

September 25, 2017

Subject: Zoning By-law Amendment Application A 08/17
Averton (Brock) Limited
Blocks 1, 2, 3 and 4, Plan 40M-2568

The City has received comments and concerns regarding the Zoning By-law Amendment Application A 08/17 submitted by Averton (Brock) Limited (Averton) from area residents within the Duffin Heights Neighbourhood. We appreciate the comments and concerns that have been expressed by the community will be taken into consideration as staff continue to evaluate the submitted Zoning By-law Amendment Application.

In the meantime, we would like to take this opportunity to provide the residents in Duffin Heights Neighbourhood with some background information regarding the original approvals that were granted to Averton, the existing Official Plan policies for the Duffin Heights Neighbourhood and address some of the key concerns that have been raised to date with respect to notifications, parkland, schools and future development within the Duffin Heights Neighbourhood and the Seaton Neighbourhood.

Original Approvals

In 2014, Council approved applications for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by Averton, for lands located east of Brock Road and west of William Jackson Drive on the north and south sides of Rex Heath Drive (attached please find the Location Map).

The approvals included the development of four blocks for residential uses to be developed in four separate phases. The overall approval included: two 8-storey mixed use apartment buildings with grade related commercial uses, and 4-storey stacked back-to-back townhouse blocks with integrated underground parking garages along Brock Road frontage, and a mix of back-to-back townhouses and stacked townhouses on the remaining lands.

In 2016, Averton received Site Plan Approval for Phase 1, which is currently under construction, to permit a total of 184 units consisting of stacked back-to-back townhouses and back-to-back townhouses. The City is currently reviewing a Site Plan Application for Phase 2, which includes a total of 102 units consisting of stacked units and back-to-back townhouses. Site Plan Approval for Phase 2 is anticipated to be issued later this year.

Current Proposal

The applicant has submitted a Zoning By-law Amendment Application requesting certain changes to the originally approved Zoning By-law Amendment in 2014. Specifically, the applicant proposes to utilize the Bonus Zoning provisions of the City's Official Plan to increase the maximum permitted density beyond what is allowed by the Official Plan and increase the maximum height of the buildings beyond what is permitted by the current Zoning By-law, in exchange for the provisions of a community benefit under Section 37 of the *Planning Act*. Further information regarding Bonus Zoning is discussed on page 4 of this letter.

These amendments are to facilitate a residential condominium development proposing two apartment buildings having maximum building heights of 16 and 21-storeys containing a total of 351 apartment units, with approximately 800 square metres of grade related commercial space. In addition, the applicant proposes 150 back-to-back stacked townhouse units. A total of 501 units are proposed within Phases 3 and 4.

The table below compares the type of units and the unit counts for the previously approved development and for the current proposal.

Phases	Original Approval		Current Proposal	
	Unit Type	No. of Units	Unit Type	No. of Units
1 (site plan approved)	back-to-back townhouses	66	No change	
	stacked back-to-back townhouses	118		
2 (site plan under review)	back-to-back townhouses	48	No change	
	stacked	54		
3	stacked back-to-back townhouses	60	stacked back-to-back townhouses	44
	apartment units	104	apartments	157
4	stacked back-to-back townhouses	110	stacked back-to-back townhouses	106
	apartments	134	apartments	194
Total Number of Units	694 units		787 units	

The current proposal will result in an increase of the total number of residential units by **93 over the original proposal**, all consisting of apartment units.

Permitted Density by the City of Pickering Official Plan

The City of Pickering Official Plan designates the subject lands as Mixed Use Areas – Mixed Corridors, within the Duffin Heights Neighbourhood. The permitted density range for lands within this designation is over 30 units and up to and including 140 units per net hectare.

The table below outlines the permissible and proposed density for the development.

	Units per Net Hectare	Resulting Total Number of Units for Averton Lands
Maximum permitted density by the City's Official Plan	140 units / ha	742 units
Proposed Maximum Density	148 units / ha	787 units
Difference between maximum permitted density and proposed density	additional 8 units / ha	additional 45 units

As noted on the previous page, the applicant originally proposed a total of 694 units. Notwithstanding the original proposal, under the current official plan policies, it is permissible for Averton to have a maximum of 742 residential units within the four phases. To facilitate the new proposal, the applicant is requesting an increase in the maximum permitted density by 8 units per net hectare, which results in an **additional 45 units beyond the maximum permitted density** within the City's Official Plan.

Duffin Heights Neighbourhood Policies and Urban Design Guidelines

In keeping with the Province of Ontario Places to Grow policies, City Council adopted specific land use policies and urban design guidelines in 2009, for the Duffin Heights Neighbourhood in order to guide future development within this neighbourhood. For lands located within the Mixed Use Areas – Mixed Corridors, which includes the subject lands, the policies for the Duffin Heights Neighbourhood require higher intensity multi-unit housing forms on lands adjacent to Brock Road and restrict grade related residential development (such as detached dwellings, semi-detached dwellings and street townhouses) to lands adjacent to collector or local roads.

The subject lands are delineated as Brock Road Streetscape on the Tertiary Plan within the Duffin Heights Development Guidelines, which encourages higher density, mid-rise and mixed use buildings with a high level of architectural quality. The Tertiary Plan also identifies the intersection of Brock Road and Rex Heath Drive as a focal point that will require special design considerations through the use of appropriate building heights, massing, architectural features and landscaping in order to establish a prominent image at these intersections.

Bonus Zoning

The Bonus Zoning provisions of the City's Official Plan permit Council to pass by-laws that grant an increase in density of development not exceeding 25 percent of the density permitted by the Official Plan or an increase in the height of a building in return for the provision of community benefits. These benefits may include additional open space, community facilities, assisted or special needs housing, the preservation of heritage buildings or the preservation of natural heritage features.

Averton is proposing to use the Bonus Zoning provisions of the City's Official Plan to permit an additional 45 units beyond the maximum permitted density by the Official Plan and increase the maximum height of the buildings beyond what is permitted by the current Zoning By-law. The City is currently assessing the appropriateness of the applicant's request to use density bonus provisions of the Official Plan to increase the permit density and building height.

Notifying the Public of New Applications

In accordance with the City's procedures and the *Planning Act*, a Notice of Complete Application is circulated to owners of properties within 150 metres of the subject lands (the *Planning Act* requires 120 metres). The notification radius list of properties is generated digitally. If a property is not located within the radius, a notice will not be sent. As a result, there are times when only part of a street is sent the notice. Information about the application is also on the City's website at pickering.ca/devapp.

The City will be holding a **Public Open House meeting on Monday October 16, 2017 at 6:30 pm** located at the Pickering Recreation Complex, Banquet Hall West Salon to provide an opportunity for the area residents to understand the proposal, ask questions and provide comments. Details of the Public Open House meeting will be mailed in the coming weeks to area residents within 150 metres of the subject property and residents who has provided comments to date.

Following the Public Open House meeting, residents who received previous notices and any resident who attended the Open House meeting will receive another letter inviting them to attend a statutory Public Information Meeting to be held by the Planning & Development Committee. This notice advises the date and details of the Public Information Meeting. To further notify area residents of the application and statutory Public Information Meeting date, Notice Signs will be placed on the subject properties and a notice will be posted on the City's website providing additional information on the application and submitted documents. At this time, a Public Information Meeting has not been scheduled.

Parkland within the Duffin Heights Neighbourhood

Two Village Greens and a Neighbourhood Park were planned for the east side of the Duffin Heights Neighbourhood. The Creekside Neighbourhood Park and the Village Green at the southeast corner of William Jackson Drive and Misthollow Drive are existing park spaces that are actively used by the area residents. A second Village Green is proposed on the west side of William Jackson Drive immediately north and west of the Lebovic Development. In addition to the existing and proposed park spaces, the Averton development also includes two private parkettes to serve the residents of this development.

A Notice of Motion moved by Councillor Pickles and Councillor Butt was recently approved by Council (Council Resolution #323/17) expressing concerns with the lack of neighbourhood park spaces on the west side of Brock Road. The City is working with landowners in the Duffin Heights Neighbourhood to explore opportunities to provide for additional park space and/or enhanced programming within these spaces to serve the residents of the Duffin Heights community.

Future Schools Proposed for Duffin Heights Neighbourhood

Two future elementary schools are identified in the Duffin Heights Neighbourhood. The Durham Catholic District School Board has advised that the elementary school site identified on the east side of William Jackson Drive immediately north of Creekside Neighbourhood Park is not required. Infrastructure Ontario is currently in the process of selling these lands.

The Durham District School Board has advised that a new elementary school is planned for the west side of Brock Road and is tentatively scheduled to be opened by 2022.

Both school boards have advised that any pupils generated by recent residential proposals located within Duffin Heights Neighbourhood can be accommodated within existing school facilities.

Future Development within the Duffin Heights Neighbourhood

The City has received a number of new development applications for the lands on the west side of Brock Road, south of Dersan Street. The applications propose approximately 1,100 dwelling units consisting of a mix of townhouses, back-to-back townhouses and stacked units. Also proposed are new public roads, trails and park spaces. Council has also approved applications to permit a retail/commercial development on the west of Brock Road immediately north of Third Concession/Rossland Road.

Seaton Lands

The Seaton lands are planned for an ultimate population of 70,000 people and 35,000 jobs with a range of housing types and densities provided in six neighbourhoods. A mix of housing types include single and semi-detached dwellings, townhouses, stacked townhouses and apartments are planned to meet a variety of lifestyles and incomes, together with number of parks and community facilities. Further information regarding the Seaton Neighbourhood is available on the City's website at pickering.ca/en/city-hall/seatoncommunity.aspx

We encourage you to attend the upcoming Open Housing meeting to learn more about the proposal and also discuss your concerns with both City Development staff and the applicant. Should you require further information or clarification, please contact Cristina Celebre, Principal Planner, Development Review at 905.420.4660, extension 2194.

Yours truly



Catherine Rose, MCIP, RPP
Chief Planner

CC:NS:jc

J:\Documents\Development\D-3300 Zoning By-law Amendments (A Applications)\2017\A 08-17 Averton (Brock) Ltd\Revised Response Letter 2.docx

Attachment

Copy: Mayor Ryan
Regional Ward Councillor - Ward 3
Ward Councillor – Ward 3
Chief Administrative Officer
Director, City Development & CBO
Manager, Development Review & Urban Design
Principal Planner, Development Review