

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

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	Page
1. Roll Call	
2. Disclosure of Interest	
3. Statutory Public Meetings	

Statutory Public Meetings are held to receive input and feedback on certain types of planning applications. Members of the public looking to provide a verbal delegation to Members of the Planning & Development Committee may do so either in person or through an audio telephone connection into the meeting. For more information, and to register as a delegate, visit [www.pickering.ca/delegation](http://www.pickering.ca/delegation), and complete the on-line delegation form or email [clerks@pickering.ca](mailto:clerks@pickering.ca).

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

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

3.1 <a href="#">Information Report No. 08-22</a>	1
Zoning By-law Amendment Application A 14/21	
197229 Ontario Inc.	
5329 Brock Road	

#### 4. Delegations

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

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

## **5. Planning & Development Reports**

- 5.1 [Director, City Development & CBO, Report PLN 24-22](#) **15**  
Zoning By-law Amendment Application A 06/21  
Unique AT Holding Corporation  
Part of Lot 21, Concession 1  
Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43  
40R-31180

Recommendation:

1. That Zoning By-law Amendment Application A 06/21, submitted by Unique AT Holding Corporation, to permit a high-density, mixed-use development consisting of 2 residential towers, having heights of 46 and 54 storeys, with a total of approximately 1,067 residential units, located on the north side of future Celebration Drive, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix I to Report PLN 24-22, be finalized and forwarded to Council for enactment;
2. That Council grants an exemption in accordance with Section 45 (1.4) of the Planning Act, R.S.O. 1990; c. P.13 as amended, and permits the Committee of Adjustment to consider minor variance applications resulting from the processing of future site plan or building permit applications submitted by Unique AT Holding Corporation, for the lands municipally known as Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180, before the second anniversary of the day on which an applicant-initiated zoning by-law amendment was enacted for the subject lands; and,
3. That Council authorize the Director, Corporate Services & City Solicitor to update the executed Master Development Agreement

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For information related to accessibility requirements please contact:

Committee Coordinator

905.420.4611

clerks@pickering.ca

between the City and the participating landowners (Unique AT Holding Corporation and Universal City One Developments Inc.) to remove the pedestrian walkway along the west lot line connecting from the future Celebration Drive to the Pickering GO Station to the north, and to enlarge the parkland dedication to also account for the parkland requirements imposed on Universal City Six Developments Inc. in respect of the lands at 1010 Sandy Beach Road.

**6. Other Business**

**7. Adjournment**

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

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**Subject:** Zoning By-law Amendment Application A 14/21  
197229 Ontario Inc.  
5329 Brock Road

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**1. Purpose of this Report**

The purpose of this report is to provide preliminary information regarding an application for Zoning By-law Amendment, submitted by 197229 Ontario Inc., to permit an existing landscape and pool installation business on the subject lands. 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 on the east side of the original Brock Road that runs through Claremont (herein after referred to as "Old Brock Road"), west of Brock Road (the Claremont By-pass) and north of the Canadian Pacific railway (see Location Map, Attachment #1). The property has an area of approximately 0.61 of a hectare, with approximately 56 metres of frontage along Old Brock Road. An existing wetland area is identified at the southeast corner of the property. There are numerous trees and shrubs located to the west and north of the wetland area.

There is an existing trailer located at the northwest corner of the property that is proposed to remain. There are also shipping containers and outdoor storage, including the storage of landscaping material and numerous vehicles, currently located on the property. These structures were placed on the property after the owner purchased the property in 2017. The owner has also erected a 2-metre high wood fence along the front lot line, which is proposed to remain.

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

- North & East: Immediately to the north is a large parcel of land that contains a barn and a detached dwelling (5359 Brock Road). Further north is another large parcel of land (5435 Brock Road) currently occupied by an existing industrial building for a machinery sales and repair shop, a temporary trailer for a landscape business and a detached dwelling. An application for Zoning By-law Amendment (A 09/21) for 5435 Brock Road is currently under review to rezone the property to an appropriate zone category to formalize the existing industrial uses and to expand the list of permitted uses, to facilitate the redevelopment of the lands for industrial and commercial purposes.
- South: Immediately to the south is a vacant parcel of land. Further south is an industrial building occupied by an auto repair shop, and the Canadian Pacific Railway.
- West: To the west, across Old Brock Road, is a vacant parcel that is wooded and contains a stream. At the northwest corner of Old Brock Road and Hoxton Street is a commercial building occupied by a retail store selling household/farm supplies, and a restaurant.

### **3. Active Violations**

#### **3.1 Toronto and Region Conservation – Notice of Violation**

The applicant has indicated that shortly after they acquired the lands in 2017, fill was placed on the property and a wood fence was erected along the front lot line, in efforts to curb the dumping of household and construction garbage that was occurring on the site.

On September 10, 2018, the Toronto and Region Conservation Authority (TRCA) served a notice of violation to the applicant for the placement of illegal fill on the property, in contravention of Ontario Regulation 166/06, pertaining to the regulation of development, interference with wetlands and alterations to shorelines and watercourses.

The applicant has indicated that discussions with the TRCA are ongoing to resolve this matter, including the preparation of an Environmental Impact Study by the applicant, conducting site visits between the TRCA and the applicant to stake the wetland area, and the requirement for a vegetation buffer between the developable area of the property and the wetland area.

This application has been circulated to the TRCA for their review and comment. As of the date of this report, no comments have been received from the TRCA.

#### **3.2 City of Pickering – Notice of Zoning Contravention**

After purchasing the property in 2017, the applicant began to use the property to operate a landscape and pool installation business. In 2018, the City of Pickering received a complaint from an area resident pertaining to the change in use. The City's By-law Enforcement staff completed a site visit and confirmed that the site was being used illegally to operate a landscape business, whereas the zoning by-law only permits residential, agricultural and conservation uses on the property.

On September 5, 2018, the City of Pickering provided a notice of zoning contravention to the applicant for the illegal operation of the landscape business.

#### 4. Applicant's Proposal

197229 Ontario Inc. has submitted an application for Zoning By-law Amendment to rezone the developable portion of the subject lands to permit the following uses:

- a landscape and pool installation business;
- outdoor storage of landscape material;
- an office; and
- a storage barn for landscape equipment and material.

The applicant is seeking this request to legalize the existing landscape and pool installation business that currently operates on the property. The remaining portion of the subject lands, containing the wetland area, are to be environmentally protected. The numerous trees and shrubs located to the west and north of the wetland area are proposed to remain and function as a buffer between the wetland area and the developable portion of the site.

The existing trailer on the property is proposed to remain in its current location and will be used as an office. Immediately to the south of the trailer, the applicant is proposing to provide 7 parking spaces and no accessible spaces. The existing shipping containers and outdoor storage area are also proposed to remain on the property.

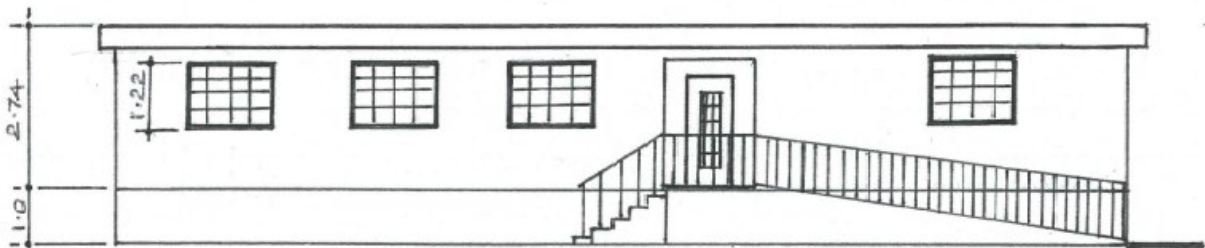


Figure 1: Front elevation of the existing trailer, proposed to be used for an office

The applicant is also proposing to construct a 297 square metre, single-storey metal fabricated storage barn, for the purpose of storing landscape equipment and material (see Submitted Site Plan, Attachment #3).

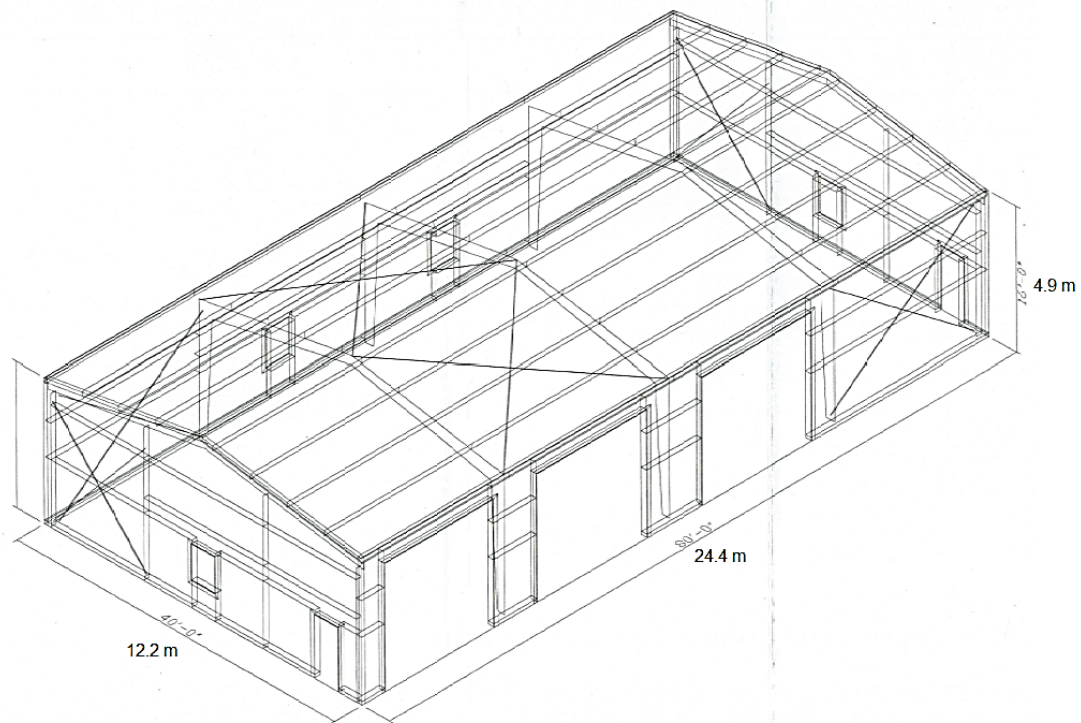


Figure 2: Rendering of the proposed metal fabricated storage barn

Municipal servicing is not available. There is an existing well on the property, which the owner is proposing to recommission. The owner will require approval from the Region of Durham Health Department in order to recommission the well. The owner is considering providing a washroom facility on the property, through the use of an outdoor portable toilet or a holding tank.

Currently, the site is accessed by a driveway off of Old Brock Road. This access is proposed to remain.

The proposed development will be subject to site plan approval.

## 5. Policy Framework

### 5.1 Oak Ridges Moraine Conservation Plan

The Oak Ridges Moraine Conservation Plan (ORMCP) designates the subject lands as “Countryside Area – Rural Settlement”. Small-scale commercial and industrial uses are permitted in Rural Settlement Areas, provided the uses does not require large-scale modifications of terrain and/or vegetation, or large-scale buildings and structures.

Rural Settlements are a component of the Countryside Area. The Plan states that an application for a small-scale commercial or industrial use within a Countryside Area may not be approved unless the applicant demonstrates that the buildings and structures will be planned, designed and constructed so as not to adversely affect the rural character of the Countryside Areas and the ecological integrity of the Plan Area. In addition, the applicant must demonstrate that the new or expanded uses will have no adverse impacts on surrounding agricultural operations and lands, or that such impacts will be minimized and mitigated to the extent possible.

The ORMCP identifies the subject lands as being within a Landform Conservation Area (Category 2). An application for development within a landform conservation area (Category 2) must identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:

- limiting the portion of the net developable area of the site that is disturbed to not more than 50 percent of the total area of the site; and
- limiting the portion of the net developable area of the site that has impervious surfaces to more than 20 percent of the total area of the site.

The applicant's proposal will be assessed against the provisions of the ORMCP during the further processing of the application.

## **5.2 Durham Regional Official Plan**

The Durham Regional Official Plan designates the subject lands as "Oak Ridges Moraine Areas – Countryside Area". Small-scale commercial and industrial uses are permitted within the Countryside Area.

The applicant's proposal will be assessed against the policies and provisions of the Durham Regional Official Plan during the further processing of this application.

## **5.3 Pickering Official Plan**

The Pickering Official Plan designates the subject lands as "Rural Settlements – Oak Ridges Moraine Rural Hamlets". This designation provides opportunities for redevelopment and infilling within the existing hamlet boundary, permitting a variety of uses including residential, employment, commercial, community, cultural and recreational.

The Claremont Settlement Map (Schedule IV – 10 to the City's Official Plan) designates the subject lands as "Hamlet Employment". Permissible uses within Hamlet Employment designation include manufacturing, assembly, processing of goods, service industries, research and development facilities, warehousing, storage of goods and materials, offices, limited retailing associated with an industrial operation, and automotive uses.

The City's Official Plan identifies the east half of the property, where the wetland area and major vegetation are located, as "Natural Heritage System" containing significant woodlands. The Official Plan states that the Natural Heritage System plays a key role in defining Pickering's natural landscape, and in sustaining a healthy ecological system, and that Council shall endeavour to protect, conserve and enhance its Natural Heritage System.

Policy 10.3 of the Official Plan states that City Council shall encourage public and private practices that protect important key natural heritage features and landscapes in their natural state, including:

- requiring where development is proposed, restoration planting and encouraging in other areas naturalized vegetation protection zones adjacent to key natural heritage and key hydrologic features; and



- encouraging cooperation with private land owners in the management of their lands through education, conservation easements and/or public acquisition, where warranted.

An Environmental Impact Study is required for any proposed development within the Oak Ridges Moraine on lands within the minimum area of influence that relates to a key natural heritage feature and the related minimum vegetation protection zone. The study must demonstrate the following:

- that the development or site alteration applied for will have no adverse effects on the key natural heritage feature or on the related ecological functions;
- identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the key natural heritage feature and its connectivity with other key natural heritage features; and
- how connectivity within and between key natural heritage features will be maintained and, where possible, improved or restored before, during and after construction.

The subject property appears to be located on a Highly Vulnerable Aquifer. Under the City's Official Plan, lands on a Highly Vulnerable Aquifer must provide designated areas for snow storage in a location where melting snow cannot carry contaminants and salt loads directly into Highly Vulnerable Aquifers.

Old Brock Road is identified as a local road within the Pickering Official Plan, designed to carry local traffic and provide access to individual properties, to other local roads and collector roads. Local roads generally have a right-of-way width of up to 20 metres, except local roads serving industrial properties which may have a right-of-way width of up to 23 metres.

The applicant's proposal will be assessed against the policies and provisions of the Pickering Official Plan during the further processing of this application.

#### **5.4 Zoning By-law**

The subject property is currently zoned "ORM-A – Oak Ridges Moraine Agricultural Zone" and "ORM-EP – Oak Ridges Moraine Environmental Protection Zone" within Zoning By-law 3037, as amended by By-law 6640/06 (see Zoning Map, Attachment #4). Permitted uses within the ORM-A Zone include agricultural uses, detached dwelling, home-based business and home industry, among other conservation and farm-related uses. Permitted uses within the ORM-EP Zone include resource management, conservation projects and flood and erosion control projects.

The applicant is requesting to rezone the developable portion of the subject property to an appropriate zone category to permit the following uses: a landscape and pool installation business; outdoor storage of landscape material; an office; and a storage barn for landscape equipment and material. In addition, the portion of the lands identified as natural heritage features and their associated buffer will be rezoned ORM-EP Zone.

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## **6. Comments Received**

### **6.1 Public Comments**

Notice of the Electronic Statutory Public Meeting regarding this application was provided through a mailing to all properties within 150 metres of the subject lands (in total, the notice was mailed to 20 property owners, including the Claremont and District Community Association). A public meeting notice sign was erected at the property on March 28, 2022, located along the Old Brock Road frontage.

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

### **6.2 Agency Comments**

The application was circulated to the following agencies for their review and comment: Region of Durham (Planning Department, Health Department & Works Department), Toronto and Region Conservation Authority, Canadian Pacific Railway, Bell Canada, Rogers Cable, Enbridge Gas, Elexicon Energy and Hydro One.

As of the date of this report, comments have been received from the following agencies:

#### **6.2.1 Enbridge Gas Inc.**

- Enbridge Gas Inc. does not object to the proposed application, however reserves the right to amend development conditions.

### **6.3 City Department Comments**

The application was circulated to the following City departments for their review and comment: Engineering Services, Building Services, Fire Services and Sustainability.

As of the date of this report, comments have been received from the following departments:

#### **6.3.1 Sustainability**

- The proposed development achieves the minimum points required by the City's Sustainable Development Guidelines, and achieves Level 2 with 24 points.
- The applicant proposes the following optional sustainability measures to achieve the minimum Level 1 of the City's Sustainable Development Guidelines:
  - innovative elements which integrates various environmental objectives of the City and TRCA;
  - exceeds regulatory requirements for protection of the wetland feature, natural heritage system, and minimizing the impacts of stormwater and maximizing site permeability;
  - exceeds minimum requirements to protect and enhance biodiversity on the site through an aquatic and terrestrial strategy;
  - planting of native and non-invasive species without the use of fertilizers and pesticides; and
  - development of an infill site.

- Staff will be requesting further details from the proponent to confirm how the proposed sustainability measures have been or will be met, through the site plan review process.

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

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

- ensure conformity with the policies in the Oak Ridges Moraine Conservation Plan, Durham Regional Official Plan and Pickering Official Plan;
- review whether the policies in the Oak Ridges Moraine Conservation Plan that relate to landform conservation areas apply to the subject lands;
- in consultation with the TRCA, determine whether the proposed 10-metre buffer is sufficient to protect the existing wetland at the southeast corner of the site;
- ensure the identified natural heritage features and associated buffers are rezoned to ORM-EP Zone, and determine whether these lands should be conveyed to public ownership for the long-term protection of these environmental features;
- establish appropriate restrictions for the proposed outdoor storage use, such as regulating the type and amount of outdoor storage permitted on the lot, and regulate where outdoor storage may be located on the site, as to not have a negative visual impact on surrounding properties;
- ensure the Region of Durham Health Department has no objections to the recommissioning of the existing well and the proposed washroom facility on the property;
- ensure the notice of violation issued by the TRCA is resolved to the satisfaction of the TRCA; and
- review the City's fence by-law in relation to the 2-metre high wood fence the applicant erected along the front lot line.

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 application after it has received and assessed comments from the circulated departments, agencies, and public.

## **8. Information Received**

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

- Planning Report, prepared by Grant Morris Associates Ltd., dated December 29, 2021;
- Site Screening Questionnaire, prepared by Cambium Inc., dated June 20, 2019;
- Grading Plan & Hydrogeological Assessment, prepared by Valdor Engineering Inc., dated June 9, 2021;
- Geotechnical Report, prepared by Cambium Inc., dated July 9, 2019;

- 
- Archaeological Assessment, prepared by ASI Heritage, dated May, 21, 2019;
  - Arborist Report, prepared by D. Andrew White, dated October 21, 2020;
  - Landscape Plan, prepared by Marton Smith Landscape Architects, dated May 2021;
  - Site Plan & Elevations, prepared by Grant Morris Associates Ltd., dated April 2020;
  - Survey, prepared by ertl Surveyors; dated 2017; and
  - Natural Heritage Evaluation; prepared by Cunningham Environmental Associates, dated March 2021.

## **9. Procedural Information**

### **9.1 General**

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

## **10. Owner/Applicant Information**

The owner of this property is 197229 Ontario Inc., who is represented by Grant Morris Associates Ltd.

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### **Attachments:**

1. Location Map
2. Air Photo Map
3. Submitted Site Plan
4. Zoning Map

**Prepared By:**

**Approved/Endorsed By:**

Original Signed By

Original Signed By

Isabel Lima  
(Acting) Planner II

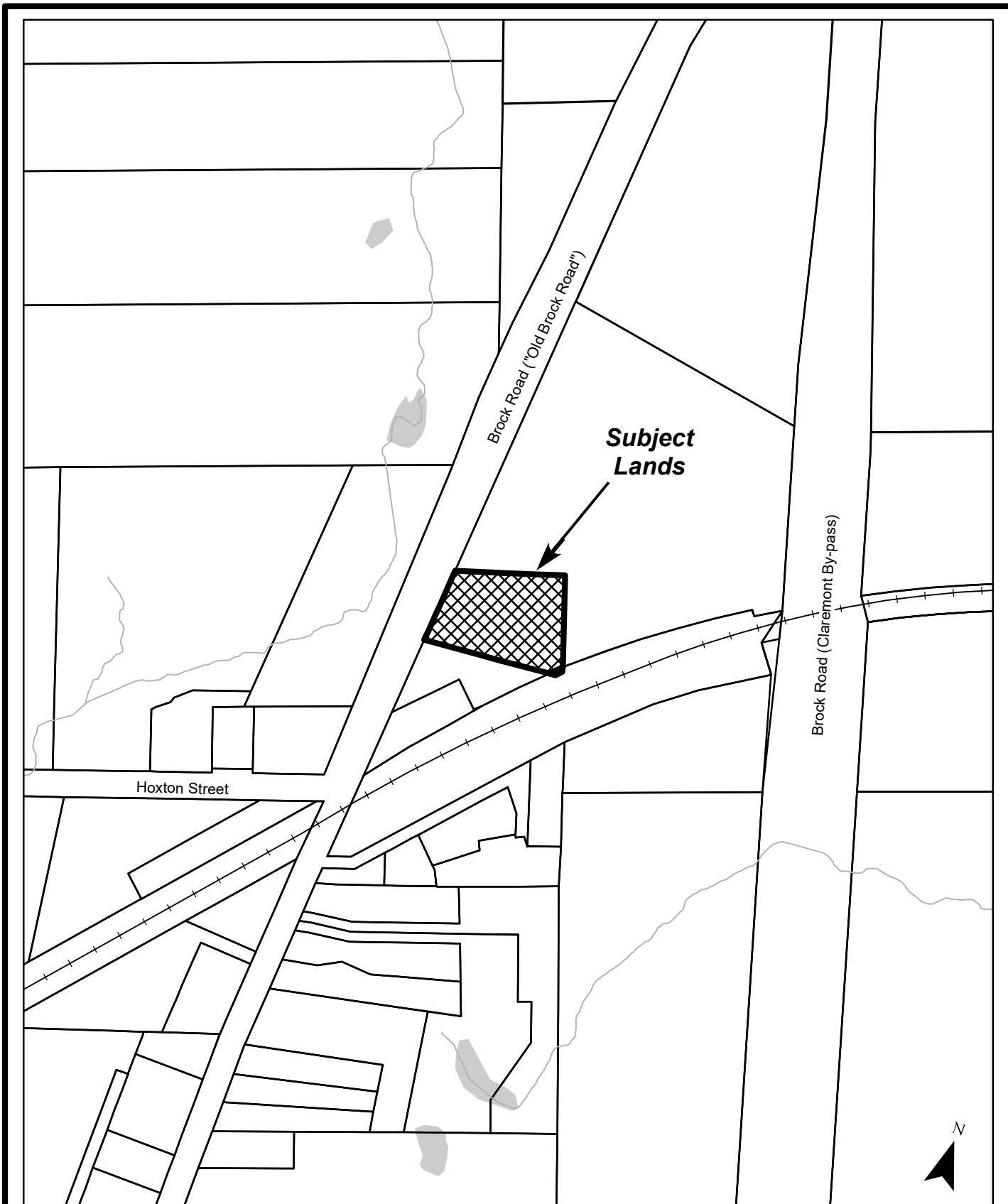
Catherine Rose, MCIP, RPP  
Chief Planner


Original Signed By

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

IL:ld

Date of Report: April 13, 2022

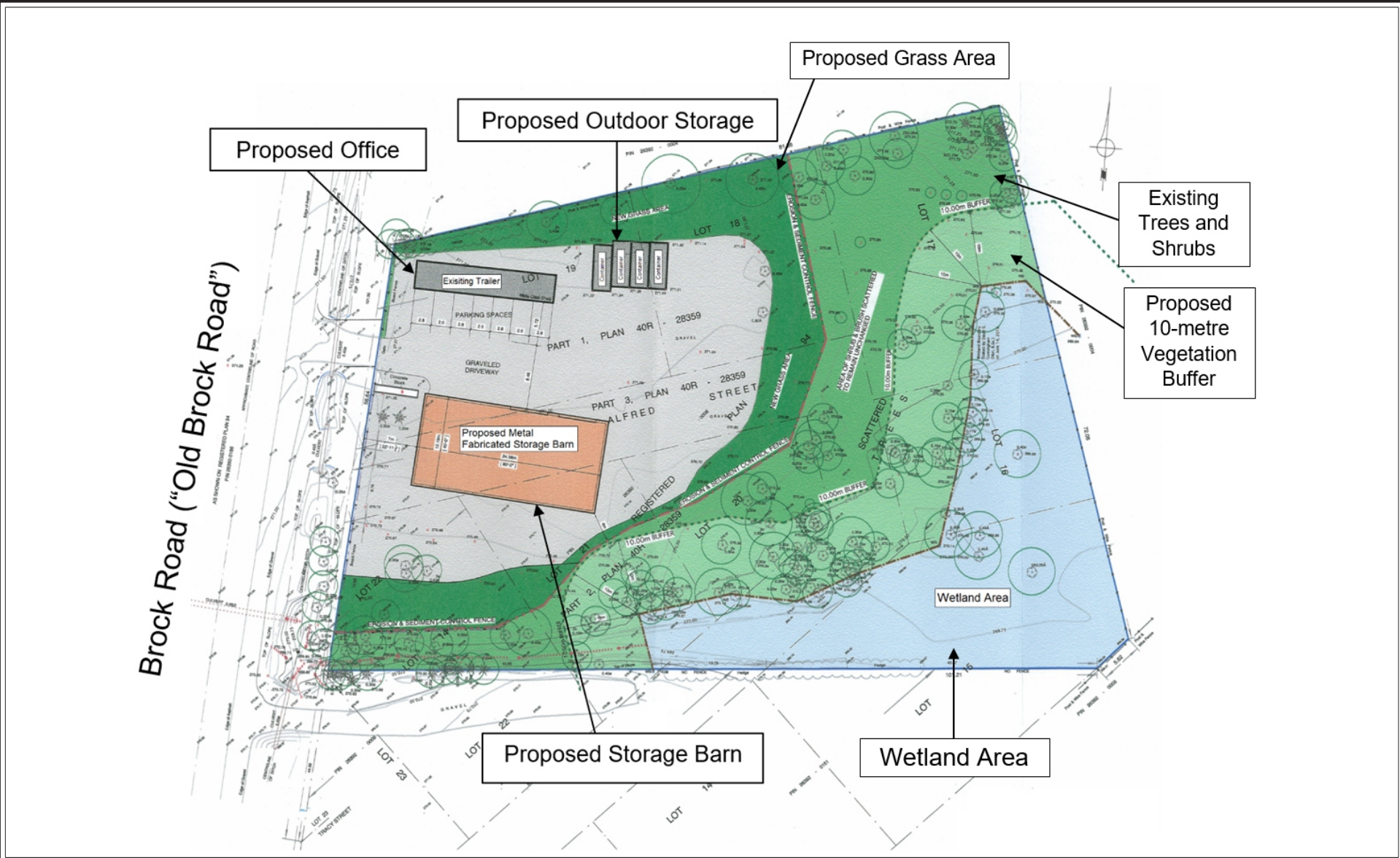


 City Development Department	<b>Location Map</b>
	<b>File:</b> A 14/21
	<b>Applicant:</b> 197229 Ontario Ltd.
	<b>Municipal Address:</b> 5329 Brock Road ("Old Brock Road")
<small>© The Corporation of the City of Pickering Produced (in part) under license from:                  © Queens Printer, Ontario 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>	<b>Date:</b> Jan. 31, 2022
	<b>SCALE:</b> 1:4,000 <small>THIS IS NOT A PLAN OF SURVEY.</small>



City of  
**PICKERING**  
City Development  
Department

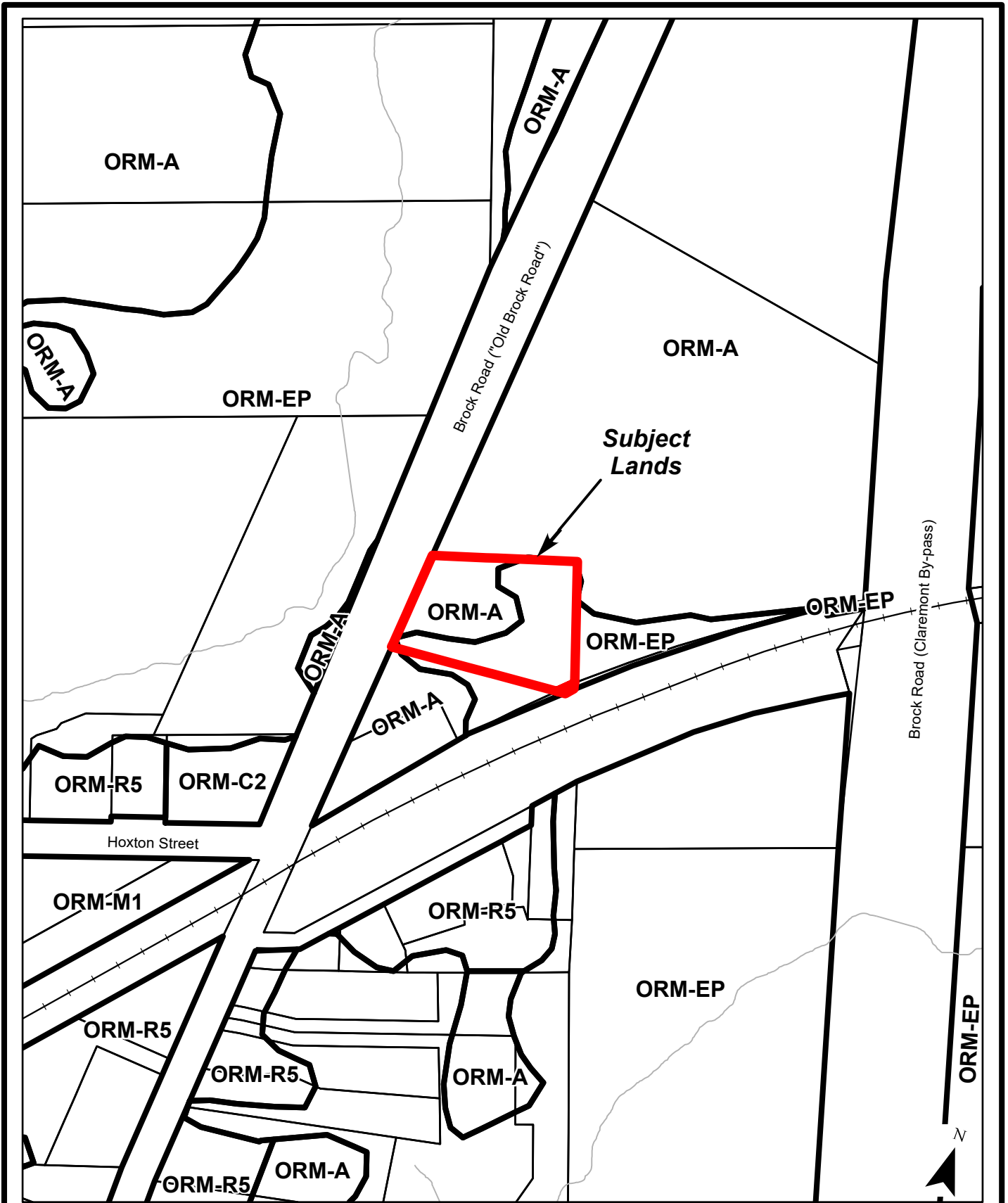
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<b>File:</b> A14/21	
<b>Applicant:</b> 197229 Ontario Ltd.	
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<b>Date:</b> Mar. 02, 2022	<b>SCALE:</b> 1:4,000 <small>THIS IS NOT A PLAN OF SURVEY.</small>



City of  
**PICKERING**  
City Development  
Department

<b>Submitted Site Plan</b>
<b>File No:</b> A 14/21
<b>Applicant:</b> 197229 Ontario Ltd.
<b>Municipal Address:</b> 5329 Brock Road ("Old Brock Road")
FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.
<b>DATE:</b> April 12, 2022





City of  
**PICKERING**  
 City Development  
 Department

<b>Zoning Map</b>	
File: A 14/21	
Applicant: 197229 Ontario Ltd.	
Municipal Address: 5329 Brock Road ("Old Brock Road")	
<small>This zoning map is a graphical representation of the zoning schedules and is not a plan of survey. The zoning schedules in Zoning By-Law 2511, as amended, are the official schedules. In any situation where the zoning schedules are found to differ from this map, the text of the signed By-Law, as amended, will take precedence in the interpretation of zoning.</small>	Date: Apr. 14, 2022
<small>© The Corporation of the City of Pickering Produced (in part) under license from: © Queens Printer, Ontario Ministry of Natural Resources. All rights reserved. © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved. © Teranet Enterprises Inc. and its suppliers all rights reserved. © Valpar Property Assessment Corporation and its suppliers all rights reserved.</small>	SCALE: 1:3,000 THIS IS NOT A PLAN OF SURVEY.

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

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**Subject:** Zoning By-law Amendment Application A 06/21  
Unique AT Holding Corporation  
Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43  
40R-31180

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**Recommendation:**

1. That Zoning By-law Amendment Application A 06/21, submitted by Unique AT Holding Corporation, to permit a high-density, mixed-use development consisting of 2 residential towers, having heights of 46 and 54 storeys, with a total of approximately 1,067 residential units, located on the north side of future Celebration Drive, be approved, and that the draft Zoning By-law Amendment, as set out in Appendix I to Report PLN 24-22, be finalized and forwarded to Council for enactment;
  2. That Council grants an exemption in accordance with Section 45 (1.4) of the *Planning Act*, R.S.O. 1990; c. P.13 as amended, and permits the Committee of Adjustment to consider minor variance applications resulting from the processing of future site plan or building permit applications submitted by Unique AT Holding Corporation, for the lands municipally known as Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180, before the second anniversary of the day on which an applicant-initiated zoning by-law amendment was enacted for the subject lands; and
  3. That Council authorize the Director, Corporate Services & City Solicitor to update the executed Master Development Agreement between the City and the participating landowners (Unique AT Holding Corporation and Universal City One Developments Inc.) to remove the pedestrian walkway along the west lot line connecting from the future Celebration Drive to the Pickering GO Station to the north, and to enlarge the parkland dedication to also account for the parkland requirements imposed on Universal City Six Developments Inc. in respect of the lands at 1010 Sandy Beach Road.
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**Executive Summary:** Unique AT Holding Corporation has submitted a Zoning By-law Amendment application to facilitate the construction of two mixed-use towers having heights of 46 and 54 storeys, located north of Bayly Street, west of Sandy Beach Road on the north side of future Celebration Drive (see Location Map, Attachment #1).

Following the Statutory Public Meeting, the applicant made several refinements to the proposal including slightly increasing the total number of dwelling units from 1,064 units to 1,067 units; marginally reducing the commercial/retail gross floor area from 860 to 842 square metres; slightly increasing the heights of the proposed towers to accommodate additional height clearance for structural/mechanical components of the buildings, but the number of storeys for

each tower has not changed; providing a 4-metre high screen located along the north side of the podium for noise attenuation for the private outdoor amenity space; and removing the walkway along the west lot line abutting Krosno Creek and replacing it with a landscaped area.

The proposal also includes the construction of a 1,450 square metre public piazza on the north side of future Celebration Drive. The concept design for the piazza includes a water feature, play area, public art shade structure, and benches for seating. In addition, the applicant is working with the City and the Toronto and Region Conservation Authority (TRCA) regarding restoration plans for the rehabilitation of the east side of Krosno Creek and associated valley lands.

City Development staff are in support of the revised plan. The proposal conforms to the City's Official Plan policies and density requirements. The proposed buildings maintain sufficient separation distances between the two towers and adjacent buildings, to ensure outlook, daylight access, and privacy is maintained for residents of all buildings. The proposed increase in building height is not expected to have a significant shadow impact on the surrounding residential properties or the proposed public and private outdoor amenity spaces on site. The proposed architectural treatment of the building incorporates a wave articulation, creating a signature design located at a key viewpoint from Bayly Street. Staff will continue to work with the applicant to address any outstanding technical requirements through the Site Plan Approval process.

Staff are supportive of the removal of the walkway due to the slopes along the west lot line, that create challenges to providing for an accessible walkway with appropriate slopes in accordance with the *Accessibility for Ontarians with Disabilities Act* guidelines. Therefore, the executed Universal City Master Development Agreement between the City and the participating landowners (Unique AT Holding Corporation and Universal City One Developments Inc.) is required to be amended to remove the requirement for a pedestrian walkway along the west lot line.

The proposed development will be subject to site plan approval, in which detailed design issues will be dealt with. Through the detailed design stage, minor refinements to the proposed building may be required. As such, staff recommend that Council grant an exemption in accordance with Section 45 (1.4) of the *Planning Act* to permit minor variance applications to be considered by the Committee of Adjustment, resulting from the processing of future site plan or building permit applications, within two years of the passing the zoning by-law.

Staff 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.

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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 lands subject to this rezoning application are located north of Bayly Street, west of Sandy Beach Road and on the north side of future Celebration Drive (see Location Map, Attachment #1). The site has an area of approximately 0.64 of a hectare with

approximately 131 metres of frontage along the north side of future Celebration Drive. The site currently contains a self-storage facility and associated parking lot, which are proposed to be demolished (see Air Photo Map, Attachment #2).

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

North & East: Immediately to the north and east is a surface parking lot owned by Metrolinx, which is currently being used for the Pickering GO Station.

South: Across future Celebration Drive is Universal City 1, 2, and 3, with building heights ranging between 17 and 31 storeys. Site Plan Approval for Universal City 1, 2, and 3 has been granted and construction on these buildings is now underway.

West: Immediately to the west is Krosno Creek, and further west are single-storey multi-tenant industrial buildings.

## 2. Applicant's Proposal

The applicant has applied for a Zoning By-law Amendment to facilitate the construction of a high-density, mixed-use development, consisting of 2 residential towers having heights of 46 and 54 storeys connected by a 4-storey podium (see Submitted Revised Site Plan, Attachment #3, and Submitted Conceptual Renderings, Attachments #4, #5, #6 and #7). Following the Statutory Public Meeting, the applicant made the following refinements to the proposal:

- slightly increased the total number of dwelling units from 1,064 units to 1,067 units;
- slightly reduced the commercial/retail gross floor area from 860 to 842 square metres;
- slightly increased the heights of the proposed towers (from 144 metres to 147 metres for Phase 4, and 168 metres to 171 metres for Phase 5) to accommodate additional height clearance for structural/mechanical components of the buildings and to accommodate taller ceilings within the units, however, the number of storeys for each tower has not changed;
- provided a 4-metre high noise barrier located along the north side of the podium for noise attenuation for the private outdoor amenity space; and
- removed the pedestrian walkway along the west lot line abutting Krosno Creek and replaced it with a landscaped area.

The proposal will form Phases 4 and 5 of the Universal City Master Plan Development, which was endorsed by Council in December 2019 (see Universal City Master Plan, Attachment #8). As part of the Master Plan, the applicant is to design and construct a 1,450 square metre public piazza on the north side of future Celebration Drive. The public piazza will satisfy the minimum parkland dedication requirements for Universal City 1 to 6. In accordance with the executed Universal City Master Development Agreement, Chestnut Hill Developments has agreed to design and construct the piazza to the City's satisfaction, as well as provide a financial contribution towards the construction of the piazza. In addition, the applicant is working with the City and the Toronto and Region Conservation Authority (TRCA) regarding restoration plans for the rehabilitation of the east side of Krosno Creek and associated valley lands.

The 4-storey podium includes commercial/retail uses on the ground floor fronting the public piazza, two principal entrances along the west and east sides of the building, lobby areas for both towers, shared amenity areas, a pet spa, and garbage facilities. Also included within the podium is a two-level, above-grade indoor parking area. Indoor and outdoor amenity spaces are proposed on the fourth and fifth floors, which will overlook the public piazza. The commercial/retail uses on the ground floor are designed to front onto the piazza to create an active street frontage. The concept design for the piazza includes a water feature, play area, public art, shade structure, and benches for seating. The final concept design for the piazza will be finalized through the Site Plan Approval process.



Figure 1: Submitted conceptual plan for the public piazza

Vehicular access to and from the site is proposed through a private driveway from future Celebration Drive. There is an access point at the southeast corner of the site, which is proposed to extend around the sides and rear of the proposed towers and underneath the rear of the podium. There is a second access point at the southwest corner of the site, which is located off the temporary cul-de-sac at future Celebration Drive. The private driveway provides access to the retail and visitor parking spaces at grade, loading areas, garbage rooms, and the below-grade and above-grade parking levels.

Attachment #9 to this report summarizes the key statistical details of the proposal. An application for Site Plan Approval for the proposed development was submitted in March 2022 and is currently under review.

### **3. Comments Received**

#### **3.1 September 13, 2021, Electronic Statutory Public Meeting and Written Comments**

An electronic Statutory Public Meeting was held on September 13, 2021. No residents spoke at the meeting. Before the public meeting, the City received one written comment from an area resident. The following is a list of key concerns expressed by the area resident:

- 
- concerned with the proposed increases in building height and the impacts it may have on the low-density residential dwellings to the south; and
  - concerned that there is no transition in building height between the proposed towers and the low-density residential dwellings to the south, as required in the City Centre Urban Design Guidelines.

The following question was raised by members of the Planning & Development Committee at the electronic Statutory Public Meeting:

- Is the applicant willing to work with the City of Pickering and the TRCA to resolve the concerns expressed by the TRCA regarding the drive aisle along the west lot line being located within the Natural Heritage System Zone setback?

## **3.2 Agency Comments**

### **3.2.1 Region of Durham**

- no objections;
- the proposed application conforms to the policies of the Durham Regional Official Plan;
- the applicant is required to submit to the Region a Record of Site Condition and an acknowledgement letter from the Ministry noting that the Record of Site Condition was filed into the Environmental Site Registry; and
- this development application does not present any significant impacts from the perspectives of Regional servicing, transportation and Durham Region Transit.

### **3.2.2 Toronto and Region Conservation Authority**

- no objections; and
- a TRCA permit will be required for construction within the TRCA Regulated Area.

### **3.2.3 Durham Regional Police, Radio Systems – Communications**

- construction within the boundaries of the subject property will pose no immediate obstruction issue for the Region's NextGen radio system and associated microwave links

### **3.2.4 Durham Catholic District School Board**

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

### **3.2.5 Durham District School Board**

- no objections;
- it is anticipated that approximately 110 elementary pupils could be generated by the development; and
- students generated from this development will be accommodated at existing Board facilities.

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### **3.3 Comments from City Departments**

#### **3.3.1 Engineering Services**

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

#### **3.3.2 Sustainability**

- the submitted Sustainable Development Report indicates the proposed development satisfies the required points and achieves Level 2, with 72 optional points of the City's Sustainable Development Guidelines, which exceeds the required minimum of Level 1;
- the applicant proposes the following optional sustainability measures to achieve Level 2 of the City's Sustainable Development Guidelines:
  - integrating innovative elements (for example, rainwater re-use);
  - providing open space and parks;
  - use of permeable materials;
  - providing net environmental benefits, such as the rehabilitation of Krosno Creek;
  - intensification within an Urban Growth Centre;
  - construction of residential and non-residential building components;
  - walkability and street-related retail;
  - inclusion of lane access for residential and non-residential components;
  - location in proximity to higher-order transit facilities; and
  - heat island reduction through shading and high-albedo materials;
- staff will be requesting further details from the proponent to confirm how the proposed sustainability measures have been, or will be met, through the site plan review process.

### **4. Planning Analysis**

#### **4.1 The proposed development conforms to the Pickering Official Plan Policies**

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

The City Centre Neighbourhood includes specific policies with respect to enhancements to the public realm; active uses at grade; performance criteria for tall buildings to minimize adverse impacts concerning shadowing, sky view, privacy and transition to established low-density development; and pedestrian network and mobility.

The proposed development contributes to the transformation of the City Centre into a more liveable, walkable and human-scaled neighbourhood by providing features such as a publicly accessible square where people can gather; active frontages at grade facing future Celebration Drive to promote a vibrant and safe street life; landscaped areas along with surface parking areas and fronting future Celebration Drive; enhancement of the natural heritage feature through the rehabilitation of the east side Krosno Creek; and pedestrian accesses to the site, outdoor public amenity area, and the commercial/retail units at grade.

In addition, the proposed towers provide adequate stepbacks and podium height to help create a human scale at street level and reduce shadow impacts. Sufficient spacing is maintained between the two towers and the adjacent buildings to the south, to ensure views and privacy for residents are maintained, and to minimize any shadowing and wind tunnel impacts on adjacent development, streets, and public spaces.

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

#### **4.2 The requested increase in building height is consistent with the approved City Centre Urban Design Guidelines**

The applicant is proposing to increase the maximum building height from 77 metres (approximately 25 storeys) to 171 metres (54 storeys) for Phase 5, and 147 metres (46 storeys) for Phase 4. The City Centre Urban Design Guidelines provide design direction for intensification, to guide buildings and private development. The proposed 54 and 46-storey mixed-use buildings maintain the key urban design objections of the Guidelines by:

- providing a public piazza where people can congregate, and locating the public piazza along the frontage of future Celebration Drive to define and augment the public realm;
- providing high-quality architectural design of the towers and the public piazza, and articulating the building faces through recessions, projections and change of materials;
- providing appropriate screening of the surface parking areas through landscaping;
- locating the buildings at the north lot line to provide for the greatest separation distance between adjacent towers to the south to ensure outlook, daylight access and privacy for residents, and allowing for greater infiltration of light onto the public piazza;
- creating weather protection at the entrances of the commercial units and building main entrances;
- locating a majority of the surface parking spaces, the entrances to the above and below-grade parking garages and the loading spaces within the rear and interior side yards of the buildings, and locating the waste and recycling facilities within the buildings;
- providing short-term bicycle parking at grade and in close proximity to the entrances of the commercial units and building main entrances, as well as bicycle parking within the buildings and below-grade parking garage;



- 
- designing the buildings with a defined base, middle and top sections to emphasize human-scale dimensions, reduce the appearance of bulk and create an interesting skyline;
  - providing outdoor amenity spaces at grade and green roofs for environmental sustainability, as well as providing passive open space through the rehabilitation of Krosno Creek;
  - designing the public piazza to include hard landscaping, public art, water features, ornamental features, outdoor seating areas and soft landscaping elements; and
  - designing the public piazza to be open to the public and accessible at all times, without physical barriers or gates.

A private road connecting Bayly Street to future Celebration Drive will be constructed, providing access to Universal City 1, 2 and 3 (see Universal City Master Plan, Attachment #8). This connection between Bayly Street and future Celebration Drive will create a key viewpoint of Universal City 4 and 5, as well as a view of the public piazza, from Bayly Street. The combination of the proposed building heights and the high-quality architectural design will ensure the buildings are visually prominent and create a vista from Bayly Street.

In addition, the City Centre Neighbourhood policies encourage the highest of buildings to locate on sites along or in proximity to Highway 401 and higher-order transit stations. The subject lands are located within approximately 150 metres of Highway 401, 350 metres of the Pickering GO Station, and five Durham Region Transit bus stops.

The tower portions of the proposed buildings maintain a minimum separation distance of approximately 30 metres, and approximately 47 metres to the adjacent towers to the south (Universal City 2 and 3), which will ensure outlook, daylight access and privacy is maintained for residents of all the buildings. In addition, based on the submitted shadow study, the proposed buildings are not expected to cast shadows beyond Bayly Street, and will therefore not impact the low-density residential dwellings located on the south side of Bayly Street.

An area resident expressed concerns that there is no transition in building height between the proposed towers and the low-density residential dwellings on the south side of Bayly Street. Within the overall Master Plan, Universal City 4 and 5 are located at the most northern portion of the Universal City development area and the farthest from the dwellings to the south (approximately 200 metres between the proposed towers and the nearest dwellings on the south side of Bayly Street). To the south are Universal City 2 and 3, which are 28 and 31 storeys respectively, and Universal City 7 which is proposed at 37 storeys. Further south, fronting the north side of Bayly Street are Universal City 1 and 6, which are 17 and 27 storeys, respectively. In accordance with the City Centre Urban Design Guidelines, the overall Universal City development has been designed to provide a transition in height from the high-density development to the existing low-density neighbourhood. In addition to maximum building heights, massing provisions for each tower have been implemented, including building setbacks, maximum tower floor plate size, and tower separation, to ensure the Universal City development has minimal shadowing and wind impact, and that a pedestrian-scaled development is created.

Staff support the applicant's request to increase the maximum building height. Through the site plan review process, staff will continue to ensure the site design and architectural treatment of the buildings is consistent with the City Centre Urban Design Guidelines.

#### **4.3 Adequate parking is provided for the future residents of Universal City 4 and 5**

The proposed development includes a total of 702 residential parking spaces and 189 visitor/retail spaces. The City Centre Zoning By-law requires a minimum of 0.8 spaces per dwelling unit and an additional 0.15 spaces per dwelling unit for visitors/retail. The applicant is requesting to amend the residential parking rate from 0.8 spaces to 0.65 spaces per dwelling unit, which is a reduction in the required parking by 152 spaces. The proposal also includes 536 indoor and outdoor bicycle parking spaces. The development is near the Pickering GO Station (an approximate 5 to 10-minute walk) and at least five Durham Region Transit bus stops.

To support the proposed reduction in residential parking, the applicant has submitted a Transportation Brief, prepared by BA Group. The Brief identified that the proposed reduction is appropriate, for the following reasons:

- the reduction is based on the parking sales trend observed for Universal City 1, 2 and 3, which saw an overall parking demand of 0.71 spaces per unit, and to date, Universal City 6 has seen an overall parking demand of 0.58 spaces per unit;
- recent residential buildings within the Greater Toronto Area have received parking reduction approvals when located in proximity to an existing transit hub;
- the reduction is consistent with Ontario's New Five Year Climate Change Action Plan, which supports reduced single-passenger vehicle trips, eliminating minimum parking requirements (especially in transit corridors), and supports cycling, walking and use of transit;
- the proposed development has access to many non-automobile modes of travel, including the Pickering GO Train, GO Regional bus services, and multiple Durham Region bus services; and
- the implementation of sustainable Transportation Demand Management (TDM) measures for all Universal City phases, to reduce overall reliance on single-occupancy vehicles, while promoting more active modes of transportation, by:
  - providing sidewalks and cycling routes along all new public and private streets within the project area, including along future Celebration Drive;
  - allowing purchasers to only pay for the amount of parking they require; and
  - advertising the different modes of transportation available (i.e., Go Transit, indoor bicycle lockers).

In addition, the Durham Regional Official Plan (DROP) identifies the subject lands as being within a Commuter Station Area for the Pickering GO Station. The DROP indicates that in support of existing and future transit services, a development adjacent to transportation hubs shall provide facilitates that support non-automobile modes of travel, including walkways, trails and other pedestrian and cycling facilities; limited surface parking; and the potential redevelopment of existing surface parking.

Staff support the applicant's request to reduce the minimum parking ratio, which is consistent with the City Centre objective to create a pedestrian-focused neighbourhood and support alternative modes of travel. The applicant has also demonstrated the appropriateness of a reduced ratio through previous phases that have requested a reduced ratio, based on the demand for parking spaces. The proposed parking ratio is appropriate to accommodate the parking needs for this development.

#### **4.4 The existing and proposed road network will adequately accommodate the traffic generated by the Universal City Master Plan**

In 2019, the applicant submitted a comprehensive Transportation Master Plan (TMP), prepared by BA Group, for the entire Universal City development, in support of the Universal City Precinct Plan. This Plan was approved by Council in December 2019. As part of this rezoning application, the applicant has submitted an updated Transportation Brief, prepared by BA Group, to confirm that the recommendations of the TMP remain valid, and to ensure the development will have no negative traffic impacts on the road network.

The Brief concludes that the trip generation forecasts considered in the TMP are consistent with up-to-date Universal City trip generation forecasts. Currently, the intersection of Bayly Street and Sandy Beach Road functions below capacity, and site-generated traffic volumes will require modest signal timing improvements in the future (increase signal timing during peak hours from 100 seconds to 120 seconds). The study anticipates that by 2037, the Universal City development will be fully built, along with Durham Live. To accommodate the anticipated traffic volumes, Bayly Street will need to be widened to 6 or 7 lanes.

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

#### **4.5 The Toronto and Region Conservation Authority has no objection to the drive aisle located within the Natural Heritage System Zone Setback**

The applicant is proposing to locate a drive aisle on the west side of the building within the Natural Heritage System (NHS) Zone setback associated with Krosno Creek, whereas the by-law requires a minimum setback of 4.0 metres from the NHS Zone boundary.

In July of 2019, the TRCA expressed concerns with the drive aisle located within the NHS Zone setback, as the setback was intended for passive uses such as landscaping. On August 23, 2021, a meeting was held between the applicant, TRCA staff and City staff, during which TRCA staff concluded that the drive aisle may be permitted within the NHS Zone setback. In accordance with the executed Universal City Master Development Agreement, the applicant is working with the City and TRCA regarding restoration plans for the rehabilitation of Krosno Creek, and the conveyance of lands to the City for a 6-metre buffer from Krosno Creek. From the 6-metre buffer, the drive aisle will be setback 2.5 metres, and the proposed buildings will be setback a minimum of 9.8 metres. In addition, the applicant has removed the walkway along the west lot line abutting Krosno Creek and replaced it with a landscaped area, to contribute to the passive open space.

As noted in Section 3.2 of this Report, the TRCA has no objections to this application, and any technical matters will be addressed through the site plan approval process.

**4.6 Requested site-specific zoning exemptions**

The subject lands are zoned “City Centre Two – CC2” within the City Centre By-law 7553/17, as amended. Uses permitted include a broad range of residential and non-residential uses, such as apartment dwellings, townhouse dwellings, commercial, office, retail, community, recreational and institutional uses. The City Centre Zoning By-law also includes various requirements for building setback, podium heights for tall buildings, size of the tower floor plate, building separation, building setbacks, landscaping, indoor and outdoor amenity requirements, and vehicular and bicycle parking.

In addition to the applicant’s requests to increase the maximum building height, reduce the residential parking rate and locate a drive aisle within the Natural Heritage System Zone setback, the applicant is also requesting the following technical site-specific exceptions:

- permit surface parking to be located in the front yard, whereas the by-law requires all surface parking to be located in the rear or interior side yards;
- slightly reduce the minimum width requirement for a landscaped area between a surface parking area and the temporary cul-de-sac for future Celebration Drive from 3.0 metres wide to 2.5 metres wide;
- remove the main wall stepback requirement, whereas the by-law requires a minimum main wall stepback of 3.0 metres between the top 6.0 and 18.0 metres of a point tower for buildings equal to and greater than 73.5 metres (approximately 24 storeys);
- permit a minimum balcony size requirement of 4.0 square metres (see Figure 2 below), whereas the by-law requires a minimum balcony depth of 1.5 metres;

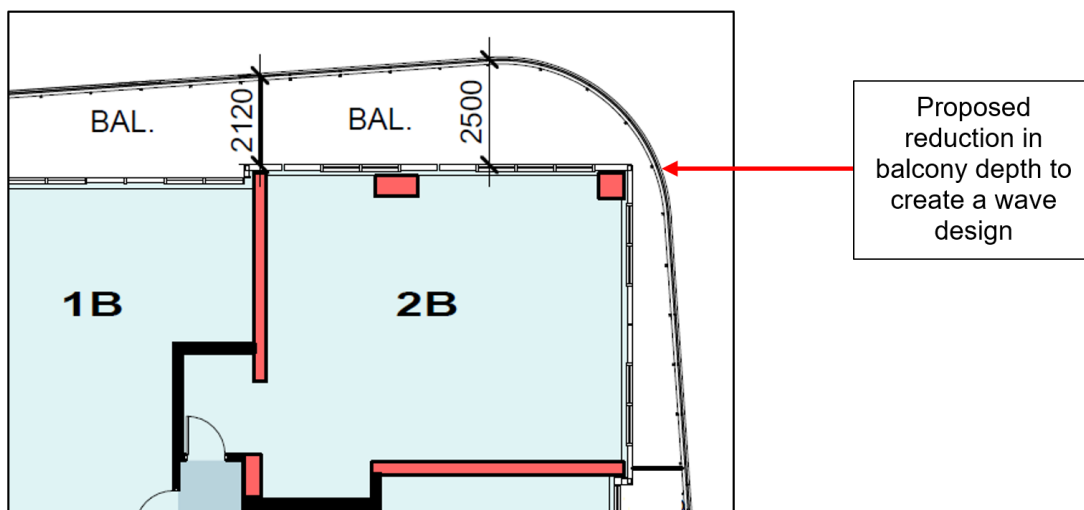


Figure 2: Example of proposed waved balconies

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- permit stairs and air vents associated with a parking structure to be permitted in the front yard, whereas the by-law does not permit stairs or air vents in the front yard; and
  - permit structures used for noise attenuation to exceed the maximum podium height of 20.0 metres.

Ten surface parking spaces, or just over 30 percent of the total surface parking, are located in the front yard to service the commercial/retail units fronting future Celebration Drive. The remaining surface parking spaces (21 spaces) are located in the side and rear yards. Pedestrian walkways and bicycle parking spaces are also provided in the front yard to service the commercial units.

A slight reduction to the width of the landscaped area is required to accommodate a portion of the temporary cul-de-sac for future Celebration Drive that encroaches onto the subject lands.

The purpose of the exceptions to the main wall stepback and balcony depth requirement is to create a distinctive architectural design, which is achieved through a podium and tower stepback, and stepbacks on the upper floors. In addition, the towers feature a waved balcony design which further articulates the building faces.

The stairs and air vents located within the front yard will contribute to the functionality of the underground parking garage. Through the Site Plan Approval process, staff will ensure any infrastructure necessary for the underground parking garage is appropriately designed and screened to minimize views from future Celebration Drive.

The purpose of the noise attenuation structure on the podium is to ensure a comfortable environment for residents using the outdoor amenity space located on the podium.

Staff are supportive of the requested exceptions.

#### **4.7 Noise levels on the podium will be consistent with the predicted noise levels of the entire Universal City development**

Within the entire Universal City development, the proposed buildings are located closest to the railway and Highway 401 to the north. The applicant has submitted a Noise and Vibration Feasibility Study, prepared by Howe Gastmeier Chapnik Limited, to estimate future sound levels at the proposed buildings and outdoor amenity areas. The findings of the study identified and recommended various noise and vibration mitigation measures required for the proposed development, including the need for a 4-metre high noise barrier located along the north side of the podium on the fifth floor, for noise attenuation for the private outdoor amenity space. The study concludes that the proposed barrier will reduce road and rail traffic noise levels along the perimeter of the podium and will achieve noise levels that are reasonable and consistent with the predicted noise levels of the entire Universal City development.

The noise barrier is anticipated to be a 2.2 metre solid parapet, with a 1.8 metre glazed screen above. The applicant is also exploring opportunities to provide a green wall. Detailed design of the noise barrier will be confirmed through the site plan review process.

A site-specific exception to permit structures used for noise attenuation to exceed the maximum podium height has been included in the draft zoning by-law.

#### **4.8 The Universal City Master Plan Agreement is required to be updated to remove the requirement for a pedestrian walkway and account for parkland dedication for Universal City Six**

Following the Statutory Public Meeting, the applicant made refinements to the proposal, including the removal of a pedestrian walkway along the west lot line abutting Krosno Creek. The purpose of the walkway is to provide a pedestrian connection from future Celebration Drive to the Pickering GO Station to the north.

Due to the changes in grade along the west lot line, significant slopes in the pedestrian walkway would be required to meet existing and planned grades for the area. As such, the walkway would require a combination of retaining walls and pedestrian barriers, which would impede the ability to implement appropriate lighting and landscaping along the walkway. In addition, the change in slopes create challenges in adhering to the *Accessibility for Ontarians with Disabilities Act* guidelines, which require all public walkways to be accessible and built to appropriate sloping standards.

The applicant did explore opportunities to shift the walkway closer to the west lot line, abutting Krosno Creek. However, this would locate the walkway within the floodplain buffer associated with Krosno Creek, which is not consistent with TRCA policies. As such, the applicant has removed the walkway along the west lot line and replaced it with a landscaped area to contribute to the passive open space. Although the pedestrian walkway is no longer proposed, residents of the Universal City development can still access the Pickering GO Station from Bayly Street.

The original Universal City Master Plan endorsed by Council in 2019 included a 1,250 square metre public urban square to be conveyed to the City for the future residents of the Universal City development, located on the north side of the future Celebration Drive. To ensure sufficient parkland is provided, staff requested that the urban square be increased by 202 square metres to satisfy the minimum parkland dedication requirements under the *Planning Act* for Universal City Phase 6.

As a result of the removal of the pedestrian walkway and the increase in requirement for parkland dedication, the Universal City Master Development Agreement is required to be amended. Therefore, staff request that Council authorize the Director, Corporate Services & City Solicitor to update the Master Development Agreement between the City and the participating landowners (Unique AT Holding Corporation and Universal City One Developments Inc.) to remove the pedestrian walkway along the west lot line connecting from future Celebration Drive to the Pickering GO Station to the north, and to enlarge the parkland dedication to also account for the parkland requirements imposed on Universal City Six Developments Inc.

#### **4.9 Exemption to the two year time-out period for minor variance applications**

Bill 73, the *Smart Growth for Our Communities Act*, 2015, amended the *Planning Act* by removing the ability for an applicant to apply for a minor variance for two years following

the passing of an applicant-initiated zoning by-law amendment. However, the *Planning Act* changes also permit a municipal Council to allow minor variance applications to proceed on a case-by-case basis by Council resolution. The Province indicated that the intent of the amendment is to prevent, for a two year period, zoning provisions that Council determines to be important from being reversed through the minor variance process.

The proposed development will be subject to site plan approval, in which detailed design issues will be dealt with. This includes matters such as but is not limited to: refining building design and materials; finalizing landscaping; controlling drainage and grading; and detailing site servicing. Through the detailed design stage, minor refinements to the proposed buildings may be required. As such, staff recommend that Council grant an exemption in accordance with Section 45 (1.4) of the *Planning Act* to permit minor variance applications to be considered by the Committee of Adjustment resulting from the processing of future site plan or building permit applications.

#### **4.10 Technical matters will be addressed through site plan approval**

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

- refining building design and materials;
- finalizing landscaping;
- detailed design of the public piazza;
- requiring construction management/erosion and sediment controls;
- controlling drainage and grading; and
- detailing site servicing.

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

The applicant is requesting site-specific exceptions to facilitate the development of a high-density, mixed-use development. Staff support the rezoning application and recommend that By-law 7553/17 be amended to permit the site-specific exceptions. Staff recommend that the site-specific implementing by-law, containing the standards set out in Appendix I to this report, be finalized and brought before Council for enactment.

Further, staff recommend that Council grant an exemption in accordance with Section 45 (1.4) of the *Planning Act* to permit minor variance applications to be considered by the Committee of Adjustment resulting from the processing of future site plan or building permit applications.

#### **6. Applicant's Comments**

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

**Appendix**

Appendix I Recommended Zoning By-law Provisions for Zoning By-law Amendment  
Application A 06/21

**Attachments:**

1. Location Map
2. Air Photo Map
3. Submitted Revised Site Plan
4. Submitted Conceptual Rendering – Facing North
5. Submitted Conceptual Rendering – Facing Northeast
6. Submitted Conceptual Rendering – Phase 5 Entrance
7. Submitted Conceptual Rendering – Phase 4 Entrance
8. Universal City Master Plan
9. Summary of Key Details of Proposal

**Prepared By:**

**Approved/Endorsed By:**

Original Signed By

Original Signed By

Isabel Lima  
(Acting) Planner II

Catherine Rose, MCIP, RPP  
Chief Planner

Original Signed By

Original Signed By

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

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

IL:ld

Recommended for the consideration  
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.  
Chief Administrative Officer



**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 06/21**

Being a By-law to amend Zoning By-law 7553/17, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180, in the City of Pickering (A 06/21)

Whereas the Council of The Corporation of the City of Pickering deems it desirable to permit a high-density, mixed-use development on lands being Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180, City of Pickering;

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

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

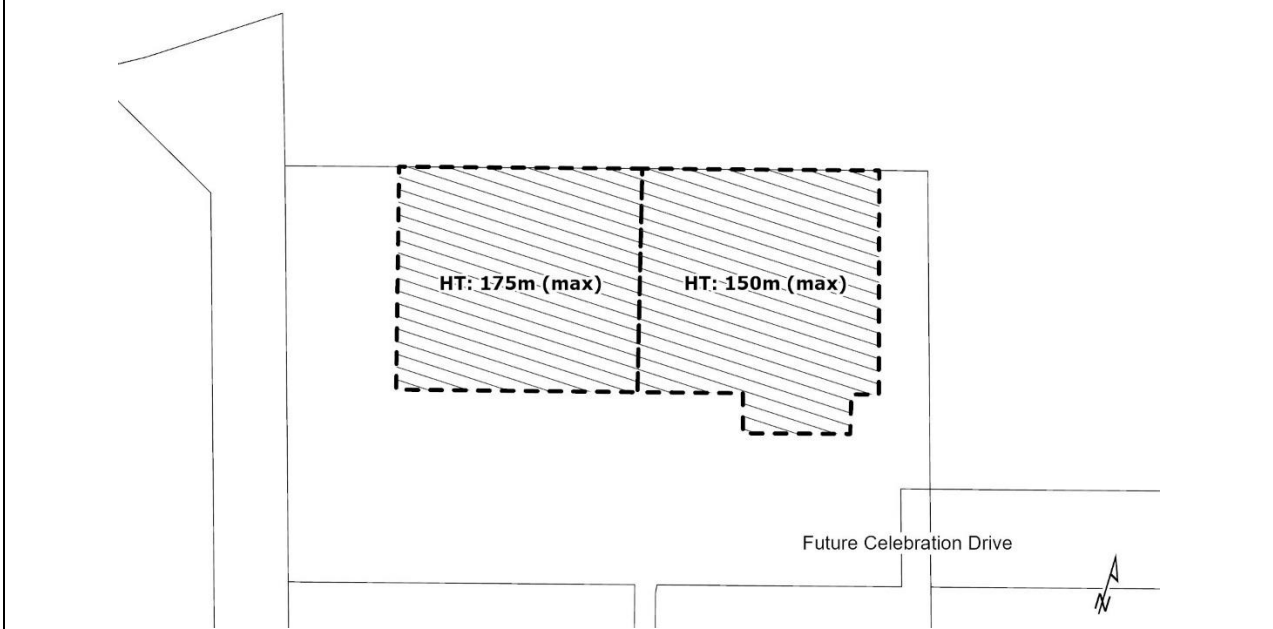
1. Schedule 2, Land Use Categories, of Zoning By-law 7553/17, as amended, is further amended by rezoning the lands depicted on Schedule I to this By-law from City Centre Two (CC2) to Open Space (OS).
2. Section 6, Exceptions, and Schedule 7 of Zoning By-law 7553/17, as amended, is further amended by adding a new Exception E17 as follows:

<b>6.17.1 Zone Provisions</b>	
The following regulations apply:	
a)	Notwithstanding Section 4.2 b) ii) and Schedule 5, related to Maximum <i>Building Height</i> , the height of a <i>building</i> or <i>structure</i> wholly located within the area identified by the dashed lines as shown on Figure 6.17.2 (a) is specified by the number following the HT symbol as shown on Figure 6.17.2 (a).
b)	Notwithstanding Section 3.1, Table 1, related to <i>Parking Space</i> Requirements, the minimum parking ratio shall be 0.65 parking spaces per <i>apartment dwelling</i> unit for residents, and 0.15 parking spaces per <i>apartment dwelling</i> unit for visitors.
c)	Notwithstanding Section 2.19, related to Natural Heritage System Zone Setback, the minimum 4.0 metre setback between an <i>aisle</i> located above <i>established grade</i> and a Natural Heritage System Zone boundary shall not apply.
d)	Notwithstanding Section 3.7 a), related to Surface <i>Parking Spaces</i> , 35 percent of the total surface <i>parking spaces</i> may be located in the <i>front yard</i> of <i>buildings</i> .
e)	Notwithstanding Section 3.7 b), related to Surface <i>Parking Spaces</i> , a minimum 2.5 metre wide <i>landscaped area</i> shall be required and permanently maintained between the <i>street line</i> of future Celebration Drive and the <i>parking spaces</i> or <i>aisles</i> .

f)	Notwithstanding Section 4.2 j) i) and ii) related to Minimum <i>Main Wall</i> Stepback for <i>Buildings</i> greater than 37.5 metres and <i>buildings</i> equal to and greater than 73.5 metres, the minimum <i>main wall</i> stepback shall not apply.
g)	Notwithstanding Section 4.2 k) i) related to <i>Balcony</i> Requirements, the minimum area of a <i>balcony</i> is 4 square metres.
h)	Notwithstanding Section 3.8 c) related to <i>Parking Structures</i> , stairs and air vents associated with a <i>parking structure</i> are permitted in a <i>front yard</i> .
i)	Notwithstanding Section 4.2 f) ii) related to <i>Podium</i> Requirements for <i>Buildings</i> greater than 37.5 metres, structures on the podium for noise attenuation purposes may exceed the maximum podium height of 20.0 metres.
j)	Notwithstanding Section 4.2 d) ii) and iv) related to <i>Building Setback</i> from <i>Street Line</i> , the maximum building setback shall be 13.0 metres from future Celebration Drive.
k)	Notwithstanding Section 2.4 a) related to Permitted Encroachments, projections such as awnings, canopies and other similar architectural features may project a maximum of 2.0 metres into the required front yard <i>setback</i> .

### 6.17.2 Special Site Figures

Figure 6.17.2 (a)



- Schedule 7, Exceptions, of Zoning By-law 7553/17, as amended, is further amended by adding an E17 notation as depicted on Schedule II to this By-law.
- That By-law 7553/17, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 7553/17, as amended.
- That this By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX day of XXXX, 2022.

**Draft**

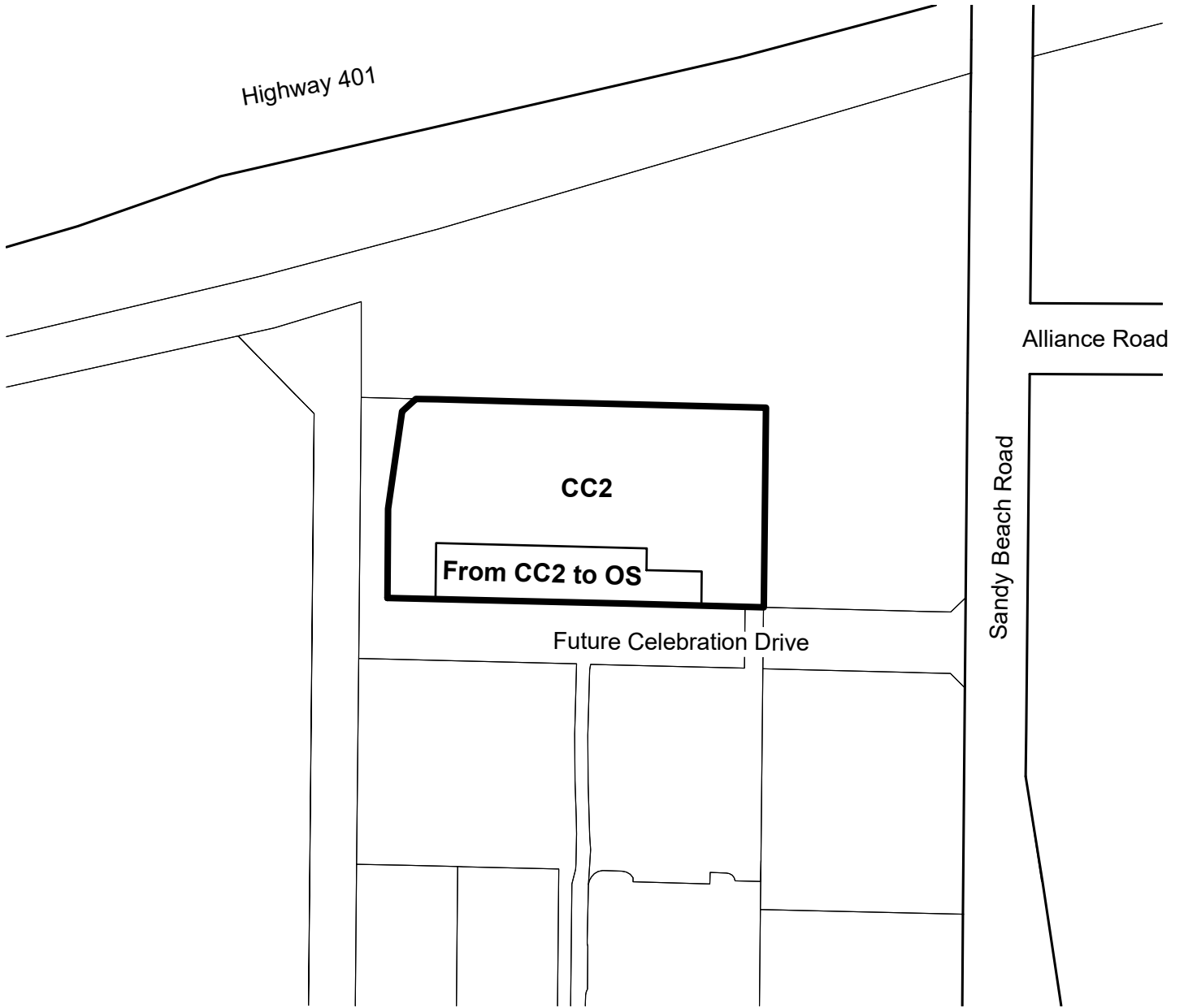
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David Ryan, Mayor

**Draft**

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Susan Cassel, City Clerk



Schedule I to By-Law XXXX/22  
Passed This XX<sup>rd</sup>  
Day of XXXX 2022

**Draft**

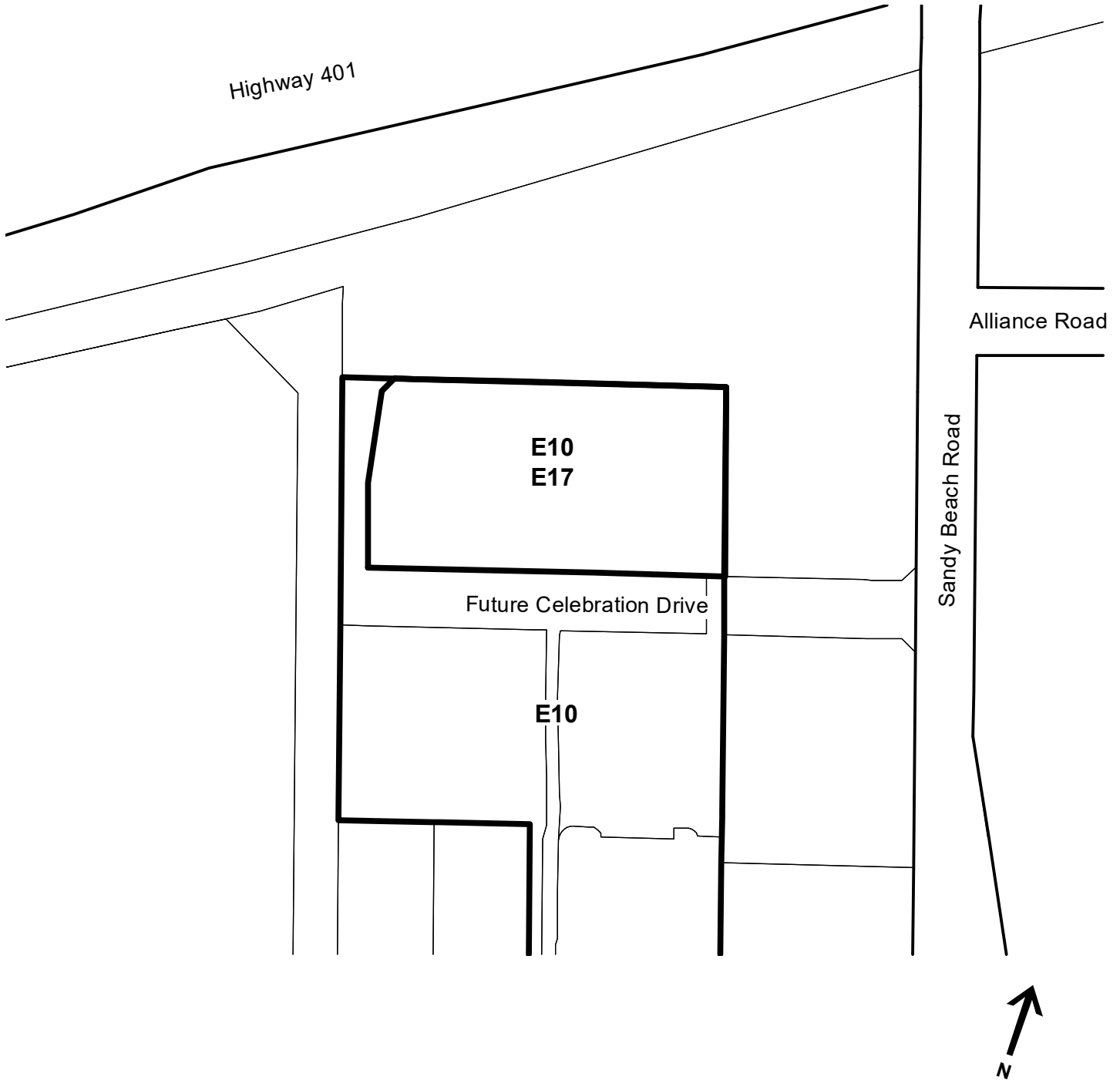
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Mayor

**Draft**

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Clerk



Schedule II to By-Law XXXX/22  
Passed This XX<sup>rd</sup>  
Day of XXXX 2022

**Draft**

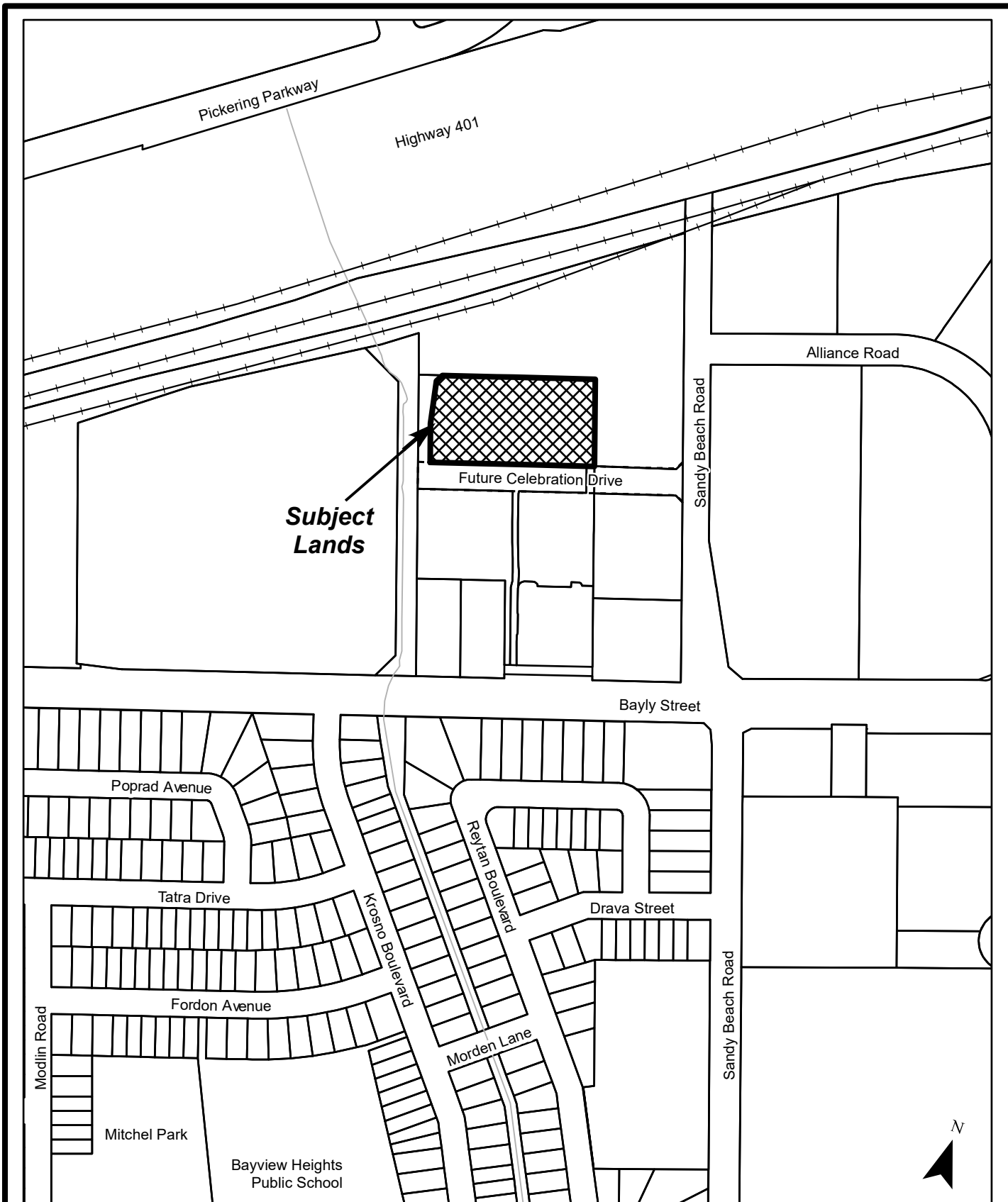
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Mayor

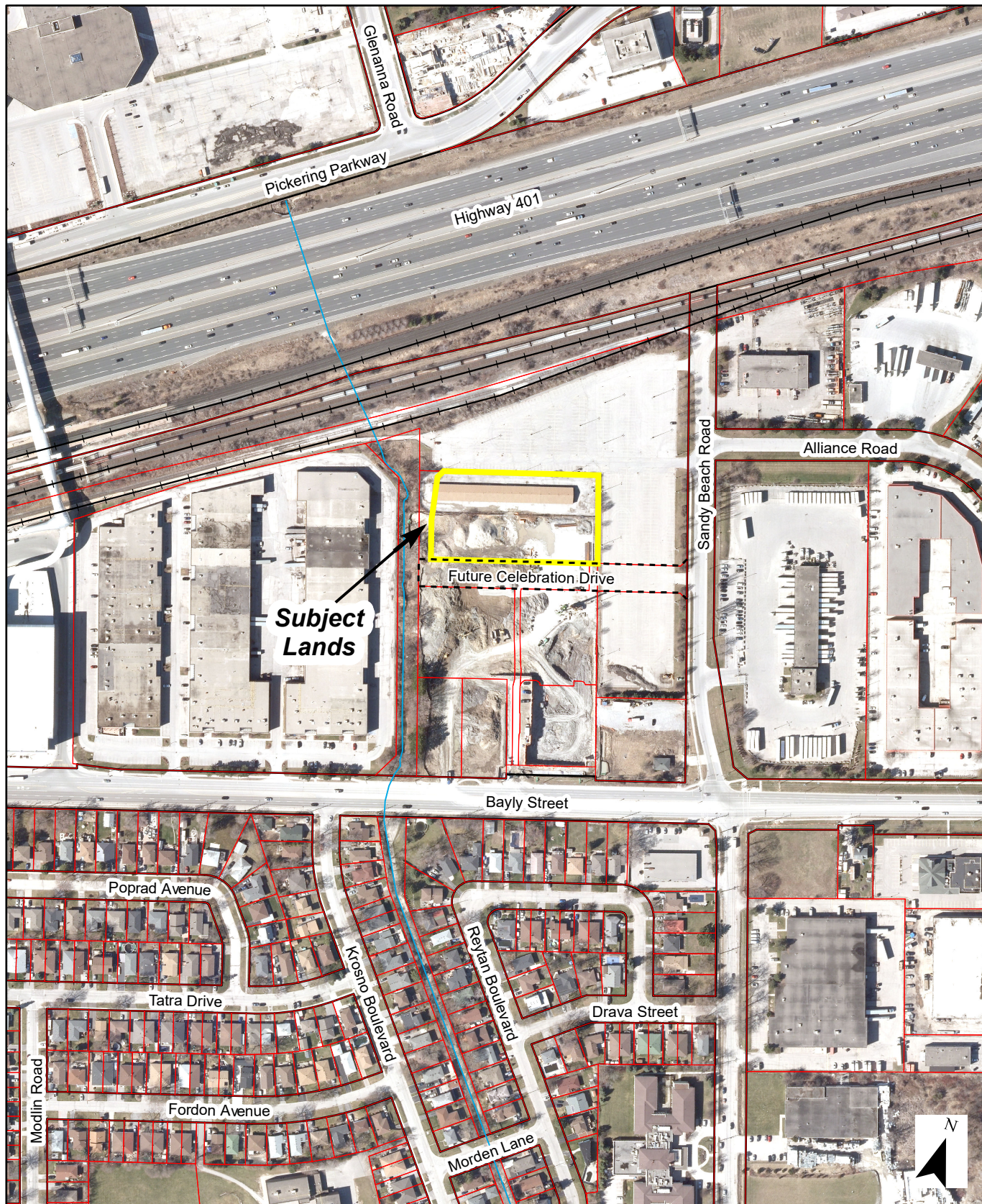
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Clerk

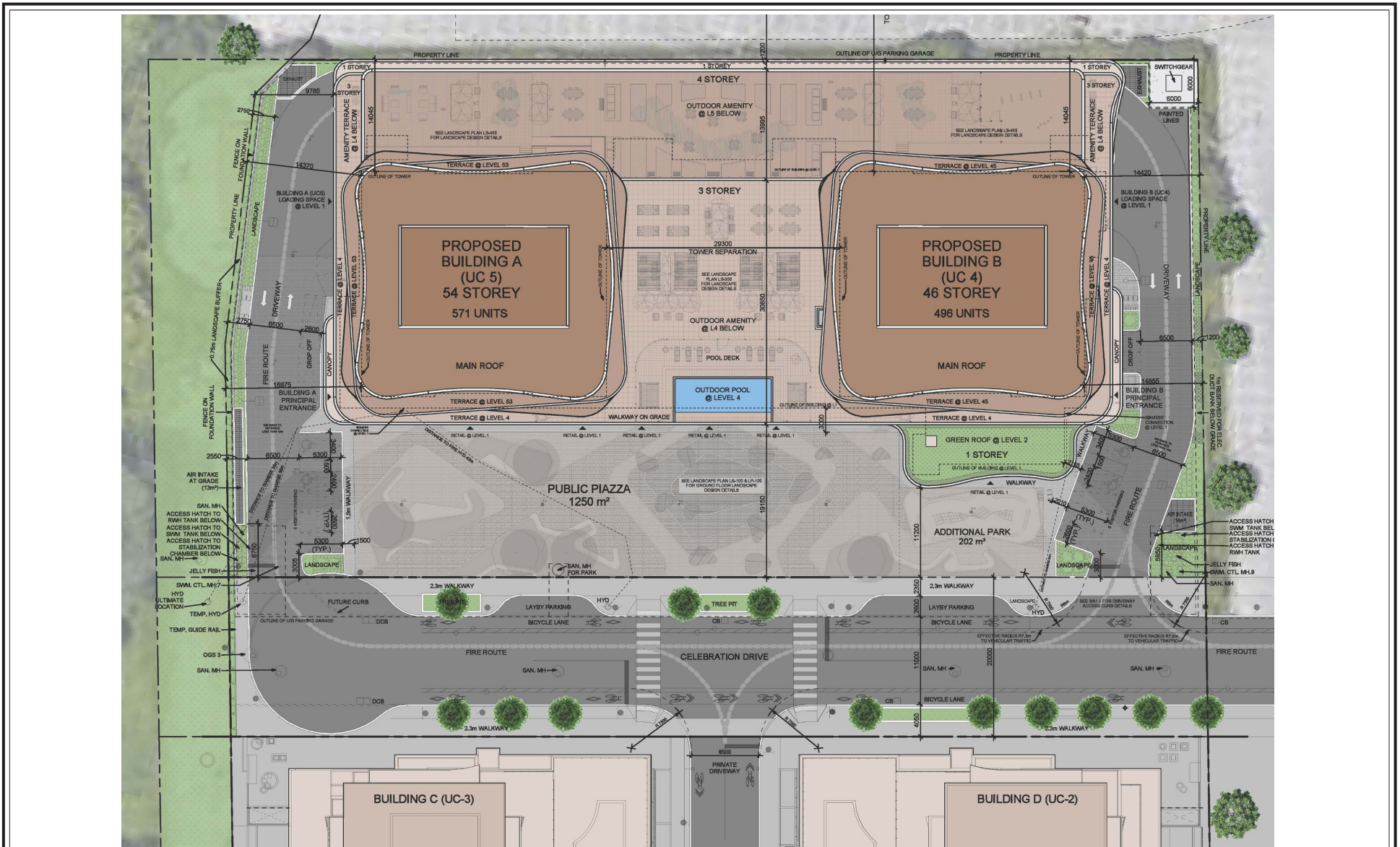


 City Development Department	<b>Location Map</b>	
	<b>File:</b> A 06/21	
	<b>Applicant:</b> Unique AT Holding Corporation	
	<b>Property Description:</b> Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180	
	<b>Date:</b> Mar. 14, 2022	
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SCALE: 1:4,000 THIS IS NOT A PLAN OF SURVEY.		



 City Development Department	<b>Air Photo Map</b>	
	File: A 06/21	
	Applicant: Unique AT Holding Corporation	
	Property Description: Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180	
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**Revised Site Plan**

**File No:** A 06/21

**Applicant:** Unique AT Holding Corporation

**Property Description:** Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180

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

**DATE:** March 15, 2022

City of  
**PICKERING**  
City Development  
Department



City of  
**PICKERING**  
 City Development  
 Department

**Conceptual Rendering - Facing North**

**File No:** A 06/21

**Applicant:** Unique AT Holding Corporation

**Property Description:** Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180

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

**DATE:** March 15, 2022



City of  
**PICKERING**  
City Development  
Department

**Conceptual Rendering - Facing Northeast**

**File No:** A 06/21

**Applicant:** Unique AT Holding Corporation

**Property Description:** Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180

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

**DATE:** March 15, 2022



**Conceptual Rendering - Phase 5 Entrance**

**File No:** A 06/21

**Applicant:** Unique AT Holding Corporation

**Property Description:** Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180

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

**DATE:** March 14, 2022

City of  
**PICKERING**  
 City Development  
 Department



**Conceptual Rendering - Phase 4 Entrance**

**File No:** A 06/21

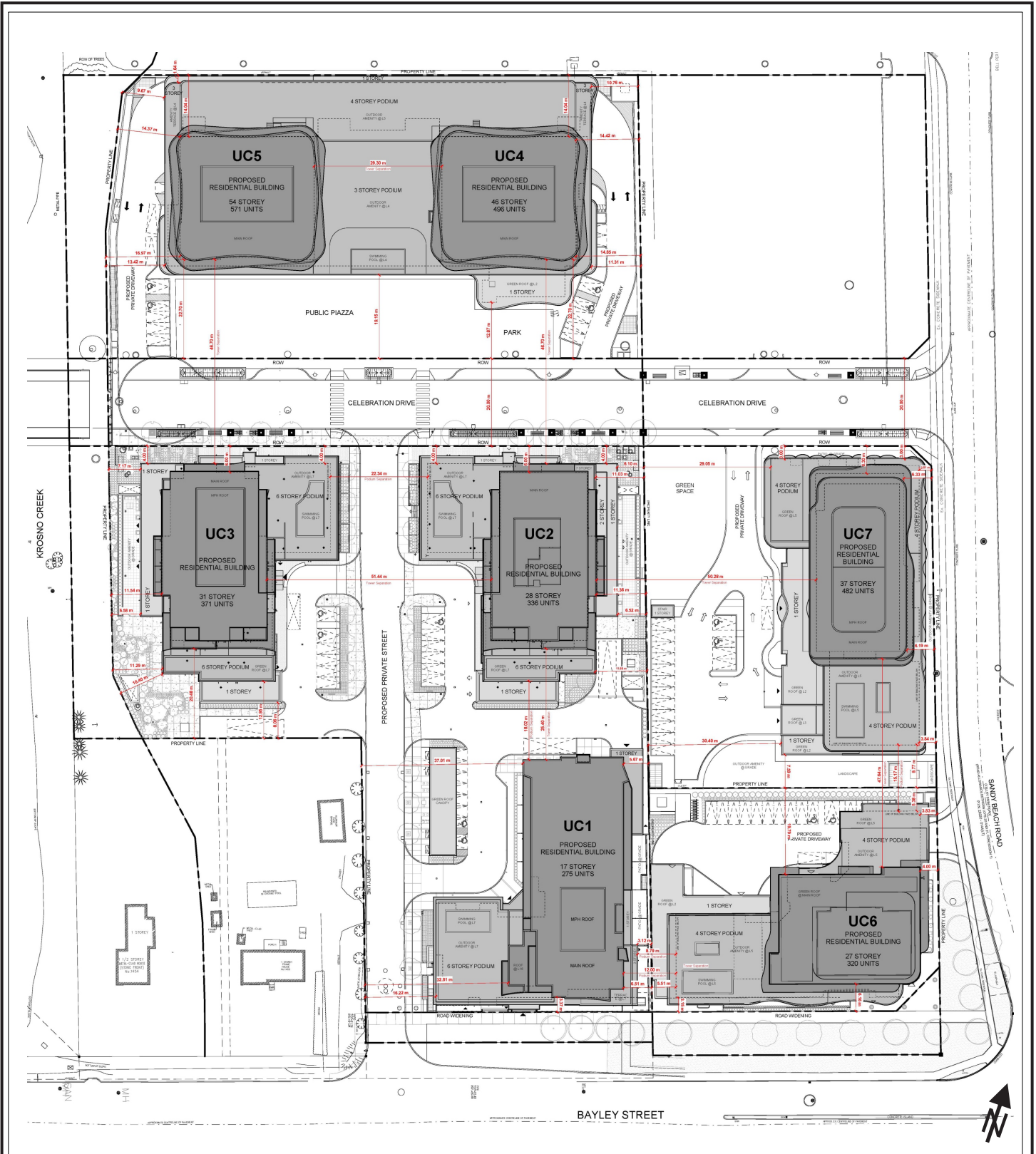
**Applicant:** Unique AT Holding Corporation

**Property Description:** Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180

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

**DATE:** March 14, 2022

City of  
**PICKERING**  
 City Development  
 Department



City of  
**PICKERING**  
City Development  
Department

**Universal City Master Plan**

**File No:** A 06/21

**Applicant:** Unique AT Holding Corporation

**Property Description:** Part of Lot 21, Concession 1, Now Parts 5, 10, 13, 19, 24, 27 to 30, 38, 41, 43 40R-31180

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

**DATE:** March 15, 2022

**Summary of Key Details of Proposal (A 06/21)**

	<b>Universal City Phases 4 and 5</b>
<b>Gross Floor Area (GFA)</b>	85,805 square metres
<b>Net Floor Area (NFA)</b>	73,630 square metres
<b>Commercial/Retail Gross Floor Area</b>	842 square metres
<b>Number of Residential Units</b>	1,067 residential units
<b>Floor Space Index (FSI)</b>	5.75
<b>Tower Floor Plate Size</b>	Phase 4: 845.7 square metres Phase 5: 847.4 square metres
<b>Number of Storeys and Building Heights</b>	Phase 4: 147.3 metres or 46 storeys Phase 5: 171.2 metres or 54 storeys
<b>Unit Types</b>	1 Bedroom: 337 units 1 Bedroom plus Den: 336 units 2 Bedroom: 183 units 2 Bedroom plus Den: 176 units 3 Bedroom: 35 units
<b>Vehicular Parking</b>	Resident – 702 spaces Visitor/Retail – 189 spaces Total – 891 spaces
<b>Bicycle Parking</b>	536 spaces
<b>Private Amenity Area</b>	Indoor – 2,134 square metres Outdoor – 2,140 square metres Total – 4,274 square metres
<b>Public Piazza</b>	1,450 square metres