

**Revised Decision with Respect to an
Area Municipal Official Plan Amendment**

Amendment No. 38 to the City of Pickering Official Plan
Regional File No.: OPA 20-004/P

Statement of Conformity

This amendment is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan and the City of Pickering Official Plan.

Amendment No.38 to the City of Pickering Official Plan, as adopted by By-law 7899/22 is hereby approved under Sections 17 and 21 of the Planning Act, R.S.O.1990, c.P.13, as amended, subject to the modifications outlined in Table A.

Table A: Modifications to Amendment No. 38		
Words that are shown in strike through are proposed to be deleted, and words that are shown in <u>bold and underline</u> are proposed to be added.		
Mod No.	Policy No.	Modification
1	3.2 (d)	Amend policy 3.2 (d) so it reads “promote the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas as Strategic Growth Areas in the City, secondary to the City Centre, for accommodating intensification and higher density <u>transit-supportive</u> mixed uses in a more compact built form;”
2	11A.1	Amend policy 11A.1 so it reads: “11A.1 The design of compatible and attractive built form, streetscapes and sites will be promoted within the intensification areas <u>identified on Schedule XIV</u> . Accordingly...”
3	11A.1(e)	Amend policy 11A.1(e) so it reads, “11A.1(e) encourage the transformation of existing strip-commercial development and lots with single-detached dwellings into <u>higher-density transit-supportive</u> mixed use transit-supportive areas;”

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Mod No.	Policy No.	Modification
4	11A.3(c)	Amend policy 11A.3(c) so it reads, “11A.3(c) urban design that contributes to the character of the <u>Rougemount p</u> P recinct particularly....”
5	11A.4(a)	Amend policy 11A.4(a) so it reads, “11A.4(a) the highest densities and building heights shall be directed to the intersection of Kingston Road and Whites Road, with additional concentrations to the south of Kingston Road along highway 401, extending east and west of the central cluster <u>of intensification</u> at Kingston Road and Whites Road;”
6	11A.4(b)	Amend policy 11A.4(b) so it reads, “11A.4(b) the Whites Precinct shall be promoted as a vibrant employment and retail hub; Accordingly...”
7	11A.4(e)	Amend policy 11A.4(e) so it reads, “11A.4(e) pedestrian-oriented public realm improvements, including opportunities to introduce boulevard enhancements and new or reconfigured pedestrian paths and sidewalks, to enhance the pedestrian experience in areas which are predominantly auto-oriented will be prioritized.
8	11A.5(c)	Amend policy 11A.5(c) so it reads, “11A.5(c) development of the <u>Dunbarton-Liverpool</u> Precinct to be a local community and...”
9	11A.6(c)	Amend policy 11A.6(c) so that it reads, “11A.6(c) the greatest mix of uses within the Brock p <u>P</u> recinct will be encouraged to be located along the east side of Brock Road, and at the Brock Road....”

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Mod No.	Policy No.	Modification
10	11A.6(j)	Amend policy 11A.6(j) so that it reads as follows: “11A.6(j) where development or redevelopment is proposed on lands south of Pickering Parkway, north of Highway 401, consideration shall be given through block planning and a transportation study to for the provision of an additional private street access to Brock Road.”
11	11A.10.1(f)	Amend policy 11A.10.1(f) so that it reads, “11A.10.1(f) despite Section 11A.10.1(fe), permit expansions....”
12	11A.10.1(g)	Amend policy 11A.10.1(g) so that it reads, “11A.10.1(g) consider, where appropriate, flexibility in massing and height, if it can be demonstrated to the City’s satisfaction that the general intent if the Plan is met.”
13	11A.10.2(a)	Amend policy 11A.10.2(a) so that it reads, “11A.10.2(a) encourage front yard setbacks to be kept to a minimum,...”
14	11A.10.2(b)	Amend policy 11A.10.2(b) so that it reads, “11A.10.2(b) despite 10A.10.2(a), encourage the accommodation of patios, displays, waiting areas, public landscape elements or elements that provide screening and privacy for grade-related residential units, within setback areas as appropriate. On larger development or infill sites, phasing plans should indicate how infill development can be accommodated over time to achieve this condition policy .”
15	11A.11(l)	Amend policy 11A.11(l) so that it reads, “11A.11(l) in addition to the complete application requirements in Section 16 of this Plan, may require the submission of a facility fit plan may be required for proposals within the

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		intensification area to support the provision of suitable amenity spaces.”
16	11A.11.4(a)	<p>Replace policy 11A.11.4(a)</p> <p>“11A.11.4(a) require the provision of Public Parks through measures including in-kind contributions through development, municipal philanthropy, land acquisition and in accordance with Section 16.29 of this Plan; and”</p> <p>so that it reads,</p> <p><u>“11A.11.4(a) in addition to Section 16.29 of this Plan, consider in-kind contributions through development, community philanthropy, and land acquisition; and”</u></p>
17	11A.12(c)	<p>Amend policy 11A.12(c) so that it reads,</p> <p>“11A.12(c) improved access management and connectivity for all transportation modes: that <u>connect to places where people live, learn, play and work.</u>”</p>
18	11A.12.2(a)	<p>Amend policy 11A.12.2(a) so that it reads,</p> <p>“11A.12.2(a) will cooperate with Durham Region Transit and Metrolinx in order that <u>to ensure</u> the alignment and location of future transit routes, consider access to the greatest...”</p>
19	11A.12.2(d)	<p>Amend policy 11A.12.2(d) so that it reads,</p> <p>“11A.12.2(d) recognizes two key transit junctions along Kingston Road, at Whites Road and Brock Road and Kingston Road. These...”</p>
20	11A.12.2(d)(i)	<p>Amend policy 11A.12.2(d)(i) so that it reads,</p> <p>“11A.12.2(d)(i) though transit supportive development is expected to occur throughout the intensification areas, these</p>

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		locations warrant additional consideration as ideal sites for higher-intensity uses, in particular, employment uses;”
21	11A.12.2(d)(iii)	Amend policy 11A.12.2(d)(iii) so that it reads, 11A.12.2(d)(iii) new development to the transit junctions shall be designed to frame the junctions <u>intersections</u> with active uses at grade and entrances oriented towards them . <u>the intersections.</u> ”
22	11A.12.6(b)	Amend policy 11A.12.6(b) so that it reads, “11A.12.6(b) where such shared facilities are provided, <u>or deemed to be necessary to improve mobility in accordance with Section 11A.12,</u> require each landowner to provide a reciprocal easement in favour of the other landowner(s);”
23	11A.14(c)	Amend policy 11A.14(c) so that it reads, “11A.14(c) where appropriate and necessitated by timing considerations, require financial front-ending agreements to expedite infrastructure delivery. Agreements for cost-sharing will be implemented where appropriate to facilitate the provision of infrastructure <u>and parkland</u> and allocate the related costs of development amongst local landowners; and...”
24	11A.14.1(d)	Amend policy 11A.14.1(d) by adding (iv) so that it reads, “11A.14.1(d) <u>(iv) minor expansions as generally described above will not require initiation of a Block Development Plan process, provided the general intent of the Plan is maintained.</u> ”

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25	11A.14.6	Amend policy 11A.14.6 to add the following to the list of applications submitted prior to OPA 38 coming into full force and effect: <ul style="list-style-type: none">• <u>375 Kingston Road, Assessment Roll 180101003913500 (OPA 22-001/P)</u>• <u>1755 Pickering Parkway, Assessment Roll 020016178150000 (OPA 22-002/P)</u>

Brian Bridgeman

B.E. Bridgeman, MCIP, RPP
Commissioner of Planning
and Economic Development
Regional Municipality of Durham

Original Decision dated at Whitby, Ontario October 31, 2022

Revised Dated at Whitby, Ontario on November 4, 2022

REVISED Notice of Decision with Respect to an Area Municipal Official Plan Amendment

Amendment No. 38 to the Pickering Official Plan

Further to the Region's Decision dated October 31, 2022, the Commissioner of Planning and Economic Development for the Regional Municipality of Durham, as the approval authority, revised its decision on November 4, 2022, to approve Amendment No. 38 to the City of Pickering Official Plan as adopted by Council of the City of Pickering on January 24, 2022, subject to modifications under Subsection 17(34) of the *Planning Act*, R.S.O., c.P.13, as amended. The revised decision includes an update to Modification 25 in Table A, as requested by the City of Pickering, and inadvertently excluded from the Region's original decision.

Purpose of the Official Plan Amendment:

Amendment No. 38 to the City of Pickering Official Plan proposes to add new policies and updates to existing policies and land use designations to the Pickering Official Plan to enable the redevelopment and intensification of the Kingston Road Corridor and Brock Mixed Node Intensification Area.

The Amendment addresses conformity to the *Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe*, and the Regional Official Plan. Additionally, the Amendment also identifies required infrastructure improvements and transportation connections throughout the area in support of anticipated population and employment growth over the long term.

The amendment also establishes policies to further protect environmental and cultural heritage features, as well as promoting the creation of sustainable and complete communities by promoting land uses and built-form that are transit-oriented, environmentally friendly and supportive of mixed use development and walkability.

Written and Oral Submissions:

Public consultation was undertaken in accordance with the requirements of the *Planning Act*. One member of the public spoke at the Statutory Public Meeting held by the City of Pickering at the Planning and Development Committee Meeting on November 2, 2020. The City of Pickering also received a number of written submissions throughout the process.

The Region also received numerous written submissions following the City of Pickering Council adoption of Amendment No. 38. All comments were given full consideration with the City of Pickering and the Region of Durham. Further details regarding how the public input was considered are available in the City of Pickering Recommendation Report to the Planning and Development Committee, Report Number PLN 41-21, dated November 1, 2021.

When the Commissioner's Decision is Final:

If the Commissioner does not receive any notices of appeal for all or part of the decision upon lapsing of the deadline noted below, the decision, or the part of it that is not the subject of an appeal, will be final.

When and How to Submit a Notice of Appeal:

The last day for filing a notice of appeal is now November 25, 2022. Notice to appeal the decision to the Ontario Land Tribunal must:

1. be filed with the Commissioner of Planning and Economic Development at the following address:

Mr. B.E. Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development
Regional Municipality of Durham
Planning and Economic Development Department
Planning Division
605 Rossland Road East
P.O. Box 623
Whitby, ON L1N 6A3
2. set out the reasons for the appeal, and the specific part of the proposed official plan amendment to which the appeal applies; and
3. be accompanied by the fee of \$1,100.00 in the form of a certified cheque or money order payable to the Ministry of Finance, as required by the Ontario Land Tribunal.

Who Can Submit a Notice of Appeal:

Only individuals, corporations or public bodies may appeal a decision of the municipality to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to Council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

For Further Information:

Information about Amendment No. 38 and the decision is available for public inspection during office hours at:

The Regional Municipality of Durham
Planning and Economic Development Department,
Planning Division
605 Rossland Road East, 4th Floor
P.O. Box 623
Whitby, ON L1N 6A3

Please contact Lori Riviere-Doersam, Principal Planner in this Department, at (905) 668-4113 extension 2572 or via e-mail at lori.riviere-doersam@durham.ca if you have any questions.

Last Date this Notice was Given: November 4, 2022