



March 28, 2024

City of Pickering
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file # 46647-8

Attention: Amanda Dunn,
Principal Planner, Development
Review

Dear Ms. Dunn:

**Re: 1101A, 1105 & 1163 Kingston Road
Official Plan & Zoning By-law Amendment Application 1B Submission
Tribute (Brookdale) Limited**

We are the solicitors for Tribute (Brookdale) Limited ("**Tribute**").

On behalf of Tribute, we are pleased to submit a 1B Submission for Official Plan Amendment ("**OPA**") and Zoning By-law Amendment ("**ZBA**") applications (the "**1B Submission**") for a proposed mixed-use development (the "**Proposed Development**") on the lands municipally known as 1101A, 1105 and 1163 Kingston Road (the "**Subject Site**"). The Subject Site is approximately 7.74 hectares and is located south of Kingston Road, between Dixie Road and Pine Creek, and north of Highway 401. The "Brookdale Centre" currently operates on the Subject Site and contains a variety of low-rise retail stores.

The Proposed Development contemplates redevelopment of the Subject Site into 6 buildings consisting of 14 towers atop 6-storey podiums, ranging in height from 17-storeys to 35-storeys. In total, the Proposed Development will provide 5,238 residential units, 7,149 square metres of retail/commercial space and 716 square metres of daycare space, serviced by 4,215 parking spaces. The Proposed Development also includes 6,237 square metres of Privately-Owned Public Space ("**POPS**") and 4,458 square metres of dedicated Public Parkland. The Proposed Development has an FSI of 4.99 and will be constructed in four phases to accommodate the continued interim use of the Brookdale Centre.

The Subject Site is designated *Living Areas* and *Regional Corridor* under the Durham Region Official Plan and *Mixed Use Areas* and *Mixed Corridors* under the City of Pickering Official Plan. Both Official Plans contemplate higher-density mixed use development on the Subject Site. Further, in January 2022, the City of Pickering adopted the City-initiated Official Plan Amendment 38 ("**OPA 38**"), which was subsequently approved by the Region of Durham in November 2022. OPA 38 permits high-density development of the Subject Site up to 5.0 FSI, subject to specific criteria and a site-specific zoning by-law amendment. However, its approval was appealed to the Ontario Land Tribunal ("**OLT**"), thus it is not yet in force.

The Subject Site is zoned MU-22 and MU-21 under City of Pickering Zoning By-law 3036. Within these zones, building heights are limited to 13 metres (MU-22) or 20 metres (MU-21). The existing zoning provisions precede the current Pickering Official Plan and OPA 38 and no longer conform to the Official Plan.

These applications are required to permit a maximum density of 5.0 FSI and to remove density requirements in units per hectare, consistent with OPA 38, and to permit a broad range of residential and non-residential uses, as well as a number of site-specific performance standards to facilitate the Proposed Development.

As detailed in the enclosed Planning Justification Report, the Proposed Development is consistent with the Provincial Policy Statement, 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, and the Durham Region Official Plan. The Proposed Development will implement the intent of the Pickering Official Plan and the City-initiated OPA 38, which is currently under appeal, and will increase housing options and job opportunities in the area.

Tribute has completed all studies and reports in support of the applications in accordance with the *Planning Act* requirements for a complete application and the Pre-Consultation Summary & Checklist, provided by City staff following the Pre-Consultation Meeting on June 20, 2023. The submission documents provide a comprehensive understanding of the proposal and include conceptual elevations and renderings of each building. The detailed building and elevation design will be further developed at the site plan application stage.

Please find enclosed the following materials in support of OPA and ZBA applications under the *Planning Act*.

- Digital copies of the completed Application Forms to amend the Official Plan and Zoning By-law;
- Digital copy of the Registered Transfer as Proof of Ownership;
- Digital copy of the Lot Survey;
- Digital copy of the Architectural Drawings, including the Site Plan, Conceptual Floor Plans, Coloured Elevations & Renderings, Phasing Plan;
- Digital copy of the Planning Justification Report, including the draft Official Plan Amendment, draft Zoning By-law Amendment, and Affordable Housing Brief;
- Digital copy of the Urban Design Brief, including Shadow Study and Block Development Plan;
- Digital copy of the Landscape Plan and Facility Fit Plan;

- Digital copy of the Arborist Report and Tree Inventory;
- Digital copy of the Functional Site Servicing Report, including Sanitary Sewer Analysis, Site Servicing Plan, Site Grading Plan, and Erosion & Sediment Control Plan;
- Digital copy of the Stormwater Management Report;
- Digital copy of the Floodplain Study Memo;
- Digital copy of the Traffic Impact Study, including Parking Standard Analysis;
- Digital copy of the Phase I Environmental Site Assessment;
- Digital copy of the Environmental Impact Study;
- Digital copy of the Hydrogeological Report;
- Digital copy of the Geotechnical Report;
- Digital copy of the Hydrological Assessment Review;
- Digital copy of the Wind Study;
- Digital copy of the Noise and Vibration Study;
- Digital copy of the Sustainability Rationale Report;
- Digital copy of the Integrated Sustainable Design Standards Checklist; and,
- Digital copy of correspondence with Amanda Dunn regarding the Photometric Lighting Plan.

While we understand the City's current practice is to require an iterative, multi-stage pre-application submission pursuant to Official Plan Amendment 46, same remains under appeal and is not in force. It is Tribute's position that this iterative process is ultra vires the City and beyond the authority granted by the *Planning Act*. Nevertheless, our client desires to work with the City and is prepared to submit this 1B Submission on a without prejudice basis to its position that the submission constitutes a complete application under the *Planning Act*.

We request that any comments on the foregoing be directed to Mark Iogna for Tribute at mark.i@mytribute.ca.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read "Signe Leisk". The signature is fluid and cursive, with a large initial "S" and a long horizontal stroke extending to the right.

Signe Leisk

SL/oa