
Members of the public may attend the meeting in person, or may observe the meeting proceedings by viewing the [livestream](#). A recording of the meeting will also be available on the [City's website](#) following the meeting.

Page

1. Roll Call

2. Disclosure of Interest

3. Delegations

Members of the public looking to provide a verbal delegation to Members of the Planning & Development Committee may do so either in person or through a virtual audio telephone connection into the meeting. For more information, and to register as a delegate, visit www.pickering.ca/delegation, and complete the on-line delegation form or email clerks@pickering.ca.

The list of delegates who have registered to speak will be called upon one by one by the Chair in the order in which they have registered. A maximum of 10 minutes shall be allotted for each delegation.

Please be advised that your name and address will appear in the public record and will be posted on the City's website as part of the meeting minutes.

- 3.1 Bruno Bartel, Managing Director, Development, Cushman & Wakefield **(In Person)**
Jim Kotsopoulos, Principal, JKO Planning **(In Person)**
Re: Report PLN 01-23
Draft Plan of Subdivision Application SP-2021-02
Zoning By-law Amendment Application A 15/21
OPB Realty Inc.
Eastern Portion of the Pickering Town Centre Lands, West of Glenanna Road and South of Kingston Road

4. Planning & Development Reports

- 4.1 [Director, City Development & CBO, Report PLN 01-23](#)
Draft Plan of Subdivision Application SP-2021-02
Zoning By-law Amendment Application A 15/21
OPB Realty Inc.

1

Eastern Portion of the Pickering Town Centre Lands, West of Glenanna Road and South of Kingston Road

Recommendation:

1. That Draft Plan of Subdivision Application SP-2021-02, submitted by OPB Realty Inc., to establish a plan of subdivision on the easterly portion of the Pickering Town Centre lands, consisting of 9 development blocks for a mix of high-density residential, office and commercial uses, 1 parkland block and 2 public roads, as shown on Attachment #5 to Report PLN 01-23, and the implementing conditions of approval, as set out in Appendix I, be endorsed;
2. That Zoning By-law Amendment Application A 15/21, submitted by OPB Realty Inc., to permit a high-density, mixed-use development on the easterly portion of the Pickering Town Centre lands, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix II to Report PLN 01-23, be finalized and forwarded to Council for enactment; and,
3. That no further notice is to be given in respect of the proposed by-law, where a change is made in a proposed by-law after the holding of the public meeting.

- 4.2 [Director, City Development & CBO, Report PLN 02-23](#)
Official Plan Amendment Application OPA 21-002/P
Zoning By-law Amendment Application A 13/21
2465 Brock Road Development Inc.
2465 Brock Road

48

Recommendation:

That Zoning By-law Amendment Application A 13/21, submitted by 2465 Brock Road Development Inc., to permit two 17-storey mixed-use buildings connected by a 5-storey podium and containing 353 dwelling units with at-grade commercial uses, on the lands municipally known as 2465 Brock Road be approved, and that the draft Zoning By-law Amendment, as set out in Appendix I to Report PLN 02-23, be finalized and forwarded to Council for enactment.

5. **Other Business**
6. **Adjournment**

From: Kyle Bentley
Director, City Development & CBO

Subject: Draft Plan of Subdivision Application SP-2021-02
Zoning By-law Amendment Application A 15/21
OPB Realty Inc.
Eastern Portion of the Pickering Town Centre Lands, West of Glenanna Road
and South of Kingston Road

Recommendation:

1. That Draft Plan of Subdivision Application SP-2021-02, submitted by OPB Realty Inc., to establish a plan of subdivision on the easterly portion of the Pickering Town Centre lands, consisting of 9 development blocks for a mix of high-density residential, office and commercial uses, 1 parkland block and 2 public roads, as shown on Attachment #5 to Report PLN 01-23, and the implementing conditions of approval, as set out in Appendix I, be endorsed;
 2. That Zoning By-law Amendment Application A 15/21, submitted by OPB Realty Inc., to permit a high-density, mixed-use development on the easterly portion of the Pickering Town Centre lands, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix II to Report PLN 01-23, be finalized and forwarded to Council for enactment; and
 3. That no further notice is to be given in respect of the proposed by-law, where a change is made in a proposed by-law after the holding of the public meeting.
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Executive Summary: On September 1, 2022, OPB Realty Inc., owner of the Pickering Town Centre, requested that the consideration of Draft Plan of Subdivision Application SP-2021-02 and Zoning By-law Amendment Application A 15/21 be deferred from the September 6, 2022 Planning & Development Committee meeting to the January 9, 2023 Planning & Development Committee meeting.

The lands subject to the applications are on the easterly portion of the Pickering Town Centre lands ("PTC lands") along Glenanna Road, between Kingston Road and Pickering Parkway (see Location Map, Attachment #1).

In December 2021, OPB Realty Inc. ("PTC Ownership") submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment for the PTC lands, and the rezoning application also applied to the City lands located on the south side of the Esplanade South between Glenanna Road and Valley Farm Road. In partnership with the City, the first phase of their development included: a new expanded Central Library facility; a new Performing Arts Centre;

a new Seniors & Youth Centre; various mixed-use, high-density buildings ranging in height between 9 and 50 storeys; 3 parks; and internal public and private roads connecting all of the buildings and uses and providing access to Glenanna Road (see Original Phase 1 Master Plan, Attachment #4).

At the Special In-Camera Council meeting of March 11, 2022, Council received a significant update related to the long-term fiscal and economic impacts of the City Centre project. Council decided to defer all work related to the City facilities on the project, pending further Council direction. No decision related to the City facilities and the City lands are being considered through the approval these applications.

In June of 2022, PTC Ownership submitted revised applications for the PTC lands only, for a high-density mixed-use development, with buildings heights ranging between 9 and 55 storeys (see Revised Phase 1 Master Plan, Attachment #6). Key changes made to the proposal include: doubling the size of the parkland; increasing the total number of residential units; reducing the total amount of commercial/retail space; and refining building heights.

The revised Draft Plan of Subdivision for the PTC lands proposes to create 9 development blocks, 1 parkland block and a network of new internal public and private roads (see Revised Draft Plan of Subdivision, Attachment #5). The rezoning application is to transfer the allowable Floor Space Index attributed to the proposed public roads and public parks to the development blocks. The applicant is also requesting site-specific amendments to reduce the minimum residential parking ratio, increase building height for certain development blocks, and other minor technical amendments. The revised draft plan of subdivision and the implementing zoning by-law would allow for the flexibility should the City decide to pursue the City Centre project.

To ensure the City Centre is developed with a mix of uses to create a dynamic and vibrant downtown, PTC Ownership has agreed to provide a total minimum of 12,000 square metres of net floor area for office and other complementary uses within the first phase of the development. In addition, they have agreed to provide an aggregate minimum of 2,000 square metres for commercial/retail uses in the first phase of development with a minimum of 150 square metres of commercial/retail space to be provided on the ground floor of each building.

City Development staff are in support of the revisions to the draft plan of subdivision and zoning by-law amendment. The proposal is in keeping with the City's vision of the City Centre as a distinct urban place; a place that inspires, a place to live, work and play, all in a compact and walkable environment. The proposal is consistent with the Provincial Policy Statement and conforms with the Provincial Growth Plan, and the Durham Regional and Pickering Official Plans. The proposed zoning amendment does not change the amount of development that can occur but allows taller buildings in appropriate locations to minimize shadow impacts. Staff will continue to work with PTC Ownership to ensure the design of buildings and the quality of the public realm spaces create a human-scale development. Any outstanding technical requirements that need to be addressed will be dealt with through the Site Plan Approval process.

Staff recommend that Council endorse Draft Plan of Subdivision SP-2021-02, as shown on Attachment #5 to this Report, and the conditions of approval set out in Appendix I to this Report. Staff recommend that the site-specific implementing by-law, as set out in Appendix II to this Report, be finalized and forwarded to Council for enactment.

Additionally, Section 34(17) of the *Planning Act* states that where a change is made in a proposed by-law after the holding of the public meeting, Council shall determine whether any further notice is to be given in respect of the proposed by-law. Considering that a total of 1,571 notices were mailed out to area residents regarding these applications and the City received limited comments from the public and the improvements to the proposal are consistent with the City's vision for the City Centre, staff recommend that further public notice is not required.

The nine development blocks will be subject to site plan approval, in which detailed design issues will be dealt with.

Financial Implications: No direct costs to the City are anticipated as a result of the recommendations of this report.

1. Background

In July 2014, City Council approved Official Plan Amendment 26 ("OPA 26"), which introduced new designations and policies and changed existing policies to create a framework for the redevelopment and intensification of the City Centre. OPA 26 was approved with modifications on March 4, 2015, by the Ontario Land Tribunal ("OLT"), previously known at that time as the Ontario Municipal Board ("OMB") and has been in full force and effect since then.

On April 11, 2017, Council approved a new comprehensive City-initiated City Centre Zoning By-law 7553/17, and City Centre Urban Design Guidelines. Following the approval of these documents, on June 12, 2017, Council approved Official Plan Amendment 29 ("OPA 29") to remove the density cap for the City Centre. The removal of the cap provides further opportunities for intensification, allowing for a greater number of units to be achieved within the same building envelope.

During the preparation of these documents, City Development staff had extensive discussions with representatives for OPB Realty Inc. ("PTC Ownership"), regarding their long-term redevelopment plans of the Pickering Town Centre lands ("PTC lands"). At that time, PTC Ownership representatives advised that due to department store restrictions, the PTC lands would continue to be used as a commercial centre. For this reason, the implementing planning documents only identified a network of private roads internal to the site and did not address further intensification of the property and integration of the mall site into the surrounding urban fabric, which would be necessary steps to ensure the creation of a complete community.

Since Council's approval of these documents, the vision for the PTC lands has changed significantly to reflect evolving market conditions and consumer demands, which was triggered largely by the closure of Sears Canada on this site. As a result, in September 2019, Council approved a City-initiated Zoning By-law Amendment (By-law 7713/19), which applied to the easterly portion of the PTC lands located on the west side of Glenanna Road between Kingston Road and Pickering Parkway, and City-owned lands on the south side of The Esplanade South ("City lands") (see Location Map and Air Photo Map, Attachments #1 and #2). This amendment increased the maximum building heights on certain portions of the PTC lands and City lands; added residential uses to the City's lands; revised the definition of floor space index for the entire City Centre; and introduced a new definition of net floor space for the entire City Centre.

This City initiated rezoning was intended to prepare the City lands to form a part of a new City Centre project. This by-law was appealed to the OLT by Canadian Apartment Properties Real Estate Investment Trust ("CAPREIT"), owners of Pickering Place. However, the appeal was formally withdrawn in March 2021, after the City approved Minutes of Settlement. By-law 7713/19 is now in effect.

2. Applicant's Original Proposal

Following the closure of the Sears retail store at the PTC, and the relocation of the movie theatres to the west side of the mall, the City and PTC Ownership identified an opportunity to accelerate the redevelopment of the City Centre, and explore new and innovative ways to repurpose underutilized lands at the mall site for both City facilities and new residential/retail development. The City began working in conjunction with PTC Ownership to develop the City Centre Project for a high-density mixed-use development.

As part of these discussions, representatives for PTC Ownership initiated a Master Plan review of the PTC lands in August of 2021. The purpose of the Master Plan review was to demonstrate how the balance of the PTC lands can be redeveloped in an integrated and coordinated manner over time. This review also assisted in determining the future development blocks; identifying the alignment and configuration of public and private streets; resolving key issues concerning site servicing, stormwater management, and on-site flood storage; and determining the location and size of public parks, and privately-owned publicly accessible spaces.

In December of 2021, PTC Ownership submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment for the PTC lands and City lands, to implement the first phase of the Master Plan (see Original Draft Plan of Subdivision, Attachment #3 and Original Phase 1 Master Plan, Attachment #4). The original proposal included:

- a new expanded Central Library facility, which would replace the existing central library;
- a new Performing Arts Centre, anticipated to feature a theatre, visual arts gallery and rehearsal/program spaces;

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- a new Seniors & Youth Centre, anticipated to feature a full-sized gymnasium, meeting/program rooms, and youth and seniors spaces;
 - a 50-storey signature landmark residential rental building to be constructed on top of the Seniors & Youth facility;
 - various mixed-use, high-density buildings ranging in height between 9 and 50 storeys, containing a total of 3,871 new residential units, and approximately 6,046 square metres of new commercial/office/retail space;
 - on the City lands, 3 mixed-use buildings having heights of 38 storeys, 6 storeys, and 30 storeys, containing a total of 932 residential dwelling units, and 229 square metres of retail/commercial space at grade;
 - 3 park blocks totalling an area of 0.28 of a hectare, which would meet the parkland dedication requirements for the PTC lands and City lands; and
 - internal public and private roads connecting all of the buildings and uses, and providing access to Glenanna Road.

An electronic Statutory Public Meeting was held for the original proposal on February 7, 2022.

3. Council's Decision at the Special In-Camera Council Meeting of March 11, 2022

At a Special In-Camera Council meeting on March 11, 2022, Council received a significant update related to the long-term fiscal and economic impacts of the City Centre project. Council decided to defer all work related to the City facilities on the project, pending further Council direction.

Following Council's decision, PTC Ownership continued to work with City staff to amend their proposal to remove the City facilities and the City lands, and further refine their draft plan of subdivision and accompanying zoning by-law amendment.

4. Applicant's Revised Proposal

In June of 2022, PTC Ownership submitted revised applications for Draft Plan of Subdivision and Zoning By-law Amendment for the PTC lands only, for a high-density, mixed-use development, with buildings heights ranging between 9 and 55 storeys. Key changes made to the proposal include:

- doubling the size of the parkland from a total of 0.28 of a hectare (5 percent of the total land area) to 0.58 of a hectare (10 percent of the total land area);
- increasing the total number of residential units to 5,099 units;
- reducing the total amount of commercial/retail space to 3,418 square metres; and
- further increasing building heights on Blocks 1, 6, 7, 9 and 10 in order to accommodate the transfer of the Floor Space Index (FSI) attributed to the additional parklands to be conveyed to the City.

4.1 Revised Draft Plan of Subdivision

The revised Draft Plan of Subdivision for the PTC lands proposes to create nine development blocks for a mix of high-density residential and commercial uses; one parkland block; and a network of new internal public and private roads that will provide access to Glenanna Road (see Revised Draft Plan of Subdivision, Attachment #5).

The table below provides a summary of the proposed land uses and land area associated with each proposed development block (see Revised Phase 1 Master Plan, Attachment #6).

Development Block Number	Land Area	Proposed Use
Blocks 1, 3, 4, 5, 6, 7, 8, 9 and 10	approx. 4.33 hectares	<ul style="list-style-type: none"> • various mixed-use, high-density buildings ranging in height between 9 and 55 storeys; • a total of 5,099 new residential dwelling units; • a total of 3,418 square metres (36,791 square feet) of new retail/commercial space at grade.
Park Block 2	approx. 0.58 of a hectare	<ul style="list-style-type: none"> • the parkland has increased in size from 0.28 of a hectare to 0.58 of a hectare; • the parkland now represents 10 percent of the total land area to be developed; • the parkland will be conveyed to the City for parkland dedication.
Public Roads B and D	approx. 0.84 of a hectare	<ul style="list-style-type: none"> • proposed public roads providing frontage along each development block.

4.2 Revised Zoning By-law Amendment

The applicant has requested the following site-specific amendments to support the revised proposal:

- transfer the allowable Floor Space Index (FSI) attributed to the proposed public roads and public parks to the future development blocks;
- reduce the minimum residential parking ratio for apartment dwellings from 0.8 spaces per unit to 0.65 spaces per unit;
- increase maximum building heights as follows:
 - Block 1: 50 storeys to 55 storeys;
 - Blocks 3, 4 and 8: 40 storeys to 50 storeys;
 - Block 5: 40 storeys to 42 storeys;
 - Block 6 and 7: 40 storeys to 48 storeys;
 - Block 9: 40 storeys to 53 storeys;
- allow certain development blocks to locate the required outdoor and indoor amenity areas on another abutting lot; and
- remove the requirement for a minimum main wall stepback, between the podium and tower, for select residential towers.

As noted above, the City lands have been removed from this proposal, and as such, the proposed amendments apply to the PTC lands only.

PTC Ownership will be responsible for submitting a Site Plan Application for each development block, where the City will have additional opportunities to review detailed technical matters concerning, but not limited to, architecture, urban design, landscaping, and engineering. As part of the site plan applications, PTC Ownership will be required to develop and submit a phasing plan for the entire Phase 1 Master Plan.

5. Comments Received

5.1 February 7, 2022, Electronic Statutory Public Meeting and Written Comments

An electronic Statutory Public Meeting was held on February 7, 2022. Notice of the public meeting regarding these applications was provided through a mailing to all properties within 150 metres of the subject lands (in total, notice was mailed to 1,571 property owners). In addition, development signs were posted along Kingston Road, Pickering Parkway, Glenanna Road and The Esplanade South. A copy of the notice of the electronic statutory public meeting was included in the January 20 and February 3, 2022, News Advertiser.

The City received two written comments from the public, and one resident spoke at the meeting. The following is a list of key comments and concerns expressed by area residents at the meeting and in written submissions:

- questioned if and when road improvements, (including traffic light coordination), will be made to accommodate the increased traffic as a result of the proposed development;
- concerned about potential shadow impacts as a result of the high-density buildings proposed on the City of Pickering lands;
- questioned whether the proposed parkland dedication is sufficient to serve future residents;
- requested clarification as to what commercial uses are proposed for the development; and
- questioned what the future use of the existing library building will be and whether The Esplanade Park, located east of City Hall, will remain.

Key questions/comments raised by members of the Planning & Development Committee at the electronic Statutory Public Meeting include:

- questioned whether the proposed development is consistent with Provincial Plans and policies related to major transit areas;
- questioned if the proposed development will be constructed in phases;
- questioned the scope of the City-initiated traffic study and timeline for completion of the study; and
- questioned if the proposed buildings will be high-performance buildings that are energy efficient and green.

5.1.1 No further public notice is required

Section 34(17) of the *Planning Act* states that where a change is made in a proposed by-law after the holding of the public meeting, Council shall determine whether any further notice is to be given in respect of the proposed by-law. The determination of the council as to the giving of a further notice is final and not subject to review in any court, irrespective of the extent of the change made in the proposed by-law.

Following the Statutory Public Meeting on February 7, 2022, PTC Ownership revised their proposal to increase building heights on Blocks 1, 6, 7, 9 and 10, and increase the size of the parkland. When an applicant requests for an increase in building heights after the public meeting, the City typically holds another public open house or statutory public meeting.

A total of 1,571 notices were sent to property owners regarding these applications resulting in the City receiving two written comments from the public and one resident who spoke at the meeting. Considering that PTC Ownership has doubled the size of the parkland and the minimal comments received by the public, staff recommend that additional public notice is not necessary to give further notice to the changes to the applicant's proposal.

5.2 Comments from Agencies

5.2.1 Region of Durham

- the proposal incorporates a wide variety of residential and non-residential uses, consistent with the directives of the Provincial Plan and Policies, the Region of Durham Official Plan, the Pickering Official Plan and Zoning By-law; and
- the Region has no concerns with the draft plan of subdivision and the zoning by-law amendment, subject to the applicant satisfying the Region's comments related to various matters including servicing, transportation, and noise and vibration.

5.2.2 Durham Regional Police, Radio Systems – Communications

- proposed buildings on Blocks 6, 7 and 8 will be an obstruction to the Region's Public Safety Microwave paths and affect the system's operation for Police and Fire communications;
- to address this issue, the applicant has three options:
 1. reduce the height of the proposed buildings that are directly in the path;
 2. move the buildings out of the path; or
 3. route the microwave path either over or around the obstructions (the costs associated with this option are the responsibility of the applicant).

5.2.3 Metrolinx

- the proposal falls within 300 metres of Metrolinx's Pickering GO Station and Kingston Subdivision, which carries Lakeshore East Go Train services;
- Metrolinx does not have any further concerns regarding the revised proposal;

- requested that a noise report be prepared and submitted for review;
- requested that a warning clause be provided advising purchasers of the railway right-of-way;
- requested the Owner grant Metrolinx an environmental easement over the subject lands for operational emissions; and
- requested the applicant work with Metrolinx to ensure pedestrian connections are provided between the subject lands and the Pickering GO Station.

5.2.4 Ministry of Transportation (MTO)

- no objections;
- the applicant's submitted Traffic Impact Study identifies road improvements that may be required as a result of further growth within the City Centre; and
- future development in the City Centre may not be permitted until appropriate road improvements are completed.

5.2.5 Canadian National Railway

- requested that a noise report be prepared and submitted for review; and
- requested that warning clauses, restrictive covenants, and environmental easements are provided advising purchasers of the railway right-of-way, and that noise and vibration measures are not to be altered.

5.2.6 Durham Catholic District School Board

- no objections; and
- students from this development will attend Father Fenelon Catholic Elementary School located at 795 Eyer Drive, and St. Mary Catholic Secondary School located at 1918 Whites Road.

5.3 Comments from City Departments

5.3.1 Engineering Services

- no objections to the proposed zoning by-law amendment application; and
- technical matters related to grading, drainage, site-servicing, stormwater management and landscaping can be addressed through the site plan approval process.

5.3.2 Fire Services

- No comments at this time.

6. Planning Analysis

6.1 The proposal meets the directives of the Provincial Policy Statement

The Provincial Policy Statement, 2020 ("PPS") states that healthy, livable and safe communities are to be sustained, including among other matters: promoting efficient development and land-use patterns; accommodating an appropriate range and mix of

residential, employment, institutional, recreation, park and open space and other uses, to meet long-term needs; and promoting cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

The PPS states that settlement areas are to be the focus of growth and development and that land-use patterns within settlement areas are to be based on densities and a mix of land uses which:

- efficiently use land and resources;
- are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available;
- support active transportation;
- are transit-supportive, where transit is planned, exists or may be developed; and avoid the need for their unjustified and/or uneconomical expansion;
- minimize negative impacts to air quality and climate change, and promote energy efficiency; and
- prepare for the impacts of a changing climate.

The subject lands are located within the City Centre. The land use policies for the City Centre call for a greater density of development and a more urban mix of built forms and uses. The Revised Phase 1 Master Plan, as shown on Attachment #6 to this report, will transform Pickering's City Centre into a pedestrian-friendly, and transit-supportive centre, that will include a diverse mix of housing options, a large public park for the enjoyment of all residents, and a broad mix of commercial/retail uses and employment opportunities.

The proposal is consistent with the Provincial Policy Statement.

6.2 The proposal conforms to the Provincial Growth Plan

The Growth Plan for the Greater Golden Horseshoe (2020) ("Growth Plan") seeks to optimize provincial investments in higher-order transit, by directing growth to strategic growth areas, and locations with existing or planned transit, with a priority on higher-order transit where it exists or is planned. Schedule 4 of the Growth Plan identifies Pickering City Centre as an Urban Growth Centre and on Schedule 5 as a priority transit corridor, having the capacity to accommodate significant mixed-use, residential and employment intensification.

Policy 2.2.4.8 b) states "All major transit station areas will be planned and designed to be transit-supportive, and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking".

Policy 2.2.4.9 states “Within all major transit station areas, development will be supported, where appropriate, by planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels; fostering collaboration between public and private sectors, such as joint development projects; and providing alternative development standards such as reduced parking standards”.

Policy 2.2.5.3 states “Retail and office uses will be directed to locations that support active transportation, and have existing or planned transit.”

The proposal conforms with the Growth Plan as it facilitates new development in a compact and efficient form that is designed to support and promote active transportation adjacent to a major transit hub. The proposal will also contribute to a complete community, with a variety of housing options and new office/commercial spaces, while efficiently using underutilized lands, and existing and planned infrastructure.

6.3 The proposal conforms to the Durham Regional Official Plan

The Durham Regional Official Plan (“DROP”) designates Pickering’s City Centre as an Urban Growth Centre and a Regional Centre. Lands that are designated as Centres shall be developed as the main concentration of commercial, residential, cultural and government functions, in a well-designed and intensive land use form. Furthermore, Centres shall be developed in accordance with the following principles:

- focal point of culture, art, entertainment and assembly, through provision of public squares, in addition to cultural facilities, parks and other public facilities;
- mixed uses, and a grid of roads and walkways;
- urban design that favours pedestrian traffic and public transit with direct pedestrian access to buildings, provision of transit, and parking areas sited at the rear, or within buildings, wherever possible; and
- balance of employment and residential growth, and a variety of compact, higher-density housing types to service all housing needs, including affordable housing and assisted housing.

In addition, the DROP identifies the subject lands as being within a Major Transit Station Area (“MTSA”) for the Pickering GO Station. MTSA’s are primary locations for mixed-use and transit-oriented development, providing a variety of housing opportunities, office uses, street-oriented commercial uses, institutional uses, recreational uses, and public amenities. In support of existing and future transit services, development adjacent to transportation hubs shall provide for:

- complementary higher order density and mixed uses at an appropriate scale and context;
- buildings oriented toward the street, to reduce walking distances to transit facilities;
- facilities which support non-auto modes including: drop off facilities, bus bays, bus loops, bus shelters, walkways, trails and other pedestrian and cycling facilities; and
- limited surface parking and the potential redevelopment of existing surface parking.

The proposal will facilitate a mix of office, commercial and residential land uses at densities and heights within an Urban Growth Centre and Major Transit Station Area, where high-density, mixed-uses and taller buildings are encouraged. The DROP encourages the reuse, revitalization, redevelopment and rehabilitation of Urban Areas.

The proposal conforms to the policies of the Durham Regional Official Plan.

6.4 The proposal conforms to the policies of the Pickering Official Plan

The subject lands are designated “Mixed Use Areas – City Centre” within the Pickering Official Plan. This designation permits high-density residential uses, retailing of goods and services, offices and restaurants, hotels, convention centres, community, cultural and recreational uses, community gardens, and farmers’ market. The designation permits a minimum net residential density of 80 units per hectare and no maximum density; a maximum gross leasable floor space for the retailing of goods and services of up to and including 300,000 square metres; and a maximum Floor Space Index (FSI) of over 0.75 and up to and including 5.75.

The City Centre Neighbourhood also includes specific policies concerning enhancements to the public realm; active uses at grade; performance criteria for tall buildings to minimize adverse impacts concerning shadowing, sky view, privacy and transition to established low-density development; and pedestrian network and mobility. The proposed development contributes to the transformation of the City Centre into a more liveable, walkable and human-scaled neighbourhood by providing features such as:

- providing a high mix and intensity of uses, and locating tall buildings in proximity to Highway 401 and a higher order transit station;
- creating social gathering places, and a vibrant street life, by integrating commercial uses into the development adjacent to the public realm;
- providing publicly accessible outdoor and indoor spaces where people can gather, and providing streetscapes and pedestrian routes that are safe and comfortable;
- locating new buildings along Glenanna Road and Pickering Parkway to address these street edges, and prohibiting back lotting and surface parking between the buildings and the street;
- providing adequate podium heights for the high-density buildings, to help create a human scale at street level and reduce shadow impacts;
- providing sufficient spacing between adjacent buildings, to ensure views and privacy for residents are maintained, and to minimize any shadowing and wind tunnel impacts on adjacent buildings, streets and public spaces;
- minimizing shadowing impacts on surrounding development, publicly accessible open spaces and sidewalks;
- requiring the applicant to cooperate with Durham Region Transit and Metrolinx to ensure the alignment and location of future transit routes consider access to the greatest concentration of people and jobs;
- providing parking through underground parking structures;
- requiring the provision of secure bicycle parking facilities in suitable locations; and
- reducing the number of required car parking spaces, where bicycle parking facilities and transportation demand management measurements, are provided.

The proposal conforms to the goals and objectives of the City's Official Plan, which is to promote the City Centre as the main focus for business, employment, entertainment, shopping, and higher-density residential accommodations. The proposal will facilitate land uses and built forms that are transit-oriented, environmentally friendly, and supportive of mixed-use development and walkability.

The proposal conforms to the policies within the Pickering Official Plan.

6.5 A larger parkland block will be conveyed to the City to serve future residents

The City's current practice for fulfilling parkland dedication requirements under the *Planning Act* is to collect 5 percent of the developable land, or the payment of money equal to the value of 5 percent of the developable land, or such combination of land and money. However, through further discussions between staff and PTC Ownership, it was determined that there is a strong need for greater open space to accommodate the increased population within the City Centre. As such, PTC Ownership has doubled the size of the parkland from a total of 0.28 of a hectare (5 percent of the total land area) to 0.58 of a hectare (10 percent of the total land area), which substantially exceeds the City current parkland dedication requirements. The park is identified as Block 2 on the Revised Draft Plan of Subdivision (see Attachment #5).

No conceptual design for the park block has been completed at this time. The size and configuration of the larger park block will provide the City greater flexibility to incorporate a variety of elements such as hard and soft landscaping, outdoor seating area, public art, water features, seasonal outdoor activities, and gathering spaces for special events. The park block will be conveyed to the City to satisfy the parkland dedication requirements for this development. Upon the registration of the subdivision and conveyance of the park block, the City will commence a public engagement strategy to collect feedback from City Centre residents regarding the design and programming of the park block.

In addition, each residential building is required to provide indoor and outdoor amenity spaces for its residents, as required in the City Centre Zoning By-law 7553/17. The details of the indoor and outdoor amenity spaces will be determined through the site plan approval process for each building.

The proposed larger park block is consistent with the City's urban design objective for creating an enhanced public realm and a distinct visual identity for the City Centre.

6.6 Implementing Zoning By-law Amendment requires minimum non-residential gross floor area

Pickering's City Centre is designated as an Urban Growth Centre in the Growth Plan. The minimum growth target of 200 people and jobs per hectare will result in an additional population of approximately 8,300 people and 8,700 jobs by 2031. Council supports a balance of opportunities to live, work and play in the City Centre by adopting a resident-to-job ratio of 1:1.

The revised proposal submitted by the applicant provides for approximately 5,099 residential units (approximate population: 9,178 people), 3,418 square metres of new commercial/retail space and no minimum gross floor area for office or other employment uses. Staff identified a concern that the current proposal primarily proposes residential uses with some at-grade commercial/retail uses.

Based on further discussions and negotiations with CentreCourt Developments ("CentreCourt"), potential partners/purchasers of Pickering Town Centre, and Investment Management Corporation of Ontario ("IMCO"), Investment Manager for the Ontario Pension Board and Cushman and Wakefield Asset Services, both CentreCourt and IMCO have advised that it's their objective is to transform the Pickering Town Centre into a true mixed-use node with a successful retail offering, a major employment node, an economic centre and a community hub. They noted that there is still upwards of approximately 3,700 square metres (approximately 40,000 square feet) of retail vacancy leftover from the former Target store and approximately 1,672 square metres (approximately 18,000 square feet) in the existing MPAC Office Building. IMCO has advised that they continue to explore opportunities to fill these vacancies with limited success. In addition, they have expressed reservation with including a minimum gross floor area given the limited demand for suburban office space and the financial viability of constructing an office building the current economic climate.

Notwithstanding their current position regarding the viability of office space within the City Centre, they have agreed to provide a total minimum of 12,000 square metres of net floor area for office use to be protected within the first phase of the PTC development, which is the size of the existing 10-storey MPAC Office building. This total could be accommodated within a single building or distributed within the podium of the proposed nine mixed-use buildings. To provide flexibility to lease the required 12,000 square metres of office spaces, IMCO has requested that other complementary uses be included in this minimum requirement including Financial Institution, Medical Office, Post-Secondary School, Private School, Commercial School and Veterinary Clinic.

In addition to requiring a minimum GFA for office use, a total minimum of 2,000 square metres for commercial/retail uses will be required for the first phase of development with a minimum of 150 square metres of commercial/retail space to be provided on the ground floor of each building. The type of commercial uses that could be accommodated within the ground floor of each building could be daycare centres, medical and dental offices, restaurants, and personal services. In addition, the implementing zoning by-law will require Active At Grade Frontages along Glenanna Road, the future park block and portions of the internal public roads. Buildings requiring active at-grade frontages must be comprised of a primary entrance door with openings and transparent glazing along the street frontage.

The above-noted zoning provisions are intended to ensure that the continuous buildout of the City Centre includes a significant amount of non-residential and employment uses that will facilitate a dynamic downtown. Furthermore, as new residents move into the City Centre sufficient commercial/retail uses will be provided in convenient locations to serve the growing population. The inclusion of at-grade commercial/retail uses will help to animate the streetscape, promote pedestrian and bicycle travel, and enhance the overall vibrancy of the City Centre.

6.7 Proposed building heights will have acceptable shadow impacts

During the statutory public meeting, an area resident expressed concerns related to shadow impact as a result of the increase in building heights.

In support of the proposed buildings on the PTC lands, PTC Ownership submitted a Shadow Study, prepared by Architects Alliance. The shadow study includes March, June, September and December hourly between 9:18 am and 7:18 pm.

Shadow impacts on the parkland block are expected to vary throughout the year. In March, between 9:18 am and 1:18 pm, the buildings are expected to cast shadows. In June, shadow impacts on the park block are expected to be minimal, except in the evening hours between 6:18 and 7:18 pm, wherein shadow impacts are slightly greater. Shadow impacts on the park in September are greatest at mid-day (11:18 am to 1:18 pm) and in the evening (6:18 pm). Impacts in December are the greatest, with the park experiencing shadowing during all hours.

Throughout the year, shadowing impacts on Esplanade Park are minimal. In March and September, Esplanade Park is expected to experience minimal shadowing between 2:18 and 5:18 pm, whereas all other hours of the day are expected to experience no shadowing. In the month of June, it is expected that Esplanade Park will experience no shadow impacts during any hours of the day. In December, Esplanade Park will experience shadowing impacts in the afternoon and evening.

For the existing, low-density townhomes to the east (located on the east side of Valley Farm Road, south of the Chestnut Hill Developments Recreation Complex), shadow impacts throughout the year are expected to be minimal. During March and September, the townhomes will experience minor shadowing in the evening hours only (after 5:18 pm). In the month of June, the townhomes will experience no shadow impacts. In December, the townhomes will experience minor shadowing in the afternoon and evening (after 2:18 pm).

Staff have reviewed the submitted shadow study and concur with the findings of the study. Staff are satisfied that the proposed building heights will result in minimal shadow impacts on existing and proposed parks, and the existing residential dwellings to the east. Through the site plan review process, staff will continue to work with the applicant to review the location of the tower further minimize the shadow impacts.

6.8 The City is undertaking a Transportation Master Plan Study for the City Centre

The Pickering City Centre is anticipated to experience significant long-term redevelopment for residential, commercial, office and recreational uses. To manage future growth in the City Centre, the City is undertaking a City Centre Transportation Master Plan. The Master Plan will look at all proposed or potential development or redevelopment within the City Centre (between Brock Road and Whites Road), at the 10-year and 20-year development horizons. The study will consider multi-model travel needs; road network operations (including Highway 401 interchanges); transit, bicycle and pedestrian networks; and identify future transportation infrastructure needs. The

study will include a comprehensive transportation impact study; a transportation network review; and preparation of road functional design plans. The Region of Durham will also take an active role in the Master Plan, as redevelopment opportunities will affect Regional roads. The study is expected to take approximately a year to complete.

PTC Ownership will be responsible for submitting a Site Plan Application for each development block. The applicant must address conformity to the City Centre Transportation Master Plan through the site plan applications.

The road network in the City Centre has been designed to accommodate a considerable volume of traffic, whether it is from retail, office or residential uses. Design modifications for Glenanna Road are under review and will consider all users (pedestrians, cyclists, transit and vehicles). Other traffic management systems, such as traffic signals, are also being reviewed. Any required modifications will be implemented with the reconstruction of Glenanna Road. As further phases of development occur, the need for additional modifications will be assessed at that time.

The City is also working with the Ministry of Transportation (MTO) to assess the impact of residential and mixed-use developments within the City Centre on the Liverpool Road intersection. A study assessing these impacts has been prepared and circulated to MTO for their review and comment.

6.9 Staff support reduced residential parking ratio

The City Centre Zoning By-law requires a minimum of 0.8 resident parking spaces per dwelling unit and an additional 0.15 spaces per dwelling unit for visitors. The applicant is requesting to amend the residential parking rate from 0.8 spaces to 0.65 spaces per dwelling unit. Each building will also provide indoor and outdoor bicycle parking spaces at a minimum ratio of 0.5 spaces per dwelling unit, and 2 spaces for each 1,000 square metres of gross leasable floor area. In addition, the subject lands have direct pedestrian access to the Pickering GO Station through the Pickering GO Pedestrian Bridge located along Pickering Parkway. The lands are also within 600 metres of at least 15 Durham Region Transit bus stops.

To support the proposed reduction of residential parking, PTC Ownership has submitted a Parking Reduction Review, prepared by BA Group. The review identified that the proposed reduction is appropriate, for the following reasons:

- parking sales trends were observed at other developments located within the Pickering City Centre, including the Universal City development located to the south, which saw an overall parking demand of 0.71 spaces per unit;
- recent residential buildings within the Greater Toronto Area have received parking reduction approvals when located in proximity to an existing transit hub;
- the reduction is consistent with Ontario's New Five Year Climate Change Action Plan, which supports reduced single-passenger vehicle trips, eliminating minimum parking requirements, especially in transit corridors, and supports cycling, walking and use of transit;

-
- the proposed development has access to many existing non-automobile modes of travel, including the Pickering GO Train, GO Regional bus services, multiple Durham Region bus services, and key pedestrian connections;
 - the proposed development will have access to planned transit improvements, including the Durham-Scarborough Bus Rapid Transit, the Durham Region Transit Pickering Parkway Terminal Expansion and Metrolinx's Regional Express Rail; and
 - the implementation of sustainable Transportation Demand Management (TDM) measures for the development, to reduce overall reliance on single-occupancy vehicles while promoting more active modes of transportation, by:
 - providing sidewalks and cycling routes along all new public and private streets within the project area;
 - providing a mix of uses to enable residents to walk to key destinations, including the Pickering Town Centre and the commercial/retail uses located at grade;
 - allowing purchasers to only pay for the amount of parking they require; and
 - advertising the different modes of transportation available (i.e., Go Transit, indoor bicycle lockers).

Staff support the applicant's request to reduce the minimum parking ratio, which is consistent with the City Centre objective to create a pedestrian-focused neighbourhood and support alternative modes of travel.

6.10 The applicant will enter into appropriate arrangements to ensure the proposed buildings do not obstruct the Region's emergency radio communication network

The Durham Regional Police Service ("DRPS") has stated that certain proposed buildings within the development will be an obstruction to the Region's Public Safety Microwave paths and affect the system's operation for Police and Fire communications. To address this issue, DRPS has noted the following options for the applicant:

1. reduce the height of the proposed buildings that are directly in the path;
2. move the buildings out of the path; or
3. route the microwave path either over or around the obstructions (the costs associated with this option are the responsibility of the applicant).

Through the recommended conditions of draft plan approval (see Condition 13 within Appendix I), the owner will be required to enter into any agreements and/or arrangements, including easements, that require the owner to relocate or replace, at its own expense, any antenna system and associated equipment required for the Region's emergency radio communications network, to the satisfaction of the City, the Region of Durham and Durham Regional Police. In addition, the condition states that site plan approval shall not be issued, and no building permit shall be issued, until such time as this condition is complied with.

Through the site plan review process, City staff will continue to work with PTC Ownership, DRPS and the Region of Durham to ensure the development does not create obstruction issues with the Region's Public Safety Microwave paths.

6.11 The proposed development achieves Level 1 of the City's Sustainable Development Guidelines

At the statutory public meeting, Committee members questioned if the proposed buildings will be high-performance buildings that are energy efficient and green.

On behalf of PTC Ownership, JKO Planning Services Inc. has prepared a Sustainability Report for the Master Plan development, in accordance with the City's Sustainable Development Guidelines. The proposed development achieves the minimum points required by the Guidelines and achieves Level 1 with an overall score of 50 points. The following optional sustainability measures to achieve the minimum Level 1 of the City's Sustainable Development Guidelines are proposed:

- redeveloping underutilized lands at higher densities;
- providing amenities such as retail uses, entertainment and recreational facilities, within a 400-metre walking distance of residential units;
- creating a mixed-use development with street-related retail components on the ground floor of multi-storey residential buildings;
- including private lanes at the rear of street-related commercial units for service and loading purposes;
- locating approximately 70 percent of the proposed density within a 250-metre walking distance of a transit stop;
- utilizing transit proximity, and providing pedestrian and cycling routes, to encourage alternative modes of transportation;
- providing energy-efficient appliances;
- maximizing water efficiency; and
- providing on-site separation and storage for construction and residential waste management.

Through the site plan review process, City staff will work with PTC Ownership to ensure the proposed sustainability measures are met.

6.12 All phases of development will be subject to site plan approval

Detailed design issues to be dealt with through the site plan review process include matters such as, but is not limited to, refining building design and materials; finalizing landscaping; detailed design of the public roads; controlling drainage and grading, and detailing site servicing.

7. Conclusion

Staff recommend that Council endorse Draft Plan of Subdivision SP-2021-02, as shown on Attachment #5 to this Report, and the conditions of approval set out in Appendix I to this Report.

Staff support the rezoning application and recommend that Zoning By-law 7553/17 be amended to permit the site-specific exceptions. Staff recommend that the site-specific implementing by-law, containing the standards set out in Appendix II to this Report, be finalized and brought before Council for enactment.

In addition, staff recommend that additional public notice is not required.

8. Applicant's Comments

The applicant has been advised of and concurs with the recommendations of this report.

Appendices

Appendix I	Recommended Conditions of Approval for Draft Plan of Subdivision SP-2021-02
Appendix II	Recommended Zoning By-law Provisions for Zoning By-law Amendment Application A 15/21

Attachments:

1. Location Map
 2. Air Photo Map
 3. Original Draft Plan of Subdivision
 4. Original Phase 1 Master Plan
 5. Revised Draft Plan of Subdivision
 6. Revised Phase 1 Master Plan
-

Prepared By:

Approved/Endorsed By:

Original Signed By

Original Signed By

Isabel Lima
Planner II

Catherine Rose, MCIP, RPP
Chief Planner

Original Signed By

Original Signed By

Tyler Barnett
Principal Planner, Site Planning

Kyle Bentley, P. Eng.
Director, City Development & CBO

Original Signed By

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

IL:ld

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer

**Recommended Conditions of Approval for
Draft Plan of Subdivision SP-2021-02**

**Recommended Conditions of Approval for
Draft Plan of Subdivision SP-2021-02**

General Conditions

1. That the Owner shall prepare the final plan and shall include a land use table on the basis of the draft plan of subdivision, prepared by Schaeffer Dzaldov Bennett Ltd., as revised and dated May 30, 2022, which illustrates 9 development blocks for a mix of high-density residential, office and commercial uses, 1 parkland block and 2 public roads.

Region of Durham

2. That the Owner shall submit plans showing any proposed phasing to the Region for review and approval, if this subdivision is to be developed by more than one registration.
3. That the Owner shall grant to the Region, any easements required to provide Regional Services for this development and these easements shall be in locations and of such widths as determined by the Region.
4. That the Owner shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Owner shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan, which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Regional Municipality of Durham. All arrangements, financial and otherwise for said extensions are to be made to the satisfaction of the Regional Municipality of Durham and are to be completed prior to final approval of this plan.
5. That prior to entering into a subdivision agreement, the Regional Municipality of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
6. That the Owner shall satisfy all requirements, financial and otherwise, of the Regional Municipality of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Owner and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other services.
7. That prior to the finalization of this Plan of Subdivision, the Owner must provide satisfactory evidence to the Region of Durham in accordance with the Region's Site Contamination Protocol to address site contamination matters.
8. That the Owner shall agree in the City of Pickering Subdivision Agreement to provide engineering plans to the satisfaction of the Regional Municipality of Durham which shows the location of all transit-related infrastructure/facilities (including how it coordinates with proposed landscaping, driveway entrances and other facilities) within the draft plan of subdivision.

Subdivision Agreement

9. That the Owner enters into a subdivision agreement with and to the satisfaction of the City of Pickering to ensure the fulfillment of the City's requirements, financial and otherwise, which shall include, but not necessarily be limited to the conditions outlined in this document.

40M-Plan

10. That the Owner submits a Draft 40M-Plan to the satisfaction of the City Development Department.

Street Names

11. The owner shall name road allowances included in this draft plan to the satisfaction of the Regional Municipality of Durham and the City of Pickering.
12. That street signage be provided to the satisfaction of the City of Pickering.

NextGen Public Safety Radio Service

13. That the Owner has entered into such agreement(s) and/or arrangements, including easements, as are satisfactory to the City, the Region of Durham and Durham Regional Police providing for the Owner to relocate or replace, at its own expense, any antenna system and associated equipment required for the Region's emergency radio communications network. Site plan approval shall not be issued, and no building permit shall be issued, until such time as this condition is complied with.

Development Charges & Development Review & Inspection Fee

14. That the Owner satisfies the City financially with respect to the *Development Charges Act*.
15. That the Owner satisfies the City with respect to payment for the Development Services Engineering Review Fee, Lot Grading Review Fee, Road Degradation Fee, Streetlight Pole Numbering Fee and Development Services Inspection Fees.

Stormwater

16. That the Owner satisfies the Director, Engineering Services, respecting the stormwater drainage and management system to service all the lands in the subdivision, and any provision regarding easements.
17. That the Owner satisfy the Director, Engineering Services regarding the provision of stormwater maintenance fees.
18. That the Owner agrees that all stormwater management facilities will be designed to be consistent with the Council approved Stormwater Management Strategy Pickering City Centre, dated April 2015 and consistent with the executed Minutes of Settlement between the City and OPB Realty Inc., dated January 15, 2018 (OMB case No. PL170549)

19. That the owner shall agree in the subdivision agreement, in wording acceptable to the City, to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period.

Grading

20. That the Owner satisfies the Director, Engineering Services, respecting the submission and approval of a Grading Control Plan.
21. That the Owner satisfies the Director, Engineering Services, respecting authorization from abutting landowners for all off-site grading.

Geotechnical Investigation

22. That the Owner satisfies the Director, Engineering Services, respecting the submission and approval of a geotechnical investigation.

Fill & Topsoil

23. That the City of Pickering's Fill & Topsoil By-law prohibits soil disturbance, removal, or importation of material to the site unless a permit has been issued. No on-site works prior to Draft Plan Approval is permitted. A Fill and Topsoil Permit will be required should grading works proceed prior to a Subdivision Agreement.

Construction/Installation of City Works & Services

24. That the Owner satisfies the Director, Engineering Services, respecting the construction of Municipal Services such as roads, curbs, storm sewers, sidewalks, and boulevard designs through the submission and approval of Site Servicing Plan(s).
25. That the Owner satisfy the City respecting arrangements for the provision of all services required by the City.
26. That the Owner satisfies the appropriate authorities respecting arrangements for the provision of underground wiring, street lighting, cable television, natural gas and other similar services.
27. That the Owner agrees that the cost of any relocation, extension, alteration or extraordinary maintenance of existing services necessitated by this development shall be the responsibility of the Owner.
28. That the Owner satisfy the City with respect to arrangements necessary to provide for coordination of services and roads with adjacent lands and any phasing of development that may be required.

Phasing & Development Coordination

29. That if this subdivision is to be developed by more than one registration, the Owner will be required to submit a plan showing the proposed phasing, all to the satisfaction of the Region of Durham and the City.

Dedications/Transfers/Conveyances/Reserves

30. That the Owner conveys to the City, at no cost, any easements and any reserves as required by the City.
31. That the Owner conveys to the City, at no cost, Street B and Street D for municipal public roads.

Easements

32. That the Owner, to the satisfaction of the Director, Engineering Services, provide any required easement for works, facilities or use rights that are required by the City of Pickering.
33. That the Owner conveys any easements to any utility to facilitate the installation of their services in a location(s) satisfactory to the City and the utility.
34. That the Owner arrange, at no cost to the City, any easements required on third party lands for servicing and such easements shall be in a location as determined by the City and/or the Region and are to be granted upon request at any time after draft approval.

Construction Management Plan

35. That the Owner satisfies the City respecting the submission and approval of a Construction Management/Erosion & Sediment Control Plan, with such Plan to contain, among other matters:
 - (i) details of erosion and sedimentation controls during all phases of construction and provide maintenance requirements to maintain these controls as per the City's Erosion & Sediment Control Guideline for Urban Construction;
 - (ii) addressing the parking of vehicles and the storage of construction and building materials during servicing and construction, and ensuring that such locations will not impede the flow of traffic or emergency vehicles on either existing streets, or proposed public streets;
 - (iii) confirmation that the City's Noise By-law will be adhered to and that all contractors, trades and suppliers are advised of this By-law;
 - (iv) the provision of mud and dust control on all roads within and adjacent to the site;
 - (v) type and timing of construction fencing;
 - (vi) location of construction trailers; and
 - (vii) details of the temporary construction access.

Fencing

36. That the Owner satisfies the City with respect to the provision of temporary fencing around the entire perimeter of the subject lands during construction, prior to the commencement of any works.

Landscaping

37. That the Owner satisfies the Director, Engineering Services, respecting the submission and approval of a Street Tree Planting Plan.

Tree Compensation

38. That the Owner agrees that prior to final approval of the draft plan, or any phase thereof, compensation for the loss of tree canopy will be required either through replacement planting or cash-in-lieu, to be paid to the City of Pickering. In accordance with Council Resolution #387/18, approved on January 15, 2018, tree removal compensation is to be calculated in accordance with the City of Pickering Tree Inventory, Preservation and Removal Compensation requirements. Where compensation through replanting is being considered, the Owner will be required to provide a Landscape Plan indicating the location, size and species of all trees, including boulevard trees, to the satisfaction of the Director, Engineering Services.

Engineering Plans

39. That the Owner satisfy the City respecting the submission of appropriate engineering drawings that detail, among other things, City services, roads, storm sewers, sidewalks, lot grading, streetlights, fencing, and tree planting, and financially-secure such works.
40. That the engineering plans be coordinated with the architectural design objectives.
41. That the Owner ensure that the engineering plans are coordinated with the streetscape/architectural control guidelines and further that the engineering plans coordinate the driveway, street hardware, and street trees to ensure that conflicts do not exist, asphalt is minimized and all objectives of the streetscape/architectural control guidelines can be achieved.

Noise Attenuation

42. That the Owner agrees in the subdivision agreement to implement noise control measures and warning clauses as recommended in the Noise Report.

Parkland Dedication

43. That the Owner conveys to the City, at no cost and in a physical condition acceptable to the City, Block 2 for the purposes of parkland dedication, in order to satisfy Section 42(1) of the *Planning Act*.
44. That prior to the City accepting any park block, the Owner shall submit a detailed grading plan that demonstrates the park block will function to the satisfaction of the City of Pickering.

Fire

45. That the Owner agrees that no development will proceed on any land until adequate services are available, including adequate water pressure, to the satisfaction of the City's Fire Services Department.

Model Homes

46. That the Owner enters into a model home agreement with the City, if applicable for this draft plan. All model homes must satisfy all architectural requirements.

Metrolinx

47. That the following clause shall be inserted in all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of any residential dwelling unit within 300 metres of the railway right-of-way: "Warning: Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
48. That the Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject lands in favour of Metrolinx.

Canadian National Railway (CNR)

49. That the Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kilograms per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
50. That the following clause be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

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51. That the Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that any noise and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CNR.
 52. That the Owner shall enter into an Agreement with CNR stipulating how CNR's concerns will be resolved and will pay CNR's reasonable costs in preparing and negotiating the agreement.
 53. That the Owner shall be required to grant CNR an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CNR.

Bell Canada

54. That the Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
55. That the Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Other Approval Agencies

56. That any approvals which are required from the Region of Durham or any utility for the development of this plan be obtained by the Owner and upon request written confirmation be provided to the City as verification of these approvals.

Plan Revisions

57. That the Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of approval may require revisions to the satisfaction of the City, to implement or integrate any recommendation resulting from studies required as conditions of approval.
58. That the Owner revises the draft plan as necessary to the satisfaction of the City, to accommodate any technical engineering issues which arise during the review of the final engineering drawings. Required revisions may include revising the number of building lots or reconfiguring the roads or lots to the City's satisfaction.
59. That the Owner agrees to implement the requirements of all studies that are required by the City for the development of this draft plan of subdivision to the satisfaction of the City.

**Recommended Zoning By-law Provisions for
Zoning By-law Amendment Application A 15/21**

The Corporation of the City of
Draft Pickering By-law No. XXXX/23

Being a By-law to amend Restricted Area Zoning By-law 7553/17, as amended, to implement the Pickering Official Plan, Region of Durham, South Part of Lots 21 and 22, Concession 1, City Centre Neighbourhood, City of Pickering (A 15/21)

Whereas the Council of The Corporation of the City of Pickering deems it desirable to permit the development of mixed use residential buildings, on lands being the South Part of Lots 21 and 22, Concession 1, in the City of Pickering;

And whereas an amendment to By-law 7553/17, as amended, is therefore deemed necessary;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. Section 6, Exceptions, and Schedule 7 of Zoning By-law 7553/17, as amended, is further amended by adding a new Exception E19 as follows:

E19	(Part of Lots 21 and 22, Concession 1)	Parent Zone: CC1, OS
Schedule 7		Amending By-law: XXXX/23
6.19.1 Zone Provisions		
The following regulations apply:		
a)	Notwithstanding Section 3.1, Table 1, related to <i>Parking Space</i> Requirements, the minimum parking ratio shall be 0.65 parking spaces per <i>apartment dwelling</i> unit for residents and 0.15 parking spaces per <i>apartment dwelling</i> unit for visitors, for the lands illustrated in figure 6.19.3 (a).	
b)	Notwithstanding Schedule 5, related to Maximum <i>Building Height</i> , the maximum <i>height</i> of a <i>building</i> or <i>structure</i> wholly located within the area identified by the dashed lines as shown on Figure 6.19.3 (b) is specified by the number following the HT symbol as shown on Figure 6.19.3 (b).	
c)	Notwithstanding Section 4.2 o), related to <i>Amenity Space</i> Requirements for <i>Apartment Dwellings</i> , the minimum indoor and outdoor <i>amenity space</i> requirements for <i>apartment dwellings</i> may be located on an abutting block within the lands as identified in Figure 6.19.3 (a), provided that: <ol style="list-style-type: none"> i. appropriate cross-use legal easement and/or an agreement are executed; and ii. the minimum aggregate <i>amenity area</i> requirement is provided in accordance with Sections 4.2 o) i) & ii) of By-law 7553/17, as amended. 	

6.19.2 Special Site Provisions

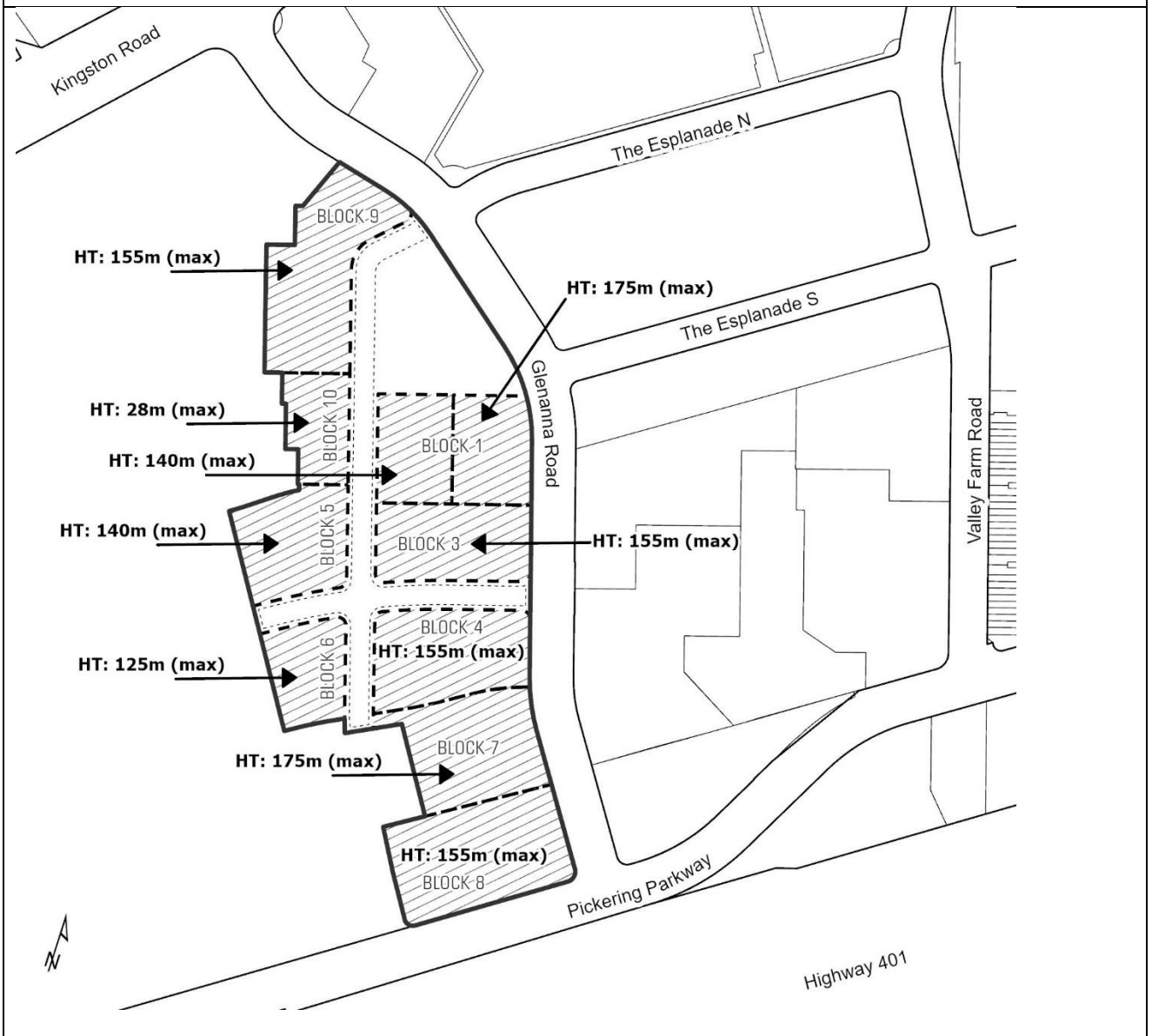
a)	Notwithstanding Section 4.2 a) and Schedule 3, related to <i>Floor Space Index</i> , the total land area of the <i>lot</i> , including lands conveyed to public ownership for a road widening, public <i>street</i> , and <i>public park</i> shall be deemed to be a <i>lot</i> for the purposes of calculating <i>Floor Space Index</i> (FSI), as shown on Figure 6.19.3 (a).
b)	Section 4.2 j) ii), related to <i>Main Wall Stepback</i> for <i>Buildings</i> greater than 37.5 metres in <i>height</i> , shall not apply to the lands illustrated in Figure 6.19.3 (a).
c)	Minimum <i>building setback</i> abutting an Open Space (OS) zone – 3.0 metres
d)	Require an aggregate minimum of 12,000 square metres of <i>net floor area</i> of <i>Office</i> use, <i>Financial Institution</i> , <i>Medical Office</i> , <i>Post-Secondary School</i> , <i>Private School</i> , <i>Commercial School</i> and <i>Veterinary Clinic</i> either in a single <i>building</i> or in multiple <i>buildings</i> within the lands as shown on Figure 6.19.3 (a).
e)	Require an aggregate minimum of 2,000 square metres of <i>net floor area</i> of non-residential uses, except for office, located on the <i>first floor</i> of a <i>building</i> or multiple <i>buildings</i> within the lands as shown on Figure 6.19.3 (a) of which a minimum of 150 square metres shall be provided on the first floor of each building.
f)	Notwithstanding Section 4.2 m), the following <i>Buildings Requiring Active At Grade Frontages</i> requirements shall apply: <ul style="list-style-type: none"> i. minimum – 40 percent of the <i>first storey</i> of a <i>building</i> along any <i>street line</i> and abutting an Open Space Zone with <i>Active At Grade Frontages</i>, residential lobbies, amenity space or at grade dwelling units, as shown on Schedule 6 of Bylaw 7553/17, as amended, shall comprise of openings and transparent glazing; ii. a <i>primary entrance door</i> with direct and unobstructed access to the public shall be incorporated into the wall of a <i>building</i> facing the <i>street line</i> and abutting an Open Space Zone; and iii. minimum <i>ground floor height</i> – 4.5 metres

6.19.3 Special Site Figures

Figure 6.19.3 (a)



Figure 6.19.3 (b)



2. Section 8, Schedule 1, Legend of Zoning By-law 7553/17, as amended, is further amended by adding the proposed roads as depicted on Schedule I to this By-law.
3. Section 8, Schedule 2, Land Use Categories, of Zoning By-law 7553/17, as amended, is further amended by rezoning the lands from City Centre One (CC1) to Open Space City Centre (OS) and adding the proposed roads as depicted on Schedule II to this By-law.
4. Section 8, Schedule 3, Minimum FSI, of Zoning By-law 7553/17, as amended, is further amended by adding the proposed roads as depicted on Schedule III to this By-law.
5. Section 8, Schedule 4, Minimum Building Height, of Zoning By-law 7553/17, as amended, is further amended by adding the proposed roads as depicted on Schedule IV to this By-law.
6. Section 8, Schedule 5, Maximum Building Height, of Zoning By-law 7553/17, as amended, is further amended by adding the proposed roads as depicted on Schedule V to this By-law.
7. Section 8, Schedule 6, Active Grade Frontages, of Zoning By-law 7553/17, as amended, is further amended by adding additional active grade frontages to the lands as depicted on Schedule VI to this By-law.
8. Section 8, Schedule 7, Exceptions, of Zoning By-law 7553/17, as amended, is further amended by adding E19 notation as depicted on Schedule VII to this By-law.
9. Section 6, Exception E3 of Zoning By-law 7553/17 is hereby amended by deleting Sections 6.3.3 f), 6.3.3 g) and 6.3.5.
10. That By-law 7553/17, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 7553/17, as amended.
11. That this By-law shall come into force in accordance with the provisions of the *Planning Act*.

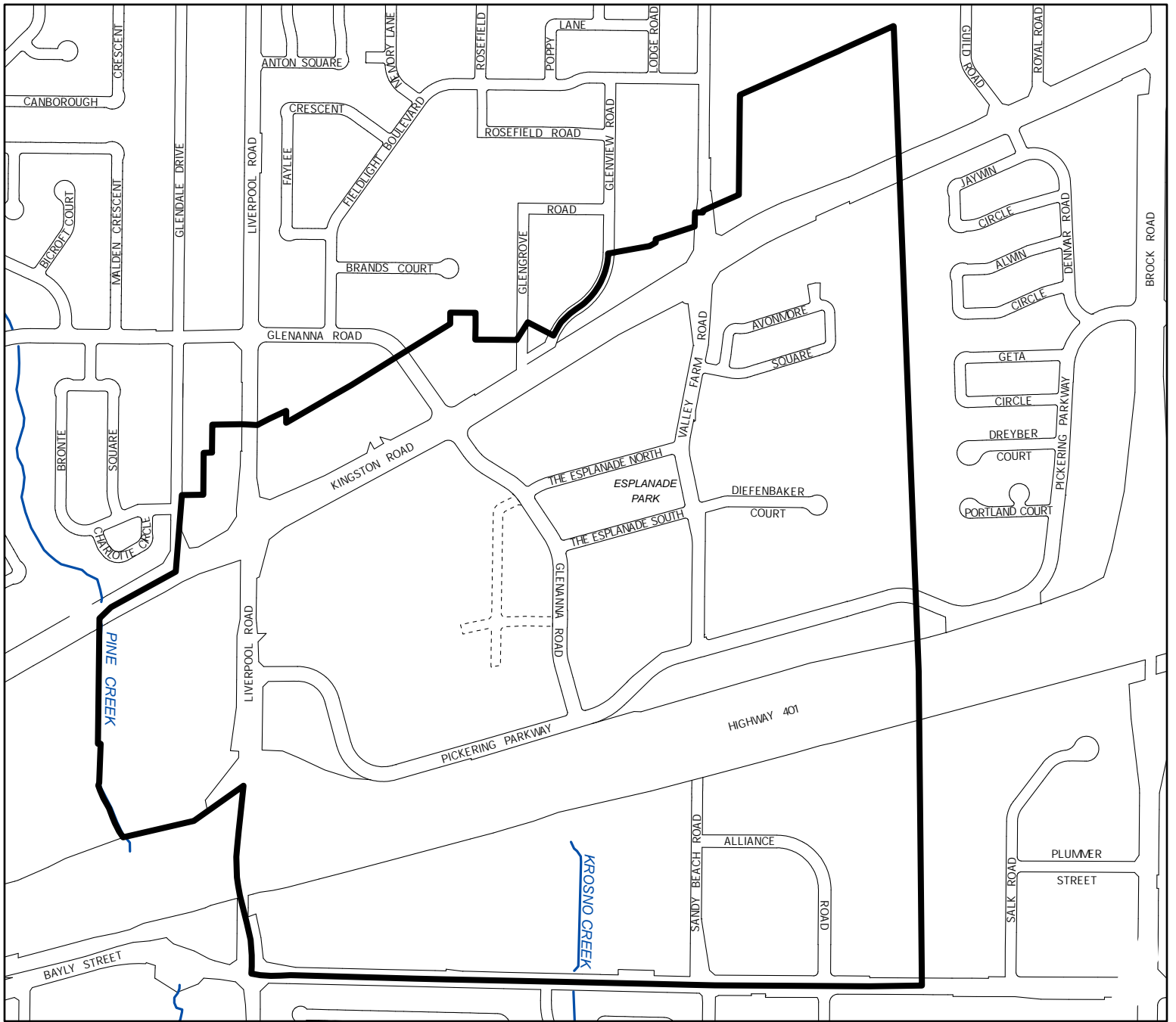
By-law passed this XX day of XXXX, 2023.

Draft

Kevin Ashe, Mayor



Draft

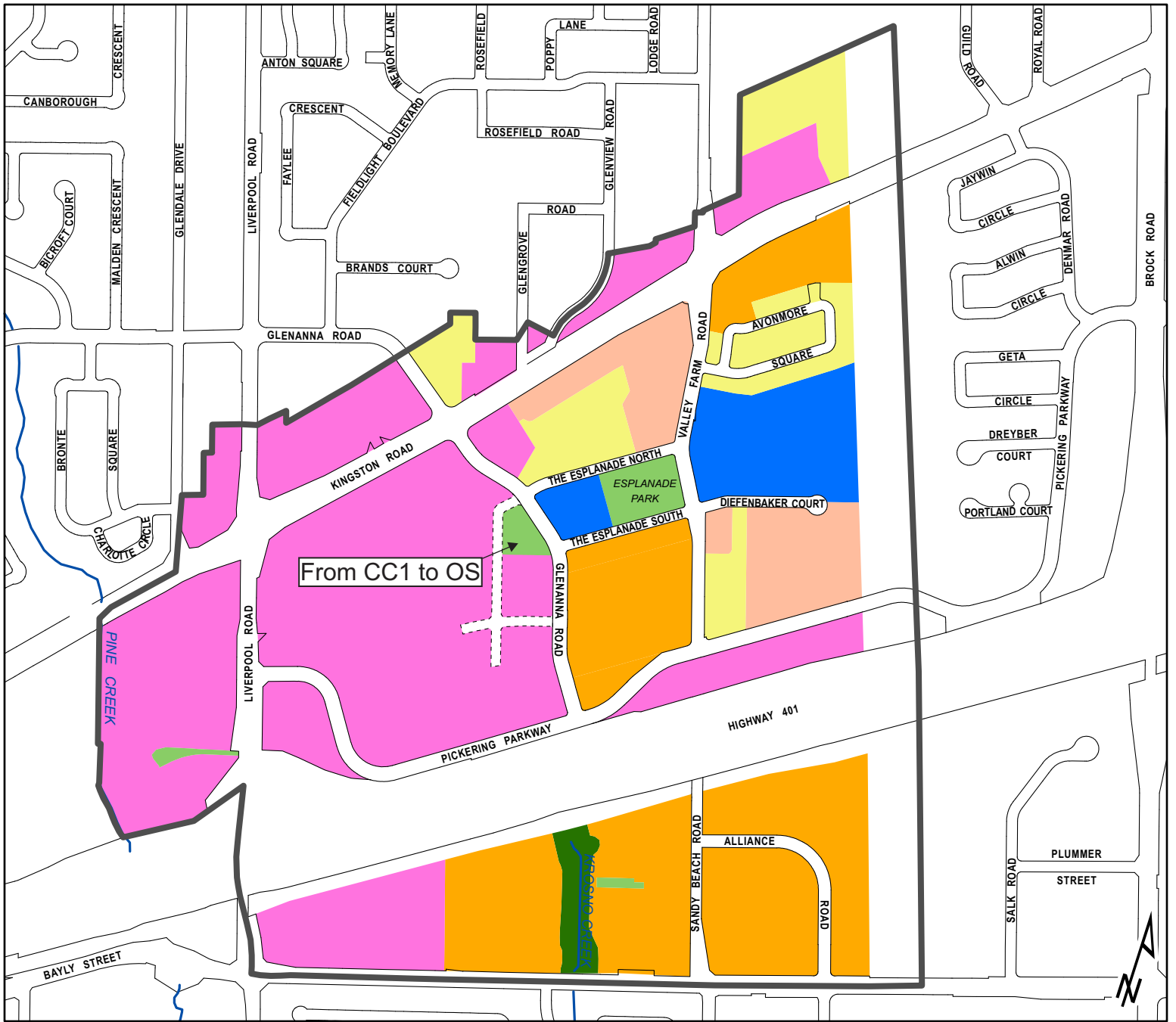
Susan Cassel, City Clerk



**PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 1**

LEGEND

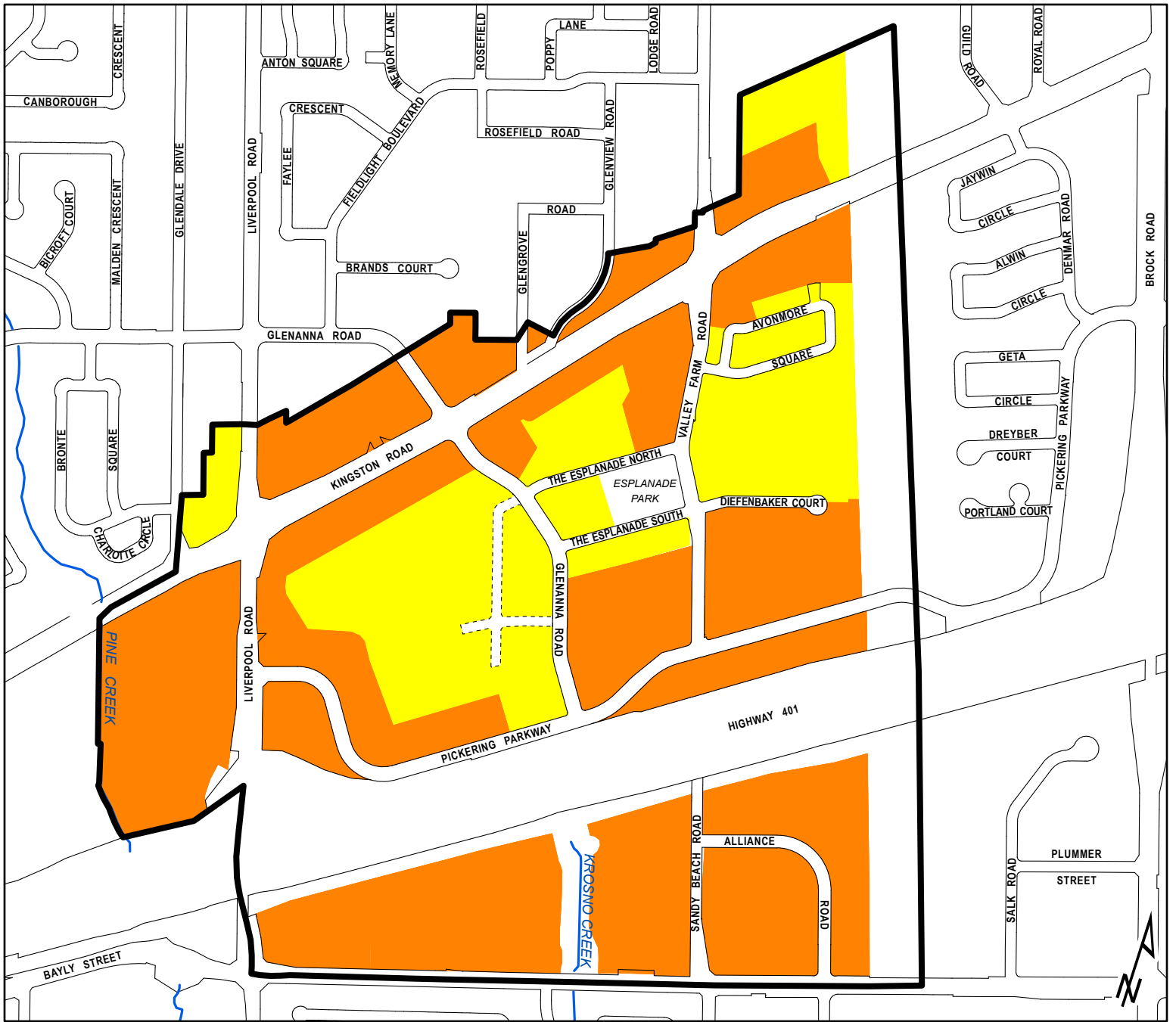
-  City Centre
-  Proposed Roads



**PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 2**

LEGEND - Land Use Categories

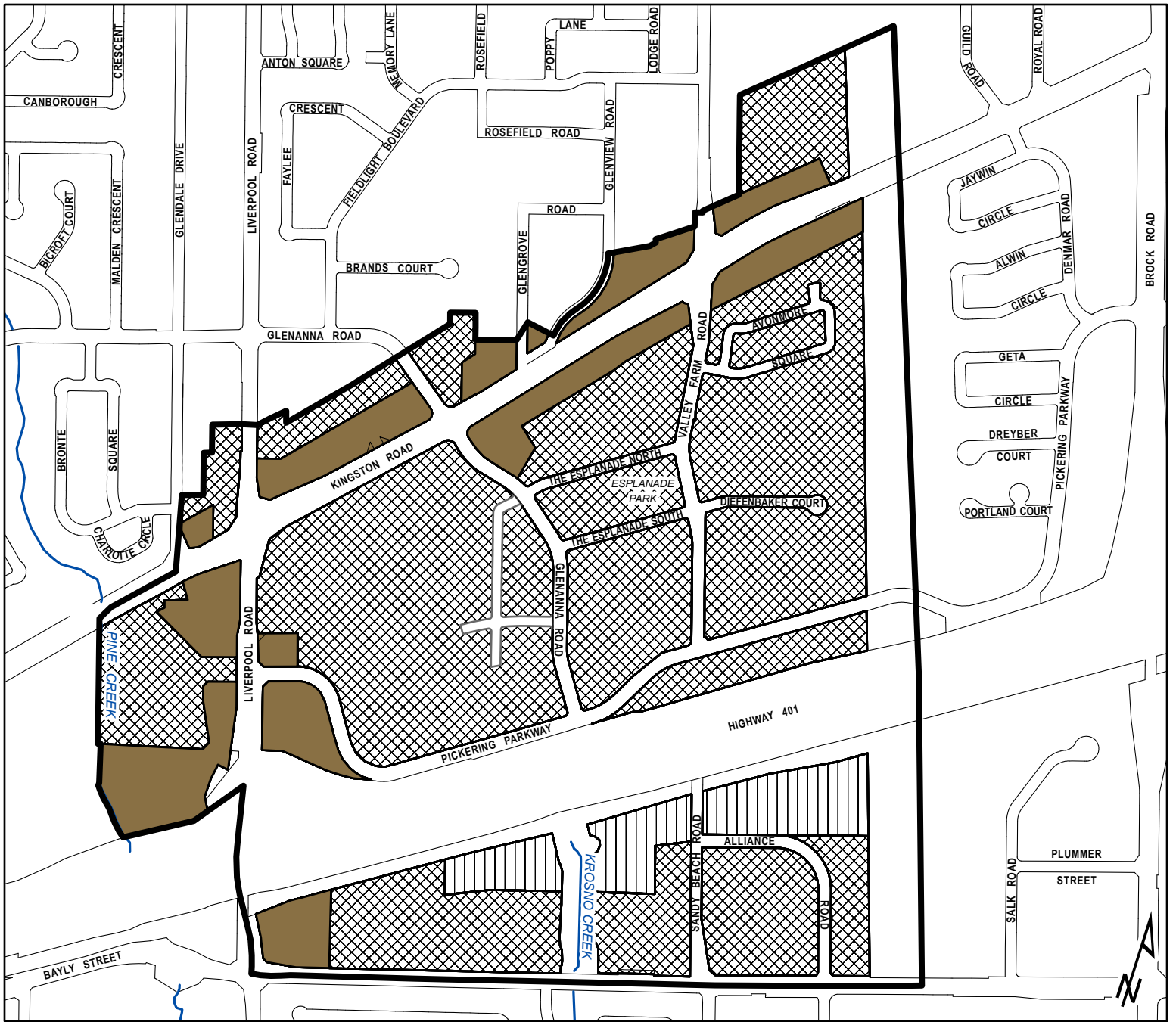
- CC1 - City Centre One
 - CC2 - City Centre Two
 - CCR1 - City Centre Residential One
 - CCR2 - City Centre Residential Two
 - CCC - City Centre Civic
 - OS - Open Space
 - NHS - Natural Heritage System
- *boundary of Krosno Creek to be further refined



**PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 3**

LEGEND - Minimum FSI




- 0.75
- 2

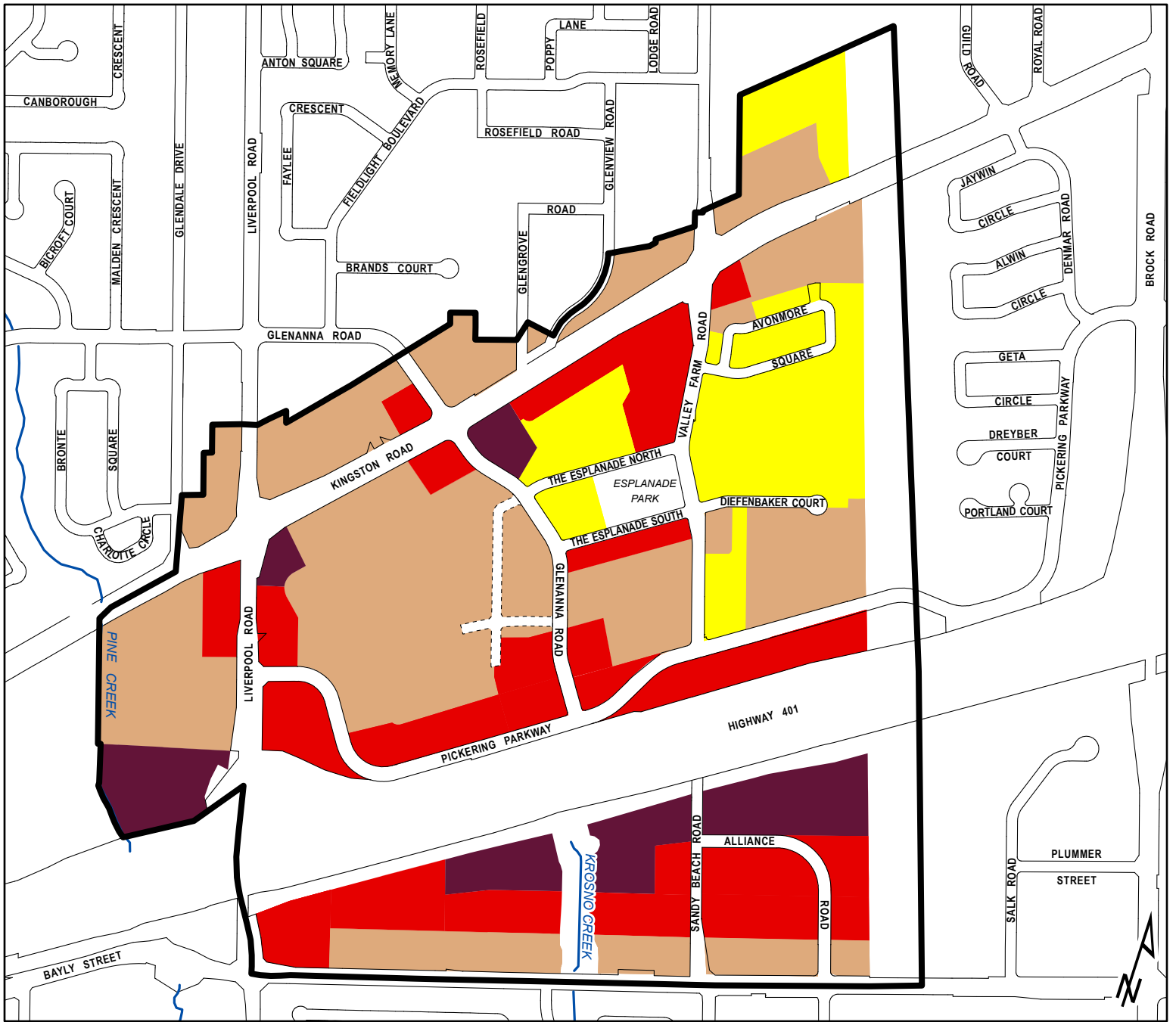


**PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 4**

LEGEND - Minimum Building Height

Layer

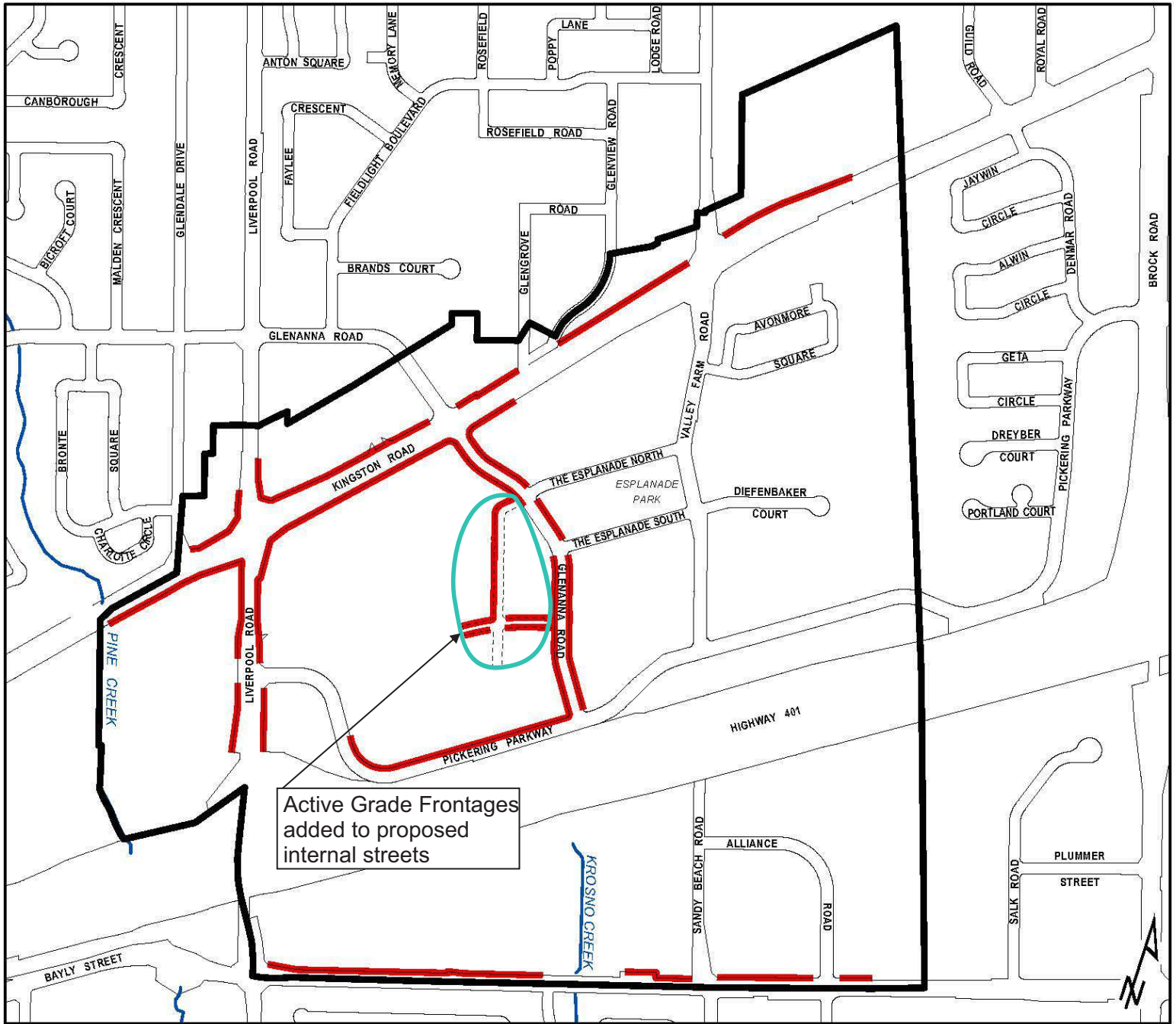
-  10.5 metres (3 Functional Floors)
-  19.5 metres
-  55.0 metre



**PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 5**

LEGEND - Maximum Building Height

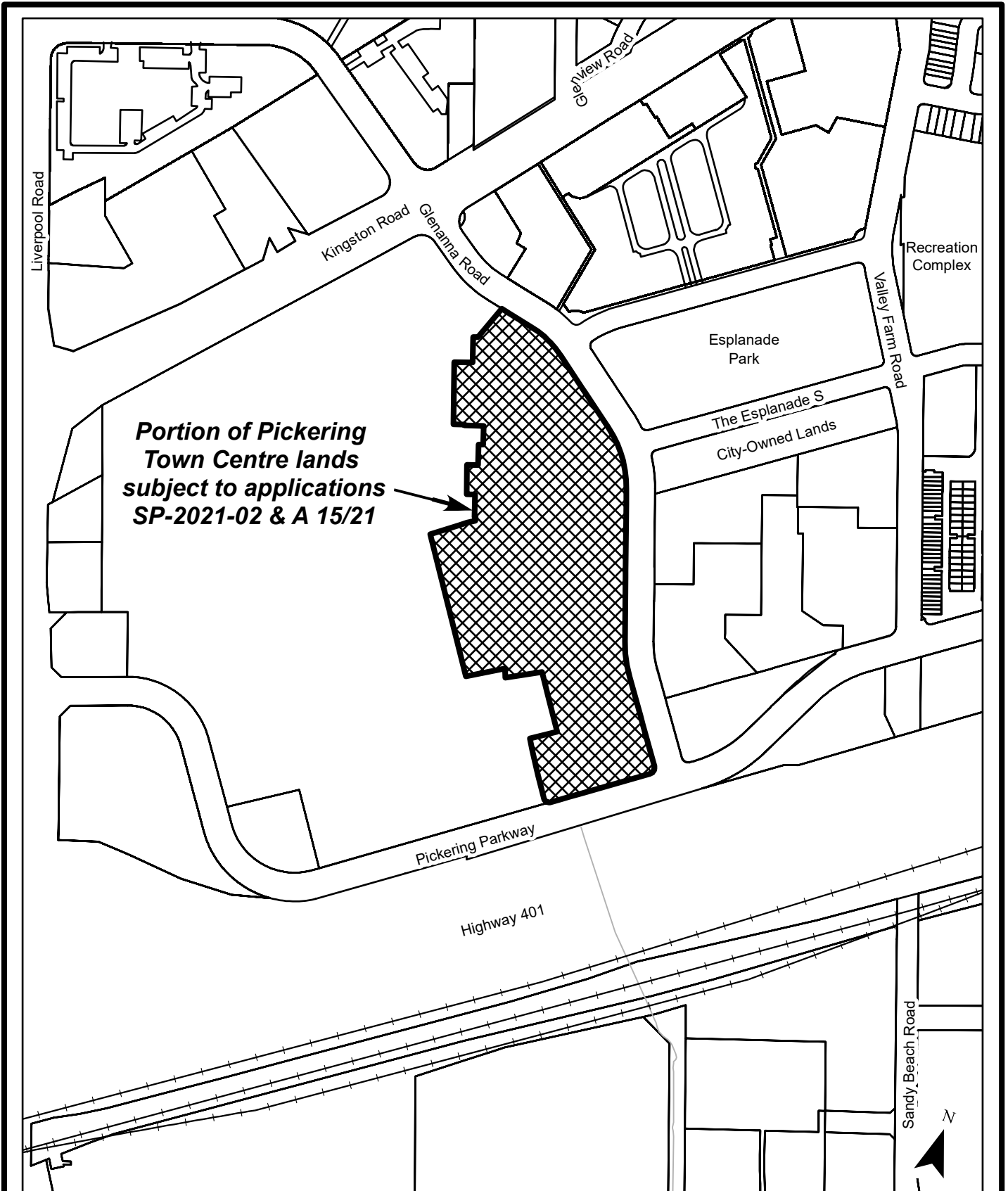
- 17 metres
- 47 metres
- 77 metres
- 122 metres



**PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 6**

LEGEND - Active At Grade Frontages

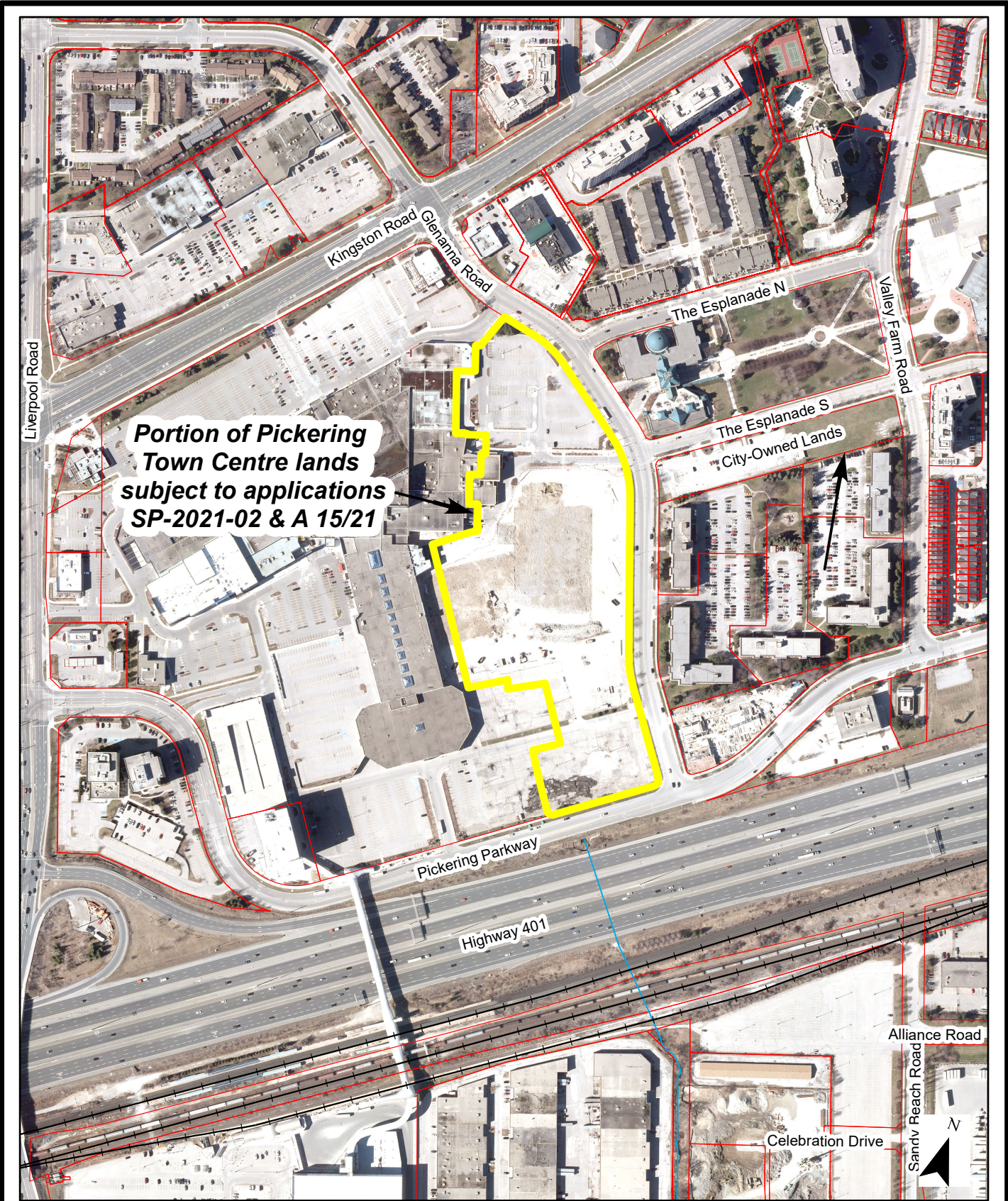
-  Proposed Roads
-  Required Active At Grade Frontages



**Portion of Pickering
Town Centre lands
subject to applications
SP-2021-02 & A 15/21**

City of
PICKERING
City Development
Department

Location Map	
File: SP-2021-02 & A 15/21	
Applicant: OPB Realty Inc.	
Municipal Address: 1355 Kingston Road	
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SCALE: 1:5,000	<small>THIS IS NOT A PLAN OF SURVEY.</small>



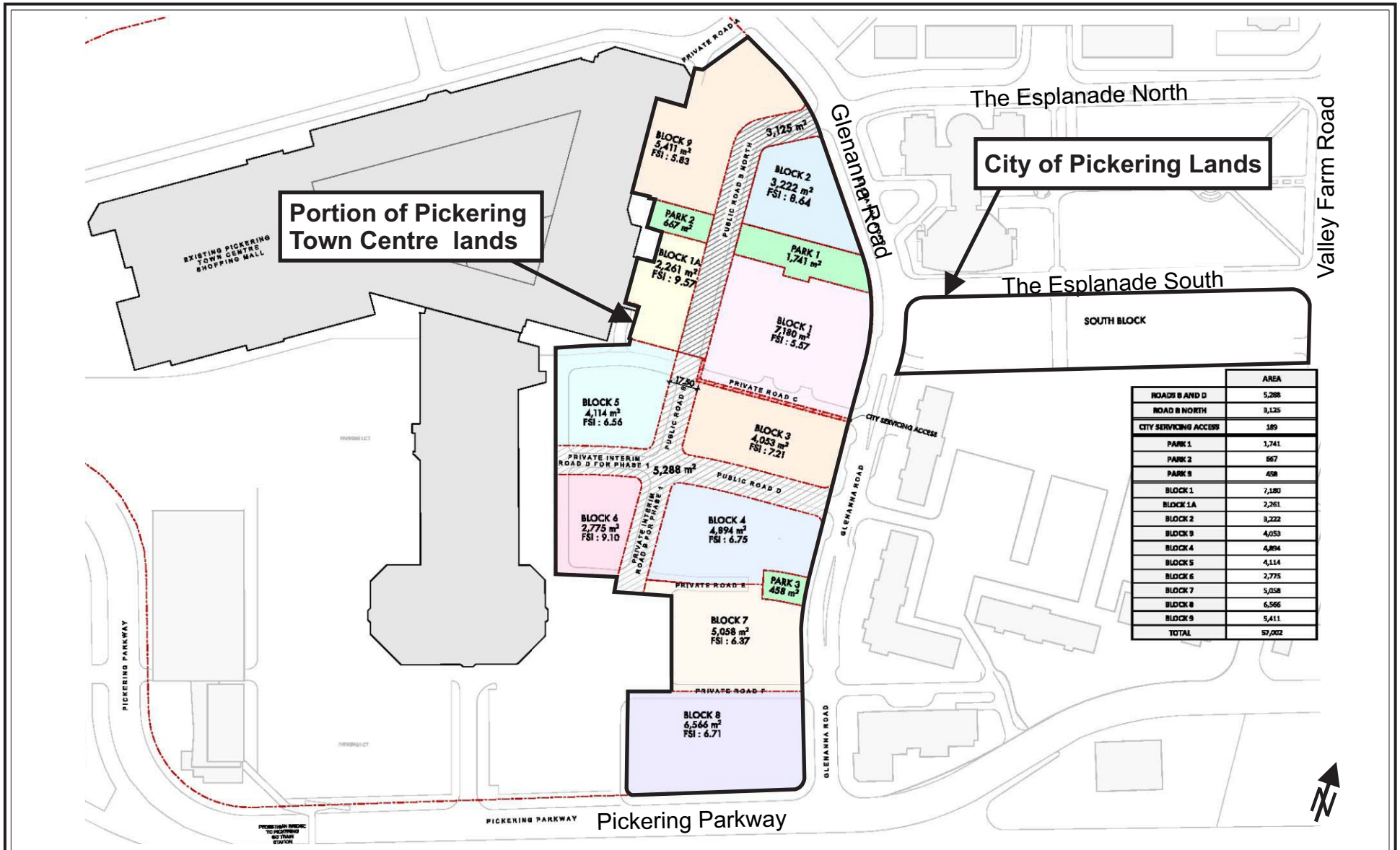
**Portion of Pickering
Town Centre lands
subject to applications
SP-2021-02 & A 15/21**

City of
PICKERING
City Development
Department

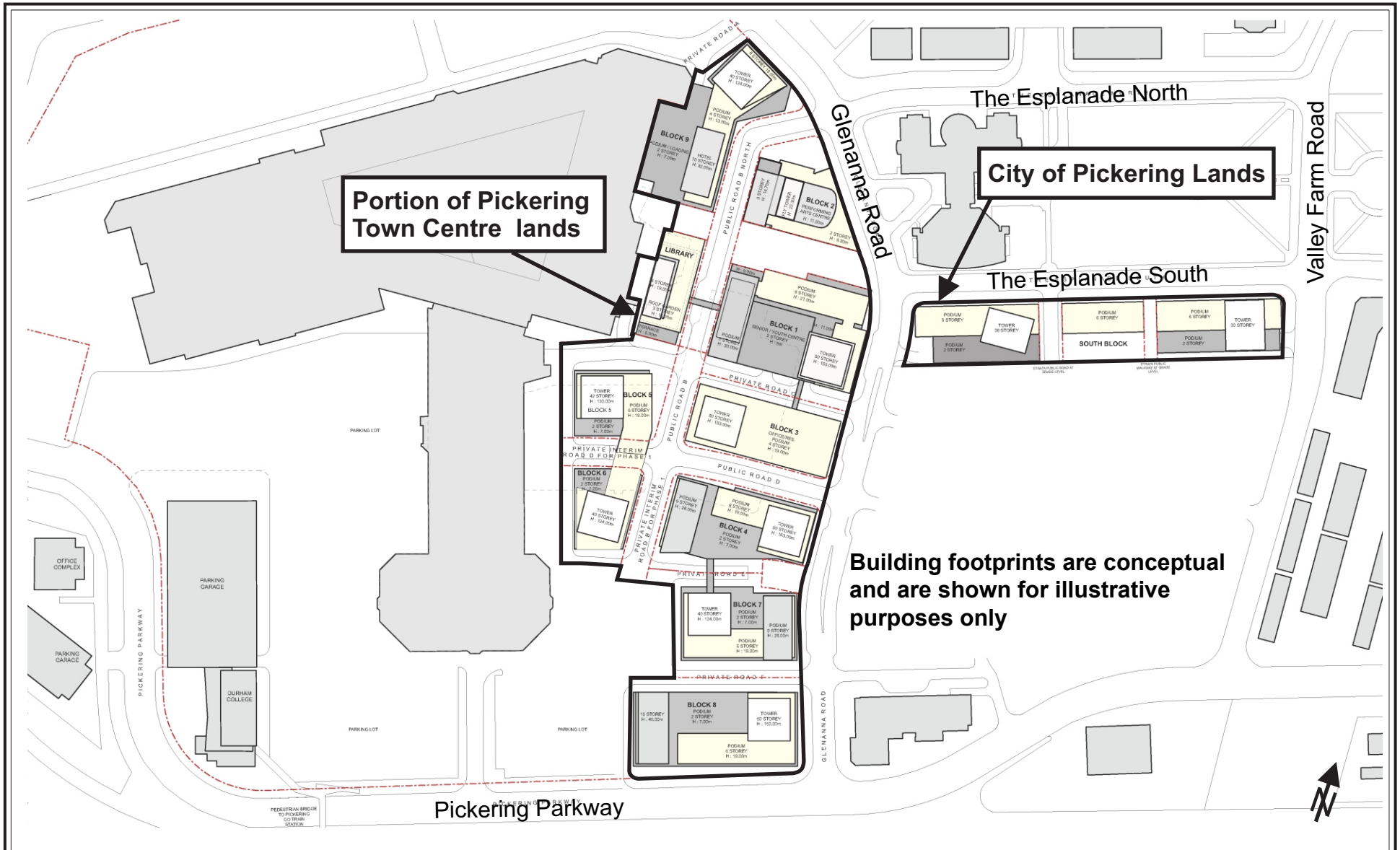
Air Photo Map
File: SP-2021-02 & A 15/21
Applicant: OPB Realty Inc.
Municipal Address: 1355 Kingston Road

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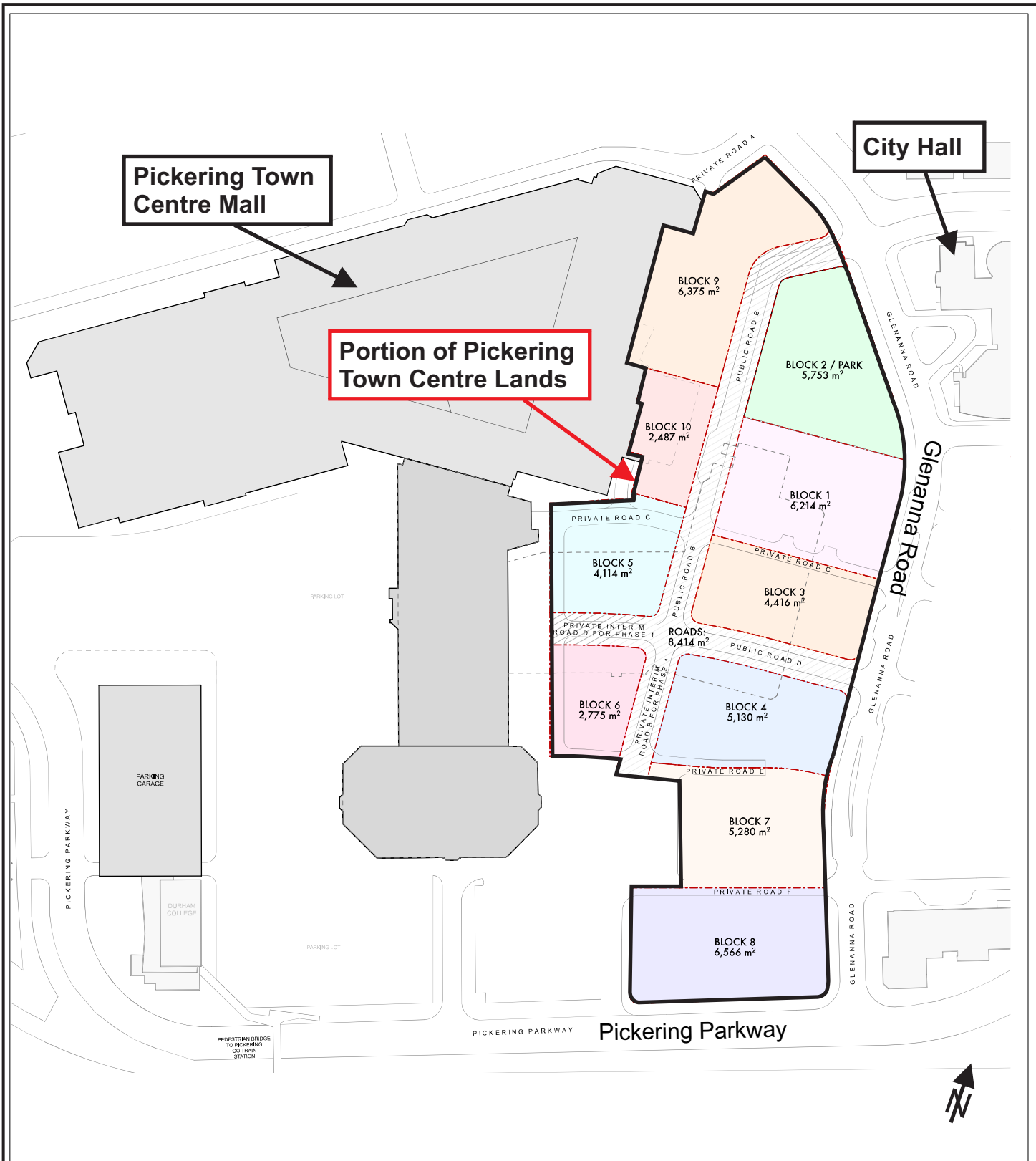


<p><i>City of</i> PICKERING</p> <p>City Development Department</p>	<p>Original Draft Plan of Subdivision</p>
	<p>File No: SP-2021-02 & A 15/21</p>
	<p>Applicant: OPB Realty Inc.</p>
	<p>Municipal Address: 1355 Kingston Road</p>
<p>FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.</p>	
<p>DATE: Aug. 09, 2022</p>	



Building footprints are conceptual and are shown for illustrative purposes only

<p>PICKERING</p> <p>City Development Department</p>	<p>Original Phase 1 Master Plan</p>
	<p>File No: SP-2021-02 & A 15/21</p>
	<p>Applicant: OPB Realty Inc.</p>
	<p>Municipal Address: 1355 Kingston Road</p>
<p>FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.</p>	
<p>DATE: Aug. 09, 2022</p>	



City of
PICKERING
City Development
Department

Revised Draft Plan of Subdivision

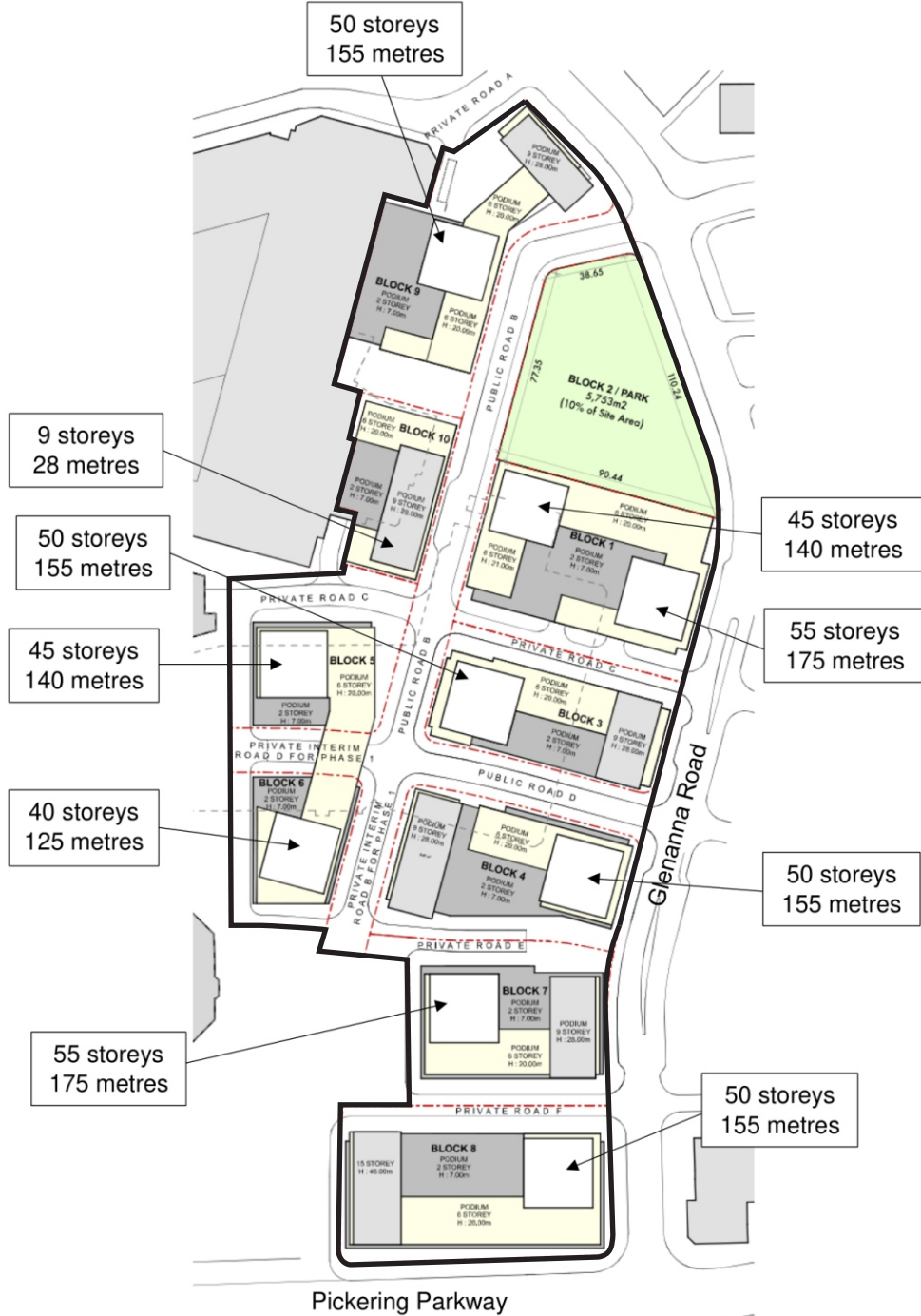
File No: SP-2021-02 & A 15/21

Applicant: OPB Realty Inc.

Municipal Address: 1355 Kingston Road

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

DATE: Aug. 15, 2022



Building footprints are conceptual and are shown for illustrative purposes only



City of
PICKERING
City Development
Department

Revised Phase 1 Master Plan (Maximum Building Heights)

File No: SP-2021-02 & A 15/21

Applicant: OPB Realty Inc.

Municipal Address: 1355 Kingston Road

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

DATE: Aug. 18, 2022

From: Kyle Bentley
Director, City Development & CBO

Subject: Official Plan Amendment Application OPA 21-002/P
Zoning By-law Amendment Application A 13/21
2465 Brock Road Development Inc.
2465 Brock Road

Recommendation:

1. That Zoning By-law Amendment Application A 13/21, submitted by 2465 Brock Road Development Inc., to permit two 17-storey mixed-use buildings connected by a 5-storey podium and containing 353 dwelling units with at-grade commercial uses, on the lands municipally known as 2465 Brock Road be approved, and that the draft Zoning By-law Amendment, as set out in Appendix I to Report PLN 02-23, be finalized and forwarded to Council for enactment.

Executive Summary: The subject lands are located on the east side of Brock Road and north of Third Concession Road, within the Duffin Heights Neighbourhood (see Location Map, Attachment #1).

The applicant initially submitted applications for an Official Plan Amendment and a Zoning By-law Amendment to facilitate a mixed-use development. The proposal consisted of two residential towers have heights of 17-storeys each, connected by a 5-storey podium, with a total of 353 dwelling units, and 954 square metres of commercial uses at-grade. The proposal also included an 8-storey seniors' apartment building containing a total of 86 units (see Original Site Plan, Attachment #3).

In response to comments and concerns received from City departments, external agencies, the Duffin Meadows Cemetery, and area residents, the applicant has made several changes to their proposal (see Revised Site Plan, Attachment #4 and Conceptual Renderings, Attachments #5 and #6). Key revisions to the proposal include:

- removing the 8-storey seniors' apartment building due to sanitary servicing constraints, therefore decreasing the proposed residential density from 164 units per net hectare to 132 units per net hectare; an Official Plan Amendment is no longer required as the proposal now complies with the maximum permitted residential density of 140 units per net hectare;
- restricting the proposed southern vehicular access onto Brock Road to a right-in/right-out access;
- increasing the indoor amenity space from 628 square metres to 945 square metres;
- decreasing the outdoor amenity space from 4,773 square metres to 3,869 square metres;

- incorporating a 3.5-metre wide landscape strip along the northern property boundary to provide a buffer between the proposed development and the Duffin Meadows Cemetery to the north; and
- rezoning the wetland and associated 10.0 metre wide buffer, located at the southeasterly corner of the site, to a Natural Heritage System Zone.

City Development staff are in support of the revised proposal. The proposal is consistent with the density requirements in the Official Plan, conforms to the Duffin Heights Neighbourhood policies, and achieves the design objectives as established in the Duffin Heights Urban Design Guidelines.

The Duffin Meadows Cemetery expressed concerns related to the proposed development, primarily related to drainage/water balance; potential for noise complaints from future residents; and concerns regarding the visual impact of a two-storey parking structure on the cemetery. These matters have been addressed by the applicant through revisions to the plan and the submission of additional supporting materials.

Staff recommend that the implementing zoning by-law, containing the standards set out in Appendix I to this report, be finalized and brought before Council for enactment.

Financial Implications: No direct costs to the City are anticipated as a result of the proposed development.

1. Background

1.1 Property Description

The subject lands are located on the east side of Brock Road and north of Third Concession Road, within the Duffin Heights Neighbourhood (see Location Map, Attachment #1). The lands are approximately 2.69 hectares with approximately 151 metres of frontage along Brock Road. The majority of the property is undeveloped. However, the southwestern portion of the property fronting Brock Road contains a retail store, greenhouses and two sheds, for the operation of Pistrutto's Farm and Garden Centre. The site also contains a single-storey residential dwelling.

The site slopes down significantly, having a grade difference of approximately 14.5 metres between Brock Road and the southeast corner of the site. The southeasterly corner of the site also contains a wetland feature. There are no significant wooded areas on the site.

The surrounding land uses are as follows (see Air Photo Map, Attachment #2):

North & East: Immediately north and east of the subject property is the Duffin Meadows Cemetery.

South: Immediately south of the subject property is a vacant parcel of land, and further south is a hydro corridor.

West: To the west, across Brock Road, is the Seaton Centre, a commercial shopping centre containing a variety of uses including retail, restaurant, personal service and financial institutions. North of the shopping centre is a residential condominium development that is currently under construction, consisting of 3-storey townhouse dwellings along Brock Road, and rear lane and street townhouse dwellings on internal private roads.

1.2 Applicant's Original Proposal

The applicant originally submitted applications for Official Plan Amendment and Zoning By-law Amendment to facilitate a mixed-use development consisting of two residential towers have heights of 17-storeys each, connected by a 5-storey podium. The towers contained a total of 353 dwelling units and 954 square metres of commercial uses at grade. The proposal also included an 8-storey seniors' apartment building containing a total of 86 units, each unit being a complete dwelling unit, containing a bathroom, kitchen and living area (see Original Site Plan, Attachment #3).

The original plan proposed vehicular access to the property from two driveways fronting Brock Road. The northerly access would align with Palmer's Sawmill Road on the west side of Brock Road, for a planned signalized access. The southern access was proposed to be a non-signalized full-moves access. A two-storey parking structure was proposed below the two residential towers. Along the Brock Road frontage, the parking structure was located below grade. However, due to the site sloping down significantly between Brock Road and the east lot line, the easterly portion of the parking structure was located above grade.

In the original plan, the applicant was proposing to convey approximately 0.055 of a hectare of land located at the southeasterly corner of the site to the Toronto and Region Conservation Authority. The land consists of a small portion of a larger wetland and includes an associated 10.0 metre buffer.

Amenity space was to be provided on the rooftop of the podium, in a courtyard located at grade at the rear of the towers, and along the eastern portion of the parking structure at the P1 parking level.

1.3 Applicant's Revised Proposal

In response to comments and concerns received from City departments, external agencies, the Duffin Meadows Cemetery, and area residents, the applicant has made several changes to their proposal (see Revised Site Plan, Attachment #4 and Conceptual Renderings, Attachments #5 and #6). Below is a summary of the revisions made to the proposal:

- removed the 8-storey seniors' apartment building due to sanitary servicing constraints, resulting in a decrease of the proposed residential density from 164 units per net hectare to 132 units per net hectare; thus, an Official Plan Amendment is no longer required as the proposal now complies with the maximum permitted residential density of 140 units per net hectare;

-
- restricted the proposed southern vehicular access onto Brock Road to a right-in/right-out access while the proposed northern access remains the same;
 - increased the supply of bicycle parking from 388 spaces to 392 spaces;
 - increased indoor amenity space from 628 square metres to 945 square metres;
 - decreased outdoor amenity space from 4,773 square metres to 3,869 square metres, which is to be provided on the rooftop of the podium, in a courtyard located at grade at the rear of the towers, along the eastern portion of the parking structure at the P1 parking level, and a children's play area located at grade to the east of the parking structure;
 - incorporated a 3.5 metre wide landscape strip along the entire length of the northern property boundary to provide a buffer between the proposed parking structure and the Duffin Meadows Cemetery to the north, and provided an additional 2.5 metre wide landscape area on top of the parking structure to help screen parking areas and drive-aisles; and
 - rezoned the wetland and associated 10.0 metre wide buffer, located at the southeasterly corner of the site, to a Natural Heritage System Zone.

Attachment #7 to this report summarizes the key statistical details of the revised proposal.

The proposed development will be subject to a future site plan approval application and an application for draft plan of condominium.

2. Comments Received

2.1 April 4, 2022 Statutory Public Meeting and Written Comments

A hybrid electronic statutory public meeting was held on April 4, 2022. The following is a summary of key comments and concerns received in writing and expressed by area residents and adjacent landowners at the meeting:

- an area resident noted support for the application, as in their opinion the applicant is not requesting many amendments to the Official Plan, and the development would be an attractive looking building;
- concerned that the proposed development will result in negative impacts on traffic;
- concerned about the lack of recreation facilities and schools within the surrounding area; and
- concerned that the grading of the property and the potential for issues related to soil stabilization.

Staff received letters from the Mount Pleasant Group of Cemeteries in March, June and July of 2022, regarding concerns about the impact of the proposed development on the Duffin Meadows Cemetery. The concerns related to, but are not limited to, drainage, water balance, potential for noise complaints from future residents, how the development will impact the existing operation of the cemetery and vice-versa, and concerns regarding the visual impact of a two-storey parking structure.

Key questions/comments raised by members of the Planning & Development Committee at the meeting related to sustainability features being proposed; what construction best practices will be implemented; clarification regarding the provision of electronic bikes/scooters; the suitability of soil on the subject property; and confirmation regarding the construction of a school and recreational facility within the subject area.

2.2 Agency Comments

2.2.1 Region of Durham

- no objections to the proposal;
- the revised proposal conforms to the Regional Official Plan; and
- the amending by-law should include a Holding (H) Symbol on the subject site to ensure the applicant satisfies all requirements of the Region of Durham concerning the provision of sewer and water services, Regional roads, and enter into any necessary agreements in this regard.

2.2.2 Toronto and Region Conservation Authority (TRCA)

- no objections to the proposal;
- TRCA staff previously recommended that the lands which contain the natural heritage feature and associated buffers be conveyed into public ownership for long term-preservation;
- understanding the constraints surrounding the site, including the hydro-corridor to the south and privately-owned property to the north and east, TRCA staff believe that these constraints would limit the ability to achieve a connected, publicly-owned natural system in the future;
- TRCA staff are no longer requesting the lands be conveyed into public ownership for the reasons noted above;
- TRCA staff request that the lands which contain the natural heritage feature and associated buffers be captured within the Natural Heritage System Zone; and
- fencing around this area is recommended to support the preservation of the natural heritage feature.

2.2.3 Durham District School Board

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

2.2.4 Durham Catholic District School Board

- no objections to the proposal; and
- students from this development will attend St. Wilfrid Catholic Elementary School at 2360 Southcott Road and St. Mary Catholic Secondary School at 1918 Whites Road.

2.3 Comments from City Departments

2.3.1 Engineering Services

- no objections to the proposal; and
- matters concerning grading and drainage, fencing details, stormwater management details, construction management requirements, snow storage location, and landscaping requirements will be further reviewed through the site plan approval process.

2.3.2 Sustainability

- the applicant's proposed sustainable design elements are summarised in Section 3.5 of this report;
- the submitted Sustainable Development Report indicates the proposed development achieves 57 points of the City's Sustainable Development Guidelines, which exceeds the required minimum of Level 1 (19 points); and
- staff will be requesting further details from the proponent to confirm how the proposed sustainability measures have been, or will be met, through the site plan review process.

3. Planning Analysis

3.1 The revised proposal is within the density range of the Pickering Official Plan and is consistent with policies for the Duffin Heights Neighbourhood

The subject lands are designated "Mixed Use Areas – Mixed Corridors" within the Pickering Official Plan. This designation permits residential; retailing of goods and services; offices and restaurants; community, cultural and recreational uses; community gardens; farmers' markets; and special-purpose commercial uses. The designation permits a minimum and maximum net residential density of over 30 and up to and including 140 dwellings per net hectare, and a maximum Floor Space Index (FSI) of up to and including 2.5. The revised proposal includes a total of 353 residential units for a residential density of 132 units per hectare, and an FSI of 1.0. The revised proposal conforms to the density and FSI requirements within the Official Plan.

The Duffin Heights Neighbourhood policies require a broad mix of housing by form, location, size, and affordability within the neighbourhood. The neighbourhood policies require new development on lands designated Mixed Use Areas – Mixed Corridors to provide:

- a strong and identifiable urban image by establishing buildings closer to the street, providing safe and convenient pedestrian access, and requiring all buildings to be multi-storey; and
- higher intensity multi-unit housing forms on lands adjacent to Brock Road while restricting grade-related residential development to lands adjacent to a collector or local roads.

The proposal implements the Duffin Heights Neighbourhood policies by siting the towers adjacent to the Brock Road frontage. The proposal provides a pedestrian-scaled street edge along Brock Road through the provision of at-grade commercial uses located within the podium. In addition, pedestrian connections are provided to the at-grade commercial uses and the existing multi-use pathway along Brock Road. The proposed development is consistent with the policies for the Duffin Heights neighbourhood.

3.2 The urban design objectives of the Duffin Heights Development Guidelines have been addressed

The Duffin Heights Development Guidelines provide design direction to ensure the neighbourhood is designed with the pedestrian in mind through appropriate facilities, scale, form and detail, to promote walking and social interaction. The guidelines for lands within the Brock Road Corridor Streetscape include:

- providing higher density, mid-rise and mixed-use buildings along the Brock Road mixed-use corridor;
- the intersection of Brock Road and Palmer's Sawmill Road is a gateway, requiring distinctive boulevard hard and soft landscaping to assist in establishing a sense of "arrival" at the intersection;
- requiring all primary frontages of buildings must front Brock Road and provide pedestrian access directly to the sidewalk and multi-use trail along Brock Road;
- providing retail and commercial uses on the ground floors of buildings to encourage pedestrian activity;
- screening visitor parking along Brock Road and locating parking areas at the rear or side of buildings where possible;
- providing articulation in the building face through various treatments, such as offsets in massing, especially facades facing Brock Road;
- providing enhanced landscaping at intersection corners and site entrances; and
- providing landscaping on unbuilt areas of a site.

The applicant is proposing a higher-density, mixed-use development located along the Brock Road mixed-use corridor. The revised plan includes removing surface parking at the Brock Road and Palmer's Sawmill Road intersection, to provide an opportunity for landscaping at the corner. As noted above in Section 3.1, the revised plan provides for convenient walkway connections to the at-grade commercial uses, and to the existing multi-use pathway along Brock Road. The at-grade commercial units fronting Brock Road facilitate street activity and bring animation to the street. The design of the buildings incorporates various architectural treatments, such as the use of various cladding (brick and aluminum panel), to accentuate the at-grade commercial units, and to differentiate the 5-storey podium from the towers (see Conceptual Renderings, Attachments #5 and #6). Staff are satisfied that the proposed development is of high-quality design that will be compatible with the surrounding neighbourhood.

Through the site plan approval process, staff will continue to work with the applicant to further review the detailed urban design and architectural matters in accordance with the Duffin Heights Neighbourhood Development Guidelines including, but not limited to: internal pedestrian circulation and connections; on-site landscaping and final design of the private amenity areas; architectural design and materials; and the location of hydro transformers, gas meters and other utilities.

3.3 The existing road network can accommodate the traffic generated by this development

In support of the rezoning application, the applicant has submitted a revised Transportation Impact Study (TIS), prepared by LEA Consulting Ltd., dated June 2022, which investigated the traffic conditions and effects of the proposed development on the surrounding road network. The study found that during the weekday morning peak hour (approximately between 7:45 am and 8:30 am), the development (both residential and retail uses) is anticipated to generate approximately 89 two-way residential trips (39 inbound and 50 outbound trips), and during the afternoon peak hour (approximately 5:15 pm and 6:00 pm), approximately 126 two-way residential trips (67 inbound and 59 outbound trips).

The study concludes that the proposed development will have an acceptable impact on the surrounding road network. The signalized intersection at Brock Road and Dersan Street will continue to operate at acceptable levels of service. The signalized intersection at Brock Road and Concession Road 3 will operate at capacity during the weekday afternoon peak hour. The study recommends modest signal timing improvements at this intersection (increase signal timing during afternoon peak hours from 100 seconds to 120 seconds), and recommends that the Region of Durham continue to monitor this intersection in the future for potential improvements. The un-signalized intersection at Brock Road and Palmer's Sawmill Road will operate over capacity in both eastbound and westbound movements. However, this intersection is planned to be controlled with a future traffic control signal, as per established plans for the Duffin Heights neighbourhood. The study concludes that a future traffic signal at the intersection of Brock Road and Palmer's Sawmill Road will greatly improve the operation of the intersection to acceptable levels of service.

Staff are supportive of the recommended improvements and have no concerns with the projected traffic generated by the development.

3.3.1 Sufficient parking is available to accommodate the development

Resident parking is to be provided at a ratio of 1.25 spaces per dwelling unit, providing a total of 443 resident parking spaces located in the parking structure. Visitor parking is provided at a ratio of 0.25 spaces per unit, and appropriate parking ratios are proposed for the various commercial uses. Through the implementing of the zoning by-law, a shared parking formula is proposed for visitor and commercial parking spaces. The shared parking formula is based on the weekday peak demand for each use. For the proposed development, a total of 88 parking spaces are proposed for visitors and commercial uses, located at-grade and in the parking structure.

In support of the proposed parking ratios for this development, the submitted Traffic Impact Study provided the following comments:

- the subject lands are located within an approximate 4-minute walk to an existing Durham Region Transit stop at Rossland Road;
- there are opportunities to live, work and play, in close proximity to the subject lands;
- the development will provide a total of 392 bicycle parking spaces to encourage active transportation; and
- the implementation of Transportation Demand Management measures, such as unbundling parking spaces for units, and advertising the different modes of transportation available (i.e., public transit, ride share amenities), is recommended.

A total of 531 parking spaces and 392 bicycle parking spaces are to be provided on-site to accommodate the proposal. The proposed parking ratios are similar to other recently approved developments within the Duffin Heights neighbourhood. Staff are satisfied that there are sufficient parking spaces available to accommodate the proposal.

3.4 Consultation with the Duffin Meadows Cemetery

Prior to the statutory public meeting held on April 4, 2022, staff received a letter from the Duffin Meadows Cemetery (Mount Pleasant Group of Cemeteries), and their Planning Consultant, RD LandPlan Consultants Inc. They noted that they were not in objection to the proposed development, however, cited several concerns, including:

- information was not provided in the applicant's Hydrogeological Report, prepared by Watermark Environmental Ltd., such as whether the changes in the water table would affect existing graves;
- information was not provided in the applicant's Noise Report, prepared by SLR Consulting (Canada) Ltd., such as the existing grass cutting and other operations on the cemetery site that future residents may have complaints about;
- concerned that future residents may complain about seeing existing cemetery operations, such as funeral services, and therefore should be made aware of so in a purchasing agreement; and
- concerned that the grade differential from the subject property to the cemetery site would mean that the parking structure would look like a high wall facing the cemetery, and therefore would not be desirable for their clients who are visiting the cemetery.

Since receiving these comments, the applicant has met with the Duffin Meadows Cemetery and their Planning Consultant regarding their concerns, and has addressed these concerns in the revised proposal. The changes to the application include:

- The applicant is proposing a 3.5 metre landscaping strip along the northern property line to soften/buffer the view of the parking structure from the cemetery. The north wall of the parking structure will also be covered with ivy, and the top of the wall will have substantial landscaping. In addition, the surface parking spaces located along the northern property line have been removed and relocated below grade.

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- The applicant's Hydrogeological Consultant has confirmed that the proposed development will not impact existing burials.
 - The applicant's Acoustical Consultant visited the site with the Duffin Meadows Cemetery Group and the applicant on June 3, 2022, and revised their report to include operations related to the cemetery.
 - The applicant has agreed to include a warning clause in all agreements of purchase and sale for prospective purchasers that they will be able to observe cemetery activities that some may consider unsettling which include, but are not limited to: the preparation/digging of graves and interment related to set up; burial associated graveside services; and regular graveside visitation by mourning families.
 - The applicant has agreed to include a warning clause in all agreements of purchase and sale detailing and describing potential noise impacts to the development arising from the daily operations of the cemetery. Daily operations include, without limitation, grave preparation, tamping of the grave to compress the soil, and regular maintenance such as lawn mowing, grass trimming, use of a tractor and water wagon and delivery of soil and gravel to the cemetery by heavy trucks.
 - The applicant has requested that the City require the applicant to include the above-noted warning clauses within all agreements of purchase and sale, as a condition of site plan approval.

Staff are satisfied that the applicant has addressed the concerns of the Duffin Meadows Cemetery. The draft implementing zoning by-law, attached as Appendix I to this report, has been reviewed by the Duffin Meadows Cemetery and their Planning Consultant. Their technical comments have been incorporated into the draft by-law.

Through the site plan approval process, the City will ensure an appropriate landscaped treatment is implemented along the north property to minimize the view of the parking structure.

3.5 The proposed development achieves Level 1 of the City's Sustainable Development Guidelines

In support of the rezoning application, the applicant has submitted a Sustainability Development Report, prepared by Bousfields Inc., in accordance with the City's Sustainable Development Guidelines. The proposed development achieves 57 points of the City's Sustainable Development Guidelines, which exceeds the required minimum of Level 1 (19 points). The following sustainability measures are being proposed:

- integrated environmental systems protection through retention of the eastern portion of the site in its natural condition;
- exceedance of stormwater quality and quantity targets outlined in Duffin Heights Master Environmental Servicing Plan;
- biodiversity protection and enhancement through the provision of a larger vegetative buffer than the minimum 10.0 metre requirement concerning the wetland;
- use of native species for 75 percent of the landscaped area;
- net environmental gain on the site through the restoration of the open space area to the east;

-
- intensification of an existing developed site with an increased density and mix of residential and commercial uses;
 - enhanced amenities, including 954 square metres of commercial space on site, and residential units within walking distance of surrounding retail, medical, and office uses;
 - use of geothermal energy, which involves using the earth's energy to power dwelling units during the winter and summer;
 - use of green roofs and light coloured building materials to reflect the sun's rays and reduce the heat island effect;
 - harvesting rain water, which involves reusing rainwater for irrigation for plantings on site;
 - provision of rear laneways for access, avoiding interruptions along the street frontage;
 - providing electric vehicle charging stations and electric vehicles, bikes and scooters for future residents;
 - located within 250 metres of a bus stop to support transit ridership and access by transit, as well as provides bicycle amenities; and
 - inclusion of green roofs, trees for shade, and use of light materials to support heat island reduction.

Through the site plan approval process, staff will work with the applicant to ensure the proposed sustainability measures are met.

3.5.1 Electric Rideshare Amenities are being considered for the development

During the statutory public meeting, the applicant confirmed that they are in discussions with Kite Mobility to provide an electric rideshare amenity at the proposed development, including car share and electric bike and scooter-share options. Future residents of the development would receive a free membership to use the cars, bikes and scooters. The applicant would provide the required infrastructure, including electric charging stations. In June of 2022, the applicant confirmed that they are finalizing the terms of the agreement with Kite Mobility.

Prior to site plan approval, the applicant will need to provide additional information, including a copy of the agreement, to confirm the implementation of the proposed rideshare service.

3.6 A new school and village green are to be constructed in the Duffin Heights neighbourhood

During the statutory public meeting, Committee members requested confirmation from City staff regarding the construction of a new school within the Duffin Heights neighbourhood and the timeline for construction.

In December of 2022, the Durham District School Board submitted a site plan application to construction a new public elementary school at the intersection of Tillings Road and Dersan Street. The new school will accommodate 536 students and will

include four new child care rooms with 73 child care spaces. Immediately to the west of the school, a future village green is proposed. The school is tentatively scheduled to open in September 2024.

3.7 The applicant is required to become a party to the Duffin Heights cost-sharing agreement or pay their proportionate share of the development costs

The applicant is required to become a party to the Duffin Heights cost-sharing agreement or pay their proportionate share of the development costs. The implementing zoning by-law will establish an (H) Holding Symbol over the subject lands to ensure the applicant pays their proportionate share or becomes a member of the group.

3.8 Technical matters to be addressed through the site plan approval process

As noted above, detailed design issues will be dealt with through the site plan approval process. These requirements will address matters such as, but not limited to:

- architectural treatment;
- landscaping and fencing;
- lighting;
- pedestrian circulation and connections;
- outdoor amenity area design;
- drainage and grading;
- site servicing;
- construction management plan;
- resident, visitor and accessible parking spaces;
- waste management collection; and
- location of hydro transformers, gas meters and other utilities.

4. Zoning By-law to be finalized and forwarded to Council for enactment

The applicant is requesting to rezone the subject lands to facilitate a mixed-use development. Staff recommend that the implementing zoning by-law, containing the standards set out in Appendix I to this report, be finalized and brought before Council for enactment.

5. Applicant's Comments

The applicant has been advised of and concurs with the recommendations of this report.

Appendix

Appendix I Recommended Zoning By-law Provisions for Zoning By-law Amendment
Application A 13/21

Attachments:

1. Location Map
2. Air Photo Map
3. Original Site Plan
4. Revised Site Plan
5. Conceptual Rendering Looking Southeast
6. Conceptual Rendering Looking Southwest
7. Summary of Key Details of Proposal

Prepared By:

Approved/Endorsed By:

Original Signed By

Original Signed By

Isabel Lima
Planner II

Catherine Rose, MCIP, RPP
Chief Planner

Original Signed By

Original Signed By

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

Kyle Bentley, P. Eng.
Director, City Development & CBO

IL:ld

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer

**Recommended Zoning By-law Provisions for
Zoning By-law Amendment Application A 13/21**

Draft Pickering By-law No. XXXX/23

Being a By-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, Part of Lot 18, Concession 3, City of Pickering (A 13/21)

Whereas the Council of The Corporation of the City of Pickering received an application to rezone the subject lands being Part of Lot 18, Concession 3, in the City of Pickering to permit a mixed-use development;

And whereas an amendment to Zoning By-law 3037, as amended by By-law 2049/85 and By-law 6577/05, is therefore deemed necessary;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Schedules I and II**

Schedules I and II to this By-law with notations and references shown thereon are hereby declared to be part of this By-law.

2. **Area Restricted**

The provisions of this By-law shall apply to those lands being Part of Lot 18, Concession 3, in the City of Pickering, designated "MU-34" and "NHS" on Schedule I to this By-law.

3. **General Provisions**

No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.

4. **Definitions**

In this By-law,

- (1) "Amenity Space" means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- (2) "Art Gallery/Studio" means a premises used for the creation, exhibition, collection and/or preservation of works of art for public viewing and sale and may include educational classes.

- (3) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- (4) “Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.
- (5) “Build-to-Zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- (6) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- (7) “Building, Main” means a building in which is carried on the principal purpose for which the lot is used.
- (8) “Building, Mixed Use” means a building containing residential uses and at least one non-residential use permitted by this By-law.
- (9) “Commercial Use” means any permitted use the primary purpose of which is to sell, lease or rent a product of service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but shall exclude residential uses.
- (10) “Commercial Fitness/Recreational Centre” means a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit.
- (11) “Community Centre” means a multi-purpose facility that offers a variety of programs or a recreational, cultural, day care, social, community service, informational or instructional in nature.
- (12) “Day Care Centre” means:
 - i) indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable *Provincial Act*; or
 - ii) indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

- (13) “Development Agreement” means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.
- (14) “Dwelling” includes:
- a) “Apartment Dwelling” means a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.
 - b) “Dwelling Unit” means a residential unit that:
 - i) consists of a self-contained set of rooms located in a building or structure;
 - ii) is used or intended for use as a residential premises;
 - iii) contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv) is not a mobile home or any vehicle.
- (15) “Existing” means existing as of the date of the enactment of the provision that contains that word.
- (16) “Financial Institution” means a *building* or portions of a *building* used for the purposes of administering or providing financial services to the public, other than exclusively through an automated banking machine.
- (17) “Floor Area” means the total area of all floors of a *building* within the outside walls.
- (18) “Floor Area, Net” means the total area of all floors of a *building* measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:
- (a) Motor vehicle parking and bicycle parking below established grade;
 - (b) Motor vehicle parking and bicycle parking at or above established grade;
 - (c) Loading spaces and related corridors used for loading purposes;
 - (d) Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
 - (e) Indoor amenity space required by this By-law;
 - (f) Elevator, garbage and ventilating shafts;
 - (g) Mechanical penthouse; and
 - (h) Stairwells in the building.
- (19) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.

- (20) “Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.
- (21) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- (22) “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.
- (23) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.
- (24) “Ground Floor” means the floor of a building at or first above grade.
- (25) “Ground Floor Area” means the gross floor area only on the ground floor.
- (26) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.
- (27) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.
- (28) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
- (29) “Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.
- (30) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.

- (31) “Lot Area” means the total horizontal area of a lot.
- (32) “Lot Line” means a line delineating any boundary of a lot.
- (33) “Main Wall” means a primary exterior front, rear or side wall of a building, not including permitted projections.
- (34) “Office” means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.
- (35) “Office, Medical” means a premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.
- (36) “Park, Private” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.
- (37) “Park, Public” means an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and other uses authorized through an agreement with the City.
- (38) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.
- (39) “Parking Garage” means a building, or part thereof, used for the parking of vehicles and may include any permitted use in the first storey, but shall not include any area where vehicles for sale or repair are kept or stored. A parking garage includes underground parking and a parking structure.
- (40) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.
- (41) “Parking Space” means an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.
- (42) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.
- (43) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.
- (44) “Patio” means an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.

- (45) “Personal Service Shop” means a premises used to provide personal grooming services or for the cleaning or care of apparel.
- (46) “Place of Amusement” means a *premises* which are devoted to the offering of facilities for the playing of any game for the amusement of the public such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.
- (47) “Podium” means the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.
- (48) “Porch” means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.
- (49) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.
- (50) “Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.
- (51) “Restaurant” means a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.
- (52) “Retail Store” means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- (53) “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreational centre or a post-secondary school.
- (54) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.
- (55) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.
- (56) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

- (57) “Street” means a public highway but does not include a lane or a King’s Highway (Highway 401). Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- (58) “Street Line” means the dividing line between a lot and a street.
- (59) “Street, Private” means:
- a) a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - b) a private road condominium, which provides access to individual freehold lots;
 - c) a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - d) a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.
- (60) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below six feet in height or in ground swimming pools.
- (61) “Temporary Sales Office” means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lot.
- (62) “Tower” means the storeys within that portion of a building or structure or part thereof located above the podium.
- (63) “Tower Floor Plate” means the average floor area of all storeys within that portion of a building or structure or part thereof located above the podium, measured to the exterior faces of exterior walls of each storey of a building or structure.
- (64) “Uncovered Platform” means an attached or freestanding structure not covered by a roof, which is located on the same level as or lower than the first storey of the building associated with the platform.
- (65) “Veterinary Clinic” means a building or part of a building providing the services of a veterinarian, and facilities for the medical treatment,

examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

5. Permitted Uses and Zone Regulations (“MU-34” Zone)

(1) Permitted Uses (“MU-34” Zone)

No person shall within the lands zoned “MU-34” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- a) Apartment Dwelling
- b) Commercial Fitness/Recreation Centre
- c) Day Care Centre
- d) Financial Institution
- e) Food Store
- f) Office
- g) Office, Medical
- h) Park, Private
- i) Personal Service Shop
- j) Retail Store
- k) Restaurant
- l) School, Commercial
- m) Veterinary Clinic

(2) Zone Regulations (“MU-34” Zone)

No person shall, within the lands zoned “MU-34” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

a) Floor Space Index (FSI)	i) maximum – 2.5 FSI
b) Number of Dwelling Units	i) minimum – 81 units ii) maximum – 376 units
c) Building Height	i) maximum building height – 60.0 metres
d) Podium Requirements	i) minimum height of podium – 10.5 metres ii) maximum height of podium – 22.0 metres
e) Building Setbacks	i) no building or part of a building or structure above or below grade shall be erected outside of the building envelope, as shown on Schedule II to this By-law ii) no building or part of a building or structure shall be erected within the building envelope, unless a minimum of

	<p>60 percent of the length of the build-to-zone, as shown on Schedule II to this By-law, contains a building or part of a building above grade</p> <p>iii) notwithstanding (2) e) i) above, a building or part of a building or structure located at or above grade, excluding a parking structure, shall be setback a minimum of 21.0 metres from the north lot line</p>
f) Tower Floor Plate	i) maximum tower floor plate for a residential building – 850 square metres, which shall be measured to the exterior faces of exterior walls of each storey of a building or structure, but shall exclude indoor amenity space located on the rooftop of a podium
g) Building Separation	i) minimum – 25.0 metres, which shall be measured from the main wall of each tower, but shall exclude balconies and indoor amenity space located on the rooftop of a podium
h) Main Wall Stepback	i) minimum main wall stepback – 1.8 metres from the main wall of a point tower and the main wall of a podium on any building face abutting a street line
i) Balcony Requirements	i) minimum depth – 1.5 metres
j) Amenity Space Requirements for Apartment Dwellings	<p>i) minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit</p> <p>ii) minimum – 2.0 square metres of outdoor amenity space is required per apartment dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location)</p>
k) Landscaped Area	<p>i) minimum – 20 percent of the land area</p> <p>ii) minimum 3.5 metre wide landscaped area shall be required and permanently maintained along the entire length of the north lot line</p>

	iii) all parking spaces, drive aisles and private roads shall be setback a minimum of 6.0 metres from the north lot line
l) Non-Residential Uses	iv) minimum 735 square metres of gross leasable floor area (GLFA) shall be located on the first floor of a building within the lands zoned as "MU-34" on Schedule I to this By-law

(3) Permitted Encroachments

No part of the building envelope shall be obstructed except as follows:

- i) Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, piers, eave troughs, and other similar architectural features may be permitted to project a maximum of 2.5 metres beyond the required Building Setbacks, as outlined in Section (2) e) of this By-law.
- ii) Any stairs, including to a porch or any associated landing, uncovered platform, covered platform, and any unenclosed ramp for wheelchair access may encroach beyond the required Building Setbacks, as outlined in Section (2) e) of this By-law, no closer than 0.3 of a metre from a lot line.
- iii) A balcony, porch, uncovered platform or covered platform may encroach beyond the required Building Setbacks, as outlined in Section (2) e) of this By-law, to a maximum of 2.0 metres or half the distance, whichever is less.

(4) Vehicular Parking Regulations:

a) Minimum Parking Requirements:

Residential Uses	
Apartment Dwelling	1.25 spaces per dwelling unit and an additional 0.25 of a space per dwelling unit for visitors
Non-Residential Uses	
Day Care Centre	3.5 spaces per 100 square metres of GLFA
Office	3.5 spaces per 100 square metres of GLFA

Non-Residential Uses	
Financial Institution, Food Store, Retail Store, Commercial School, Personal Service Shop, Medical Office, Veterinary Clinic and Restaurant less than 465 square metres of GLFA	4.5 spaces per 100 square metres of GLFA
Commercial Fitness/ Recreation Centre	5.0 spaces per 100 square metres of GLFA
Restaurant	5.0 spaces per 100 square metres of GLFA

b) Accessible Parking Requirements

To be provided on-site in accordance with the requirements of the Traffic and Parking By-law 6604/05, as amended, or any successor thereto.

c) Parking for Multiple Uses on One Lot:

A shared parking formula may be used for the calculation of required parking for multiple uses on a lot.

Shared parking is to be calculated in compliance with Table 1 – Shared Parking Formula.

All required parking spaces must be accessible to all uses participating in the shared parking arrangement and may not be reserved for specific users.

The initial step in determining required parking for multiple uses on a lot is to calculate the parking requirement for each use in the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e. noon), contained in Table 1 – Shared Parking Formula. Each column is totaled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the development.

Table 1 – Shared Parking Formula

Type of Use	Percentage of Peak Period (Weekday)			
	Morning	Noon	Afternoon	Evening
Financial Institution, Office, Medical Office, Day Care Centre	100	90	95	10

Type of Use	Percentage of Peak Period (Weekday)			
	Morning	Noon	Afternoon	Evening
Food Store, Personal Service Shop, Retail Store, Commercial School, Veterinary Clinic, Commercial Fitness/ Recreation Centre	65	90	90	90
Restaurant	20	100	30	100
Residential – Visitor	20	20	60	100

Type of Use	Percentage of Peak Period (Weekend)			
	Morning	Noon	Afternoon	Evening
Financial Institution, Office, Medical Office, Day Care Centre	10	10	10	0
Food Store, Personal Service Shop, Retail Store, Commercial School, Veterinary Clinic, Commercial Fitness/ Recreation Centre	80	100	100	70
Restaurant	20	100	50	100
Residential – Visitor	20	20	60	100

d) Parking Off-Site:

Required parking spaces for any non-resident use may be located on another lot provided that the parking spaces are no further than 500 metres from the northerly and easterly limits of the subject lands as identified on Schedule II to the By-law, and where a legal easement or an agreement exists.

e) Surface Parking Spaces

i) All surface parking shall be located in the rear or interior side yards of a building.

f) Parking Structures

i) Stairs associated with a parking structure are not permitted between a street line and the main wall of a building.

ii) Air vents constructed in association with an underground parking structure are permitted to project to a maximum of 1.2 metres above established grade no closer than 1.2 metres to a street line.

- (5) Bicycle Parking Space Requirements:
- a) Bicycle parking spaces must be located on the same lot as the use or building for which it is required.
 - b) Minimum number of bicycle parking spaces:
 - i) for apartment dwelling: 1.0 bicycle parking space per dwelling unit;
 - ii) for non-residential uses: the greater of 2.0 or 1.0 bicycle parking space for each 1,000 square metres of gross leasable floor area or portion thereof.
 - c) A minimum of 75 percent of the total required bicycle parking spaces must be located within:
 - i) a building or structure;
 - ii) a secure area such as a supervised parking lot or enclosure; or
 - iii) bicycle lockers.
 - d) Where bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
 - e) Dimensions:
 - i) if located in a horizontal position (on the ground): a minimum length of 1.6 metres and a minimum width of 0.6 metres;
 - ii) if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres;
 - iii) if stacked: a minimum length of 1.5 metres and a minimum width of 0.45 metres.

(6) Loading Standards

Where a loading space is provided, the following regulations apply:

- a) the minimum dimensions of a loading space are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres;
- b) a loading space shall abut the building for which the loading space is provided;
- c) an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a street line;
- d) an enclosed loading space located above established grade shall not be located beyond the building envelope, as shown on Schedule II to this By-law.

(7) Noise Attenuation

Notwithstanding Section 5.2 d) related to Podium Requirements, structures for noise attenuation purposes may exceed the maximum podium height of 22.0 metres.

(8) Inoperative Vehicles

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

6. Permitted Uses and Zone Regulations (“(H)MU-34” Zone)

(1) Permitted Uses (“(H)MU-34” Zone)

Until such time as the (H) Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed.

(2) Zone Regulations (“(H)MU-34” Zone)

The (H) Holding Provision shall, upon application by the landowner, be removed from the “MU-34” Zone by City Council passing a By-law under Section 34 of the *Planning Act*. The following condition shall first be completed to the satisfaction of the City of Pickering:

- a) That the Owner has made appropriate arrangements to become a party to the Duffin Heights cost-sharing agreement or pay their proportionate share of the development costs.
- b) That the owner has satisfied all the requirements of the Regional Municipality of Durham with respect to the provision of sewer and water services, Regional roads, and entered into any necessary agreements in this regard.

7. Permitted Uses and Zone Regulations (“NHS” Zone)

(1) Permitted Uses (“NHS” Zone)

No person shall, within the lands zoned “NHS” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- a) Conservation projects and floor erosion control projects
- b) Resource management

(2) Zone Regulations (“NHS” Zone)

Notwithstanding any other provision of this By-law, any building, structure, parking space, loading space or aisle located above or below established

grade shall be setback a minimum of 10.0 metres from a Natural Heritage System (“NHS”) Zone boundary.

8. **Repeal of By-law**

Upon this By-law being in force and effect, By-law 2049/85 is hereby repealed.

9. **By-law 3037**

By-law 3037, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedule I to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 3037.

10. **Effective Date**

That this By-law shall come into force in accordance with the provisions of the *Planning Act*.

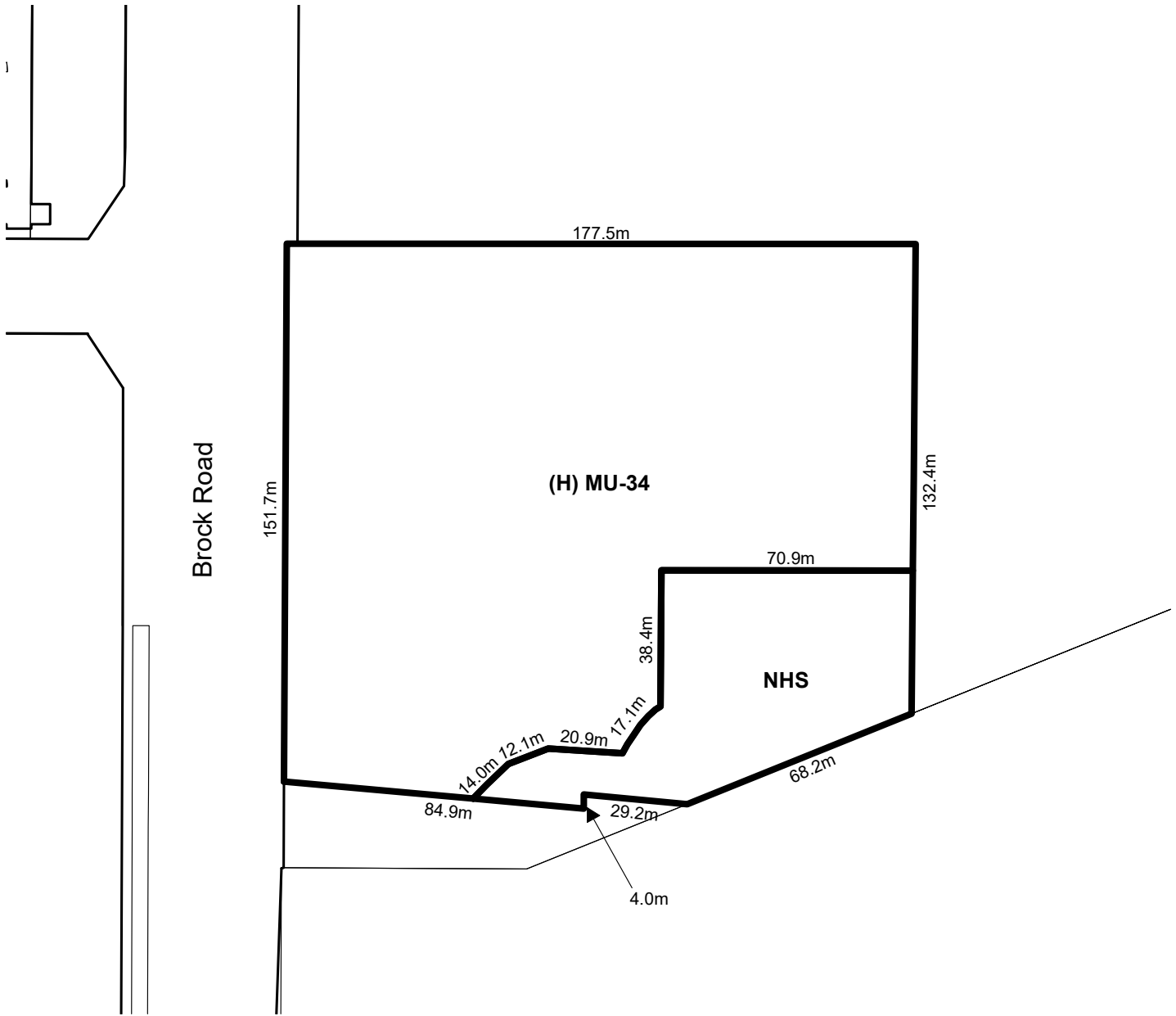
By-law passed this XXth day of XXXX, 2023.

Draft

Kevin Ashe, Mayor

Draft

Susan Cassel, City Clerk



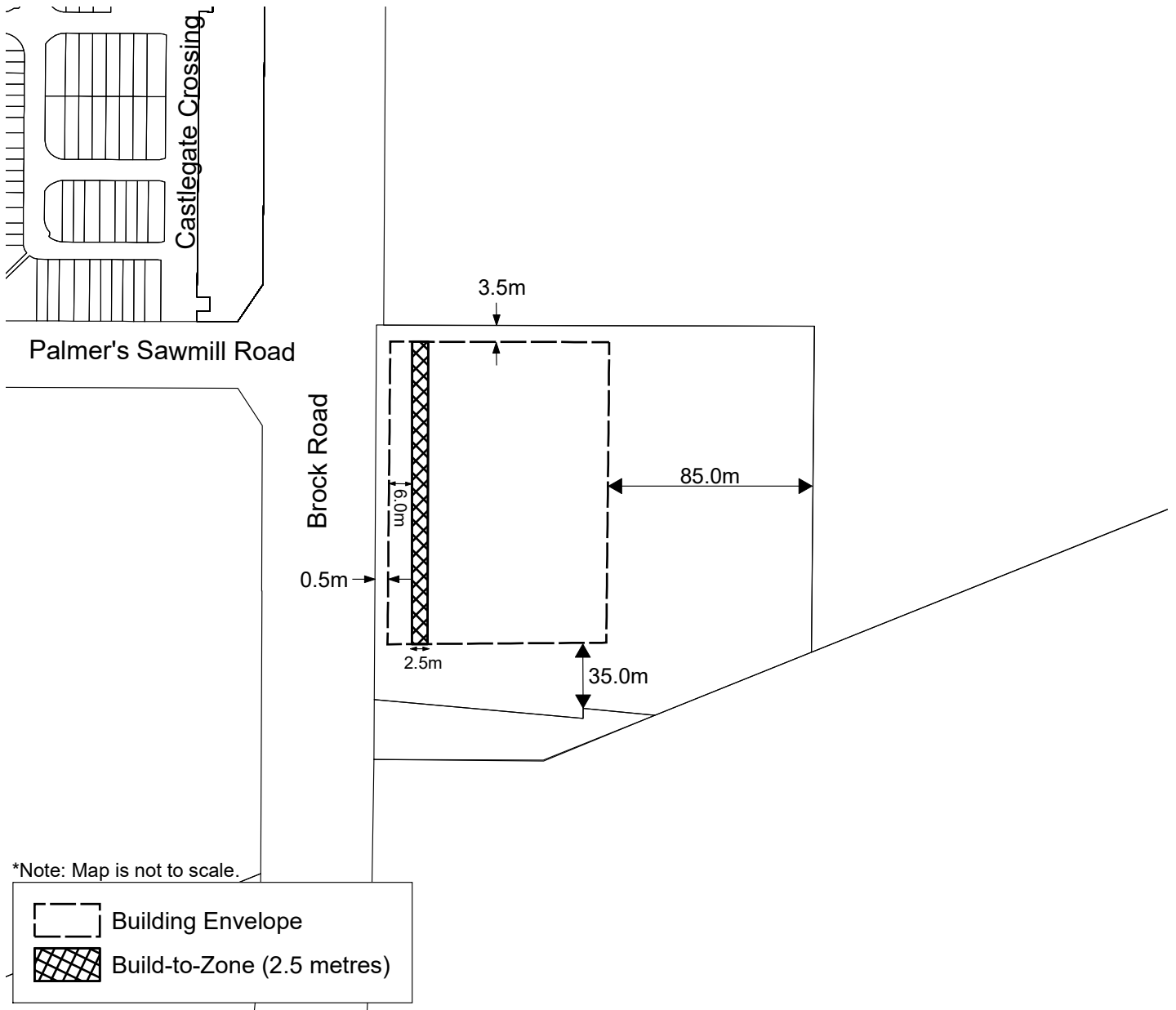
Schedule I to By-Law XXXX/23
 Passed This XXrd Day
 of XXXX 2023

Draft

 Mayor

Draft

 Clerk



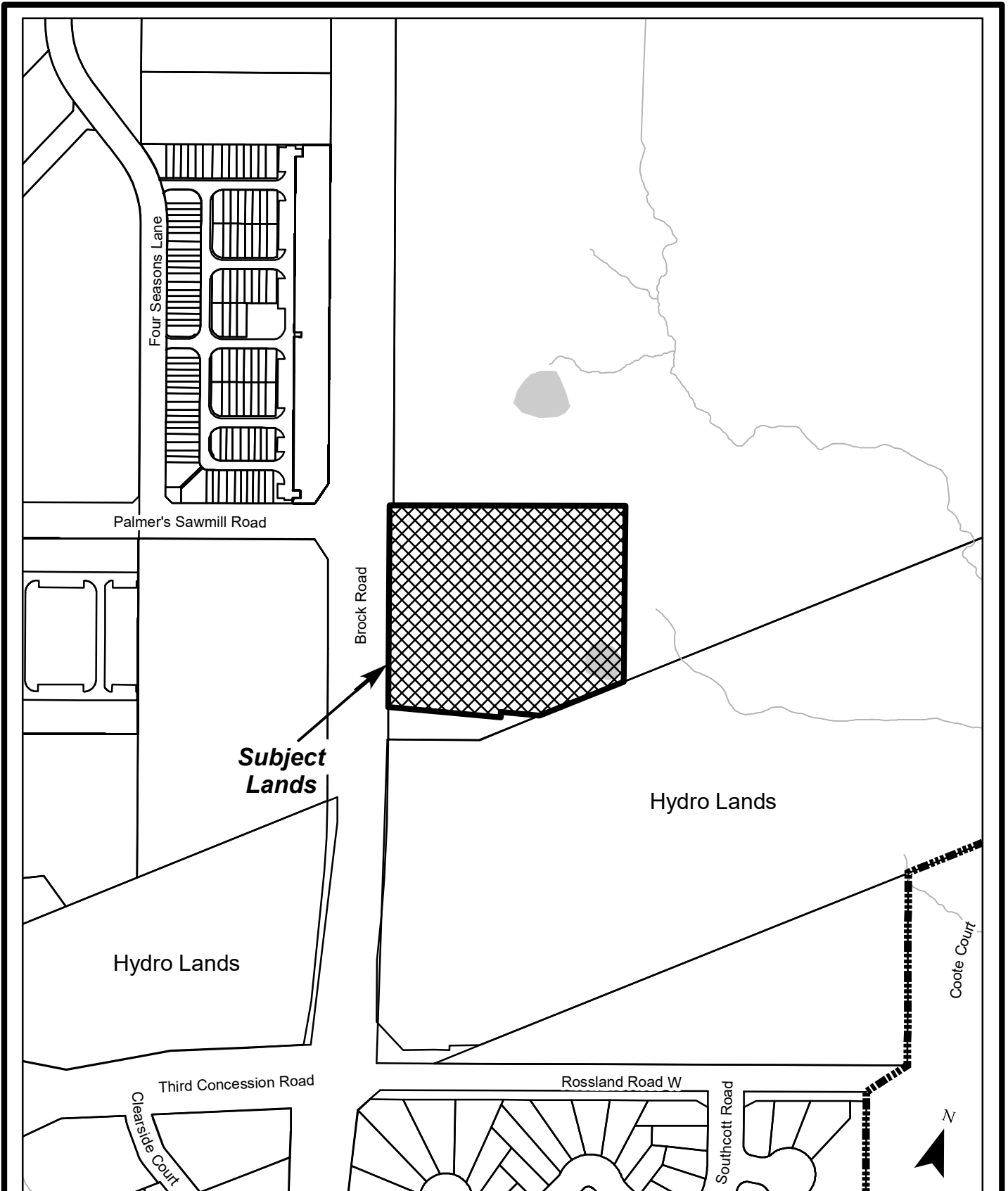
Schedule II to By-Law XXXX/23
 Passed This XX
 Day of XXXX 2023

Draft

 Mayor

Draft

 Clerk



City of
PICKERING
 City Development
 Department

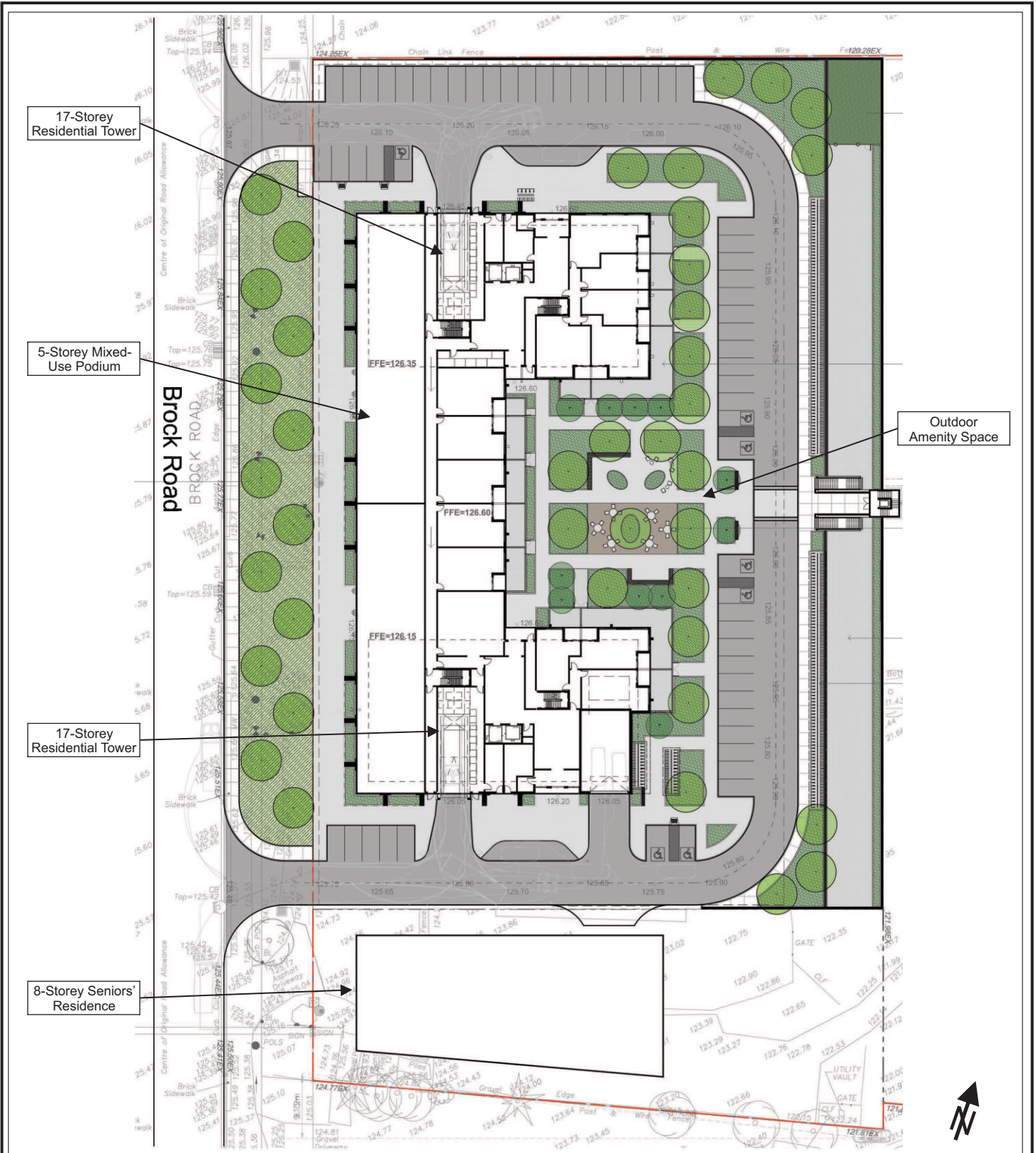
Location Map
File: OPA 21-002/P, A13/21
Applicant: 2465 Brock Road Developments Inc.
Municipal Address: 2465 Brock Road

Date: Dec. 15, 2022

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<p><i>City of</i> PICKERING City Development Department</p>	Air Photo Map	
	File: OPA 21-002/P, A 13/21	
	Applicant: 2465 Brock Road Development Inc.	
	Municipal Address: 2465 Brock Road	
		Date: Dec. 15, 2022
<small>© The Corporation of the City of Pickering Produced (in part) under license from: © Queens Printer, Ontario Ministry of Natural Resources. All rights reserved. © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved.; © Teranet Enterprises Inc. and its suppliers all rights reserved.; © Property Assessment Corporation and its suppliers all rights reserved.</small>		SCALE: 1:5,000 THIS IS NOT A PLAN OF SURVEY.



City of
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City Development
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Original Site Plan

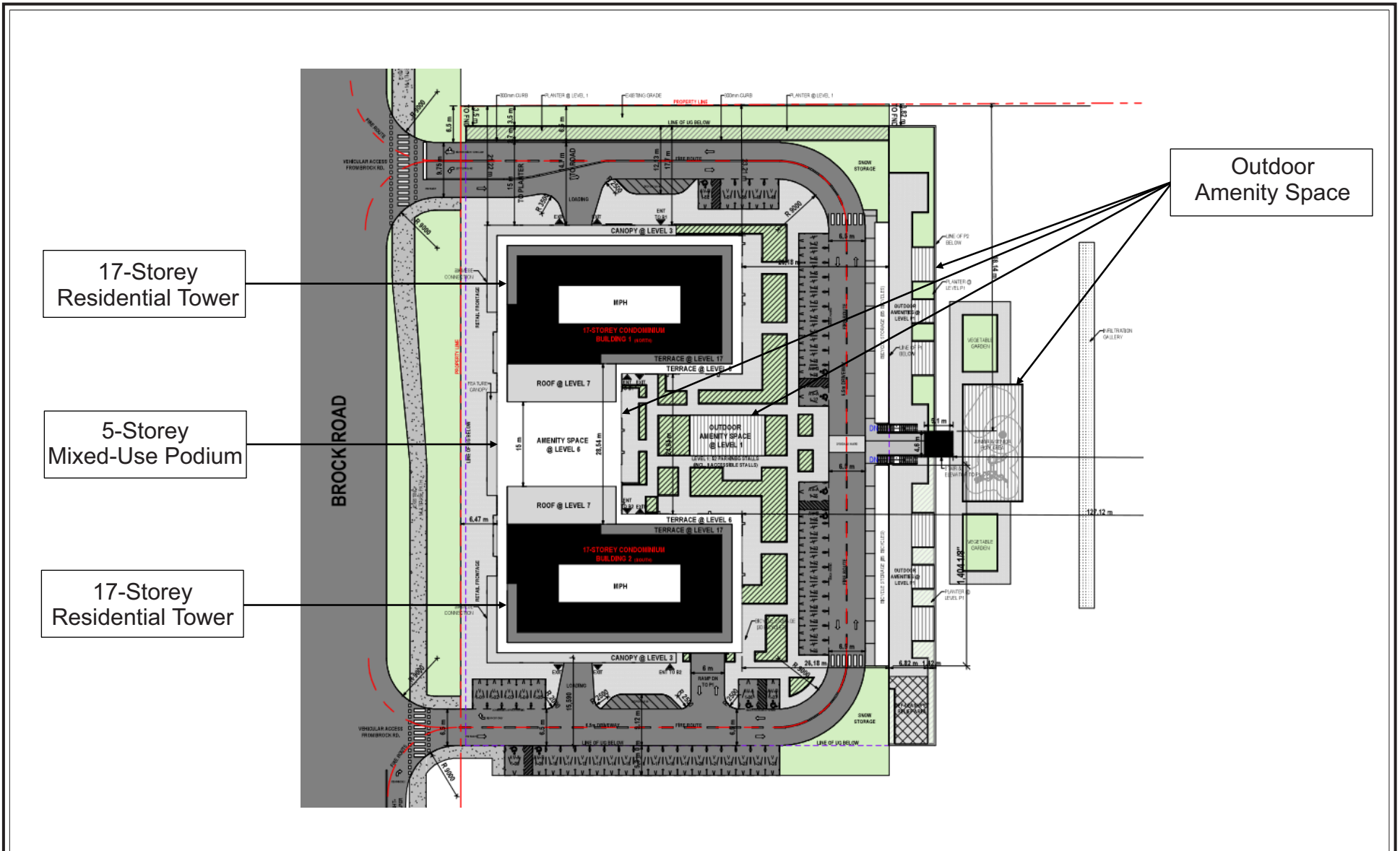
File No: OPA 21-002/P, A 13/21

Applicant: 2465 Brock Road Development Inc.

Municipal Address: 2465 Brock Road

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING
CITY DEVELOPMENT DEPARTMENT.

DATE: Dec. 15, 2022



City of
PICKERING
City Development
Department

Revised Site Plan

File No: OPA 21-002/P, A 13/21

Applicant: 2465 Brock Road Development Inc.

Municipal Address: 2465 Brock Road

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DATE: Dec. 15, 2022



City of
PICKERING

City Development
Department

Conceptual Rendering Looking Southeast

File No: OPA 21-002/P, A 13/21

Applicant: 2465 Brock Road Development Inc.

Municipal Address: 2465 Brock Road

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CITY DEVELOPMENT DEPARTMENT.

DATE: Dec. 15, 2022



City of
PICKERING

City Development
Department

Conceptual Rendering Looking Southwest

File No: OPA 21-002/P, A 13/21

Applicant: 2465 Brock Road Development Inc.

Municipal Address: 2465 Brock Road

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CITY DEVELOPMENT DEPARTMENT.

DATE: Dec. 15, 2022

Summary of Key Details of Proposal (A 13/21)

	Revised Proposal
Total Area of Land	2.69 hectares
Gross Floor Area (GFA)	26,797.01 square metres
Floor Space Index (FSI)	1.0 FSI
Number of Residential Units	353 residential units
Number of Storeys and Building Heights	17 storeys each Approximately 60 metres
Unit Types	1 Bedroom: 84 units (24%) 1 Bedroom plus Den: 72 units (20%) 2 Bedroom: 60 units (17%) 2 Bedroom plus Den: 92 units (26%) 3 Bedroom: 32 units (9%) 2-storey: 13 units (4%)
Vehicular Parking	Resident – 443 spaces at a minimum ratio of 1.25 parking spaces per unit Visitor – 88 spaces at a ratio of 0.25 parking spaces per unit Total – 531 spaces
Bicycle Parking	392 spaces
Private Amenity Area	Indoor – 945 square metres Outdoor – 3,869 square metres Total – 4,814 square metres