



Public Meeting Report

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Report To:	Planning and Development Committee	
Date of Meeting:	February 10, 2025	Report Number: PDS-007-25
Authored By:	Nicole Zambri, Senior Planner	
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology	
File Number:	ZBA2024-0018 and SC2007-0004	Resolution#:
Report Subject:	Information and Recommendation on a rezoning and Amendment to a Draft Plan of Subdivision to permit 22 Townhouse Units on Kenneth Cole Drive in the Northglen Neighbourhood of Bowmanville.	

Purpose of Report:

The purpose of this report is to provide information and gather input from the public and Council, as well as recommend approval if there are no major concerns raised from the public.

Recommendations:

1. That Report PDS-007-25 and any related communication items, be received;
2. That the rezoning application submitted by 2265719 Ontario Inc., be approved and the By-law in Attachment 1 to Report PDS-007-25 be approved;
3. That the application for an Amendment to the Draft Plan of Subdivision S-C-2007-0004 submitted by 2265719 Ontario Inc. to permit 22 townhouse units be supported subject to the amending conditions to be approved by the Deputy CAO of Planning and Infrastructure Services;
4. That any Council and/or Public concerns regarding the subdivision be addressed through the amending conditions of draft approval;
5. That once all conditions contained in the Official Plan with respect to the removal of the (H) Holding Symbol and the conditions of the Subdivision are satisfied, the By-law authorizing the removal of the (H) Hold Symbol be approved;
6. That the Region of Durham Community Growth and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-007-25 and Council's decision; and

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7. That all interested parties listed in Report PDS-007-025 and any delegations be advised of Council's decision.

Report Overview

The Municipality is seeking public input on applications for a proposed Zoning By-law Amendment and Amendment to an approved Draft Plan of Subdivision. The applications were submitted by 2265719 Ontario Inc. to permit 22 townhouse units along Kenneth Cole Drive in Bowmanville.

The townhouses would be removed from a larger mixed-use block upon registration of the amended draft plan.

Should there be no significant concerns from the public, Staff recommend that the zoning by-law amendment be approved.

1. Application Details

1.1 Owner: 2265719 Ontario Inc.

1.2 Applicant: KLM Planning Partners Inc.

1.3 Proposal: **Draft Plan of Subdivision - Amendment**

Proposed Draft Plan of Subdivision amendment to permit 22 street townhouse units in the Northglen Neighbourhood of Bowmanville.

Zoning By-law Amendment

To rezone the subject lands from “Agricultural Exception (A-1) Zone” to “Holding - Urban Residential Exception ((H)R2-32) Zone” to permit the 22 street townhouse dwellings.

1.4 Area: 0.662 hectares (0.52 for the townhouse blocks)

1.5 Location: 3071 Bowmanville Ave, Bowmanville (see **Figure 1**)

1.6 Roll Number: 18-17-010-080-21001

2. Background

2.1 On September 18, 2024, KLM Planning Partners Inc., on behalf of 2265719 Ontario Inc., submitted applications for a rezoning and an amendment to the Draft Approved Plan of Subdivision to facilitate the development of 22 townhouse units within the

Northglen Neighbourhood (Figure 1). Each unit is proposed to have direct vehicle access off Kenneth Cole Drive which is an existing public street.

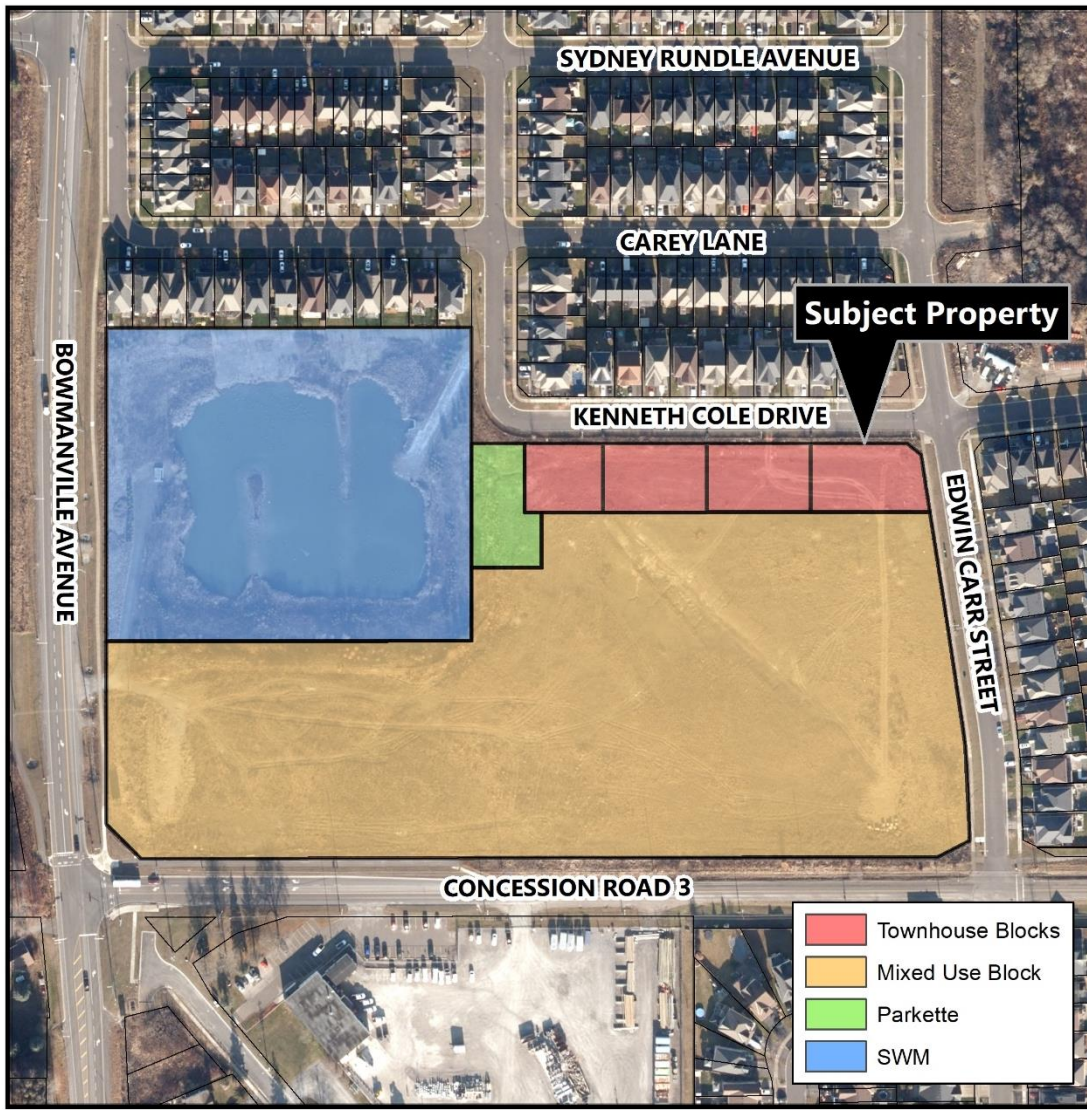


Figure 1 – Subject Lands

- 2.2 The subject lands are part of a larger draft approved plan of subdivision which was originally approved on May 5, 2008. The subdivision has received multiple amendments and extensions to the draft approved conditions over the years as different phases were developed. The last extension was granted on February 14, 2020, for a further 6-year extension to February 14, 2026.
- 2.3 The 22 townhouse units were originally shown in the proposed draft plan of subdivision. At that time, Staff recommended that the units meld together with the mixed use block to allow flexibility in the design of the various medium and high residential components as well as the commercial uses within this block ([PSD-041-08](#)). The lands also remained zoned as Agricultural Exception (A-1).

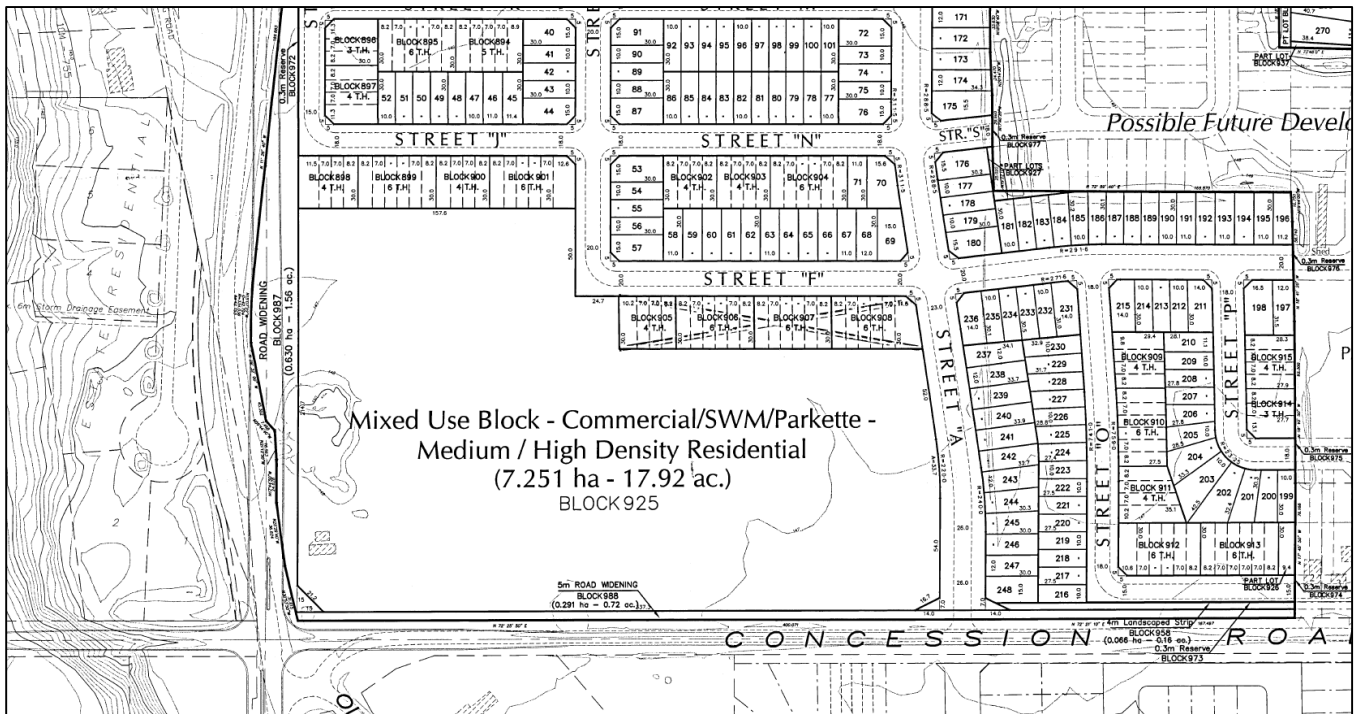


Figure 2 – Draft approved plan of subdivision from 2008 showing the redline revision which removed the 22 townhouse units from the larger mixed use block

- 2.4 The latest approved Draft Plan of Subdivision now shows this block as Block 801, and it is approximately 5.14 ha (12.7 acres). The stormwater pond to the west has been developed and removed from the mixed-use block and is now in Municipal ownership, see Figure 3.

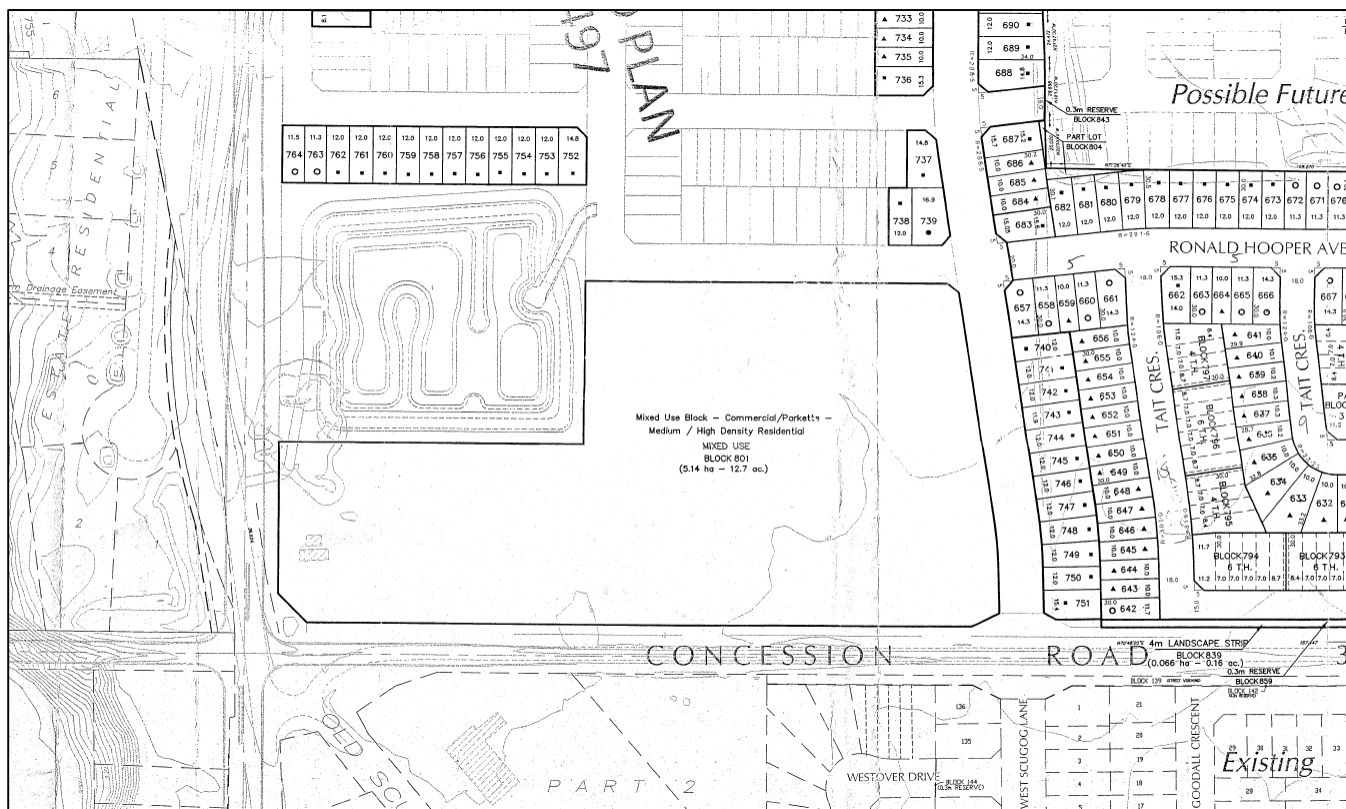


Figure 3 – Latest Draft Approved Plan of Subdivision showing Block 801

- 2.5 Concept plans for the mixed-use block were submitted to Municipal Staff for review and discussion. Formal Official Plan and Zoning By-law Amendment applications were also submitted in 2021, however were put on hold at the Owner’s request, while alternative designs were prepared to address some of Staff’s concerns with the proposal. In 2022, a revised concept plan was submitted for discussion, which was generally in line with the vision and policy direction for this area. The Owner is currently working towards submitting a formal application based on the revised concept plan. The applicant has demonstrated that the 22 townhouse units on Kenneth Cole could proceed in advance of the Site Plan for the mixed-use block showing that it would not jeopardize or preclude the development of the block. Staff agreed to proceed with the rezoning and amendment to the subdivision to facilitate the 22 townhouse units on Keneth Cole Drive.
- 2.6 The applicant has submitted supporting documents which have been circulated to various departments and agencies for review. They are available upon request and are summarised in this report.

3. Land Characteristics and Surrounding Uses

- 3.1 The subject property is located at 3071 Bowmanville Ave. and is currently vacant. The site has frontage on four public roads, Bowmanville Avenue, Concession Road 3, Edwin

Carr Street, and Kenneth Cole Drive. The subject lands are also located within the Northglen Neighbourhood Design Plan.

3.2 The surrounding land uses are as follows:

North – A stormwater management pond and single detached homes.

East –Edwin Carr Street, and mainly single detached dwellings and some street townhouses beyond.

South –Concession Road 3, and the Hydro One facility and single detached dwellings and townhouses beyond.

West – Bowmanville Ave., and residential estate homes beyond.

4. Provincial Policy

Provincial Planning Statement (PPS) 2024

- 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 within the Bowmanville Urban Settlement boundary. 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 The proposal is consistent with the Provincial Planning Statement.

5. Official Plans

Durham Region Official Plan (Envision Durham)

- 5.1 On September 3, 2024, the Minister of Municipal Affairs and Housing approved Envision Durham, which is the new Regional Official Plan, with modifications. As of January 1st of this year, the Region of Durham Official Plan became the Municipality's document to implement as a result of the Province's decision to remove planning responsibilities from upper-tier municipalities. As such, all land use matters that were the Region's responsibility have now been transferred to the Municipality to enforce.

- 5.2 The Durham Region Official Plan designates the subject lands as “Community Areas”. Community Areas are to be planned for a variety of housing types, sizes, and tenures, including townhouse dwellings. These areas can also include population-serving uses and shall be developed in a compact form through higher densities and by intensifying and redeveloping existing areas.
- 5.3 Development within this area shall be planned to achieve a minimum density target of 53 people and jobs per hectare. The proposal is would have approximately 107 people per hectare.
- 5.4 The proposal conforms to the approved Envision Durham Official Plan.

Clarington Official Plan (COP)

- 5.5 The Clarington Official Plan designates the property “Urban Residential” and “Neighbourhood Centre”. The subject site is also located within a “Local Corridor”, which is along Concession Road 3. It is adjacent to the intersection of two arterial roads, Bowmanville Avenue and Concession Road 3. Bowmanville Ave is a Type A arterial road and Concession 3 is a Type B arterial road. Edwin Carr Street is a collector road.
- 5.6 The proposal for 22 townhouse units is a form of infill development as this block is one of the last remaining blocks to be completed within the Northglen Neighbourhood. The development would utilize existing public services and infrastructure since the street network is already established and services were installed when the first phase of the subdivision was constructed.
- 5.7 Table 4-3 of the Plan provides the Urban Structure Typologies for specific areas of the Municipality. These identified areas provide a hierarchy for growth and density. The larger mixed-use block is located near the edge of a neighbourhood and adjacent to arterial roads, however the specific proposal for the 22 townhouse units is further internal to the neighbourhood.
- 5.8 The subject lands are required to meet a minimum net density of 13 units per hectare. Proposal is for about 42 units per net hectare. The built form shall be between 1 to 3 storeys and primarily used for ground related units including limited townhouses, semi-detached, or detached dwellings.
- 5.9 Multi-unit residential development will be developed on the basis of the following site development criteria, as per policy 9.4.5:
- Suitability of the size and shape of the site;
 - Compatibility with the surrounding neighbourhood;
 - Minimize impact of traffic on local streets;
 - Direct vehicular accesses from public streets, without reliance on easements;
 - Variety of unit designs;
 - Townhouses shall not be sited on opposite sides of the street unless adequate on-street parking can be provided; and
 - Street townhouses shall generally not comprise more than 6 attached units.

- 5.10 The proposal is for 22 townhouse units up to three storeys and each unit has direct vehicle access off of Kenneth Cole Drive. The proposal for townhouses would adequately transition between the existing lower density single detached dwellings to the north and the medium and higher densities proposed to the south. All townhouse blocks proposed have 6 attached units or less.
- 5.11 The proposal is in conformity with the policies of the Clarington Official Plan.

Northglen Neighbourhood Design Plan

- 5.12 The subject lands are also within the approved Northglen Neighbourhood Design Plan. The plan identifies the subject lands as a medium and high-density block with mixed-use, commercial space, a stormwater management pond, and a parkette.
- 5.13 The 2008 proposed plan of subdivision showed 22 townhouses along the south side of Kenneth Cole Drive but was later redlined out and melded with the mixed-use block when it was draft approved. Prior to the submission of the recent applications, the Owner was exploring two additional townhouse units for a total of 24 units. This significantly reduced the parkette area located to the west of the townhouses. Services were also pre-subbed for 22 units when the road was constructed, which was cautioned by Staff at the time because it pre-determined the form of development. After further discussions with Staff, the Owner agreed to the 22 units in keeping with the original plan. This would allow for a wider promenade parkette feature at the street elbow which would create a more inviting entrance to the mixed-use block and enhance the visual sight lines into site.
- 5.14 The parkette vision was further detailed in 2008 through the Northglen Neighbourhood Landscape Master Plan and the Owner has provided a concept plan showing a design of the parkette in keeping with this vision and how it integrates with the larger mixed-use block. Staff were supportive of the size of the parkette and the general concept plan. The finalization of the parkette size and design will be considered through a future application for the rezoning of the mixed use block. The acceptance of the parkette would also be secured through the processing of the applications for the mixed use block.
- 5.15 The proposal is in keeping with the vision of the Northglen Neighbourhood Design Plan.

6. Zoning By-law

- 6.1 The property is zoned "Agricultural Exception (A-1)" in Zoning by-law 84-63. The Agricultural Zone is a common zone category for underdeveloped lots located within Settlement Areas. The Agricultural zone does not permit the proposed townhouses, and as such, the rezoning application was required.
- 6.2 The draft zoning by-law amendment proposes the lands be rezoned to the "Urban Residential Exception (R3-32) Zone, which is a zone category used for townhouses within the Northglen Neighbourhood. The R3-32 zone permits street townhouse dwellings with a minimum lot frontage of 7 metres, in keeping with the lot frontages not only within the Northglen Neighbourhood, but also as per Council's 1999 resolution.

- 6.3 The proposed zoning by-law amendment would permit the development of 22 townhouses and a Holding (H) Symbol would be placed on the zoning until this phase of the Draft Plan of Subdivision is registered.

7. Public Notice and Submissions

- 7.1 Public notice was mailed to approximately 95 residents within 120 metres of the subject lands on January 17, 2025. Signage was also posted on the property, along Bowmanville Ave., Concession Road 3, Edwin Carr Street, and Kenneth Cole Drive, advising of the complete application received by the Municipality and details of the public meeting. Details of the application were also posted on the Municipality's website and Clarington Connect.
- 7.2 At the time of writing this report, no public comments were received.

8. Department and Agency Comments

- 8.1 The applications were circulated to internal departments and external agencies for review and comments. A list and summary of the agency and internal department comments received are included in **Attachment 3** of this report.

9. Summary of Background Studies

- 9.1 The applicant has submitted supporting documents which have been circulated to departments and agencies for review and comment. The list of studies and drawings are available on the development application webpage [Proposed development at 3071 Bowmanville Avenue, Bowmanville | Clarington Connected](#) and are also available upon request.

Sustainability Brief, Cassidy and Company Architectural Technologists Inc., September 11, 2023

- 9.2 A Sustainability Report was prepared to demonstrate how the development will achieve the Municipality's main environmental sustainability objectives. It includes a checklist from the Municipality's Priority Green Development Framework and Implementation Plan. The report indicates that the proposal for the 22 townhouses utilizes existing services and infrastructure, connects into the broader plan of subdivision which supports active transportation connections, and dust and erosion mitigation measures will be practiced during construction.
- 9.3 Units will have low flow toilets, faucets and showerheads, tankless water heaters will be offered for purchase, homeowner information package on eco-friendly and sustainability features, and regional waste pick up will be accommodated, among others.

Noise Impact Study Addendum, YCA Engineering Ltd., August 16, 2023

- 9.4 A Noise Impact Study Addendum was prepared to examine the noise levels from road traffic from the two adjacent arterial roads, Bowmanville Ave and Concession Road 3. The study concluded that all sound levels, internally and externally meet the Ministry of Environment Conservation and Parks noise guidelines sound level limits, therefore noise mitigation measures will not be required for the 22 townhouses.

Geotechnical Letter of Opinion, Soil Engineers Ltd., October 5, 2023

- 9.5 The Geotechnical Investigation indicated that boreholes were not carried out within the townhouse blocks, however, previous and ongoing geotechnical investigations were carried out at the surrounding sites with the plan of subdivision. The investigation shows that the subsurface soils in the surrounding areas consist of compact to very dense, mostly dense sands and silty sand till, with some stiff to hard clay till in some instances. Groundwater was encountered in the upper strata of the boreholes and appears to be due to infiltrated precipitation as the mid and lower soil strata remained relatively dry.
- 9.6 Based on the findings from the boreholes on the surrounding sites, the letter concludes that the subject site is suitable for the proposed townhouses. The general recommendations in the 2004 geotechnical report can be applied to this site as well. However, test pits should be carried out to confirm the soil conditions during site grading and prior to construction. This will be a condition of approval for the subdivision.

Hydrogeological Assessment, GHD, Sept. 6, 2023

- 9.7 The Hydrogeological Assessment was completed in 2005, and an update was prepared to specifically look at the proposal for the townhouses. The conclusions from the update states that no further field work is required based on the required mitigation techniques to maintain the water balance. The report indicated that by directing roof leaders to rear yards, and with impervious surfaces potentially providing up to 20% infiltration, and the incorporation of swales and infiltration galleries, the change in infiltration would be negligible between pre- and post-development. The Report indicated that there would be little or no impact to the local groundwater and surface water regimes and their interactions.

Functional Servicing and Stormwater Management Letter, Nicolaas Mensink, October 24, 2024

- 9.8 The Functional Servicing and Stormwater Management letter was prepared subsequent to the original Study completed in 2007. The townhouses can be adequately serviced with municipal water and sanitary sewer. There is also capacity in the existing stormwater management pond for the 22 townhouse units. The units were pre-serviced as part of the registered Phase 1 subdivision.

Transportation Impact Brief, Candevcon Group Inc., September 28, 2023

- 9.9 A Transportation Impact Brief was prepared to assess the traffic impacts to the surrounding network from the proposed increase in townhouse units. Trip counts were taken from traffic studies within the vicinity of the subdivision. The findings indicated that impacts to the surrounding road network from the townhouse units are anticipated to be negligible.

Archeological Assessment – Stage 1-3

- 9.10 A Stage 1 - 3 Archeological Assessment was completed for the subject lands as part of the original plan of subdivision. The Ministry of Culture (at the time) issued a letter on June 29, 2007, stating that one historic Euro-Canadian site with artifacts extracted was identified but was concluded to not have any cultural heritage value or interest. The Ministry concurred with this conclusion and stated that no further archeological assessment or impact mitigation would be required.

Phase One Environmental Site Assessment (ESA) Update, GHD, November 3, 2023

- 9.11 A Phase One ESA Update was submitted to determine if there were any new potential contaminants identified on or near the subject lands which are proposed to be redeveloped for residential uses. The report gave an update to the previous Phase One ESA reports that were carried out for the property in 2004 and 2014. Based on the updated site reconnaissance, records review, and interviews, the previously identified potentially contaminating activities associated with the Hydro One Service Centre and the auto wrecker yard do not result in a new area of potential environmental concern because of the separation of roadways and other lots and the inferred groundwater flow direction. The update concluded that no further work is recommended.

10. Discussion

- 10.1 The site is situated in the Northglen Neighbourhood Design Plan Area and would be considered Phase 5 of the existing draft Plan of Subdivision SC-2007-0004. The proposed townhouse units were originally shown on the proposed draft plan but were removed by a redline revision, and as a result, one larger mixed-use block was shown when the draft plan received conditional approval. The application for the mixed-use block is expected imminently and Staff are generally satisfied with the proposed concept plans and do not foresee any issues with allowing the townhouse to advance separately from the mixed-use block.

10.2 The reason why the townhouses were removed in the original draft plan was to ensure the block would be developed as a whole and coordinated to ensure orderly development. Condition #38 states *“that the development of Block 925 cannot proceed until such time as the developer has entered into a Site Plan Agreement with the Municipality for the development of this Block.”* In order to proceed with the proposed townhouses along Kenneth Cole, an amendment to the draft plan of subdivision was submitted and the conditions will need to be amended as such. Staff have been involved with many reiterations of the proposed concept for the mixed-use block and have finally come to a general acceptance of the overall layout. The larger site has frontage on three other public roads.

Minimum Width of Townhouse Units

- 10.3 The minimum width of townhouses units have been debated by Municipal Staff and Council over the years in order to ensure appropriate growth and density can be accommodated, while still meeting other competing demands, such as parking and landscaped open space. Typically, as a result of a Council Resolution from 1999, and a recent Council decision in 2024 to have a minimum soft landscaping in the front yard of 40%, townhouses which have access from a public road are recommended to have a frontage of at least 7 metres. The proposal is in keeping with the minimum 7 metre frontages, which is also similar to the existing lot fabric within the Northglen neighbourhood.
- 10.4 A rezoning is required to rezone the lands from “Agricultural Exception (A-1) Zone” to “Holding - Urban Residential Exception (R3-32) Zone” in order to facilitate the proposed development. A Zoning By-law Amendment has been prepared, and the proposed zone would align with the approved vision for the Northglen Neighbourhood Design Plan.
- 10.5 A hold symbol is proposed for the subject lands and will be removed once the Applicant fulfills conditions of the subdivision with the Municipality of Clarington. The amendment to the draft conditions of the subdivision would be prepared at a later date, provided Council approves the recommendations in this report.

Park and Parkland Considerations

- 10.6 The proposal would be subject to parkland dedication requirements, in conjunction with the entire draft plan of subdivision. The park areas were predetermined through the approved Northglen Neighbourhood Design Plan from 2008. The two SC-2007-004 (Northglen West) and SC-2007-005 (Northglen East) subdivision applications contained the majority of these park areas. The total planned parkland area in Northglen is approximately 6.2 ha. To date, 5.43 ha has been dedicated.
- 10.7 The entire mixed use block site area, including the proposed townhouses, is 5.14 hectares. The parkland dedication requirements for the 22 townhouses will be addressed through the conditions of subdivision, as well as through the development applications for the mixed use block. Any remaining amount of parkland owed would result in a payment equivalent to the value of lands for that portion. There may be some lost revenues to the Municipality as a result of Bill 23 changes when the mixed-use

block is realized however those lost revenues are not directly related to the approval of the 22 proposed townhouses, which is the subject of this application.

Updating Reports

- 10.8 Many of the reports submitted with the application relied on previous studies from when the subdivision application was originally made in 2007. This may be appropriate in some instances, for example the Archeological Study, however other studies will need to be updated or prepared such as the Geotechnical and Hydrogeological Study, the Stormwater Management Study and a Phase Two ESA as a condition of approval. This will ensure that the data is current, especially given the development that has occurred surrounding the subject lands which may have impacted the physical characteristics of this site.

11. Financial Considerations

- 11.1 The capital infrastructure required for this development will be negligible given that the majority of the services and the road are already constructed. The Municipality will be responsible for the major repair, rehabilitation, and replacement in the future for any capital assets. There are no sidewalks proposed on the southside of Kenneth Cole Drive. Any financial considerations related to the parkette within the mixed use block will be dealt with through the development applications for the mixed use block.

12. Strategic Plan

- 12.1 The proposed development has been reviewed against the pillars of the Clarington Strategic Plan 2024-27. Clarington's Strategic Plan prioritizes applications 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.

13. Climate Change

- 13.1 Applicant has prepared a Sustainability report in accordance with Clarington's Priority Green Standards for Subdivisions as explained in Section 7 of this report. This project considers climate risks by providing stormwater management controls and mitigation measures through LID infiltration.

14. Concurrence

- 14.1 Not Applicable.

15. Conclusion

- 15.1 Should there be no significant concerns from the public meeting, Staff recommend that the applications by 2265719 Ontario Inc. to amend Zoning By-law 84-63 to permit 22 townhouse units be approved, with a holding symbol, subject to the amending conditions to be approved by the Deputy CAO of Planning and Infrastructure Services. The holding will be removed once the conditions of the subdivision are satisfied. The

amending conditions for the subdivision will be issued after Council makes a decision on the rezoning application.

Staff Contact: Nicole Zambri, Senior Planner, 905-623-3379 ext. 2422 or
nzambri@clarington.net.

Attachments:

- Attachment 1 – Zoning By-law Amendment
- Attachment 2 – Draft Plan of Subdivision
- Attachment 3 – Department and Agency Comments

Interested Parties:

List of Interested Parties available from Department.