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**From:** Kyle Bentley  
Director, City Development & CBO

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**Subject:** Zoning By-law Amendment Application A 01/19  
Draft Plan of Subdivision Application SP-2019-01  
Draft Plan of Condominium Application CP-2019-01  
Marshall Homes (Finch) Ltd.  
Part of Lots 31 and 32, Concession 2 South, Now Parts 2 to 4 and 6, 40R-29566  
and Part 2, 40R-29965  
(North side of Finch Avenue, west of Rosebank Road)

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**Recommendation:**

1. That Zoning By-law Amendment Application A 01/19, submitted by Marshall Homes (Finch) Ltd., to facilitate a residential common element condominium development consisting of 42 lots for detached dwellings, on lands located on the north side of Finch Avenue, west of Rosebank Road, be endorsed subject to the provisions contained in Appendix I to Report PLN 10-20, and that staff be authorized to finalize and forward an implementing Zoning By-law to Council for enactment; and
  2. That Draft Plan of Subdivision Application SP-2019-01, submitted by Marshall Homes (Finch) Ltd., to establish a single development block to facilitate a common element condominium, as shown on Attachment #6 to Report PLN 10-20, and the implementing conditions of approval, as set out in Appendix II, be endorsed.
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**Executive Summary:** The subject lands are located on the north side of Finch Avenue west of Rosebank Road within the Rouge Park Neighbourhood (see Location Map and Air Photo Map, Attachments #1 and #2).

Marshall Homes (Finch) Ltd. has submitted applications for a Zoning By-law Amendment, a Draft Plan of Subdivision and a Draft Plan of Condominium to facilitate a residential common-element condominium development for detached dwellings, accessed through an internal private looped road from Finch Avenue (see Original Conceptual Plan, Attachment #3).

The proposal was revised to incorporate additional lands that the applicant intends to acquire from Infrastructure Ontario, which will result in an increase in the total number of lots from 38 lots to 42 lots, a slight reduction in the minimum lot frontage for select internal lots, an increase the number of visitor parking spaces, and relocating the outdoor amenity area to a more visible location (see Revised Conceptual Plan, Attachment #4; Revised Draft Plan of Subdivision, Attachment #5; and Revised Draft Plan of Condominium, Attachment #6).

Subject: Marshall Homes (Finch) Ltd.  
(SP-2019-01, CP-2019-01, A 01/19)

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City Development staff are in support of the revised plan. The proposal conforms to the policies and density requirements of the City's Official Plan. The proposed site layout and design represents a logical and orderly development. The implementing zoning by-law provisions will result in a built form that is consistent with the Rouge Park Neighbourhood policies and is consistent with the Rouge Park Neighbourhood Development Guidelines (see Submitted Conceptual Elevations, Attachment #8).

The proposed development will not preclude the development of the adjacent lands immediately to the east and will not compromise the completion of the conceptual road connection from Finch Avenue to Rougewalk Drive and Mahogany Court, as contemplated by the Official Plan and the Neighbourhood Guidelines.

Accordingly, staff recommends that Council approve Zoning By-law Amendment Application A 01/19, and Draft Plan of Subdivision Application SP-2019-01, including the conditions of draft plan approval.

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

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## 1. Background

### 1.1 Property Description

The subject lands are located on the north side of Finch Avenue, west of Rosebank Road and south of the Canadian Pacific Railway (CPR) corridor within the Rouge Park Neighbourhood (see Location Map, Attachment #1). The subject lands comprise 4 properties having a combined area of 2.1 hectares with approximately 102 metres of frontage along Finch Avenue.

The subject lands are currently occupied by 2 detached dwellings and 2 accessory structures, which are proposed to be demolished. The remaining lands are vacant with a cluster of trees within the northwest corner of the site that are also proposed to be removed to accommodate the development (see Air Photo, Attachment #2).

Surrounding land uses include:

- North: Immediately to the north is the York/Durham truck sanitary sewer, and further north is the CPR corridor and the Enbridge Pipeline.
- East: Immediately to the east is a detached dwelling on a large lot. Further east is an established residential subdivision consisting of single and semi-detached dwellings fronting onto Rougewalk Drive and Mahogany Court.
- South: Across Finch Avenue are large residential lots fronting onto Finch Avenue that support detached dwellings, and further south is the Hydro Corridor.

West: Immediately to the west are lands owned by Infrastructure Ontario (IO) that contain a woodlot. Further west is a property owned by the Region of Durham containing a water tower, and a large woodlot owned by IO.

## 1.2 Applicant's Original and Revised Proposal

The applicant has submitted applications for Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium, to facilitate a residential common-element condominium development accessed through an internal private road.

The Original Conceptual Plan, as shown on Attachment #3, illustrates 38 lots for detached dwellings, a private outdoor amenity area and 11 visitor parking spaces. Since the original submission of the applications, the applicant has entered into discussions with IO to acquire an additional 0.145 of a hectare block of land immediately northeast of the subject lands.

As a result of the additional lands being incorporated into the proposal and through collaboration between City staff, agencies and the applicant, the following key changes have been made (see Revised Conceptual Plan, Attachment #4; Revised Draft Plan of Subdivision, Attachment #5 and Revised Draft Plan of Condominium, Attachment #6):

- the number of lots for detached dwellings has been increased from 38 lots to 42 lots
- the number of visitor parking spaces has been increased from 11 spaces to 14 spaces
- the most easterly vehicular access from Finch Avenue has been revised from a full access movement to a right-in/right-out access to the satisfaction of the Region of Durham
- the outdoor amenity area immediately south of Lot 20 has been relocated to abut an inside corner of the private street in order to improve the visibility and access for residents
- additional common element snow storage areas have been introduced
- rear yard setbacks for interior lots, and lots abutting the easterly lot line, have been increased from 6.5 metres to 7.0 metres
- the minimum lot frontage for 3 lots (Lot 21, 22 and 23) located in the north-westerly corner of the subject lands has been slightly reduced from 11.3 metres to 10.5 metres

Attachment #7 to this report summarizes the key details and zoning standards of the original and revised proposals. The development will be subject to site plan approval.

## 2. Comments Received

### 2.1 May 6, 2019 Statutory Public Information Meeting and Written Comments

A Statutory Public Meeting and Open House was held on May 6, 2019 at which 4 members of the public attended the meeting and Open House. No residents spoke at the Statutory Public Meeting. However, 2 residents asked questions and raised concerns at the Open House. Additionally, written comments were received from 1 area resident.

The following is a summary of key concerns and comments:

- the proposed plan does not have regard for the road pattern as contemplated by the neighbourhood development guidelines
- a temporary cul-de-sac should be required at the north-east corner of the proposed development, which would allow for the future connection of the Rougewalk Drive extension westward
- the proposed development does not have regard for the future development of the lands immediately to the east
- concerned that the two proposed accesses to the site will create an adverse operational impact on Finch Avenue and may compromise the location of the westerly extension of Rougewalk Drive to Finch Avenue
- requested that the applicant extend the required sanitary services east from Mapleview Court to service the proposed development to allow the existing dwellings along Finch Avenue that are currently on private services to have the opportunity to connect

## **2.2 City Departments & Agency Comments**

### **2.2.1 Region of Durham**

- no objection to the proposal subject to the conditions of draft approval of the plan of subdivision and plan of condominium (common element)
- the proposed development is consistent with Provincial Policy Statement policies that encourage the efficient use of land, infrastructure and planned public service facilities
- the applications are generally in conformity with the objectives of the Growth Plan for the Greater Golden Horseshoe
- the Regional Official Plan designates the subject lands as “Living Areas”, which are intended to be used predominantly for housing purposes with a mix of housing types, sizes, and tenure
- municipal water supply can be provided from the existing watermain on Finch Avenue and sanitary sewer servicing is available to be extended to the subject site from the existing sanitary sewer on Finch Avenue, west of Mapleview Court
- as a condition of approval, the Region requires the applicant agree to implement all recommended noise attenuation measures and warning clauses of the Noise Impact Study, prepared by YCA Engineering, in the City's subdivision agreement
- as a condition of approval, the Region requires that the applicant convey a road allowance widening to provide a minimum of 15.0 metres from the centerline of Finch Avenue
- as a condition of approval, the Region requires the applicant to submit an archeological assessment and obtain Ministry of Tourism, Culture and Sport's clearance letter indicating all cultural heritage resource requirements at the site have been met

## **2.2.2 City of Pickering Engineering Services Department**

- no objection to the proposal subject to the conditions of draft approval attached
- the owner shall satisfy all requirements, financial and otherwise of the City of Pickering including, among other matters, the execution of a subdivision agreement between the owner and the City concerning the provision and installation of roads, services, grading, drainage, utilities, tree compensation, construction management, cash-in-lieu of parkland, noise attenuation, cost recovery and any other matters

## **2.2.3 Toronto and Region Conservation Authority (TRCA)**

- the southwesterly edge of the subject lands is regulated by the TRCA under O. Reg. 166/06 due to the presence of a wetland area of interference
- portions of the lands along the north and west boundary are identified as "Significant Woodlands" and "Rouge Duffins Wildlife Corridor" under the City's Official Plan and an Environmental Impact Study was required to be prepared
- TRCA has no objections to the proposal subject to the conditions of draft approval of the plan of subdivision provided

## **2.2.4 Durham District School Board**

- no objection to the proposed development
- approximately 20 elementary students could be generated through the proposed development
- students generated through this development will attend existing school facilities

## **2.2.5 Durham Catholic District School Board**

- no objections to the proposed development
- students from this development will attend St. Elizabeth Seton Catholic Elementary School and St. Mary Catholic Secondary School

## **2.2.6 Canadian Pacific Railway (CPR)**

- no objections to the proposed development
- CPR requires that a clause be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling within 300 metres of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units; and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations

### 3. Planning Analysis

#### 3.1 The proposal is consistent with the policies of the Official Plan

The subject lands are designated as “Urban Residential Areas – Low Density Areas” within the Pickering Official Plan, which provides for housing and related uses with a net residential density of up to and including 30 units per net hectare. The proposed development will result in a density of approximately 21 units per net hectare, which falls within the permitted density range of this designation.

Portions of the subject lands along the north and west boundaries are designated “Open Space System – Natural Areas”. The Natural Areas land use designation is further identified as “Significant Woodlands” and “Rouge Duffins Wildlife Corridor”. An Environmental Impact Study is required for proposals within 120 metres of a natural heritage or hydrologic feature.

The applicant has submitted a Scoped Environmental Impact Study (EIS), prepared by Savanta Inc., dated March 2020. The Study undertook an assessment of the quality and extent of natural heritage features found on and adjacent to the subject lands, and the potential impacts to these features from the proposed development. The Study concludes that there are no significant valleylands or woodlands on the subject property and confirms that the lands are not a habitat for fish or endangered/threatened species. TRCA has reviewed EIS and is satisfied with the conclusions of the Study.

The Study provides recommended mitigation measures related to stormwater management and site grading that can be implemented in order to maintain and enhance the most important natural features and functions associated with the Rouge-Duffins wildlife corridor surrounding Petticoat Creek and Amberlea Creek Watersheds. The conditions of draft plan of subdivision approval contain requirements for the preparation and approval of site grading and stormwater management plans. As a part of the detailed design stage, the proposed mitigation measures will be implemented.

The proposed residential development is consistent the policies of the City’s Official Plan.

#### 3.2 The proposal is consistent with the design objectives of the Rouge Park Neighbourhood Policies and Development Guidelines

The Rouge Park Neighbourhood Policies and Development Guidelines establish goals and provide specific criteria to ensure lands are developed in a cohesive, well-designed neighbourhood.

The Neighbourhood Policies discourage designs which require the use of reverse frontages, berms and significant noise attenuation fencing adjacent to Finch Road.

The Neighbourhood Guidelines outline that a network of both public and private roads will be required within the developable area of the neighbourhood to provide for permeability and to facilitate efficient vehicular and pedestrian circulation. The Guidelines specify that for ground-related dwellings, such as detached dwellings, attention to a dwelling’s relationship with the street is important. Accordingly, their design should consider the following principals:

- homes should feature prominent main entrances that are easily identifiable and visible from street;
- homes should provide windows and doorways at the front face of the house to provide “eyes on the street”;
- homes should offer an amenity area that accommodates opportunity for street-side interaction; and
- garages should be scaled and integrated with the design of a house such that it is not the dominant aspect of the home.

The proposal has been reviewed against both the neighbourhood polices and the Development Guidelines and the proposed zoning by-law provision will facilitate future detached dwellings that are in keeping with the established built form along Finch Avenue (see Submitted Conceptual Elevations, Attachment #8).

Through the site plan approval process, staff will continue to work with the applicant to further review detailed urban design and architectural matters in accordance with the Rouge Park Neighbourhood Development Guidelines including: detailed building location and siting; internal pedestrian circulation and connections; internal landscaping and final design of the private amenity areas; architectural design and materials; and the location of community mailboxes, water meter room, hydro transformers, gas meters and other utilities.

### **3.3 Response to Key Concerns raised at the May 6, 2019 Public Meeting**

The table below summarizes the key concerns raised at the May 6, 2019 Planning & Development Committee meeting and staff's response.

<b>Concerns</b>	<b>Staff's Response</b>
Ensuring the submission of Environmental Impact Study to the satisfaction of the TRCA and City.	<p>As noted in Section 3.2 of this report, the applicant has submitted a scoped Environmental Impact Study (EIS). TRCA has advised that they are satisfied with the recommendations of the EIS, which will be implemented through the detailed design, as a condition of draft plan of subdivision approval and the site plan approval process.</p>
The proposed plan does not have regard for the road pattern as contemplated by Neighbourhood Guidelines or for the future development of the lands immediately to the east.	<p>The road pattern as conceptually contemplated through the Official Plan and Neighbourhood Guidelines can be achieved without traversing through the subject lands.</p> <p>In February 2017, Medallion Developments requested a pre-consultation meeting for their lands at 450 Finch Avenue to discuss a residential subdivision consisted of 28 single detached dwellings fronting onto a proposed public road. The proposed public road will provide a road connection from Finch Avenue to Rougewalk Drive and Mahogany Court, as contemplated by the Official Plan and Neighbourhood Guidelines, without relying the subject lands.</p> <p>The proposed development of the subject lands will not preclude the future development of the lands immediately to the east (450 Finch Avenue).</p>

Concerns	Staff's Response
Requested the required sanitary services be extended west from Mapleview Court to allow the existing dwellings along Finch Avenue, which are currently privately serviced, to have the opportunity to connect.	<p>The proposed sanitary services will be extended westerly from Mapleview Court to the subject lands.</p> <p>The Region of Durham has confirmed that sanitary sewer servicing is available to be extended to the subject site from the existing sanitary sewer on Finch Avenue, which currently terminates west of Mapleview Court. The applicant's submitted Functional Servicing Report indicates that the sanitary sewer services will be extended easterly from its current termination.</p> <p>It will be the responsibility of the individual property owners to contact the Region to determine the costs, requirements and feasibility of connecting to the sanitary sewer, once extended to service the subject lands.</p>
Ensuring appropriate amenity areas.	<p>The proposal will be well served by private rear yards and a private amenity area.</p> <p>Outdoor amenity space requirements are sufficiently addressed by providing private rear yard for the proposed dwellings. In addition, a 240 square metre private outdoor amenity area is proposed immediately north of Lot 24.</p> <p>The applicant has provided a preliminary landscape plan demonstrating that the size and configuration of this amenity area can support a children's play area, landscaping, walkways and a covered seating area.</p> <p>The conditions of draft plan of subdivision approval contain a condition for the payment by the owner of cash-in-lieu of parkland.</p>
Ensuring the proposed accesses maintain the Region's minimum private access spacing requirements.	<p>The proposed development is supported by a looped private road which has access to Finch Avenue from two locations. The applicant has worked directly with the Region of Durham to revise the most easterly access onto Finch Avenue to restrict this entrance to a right-in/right-out movement only. The most westerly access remains a full movement access.</p> <p>The Region is satisfied with the proposed access location and will not compromise the location of the westerly extension of Rougewalk Drive to Finch Avenue.</p>
Ensuring the landowner pays its proportionate share of the cost of the Rouge Park Neighbourhood Study and the cost of the Finch Avenue Storm Sewer.	<p>The conditions of draft plan of subdivision approval contain a condition for the payment by the owner of their proportionate share of the cost for the Rouge Park Neighbourhood Study and Finch Avenue Storm Sewer.</p>

**3.4 Technical matters will be addressed as conditions of subdivision approval and through site plan approval**

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

- drainage and grading
- site servicing
- noise attenuation
- cash-in-lieu of parkland
- tree compensation
- requirements for Construction Management Plan
- landscaping
- resident, visitor and accessible parking spaces
- emergency vehicle access
- waste management collection
- location of community mailboxes
- location of water meter room, hydro transformers, gas meters and other utilities

**3.5 Draft Approval of the Draft Plan of Condominium is delegated to the Director, City Development**

Applications for standard and common element condominium are delegated to the Director, City Development for final approval. No further approvals are required at this time.

**3.6 Conclusion**

The applicant's proposal satisfies the applicable Official Plan policies for the Rouge Park Neighborhood, and also addresses the applicable urban design requirements as established in the Rouge Park Development Guidelines. The applicant has worked with City staff and external agencies to address various technical requirements.

Staff support Zoning By-law Amendment Application A 01/19 and recommend that the site specific implementing by-law, containing the standards set out in Appendix I to this Report be finalized and brought before Council for enactment. Staff recommends Council endorse Draft Plan of Subdivision SP-2019-01 as shown on Attachment #5 to the Report and the Conditions of Approval set out in Appendix II to this Report.

**3.7 Applicant's Comments**

The applicant supports the recommendations of this report.

**Appendices**

Appendix I Recommended Zoning By-law Provisions for Zoning By-law Amendment

Application A 01/19

Appendix II Recommended Conditions of Approval for Draft Plan of Subdivision SP-2019-01

**Attachments**

1. Location Map
2. Air Photo Map
3. Original Conceptual Plan
4. Revised Conceptual Plan
5. Revised Draft Plan of Subdivision
6. Revised Draft Plan of Condominium
7. Summary of Key Details and Zoning Standards
8. Submitted Conceptual Elevations

**Prepared By:**Cody Morrison  
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Manager, Development Review  
& Urban Design

CM:Id

**Approved/Endorsed By:**Catherine Rose, MCIP, RPP  
Chief PlannerKyle Bentley, P.Eng.  
Director, City Development & CBO

Recommended for the consideration  
of Pickering City Council

Tony Prevedel, P.Eng.  
Chief Administrative Officer

**Appendix I to  
Report PLN 10-20**

**Recommended Zoning By-law Provisions for  
Zoning By-law Amendment Application A 01/19**

## **Recommended Zoning By-law Provisions for Zoning By-law Amendment Application A 01/19**

That the implementing zoning by-law permit the establishment of single detached dwellings in accordance with the following provisions:

1. Permitted uses include Detached Dwellings, Accessory Dwelling Unit, Private Park and Water Meter Room
2. Maximum Number of Lots: 42 Lots
3. Minimum Lot Frontage: 11.3 metres, except for Lots 21 to 23, where a Minimum Lot Frontage of 10.5 metres is required
4. Minimum Lot Area: 300 square metres
5. Minimum Front Yard Setback:
  - a) 4.5 metres to the front wall of the dwelling
  - b) 6.0 metres to the front wall of the attached garage
6. Minimum Rear Yard Setback:
  - a) Lots 1 to 11 and 30 to 42: 7.0 metres
  - b) Lots 12 to 23 and 25 to 29: 6.5 metres
  - c) Lot 24: 5.0 metres
7. Minimum Interior Side Yard Setback: 1.2 metres on one side & 0.6 metres on the other side.
8. Minimum Flankage Yard Setback: 2.5 metres
9. Maximum Lot Coverage: 50 percent
10. Uncovered deck, uncovered or covered porch, and uncovered steps are permitted to project a maximum of 2.0 metres into any required front yard or rear yard or half the distance of the required yard, whichever is less.
11. Window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, and other similar architectural features may be permitted in any required yard, provided that no such feature projects greater than 0.6 of a metre or half the distance of the required yard, whichever is less.
12. Maximum Building Height: 11.0 metres
13. A minimum of 1 Private Attached Garage per lot.

14. Minimum Interior Dimensions of Private Garage:
  - a) Width: 5.4 metres
  - b) Length: 5.9 metres
15. Minimum 240 square metres for private park area (outdoor amenity area).
16. Minimum 2.0 parking spaces per detached dwelling plus an additional 1.0 parking space per Accessory Dwelling Unit and an additional 0.25 of a space per detached dwelling for visitors.
17. Maximum Accessory Dwelling Unit Size: 150 square metres
18. Provisions to permit model homes.

**Appendix II to  
Report PLN 10-20**

**Recommended Conditions of Approval  
for Draft Plan of Subdivision SP-2019-01**

**Recommended Conditions of Approval for  
Draft Plan of Subdivision SP-2019-01**

**General Conditions**

1. That the Owner shall prepare the final plan generally on the basis of the Draft Plan of Subdivision, prepared by Design Plan Services, identified as Drawing Number 1677-64a, dated May 20, 2020, which illustrates one development block and two-blocks for a road widening.

**Region of Durham**

2. That the Owner shall name the road allowance included in this draft plan to the satisfaction of the Regional Municipality of Durham and the City of Pickering.
3. That the Owner shall submit plans showing the proposed phasing to the Regional Municipality of Durham and the City of Pickering for review and approval if this subdivision is to be developed by more than one registration.
4. That the Owner shall grant such easements as may be required to provide Regional services for this development. The easements shall be in locations and of such widths as determined by the Regional Municipality of Durham.
5. That the Owner shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Owner shall provide for the extension of sanitary sewer and water supply facilities within the limits of this plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Regional Municipality of Durham. All arrangements, financial and otherwise, for said extensions are to be made to the satisfaction of the Regional Municipality of Durham, and are to be completed prior to final approval of this plan.
6. That prior to entering into a subdivision agreement, the Regional Municipality of Durham shall be satisfied that adequate water pollution control plant and water supply capacities are available to the proposed subdivision.
7. That the Owner shall satisfy all requirements, financial and otherwise, of the Regional Municipality of Durham. This shall include, among other matters, the execution of a subdivision agreement between the Owner and the Regional Municipality of Durham concerning the provision and installation of sanitary sewers, water supply, roads and other Regional Services.
8. That the Owner shall convey sufficient road allowance widening to provide a minimum of 15.0 metre measured from the centreline of the right-of-way to the north street line across the total Finch Avenue frontage.

9. That prior to the finalization of this plan of subdivision, the Owner shall provide satisfactory evidence to the Regional Municipality of Durham in accordance with the Region's Site Contamination Protocol to address site contamination matters. Such evidence may include the completion of a Regional Reliance Letter and Certificate of Insurance. Depending on the nature of the proposal or the findings of any Record of Site Condition (RSC) Compliant Phase One Environmental Site Assessment (ESA), an RSC Compliant Phase Two ESA may also be required. The findings of the Phase Two ESA could also necessitate the requirement for an RSC through the Ministry of the Environment, Conservation and Parks, accompanied by any additional supporting information.
10. That the Owner shall carry out an archaeological assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Heritage, Sport, Tourism and Culture Industries.
11. That the Owner shall agree in the City of Pickering Subdivision Agreement to implement the recommendation of the report, entitled "Environmental Noise Assessment – Revised, 390, 398, 402, 414, and 422 Finch Avenue" prepared by YCA Engineering dated May 2018, revised March 2020, which specifies noise attenuation measures for the development. The measures shall be included in the Subdivision Agreement and must also contain a full and complete reference to the noise report (i.e., author, title, date and any revisions/addenda) and shall include warning clauses identified in the study.

### **Subdivision Agreement**

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

### **40M-Plan**

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

### **Land Acquisition**

14. That the Owner shall provide a land transfer certificate to the satisfaction of the City Development Department confirming that the Owner has acquired title to the lands legally described as Part of Lot 31, Concession 2 South, Now Part 5, 40R-29566 from Infrastructure Ontario which forms Part of Block 1 as identified on the Draft Plan of Subdivision, prepared by Design Plan Services.

## **Street Names**

15. That street names and signage be provided to the satisfaction of the Region of Durham and the City.

## **Development Charges & Development Review & Inspection Fee**

16. That the Owner satisfies the City financially with respect to the *Development Charges Act*.
17. That the Owner satisfies the City with respect to payment for engineering review fees, lot grading review fee and inspection fees.

## **Architectural Control**

18. That the Owner submits preliminary model designs for sale to be reviewed and approved by the City's Urban Design Review Consultant. The Owner will be responsible for the City's full cost of undertaking this review.

## **Pre-Condition Survey**

19. That the Owner submits a pre-condition survey for 402 Finch Avenue to the satisfaction of the City. The surveys must be prepared by a qualified professional and must be undertaken prior to any site works commencing.

## **Cost Recovery**

20. That the Owner satisfies the City with payment in the amount of \$1,066.00 for their proportionate share of the preparation of the Rouge Park Neighbourhood Study.
21. That the Owner satisfies the City with payment in the amount of \$26,143.20, for their proportionate share for the installation of the Finch Avenue storm sewer from Rosebank Road to Napanee Road.

## **Stormwater**

22. That the Owner satisfies the Director, Engineering Services respecting the stormwater drainage and management system to service all the lands in the subdivision and any provision regarding easements.
23. That the Owner satisfies the Director, Engineering Services for contributions for stormwater maintenance fees.
24. That the Owner satisfies the Director, Engineering Services for the design and implementation of stormwater management facilities and easements for outfalls and access to the outfalls.

## **Grading**

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

## **Geotechnical Investigation**

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

## **Fill & Topsoil**

28. That the Owner acknowledges that the City's Fill & Topsoil Disturbance By-law prohibits vegetation or soil disturbance, vegetation or soil removal or importation to the site. No on-site works prior to the City issuing authorization to commence works is permitted.

## **Construction/Installation of City Works & Services**

29. That the Owner satisfies the Director, Engineering Services respecting the construction of roads, storm sewers, sidewalks and boulevard designs through the submission and approval of a Site Servicing Plan.
30. That the Owner satisfy the City respecting arrangements for the provision of all services required by the City.
31. That the Owner satisfies the appropriate authorities respecting arrangements for the provision of underground wiring, street lighting, cable television, natural gas and other similar services.
32. That the Owner agrees that the cost of any relocation, extension, alteration or extraordinary maintenance of existing services necessitated by this development shall be the responsibility of the Owner.

## **Phasing & Development Coordination**

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

## **Dedications/Transfers/Conveyances**

34. That the Owner conveys to the City, at no cost, all road allowances with the proper corner roundings and sight triangles.

## Easements

35. That the Owner conveys, to the satisfaction of the City, at no cost, any required easement for works, facilities or user rights that are required by the City.
36. That the Owner conveys any easement to any utility provider to facilitate the installation of their services in a location(s) to the satisfaction of the City and the utility provider.
37. That the Owner arranges, at no cost to the City, any easements required on third party lands for servicing and such easements shall be in a location as determined by the City and/or the Region and are to be granted upon request any time after draft approval.

## Construction Management Plan

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

## Fencing

39. That the Owner satisfies the City with respect to the provision of temporary fencing around the entire perimeter of the subject lands during construction, prior to the commencement of any works.
40. That the Owner agrees to install a 1.8 metre high board-on-board wood privacy fence along the east, west, and south property lines, where there is adjacent existing residential lot fronting onto Finch Avenue.

41. That the Owner agrees to install a 2.4 metre acoustical fence in the locations recommended in the Environmental Noise Assessment – Revised, 390, 398, 402, 414, and 422 Finch Avenue, prepared by YCA Engineering Limited, dated May 2018, revised March 2020.
42. That the Owner agrees to install a 1.8 metre high chain-link fence along the east and west property lines, where the lands abut another property and an acoustic fence is not required.

### **Landscape**

43. That the Owner satisfies the Director, Engineering Services respecting the submission and approval of a Street Tree-Planting Plan.
44. That the Owner satisfies the Director, Engineering Services with the submission of a tree preservation plan which will illustrate the protection of trees and other natural features where appropriate, with specific attention to preservation in all public open spaces prior to the approval of a Preliminary Grading Plan.

### **Tree Compensation**

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

### **Engineering Plans**

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

## Noise Attenuation

48. That the owner agrees in the subdivision agreement to implement noise control measures and warning clauses as recommended in the "Environmental Noise Assessment – Revised, 390, 398, 402, 414, and 422 Finch Avenue", prepared by YCA Engineering Limited, dated May 2018, revised March 2020.

## Parkland Dedication

49. That the Owner satisfies the City with respect to the payment of cash-in-lieu in accordance with the parkland dedication requirements of the *Planning Act*.

## Fire

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

## Model Homes

51. That the Owner enters into a model home agreement with the City, if applicable for this draft plan. All model homes must satisfy all requirements of the siting and architectural design statement.

## Canada Post

52. That the Owner agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
53. That the Owner agrees to consult with Canada Post Corporation to determine suitable location for the placement of Community Mailbox and to indicate these locations on appropriate servicing plans.
54. That the Owner agrees to provide an appropriately sized sidewalk section (concrete pad) for the Community Mailbox to be placed on, any required walkway across the boulevard and any required curb depression for barrier free access.
55. That the Owner agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox location.

## Toronto and Region Conservation Authority (TRCA)

56. The Owner shall apply for and receive a TRCA permit under O. Reg. 166/06 prior to any grading or development taking place in the regulated area of the property.

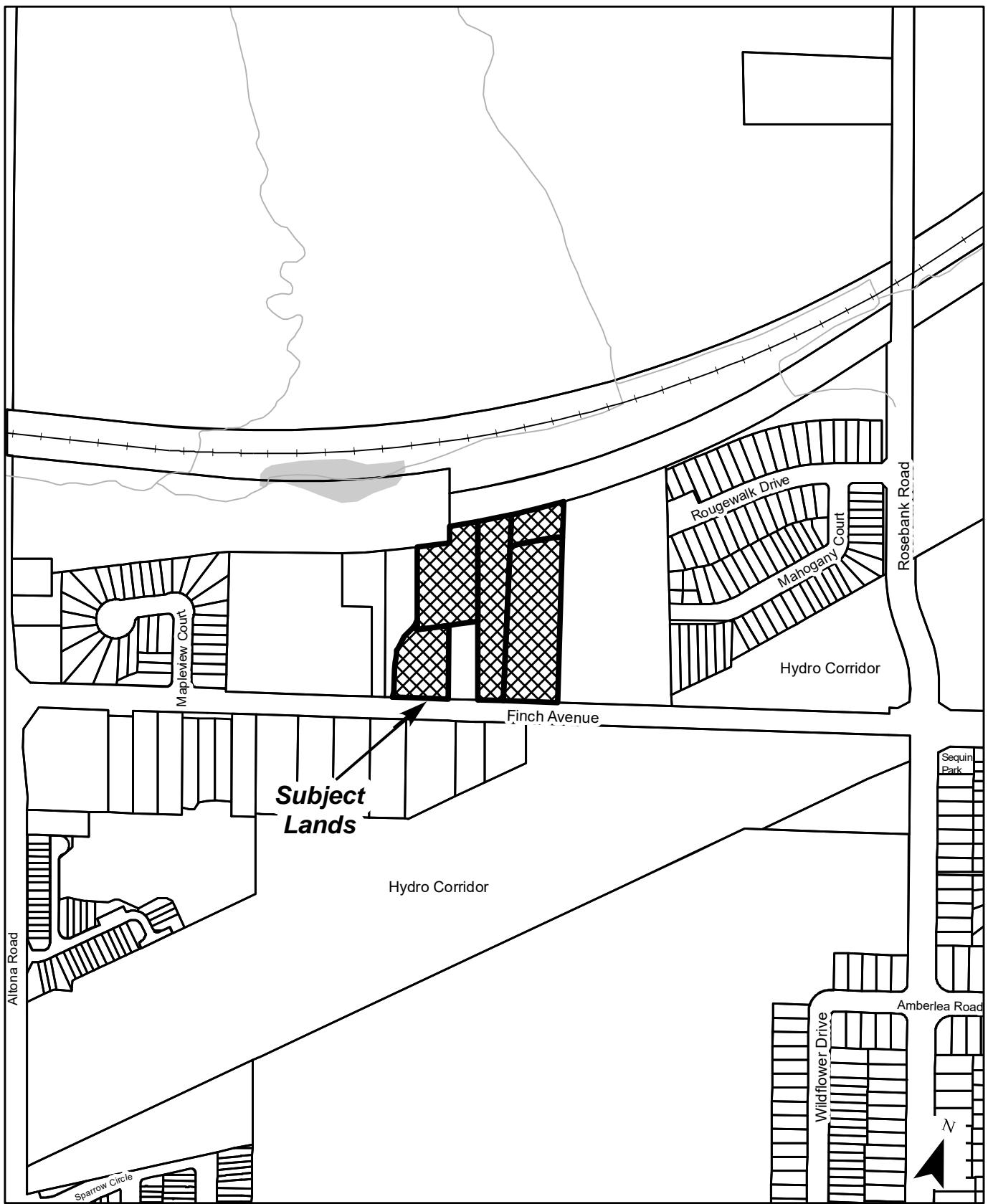
57. The Owner shall prior to the initiation of the installation of servicing and prior to the registration of the Draft Plan of Subdivision or Condominium submit a detailed engineering submission illustrating implementation of the water quality and low impact development strategies identified in the FSSR.

### **Canadian Pacific Railway (CP Railway)**

58. That the Owner shall insert a warning clause in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling within 300 metres of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units; and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.

### **Other Approval Agencies**

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



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

### Location Map

**File:** SP-2019-01, CP-2019-01, and A01/19

**Applicant:** Marshall Homes (Finch) Ltd.

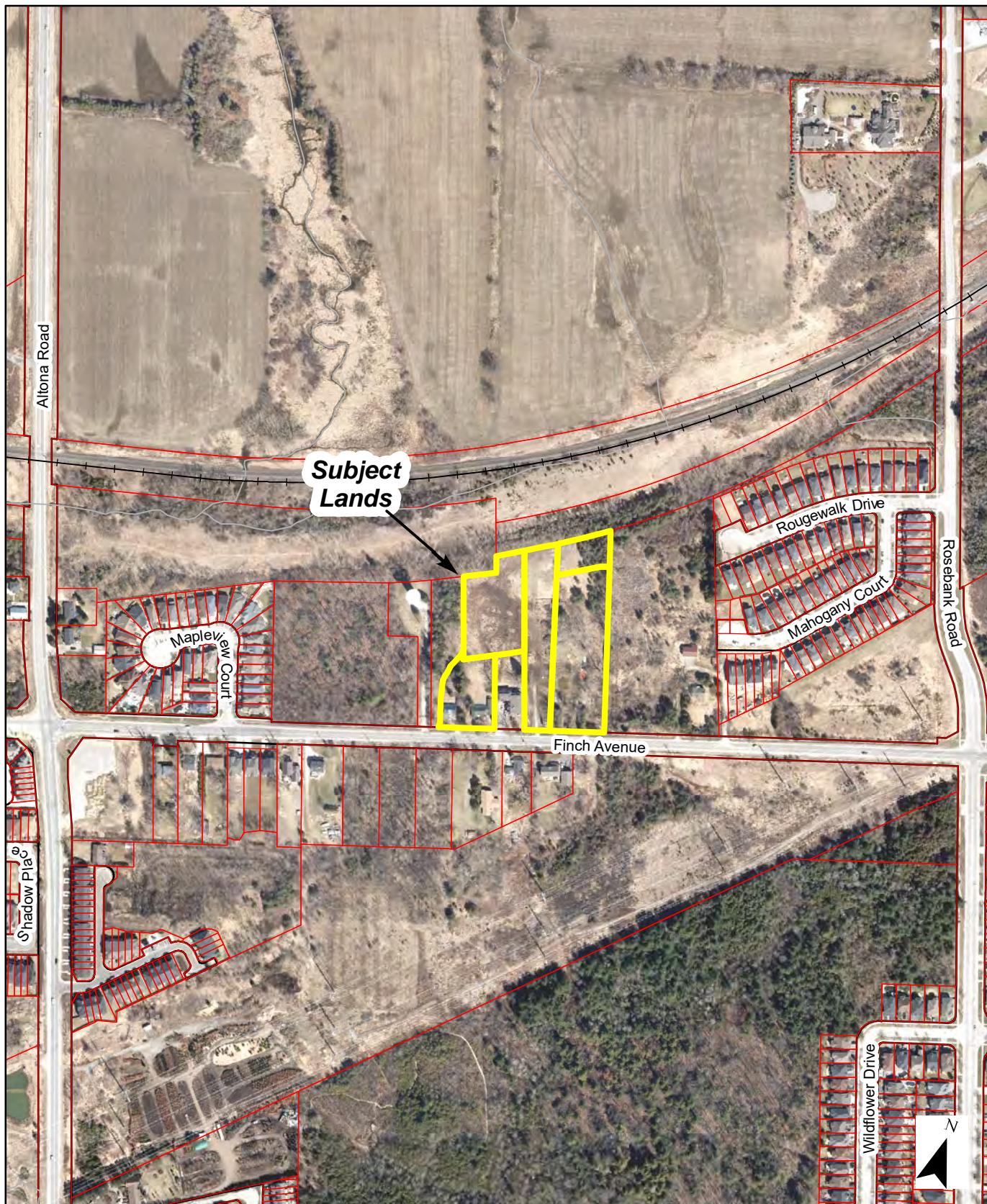
**Property Description:** Pt of Lt 31 & 32, Con 2 South, Now, Pts 2-6,  
40R-29566 and Pt 2, 40R-29965

**Date:** Dec. 17, 2019

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**SCALE:** 1:5,000

**THIS IS NOT A PLAN OF SURVEY.**



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

### Air Photo Map

File: SP-2019-01, CP-2019-01, and A01/19

Applicant: Marshall Homes (Finch) Ltd.

Property Description: Pt of Lt 31 & 32, Con 2 South, Now, Pts 2-6,  
40R-29566 and Pt 2, 40R-29965

Date: May. 11, 2020

SCALE: 1:5,000

THIS IS NOT A PLAN OF SURVEY.



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

**Original Conceptual Plan**

**File No:** SP-2019-01, CP-2019-01 & A01/19

**Applicant:** Marshall Homes (Finch) Ltd

**Property Description:** Part of Lots 31 & 32 Concession 2 South Now Parts 2-4 and 6, 40R-29566 and Part 2, 40R-29965

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

**DATE:** Apr. 4, 2019



*City of*  
**PICKERING**  
City Development  
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## **Revised Conceptual Plan**

**File No:** SP-2019-01, CP-2019-01, and A01/19

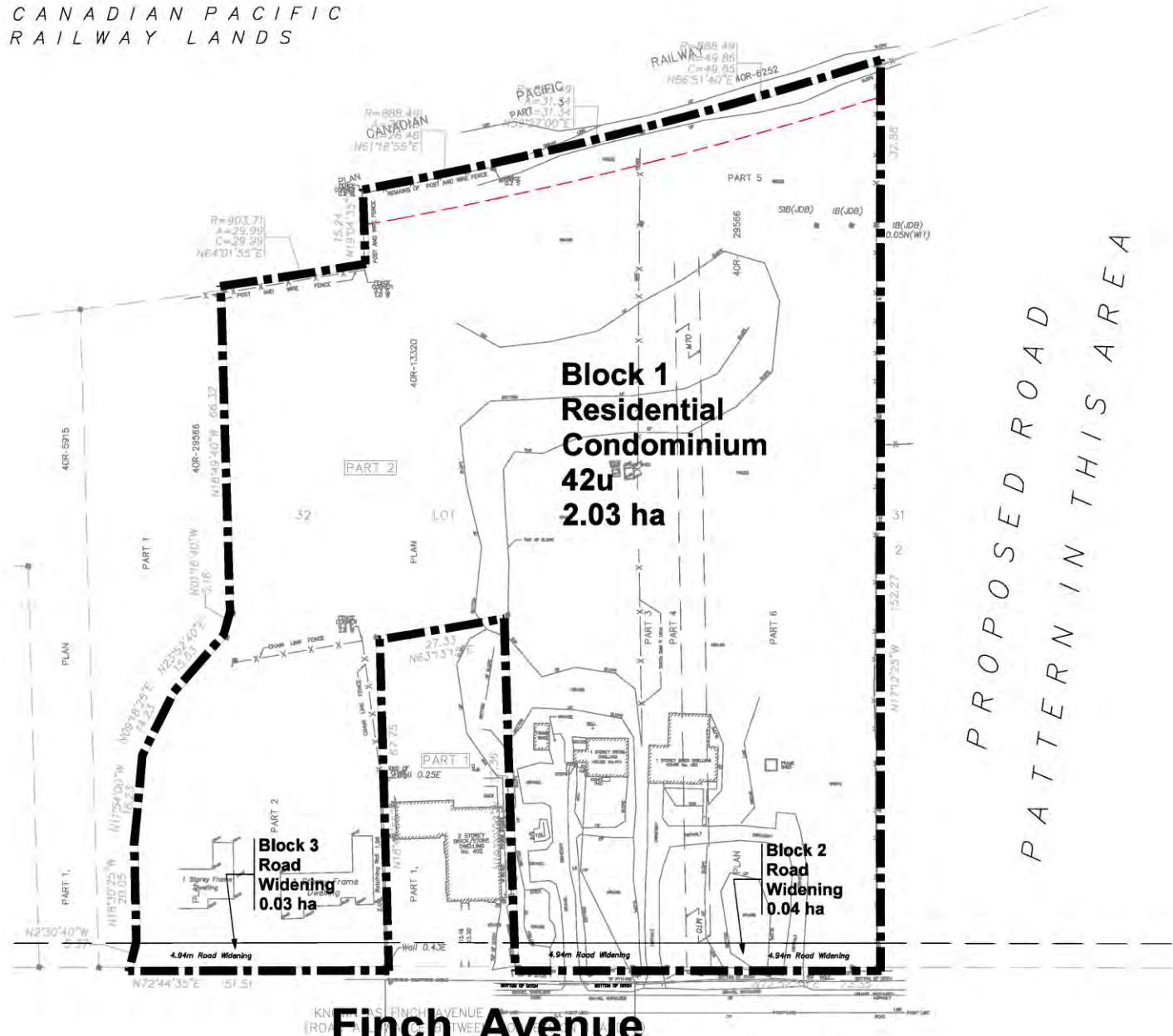
**Applicant:** Marshall Homes (Finch) Ltd.

**Property Description:** Part of Lot 31 & 32, Con 2 South, Now Parts 2-6, 40R-29566 and Part 2, 40R-29965 (Finch Avenue)

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

**DATE:** May 14, 2020

CANADIAN PACIFIC  
RAILWAY LANDS



*City of*  
**PICKERING**  
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# *City of* **PICKERING**

# **Revised Draft Plan of Condominium**

**File No:** SP-2019-01, CP-2019-01, and A01/19

**Applicant:** Marshall Homes (Finch) Ltd.

**Property Description:** Part of Lot 31 & 32, Con 2 South, Now Parts 2-6, 40R-29566 and Part 2, 40R-29965 (Finch Avenue)

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

**DATE:** May 13, 2020

### Summary of Key Details and Zoning Standards

	<b>Original Proposal</b>	<b>Revised Proposal</b>
<b>Net Residential Density</b>	18 units per net hectare	21 units per net hectare
<b>Lot Frontages</b>	Ranging between 11.3 metres and 16.1 metres	Ranging between 10.5 metres and 23.1 metres
<b>Lot Area</b>	Minimum 320 square metres	Minimum ranging between 300 square metres and 440 square metres
<b>Building Height</b>	3 storeys (11.5 metres approximately from the established grade to the mid-point of the peaked roof)	11.0 metres
<b>Front Yard Setback</b>	Setback to building: 4.5 metres Setback to garage: 6.5 metres	Setback to building: 4.5 metres Setback to garage: 6.5 metres
<b>Side Yard Setbacks</b>	Interior Side Yard: 1.2 metres on one side & 0.6 of a metre on the other side Flankage Side Yard: 2.5 metres	Interior Side Yard: 1.2 metres on one side & 0.6 of a metre on the other side Flankage Side Yard: 2.5 metres
<b>Rear Yard Setback</b>	Minimum 6.5 metres	Minimum ranging between 5.0 and 7.0 metres
<b>Coverage</b>	50 percent	50 percent
<b>Vehicular Parking</b>	Resident: 4 spaces per unit (2 spaces within a garage and 2 spaces on the driveway)  Visitor: 11 spaces at a minimum rate of 0.25 spaces per unit	Resident: 4 spaces per unit (2 spaces within a garage and 2 spaces on the driveway)  Visitor: 14 spaces at a minimum rate of 0.25 spaces per unit
<b>Common outdoor Amenity Area</b>	252 square metres	240 square metres



3105 - 'A'



3106 - 'C'



3108 - 'A'

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

**Submitted Conceptual Elevations**

**File No:** SP-2019-01, CP-2019-01, and A01/19

**Applicant:** Marshall Homes (Finch) Ltd.

**Property Description:** Part of Lot 31 & 32, Con 2 South, Now Parts 2-6, 40R-29566 and Part 2, 40R-29965  
(Finch Avenue)

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

**DATE:** May 14, 2020