

PLANNING RATIONALE REPORT

MIXED USE DEVELOPMENT

**1101A, 1105 & 1163 KINGSTON ROAD, CITY OF PICKERING
PREPARED FOR: TRIBUTE (BROOKDALE) LIMITED**

TBG PROJECT NO. 21809



November 2023



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1.0

INTRODUCTION

The Biglieri Group Ltd. ("TBG") has been retained by Tribute (Brookdale) Limited to prepare planning applications and obtain municipal approvals required to facilitate a proposed mixed-use development for the lands municipally known as 1101A, 1105 Kingston Road and 1163 Kingston Road, located in the City of Pickering (the "Subject Site"). The Subject Site is located on the south side of Kingston Road between Dixie Road to the west and Liverpool Road to the east and is north of Highway 401. This Planning Rationale Report has been prepared in support of Local Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBLA") applications. To facilitate the ultimate development of the lands the following applications will be submitted at a later date as needed: Draft Plan of Subdivision ("DPS"), Site Plan ("SP") and Draft Plan of Condominium ("DPC").

The Durham Region Official Plan (Office Consolidation, 2020) designates the Subject Site as *Regional Corridor*, with an underlying *Living Area* designation, and the City of Pickering Official Plan (Office Consolidation, 2022) designates the Subject Site as *Mixed-Use Area*, particularly *Mixed Corridors*. As per the City of Pickering By-law No. 3036, the Subject Site is zoned as *MU-22* and *MU-21*. Amendments to the City of Pickering Official Plan and Zoning By-law are required to permit the proposed development as confirmed through pre-consultation with the City of Pickering.

Concept Site Plans (CSP) and a Conceptual Landscape Plan have been provided to illustrate the intent of the proposed development; however, further refinements may be made at the time of formal Site

Plan and Draft Plan of Subdivision submission in the future. The proposed CSP consists of a mixed-use development with six (6) buildings, each with a 6-storey podium. Most podiums contain multiple towers. In total, 14 point towers are proposed, ranging in height from 17- to 35-storeys, with two vehicular access points from Kingston Road. Walnut Lane is proposed to be extended through the Subject Site, as well as a new east-west public street, to provide connections throughout the Subject Site. A total of 5,238 residential units are proposed for the development as well as 7,149m² of retail/commercial space and 716m² of daycare space. To service these uses 4,211 car parking spaces are proposed, across a mix of above grade and underground parking. Additionally, bike parking is proposed at a rate of 0.5 spaces per unit as well as 1 space per 1,000m²/GLA for commercial/retail uses. With respect to public amenities, 4,458m² of public park space and 6,237m² of POPS spaces are proposed throughout the Subject Site, in addition to approximately 10,476m² of private outdoor amenity space. The Subject Site has a net site area of 77,476m² and an FSI of 5. To allow for tenant relocation and continued interim site functionality, the development is planned to be constructed in four phases with the new retail/commercial spaces located in the earlier phases.

A Local Official Plan Amendment (OPA) is required in order to increase the density on the Subject Site for the proposed development. The proposed density is appropriate as it conforms to the intent of the Council adopted Kingston Road Official Plan Amendment 38 ("OPA 38"), which was developed based on the Kingston Road Intensification Plan and Urban Design Guidelines.

OPA 38 was presented to Pickering Council and adopted on January 24, 2022, and was further approved by the Region of Durham on November 4, 2022; however, it is currently under appeal. As such, although not in effect at this time, OPA 38 represents the future planning direction for the Subject Site and surrounding lands. OPA 38 designates the Subject Site as *Mixed Use A* which allows an FSI of up to 5.0, which is consistent with the density proposed by the CSP and Draft ZBLA. A Draft ZBLA is required to establish zoning performance criteria for the Subject Site which conform to the intent of OPA 38, being high-rise, mixed-use intensification in a compact pedestrian oriented built form.

This Planning Rationale Report has evaluated the merits of the proposed development (inclusive of the CSP, and Draft OPA and ZBLA) in the context of all applicable Provincial, Regional, and City policies. It is our opinion that the proposed development is consistent with the policies as set out in the Provincial Policy Statement, conforms to the policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and conforms to the policies of the Regional Official Plan. The proposed development generally conforms with the intent of the existing City of Pickering Official Plan designation however, a Local Official Plan Amendment is required to permit the proposed density. As noted above, the proposed density is in line with recently adopted Official Plan Amendment 38, which is indicative of the long-term planning direction for the Subject Site and surrounding corridor. Further, the proposed ZBLA to the Site-Specific *MU-22* and *MU-21* zones conforms to the specific performance criteria provided through OPA 38 as well as having regard for the Kingston Road Intensification Plan and Urban Design Guidelines.



2.0 SITE LOCATION AND CONTEXT

2.1 The Subject Site

The Subject Site is located in the City of Pickering, is municipally known as 1101A, 1105 Kingston Road and 1163 Kingston Road, and is legally described as Part of Lots 23 and 24, Concession 1. The Subject Site is located between Dixie Road/existing commercial plaza to the west and Walnut Lane/Pine Creek to the east. It is further bound by Kingston Road to the north and Highway 401 to the south. The Subject Site is approximately 7.74 hectares (77,476m²) in size (gross), with approximately 117 metres of frontage along Kingston Road. The Subject Site is known as the “Brookdale Centre” and currently contains a variety of retail stores including The Home Depot and Food Basics. The retail uses on the Subject Site are generally surrounded by surface parking (**Figure 1**).

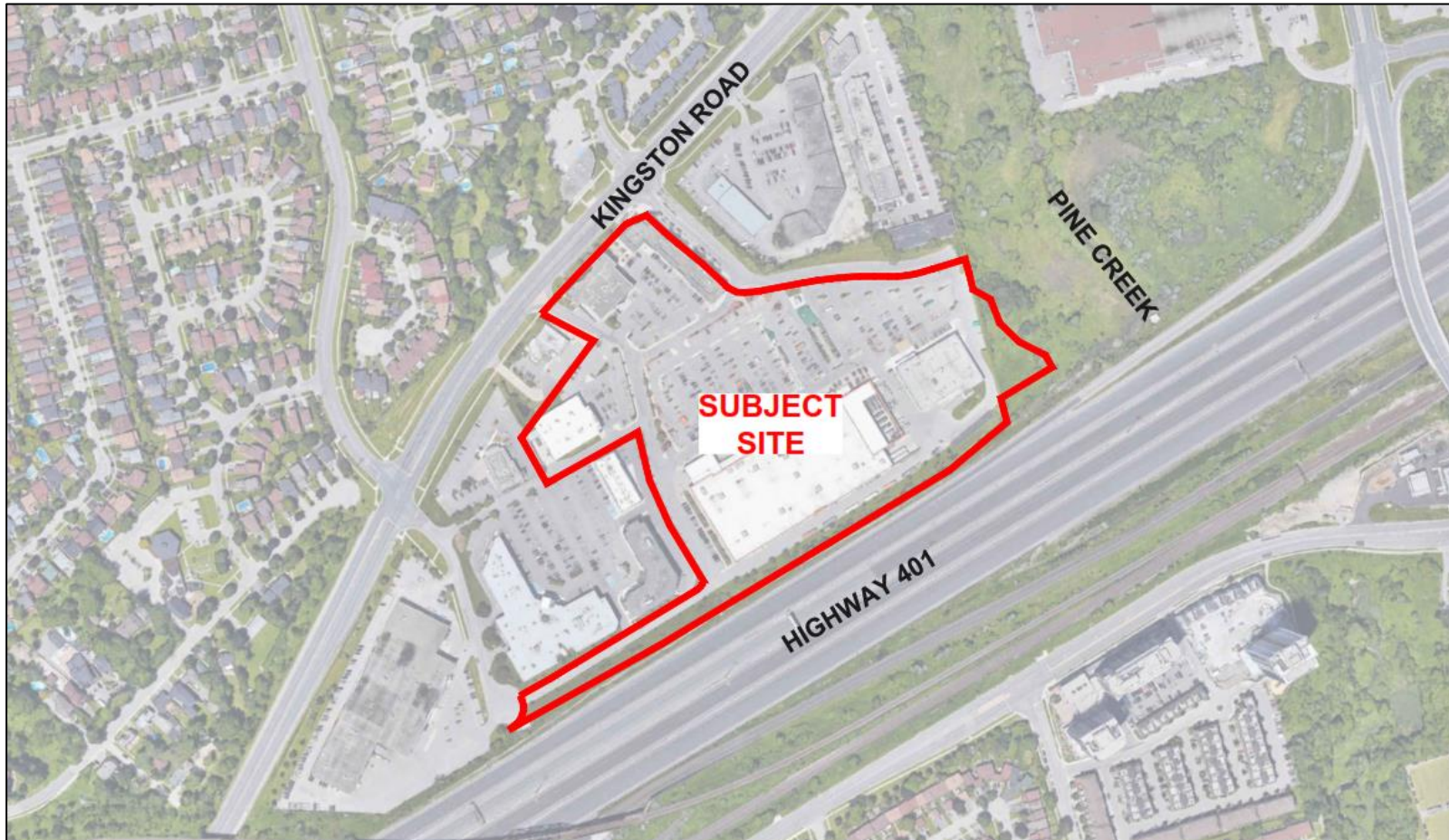
2.2 Surrounding Area

The Subject Site is situated within Kingston Road Corridor in the City of Pickering. The immediate land uses surrounding the Subject Site are a mix of commercial and residential uses (**Figure 2**). These are further described below:

- **North:** Immediately to the north of the Subject Site is Kingston Road. North of Kingston Road is a three-storey townhouse development, a wellness centre and a multi tenant commercial building. Further north low-density residential neighbourhoods are present (**Figure 3**).
- **South:** Immediately south of the Subject Site is Highway 401. South of Highway 401 are medium- and high-density residential dwellings. South of the Subject Site is also Frenchman’s Bay and a variety of parks and commercial uses (**Figure 4**).
- **East:** The Subject Site is bound by Walnut Lane and Pine Creek to the east. East of Walnut Lane and Pine Creek are a variety of commercial uses including various restaurants, grocery stores and retail stores in the Pickering City Centre (**Figure 5**).

- **West:** Immediately north/west of the Subject Site is an EMS station. Additionally, to the west are a variety of commercial uses, including various restaurants, a bakery and medical offices located at 1097, 1099 and 1101 Kingston Road. Further west, past Kingston Road, there are residential dwellings, places of worship and additional commercial uses (**Figure 6**).

Figure 1 – Aerial View of the Subject Site



Source: Bing Maps, 2023

Figure 2 – Aerial Context of Subject Site



Source: Bing Maps, 2023

Figure 3 – North of the Subject Site



Source: Google Maps, 2023

Figure 5 – East of the Subject Site



Source: Google Maps, 2023

Figure 4 – South of the Subject Site



Source: Google Maps, 2023

Figure 6 – West of the Subject Site



Source: Google Maps, 2023

2.3 Transportation Network

2.3.1 Road Network

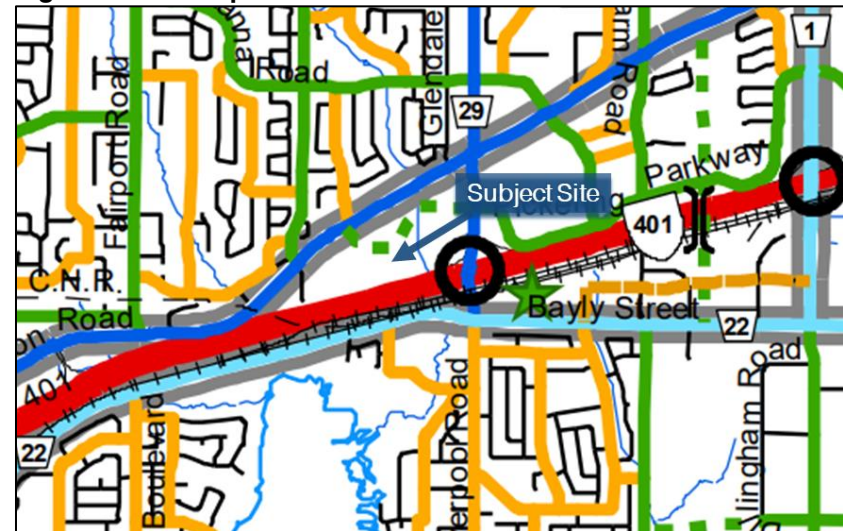
The Subject Site has approximately 117 metres of frontage on Kingston Road, a Type B Arterial Road which extends between the City of Toronto east towards Pickering City Centre. Per the Kingston Road Urban Design Guidelines and Intensification Plan, Kingston Road has a planned right-of-way width of 45-metres. Highway 401 is located south of the Subject Site and is a provincial highway that provides connections west towards the City of Toronto and the GTHA, and east towards Oshawa and eastern Ontario. Highway 401 can be accessed from an interchange at Liverpool Road and Brock Road to the east and Whites Road to the west (Figure 7). The local road network consists of Dixie Road to the west, Walnut Lane to the north/east, and a future public road which bisects the Subject Site.

Access to the development is proposed from the existing Kingston Road access as well as two Walnut Lane accesses and two Dixie Road accesses. Walnut Lane is also proposed to be extended eastward and provide connectivity to Liverpool Road east of Pine Creek. Additionally, a new public road is proposed to bisect the Site and connect Dixie Road to Walnut Lane. The new public Road has a planned right-of-way width of 20-metres.

2.3.2 Public Transportation Network

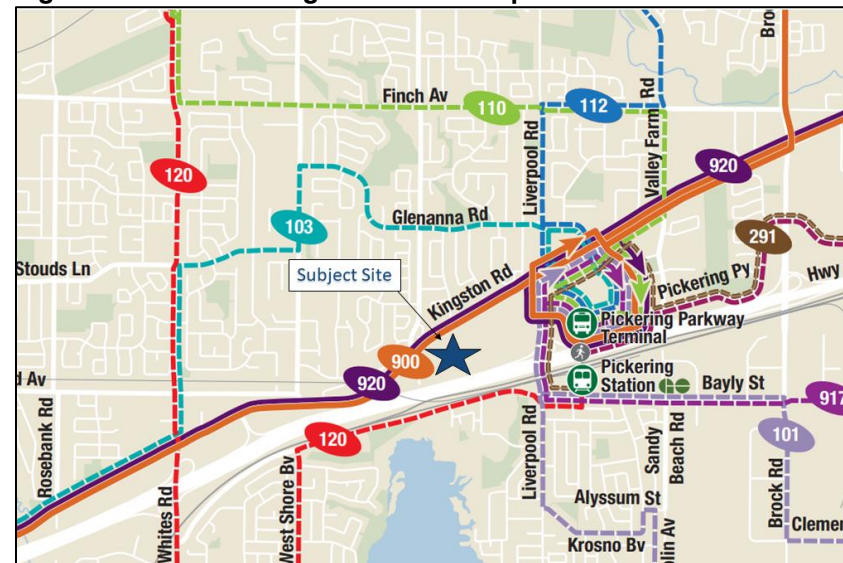
Durham Region Transit (DRT) and GO Transit operate public transit lines within proximity to the Subject Site. DRT's "Pulse" (Route 900) and Route 920 operate on Kingston Road directly north of the Subject Site (Figure 8). Bus stops for the DRT bus routes are located directly in front of the Subject Site, at the intersection of Kingston Road and Walnut Lane. Both of these bus routes have connections to the Pickering GO Train Station on the Lakeshore East GO Train, which is located approximately 2 kilometres to the east. Over the medium term, Kingston Road will house the Durham-Scarborough BRT, which will run in a dedicated lane from Scarborough Centre in the west to Downtown Oshawa in the east.

Figure 7 – Transportation Network



Source: City of Pickering Official Plan, Schedule II, 2022.

Figure 8 – Durham Region Transit Map



Source: Durham Region Transit, 2022.

2.3.3 Active Transportation Network

The Subject Site is located in a walkable and bikeable community. A sidewalk system connects the Subject Site along Kingston Road and Walnut Lane. Furthermore, the Subject Site is located within proximity to various connections on the existing cycling network in Pickering. These connections include a Bike Lane along Kingston Road approximately 200 metres east of Walnut Lane, which connects to a Bike Lane on Glenanna Road. Further, south of Highway 401 is the Waterfront Trail, providing connection along the waterfront between the City of Toronto and the Town of Ajax (Figure 9).

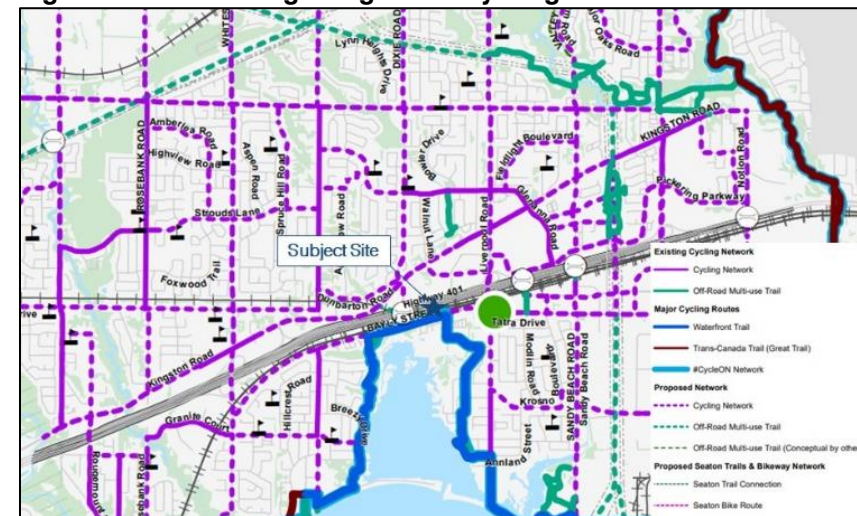
Additional active transportation modes are to be expanded in the future, providing for easier use and access to the Subject Site. As part of the BRT Route planning along Kingston Road, between Downtown Oshawa and Scarborough Town Centre, bicycle lanes are proposed on both sides of the road, implementing the proposed connection between the existing cycling infrastructure on Kingston Road (Figure 10). Furthermore, the proposed east-west public street will include shared bike facilities on the road, and a multi-use path (MUP) is proposed throughout the Subject Site, connecting Walnut Lane, the proposed public park, and then spans the southern edge of the Subject Site, to the proposed POPS at the south-east corner. The shared bike facilities on the east-west public street and the MUP will enhance the connectivity of active transportation methods on the Subject Site to surrounding areas.

Figure 9 – Pickering Existing Cycling Network



Source: Integrated Transportation Master Plan, 2021.

Figure 10 – Pickering Long Term Cycling Network



Source: Integrated Transportation Master Plan, 2021.

3.0 PROPOSED DEVELOPMENT

3.1 Conceptual Site Plan

The Conceptual Site Plan proposes a mixed-used development that consists of six (6) buildings, each with a 6-storey base, and towers ranging in height from 17- to 35-storeys. These buildings will deliver a total of 5,238 residential units. The Subject Site will be developed in four (4) distinct phases. Vehicular access to Kingston Road is provided via Walnut Lane, which will be extended east to Liverpool Road. An additional vehicular access is provided from Kingston Road, between buildings 'A1' and 'A2'. A 20-metre right-of-way road is proposed bisecting the Subject Site, which will connect through the neighbouring site to the west to Dixie Road. Further, a private street is proposed and also connects Walnut Lane in the east and Dixie Road in the west, generally running adjacent to Highway 401. Public parks are also proposed and are cumulatively 4,458m² in size (0.45 ha). They are located on the western edge of the Subject Site, north and south of the proposed public road. The northern portion of the park, above the proposed road, will be delivered in Phases 1 and 3, while the southern portion will be delivered in Phase 4. It is expected that these parks will be augmented by future parkland dedication on the lands west of the Subject Site through their redevelopment. In addition to publicly owned parkland, approximately 6,237m² of POPS space is proposed. A total of 7,149m² of retail space is proposed and is planned to be accommodated in the base of Buildings 'A1' and 'C1'. 716m² of daycare space for the Subject Site is proposed to be accommodated within the base of Building 'A2'. A total of 4,211

vehicle parking spaces are proposed, across a mix of above grade and underground parking. Furthermore, long-term and short-term bicycle parking is proposed at a rate of 0.5 and 0.1 spaces per unit, respectively and 1 space per 1,000m²/GLA for commercial and retail uses. The proposal has a resultant FSI of 5, and a density of 768 units per net hectare.

Key statistics, on a phase by phase basis, are as follows:

Phase 1

Building 'A1'

- 17- and 19-storey towers
- 609 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.
- 4,946m² of retail space.

Building 'A2'

- 21- and 23-storey towers
- 602 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.
- 716m² of daycare space

Phase 2

Building 'B'

- Two (2) 30-storey and one (1) 35-storey tower

- 1,303 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.

Phase 3

Buildings 'C1' and 'C2'

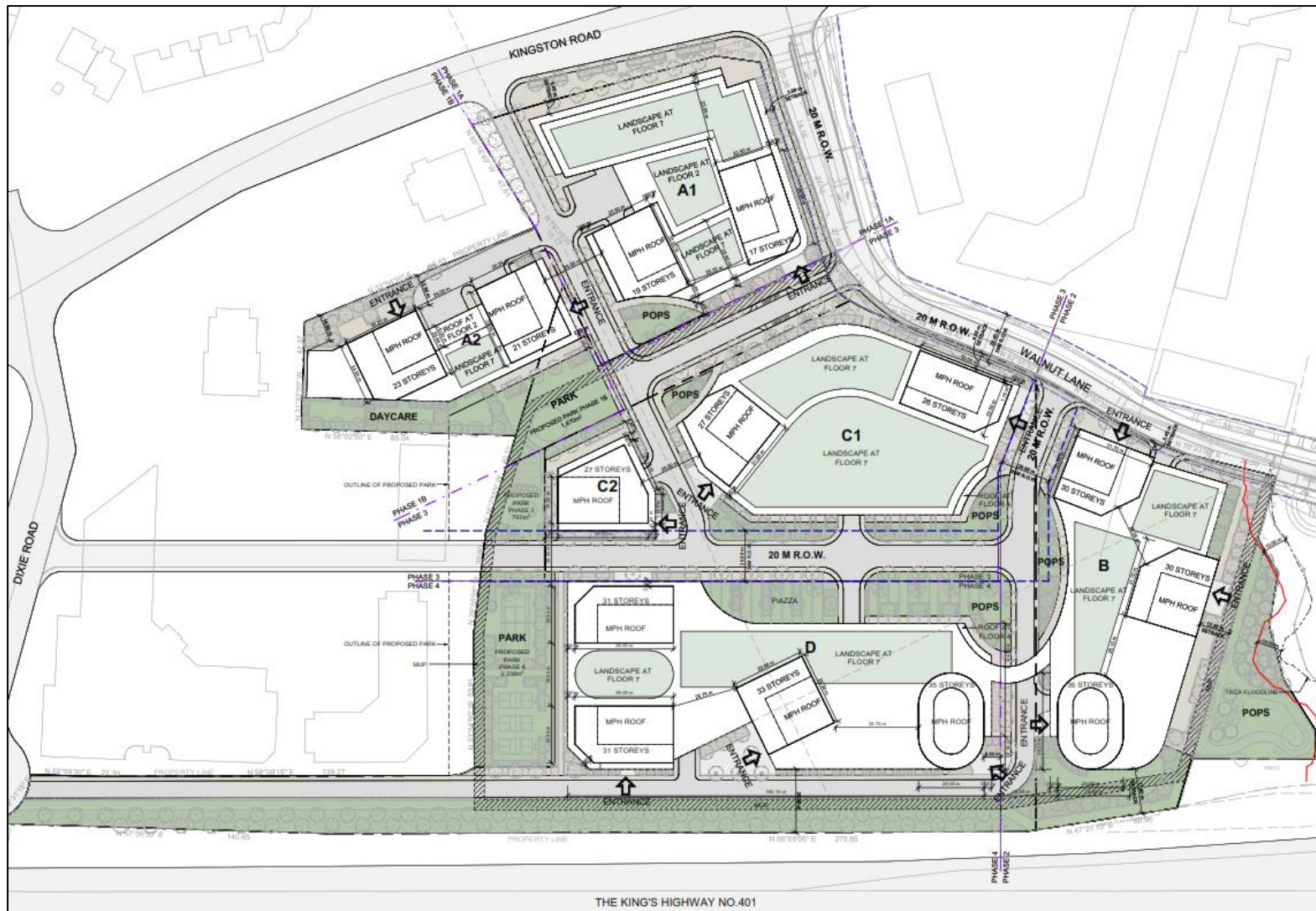
- One (1) 26-storey and two (2) 27-storey towers
- 1,103 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.
- 2,203m² retail space

Phase 4

Building 'D'

- Two (2) 31-storey, one (1) 33 and one (1) 35-storey towers
- 1,622 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.

Figure 11 – Conceptual Site Plan



Source: Turner Fleischer Architects Inc., 2023.

Figure 12 – Proposed Unit Mix

UNIT MIX								
	FLOOR	UNIT TYPE					SUB-TOTAL	
		BACH	1B	1B+D	2B	2B+D		3B
BUILDING 'A1' PHASE 1A	BASE (F1-F6)	33	160	0	106	0	20	327
	TOWER (F7-F19)	28	138	0	93	0	23	282
	TOTAL	61	298	0	201	0	49	609
	UNIT MIX	16.6%	49.0%	0.0%	33.0%	0.0%	8.0%	100.0%
BUILDING 'A2' PHASE 1B	BASE (F1-F6)	21	104	0	70	0	17	213
	TOWER (F7-F23)	39	191	0	129	0	31	389
	TOTAL	60	295	0	199	0	48	602
	UNIT MIX	16.6%	49.0%	0.0%	33.0%	0.0%	8.0%	100.0%
BUILDING 'B' PHASE 2	BASE (F1-F6)	36	177	0	119	0	29	361
	TOWER (F7-F35)	94	462	0	311	0	75	942
	TOTAL	130	638	0	430	0	104	1,303
	UNIT MIX	16.6%	49.0%	0.0%	33.0%	0.0%	8.0%	100.0%
BUILDING 'C1', 'C2' PHASE 3	BASE (F1-F6)	35	170	0	115	0	29	347
	TOWER (F7-F25)	76	370	0	249	0	60	756
	TOTAL	110	540	0	364	0	89	1,103
	UNIT MIX	16.6%	49.0%	0.0%	33.0%	0.0%	8.0%	100.0%
BUILDING 'D' PHASE 4	BASE (F1-F6)	32	156	0	105	0	26	318
	TOWER (F7-F35)	130	639	0	430	0	104	1,304
	TOTAL	162	795	0	535	0	130	1,622
	UNIT MIX	16.6%	49.0%	0.0%	33.0%	0.0%	8.0%	100.0%
TOTAL	TOTAL	524	2,567	0	1,729	0	419	5,238
	UNIT MIX	16.6%	49.0%	0.0%	33.0%	0.0%	8.0%	100.0%

Source: Turner Fleischer Architects Inc., 2023.

Figure 13 – Site Statistics

NFA CALCULATION						
	DESCRIPTION		RETAIL		DAYCARE	
	PORTION	FLOORS	m2	ft2	m2	ft2
BUILDING 'A1'	BASE(F1-F6)	6	4,946	53,242		
	TOWER (F7-F19)	13				
BUILDING 'A2'	BASE(F1-F6)	6			716	7,705
	TOWER (F7-F23)	17				
BUILDING 'B'	BASE(F1-F6)	6				
	TOWER (F7-F30)	24				
	TOWER (F31-F35)	5				
BUILDING 'C1'	BASE(F1-F6)	6	2,203	23,706		
	TOWER (F7-F27)	21				
BUILDING 'C2'	BASE(F1-F6)	6				
	TOWER (F7-F27)	21				
BUILDING 'D'	BASE(F1-F6)	6				
	TOWER (F7-F27)	21				
	TOWER (F28-F31)	4				
	TOWER (F32-F33)	2				
TOWER (F34-F35)	2					
GRAND TOTAL			7,149	76,951	716	7,705

PARKING PROVIDED						
	ABOVE GRADE/LEVEL1	ABOVE GRADE/LEVEL2-6	UG1	UG2	UG3	TOTAL
PARCEL 'A1'			205	205	210	620
PARCEL 'A2'			157	157	161	475
PARCEL 'B'	42	305	313	321	0	981
PARCEL 'C1', 'C2'	74	475	177	180	0	906
PARCEL 'D'	94	920	215			1,229
TOTAL	210	1,700	1,067	863	371	4,211

STATISTICS		
	M2	SF
SITE AREA:	77,476	833,953
R.O.W. AREA	5,683	61,172
TOTAL NFA	340,700	3,667,290
FSI (ON NET SITE AREA)	4.99	
TOTAL RETAIL	7,865	84,656
TOTAL RESIDENTIAL	332,835	3,582,635
NET AVERAGE APARTMENT UNIT SIZE	59	635
TOTAL RESIDENTIAL UNIT#	5,238	
TOTAL UPH (ON NET SITE AREA)	768.0	

AMENITY PROVIDED		
	OUTDOOR	INDOOR
PARCEL 'A1'	1,217	1,217
PARCEL 'A2'	1,204	1,204
PARCEL 'B'	2,605	2,605
PARCEL 'C1', 'C2'	2,206	2,206
PARCEL 'D'	3,244	3,244
TOTAL	10,476	10,476

Source: Turner Fleischer Architects Inc., 2023.

3.2 Required Approvals

Based on our review of the proposed development in the context of all applicable provincial and municipal policies, and in consultation with City of Pickering Planning Staff, a Local Official Plan Amendment (OPA) and a Site-Specific Zoning By-law Amendment will be required to permit the proposed density and built-form.

3.2.1 Local Official Plan Amendment

The City of Pickering Official Plan currently designates the Subject Site as Mixed-Use Area, and more particularly, Mixed Corridors. The current designation permits a density range of over 30 to 140 units per net hectare for the Subject Site and a maximum FSI of 2.5. The proposed development has a density of 5 FSI. The proposed Local Official Plan Amendment will permit a maximum density of 5 FSI and will remove the requirement for a maximum Unit Per Net Hectare (UPH) – consistent with the approach of OPA 38. The requested Local Official Plan Amendment conforms to the policy direction of the Regionally approved (and under appeal) OPA 38. Refer to Appendix 1 of this Report for the Draft OPA.

3.2.2 Zoning By-law Amendment

The City of Pickering Zoning By-law 3036 zones the Subject Site as Mixed Use “MU-22” and “MU-21”, as amended by By-laws 6777/07 and 6778/07, respectively. A Site-Specific Zoning By-law Amendment will be required to permit the proposed density and to bring the Subject Site into conformity with the intention of the proposed Site Specific OPA as well as OPA 38. The Zoning By-law Amendment will facilitate the built form of the proposed development that will achieve the density requested in the Local Official Plan Amendment, while having appropriate regard for the design direction provided by the Kingston Road UDG’s adopted by Council in concert with OPA 38. The full Draft ZBA can be found in Appendix 2 of this Report.

3.2.3 Future Applications

Following approval of the Local Official Plan and Zoning By-law Amendments, subsequent applications for Site Plan Approval, Draft Plan of Condominium Approval and Draft Plan of Subdivision Approval will be submitted which will provide greater details on the design and functionality of the proposed development.

4.0 POLICY CONTEXT AND ANALYSIS

4.1 Overview

The proposed development has been reviewed in the context of the Planning Act (1990), Provincial Policy Statement (2020) ("PPS"), the Growth Plan for the Greater Golden Horseshoe (2020) ("Growth Plan"), the Durham Regional Official Plan (2020) ("ROP"), the City of Pickering Official Plan (2021) ("Pickering OP"), OPA 38 (Approved and under appeal), the Kingston Road Corridor and Specialty Retailing Node Urban Design Guidelines (2019) ("Kingston UDGs"), and the City of Pickering Zoning By-law 3036 as further described below.

4.2 Planning Act

The *Planning Act* is provincial legislation which outlines land use planning permissions in Ontario. The purposes of the *Planning Act* are outlined in Section 1.1 and include the following:

- (a) *to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;*
- (b) *to provide for a land use planning system led by provincial policy;*
- (c) *to integrate matters of provincial interest in provincial and municipal planning decisions;*

- (d) *to provide for planning processes that are fair by making them open, accessible, timely and efficient;*
- (e) *to encourage co-operation and co-ordination among various interests;*
- (f) *to recognize the decision-making authority and accountability of municipal councils in planning.*

Section 2 of the *Planning Act* outlines matters of Provincial interest, including:

- (a) *the protection of ecological systems, including natural areas, features and functions;*
- (b) *the protection of the agricultural resources of the Province;*
- (c) *the conservation and management of natural resources and the mineral resource base;*
- (d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- (e) *the supply, efficient use and conservation of energy and water;*
- (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (g) *the minimization of waste;*

- (h) the orderly development of safe and healthy communities;*
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*
- (k) the adequate provision of employment opportunities;*
- (l) the protection of the financial and economic well-being of the Province and its municipalities;*
- (m) the co-ordination of planning activities of public bodies;*
- (n) the resolution of planning conflicts involving public and private interests;*
- (o) the protection of public health and safety;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) the promotion of built form that,*
 - (i) is well-designed,*
 - (ii) encourages a sense of place, and*
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.*

These matters of Provincial interest have been considered in the materials provided with the application and have influenced its form. The Environmental Impact Study (EIS) demonstrates how the proposed development will protect ecological systems, including natural areas, features and functions. The protection of agricultural resources is not applicable to Subject Site, as there are no agricultural resources present. While there are no mineral resources on the Subject Site, the conservation and management of natural resources is described in the EIS. The Functional Servicing Report (FSR), Stormwater Management (SWM) Report, and the Sustainability Rationale Report (SRR) outline how the proposed development will be supplied, efficiently use, and conserve water and energy; minimize waste; and mitigate of greenhouse gas

emissions. The FSR and SWM Report also provide detailed descriptions on the provision and use of sewage and water services. The provision and use of transportation infrastructure are described in the Traffic Impact Study (TIS).

This Planning Rationale Report (PRR), in addition to the Urban Design Brief (UDB), and SRR describe how the proposal represents the orderly development of safe and healthy communities, which will be accessible to all persons with disabilities. They also provide details with regards to the appropriateness of the proposed built form. This includes the provision of retail/commercial space, daycare space, and a variety of public open spaces and a public park. Furthermore, the proposed development provides a tenure of housing which will diversify the existing stock and is inherently more affordable. As part of the proposal, 7,149m² of retail/commercial space will be provided in the base of the buildings, with an additional 716m² for a future daycare, ensuring the provision of a range of employment opportunities on the Subject Site and financial and economic well-being of the Province and its municipalities. Lastly, the TIS, UDB, and PRR all demonstrate how the proposed development is sustainable, supports public transit and is pedestrian-oriented.

4.3 Provincial Policy Statement (2020)

The PPS provides overall direction on matters of provincial interest related to municipal planning decisions. The PPS was issued under Section 3 of the Planning Act, 1990 and provides provincial direction in terms of land use planning and development in Ontario. The current PPS was issued by the Province of Ontario and came into effect on May 1, 2020. Decisions related to planning matters, including Official Plan Amendment and Zoning By-law Amendment applications made under the Planning Act, shall be consistent with the PPS.

The PPS supports the achievement of healthy, liveable and safe communities by:

- a) *encouraging efficient land use and development patterns which, over the long term, sustain the financial well-being of the Province and municipalities;*
- b) *accommodating an appropriate range of affordable and market based residential units, and a mix of residential types and uses including but not limited to employment, recreation, and park and open spaces;*
- c) *avoiding environmental or public health and safety concerns through the use of appropriate development and land use patterns;*
- e) *achieving cost-effective development patterns, minimization of land consumption and servicing costs, and optimization of transit investments by promoting the integration of land use planning, growth management, infrastructure and intensification planning, and transit-supportive development;*
- f) *addressing land use barriers to improve accessibility;*
- g) *meeting current and future needs for infrastructure and public service facilities;*
- h) *conserving biodiversity through appropriate development and land use patterns; and*
- i) *preparing for the regional and local impacts of a changing climate (Policy 1.1.1).*

The PPS states that in order to meet projected needs, sufficient land is to be made available to accommodate an appropriate mix and range of land uses (Policy 1.1.2). Growth and development shall be directed to settlement areas, which shall have land use patterns based on densities and a mix of uses which are efficient, avoid the need for unjustified expansion, minimize negative environmental impacts and prepare for climate change, support active transportation, and are transit- and freight-supportive. Additionally, land use patterns within settlement areas shall be based on opportunities for redevelopment and intensification, in accordance with the criteria in Policy 1.1.3.3, where feasible (Policies 1.1.3.1 and 1.1.3.2).

Planning authorities shall promote opportunities for transit-supportive development that accommodates a significant supply and range of housing options through intensification and redevelopment, where appropriate, while considering existing building stock in the surrounding areas and the availability of existing or planned public services facilities and infrastructure (Policy 1.1.3.3). Development standards which facilitate intensification and redevelopment within built-up areas shall be promoted to achieve a compact form, while avoiding or mitigating risks to public safety (Policy 1.1.3.4). New development in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, public services facilities, and infrastructure (Policy 1.1.3.6). Phasing policies should be established by planning authorities to not only meet intensification targets, but ensure that development progresses in an orderly manner, and that infrastructure and public service facilities are provided within a timely manner (Policy 1.1.3.7).

The proposed mixed-use development is consistent with the policies of the PPS; it represents a compact form and provides a mix of uses (residential and commercial) that will allow for efficient use of the land, as well as existing and planned infrastructure and public service facilities. The proposed development will

accommodate an appropriate range and mix of residential types and employment, through the residential units provided and commercial spaces proposed in the base of buildings 'A1' and 'C1'. The proposed development will further diversify the types of residential homes in an area where the housing stock is predominantly composed of low-density residential dwellings. The proposed development is located within a settlement area, which is the focus of infill and intensification. The proposal promotes intensification in the municipality, will optimize the use of existing infrastructure and transit investments, minimize land consumption, and climate change impacts.

With respect to employment, Section 1.3 requires provisions to be made for the promotion of economic development and competitiveness:

- a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) *facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) *ensuring the necessary infrastructure is provided to support current and projected needs (Policy 1.3.1).*

The proposed mixed-use development is consistent with the employment policies of the PPS. It will help to provide for a mix and range of employment uses through the provision of commercial spaces in the base of buildings 'A1' and 'C1', as well as daycare

space in building 'A2', which will promote economic development and competitiveness, provide opportunities for a diversified economic base, provide necessary infrastructure to support current and future needs, and will facilitate economic investment. It is intended that phasing of the development in the manner proposed will maintain flexibility for existing commercial tenants to be relocated within the new development over time, if agreeable to both the applicant and existing commercial tenants. The Subject Site will provide for a compact, mixed-use development which will incorporate various employment opportunities, supporting liveable and resilient communities that provide opportunities for residents to work close to their residence.

With respect to housing, Section 1.4 requires provisions to be made for an appropriate range and mix of housing types and densities to meet the projected requirements of future residents by:

- a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;*
- b) *permitting and facilitating all housing options and residential intensification;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available;*
- d) *promoting densities which efficiently use land and resources and support active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, and;*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form (Policy 1.4.3).*

The proposed mixed-use development will provide a range and mix of residential types, ranging from bachelor to three-bedroom units. The proposed development helps to diversify the types of residential dwellings in an area where the housing stock is predominantly composed of low-density residential dwellings. The

proposal promotes intensification in the municipality and will optimize the use of existing infrastructure and transit investments, while minimizing land consumption and achieving a compact built form. The proposed development is intended to provide market housing, but the proposed higher densities provide greater opportunity and access, in terms of affordability for households with low to moderate incomes. Furthermore, the client has extensive experience partnering with affordable housing partners in Toronto and Durham Region. These partnerships will look to be continued and strengthened as the development application progresses.

With respect to public spaces, recreation parks, trails and open spaces, the PPS promotes healthy, active communities by:

- a) *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and*
- b) *planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources (Policy 1.5.1).*

The proposal is consistent with the applicable public spaces, recreation parks, and trails and open spaces policies set out in the PPS. The proposed development will promote healthy, active communities by providing both public and private streets that are safe and pedestrian-friendly. Privately owned public spaces ("POPS") are strategically located throughout the Subject Site at intersections of roads, which will facilitate social interaction and community connectivity. Public Park space is also provided in the western portion of the Subject Site in phases 1, 3, and 4. It is intended that these parks will be augmented by future development of the lands to the west. When taken together, the POPS and Public Park spaces will provide for a range of accessible natural and built settings which will be used for recreation by residents. Each phase includes some form of POPS or Public Park space. Multi-use paths, shared on road bike facilities, and trails will be provided to further

encourage active transportation. Their location will be confirmed through the subdivision and Site Plan processes in the future.

Section 1.6 of the PPS sets out policies to ensure that infrastructure and public service facilities are provided in an efficient manner, that additionally prepares for impacts from climate change, while accommodating future needs (Policy 1.6.1). Existing infrastructure and public service facilities should be optimized before consideration is given to developing new public service facilities and infrastructure (Policy 1.6.3). Planning for sewage and water services shall not only optimize and efficiently use existing municipal services, and be provided in a sustainable and viable manner, but also integrate servicing and land use considerations at all stages of the planning process (Policies 1.6.6.1 and 1.6.6.2). Stormwater management planning shall be integrated with sewage and water services planning, to ensure that systems are optimized, feasible and financially viable. Lastly, as it relates to transportation and infrastructure, planning authorities shall plan for and protect corridors and rights-of-way for infrastructure (Policy 1.6.8.1). Development in planned corridors that could preclude or negatively affect the use of the corridor for its identified purpose(s) is not permitted. Furthermore, new development adjacent to existing or planned corridors and transportation facilities, should be supportive and compactible with the long-term purpose of the corridor, while avoiding, mitigating, or minimizing any negative impacts (Policy 1.6.8.3).

The proposed development is consistent with the infrastructure and public service facility policies set out in the PPS. Existing and planned municipal infrastructure will be used to provide sewage and water services to the Subject Site. The Functional Servicing Report (FSR) prepared by WSP indicates that a new 300 mm diameter watermain will be constructed north of the site, as part of the future Walnut Lane extension, which is currently under construction. As such, this future watermain will be active at the time of the proposed redevelopment, and it will be used as a connection point for the Subject Site. As part of the Walnut Lane Extension, there will also be a new sanitary sewer installed within the right-of-way. The new sanitary sewer will discharge to the 1050

mm diameter trunk sanitary sewer, south of the Subject Site. Region of Durham staff were consulted on capacity and indicated that it will be allocated on a first come first serve basis, at the time of signing a development agreement, indicating that there is currently capacity. Storm flows from Phase 1 and 3 of the proposed development will be conveyed to a box culvert at the south end of the Subject Site. Preliminary analysis suggests that no upgrades are required. Storm flows from Phase 2 and Phase 4, north of the driveway, will be controlled and released on the south side of the Subject Site, the existing sewer will need to be upsized to accommodate interim and ultimate flows. Lastly, storm flows from Phase 4 that are tributary to west of the headwall, will flow uncontrolled to the box culvert on the southwest side of the Subject Site. Further, the Subject Site is located along two transportation corridors, Highway 401 and Kingston Road. Appropriate widenings have been provided along Kingston Road and the required 14m setback has been provided along Highway 401 per MTO policy. The proposed private street is located outside of the 14m setback area. It is expected that the 14m MTO setback will also be used for any necessary twinning of existing sanitary sewers along the southern property line.

Lastly, long-term economic prosperity is supported by provisions of section 1.7 of the PPS, including but not limited to:

- a) *promoting opportunities for economic development and community investment-readiness;*
- b) *encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- d) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- e) *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*
- g) *providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent*

systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;

- j) *promoting energy conservation and providing opportunities for increased energy supply; and*
- k) *minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature (Policy 1.7.1).*

The proposal is consistent with the relevant policies of the PPS that support long-term economic prosperity in the Province. The commercial/retail uses proposed will contribute to the economic development of the area, while the mix of residential units will support the employees and provide a range of units that can support the different needs of a diverse work force. The intensification of the Subject Site will optimize the use of the land, resources and infrastructure by redeveloping the Subject Site to not only support commercial uses, but also residential uses. The proposed development will be designed in a manner that enhances the vitality of the Kingston Road “mainstreet” and encourages a sense of place through creation of a pedestrian-friendly built form, as well as promoting multimodal travel to, from and across the Subject Site. Lastly, the proposed intensification of the Subject Site will result in a more compact built form, which is more energy efficient and will help to mitigate the impacts of climate change.

4.4 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (2020) (also referred to as the “Growth Plan”) 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 June 16th, 2006. Amendment 1 to the Growth Plan came into effect on August 28, 2020, replacing the Growth Plan from 2019.

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including direction on where and how to grow, the provision of infrastructure to support growth, and protecting natural systems and cultivating a culture of conservation (Section 1.2.1). The Growth Plan carries forward many of the principles and policies of the PPS.

The Subject Site is identified as “Built Up Area” on Schedule 2 – Growth Plan for the Greater Golden Horseshoe (**Figure 14**).

Per the policies of the plan, population and employment forecasts are used for the planning and management of growth, with the majority of growth directed to settlement areas that have a delineated built boundary, existing municipal services, and can support the achievement of complete communities (Policies 2.2.1.1 and 2.2.1.2.a). Integrated planning shall take place to manage the forecasted growth by providing direction for an urban form, which optimizes infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities, through a more compact built form (Policy 2.2.1.3.c). Per Policy 2.2.1.4 some key components required for the creation of complete communities include:

- a) a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) a diverse range and mix of housing options that accommodate people at all stages of life and the needs of all household sizes and incomes

- c) expanded access to a range of transportation options and provide for a more compact built form; and
- d) provision of a more compact built form and vibrant public realm, including the provision of public open spaces.

Per Section 2.2.1.a. of the Growth Plan, Durham Region’s minimum intensification target for its cities is 50%; meaning that 50% of all annual residential development must be within the delineated built-up areas. Building upon establishing minimum intensification targets, municipalities are directed to develop a strategy to achieve their targets that identify strategic growth areas that are a key focus for development, identifying the appropriate type and scale of development in strategic growth areas and the transition of built-from to adjacent areas (Policies 2.2.2.3a-c).

In accordance with the direction of the Growth Plan, the proposed mixed-use development will help to achieve the forecasted intensification growth and create complete communities in a compact urban form that optimizes existing infrastructure and is located along a transit corridor. The location of the development will provide future residents and employees with access to local stores, services and public service facilities; for example, Pickering Town Centre is located approximately one kilometer east of the Subject Site. The development proposes a mixture of unit types and sizes, which will accommodate a wide range of people. Lastly, the lands are identified as an intensification area through OPA 38, which will be discussed later in the report, and in accordance with the Growth Plan, the majority of intensification in the City should occur in these intensification areas. The provisions of OPA 38 addresses the level of intensification planned for the area as well as the necessary community facilities and infrastructure required to support the same. It also addresses appropriate transition to adjacent areas.

Figure 14 – Location of Subject Site in the Growth Plan



Source: Schedule 2, Growth Plan for the Greater Golden Horseshoe (2020)

Section 2.2.5 of the Growth Plan directs municipalities to support economic development and competitiveness by increasing employment densities, ensuring availability of sufficient land for a variety of employment, and promoting transit-supportive built form and networks (while reducing surface parking) (Policy 2.2.5.1, 2.2.5.4). The Growth Plan notes that a compact built form supports the retail sector and service uses and encourages the integration of those uses with other land uses (Policy 2.2.5.14, 2.2.5.15).

The proposed development will support economic development and competitiveness by providing for commercial uses within the proposed mixed-use buildings. In the base of buildings 'A1' and 'C1', 4,946 m² and 2,203 m² of commercial space, respectively, is provided. Additionally, 716 m² of daycare space is proposed in the base of building 'A2'. These commercial units will vary in sizes to support different commercial uses. As they are located in a mixed-use corridor, the proposal serves to integrate different use types and supports existing and planned transit networks. Further, the proposal will replace large existing surface parking lots; relocating parking into below and above grade parking structure which are not visible from the public realm.

Section 2.2.6 of the Growth Plan directs municipalities to support housing choice through the achievement of the minimum density targets in the Growth Plan by identifying a diverse range and mix of housing options and densities to meet the projected needs of current and future residents (Policy 2.2.6.1). Additionally, municipalities will support the creation of complete communities by planning to accommodate the forecasted growth and achieve the minimum intensification and density targets set out in the Growth Plan (Policy 2.2.6.2). Lastly, multi-unit residential developments should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (Policy 2.2.6.3).

The proposed development provides for a high density built form in an area where the housing stock is predominantly low-density dwellings. The overall proposal provides for a range of unit sizes and types, including 10% Bachelor, 49% 1-bedroom, 33% 2-bedroom and, 8% 3-bedroom units, which will assist in achieving a

complete community. By providing for a range of housing options in a higher density form, the proposal is able to accommodate the needs of various household sizes and incomes, which is an essential component of complete communities and will help to achieve the 50% intensification target for Durham Region.

4.5 Durham Regional Official Plan (Office Consolidation May 2020, as amended)

The Subject Site is subject to the Durham Region Official Plan (the “Regional OP”) as amended. The Durham Regional Official Plan was approved by the Minister of Municipal Affairs & Housing on November 24, 1993. There have been numerous amendments to the Official Plan with the current office consolidation dated May 26, 2022.

The Durham Regional Official Plan sets a land use and planning framework for local Official Plans and decision-making. The policies of the Durham Regional Official Plan guide the physical, economic, and social development of the region to manage growth and economic development, to protect the natural environment, resources, and agricultural lands, and to provide infrastructure. The policies in the OP are meant to help co-ordinate more detailed planning by local municipalities. The Regional OP dictates regional land use policies that have been adopted at the local level by the City of Pickering.

4.5.1 Land Use Policies

The Regional OP designates the Subject Site as *Regional Corridor* with an underlying *Living Area* designation (**Figure 15**). Per Policy 7.3.3 the City of Pickering is forecasted to accommodate a total population of 225,670 people and 90,790 jobs, by 2031. Urban Areas shall accommodate at least 40% of residential development through intensification within built-up areas annually (Policy 7.3.9.a.). Increasing densities of new residential development and redevelopment in Urban Areas shall be explored to reduce the per capita costs of municipal services and in order to utilize land more efficiently (Policy 7.3.10). Section 8 of the Regional OP, “Urban System”, identifies a goal of creating diverse Urban Areas that are compact, efficient, accessible, and are comprised of mixed uses, which balance growth in population, with growth in employment.

Regional Corridors are to be people-oriented and accessible by public transit routes, with an extensive pedestrian network, and provide active transportation routes, while integrating retail uses with housing, employment, recreation, and other uses (Policies 8.1.10, 8.1.13 & 8.1.14). Per Policy 8.1.15 *Living Areas* should establish suitable areas for the provision of a full range of housing, which will be developed in a cost-effective and efficient manner. Further, they should create an attractive living environment, that is energy-efficient, safe, and in harmony with nature (Policy 8.1.16). Policy 8.2.1 requires urban areas to be developed based on various principles, including but not limited to: a compact urban form that is transit supportive; have a mixture of uses in appropriate locations with consideration given to *Corridors*; intensification; good urban design principles; linkages for pedestrians and cyclists; and, increased public transit usage. Commercial uses shall be concentrated in locations that are supportive of *Regional Corridors* (Policy 8.3.6).

Corridors form the key connections between Centres and provide for the movement of people and goods, as per policy 8A.1.5, *Corridors* shall be developed based on the principles in Policy 8.2.1 and the following:

- *promoting public transit ridership through well designed development, having a mix of uses at higher densities;*
- *sensitive urban design that orients development to the corridor, complemented by the consolidation of access points;*
- *maintaining and enhancing historical main streets by integrating new forms of development with existing development; and*
- *preserving and enhancing cultural heritage resources.*

Per Policy 8A.2.9 *Regional Corridors* shall be planned and developed in accordance with Policy 8A.1.5 and the relevant

policies of the underlying land-use designation, as higher density mixed-use areas, supporting higher order transit services and pedestrian oriented development. Portions of corridors identified as appropriate for higher density mixed-use development, with an underlying *Living Areas* designation, shall support a minimum density of 60 units per gross hectare and a floor space index (FSI) of 2.5. Greater detail regarding built form and height permitted in the *Corridors* is to be more clearly outlined in the local Official Plan.

Living Areas shall be developed in a manner that incorporates a variety of housing types, sizes, and tenures, providing living accommodations which is suitable to various socio-economic factors. Per policy 8B.1.2, areas designated *Living Areas* must develop compact form through higher densities and by intensifying and redeveloping existing areas, particularly along arterial roads. Additionally, the Official Plan supports and encourages higher densities where appropriate and promoted by area municipal official plan. Per Policy 8B.2.3, *Living Areas* should have a compact urban form, which includes residential, office, retail and service, and mixed uses along arterial roads and in conjunction with present and future transit facilities. Good urban design principles should be followed which focuses commercial uses to Centres and *Corridors*, with restricted access to arterial roads. Lastly, development should provide convenient pedestrian access to public transit, parks, and other facilities, and include adequate provision and distribution of parks, trails, and other pathways.

Kingston Road is designated as a *Rapid Transit Spine*. Per Policy 11.3.19(a) in support of existing and future transit services, development adjacent to a *Rapid Transit Spine* shall provide for complementary higher density mixed uses at an appropriate scale and context. Additionally, per Policy 11.3.19(b), buildings shall be oriented towards the street to reduce walking distances to transit facilities. Per Policy 11.3.20, *Corridors* that correspond to a *Rapid Transit Spine* should be developed to their fullest potential, in accordance with Subsection-8A.

The proposed development is compact, efficient, accessible, and comprised of a mix of land uses. The proposed development will

help to accommodate the forecasted employment and population growth for the City of Pickering, while providing for residential intensification within the built-up area, helping to attain the 40% target of the Regional OP. The proposed residential and commercial uses at the Subject Site will help to balance residential and employment growth in the Region of Durham. The proposed development will be people-oriented and have the buildings facing all existing and proposed public and private the streets – to animate the public realm. The Subject Site is accessible by public transit routes with a bus stop located at Kingston Road and Walnut Lane and is well served by the existing road network. The proposed development will provide sidewalks and green spaces which will connect the buildings with the proposed public park and POPS as well as with the surrounding road network. A mix of unit types will be provided which will allow for a full range of housing to suit different individuals needs, achieving regional intensification goals of the OP. The commercial uses proposed are appropriate due to the Subject Site's *Regional Corridor* designation. The proposed development will meet the required minimum density of 60 units per gross hectare and FSI of 2.5. Lastly, as the Subject Site is located on a *Rapid Transit Spine*, the Regional OP directs that it should be developed to its fullest potential which per OPA 38 (see below) would be an FSI of 5.0 as is proposed.

4.5.2 Economic Development

Section 3 of the Regional OP sets out policies to help develop the Region to its fullest economic potential, promote the development of healthy and complete, sustainable communities, and diversify the Region's employment base. Policies in this section encourage the development of healthy and complete, sustainable communities by providing a close live-work relationship for residents, and the expansion and diversification of the economic base (Policy 3.2.2 and 3.2.3). Per Policy 3.3.8 several strategies shall be used to achieve greater diversification of the economic base, including supporting and promoting rejuvenation, redevelopment, and renewal of *Regional Corridors*, promoting the beautification of development along major transportation corridors, and ensuring

the provision of housing with a variety of types, sizes and tenure in *Urban Areas*, to meet the needs of a diversified labour force.

The proposed mixed-use development will provide commercial units in the podium of buildings 'A1' and 'C1'. This will provide a potential close live-work relationship for residents - an essential component of complete communities. The total commercial GLA on the Subject Site will decrease through the current proposal – however this is reflective of the redevelopment of the Subject Site from a large format retail built form, to a compact built form, with urban retail/commercial units in the base of mixed-use buildings, which conforms to the built form directive for *Regional Corridors*. Lastly, it is intended that phasing of the development in the manner proposed will maintain flexibility for existing commercial tenants to be relocated within the new development over time, if agreeable to both the applicant and existing commercial tenants.

4.5.3 Housing

Section 4 of the Regional OP sets out policies to achieve the goal of providing a wide diversity of residential dwellings by type, size, and tenure to satisfy the social and economic needs of residents (Policy 4.1.1). Per Policy 4.2.6 the Region shall maintain the ability to accommodate residential growth, for a minimum of 10 years, through intensification and redevelopment, and a 3-year supply of residential units available through intensification and redevelopment. Per Policy 4.3.1 there shall be a wide range of housing in Urban Areas, where outside of urban areas shall be largely predominated by single detached dwellings. Per Policy 4.3.2 the Region shall support opportunities to increase the supply of housing through intensification, considering the adequacy of municipal services. Housing intensification shall include (among others):

- *The creation of new residential units on vacant or underdeveloped lands through infilling; and*
- *The creation of residential units above commercial uses.*

The proposed development will diversify the housing stock in an area that predominantly consists of low density, single detached

dwellings. There will be a variation of unit types within the building will help to satisfy the social and economic needs of residents. This includes 10% bachelor, 49% 1-bedroom, 33%, 2-bedroom and, 8% 3-bedroom units. The proposed development will increase the supply of housing in the Region through intensification on a vacant parcel of land, in an area with adequate municipal services.

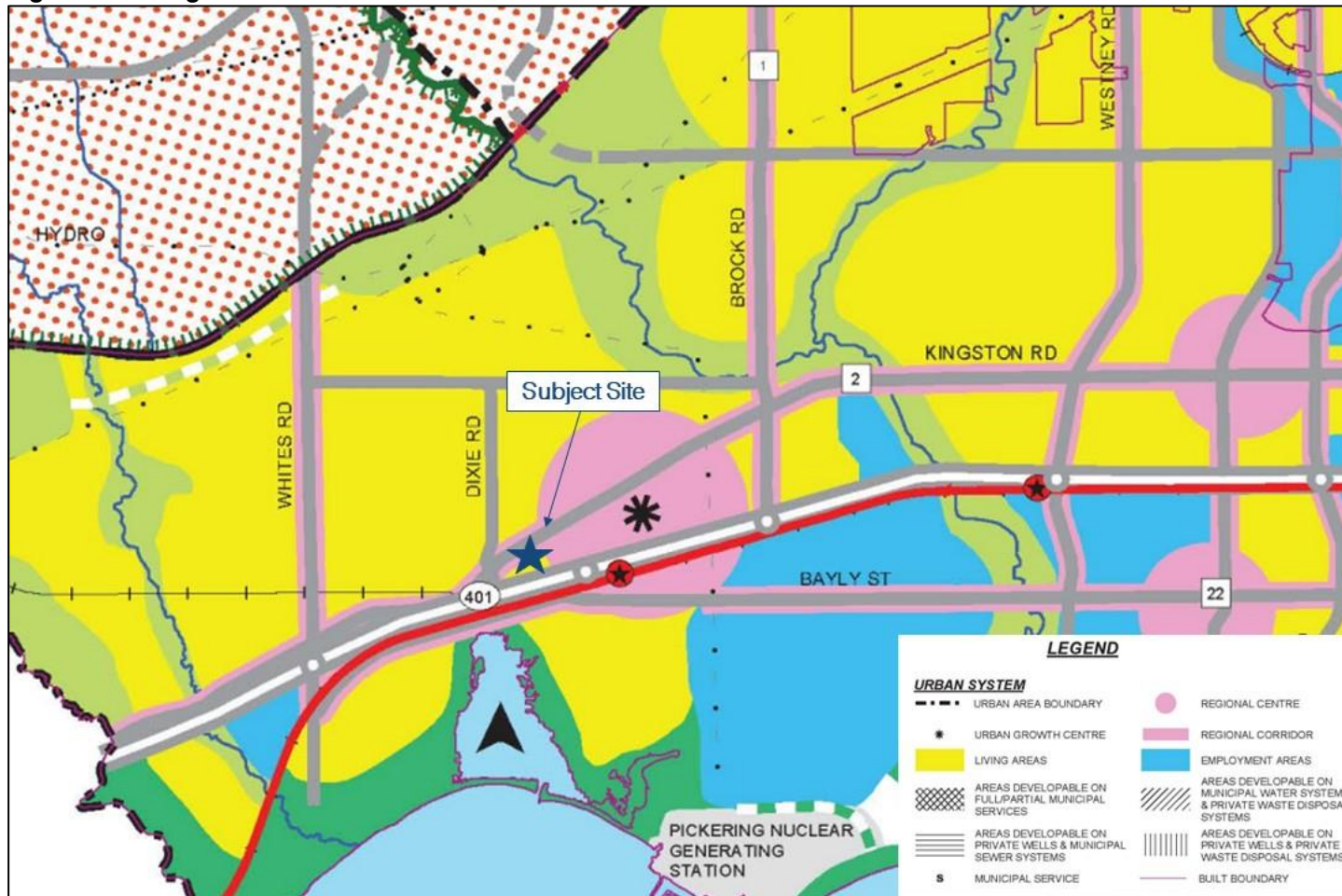
Per policy 4.2.4, the Regional OP directs for at least 25% of all new residential units, on a municipally wide basis, to be affordable to low and moderate income households. It is important to note that this does not require that each development provide for 25% affordable units. The proposed development is intended to provide market housing, but the proposed higher densities provide greater opportunity and access, in terms of affordability for households with low to moderate incomes – as smaller units are inherently more affordable than low-density housing stock. That being said, the applicant has extensive experience partnering with affordable housing providers in Toronto and Durham Region. These partnerships will look to be continued and strengthened as the development application progresses.

4.5.4 Community Facilities

Section 7 of the Regional OP sets out policies to help accommodate opportunities for locating cultural, health and community facilities in the Region of Durham (Policy 5.1.1). Community facilities, such as daycares, are encouraged to be located to be located within Urban Areas and are to be in visible and accessible locations to residents, that are preferably within walking distance or in close proximity to transit routes (Policy 5.2.2).

The Subject Site is located within the Urban Area and 716 m² of daycare space is proposed to be accommodated within the podium of building 'A2'. The provision of daycare space in the podium of a building is a visible and accessible locations to residents. Furthermore, the daycare would be within walking distance for future residents and is nearby public transit routes along Kingston Road. The daycare space could also accommodate future employees that may work in the commercial space proposed in the podiums of buildings 'A1' and 'C1'.

Figure 15 – Regional Structure



Source: Schedule A - Durham Regional Official Plan (2020)

4.5.5 Envision Durham – Regional Official Plan

The “Envision Durham” process was launched in 2019 as a Municipal Comprehensive Review of the Regional Official Plan. The new Regional Official Plan was adopted by Regional Council on May 27, 2023. This version of the Regional Official Plan requires approval from the Ministry of Municipal Affairs and Housing, at which time it will replace the existing Regional Official Plan. While this version of the Regional Official Plan is not fully approved and in effect, it reflects the vision of Regional Council for the Region of Durham. As such, a brief analysis of conformity to the Regional OP (May 27, 2023) is provided.

4.5.5.1 Land Use Policies

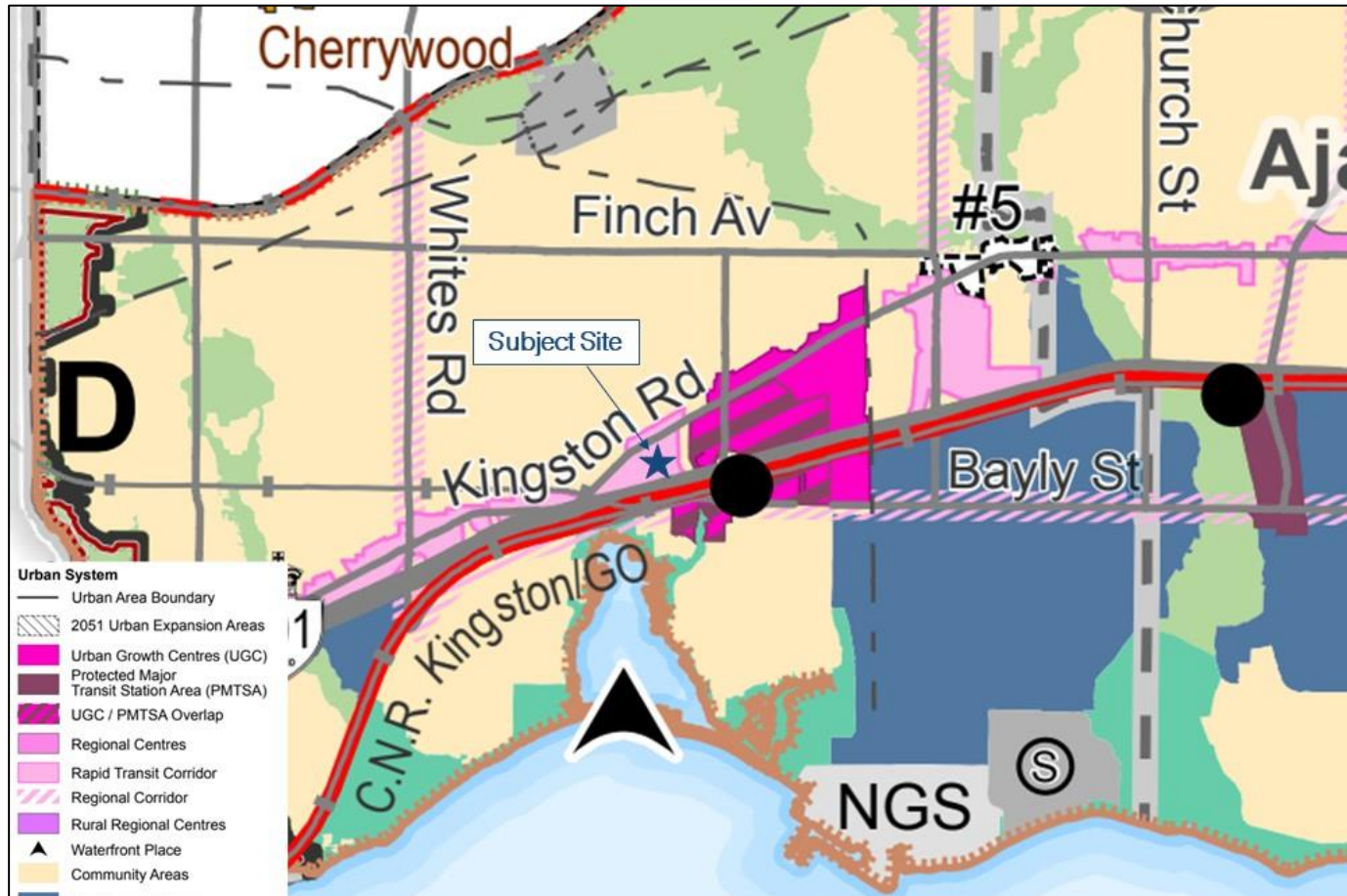
The new Regional OP designates the Subject Site as *Rapid Transit Corridor* as well as being located with the *Urban Area* (Figure 16). The City of Pickering is forecasted to accommodate a population of 256,370 people and 93,790 jobs by 2051 (Figure 2 of the Regional OP, 2023) and achieve 50% annual intensification within the built-up area (Policies 1.1.6, 5.1.6). *Rapid Transit Corridors* are strategic growth areas, where there shall be medium to high density forms of intensification (Policy 5.1.8). The development of *Urban Areas* shall consider long-term sustainability and adaptability and be based on the following principles:

- Compact, pedestrian-oriented built form;
- Logical and sequential development patterns;
- A mix and diversity of uses and amenities;
- High-quality and accessible built-forms;
- Commercial uses in appropriate areas;
- Redevelopment of existing plazas with higher densities and mix of uses;
- Transit-supportive development;
- Protection of the Greenlands system;
- Sustainability;
- Land use compatibility; and
- Appropriate stormwater management techniques and low impact development measures (Policy 5.1.15).

Strategic Growth Areas represent optimal locations for prioritizing intensification and higher density, mixed-use development. They are planned to be focal points for intensive forms of development and to achieve transit-supportive densities. The minimum transit supportive density target for *Rapid Transit Corridors*, which are considered *Strategic Growth Areas* is 150 people and jobs per gross hectare (Policy 5.2.3). Development within *Strategic Growth Areas* shall incorporate transit-oriented development design principles, provide a range of housing options, contribute to density targets, adhere to development limitations and setbacks from natural features, preserve cultural heritage resources and consider access spacing from arterial roads (Policy 5.2.8). *Rapid Transit Corridors* are the highest order *Regional Corridors* and are intended to provide essential connections and achieve a transit-supportive density. Development shall be based on a built form that is compact, pedestrian-friendly, uses transit-oriented design principles, and provides a range and mix of uses (Policy 5.2.24).

The proposed development will help achieve the intensification targets required in a location designated for high-density development. Intensification of the Subject Site will support efficient use of existing and planned transit upgrades on Kingston Road. As such, the proposed development will contribute to an overall transit supportive density and provide connections between *Strategic Growth Areas*. The proposal provides for a compact and pedestrian-oriented built form. This, combined with the proposed mix of uses (commercial and residential), in addition to the variety of private and public amenity spaces, makes the proposal inherently active transit supportive. The proposal is also phased to ensure logical and sequential development which will allow for continued function of the existing commercial plaza during development as well as provide for phased implementation of parks and road infrastructure. The development does not encroach into the natural heritage feature to the east and provides adequate buffers to these features. The buildings are oriented in a manner that places the highest densities away from existing residential neighbourhoods to the north, ensuring a proper transition of land uses.

Figure 16 – Envision Durham: Regional Structure



Source: Durham Regional Official Plan (May 27, 2023)

4.5.5.2 Economic Development

The policies of Chapter 2 of Envision Durham aim to support the development of a strong, prosperous, resilient economy that maximizes opportunities for business and employment growth. Diversification of the economic base with a range of high-quality employment opportunities is promoted by supporting the redevelopment of *Strategic Growth Areas* as attractive locations for mixed-use, high-density development and supporting the beautification of development along major transportation corridors (Policies 2.1.13.b-e). Furthermore, development of a full range of housing options, sizes, and tenure is required to ensure there is attainable and accessible housing for all residents to meet the needs of a diversified work force (Policy 2.1.13.f).

The proposed mixed-use development will provide commercial units in the podium of buildings 'A1' and 'C1'. Additionally, a daycare is proposed in the base of building 'A2'. Further, the proposed development will beautify the transportation corridor through high-quality urban design which provides active frontages along all public and private streets including Kingston Road. Active frontages are inclusive of retail/commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity space. A mixture of residential unit types and commercial uses will be provided which will also help to meet the needs of a diversified labour force by providing for a more affordable tenure and type of home for residents. Lastly, it is intended that phasing of the development in the manner proposed will maintain flexibility for existing commercial tenants to be relocated within the new development over time, if agreeable to both the applicant and existing commercial tenants.

4.5.5.3 Healthy Communities

Chapter 3 of Envision Durham provides policies that support the development of healthy, complete, well-designed, and resilient communities, which accommodate the needs of a growing region. Section 3.1 sets out policies for achieving a diverse and available supply of housing, which is a foundation of healthy and complete

communities. Policy 3.1.1 aims to support an end to homelessness and provision of affordable rent through various methods, including but not limited to, the supply of both private- and government-funded affordable rental housing supply, diversification of housing options, and the preservation of private rental stock. A wide range of affordable and market-based housing options shall be provided in Urban Areas (Policy 3.1.3) increasing the supply through intensification to reflect market demand, while considering the adequacy of services (Policy 3.1.4). Residential units above commercial uses are promoted, to efficiently use land, infrastructure, resources, and public service facilities (Policy 3.1.9). Infilling vacant or underdeveloped lands with residential units in Urban Areas is supported (Policy 3.1.10) and transit-supportive development shall be prioritized (Policy 3.1.11). The increased supply of affordable, special needs, and appropriate housing, of all types, tenures, sizes, and densities is encouraged to support households of various socioeconomic conditions and for people with different abilities and ages (Policy 3.1.13). Council shall require 25% of new residential units produced to be affordable to low- and moderate-income households (Policy 3.1.20) and at least 35% to be affordable in *Strategic Growth Areas* (policy 3.2.21). Affordable housing and medium and high-density apartments are encouraged in areas well served by local amenities (Policy 3.1.22). Parking standards are encouraged to be reduced to support the delivery of affordable housing (Policy 3.1.23). Aging in place is supported by encouraging affordable housing units which consider a mix of housing types, sizes, and tenures, and proximity to retail, amenities, transit, greenspaces, and social and health services (Policy 3.1.24).

The proposed development will support the development of healthy, complete communities, while accommodating the needs of a growing region. This is accomplished in part by providing a diverse form of housing that differs from the existing low-rise housing stock while also providing variation in proposed unit sizing, making the development available to a range of households of differing socioeconomic conditions. It should also be noted that the proposed development represents intensification in an area that is

adequately serviced, accessible by transit and represents development of residential uses above commercial uses as directed by policy. Additionally, the development of the Subject Site does not necessitate demolition/reduction of the existing rental stock in the City. While it is pre-mature to determine pricing for the proposed residential units, it is understood that the apartment built form is inherently more affordable compared to low-rise housing stock. As such, the units in the proposed development may contribute to the 25% regional and 35% *strategic growth area* targets for affordable housing. While it is too early in the development process to confirm the provision of affordable housing, the client has extensive experience partnering with affordable housing providers in Toronto and Durham Region. These partnerships will look to be continued and strengthened as the development application progresses.

Section 3.2 sets out the policies to support climate change adaption and mitigation, and supports building resilient, healthy, and sustainable communities. Supporting the reduction of greenhouse Gases (GHG) and improvement of air quality, and sustainability can be achieved by the following measures:

- Green infrastructure and increasing tree canopy;
- Protecting the natural environment;
- Energy efficient construction;
- Energy conservation;
- Waste management; and
- Intensification, walkable communities, and compact built form (Policy 3.2.3).

To achieve resilient development, a range of sustainable and green design standards including, but not limited to, providing drought-tolerant, landscaped open areas, and planting native species is promoted (Policy 3.2.9). Sustainable design principles such as bird-friendly measures and green or cool roofing are promoted (Policy 3.2.10). New development is encouraged to include EV charging facilities or pre-installed conduits, be net-zero, and support active transportation and water conservation (Policy 3.2.11). Consideration for urban agriculture, community gardens, and rooftop gardens is encouraged (Policy 3.2.24).

Opportunities to support climate change adaptation and mitigation by utilizing green infrastructure such as green roofs and provision of adequate green spaces are proposed. The Subject Site will be intensified and result in a compact built form, which is walkable and transit supportive. Electric vehicle charging will be provided to support the use of zero-emission vehicles. There is adequate proposed roof top amenity space throughout the proposed development which could provide opportunities for gardens to support urban agriculture. For a more fulsome analysis of all green initiatives proposed, please review the submitted Sustainability Report and Integrated Sustainable Design Standards checklist, prepared by EQ Building Performance, summarized in Section 6.8 of this document.

Section 3.3 provides policies which support the achievement of complete communities, that are walkable, well-connected, age-friendly and where the needs of individuals and families are met. Complete communities should be supported with the provision of a mix of housing options, employment opportunities, community hubs, parks and open spaces, and active and multi-modal transportation options (Policy 3.3.1). A full range of housing options near community hubs is encouraged to support the clustering of community facilities, programs, services, retail and commercial uses, and green spaces, in accordance with Policies 3.3.26 to 3.3.28 (Policy 3.3.15). Community facilities are encouraged to be in highly visible and accessible locations for residents, ideally near transit routes (Policy 3.3.20). The development of complete communities is supported with the promotion of community hubs that are accessible to residents and are transit-supportive, within *Strategic Growth Areas* (Policies 3.3.26, 3.3.27, 3.3.28).

A total of 7,149 m² of commercial/retail space is proposed in the podiums of buildings 'A1' and 'C1'. An additional 716 m² of space in the podium of building 'A2' is allocated for a future daycare. The provision of retail and community facilities positions the development of a community hub, which diversifies the existing housing stock, provides employment opportunities and is in a transit-supportive location.

4.6 City of Pickering Official Plan (Office Consolidation, 2022)

The City of Pickering Official Plan (the “OP”) was originally adopted by Council in March 1997. The current office consolidation is dated March 2022. The Official Plan is intended to provide a foundation for building a good community and is intended to guide local growth and development through the designating of land for various land uses and providing policies that will guide the development and use of land city-wide.

The City OP designates the Subject Site as *Mixed-Use Areas – Mixed Corridors (Figure 17)*. Further, the plan denotes Kingston as a *Type B Arterial Road* and *Transit Spine*, Dixie as a *Local Road* (south of Kingston) and Walnut Lane as a *Future Type C Arterial Road*. The Pickering OP does not identify any elements of the *Natural Heritage System* nor any *Key Natural Heritage Features* on the Subject Site; however, Pine Creek is identified as a *Stream Corridor*.

4.6.1 Economic Development

Chapter 5 of the City OP contains the City's economic policies and focuses on increasing the number, diversity, and quality of local jobs. Policy 5.1 aims to strengthen Pickering's economic health and self-sufficiency and encourage Pickering as an employment destination for Durham Region. It also aims to increase the number, quality, and diversity of local jobs, balance the residential to commercial/industrial tax assessment ratio, and reduce out-commuting. Policy 5.2 requires support for local businesses, the creation of more local jobs, and the diversification of the City's economic base. Furthermore, providing local employment opportunities, as well as a wide range of locations for economic activities is required.

The proposal provides for 7,149 m² of retail/commercial space and a 716 m² daycare on the Subject Site, which represents a net reduction in retail/commercial GLA. This is reflective of the

redevelopment of the Subject Site from a large format retail built-form to a compact built-form with urban retail/commercial units in the base of mixed-use buildings – as directed by OPA 38 as well as the housing policies of Chapter 6 of the Pickering OP (Policy 6.5). These types of commercial units are inherently smaller than existing large format retail uses – however that may not inherently lead to a reduction in the number of people employed by an individual business nor accurately reflect the quality of employment. It is intended through the Draft ZBLA for the retail/commercial spaces proposed to be flexible and support a wide variety of uses that can service the existing and developing community. Please see the draft ZBLA for a list of proposed uses to be permitted in the retail/commercial component of the development. With respect to phasing, it is intended that phasing of the development in the manner proposed will assist the applicant in relocating existing tenants into the new development over time, if agreeable to both the applicant and existing commercial tenants, as the retail/commercial components are located in phases 1 and 3. These Phase are also located in closest proximity to Kingston Road to maximize visibility from the arterial road network and accessibility by alternative modes of transportation.

4.6.2 Community Services

The community services strategy is set out in Chapter 7 of the City OP, and it sets out policies to support the uses, facilities, programs, and services that address a broad range of human, social, and infrastructure needs that are integral to the quality of life of community members. Facilities associated with community services include but are not limited to ambulance depots, child care facilities, hospitals and medical clinics, parks, places of religious assembly, and schools. The important role that community services and facilities play in meeting needs of residents, as such a suitable distribution across the City of Pickering is promoted, in a manner that optimizes the use of infrastructure (Policy 7.2). Furthermore,

the importance of parks and green spaces is recognized. As such, the establishment of an accessible, publicly-owned, connected system of trails, greenspaces, and parks is promoted (Policy 7.7). Community and recreational facilities are encouraged to be located in mixed use areas that are supported by public transit, and are close to the area they will serve (Policy 7.8).

The proposal provides 716 m² of daycare space, which will provide a community facility and service which could be essential to future residents and employees. The proposed daycare space would support the needs of families and employees with children, and provide a better quality of life with a service that could be close to homes and/or places of employment. Additionally, the Subject Site is adjacent to an existing paramedic services depot, providing close access to another essential community service. The Subject Site is well supported by public and active transportation, which will not only benefit the proposed daycare space, but also provide linkages between the POPS and public park on the Subject Site.

4.6.3 Housing

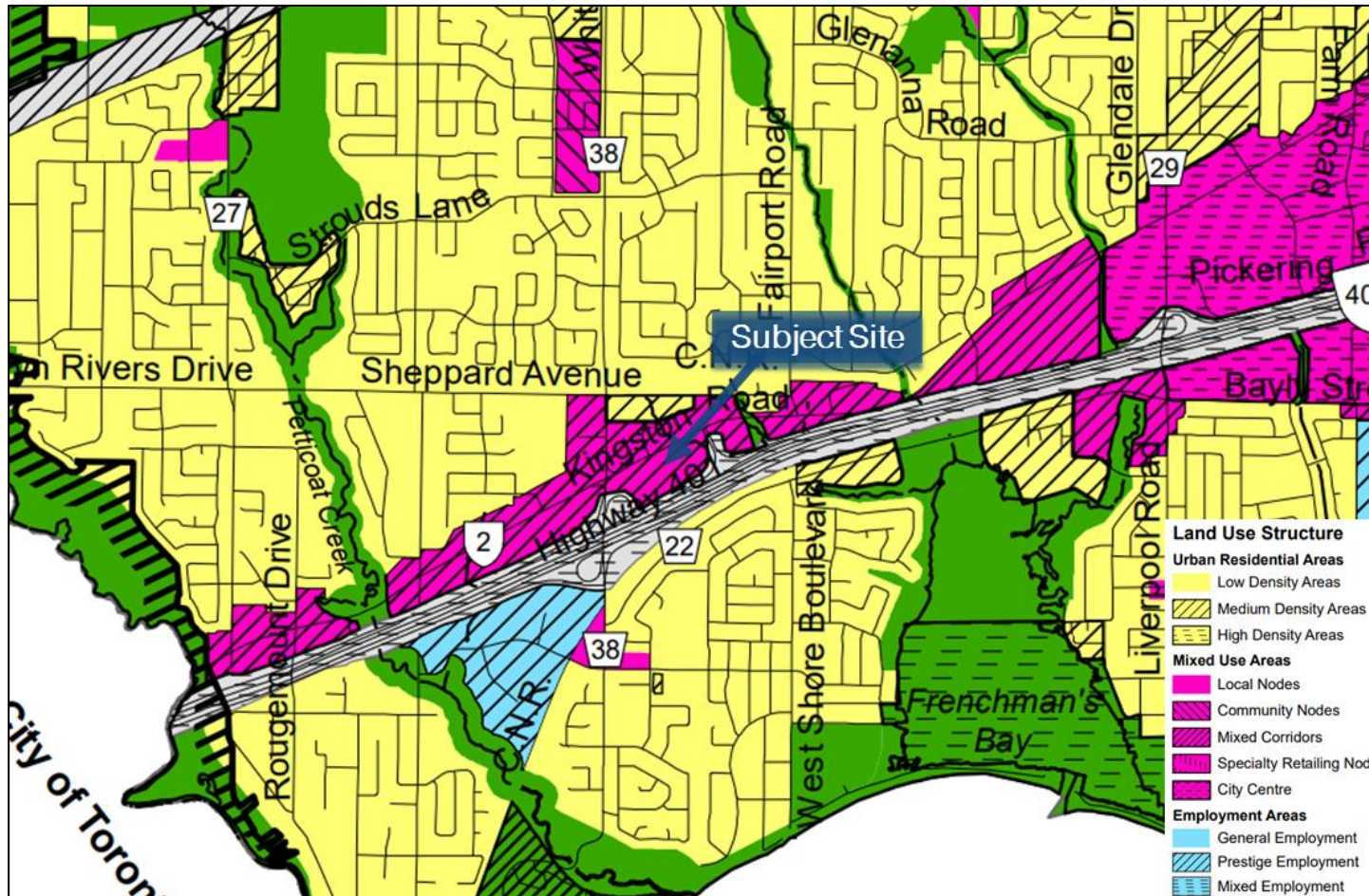
Chapter 6 of the City OP contains the City's strategic housing policies. Per Policy 6.1 a broad range of housing by form, size, location, tenure, and cost are encouraged to meet the changing needs of residents over time. Housing opportunities that respond to the existing and future needs of residents are encouraged, including the provision of an adequate range of housing and tenure types, integrated within existing neighbourhoods. A sufficient supply of residential lands should be made available to meet the housing needs of the City, as well as a sufficient supply of housing, in terms of quantity, quality, and diversity (Policy 6.2). Per Policy 6.3 the City shall maintain a minimum 10-year supply of land to meet anticipated needs and achieve 12% apartments in the total housing stock. Policy 6.4(a) requires 25% of residential construction to be of forms that are affordable for low or moderate income households, on a City-wide basis. Per Policy 6.5, the City shall maximize efficiency and minimize land consumption by encouraging:

- *major intensification in mixed use areas;*
- *infill development of vacant or under utilized blocks of land;*

- *in mixed use areas and residential areas, redevelopment and conversion of non-residential uses to residential uses, including the addition of residential uses in mixed use forms; and*
- *methods for the provision of compact housing form, with regard to housing type, architectural design and cost-effective development standards, where technically feasible.*

The proposed development represents major intensification in a mixed-use area, infill development under utilized land, and redevelopment and conversion of non-residential uses to residential uses/mixed use development, in conformance with Policy 6.5. More specifically, the proposed development provides for a high density built form in an area where the housing stock is predominantly low-density dwellings. As such, it will assist the City in diversifying the form, size and cost of housing. That said, the proposal also provides for a range of unit sizes and types internally, including 10% bachelor, 49% 1-bedroom, 33% 2-bedroom and, 8% 3-bedroom units, which will assist in achieving a complete community within the Dunbarton/Liverpool Precinct. The proposed development is intended to provide market housing, but the proposed higher densities provide greater opportunity and access, in terms of affordability for households with low to moderate incomes – as smaller units are inherently more affordable than low-density housing stock. While it is too early in the development process to confirm the provision of affordable housing, the client has extensive experience partnering with affordable housing partners in Toronto and Durham Region. These partnerships will look to be continued and strengthened as the development applications progress.

Figure 17 – Land Use Designation



Source: City of Pickering Official Plan (2022)

4.6.4 Land Use

Chapter 3 of the City OP sets out the land use strategy, which provides for a compact urban area in southern Pickering and aims to reduce land consumption and long-term infrastructure costs, while promoting sustainable development and improving the overall quality of life for the community. Policy 3.1 promotes an integrated and efficient land use strategy, which protects ecological systems and results in a more compact, liveable, and complete urban system. Policy 3.2 promotes Kingston Road as the City's mainstreet, a compact urban form, active transportation, and public transit usage. Additionally, the OP directs that the character of established residential neighbourhoods is to be maintained while concurrently promoting increased variety and intensity of land uses and activities in mixed use areas.

Mixed Use Areas are to have the highest concentration of activity in the city, as well as a wide diversity of community services and facilities. More specifically, the widest diversity of uses, highest levels of activities and quality of design are directed to the City Centre and the Kingston Road Mixed Corridor. Per Policy 3.6 lands designated Mixed Use Areas may be used for purposes set out in Table 5, are subject to performance standards, provisions, and restrictions that are set out in Table 6, and shall be developed according to the community design provisions and guidelines of the City OP. Policy 3.6(c)(ii) also states that development should strive to achieve the maximum floorspace indices indicated in Table 6. This is tempered only where FSIs must be limited for reasons of design, compatibility, and scale of development (3.6(d)).

Per Table 5, the permissible uses in the *Mixed Use – Mixed Corridors* designation include: residential, retailing of goods and services generally serving the needs of the surrounding neighbourhoods, offices and restaurants, community, cultural and recreational uses, community gardens, farmer's markets, and special purpose commercial uses. Per Policy 3.6(a), Mixed Use Areas are lands that have or are intended to have the widest variety of uses and highest levels of activities in the City. Table 6 requires a net residential density of over 30 and up to 140 units per net

hectare (UPH) for *Mixed Corridors*, and a maximum FSI of 2.5. Note that Table 6 is amended in OPA 38 to remove the UPH maximum and increase the FSI maximum to 5.0 per Policy 3.6(f). In terms of the maximum gross leasable floor space for the retailing of goods and services, Table 6 identifies that this is to be determined by site-specific zoning in the Mixed Corridors designation. The Subject Site is located in the *Liverpool Neighbourhood*, on the *Kingston Road Corridor*, and as such is subject to the *Kingston Road Corridor Development Guidelines*.

The proposed mixed-use development conforms to the intent of the land use policies provided by the Pickering Official Plan. It will efficiently utilize land, support active transportation/public transit usage, and help to achieve a complete community with a compact built-form.

Intensification of the Subject Site will leverage existing public transit investment in the area and represents effective integration of transit and land use, which also promotes sustainable development. As noted previously, various bus routes, including the Durham Region Transits (DRT) Route 900, 920 and GO Bus Routes 41 and 92 run along Kingston Road, and have stops located at Walnut Lane.

The proposed development will increase the variety and intensity of land uses at the Subject Site by introducing residential dwellings, in addition to continuing to provide commercial uses in building bases. To this end, the uses proposed by the ZBLA conform to those provided in Table 5 of the Official Plan. The additional density provided through the redevelopment is proposed in a compact built form which addresses all public and private streets, while locating loading, parking and servicing functions internal to the building podiums. An OPA is required as a density of 5.0 FSI is proposed, where-as Table 6 specifies a maximum density of 2.5 FSI.

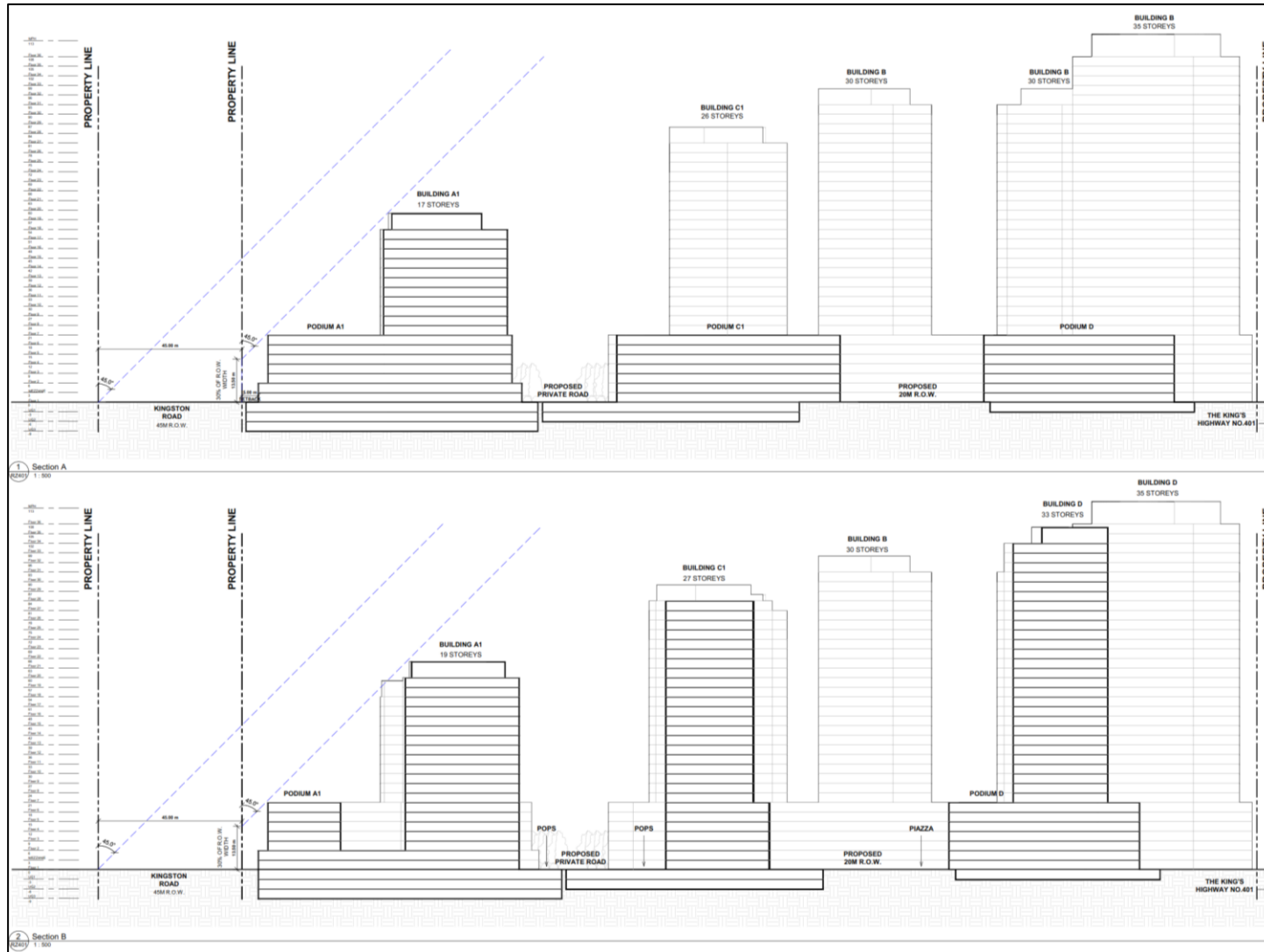
It is TBGs professional planning opinion that a density of 5.0 FSI conforms to the intent of the Pickering Official Plan. Policy 3.6(c)(ii) directs that development achieve the maximum floorspace indices

indicated in Table 6, being 2.5 FSI – which was deemed to be an appropriate level of intensification at the time of approval of the Pickering OP. As such, the intent of the Pickering Official Plan is to maximize density on the Subject Site. It is noted OPA 38 has proposed to increase the FSI maximum to 5.0; however, has left Policy 3.6(c)(ii) unchanged. As such, by maximizing density of the Subject Site based on more up to date planning direction (5.0 FSI), the proposed Site Specific OPA is generally in conformance with the intent of Policy 3.6(c)(ii). In fact, it is TBG’s opinion that capping density at 2.5 FSI through redevelopment of the Subject Site would be contrary to the intent of Policy 3.6(c)(ii) and would in fact not be in conformance with the intent of the in-force City OP.

As noted above, Policy 3.6(d) notes that FSI may be limited to address concerns related to such matters as design, compatibility and scale of development. In TBG’s professional planning opinion the proposal does not give rise to concerns related to design, compatibility and scale of development. With respect to matters of design, the proposed architectural materials have regard for and utilize most of the performance criteria established by the Council endorsed Kingston Road UDGs (as further addressed later in this report). With respect to compatibility and scale, the proposed development is separated from existing low density residential communities to the north by Kingston Road, a 45m right-of-way. Further, the height of the proposed towers intentionally increases as the proposal moves away from Kingston Road – providing a transitional element to the community to the north. This is achieved by respecting both a 45-degree angular plane from the north side of Kingston Road, and a 45-degree angular plane from the south side of Kingston Road, commencing at a height of 30% of the right-of-way width (**Figure 18**). Further, the proposed heights of up to 35-storeys are in keeping with the scale of development adjacent to the 401 in the City of Pickering, with tower heights to the east ranging from 31-54 storeys. It is noted that these towers are located in the Pickering City Centre. Accordingly, the proposal’s maximum height of 35-storeys is correctly located on the lower end of the height scale above, in recognition of the higher order of the Pickering City Centre and Pickering PMTSA. Lastly, the FSR and Traffic Impact Study (TIS) documents demonstrate that the

proposed density can largely be accommodated by existing servicing and transportation infrastructure, with the service upgrades mentioned in the respective reports such as the upsized stormwater pipe and the addition of left turn phases and increased cycle lengths. With respect to sanitary capacity, the Region of Durham has indicated that it will be allocated on a first come first serve basis. A new watermain that will be constructed as part of the Walnut Lane extension, which will serve the Subject Site. Lastly, existing stormwater management infrastructure can accommodate the existing and ultimate stormwater discharge, except for one existing sewer which will need to be upsized to accommodate flows from Phase 2 and a portion of Phase 4.

Figure 18 – Angular Plane



Source: Turner Fleischer Architects Inc. (2023)

4.6.5 Community Design

Chapter 9 of the OP sets out a strategy for addressing community design, considering ten community design concerns that are important to the creation of high quality built and natural environments. The goal of the community design section is for developments that result in an enjoyable, comfortable, and safe built and natural environment (Policy 9.1). The community design objectives are provided in list form below, followed by a brief description of how each is addressed in blue:

- a) a physical form that is related to the scale and pace of pedestrians;
- b) comfort, enjoyment, and personal protection for pedestrians and users;
Per Policy a) and b) podiums have been limited to a maximum of 6-storeys both in the Draft ZBLA as well as in the architectural materials. Stepbacks of tower elements are generally proposed above the podium level when buildings face public streets. Front yard setbacks ranging between 2 and 5 metres have been proposed and vary depending on the scale of the adjacent street. Weather protection will be provided at entrances and along public frontages - and will be further specified at the Site Plan stage.
- c) provide an integrated mix of uses, activities, and experiences;
Commercial/retail, daycare and residential uses are proposed. Active frontages, inclusive of retail/commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity spaces are proposed on all public frontages as well as private streets.
- d) design of roads, buildings, and spaces should support the public transit system and be easy for pedestrians, and vehicles, to move through;

The proposal is within walking distance to public transit as available on Kingston Road as well as the Pickering GO Station to the east (~700-1000m from the station). The proposal provides for an internal sidewalk system which will allow for pedestrian connectivity to transit. The proposed ZBLA also makes appropriate provision for bike parking internal to new structures and future landscape plans provided at the Site Plan stage will provide for convenience bike parking within the public realm. The proposed public street will also include shared on road bike facilities to support active transportation.

- e) consideration of the mix of uses, and the massing, height, scale, and architectural style of adjacent buildings to ensure developments fit within the existing context;
The proposal provides for a significant variation in building heights, ranging from 17- to 35-storeys. These buildings are located in contextually appropriate locations, with the greater heights located in proximity to Highway 401 and further from the low-density residential uses to the north. Conversely, the majority of commercial space is located in proximity to Kingston Road – so as to be more accessible by transit as well as to the larger community.
- f) enhance the quality of the public realm and utilize spaces between and along buildings of high architectural and landscape quality;
- g) utilize landmarks and other distinctive elements, including buildings, open spaces, landscapes, and natural features for wayfinding;
- h) encourage adaptable and multi-functional designs of buildings and places;
Per Policy f), g), and h) a variety of POPS and Public Park space is provided through the proposal. This includes 6,237m² (8.7%) of POPS space and 4,458m² (6.2%) of

Public Park space. These spaces are intentionally located within the development to act as landmarks and focal points.

Two public park spaces are proposed. The first is located north of the new Public Street. It will provide for a midblock pedestrian connection between Phase 1 and the new east-west public street, as well as provide for a view terminus at the end of the proposed east-west private street to be developed through Phase 1 and 3. This park is expected to be augmented by development of the property to the west and can be further programmed at that time to serve as a central public gathering place in the northern portion of the Block. The second Public Park is located south of the new Public Street and will be conveyed through phase 4 of the development. This park is also expected to be augmented through development of the lands to the west. This park space is to serve as the largest park space within the block and provide opportunities for passive and active recreation to future residents of the block and Precinct at large.

The proposed POPS have been located in a manner which will augment and animate the Streetscapes within the plan. They are located at internal intersections as well as on the north and south sides of the new Public Street. As such, they will assist in creating distinctive landmark intersections and a distinctive east-west public street.

A final passive POPS is proposed in the south-eastern portion of the Site adjacent to Pine Creek. This area will provide for passive recreational opportunities and viewports into the creek system.

Facility Fit plans for the Public Parks and conceptual landscape plans for the POPS have been prepared and submitted with the application.

- i) create attractive buildings and spaces through the use of colour, decoration, and variation in materials; and

These matters will be more particularly addressed at the Site Plan Stage.

- j) ensure compatibility between the built and natural environment, protecting and enhancing natural features and celebrate significant aspects of the natural and cultural landscape (Policy 9.2).

An EIS has been prepared by GeoProcess Research Associates to review and provide direction with respect to the appropriate setbacks to Pine Creek and its associated natural features. The development limits respect the direction of the EIS. Further, a POPS space has been located adjacent to Pine Creek to transition the development intensity downwards as it approaches the natural area.

Chapter 14 of the City OP builds upon the goals and policies set out in Chapter 9 – Community Design and includes policies related to detailed design considerations which are derived from the concerns identified in Chapter 9. The design policies under these considerations establish a sound approach to community design for development in the City of Pickering. These matters are more appropriately reviewed and implemented at the Site Plan stage. However, the Urban Design Brief provides an analysis of how the proposed development conforms to these policies at a high level. Refer to Section 6.4 of this report for a summary of the Urban Design Brief, which addresses these matters.

4.7 Official Plan Amendment 38: Kingston Mixed Corridor and Brock Mixed Node Intensification Areas

OPA 38 was Pickering Council and adopted on January 24, 2022, and was further approved by the Region of Durham on November 4, 2022; however, it is currently under appeal. As such, although not in effect at this time, OPA 38 represents the future planning direction for the Subject Site and surrounding lands. OPA 38 is based on two Council endorsed documents, the Kingston Road Corridor and Specialty Retailing Node Intensification Plan (November 2019) (the "Intensification Plan") and the Draft Urban Design Guidelines (November 2019) ("Kingston UDGs"). The Intensification Plan provides the vision and framework for intensification and redevelopment within the Kingston Road Corridor and Specialty Retailing Node. The intent of the Intensification plan is to inform Official Plan Policies, the Urban Design Guidelines, Zoning By-law Amendments, and other related municipal strategies.

Section 3 of the Intensification Plan provides the framework for intensification by detailing planning recommendations as they relate to land use, built-form, place-making, connectivity, and servicing. Section 4 identifies and describes four identified precincts and associated character. The Subject Site is located within the Dunbarton/Liverpool Precinct. The Kingston UDGs are a toolkit to guide new development within the Kingston Road Corridor and Specialty Retailing Node and are intended to provide specific design considerations. The Kingston UDGs also provide direction and guide the City of Pickering's review of site-specific applications. Section 2 of the UDGs provides a toolkit of built form guidelines, Section 3 place-making guidelines for public spaces and Section 4 connectivity guidelines.

4.7.1 Designations & Indicators

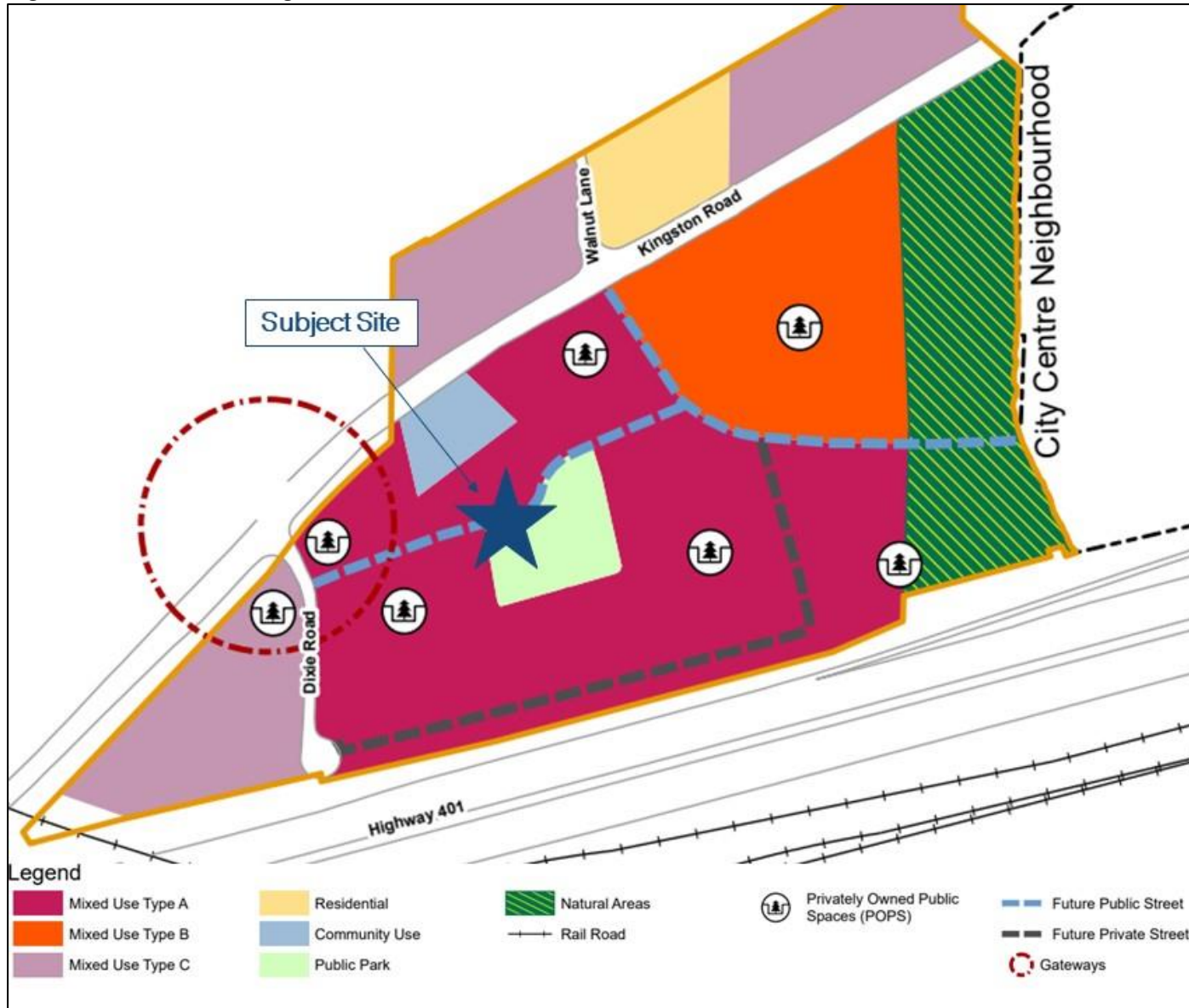
As noted previously, OPA 38 was approved by Pickering Council and the Region and appealed by various parties. As such, although not yet in effect, it is representative of the future planning direction for the Subject Site. Per OPA 38, the Subject Site remains located within the *Kingston Mixed Corridor* and is designated as *Mixed Use A* within the Dunbarton/Liverpool Precinct (**Figure 19**). Further the intersection of Dixie and Kingston is denoted as a *Gateway*. Both a

Future Public Street as well as a *Future Private Street* are shown bisecting the Subject Site in an east-west direction and providing connections between Dixie Road to the west and Walnut Lane to the east. The Plan also denotes Walnut Lane as a *Future Public Street* connecting Kingston in the north and extending over Pine Creek in the east to connect to Liverpool. A portion of a future *Public Park* is shown on the western portion of the Subject Site (as well as on the Subject Site to the west) and three *POPS* spaces are shown throughout the Subject Site. These elements are all provided for through the submitted architectural materials and secured in the draft ZBLA as appropriate.

4.7.2 Land Use

With respect to uses, OPA 38 proposes revisions to Table 5 of the Pickering OP as related to the *Kingston Mixed Corridor*. Permitted uses include high density residential uses as well as a variety of commercial/retail uses – as provided by the proposed ZBLA and architectural materials. As such, the proposal conforms to the land use permissions of OPA 38.

Figure 19 – OPA 38 Designation



Source: City Initiated Official Plan Amendment 38 – Report to Council (January 24, 2022).

4.7.3 Density

With respect to density, OPA 38 amends City Policy 3.2(d) and notes that the Kingston Mixed Corridor is a Strategic Growth Area which is secondary to the City Centre in terms of accommodating intensification. In this regard it is noted that the City Centre permits densities up to 5.75 and heights up to 55 storeys have been permitted. As noted above, OPA 38 proposed revisions to Table 6 of the Pickering OP such that the residential density is required to be over 60 dwellings per hectare, with no corresponding maximum. In addition, an FSI of over 0.75 and up to 2.5 is permitted. However, a revision to Policy 3.6(f) is also proposed in OPA 38 and permits densities up to 5.0 through site-specific zoning by-law amendment applications subject to certain criteria which are included and analyzed below in blue:

- i. that the site is generally located in an appropriate gateway location and/or adjacent to Highway 401;*
The Subject Site is located south of Kingston Road and adjacent to Highway 401.
- ii. that the proposal is compatible with adjacent land uses, particularly stable residential neighbourhoods, in terms of massing, height, scale and transition;*
As noted previously, the proposal provides for a transition to the neighbourhood to the north by stepping height upwards as the proposal moves from south to north. This is further secured by building height provisions located with the Draft ZBLA. Further, the buildings heights are in keeping with, and at a lower scale than, taller buildings located to the east within the City Centre (ranging between 31- and 54-storeys). For further analysis please see the UDG analysis section of the report below.
- iii. that the applicant demonstrate the proposed development would not preclude other properties within the precinct from developing or redeveloping to their planned potential; and*
The FSR reports prepared by WSP demonstrate that development of the Subject Site will not impact development of other lands within the Dunbarton /Liverpool

Precinct. Further, allowances for road connections westward have been made in the proposal. Lastly, parkland has been located on the western property line to allow for future augmentation via development on the lands to the west.

- iv. that the proposal meets the general intent of the policies of Chapter 11A of this plan (Policy 3.6.f).*
See analysis below. This analysis concluded that the proposal conforms to the intent of the policies of Chapter 11A.

As the proposal satisfies the criteria in 3.6(f) of OPA 38, the proposed OPA to increase density as well as the proposed ZBLA to facilitate a mixed-use development on the Subject Site both conforms to the intent of OPA 38.

4.7.4 Kingston Mixed Corridor Policies

Chapter 11A is a new Chapter added to the City OP through OPA 38 and will provide policies to guide development of the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas. The OPA is structured as follows:

- Policy 11A.1 provides general direction for development in the *Kingston Mixed Corridor*;
- Policy 11A.5 provides policies specific to the Dunbarton/Liverpool Precinct;
- Policy 11A.9 provides policies for intensification areas and specifically *Mixed Use A* lands;
- Policy 11A.10 provides further direction with regards to built form principles;
- Policy 11A.11 provides direction regarding POPS and Parks.
- Policy 11A.12 provides direction with regards to connectivity including public and private streets; and,
- Policy 11A.14 provides policies regarding implementation.

Policy 11A.1 - Kingston Mixed Corridor

Policy 11A.1(e) encourages the transformation of existing strip-commercial development into mixed use transit-supportive areas. Building on this, Policy 11.A.1 (b) directs for the transformation of the corridor into a liveable, walkable, and human-scaled neighbourhoods, which includes provision of public spaces such as parks, squares, and streets. Said public spaces are to be inclusive, safe and comfortable for all (Policy 11.A.1d)), prioritize placemaking ((Policy 11A.1(f), and should integrate commercial (Policy 11A.1(c)). The proposal conforms to these policies by facilitating redevelopment of an existing low-density commercial plaza ('strip-commercial development') and replacing it with a mixed-use development which include a fine grain circulation network/public realm comprised of a series of Public and Private Streets. Said streets are augmented by POPS and parks located along the right-of-ways and at key intersections to facilitate placemaking and provide for connectivity. Lastly, active frontages, inclusive of retail/commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity spaces are proposed on all public frontages as well as private streets to animate those spaces.

Policy 11A5 - Dunbarton/Liverpool Precinct

Per Policy 11A.5 the greatest densities and building heights within the Dunbarton/Liverpool Precinct are to be directed south of Kingston Road along Highway 401 (a). Development is encouraged to create a local community and shopping destination, supported with connected green spaces and squares, and provide multi-modal connections to the City Centre (c&d). Further, primary frontages are directed to the new Public Street within the Precinct (e). Lastly, development is to respect the regulatory flood plain risks associated Pine Creek flood and enhance associated natural heritage features (g&f). The proposal conforms to the intent of these policies. Two Park spaces ('squares') are proposed along the western property boundary and are expected to be augmented by further development to the west. Retail and commercial uses are proposed within Phases 1 and 3. Active frontages are provided both along the new east-west public street as well as along Walnut Lane. The proposal chooses to focus retail uses specifically toward

Walnut Lane and Kingston Road, rather than the internal east-west public street, in order to ensure viability of these spaces by providing them with exposure to traffic on Kingston Road and the neighbourhood to the north. That noted, retail and commercial uses continue to be provided which addressed the intent of the OPA 38 for the Subject Site to function as a 'local shopping destination'. With respect to Pine Creek, the EIS by GeoProcess has defined the limits of the natural and flood hazards and also proposes some additional naturalization planting which will serve to 'enhance' the natural heritage features within the creek area.

Policy 11A.9 - Intensification Areas & Mixed Use A

Per Policy 11A.9 provides general policies for intensification. This includes a directive to integrate residential, office, retail, commercial, and institutional uses to support the development of complete communities(a). Further, various sizes and types of retail uses are required to maintain the function as key retail shopping destinations within the City. Where existing business are present on site, OPA 38 directs applications to seek on-site retention (c(ii)). The proposal conforms to this general direction. It includes both commercial/retail, daycare and residential uses and floor plans further developed through the Site Plan stage can make provision for various sizes and types of retail. As noted above, the phasing of the commercial uses has been developed to allow for relocation of existing tenants, should it be agreeable to both the applicant and the existing commercial tenants.

Policy 11A.9 (j) requires that re-development and more specifically the provision of streets, blocks, open spaces, and buildings anticipates change over time. Further, opens spaces are to provide physical and visual connections with natural areas (h). The proposal also conforms to these policies with respect to the location and organization of streets, temporary turning circles and Parks which anticipate future development and augmentation through subsequent development phases as well as development on adjacent lands. Further, POPS spaces are also proposed adjacent to Pine Creek.

Policy 11A.9.2 provides specific policies for *Mixed Use A* areas. These are to be developed with the greatest density and highest intensity of uses within the intensification areas, with a mix of high density residential, commercial, and retail uses (a). Per Policy 11A.9.2(b) office uses are encouraged, particularly major office uses, predominantly directed towards gateways. The proposal provides for a FSI of 5.0, which is the maximum FSI permitted per policy 3.6(f) of OPA 38. Accordingly, this conforms to the directive of the Policy 11A.9.2a. With respect to office uses, the Subject Site is not located at a Gateway, and accordingly major office uses are not proposed. However, as noted in Policy (b)(iii) the built form proposed in the later phases of the development has the ability to accommodate office uses with minor revisions. The draft ZBLA has been drafted to provide this flexibility as well. That said, and for clarity - office uses are not proposed in later phases at this time – however, as directed by policy, flexibility to provide these uses exists should market conditions favour provision of such uses in the future.

Policy 11A.10 - Built Form

Per Policy 11A.10 and 11A.10.1 contain built form within the intensification areas and for tall buildings shall reflect several principles. Some principles are more appropriately addressed and discussed at the Site Plan stage, however many must be secured and demonstrated at this time. A summary of the relevant policies and corresponding analysis (in blue) is provided below:

- 11A.10 (a) *promote higher-density residential and mixed-use development which respects the character and scale of established neighbourhoods through proper transitioning, which may include, limiting building heights, implementing angular planes, applying appropriate building setbacks, landscaping, and other design elements, as appropriate, to ensure compatibility with adjacent development;*
See commentary provided above. The proposal provides for higher-density, mixed-use development which respects the character and scale of the surrounding community.
- 11A.10 (c) *taller buildings should appropriately transition in height to minimize adverse impacts and create a more*

human-scaled pedestrian environment, particularly where mid- rise or high-rise development is directly adjacent or in close proximity to existing low-rise neighbourhoods;
As noted above, the proposal and the proposed ZBLA transitions height downwards towards existing low-rise neighbourhoods. Further, slender tower built forms are required in the draft ZBLA and podium height is capped at 6-stories to create a pedestrian scaled public realm.

- 11A.10 (d) *new development shall be designed, located and massed in such a way that it limits shadowing on adjacent residential land uses, the public realm, parks and public spaces, and protects and buffers the pedestrian realm from prevailing winds, in order to achieve adequate sunlight and comfort in the public realm through all four seasons; and* Shadow Studies have been prepared by TFA and a corresponding analysis prepared by MBTW. These materials demonstrate the proposed park space is appropriately located to achieve sufficient sunlight due to the protection of southern exposure as well as the slender tower built form noted above. Additionally, the massing of the proposed development has limited impact on the surrounding areas. Pedestrian level wind studies have also been conducted by SLR Consulting and confirm that wind safety criteria are met and that the wind conditions at the Subject Site are generally suitable.
- 11A.10.1 (a) *direct high-rise buildings, consisting of buildings 13 storeys to a maximum of 35 storeys in height, to generally be located within appropriate major gateway locations at the intersection of transit spines and major arterials, along Highway 401, and proximate to highway interchanges;*
The draft ZBLA and Architectural materials provide for a maximum height of 35-storeys. Said height is appropriately located along a transit spine and adjacent to the 401.

- 11A.10.1 (a) (i) that buildings be massed in response to the scale of surrounding buildings, nearby streets and public open spaces;
See previous commentary.
- 11A.10.1 (a) (ii) that upper levels of buildings be set back or a podium and point tower form be introduced to help create a human scale at street level;
Stepback from the main wall of a podium to the main wall of a point tower are generally provided. At select locations up to one third of a point tower extend straight down to the ground. At these locations, permanent building features, such as canopies and overhangs will be provided to help mitigate pedestrian-level wind. This allows for variation in architectural expression through-out the Subject Site.
- 11A.10.1 (a) (iii) that shadowing impacts on surrounding development, publicly accessible open spaces and sidewalks be mitigated/minimized;
See Shadow Studies have been prepared by TFA and a corresponding analysis prepared by MBT indicate that limited impacts from shadows are anticipated.
- 11A.10.1 (a) (iv) that sufficient spacing be provided between the building face of building towers to provide views, privacy for residents and to minimize any shadowing and wind tunnel impacts on surrounding development, streets and public spaces;
See Draft ZBLA where-in appropriate separation distances are included to direct future development. Said distances are directly imported from the Kingston Road UDGs.
- 11A.10.1 (a) (v) that buildings be oriented to optimize sunlight and amenity for dwellings, private open spaces, adjoining public open spaces and sidewalks;
See Shadow Studies have been prepared by TFA and a corresponding analysis prepared by MBTW.
- 11A.10.1 (a) (vi) that living areas, windows and private open spaces be located to minimize the potential for overlooking adjoining residential properties;
This is not applicable as there are no adjoining residential properties.
- 11A.10.1 (a) (vii) that informal or passive surveillance of streets and other public open spaces be maximized by providing windows to overlook street and public spaces and using level changes, floor and balcony spaces elevated above the street level to allow views from residential units into adjacent public spaces whilst controlling views into these units; and
Both commercial and residential uses are proposed. Active frontages, inclusive of retail/commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity spaces are proposed on all public frontages as well as private streets.
- 11A.10.1 (a) (viii) that protection be provided for pedestrians in public and private spaces from wind down drafts.
See Pedestrian level wind analysis prepared by SLR Consulting which provides recommendations in this regard which will be incorporated into individual site plan design on a phase by phase basis.
- 11A.10.2 (a) encourage front yard setbacks to be kept a minimum, in accordance with the applicable urban design guidelines, so that an urban streetwall condition can be achieved along all streets
See Draft ZBLA where-in appropriate setback provisions are included to direct future development. Said setbacks are directly imported from the Kingston Road UDGs.
- 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.

See comments above. Also note that POPS spaces have been allocated on the north and south sides of the proposed public road as well as at key intersections of private and public streets within the proposal and can serve to accommodate the spillover activities as noted herein.

- *11A.10.3 (a) encourage the development of buildings with active frontages at grade in appropriate locations to promote a vibrant and safe street life;*

Active frontages, inclusive of retail/commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity spaces are proposed on all public frontages as well as private streets.

- *11A.10.3 (c) encourage primary frontages to be developed with the highest levels of active uses such as retail that generates pedestrian activity; and*

- *11A.10.3 (d) encourage secondary frontages, to be developed to support high levels of public realm animation and pedestrian activity, but with less of a focus on retail activity.*

Active frontages are provided both along the new east-west public street as well as along Walnut Lane. Active frontages are inclusive of retail/commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity space. The retail and commercial uses specifically are proposed within Phases 1 and 3. The proposal chooses to focus retail/commercial uses specifically toward Kingston Road and Walnut Lane rather than the internal east-west public street in order to ensure viability of these spaces by providing them with exposure to traffic on Kingston Road and the neighbourhood to the north— however retail and commercial uses continue to be provided which addressed the intent of the OPA 38 for the Subject Site to function as a 'local shopping' destination.

Policy 11A.11 - POPS and Parks

Per Policy 11A.11 parks, green spaces, POPS spaces, and connections are to be interconnected components of the public realm, with all residents and places of employments to be within a 5 minute walk of Public Parks or POPS spaces (a&b). In addition, residents are to be located within 10 minutes of Public Parks and connectivity between public spaces is to be prioritized (c). These Public spaces are to include several features such as public access points to the Internet (f), amenities for pedestrians (g), and public art (h). This may be demonstrated via a facility fit plan (l). In addition to POPS and Parks, OPA 38 also required provision of high quality indoor and outdoor amenity spaces (d). In recognition of the policies of the Plan, two public park spaces are proposed, both central to the Subject Site to ensure that all units within the development are within 5 minutes walking distance of same. Further, the northern park also provides for mid-block pedestrian connectivity between the southern park block and the northern portion of the Block as well as Kingston Road to the north. POPS spaces are located along the east-west public street as well as at intersections within the proposal to allow for enhanced connectivity. A Facility Fit Plan has been prepared by MBTW which provides for preliminary design of the Parks spaces and conceptual landscape plans have been provided for the POPS spaces. These plans demonstrate provision of the amenities for pedestrians, and public art – among other items. The Facility Fit Plan demonstrates that on the southern portion of the park, a tennis court and multiple pickleball courts could be accommodated. On the northern portion of the park, a shelter, water play area and open lawn area can be accommodated.

Per Policy 11A.11.1 new public parks are required to be developed as shown on Schedule XIV (see **Figure 19** of this report), shall be designed as Neighbourhood Parks, and shall have frontage on at least one public street (b,c). Minor modifications are permitted so long as the intent meets the City's requirements (d). Building on this, Policy 11A.11.2 notes that the development of POPS spaces throughout intensification areas is encouraged, and that their exact size, location, and design will be addressed through detailed block planning (b). Ultimately, the plan notes that public parks and POPS

should be developed in accordance with the applicable urban design guidelines (11A.11.1(e) and 11A.11.2 (b)). The proposed Public Parks both have frontage on the new E-W Public Street. The southern Public Park is generally located as shown in Schedule XIV, with the northern Public Park providing enhanced connectivity through the block. In this regard, also see the portions of this report below which analyzes the proposed Park and POPS spaces in light of the Kingston Road UDGs.

Policy 11A.12 - Connectivity

Per Policy 11A.12 transit-supportive development, including a mix of uses, complete streets, improved connectivity, pedestrian safety, and minimization of surface parking are all supported. Policy 11A.12.1 requires the provision of pedestrian paths, cycling facilities, and multi-use paths as required with the City's Integrated Transportation Master Plan and with the applicable urban design guidelines. Policy 11A.12.3 directs that new streets are to be provided in accordance with Schedule XIV (see **Figure 19** of this report) (c). These streets are to result in block lengths generally no longer than 150 metres and block depths generally not less than 60 metres (a) and include public amenities including sidewalks, enhanced paving in busy pedestrian areas, cycle paths, or multiuse paths, and landscape and furniture zones (b) including street trees (e). The exact alignment of said streets are to be determined through block planning (d). Per Policy 11A.12.4 the provision of adequate supply of parking must be demonstrated, while balancing broader mobility objectives to support decreased reliance of vehicle use (a). Further, primary parking format shall be structured or below grade, while considering other means such as bicycle parking facilities (b).

With regards to parking, all parking is located within enclosed structures and is not visible from public frontages. Parking rates (vehicular and bike) are proposed which encourage active transportation and public transportation use and are supported by analysis conducted by WSP.

The project team has developed a draft cross section and landscape for the proposed Public Road (see page 35 of the UDB).

These materials demonstrate provision of a complete street including pedestrian paths, shared on road cycling facilities, landscape and furniture zones including street trees. With regards to the location of the Public Road, it conforms to the location shown on Schedule XIV. Its intersection with both Dixie as well as Walnut Lane has been analysed in the TIS provided by WSP and confirmed to be adequate and appropriate for development of the Block. With respect to Block length, Schedule XIV does not show a further north-south private or public street within the Block, and accordingly, the block length is approximately 380m. However, to break up the block as well as to provide for north-south active transportation connectivity in the block, northern and southern park spaces have been proposed. In terms of block depth, 60m is achieved, when private streets are considered.

Policy 11A.14 - Implementation

Policy 11A.14 provides for implementation policies. These include requiring that development applications on larger sites provide a block development plan (and supporting studies) to demonstrate:

- the full build out of new streets and blocks within the site,
- potential connections to adjacent sites,
- redevelopment within all future blocks, and
- the provision of supporting open spaces and community infrastructure as required. (a)

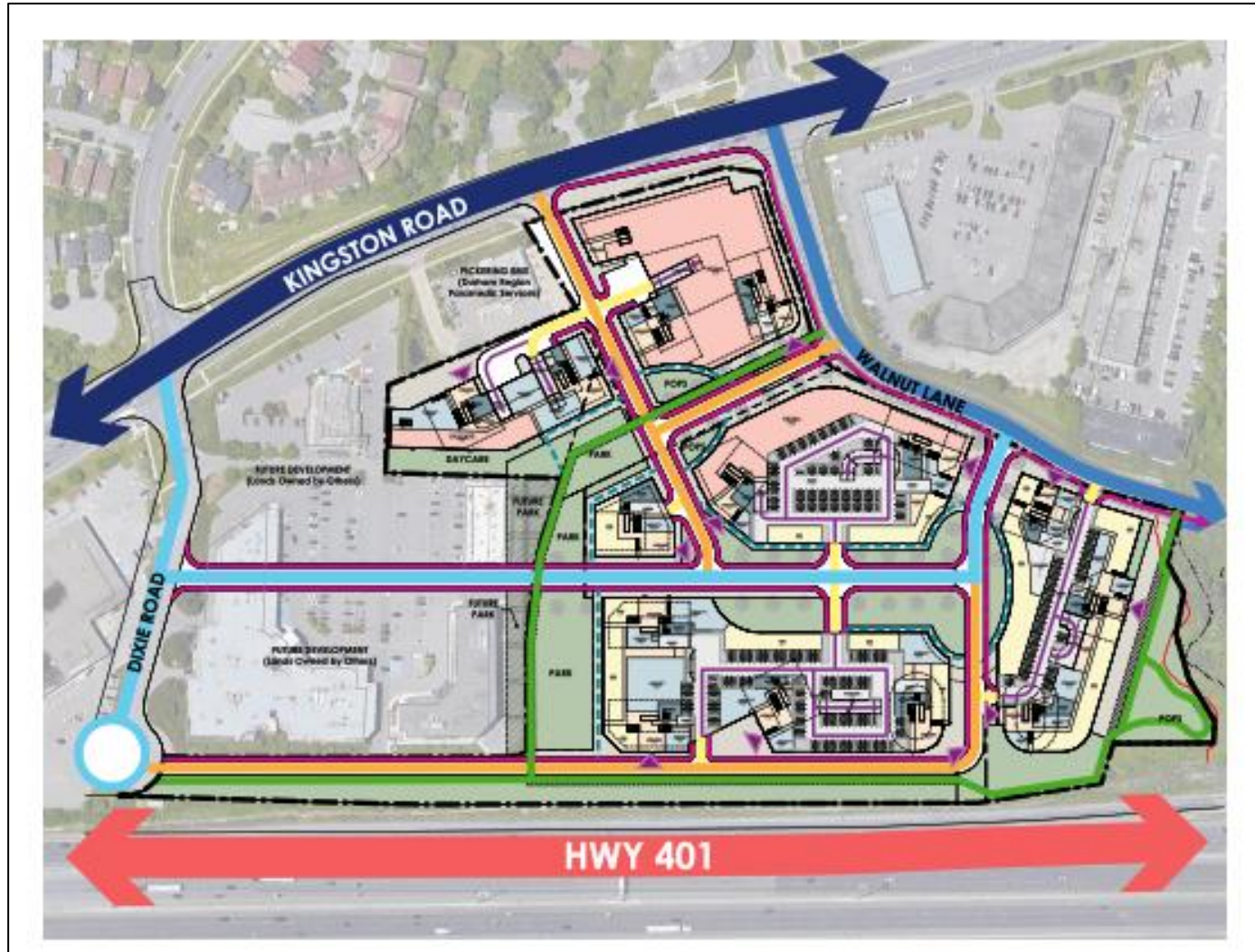
Further to this, new Public Roads are to be secured through the development application process (b), with associated front ending and costs sharing required as necessary (b,c). Holding provisions are to be utilized in situations where necessary as related to servicing or relocation of infrastructure, TIS reports, cost-sharing and front ending agreements, providing or exchanging easements, functional servicing and stormwater management plans, and block development plans (d).

The materials provided in support of the application satisfy the requirements above. A Block Plan (**Figure 20**) has been prepared by MBTW which shows the location of block level infrastructure required by OPA 38 inclusive of the Public Road, Private Street, and Public Parks. This plan also shows extension of these elements

onto the Subject Site to the west over time. While 6.2% parkland has been assumed on the Subject Site, only 5% has been assumed on the property to the west. The phasing plans prepared by TFA also demonstrate the appropriate interim infrastructure (turning circles) to facilitate continued operation of the commercial plaza and public road prior to full buildout. It is assumed that the elements of the public road will be secured over time through Draft Plan of Subdivision and Site Plan applications as appropriate. An FSR has also been prepared by WSP which demonstrates that required municipal infrastructure to support the development is currently in place, or under construction. Accordingly, at this time we do not see the need for a "H" Holding provision, per the policies of OPA 38.

Policy 11A.14.3 notes that City Council shall implement the policies of Chapter 11A through an implementing zoning by-law to regulate matters including maximum building heights, maximum floor space indices, and other appropriate development standards. The analyses above have demonstrated that the proposal conforms to OPA 38 as well as the intent of the Pickering Official Plan. Accordingly, the Draft ZBLA is appropriate for approval in accordance with policy 11A.14.3.

Figure 20 – Block Plan



Source: MBTW - WAI (2023).

4.8 Draft Urban Design Guidelines (November, 2019)

The Kingston Road Corridor and Specialty Retailing Node Draft Urban Design Guidelines (the “UDGs”) outline best practices in regard to massing, angular planes, and related design principles. They were endorsed by Council in 2019 and provide direction for implementation of OPA 38. As endorsed documents, these represent the most current direction of Council for development along the Kingston Corridor. There are several key items relating to the built form, place-making, and connectivity, that are discussed in the UDGs that are provided as part of the proposed development and are discussed below.

The Subject Site is located within the Dunbarton/Liverpool Precinct area (**Figure 21**). The built-form of the Dunbarton/Liverpool district is characterized by moderate to significant densities and heights. A gateway is identified at the intersection of Kingston Road and Dixie Road. The greatest densities and heights are located internal to the precinct along the new east-west public street, which is flanked by primary frontages. Additional concentrations of height are located along the edge of Highway 401.

4.8.1 Built Form

Section 2.0 of the UDGs includes a number of items related to the built form, such as building placement and orientation, parking, transition and massing, streetwalls, and active frontage networks. The key objectives of the built form Section is to promote higher density, mixed-use development that respects the character and scale of established neighbourhoods, while introducing an animated public realm and emphasizing the distinct character of local streetscapes and precincts. As such, key provisions from the UDGs which have been provided with the design of the proposed development include:



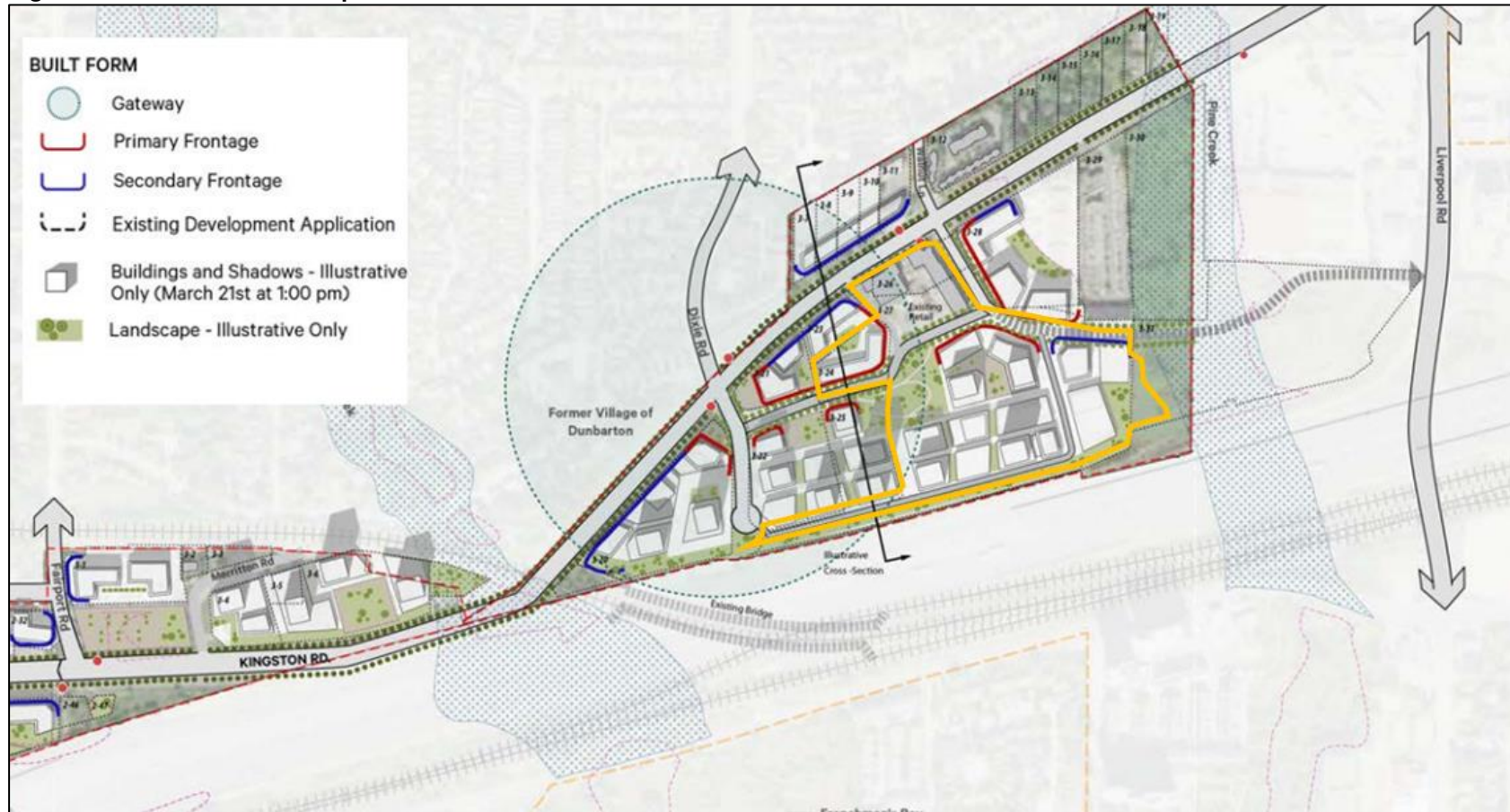
- The provision of highly visible entrances which front onto public streets and connect to pedestrian sidewalks and/or walkways (Guideline 2.3.1.i);
- A minimum separation distance of 25 metres has been provided between towers (Guideline 2.3.2.v);
- Building A1 which fronts onto Kingston Road is setback 5m from the property line (Guideline 2.3.3.ii);
- Buildings are generally set back at least 2 metres, at grade, from new private and public streets internal to the development block (Guideline 2.3.3.iv);
- Buildings are setback a minimum of 3 metres from parks and open spaces (Guideline 2.3.3.v);
- Large setbacks and POPS spaces are provided where retail and commercial uses will be located to accommodate spill-out uses and provide a better pedestrian experience (Guideline 2.3.3.vi);
- Parking is provided underground or inside a structure to avoid surface parking and reduce negative visual impacts (Guideline 2.5.2.i);
- The individual development phases will each meet the required 10% landscaping requirement, with a considerable portion of that being soft landscaping (Guideline 2.7.ii);
- Landscaping supports and defines a consistent and attractive street edge as shown through the materials provided by MBTW (Guideline 2.7.iii);
- The buildings are massed and scaled in manner that provides a comfortable pedestrian scale through provision of 6-storey podium elements (Guideline 2.10.i);
- The proposal respects both relevant angular plane policies as outlined in Guidelines 2.10. viii. and xi. Sections have been provided by TFA which demonstrate the same.
- Podium heights are consistently provided at 6-storeys throughout the Subject Site, providing a streetwall with a

larger ground floor height to accommodate retail uses (Guidelines 2.12.i-iii);

- Primary frontages are provided adjacent to Kingston Road, Walnut Lane, and the proposed internal private street. Primary frontages include grade-related, active retail and service uses. These locations differ from those shown in the guidelines, however the intent to provide opportunities for street-related retail uses at grade to support a vibrant public realm in the precinct is maintained (Guideline 2.13.i);
- Secondary frontages, including other street-related active uses such as lobbies, individual unit entrances, and programmed indoor amenities are proposed along the new E-W public Street as well as the other private street in order to encourage a vibrant public realm in these areas (Guideline 2.13.ii);
- Through site plan design, it will be a requirement that a reasonable proportion of frontages will have transparent windows at street level along both Primary and Secondary frontages (Guideline 2.13.v.);
- The existing large format retail is proposed to be redeveloped in a compact and integrated form, by being located in the podium of the proposed buildings (Guideline 2.13.vi);
- The tallest buildings are proposed along Highway 401 (Guideline 2.15.1.i);
- The podiums are 6-storays in height, creating a comfortable public realm (Guideline 2.15.1.ii);
- An appropriate transition has been provided by placing greater densities and heights away from Kingston Road in a gradual manner (Guideline 2.15.1.iii); and
- All tall buildings provide for at least 25m of separation. However, there are several locations on the Subject Site where separation distances far exceed 25m. The greater tower separation distances minimize shadows and maximize sky views for future residents of the area. They also allow for and support provision of greater tower floor plates up to 850m² (rather than the 750m² as specified in the guidelines). TBG is of the opinion that the design decision to provide greater separation distances (fewer

towers) and larger tower floorplates, on balance, is the most effective strategy on the Subject Site to minimize shadows and maximize sky views. It is also noted that 850m² Tower floor plates are permitted in other areas of Pickering – specifically in the City Centre. The Subject Site is located immediately adjacent to the City Centre.

Figure 21 – Dunbarton/Liverpool Precinct Built Form Plan



Source: Draft Urban Design Guidelines, November 2019.

4.8.2 Place-making

In the Dunbarton/Liverpool Precinct, placemaking features are proposed to be concentrated along Kingston Road and the proposed east-west public street. The public park is proposed to be located on the south side of the internal road and imagined to be a community hub and multi-use space. Additionally, several POPS are located throughout the precinct and are recommended to be provided central to the development blocks (**Figure 22**).

Section 3.0 includes a number of items related to place-making, including the natural heritage network, public green spaces, public parks, gateway plazas, and privately owned publicly-accessible spaces (POPS). The key objectives are to enhance and restore natural heritage features, promote sustainability in the design of streetscapes, open spaces, and buildings, and high-quality urban environments. As such, key provisions from the UDGs which have been provided in the design of the proposed development include:

- Natural heritage features are connected and made accessible through sidewalks and integrated with landscaping on site (Guideline 3.2.i);
- Pine creek to the east is adequately buffered from the proposed development through a POPS space as well as pursuant to the EIS prepared by GeoProcess (Guideline 3.2.ii);
- The proposed public park is bisected by the new east-west public street, and due to its size has the potential to provide multi-use spaces and provide for a range of community functions, active and passive recreational uses. See conceptual plans provided by mbtw (Guideline 3.5.i & vii.);
- The proposed southern public park is approximately 0.4 hectares in size, exceeding the preferred minimum of 0.3 hectares (Guideline 3.5.ii);
 - Further to this, the public park is expected to be augmented by the neighbour to the west
- As the proposed southern public park will be larger than 0.3ha, and the total public park offerings will also exceed 0.3ha, both junior and senior children's play equipment and unprogrammed turf areas are proposed by MBTW (Guideline 3.5.viii);
- The proposed public park include multiple access points and frontage, including from the public and private street network (Guideline 3.5.iii.&v.);
- The proposed public park is connected to the proposed east-west public street and buildings C2 and D frame the east side of the park to create a cohesive public realm (Guideline 3.5.iv);
- The proposed buildings to the east of the proposed park provide the minimum required 3.0 metres setback (Guideline 3.5.vi);
- The shadow studies provided by TFA demonstrate that the proposed development will adequately limit shadows on the proposed public parks (by ensuring their southern exposure) (Guideline 3.5.xi);
- POPS are strategically provided throughout the Subject Site and are placed according to the characteristics of the site. They have primarily been designed as social gathering places along the east-west public street as well as key intersections within the Subject Site (Guideline 3.8.iii);
- The location of the POPS visually connects to the east-west public street, by framing the public street and connecting to the adjacent intersections with similar shapes (Guideline 3.8.vi); and
- The POPS will have soft landscaping and in certain instances contain trees. See conceptual plans provided by MBTW-WAI (Guideline 3.8.viii).

Figure 22 – Dunbarton/Liverpool Precinct Placemaking Plan



Source: Draft Urban Design Guidelines, November 2019.

4.8.3 Connectivity

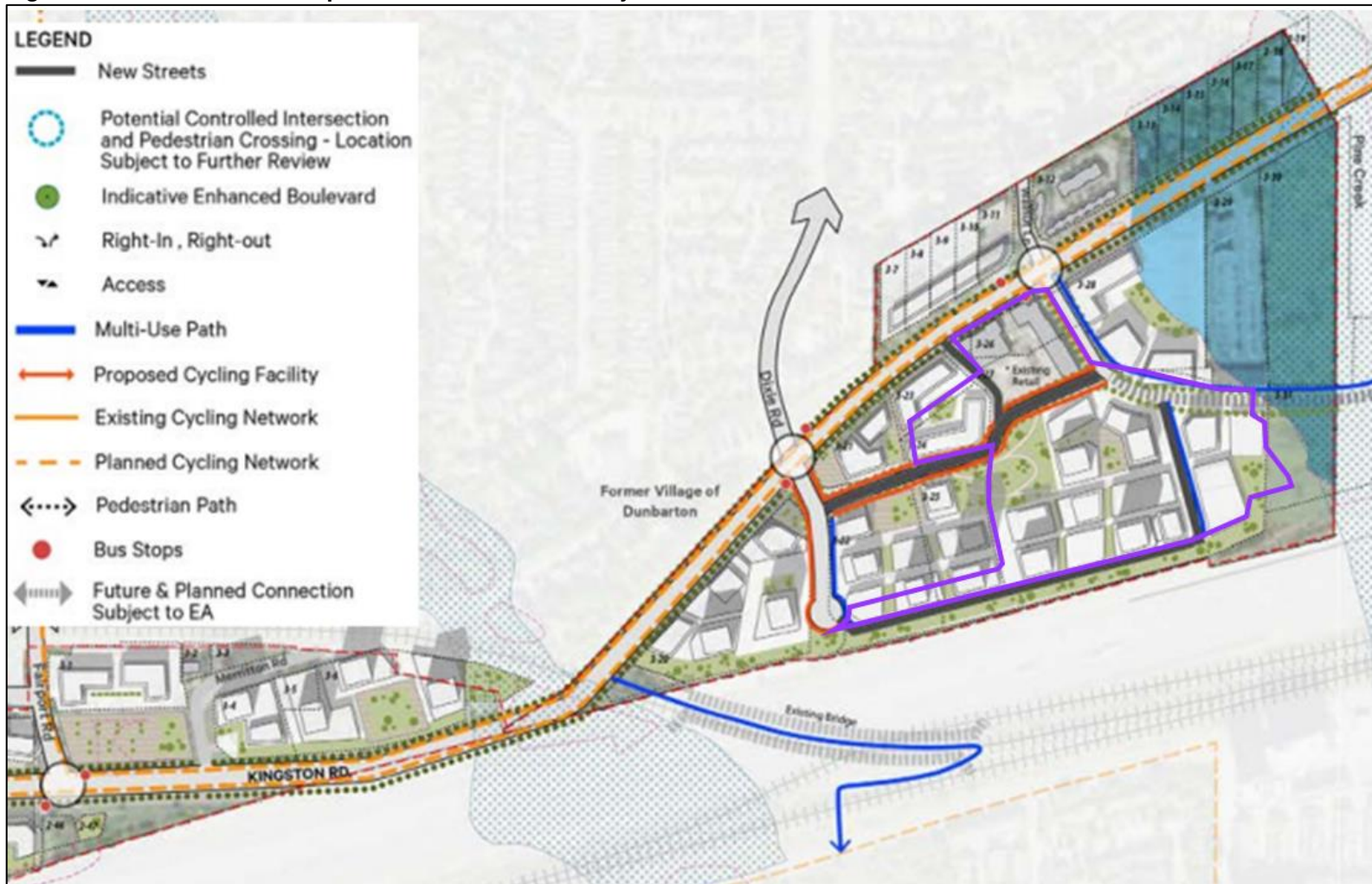
In the Dunbarton/Liverpool Precinct, large and deep parcels offer opportunities for new road connections, supporting internal, multi-modal routes of circulation. A new internal public street is proposed to run parallel to Kingston Road, connecting Walnut Lane to Dixie Road, supporting a more pedestrian friendly east-west connection. Walnut Lane is extended across Pine Creek, and all roads are preferred to be multi-modal. Lastly, a cycling network is planned along Kingston Road (**Figure 23**).

Figure 24 demonstrates the preferred street type arrangement for the Dunbarton/Liverpool Precinct. The proposal generally conforms to the intent of this plan with the provision of a service street parallel to Highway 401, and a new public street that runs east-west through the Subject Site, providing connections between Walnut Lane and Dixie Road.

Section 4.0 includes a number of items related to connectivity to consider for development, including the pedestrian and cyclist movement, transit, and street types. The key objectives are to design all public and private connections to be complete streets and emphasize transit and pedestrian-oriented development, improve access management and connectivity, ensure delineated spaces for separate modes of travel, support current and future transit services, and optimize existing and planned infrastructure, including transit facilities. As such, key provisions from the UDGs which have been provided in the design of the proposed development include:

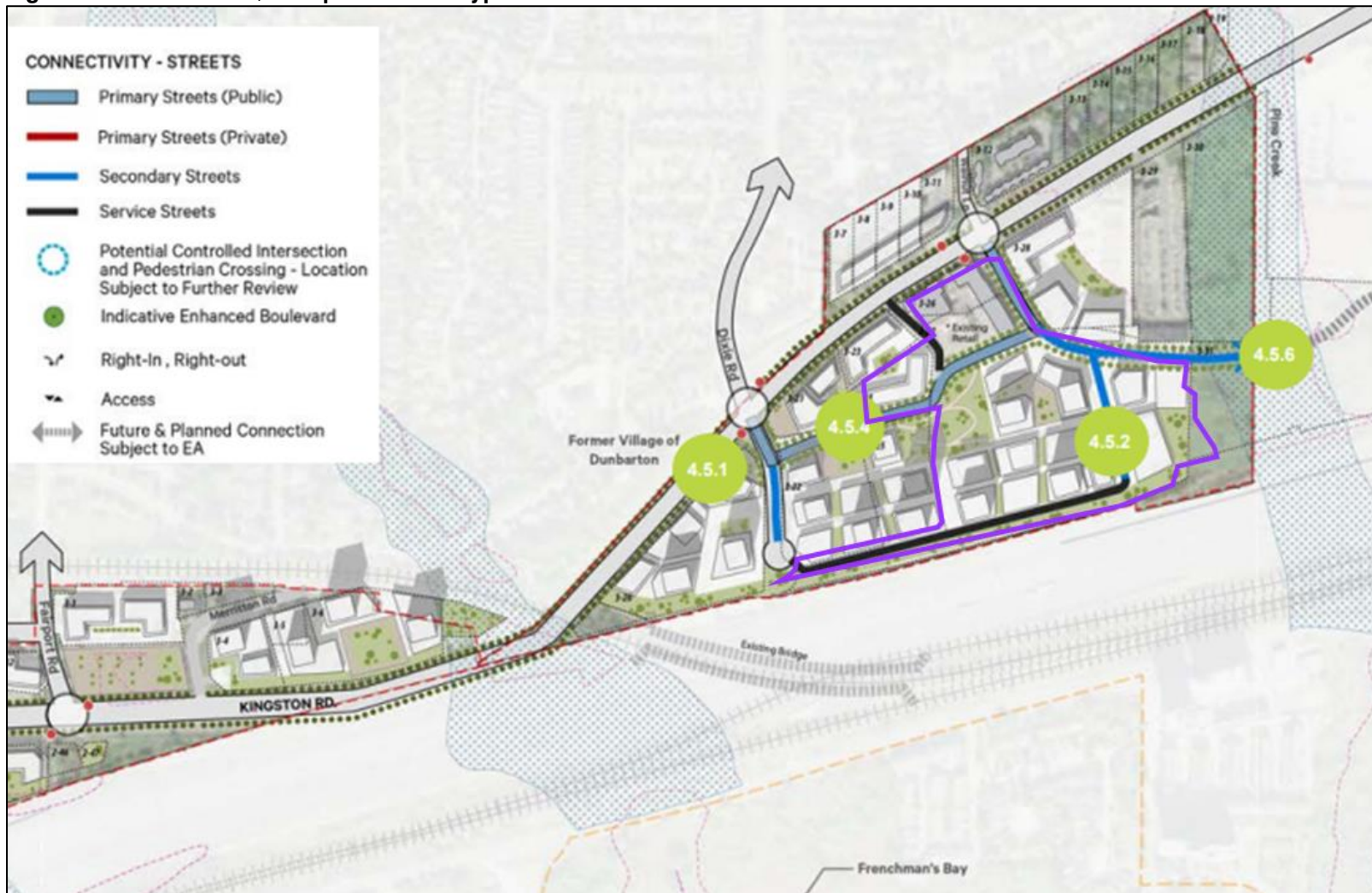
- Sidewalks provide direct connections of accessible and inter-connected pedestrian routes between buildings, to the Public Park, Walnut Lane, Dixie Road, and Kingston Road (Guideline 4.2.1.i);
- Sidewalks maintain the minimum 2 metre required width (Guideline 4.2.1.ii);
- Street trees are proposed to frame the streets along Buildings 'A1' and 'C1' which will support the active uses from the commercial units at grade, providing canopy shading to soften the built form. See MBTW conceptual landscape plan (Guideline 4.2.1.viii);
- A large MUP network is proposed within the Subject Site to provide for connections within and through the community using active transportation. The extent of the MUP is greater than that shown in the UDGs. This is augmented by provision of shared on street bike facilities on the east-west public street (Guideline 4.3.1i, ii.);
- The E-W public road will implement shared facilities as outlined in Guideline 4.3.3i;
- The new E-W public street has been designed as a Primary Street per the Architectural materials and block plan both demonstrate lands to be conveyed to the municipality per Guideline 4.5.4;
- The location of the new east-west public street was determined based on ideal block depths per Guideline 4.5.4;
- The new E-W public street provides for strong public amenities and opportunities for active transportation including shared bike facilities, sidewalks on both sides of the road, and adjacent POPS spaces which enhance the boulevard per Guideline 4.5.4 and 4.5.1i.&iv;
- The proposed E-W public street provides a distinct urban character through appropriate setbacks, the use of street trees and the placement of POPS to create a complete street (Guideline 4.5.1.i);
- Drop off areas are provided internal to the building podiums but at grade (Guideline 4.5.1.vii);
- Sidewalks are proposed on both sides of secondary streets (Guidelines 4.5.2.v) and on one side of the service lane (4.5.3iii); and,
- A service street is provided parallel to Highway 401 to allow for the buildings to be closer to the street, enabling a continuous active frontage (Guideline 5.4.3.i).

Figure 23 – Dunbarton/Liverpool Precinct Connectivity Plan



Source: Draft Urban Design Guidelines, November 2019.

Figure 24 – Dunbarton/Liverpool Street Types Plan



Source: Draft Urban Design Guidelines, November 2019.

4.9 Proposed Local Official Plan Amendment

This development proposes to accommodate 340,700 m² of total NFA (including residential and commercial/retail uses), with an FSI of approximately 5.0. An amendment to the Official Plan is required to permit the FSI of approximately 5.0. A UPH performance standard is not required as that metric is not being carried forward by OPA 38.

The proposed OPA, provided as Appendix 1 to this report, is based on the direction and intent of Council approved OPA 38. Per OPA 38 the Subject Site is designated *Mixed Use A*. These lands are to be developed with the highest densities and intensity uses within the Kingston Corridor. The Subject Site is located adjacent to Highway 401, and proximate to the Liverpool Interchange, and as such a maximum height of 35-storeys for portions of the Subject Site is appropriate. Additionally, OPA 38 sets out a minimum net residential density of over 60 dwellings per hectare, and an FSI between 0.75 and 2.5. A maximum FSI of 5.0, however, may be permitted where appropriate and as determined through a Site-Specific Zoning By-law Amendment based on the following criteria:

- That the site is generally located in an appropriate gateway location and/or adjacent to Highway 401;
- That the proposal is compatible with adjacent land uses, particularly stable residential neighbourhoods, in terms of massing, height, scale and transition;
- That the applicant demonstrate the proposed development would not preclude other properties within the precinct from developing or redeveloping to their planned potential; and,
- That the proposal meet the general intent of the policies of Chapter 11A of this plan.

The proposed development has towers ranging in height from 17- to 35-storeys and meets the minimum net residential density of 60. The FSI of 5 requires an amendment to the in force City OP; however, conforms to the policies of OPA 38 as analyzed above.

In summary, the Subject Site is located adjacent to Highway 401, is compatible with the adjacent uses including the stable neighbourhood north of Kingston Road, will not preclude development of adjacent sites, and meets the general intent of Chapter 11A policies, including, but not limited to, maintaining the maximum 35-storey height, providing a mix of uses, providing transit supportive development, and maintaining setbacks and transition to adjacent lands.

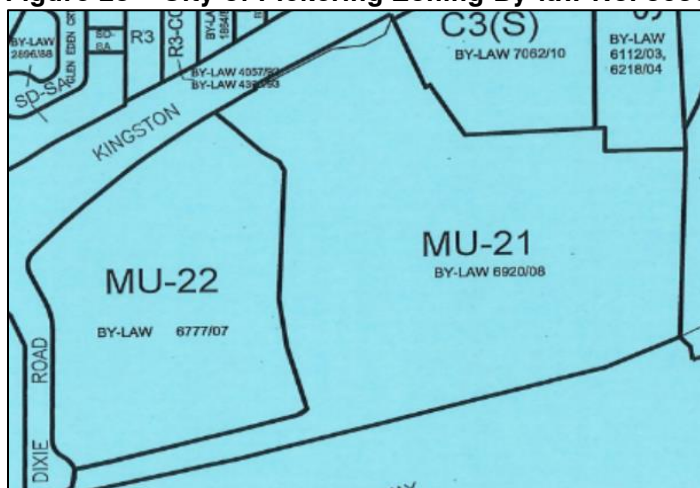
4.10 City of Pickering Zoning By-law No. 3036

The Subject Site is zoned Mixed Use “MU-22” and “MU-21” under Zoning By-law No. 3036 (Figure 25). The permitted uses of the zones are summarized in Table 1 and built form related zoning provisions are summarized in Table 2. The current zoning for the Subject Site was approved prior to the in-force City of Pickering Official Plan and Official Plan Amendment 38. As such, the existing zoning provisions no longer conform to the intent of the Official Plan, nor the Council endorsed vision for the Kingston Road corridor.

4.10.1 Proposed Zoning By-law Amendment

As analyzed above, the proposed Zoning By-law Amendment conforms with the intent of OPA 38 and will therefore bring zoning for the Subject Site into conformity with the future planning direction for the Kingston Corridor. Further, it carries forward within it many of the performance criteria outlined in the Kingston Road UDGs as directed by OPA 38. The proposed Draft Zoning By-law Amendment is provided as Appendix 2.

Figure 25 – City of Pickering Zoning By-law No. 3036



Source: City of Pickering Zoning By-law No. 3036, Map S33

Table 1 – Existing Permitted Uses

MU-22	MU-21
Assembly hall	Assembly hall
Business office	Bakery
Commercial-recreational establishment	Business office
Commercial club	Commercial-recreational establishment
Commercial school	Commercial club
Day nursery	Commercial school
Discount department store	Convenience store
Drug store	Day nursery
Dry cleaning depot	Discount department store
Duplicating shop	Drug store
Financial institution	Dry cleaning depot
Furniture & major appliance store	Duplicating shop
Food store	Financial institution
Outdoor storage, display & sale of retail & garden centre products	Furniture & major appliance store
Personal service shops;	Food Store
Professional office;	Laundromat
Place of amusement / entertainment	Garden centre accessory to a home improvement centre
Restaurant – Type A	Outdoor storage, display and sale of retail and garden centre products
Retail store	Personal service shops
Service store	Professional office
Residential apartments above the first floor of a building	Place of amusement / entertainment
	Residential apartments above first floor of the building
	Restaurant – Type A
	Retail store

Table 2 – Existing Zoning Provisions

Provision	MU-22	MU-21
Building Location and Setbacks	Buildings and structures shall comply with the minimum setbacks illustrated on Schedule I	Buildings and structures shall be located entirely within the building envelope shown on Schedule II
	A structure or building may occupy the build-to-zone illustrated on Schedule I	No building or part of a building shall be erected within the cross hatched portion of the “MU-21” zone, unless a minimum of 70% of the length of a wall of the building is located within the build-to-zone shown on Schedule II
	Minimum 45% of the length of the build-to-zone shall be occupied by a structure, or a minimum of 50% occupied by a building, illustrated on Schedule I	For buildings located outside of the cross hatched area, no building or part of a building shall be erected, unless a minimum of 70 percent of the length of a wall of the building is located within the build-to-zone, shown on Schedule II
		When 35% of the build-to-zone is occupied with part of a building or buildings, additional buildings are no longer required to be within the build-to-zone
Building Height	Min 2-storeys or 6.5 m	Min. 9.0m (for buildings located in the cross hatched area shown on Schedule II) and min. 6.5m for all other buildings
	Max 4-storeys or 13.0m	Max. 20.0m
	Min Arbour Structure Height 4.5m, entirely or partially located within the build-to-zone	
Lot Coverage	Minimum 20%	
Parking Requirements	2.6m wide and 5.4m in length minimum	
	Min 4.5 parking spaces per 100 sq.m. of gross leasable floor area for all permitted uses in Section 4.1 of this by-law	Min 4.5 parking spaces per 100 sq.m. of gross leasable floor area for all non-residential uses permitted in Section 4.1 of this by-law
	1.2 parking spaces per residential apartment unit & 0.3 parking spaces per unit for visitors	1.2 parking spaces per residential apartment unit & 0.3 parking spaces per unit for visitors

5.0 Affordable Housing Brief

The City of Pickering has requested that an Affordable Housing Brief be included in the Planning Rationale Report to assist the City of Pickering in review of the application as it relates to the City OP requirement for affordable housing for low to moderate incomes and the Pickering Housing Strategy & Action Plan, 2021-2031. The following is in response to requested information from staff:

Total number of rental units:

At this time, no rental units are provided as part of this development. There is potential that owners may rent out their individual units, however this is not a formal rental property. Further, this is a high-level zoning application for a large site which will include many individual buildings. In the future, some buildings may be rental.

Breakdown in the type of rental units:

See above. In terms of the breakdown of unit sizes, the development is proposed to be comprised of a range of bachelor to three-bedroom units, with the following breakdown:

- 10% Bachelor (524 units);
- 49% 1-Bedroom (2,567 units);
- 33% 2-Bedroom (1,729 units); and
- 8% 3-Bedroom (419 units).

Estimated proposed monthly rent per type of unit:

See above. Also note that the sale or rental costs of each of the unit types has also not been estimated at this time as it is too early in the process.

Total number and type of barrier-free accessible units:

Not less than 15% of residential suites will be made barrier-free as per the Ontario Building Code (OBC) requirements, with bedroom types in proportion to the total number of suites provided, and will be distributed among storeys requiring barrier-free access.

Current CMHC vacancy rate for the associated market area:

The CMHC rental market statistics do not contain data from Pickering. Vacancy rates for adjacent sites as a comparison are 1.6% for Toronto and 2.5% for Oshawa (CMHC, 2022).

Average Market Rents in the Primary Market Compared to Affordable Rents Based on Renter Income Deciles (most recent year available):

The CMHC rental market statistics do not contain data from Pickering. Average monthly rents for adjacent cities as comparison are \$1,451 in Oshawa and \$1,664 in Toronto (CMHC, October 2022).

Information on any grants or funding agreements entered into with the Province and/or Region of Durham:

There are no grants or funding agreements at this time.

6.0 SUPPORTING DOCUMENTS

6.1 Environmental Impact Study

An Environmental Impact Study (EIS) has been prepared by GeoProcess Research Associates (GRA), to assess the environmental impact of the proposed development and is provided under a separate cover. The preparation of the Environmental Impact Study included a review of relevant literature, policy, and data pertaining to the Subject Site, including the Walnut Lane Environmental Assessment, as well as field work completed by GRA.

Findings from the EIS are broken down into a direct impact assessment, an indirect impact assessment, and a summary of cumulative impacts.

Direct impacts include the construction of towers with underground parking that are taller than the current buildings on the Subject Site. The taller buildings pose risks to bird species and may cause increased bird strikes. The proposed underground parking will influence the flow of groundwater toward Pine Creek and its associated wetland.

Indirect impacts of the proposed development highlighted by the EIS include increases to population near Pine Creek valley and associated impacts such as potential encroachment, invasive species, informal trails, and an increase in pet and wildlife interactions.

Cumulative impacts are identified as changes to the environment due to past, present, and the reasonable foreseeable future. The Subject Site has experienced ongoing disturbance due to historical and current land uses, and the adjacency to Highway 401. Because the Subject Site is located within an anthropogenic-dominated matrix, large cumulative impacts are not anticipated as a result of the proposed development.

Overall, the EIS concludes that the proposed development does not encroach on areas outside of the existing building and parking lot on the Subject Site. Therefore, no loss of natural heritage features are anticipated. However, the construction of underground parking is likely to influence the flow of groundwater towards Pine Creek and the associated Provincially Significant Wetland. This will require mitigation measures for the groundwater effects to be developed during the detailed design phases of the project to address the potential impacts on Pine Creek.

6.2 Phase One Environmental Site Assessment

A Phase One Environmental Site Assessment (ESA) was prepared by EXP Services Inc. dated, in support of the proposed development and is provided under a separate cover. The Phase

One ESA was prepared in accordance with Regulation 407/19 (amending Ontario Regulation 153/04) under the Environmental Protection Act (EPA) to support the proposed change in land uses from commercial to residential.

The Phase One ESA involved a review of records pertaining to the Site, an inspection of the property, interviews with personnel familiar with the Site, and a walk-by inspection of the surrounding properties. Fourteen (14) Potentially Contaminating Activities (PCAs) were identified in association with the Subject Site, which are related to:

- gasoline and associated product storage in fixed tanks;
- metal fabrication;
- paints manufacturing, processing, and bulk storage;
- wood treating and preservative facility and bulk storage of treated and preserved wood products;
- solvent manufacturing, processing, and bulk storage;
- paints manufacturing, processing, and bulk storage;
- transformer manufacturing, processing, and use;
- importation of fill material of unknown quality;
- de-icing salt application; and
- gasoline and associated products storage in fixed tanks.

Additionally, twelve (12) off-site PCAs were identified at properties located within the vicinity of the Site. The potential for each off-site PCA to result in Areas of Potential Environmental Concern (APEC) was evaluated based on the proximity of the to the Site and its location relative to the inferred easterly ground water flow direction. The Phase One ESA concludes that a total of three (3) off-site PCAs may contribute to an APEC on the Site, which are related to:

- storage, maintenance, fuelling and repair of equipment, vehicles, and material used to maintain transportation systems;
- gasoline and associated products storage in fixed tanks; and
- storage, maintenance fuelling and repair of equipment, vehicles, and material used to maintain transportation systems.

Contaminants of Potential Concern (COPC) identified with respect to each APEC (indicated as "A1 – A include:

- A1: PHCs, BTEX;
- A2: PCHs, VOCs, PAHs, Metals;
- A3: PHCs, VOCs, PAHs, Metals;
- A4: PHCs, VOCs, PAHs, Metals;
- A5: PHCs, VOCs, PAHs, Metals;
- A6: PHCs, VOCs, PAHs, Metals;
- A7: PCBs, PHCs, BTEX;
- A8: PAHs, Metals (including hydride forming metals), other regulated parameters;
- A9: EC and SAR, Sodium and Chloride;
- A10: PCBs, PHCs, BTEX;
- A11: PCBs, PHCs, BTEX;
- A12: PCBs, PHCs, BTEX;
- A13: PCBs, PHCs, BTEX;
- A14: PHCs, VOCs.

The report concludes that a Phase Two ESA, including test hole drilling, soil and groundwater sampling, and chemical analyses is required to investigate the APECs identified in the Phase One ESA, prior to filing a Record of Site Condition (RSC).

6.3 Hydrogeological Assessment

A Preliminary Hydrogeological Investigation Report was prepared by EXP Services Inc., in support of the proposed development and is provided under a separate cover. The Report was prepared in accordance with the Ontario Water Resources Act, Ontario Regulation 387/04, and the Durham Region Sewer Use By-Law No. 55-2013.

The objectives of a Preliminary Hydrogeological Investigation are the following:

- establish the local hydrogeological settings within the Site;
- provide Preliminary recommendations on construction and long-term dewatering;
- assess groundwater quality; and
- prepare a Preliminary Hydrogeological Investigation.

The Subject Site is located within the physiographic region known as the Iroquois Plain and is within the Lake Ontario Waterfront watershed. The topography of the site is considered relatively flat with a regional gradual southeasterly slope towards Prine Creek and Lake Ontario. The nearest surface water feature is located approximately 100 metres east of the Site boundary, which is a wetland associated with Pine Creek.

For short-term dewatering systems during the construction phase of the project, it is anticipated that the Total Suspended Solids (TSS) levels may become elevated and exceed both sanitary and storm sewer use by-laws. To control the use of TSS and associated metals, it is recommended that a suitable treatment method is implemented during construction dewatering activities to discharge to applicable sewer systems, which will need to be determined by a qualified professional.

For short-term dewatering discharge to the sanitary sewer system, based on the water quality test results, the water is suitable to be discharged without a treatment system. For long-term dewatering discharge to the sanitary sewer system (post-development phase) and based on the water quality test results, the water is likewise suitable to be discharged without a treatment system.

For short-term dewatering discharge to the storm sewer system, based on the water quality test results, the implementation of a suitable pre-treatment is required. For the long-term dewatering discharge to the storm sewer system (post-development phase) and based on water quality tests, it is likewise recommended to implement a suitable pre-treatment, as required.

The geotechnical assessment of the stability of the soils due to water taking is required. The water taking should not have unacceptable interference with soils and underground structures (foundations, utilities, etc.)

A Discharge Plan must be prepared (dewatering sketch, sewer discharge agreement) must be developed and applied for any discharges from the Site.

In conformance with Regulation 903 of the Ontario Water Resources Act, the installation and eventual decommissioning of any dewatering system wells or monitoring wells must be completed by a licensed well contractor. This is also applicable to wells that are no longer in use.

6.4 Arborist Report

A preliminary Arborist Inspection Report has been prepared by MBTW Group, in support of the proposed development and is provided under a separate cover.

The Arborist Inspection Report determined that there are one hundred and six (106) trees on the Subject Site that include a variety of species and are in varying conditions. Under the City of Pickering's Tree Protection By-law, permits are required to remove healthy trees in designated tree protection areas. Seven (7) of the trees on the Subject Site are in the City of Pickering's right-of-way and therefore would require a permit for the injury or removal of these trees.

Due to the preliminary nature of the report, no recommendations are made regarding removals, preservations, and/or associated injuries of the trees associated with the Subject Site. Tree preservation and removals will be determined at the Site Plan phase of the development proposal.

6.5 Functional Servicing & Stormwater Management Report

The Functional Servicing Report (FSR) and Stormwater Management (SWM) report were prepared by WSP. These reports provide a clear servicing plan for the proposed development and demonstrate that the Site can be successfully serviced by the existing and proposed infrastructures.

The FSR outlines the servicing requirements of the proposed development for the Subject Site.

Water supply for the proposed development will be implemented across the four-phase development plan. Each phase within the proposed development will be serviced by a set of water service connections consisting of one (1) domestic connection and one (1) fire connection. The service connection sizing will be coordinated with the Region of Durham and a qualified consultant retained by the client in accordance with the Region's standards.

For sanitary servicing, each building within the proposed development will be serviced by the future walnut lane sanitary sewer before ultimately discharging to the existing 1050 mm diameter trunk sanitary sewer. Sanitary sewer servicing will also be carried out in four phases.

For stormwater, all storm flows from the site will be conveyed to the box culvert located at the south end of the site. Preliminary sizing suggests that for flows from Phase 1 and 3 of the development, there will be no update required to the Existing Storm Network for both interim and ultimate conditions. For storm flows from Phase 2 and 4 of the proposed development, the Existing Storm Network will need to be upsized to accommodate both the interim and ultimate flow.

The SWM Report provides a strategy as well as the technical information necessary for the justification and preliminary sizing of the required stormwater management facilities for the proposed

development. The SWM Report accounts for erosion control, water balance, water quality, and water quantity. The following is a brief summary of the findings from the report:

- Water balance: each phase of the proposed development must address water balance criteria separately and independently by retaining runoff from the 5 mm rainfall. Infiltration galleries are proposed within each development phase to provide infiltration of the water balance volume.
- Water quality: all runoff from impervious at-grade surfaces within each phase of development will be treated by an appropriately sized filtered water quality unit.
- Erosion control: the minimum on-site retention of at least 5 mm will be achieved as per City of Pickering requirements. Temporary erosion and sediment control plans are to be implemented during construction.
- Water Quantity: The use of controlled discharge for each phase boundary will ensure that the peak offsite discharge rate to municipal storm sewers shall be below the allowable flow rate which is defined by the City of Pickering's design requirements for all storms, up to a one hundred year event.

6.6 Traffic Impact Study

A Traffic Impact Study (TIS) was prepared by WSP in support of the proposed developments and is provided under a separate cover. The following signalized intersections were included as a part of the TIS study area:

- Liverpool Road & Highway 401 Westbound Off-Ramp;
- Liverpool Road & Pickering Parkway;
- Liverpool Road & Kingston Road;
- Kingston Road & Walnut Lane;
- Kingston Road & Dixie Road;
- Kingston Road & Fairport Road;
- Kingston Road & Highway 401 WB Ramps;

- Kingston Road & Delta Boulevard;
- Kingston Road & Whites Road; and
- Whites Road and Highway 401 Eastbound Off-Ramp.

As per Durham Region TIS requirements, traffic conditions for the following horizon years were assessed in the study:

- 2028: Anticipated phase 1 build-out complete;
- 2033: Anticipated full build-out of development;
- 2038: 5-years after full build-out; and
- 2043: 10-years after full build-out.

Based on analysis contained in the report, the following are the vehicle trips that the proposed development is expected to produce:

- 2028: am peak hour – 89 inbound and 178 outbound vehicle trips;
- 2028: pm peak hour – 229 inbound and 191 outbound vehicle trips;
- 2033/2038/2043 – 296 inbound and 674 outbound vehicle trips; and
- 2033/2038/2043 – 775 inbound and 627 outbound vehicle trips.

The TIS finds that trips associated with the proposed development can readily be accommodated in the above outlined scenarios with signal timing improvements at constrained intersections, which are further detailed in the report. The TIS also finds that the proposed parking supply meets the needs of the development.

6.7 Environmental Noise Assessment

An Environmental Noise Assessment (ENA) Report was prepared by SLR Consulting, in support of the proposed development. The ENA Report examines:

- impacts of the environment on the proposed development;
- impacts of the proposed development on the environment; and
- impacts of the proposed development on itself.

Potential concerns regarding the surrounding environment of the proposed development included transportation noise impacts from the nearby road and rail network including Highway 401 and the 'stationary' noise impacts from the surrounding commercial lands. To deal with transportation noise, the following provisions are required:

- window upgrades are required;
- forced air heating and a provision or central air conditioning is required for some units;
- Mandatory air conditioning is required for all units except as specified in the report;
- Type C and Type D noise warning clauses are required, as well as a warning clause for CN/Metrolinx activity.

No additional mitigation is needed to address surrounding stationary noise impacts.

The ENA finds that the noise impacts of the proposed development on the surrounding area are anticipated to be negligible and can be controlled through the implementation of design provisions set out in the report.

The ENA finds that the noise impacts of the proposed development on itself are also anticipated to be negligible and similarly can be controlled by design practices outlined in the report.

The ENA recommends that because the mechanical systems of the proposed development have not yet been designed, the acoustical requirements should be confirmed by an acoustical consultant as part of the final building design.

6.8 Sustainability Rationale Report

A Sustainability Rationale Report (SRR) was prepared by EQ Building Performance Inc, in support of the proposed development.

The SRR identifies that the proposed development will pursue the Tier One (1) Baseline Performance Standards that are set out by the Pickering Integrated Sustainable Design Standards (ISDS). The

proposed development will pursue the following development features from the ISDS:

- Residential education;
- Urban heat island reduction;
- Building energy performance and emissions;
- Private pedestrian walkways
- Private play area and structures;
- Building access;
- Wayfinding signage;
- Community safety;
- Topsoil;
- Light pollution reduction;
- Native and non-invasive species;
- Tree preservation and removal compensation;
- Healthy street trees;
- Common outdoor amenity space;
- Bird-friendly design;
- Electrical vehicles including plug-ins for hybrid vehicles;
- Bicycle parking and storage facilities;
- Construction waste reduction;
- On-site storage;
- Stormwater management; and
- Building water efficiency.

Further detail regarding the implementation of sustainable design features can be found in in the SRR report. The SRR also highlights that there are some specific design elements that will be determined at the Site Plan stage.

6.9 Preliminary Geotechnical Investigation

A Preliminary Geotechnical Investigation (PGI) was conducted by EXP Services Inc., for due diligence purposes for the Subject Site. The PGI was conducted to determine the general subsurface soil/bedrock and groundwater conditions at the Subject Site by putting down sampled boreholes and, based on an assessment of

the factual borehole data, to provide preliminary geotechnical engineering guidelines for the proposed development.

Findings from the PGI found the proposed development to be feasible, however that presence of wet coarse sand, sand and gravel, silty sand till deposits, and deep weathered shale bedrock may cause construction difficulties. The report provides preliminary geotechnical engineering guidelines for site development, relating to:

- Foundation considerations;
- Shoring requirements;
- Excavation and Groundwater control;
- Backfill considerations;
- Floor slab construction and permanent drainage;
- Earthquake considerations; and
- Subsurface concrete.

The PGI recommends that at later stages of the development process when conceptual designs become available, a more detailed investigation including rock coring be undertaken to provide geotechnical engineering guidelines to finalize the design and construction of the proposed development.

6.10 Pedestrian Wind Assessment

A Pedestrian Wind Assessment (PWA) Study was prepared by SLR Consulting in support of the proposed development. Areas of interest identified by the wind study are the areas that pedestrians are expected to use regularly. These include sidewalks, main entrances, transit stops, plazas, and parks.

The PWA study was conducted using computational fluid dynamics to simulate predicted wind conditions in the above identified areas. The study finds:

- The wind safety criterion is met at all areas on-site and surrounding the development in both the Existing Configuration and Proposed Configuration.

- Wind conditions on the site, including entrances and amenity spaces are generally expected to be suitable for the intended use year-round. Wind control measures are recommended for the west main entrance of building B.
- Wind conditions on the proposed terraces are generally predicted to be suitable for the intended use in the summer. Wind mitigation measures are recommended for several localized areas.
- On the sidewalks surrounding the proposed development, wind conditions are suitable for the intended uses.
- Updated architectural information showing increased heights for towers on Blocks B, C2, and D was received after the CDF was completed, however the resulting changes to overall wind comfort are expected to be negligible.

7.0 CONCLUSION

The Biglieri Group Ltd. (“TBG”) has been retained by Tribute (Brookdale) Limited to prepare planning applications and obtain municipal approvals required to facilitate a proposed mixed-use development for the lands municipally known as 1101A, 1105 Kingston Road and 1163 Kingston Road, located in the City of Pickering (the “Subject Site”). The Subject Site is designated as *Mixed-Use Areas – Mixed Corridors* in the City of Pickering Official Plan (2022) and *Mixed Use Type A* in Official Plan Amendment 38. Per the City of Pickering Zoning By-law No. 3036, the Subject Site is designated as *Mixed Use - MU-22* and *MU 21*.

This Planning Rationale Report has been prepared in support of Local Official Plan Amendment and Zoning By-law Amendment applications. To facilitate the ultimate development of the lands the following applications will be submitted at a later date and as needed: Draft Plan of Subdivision, Site Plan, and Draft Plan of Condominium.

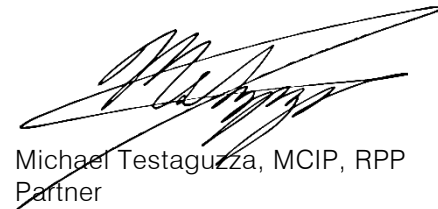
This Planning Rationale Report has evaluated the merits of the proposed development in the context of all applicable Provincial, Regional, and City policies. It is our opinion that the proposed development complies with the relevant criteria of the Planning Act, is consistent with the policies as set out in the Provincial Policy Statement, conforms to the policies of the A Place to Grow: Growth

Plan for the Greater Golden Horseshoe, and the Regional Official Plan. The proposed development generally complies with the City of Pickering Official Plan designation however, a Local Official Plan Amendment is required to permit the proposed density. The proposed density is in line with the Local and Regional Council adopted Kingston Road Official Plan Amendment 38, which is indicative of the long-term planning direction for the Subject Site. Accordingly, it is TBG’s professional opinion that an amendment to the Official Plan and Zoning By-law, as proposed, represents good planning and is appropriate for approval.

Respectfully submitted,
THE BIGLIERI GROUP LTD.



Anthony Biglieri, MCIP, RPP
Principal



Michael Testaguzza, MCIP, RPP
Partner



Morgan Baker, B.U.R.PI., B.Sc.
Planner



Appendix A – Draft Official Plan Amendment

Amendment XX to the Pickering Official Plan

The Corporation of the City of Pickering

By-law No. XXXX/23

Being a By-law to adopt Amendment XX to the
Official plan for the City of Pickering (OPA #)

Whereas pursuant to the *Planning Act*, RSO 1990, c.p. 13, subsections 17(22) and 21(1), the Council of The Corporation of the City of Pickering may, by by-law adopt amendments to the Official Plan for the City of Pickering;

And whereas pursuant to Section 17(10) of the *Planning Act*, the Minister of Municipal Affairs and Housing has by order authorized Regional Council to pass a by-law to exempt proposed area municipal official plan amendments from its approval;

And whereas on February 23, 2000, Regional Council passed By-law 11/2000 which allows the Region to exempt proposed area municipal official plan amendments from its approval;

And whereas the Region has advised that Amendment XX to the City of Pickering Official Plan is exempt from Regional approval;

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

1. That Amendment XX to the Official Plan for the City of Pickering, attached hereto as Exhibit "A", is hereby adopted;
2. That the City Clerk is hereby authorized and directed to forward to the Regional Municipality of Durham the documentation required by Procedure: Area Municipal Official Plans and Amendments.
3. This By-law shall come into force and take effect on the day of the final passing hereof.

By-law passed this DATE day of MONTH, 2023.

Kevin Ashe, Mayor

Susan Cassel, City Clerk

Amendment XX to the Pickering Official Plan

**Amendment XX
to the City of Pickering Official Plan**

Amendment XX to the Pickering Official Plan

Purpose: The purpose of this amendment is to provide for a site-specific exception on lands municipally known as 1101A, 1105, and 1163 Kingston Road with to permit an increase to the maximum permissible floor space index of 5.0 as well as remove the requirement of a maximum permissible density stipulated in units per net hectare.

Location: The site specific amendment affects the lands located on the south side of Kingston Road, west of Walnut Lane, east of Dixie Road, north of Highway 401; and municipally known as 1101A, 1105, and 1163 Kingston Road.

Basis: Through the review of Official Plan Amendment Application XX and Zoning By-law Amendment Application XX, City Council determined that the Amendment facilitates a development that is compatible with the surrounding community, minimizes adverse impacts on the existing low density residential neighbourhood to the north, and is an appropriate intensification project along the Kingston Road corridor. The subject lands are located on Kingston Road, which is designated as an arterial road and a Rapid Transit Spine under the Durham Regional Official Plan, which are intended to provide for higher density development. The Amendment is consistent with the policies of the Provincial Policy Statement 2020, and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and the Durham Region Official Plan (2020).

Actual Amendment: The City of Pickering Official Plan is hereby amended by:

1. Revising Policy 12.14 – Liverpool Neighbourhood Policies, by adding a new subsection 12.14 (g):
 - (g) despite Table 6 of Chapter 3, establish a maximum floor space index of 5.0 and no maximum residential density (in units per net hectare) for lands located on the south side of Kingston Road, described as Part of Lots 23 and 24, Concession 1, City of Pickering, municipally known as 1101A, 1105, and 1163 Kingston Road.

Implementation: The provisions set forth in the City of Pickering Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this Amendment.

Interpretation: The provision set forth in the City of Pickering Official Plan, as amendment, regarding the interpretation of this Plan shall apply in regard to this Amendment.

Appendix B – Draft Zoning By-law Amendment

The Corporation of the City of Pickering

By-law No. XXXX/23

Being a By-law to amend Restricted Area (Zoning) By-law 3036, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, being Part Lots 23 and 24, Concession 1, in the City of Pickering

Whereas the council of The Corporation of the City of Pickering received an application to rezone the subject lands being Part Lots 23 and 24, Concession 1 in the City of Pickering to permit a high-density, mixed-use development;

And whereas an amendment to Zoning By-law 3036, as amended by By-law 6777/07 and By-law 6778/07, is therefore deemed necessary;

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

1. **Schedules I - III**
Schedules I - III attached hereto with notations and references shown thereon are hereby declared to be part of this By-law.
2. **Area Restricted**
The provisions of this By-law shall only apply to those lands being Part Lots 23 and 24, Concession 1, in the City of Pickering, designated "(H)MU-XX" and "OS" on Schedule I attached hereto.
3. **General Provisions**
No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.
4. Definitions

In this By-law,

- (1) "Active At Grade Frontage" means the ground floor of a building facing a street line that is permeable, transparent and contains the primary entrance door for Non-Residential uses as listed in this By-law.
- (2) "Amenity Space" means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens, bike repair spaces and other similar features, but does not include indoor laundry or locker facilities.

- (3) “Art Gallery/Studio” means a premises used for the creation, exhibition, collection and/or preservation of works of art for public viewing and sale and may include educational classes.
- (4) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade. **Inset balconies which do not project from the face of an exterior wall shall also be considered balconies.**
- (5) “Bay Window” means a window with at least three panels set at different angles to create a projection from the outer wall of a building, and includes a bow window.
- (6) “Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.
- (7) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- (8) “Building, Main” means a building in which is carried on the principal purpose for which the lot is used.
- (9) “Building, Mixed Use” means a building containing residential uses and at least one non-residential use permitted by this By-law.
- (10) “Car Share Service” means a service that provides motor vehicles solely for the shared use of members of that service, and does not include an automobile rental establishment or automobile dealership.
- (11) “Commercial Use” means any permitted use the primary purpose of which is to sell, lease or rent a product of service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but shall exclude residential uses.
- (12) “Commercial Fitness/Recreational Centre” means a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit.
- (13) “Community Centre” means a multi-purpose facility that offers a variety of programs or a recreational, cultural, day care, social, community service, informational or instructional in nature.
- (14) “Day Care Centre” means: i) indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous

period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or ii) indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

- (15) “Dry Cleaning Distribution Centre” means a premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a dry cleaning establishment.
- (16) “Apartment Dwelling” means a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.
- (17) “Block Townhouse Dwelling” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle.
- (18) “Dwelling Unit” means a residential unit that: i) consists of a self-contained set of rooms located in a building or structure; ii) is used or intended for use as a residential premises; iii) contains kitchen and bathroom facilities that are intended for the use of the unit only; and iv) is not a mobile home or any vehicle.
- (19) “Stacked Dwelling” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.
- (20) “Financial Institution” means a building or portions of a building used for the purposes of administering or providing financial services to the public, other than exclusively through an automated banking machine.
- (21) “Floor Area” means the total area of all floors of a building within the outside walls.
- (22) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:
- a) Motor vehicle parking, bicycle parking, **elevator lobbies and vestibules** below established grade;
 - b) Motor vehicle parking and bicycle parking at or above established grade;
 - c) Loading spaces and related corridors used for loading purposes;
 - d) Rooms for storage, **waste management**, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
 - e) Indoor amenity space required by this By-law;
 - f) Elevator, garbage and ventilating shafts, **including pipe spaces, airshafts, and electrical closets**;

- g) Mechanical penthouse; and
 - h) Stairwells in the building.
- (23) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.
- (24) “Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.
- (25) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- (26) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.
- (27) “Ground Floor” means the floor of a building at or first above grade.
- (28) “Ground Floor Area” means the gross floor area only on the ground floor.
- (29) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.
- (30) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.
- (31) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
- (32) “Live Work Dwelling” means a dwelling, where the ground floor only, or part thereof, may be used for commercial uses as permitted by this By-law, except that the basement may be used for storage for the commercial use, and where the commercial and residential components can be accessed by a common internal entrance.
- (33) “Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and

which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.

- (34) "Lot" means a parcel of land fronting on a street, whether or not occupied by a building or structure.
- (35) "Lot Area" means the total horizontal area of a lot.
- (36) "Lot Line" means a line delineating any boundary of a lot.
- (37) "Main Wall" means a primary exterior front, rear or side wall of a building, not including permitted projections.
- (38) "Mezzanine" means one floor level situated above the first floor, which is contiguous with the first floor area.
- (39) "Office" means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.
- (40) "Office, Medical" means a premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.
- (41) "Parking Structure" means a building or portion thereof, containing one or more parking spaces.
- (42) "Personal Service Shop" means a premises used to provide personal grooming services or for the cleaning or care of apparel.
- (43) "Podium" means the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.
- (44) "Porch" means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.
- (45) "Premises" means the whole or part of lands, buildings or structures, or any combination of these.
- (46) "Primary Window" means all windows except bathroom, hallway, closet or kitchen windows.
- (47) "Restaurant" means a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate

consumption on or off the premises, or both on and off the premises but shall not include a night club.

- (48) “Retail Store” means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- (49) “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreational centre or a post-secondary school. “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreational centre or a post-secondary school.
- (50) “School, Private” means a place of instruction (excepting a commercial school or private career college) offering courses equivalent to those customarily offered in an elementary school or secondary school.
- (51) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.
- (52) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it. **A storey also does not include a mezzanine level situated immediately above the first floor.**
- (53) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- (54) “Street” means a public highway but does not include a lane or a King’s Highway (Highway 401). Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the Municipal Act.
- (55) “Street Line” means the dividing line between a lot and a street.
- (56) “Street, Private” means:
- a) a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - b) a private road condominium, which provides access to individual freehold lots;
 - c) a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

- d) a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.
- (57) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below six feet in height or in ground swimming pools.
- (58) “Temporary Sales Office” means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lot.
- (59) “Tower” means the storeys within that portion of a building or structure or part thereof located above the podium.
- (60) “Tower Floor Plate” means the average floor area of all storeys within that portion of a building or structure or part thereof located above the podium, measured to the exterior faces of exterior walls of each storey of a building or structure.
- (61) “Veterinary Clinic” means a building or part of a building providing the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

5. **Permitted Uses and Zone Regulations (“MU-XX” Zone)**

(1) Permitted Uses (“MU-XX” Zone)

No person shall within the lands zoned “MU-XX” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Residential Uses:
 - a) Apartment Dwelling
 - b) Block Townhouse Dwelling
 - c) Stacked Dwelling
 - d) Long-Term Care Facility
 - e) Retirement Home
- ii. Non-Residential Uses:
 - a) Art gallery/studio
 - b) Cinema
 - c) Community Centre
 - d) Commercial Fitness/ Recreation Centre
 - e) Car Share Service

- f) Day Care Centre
- g) Dry Cleaning Distribution Centre
- h) Food Store
- i) Financial Institution
- j) Home-Based Business
- k) Hotel
- l) Library
- m) Live Work Dwelling
- n) Office
- o) Office, Medical
- p) Parking Structure
- q) Personal Service Shop
- r) Place of Amusement
- s) Place of Worship
- t) Retail Store
- u) Restaurant
- v) School, Commercial
- w) School, Private
- x) Service and Repair Shop
- y) Theatre
- z) Temporary Sales Office
- aa) Veterinary Clinic

(2) Zone Regulations (“MU-XX” Zone)

No person shall within the lands zoned “MU-XX” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

a) <i>Floor Space Index (FSI)</i>	<ul style="list-style-type: none"> i) For the purposes of calculating FSI, lot area shall be 68,203 m². ii) Maximum 5.0
b) <i>Building Height</i>	<ul style="list-style-type: none"> i) The maximum height, in storeys, of a building is specified by the number following the HT symbol as shown on Schedule II to this By-law ii) Notwithstanding section b) i) above, mechanical penthouses, enclosed stairwells providing roof access, and architectural features such as parapet walls may exceed the maximum building height as shown on Schedule II
c) <i>Podium Requirements</i>	<ul style="list-style-type: none"> i) Maximum podium height – 6-storeys
d) <i>Building Setbacks</i>	<ul style="list-style-type: none"> i) Minimum setback adjacent to Walnut Lane – 3.0 metres ii) Minimum setback adjacent to Kingston Road – 5.0 metres

	iii) Minimum setback adjacent to other Streets at grade – 2.0 metres iv) Minimum setback adjacent to Public Parks – 3.0 metres
e) <i>Setback for Below Grade Parking Structures</i>	i) Minimum – 0.0 metres
f) <i>Tower Floor Plates</i>	i) Maximum <i>tower floor plate</i> – 850 square metres
g) <i>Building Separation</i>	h) Minimum – 11.0 metres, except that the separation may be reduced to 3.0 metres if there are no <i>primary windows</i> or <i>balconies</i> on the wall facing the adjacent flanking <i>building</i> ii) Minimum – 18.0 metres for any portion of a <i>building</i> greater than 8-storeys in <i>height</i> , except that the separation may be reduced to 11.0 metres if there are no <i>primary windows</i> or <i>balconies</i> on the wall facing the adjacent flanking <i>building</i> iii) Minimum – 25.0 metres for any portion of a <i>building</i> greater than 12-storeys in <i>height</i>
i)	i)
j)	i)
k) <i>Landscaped Area</i>	i) Minimum – 10% of the area of a <i>lot</i>
l) <i>Amenity Space Requirements for Apartment Dwellings</i>	i) Minimum 2.0 square metres of indoor <i>amenity space</i> is required per <i>apartment dwelling unit</i> ii) Minimum – 2.0 square metres of outdoor <i>amenity space</i> is required per apartment dwelling <i>unit</i>
m) <i>Active at Grade Frontages</i>	i) As shown on Schedule III to this By-law.

(3) Height Exceptions

a) structures that enclose, screen or cover the equipment and parts of a building inclusive of a mechanical penthouse, equipment used for the functional operation of the building including elevator shafts, overruns and machine rooms, telecommunications equipment, electrical, utility, mechanical and ventilation equipment, cooling tower, roof access, maintenance equipment storage and lightning rods:	<ul style="list-style-type: none"> Exceed maximum building height up to a maximum of 6.0 metres
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b) planters and landscaping features may project	<ul style="list-style-type: none"> • a maximum of 1.5 metres
c) architectural features, parapets, roof drainage components, green roofs and thermal and waterproofing assembly, may project up to	<ul style="list-style-type: none"> • A maximum of 2.5 metres
d) balcony and terrace guards, dividers, railings, guard rails, and divider screens on a balcony and/or terrace may project up to;	<ul style="list-style-type: none"> • a maximum of 3.0 metres
e) trellises and pergolas may project above the height limits to	<ul style="list-style-type: none"> • A maximum of 4.0 metres
f) Enclosed stairwells, garbage chute overruns, chimneys, and vents, air shafts, exhaust flues, unenclosed structures providing safety or wind protection to rooftop amenity space may project up to	<ul style="list-style-type: none"> • A maximum of 5.0 metres
g) Building maintenance and safety units and window washing equipment may project above the height limits to	<ul style="list-style-type: none"> • A maximum of 7.5 metres

(4) Permitted Encroachments

No part of a required building setback shall be obstructed except as follows:

- i. Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, decorative column or cornices, pilasters, eaves, piers, eave troughs, and other similar architectural features may be permitted to project a maximum of 2.5 metres beyond the building envelope as permitted by this By-law, but shall maintain a minimum setback of 1.0 metres to a lot line.
- ii. Cladding added to the exterior surface of the main wall of a building, to a maximum extent of 1.0 metres;
- iii. Any stairs, including to a porch or any associated landing, uncovered platform, covered platform, elevating devices, and any unenclosed ramp for wheelchair access may encroach beyond the building envelope no closer than 0.45 metres to a lot line.
- iv. A deck, balcony, porch, uncovered platform or covered platform may encroach beyond the building envelope to a maximum of 2.0 metres or half the distance of the required setback, whichever is less.
- v. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach beyond the building envelope to a maximum of 0.6 metres or half the distance, whichever is less.
- vi. A Patio associated with a permitted non-residential use may encroach beyond the building envelope to within 0.45 metres of a lot line.

- vii. Air conditioners, satellite dishes, antennae, vents, and pipes, safety and wind protection/mitigation features, damper equipment to reduce building movement, and elements required for the functional operation of a building, to a maximum of 2.0 metres.

(5) Vehicular Parking Regulations

a) Minimum Parking Requirements:

Residential Uses	
Apartment Dwelling	0.6 spaces per dwelling unit plus 0.15 of a spaces per dwelling unit for Visitors
Block Townhouse Dwelling	1.75 spaces per dwelling unit 0.15 of a space per dwelling unit for visitors
Stacked Dwelling	1.25 spaces per dwelling unit 0.15 of a space per dwelling unit for visitors
Live Work Dwelling	0.6 spaces per dwelling unit plus 2 spaces per 100 square metres gross leasable floor area (GLFA) of commercial use.
Long-Term Care Facility or Retirement Home	0.2 of a space per unit plus 0.05 of a space per unit for visitors
Non-Residential Uses	2 spaces / 100 square metres GLFA of commercial use.

b) Accessible Parking Requirements:

To be provided on-site in accordance with the requirements of the Traffic and Parking By-law 6604/05 as amended, or any successor thereto.

(6) Bicycle Parking Space Requirements

a) Minimum number of bicycle parking spaces:

- i. 0.5 of a space per apartment dwelling unit;
- ii. 1.0 space per block townhouse dwelling, stacked townhouse and live work unit;
- iii. 1.0 space for each 1,000 square metres of gross leasable floor area or portion thereof.

b) Dimensions:

- i. if located in a horizontal position (on the ground): a minimum length of 1.6 metres and a minimum width of 0.375 metres;
- ii. if located in a vertical position (on the wall): a minimum horizontal clearance of 1.1 and a minimum width of 0.5 metres;

- iii. if stacked: a minimum length of 1.5 metres and a minimum width of 0.375 metres.
- iv. A vertical clearance of 1.1 metres for all types

(7) Waste Loading Standards

A minimum of one loading space shall be provided per building. For such loading space, the following regulations apply:

- a) the minimum dimensions of a loading space are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres;
- b) a loading space shall abut, or be located within, the building for which the loading space is provided;
- c) an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a street line;

6. **Permitted Uses and Zone Regulations** (“MU-XX” Zone)

Allow parking below

- (1) No person shall within the lands zoned “OS-PP” on Schedule I to this Bylaw, use any lot or erect, alter, or use any building or structure for any purpose except the following:
 - (i) Public Park
 - (ii) Community Centre
 - (iii) Kiosk
- (2) Parking structures constructed completely below established grade are permitted to encroach below public parkland.

7. By-laws 3036, 6777/07 and 6778/07, is, as amended, are hereby further amended only to the extent necessary to give effect to the provisions of this by-law as it applies to the area set out in Schedule I attached hereto. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provision of by-laws 3036, 6777/07, and 6778/07 as amended.

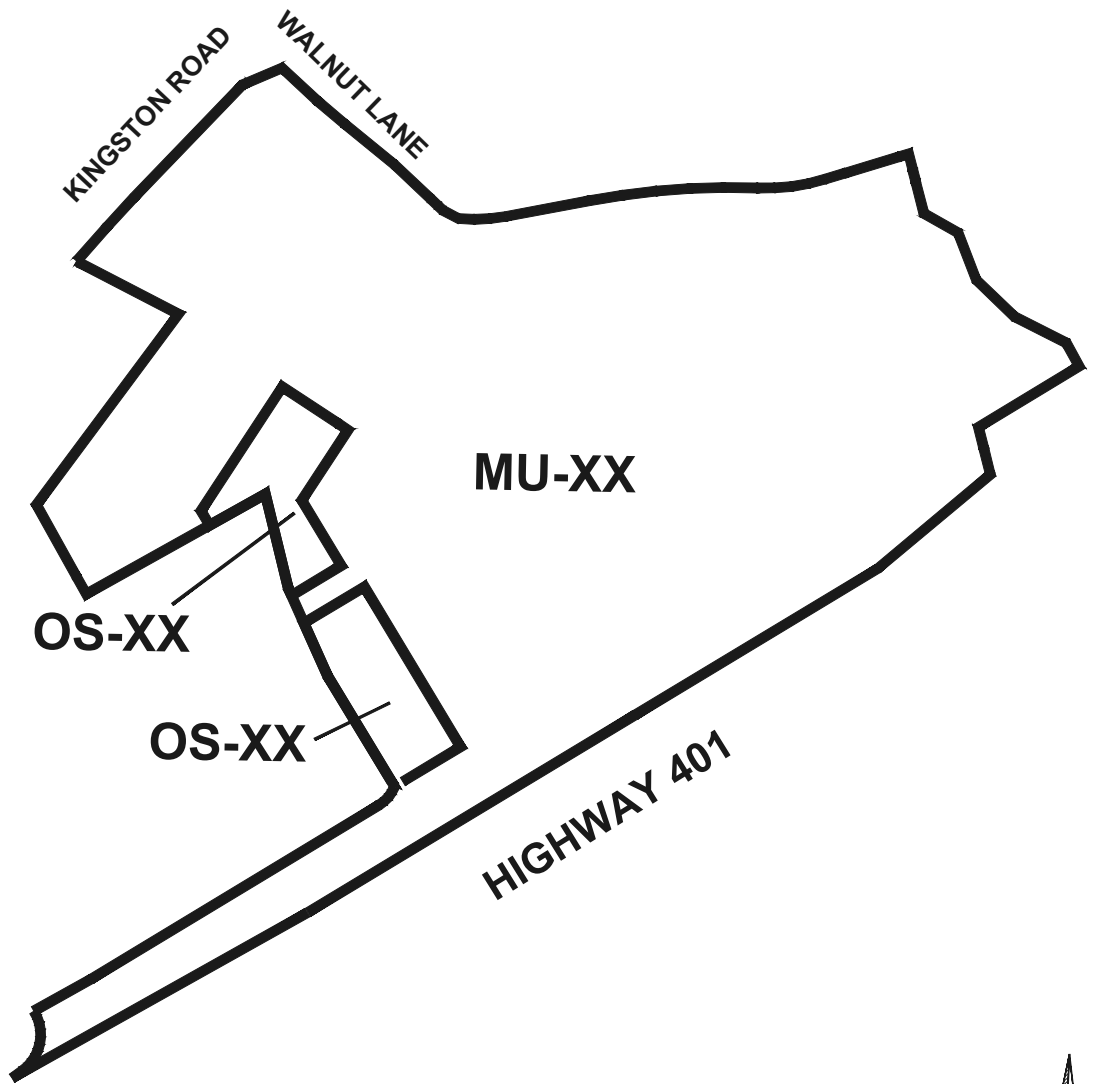
8. **EFFECTIVE DATE**

This By-law shall come into force and in accordance with the provisions of the *Planning Act*.

BY-LAW read a first, second, and third time and finally passed this DATE day of MONTH, 2023.

Kevin Ashe, Mayor

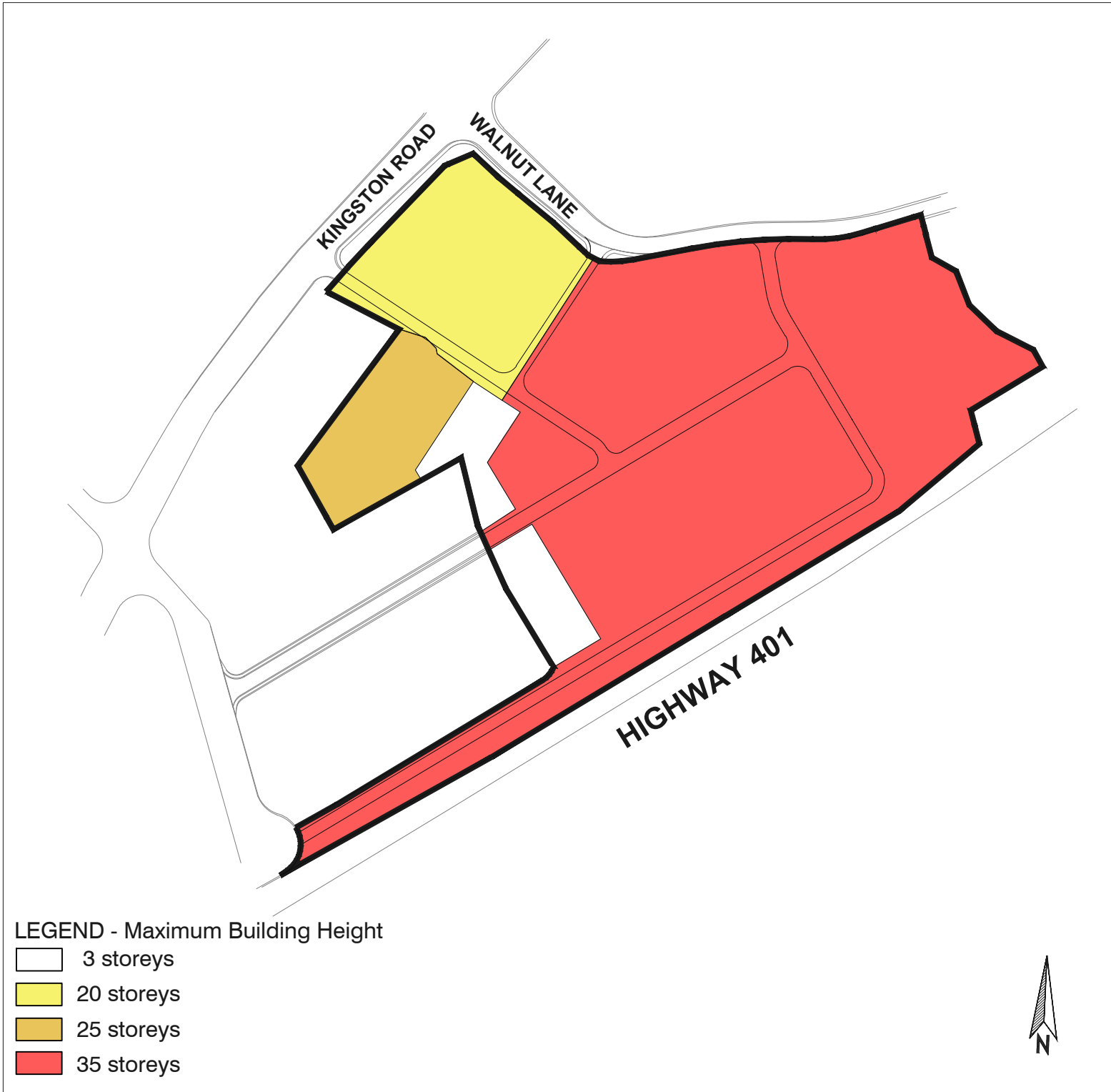
Clerk



Schedule 1 to By-Law XXXX/23
Passed This XXrd
Day of XXXX 2023

Mayor

Clerk



LEGEND - Maximum Building Height

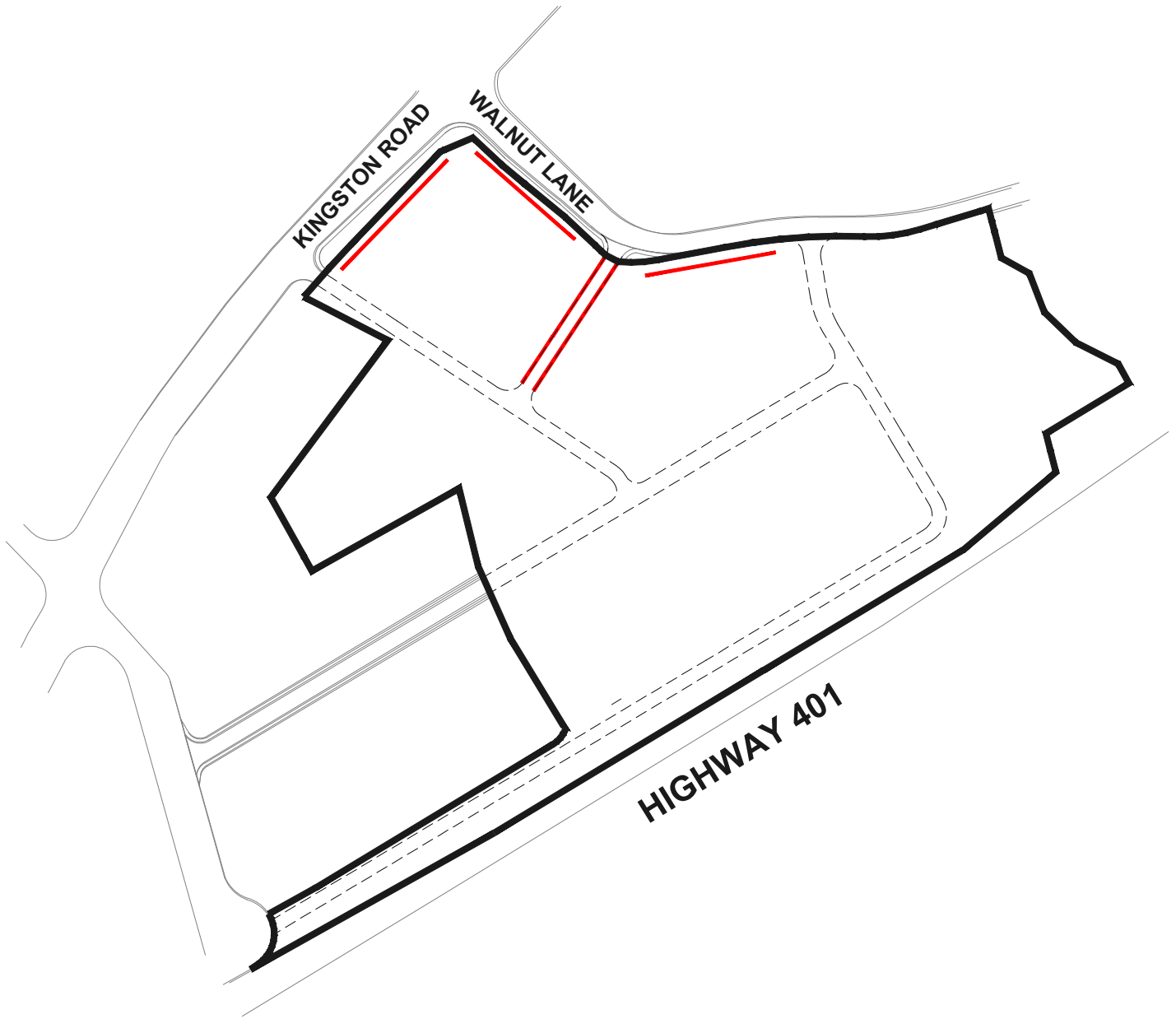
- 3 storeys
- 20 storeys
- 25 storeys
- 35 storeys



Schedule 2 to By-Law XXXX/23
Passed This XXrd
Day of XXXX 2023

Mayor

Clerk



LEGEND - Active At Grade Frontages

-  Proposed Roads
-  Required Active At Grade Frontages



Schedule 3 to By-Law XXXX/23
Passed This XXrd
Day of XXXX 2023

Mayor

Clerk

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