

Ministry of Municipal Affairs and Housing  
Municipal Services Office Central Ontario  
777 Bay Street, 16<sup>th</sup> Floor  
Toronto, ON  
M7A 2J3

August 18, 2023  
File 9609

**Attn: Laurie Miller, Regional Director, Planning**  
**Re: Durham Region 2023 Official Plan**  
**Southwest Corner of King Street and Bowmanville Avenue (Bowmanville)**  
**Municipality of Clarington, Ontario**

Weston Consulting is the authorized land use planning agent for the registered owner of the lands located at the southwest corner of King Street West and Regional Road 57 in the Municipality of Clarington (herein referred to as the 'subject lands'). The subject lands consist of three separate parcels, PINS: 2693-30766; 2693-30764; 2693-30767; and 2693-30756), legally known as PART LOT 15 CONCESSION 1, TOWNSHIP OF DARLINGTON.

This Letter is being submitted on behalf of the registered owner in accordance with the public consultation period for ERO posting 019-7195 with respect to the 2023 Durham Regional Official Plan. Enclosed with the letter is a letter that Weston Consulting submitted to the Region on behalf of the landowners, dated April 3, 2023.

### **Description of the Subject Lands**

The Subject Lands are located at the southwest corner of King Street West (Highway 2) and Bowmanville Avenue (Regional Road 57), and the land holdings have a cumulative area of 4.19 hectares (41,873 square metres). The Subject Lands are currently vacant; however, a portion of the lands contain a sales office building on the east side of the site, located along Regional Road 57. The Subject Lands have been severed into three separate parcels and land conveyances to the Municipality of Clarington for future local roads have been undertaken. Figure 1 of this Letter provides an illustration of the parcel fabric and future road locations, as well as the Bowmanville GO Station Protected Major Transit Station Area ('PMTSA'). These lands form a significant, strategic, and key part Bowmanville West Urban Centre and Major Transit Station (GO Train) Area Secondary Plan Area.

The Subject Lands are in proximity to big box retail complexes, recreational and open space, and abut provincially owned lands that are earmarked for the future Bowmanville GO Station. The Subject Lands are centrally located within the proposed Bowmanville Major Transit Station Area ('MTSA'). As identified in this Letter, the landowners have acknowledged the higher-order magnitude of the lands' location, and anticipate a development that would meet minimum provincial, regional, and local intensification goals, objectives, and targets with respect to development in proximity to major transit infrastructure and the creation of Transit-Oriented Communities.

The Subject Lands are located within the Urban Area Boundary and are currently designated *Regional Centre* per Schedule 'A' – Regional Structure of the in-force Durham Region Official Plan (2020). The in-force Regional OP identifies that *Regional Centres*:

- *shall function as places of symbolic and physical interest for residents and shall provide identity to the area municipalities within which they are located (Policy 8A.2.2(b)(i));*
- *shall support an overall, long-term density target of at least 75 residential units per gross hectare and*

a floor space index of 2.5, within the Lake Ontario Shoreline Urban Areas. The built form should be an appropriate mix of high-rise and mid-rise development, as determined by area municipalities (Policy 8A.2.2(b)(ii).

The new Durham Region Official Plan designates the Subject Lands within a *Protected Major Transit Station Area* per Map 1 – Regional Structure and identifies the lands as being within a *Strategic Growth Area*.

The Municipality of Clarington Official Plan (2018) designates the Subject Lands as *Urban Centre* per Map A4 – Land Use. Table 4.2 of the Clarington Official Plan acknowledges the Region’s long term density and floor space index targets of a minimum density of 75 units per gross hectare and a floor space index of 2.5 times the lot area. Table 4.3 of the Clarington Official Plan establishes minimum net density targets of 120 units per net hectare and establishes built-form typology minimum and maximums of 4 to 12-storeys in height. It should be noted that the Subject Lands directly about the *Bowmanville Transportation Hub* designation. The Clarington Official Plan establishes a minimum net density (units per net hectare) of 200 and no maximum building heights.

The Subject Lands are further captured within the existing Bowmanville West Town Centre Secondary Plan (2006), which split designates the Subject Lands as *Office Commercial Area*, *Mid-Rise High-Density Residential*, and *Neighbourhood Park*. The landowner is seeking to submit Official Plan Amendment and other supporting planning applications to redesignate the Subject Lands to reflect a high-rise high-density and neighbourhood park development framework.



Figure 1 – Subject Lands and Bowmanville GO Station PMTSA

## Purpose

On May 17, 2023, the Council of the Regional Municipality of Durham adopted the new Durham Regional Official Plan through By-law No. 38-2023. The new Official Plan provides policies and directions to guide future growth, development, land use planning, and infrastructure and service delivery to 2051. On June 21, 2023, the Official Plan was posted on the Environmental Registry of Ontario (ERO) for public comment over a 60-day consultation period. The Minister of Municipal Affairs and Housing is the approval authority for the

new Official Plan under Sections 17 and 26 of the Planning Act.

It is understood that upon proclamation of certain sections of *Bill 23, the More Homes Built Faster Act*, the Durham Regional Official Plan will become the Official Plan of each of Durham's eight area municipalities, including the Municipality of Clarington. In acknowledgement of the August 20 commenting deadline on the ERO, this Letter requests that the Region continue to acknowledge the importance of the planning for growth through intensification by encouraging and requiring the Municipality of Clarington implement a similar transit-supportive policy framework as the Region, demanding and requesting that re-development initiatives on the subject lands implement a *Minimum Transit Supportive Density Target* of 150 people and jobs per gross hectare and eliminate the the maximum height limits proposed on the subject lands through the draft Bowmanville West Urban Centre and Major Transit Station (GO Train) Area Secondary Plan. It is our opinion that by eliminating the maximum height framework that development of the subject lands would encourage optimal use and meet provincial goals and objectives.

Furthermore, we request that the Region coordinate with the Municipality of Clarington to update the Clarington Official Plan and draft Secondary Plan policy framework to review the *Bowmanville Transportation Hub* designation, which abut the Subject Lands. Under the current Clarington Official Plan has a minimum net density (units per net hectare) of 200 and no maximum building heights. It is our opinion that given the Subject Lands' strategic location abutting the future Bowmanville GO Station, that similar land use permission should be considered for our client's lands.

### **Bowmanville West Urban Centre and Major Transit Station (GO Train) Area Secondary Plan**

The Bowmanville West Urban Centre and Major Transit Station Area Secondary Plan is an update to the Bowmanville West Town Centre Secondary Plan, which was originally adopted in 1993 and previously updated in 2006. The updated Secondary Plan is intended to proactively plan for intensification around the future Bowmanville GO Station. A draft of the Secondary Plan and Zoning By-law is expected to be released for public feedback in the coming months.

It should be noted that the landowner has actively met with Municipal Staff to discuss the future redevelopment of the Subject Lands and have participated in the Public Information Centres that the Municipality has held in partnership with their consultant managing the Secondary Plan process.

As currently reflected in the land use plan presented at the fifth Public Information Centre held on March 8, 2023, the Subject Lands would be designated *Mixed Use High Density, Transit Station* with maximum building heights of 12 to 18 storeys.

In our opinion, the adjacency of the Subject Lands to the future Bowmanville GO Station presents an unparalleled opportunity for building heights above the 12-storey limit currently specified in the Secondary Plan materials. The Region of Durham has estimated that there is potential for approximately 7,000 new units (13,370 people) and 6,220 jobs within the Bowmanville Major Transit Station Area. However, in its Public Information Centre #5 Feedback Summary Report, the Municipality acknowledges that approximately 18,900 people and jobs will need to be accommodated across the 126-hectare Secondary Plan area to achieve the 150 people and jobs per hectare density target.

As stated in Report PDS-039-23, the Municipality has acknowledged that this intensification is necessary to support the development of the Bowmanville GO Station. The minimum density target of 150 residents and jobs combined per hectare for Major Transit Station Areas associated with GO Stations is outlined in the Growth Plan, the proposed Provincial Planning Statement, and the new Durham Region Official Plan. We acknowledge that this density target is a minimum, and higher densities exceeding this target may be appropriate in locations closest to the future Bowmanville GO Station, such as the Subject Lands.

## Regional Official Plan Policies

By 2051, Durham Region is expected to accommodate a population of 1.3 million residents and 460,000 jobs, representing nearly double the Region’s 2021 population of 725,000 people, and more than double the approximately 197,000 jobs in the Region. The Municipality of Clarington is forecasted to more than double in population from 105,270 people in 2021 to 221,020 people in 2051, growing at the second-fastest pace within the Region behind only the City of Pickering. The new Regional Official Plan provides policies to accommodate this burgeoning population and employment base by using land efficiently, optimizing services and infrastructure, and focusing efforts on intensification within existing communities.

The proposed Durham Region Official Plan contains policies which are supportive of mixed-use intensification, transit-oriented development, and increasing housing options, including but not limited to, the below:

- Chapter 3 – Healthy Communities
- Chapter 5 – Vibrant Urban System

### Summary and Commentary on Policy Framework

*It is the policy of Council to:*

- 3.1.2 *Provide a minimum of 15-year supply of land through residential intensification, redevelopment, on lands designated and available within Settlement Areas for residential development and through Urban Area Boundary expansions, in accordance with Section 5.7, if necessary.*
- 3.1.4 *Support opportunities to increase the supply of housing in Urban Areas to reflect market demand through intensification, considering the adequacy of municipal services and the physical potential of the housing stock.*
- 3.1.9 *Encourage creation of residential units above commercial uses, which efficiently use land, resources, infrastructure, and public service facilities.*
- 3.1.10 *Support the creation of new residential units on vacant or underdeveloped lands through infilling in Urban Areas.*
- 3.1.11 *Prioritize transit-supportive development, including potential air rights development, in proximity to transit, including Regional Corridors and Protected Major Transit Station Areas.*
- 5.1.6 *Plan for a minimum of 50% of all new residential units across the region to be provided through intensification on an annual basis within the delineated built-up area. The boundaries of the delineated built-up area are shown on Map 1.*
- 5.1.8 *Strive to ensure development within Urban Areas makes efficient use of land, and supports the efficient use of existing and planned infrastructure, including transit, municipal water and sewage services, and public service facilities, by prioritizing and promoting intensification, redevelopment, and growth within:*
  - a) *Strategic Growth Areas, including:*
    - iii) *Protected Major Transit Station Areas;*
- 5.1.14 *Require area municipal official plans to provide intensification strategies in consultation with the Region, that would include the following:*

- c) *achieving the planned function and minimum density targets for Strategic Growth Areas and other nodes and corridors designated in this Plan;*
- f) *updating area municipal official plans, secondary plans, and zoning by-laws that support the achievement of minimum density targets.*

5.1.15 *Support the planning and development of Urban Areas as complete communities with consideration for long-term sustainability and adaptability. Development within Urban Areas will be supported on the basis of the following principles:*

- a) *the achievement of compact, urban, and pedestrian-oriented built form, which promotes efficient use of infrastructure, active transportation and the achievement of transit supportive density;*
- c) *a mix and diversity of uses and amenities offering convenient access to local amenities, community hubs, parks, trails, open spaces and other recreational facilities, services, shopping, job opportunities and public service facilities;*
- d) *built form that considers social equity, human health and improves overall quality of life by developing high-quality urban environments that are accessible to people of all ages, abilities, and incomes, in accordance with Section 3.3;*
- g) *providing and enhancing convenient access to multi-modal transportation options, with priority given to active transportation options and transit connectivity, in accordance with Section 8.2;*

The language of the above-noted policies is supportive of the future mixed-use and transit-oriented development envisioned for the Subject Lands. The intensification of the Subject Lands supports Official Plan policies with respect to infilling of vacant and underutilized lands, creating complete communities, providing a range of housing options, prioritizing transit-supportive development, and achieving regional intensification targets. The provision of at-grade retail space and commercial office space within the podiums also supports Policies 3.1.9 and 5.1.15 of the new Durham Region Official Plan by offering convenient access to local amenities, services, and job opportunities.

Furthermore, Section 5.2 of the new Durham Region Official Plan provides policy direction for Strategic Growth Areas, which include Protected Major Transit Station Areas. This Section acknowledges the Plan's "intensification first" approach to development, infrastructure investment and region-building, and further recognizes that Strategic Growth Area are optimal locations for prioritizing intensification and higher density mixed-use development.

The following objectives as outlined in Section 5.2 are supportive of the mixed-use, transit-oriented community envisioned for the Subject Lands:

- i. *Support the achievement of complete communities by prioritizing development and intensification within Strategic Growth Areas and by balancing residential and non-residential growth so Durham's residents can live, work, shop and access services within their community.*
- ii. *Support higher-density forms of development and redevelopment within Strategic Growth Areas.*
- iii. *Support the development and long-term transition of Strategic Growth Areas as walkable, transit and pedestrian-oriented communities where active forms of mobility are viable and attractive features in a connected Urban System.*
- iv. *Support the evolution of Urban Growth Centres and Regional Centres as more intensive, mixed-use, and complete communities that act as focal points for residential intensification, and continue to strengthen as destinations offering commercial, cultural, entertainment, recreational and government functions for the broader surrounding community.*

- v. *Ensure that developments within Protected Major Transit Station Areas strengthen their role 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.*

Section 5.2.3 provides for long-term transit supportive density targets within Strategic Growth Areas and identifies a minimum transit supportive density target for Protected Major Transit Station Areas of 150 people and jobs per gross hectare. Section 5.2.6 further requires area municipalities to update official plans, secondary plans, and zoning by-laws to delineate the boundaries of Strategic Growth Areas, designate appropriate land uses, residential and employment density targets, built forms and buildings heights.

The new Durham Region Official Plan provides additional direction for the four new proposed Major Transit Station Areas along the GO Transit East Extension. Section 5.2.16 provides that Major Transit Station Areas should be planned with medium and high density residential and mixed use development, and Section 5.2.23 requires area municipal plans to include detailed policies for each Protected Major Transit Station Area, which will establish minimum density, population, employment, and housing targets to demonstrate achievement of the overall target of at least 150 people and jobs per gross hectare.

We are of the opinion that the policies currently proposed within the new Durham Region Official Plan are supportive of the mixed-use, transit-supportive development envisioned for the Subject Lands.

It is further understood that in its adoption of the Peel Region Official Plan in April 2022, the Province of Ontario removed a policy which permitted the local municipality to establish maximum building heights within Major Transit Station Areas. Given the policies of the Growth Plan and the proposed Provincial Planning Statement which encourage transit-oriented development and considering recent legislative amendments to the Planning Act through Bill 23, Bill 109, and Bill 97 to expedite the development of housing in Ontario, our client supports a similar approach, and suggest that there be no specific maximum heights or densities within the PMTSA policies and the Regional Plan, as the subject lands are directly adjoining the proposed GO Station and provincially-owned lands. It should also be noted that within other MTSA within the Region and the GTA, that sites closest to or abutting GO Stations greatly exceed target minimums for the entirety of their respective (P)MTSAs.

## **Conclusion**

We believe the development of a mixed-use and complete community on the Subject Lands is appropriate and we support the emerging planning framework contemplated by the draft Bowmanville West Urban Centre and Major Transit Station (GO Train) Area Secondary Plan Area and the current Municipality of Clarington Official Plan.

While we are generally supportive of the policies contained within the Durham Regional Official Plan, we would kindly request that the Region work with the Municipality of Clarington to ensure that the appropriate vision and planning for the subject lands in consideration of the PMTSA and the *Bowmanville Transportation Hub* designation be proposed and implemented, in that the maximum heights stipulated under the proposed and current policy framework for the subject lands be eliminated and that heights not be capped.

We appreciate the opportunity to provide comments on the Regional Official Plan and we ask that our proposed amendments be considered by the Minister of Municipal Affairs and Housing for incorporation into the Regional Official Plan.

Please contact the undersigned at ext. 241 if you have any further questions or comments regarding this letter.

Yours truly,  
**Weston Consulting**  
Per:



Ryan Guetter, BES, MCIP, RPP  
Executive Vice President

c. Kaitlin Corporation