parkland dedication rates.
- 10.11 The Planning Act has also implemented Inclusionary Zoning legislation which can require residential developments within the PMTSA to include a certain percentage of new affordable housing units. These policies and regulations are also not appealable to the Ontario Land Tribunal once implemented by the approval authority.

Parking

- 10.12 The Traffic Impact Study conducted an analysis of the parking proposed. Based on the current plan, a total of 3,088 parking spaces are provided to service the 3,938 units and the 2,700 square metres of retail space.
- 10.13 Given the proximity to public transit connections and the recent approval of Bill 185, parking requirements around Major Transit Station Areas have been eliminated. Bill 185 limits the ability of official plans and zoning by-laws to contain policies and provisions that require an owner to provide or maintain parking facilities within protected major transit station areas, major transit station areas, and other prescribed lands.
- 10.14 The Province anticipates that the removal of minimum parking requirements for specific developments will expedite the development of housing, particularly in areas with existing or planned higher-order transit stations. The challenge will be for areas, such as Clarington, where the level of transit service is not the same level of service as in other MTSA's throughout the Greater Toronto Area. Eliminating the minimum parking requirement in MTSA's with insufficient transit services may add significant pressure to on-street parking demand and burden the Municipality's resources.

Vehicle Access

10.15 The development proposes six access points to the development: one right-in/right-out access on Highway 2, one full moves access on Pethick Street, and four full moves accesses on Prince William Boulevard. The Bowmanville Avenue and Prince William Boulevard intersection will be restricted to a right-in/right-out as a median is being constructed as part of the current Bowmanville Avenue and Highway 2 intersection reconstruction. Street A and Street C are proposed to be a private lane.

Stormwater Management

10.16 The proposed development consists of the Prince Boulevard eastward extension and three high density residential Blocks A, B and C. The proposed stormwater management strategy is based on the criteria from the Municipality of Clarington, MOE SWM Planning and Design Manual (2003), and CLOCA (2020) standards and guidelines, and will help manage the runoff generated on the site through on-site conveyance and end of pipe measures. A summary of the findings as prepared by the applicant are as follows:

- For each of the Blocks, post development stormwater flows will be controlled to predevelopment rates.
- Stormwater quantity control will be provided via underground storage tanks in the private development blocks. The sizing of the storage tanks includes a measure of overcontrol to account for:
 - areas within each Block that because of grading challenges, cannot drain to the tank; and
 - Prince William Blvd. which will be constructed with no stormwater quantity controls.
- Stormwater quality control will be provided via oil-grit separators located within each of the Blocks.

Further Considerations

10.17 The Ontario government recently passed legislation known as the GO Transit Station Funding Act (Bill 131) that would allow municipalities to collect a transit station charge to pay for costs related to the construction of a new GO transit station from new nearby developments in exchange for reduced parking rates/expedited approval. As more details on the GO Transit Station Funding Act are released, the Municipality will explore the use of this tool.

10.18 Currently, all levels of government are establishing tools, such as inclusionary zoning, reduction to parking requirements, affordable housing fee exceptions, etc. within the MTSAs to provide and make efficient use of significant public investment in public transit. Given the ongoing work, any decisions regarding the proposed applications may be premature and may have implications on the overall delivery of the transit service and the uses that surround it.

- 10.19 The impact of the proposal on schools, parks, emergency and fire services and other public services has not been determined given that this type of analysis is typically dealt with through a comprehensive Secondary Plan or Official Plan update where population, employment and residential unit forecasts are evaluated for impacts over the planning horizon of the plan. The applicants are proceeding ahead of this Secondary Plan update which will make it difficult to evaluate those impacts without having a comprehensive analysis of the proposed increase in population and commercial retail uses.
- 10.20 Staff will continue to review the submitted applications and work with the applicant to address all technical matters as well as concerns raised by the public. Agency and public comments will be addressed in a subsequent recommendation report to Committee and Council. Future applications for site plan approval and draft plan of condominium will also be required to facilitate the development.

11. Financial Considerations

- 11.1 As this is a public meeting report just to gather public input and the analysis of the proposal and the reports are being reviewed by the different agencies, a fiscal impact analysis of the proposal may be required once this analysis has taken place and prior to preparing a 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 developments interaction with the specific priorities of the Strategic Plan will be included in the future recommendation report.

13. Concurrence

- 13.1 Not Applicable.

14. Conclusion

- 14.1 The purpose of this report is to provide background information and obtain comments on the Official Plan Amendment, Zoning By-law Amendment, and draft Plan of Subdivision for approximately 3,900 residential units, and 2,700 square metres of retail floor space 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.

Attachments:

Attachment 1 – Draft Official Plan Amendment
Attachment 2 - Draft Zoning By-law Amendment
Attachment 3 – Draft Plan of Subdivision

Interested Parties:

List of Interested Parties available from Department.

The Corporation of the Municipality of Clarington

Amendment Number XXX

To the Municipality of Clarington Official Plan

Purpose: To amend the Clarington Official Plan and the Bowmanville West Town Centre Secondary Plan to permit transit-supportive, high-rise high-density mixed-use development, to re-designate the lands in the Bowmanville West Town Centre Secondary Plan to High-Rise High Density Residential and Neighbourhood Park, to increase the maximum permitted building height and density within the Urban Centre designations within the Clarington Official Plan and to establish height and density policies for lands within the Bowmanville West Town Centre Secondary Plan.

Location: The amendment to the Official Plan applies to the property at the southwest corner of Durham Highway 2 (King Street West) and Regional Road 57 (Bowmanville Avenue), the properties with the following Assessment Roll Numbers: 181701002016000; 181701002017290; 181701002016005; and 181701002017292.

Basis: This amendment is based on application by 668390 ONTARIO LTD. and 829426 ONTARIO INC, to permit a high-rise development, which will result in the creation of two blocks on a Plan of Subdivision and the construction of nine residential and mixed-use buildings, on the lands south of Durham Highway 2 (King Street West), west of Regional Road 57 (Bowmanville Avenue), and within the Bowmanville West Town Centre Secondary Plan area.

Actual Amendment: The Clarington Official Plan is hereby amended by adding an exception to Section 23.19.1 “Residential Exceptions” as follows:

- i. Notwithstanding Table 4-3 “Summary of Urban Structure Typologies” in Section 4.3.9 of the Clarington Official Plan, the lands located at the southwest corner of Durham Highway 2 (King Street West) and Regional Road 57 (Bowmanville Avenue) and described by Assessment Roll Numbers: 181701002016000; 181701002017290; 181701002016005; and 181701002017292, shall be permitted to have a height of

up to 40 storeys and there shall be no minimum building height.

- ii. Parks within the subject lands may be permitted to be in strata form, and the subject lands shall include privately-owned publicly accessible open spaces within the lands described on Schedule A.
- iii. The Bowmanville West Town Centre Secondary Plan is hereby amended as follows and shall be subject to the site-specific policies below:
 - a. The subject lands shall permit the following uses:
 - i. Residential dwelling units
 - ii. Retail Uses
 - iii. Service Uses
 - iv. Home Occupations
 - v. Live-Work Units
 - vi. Full-Service Banks and Financial Institutions
 - vii. Accessory Retail and Service Commercial Uses
 - viii. Recreational and Cultural Facilities
 - ix. Office Uses
 - x. Medical Offices, Business, Professional and/or Administrative Offices
 - xi. Business or Training Schools
 - xii. Day Care and Nursery Facilities
 - xiii. Institutional Uses
 - xiv. Hotel and Convention Facilities
 - xv. Public Recreation Facilities
 - xvi. Community Parks and Open Space Uses
 - xvii. Community Facilities
 - xviii. Public and Private Schools
 - xix. Religious Institutions, Places of Worship and Assembly Halls
 - xx. Hospitals and Homes
 - xxi. Municipal and Government Facilities
 - xxii. Private Streets
 - xxiii. Private Lanes

- b. Notwithstanding Section 3.4.4, buildings shall be designed with consideration of the Urban Street Edge and shall provide building façade and appropriate landscape treatments adjacent to public right-of-ways with details to be prescribed in the zoning by-law.
- c. The subject lands shall provide retail and service floor space that will contribute to the retail and service limits established in Section 4.3.
- d. Sections 4.4, 4.5, 5, 7, 8 and 10, shall not apply to the subject lands.
- e. Notwithstanding Map A and the provisions of Sections 4, 7 and 8, the lands shall be re-designated High-Rise High Density Mixed Use and shall be subject to the policies within this section.
- f. Notwithstanding the policies of Section 10 concerning parks on Map A, the Neighbourhood Park on the subject lands may be a linear park with the size and dimensions to be determined through Zoning by-law Amendment application or Plan of Subdivision Application process, in accordance with the *Planning Act*.
- g. Residential dwellings shall be the predominate use and may occur in mixed use buildings.
- h. The lands designated High Rise High Density Mixed Use shall be permitted to a maximum of 40 storeys and shall not be subject to a minimum height.
- i. Notwithstanding the definition of net density, the lands designated High Rise High Density Mixed Use shall be permitted to a maximum density of 820 units per hectare, based on 4.835 hectares.
- j. Notwithstanding the provisions of Sections 4 and 8, the term and definition under Section 24.2 of the Clarington Official Plan for “net density” shall

replace the term “net residential” when referring to density in the Section 8.2 of the Bowmanville West Town Centre Secondary Plan.

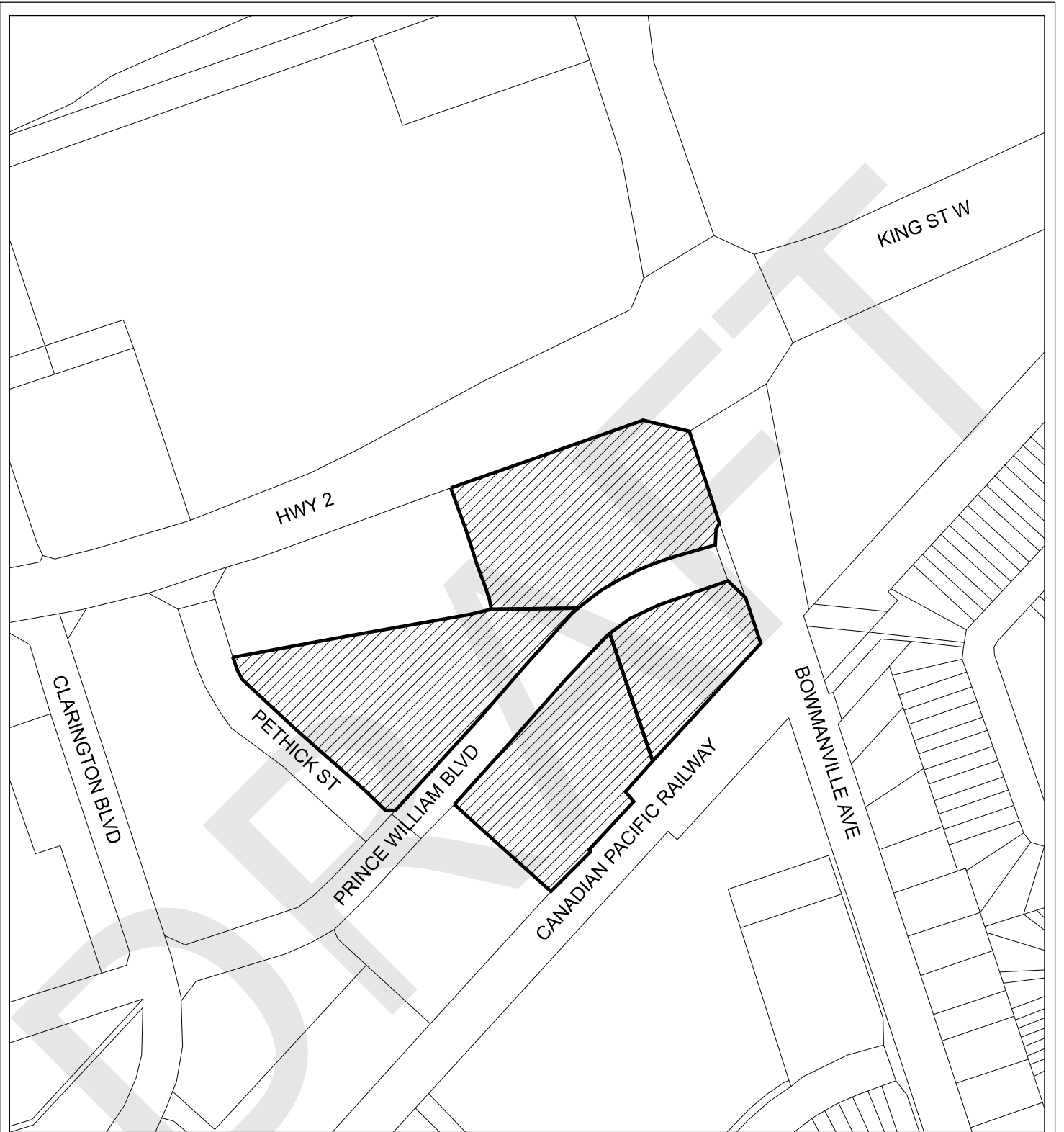
- k. Notwithstanding the provisions of Section 8, Mixed Use Buildings are permitted in conjunction with Apartment buildings located on the same site.
- l. Section 8.2.5 shall not apply, and the proposed mix of dwelling types shall provide a range in size and affordable housing units are encouraged.
- m. Development adjacent to the CP Rail shall provide setback and safety requirements to the satisfaction rail authority and/or Metrolinx.
- n. Notwithstanding the provisions of 10.2.3, the exact location of the Neighbourhood Park on the lands will be established through the site-specific zoning by-law amendment, the plan of subdivision and the site plan applications for the lands.
- o. The subject lands shall have regard to the Urban Design Policies of Section 13, where applicable, and the urban design principles of the proposed development shall be supported by an Urban Design Brief and shall be reviewed through the planning application process.

Implementation:

The provisions set forth in the Municipality of Clarington Official Plan and the Bowmanville West Town Centre Secondary Plan, regarding the implementation of the Plan, shall apply regarding this Amendment.

Interpretation:

The provisions set forth in the Municipality of Clarington Official Plan and the Bowmanville West Town Centre Secondary Plan, regarding the interpretation of the Plan, shall apply regarding this Amendment.



 Lands Subject to Official Plan Amendment (OPA)



The Corporation of the Municipality of Clarington

By-law Number 2023 - _____

Being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63 of the Corporation of the Municipality of Clarington for ZBA 2023-XXXX;

Now Therefore Be It Resolved That, the Council of the Corporation of the Municipality of Clarington enacts as follows:

1. Section 2 “DEFINITIONS”

Notwithstanding the definitions in Section 2, for the purpose of this amendment, the following definitions shall apply:

“Front Yard” – shall mean Prince William Boulevard.

“Park, Private” – Shall mean any open space or recreational area, owned, and operated or maintained in whole or in part by a private organization, and may include therein swimming pools, boating facilities, picnic areas, gardens, and other similar recreational activities. Parks may be permitted in strata form and can include privately-owned publicly accessible open spaces.

“Privately Owned Publicly Accessible Spaces (POPS)” – POPS are a specific type of open space which the public are invited to use but remain privately owned and maintained.

2. Schedule “A” of By-law 84-63, as amended, is hereby further amended by changing the zone designation from:

“Agricultural (A) Zone”, “Agricultural Exception (A-82) Zone”, and “Office Commercial Holding – (H)OC Zone” to “Mixed Use 3 (MU3) Zone as illustrated in the attached Schedule “A” hereto.

3. Notwithstanding Section 3.16 e) the following shall apply:

- Minimum parking for a Mixed Use Building – 0.77 parking spaces per dwelling unit, inclusive of visitor parking spaces;
- Minimum parking for Non-Residential Uses – 1 space per 67.5 square metres of Gross Floor Area;

4. Notwithstanding the Permitted Uses under Table and Section 16A.2, those lands zoned MU3-XX, inclusive of the lands within the hatched area on Schedule A of this By-law shall also allow the following uses:

- i) Park (public and/or private)
- ii) Privately Owned Publicly Accessible Spaces
- iii) Parking Areas
- iv) Live-Work Units

5. Notwithstanding Section 16A.3.1, Mixed-Use Buildings can contain non-residential units on floors other than the first floor (ground floor), regardless of if the ground floor of the mixed-use building is fully occupied with non-residential uses.

6. Notwithstanding Section 16A.4 those lands zoned MU3-XX on Schedule A of this By-law, shall be subject to the following regulations:

a. The maximum number of storeys shall be as per the zone suffix as shown on Schedule A, as shown on this By-law;

b. The minimum number of storeys shall be one (1) storey;

c. The following minimum Yard Requirements shall apply;

- | | |
|--|------------|
| i) Front yard maximum | nil |
| ii) Exterior side yard (for corner lots) maximum | nil |
| iii) Front Yard to Prince William Boulevard (Building B) | 1.0 metres |
| iv) Yard Requirements to underground parking (minimum) | |
| i. Front yard | 0.0 metres |
| ii. All other yards | 0.0 metres |

d. Minimum gross floor area shall not apply;

e. Minimum length of the street façade shall not apply;

f. Notwithstanding the regulation concerning setbacks for buildings taller than six storeys, the tower of a building with a podium shall be setback 0.0 metres from the podium.

g. Amount of transparent glazing within the business establishment street façade shall not apply;

h. Notwithstanding the regulation concerning the location of an entrance, a primary or secondary entrance shall be from a public street;

i. Notwithstanding the provision of 16A.4, the minimum number of parking spaces based on the gross floor area of a bank, professional office, retail commercial establishments,

personal service shops and any other non-residential use, shall be 1 space for every 67 square metres.



7. Section 16A.5 shall not apply.
8. Schedule '3' to By-law 84-63, is amended by changing the zone designation from "Agricultural (A) Zone", "Agricultural (A-82)" and "Office Commercial [(H)OC] Zone" to "Urban Centre Mixed Use Exception [MU3-XX (S:XX)] Zone", as illustrated on the attached Schedule 'A' hereto.
9. Schedule 'A' attached hereto shall form part of this By-law.
10. This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Sections 34 and 36 of the Planning Act.

By-law passed in open session this _____ day of _____, 2023.

Adrian Foster, Mayor

June Gallagher, Municipal Clerk



-  Zoning Change from 'A', 'A-81' and '(H)OC' to 'MU3-XX (S:40)'
-  See Section 4 of this By-law

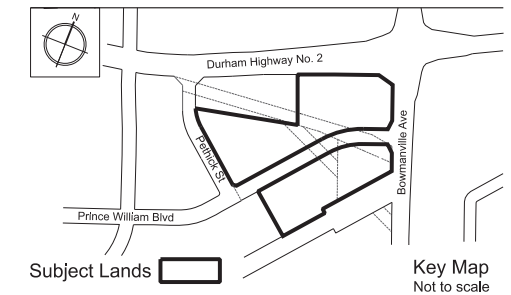


**Institutional
Uses
DURHAM HIGHWAY No. 2**
TRANSFERRED TO THE REGIONAL MUNICIPALITY OF DURHAM
BY ORDER OF COUNCIL 3442/94, AS IN INST. No. D446247

Attachment 3 to
PDS-032-24

DRAFT PLAN OF SUBDIVISION

PART OF LOT 15
CONCESSION 1
(GEOGRAPHIC TOWNSHIP OF DARLINGTON)
NOW IN THE
MUNICIPALITY OF CLARINGTON
REGIONAL MUNICIPALITY OF DURHAM



Subject Lands Key Map
Not to scale

OWNER'S CERTIFICATE:
I authorize Weston Consulting Group Inc. to prepare and submit this plan for draft approval.

Date: _____

688390 ONTARIO LTD.
220 KATLON CORPORATION
220 DUNCAN MILL RD #315
NORTH YORK, ON M3B 3J5
905-642-7050 email: dcohen@katiincorp.com
629426 ONTARIO LTD.
220 KATLON CORPORATION
220 DUNCAN MILL RD #315
NORTH YORK, ON M3B 3J5
905-642-7050 email: dcohen@katiincorp.com

SURVEYOR'S CERTIFICATE:
I hereby certify that the boundaries of the lands being subdivided and their correct relationship to the adjacent lands are accurately and correctly shown on this plan.

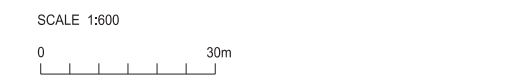
Pat Dorman
Date: 2023/09/19

J.D. BARNES LTD
110 SCOTIA COURT, #38
WHITBY, ONTARIO
L9N 1P7
PHONE: 905-723-1212
www.jdbarnes.com

ADDITIONAL INFORMATION:
[Section 51(17) of the Planning Act, R.S.O. 1990, c. P.13],
as amended to August 30, 2023.
a), b), e), f), g), j) & l) - on plan.
c) - on key plan
d) - see statistics
h) - piped water to be installed by developer
i) - loam and clay loam
k) - all services to be made available by developer

DEVELOPMENT STATISTICS:

BLOCKS	UNITS	AREA(HA)
High Density Residential [Blk A-C]:	3938	4.805 ha
Road Widening: [Blk D-E]:		0.030 ha
Total:	3938	4.835 ha



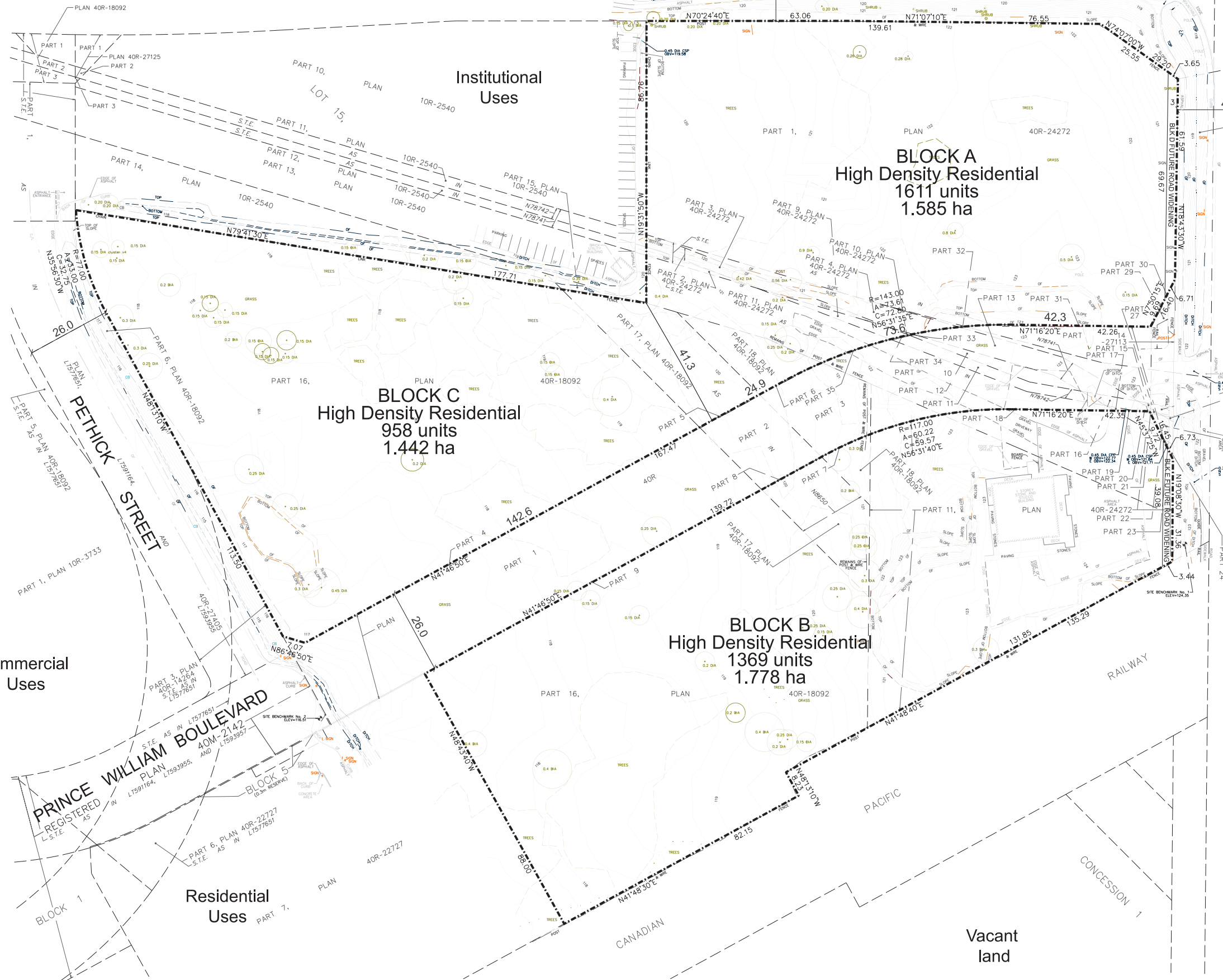
WESTON CONSULTING
Vaughan: 201 Millway Ave, Suite 10
Vaughan, Ontario L4K 5K8
T. 905.738.6080 F. 905.738.6637
Toronto: 268 Berkeley St.
Toronto, Ontario M5A 2X1
T. 416.640.9917 F. 905.738.6637

REVISIONS LIST

Date	Description
14 SEP 2023	Revise per updated site plan
05 SEP 2023	First draft

File Number: 9609
Drawn By: SM
Planner: RG
Scale: 1:800
CAD: 19609 Draft Plan D1 2023-09-14.dgn

Drawing Number:
D1



KNOWN AS BOWMANVILLE AVENUE - REGIONAL ROAD No. 57
(ROAD ALLOWANCE BETWEEN LOTS 14 AND 15)

Open Spaces

Commercial Uses

Residential Uses

Vacant land

40.61

TRANSFERRED TO THE REGIONAL MUNICIPALITY OF DURHAM BY
ORDER OF COUNCIL 1849/74, AS IN INST. No. W6860 (P-1680-71)