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Report To:	Planning and Development Committee		
Date of Meeting:	February 10, 2025	Report Number:	PDS-008-25
Authored By:	Tyler Robichaud, Senior Planner		
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure		
Reviewed By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology		
By-law Number:		Resolution Number:	
File Number:	ZBA2024-0017 and S-C-2024-0008		
Report Subject:	Recommendation on a rezoning application to permit 12 residential lots at 3187 Middle Road in Bowmanville.		

Recommendations:

1. That Report PDS-008-25 and any related delegations of communication items, be received;
2. That the Zoning By-law Amendment application submitted by Akero Developments be approved and the By-law contained in Attachment 1 to Report PDS-008-25 be approved;
3. That the application for Draft Plan of Subdivision S-C-2024-0008 submitted by Akero Developments be supported, subject to the conditions approved by the Deputy CAO of Planning and Infrastructure Services;
4. That once all conditions contained in the Clarington Official Plan and Zoning By-law 84-63 with respect to the removal of the (H) Holding Symbol and the conditions of the Subdivision are satisfied, the By-law authorizing the removal of the (H) Holding Symbol be approved by the Deputy CAO of Planning and Infrastructure Services;
5. That the Region of Durham Community Growth and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PDS-008-25 and Council's decision; and
6. That all interested parties and any delegations be advised of Council's decision.

Report Overview

This report is recommending the approval of the Zoning By-law Amendment submitted by D.G Biddle and Associates, on behalf of Akero Developments, and to support the further processing of the Draft Plan of Subdivision application to permit the development of 12 detached dwellings and extension of Douglas Kemp Crescent in Bowmanville.

1. Application Details

1.1 Owner: Akero Developments

1.2 Applicant: D.G Biddle and Associates

1.3 Proposal: **Draft Plan of Subdivision**

Proposed Draft Plan of Subdivision to permit 12 detached dwellings and the extension of Douglas Kemp Crescent 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)R2-54) Zone” and “Holding - Urban Residential Exception ((H)R2-55) Zone” to permit the 12 single detached dwellings.

1.4 Area: 0.782 hectares

1.5 Location: 3187 Middle Road, Bowmanville (see **Figure 1**)

1.6 Roll Number: 18-17-010-080-04100

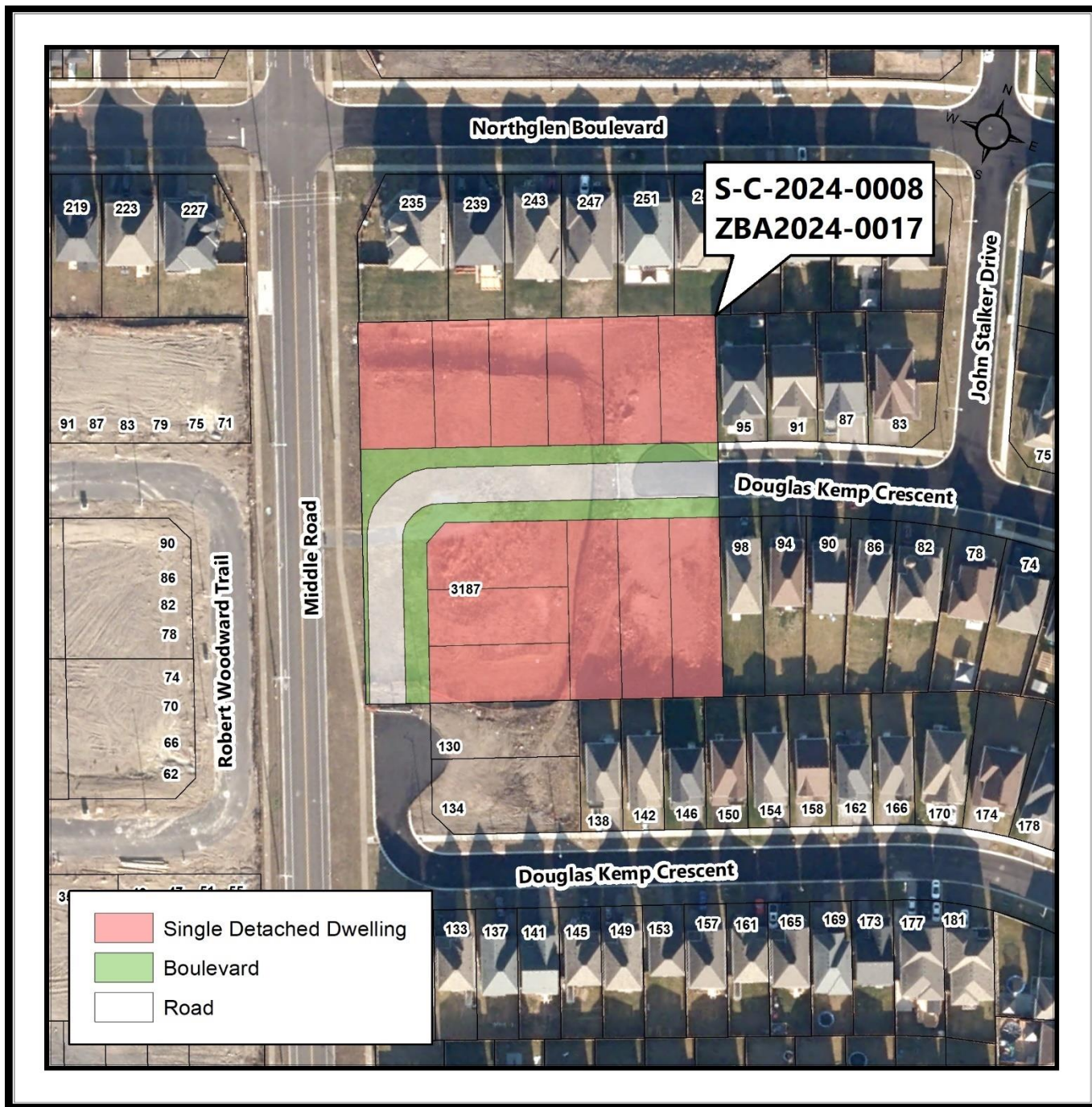


Figure 1: Proposed Draft Plan of Subdivision and Surrounding Context

2. Background

- 2.1 In April 2024, Clarington Staff held a Stage 1 pre-consultation meeting with D.G Biddle & Associates, to discuss a development proposal on the subject lands. A comprehensive list of the required plans and studies for the proposed development was provided to the applicant in the meeting minutes.
- 2.2 In May 2024, Clarington Staff conducted a Stage 2 pre-consultation with D.G Biddle & Associates. A comment letter was issued providing the applicant with a comprehensive list of department and agency comments following a review of the required reports and drawings requested at the Stage 1 pre-consultation meeting.
- 2.3 On August 26th, 2024, D.G Biddle & Associates on behalf of Akero Developments, submitted applications for a Zoning By-Law Amendment and Draft Plan of Subdivision to permit a low-density development, within the Northglen Neighborhood. The applications were simultaneously deemed complete on September 26th, 2024.
- 2.4 The proposal includes 12 detached dwellings and connecting/extending Douglas Kemp Crescent between two existing temporary turning circles.
- 2.5 The proposal is illustrated on the proposed conceptual plan (**See Figure 1**) as well as in the Draft Plan of Subdivision in **Attachment 2**.

3. Land Characteristics and Surrounding Uses

- 3.1 The 0.782-hectare parcel of land is located in the Northglen Neighbourhood along the east side of Middle Road and south of Northglen Boulevard in Bowmanville. The subject lands are adjacent to an existing registered plan of subdivision to the north, east and south.
- 3.2 The surrounding land uses are as follows:
 - North** – Existing single detached residential
 - South** – Existing single detached residential
 - East** – Existing single detached residential
 - West** – Middle Road and future low density residential



Figure 2 – Picture of subject lands looking east from Middle Road

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 The subject property is designated as 'Community Area' in Envision Durham which permits the proposed residential use.
- 5.2 Chapter 5 of Envision Durham sets out policies for Vibrant Urban System which includes Community Area and Corridors. The intent of these land use designations is for a full range of housing to be developed in Community Areas based upon a number of principles, including intensification and good urban design practices.
- 5.3 The proposal conforms to the recently approved Regional Official Plan.

Clarington Official Plan (COP)

- 5.4 The subject lands are designated 'Urban Residential' within the Municipality of Clarington Official Plan (COP).
- 5.5 Section 4.3 of the COP contains policies related to the intended Urban Structure within the Municipality. The COP states that priority intensification areas are intended as the primary locations to accommodate growth, these areas include 'Greenfield Areas'. Municipal decisions are to support the development of the priority intensification areas.
- 5.6 The subject property is a 'Greenfield Area' within the Bowmanville Urban Area boundary and outside the Built-up Area, as identified on Map B within the COP. Section 4.5 states that the Municipality will support a target of 50 residents and jobs combined per gross hectare and the development of residential lands in Greenfield Areas.
- 5.7 The development is in conformity with the policies in the COP.
- 5.8 The approved Northglen Neighborhood Design Plan (NDP) was approved in 2008. The proposed draft plan will compliment the lotting and road pattern as depicted in the approved NDP. One minor deviation from the Northglen NDP is that the former Kemp homestead was to remain as a singular lot. The dwelling was demolished in September 2023. The proposal is consistent with the NDP except for the two additional lots in the location of the former Kemp homestead that was demolished.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject site "Agricultural Exception (A-1) Zone". A Zoning By-law Amendment is required to permit the proposed 12 lots. The zoning by-law schedule is included as **Attachment 1**.
- 6.2 The proposed zoning by-law amendment includes a Holding (H) Symbol. The Holding would remain on the lands until the necessary conditions of draft approval and a subdivision agreement is in place for the Draft Plan of Subdivision in conformity with the policies of the Clarington Official Plan.

7. Public Notice and Submissions

- 7.1 Given the postal strike, Public Notice was hand delivered to approximately 98 residents within 120 metres of the subject lands on November 18, 2024, and 11 notices were sent out by courier to the landowners who resided outside of subject area. A public meeting sign was installed on the subject lands fronting Middle Road and at the Douglas Kemp Crescent temporary turning circle. Details of the proposed application were also posted on the Municipality's website and in the Clarington Connected e-newsletter. It was also posted on social media on November 19, 2024. A dedicated webpage was also created for the proposed development.
- 7.2 A Public Meeting was held on December 9, 2024. No members of the public were present to speak in support or opposition to the proposed development and no written comments have been received.

8. Departmental and Agency Comments

- 8.1 The applications were circulated to internal departments and external agencies for review and comments. A list and summary of agency and internal department comments received can be found in **Attachment 3**.

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 <https://www.claringtonconnected.ca/3187-Middle-Road> and are also available upon request.

Stage 1 and 2 Archaeological Assessment, prepared by Advance Archaeology, November 27, 2006

- 9.2 The Archaeological Assessment was prepared for the larger subdivisions in the Northglen Subdivision and included the subject lands. The Stage 1 research carried out for the subject property had potential for the presence of historic and pre-contact sites or cultural heritage on the subject property. Consequently, a Stage 2 assessment was carried out. The Stage 2 field work consisted of shovel testing at moderate-potential (10 metre) and high-potential (5 metre) intervals, including the area surrounding the former Kemp Homestead. No remains of historic or pre-contact structures were found, and no historic or pre-contact artifacts or other cultural heritage resources were recovered during the Stage 2 assessment. The assessment report recommendation was for complete clearance of the archaeological condition on the subject property. A letter issued by the Ministry of Culture on March 18th, 2008, deeming the Stage 1 and 2 assessment satisfactory for any concerns for impacts to archaeological resources.

Traffic Brief, prepared by GHD, July 27, 2024

- 9.3 The purpose of the Traffic Brief is to estimate the trip generation for the proposed residential development. The results of the study concluded that the proposed development will not generate a significant amount of traffic and the impact on the surrounding area will be negligible.

Cultural Heritage Evaluation Report Addendum and Commemoration Plan, prepared by LHC Heritage Planning and Archaeology, August 1, 2024

- 9.4 The Cultural Heritage Evaluation Report (CHER) Addendum was prepared to fulfill the requirements of the Heritage Impact Assessment (HIA) requested by the Municipality as part of the Stage 1 pre-consultation, and to address further comments as part of the Stage 2 pre-consultation. The Addendum was prepared to supplement the CHER. The Addendum suggests a commemoration plan in recognition of the Historic ownership of the Kemp Homestead by the Kemp family. A commemorative plaque with a draft statement was suggested. The implementation of a commemorative plaque will be detailed in the draft conditions of the plan of subdivision and in consultation with Clarington Public Works, Heritage Committee and Parks Division.

Noise Impact Study, prepared by D.G Biddle and Associates, August 12, 2024

- 9.5 The Noise impact Study was prepared to determine the noise generated by vehicular traffic, from Middle Road to Concession Road 3 and its impact on the proposed development. The Study concluded that with the implementation of the noise abatement measures, such as acoustic fencing, forced-air heating systems with ducting to allow for central air conditioning installation and standard Ontario Building Code construction materials, outdoor and indoor noise levels are within the Ministry of the Environment, Conservation and Parks requirements.

10. Discussion

General

- 10.1 The subject lands are located within the Bowmanville Urban Area and is considered a Greenfield development. The development is adjacent to Middle Road however, there will be no access from Middle Road as all proposed lots will be fronting the extension of Douglas Kemp Crescent which is a local road.
- 10.2 The applicant will be responsible for completing the Douglas Kemp Crescent connection between the two existing temporary turning circles. This includes the construction of all infrastructure, boulevard works and sidewalks to Municipal standards.

- 10.3 The proposed dwellings will be subject to the Architectural Guidelines (2011) prepared by Cassidy & Co to be consistent with design, finishes and massing with the existing adjacent homes in the Northglen Neighbourhood.
- 10.4 No parks are proposed within this development given the scale of the development. Douglas Kemp Parkette and the Northglen Neighbourhood Park are in close proximity to the site. Cash in lieu of parkland will be required as a condition of draft approval.

Heritage

- 10.5 The property was the former location of the Kemp family Homestead, which was classified a 'primary' heritage resource on Clarington's inventory of heritage properties. The existing dwelling was never designated or added to the Municipal Heritage Register by Council under Section 27 of the *Ontario Heritage Act*. The building was demolished the week of September 3, 2023. As part of the applications, the applicant submitted a Cultural Heritage Evaluation Report Addendum that included a Commemoration Plan given the historical ownership of the subject lands. The report recommends recognizing the historical significance of the property by incorporating a commemorative plaque with a statement and a photograph of the building. The commemorative plaque will be situated within the Douglas Kemp Park nearby and will be a condition of draft approval.

Proposed Zoning By-law Amendment

- 10.6 A rezoning is required to facilitate the development and rezone the lands from "Agricultural Exception (A-1)" to "Holding - Urban Residential Exception ((H)(R2-54)" and "Holding - Urban Residential Exception ((H)(R2-55)" which permits interior detached units with 12.2 – 13.5 metre frontages and the external lot will have a 15.94 metre frontage.
- 10.7 The zoning includes a Holding symbol and will be removed once the applicant has entered a Subdivision Agreement, and all obligations therein have been fulfilled. The draft conditions of the subdivision application will be prepared at a later date, provided Council supports the recommendations in this report.

Further Considerations

- 10.8 In recent years, the Province of Ontario has updated the applicable Planning Legislation to include policies related to the establishment of additional dwelling units, accessory dwelling units, etc. in order to alleviate the current housing demand. For this reason, the inclusion of accessory/additional dwelling units within the proposed detached dwellings, where possible is encouraged.

11. Financial Considerations

- 11.1 This proposal is considered infill and was contemplated for development in the approved Northglen Neighbourhood Design Plan approved in 2008. The capital infrastructure required for this development will be built by the developer and assumed by the Municipality upon acceptance. The Municipality will include the new capital assets in its asset management plans and be responsible for the major repair, rehabilitation, and replacement in the future.

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 an Energy Conservation and Sustainability Plan in accordance with Clarington's Priority Green Standards for Subdivisions. This project considers climate risks by considering electrical vehicle charging stations at each proposed residential dwelling, improving air quality during construction by implementing dust mitigation measures, reducing energy and water consumption and reducing the urban heat island effect through landscaping measures.

14. Concurrence

Not Applicable.

15. Conclusion

- 15.1 In consideration of all comments, it is respectfully recommended that the applications by Akeru Developments for a Draft Plan of Subdivision consisting of 12 detached dwelling units be supported and that the zoning by-law amendment to facilitate the subdivision, be approved, with a (H) Holding Symbol. It is also recommended that the (H) Holding Symbol be removed once the applicant enters into a Subdivision Agreement and all the conditions therein are satisfied. The conditions for the subdivision will be issued after Council makes a decision on the rezoning application.

Attachments:

Attachment 1 – Draft Zoning By-law Amendment

Attachment 2 – Draft Plan of Subdivision

Attachment 3 – Department and Agency Comments

The following interested parties will be notified of Council's decision:

Agent: D.G Biddle and Associates

Owner: Akero Developments