

December 11<sup>th</sup>, 2023

**City of Pickering**

Planning and Development Department  
One the Esplanade  
Pickering, Ontario  
L1V 6K7

**Attention:** Nilesh Surti, Division Head, Development Review and Urban Design  
Isabelle Janton, Senior Planner, Site Planning

**RE:** **Planning Justification Letter**  
Zoning By-law Amendment & Draft Condominium Application (Common Element)  
Application  
Block 2, Plan 40M-2685 (Phase 2)  
TBG Project No. 15336-2  
Related City File No. S04/22, Z 005/17, SP-2017-02

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On behalf of our client 9004807 Canada Inc. ("Stonepay"), please find enclosed the first submission for a Zoning By-law Amendment (ZBLA) and a Draft Plan of Condominium ("DPC") for Block 2 of the Plan 40M-2639, in the City of Pickering ("Site" or "Subject Site"). The enclosed ZBLA and DPC application pertains only to Block 2 of the development for which the Site Plan Agreement is currently being drafted (S04/22). The proposed development will require a Draft Plan of Common Element Condominium approval, where each unit is a separate Parcel of Tied Land ("PoTL") sharing the private roads, visitor parking, and shared landscaped areas as Common Elements.

## PROPOSED DEVELOPMENT

The proposed development consists of 85 street townhouse units on the Subject Site, which is a part of a larger Draft Plan of Subdivision located on the south side of Palmer's Sawmill Road west of Four Seasons Lane. The Block is irregularly shaped and has natural valley and wooded area that bounds its southwestern edge. It fronts onto Palmer's Sawmill Road along the northern property line which provides an east/west connection to Brock Road. Of the proposed 85 townhouse units, 17 are three storey conventional townhouses and 68 are three storey laneway townhouses. One access is proposed to service the development and will connect to Palmers Sawmill Road at the northwestern corner of the Site.

The townhouses are broken up across 13 development blocks and will be serviced by private condominium roads. The development is proposed as a Common Element Condominium, where common elements will include the shared private roads, visitor parking spaces, and landscaped areas such as the pedestrian mews located between the central blocks of townhouses. The proposed density of the development is approximately 46.59 units per hectare.

A total of 170 residential parking spaces will be provided in each of the private garages and driveways, at a parking rate of two spaces per unit. A total of 17 visitor parking spaces will be provided in three surface parking areas located across the site at a rate of 0.2 spaces per unit which includes two accessible parking spaces (one Type A and one Type B).

## POLICY FRAMEWORK AND ANALYSIS

### Provincial Planning Statement (2024)

The Provincial Planning Statement (“PPS”) (2024) provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. Chapter 2 of the PPS specifically guides the development of housing and complete communities. As per Policy 2.1, planning authorities shall base population and employment forecasts on those previously issued by the Province of Ontario Population Projections published by the Ministry of Finance are not available. Further to this, per Policy 2.1.4.a, planning authorities shall maintain at all times the ability to accommodate residential growth for 15 years through lands which are designated and available for residential development. As per Policy 2.1., the Durham Regional Official Plan forecasts that the City of Pickering will have a population of 251,600 people and 88,590 households by 2051. With regard to housing, Policy 2.1.6.a and 2.2.1, direct that planning authorities shall provide an appropriate range and mix of housing options that meet the needs of current and future residents and support the achievement of complete communities. Further to this, new housing shall efficiently use land, resources, infrastructure and public service facilities (Policy 2.2.1.c). Policy 2.9 directs for development that incorporates climate change considerations, supports energy conservation and efficiency, and incorporates green infrastructure.

The proposed development is located within the Pickering urban boundary in an area that is designated *Medium Density Areas* as per Schedule I of the Pickering Official Plan. The development will provide housing options for current and future residents that support the above outlined regional population forecasts, while offering an appropriate level of density for the surrounding context. The smaller and more compact unit sizes will help to diversify the available housing options in both Durham and Pickering. At present, the majority of residential dwellings within proximity to the Subject Site north of Dersan Street are single detached units, while the immediate area adjacent to the Subject Site (in Phase 1 of the development) and in the surrounding developments to the east, consists mainly of stacked townhouses and some apartments. The proposed front loaded, and rear loaded traditional townhouses provide a greater variety of housing types in a medium density built form. The proposed housing form provides for a smaller unit size that represents a more financially attainable housing option, meeting different demographic and housing needs in Pickering. Further to this, Brock Road, approximately 160 metres from the Site is designated as a *Mixed Corridor* in the Pickering Official Plan. The compact built form of the development and the higher density land use within proximity to a mixed-use corridor meets provincial directives to support the development of complete communities.

With regards to climate change and green building development, Stonepay has committed to sustainable measures which includes two water balance mitigation measures: surface Low Impact Development (‘LID’) and sub-surface infiltration. Surface LID measures promote natural infiltration by directing additional water volumes to pervious areas. Wherever possible roof leaders have been disconnected to pervious surfaces including rear yards, the parkette, and/or open

space. The implementation of increased top-soil depth across the site will also increase the surface water holding capacity of the soil. For sub-surface infiltration, it is proposed to connect rear roof drains to a third pipe or “roof drain collector” (RDC) located under the sidewalk between the housing units. The RDC under the sidewalk will consist of a perforated pipe with gravel bed for infiltration. Other sustainable measures include native species and planting, support for alternative transportation, provision of lanes to foster pedestrian oriented streetscapes, and the provision of energy efficient appliances.

As such, the proposed townhouse development is consistent with the PPS.

### Envision Durham (2024)

Envision Durham (“ROP”) (2024) is the new official plan for the Region of Durham, guiding where and how growth will occur in the plan area to 2051. ROP outlines a regional structure comprised of four systems which include the urban system, the rural system, the greenlands system, and the transportation system. The Subject Site is located within the Pickering *Urban Area Boundary*, is designated as *Community Areas*, and is located within the *Delineated Built Boundary* per Map 1 of ROP. Figure 9 of Envision Durham outlines a total housing unit growth of 55,150 units for the City of Pickering by 2051. As per Policy 5.1.6 and 5.1.7, 50% of all new residential units across the Region are to be provided through intensification within the built-up area based on the targets set out in Figure 9. Policy 5.1.15, directs that development within *Urban Areas* should be carried out to support complete community development. As outlined by Policy 5.1.15, this includes among other items, providing a compact pedestrian-oriented and transit supportive built form within proximity to a mix and diversity of amenities. Section 5.4 of ROP provides more specific direction for the development of *Community Areas*. Per Policy 5.4.2, *Community Areas* should be planned for a variety of housing types, sizes and tenures within proximity to population serving uses such as recreational opportunities, retail and commercial uses, and public service facilities.

The proposed development will help the Region of Durham and the City of Pickering work towards the housing development and intensification targets as outlined above. The development represents a compact, medium density built form that will contribute smaller and more compact housing options to housing supply in Pickering. Brock Road is designated in the Pickering Official Plan as a *Mixed Corridor* and as such will provide the future residents with access to commercial and retail uses. At present, uses including restaurants, a shopping centre, and two gyms are located at the intersection of Palmers Sawmill Road and Brock Road. As the Brock Road corridor continues to develop, the variety of commercial, retail, and services uses that are available will continue to expand. The Site is also within proximity of outdoor parks and trails including the Duffins North Trail, the Duffin Heights Forest and River Trail, and the Seaton Trail. Brock Road and Rossland Road West is serviced by Durham Region Transit bus routes including the 302 (north/south) and the 920 and 916 (east/west) which provide connection to regional transit hubs. Pedestrian connections will be provided through the proposed development that will connect to future sidewalks on Palmer Sawmill Road, Brock Road and Rossland Road West and the multi-use path (MUP) on Tillings Road. As such, the proposed development conforms to the Regional Official Plan by providing medium density intensification that is transit supportive and is appropriately located to contribute to the development of a complete community.

### Pickering Official Plan (Office Consolidation March 2022)

The Pickering Official Plan Edition 9 (“OP”) (2022) implements provincial and regional policy directives through a local policy framework. The Subject Site is located within an Urban Residential Area and is designated as *Medium Density Areas* on Schedule I of the OP. As per Policy 3.9, Urban Residential Areas are intended to be primarily for housing and should have regard for the character of established neighbourhoods, such as building height, yard setback, and parking provisions, among other items. Table 9 of the OP outlines that Medium Density Areas should have a minimum net residential density of 30 units per hectare (UPH) and a maximum residential density of 80 UPH.

The proposal is a medium density common elements townhouse development which is consistent with the LPAT approved Draft Plan of Subdivision and Official Plan Amendment. The proposed built form is appropriately scaled to the surrounding context as the Site is adjacent to a mixed-use corridor and other medium density residential uses including 3-4 storey townhouses and stacked townhouses, as per policy directives for transit supportive densities and the development of complete communities. The proposed development includes three different townhouse unit types; conventional townhouse, rear-lane townhouse and rear-lane houses with basement level garage. A total of 85 townhouses are proposed of which 17 are conventional, 45 are laneway and 23 laneway (with basement) townhouses. Overall, the proposed development balances policy directives for higher density housing with the broader existing context of low density single detached residential uses by providing ground related units and maintaining similar heights. The proposed density of the development is 46.59 UPH.

The Subject Site is also located within the Duffin Heights Neighbourhood which provides further area specific policy for development occurring within the area. Policy 12.17.e. requires that a broad mix of housing by form, location, size and affordability be provided within the neighbourhood. Policy 12.17.k. provides the following considerations and requirements for development within Duffin Heights including among other items: implementing mitigation measures where development proposals about existing long-term uses; requiring a fine grain mix of housing types, fronts and tenures; and designing the local street pattern and walkway connections to enable residents to be within 400 metres of an existing transit stop. Policy 12.17 also outlines submission requirements pertaining to functional servicing and stormwater management, as well as the protection of the natural environment.

As per the above area specific policies, the proposed development has been designed to incorporate variations across the townhouse blocks, including three different unit types, to offer a mix in available unit sizes and to create visual interest in the built form. While the proposed condominium will create “freehold” parcels of tied land for each unit, vehicular access will be from the internal private roads/lanes, with pedestrian access via future public sidewalks on Palmer’s Sawmill Road, multi-use path on Tillings Road, the private mews, or private sidewalks along the internal road network.

The closest transit stop to the proposed development can be accessed from Palmer’s Sawmill Road and it is located approximately 400 metres north of the intersection of Brock Road and Rossland Road West. The development will provide sidewalks that connect to a future sidewalk on Palmer’s Sawmill Road and internal sidewalks with a width of 1.5 metres are provided on one side of the private condominium roads within the development.

With regards to functional servicing and stormwater management, the Site is part of an approved Draft Plan of Subdivision (Registered Plan 40M-2685) and detailed design of the public infrastructure (servicing and stormwater management pond) has been designed in accordance with the requirements of the City of Pickering, Toronto Region Conservation Authority (TRCA) and Region of Durham, and the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Environment & Climate Change (MECC).

Draft Plan of Subdivision application has already been submitted and approved for the Subject Site through which several study requirements and land use compatibility considerations have been addressed. The City is currently in the process of drafting a Site Plan Agreement for the proposed development and the Subject Site is already part of a Subdivision Agreement for the approved and registered Plan of Subdivision 40M-2685. The Site Plan application has gone through multiple submissions and has received sign off from various agencies and departments and the Site Plan Agreement is currently being drafted.

For the above reasons, the proposed townhouse development conforms to the Pickering Official Plan.

### **Zoning By-law 7710/19**

The Site is zoned "MU-MD-2" Zone which permits block townhouse dwelling and stacked dwelling with a maximum height of 12 metres for block townhouses and minimum residential parking rate of 2 parking spaces per unit and a minimum of 0.2 of a parking space per unit for visitor parking. When the ZBLA was approved for the entire Subdivision, each Block was contemplated as Standard Condominiums, however, due to the proposed Common Element Condominium tenure, each unit will be a POTL which changes lot line boundaries and as a result, the zoning requirements are reviewed on a lot-by-lot basis instead of a single block basis. Therefore, we are requesting a Zoning By-law Amendment application with site-specific provisions to address the technical requirements of the Common Element Condominium while maintaining the design, function, and layout of the Site Plan.

### **CONCLUSION**

The proposed development has been reviewed and considered in the context of applicable provincial, regional, and municipal planning policy documents. The development supports provincial and regional land use planning and development directives as set out in the Provincial Planning Statement and the Durham ROP. The development proposes medium density residential uses in an area designated for medium density development and within proximity to Brock Road, a designated mixed-use corridor. Further, the development is well supported by Durham Region Transit, which has stops for both north/south and east/west bus routes within walking distance of the Site. As such, the proposed development will provide a level of density that is transit supportive and is located within proximity to a mix of existing and future commercial and retail service uses, which will support the development of a complete community. The proposed development meets the intent of the Pickering OP by providing 85 townhouse units in three different townhouse typologies. The design of the proposal has been scaled to balance policy directives to provide medium density residential uses with directives that building typologies shall be compatible to the immediate and broader surrounding context. A ZBLA is

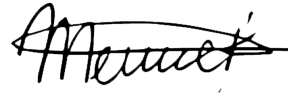
requested to amend the zoning provisions for technical reasons to permit the proposed Common Elements Condominium ownership structure.

In summary, the use of the subject lands as a medium density residential development, through a rezoning to Multiple-Unit "MU-MD-X", is appropriate given the Provincial, Regional and Municipal plans and policies. The proposed development will continue the residential intensification planned within the Duffin Heights neighbourhood and conforms to the Site Plan. For all these reasons, this medium density residential proposal is in the public interest, represents good planning and warrants the support of City Staff and Council.

Respectfully submitted,  
THE BIGLIERI GROUP LTD.



Mike Pettigrew, B.U.R.P.I.  
Partner



Merve Kolcak, RPP  
Planner

Figure 1: Subject Site Location



Source: VuMaps, 2024