

January 31, 2022

Cody Morrison, Principal Planner  
City Development Department  
City of Pickering  
1 The Esplanade South  
Pickering, ON L1V 6K7

e: cmorrison@pickering.ca

Dear Mr. Morrison:

**RE: PLANNING JUSTIFICATION REPORT - ADDENDUM  
2055 BROCK ROAD, BROCK ROAD DUFFINS FOREST INC.  
City Files: OPA 20-001/P, ZBA A 05-20, SP-2020-01  
OUR FILE: 17134 A**

---

The purpose of this memorandum is to provide a brief overview of the Brock Road Duffins Forest Inc. above-noted applications' ongoing conformity with recently amended Provincial Plan policies, a description of the revised development concept and the manner in which it has addressed the City's and public comments.

### Background Context

In March of 2020, an application for an Official Plan Amendment, Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (POS) was submitted to the City of Pickering to facilitate the development of 380 residential dwelling units on a 1.3 ha parcel. A range of housing typologies was proposed through a four block configuration with each providing distinct dwelling types. Block A proposed a 6-storey and 20-storey apartment connected by a 4-storey podium providing 307 dwelling units. Block B proposed nine 3-storey street townhouse units, with Blocks C and D proposed a total of sixty-four stacked townhouse units. A total of 1,152 square metres of outdoor amenity space was proposed. Vehicular access for the proposed would be from a private drive aisle from Usman Road at the north of the Development Site. A total of 502 parking spaces were provided, including 96 visitor spaces. Two hundred and eighteen (218) bicycle spaces were proposed within the underground garage.

On January 4, 2021 a Statutory Public Meeting was held that provided opportunities for the public to provide input. The City of Pickering planning department then compiled the public comments and provided the first formal Planning Department comments to the consulting project team on January 28, 2021. Other departments and external agencies had provided comments previously and before August, 2020. Following receipt of this, the consulting team presented two revised concept site plans to City planning staff on April 12, 2021 and May 26, 2021. These revised concept site plans addressed the concerns raised by the public, Council members and Planning staff and were undertaken in advance of a formal resubmission.

## **Revised Draft Concept Plan**

During the past half year, the project team has undertaken two revisions to the draft concept plan to address both the Statutory Public Meeting comments and the City's planning staff inputs. The following provides an overview of the main revisions that have been undertaken between the first draft concept plan submission to the final revised concept for the resubmission.

The main revisions include:

- Block B – units increased from 7 to 10 units
- Block D – units decreased from 24 to 20 units
- Required Parking 510 spaces; proposed – 513 spaces (result of Blocks B & D unit counts)
- Landscape Concept Plan – illustrating design concepts for all amenity spaces on site, as requested
- POPS link to Usman Road
- POPS (Amenity Space) relocated from Block B, Usman Road to south property lot line by Block D
- Level 5 Roof Terrace – amenity space (landscaped)

### **1. Description of the Revised Proposal**

The revised proposal has retained the four residential unit Block concept which will provide a mix of housing typologies. The typology continues to include the three main forms: 1) street townhouse; 2) back-to-back townhouse; and, 3) apartment building.

The Block B and C dwelling units have been setback from the northern property line providing greater separation distance between the proposed townhouse rear and sidewall facades and the existing subdivision dwelling units to the north along Saffron Drive.

The revised proposal includes a total of 372 residential units over 1.3 hectares of land. Table 1 below identifies the proposed unit data:

<b>Block</b>	<b>Unit Type</b>	<b>Unit Count First Submission</b>	<b>Unit Count Resubmission</b>	<b>Unit Count Change</b>
A	Apartment	307	328	+21
B	Street Townhouse	9	10	+1
C	Back-to-Back Townhouse	32	14	-18
D	Back-to-Back Townhouse	32	20	-12
<b>Total</b>		380	372	-8

**The revised proposal reduces the total unit count by eight (8) units in response to the public and Town comments. The concept plan ensures that housing options continue to be provided at various price points and are able to contribute to a complete community.**

## Site Coverage

Since the original submission, the lot coverage has been altered as shown in Table 2 below:

<b>Table 2: Site Coverage</b>						
<b>Submission</b>	<b>Building Coverage</b>		<b>Hard Landscaping</b>		<b>Soft Landscaping</b>	
	<b>m<sup>2</sup></b>	<b>%</b>	<b>m<sup>2</sup></b>	<b>%</b>	<b>m<sup>2</sup></b>	<b>%</b>
First	4745	36	5085	39	3285	25
Resubmission	4862	37	4460	34	3793	29

**The site coverage has been redesigned to increase the amount of soft landscaping by 4%, mainly through increasing the area of the publicly accessible open space. The building coverage has increased by 1% while the hard landscaping has been reduced by 5%.**

## Amenity Space

The original submission provided a total outdoor amenity area of 1,769 m<sup>2</sup>. The revised plan provides a total outdoor amenity area of 1851 m<sup>2</sup>, while 1,488 m<sup>2</sup> is required by Zoning By-law regulations. The privately-owned, public accessible space (POPS) area has been increased and meets the By-law requirement of 5% of the site area at 660.7 m<sup>2</sup>. The site's POPS is visually and physically accessible to passersby via the access road from Usman Road.

Indoor amenity area is proposed to be 746 m<sup>2</sup> while 744 m<sup>2</sup> is the required base area amount using the Zoning By-law standards.

Both amenity areas are calculated based on 2 m<sup>2</sup>/unit.

<b>Table 4: Amenity Space</b>				
<b>Location</b>	<b>First Submission</b>		<b>Resubmission</b>	
	<b>Required (m<sup>2</sup>)</b>	<b>Proposed (m<sup>2</sup>)</b>	<b>Required (m<sup>2</sup>)</b>	<b>Proposed (m<sup>2</sup>)</b>
Indoor	614	617	744	746
Outdoor	614	1152	744	1105
Total	1228	1769	1488	1851

**The amenity area provided is significantly above the required area determined by the Zoning By-law regulations. The outdoor amenity space includes the publicly accessible open space within a private condominium complex.**

## Parking Areas

The proposed site's parking areas have been revised. In the original submission, approximately 12 parking spaces were designed to abut the POPS area on the north and west sides. These have been removed with the result that the POPS area itself has been expanded. Similarly, five proposed parking spaces on the east side of Block B Street Townhouses have been removed.

## **2.0 Revised Draft Zoning By-law Amendment**

As a result of the revisions to the concept plan for the site, the proposed draft Zoning By-law Amendment (ZBA) that was first submitted, also required revisions to address the alterations (see attached revised draft ZBA). Several of the revisions represent housekeeping changes (e.g. to include the terms 'minimum' and 'maximum'), while others represent minor revisions to measurements. The changes include:

- Reduction to minimum setbacks for the rear and interior side yards;
- Increased Gross Floor Area (GFA) maximums for Blocks A and B;
- Inclusion of the term "maximum" and "minimum" to Block building lengths and depths; and
- Reduced minimum building length for Blocks A and B.

These revisions improve the proposed draft regulations by clarifying the application of the measurements. The reduced rear and interior side yard setbacks represent the yards that abut the Open Space lands to the east and to the south of the subject site and do not impact existing developments to the north along Saffron Drive. These setbacks have also been calculated within the revised technical reports and tree preservation plans such that no negative impacts result from the reductions. The reduced rear yard setback, by Block C, from 5 m to 2 m in the proposed draft regulation, does not represent the overall setback of all units to the rear lot line in Block C, but addresses the configuration of the rear lot line. The lot line is irregular and the reduced setback reflects the nearest portion of the rear lot line for one to two dwelling units at the southern portion of Block C.

The increased GFA maximums for Blocks A and B, represent the amended building and unit footprints that occurred as a result of revisions to the concept plan. Block A's GFA was increased by 2,000 m<sup>2</sup> while Block B's GFA was increased by 500 m<sup>2</sup>. These increases do not result in increased building heights nor reduced yard setbacks from existing developments.

The terms 'maximum' and 'minimum' have been added to provide clarity. The term 'maximum' has been added to the tower floor plate measurement, while the term 'minimum' has been added to the building length and building depth measurements that regulate all four proposed Blocks in the concept plan. The minimum building length measurement for Block A was reduced by 2 metres from 62 m to 60 m, while the building length for Block B was reduced by 8 metres, from 48 m to 40 m to accommodate the building layouts of the revised concept plans.

## **3.0 Provincial Plan Amendments**

### **3.1 Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) was issued under Section 3 of the *Planning Act* and came into effect on May 1, 2020. The PPS establishes the policy foundation for regulating the development and use of land in Ontario and provides policy direction on matters of provincial interest related to land use planning and development. It provides a vision for land use planning in Ontario that encourages the efficient use of land, resources, and public investment in infrastructure.

The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being. These directives depend on the efficient use of land and development patterns that support strong, livable and healthy communities that protect the environment and public health and facilitate economic growth. Land use planning decisions, including those made on applications for Official Plan Amendments, Zoning By-law Amendments must be consistent with the PPS. In assessing the revised

development proposal for the Subject Lands, the Addendum further identifies how the revised plan continues to be consistent with the amendments to the PPS.

*Part IV: Vision for Ontario*

*Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.*

**The proposed development, as a new development, supports the Province’s vision of intensifying residential uses in response to current housing needs in the city.**

- 1.1.1 *Healthy, liveable and safe communities are sustained by:*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons)*
  - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

**The Subject Lands support the achievement of a healthy, liveable and safe community by providing a mix of residential types, such as multi-unit housing, that provides an appropriate range and mix of market-based dwelling units. The proposed development is also situated by a transit-stop and integrates with the infrastructure that was previously and jointly planned for the overall subdivision. This helps achieve a cost-effective development as also envisioned through the Province’s growth management policies.**

- 1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*
- 1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
- b) permitting and facilitating:
    - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents,*
    - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance**
  - e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations;*

**As noted above, the Subject Lands are situated adjacent to a transit stop on Brock Road and propose transit-supportive development through the significant supply and range of housing options – from the apartment through to the townhomes. The supply of homes provides for increased ridership for the transit system.**

1.7.1 Long-term economic prosperity should be supported by:

*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;*

**As Provincial Plan policies require municipalities to grow inward and upward through the non-expansion policies pertaining to municipal boundaries, the proposed development is responding to the dynamic market by providing residential unit options for the diverse workforce.**

### **3.2 A Place to Grow: Growth Plan (2020)**

It is noted that A Place to Grow: Growth Plan for the Greater Golden Horseshoe has not changed since the original submission of this application. Amendment No. 1 to A Place to Grow was approved in August 2020, and shifts the timeline for Growth Forecasts to 2051.

The proposed Draft Plan of Subdivision and associated Zoning By-law and Official Plan Amendments remain in conformity with the policies of A Place to Grow: Growth Plan, 2020.

### **4.0 Council and Public Comments**

A petition signed by three hundred and eight (308) Non-City Residents and City residents, submitted to the City of Pickering in advance of the Statutory Public Meeting, indicated multiple assumptions regarding the proposed concept plan. The list identified a belief that the proposed concept development will result in, or cause, the following:

- negative privacy impact on adjacent dwellings;
- significant traffic congestion along Usman Road and increase the risk of pedestrian and vehicle accidents within the existing neighbourhood;
- safety issues for existing residents;
- negative impact on the adjacent open space and natural areas; and, that
- Usman Green, a public park across Brock Road, and to the west, cannot support the future residents of the proposed development and that a new park should be dedicated for the new residents.

The revised concept for the site, addresses these assumptions as follows:

1. The concept plan's townhouse buildings of Block B and Block C have been moved southward from the northern property line that abuts the rear lot lines of the existing low density, single dwelling units which front onto Saffron Drive. Privacy fencing and vegetation will also be utilized to provide a buffer interface between the properties, thereby increasing privacy for both existing and future residents.
2. Usman Road was designed for increased traffic rather than for the existing low density subdivision only and as based on the City's plan for a medium-density neighbourhood. The signalization of Brock Road and Usman Road was based on a higher density precinct with the future traffic volume in mind.
3. Traffic safety issues on public roadways and pathways remain the responsibility of the municipal government, whether through by-law enforcement of on-street parking regulations or by

implementation of technical road designs at the time of subdivision development (e.g. speed bumps, signage, signalization, etc.).

4. The Toronto Regional Conservation Authority has stated that there are no negative impacts to natural areas and open spaces, nor has the City's Parks Department indicated that Usman Green has surpassed its visitor carrying capacity.
5. The proposed development will meet the regulations contained in the City of Pickering Zoning By-law for amenity space and park provision at the time of site plan application.

Other comments indicated the following:

- Support for the development;
- Decreased property values or need for financial compensation for lots abutting natural areas;
- Privacy and shadow impacts to adjacent dwellings;
- Density of proposed development not compatible with surrounding low density subdivision;
- Increased traffic congestion and vehicle volumes; and
- Insufficient parking on development site for residents and visitors.

The following addresses these additional assumptions:

1. Regarding property values, the Province of Ontario, as noted above in section 2.0, has strengthened its direction regarding the need to increase the supply of housing that meets the market demands of diverse urban populations. As noted in the amendments to the Provincial Policy Statement 2020 (PPS), the Province's vision is to encourage planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs. The Province focusses on economic prosperity through policy 1.7.1, wherein: "Long-term economic prosperity should be supported by: 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."

The Provincial Government's policies pertaining to cost of housing (e.g. property values) have focussed on the goal of residential intensification. Applicable Provincial policies are found in the Provincial Policy Statement 2020 (PPS), Section 1.0 Building Healthy Communities. As noted in the original Planning Justification Report, the submission is consistent with the PPS direction by implementing an efficient development and land use pattern, as well as accommodating a range and mix of residential types (section 1.1.1.a-b). The proposed development also promotes the integration of growth management, transit-supportive development and intensification to achieve cost-effective development patterns that minimize land consumption and servicing costs (section 1.1.1.e).

The proposed development also conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) principle found in policy 1.2.1 that requires municipalities to prioritize intensification and higher densities to make efficient use of land and infrastructure that supports transit viability. The proposed development also conforms to the Growth Plan policies found in section 2.2.6.1 and 2.2.6.2 that requires municipalities to provide diversity of housing stock to accommodate forecasted growth.

2. As noted previously, the Block B and Block C townhouses have been set back further from the north property line to increase privacy for both current and future residents. There are minimal shadow

impacts to existing dwelling units on Saffron Drive wherein any shadow impacts will only occur to a few rear yard amenity spaces during the winter season when the sun sits low in the sky.

3. Both the Region and the City have reviewed the Traffic Impact Study and have not indicated that there will be increased traffic congestion or traffic volume capacity issues on adjacent public roadways.
4. The parking provision meets the City of Pickering Zoning By-law requirements with parking space being mainly provided within an underground parkade for the proposed apartment building.

Based on the above, we believe that this revised submission continues to balance the policy requirements of the amended Provincial Plans with the comments received by the various agencies, as well as the public at the Statutory Public Meeting. The proposed revisions to the draft Zoning By-law Amendment address the revisions to the concept plan while providing clarity for site plan approvals.

Yours Truly,

**MHBC**



Dana Anderson, MA, FCIP, RPP  
Partner



Tamara Tannis, MCIP, MCP, RPP  
Associate

cc. A. Lin, S. Lawrence, K. Bell, M. Potter, J. Kraft

Attach. Revised Draft Zoning By-law Amendment



# Revised - Draft Zoning By-law Amendment

The Corporation of the City of Pickering

By-law No. XXXX/22

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, at 2055 Brock Road, City of Pickering.

Whereas the Council of the Corporation of the City of Pickering received an application to redevelop the subject lands being 2055 Brock Road, in the City of Pickering to permit the development of a of apartment dwellings, stacked townhouses, and street townhouses;

And whereas an amendment to By-law 3036, as amended, is deemed necessary to permit such uses;

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

**1. Schedule I**

Schedule I to this By-law 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 apply to those lands being 2055 Brock Road, City of Pickering, and designated SA-XX on Schedule I to this By-law.

**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) "*Amenity Area*" shall mean 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 and other similar features, but does not include indoor laundry or locker facilities.
- (2) "*Balcony*" shall mean 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 ballastrude or railing, and does not have direct access to grade.

(3) “*Condominium, Common Element*” shall mean spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.

**5. Provisions (SA-XX Zone)**

(1) Uses Permitted

No person shall within the lands zoned SA-XX on Schedule I attached hereto, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- (i) Apartment dwelling accessed from a private street;
- (ii) Stacked Townhouse dwelling accessed from a private street;
- (iii) Street Townhouse dwelling accessed from a private street.

(2) Zone Requirements

No person shall within the lands zoned SA-XX on Schedule I attached hereto use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(i) REQUIREMENTS FOR THE (SA-XXX ZONE):

A. Lot Area (minimum):	13,115 sq m
B. Lot Coverage (minimum):	36%
C. Lot Frontage (minimum):	40 m
D. Density (maximum):	300 uph
E. <i>Amenity Area</i> (minimum):	1,228 sq m
F. Front Yard setback (minimum):	3 m
G. Rear Yard setback (minimum):	2 m
H. Side Yard setback exterior (minimum):	3 m
I. Side Yard setback interior (minimum):	4 m
J. Setback to underground parking (minimum):	0 m

- K. Drive aisle width (maximum): 6.5 m
- L. Residential Driveway Width (maximum): 3.0 m
- M. Despite clause F through I above, front yard or side yard balconies, verandahs and decks both covered and uncovered, may project a maximum of 1.5 metres into any required yard.

(ii) ZONING REQUIREMENTS FOR EACH BLOCK:

a. Block A

- i. Gross Floor Area (maximum): 24,000 sq m
- ii. Building Height (maximum): 65 m or 20 storeys  
(excl. mph)
- iii. Building Depth (minimum): 76 m
- iv. Building Length (minimum): 60 m
- v. Tower floor plate (maximum): 850 sq m

b. Block B

- i. Gross Floor Area (maximum): 2,200 sq m
- ii. Building Height (maximum): 11 m or 3 storeys
- iii. Lot Area per dwelling unit (minimum): 48 sq m
- iv. Lot Frontage per dwelling unit (minimum): 5.5 m
- v. Building Length (minimum): 50 m
- vi. Building Depth (minimum): 14 m

c. Block C and D (per block)

- i. Gross Floor Area (maximum): 3,300 sq m
- ii. Building Height (maximum): 16 m or 3 storeys
- iii. Building Length (minimum): 40 m
- iv. Building Depth (minimum): 16 m

(iii) PARKING REQUIREMENTS:

A. For each dwelling unit there shall be provided and maintained the following:

- i. Apartment Dwelling: 1.0 parking spaces per dwelling unit
- ii. Stacked Townhouse Dwelling: 1.25 parking spaces per dwelling unit
- iii. Street Townhouse Dwelling: 2.0 parking spaces per dwelling unit

B. A minimum of 0.25 visitor parking spaces per dwelling unit shall be provided.

C. Any vehicular entrance for a private garage shall be located a minimum of 5 metres from any lot line that abuts a street or private road that provides vehicle access to the private garage.

(iv) SPECIAL REGULATIONS:

A. Despite the provisions of Section 5 of By-law 3036, the requirement for frontage on a public street shall be satisfied by establishing frontage on a private road.

**6. By-law 3036**

By-law 3036, as amended, is 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 provisions of By-law 3036, as amended.

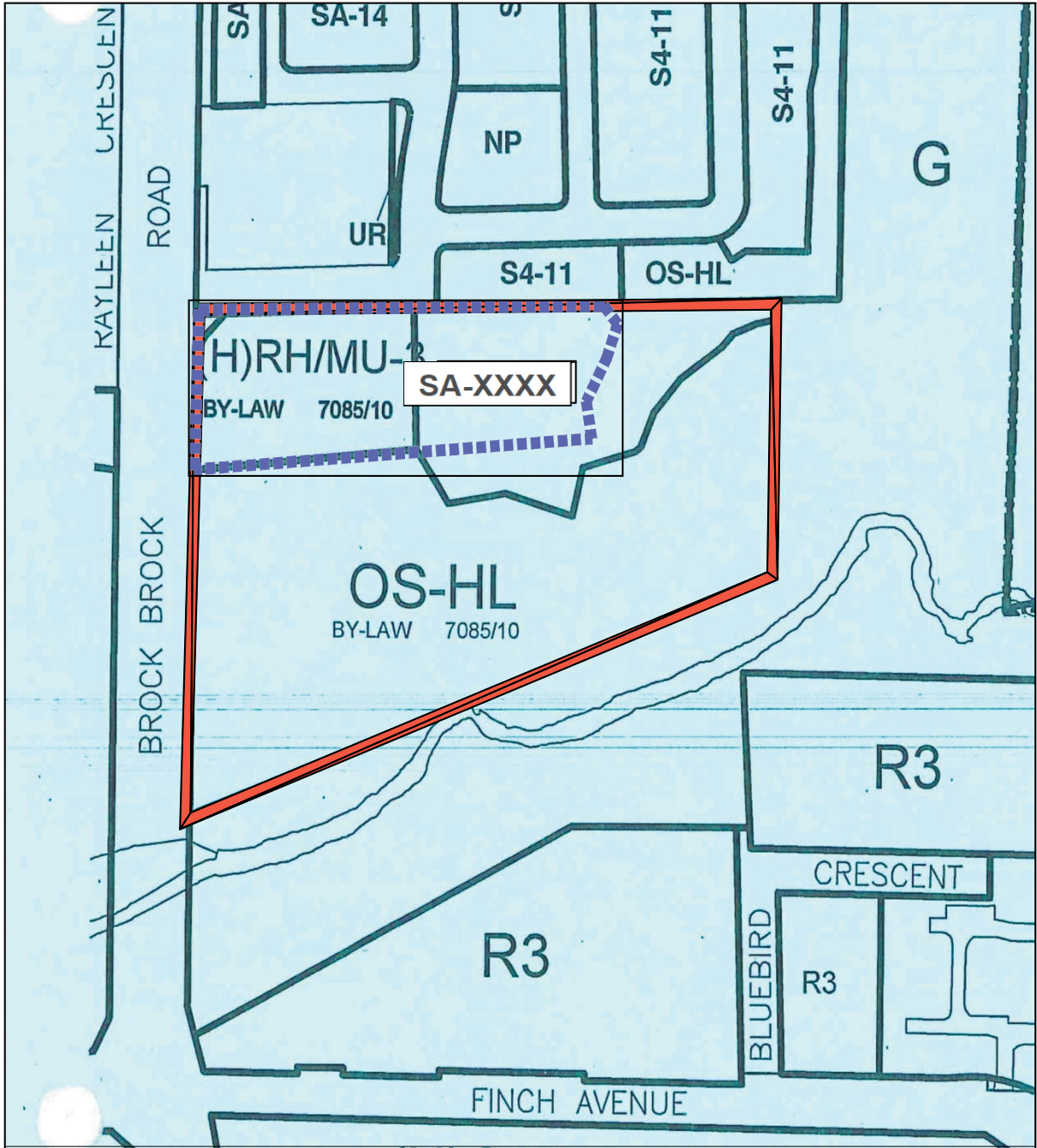
**7. Effective Date**

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

By-law passed this \_\_\_\_ day of \_\_\_\_ 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



Data Source: Map S50 of City of Pickering Zoning By-law 3036 (October 1966)

**Draft Zoning By-law  
Amendment – Schedule I**

SCHEDULE I TO ZONING BY-LAW  
3036  
PASSED THIS DAY OF

\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CLERK

**LEGEND**



SUBJECT LANDS

DEVELOPMENT SITE

**2055 Brock Road, Pickering, Ontario**