

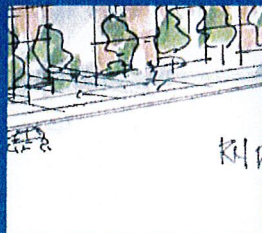
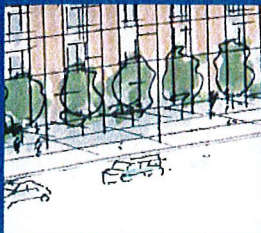
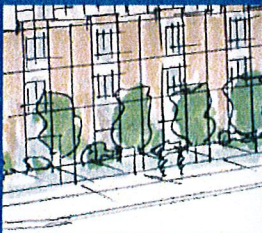
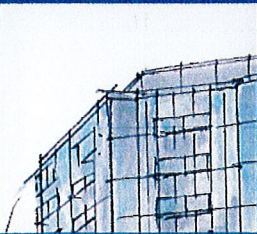
THE BIGLIERI GROUP LTD.

# PLANNING RATIONALE REPORT - ADDENDUM

Main Street Seaton Subdivision

Brock Road and Rex Health Drive

Prepared For: Averton (Brock) Limited



JULY 2017



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# EXECUTIVE SUMMARY

The proposed development is comprised of the final two phases of the Main Street Seaton Subdivision by Averton (Brock) Limited. Blocks 3 and 4 were approved in 2014 and registered within Plan 40M-2568. A Zoning By-law Amendment (ZBA) was approved in 2015 (By-law 7444/15) which governs the entire development.

In 2013, applications were made for Draft Plan of Subdivision Approval and ZBA for a proposed mixed-use development on the subject lands. In support of the applications a Planning Rationale Report was prepared by The Biglieri Group Ltd. Following the approvals in 2015, further Site Plan Approval (SPA) applications have been submitted for Phase 1 and 2 which have, in general, followed the original concept plan that accompanied that application.

Phase 3 and 4 are designated as Regional Corridor in the Region of Durham Official Plan, Mixed Corridor in the City of Pickering Official Plan, Brock Road Streetscape in the Duffin Heights Development Guidelines, and are zoned as MU-28 in the site-specific Zoning By-law.

Presently, Averton (Brock) Limited has undertaken a site design process for the final two Phases of the development. The proposal for the subject lands consist of 150 back-to-back stacked townhouses, 351 residential apartments, and over 800 square metres of retail space, with several pedestrian connections to the first two phases, and landscaped areas along Brock Road and around the proposed buildings.

The current proposal is in keeping with the original concept plan, however, the client is seeking to amend the site-specific Zoning By-law to increase the height and density of the mixed use towers, and to reduce the overall required commercial floor area. The development will be subject to the provisions under Section 37 of the *Planning Act* for additional height and density beyond the maximum permitted by the By-law.

In March 2017, a pre-consultation meeting was held to discuss the proposed development. At that time, City and Region staff made a request for this addendum to the Planning Rationale Report. In addition, Staff requested updates the following reports:

- Updated Stormwater Management Report
- Updated Noise and Vibration Study
- Updated Traffic Impact Study

A Property Appraisal Report was also requested to determine the uplift value associated with the approval of any additional units beyond the maximum allowed within a Mixed Corridor area.

The updated Stormwater Management and Traffic Impact Study reports have been reviewed by TBG. The SWM Report has determined that the stormwater management of the proposed development can be completed while maintain adherence to the downstream SWM Report prepared by Sernas Associate. The addendum to the TIS concluded that the traffic demands based revised proposal will not significantly change and can be accommodated within the current design of the road network. The updated noise report provided direction for proposed Noise Abatement measures which are consistent with the previous recommendations for the subject lands.

In summary, the proposed development will greater contribute to the policies of the various provincial, regional, and local plans through the addition of more compact urban forms of development, which are transit-supportive, provide a greater mix of housing and uses through intensification, and encourages alternative modes of transportation (walking, cycling, public transit) through a combination of good urban design, proximity to high order transit and pedestrian and cycling systems.

The proposed development conforms to the policies of the Regional and Local Official Plans, the Duffin Heights Development Guidelines, and meets the general intent of the Zoning By-law. It is also consistent with the Provincial Policy Statement, and conforms to the updated Growth Plan for the Great Golden Horseshoe.

# 1.0

## INTRODUCTION

In 2013, the Biglieri Group Ltd. (“TBG”) was retained by Averton (Brock) Limited to make submissions for Draft Plan of Subdivision and Zoning By-law Amendment (ZBA) for the lands municipally known as 2675, 2699, 2705, and 2725 Brock Road. As part of that submission, TBG provided a Planning Rationale Report to support the proposed development. This report is an addendum to the Planning Rationale Report (July, 2013), in support of a ZBA application for the final two phases of the development based on current detailed site plans.

This addendum will focus on Phases 3 and 4 (Blocks 3 and 4) of the registered Draft Plan of Subdivision (Plan 40M-2568). These phases of the development front onto Brock Road, and have vehicular access from a private road network off Rex Heath Drive. Brock Road is a major arterial road identified within the Region of Durham Official Plan (RDOP). The subject lands are designated as a *Regional Corridor* in the RDOP, *Mixed Corridor* in the City of Pickering OP (OP), and *Brock Road Streetscape* within the Duffin Heights Development Guidelines (DHDG). The subject lands are currently zoned as MU-28 by By-law 7444/15.

Construction has begun on the first phase of the development which consists of a mix of back-to-back and stacked townhouses, totaling 184 units. This phase of the development also includes is the construction of the Rex Health Drive which bisects the entire site linking Brock Road and Willaim Jackson Drive. Phase 2 is in the final stages of Site Plan Approval and will consist of 102 back-to-back and stacked townhouses in a similar development pattern to Phase 1.

The current proposed site plans for Phases 3 and 4 maintain, in general, the development pattern of the concept plan that helped form the basis for the approved Draft Plan and ZBA. Through a detailed design process for the final phases, a ZBA

application is required to implement the current proposal which seeks to increase the height, and therefore the number of units, for the approved mixed use towers in both Phases 3 and 4. Additionally, a block of stacked townhouses in Phase 3 has been incorporated into the apartment building to maximize construction efficiency and to increase the frontage within the “build-to” zone. Other minor adjustments have been made to improve the vehicular and pedestrian circulation within Phase 3 and 4. These changes, and the associated amendments to the Zoning By-law, are discussed in more detail later in this report.

Additionally, Averton (Brock) Limited is seeking to utilize the provision of Density Bonusing under Section 37 of the *Ontario Planning Act* to permit an increase in the overall density previously approved on the subject lands.

This Planning Rationale Report will evaluate the merits of this application in the context of all applicable provincial and municipal policies. It will also consider the existing and planned surrounding land use framework and the merits of the proposed amendment to the approved residential development.



# 2.0

## BACKGROUND

The City of Pickering approved the draft plan of subdivision (now registered plan 40M-2568) in 2014. A ZBA application was also approved (now By-law 7444/15) in 2015. The development of the entire site has followed the proposed Phasing Plan which began with the sale and construction of a mix of back-to-back and stacked townhouses on Phase 1 (Block 1) and the construction of the Rex Heath Drive. Phase 2 (Block 2) is nearing final Site Plan Approval with construction expected to start shortly thereafter.

The proposed amendments for Phases 3 and 4 (Blocks 3 and 4) are a response to the changes in market conditions in the immediate area. Demand

for high density and in particular multi-unit apartment housing forms has increased in this area which has been encouraged by the City of Pickering through its Official Plan and the Duffin Heights Development Guidelines.

A pre-consultation meeting took place on March 28, 2017 between Averton (Brock) Limited, TBG, and City of Pickering staff to discuss the proposed amendment to the approved development. The outcome of the pre-consultation meeting was a request by Staff for an addendum to the Planning Rationale Report with a series of supporting documents to justify the proposed amendment.

Staff from the City of Pickering and the Region of Durham requested the following reports and studies:

- Updated Stormwater Management Report;
- Updated Noise and Vibration Study;
- Updated Traffic Report; and,
- A Property Appraisal Report.

**Figure 1 – Conceptual Rendering of the Proposed Development of Phase 4**



# 3.0

## SURROUNDING LAND USE CONTEXT

Since writing the Planning Rationale Report in July of 2013, the surrounding land use context has changed significantly. The construction of many of the approved developments, including construction on the subject lands, has altered the built form of the area. **Figure 2** below depicts the changes in development between 2009 and 2016.

**Figure 3** shows the Main Street Seaton development in its entirety with the current proposal for Phases 3 and 4. Phase 1 has received final SPA and Phase 2 is nearing its final SPA. The development pattern for Phases 3 and 4 were approved in principle as part of the Draft Plan of Subdivision and Zoning By-law Amendment applications in 2013.

**Figure 2 – Changes in Development, 2009-2016**

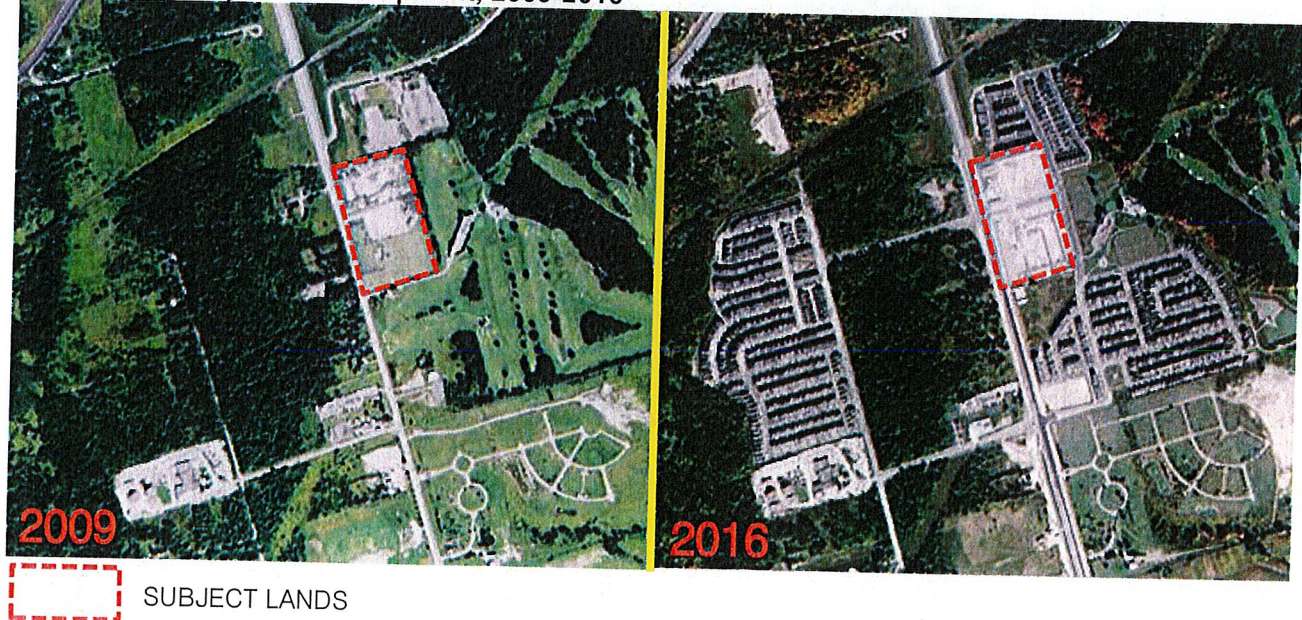
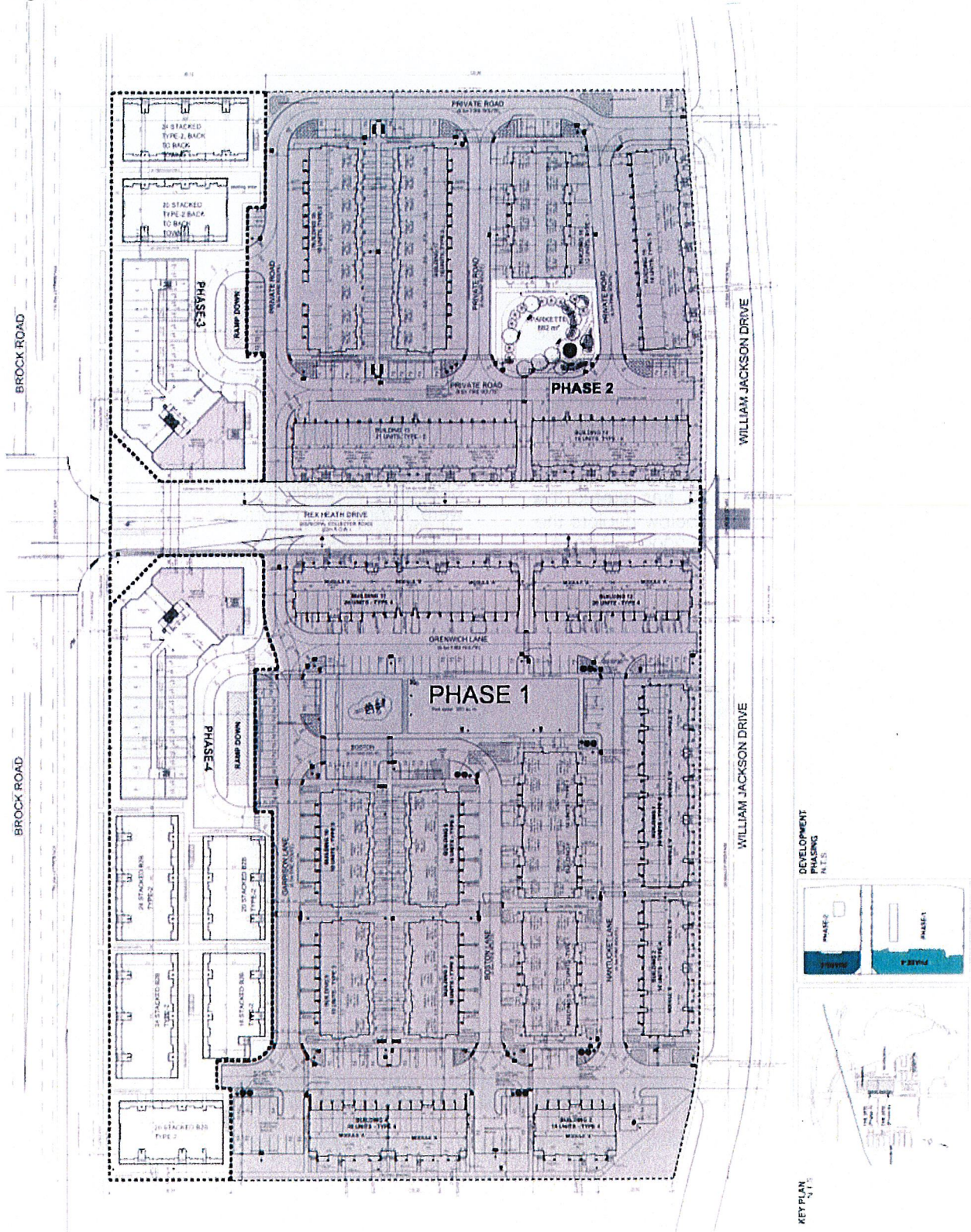




Figure 3 – Site Plan for All Phases





# 4.0 PROPOSED DEVELOPMENT

The site and building design, municipal servicing, traffic, and noise impact mitigation features of the proposed development are all discussed in detail below.

## 4.1 Site Plan (RN Design)

Conceptual site plans have been prepared for Phases 3 and 4 which provide greater detail than the original conceptual plan which accompanied the previous Planning Rationale Report. The current conceptual site plans propose a total of 501 units over the two Blocks. In conformity with the existing Zoning By-law, two unit types are provided in these Phases; back-to-back stacked townhouses, and apartments.

The original concept plan proposed a slightly different unit mix and a lower overall unit count in Phase 3 and 4. **Table 1** below illustrates the unit count of the original concept plan in comparison to the current proposal.

**Table 1 – Change in Unit Count**

PHASE 3	Original	Proposed	DIFF
Back-to-back Stacked Townhouses	60	44	-16
Apartments	104	157	+53
<b>Total</b>	<b>164</b>	<b>201</b>	<b>+37</b>
PHASE 4	Original	Proposed	DIFF
Back-to-back Stacked Townhouses	110	106	-4
Apartments	134	194	+60
<b>Total</b>	<b>244</b>	<b>300</b>	<b>+56</b>
<b>TOTAL</b>	<b>408</b>	<b>501</b>	<b>+93</b>

As shown in **Table 1**, while there is a slight decrease in back-to-back stacked townhouses, the overall unit count has increased by 93 units from the original proposed concept plan. The previous plans did not reach the density ceiling of 140 units per net hectare (742 units).

The loss in townhouse units in the current proposal for Phase 3 was a result of incorporating one of the blocks of units into the apartment building (which will feature ground floor related units) to increase construction efficiency and increase frontage within the “build-to” zone along Brock Road. The loss of townhouse units in Phase 4 was the result of the revised size of the ramp to the underground garage. In order to accommodate additional apartment units, the height of the mixed use towers has been increased from 8 storeys to 16 storeys in Phase 3, and from 8 to 21 storeys in Phase 4.

In the current proposal, the amount of proposed commercial gross floor area (GFA) will be 403.73 square metres in each tower, for a total of 807.46 square metres over both Phases. The minimum permitted gross leasable floor area under By-law 7444/15 is 1,000 square metres in an apartment building. **Table 2** below illustrates the proposed change.

**Table 2 – Change in Commercial Floor Area (m<sup>2</sup>)**

	Required	Proposed	DIFF
Phase 3	1,000	403.73	-596.27
Phase 4	1,000	403.73	-596.27
<b>TOTAL</b>	<b>2,000</b>	<b>807.46</b>	<b>-1,192.54</b>

The site plans for Phase 3 and 4 are shown on the following page (see **Figures 4** and **5**).



Figure 4 – Proposed Phase 3 Site Plan

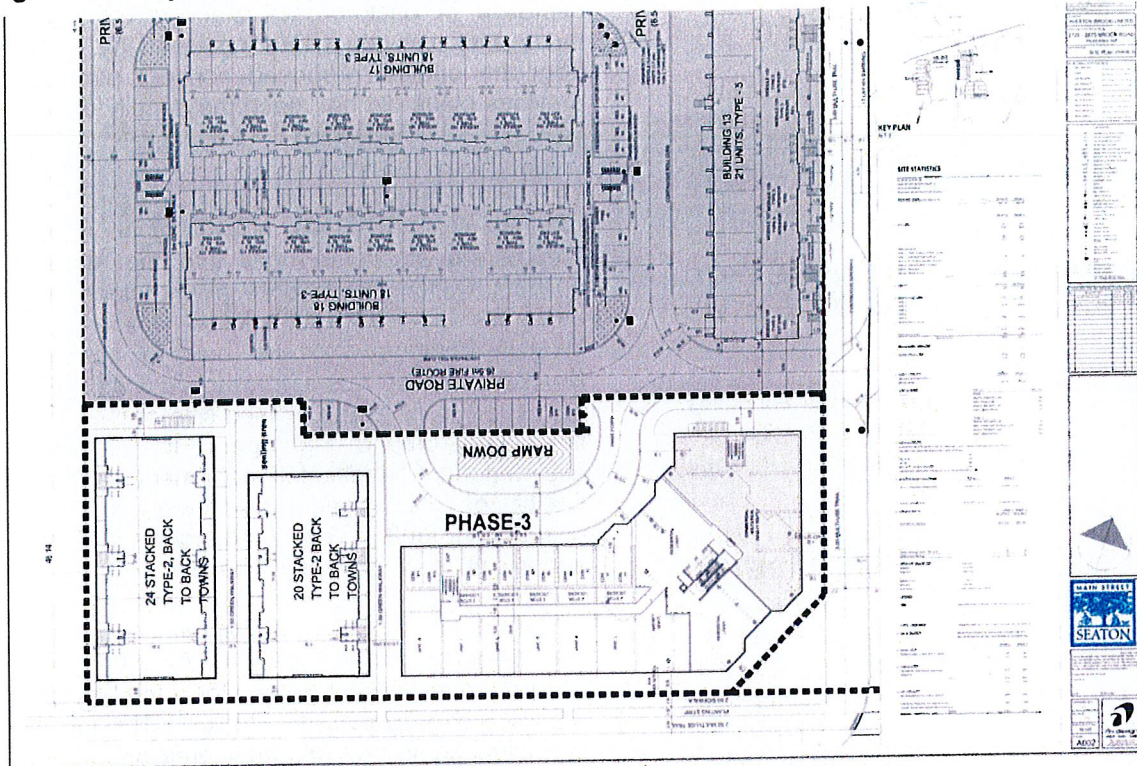
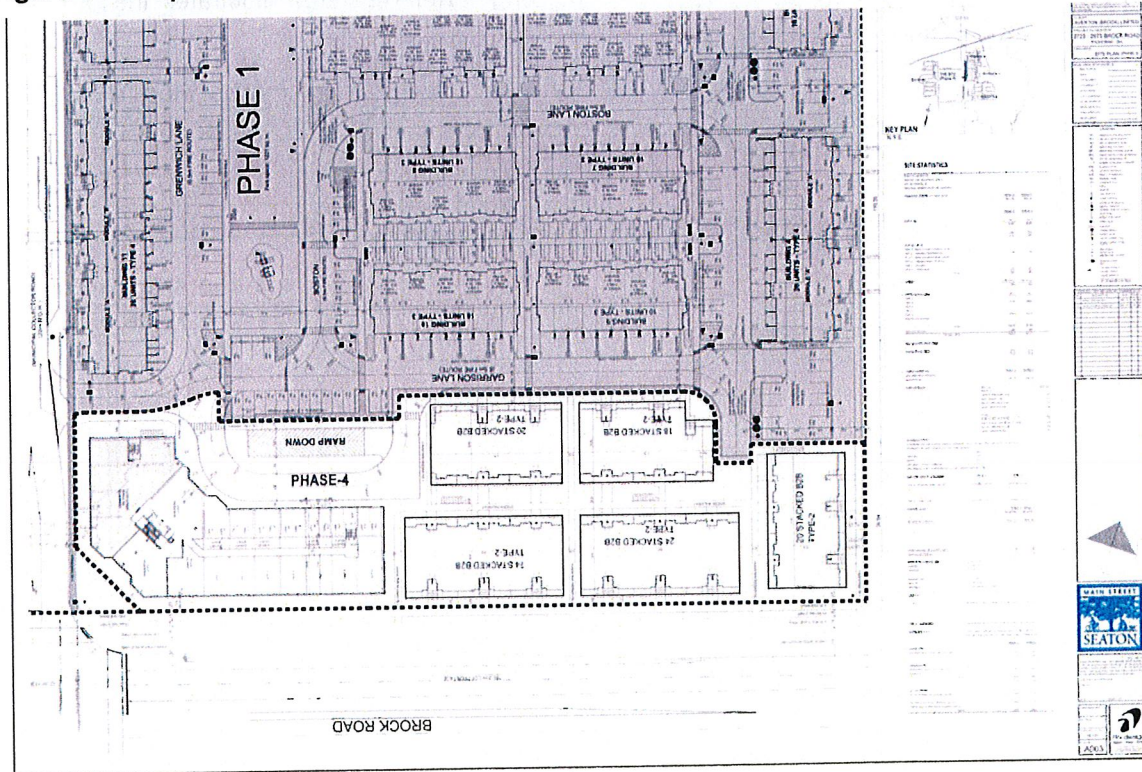


Figure 5 – Proposed Phase 4 Site Plan



## 4.2 Section 37 Density Bonusing

Overall net residential density has increased on the subject lands under the current proposal. **Table 3** below shows the difference in net residential density between the original development proposal and the current proposal.

**Table 3 – Change in Density**

Density		
Net Hectares	5.3ha	
	Total Units	Units per Net Hectare
Original	694	131u/ha
Proposed	787	148u/ha
Permitted	742	140u/ha
<b>DIFF</b>	<b>+45</b>	<b>+8u/ha</b>

As illustrated in **Table 3**, the proposed development will require Density Bonusing to permit the additional 45 units beyond the maximum permitted density for Mixed Corridors. Another measure for density is the maximum permitted Floor Space Index (FSI). The maximum permitted FSI for Mixed Corridors is 2.5. The current proposal is seeking an FSI of 1.41 for the entire site.

As per the provisions of the *Planning Act*, Density Bonusing may be applied to a development to permit increased height and densities otherwise permitted by the by-law, in return for the provision of such facilities, services or matters. An appraisal report has been prepared for the City of Pickering to determine the up-lift value of the proposal for an additional 45 units. The up-lift value will provide Staff with a means for calculating a monetary value for the required community benefit as per the requirements of Section 37 of the *Planning Act*.

Averton (Brock) Limited will work with City staff, the local Councillor, and community stakeholders to determine the best allocation for the funds described above.

## 4.3 Civil Engineering (SKA Engineering)

SKA Engineering had previously prepared the functional servicing report and civil engineering design in support of the application. As requested through the pre-consultation discussions, SKA has prepared an updated Stormwater Management (SWM) Report to reflect the proposed conceptual site plans.

The updated SWM Report concluded that the stormwater management of the proposed development can be completed while maintaining adherence to the downstream SWM Report prepared by Sernas Associate. The report concluded this can be achieved through:

- Placing ICDs on each catchbasin within the Averton subdivision (except the catchbasins collecting drainage from swales) results in the target flow rates set by Sernas Associates being met under the City's new 100-year storm conditions;
- The existing downstream pond will provide quality and quantity control for the proposed development;
- Sewers have been designed to capture and convey the 5-year storm, storms greater than the 5-year will be conveyed via overland flow to the Mattamy Homes pond;
- An infiltration target of 5100m<sup>3</sup>/a has been set for the Averton subdivision and a best efforts method has been used to reach this goal; and,
- Adequate erosion and sediment control measures shall be provided during the construction process.



## 4.4 Traffic Impact Study (BA Group)

A Traffic Impact Study was prepared by BA Group in support of the approved development. BA Group has prepared an addendum to their report in support of the updated unit count data based on conceptual site plans. The development as previously approved was estimated to generate approximately 270 and 335 vehicle trips during the weekday morning and afternoon peak hours, respectively

BA Group has analyzed the current proposal comprised of a total of 787 units (in all Phases) and 808sq.m of commercial retail space. The trip rates within the TIS addendum for the apartments was derived from the Institute of Traffic Engineers (ITE) Trip Generation Manual 9<sup>th</sup> Edition lands use codes 230 and 232 for residential uses, and the ITE land use code 820 for the retail use. Additionally, for residential trips, an 11% reduction in site traffic was applied to account for trips made by non-auto means (walking, cycling, and public transit) based upon the following:

- Transit will be a 5-minute walk from any part of the Duffin Heights development.
- Consistent with the TIS report of July 2013, a model split of 33% was used in the Environmental Service Plan based upon full build out of Duffin Heights Neighbourhood. As such, an 11% reduction would represent one third of the total traffic reduction used in the Environmental Service Plan.

Based on their analysis, the estimated number of trips generated by the proposal will result in the same number of trips as the previous approved plan. Therefore, the vehicle demand generated by the proposed development can be accommodated by the existing and future roadway network and intersection configurations currently being completed by the Region of Durham, and there is no negative impact from the proposed amendment to the overall development plan.

## 4.5 Noise Report (Valcoustics Canada)

An Environmental Noise Assessment was prepared by Valcoustics Canada in support of the approved development. An addendum to this report was prepared by Valcoustics Canada as per the request from Staff during the pre-consultation process.

Similar to the previous concept plan for the built form, STC ratings for the townhouses are required to be 54 for walls and 32 for windows. Apartments will require STC ratings of 54 and 38 for the walls and windows respectively.

Based on their analysis, the revised development proposal does not significantly affect the conclusions and recommendations of the previous noise report and addendum. With the incorporation of the recommended noise abatement measures for the indoor and outdoor areas, as well as the MOE noise guideline requirements, it is expected that the proposed development will provide a suitable acoustical environment for the future residents.

# 5.0

## POLICY

### DISCUSSION

#### 5.1 Provincial Policy Statement (2014)

Since the writing of the previous Planning Rationale Report, the Provincial Policy Statement (PPS) has been updated. However, the overall intent of the PPS still provides overall direction on matters of provincial interest in terms of land use planning and development in Ontario. The current PPS document came into effect on April 30, 2014. The PPS states that healthy, livable, and safe communities are to be sustained, including among other matters, promoting efficient development and land use patterns, by accommodating an appropriate range and mix of residential, employment, recreational, and open space uses to meet long-term needs.

Land use within settlement areas shall be based on densities and a mix of land uses, and should provide a range of uses and opportunities for intensification and redevelopment. Appropriate densities should be promoted for new housing which efficiently use land resources, infrastructure and public services. The PPS promotes all forms of housing required to meet social, health and well-being requirements of current and future residents in municipalities.

The proposed residential development is in conformity with the PPS's intensification and redevelopment objectives for land within the current urban settlement boundary of the City of Pickering.

The proposed residential development will:

- Aid in increasing the current mix of residential uses in the area of Duffin Heights to promote efficient development and land use patterns;
- Incorporate intensification and redevelopment in Pickering to aid in diversifying the existing housing supply;
- Provide for an appropriate mix and range of residential typologies to meet long-term needs of future and existing residents;
- Encourage compact mixed-use development that incorporates compatible land uses;
- Efficiently use and take advantage of existing resources, infrastructure and public services; and
- Create development that supports the existing transportation network in Pickering, well-served by both current and future modes of transit and routes.



## 5.2 Growth Plan for the Greater Golden Horseshoe (2017)

The current proposal is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe (Growth Plan), which was approved under the authority of the Places to Grow Act, 2005 by the Lieutenant Governor in Council of the Province of Ontario, and came into full force and effect on July 1, 2017. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: direction of where and how to grow, the provision of infrastructure to support growth, and protecting natural systems and cultivating a culture of conservation. The Growth Plan carries forward many of the principles and policies of the PPS relating to transit, land use and conservation.

The Guiding Principles of the Growth Plan are centered on the idea of complete communities, intensification, housing affordability, and a broad range of uses. The Growth Plan provides a framework for managing growth in the various built-up areas within each municipality which must accommodate a minimum of 50% of all residential development annually.

The proposed residential development is consistent with the Growth Plan's framework for managing growth because:

- The subject site is very well located and within the appropriate land use context for the proposed form and scale of redevelopment, especially given the Official Plan policies and Tertiary Plan. The proposed redevelopment will enhance the existing context given the current underutilization of the subject site. The proposal is a form of development that is consistent with the future development and municipal plans for the surrounding lands;
- The policy theme of optimization and making the most efficient use of land and resources, especially in Settlement Areas, is at the core of the Provincial planning objectives. The proposed development will provide an adequate and appropriate amount of density for the area. Given the form of this

development, and range of housing forms and sizing in the neighbourhood, the housing will meet the social, health and well-being requirements of current and future residents. The proposed density is appropriate and can be considered a contributor to the cost efficiencies (minimizing costs) through "compact form";

- The proposed development is also appropriately directed to an area with sufficient levels of infrastructure and demand given the current development taking place and the arterial road network nearby;
- The development of this site would add to the promotion and establishment of transit-supportive densities along Brock Road; and,
- This proposal recognizes compact built form and the establishment of vibrant and complete communities.

### 5.3 Regional Municipality of Durham Official Plan (2015)

No amendment to the Region of Durham Official Plan (RDOP) is requested as part of this revised development proposal. The subject lands' existing designations of *Regional Corridor* and *Living Areas* (see **Figure 6** on the following page) still apply. The proposed amendments to the approved development are consistent with these designations as per the conclusions of the Planning Rationale Report (2013) prepared by The Biglieri Group Ltd. The revisions to Phases 3 and 4 are solely within the *Regional Corridor* designation which are areas designed with a mixed use capacity to include residential, commercial and service uses, with the pedestrian in mind, which allows for transit inclusion.

Section 1.2 of the RDOP identifies several goals that are relevant to this development and are applicable to the revised development proposal. The goals of the RDOP are:

- a) to manage growth so that it occurs in an orderly fashion;
- b) to live in harmony with the natural environment and heritage of the Region;
- c) to develop the Region to its economic potential and increase job opportunities for its residents;
- d) to establish a wide range of housing opportunities in Urban Areas commensurate with the social and economic needs of present and future residents;
- e) to create *healthy and complete, sustainable communities* within livable urban environments for the enjoyment of present and future residents;
- f) to provide opportunities for a variety of cultural, health and community services; and,
- g) to manage the resources in the Region in an orderly, efficient and responsible manner.

The current proposal is consistent with these goals of the RDOP. The development proposal provides growth in a manner that represents a more efficient use of the land through intensifying the approved uses and housing opportunities on the subject lands. Further, the increased intensification of these two Phases will assist in

achieving the goal for a complete and sustainable community with a more urban environment. The selected built form and densities will ensure that the above goals are met.

Intensification is a key component of the RDOP, specifically through ROPA128. The Duffin Heights Neighbourhood Development Guidelines further support the concept of intensification.

Section 4.3.2 states that Regional Council shall support opportunities to increase the supply of housing in Urban Areas through *intensification*, taking into account the adequacy of municipal services and the physical potential of the housing stock.

Housing intensification shall include, but not be limited to, the following:

- a) the conversion of single detached dwellings into multiple residential units;
- b) the conversion of industrial or commercial buildings, or portions thereof, into residential units, in accordance with Policy 8C.2.16 and other objectives of this Plan;
- c) the creation of new residential units on vacant or underdeveloped lands through infilling in Urban Areas; and
- d) the creation of residential units above commercial uses, with preference being given to development located adjacent to arterial roads and/or in close proximity to transit routes.

The current proposal will build upon the intensification approved in the previous application and will provide additional density within a key identified area; above a commercial use, adjacent to an arterial road with available higher order transit.

Pursuant to Section 8.2.1, Urban Areas shall be planned and developed with regard for the principles of adaptability over time, sustainable *development*, harmony with nature and diversity and integration of structures and functions. In addition, the planning and development of Urban areas shall be based on the following principles:

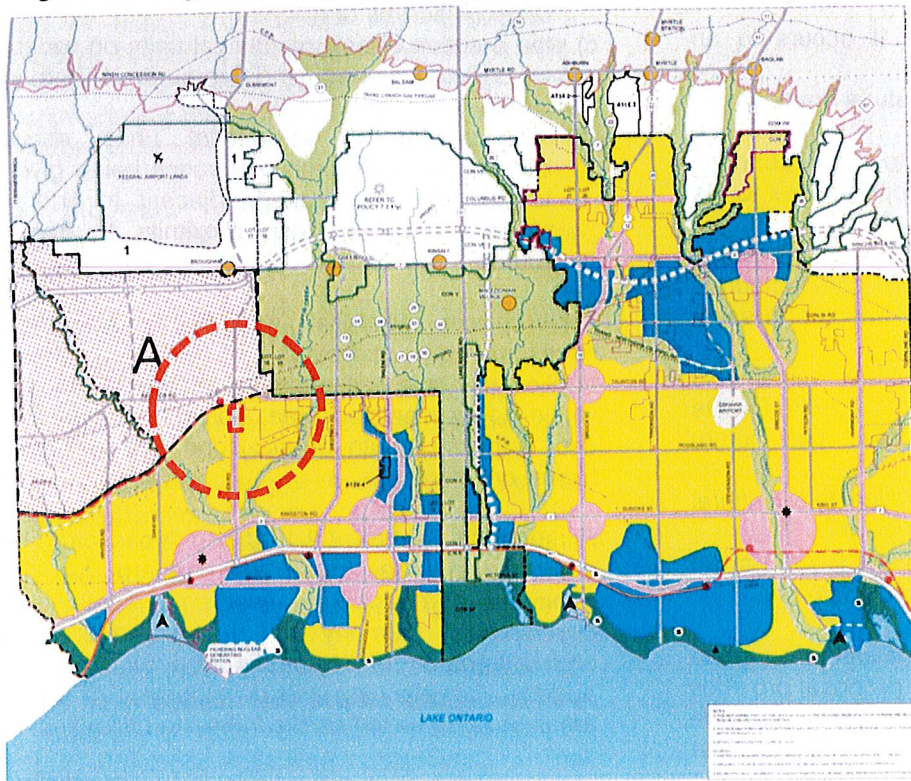
- a) A more compact urban form which promote transit-supportive Urban Areas and


- accommodates the population and employment forecasts;
- b) A mixture of uses in appropriate locations, with particular consideration given to Centres and Corridors;
  - c) Intensification, with particular regard to Policies 4.3.2, 7.3.9 and 8B.2.4d);
  - d) Good urban design principals;
  - e) Increased public transit usage;
  - f) Linkages for pedestrians and cyclists which link communities internally and externally and to the public transit system;
  - g) A grid system of arterial roads, and collector roads, where necessary, to provide for a transit-supportive road pattern while recognizing environment constraints; and
  - h) A Greenlands System that complements and enhances the Urban System.

As stated above, the proposed development of Phase 3 and 4 will greater contribute to the above policies through the addition of more compact urban forms of development, which are transit-supportive, provide a greater mix of housing and uses through intensification, and encourages alternative modes of transportation (walking, cycling, public transit) through a combination of good urban design, proximity to high order transit and pedestrian and cycling systems.

For the above reasons, it is our opinion that the development proposal is consistent with the goals and objectives of the RDOP and represents good planning.

- Figure 6 – Region of Durham Official Plan – Schedule A – Map A4



 SUBJECT LANDS





## 5.4 The City of Pickering Official Plan (2010)

The City of Pickering Official Plan (OP) designates the subject site *Mixed Corridors* on Schedule I (see **Figure 7** on page 19) located within the South Pickering Urban Area. The subject site is also within the Duffin Heights Neighbourhood, which is one of the 15 identified urban neighbourhoods in the City. The proposed development is permitted within these land use designations. The current proposed development does not seek to amend this designation. However, as part of the application to permit the current proposal for the final phases of the development, the applicant is seeking to utilize Density Bonusing under the provisions of Section 37 of the Planning Act to permit residential densities above the maximum permitted 140u/ha.

Mixed Corridor areas are encouraged to have and support the most significant amount of activity within the City, having the largest range of services and facilities, residents and commercial activity. Section 3.6 of the OP outlines the permitted uses within the *Mixed Corridors* designation. These uses include:

- residential;
- retail;
- offices;
- restaurants;
- community; and,
- cultural and recreational.

Mixed Use areas should have densities between 30 and 140 units per gross hectare at an FSI of up to 2.5. While the proposed residential density (148u/ha) for the entire site will be greater than the permitted maximum, the FSI will be 1.41. This indicates that the lands are being utilized more efficiently with a more compact built form. Therefore, the density is consistent with the policies of the OP to provide intensification within a Mixed Corridor area.

Section 11.17 of the OP provides specific direction for Mixed Corridor areas within the Duffin Heights Neighbourhood as follows:

(h) for lands designated Mixed Use Areas – Mixed Corridors:

(i) require new development to provide a strong and identifiable urban image by establishing buildings closer to the street, providing safe and convenient pedestrian access, and requiring all buildings to be multi-storey;

(ii) require commercial development to provide a second storey functional floor space with three storey massing;

(iii) require higher intensity multi-unit housing forms on lands adjacent to Brock Road and restrict grade related residential development to lands adjacent to collector or local roads;

(iv) support shared access points between properties along Brock Road in order to minimize access points along Brock Road, in consultation with the Region of Durham;

(v) may require a Trip Generation Study, an Internal Traffic Flow Plan and Access Management Plan subject to the satisfaction of the Region of Durham and City;

(x) require development within the Focal Points as identified on the Tertiary Plan contained within the Council-adopted Duffin Heights Neighbourhood Development Guidelines to contribute to the prominence of the intersection; in order to achieve this, Council shall require:

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



(xi) require the development of future roads adjacent to the Mixed Corridor designation on both sides of Brock Road to provide alternative access, potential transit routes, and boundaries for the land use designations and; on the east side of Brock Road this will consist of a Collector Road (William Jackson Drive) between Taunton Road and Brock Road; and on the west side of Brock Road, this will consist of a local road between the new northerly east/west Collector Road and the extension of Valley Farm Road.

The current proposal supports the development of the prominent corner of Rex Heath Drive and Brock Road which requires additional urban and architectural design considerations. This will create a strong sense of place at this Focal Point identified in the City of Pickering Official Plan and the Duffin Heights Development Guidelines. The proposal will establish a distinct point of interest at this location through the increased height of the point towers. The "stepped" height of the podiums will also provide a strong pedestrian-oriented streetscape along Brock Road. The massing of the revised mixed use tower buildings will create a strong and identifiable urban image by increasing the frontage within the "build-to" zone and providing functional 3 storey, pedestrian-oriented dwelling units along Brock Road.

Section 15.17 of the OP provides direction to City Council with regard to granting increased density that would otherwise be limited by the designation. The OP states that the density should not exceed an increase of more than 25% of the approved density on the site, providing:

- a) the density bonus is given only in return for the provision of specific services, facilities or matters as specified in the by-law, such as but not limited to, additional open space, community facilities, assisted or special needs housing, the preservation of heritage buildings or structures, or the preservation of natural heritage features and functions;
- b) the effects of the density bonus have been reviewed and determined by Council to be in conformity with the general intent of the OP; and,
- c) as a condition of granting a density bonus, the City requires the benefiting landowner(s) to enter into one or more agreements, registered

against the title of the lands, dealing with the provision and timing of specific facilities, services or matters to be provided in return to the bonus.

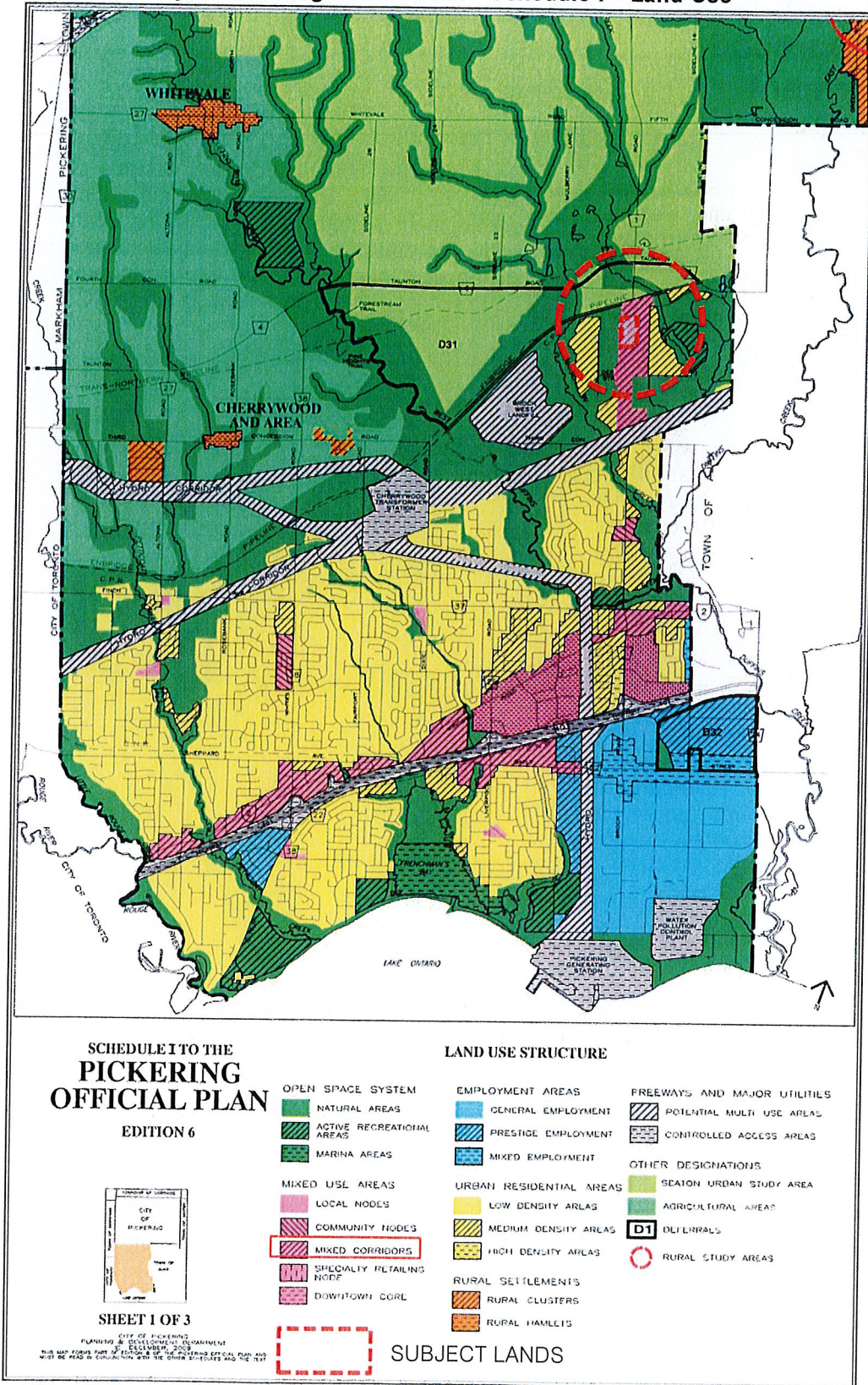
The proposed increased density is within the acceptable range for additional density (increase of less than 6% of the permitted density). The exact nature of the community benefit (facilities, services, etc.) have not yet been determined, however, Averton (Brock) Limited will consult with City staff, Councillors, and local stakeholders to provide an acceptable return for the granting of the density bonus, and enter into any required agreements to secure it.

The proposal provides a total of 808 square metres of commercial retail space on the combined first floors of the two apartment towers within Blocks 3 and 4. The inclusion of commercial floor area within these buildings is consistent with the permitted uses encouraged within Mixed Corridors areas. Section 3.6 of the OP provides direction with regard to the amount of gross leasable floor area for retail. Table 6 provides values for required retail floorspace. It states that retail floorspace for Mixed Corridors is determined by site-specific zoning by-laws. Table 5 provides direction for intensity of use which states that all uses permitted within the Local and Community Nodes designations shall be permitted within Mixed Corridors and shall be provided at a scale and intensity equivalent to Community Nodes.

The previous site-specific by-law required 1,000 square metres of commercial space in each Block which is consistent with the required retail floorspace under the Community Nodes designation. The current proposal provides floorspace for retail intended to service the immediate area at a scale which is in line with a Local Node designation. The amount of floorspace is appropriate for the proposed building design of the apartment towers. The reduction in proposed retail floorspace is supported in Section 3.6(d) of the OP which permits council to approve gross leasable floorspace below the range provided in Table 6.

For the above reasons, and based on the conclusions found in the supporting reports, it is our opinion that the proposal meets the intent of the City of Pickering Official Plan.

Figure 7 – City of Pickering Official Plan – Schedule I – Land Use





## 5.5 Duffin Heights Neighbourhood Development Guidelines

The subject lands are designated as *Brock Road Corridor Streetscape* within the Duffin Heights Development Guidelines (DHDG) which also plays a large role in the design of developments within this area (see **Figure 8** on the following page). The *Brock Road Corridor Streetscape* designation requires development to occur in a manner in relation to the *Mixed Corridor* designation of the OP as discussed above.

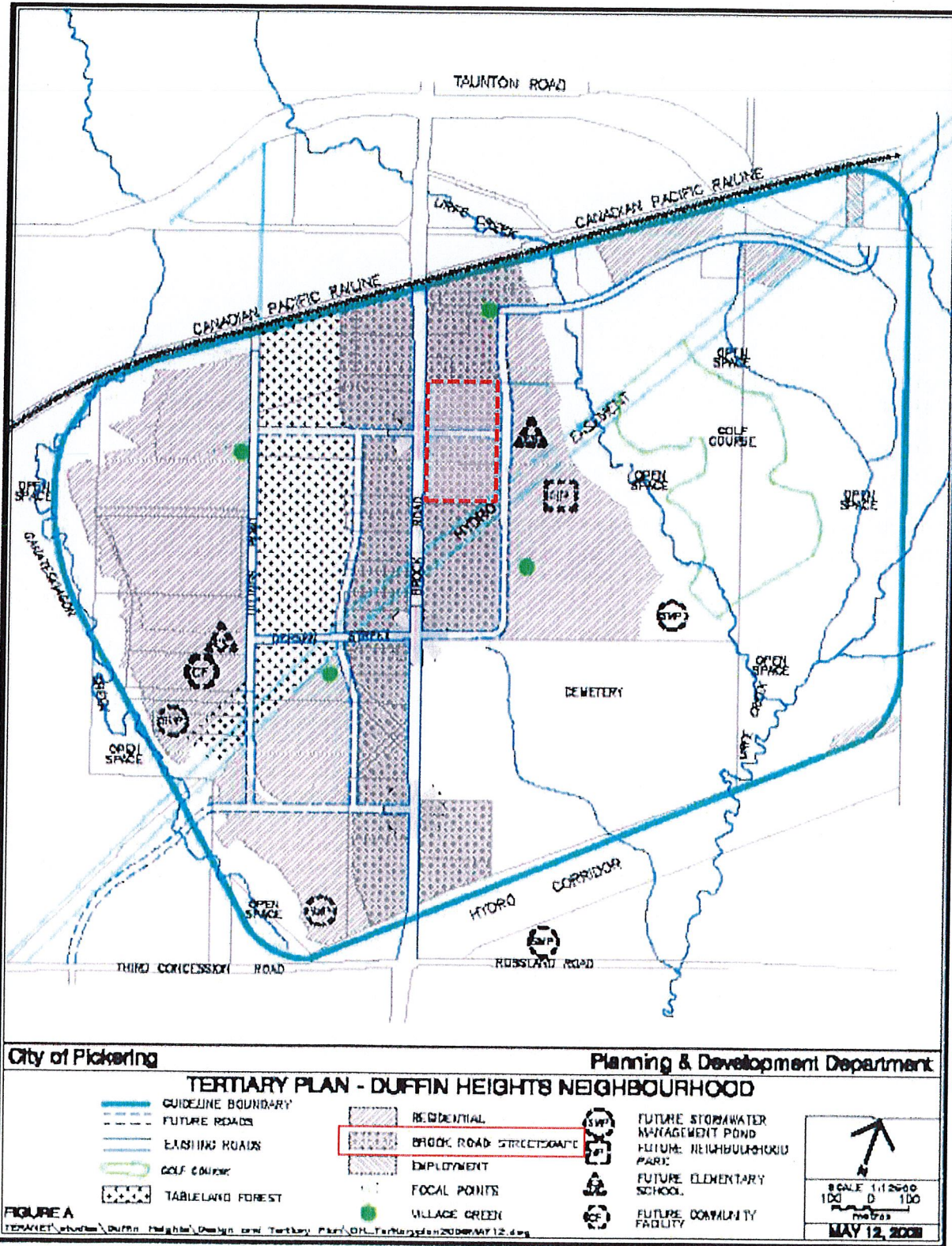
The DHDG encourages a mix of uses within the Brock Road Mixed Use Corridor with massing in the area of the subject lands of four storeys with three functional storeys. The DHDG also contains provisions for landscaping, urban and architectural design.

Section 4.1.4 provides direction for the transition from taller buildings (over 6 storeys) to adjacent low-rise development. The DHDG encourages increased rear yard depths and setbacks for taller buildings to accommodate increased landscaping and tree planting. Stepbacks for floors greater than 6 storeys must be considered utilizing base podiums to transition in scale and proportion. Residential dwellings are also encouraged to be developed in combination with retail/commercial.

The proposed mixed use towers maintain the same setbacks to the adjacent low-rise buildings as per the previous overall concept plan. The mixed use buildings are L-shaped, with access to the underground parking located at the rear in conjunction with additional landscaping. Starting at floor 8th the additional height of the towers has been further set back approximately 5.15m from the buildings in Phase 1 and 2. This will provide an adequate separation distance and transition to the low-rise buildings.

Given that the current proposed detailed design does not vary greatly with the approved development pattern, the conclusions contained within the previous Planning Rationale Report are still applicable, and therefore the current proposal is consistent with the provisions of the DHDG.

Figure 8 – Duffin Heights Tertiary Plan





## 5.6 City of Pickering Zoning By-law 7444/15

The subject lands are zoned MU-28 under By-law 7444/15 which permits apartments and back-to-back stacked townhouses (see **Figure 9**). As part of the By-law, the lands contained within Phase 1 and 2 were also rezoned to MU-MD-1 which permits the back-to-back and stacked townhouse uses currently under construction or nearing final approval.

The site-specific By-law was created for the development applications initiated in 2013. The By-law was approved on September 21<sup>st</sup>, 2015.

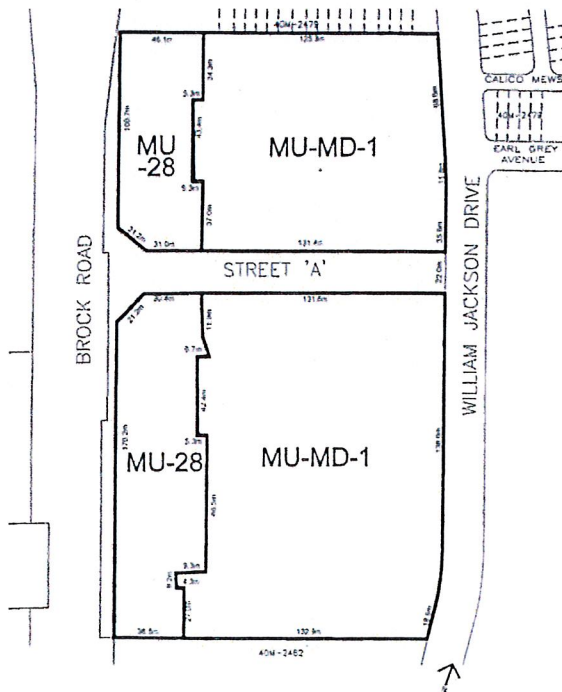
The current proposal does not seek to amend any of the provisions with regard to the MU-MD-1

zones. It will focus solely on the MU-28 zones located entirely within Phase 3 and 4.

In order to permit the proposed development for Phase 3 and 4, the following provisions under zone MU-28 will require amendment:

- Replace 5(2)(a)(v) with:
  - For any portion of an apartment building located within the MU-28 Zone, and facing Brock Road, a minimum 1.0 metre setback shall be required between the 3<sup>rd</sup> and 21<sup>st</sup> storey.
- Replace 5(2)(d)(i) with:
  - Apartment Building - 67m (21 storeys)
- Replace 5(2)(h) with:
  - Minimum gross leasable floor area of 400 square metres for all non-residential uses in an apartment building.

**Figure 9 – City of Pickering Zoning By-law 7444/15 Schedule I**



SCHEDULE I TO BY-LAW 7444/15  
 PASSED THIS 21<sup>st</sup>  
 DAY OF SEPTEMBER 2015

MAYOR

CLERK

# 6.0

## CONCLUSION

The Main Street Seaton development by Averton (Brock) Limited is well situated within the Duffin Heights Neighbourhood at the community focal point of Rex Heath Drive and Brock Road. Its prominent location provides an opportunity to develop this site following strong urban and architectural design principles. The proposed design for Phase 3 and 4 was based on the concept plan which formed the basis of the approved Draft Plan and Zoning By-law Amendment.

The previous Planning Rationale Report prepared by The Biglieri Group Ltd. provided planning justification for the form, function, and design principles for the now approved Draft Plan and ZBA. In support of the current development proposal and subsequent request for ZBA and Density Bonusing, the City of Pickering has requested this addendum along with a series of updated technical reports from various consultants.

An updated SWM Report was prepared which showed no adverse impacts from the increased height and density. Further, an addendum to the TIS was prepared which illustrated no increase in estimate vehicular trips based on the additional density, and that the current/approved road network was able to accommodate the traffic anticipated to be generated by this development. And lastly, an updated Noise Assessment provided direction for noise abatement measures that are consistent with the previous design/built form.

The proposed development and required Zoning By-law Amendment application has been reviewed and considered in the context of all applicable provincial and municipal planning policy documents and the context within which the subject lands are located. The proposed development conforms to the Local Official Plan, Region of Durham Official Plan, the Growth Plan

for the Greater Golden Horseshoe and the Provincial Policy Statement.

This report has illustrated that the current proposal is in keeping with the intent of RDOP, OP, DHDG, and Zoning By-law, and is consistent with the conclusions of the 2013 Planning Rationale Report. For all of the foregoing reasons, it is our opinion that the proposal is appropriate and desirable for the surrounding area, represents good planning, and warrants the support of staff and of Council.

If you should have any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully submitted,  
**THE BIGLIERI GROUP LTD.**



Anthony Biglieri, MCIP, RPP  
Principal



