
From: Catherine Rose, MCIP, RPP
Chief Planner

Subject: Zoning By-law Amendment Application A 12/17
Brock Dersan Developments Inc.
Southwest corner of Brock Road and Dersan Street
(2540 and 2550 Brock Road)

1. Purpose of this Report

The purpose of this report is to provide preliminary information regarding a Zoning By-law Amendment application, submitted by Brock Dersan Developments Inc. to facilitate a residential condominium development. This report contains general information on the applicable Official Plan and other related policies, and identifies matters raised to date.

This report is intended to assist members of the public and other interested stakeholders to understand the proposal. The Planning & Development Committee will hear public delegations on the application, ask questions of clarification, and identify any planning issues. This report is for information and no decision on this application 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 are located at the southwest corner of Brock Road and Dersan Street within the Duffin Heights Neighbourhood (see Location Map, Attachment #1). The subject lands comprise three properties, having a combined area of approximately 2.54 hectares, with approximately 143 metres of frontage along Brock Road and approximately 195 metres of frontage along Dersan Street (see Air Photo Map, Attachment #2). The northwest corner of the property includes a hydro easement in favour of Hydro One. The property is currently occupied by a temporary sales office trailer and the remaining lands are vacant with clusters of trees that are proposed to be removed to accommodate the development.

Surrounding land uses include:

North: Across Dersan Street, vacant lands currently used for the temporary parking of tractor trailer and a municipal pumping station, and further north is the Devi Mandir

East: Across Brock Road, Duffin Meadows Cemetery and Pistritto's Farms Market

- South: Vacant lands for which the City has received complete applications, submitted by Madison Brock Limited, for a residential condominium development consisting of various stacked dwellings and street townhouses
- West: Across Four Seasons Lane (future north-south local road), vacant lands for which the City has received complete applications, submitted by 9004827 Canada Inc. (Stonepay), for a residential condominium development consisting of various stacked dwellings and back-to-back townhouses

3. Applicant's Proposal

The applicant has submitted a Zoning By-law Amendment application to facilitate a residential condominium development containing 411 units. The proposal includes:

- 2 apartment buildings having maximum building heights of 12 and 14-storeys containing a total of 176 apartment units
- 224 back-to-back stacked townhouse units
- 11 3-storey townhouse units

The development is proposed to be constructed in two phases. The first phase includes the back-to-back stacked townhouse units and the three-storey townhouses. The second phase of the development includes the two apartment buildings along Brock Road. A centrally located private open space area is proposed to serve the development. The private open space area is connected to an internal pedestrian pathway network that also provides connections to Brock Road, Dersan Street and Four Seasons Lane (see Submitted Conceptual Site Plan and Submitted Conceptual Rendering, Attachments #3 and #4).

The applicant proposes to utilize the Bonus Zoning provisions of the City's Official Plan to increase the maximum permitted density beyond what is allowed by the Official Plan, from 140 units per net hectare to 162 units per net hectare, in exchange for the provision of a community benefit under Section 37 of the *Planning Act*.

Vehicular access to the development will be provided from Dersan Street and from Four Seasons Lane (future north-south local road). Two levels of underground parking are proposed for residents and surface visitor parking spaces are located throughout site and within the property constrained by a Hydro One easement. In support of the proposal, the applicant is requesting the following resident and visitor parking ratios be utilized.

Housing Type	Proposed Parking Ratio and Location	Number of Units	Minimum Number of Parking Spaces proposed
Back-back-stacked Townhouses	1.25 resident spaces per unit (located within the underground parking structure)	224	280
Apartments	0.8 resident spaces per unit (located within the underground parking structure)	176	141

Housing Type	Proposed Parking Ratio and Location	Number of Units	Minimum Number of Parking Spaces proposed
Street Townhouses (no internal garage)	1.75 resident spaces per unit (one space on the driveway and a minimum of one space within the underground parking structure)	11	19
Total Minimum Resident Parking Based on Proposed Parking Ratios			440

	Proposed Parking Ratio and Location	Total Proposed Number of Units	Number of Parking Spaces
Visitor Parking	0.15 spaces per unit (located above ground)	411	62

Notwithstanding the above-noted proposed parking ratios and the minimum number of parking spaces proposed to be provided on-site to support the development, the concept plan illustrates a total of 580 parking spaces (500 spaces for residents and 80 spaces for visitors).

The development will be subject to site plan approval.

4. Policy Framework

4.1 Durham Regional Official Plan

The subject lands are designated as “Living Areas” with a “Regional Corridor” overlay in the Durham Regional Official Plan. Lands within this designation are predominately intended for housing purposes. In addition, limited office development and limited retailing of goods and services, in appropriate locations, as components of mixed use developments, are permitted. In the consideration of development proposals, regard shall be had to achieving a compact urban form, including intensive residential, office, retail and service, and mixed uses along arterial roads, in conjunction with present and potential transit facilities.

Regional Corridors shall be planned and developed in accordance with the underlying land use designation, as higher density mixed-use areas, supporting higher order transit services and pedestrian oriented design. Regional Corridors are intended to support an overall, long-term density target of at least 60 residential units per gross hectare and a floor-space index of 2.5, with a wide variety of building forms, generally mid-rise in height, with some higher buildings, as detailed in municipal official plans.

The application for a proposed high density development confirms to the Region of Durham Official Plan given the site is situated on a Regional Corridor and Transit Spine, which can support the proposed uses within close proximity to transit and active transportation.

Matters related to design and technical matters will be reviewed further.

4.2 Pickering Official Plan

The subject lands are located within the Duffin Heights Neighbourhood and are designated “Mixed Use Areas – Mixed Corridors”. 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.

Minimum and maximum residential densities are established for Mixed Corridors. The permitted density range for lands within this designation is over 30 units and up to and including 140 units per net hectare. The following table outlines the maximum permissible and proposed density for the development.

	Units per Net Hectare	Resulting total number of units
Maximum permitted density by the City’s Official Plan	140 units/ha	356 units
Proposed Maximum Density	162 units/ha	411 units
Difference between maximum permitted density and proposed density	additional 22 units/ha	additional 55 units

To facilitate the proposal, the applicant is requesting an increase in the maximum permitted density by 22 units per net hectare, which results in an additional 55 units beyond the maximum permitted density within the City’s Official Plan.

The applicant’s proposal will be reviewed in detail for conformity with the policies of the City’s Official Plan.

4.3 Bonus Zoning Policies

Section 37 of the *Planning Act* authorizes municipalities with appropriate Official Plan provisions to pass zoning by-laws for increases in height or density beyond what is permitted by the zoning by-law, in return for the provision by the applicant of community benefits. The City’s Official Plan contains such policy provisions which permit City Council to pass by-laws that grant an increase in height of a building or an increase in density not exceeding 25 percent of the density permitted by the Official Plan providing:

- the density or height bonus is given only in return for the provision of specific services, facilities or matters as specified in the by-law, such as but not limited to: additional open space or community facilities, assisted or special needs housing, the preservation of heritage buildings or structures, or the preservation of natural heritage features and functions
- when considering an increase in density or height, and allowing the provision of benefits off-site, the positive impacts of the exchange should benefit the social/cultural, environmental and economic health of surrounding areas experiencing the increased height and/or density
- the effects of the density or height bonus have been reviewed and determined by Council to be in conformity with the general intent of the Official Plan, by considering matters such as:
 - the suitability of the site for the proposed increase in density and/or height in terms of parking, landscaping, and other site-specific requirements
 - the compatibility of any increase in density and/or height with the character of the surrounding neighbourhood, and
- as a condition of granting a density or height bonus, the City requires the benefiting landowner(s) to enter into one or more agreements, registered against the title of the lands, dealing with the provision and timing of specific facilities, services or matters to be provided in return for the bonus

The applicant is proposing to use the Bonus Zoning provisions of the City's Official Plan to permit an additional 55 units beyond the maximum permitted density by the Official Plan. The applicant has advised that in return for the additional density, the applicant is proposing community improvements in the form of upgraded streetscaping and landscaping along the Brock Road corridor and at the Brock Road and Dersan Street intersection focus area and/or improvements to local parks.

The City is currently assessing the appropriateness of the applicant's request to use the density bonus provisions of the Official Plan and the proposed community benefit.

4.4 Duffin Heights Neighbourhood Policies

Policies for the Mixed Use Areas – Mixed Corridors designation in this neighbourhood require the following:

- new development to provide a strong and identifiable urban image by establishing buildings closer to the street, providing safe and convenient pedestrian access and requiring all buildings to be multi-storey
- require higher intensity multi-unit housing forms on lands adjacent to Brock Road and restrict grade related residential development to lands adjacent to collector or local roads
- the development of future roads adjacent to the Mixed Corridor designation on both sides of Brock Road to provide alternative access and potential transit routes

The subject lands are located at the intersection of Brock Road and Dersan Street, which has been identified as a Focal Point within the Duffin Heights Neighbourhood. Development within Focal Points is to contribute to the prominence of the intersection by requiring:

- initial development on each property to occur at the corner of the intersection
- the inclusion of appropriate provisions in the implementing zoning by-law to address such matters as the location and extent of build-to-zones, mix of permitted uses, and required building articulation
- the use of other site development features such as building design, building material, architectural features or structures, landscaping, public art and public realm enhancements such as squares or landscaped seating areas to help achieve focal point prominence, and
- all buildings to be a minimum of three functional storeys with four storey massing

The Duffin Heights Neighbourhood Policies also require landowners to:

- submit a Functional Servicing and Stormwater Management Report that demonstrates how the proposal is consistent with the Duffin Heights Environmental Servicing Plan to the satisfaction of the Region, City and the Toronto and Region Conservation Authority
- become a party to the cost sharing agreement for Duffin Heights or receive an acknowledgement from the Trustee of the Duffin Heights Landowners Group Inc. that the benefitting landowner has made satisfactory arrangements to pay its proportion of the shared development cost

The applications will be assessed against the Duffin Heights Neighbourhood policies and provisions of the Pickering Official Plan during the further processing of the applications.

4.5 Duffin Heights Neighbourhood Development Guidelines

The intent of the Duffin Heights Neighbourhood Development Guidelines is to further the objectives of the Official Plan and to achieve the following design objectives for the neighbourhood:

- to create a streetscape which is attractive, safe and encourages social interaction within the neighbourhood
- to establish a central focus to the neighbourhood which is safe, lively and attractive
- to provide a diversity of uses to support neighbourhood and City functions

The subject lands are delineated as Brock Road Streetscape on the Tertiary Plan, which encourages higher density, mid-rise and mixed use buildings with a high level of architectural quality. The Tertiary Plan also identifies the intersection of Brock Road and Dersan Street as a focal point that will require special design considerations through the use of appropriate building heights, massing, architectural features and landscaping in order to establish a prominent image at these intersections.

The guidelines for lands within the Brock Road Streetscape include the following requirements:

- properties fronting Brock Road shall be required to provide a built form across a minimum of 60 percent of the lot frontage
- all primary frontages of buildings shall front Brock Road and provide pedestrian access directly to the sidewalk and multi-use trail along Brock Road, and
- large walls visible from Brock Road shall be articulated through various treatments such as offsets in massing; blank façades will not be permitted facing Brock Road or any street

The application will be assessed against the Duffin Heights Neighbourhood Guidelines during the further processing of the application.

4.6 Zoning By-law 3037

The subject lands are currently zoned "A" – Rural Agricultural Zone within Zoning By-law 3037, as amended, which permits a detached dwelling, home occupation, agricultural and related uses, recreational and limited institutional uses. The applicant is requesting to rezone the subject lands to appropriate zone categories with site-specific performance standards to facilitate the proposal.

5. Comments Received

5.1 Resident Comments

As of writing of this report, no comments or concerns have been received.

5.2 City Department Comments

5.2.1 Engineering Services

- the owner shall satisfy the City respecting the submission of appropriate engineering drawings that detail, among other things, City services, roads, storm sewers, sidewalks, lot grading, street lights, fencing and tree planting, and financially secure such works
- the applicant is required to provide a platform for a future 2.0 metre wide sidewalk along Brock Road
- the applicant is required to coordinate with Hydro One regarding site features and landscaping proposed within the hydro corridor/easement and provide written confirmation that Hydro One is in agreement with the proposed works within the Hydro easement
- the Functional Servicing and Stormwater Management Report shall be updated to meet design requirements for minor system and provide the City with confirmation that the Region is in agreement with the proposed design
- the Preliminary Grading Plans shall be updated to identify grades around the perimeter of the site, all future road grades and property line grades are to be coordinated with the adjacent landowners
- tree compensation shall be provided for the removal of approximately 366 on-site trees
- barrier free path of travel is required to access the bus stop along Brock Road

5.3 Agency Comments

5.3.1 Region of Durham

- the application for a proposed high density development conforms to the Region of Durham Official Plan (ROP) given the site is situated on a Regional Corridor and Transit Spine, which can support the proposed uses within close proximity to transit and active transportation
- an updated Road Traffic Noise Impact Study shall be provided to the Region and the applicant is required to implement the recommended noise attenuation measures of the updated study affecting the proposed development in a Site Plan Agreement and/or Condominium Agreement to the satisfaction of the Region
- the submitted Stage 1 and Stage 2 Archeological Assessment report confirmed that the subject site does not contain archeological resources and no further archeological assessment would be required
- the Region will require that the Ministry of Tourism, Culture and Sport (MTCS) to review and approve the submitted archaeological report, and require MTCS's clearance letter advising that all archaeological requirements have been met to its satisfaction
- the submitted Phase One Environmental Site Assessment report concludes that there is low potential for environmental concern and recommends that no further environmental investigation is required, and the Region will require a completed Certificate of Insurance prior to Draft Plan of Condominium and/or Site Plan Approval
- a Waste Management Plan shall be completed if municipal service is requested
- if the development does not meet the Region's Guidelines and Standards for waste collection on private property, then the applicant will be responsible for retaining private waste collections services
- an engineering report will be required to confirm that the structure can carry the weight of the waste vehicle, given that a waste vehicle will be travelling over an underground parking structure

5.3.2 Hydro One Networks Inc. (HONI)

- the development proposal is abutting and encroaching onto HONI high voltage transmission corridor
- all technical requirements are required to be addressed to HONI's satisfaction

6. Planning & Design Section Comments

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

- ensure conformity with the City's Official Plan and Duffin Heights Neighbourhood policies
- assess the suitability and appropriateness of the site for the proposed increase in density
- determine if the proposed community benefit (improvements in the form of upgraded streetscaping and landscaping along the Brock Road corridor and at the Brock Road and Dersan Street intersection focus area and/or improvements to local parks) for the additional increase in density and the suitability for the community

- require an appraisal of the land to determine the value of Section 37 contribution
- ensure the proposal addresses the goals and objectives of the Duffin Heights Neighbourhood Development Guidelines with respect to building siting and setbacks, building heights and massing, architectural features and materials, landscaping, outdoor open space, and pedestrian connectivity within and external to the site
- review the resident and visitor parking standards proposed that are similar to the City Centre by-law and ensure that sufficient parking is provided to support the proposal
- conformation from Hydro required to permit parking within the Hydro easement
- ensure the vehicle entrance to the site is aligned with the future local road location of the development to the west
- evaluate the design of the pedestrian connections within the site and to the transit locations to ensure barrier free path of travel
- assess whether the size and configuration of the proposed private amenity space is appropriate for the proposed development
- assess whether additional parkland is required from the development, given City Council Resolution #323/17 expressing concerns with the lack of neighbourhood park space on the west side of Brock Road
- assess any potential shadow impacts from the proposed 12 and 14-storey buildings on the subject development and the surrounding future residential developments
- ensure an appropriate interface between buildings located on the southerly limits of the subject lands and the Madison development to the south
- review the setbacks between the stacked townhouse buildings
- ensure the preliminary grades, municipal services and utilities, vehicle access locations and construction timelines of future roads and other infrastructure are coordinated with abutting landowners to the west and south
- ensure the applicant becomes a party to the cost sharing agreement for Duffin Heights or receives an acknowledgement from the Trustee of the Duffin Heights Landowners Group Inc., that the benefitting landowner has made satisfactory arrangements to pay its proportions of the shared development cost
- further issues may be identified following receipt and review of comments from the circulated departments, agencies and public

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

7. Information Received

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

- Planning Justification Report, prepared by Evans Planning Inc., dated November, 2017
- Sustainability Development Report, prepared by Evans Planning Inc., dated December 2017
- Stage 1 & 2 Archaeological Assessment, prepared by Archaeologist Inc. dated February 2017

-
- Environmental Impact Study, prepared by Beacon Environmental Limited, dated November 2017
 - Hydrogeological Report, prepared by V.A. Wood Associates Limited, dated December 2016
 - Road Traffic Noise Impact Study, prepared by GHD, dated October 30, 2017
 - Geotechnical Investigation, prepared by V.A Wood Associates Limited, dated June 2016
 - Phase 1 ESA, prepared by V.A Wood Associates Limited, dated July 2016
 - Functional Serving and Stormwater Management Report, prepared by GHD, dated October 2017
 - Arborist Report, prepared by Beacon Environmental Limited, dated November 2017
 - Traffic Impact Study, prepared by GHD, dated November 2017

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

9. Owner/Applicant Information

The owner of this property is Brock Dersan Developments Inc. and represented by Evans Planning Inc.

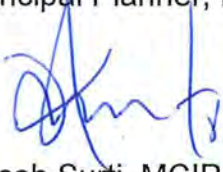
Attachments

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

Prepared By:



Cristina Celebre, MCIP, RPP
Principal Planner, Development Review



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

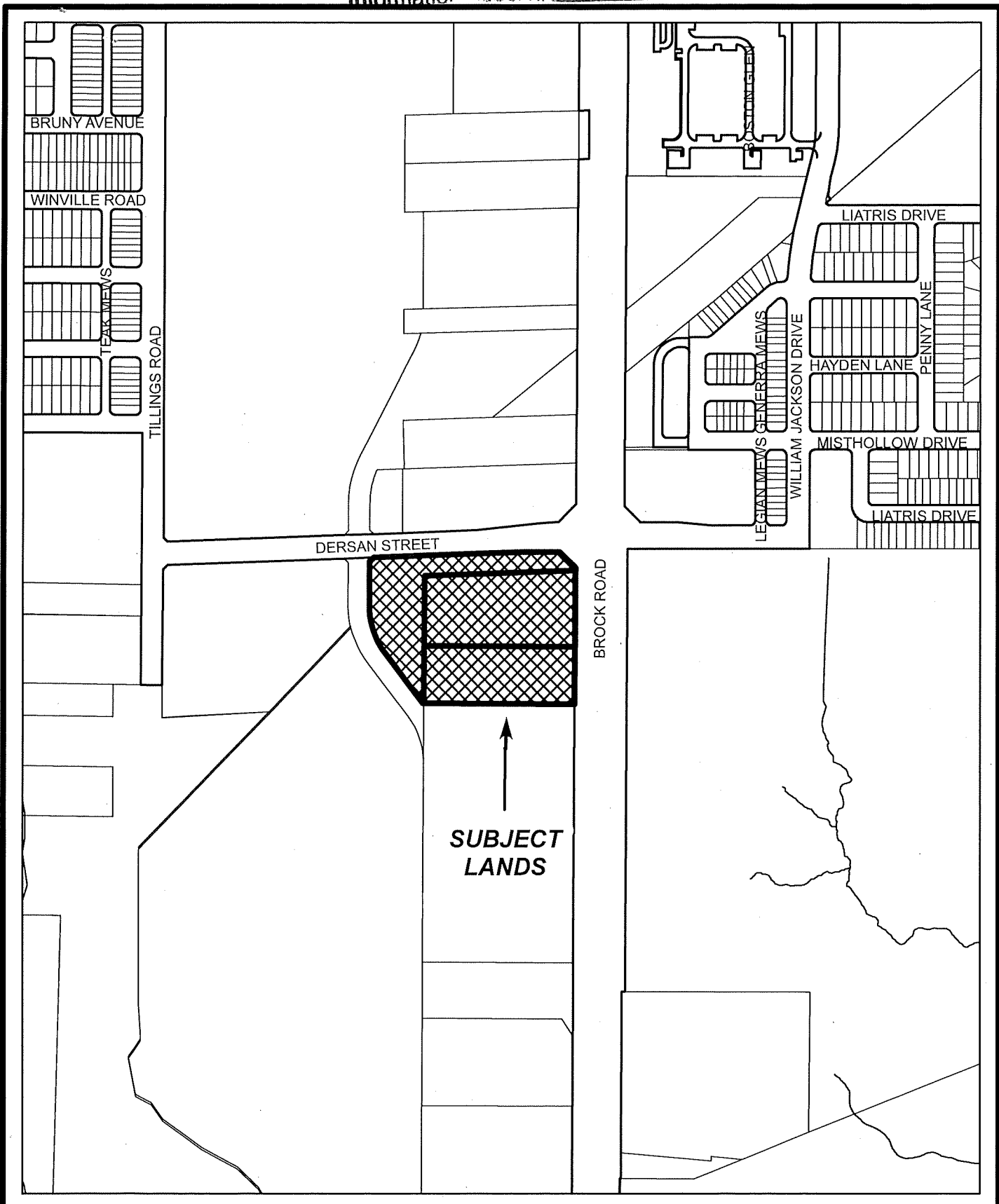
CC:ld

Date of Report: April 20, 2018

Approved/Endorsed By:

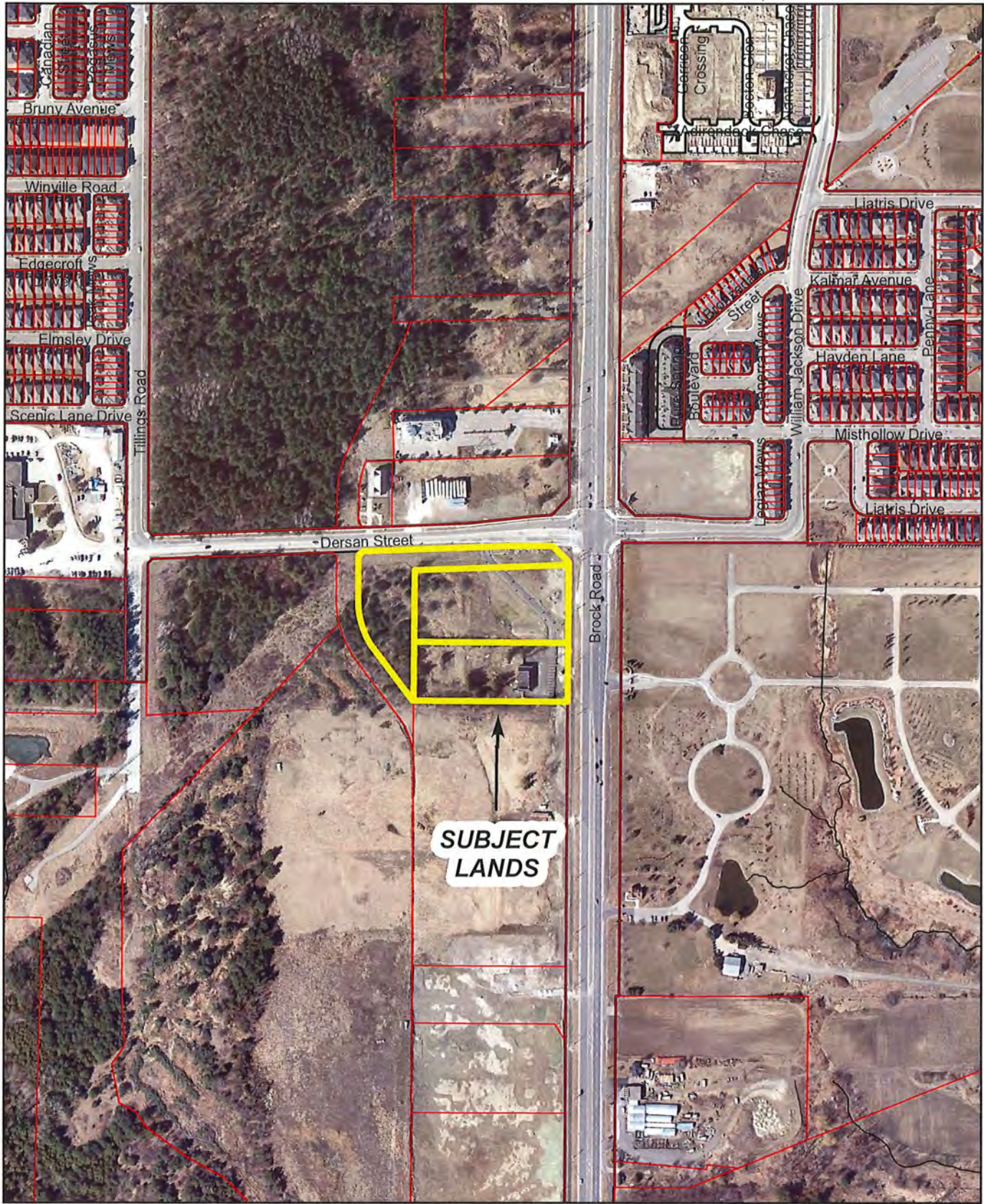


Catherine Rose, MCIP, RPP
Chief Planner



City of
PICKERING
 City Development
 Department

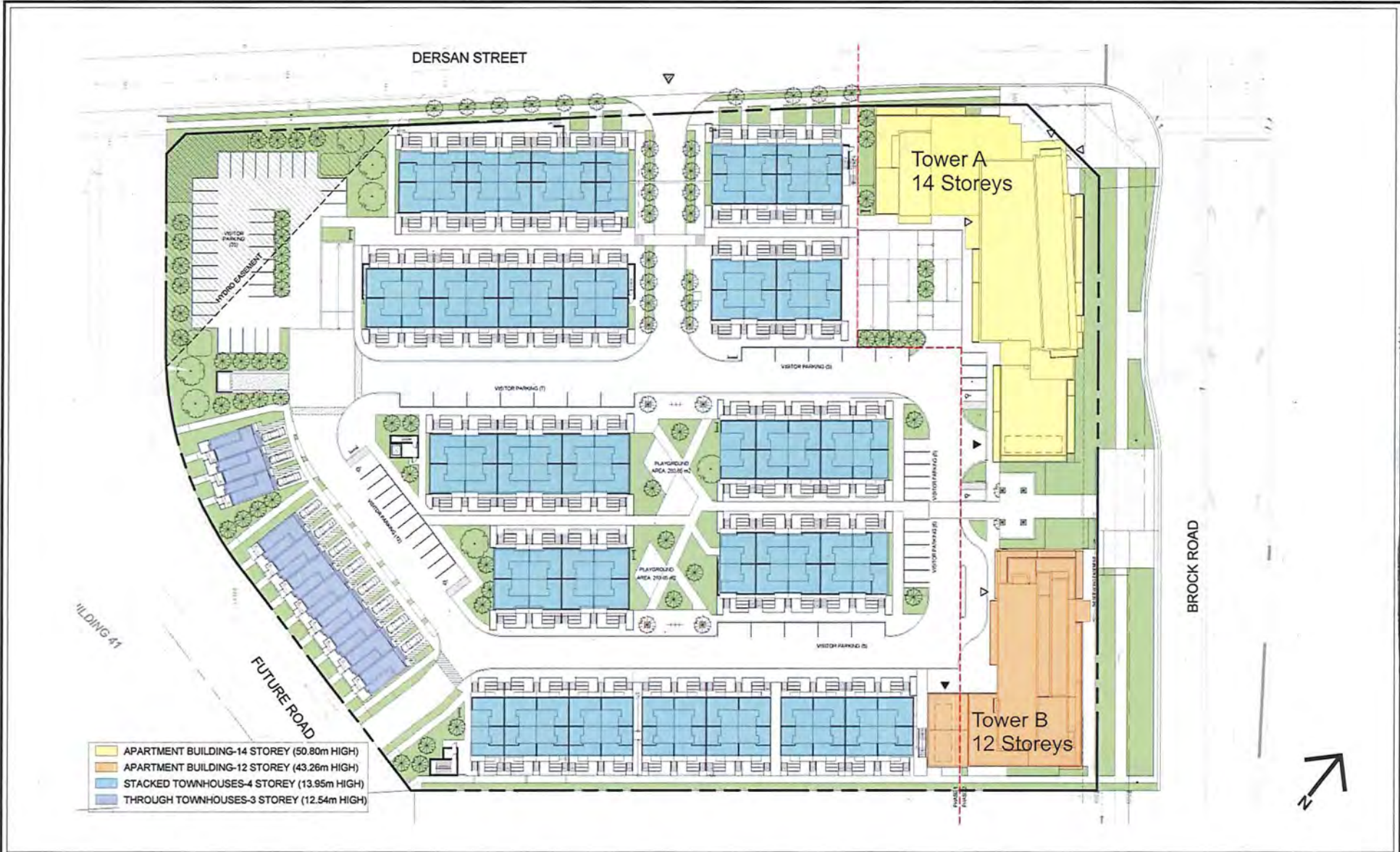
Location Map	
File: A 12/17	
Applicant: Brock Dersan Developments Inc.	
Property Description: Part Lot 19, Con 3, Part 1, 40R-27836, Parts 1 and 2, 40R-27837, Part 1, 40R-27838 and Part 1, 40R-2583 (2540 and 2550 Brock Road)	
Date: Dec. 21, 2017	SCALE: 1:5,000
<small>© The Corporation of the City of 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. © Municipal Property Assessment Corporation and its suppliers all rights reserved.</small>	
THIS IS NOT A PLAN OF SURVEY.	



**SUBJECT
LANDS**

<p>City of PICKERING City Development Department</p>	Air Photo Map	
	File: A 12/17	
	Applicant: Brock Dersan Developments Inc.	
	Property Description: Part Lot 19, Con 3, Part 1, 40R-27836, Parts 1 and 2, 40R-27837, Part 1, 40R-27838 and Part 1, 40R-2583 (2540 and 2550 Brock Road)	
	Date: Apr. 18, 2018	
	SCALE: 1:5,000	
	THIS IS NOT A PLAN OF SURVEY	

© 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; © Municipal Property Assessment Corporation and its suppliers all rights reserved.



City of
PICKERING
City Development
Department

Submitted Conceptual Site Plan

File No: A 12/17

Applicant: Brock Dersan Developments Inc.

Property Description: Part Lot 19, Con 3, Part 1, 40R-27836, Parts 1 and 2, 40R-27837, Part 1, 40R-27838 and Part 1, 40R-2583 (2540 and 2550 Brock Road)

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

DATE: Apr. 5, 2018



Attachment # 4 to
 Information Report # 06-18

City of
PICKERING
 City Development
 Department

Submitted Conceptual Rendering

File No: A 12/17

Applicant: Brock Dersan Developments Inc.

Property Description: Part Lot 19, Con 3, Part 1, 40R-27836, Parts 1 and 2, 40R-27837, Part 1, 40R-27838 and Part 1, 40R-2583 (2540 and 2550 Brock Road)

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

DATE: Apr. 5, 2018