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**From:** Catherine Rose, MCIP, RPP  
Chief Planner

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**Subject:** Zoning By-law Amendment Application A 13/19  
Draft Plan of Subdivision Application SP-2019-03  
Draft Plan of Condominium Application CP-2019-04  
10046043 Canada Inc. & C. Wang  
Lots 14, 29 and 30, Part of Lots 22 to 26 Plan 818, Part 4 of 40R-29018, Part 1 of  
40R-29545, Part 2 of 40R-30489 and Part 1 of 40R-30492  
(1950 & 1952 Fairport Road)

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## **1. Purpose of this Report**

The purpose of this report is to provide preliminary information regarding applications for Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium, submitted by 10046043 Canada Inc. & C. Wang, to facilitate an infill residential development. This report contains general information on the applicable Official Plan and other related policies, and identifies matters raised to date.

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

## **2. Property Location and Description**

The subject lands comprise two properties located on the west side of Fairport Road, south of Taplin Drive, having a combined area of approximately 2.42 hectares with approximately 40 metres of frontage along Fairport Road and 3.0 metres of frontage along Taplin Drive (see Location Map, Attachment #1).

The subject lands currently contain two detached dwellings that are proposed to be demolished. The westerly portion of the subject lands are environmentally sensitive lands forming part of the Dunbarton Creek valley lands (see Air Photo Map, Attachment #2).

In 2015, the previous landowner of 1952 Fairport Road removed a significant number of trees from the property, 20 of which were within the City of Pickering's Tree Protection Area (By-law 6108/03). An order was issued requiring the previous landowner to rehabilitate the lands and to replant 100 trees within the Toronto and Region Conservation Authority screening area or in an area approved under a development agreement between the landowner and the City of Pickering. The order to comply was issued to the previous landowner and does not apply to the current owner. However, the new landowner has indicated that they will replant the 100 trees within the required buffer area.

Surrounding land uses include:

- North: Immediately to the north are existing detached dwellings fronting onto Taplin Drive.
- East and South: Immediately to the east and south are detached dwellings fronting onto Fairport Road.
- West: To the west is Dunbarton Creek and associated valley lands and significant woodlands. Further west are detached dwellings fronting onto the east side of Spruce Hill Road.

### 3. Applicants' Proposal

The applicants have submitted applications for Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium to facilitate an infill residential development (see Submitted Concept Plan, Attachment #3).

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

Lot/Block Number	Land Area	Proposed Use
Lots 1, 2 and 3	0.14 hectares	3 freehold lots for detached dwellings fronting Fairport Road
Block 4	1.53 hectares	Common element condominium development block
Block 5	0.72 hectares	Dunbarton Creek and associated valley lands and buffer to be conveyed to public ownership and rezoned to an appropriate open space zone category.
Block 6	0.03 hectares	Future development
Block 7	0.003 hectares	Road widening
<b>Total</b>	<b>2.423 hectares</b>	

Within Block 4, the applicants are proposing a residential common element condominium development consisting of 27 detached dwellings fronting onto an internal private road from Fairport Road. Vehicular access to the internal private road will be provided through a full-movement access from the west side of Fairport Road. A 1.5 metre wide pedestrian walkway is proposed along one side of the private road.

The application for Draft Plan of Condominium will establish the common elements of the proposal. The common element features include: the private road; the sidewalk; the visitor parking spaces; the community mailboxes; the water meter room; and the small outdoor amenity area located at the southwest portion of the development where below grade stormwater management facilities that drain into the creek are located (see Submitted Draft Plan of Condominium, Attachment #5).

As noted above, Lots 1, 2 and 3 are freehold lots for detached dwellings fronting Fairport Road are proposed with a minimum lot frontage of 13.7 metres.

The applicants are exploring the opportunity to convey Block 6 to the adjacent landowners along Taplin Road, immediately to the east and/or west. Currently, the submitted Draft Plan of Subdivision identifies Block 6 as a future development block, which is not included in the current development proposal. The applicants have no plans for active use of the lands, including a pedestrian connection to Taplin Drive.

The table below summarizes the key details of the proposal and the requested zoning development standards:

<b>Provision</b>	<b>Lots fronting internal private road</b>	<b>Lots fronting Fairport Road</b>
<b>Lot Area</b>	Ranging between 372 square metres and 500 square metres	Ranging between 438 square metres and 512 square metres
<b>Lot Frontage</b>	Ranging between 12.0 metres and 14.4 metres	Ranging between 13.7 metres and 16 metres
<b>Building Height</b>	Maximum 9.0 metres	
<b>Dwelling Area</b>	Between 230 to 325 square metres	
<b>Front Yard Setback</b>	Minimum 4.5 metres	Minimum 6.0 metres
<b>Side Yard Setbacks</b>	Minimum 1.2 metres on one side and 0.6 metres on the other side	
<b>Rear Yard Setbacks</b>	Minimum 7.5 metres	
<b>Coverage</b>	Maximum 38 percent	
<b>Vehicular Parking (minimum)</b>	Resident: 4 spaces per unit (2 spaces within a garage and 2 spaces on the driveway) Visitor: 7 spaces at a minimum rate of 0.25 spaces per dwelling unit	Resident: 4 spaces per unit (2 spaces within a garage and 2 spaces on the driveway)

With the exception of the 3 lots fronting Fairport Road, the development will be subject to site plan approval.

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## **4. Policy Framework**

### **4.1 Durham Regional Official Plan**

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

Fairport Road is designated as a Type ‘C’ Arterial Road. Type ‘C’ Arterial Roads are designed to carry lower volumes of traffic, at slower speeds; provide access to properties; and generally have a right-of-way width ranging from 26 to 30 metres.

The proposal generally conforms to the Durham Regional Official Plan.

### **4.2 Pickering Official Plan**

The Pickering Official Plan designates the developable portion of the subject lands as “Urban Residential Areas – Low Density Areas” (Lots 1, 2 and 3, and Blocks 4 and 6) within the Dunbarton Neighbourhood. This designation provides for housing and related uses at a residential density of up to and including 30 units per net hectare. The proposal will result in a residential density of approximately 18 units per net hectare, which falls within the permitted density range.

The portion of the subject lands containing the Dunbarton Creek and associated valley lands and buffers are designated as “Open Space System – Natural Areas”. The Natural Areas land use designation is further identified as “Significant Woodlands”. An Environmental Impact Study is required for any proposed development within 120 metres of a key natural heritage or key hydrologic feature. The purpose of the Study is to identify and evaluate the natural heritage features and hydrologic feature, determine the minimum required vegetation protection zones, and determine the site’s development limits to prevent potential negative impacts from the proposed development on the natural heritage features.

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

The policies for the Dunbarton Neighbourhood also states that in the established residential area between Spruce Hill Road and Applevue Road, including Fairport Road and Dunbarton Road, development should be encouraged and where possible, required to be compatible with the character of the existing neighbourhood.

The applicants' proposal will be assessed against the policies and provisions of the Official Plan and the Dunbarton Neighbourhood policies during the further processing of the applications.

#### **4.3 Dunbarton Neighbourhood Development Guidelines**

The Dunbarton Neighbourhood Development Guidelines are intended to ensure redevelopment of lands central to the neighbourhood are consistent with the existing neighbourhood while protecting the Dunbarton Creek. The design guidelines indicate that development along existing roads (Fairport Road) is permitted for detached dwellings with minimum lot frontages of 13.5 metres. New development on proposed internal roads is permitted, subject to the following requirements:

- permit only detached dwellings
- require minimum lot frontages of 12.0 metres, and
- maintain building setbacks consistent with recent subdivision standards (front yard minimums of 4.5 metres; side yard minimums of 0.6/1.2 metres)

The proposed meets the requirements of the Dunbarton Neighbourhood Development Guidelines.

#### **4.4 Infill and Replacement Housing in Established Neighbourhoods Study**

The City has retained SGL Planning and Design Inc. (SGL) to undertake the Infill and Replacement Housing in Established Neighbourhoods Study (the Study), which looks at how to guide the future evolution of the City's established neighbourhoods by recommending an appropriate scale of infill and replacement housing, and how the City can ensure that neighbourhood character is properly considered through the development and building approval processes.

The Dunbarton Neighbourhood is one of nine "Focus Neighbourhoods" that are the subject of the Study. The subject site is within an area identified within the Study as an "Area of Observed Change", indicating that there has been a significant amount of change observed in the form of new construction related to either infill and/or replacement housing within this area. The Study is examining these "Areas of Observed Change" and exploring how to sensitively manage future development so that it is appropriately sympathetic to the existing neighbourhood character.

The Study is currently in Phase 2 of a three phase project.

#### **4.5 Zoning By-law**

The subject lands are currently zoned "R4" – Residential within Zoning By-law 3036, as amended, which permits one detached dwelling per lot. The applicants are requesting to rezone the developable portion of the subject lands to an appropriate residential zone category with site-specific performance standards to facilitate the proposal. The lands associated with the Dunbarton Creek, including the required buffer lands, are to be rezoned to "OS" – Open Space Areas.

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## **5. Comments Received**

### **5.1 Public Comments from public open house and written submissions**

On January 10, 2019, the City received a petition from a coalition of residents within the Dunbarton Neighbourhood in opposition to the future development of 1950 and 1952 Fairport Road. The coalition group submitted the petition in opposition of a land division application to sever the rear of 1966 Fairport Road, to facilitate the future infill development of 1950 and 1952 Fairport Road. The concerns of the coalition are included in the list below.

As of the date of this report, the City has received 9 written comments from the public. On November 21, 2019, a Public Open House meeting was hosted by the City Development Department to inform area residents about the development proposal. The following is a list of key comments and concerns expressed by the area residents at the meeting, and written comments received:

#### **5.1.1 Impact to the natural environment**

- concerned that the proposal will result in negative impacts to the existing natural features
- concerned about the existing soil contamination along the creek
- concerned that the infill development will cause future flooding
- commented that the lots fronting Taplin Road slope at the rear and all runoff is drained to 1952 Fairport Road; therefore, the developer must ensure the stormwater management system has the capacity to collect the runoff on-site
- questioned how the developer will prevent run-off from neighbouring properties and rainfall events from going into the creek
- questioned whether a study was completed on the species at risk or the existing wildlife
- questioned how the developer would prevent residents (i.e., children) from trespassing into the environmentally sensitive lands
- concerned the environmental studies completed are not accurate; therefore, they should be peer reviewed or a second study by the conservation authority should be completed
- concerned the proposed stormwater management system will be overwhelmed during a major storm event, causing untreated water to flow into the creek

#### **5.1.2 Tree Removal**

- commented that the previous land owner of 1952 Fairport Road removed a large number of trees
- questioned what the City did about the tree removal
- concerned more trees will be removed from the subject lands and from neighbouring properties

#### **5.1.3 Traffic and access**

- proposed development will further increase traffic congestion along Fairport Road
- commented that there is currently a lack of safety measures to reduce traffic speeds along Fairport Road

- questioned the number of residential and visitor parking spaces provided and whether sufficient visitor parking is provided to support the development
- concerned that there will be spillover of visitor cars on Fairport Road from this development
- concerned emergency vehicles will have difficulty navigating the site from the private laneway because of cars parked in undesignated spots

#### **5.1.4 Other comments**

- concerned the proposed infill development is incompatible with the neighbourhood and will result in a loss of character and allure
- questioned if the proposed development was circulated to the school boards as existing schools are at capacity
- proposed that the development should include the rears of properties along Taplin Road for a comprehensive infill development
- questioned the location and size of the snow storage area
- commented that the existing homes are experiencing water pressure issues which will be further decreased by this infill development
- concerned the developer will increase the number of proposed dwellings if the development limit can be increased
- questioned the purpose of the 3.0 metre wide strip fronting Taplin Road and who will be responsible for its maintenance
- concerned the 3.0 metre wide strip fronting Taplin Road will be used as a pedestrian corridor into the open space block
- concerned about the construction noise and the noise from air conditioner units installed at the new dwellings

## **5.2 Agency Comments**

### **5.2.1 Region of Durham**

As of writing this report, no comments have been received from the Region of Durham.

### **5.2.2 Toronto and Region Conservation Authority**

Toronto and Region Conservation Authority (TRCA) is generally satisfied with the development limits and recommends a resubmission of technical reports and studies to address the key comments and concerns listed below:

- recommends the proposed Open Space Block be conveyed to the City of Pickering
- require fencing between the Open Space Block and the Low Density Condominium Block to gates
- installation of gates or other access through the fence along the lot line should be prohibited through a restrictive covenant or other legal mechanism
- the Concept Plan drawing should be revised to include the stable top of bank, dripline and associated 10.0 metre buffer

- require further clarification on how the groundwater at the proposed foundation drain collectors will be treated to meet Regional standards before discharging into watercourse
- confirmation on who will be responsible for the maintenance of the Stormwater Management system
- confirmation on the grading plan that the proposed grading and infrastructure are located outside the 10.0 metre buffer from the dripline
- the buffer area shall be planted with native species as proposed in the Environmental Impact Study
- detailed headwall design and footprint, erosion and sediment control plan, and the Stormwater Management design will be reviewed at the site plan stage
- agree with the recommendations of the hydrogeological report regarding the installation of monitoring wells to observe static water levels
- no concerns with the 100-year peak flows being over controlled to the 2-year pre-development, provided the City is in agreement
- the hydrogeology report and functional servicing report need to assess and determine a safe setback for proposed Low Impact stormwater management facilities close to the valley lands
- confirmation is required from the City whether a new outfall is necessary or whether the site can drain to the City sewer system

### **5.2.3 Engineering Services Department**

As of writing this report, no comments have been received from the City of Pickering's Engineering Services Department.

### **5.2.4 Durham District School Board**

- Durham District School Board has no objections with the proposed development
- students generated from this development will attend existing school facilities

### **5.2.5 Durham Catholic District School Board**

- Durham Catholic District School Board has no objections with the proposed development
- students generated from this development will attend St. Elizabeth Seton Catholic Elementary School and St. Mary Catholic Secondary School

## **6. Planning & Design Section Comments**

The following matters have been identified by staff for further review and consideration prior to a final recommendation report to Planning & Development Committee:

- ensuring conformity with the City's Official Plan, Dunbarton Neighbourhood policies and Dunbarton Neighbourhood Development Guidelines
- ensuring the proposal has regard for the ongoing Infill and Replacement Housing in Established Neighbourhoods Study
- ensuring the limit of development and other technical requirements are to the satisfaction of the City and the TRCA



- ensuring appropriate zoning performance standards are implemented to facilitate dwelling designs that are in keeping with the character of the surround residential community
- evaluating the design and geometry of the private road network to ensure turning movements can accommodate municipal garbage collections and fire trucks
- ensuring sufficient visitor parking is provided on-site to support this development
- ensuring the amenity area is in an appropriate location and of sufficient size
- determining whether wider side yards should be required on Lots 1 to 3, fronting Fairport Road
- mitigating any potential negative impacts to the Natural Heritage System adjacent to the proposed development by establishing a natural buffer for Dunbarton Creek and associated valley lands, to the satisfaction of the TRCA
- ensuring the proposal will not alter or negatively impact the grading and drainage of the abutting residential properties along Taplin Drive and Fairport Road
- ensuring the replanting of trees previously removed from the subject lands are replanted within the required buffer area
- further issues may be identified following receipt and review of comments from the circulated departments, agencies and public

The City Development Department will conclude its position on the applications after it has received and assessed comments from the circulated department, agencies and public.

## **7. Information Received**

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

- Planning Justification Report, prepared by Brian Moss and Associates Ltd., dated August 2019
- Archaeological Assessment, prepared by This Land Archeology Inc., dated June 25, 2018
- Draft Concept Plan, prepared by Brian Moss and Associates Ltd., dated August 2019
- Draft Common Element Condominium Plan, prepared by Brian Moss and Associates Ltd., dated November 2018
- Draft Plan of Subdivision Plan, prepared by Brian Moss and Associates Ltd., dated 2018
- Environmental Impact Study, prepared by Beacon Environmental, dated April 2019
- Environmental Noise Assessment, prepared by YCA Engineering Limited, dated May 2019
- Waste Collection Plan, prepared by Candevcon Limited, dated May 6, 2019
- Fire Emergency Plan, prepared by Candevcon Limited, dated May 6, 2019
- Functional Servicing and Stormwater Management Report, prepared by CDC Candevcon Limited, dated November 2018
- Geotechnical Investigation and Slope Stability Assessment, prepared by Alston Associates, dated April 2019
- Hydrogeological Review, prepared by Terrapex Environmental Ltd., dated May 30, 2019
- Phase One Environmental Site Assessment, prepared by Terrapex Environmental Ltd., dated July 19, 2019

- Traffic Assessment Study, prepared by Candevcon Limited, dated May 6, 2019
- Tree Inventory Plan, Details and List, prepared by Cosburn Nauboris Ltd, dated March 25, 2019

## **8. Procedural Information**

### **8.1 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 enacts any by-law for this proposal
- any member of the public who wishes to be notified of Council's decision regarding this proposal must request such in writing to the City Clerk

## **9. Owner/Applicant Information**

The owner of these properties are 10046043 Canada Inc. & C. Wang represented by Brian Moss and Associates Ltd.

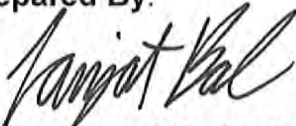
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## **Attachments**

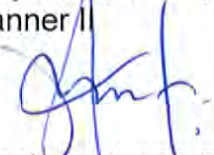
1. Location Map
2. Air Photo Map
3. Submitted Concept Plan
4. Submitted Draft Plan of Subdivision
5. Submitted Draft Plan of Condominium

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### **Prepared By:**

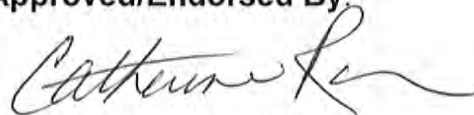


Tanjot Bal, MCIP, RPP  
Planner II



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

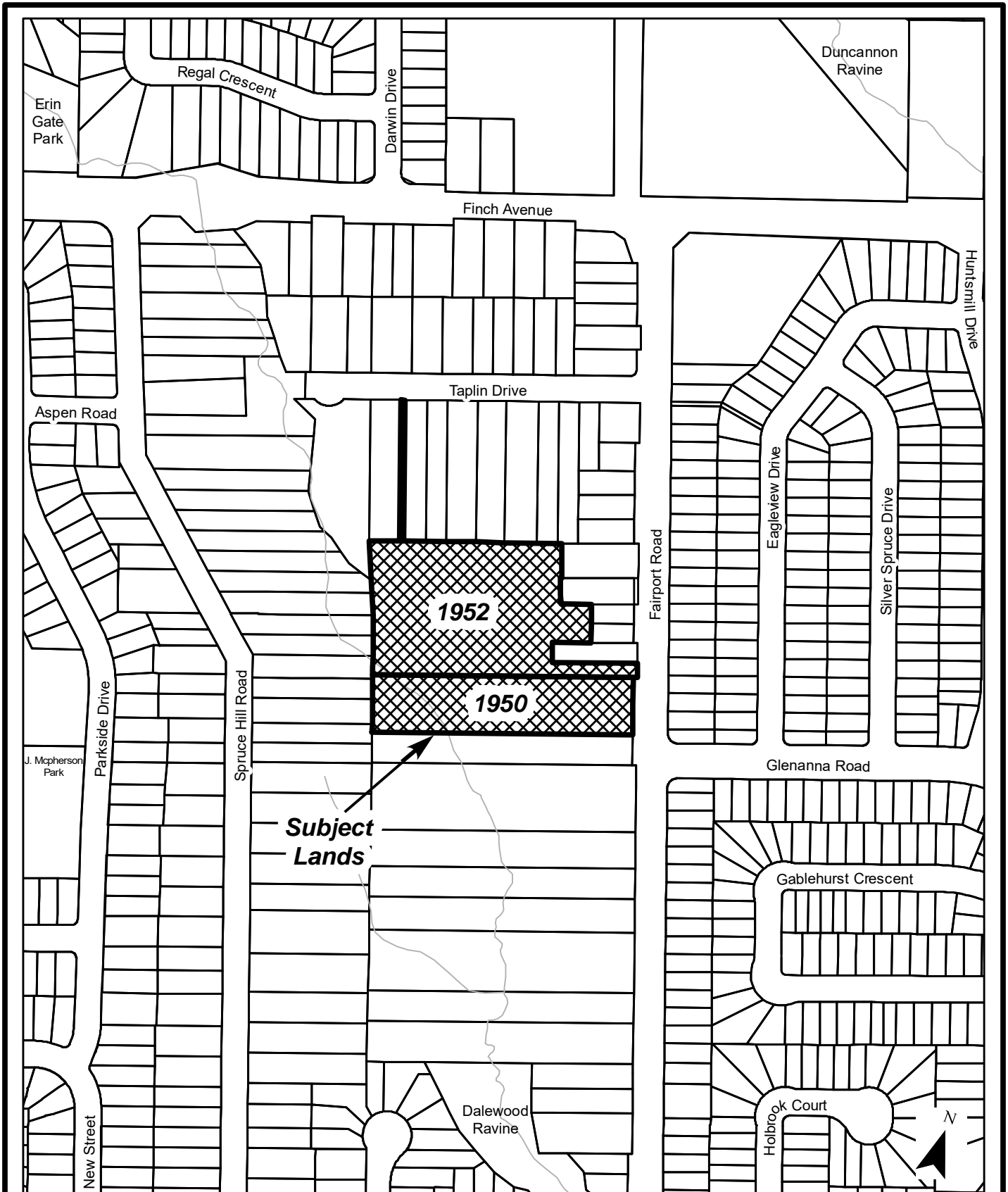
### **Approved/Endorsed By:**



Catherine Rose, MCIP, RPP  
Chief Planner

TB:ld

Date of Report: December 17, 2019



*City of*  
**PICKERING**  
City Development  
Department

**Location Map**

**File:** SP-2019-03, CP-2019-04 & A13-19

**Applicant:** 10046043 Canada Inc & C. Wang

**Property Description:** Lt 14, 29 & 30, Pt Lots 22-26 Plan 818, Pt 4 40R-29018, Pt 1 40R-29545  
& Pt 2 40R-30489, Pt 3 40R-30492 (1950 & 1952 Fairport Rd)

**Date:** Dec. 16, 2019

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City of  
**PICKERING**  
City Development  
Department

### Air Photo Map

**File:** SP-2019-03, CP-2019-04 & A13-19

**Applicant:** 10046043 Canada Inc & C. Wang

**Property Description:** Lt 14, 29 & 30, Pt Lots 22-26 Plan 818, Pt 4 40R-29018, Pt 1 40R-29545

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**Submitted Concept Plan**

**File No:** SP-2019-03, CP-2019-04 & A13-19

**Applicant:** 10046043 Canada Inc & C. Wang

**Property Description:** Lt 14, 29 & 30, Pt Lots 22-26 Plan 818, Pt 1 40R-29018, Pt 1 40R-29545 & Pt 2


40R-30489, Pt 3 40R-30492 (1950 & 1952 Fairport Rd)

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

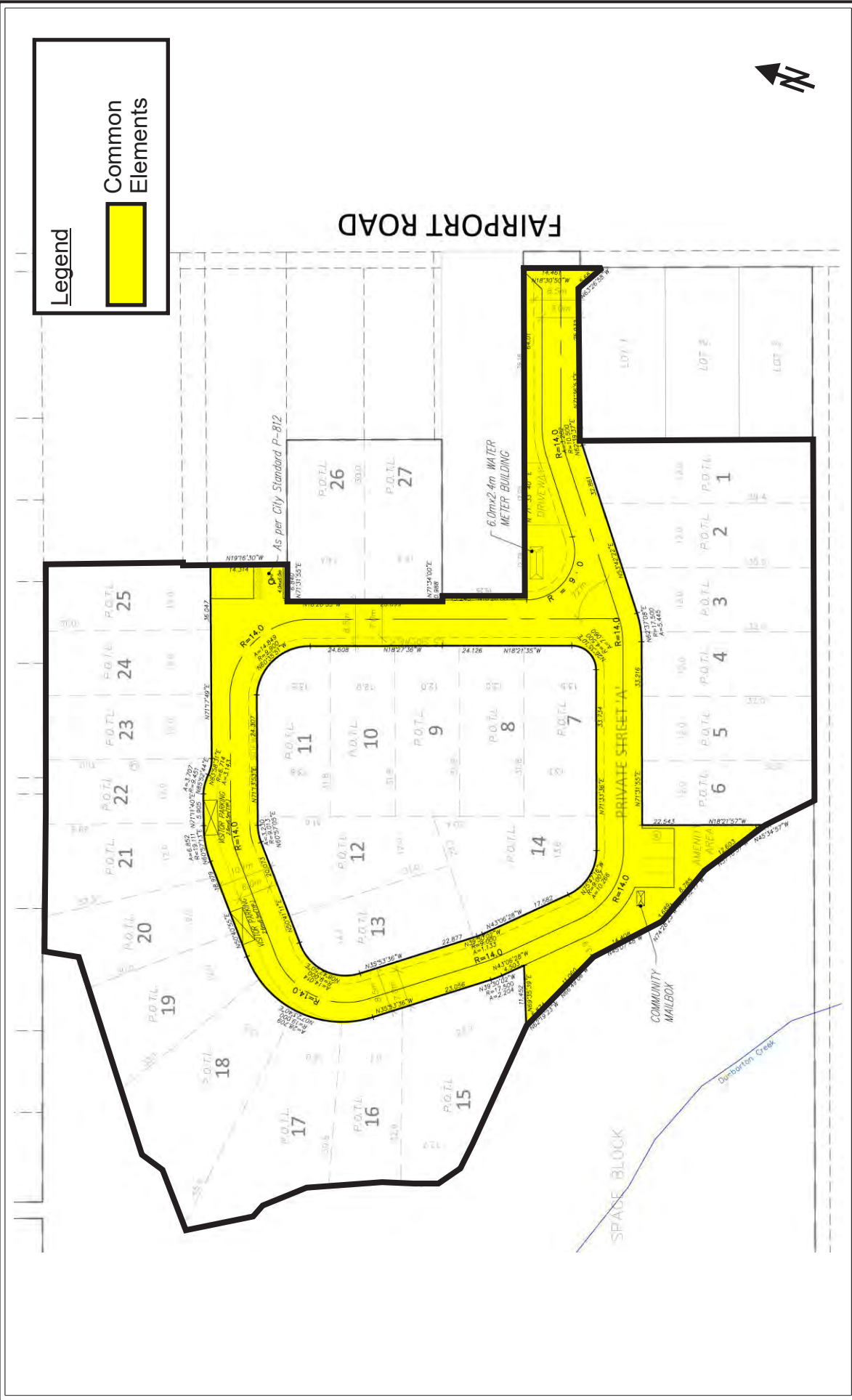
**DATE:** Nov 27, 2019

*City of*  
**PICKERING**  
City Development  
Department



<b>Submitted Draft Plan of Subdivision</b>	
 <b>PICKERING</b> City Development Department	<b>File No:</b> SP-2019-03, CP-2019-04 & A13-19 <b>Applicant:</b> 10046043 Canada Inc & C. Wang <b>Property Description:</b> Lt 14, 29 & 30, Pt Lots 22-26 Plan 818, Pt 4 40R-29018, Pt 1 40R-29545 & Pt 2 40R-30489, Pt 3 40R-30492 (1950 & 1952 Fairport Rd) FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.
<b>DATE:</b> Nov 27, 2019	





<div><div><div>City of</div><div>PICKERING</div><div>City Development Department</div></div></div>	<b>Submitted Draft Plan of Condominium</b>	
	<b>File No:</b> SP-2019-03, CP-2019-04 & A13-19	
	<b>Applicant:</b> 10046043 Canada Inc & C. Wang	
	<b>Property Description:</b> Lt 14, 29 & 30, Pt Lots 22-26 Plan 818, Pt 4 40R-29018, Pt 1 40R-29545 & Pt 2 40R-30489, Pt 3 40R-30492 (1950 & 1952 Fairport Rd)	
	FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.	
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