

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 Michael Testaguzza, Partner, The Biglieri Group Ltd. (In Person)

Re: Report PLN 06-23

Official Plan Amendment OPA 20-008/P

Zoning By-law Amendment Application A 13/20

Brock and Kingston Holdings Inc.

1970 Brock Road

4. Planning & Development Reports

4.1 [Director, City Development & CBO, Report PLN 05-23](#)

1

Zoning By-law Amendment Application A 10/22

City Initiated

2570 Tillings Road

Recommendation:

For information related to accessibility requirements please contact:

Committee Coordinator

905.420.4611

clerks@pickering.ca

That Zoning By-law Amendment Application A 10/22, initiated by the City of Pickering, to rezone the lands at 2570 Tillings Road to permit a public elementary school and a public park, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix I to Report PLN 05-23, be finalized and forwarded to Council for enactment.

4.2 [Director, City Development & CBO, Report PLN 06-23](#)

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Official Plan Amendment OPA 20-008/P
Zoning By-law Amendment Application A 13/20
Brock and Kingston Holdings Inc.
1970 Brock Road

Recommendation:

1. That Official Plan Amendment Application OPA 20-008/P, submitted by Brock and Kingston Holdings Inc., to add a site-specific policy for the lands located at the northwest corner of Brock Road and Kingston Road, to permit a minimum net residential density of over 80 units per hectare and no maximum density, and increase the maximum permitted Floor Space Index (FSI) to 4.4 to facilitate a high-density, mixed-use development, be approved, and that the draft by-law to adopt Amendment 47 to the Pickering Official Plan, as set out in Appendix I to Report PLN 06-23, be finalized and forwarded to Council for enactment; and,
2. That Zoning By-law Amendment Application A 13/20, submitted by Brock and Kingston Holdings Inc., to permit a high-density, mixed-use development consisting of a 30 and 12-storey building connected by a 6-storey podium containing a total of 623 residential units; 52, 4-storey stacked townhouse units, and approximately 1,800 square metres of commercial space at grade, located at the northwest corner of Brock Road and Kingston Road, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix II to Report PLN 06-23, be finalized and forwarded to Council for enactment.

5. Other Business

6. Adjournment

For information related to accessibility requirements please contact:

Committee Coordinator

905.420.4611

clerks@pickering.ca

From: Kyle Bentley
Director, City Development & CBO

Subject: Zoning By-law Amendment Application A 10/22
City Initiated
2570 Tillings Road

Recommendation:

1. That Zoning By-law Amendment Application A 10/22, initiated by the City of Pickering, to rezone the lands at 2570 Tillings Road to permit a public elementary school and a public park, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix I to Report PLN 05-23, be finalized and forwarded to Council for enactment.
-

Executive Summary: The proposed amendment is to rezone the northeastern portion of 2570 Tillings Road to permit an elementary school and related uses. The northwestern portion of the property is proposed to be rezoned to permit a public park, and the remaining southern portion of the property is proposed to be rezoned to an open space zone category. The Durham District School Board has applied for provincial funding to acquire approximately 2.8 hectares of City-owned lands, to facilitate the construction of a new public elementary school. They are in a position to purchase the City lands, subject to receiving zoning approval and a Record of Site Condition from the Ministry of the Environment, Conservation and Parks.

The amendments are in keeping with the City's Official Plan policies. Furthermore, the proposed school and park are much needed community facilities for the Duffin Heights Neighbourhood that will serve existing and future students and residents. Accordingly, staff recommend that Council approve Zoning By-law Amendment Application A 10/22, and 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 recommendation of this report.

1. Background

The purpose of this report is to obtain Council's approval regarding an application for Zoning By-law Amendment, initiated by the City, to rezone the lands at 2570 Tillings Road to permit a public elementary school and a public park.

The subject lands, having a total land area of approximately 7.2 hectares, are located at the southwest corner of Tillings Road and Scenic Lane Drive, within the Duffin Heights Neighbourhood (see Figure 1: Location Map below). The intention is to sell approximately 2.8 hectares of the property to the Durham District School Board (DDSB) to facilitate the construction of a public elementary school.

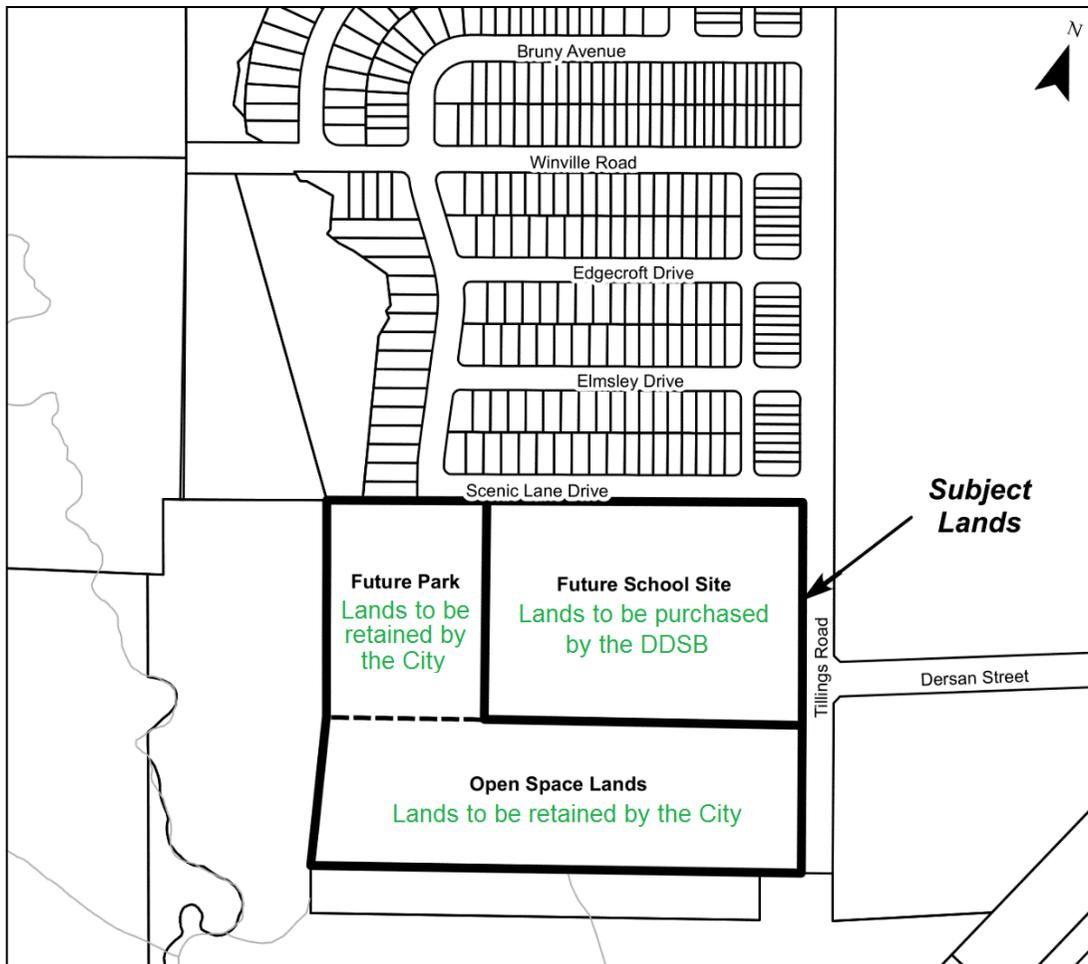


Figure 1: Location Map

In December of 2022, the DDSB applied for Site Plan Approval to permit the construction of a new two-storey public elementary school on the northeastern portion of the subject property. For the DDSB to receive Provincial funding to acquire the lands, and to obtain a building permit to construct the new school, the site is required to be zoned to an appropriate zone category that permits an elementary school and related uses.

Immediately to the west of the proposed school, the City is proposing a future public park. As part of this application, the City is proposing to rezone the northwestern portion of the property to permit a public park. The remainder of the property to the south, containing a significant woodlot and a tributary of the Ganatsekiagon Creek, is proposed to be rezoned to an open space zone category.

A detailed description of the proposed amendment is included in Information Report 01-23, which is provided as Appendix II to this report.

2. February 6, 2023 Statutory Public Meeting and Written Comments

A statutory public meeting was held on February 6, 2023. No residents spoke at the meeting. Before the public meeting, the City received written comments from one resident, who requested that a public library be attached to the new elementary school.

The following is a summary of key questions/comments raised by Committee members during the statutory public meeting, and staff’s response.

Questions from Committee Members	Staff’s Response
Requested an update regarding the timelines to complete the remediation works.	All of the remediation work for this property has been completed and the site is clean. The City’s contractors, who were demolishing the existing buildings on the site, have dismantled all buildings and structures and are now off the site. The City has submitted a Risk Assessment Report to the Ministry of the Environment, Conservation and Parks (the Ministry). The report is currently under review and awaiting the Ministry to issue the Record of Site Condition.
What are the next steps for the Durham District School Board (DDSB)?	The DDSB has applied for Site Plan Approval, and the plans are currently under review. The DDSB is looking to begin construction in the Summer of 2023, and open the school in September 2024. The approval of the City Initiated Zoning By-law Amendment is required for the DDSB to receive Provincial funding to acquire the lands.
Will the northwestern portion of the property, where the future park is proposed, remain under City ownership?	The City will retain ownership of the northwestern portion of the property, which is identified as future parkland. The remaining southern portion of the property, which contains natural heritage features, will also be retained in the City’s ownership.

3. The proposed amendments conform to the Pickering Official Plan

The Pickering Official Plan designates the majority of the subject property as “Urban Residential Areas – Medium Density Areas”. Small portions of the property along the western and eastern lot lines are designated as “Open Space System – Natural Areas”.

Community uses such as schools, childcare facilities and parks are permissible uses within the Urban Residential Areas land use designation. In addition, the Duffin Heights Neighbourhood Map identifies the northeastern portion of the subject property as a site for a proposed public elementary school.

Notwithstanding the Official Plan designating the majority of the property as “Urban Residential Areas – Medium Density Areas”, Schedule III B to the Official Plan further identifies the southern portion of the property as “Significant Woodlands” and containing

a “Permanent and/or Intermittent Stream”. To protect the significant woodlot and tributary, the City is proposing to rezone the southern portion of the property to an appropriate open space zone category.

The zoning amendments are in keeping with the City’s Official Plan policies. Furthermore, the proposed school and park are much needed community facilities for the Duffin Heights Neighbourhood that will serve existing and future students and residents.

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

Staff recommend that Council approve Zoning By-law Amendment Application A 10/22, and 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.

Appendices

- Appendix I Recommended Implementing Zoning By-law Amendment A 10/22
- Appendix II Information Report 01-23

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 A 10/22**

Draft By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 3037, as amended by By-law 6577/05, to implement the Official Plan of the City of Pickering, Region of Durham, being Part Lot 20, Concession 3 S, Now Part 2, 40R-2208, and Parts 1 and 2, 40R-9418, City of Pickering (A 10/22)

Whereas the Council of the Corporation of the City of Pickering initiated an application to permit a public elementary school and public park for the lands being Part Lot 20, Concession 3 S, Now Part 2, 40R-2208, and Parts 1 and 2, 40R-9418;

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

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

1. **Schedule I**

Schedule I attached hereto with notations and reference 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 Lot 20, Concession 3 S, Now Part 2, 40R-2208, and Parts 1 and 2, 40R-9418, in the City of Pickering, designated “ES”, “NP” and “OS” 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) “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.
- (2) “Day Care Centre” means 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*.

- (3) “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.
- (4) “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.
- (5) “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.
- (6) “Neighbourhood Park” means a municipal public park.
- (7) “School, Elementary” means a place of instruction maintained and operated under the jurisdiction of a public authority, and may also include a day care centre as an accessory use.
- (8) “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.

5. Permitted Uses and Zone Regulations (“ES” Zone)

(1) Permitted Uses (“ES” Zone)

No person shall, within the lands zoned “ES” 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) Elementary School
- b) Day Care Centre

(2) Zone Regulations (“ES” Zone)

No person shall, within the lands zoned “ES” 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) Lot Frontage	i) minimum – 30.0 metres
b) Front Yard Setback	i) minimum – 3.0 metres
c) Interior Side Yard Setback	i) minimum – 1.5 metres

d) Rear Yard Setback	i) minimum – 7.5 metres
e) Flankage Side Yard Setback	i) minimum – 3.0 metres
f) Building Height	i) maximum – 12.5 metres for an elementary school ii) maximum – 10.5 metres for a day care centre

(3) Vehicular Parking Regulations (“ES” Zone)

a) Minimum Parking Requirements

Elementary School	1.5 spaces per classroom
Day Care Centre	3.5 spaces per 100 square metres of gross leasable floor area

6. **Permitted Uses (“NP” Zone)**

(1) Permitted Uses (“NP” Zone)

No person shall, within the lands zoned “NP” 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) Neighbourhood park

7. **Permitted Uses and Zone Regulations (“OS” Zone)**

(1) Permitted Uses (“OS” Zone)

No person shall, within the lands zoned “OS” 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) Perseveration and conservation of the natural environment
- b) Stormwater management

(2) Zone Regulations (“OS” Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of perseveration and conservation of the natural environment and/or stormwater management.

8. **By-law 3037**

By-law 3037, as amended by By-law 6577/05, 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.

9. **Effective Day**

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

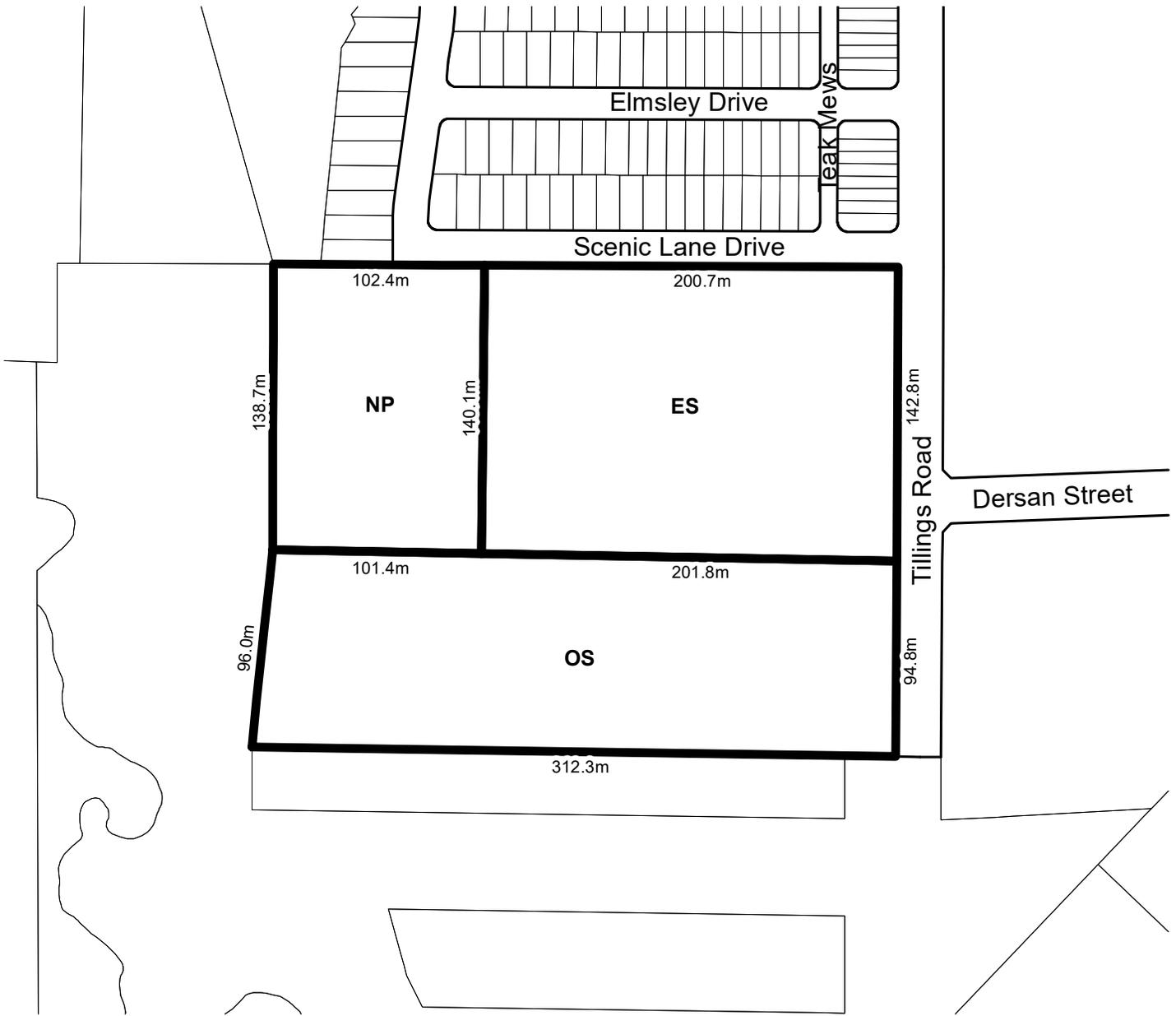
By-law passed this 27th day of March, 2023.

Draft

Kevin Ashe, Mayor

Draft

Susan Cassel, City Clerk



Schedule I to By-Law XXXX/23
 Passed This 27th Day
 of March 2023

Draft

Mayor

Draft

Clerk

Information Report 01-23

From: Catherine Rose, MCIP, RPP
Chief Planner

Subject: Zoning By-law Amendment Application 10/22
City Initiated
2570 Tillings Road

1. Purpose of this Report

The purpose of this report is to provide preliminary information regarding an application for Zoning By-law Amendment, initiated by the City, to rezone the subject lands to permit a future public elementary school and a future public park. This report contains background information on the proposed amendment.

This report is intended to assist members of the public and other interested stakeholders to understand the proposed amendment. Planning & Development Committee will hear public delegations on the application, ask questions of clarification and identify any planning matters. This report is for information and no decision is being made at this time. Staff will bring forward a recommendation report for consideration by the Planning & Development Committee upon review of the comments received and revisions to the amendment if necessary.

2. Property Location and Description

The subject property, having a total land area of approximately 7.2 hectares, is located at the southwest corner of Tillings Road and Scenic Lane Drive, within the Duffin Heights Neighbourhood (see Location Map, Attachment #1). The property is currently owned by the City, and was previously occupied by the City's Operations Centre. The existing structures on the property have been demolished. The intention is to sell approximately 2.8 hectares of the property to the Durham District School Board to facilitate the future construction of a public elementary school.

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

North: To the north, across Scenic Lane Drive, are existing detached, semi-detached, and townhouse dwellings.

East: To the east, across Tillings Road on the north and south sides of Dersan Street, are woodlots owned by the Province of Ontario.

South: Immediately to the south is a vacant, wooded parcel that is privately owned. Further south is a stormwater management pond owned by the City of Pickering.

West: To the west are lands owned by the City of Pickering containing significant woodlands.

3. Proposed City-Initiated Zoning By-law Amendment

In December of 2022, the Durham District School Board (DDSB) submitted an application for Site Plan Approval (File: S 17/22) to permit the construction of a new two-storey public elementary school on the northeastern portion of the subject property (see the Submitted Site Plan from the DDSB, Attachment #3). The proposed new school is anticipated to accommodate 536 students, and will include four new childcare rooms with 73 childcare spaces. The DDSB has advised that the new school is tentatively scheduled to open in September 2024.

For the DDSB to receive Provincial funding to acquire the lands, and to obtain a building permit to construct the new school, the site is required to be zoned to an appropriate zone category that permits an elementary school and related uses.

Currently, the subject property is zoned “A – Rural Agriculture Zone” within Zoning By-law 3037, as amended by By-law 6577/05. Permissible uses within the “A” Zone include a detached dwelling, home occupation, various agricultural uses, public or private parks, and agricultural-related business uses.

Prior to the passing of Amending By-law 6577/05, institutional uses (including schools) were permitted with the “A” Zone. In 2005, the City initiated a zoning by-law amendment application (File A 15/05) to restrict institutional uses on lands zoned Rural Agriculture within the City. At the time, staff determined that the continued permission of institutional uses on agricultural lands on an ‘as-of-right’ basis did not conform with policies in the Pickering Official Plan, and risked potential conflict with surrounding urban and rural uses.

Therefore, Zoning By-law 6577/05 was passed, which removed institutional uses as a permitted use on lands zoned Rural Agriculture, while existing institutional uses continued to be permitted. In addition, it was determined that new institutional uses could be permitted through site-specific rezoning applications, as this would allow Council to ensure that individual developments conform with Official Plan policies, and are compatible with nearby land uses. As such, the City is proposing administrative changes to the existing zoning by-law to permit an elementary school and related uses on the northeastern portion of the property.

Immediately to the west of the proposed school, the City is proposing a future public park. As part of this rezoning, the City is also proposing to rezone the northwestern portion of the property to permit a public park. The future park will have an area of approximately 1.4 hectares. A preliminary proposal for the park includes a children’s playground, walking paths and a potential tennis/pickleball court. The remainder of the property to the south, which contains a significant woodlot, is proposed to be rezoned to an appropriate open space zone category.

4. Pickering Official Plan

The Pickering Official Plan designates the majority of the subject property as “Urban Residential Areas – Medium Density Areas”. A small portion of the property along the western lot line is designated as “Open Space System – Natural Areas”. Community uses such as schools, childcare facilities and parks are permissible uses within the Urban Residential Areas land use designation. The Duffin Heights Neighbourhood Map identifies the subject property as a site for a proposed public elementary school. The proposed amendment conforms to the policies within the Pickering Official Plan.

5. Notification of Statutory Public Meeting

Notice of the Statutory Public Meeting regarding this application was provided through a mailing to all properties within 150 metres of the subject property (in total, notice was mailed to 105 property owners). In addition, a public meeting notice sign was erected at the property on January 5, 2023.

As of the date of this report, no written or verbal comments have been received from the public.

6. Planning & Design Section Comments

The subject property was always intended for the use of a future public elementary school. The proposed school is a much needed community facility for the Duffin Heights Neighbourhood that will serve existing and future students. Furthermore, the proposed park will provide additional public open space that will serve the growing neighbourhood.

To achieve the DDSB’s deadlines to obtain funding approval from the Province and acquire the lands from the City to enable the construction of the school, City staff intend to bring forward a recommendation report to the March 6, 2023 Planning & Development Committee meeting for approval, and to the March 27, 2023 Council meeting for Council to enact the implementing zoning by-law.

7. Procedural Information

7.1 General

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

8. Owner/Applicant Information

The City is the current owner of the property and the applicant.

Attachments:

1. Location Map
 2. Air Photo Map
 3. Submitted Site Plan
-

Prepared By:

Original Signed By

Isabel Lima
Planner II

Original Signed By

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

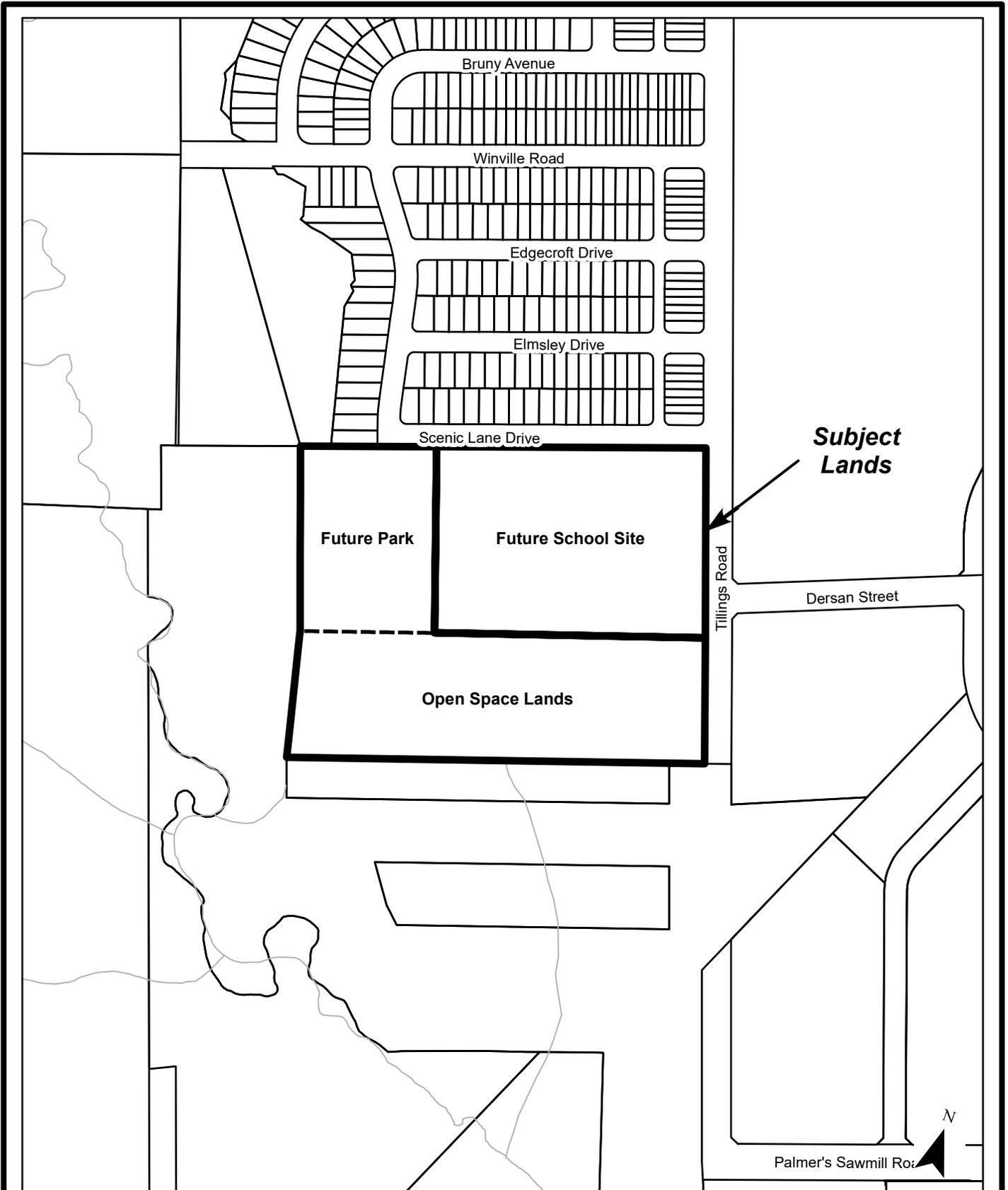
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Date of Report: January 20, 2023

Approved/Endorsed By:

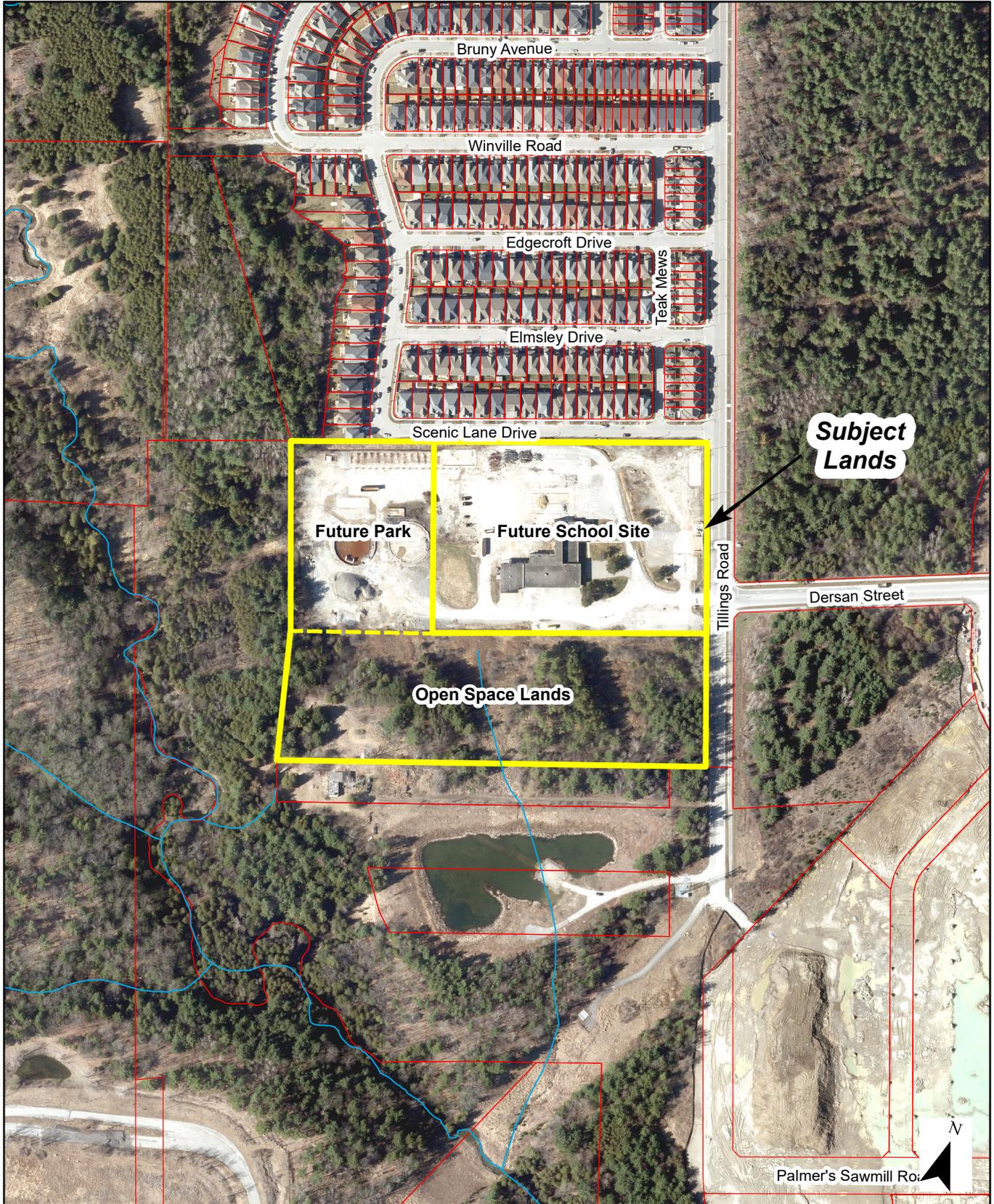
Original Signed By

Catherine Rose, MCIP, RPP
Chief Planner



City of
PICKERING
 City Development
 Department

Location Map	
File: A 10/22	
Applicant: City of Pickering	
Municipal Address: 2570 Tillings Road	
	Date: Jan. 11, 2023
<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. © N.A.S. Property Assessment Corporation and its suppliers all rights reserved.</small>	SCALE: 1:4,000 THIS IS NOT A PLAN OF SURVEY.

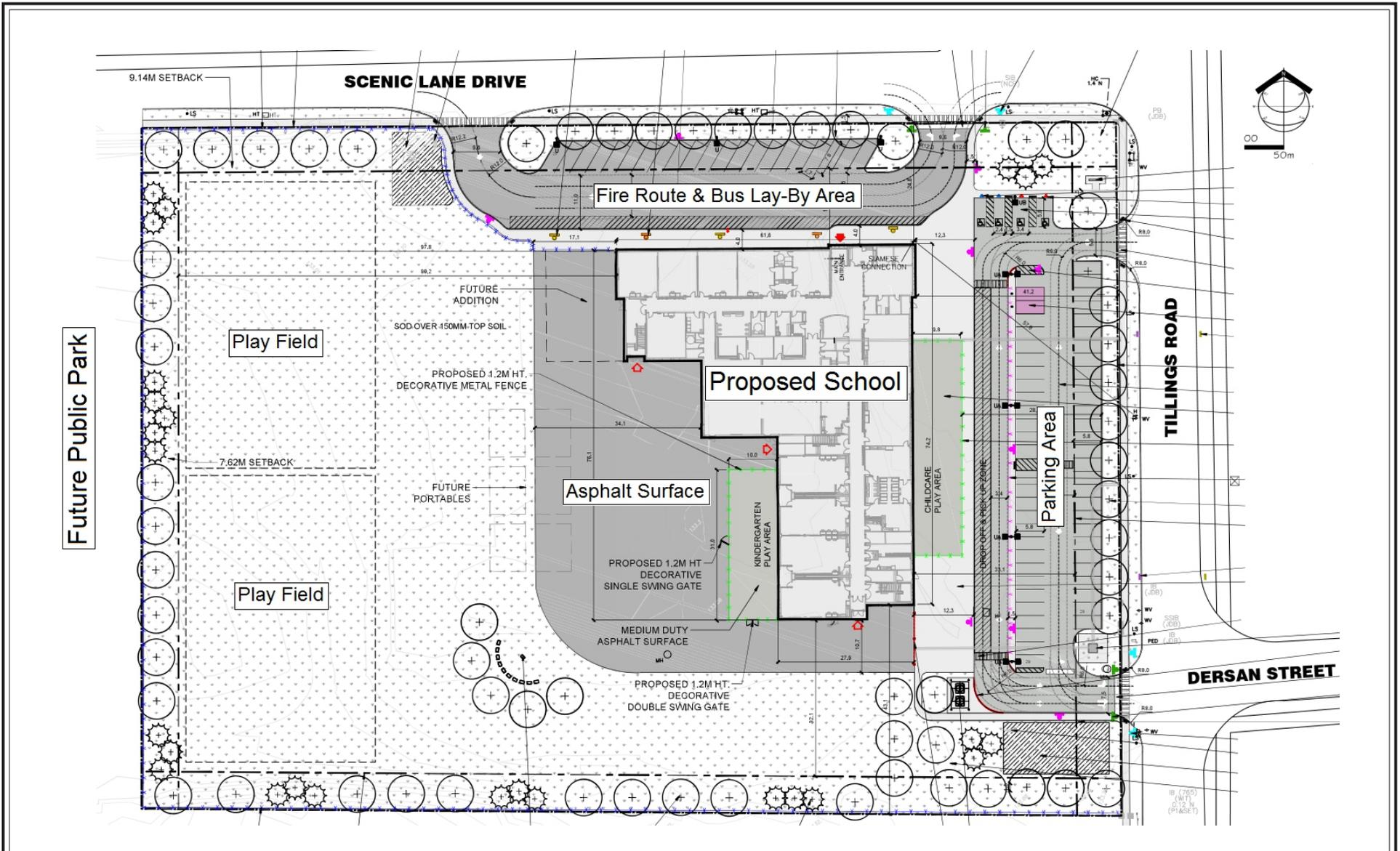


City of
PICKERING
City Development
Department

Air Photo Map
File: A 10/22
Applicant: City of Pickering
Municipal Address: 2570 Tillings Road

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Date: Jan. 11, 2023
SCALE: 1:4,000
THIS IS NOT A PLAN OF SURVEY.



<p>City of PICKERING City Development Department</p>	<p>Submitted Site Plan</p>
	<p>File No: A 10/22</p>
	<p>Applicant: City of Pickering</p>
	<p>Municipal Address: 2570 Tillings Road</p>
<p>FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.</p>	
<p>DATE: January 13, 2023</p>	

From: Kyle Bentley
Director, City Development & CBO

Subject: Official Plan Amendment OPA 20-008/P
Zoning By-law Amendment Application A 13/20
Brock and Kingston Holdings Inc.
1970 Brock Road

Recommendation:

1. That Official Plan Amendment Application OPA 20-008/P, submitted by Brock and Kingston Holdings Inc., to add a site-specific policy for the lands located at the northwest corner of Brock Road and Kingston Road, to permit a minimum net residential density of over 80 units per hectare and no maximum density, and increase the maximum permitted Floor Space Index (FSI) to 4.4 to facilitate a high-density, mixed-use development, be approved, and that the draft by-law to adopt Amendment 47 to the Pickering Official Plan, as set out in Appendix I to Report PLN 06-23, be finalized and forwarded to Council for enactment; and
 2. That Zoning By-law Amendment Application A 13/20, submitted by Brock and Kingston Holdings Inc., to permit a high-density, mixed-use development consisting of a 30 and 12-storey building connected by a 6-storey podium containing a total of 623 residential units; 52, 4-storey stacked townhouse units, and approximately 1,800 square metres of commercial space at grade, located at the northwest corner of Brock Road and Kingston Road, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix II to Report PLN 06-23, be finalized and forwarded to Council for enactment.
-

Executive Summary: Brock and Kingston Holdings Inc. submitted applications for Official Plan Amendment and Zoning By-law Amendment to facilitate a high-density, mixed-use development, located at the northwest corner of Brock Road and Kingston Road within the Village East Neighbourhood (see Location Map and Air Photo Map, Attachments #1 and #2).

The applicant originally proposed a high-density, mixed-use development consisting of: 2 mixed-use buildings having heights of 31 and 34 storeys connected by a 6-storey podium fronting Kingston Road; a 12-storey residential building; 25 3-storey townhouses; and 1,430 square metres of at grade commercial uses. An existing heritage building, the Post Manor, was also proposed to be retained and relocated to the northeast corner of the site.

In response to comments and concerns identified by City staff, external agencies, the Heritage Advisory Committee, and members of the public, the applicant significantly revised the proposal from the initial submission. The following key changes have been made:

-
- decreased the total number of units from 860 units to 675 units;
 - decreased the number of apartment buildings from 3 to 2 towers, and reduced the proposed building heights from 34 to 30 storeys;
 - reduced the Floor Space Index (FSI) from 5.7 to 4.4;
 - increased the total commercial gross floor area provided from 1,430 square metres to 1,800 square metres;
 - revised the location of the existing heritage building, Post Manor, to be located closer to Brock Road and maintain visual connection with the cemetery at the southwesterly corner of Brock Road and Kingston Road; and
 - increased resident, visitor and commercial parking ratios.

The Official Plan Amendment seeks to permit a site-specific increase to the minimum permitted net residential density to over 80 units per hectare, and increase the maximum permitted FSI to 4.4. The Zoning By-law Amendment scopes the permitted uses, includes site-specific development standards, and places a Holding provision on the land until certain conditions relating to regional sanitary and water services have been satisfactorily met.

City Development staff are in support of the revised proposal. The proposal reflects the property's location in a gateway and provides a strong relationship with the intersection of Brock Road and Kingston Road while retaining views of the relocated heritage building along Brock Road. The development promotes a pedestrian-scale environment, and provides for a mix of uses and densities that allow for the efficient use of land in an area that is supported by existing and planned transit services. The development is considered compatible with the surrounding neighbourhood as the building's siting, setback, and massing will have minimal negative visual, privacy or shadow impacts on the immediate neighbourhood.

The proposed development is in keeping with the goals of the Council-endorsed Kingston Road Corridor and Specialty Retailing Node Intensification Plan for the Brock Precinct, and is consistent with the Council-approved Official Plan Amendment 38. Furthermore, the proposal is consistent with the policies of the Provincial Policy Statement, 2020, and conforms to A Place to Grow, (Office Consolidation 2020), and the Durham Regional Official Plan.

The proposed development will be subject to site plan approval, in which detailed design, architectural control and heritage preservation matters will be addressed. Accordingly, staff recommends that Council approve Official Plan Amendment Application OPA 20-008/P, and Zoning By-law Amendment Application A 13/20.

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 property is located at the northwest corner of Brock Road and Kingston Road within the Village East Neighbourhood (see Location Map, Attachment #1). The property has an area of approximately 1.19 hectares, with approximately 55 metres of frontage along Brock Road and approximately 105 metres of frontage along Kingston Road.

The property contains 3 single-storey commercial buildings and a 1 ½ storey heritage building, known as the Post Manor, which currently contains personal service uses (see Air Photo Map, Attachment #2). Mature trees and other vegetation are located along the north and west property lines, along the Kingston Road frontage and adjacent to the Post Manor heritage building.

Surrounding land uses include:

- North: A residential condominium development consisting of 3-storey townhouses. Further north, across Finch Avenue, is the East Duffins Creek and the Brock Ridge Community Park.
- South: The Post Cemetery is located at the southwest corner of Kingston Road and Brock Road. Two and 3-storey townhouses are located west and south of the cemetery and are accessed from Denmark Road. At the southeast corner of Kingston Road and Brock Road is an automobile service station (Petro Canada), and immediately east of the service station is the Brockington Plaza, which contains a range of commercial and retail uses.
- East: Durham Regional Police Services, West Division Headquarters, is located at the northeast corner of Kingston Road and Brock Road. Further east of it is a Canada Post office fronting Kingston Road.
- West: An existing single-storey commercial plaza fronting Kingston Road, and 2 and 3-storey townhouses fronting Royal Road are to the west of the site.

1.2 The Post Manor

The Post Manor is designated under Part IV of the *Ontario Heritage Act* as described in By-law 2580/87. The Post Manor was built in the early 1840s fronting Brock Road, by Scottish stonemasons, with millwork by ships’ cabinet-makers based out of the nearby Frenchman’s Bay. It is a 1 ½ storey fieldstone house with a single-storey rear wing, designed in a Georgian vernacular style with a Regency-style porch. The original finishes such as interior and exterior wood trim, marble fireplaces and other details reflect the Posts’ relative wealth and prominence in Pickering and are reflected in the current designation By-law.



Figure 1: Post Manor c. 1880, Pickering Public Library



Figure 2: Post Manor c. 2020, City of Pickering

Jordan and Matilda Post were the first occupants. Jordan Post III also operated a sawmill along Duffin's Creek, near Brock Road. Sources indicate he was a successful businessman, exporting milled lumber via Frenchman's Bay.

The Post Cemetery is located across the road at the southwest corner of Brock Road and Kingston Road. It was originally established by Jordan Post, adjacent to a church that no longer exists. The Post farmhouse, church, cemetery, sawmill and other homes and farmsteads formed a small community at the corner.

1.3 Applicant's Initial Proposal

Brock and Kingston Holdings Inc. have submitted applications for an Official Plan Amendment and Zoning By-law Amendment to facilitate a high-density, mixed-use development on the subject lands.

The applicant's initial submission in 2020 proposed (see Original Conceptual Site Plan (2020), Attachment #3):

- 2 mixed-use buildings having heights of 31 and 34-storeys connected by a 6-storey podium fronting Kingston Road;
- a 12-storey residential building;
- 25 3-storey townhouses along the north and west portions of the site;
- a residential density of 714 units per net hectare and a Floor Space Index (FSI) of 5.7;
- a total of 860 dwelling units;
- 1,430 square metres of at-grade commercial use;
- 3 levels of underground parking garage containing 817 spaces;
- retaining and moving the Post Manor heritage building to the northeast corner of the site fronting Brock Road; and
- an at-grade outdoor amenity area, approximately 2,541 square metres in size, proposed to be a Privately Owned Publicly-Accessible Space (a POPs), surrounding the relocated Post Manor heritage building.



Figure 3: Rendering of Original Proposal looking southwest

1.4 Applicant's Current Proposal

In response to comments received from City departments, external agencies, the Heritage Pickering Advisory Committee, and through a series of working group meetings with area residents, the applicant has revised the proposed development. The following is a summary of the key changes that have been made to the proposal (see Current Conceptual Site Plan (July 2022), Attachment #4, and Renderings of Current Proposal (July 2022), Attachment #5):

- reduced the number of residential buildings and tower heights from 3 buildings having heights of 34, 31 and 12-storeys to 2 buildings having heights of 30 and 12 storeys;
- decreased the total number of residential units from 860 units to 675 units (a reduction of 185 units);
- reduced the residential density from 714 units per net hectare to 561 units per net hectare
- reduced the FSI from 5.7 to 4.4;
- increased the commercial floor space from 1,430 square metres to 1,800 square metres (an additional 370 square metres);
- replaced the 25 3-storey townhouse units with 52 4-storey stacked townhouse units with a 3rd-storey stepback along the north wall;
- introduced 4 2-storey live-work units within the ground floor of the 12-storey building;
- provided a total of 16 surface parking spaces to support at-grade commercial uses;
- increased the residential parking ratio units from 0.8 spaces per unit to 0.85 spaces per unit for apartment units, and 1.25 spaces per unit for stacked townhouses;
- retained the Post Manor building at the intersection of Kingston Road and Brock Road, and moved approximately 18 metres directly east closer to Brock Road;
- relocated the POPS to the corner of Kingston Road and Brock Road;
- introduced 3.0 metres stepbacks on the north façade of the tower at the 28th, 29th and 30th storey to ensure consistency with a 45-degree angular plane measured from the north property boundary;
- increased the tower separation between buildings from 13.75 metres to 18.0 metres;
- incorporated a 3.0-metre stepback between the tower and podium along Kingston Road; and
- decreased the maximum tower floorplate from 942 square metres to 850 square metres.

The proposed development will provide approximately 1,160 square metres of commercial at-grade, within the 6-storey podium fronting Kingston Road, and 355 square metres of commercial space within the Post Manor heritage building. An additional 285 square metres of commercial floor space could be accommodated through live-work units within the first floor of the 12-storey building. The live-work units will be accessed from grade and are intended to accommodate uses such as professional offices and personal services.

Access to the development is proposed through a right-in/right-out access on the west side of Brock Road, and a right-in/right-out access on the north side of Kingston Road. The Kingston Road access currently exists as a shared full-move access between the existing commercial plaza on the subject lands and the adjacent commercial plaza immediately to the west. The shared access arrangement with the site to the west will be maintained in its current location,

but will be converted to a right-in/right-out access in the future to accommodate works associated with the Durham-Scarborough Bus Rapid Transit improvements. An emergency access to Brock Road is proposed immediately south of the right-in/right-out access. This access will be restricted and only accessible by emergency services.



Figure 4: Rendering of Current Proposal (July 2022)

The key statistical details between the initial (2020) proposal and the current proposal are summarized in Attachment #6 to this report.

2. Comments Received

2.1 Comments received in writing and expressed through the March 9, 2021, Electronic Public Open House Meeting, and June 7, 2021, Electronic Statutory Public Meeting and 5 working group sessions

On March 9, 2021, the City Development Department hosted an Electronic Public Open House meeting to inform area residents about the development proposals. A total of 7 residents participated in the meeting. An Electronic Statutory Public Meeting was held on June 7, 2021, where 10 area residents provided a delegation.

The following is a list of key written and verbal comments and concerns expressed by area residents and members of the Planning & Development Committee throughout the planning process.

Traffic and Access

- concerned with the proximity of the proposed vehicular access on Brock Road to the intersection of Kingston Road and Brock Road, which may cause safety issues for southbound vehicles on Brock Road and pedestrians;

- concerned that the restricted right-in and right-out accesses on Brock Road and Kingston Road will cause future residents and visitors to increase traffic on existing local roads;
- concerned with emergency vehicle access;
- noted that the submitted traffic study did not include Royal Road, did not include background volumes from other developments, and utilized traffic volumes from the COVID-19 timeframe; and
- concerned that the low parking ratios will cause parking to spill onto local roads.

Height and Density

- stated that the heights proposed were excessive for the location, and do not comply with the angular plane requirements from the north property line;
- supportive of Council direction to increase density and provide more housing options, but requested that the proposed building heights be reduced near existing low-rise dwellings; and
- concerned that the proposed density and level of intensification do not provide adequate on-site private or public amenity spaces to support the future residents of this development.

Sunlight and Privacy

- concerned that the existing dwellings on the east side of Royal Road will lose their easterly sunlight during the morning hours due to the proposed building heights; and
- concerned about overlook and decreased privacy on properties immediately north of the subject property.

Heritage House

- expressed the importance of preserving the existing heritage structure;
- questioned whether the Post Manor is structurally stable to be moved, and how it will be protected during construction; and
- commented that the proposal should be revised to incorporate the Post Manor in its current location.

Other Comments

- concerned that the proposed development would damage existing trees;
- concerned the proposed development will result in a negative impact on surrounding property values;
- supportive of a mixed-use development to continue to provide retail and amenities for the wider community;
- concerned that dust and noise pollution and vibration during the construction period will negatively impact surrounding homes;
- questioned where construction workers would park during the duration of construction and how vibration would be mitigated;
- questioned how foot traffic would be addressed throughout construction;
- requested drawings to demonstrate the streetscape next to the proposed development from the perspective of a pedestrian; and

- concerned that the proposal does not adhere to the Kingston Road Corridor Intensification Plan, the Draft Urban Design Guidelines, and the concurrent City-initiated Official Plan Amendment to implement the policies.

Following the Open House and Statutory Public Meeting, and in consultation with the area Councillors, a series of working group sessions were arranged between City staff, the applicant's planning and design consultants, and select residents from the immediate neighbourhood. A total of 5 working group sessions were held on August 17, 2021, September 13 and 21, 2021, and October 4 and 13, 2021, to discuss and gain feedback on: heritage preservation and assessment; urban design, building height and massing; density; traffic; pedestrian safety; parking; bird strike mitigation; construction management; and retention of existing retail/commercial space.

2.2 Agency Comments

2.2.1 Region of Durham

- no objection to the approval of the proposed applications, subject to an "H" Holding Symbol being imposed;
- water and sanitary sewage capacity is currently available from the existing supply from Kingston Road and/or Brock Road; however, servicing capacity is only assigned and allocated upon execution of a development agreement with the Region of Durham;
- the "H" Holding Symbol will be in place until a future site servicing agreement demonstrates that sufficient sanitary servicing capacity continues to be available to enable the partial and/or full development of the site to the satisfaction of the Region;
- the proposed development conforms to the Region of Durham Official Plan (ROP), as it will facilitate mixed land uses at densities and heights along Kingston Road, where higher density mixed uses and larger/taller buildings are encouraged;
- the Region of Durham encourages the re-use, revitalization, redevelopment and rehabilitation of urban areas, based on local needs and priorities;
- the revised applications for a decrease in density, and a reduction in the number of units and parking spaces, do not pose a conformity issue with the ROP;
- the Official Plan Amendment application is exempt from Regional approval, in accordance with Regional By-law 11-2000;
- the proposed development will assist in facilitating the intensification and redevelopment of the Kingston Road Corridor, by providing high-density residential development that is conducive to transit use, and is consistent with Provincial Policy Statement policies that encourage the efficient use of land, existing infrastructure, and in proximity to existing transit services;
- the applications conform with the intent of A Place to Grow, the Growth Plan for the Greater Golden Horseshoe, which supports building compact communities, helping to meet the City and Region's intensification targets, and provides a compatible land use within the community; and
- the applicant must satisfy the Region's noise study requirements through the site plan approval process.

2.2.2 Durham District School Board

- the submitted applications were circulated to the Durham District School Board; and
- the school board did not express any comments or concerns with respect to the submitted applications.

2.2.3 Durham Catholic District School Board

- no objections to the proposed development; and
- students generated from this development will be accommodated within St. Wilfred Catholic Elementary School and St. Mary Secondary Catholic School.

2.2.4 Durham Regional Police

- the submitted applications were circulated to the Durham Regional Police; and
- the Durham Regional Police did not express any comments or concerns with respect to the submitted applications.

2.2.5 Ministry of Transportation (MTO)

- no comments regarding the proposal; and
- lands are located outside of the MTO Permit Control area jurisdiction.

2.3 Comments from City Departments

2.3.1 Engineering Services

- no objection to the proposal; and
- detailed design matters, such as the provision and installation of roads, services, grading, drainage, stormwater management, utilities, tree compensation, construction management, and vibration analysis be addressed through site plan approval.

2.3.2 Fire Services

- no objections to the applications, and all comments have been addressed; and
- the fire route proposed meets the requirements of Fire Services and the *Ontario Building Code*.

2.3.3 Sustainability

On September 20, 2022, City Council adopted new Integrated Sustainable Design Standards (ISDS) for all new development in the City to replace the 2007 Sustainable Development Guidelines. The new standards consist of 2 tiers of performance measures that promote sustainable site and building design. Tier 1 elements would be required for new development applications deemed complete on or after January 1, 2023. Applications submitted (deemed complete) prior to December 31, 2022, will continue to follow the 2007 Sustainable Development Guidelines and, at a minimum, achieve a minimum Level 1, or 19 points. Given that the applications were received in 2020 and before the new standards are enacted, the 2007 guidelines apply.

Sustainability staff have reviewed the Sustainable Development Report/Checklist, prepared by The Biglieri Group Limited, dated November 2020, which is based on the Draft Sustainable Guidelines approved in 2007. Sustainability staff have no objection to the approval of the proposed Official Plan Amendment and Zoning By-law Amendment applications to facilitate the proposed development. The applicant has noted that the proposal aims to achieve a total of 30 points (Level 2), which exceeds the minimum Level 1 (19 points) required. The applicant has identified the proposal will provide the following optional sustainability elements:

- reusing a building that is designated under Part IV of the *Ontario Heritage Act*;
- providing street-related commercial uses at grade on a mixed-use site; and
- proposing a high-density use within a 400 metre walking distance of existing commercial/retail uses and recreational outdoor spaces (Brock Ridge Community Park).

The development will be subject to Site Plan Approval. When an application for Site Plan Approval is received, the applicant will be required to provide a completed Integrated Sustainable Design Standards (ISDS) Checklists for both types of built forms (low-rise buildings and mid-high rise buildings) and, at a minimum, achieve Tier 1 performance standards.

Sustainability staff are satisfied that the proposal complies with the Draft Sustainable Guidelines approved in 2007, and will continue to work with the applicant to ensure the proposal will comply with the City's new ISDS standard. The final sustainable design features to be incorporated into the development will be presented to the Site Plan Advisory Committee for their feedback prior to the Director, City Development & CBO issuing site plan approval.

3. Planning Analysis

3.1 The proposal is consistent with the Provincial Policy Statement and conforms to A Place to Grow and the Durham Regional Official Plan

The Provincial Policy Statement 2020 (PPS) provides provincial policy direction on land use planning. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land-use planning system.

The PPS indicates that healthy, livable and safe communities are to be sustained by, among other matters, promoting efficient development and land use patterns, and accommodating an appropriate range and mix of residential. The PPS outlines that new development should have a compact form, mix of uses and densities that allow for the efficient use of land, in areas that are supported by planned or existing transit services. The proposed development promotes residential intensification and provides appropriate density where existing infrastructure and public service facilities are available, and where rapid transit services are operated and planned. The proposed development is consistent with the PPS.

A Place to Grow (Office Consolidation 2020) sets out a planning vision for growth throughout the Greater Golden Horseshoe. The subject lands are located within the “built-up area” of the City of Pickering. The proposed high-density residential development will contribute to the achievement of more compact complete communities, and assist the City and Region to meet their respective intensification targets, which is to accommodate 50 percent of all growth within the existing limits of the currently built boundary of the Region and City. The proposed development provides for a compact form of development that is in keeping with the City’s growth management strategy to direct growth to regional corridors. Furthermore, the overall height, massing, and building form are sensitive to the surrounding residential land uses within the community. The proposal conforms to the Growth Plan.

3.2 The applicant’s site-specific Official Plan Amendment is appropriate and is consistent with the Council-approved Kingston Road Corridor and Specialty Retailing Node Intensification Plan for the Brock Precinct

The subject lands are located within the Village East Neighbourhood and are designated “Mixed Use Areas – Mixed Corridor” in the Pickering Official Plan.

Mixed Use Areas are recognized as lands that have or are intended to have the widest variety of uses and highest levels of activity in the City. The Mixed Corridors designation is intended primarily for residential, retail, community, cultural and recreational uses at a scale serving the community, and provides for a range of commercial uses and residential development at a density range of over 30 units up to and including 140 units per net hectare, and a maximum FSI up to and including 2.5 FSI.

The applicant’s proposal will result in a residential density of approximately 561 units per net hectare and an FSI of 4.4, which exceeds the permitted density and FSI range. To facilitate the high-density mixed-use development, the applicant is requesting a site-specific exception to remove the maximum permitted density and permit a maximum FSI of 4.4.

The City’s growth management strategy, guided by the South Pickering Intensification Study, directs major intensification and high-density residential uses to the City Centre and Mixed Use Nodes and Corridors. Through the Kingston Road Corridor and Specialty Retailing Node Intensification Study, the lands fronting and adjacent to Kingston Road were identified for redevelopment and intensification.

The Council endorsed Kingston Road Corridor and Specialty Retailing Node Intensification Plan, and resulting Official Plan Amendment 38 (OPA 38), locate the subject lands within the Brock Precinct. OPA 38 was adopted by Council in January 2022 and approved by the Region of Durham, but is not yet in effect as it is currently under appeal to the Ontario Land Tribunal.

The land use for the subject lands within OPA 38 and the Intensification Plan is “Mixed Use Type A”; which is targeted for significant development, will have the greatest density, and represents the highest-intensity uses within the intensification areas. The minimum permitted residential density is over 80 units per net hectare (with no maximum) and an FSI of over 0.75 and up to 2.5. Through a site-specific zoning by-law amendment, consideration may be given to proposals to allow an increase beyond 2.5, up to and including 5.0, where appropriate.

The permitted uses include a combination of higher-density residential, commercial and retail uses, including those which serve a broader area, and office uses in mixed-use buildings, or separate buildings, on mixed-use sites. The Intensification Plan and OPA 38 identify the area at this intersection as a gateway location, and as having particular regional significance as the eastern gateway into Pickering from the Town of Ajax. The policies of OPA 38 highlight that development at gateways requires building articulation and distinctive architectural details to create an enhanced visual interest and a human-scaled environment, and encourages the establishment of Privately-Owned Publicly Accessible spaces (POPS) within gateways.

The lands are located at the intersection of Kingston Road and Brock Road, which are identified as Type “A” and Type “B” Arterial Roads respectively, and are identified as Transit Spines under the City’s Official Plan. These roads are recognized as having a higher level of transit service and are intended to carry moderate volumes of traffic at moderate speeds and provide access from local roads, collector roads, and arterial roads. To promote the development of a livable, transit-oriented community, the Official Plan directs mixed mixed-use, higher-density development to be located along designated transit spines and arterial roads.

The proposed mixed-use, high-density residential development reflects intensification within the built-up area and makes efficient use of existing and planned resources and infrastructure, in a location that is intended to accommodate higher densities. The lands are recognized as being within a gateway and as such are intended to accommodate the greatest density and the highest intensity of uses.

The proposed density and FSI are generally consistent with the Council-adopted OPA 38, which contemplates allowing increases to the maximum density and FSI for the lands within the Kingston Mixed Corridor at gateway locations. The proposed FSI, which was significantly reduced from 5.7 to 4.4 through the revised proposal, will facilitate a built form that has been demonstrated to be compatible with the existing residential lands immediately to the north and west, and limit any negative visual, privacy or shadow impacts. The proposal is located adjacent to two arterial roads and transit spines, which will allow for appropriate access to public services, and contribute to the development of a livable, transit-oriented community. The proposal provides for a compact built form on underutilized lands that will assist the City in achieving its intensification targets within a mixed-use corridor that has been identified to accommodate such growth.

Based on the foregoing, staff recommend that Council approve the Official Plan Amendment application submitted by the applicant, and adopt Amendment 47 (see Draft By-law to Adopt Amendment 47, Appendix I).

3.3 The proposal maintains the key urban design objectives of the Council-endorsed Draft Urban Design Guidelines for the Kingston Road Corridor and Specialty Retailing Node

The Village East Neighbourhood policies of the Pickering Official Plan identify that the Kingston Road Corridor Development Guidelines apply to the subject lands. The Guidelines are intended to guide the design of Kingston Road, as well as the developments that flank

or front Kingston Road. These Guidelines, which were adopted by Pickering Council in 1997, do not reflect the new vision for the Kingston Road Corridor established by the Council-endorsed Draft Kingston Road Corridor and Specialty Retailing Node Urban Design Guidelines. The 1997 Development Guidelines are intended to be superseded by the new Draft Urban Design Guidelines.

On December 2, 2019, the Planning & Development Committee endorsed the Kingston Road Corridor and Specialty Retailing Node Draft Urban Design Guidelines (Draft Urban Design Guidelines). The Draft Urban Design Guidelines support the goals, objectives, and vision for the area, as set out in the Intensification Plan, and establish design priorities and principles related to built form, placemaking, and connectivity.

The proposed high-density, mixed-use development maintains the key urban design objectives of the Guidelines as follows:

- the built form and site design reinforces its location within a gateway at the Brock Road and Kingston Road intersection, through the proposed building heights and densities in a compact, transit-supportive, mixed-use built form;
- proposed building heights will provide for an appropriate transition to existing residential development to the north and west of the subject lands;
- locates the primary building entrance for commercial uses at grade facing Kingston Road, providing active frontage along the major right-of-way;
- integrates the Post Manor into the wider public realm by relocating the heritage building slightly closer to Brock Road;
- visual and physical connections to the Post Manor are achieved by providing an adjacent open space immediately to the south;
- protects the built history of the Post Manor by preserving the exterior of the building;
- includes connected outdoor amenity space and pedestrian linkages through the site and to the corner of Kingston Road and Brock Road, promoting walkability;
- provides for pedestrian-oriented and active frontages along Kingston Road, through the use of a 6-storey podium and grade-related residential and commercial uses;
- incorporates a privately owned publicly accessible open space at the corner of Kingston Road and Brock Road, providing public space at a gateway;
- limits tower floor plate size to a maximum of 850 square metres, and a minimum separation of 18.0 metres between the mid and high-rise buildings, allowing optimal light for private balconies, rooftop amenity areas, and interior site spaces;
- provides a 6-storey podium with a recessed ground floor, creating a consistent pedestrian-scaled streetwall along Kingston Road, providing covered weather protection for pedestrians, and providing a visual enhancement when viewed from the right-of-way;
- locates the proposed podium and stacked townhouse blocks to minimize the negative visual impact of surface parking on adjacent properties;
- maximizes the use of an underground parking garage, which will contribute to reducing the urban heat island effect and promote more compact development; and
- locates the site accesses, surface parking, loading areas, and underground parking access internal to the site and behind the proposed buildings, which provides for an improved streetscape along Kingston Road and Brock Road.

Staff are satisfied that the proposal reflects the intent of the Council-endorsed Draft Urban Design Guidelines. Through the site plan review process, staff will continue to work with the applicant to ensure the proposed site design and architectural treatment are consistent with the Draft Urban Design Guidelines.

3.4 Post Manor will be preserved and relocated to maintain its visibility as a landmark at the corner of Kingston Road and Brock Road

As noted in Section 1.2 of this report, the subject lands contain a heritage building, Post Manor, designated under Part IV of the *Ontario Heritage Act* as described in By-law 2580/87.

Chapter 8 of the Official Plan identifies a cultural heritage goal for the City outlining that Council shall respect its cultural heritage, and conserve and integrate important cultural heritage resources from all periods into the community. City Council, in consultation with its heritage committee, where warranted, shall implement the provisions of the *Ontario Heritage Act*, including the designation of heritage sites. In consideration of the use and reuse of heritage resources, City Council shall maintain, if possible, the original use of heritage structures and sites, and if possible, retain the original location and orientation of such structures.

The applicant is proposing to retain the existing heritage structure, Post Manor, and has revised their plan to relocate the building 18.0 metres immediately east of its current location and closer to Brock Road. Immediately south of the relocated building, at the northwesterly corner of Kingston Road and Brock Road, the applicant is proposing a POPS having a total area of approximately 880 square metres. The applicant is suggesting the POPS be referred to as Post Corners.

In support of the original and revised proposal, the applicant submitted a Heritage Impact Assessment, prepared by ERA Architects, dated November 24, 2020, and an updated Heritage Impact Assessment, prepared by ERA Architects Ltd, revised February 2022.

Branch Architecture was retained by the City of Pickering to conduct a Peer Review of the original and revised Heritage Impact Assessments. Branch Architecture has advised that the proposal provides for the conservation of the heritage property, and presents a very thoughtful conservation strategy that allows for the restoration and rehabilitation of Post Manor, with a sympathetic landscape and integrated setting. Additionally, the revised design of the proposed development allows for the Post Manor building to maintain its visibility as a landmark at this corner, and for it to be integrated into the Post's Corners POPS.

Staff concur with Branch Architecture's analysis. The new concept maintains the Post Manor's prominence and relation to the corner of Kingston Road and Brock Road, while reducing the shadow impact of the proposed new development.

In support of a future Site Plan application, the applicant will be required to submit a Conservation Plan, and details of the finer-grained design of the surrounding buildings to ensure a compatible treatment concerning the Post Manor. Through the site plan review

process, Heritage Pickering will have additional opportunities to review and comment on the conservation plan, architectural treatment of the high-density buildings, details regarding the restoration of the Post Manor, and the landscaping surrounding the building.

3.5 Heritage Pickering Advisory Committee supports the retention and relocation of the Post Manor Heritage building

On April 28, 2021, Heritage Pickering received a presentation from the applicant's heritage consultant, ERA Architects Inc., regarding their proposal and strategy for incorporating and preserving the Post Manor within the development and protecting the site's heritage attributes. Heritage Pickering expressed several concerns regarding the original proposal including the isolation of Post Manor, reduced visibility of the building, and overshadowing of the building.

On April 19, 2022, City staff and the applicant presented the revised proposal to the Heritage Pickering Advisory Committee, together with comments provided by the City's Peer Review of the applicant's revised Heritage Impact Assessment. At the meeting, Committee Members indicated that they appreciated the revisions the applicant has made to the proposal in response to their previous comments, and that the updated design would improve the visibility of Post Manor from the street and provides additional landscaped open space. Members also asked questions of clarity regarding the location of the proposed underground garage, sun/shadow impacts, and the future use of Post Manor.

The Committee endorsed the following:

- That the Heritage Pickering Advisory Committee supports the applications for Official Plan Amendment (OPA 20-008/P) and Zoning By-law Amendment (A 13/20) to retain and relocate the Post Manor building on-site as illustrated on the revised site plan, prepared by CMV Group Architects, dated February 14, 2022;
- That, after the Post Manor has been moved to its new location, a reference plan be provided to the City of Pickering to identify the new location of the Post Manor;
- That the designation by-law is updated to reflect the heritage attributes identified in the Heritage Impact Assessment;
- That the applicant submit a Conservation Plan and Costing Estimate, and that the materials be forwarded to the Heritage Pickering Advisory Committee for comment before the issuance of Site Plan Approval;
- That a heritage plaque be placed on the building or the site at the owner's expense; and
- That the City enter into a Heritage Easement Agreement with the owners to ensure the ongoing maintenance, protection, and repair of the Post Manor in keeping with the Heritage Designation By-law and the *Ontario Heritage Act*.

3.6 Proposal has been redesigned to reduce proposed building heights and provide an appropriate transition in built form from the adjacent residential areas

Area residents expressed concern that the proposed building heights are too tall, not appropriate at this location, and not compatible with the surrounding established neighbourhoods.

In response to these concerns, the applicant has revised their proposal by reducing the number of apartment buildings from 3 buildings to 2 buildings and reducing the maximum building height from 34 storeys to 30 storeys. In addition, the applicant has provided a 3.0-metres stepback on the north façade of the building at the 28th, 29th and 30th storeys. The reduction in building height and setbacks will ensure the tallest components of the building will be further setback from the residential properties immediately to the north.

To minimize negative shadowing, visual and privacy impacts from higher-density developments on low-rise residential areas, and ensure an appropriate transition in building form is maintained, the Draft Urban Design Guidelines for Kingston Road Corridor and Specialty Retailing Node outline that built form should conform to a 45-degree angular plane measured from a height of 10.5 metres, setback 7.5 metres from the shared property line. An angular plane is one of many tools intended to help shape the scale, height, spacing, and character of development, and assist in achieving transitions in an area by limiting the overall height.

The applicant has applied the angular plane requirements, as prescribed by the Draft Urban Design Guidelines, along the northerly and westerly property limits to achieve a compatible building height and massing with the adjacent residential areas. Figure 5 below illustrates the 45-degree plane in red from the north property line in relation to the proposed stacked townhouse units, and the 12-storey and 30-storey apartment buildings, viewed from the west. All buildings are located within the limits of the 45-degree angular plane. Figure 6 below illustrates the 45-degree plane in red from the west property line in relation to the proposed stacked townhouse units and 12-storey apartment building, viewed from the north.

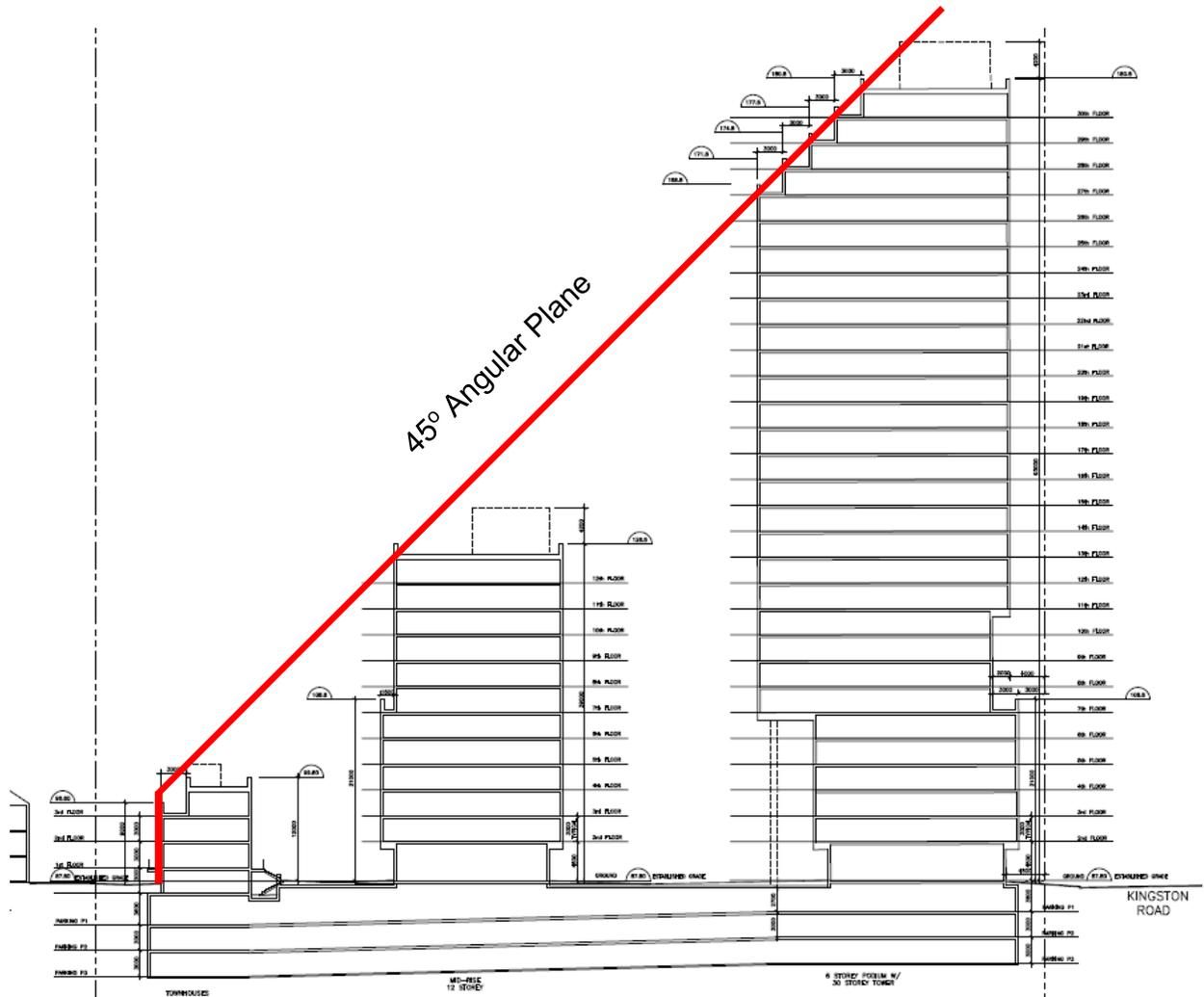


Figure 5: 45-Degree Angular Plane from the north property line

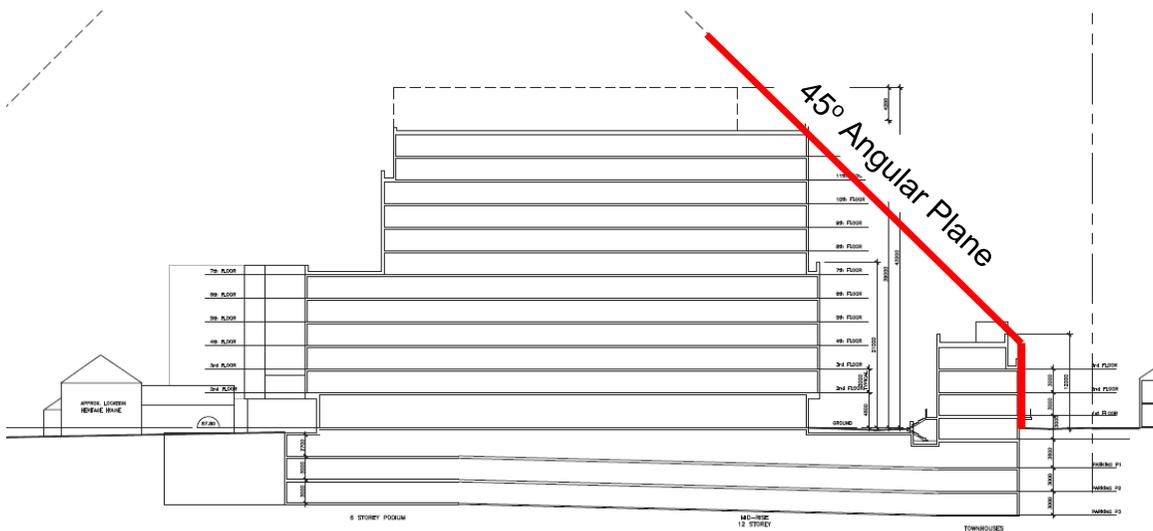


Figure 6: 45-Degree Angular Plane from the west property line

To further minimize the impact of the building heights, the applicant has reduced the maximum tower floorplate from 942 square metres to 850 square metres. The tower floor plate will be further reduced progressively from 825 square metres at the 28th storey to 550 square at the 30th storey. The reduced tower floorplate will also assist with reducing the visual and shadow impacts on residential properties located immediately to the north and west. The following section of this report includes an analysis of the shadow impacts.

The location of the tall buildings at the gateway site and the proposed tower heights are in keeping with the Council-adopted OPA 38 and Draft Urban Design Guidelines for Kingston Road Corridor and Specialty Retailing Node, which directs the tallest buildings to gateway locations.

3.7 The revised proposal will have minimal shadow impacts

The Draft Urban Design Guidelines outline that the shadow impact of new buildings on adjacent residential buildings, and public parks, shall be assessed through a shadow impact study, and be minimized to the extent possible.

A Shadow Study, prepared by CMV Architects, dated July 25, 2022, has been submitted by the applicant in support of the revised proposal. It identifies the shadow impacts of the proposed development on the surrounding properties during the spring (March 21st), summer (June 21st), fall (September 21st), and winter (December 21st) seasons, for the period between 9:18 am and 5:18 pm. The best practice in assessing shadow impact is that shadows should not exceed two hours in duration on outdoor amenity areas during the spring, summer, and fall seasons. During the winter solstice, shadows are typically cast further, and are present for a longer period, given the sun is lower in the sky and moves slower during this period.

The study demonstrates that the majority of the shadows cast by the two apartment buildings during the spring, summer and fall will be directed onto the north portion of the site and the intersection of Brock Road and Kingston Road. During these seasons, shadows cast by the apartment buildings appear to move quickly. The staggered tower heights proposed, with the mid-rise building to the north and the tallest tower to the south reduce shadow impact onto the residential properties immediately to the north and west. A significant portion of the shadows cast to the north by the 30-storey tower will be blocked by the 12-storey building.

During the spring and fall, the shadows cast over the residential area to the north and west are present for approximately 2 hours or slightly longer throughout the hours of 9:18 am and 1:18 pm. However, by early afternoon shadows are primarily directed to the east or southeast across Kingston Road and Brock Road. In the summer, when the sun is typically at its highest point in the sky, shadows from the proposed buildings are minimal and do not appear to be present in the rear yards of the properties immediately to the north or west for more than an hour.

The current design generally meets the intent of the Draft Urban Design Guidelines and minimizes shadow impact.

3.8 The proposed development will contribute a relatively small proportion to the overall traffic on the surrounding road network and will result in minimal trips on local roads

In support of the revised proposal, the applicant has submitted a Transportation Impact Study (TIS), prepared by TYLin, dated February 2022, and a TIS Addendum dated July 18, 2022. TYLin investigated the traffic conditions and effects of the proposed development on the surrounding area and the intersections of Brock Road and Kingston Road; Brock Road and Finch Avenue; Kingston Road and Guild Road/Denmar Road; and Kingston Road and Royal Road. The study area also included the future right-in/right-out access on Kingston Road and the future right-in/right-out access on Brock Road. The Study analyzed the total traffic conditions for both 2025 and 2030, which included existing traffic volumes, the traffic resulting from the proposed development, and projected future traffic from other projects.

Due to the ongoing COVID-19 pandemic, 2020 traffic patterns were not typical and would not reflect normal operating conditions, as employees were working remotely, and public indoor space capacity restrictions were in place across the Province. Therefore, available historical movement counts surveyed in 2018 were obtained as the base and a growth rate was applied to the data to approximate current (2021) non-COVID-19 traffic volumes.

The table below summarizes the proposed trip generation, during the peak morning and evening weekday hours.

	AM 7:00 to 9:00			PM 4:00 to 6:00		
	In	Out	Total	In	Out	Total
Total Site Trips	41	111	152	123	88	211

Based on TYLins analysis, during the weekday morning peak period (7:00 am to 9:00 am), the development, both residential and commercial, will generate approximately 152 trips (41 inbound and 111 outbound trips). During the evening peak period (4:00 pm to 6:00 pm), the development will generate approximately 211 trips (123 inbound and 88 outbound).

Area residents expressed concern that the proposed development would result in a significant increase in vehicle traffic on local residential streets as future residents/visitors would seek to avoid main intersections. To address resident comments regarding the potential for site traffic to use nearby local roads, such as Royal Road and Guild Road, as alternate routes to travel north was considered in the updated analysis. A total of 5 site trips are expected to travel north via Royal Road (3 trips) and Guild Road (2 trips) during both the am and pm peak hours, representing a minimal amount of new traffic.

TYLin has identified that there will be increased congestion and delay in turning movements at select intersections in the study area during peak hours under existing, and future conditions. Notwithstanding the increase in traffic congestion, the consultant indicated that the proposed development would contribute a relatively small proportion to the overall traffic and congestion on the surrounding road network. The development is projected to be

accommodated by the existing road network, signal timing changes, and planned improvements along Kingston Road associated with the Durham-Scarborough Bus Road Transit (BRT) project that will run the entire length of Kingston Road.

The study concludes that future traffic generated from the proposed development can be accommodated by the proposed access scheme, without modification to the adjacent street systems, and outlines several Transportation Demand Management (TDM) measures to reduce reliance on single occupancy vehicles and minimize vehicle moments.

As discussed previously, both Brock Road and Kingston Road are regional roads and are controlled by the Region of Durham. The Region has reviewed the submitted TIS and TIS Addendum, and have advised they agree with the general findings and have no further comment.

3.9 Implementation of Transportation Demand Management strategies and future infrastructure improvements will help to manage future traffic generated by this proposal

TDM is a set of strategies that encourage people to use sustainable modes of transportation, rather than driving alone, or making fewer trips by car. An effective TDM program is successful at reducing peak-hour roadway demand. The applicant's traffic consultant has proposed the following TDM measures:

- Transit Incentives
 - applicant to consider providing a pre-loaded transit pass as an incentive to promote transit usage and decrease automobile dependency;
- Parking Management
 - Unbundled parking:
 - unbundling of residential parking spaces from the unit is recommended since only residents requiring parking spaces will purchase the space, and
 - this strategy will reduce parking space demands, thus encouraging alternative modes of transportation;
 - Registered visitor parking passes and restrictions to overnight parking to manage visitor parking spaces, and
 - Implement a parking waitlist system to prioritize sales of vehicle parking spaces to the first vehicle owned by the occupants of a unit;
- Bicycle Parking & Facilities
 - the development provides dedicated bicycle parking spaces for residential and commercial uses (minimum of 366 spaces), with future consideration of a partnership with bike-share providers;

- Preparation of an Information package/communication strategy
 - provide an information package to first-time buyers that include information regarding public transportation options, before and at the time of purchase or sales, through notification clauses in purchase agreements.

The above measures recommended by TYLin are appropriate. Staff will continue to work with the applicant to ensure that these measures, and any other appropriate measures, are reflected on the final site plan drawings and secured through the site plan agreement before approval.

Future infrastructure improvements include the Durham-Scarborough Bus Road Transit (BRT) project that will run the entire length of Kingston Road within Pickering. The Region of Durham, together with Metrolinx, has undertaken detailed planning and design. The BRT project will build upon previous improvements and services associated with Regional PULSE transit services, and will introduce rapid bus transit services between the Scarborough Town Centre and Downtown Oshawa.

As part of the Durham-Scarborough BRT project, cycle tracks are now proposed along Kingston Road from beyond the west limit of the study area to Notion Road.

The implementation of the above-noted TDM measures, and completion of the BRT project along Kingston Road will assist in managing future traffic generated by this development.

3.10 Adequate parking supply will be provided for residents, visitors, and commercial uses

Concerns were expressed that the number of parking spaces proposed for residents, visitors and commercial uses, may not be sufficient to support the development. In response to comments received, the applicant has revised the overall parking supply, as noted below:

- residential parking ratio for apartment units has increased from 0.8 spaces per unit to 0.85 spaces per unit;
- residential parking ratio for stacked townhouses has increased from 0.8 spaces per unit to 1.25 spaces per unit;
- the visitor parking and commercial parking ratios have been separated into distinct requirements;
- visitor parking ratio of 0.15 spaces per unit being dedicated solely to residential visitors; and
- separate commercial parking ratios ranging between 2.5 and 5.0 spaces per 100 square metres of GLFA.

The table below outlines the total number of parking spaces required:

Type		Proposed Parking Rate	Number of Spaces
Residential Apartment	623 units	0.85 spaces per unit	530
		0.15 spaces per unit for visitors	94
Residential Stacked Townhouses	52 units	1.25 spaces per unit	65
		0.15 spaces per unit for visitors	8
Retail/Commercial	1,800 square metres	3.50 spaces per 100 square metres GLFA	63
Total			760

To support the proposed parking ratios, the applicant has submitted a Parking Supply Review and Planning Rationale. The submitted information identified that the proposed parking ratios are appropriate, for the following reasons:

- the proposed parking ratios for apartment dwellings exceed existing parking ratios for apartment units within the approved City Centre By-law 7553/17;
- the proposed residential stacked townhouse, visitor parking, and commercial parking ratios are consistent with existing parking ratios established within the approved City Centre By-law 7553/17;
- the proposed development is located within proximity to high-frequency transit services, with Durham Region Transit (DRT) currently operating along Kingston Road and providing direct access to the GO Train Station;
- a transit stop within walking distance of the subject lands (Route 900), provides direct access to high-frequency (DRT PULSE) bus services running from Scarborough to Oshawa at a frequency of 10 minutes or better during the weekday daytime peak, 15 minutes during the Saturday peak hours, and 30 minutes during the Sunday peak hours;
- the proposed development will provide pedestrian and cycling connections to existing and proposed public sidewalks and dedicated cycling tracks on both sides of Kingston Road;
- the subject lands are surrounded by an active transportation network and the proposed development will provide a total of 366 bicycle parking spaces;
- the proposed development will provide for a broad range of commercial uses to service future residents on-site; and
- the implementation of TDM measures, including unbundling of parking spaces for units.

The lands are located at the intersection of Brock Road and Kingston Road, which are identified as a High-Frequency Transit Network and a Rapid Transit Spine under the Regional Official Plan, respectively. Rapid Transit Spines and High-Frequency Transit Networks are currently well-served by Durham Region Transit bus services. The

proposed parking ratios are consistent with or exceed those established within the City Centre Zoning By-law 7553/17 and are consistent with the parking ratios and shared parking formula established through the site-specific zoning by-law amendment application for SmartCentre (A 07/20) in 2022, which is located to the south at the northeast corner of Brock Road and Pickering Parkway.

Staff are supportive of the parking ratios proposed, and are satisfied that a sufficient number of parking spaces can be provided to accommodate this development.

3.11 Sufficient outdoor open space and indoor amenity areas are proposed

The original plan proposed a POPS located to the rear of towers and podium and was largely cast in shade most of the day (see Original Conceptual Site Plan (2020), Attachment #3).

The revised plan relocates the outdoor POPS area to a more accessible and visible location adjacent to the corner of Brock Road and Kingston Road. The proposed POPS is approximately 880 square metres, representing approximately 7.4 percent of the total site area. The new location of the space is intended to maximize sunlight, connectivity with the corner of the intersection, and both physical and visible relationship with Post Manor, indicated below in Figure 7. The open space has been conceptually designed to be a passive area intended to accommodate various public events held in connection with the future commercial uses on the site. The final design details for the POPS will be confirmed through the Site Plan Approval process.



Figure 7: Conceptual Configuration of POPS

The site-specific zoning by-law, attached as Appendix II to this report, contains minimum requirements for private indoor and outdoor common amenity areas and private outdoor amenity areas. The zoning by-law outlines that a minimum of 2.0 square metres of common indoor and outdoor amenity areas are required for each dwelling unit. Additionally, a

minimum of 3.0 square metres of continuous private outdoor amenity space is required for each unit, and can be provided through a balcony, deck or private patio. Programming and detailed design of the common amenity areas will be confirmed through the site plan review process.

The revised proposal provides for a sufficient amount of grade-related amenity space for residents, visitors, and the broader community. Additionally, the proposal provides for sufficient private indoor and outdoor amenity areas for future residents.

3.12 Existing trees along the north and west property lines will be retained

Area residents have expressed concerns regarding the impact of the proposed development on the existing mature trees on the periphery of the property as the trees provide a privacy and noise buffer.

The applicant has prepared a Tree Inventory Report and Preservation Plan, prepared by ERA Architecture, dated November 23, 2020, revised January 28, 2022, in support of the revised proposal, which surveyed and evaluated 86 trees within the boundary of the subject lands and 31 trees on adjoining lands. The applicant is proposing to remove 26 trees on the subject lands while retaining the balance of the trees. The applicant has identified that all of the existing trees along the north and west property boundary will be preserved, except 3 trees, which are either dead or in poor condition.

The submitted Preservation Plan provides a detailed preservation strategy to ensure retained trees are preserved in a manner which will maintain their health over the long term, including:

- establishment of tree protection fencing and/or hoarding around adequately-sized Tree Protection Zones (TPZs) before the commencement of any construction activity;
- installation of root zone compaction protection where compaction may be caused by construction traffic or materials/equipment storage and staging;
- implementation of root-sensitive excavation wherever TPZs or significant rooting areas may be encroached upon by excavation and/or grading; and
- root pruning in advance of conventional excavation, on an as-needed basis.

The submitted plan demonstrates protective hoarding will be provided between the existing trees along the north and west property boundary, and the future limit of excavation for the construction of the stacked townhouse units and underground parking garage. Post-construction care is also recommended where retained trees should be regularly monitored for construction-induced stress for 3 to 6 years.

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. In accordance with the City's requirements, a total of 44 trees are required as compensation for the loss of the existing tree canopy. Compensation can be provided either through replacement on-site plantings, or cash-in-lieu payment for the balance of compensation required that is not satisfied through on-site plantings.

The applicant has prepared a Conceptual Landscape Plan, prepared by ERA Architects, dated February 14, 2022. The plan provides a high-level concept of landscape treatments for the subject lands including replacement plantings surrounding the re-located heritage building, the interior courtyard and outdoor amenity space at the corner of Kingston Road and Brock Road (see Conceptual Landscape Plan, Attachment #7). Through the site plan approval process, staff will continue to work with the applicant regarding the details of the proposed landscape treatment and to maximize on-site compensation plantings. Compensation plantings and preservation measures will be secured through a site plan agreement and securities being posted by the applicant.

3.13 The existing total commercial space will be replaced within the development

A key concern raised by area residents is the loss of existing commercial space that services the surrounding communities.

The subject lands currently support 3 single-storey commercial buildings, and a one and a half-storey heritage building, which currently contains personal service uses. Approximately 1,825.0 square metres of commercial floor space is currently provided within the existing buildings.

To address concerns raised by area residents, the applicant has revised their proposal to increase the total amount of commercial floor space from 1,425 square metres to 1,800 square metres. The proposed floor space will replace almost all existing commercial space on the subject lands. Approximately 1,185 square metres of commercial space will be located at-grade within the 6-storey podium fronting Kingston Road, creating an active and pedestrian-oriented street frontage. Approximately 355 square metres of commercial floor space will be accommodated within the existing heritage building, which is proposed to be retained. In addition, the applicant is proposing live-work units within the first floor of the 12-storey building that could accommodate approximately 285 square metres of commercial space. The site-specific zoning by-law attached hereto as Appendix II provides for a variety of commercial uses including retail, restaurant, professional and medical offices, food stores and personal service, and will require a minimum of 1,800 square metres of commercial gross floor space to be provided.

The applicant has advised that they have had ongoing communication with existing tenants regarding the future development of the property since they purchased it in May 2020. Existing tenants have been offered lease extensions until 2028 with additional options until 2030. The applicant also advised that they will work with existing tenants regarding the lease of future commercial space within the development.

Staff are satisfied that the proposed development will provide sufficient commercial floor space to replace that which currently exists on the subject lands and will continue to service the surrounding neighbourhood.

3.14 Response to Additional Key Concerns

As noted in Section 2.1 of this report, area residents, and the Planning & Development Committee, have identified various questions and concerns with the proposed development. The applicant has addressed matters concerning conformity with provincial, regional and municipal policies; building heights, density and transition; traffic and parking; loss of commercial space, and shadow impacts. The table below summarized other concerns raised by area residents throughout the planning process.

Concerns	Staff’s Response
<p>Concerned regarding the future noise, dust and vibration impact of future construction and the potential damage the construction will cause to neighbouring properties</p>	<p>Through the site plan review process, the applicant will be required to prepare and submit a Construction Management Plan to the satisfaction of the City’s Engineering Services, which addresses a variety of mitigation measures to be implemented during the construction process to minimize any negative noise, dust and traffic impacts. The mitigation measures could include a gravel mud mat and a construction staging area, sediment fencing and a tree protection zone. As part of the site plan approval, the applicant will be required to enter into a Site Plan Agreement with the City, which will require that the applicant implement the measures outlined in the submitted Construction Management and Erosion/Sediment Control Plan as approved by City staff. To minimize the adverse effects on adjacent buildings from demolition and construction, through the site plan review process, a vibration analysis will also be required to be submitted.</p>
<p>Concerned with emergency vehicle access</p>	<p>Emergency vehicles will have access from Kingston Road as well as secondary emergency access from the west side of Brock Road, which will be restricted and dedicated to emergency vehicles only. The applicant has revised the proposed plan to provide a continuous fire route, with a minimum width of 6.0 metres and a turning radius of 12.0 metres, between the two emergency access locations and through the subject lands to the satisfaction of Fire Services.</p>
<p>The decline of property values of existing homes as a result of the property development</p>	<p>Property value is influenced by several factors such as location, proximity to services and amenities, local economics, home improvements and condition, home and property size, and dwelling style. Impact on property value is not a consideration under the <i>Planning Act</i> in the review of development applications. However, appropriate development that is compatible with the surrounding neighbourhood can positively contribute to the immediate area and the community as a whole.</p>

3.15 Technical matters will be addressed through site plan approval

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

- drainage and grading;
- site servicing;
- cash-in-lieu of parkland;
- bird-friendly design;
- design of public streets;
- requirements for a Construction Management Plan;
- vibration during demolition and construction;
- landscaping;
- resident, visitor and accessible parking spaces;
- emergency vehicle access;
- waste management collection; and
- location of water meter room, hydro transformers, gas meters and other utilities.

4. By-law to adopt Official Plan Amendment 47

As noted in section 3.4, staff supports the site-specific Official Plan Amendment application submitted by the applicant, and recommends the by-law to adopt Amendment 47, as set out in Appendix I, be finalized and forwarded to Council for adoption.

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

The applicant is requesting site-specific exceptions to facilitate the high-density, mixed-use development. Staff supports the rezoning application, and recommends 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.

6. Applicant's Comments

The applicant supports the recommendations of this report.

Appendices

Appendix I	Draft By-law to Adopt Amendment 47 to the Pickering Official Plan
Appendix II	Draft Zoning By-law Amendment

Attachments:

1. Location Map
2. Air Photo Map
3. Original Conceptual Site Plan (2020)
4. Current Conceptual Site Plan (July 2022)
5. Renderings of Current Proposal (July 2022)
6. Development Key Details Summary
7. Conceptual Landscape Plan

Prepared By:

Approved/Endorsed By:

Original Signed By

Original Signed By

Cody Morrison
Principal Planner, Development Review

Catherine Rose, MCIP, RPP
Chief Planner

Original Signed By

Original Signed By

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

CM:ld

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer

**Draft By-law to Adopt Amendment 47
to the Pickering Official Plan**

Draft

The Corporation of the City of Pickering

By-law No. XXXX/23

Being a By-law to adopt Amendment 47 to the
Official Plan for the City of Pickering (OPA 20-008/P)

Whereas pursuant to the *Planning Act*, R.S.O. 1990, c.p. 13, subsections 17(22) and 21(1), the Council of The Corporation of the City of Pickering may, by by-law, adopt amendments to the Official Plan for the City of Pickering;

And whereas pursuant to Section 17(10) of the *Planning Act*, the Minister of Municipal Affairs and Housing has by order authorized Regional Council to pass a by-law to exempt proposed area municipal official plan amendments from its approval;

And whereas on February 23, 2000, Regional Council passed By-law 11/2000 which allows the Region to exempt proposed area municipal official plan amendments from its approval;

And whereas the Region has advised that Amendment 47 to the City of Pickering Official Plan is exempt from Regional approval;

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

1. That Amendment 47 to the Official Plan for the City of Pickering, attached hereto as Exhibit "A", is hereby adopted;
2. That the City Clerk is hereby authorized and directed to forward to the Regional Municipality of Durham the documentation required by Procedure: Area Municipal Official Plans and Amendments.
3. This By-law shall come into force and take effect on the day of the final passing hereof.

By-law passed this 27th day of March, 2023.

Draft

Kevin Ashe, Mayor

Draft

Susan Cassel, City Clerk

**Recommended Amendment 47
to the City of Pickering Official Plan**

Recommended Amendment 47 to the Pickering Official Plan

- Purpose:** The purpose of this site-specific amendment is to increase the permitted density on the lands from ‘over 80 units per net hectare and up to and including 140 units per hectare’, to a net residential density of ‘over 80 units per hectare’, with no maximum, and to increase the permitted maximum Floor Space Index (FSI) from ‘over 0.75 and up to and including 2.5’ to a maximum FSI of 4.4, for lands located on the northwest corner of Brock Road and Kingston Road.
- Location:** The site-specific amendment affects the lands located on the northwest corner of Brock Road and Kingston Road, municipally known as 1970 Brock Road.
- Basis:** The subject lands are currently designated “Mixed Use Areas – Mixed Corridor” within the City of Pickering Official Plan, and are subject to the Village East Neighbourhood Policies. However, through the Kingston Road Corridor and Brock Node Intensification Study, and its implementing Amendment 38 to the Pickering Official Plan, these lands have been identified as part of a strategic growth area by the City.

Concurrent with the Study, a site-specific amendment was submitted to permit a mixed-use development comprising a 30-storey building and a 12-storey building, connected by a 6-storey podium, containing 623 residential apartment units; 52 stacked townhouse units; and approximately 1,800 square metres of commercial space. The proposal retains a designated heritage structure, Post Manor, which will be located approximately 18.0 metres immediately east of its current location and closer to Brock Road. The proposed development is in keeping with the goals of the Council-endorsed Kingston Road Corridor and Speciality Retailing Node Intensification Plan for the Brock Precinct, and in keeping with the policies within the Council-approved Official Plan Amendment 38.

The proposed development is located at the intersection of Brock Road and Kingston Road, which are both designated as arterial roads and Rapid Transit Spines under the Durham Regional Official Plan. The proposal provides for a mix of uses and densities that allow for the efficient use of land in an area that is supported by existing and planned transit services along Brock Road and Kingston Road. Furthermore, the proposal will utilize existing municipal infrastructure and services and future improvements. The amendment is consistent with the policies of the Provincial Policy Statement, 2020, and conforms to A Place to Grow, (Office Consolidation 2020) and the Durham Regional Official Plan.

Actual

Amendment: The City of Pickering Official Plan is hereby amended by:

1. Revising Policy 12.11 – Village East Neighbourhood Policies, by adding a new subsection 12.11(k) as follows:
 - (k) despite Table 6 of Chapter 3, establish a maximum residential density of over 80 units per net hectare and maximum floor space index of 4.4 for lands located on the northwest corner of Kingston Road and Brock Road, municipally known as 1970 Brock Road.

Implementation: The provisions set forth in the City of Pickering Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this Amendment.

Interpretation: The provisions set forth in the City of Pickering Official Plan, as amended, regarding the interpretation of the Plan shall apply in regard to this Amendment.

OPA 20-008/P
A 13/20
Brock and Kingston Holdings Inc.

**Recommended Zoning By-law Provisions for
Zoning By-law Amendment Application A 13/20**

Draft By-law No. XXXX/23

Being a By-law to amend Restricted Area (Zoning) By-law 3036, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, Part of Lot 18, Concession 1 North, Now Part 1, 40R-8663, City of Pickering (A 13/20)

Whereas the Council of The Corporation of the City of Pickering received an application to rezone the subject lands being Part of Lot 19, Concession 1 North, Now Part 1, 40R-8663, in the City of Pickering to permit a high-density, mixed-use development;

And whereas an amendment to Zoning By-law 3036, as amended by By-law 2212/86, is therefore deemed necessary;

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

1. **Schedules I, II, and III**

Schedules I, II, and III 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 19, Concession 1 North, Now Part 1, 40R-8663, in the City of Pickering, designated “BP-MU-2”, “OS-PP”, and “(H)BP-MU-2”, 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) “Bay Window” means a window with at least three panels set at different angles to create a projection from the outer wall of a building, and includes a bow window.
- (5) “Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.
- (6) “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.
- (7) “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.
- (8) “Building, Main” means a building in which is carried on the principal purpose for which the lot is used.
- (9) “Building, Mixed Use” means a building containing residential uses and at least one non-residential use permitted by this By-law.
- (10) “Car Share Service” means a service that provides motor vehicles solely for the shared use of members of that service, and does not include an automobile rental establishment or automobile dealership.
- (11) “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.
- (12) “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.
- (13) “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.
- (14) “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.
- (15) “Daylight Triangle” means an area free of buildings, structures, fences and hedges up to 0.9 metres in height and which area is to be determined by measuring, from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line. The triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylight triangle.
- (16) “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.
- (17) “District Energy Facility” means a centrally located facility or linked facilities that generates and distributes thermal energy (steam and/or hot and cold water) to end users through an underground pipeline distribution system and generates electricity, including electricity for supply to the grid.
- (18) “Dry Cleaning Distribution Centre” means a premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a dry cleaning establishment.
- (19) “Dry Cleaning Establishment” means a premises in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.
- (20) “Dwelling” includes:
- a) “Accessory Dwelling Unit” means a separate dwelling unit subsidiary to and located in the same building as an associated principal dwelling unit; and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, three-unit dwelling or converted dwelling.
 - b) “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.
 - c) “Block Townhouse Dwelling” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle.

- d) “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.
 - e) “Stacked Dwelling” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.
 - f) “Live Work Dwelling” means a dwelling, where the ground floor only, or part thereof, may be used for commercial use as permitted by this By-law, except that the basement may be used for storage for the commercial use, and where the commercial and residential components can be accessed by a common internal entrance.
- (21) “Existing” means existing as of the date of the enactment of the provision that contains that word.
- (22) “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.
- (23) “Floor Area” means the total area of all floors of a *building* within the outside walls.
- (24) “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.
- (25) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.

- (26) “Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.
- (27) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- (28) “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.
- (29) “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.
- (30) “Ground Floor” means the floor of a building at or first above grade.
- (31) “Ground Floor Area” means the gross floor area only on the ground floor.
- (32) “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.
- (33) “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.
- (34) “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.
- (35) “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.
- (36) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.

- (37) “Lot Area” means the total horizontal area of a lot.
- (38) “Lot Line” means a line delineating any boundary of a lot.
- (39) “Main Wall” means a primary exterior front, rear or side wall of a building, not including permitted projections.
- (40) “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.
- (41) “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.
- (42) “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.
- (43) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.
- (44) “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.
- (45) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.
- (46) “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.
- (47) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.
- (48) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.
- (49) “Patio” means an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.
- (50) “Personal Service Shop” means a premises used to provide personal grooming services or for the cleaning or care of apparel.

- (51) “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.
- (52) “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.
- (53) “Point Tower” means a compact and slender building form.
- (54) “Porch” means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.
- (55) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.
- (56) “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.
- (57) “Primary Window” means all windows except bathroom, hallway, closet or kitchen windows.
- (58) “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.
- (59) “Retail Store” means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- (60) “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.
- (61) “School, Private” means a place of instruction (excepting a commercial school or private career college) offering courses equivalent to those customarily offered in an elementary school or secondary school.
- (62) “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.
- (63) “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.

- (64) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- (65) “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*.
- (66) “Street Line” means the dividing line between a lot and a street.
- (67) “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.
- (68) “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.
- (69) “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.
- (70) “Tower” means the storeys within that portion of a building or structure or part thereof located above the podium.
- (71) “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.
- (72) “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.

- (73) “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

(1) Permitted Uses (“BP-MU-2 Zone”)

No person shall within the lands zoned “BP-MU-2” 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) Block Townhouse Dwelling
- c) Stacked Dwelling
- d) Live Work Dwelling
- e) Community Centre
- f) Commercial Fitness/ Recreation Centre
- g) Car Share Service
- h) Day Care Centre
- i) Financial Institution
- j) Food Store
- k) Office
- l) Office, Medical
- m) Personal Service Shop
- n) Retail Store
- o) Restaurant
- p) School, Commercial
- q) School, Private
- r) Veterinary Clinic

(2) Zone Regulations (“BP-MU-2” Zone)

No person shall within the lands zoned “BP-MU-2” 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)	<ul style="list-style-type: none"> i) the area shown on Schedule I to this By-law, zoned “BP-MU-2” and “OS-PP” shall be the extent of the lands for the purposes of calculating FSI ii) minimum FSI – 0.75 iii) maximum FSI – 4.4
b) Number of Dwelling Units	<ul style="list-style-type: none"> i) minimum 74 units ii) maximum 675 units

c) Building Height	<ul style="list-style-type: none"> i) the maximum height of a building wholly located within the dashed lines, is specified by the number following the HT symbol as shown on Schedule III to this By-law ii) notwithstanding section 5 (2) c) i) above, enclosed stairwells providing roof access may exceed the maximum building height as shown on schedule III to a maximum of 2.7 metres iii) notwithstanding Section 5 (2) c) ii) above, all portions of a building or structure within the building envelope as shown on Schedule II attached hereto, shall be limited by a 45-degree angular plane measured 7.5 metres from the north and west lot line at a height of 10.5 metres above grade, where adjacent lands are zoned “RH(SC)” or “RH/MU-5” iv) notwithstanding Section 5 (2) c) iii) above, mechanical penthouses, balconies, enclosed stairwells providing roof access and architectural features such as parapet walls are permitted to project beyond the angular plane
d) Podium Requirements	<ul style="list-style-type: none"> i) minimum height of podium – 11.0 metres (3-storeys) ii) maximum height of podium – 21.0 metres (6-storeys)
e) Building Location and Setbacks	<ul style="list-style-type: none"> i) no building or part of a building, or structure shall be erected outside of a building envelope, as shown on Schedule II to this By-law ii) no building or portion of a building or structure shall be erected within the building envelope, unless a minimum of 80 percent of the entire length of the build-to-zone, as shown on Schedule II to this By-law, contains a continuous portion of the exterior wall of a building iii) notwithstanding section 5 (2) e) i) above, the ground floor of a podium shall maintain a minimum setback of 4.5 metres iv) notwithstanding section 5 (2) e) i) above, buildings or portions of buildings not exceeding 4.5 metres in height and used

	solely for access to an underground parking garage are permitted to be located beyond the building envelope, provided such buildings are setback a minimum of 1.0 metres from all lots lines
f) Setback for Below Grade Parking Structures	<ul style="list-style-type: none"> i) minimum – 0.0 metres ii) notwithstanding Section 5 (2) f) i) above, a minimum setback of 4.5 metres shall be provided from the north property line iii) notwithstanding Section 5 (2) f) i) above, a minimum setback of 9.0 metres shall be provided from the west property line where the adjacent property is zoned for residential uses
g) Tower Floor Plate	<ul style="list-style-type: none"> i) maximum tower floor plate for residential buildings greater than 37.5 metres in height – 850 square metres ii) notwithstanding Section 5 (2) g) i) above, balconies shall be excluded from the calculation of tower floor plate
h) Building Separation	<ul style="list-style-type: none"> i) minimum – 15.0 metres, which shall be measured from the main wall of each building but shall exclude balconies, porches and steps ii) despite Section 5 (2) h) i) above, separation may be reduced to 3.0 metres if there are no primary windows or balconies on the wall facing the adjacent flanking building or if one or both of the flanking buildings are 3-storeys or less in height iii) minimum –18.0 metres for any portion of a building greater than 37.5 metres in height, which shall be measured from the main wall of each building, but shall exclude balconies, porches and steps
i) Main Wall Stepback for Buildings greater than 37.5 metres	<ul style="list-style-type: none"> i) minimum main wall stepback - 3.0 metres from the main wall of a point tower and the main wall of a podium on any building face abutting a street line ii) despite Section 5 (2) i) i) above, a main wall stepback shall not be required for any building face located beyond the 10th storey

j) Private Amenity Requirements	<ul style="list-style-type: none"> i) a minimum of one balcony, deck or private patio shall be provided for each dwelling unit ii) minimum area – 3.0 square metres
k) Amenity Space Requirements for Apartment Dwellings	<ul style="list-style-type: none"> i) minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit 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)
l) Landscaped Area	<ul style="list-style-type: none"> i) minimum 10 percent of the land area ii) the area shown on Schedule I to this By-law, zoned “BP-MU-2” shall be the extent of the lands for the purposes of calculating landscaped area
m) Non-Residential Uses	<ul style="list-style-type: none"> i) minimum 1,800 square metres of Gross Leasable Floor Area shall be located on the lands, as shown 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 2.0 metres beyond the building envelope as illustrated on Schedule III to this By-law, but shall maintain a minimum setback of 1.0 metres to a lot line.
- 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 building envelope no closer than 0.45 metres to a lot line.
- iii) A balcony, porch, uncovered platform or covered platform may encroach beyond the building envelope to a maximum of 2.0 metres or half the distance of the required setback, whichever is less.
- iv) A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach beyond the building envelope to a maximum of 0.6 metres or half the distance, whichever is less.

- v) A Patio associated with a permitted non-residential use may encroach beyond the building envelope to within 0.45 metres of a lot line.

(4) Yards Abutting Daylight Triangles

Where a lot abuts a daylight triangle, the setback provisions shall be measured as if the daylight triangle did not exist, provided all buildings are setback 0.6 metres from the daylight triangle with the exception of window sills, belt courses, cornices, eaves, eave troughs and architectural elements, such as the architectural projections from the podium and canopies, which may project to within 0.3 metres of the daylight triangle.

(5) Vehicular Parking Regulations

- a) Minimum Parking Requirements:

Residential Uses	
Apartment Dwelling	0.85 spaces per dwelling unit and an additional 0.15 of a space per dwelling unit for visitors
Block Townhouse Dwelling	1.75 spaces per dwelling unit 0.15 of a space per dwelling unit for visitors
Stacked Dwelling	1.25 spaces per dwelling unit 0.15 of a space per dwelling unit for visitors
Live Work Dwelling	0.85 spaces per dwelling unit plus 3 spaces per 100 square metres gross leasable floor area (GLFA) of commercial use.

Non-Residential Uses	
Day Care Centre	1.0 space per employee plus 3.0 spaces and an additional 1.0 space per classroom
Office	2.5 spaces per 100 square metres of GLFA
Financial Institution, Food Store, Retail Store, Private School, Commercial School, Personal Service, Office Medical, Veterinary Clinic and Community Centre	3.5 spaces per 100 square metres of GLFA
Commercial Fitness Centre	4.5 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/Office, Medical/Day Care Centre/Private School/Veterinary Clinic	100	90	95	10
Food Store/Personal Service Shop/Retail Store/Commercial Fitness Centre/Community Centre /Commercial School	65	90	90	90
Restaurant	20	100	30	100
Residential – Visitor	20	20	60	100

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

d) Parking Structures

- i) Parking structures constructed completely below established grade are permitted to encroach below private parks.
- ii) Stairs associated with a parking structure are not permitted between a street line and the main wall of a building.
- iii) 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.

(6) Bicycle Parking Space Requirements

a) Minimum number of bicycle parking spaces:

- i) 0.5 of a space per apartment dwelling unit;
- ii) 1.0 space per block townhouse dwelling, stacked townhouse and live work unit;
- iii) 1.0 space for each 1,000 square metres of gross leasable floor area or portion thereof.

b) Where the number of bicycle parking spaces exceeds 50 spaces, a minimum of 25 percent of the total required 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.

c) Where four or more 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.

- d) 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.

(7) 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 III to this By-law.

(8) Noise Attenuation

- a) Notwithstanding Section 5 (2) d) related to Podium Requirements for Buildings greater than 37.5 metres, the following building elements may exceed the maximum podium height:
 - i. equipment used for the functional operation of the building and structures including electrical, utility, mechanical and ventilation equipment, enclosed stairwells roof access, maintenance equipment storage, chimneys, vents, and window washing equipment;
 - ii. architectural features, parapets, elements and structures associated with a green roof;
 - iii. planters, landscaping features, guard rails, divider screens on a balcony and/or terrace; and
 - iv. trellises, pergolas and unenclosed structures providing safety or wind/noise protection to rooftop amenity space.

(9) Live Work Dwelling

- a) Notwithstanding the permitted uses outlined under Section 5(1), the following specific uses are permitted in a live work dwelling:

- i) art gallery/studio
 - ii) dry-cleaning distribution centre
 - iii) dwelling unit;
 - iv) medical office
 - v) office
 - vi) personal service shop
 - vii) restaurant
 - viii) retail store
- b) For any permitted use listed in 2 (9) a) above, the minimum floor area within a dwelling unit is 50 square metres and minimum floor-to-ceiling height of 4.5 metres is required.

(10) Special Provisions

- a) Sections 5.21.1, 5.21.2(a) 5.21.2(b), 5.21.2(d), 5.21.2(e), 5.21.2(f), 5.22 and 6.4 of By-law 3036, as amended, shall not apply to the lands zoned “BP-MU-2” and “OS-PP” on Schedule I attached to this By-law.

6. Provisions (“OS-PP” Zone)

(1) Permitted Uses (“OS-PP” Zone)

No person shall within the lands zoned “OS-PP” 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) Private Park

7. Provisions (“(H)BP-MU-2” Zone)

(1) Permitted Uses (“(H)BP-MU-2” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than lawful uses permitted as of the date of the enactment of this by-law, located on the land or in existing buildings or structures, provided such use 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 Requirements (“(H) BP-MU-2” Zone)

The “(H)” Holding Symbol shall be removed from the “BP-MU-2” zone until the completion of the following:

- a) 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, including front funding or cost sharing agreements.

8. **By-law 3036**

By-law 3036, 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 3036.

9. **Effective Date**

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

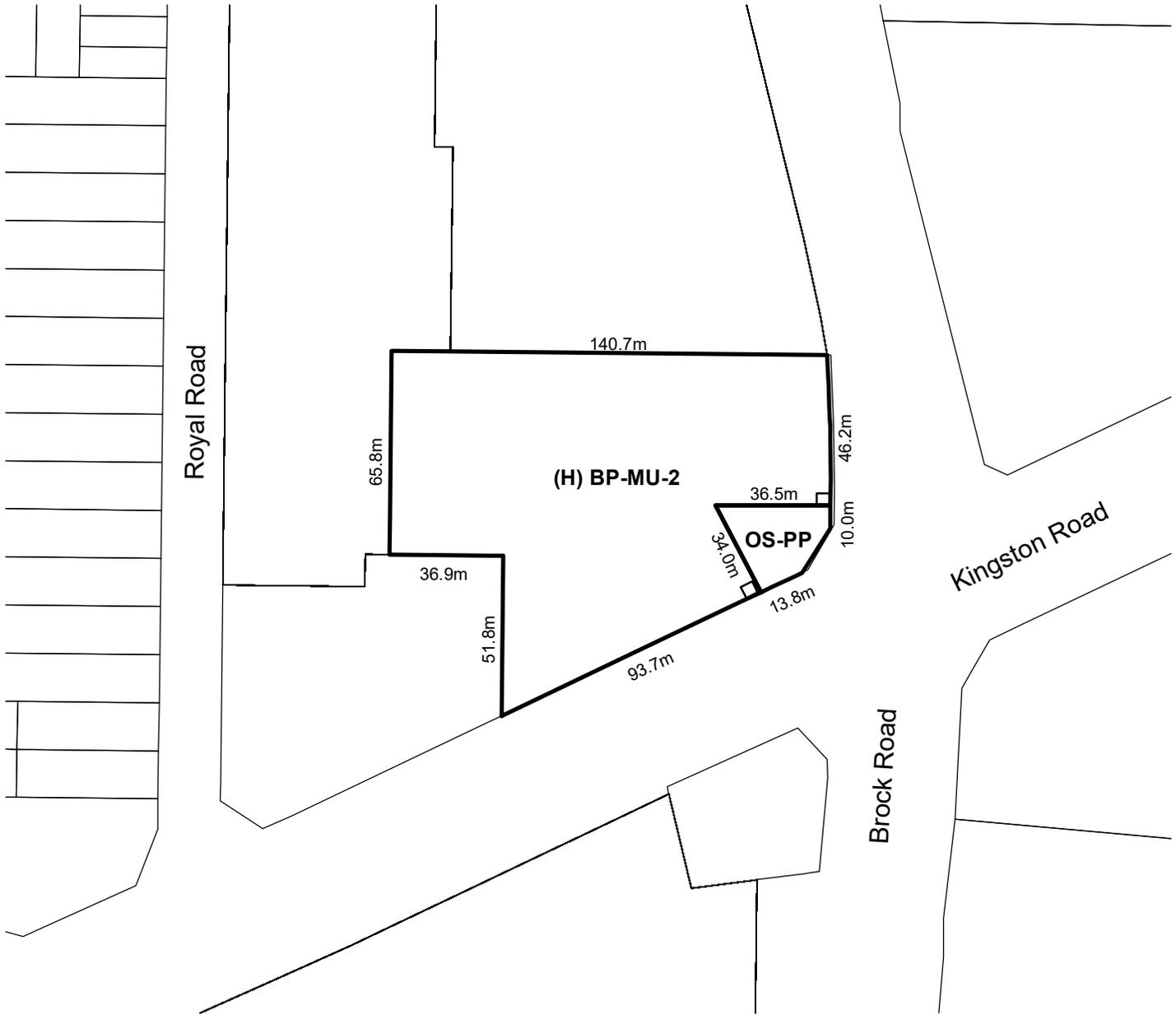
By-law passed this 27th day of March, 2023.

Draft

Kevin Ashe, Mayor

Draft

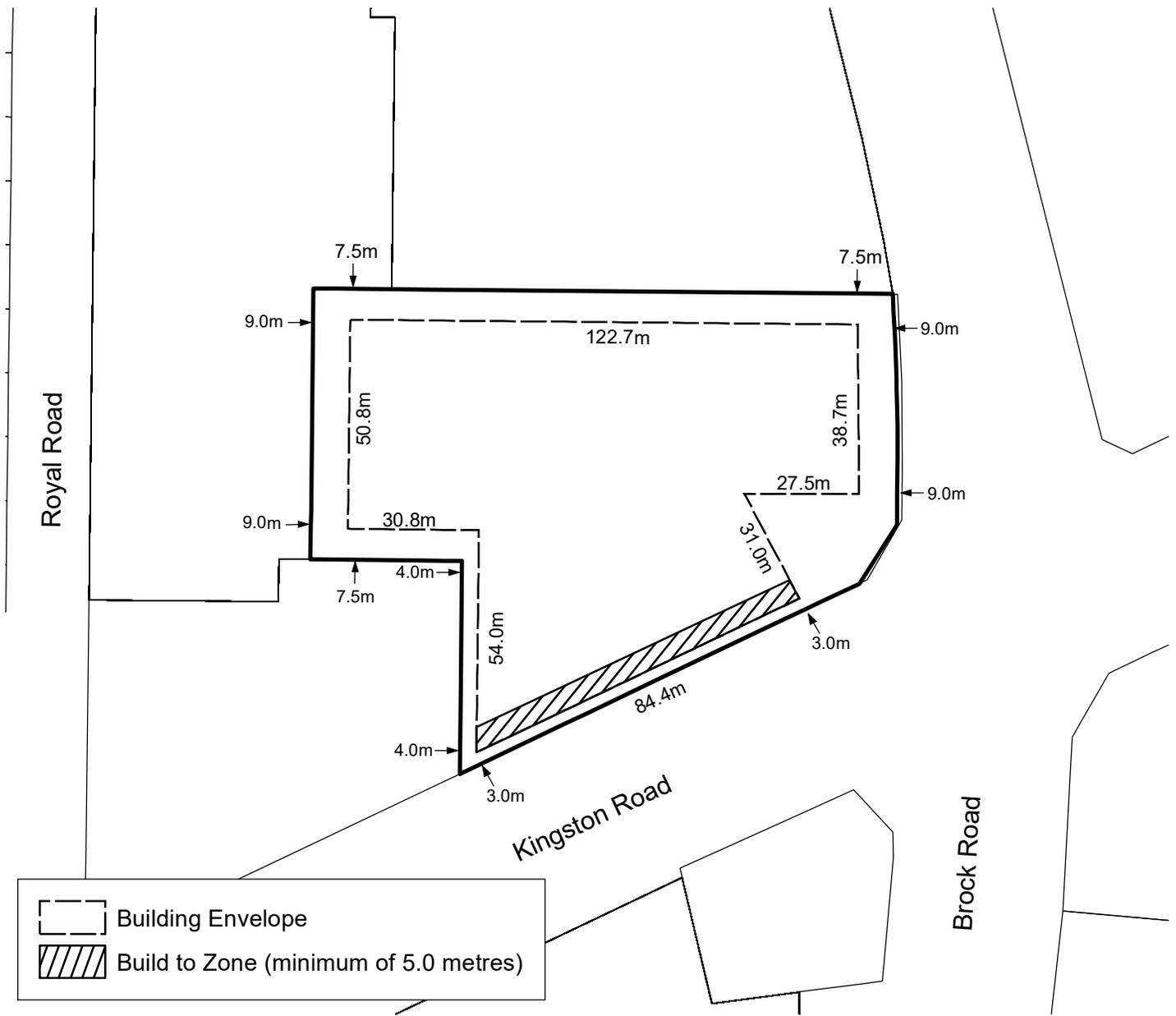
Susan Cassel, City Clerk



Schedule I to By-Law XXXX/23
 Passed This 27th Day
 of March 2023

Mayor

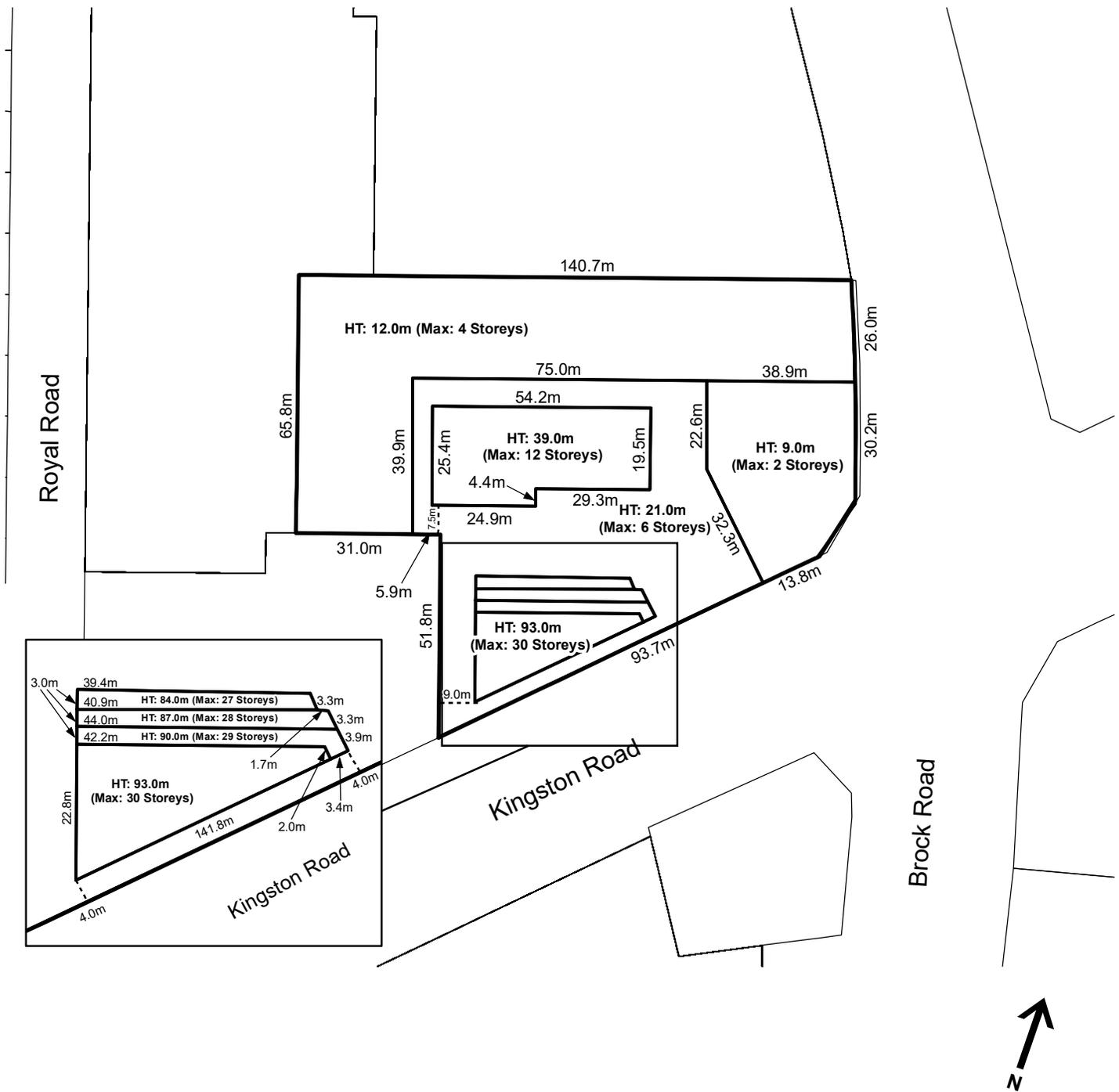
Clerk



Schedule II to By-Law XXXX/23
 Passed This 27th Day
 of March 2023

 Mayor

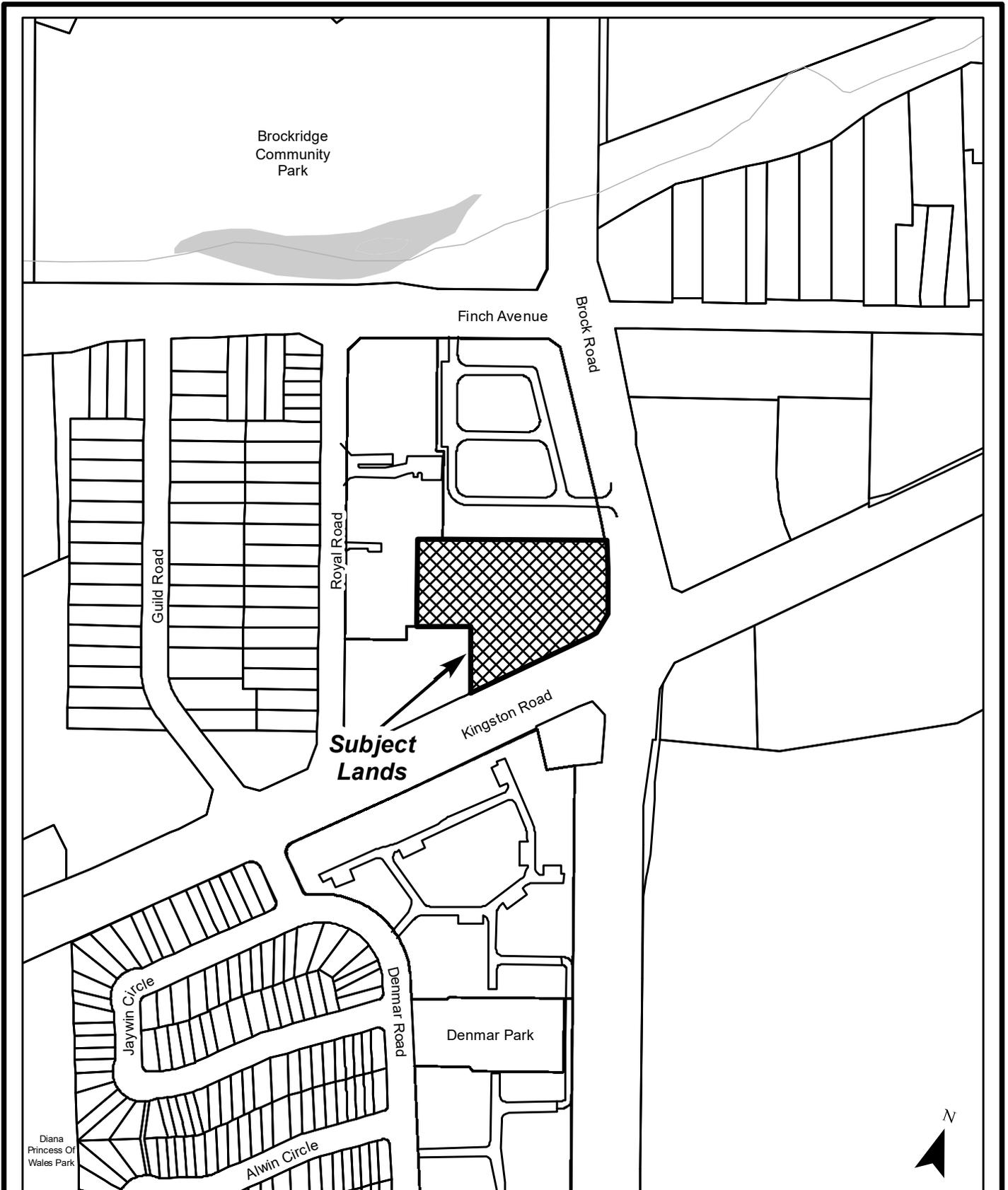
 Clerk



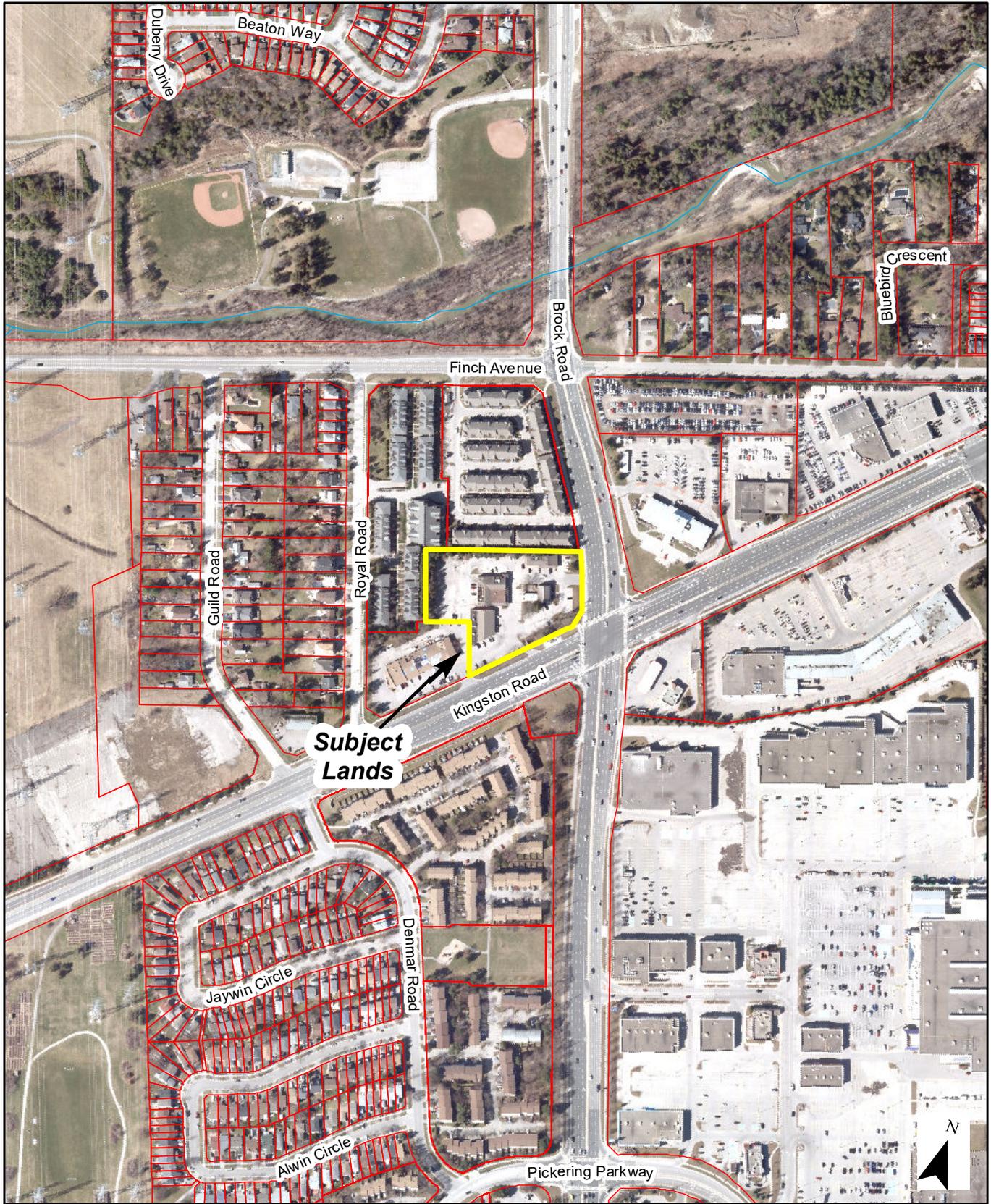
Schedule III to By-Law XXXX/23
 Passed This 27th Day
 of March 2023

 Mayor

 Clerk



 City Development Department	Location Map	
	File: OPA 20-008/P & A 013/20	
	Applicant: Brock & Kingston Holdings Inc.	
	Municipal Address: 1970 Brock Road	
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		SCALE: 1:4,000 <small>THIS IS NOT A PLAN OF SURVEY.</small>



City of
PICKERING
City Development
Department

Air Photo Map

File: OPA 20-008/P & A 013/20

Applicant: Brock & Kingston Holdings Inc.

Municipal Address: 1970 Brock Road

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Date: May. 14, 2021

SCALE: 1:5,000

THIS IS NOT A PLAN OF SURVEY.

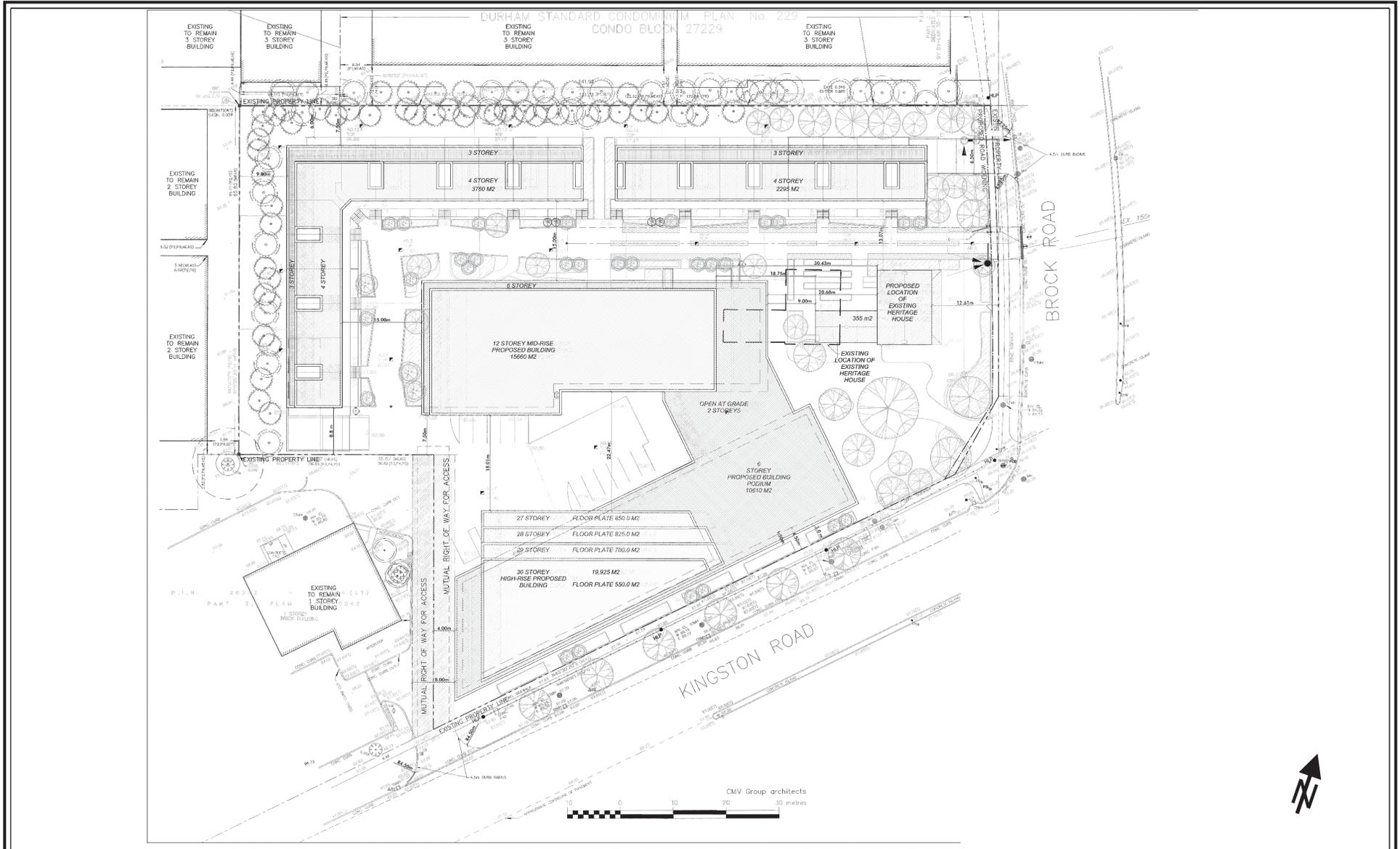


City of
PICKERING
 City Development
 Department

Original Conceptual Site Plan (2020)
File No: OPA 20-008/P & A 13/20
Applicant: Brock and Kingston Holdings Inc.
Municipal Address: 1970 Brock Road

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

DATE: May 17, 2021



City of
PICKERING
City Development
Department

Current Conceptual Site Plan (July 2022)

File No: OPA 20-008/P & A 013/20

Applicant: Brock and Kingston Holdings Inc.

Municipal Address: 1970 Brock Road

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

DATE: Feb 2, 2023

Key Details Summary

Attachment #5 to Report PLN 06-23

	Original Proposal (2020)	Current Proposal (July 2022)
Number of Residential Units	Total: 860 Apartment: 835 Townhouses: 25	Total: 675 Apartment: 623 Stacked Townhouses: 52
Residential Density (units per net hectare)	714	561
Floor Space Index (FSI)	5.7	4.4
Tower Floor Plate Size (maximum)	750 square metres	850 square metres
Number of Storeys	<ul style="list-style-type: none"> • 34-storey tower and 31-storey tower connected by a 6-storey podium with commercial units on the ground floor • 12-storey mid-rise residential building • 25 3-storey townhouses 	<ul style="list-style-type: none"> • 30-storey tower and 12-storey mid-rise connected by a 6-storey podium with commercial units on the ground floor • 52 4-storey stacked townhouse units
Commercial Gross Floor Area	1,430 square metres	1,800 square metres
Vehicular Parking Ratios	Residential: 0.80 spaces/ unit Visitor/Commercial: 0.15 spaces/unit	Apartment Unit: 0.85 spaces/unit Stacked Townhouse Unit: 1.25 spaces/unit *Visitor: 0.15/spaces unit *Commercial: specific ratios based on commercial use ranging between 2.0 and 5.0 spaces/100 square metres of commercial floor area *subject to a share parking ratio
Outdoor Amenity Space	Privately Owned Publicly-Accessible Space: 2,541 square metres (includes lands surrounding heritage building)	Privately Owned Publicly-Accessible Space: 880 square metres (does not include land surrounding heritage building)



View Looking Northwest



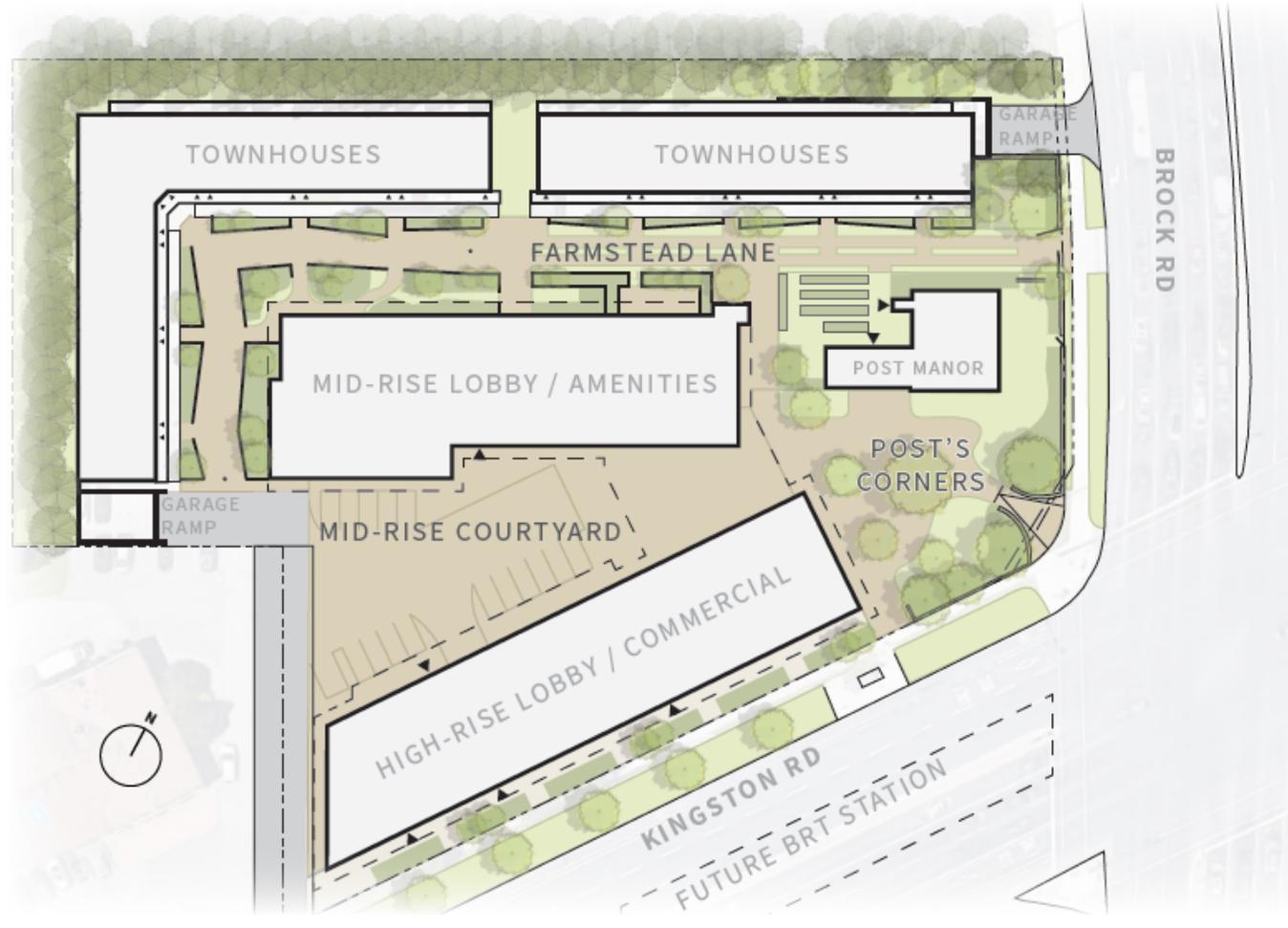
View Looking Northeast



View Looking Southwest

<p><i>City of</i> PICKERING City Development Department</p>	Renderings of Current Proposal (July 2022)	
	File No: OPA 20-008/P & A 013/20	
	Applicant: Brock and Kingston Holdings Inc.	
	Municipal Address: 1970 Brock Road	
<p><small>FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.</small></p>		<p>DATE: Feb 2, 2023</p>

GROUND FLOOR AND LANDSCAPE



City of
PICKERING

City Development
Department

Conceptual Landscape Plan

File No: OPA 20-008/P & A 13/20

Applicant: Brock and Kingston Holdings Inc.

Municipal Address: 1970 Brock Road

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

DATE: February 10, 2023