

# Information Report to Planning & Development Committee

**Report Number:** 10-21 **Date: June** 7, 2021

From: Catherine Rose, MCIP, RPP Chief Planner

Subject: Zoning By-law Amendment Application A 02/21 Draft Plan of Subdivision Application SP-2021-01 Draft Plan of Condominium Application CP-2021-01 Highcastle (1939 Altona Rd.) Inc. (1939 Altona Road)

#### 1. Purpose of this Report

The purpose of this report is to provide preliminary information regarding applications for Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium, submitted by Highcastle (1939 Altona Rd.) Inc., to facilitate a residential condominium development. This report contains general information on the applicable Official Plan and other related policies and identifies matters raised to date.

This report is intended to assist members of the public and other interested stakeholders to understand the proposal. The Planning & Development Committee will hear public delegations on the applications, ask questions of clarification, and identify any planning issues. This report is for information and no decision is to be made at this time. Staff will bring forward a recommendation report for consideration by the Planning & Development Committee upon completion of a comprehensive evaluation of the proposal.

#### 2. Property Location and Description

The subject lands are located at the northeast corner of Altona Road and Sparrow Circle, immediately south of the hydro corridor within the Highbush Neighbourhood (see Location Map, Attachment #1). The subject lands have an area of approximately 1.068 hectares with approximately 25 metres of frontage along Altona Road.

The subject lands currently support a landscaping and tree nursery business and are occupied by a detached dwelling and various accessory buildings, which are proposed to be removed. A 40.0-metre high telecommunications tower is also located at the far northeasterly quadrant of the subject lands and is intended to be removed to facilitate the proposed development. The tree nursery and commercial plantings extend onto the hydro lands immediately to the north. These lands are leased from Hydro One and do not form part of the subject lands be developed (see Air Photo Map, Attachment #2).

Surrounding land uses include:

North:	Immediately to the north is a Hydro Corridor. Further north is a residential common-element condominium development consisting of 2 and 3-storey townhouse dwellings, and environmentally sensitive lands owned by the Toronto and Region Conservation Authority (TRCA).
East:	Abutting the subject property to the east are lands owned by the TRCA and form part of the Altona Forest.
West:	Across Altona Road are environmentally sensitive lands, owned by Infrastructure Ontario and form part of the Hydro Corridor.
South:	Abutting the south property line are 2 remnant parcels that are not owned by the applicant, identified as Blocks 15 and 16 on Plan 40M-1981. These 2 parcels were created as part of the original plan of subdivision for Sparrow Circle and were intended to be combined with the subject lands as part of a future development. Across Sparrow Circle is an established residential subdivision consisting of 2 and 3-storey freehold semi-detached and townhouse dwellings fronting Sparrow Circle, Hummingbird Court and Chickadee Court.

# 3. Applicant's Proposal

The applicant has submitted applications for Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium to facilitate a residential condominium development (see Submitted Conceptual Site Plan, Attachment #3).

The Draft Plan of Subdivision proposes to create a total of 4 blocks, which are summarized in the table below (see Submitted Draft Plan of Subdivision, Attachment #4):

Block Number	Land Area	Proposed Use
Block 1	0.853 of a hectare	Residential development block for standard and common-element condominiums.
Block 2	0.061 of a hectare	Environmental lands to be conveyed to the TRCA and rezoned to an appropriate open space zone category.
Block 3	0.020 of a hectare	Conveyance of a road widening along the entire frontage of Altona Road to the Region of Durham.
Block 4	0.001 of a hectare	A 0.3-metre reserve abutting Altona Road.
Roads	0.133 of a hectare	Completion and conveyance of Sparrow Circle to the City.
Total	1.068 hectares	

Within Block 1, the applicant is proposing a standard condominium development consisting of 48 stacked townhouse dwellings and a common element condominium consisting of 13 street townhouse dwellings accessed through an internal private road from the north side of Sparrow Circle.

The submitted site plan illustrates 4 townhouse blocks (Buildings 1 to 4), consisting of 48 stacked townhouse units fronting Altona Road and Sparrow Circle with garage access and vehicle parking at the rear of the buildings. The remaining 3 townhouse blocks (Blocks 5 to 7) consist of a total of 13 street townhouse units and will have vehicular and garage access from the private road at the front of the units. The street townhouses are proposed to be 3-storeys in height and will have a private rear yard as amenity space (see Submitted Conceptual Elevations- Street Townhouses, Attachment #5).

The stacked townhouse units are proposed to be three and a half storeys in height and will have balconies at the front and rear of the buildings as private amenity space (see Submitted Conceptual Elevations – Stacked Townhouses, Attachment #6). A 220.0 square metre common outdoor amenity area is provided immediately west of Building 5, adjacent to the north property line.

Resident parking for both the stacked townhouse and street townhouse units is provided at a ratio of 2 parking spaces per dwelling unit (1 parking space within a private garage and 1 space on a surface driveway). Visitor parking is provided at a rate of 0.25 spaces per unit for a total of 16 parking spaces and is located along the north property line.

Vehicular access to the internal private road is to be provided through a full-moves access at the easterly portion of the site from the north side of Sparrow Circle. The proposed private road will terminate in a hammerhead-type cul-de-sac between Buildings 1 and 2. The submitted site plan also indicates vehicular access at the most westerly portion of the subject lands, west of Building 2. However, this access is conceptual as the applicant does not currently own the parcel of land, identified as Block 15, 40M-1981. The applicant has advised they are currently working to obtain these lands, and should they be successful, a secondary access will be provided and an additional 3 stacked townhouse units can be accommodated within Building 1.

As part of the proposed development, the applicant will provide for the re-alignment, widening and completion of Sparrow Circle to the City's standards. Currently, the northerly section of Sparrow Circle immediately adjoining the subject property is temporary and was constructed as a part of the original subdivision to provide emergency and convenient access for the area residents until such time that the subject lands were to be developed.

Upon completion of the Sparrow Circle re-alignment and reconstruction to City standards, the portions of land that the temporary section of the roadway are currently located, identified as Blocks 17 and 18, together with the reserve Blocks 27 and 28, 40M-1981, will no longer be required (see Submitted Draft Plan of Subdivision, Attachment #4). In accordance with the subdivision agreement for the original plan of subdivision for Sparrow Circle, Blocks 17 and 27 will be conveyed back to the original homebuilder to permit the construction of an additional townhouse unit at the northerly end of the current townhouse block. Block 18, together with reserve Block 28 are intended to be conveyed to the property owner at the southeasterly corner of Sparrow Circle and Hummingbird Court, 1565 Hummingbird Court, to enlarge the existing property, which currently supports a townhouse dwelling.

The applicant has submitted an application for a Zoning By-law Amendment application to rezone lands within Block 1 to an appropriate residential zone category to facilitate the proposal and rezone Block 3, which is intended to be conveyed to the TRCA to an appropriate open-space zone category.

The proposed development will consist of 2 separate condominium corporations. The tenure of the stacked townhouses (Buildings 1 to 4) will be a standard condominium and the tenure of the street townhouses (Buildings 5 to 7) will be a common element condominium. The applicant has submitted an application for draft plan of condominium for the common element, which is intended to consist of the private road servicing the street townhouse units (see Submitted Draft Plan of Condominium, Attachment #7).

A separate application for a draft plan of condominium (standard condominium) will be required and submitted at a later date specifically for stacked townhouses. It is contemplated that the private road, outdoor amenity area, and visitor parking area will be mutually shared between the future condominium corporations. Reciprocal easements will be established by providing access to these elements. A mutual use and cost-sharing arrangement will be established between the two condominiums to ensure an equitable arrangement regarding the use, long-term care, and maintenance of the shared features.

The development will be subject to site plan approval.

#### 4. Policy Framework

# 4.1 Durham Regional Official Plan

The Regional Official Plan designates the subject lands as "Living Areas". The "Living Areas" designation shall be used predominately for housing purposes. The plan also states that lands within the Living Area designation shall be developed in compact urban form through higher densities and by intensifying and redeveloping existing areas, particularly along an arterial road.

Altona Road is designated as a Type 'B' Arterial Road. Type 'B' Arterial Roads are designed to carry large volumes of traffic at moderate to high speeds, have some access restrictions and generally have a right-of-way width ranging from 30 to 36 metres. Type 'B' Arterial Roads generally permit private access located a minimum of 80 metres apart in Urban Areas. The applicant is required to convey a 4.7-metre wide road widening along the entire frontage of Altona Road to achieve the ultimate right-of-way width for Altona Road.

The proposal conforms to the Durham Regional Official Plan.

# 4.2 Pickering Official Plan

The subject lands are located within the Highbush Neighbourhood and are designated "Urban Residential Areas – Medium Density Area", which provides for housing and related uses. This designation permits a net residential density of over 30 and up to and including 80 units per net hectare. The applicant's proposal will result in a residential density of approximately 72 units per net hectare, which falls within the permitted density range.

The Official Plan states that in establishing performance standards, regard shall be had to protecting and enhancing the character of established neighbourhoods by considering matters such as building height, yard setbacks, lot coverage, access to sunlight, parking provisions and traffic implications. The Official Plan also states that where new development is proposed within an existing neighbourhood or established area, City Council shall encourage building design that reinforces and complements existing built patterns such as form, massing, height proportion, position relative to the street, and building area to site ratio.

Lands immediately east of the subject lands are designated "Open Space System – Natural Areas". The Natural Areas land use designation is further identified under Schedule IIIB as "Significant Woodlands" (Altona Forest) and "Significant Valleylands and Stream Corridors" (Petticoat Creek). These lands are also identified as being within the Altona Forest Policy Area. The Official Plan recognizes that the Altona Forest provides an integral linkage to the Rouge-Duffins Corridor and is an area of significant vegetation and diverse wildlife and requires a minimum vegetation protection zones from such features including a minimum setback of 10.0 metres from significant woodlands and 30.0 metres from wetlands. An Environmental Impact Study is required for proposals within 120 metres of natural heritage or hydrologic features.

Sparrow Circle is identified as a local road within the City's Official Plan. These roads are intended to provide access to individual properties, to other local roads and collector roads and carry local traffic. Generally, local roads have a right-of-way width of up to 20 metres.

The applicant's proposal will be assessed against these policies of the Official Plan during the further processing of the applications.

# 4.3 Zoning By-law 3036

The subject lands are currently zoned "A" – Rural Agricultural Zone within Zoning By-law 3036, as amended, which permits a detached dwelling, home occupation, agricultural and related uses, recreational and limited institutional uses. The applicant is requesting to rezone the subject lands to an appropriate residential zone category with site-specific performance standards to facilitate the proposal. The open space block proposed to be conveyed to the TRCA will be rezoned to an appropriate open space zone category to ensure long-term protection and preservation.

#### 5. Comments Received

# 5.1 Resident Comments

On April 22, 2021 an Electronic Public Open House meeting was hosted by the City Development Department to inform area residents about the development proposal. The City advertised the meeting by installing 2 development signs on the property, and a notice was distributed by mail to area residents within 150 metres of the subject lands. The radius was further extended in consultation with the area Councillors. A total of 3 individuals participated in the meeting. The video recording of this meeting, which is available on the City's YouTube page, has been viewed 69 times.

Notice of the Electronic Statutory Public Meeting regarding these applications was provided through mail to all properties within 150 metres of the subject lands and any person who requested further notification. Also, 2 signs providing notice were installed along the Altona Road and Sparrow Circle frontage.

The following is a list of key comments and concerns expressed by the residents at the Electronic Public Open House meeting and written submissions received from 7 residents:

- concerned the proposed development will result in an increase in vehicular traffic along Sparrow Circle, which is already congested;
- commented that the proposed development should be accessed solely from Altona Road to minimize the impact on adjacent residents;
- commented that the proposed residential units should have a dedicated community mailbox contained within the subject lands to minimize vehicle trips through the neighbourhood to the existing community mailbox;
- concerned the increase in traffic from the proposal will cause a safety issue for pedestrians and children along Sparrow Circle;
- concerned with the proposed location of the most easterly site access, as it is located directly beside an existing driveway;
- questioned whether the development will have an impact on the Altona Forest;
- questioned if the location of the proposed dwellings immediately adjacent to the hydro corridor poses a safety concern to future residents;
- questioned the volume of vehicles would utilize the east and west site access;
- requested that a sidewalk be installed along Altona Road;
- concerned with the loss of trees and vegetation on the site, specifically the cedar hedge along the south property line;
- commented that compensation for the loss of existing trees should be through re-planting on the subject site;
- questioned if a landscape buffer between the proposed development and Sparrow Circle would be maintained;
- concerned the proposed development will result in negative dust, parking and noise from construction; and
- questioned how garbage generated from the condominium will be addressed and if there will be a garbage enclosure area.

# 5.2 Agency Comments

# 5.2.1 Toronto and Region Conservation Authority (TRCA)

- the subject lands are located within a TRCA Regulated Area of the Petticoat Creek Watershed and are regulated with respect to the Regulatory Floodplain associated with the Petticoat Creek to the west and the area of interference associated with a large wetland complex within Altona Forest to the northeast;
- TRCA requests that a wetland risk assessment be undertaken to determine the effects of the proposed development on the provincially significant wetland located on and adjacent to the subject property;

- the submitted Environmental Impact Study appropriately identifies that the adjacent natural features are regulated by TRCA and mapped as Schedule III (A-D) under the City of Pickering's Official Plan. However, the 5.0 metre proposed buffer to the feature is not supported by TRCA;
- it is TRCA's opinion that the required 10.0 metre buffer is achievable for this site and should be implemented;
- accordingly, TRCA requests that the drawings be updated to show a minimum 10.0 metre restored buffer from the staked dripline;
- a 20.0 metre buffer is currently proposed from the wetland. However, as this wetland is identified as a Provincially Significant Wetland (PSW) within the TRCA mapping, a 30.0 metre buffer applies;
- a 10.0 metre setback from the staked dripline and a 30.0 metre setback from the PSW should be provided to determine which setback limit is further inland; and
- request a letter be provided from the City of Pickering fire and emergency services department confirming that the emergency vehicles (fire and ambulance) can access the site given the potential depth of flooding and velocities of the Regulatory storm.

# 5.2.2 Region of Durham

- lands are designated "Living Areas" within the Urban System under the Durham Regional Official Plan (ROP);
- the proposed lot configurations are appropriate and respond to the policies of the ROP, which discourage reverse lot frontage conditions on arterial roads;
- there are key natural heritage and hydrologic features located in proximity to the subject site immediately to the east;
- the Region will rely on the TRCA to evaluate the appropriateness of the Environmental Impact Study's recommendations and setbacks from the existing natural features;
- the consideration of these applications may be premature until such a time as the hazard issues are resolved in accordance with Policy 2.2.7 of the ROP, and the appropriate setbacks to the Natural Heritage Features are addressed in accordance with Policy 2.3.43 of the ROP;
- the submitted Noise Study, prepared by YCA Engineering Limited, is acceptable to the Region;
- the applicant will be required to implement the recommended noise attenuation measures affecting the proposed development;
- the submitted Stage 1 and Stage 2 Archeological Assessment report confirmed that the subject site does not contain archeological resources and no further archeological assessment will be required;
- as a condition of approval, the Region will require that the Ministry of Tourism, Culture and Sport (MTCS) review and approve the submitted archeological report and require MTCS's clearance letter advising that all archaeological requirements have been met to its satisfaction;
- the submitted Phase One Environmental Site Assessment report identified four areas of potential environmental concern on the subject lands and concluded that a Phase Two Environmental Site Assessment (ESA) is required;
- the applicant will be required to submit a Phase Two ESA accompanied by a signed Region of Durham Reliance Letter;

- municipal water supply and sanitary sewer supply are available to service the proposed development; and
- the applicant will be required to convey a road allowance widening of approximately 4.7 metres to the Region, which shall include a sight triangle at the northeast corner of Altona Road and Sparrow Circle.

# 5.2.3 Durham District School Board

- no objection to the applications; and
- students generated from this development will attend existing neighbourhood schools.

# 5.2.4 Durham Catholic District School Board

• as of the date of this report, comments have not been received.

# 5.2.5 Hydro One

- the development proposal is abutting a Hydro One high voltage transmission corridor;
- outlined that prior to final approval, the following conditions shall apply:
  - the applicant must make arrangements satisfactory to Hydro One for lot grading and drainage;
  - works associated with the proposal must not block vehicular access to any hydro facilities located on the transmission corridor and during construction, there shall be no storage of materials or mounding of earth, snow or other debris on the transmission corridor; and
  - temporary fencing must be installed along the transmission corridor before and construction and permanent fencing must be erected along the common property line once constructions completed;
- provided the following precaution to the applicant concerning the future construction:
  - "The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors, it is 3 metres (10 feet). It is the developer's responsibility to be aware and to make all personnel on-site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

# 5.3 City Department Comments

# 5.3.1 Engineering Services

• as of the date of this report, comments have not been received.

# 5.3.2 Fire Services

• should the most westerly access to Sparrow Circle not be provided, the proposal would result in a roadway that terminates in a dead-end that exceeds the permitted length;

- any street that terminates in a dead-end greater than 150.0 metres in length requires an emergency access route leading to a public through fare within 150.0 metres from the furthest curb at the end of the cul-de-sac or similar turnaround;
- the emergency access is still required to be 6.0 metres in width and maintain the necessary requirements to accommodate a fire truck; and
- fire hydrants are required to be located within 90.0 metres of each principal entrance.

# 6. Planning & Design Section Comments

The following is a summary of key concerns/issues or matters of importance raised to date. These matters, and others identified through the circulation and detailed review of the proposal, are required to be addressed by the applicant before a final recommendation report to Planning & Development Committee:

- ensure conformity with the City's Official Plan policies;
- require the proposal to be revised to provide a minimum 10.0 metre restored buffer from the staked dripline of the natural feature (Altona Forest) and a minimum 30.0 metre buffer from the Provincially Significant Wetland (PSW) to the satisfaction of the TRCA;
- require the submission of a wetland risk assessment, which will determine the effects of the proposed development on the PSW, to the satisfaction of the TRCA;
- require the applicant acquire the 2 remnant blocks, identified as Blocks 15 and 16 on Plan 40M-1981, to be combined and developed with the proposed development and rezoned to an appropriate zone category;
- should the applicant be unable to acquire the remnant blocks, the internal private road is to be redesigned to provide a secondary access to maintain the minimum access requirements for emergency vehicles;
- ensure that the lands required to accommodate the road widening and sight triangle along Altona Road are provided to the satisfaction of Durham Region;
- explore the opportunity to convert the proposed street townhouses from a commonelement condominium tenureship to freehold lots having frontage along a public road, which would be in keeping with the established lotting pattern and built form along Sparrow Circle;
- evaluate the appropriateness of the proposed site layout, building heights and setbacks, massing and landscaping to ensure the City's urban design objectives are achieved;
- review the location of the proposed site access on Sparrow Circle and ensure it is adequately setback from the adjacent residential properties
- require the applicant to increase the size of the private outdoor amenity area to a minimum of 5 percent of site to ensure the size of the amenity area is suitable to provide for play structures, seating areas, landscaping and a community mailbox location;
- identify appropriate locations for a water meter room and hydro transformers outside of the private outdoor amenity area;
- explore options to provide municipal garbage collection for the entire development;
- review pedestrian connections to the existing and future sidewalks along Sparrow Circle to ensure a safe barrier-free path of travel;
- require a Phase II Environmental Site Assessment be submitted to the satisfaction of the Region of Durham;

- require compensation to be provided for the loss of tree canopy in accordance with the City's Tree Compensation By-law; and
- ensure reciprocal access easements are provided between the individual condominium corporations.

Further issues may be identified following receipt and review of comments from the circulated departments, agencies and public. The City Development Department will conclude its position on the applications after it has received and assessed comments from the circulated department, agencies and public.

# 7. Information Received

Copies of the plans and studies listed below are available for viewing on the City's website at pickering.ca/devapp or in person at the offices of the City of Pickering, City Development Department:

- Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated December 8, 2020;
- Draft Plan of Condominium, prepared by KLM Planning Partners Inc., dated December 7, 2020;
- Conceptual Site Plan, prepared by S & C Architects Inc., dated January 18, 2021;
- Conceptual Elevation and Floor Plans, prepared by S & C Architects Inc., dated November 22, 2020;
- Planning Justification Report, prepared by KLM Planning Partners Inc., dated January 2020;
- Draft Zoning By-law Amendment, prepared by KLM Planning Partners Inc., dated December 2020;
- Traffic Impact Brief, prepared by December 1, 2020;
- Stage 1 & 2 Archaeological Assessment, prepared by Archeoworks Inc., dated July 2020;
- Environmental Impact Study, prepared by GHD, dated August 12, 2020;
- Tree Inventory and Preservation Plan, prepared by Henry Kortekaas & Associates Inc., dated February 3, 2020;
- Geotechnical Investigation, prepared by Soil Engineers Limited, dated December 2019;
- Phase 1 Environmental Site Assessment, prepared by Soil Engineers Limited, dated December 14, 2020;
- Functional Serving Brief, prepared by N. Mensink, undated;
- Stormwater Management Brief, prepared by Candevcon East Limited, dated December 16, 2020;
- Construction Management & Erosion and Sediment Control Plans, prepared by Candevcon East Limited, dated December 16, 2020;
- Site Grading Plan, prepared by Candevcon East Limited, dated December 16, 2020;
- Site Servicing Plan, prepared by Candevcon East Limited, dated December 16, 2020;
- Traffic Management Implementation Plan, prepared by Candevcon East Limited, dated December 16, 2020; and
- Noise Assessment, prepared by YCA Engineering Ltd., dated November 2020.

#### 8.1 General

- written comments regarding this proposal should be directed to the City Development Department;
- oral comments may be made at the Electronic Statutory Public Meeting;
- all comments received will be noted and used as input to a Planning Report prepared by the City Development Department for a subsequent meeting of Council or a Committee of Council;
- any member of the public who wishes to reserve the option to appeal Council's decision must provide comments to the City before Council adopts any by-law for this proposal; and
- any member of the public who wishes to be notified of Council's decision regarding this proposal must request such in writing to the City Clerk.

# 9. Owner/Applicant Information

The owner of this property is Highcastle (1939 Altona Rd.) Inc. and is represented by KLM Planning Partners Inc.

# Attachments

- 1. Location Map
- 2. Air Photo Map
- 3. Submitted Conceptual Site Plan
- 4. Submitted Draft Plan of Subdivision
- 5. Submitted Conceptual Elevations Street Townhouses
- 6. Submitted Conceptual Elevations Stacked Townhouses
- 7. Submitted Draft Plan of Condominium

# Prepared By:

# Approved/Endorsed By:

Original Signed By

Cody Morrison Principal Planner, Development Review

Original Signed By

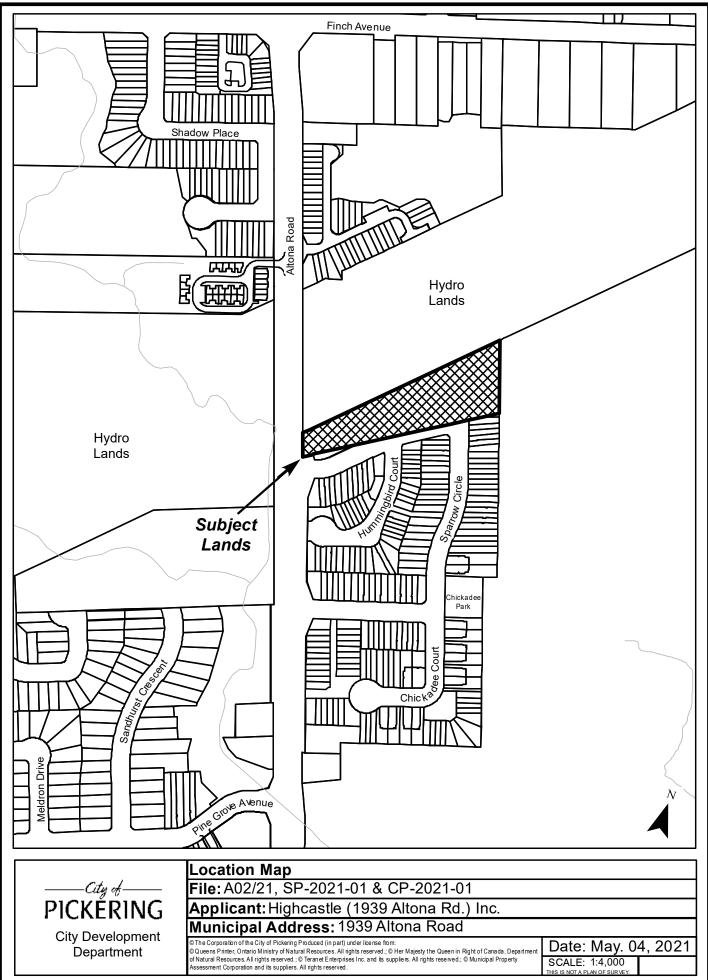
Nilesh Surti, MCIP, RPP Manager, Development Review & Urban Design

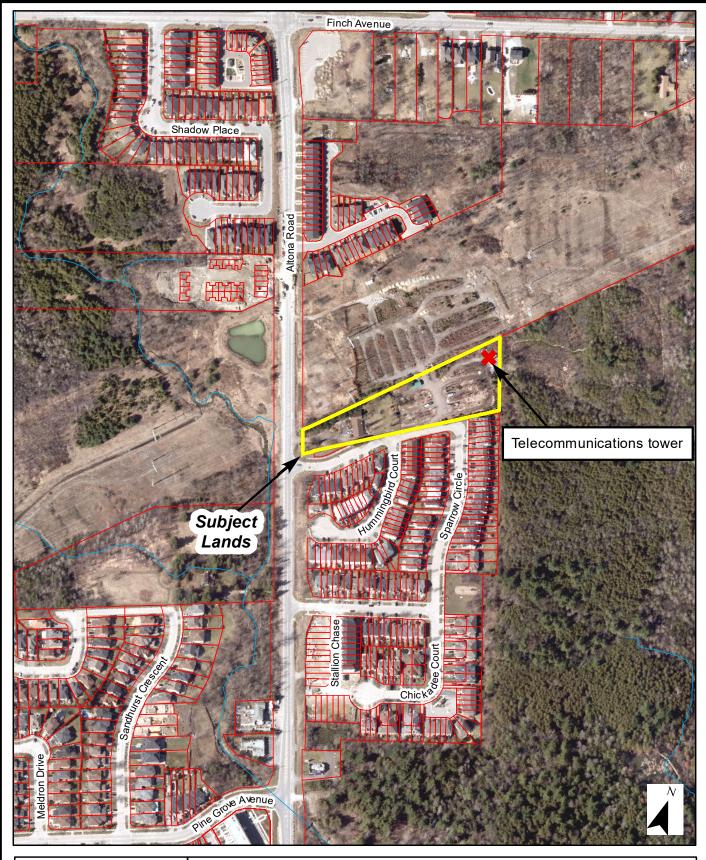
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Date of Report: May 17, 2021

Original Signed By

Catherine Rose, MCIP, RPP Chief Planner

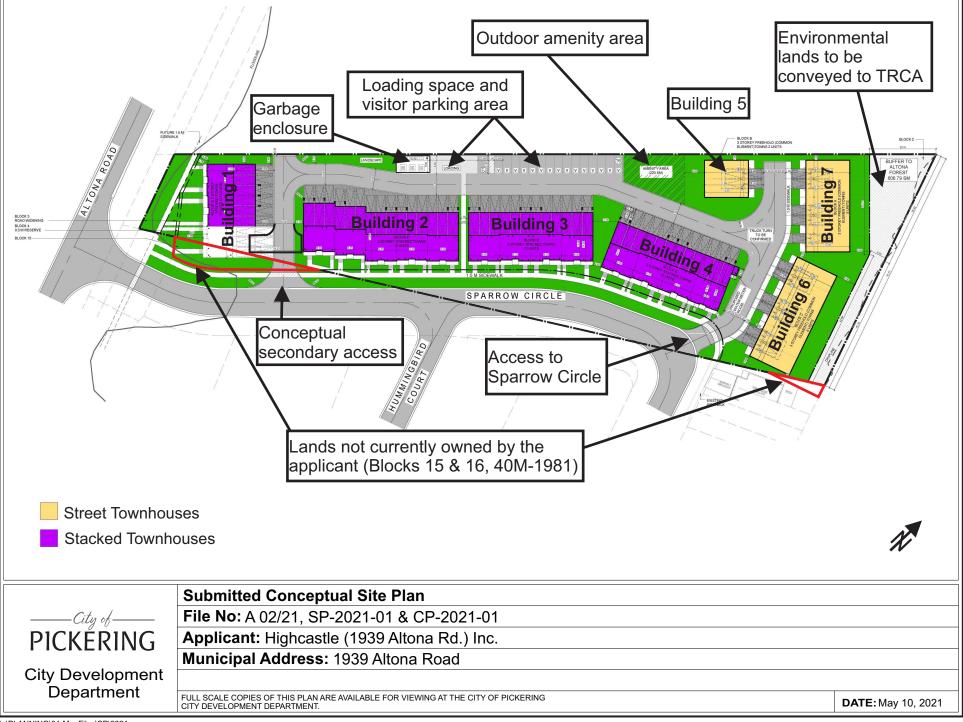






Air Photo Map		
File: A02/21, SP-2021-01 & CP-2021-01		
Applicant: Highcastle (1939 Altona Rd.) Inc.		
Municipal Address: 1939 Altona Road		
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of Natural Resources. Al rights reserved.; © Teranet Enterprises Inc. and its suppliers. All rights reserved.; © Municipal Property Assessment Corporation and its suppliers. All rights reserved.	SCALE: 1:4,000 THIS IS NOT A PLAN OF SUR VEY.	

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