

# PLANNING RATIONALE REPORT

**MIXED USE DEVELOPMENT**

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

**TBG PROJECT NO. 21809**



**December 2024**

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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, “Envision Durham” (May 17, 2023) designates the Subject Site as *Rapid Transit Corridor* as well as being located with the *Urban Area*, 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 five (5) 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 5,264 residential units are proposed for the development as well as 6,585m<sup>2</sup> of commercial space. To service these uses 3,907 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 for long-term parking, 0.1 spaces per unit for short-term parking, as well as 1 space per 1,000m<sup>2</sup>/GLA for commercial/retail uses. With respect to public amenities, almost 14,000 m<sup>2</sup> of park is proposed (8,803m<sup>2</sup> publicly owned and 5,013m<sup>2</sup> privately owned public spaces) throughout the Subject Site, in addition to approximately 22,539m<sup>2</sup> of private outdoor amenity space. The Subject Site has a net site area of 68,034m<sup>2</sup> and an FSI of 4.98. To allow for tenant relocation and continued interim site functionality, the development is planned to be constructed in five phases with the new 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 (in part). 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 Planning Statement (2024), which replaces the Provincial Policy Statement (2024) and 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 establish 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 (77,476m<sup>2</sup>) in size (gross), with approximately 117 metres of frontage along Kingston Road. The Subject Site is known as the “Brookdale Centre” and currently contains retail stores including The Home Depot and Food Basics. The retail uses on the Subject Site are generally surrounded by surface parking (Figure 1).

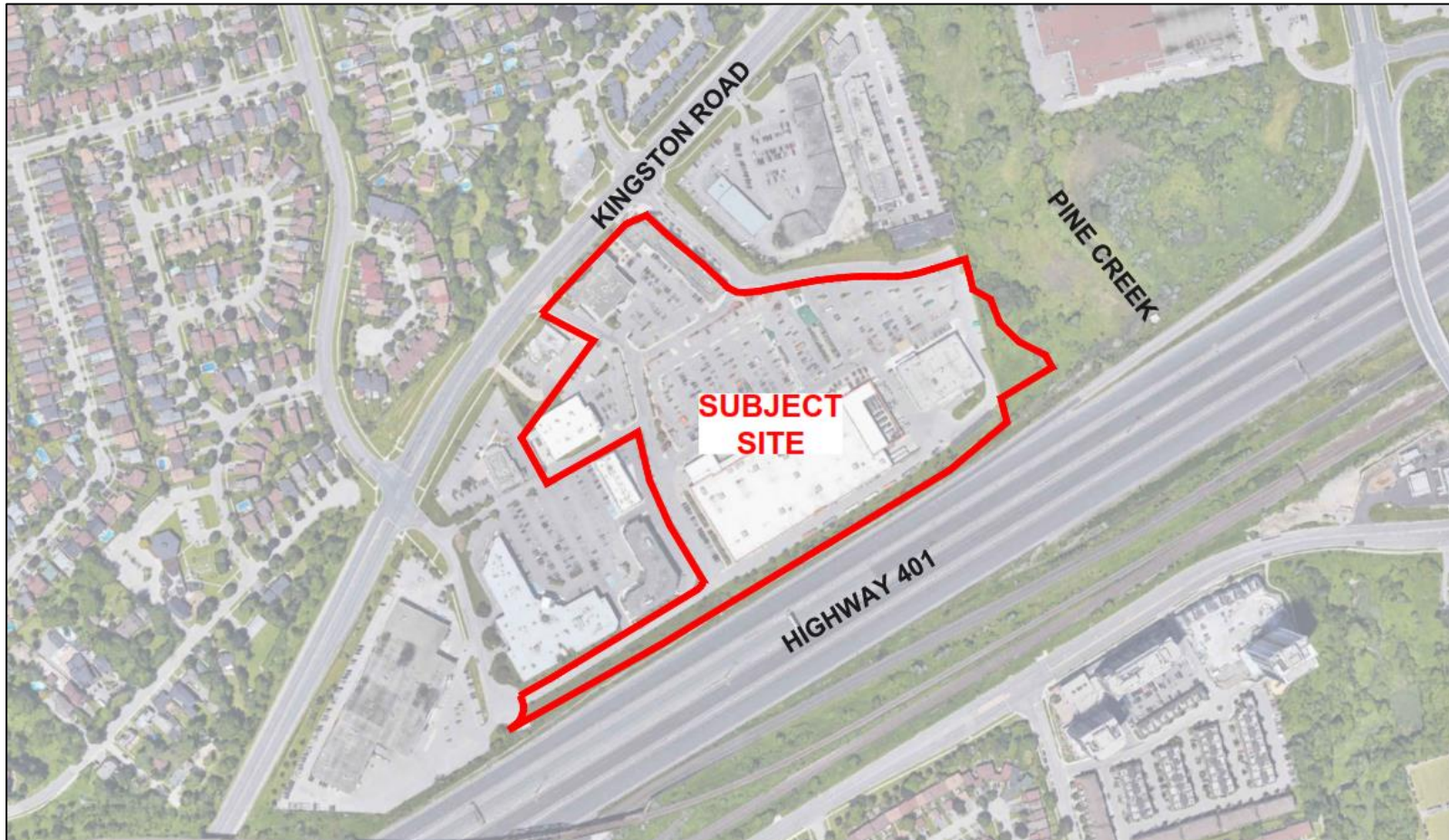
## 2.2 Surrounding Area

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

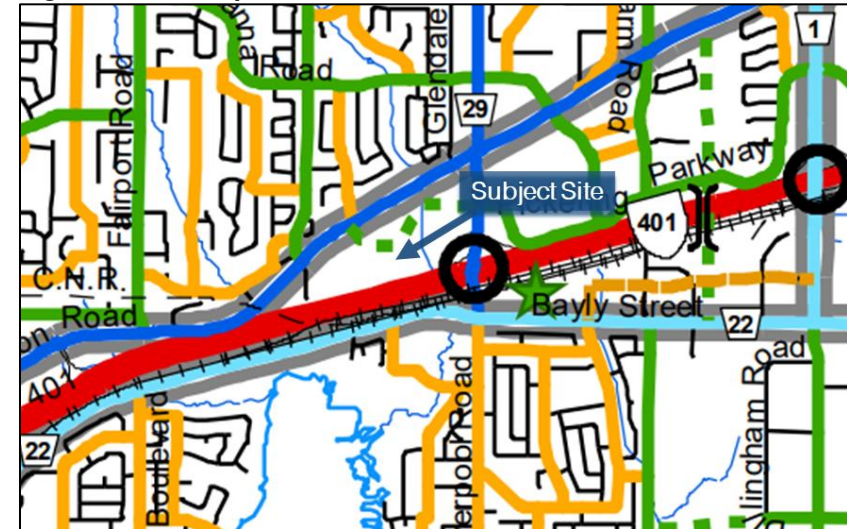
The Subject Site has approximately 117 metres of frontage on Kingston Road, a Type B Arterial Road which extends between the City of Toronto east towards Pickering City Centre. Per the Kingston Road Urban Design Guidelines and Intensification Plan, Kingston Road has a planned right-of-way width of 45-metres. 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, two new public roads are proposed on the Site and connect Dixie Road to Walnut Lane. The new public roads have a planned right-of-way width of 20- and 17-metres.

### 2.3.2 Public Transportation Network

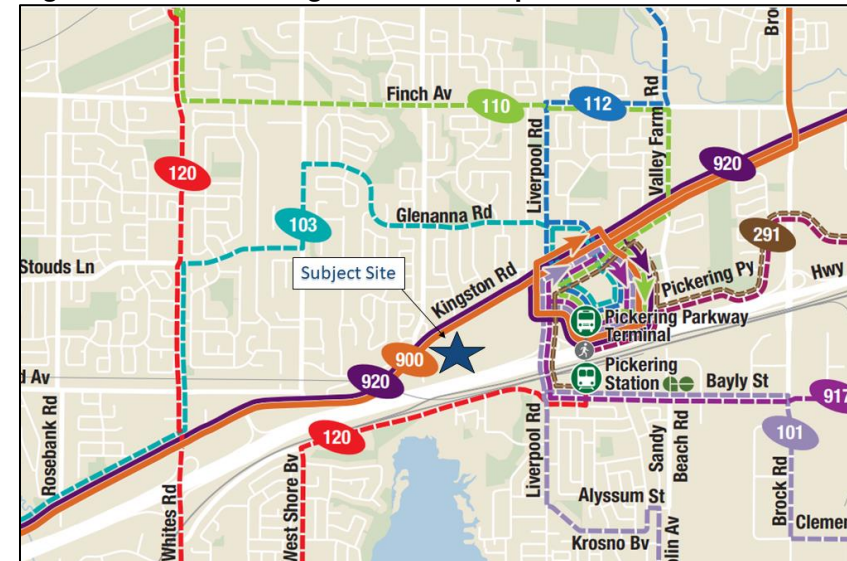
Durham Region Transit (DRT) and GO Transit operate public transit lines within proximity to the Subject Site. DRT's "Pulse" Route 900 and Route 920 operate on Kingston Road directly north of the Subject Site (Figure 8). Bus stops for the DRT bus routes are located directly in front of the Subject Site, 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



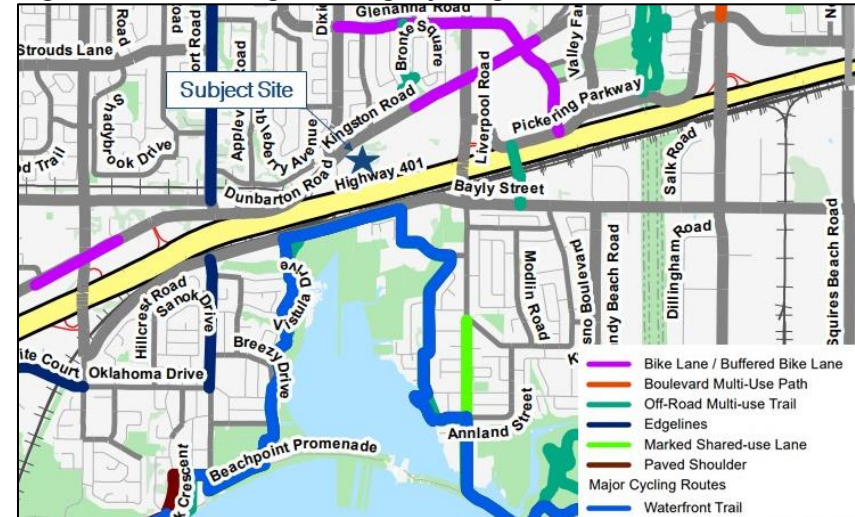
Source: Durham Region Transit, 2022.

### 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).

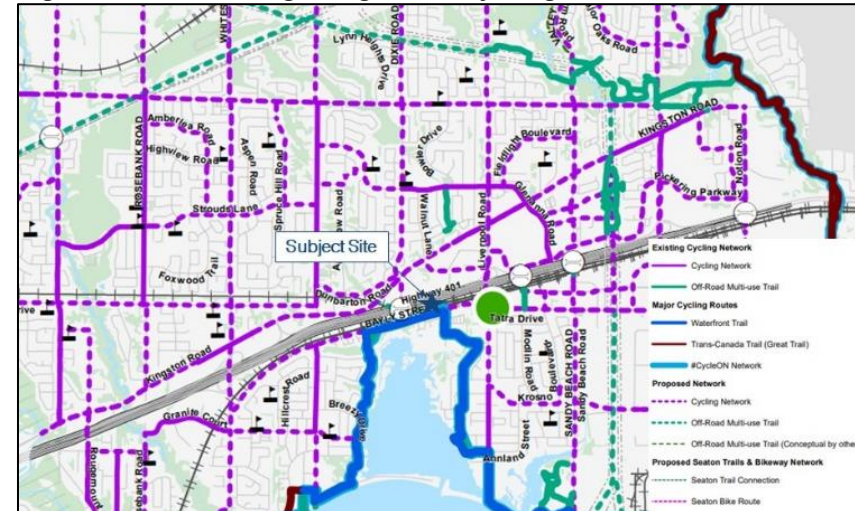
Additional active transportation modes are to be expanded in the future, providing for easier use and access to the Subject Site. As part of the BRT Route planning along Kingston Road, between Downtown Oshawa and Scarborough Town Centre, bicycle lanes are proposed on both sides of the road, implementing the proposed connection between the existing cycling infrastructure on Kingston Road (Figure 10). Furthermore, a multi-use path (MUP) is proposed throughout the Subject Site, connecting Dixie Road to Walnut Lane, along the southern edge of the Subject Site. 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 five (5) buildings, each with a 6-storey base, and towers ranging in height from 17- to 35-storeys. These buildings will deliver a total of 5,264 residential units. The Subject Site is anticipated to be developed in five (5) phases. Vehicular access to Kingston Road is provided via Walnut Lane, which is being extended east to Liverpool Road presently. An additional vehicular access is provided from Kingston Road, between buildings 'A' and 'C'. 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 (Street A). Further, an additional public street is proposed (Street B), which has a 17-metre right-of-way. Street B provides connections from Walnut Lane, along the north side of the proposed park, and to then southward to Street A. A private street is proposed and connects Walnut Lane in the east and Dixie Road in the west, generally running adjacent to Highway 401. A park is proposed centrally on the Subject Site. The Park is 8,803m<sup>2</sup> in size (0.88 ha), and includes of 2,312 m<sup>2</sup> of stratified park land. The park has frontage Street A, Street B and Walnut Lane. The park will be delivered in Phase 4 of the project. Approximately 8,803m<sup>2</sup> of park is proposed to be publicly owned and a portion are proposed as POPS, approximately 5,013m<sup>2</sup>. A total of 6,585m<sup>2</sup> of commercial space is proposed and is planned to be accommodated in the base of Buildings 'A' and 'D', and 'E'. A total of 4,192 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 1,000m<sup>2</sup>/GLA for commercial uses. The proposal has a resultant FSI of 4.98.

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

### Phase 1

#### Building 'A'

- 17- and 19-storey towers (A1 & A2, respectively)
- 583 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.
- 4,771m<sup>2</sup> of commercial space.

### Phase 2

#### Building 'B'

- One (1) 33-storey and two (2) 35-storey towers
- 1,258 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.

### Phase 3

#### Building 'C'

- One (1) 21-storey and one (1) 23-storey towers
- 597 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.

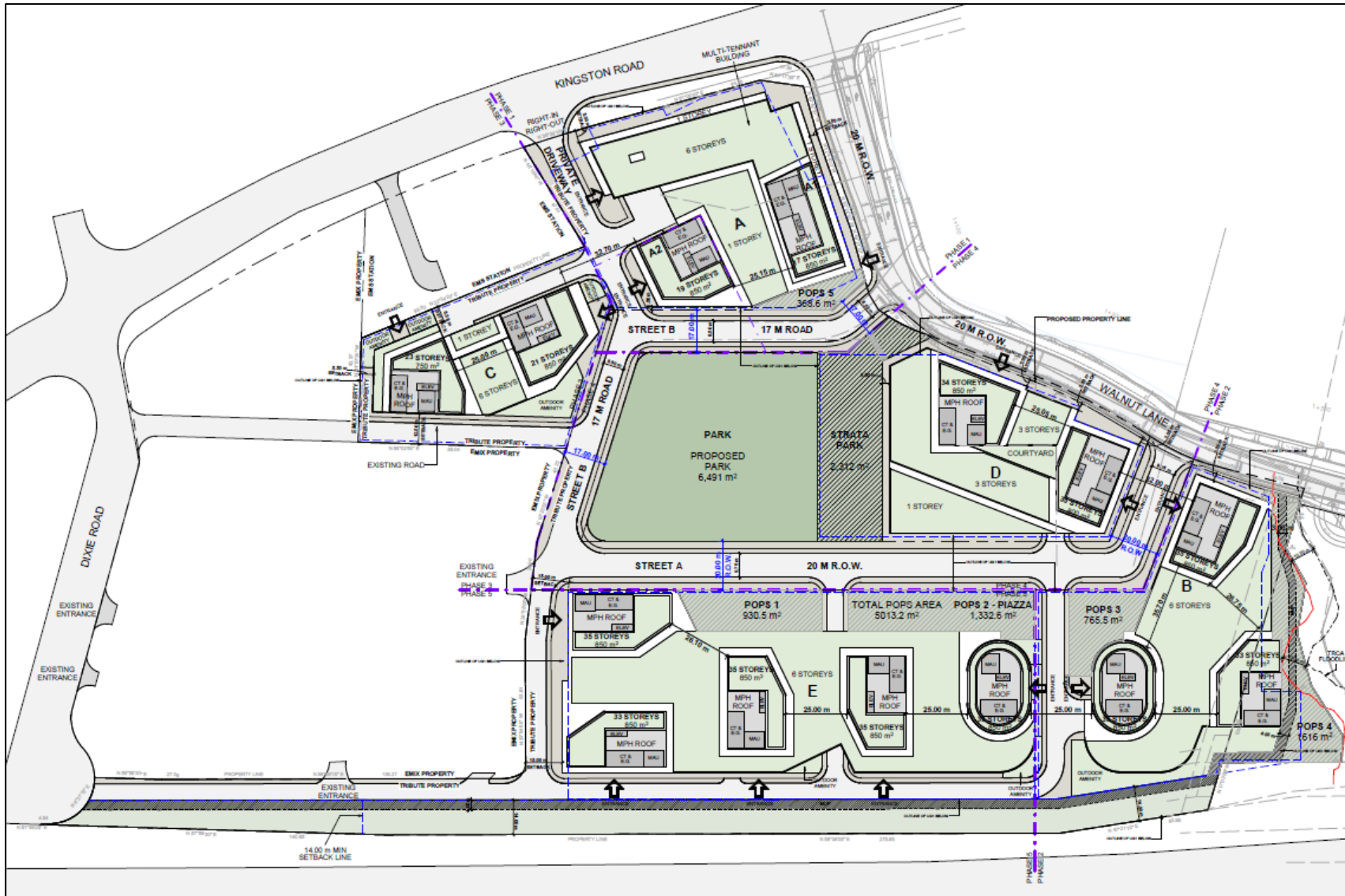
**Phase 4****Building 'D'**

- One (1) 34-storey and one (1) 35-storey towers
- 853 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.
- 1,249m<sup>2</sup> retail space

**Phase 5****Building 'E'**

- One (1) 33-storey, and four (4) 35-storey towers
- 1,972 residential units: 59% bachelor – 1-bedroom + den and 41% 2-bedroom – 3-bedroom units.
- 565m<sup>2</sup> retail space

Figure 11 – Conceptual Site Plan



Source: Turner Fleischer Architects Inc., 2024.



**Figure 12 – Proposed Unit Mix**

UNIT MIX								
	FLOOR	UNIT TYPE						SUB-TOTAL
		BACH	1B	1B+D	2B	2B+D	3B	
BUILDING 'A' PHASE 1	BASE( F1-F6)	28	137	0	92	0	22	279
	TOWER (F7-F19)	30	149	0	100	0	24	304
	TOTAL	58	286	0	192	0	46	583
		58	286		192		46	
	UNIT MIX	10.0%	49.0%		33.0%		7.9%	99.9%
		59.0%		40.9%				
BUILDING 'B' PHASE 2	BASE( F1-F6)	24	119	0	80	0	19	244
	TOWER (F7-F35)	102	497	0	335	0	81	1,015
	TOTAL	126	616	0	416	0	101	1,258
		126	616		416		101	
	UNIT MIX	10.0%	49.0%		33.0%		8.0%	100.0%
		59.0%		41.0%				
BUILDING 'C' PHASE 3	BASE( F1-F6)	23	110	0	74	0	18	225
	TOWER (F7-F23)	37	183	0	123	0	30	373
	TOTAL	60	293	0	197	0	48	597
		60	293		197		48	
	UNIT MIX	10.0%	49.1%		33.0%		8.0%	100.1%
		59.1%		41.0%				
BUILDING 'D' PHASE 4	BASE( F1-F6)	11	54	0	36	0	9	110
	TOWER (F7-F25)	74	364	0	245	0	59	743
	TOTAL	85	418	0	281	0	68	853
		85	418		281		68	
	UNIT MIX	10.0%	49.0%		33.0%		8.0%	100.0%
		59.0%		41.0%				
BUILDING 'E' PHASE 5	BASE( F1-F6)	24	116	0	78	0	19	237
	TOWER (F7-F35)	174	850	0	573	0	139	1,735
	TOTAL	198	966	0	651	0	158	1,972
		198	966		651		158	
	UNIT MIX	10.0%	49.0%		33.0%		8.0%	100.1%
		59.0%		41.0%				
TOTAL	TOTAL	527	2,579	0	1,738	0	421	5,264
		527	2,579		1,738		421	
	UNIT MIX	10.0%	49.0%		33.0%		8.0%	100.0%
			59.0%		41.0%			

Source: Turner Fleischer Architects Inc., 2024.

Figure 13 – Site Statistics

	DESCRIPTION		COMMERCIAL		RESIDENTIAL APARTMENT		SALEABLE			TOTAL NFA	
	PORTION	FLOORS	M'	FT'	TOTAL NFA		M'	FT'	UNIT#	M'	FT'
					M'	FT'					
BUILDING 'A'	F1-F8	7	4,771	51,351	17,572	189,149	16,455	177,122	279	22,343	240,500
	TOWER (F7-F19)	13			18,165	195,524	17,952	191,231	304	18,165	195,524
BUILDING 'B'	F1-F6	7	18,588		18,588	200,090	14,832	159,652	244	18,588	200,080
	TOWER (F7-F35)	29			62,332	670,942	61,338	660,254	1,016	62,332	670,942
BUILDING 'C'	F1-F6	7			14,584	156,980	13,278	142,923	225	14,584	156,980
	TOWER (F7-F23)	17			22,720	244,655	21,980	236,678	373	22,720	244,655
BUILDING 'D'	F1-F3	3	1,249	13,445	9,135	98,325	6,486	69,820	110	10,384	111,774
	TOWER (F4-F35)	32			44,645	480,555	43,825	471,730	743	44,645	480,555
BUILDING 'E'	F1-F6	7	565	6,077	19,625	211,241	13,929	149,932	236	20,189	217,318
	TOWER (F7-F35)	29			104,545	1,125,317	102,456	1,102,301	1,735	104,545	1,125,317
<b>TOTAL</b>			<b>6,585</b>	<b>70,877</b>	<b>331,918</b>	<b>3,572,767</b>	<b>312,491</b>	<b>3,363,651</b>	<b>5,264</b>	<b>338,503</b>	<b>3,643,645</b>

STATISTICS	M'	FT'
TOTAL COMMERCIAL	6,585	70,877
TOTAL RESIDENTIAL	371,918	3,572,767
NET AVERAGE APARTMENT UNIT SIZE	99	639
TOTAL RESIDENTIAL UNITS	5,264	

Phase	Area (M <sup>2</sup> )
Phase 1	11,321
Phase 2	12,372
Phase 3	1,989
Phase 4	33,139
Phase 5	24,679
ENTIRE SITE AREA	77,470

Item	Area (M <sup>2</sup> )	Notes
STREET & R.O.W. DEDUCTION	5,810	*STREET & R.O.W. NOT DEDUCTED (AREA=5341 M <sup>2</sup> )
5% FANLAND DEDUCTION	3,519	*WALNUT LAKE ROAD WIDENING NOT DEDUCTED (AREA=1776 M <sup>2</sup> )
NET SITE AREA	68,141	*% OF GROSS SITE AREA EXCLUDING STREET & R.O.W.

	M'	FT'
TOTAL NFA	331,918	3,572,767
FINISHED SITE AREA	68,141	

AMENITY PROVIDED	OUTDOOR		INDOOR		
	AREA M <sup>2</sup>	RATIO/UNIT	AREA M <sup>2</sup>	RATIO/UNIT	
PARCEL 'A'	POOLUM	3,073	6.27		
	ROOF	701	1.38	1,198	2.00
	TOTAL	3,774	6.47		
PARCEL 'B'	POOLUM	6,366	3.42		
	ROOF	627	0.74	2,519	2.00
	TOTAL	6,993	4.16		
PARCEL 'C'	POOLUM	1,362	2.32		
	ROOF	766	1.25	1,195	2.00
	TOTAL	2,128	3.61		
PARCEL 'D'	POOLUM	3,207	3.88		
	ROOF	623	0.73	2,800	3.36
	TOTAL	3,830	4.61		
PARCEL 'E'	POOLUM	5,679	2.85		
	ROOF	1,712	0.86	3,942	2.00
	TOTAL	7,441	3.77		
TOTAL (WITHOUT OUTDOOR AMENITY ON ROOF)		17,760	3.37	11,688	2.22
TOTAL		22,730	4.29		

PARKING PROVIDED (RATIO)	COMMERCIAL		RESIDENTIAL		VISITOR		TOTAL
	PARKING SPACES	RATIO/100M <sup>2</sup>	PARKING SPACES	RATIO/UNIT	PARKING SPACES	RATIO/UNIT	
PARCELS 'A'	194	3.3	393	0.83	86	0.15	673
PARCEL 'B'			694	0.55	184	0.12	882
PARCEL 'C'			390	0.81	66	0.12	456
PARCEL 'D'	42	3.4	507	0.78	128	0.12	677
PARCEL 'E'	16	3.3	1,364	0.64	266	0.12	1,576
TOTAL	218	3.3	3,352	0.83	790	0.12	4,360

Source: Turner Fleischer Architects Inc., 2024.

## 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 4.98 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 in the proposed 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 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 Planning Statement, 2024 ("PPS"), "Envision Durham" the Durham Region Official Plan (2023) ("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.*

The proposed development has appropriate regard for matters of Provincial interest, supported by the materials provided with the application. 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. They also provide details with regards to the appropriateness of the proposed built form. This includes the provision of commercial space, and a variety of public open spaces and a public park. Furthermore, the proposed development includes a form of housing which will diversify the existing stock and is inherently more affordable. As part of the proposal, 6,585m<sup>2</sup> of commercial space will be provided in the base of the buildings, 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 Planning Statement, 2024

The Provincial Planning Statement, 2024 (the “PPS”) is a streamlined provincial policy framework that guides land use planning decisions in Ontario. The PPS was issued under Section 3 of the Planning Act and approved by the Lieutenant Governor in Council. It came into effect on October 20<sup>th</sup>, 2024. As outlined in the introductory section of the PPS, the policy document envisions among other things, that the Province will increase its housing supply and offer a full range and mix of housing options. 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 directs support for the achievement of complete communities by:

- a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- b) *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- c) *improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups (Policy 2.1.6).*

As per Policy 2.2.1, an appropriate range and mix of housing options and densities to meet projected needs of both current and future residents is directed by:

- b) *permitting and facilitating:*
  1. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional*

- needs housing and needs arising from demographic changes and employment opportunities; and*
2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
  - c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
  - d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

The PPS states that *settlement areas* shall be the focus of growth and development, particularly in *strategic growth areas*, where applicable (Policy 2.3.1.1). Land use patterns shall be based on densities and a mix of land uses which efficiently use land and resources, optimize infrastructure and public service facilities, support active transportation, and are transit- and freight-supportive, as appropriate (Policy 2.3.1.2). Growth and development are encouraged to be located within Strategic Growth Areas (SGA's) (Policy 2.4.1). To support the development of complete communities, a range and mix of housing options, intensification and more mixed-use development, SGA's should be planned:

- a) *to accommodate significant population and employment growth;*
- b) *as focal areas for education, commercial, recreational, and cultural uses;*
- c) *to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and*
- d) *to support affordable, accessible, and equitable housing (Policy 2.4.1.2).*

The PPS states that planning authorities should:

- a) *prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) *identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) *permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*
- d) *consider a student housing strategy when planning for strategic growth areas; and*
- e) *support redevelopment of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential (Policy 2.4.1.3).*

Lastly, *Planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate (Policy 2.4.3.1).*

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 'A', 'D', and 'E'. 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 investment and minimize land consumption. The proposal will support the redevelopment of commercial/retail lands to a mix of uses including residential, on a site which is located along a Rapid Transit Corridor (Kingston Road) which is identified within an SGA and a future bus rapid transit corridor.

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, Tribute has extensive experience partnering with affordable housing partners in Toronto and Durham Region. Opportunities for these partnerships to be continued and strengthened as the development application progresses will be considered.

With respect to employment, Section 2.8.1 provides 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) *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 intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
- e) *addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses (Policy 2.8.1.1).*

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 'A', 'D', and 'E', 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, where desirable and 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.

The PPS promotes energy conservation, air quality and prepares for impacts of climate change by reducing greenhouse gas emissions by:

- a) *the achievement of compact, transit-supportive, and complete communities*
- b) *incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities*
- c) *support energy conservation and efficiency*
- d) *promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
- e) *take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate (Policy 2.9.1).*

The proposal achieves a compact form of development, which is transit-supportive due to its location on Kingston Road. Furthermore, the proposal will help to achieve compact, complete communities through the provision of commercial spaces in podium, which provides services for residents within walking distance. Park and POPS spaces, and MUP are proposed, which

will provide public service facilities and support active transportation. See the submitted FSR and SWM reports for details on servicing and stormwater management. Furthermore, the ISDS checklist details approaches to reduce greenhouse gas emissions and support climate change resilience.

Chapter 3 of the PPS provides policies for infrastructure and facilities to ensure they are provided in an efficient manner. Existing infrastructure and public service facilities should be optimized before consideration is given to developing new public service facilities and infrastructure (Policy 3.1.2). 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. Stormwater management planning shall be integrated with sewage and water services planning, to ensure that systems are optimized, feasible and financially viable (Policies 3.6.1 & 3.6.8). Lastly, as it relates to transportation and infrastructure, planning authorities shall plan for and protect corridors and rights-of-way for infrastructure (Policy 3.3.1). 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 3.3.3).

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 there is current capacity to be allocated on a first come first serve basis, at the time of signing a development agreement. 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.

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

- a) *planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity; and*
- b) *planning and providing for the needs of persons of all ages and abilities in the distribution of a full range 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 3.9.1).*

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. To increase lands available for park and public recreation, privately owned public spaces ("POPS") are strategically located throughout the Subject Site at intersections and along the frontages of retail streets; which will facilitate social interaction and community connectivity. A park (proposed to be publicly owned strata) is also provided in the centre of the Subject Site. When taken together, these lands will provide for a range of accessible natural and built settings which will be used for

recreation by residents. Parklands are proposed in the early phases and throughout the anticipated development phases. Multi-use paths, and trails will be provided to further encourage active recreation and transportation. Their location will be confirmed through the subdivision and Site Plan processes in the future.

## 4.4 Durham Regional Official Plan (May 17 2023, as amended)

The Subject Site is subject to the Durham Region Official Plan – Envision Durham (the “Regional OP”) as amended. The Durham Regional Official Plan was approved by the Minister of Municipal Affairs & Housing on September 3, 2024.

### 4.4.1 Land Use Policies

The Regional OP designates the Subject Site as *Rapid Transit Corridor* as well as being located with the *Urban Area* (Figure 14). 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, transit-oriented, 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 amenity spaces, makes the proposal inherently active transit supportive. The proposal is also phased to ensure logical and sequential development and permit where desirable the continued function of commercial uses during development while providing incremental 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. The proposed development will be people-oriented and have the buildings facing all existing and proposed 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 park spaces 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.

#### **4.4.2 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 tenures is directed 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 'A', 'D' and 'E' to support potential live-work opportunities for future residents and contribute to complete communities. 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 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. 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 commercial units in the base of mixed-use buildings, which conforms to the built form directive for *Regional Corridors* and new and developing planning and policy context. As stated in the retail commercial assessment, prepared by Tate Research, the amount of non-residential space proposed represents a reasonable and well-balanced quantum of space for this development in its urban context. The realization of this retail commercial space would help achieve a healthy concentration of businesses needed to support growth and meet the day-to-day needs of residents living at the Site and in this area of the City of Pickering. 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. The tenant relocation plan prepared by Tate Research demonstrates that the proposed phasing plan, combined with vacancies in the surrounding area, can adequately support the relocation of existing commercial tenants.

#### **4.4.3 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 proposal 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. There will be a variation of unit types within the buildings to help to satisfy the social and economic needs of residents. This includes a currently 10% bachelor, 49% 1-bedroom, 33% 2-bedroom and, 8% 3-bedroom units. The proposed development represents intensification and the provision of thousands of new residential units 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 contributing overall to the provision of more affordable housing. While it is too early in the development process to confirm, the Tribute has extensive experience partnering with affordable housing providers in Toronto and Durham Region which it will look to continue and strengthen as the development application progresses.

Section 3.2 sets out the policies to support climate change adaptation 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).

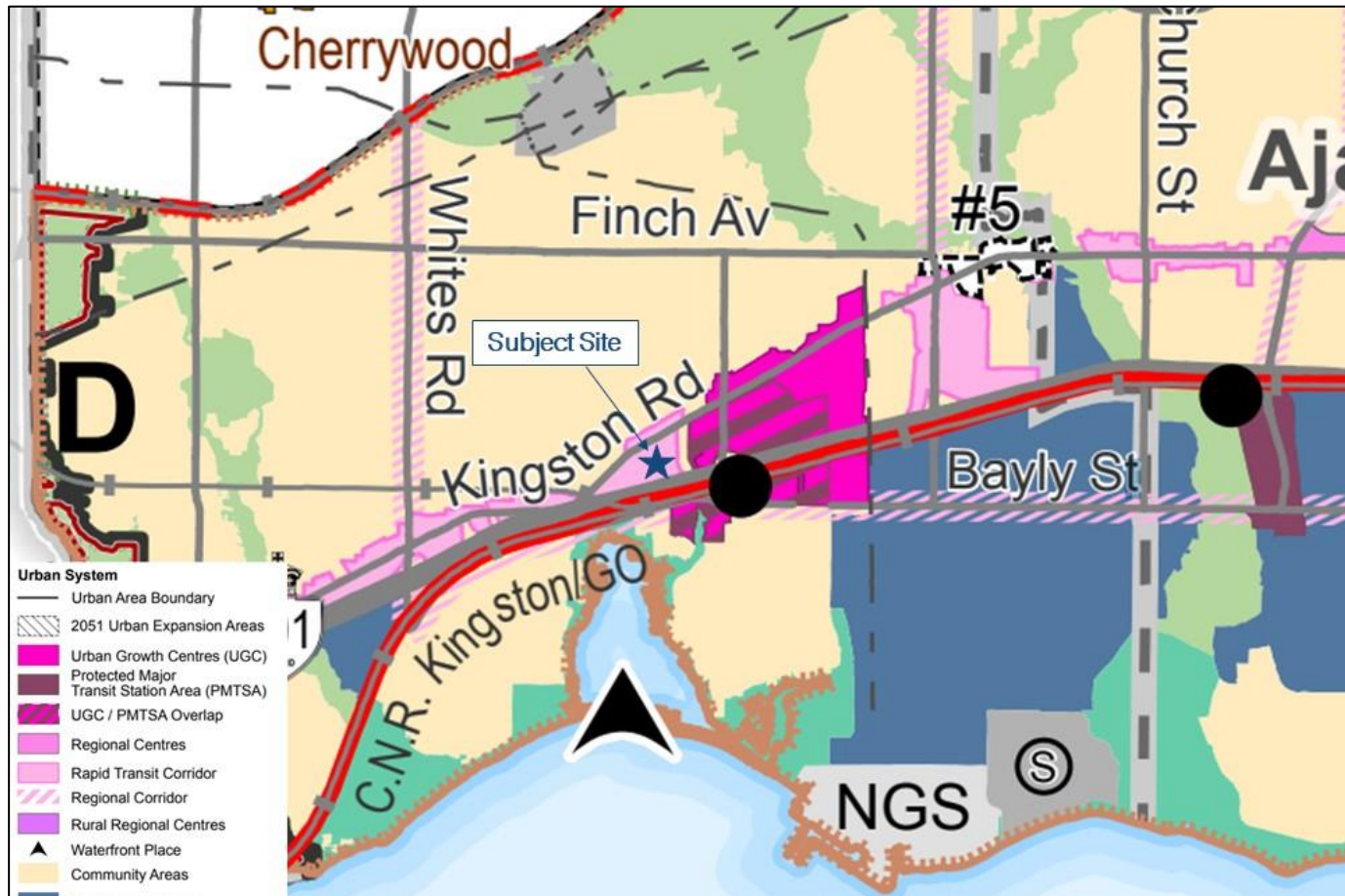
To achieve resilient development, a range of sustainable and green design standards including, but not limited to, providing drought-tolerant, landscaped open areas, and planting native species is promoted (Policy 3.2.9). Sustainable design principles such as bird-friendly measures and green or cool 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. Appropriate 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 6,585 m<sup>2</sup> of commercial space is proposed in the podiums of buildings 'A', 'D', and 'E'. Further the proposal provides for community recreational facilities in the form of the public park and POPS spaces.

Figure 14 – Envision Durham: Regional Structure



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

## 4.5 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 15). 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*.

### 4.5.1 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 6,585 m<sup>2</sup> of commercial space. While a net reduction in commercial GLA, as directed by OPA 38 as well as the housing policies of Chapter 6 of the Pickering OP (Policy 6.5),

this is reflective of the redevelopment of the Subject Site from a large format retail built-form to a compact built-form with urban commercial units in the base of mixed-use buildings. While these types of commercial units are smaller than existing large format retail uses, this does not necessarily reduce the number of people employed nor accurately reflect the quality of employment. It is intended through the Draft ZBLA for the 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 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 commercial components are located in phases 1, 4, and 5. Phase 1 is also located in closest proximity to Kingston Road to maximize visibility from the arterial road network and accessibility by alternative modes of transportation. The commercial spaces in Phases 1 and 4 are also located along or within proximity to the future extension of Walnut Lane, promoting accessibility. The retail commercial assessment prepared by Tate Research conclude that the amount of non-residential space proposed represents a reasonable and well-balanced quantum of space for this development in its urban context and will meet the day-to-day needs of residents living at the Site and in this area of the City of Pickering. Further, the tenant relocation plan demonstrates that the development has been phased to front load non-residential space to maximize flexibility for tenant relocation or provision of similar community uses such as food stores, drug stores, a variety of service commercial uses, medical / dental office and as well as other local serving uses.

## 4.5.2 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 6,585 m<sup>2</sup> of commercial space, which will provide opportunities for services essential to future residents and employees. The proposed commercial space would provide opportunities for employment close to homes. Further the proposal includes significant public outdoor space which amount to over 19% of the Subject Site area.

## 4.5.3 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,

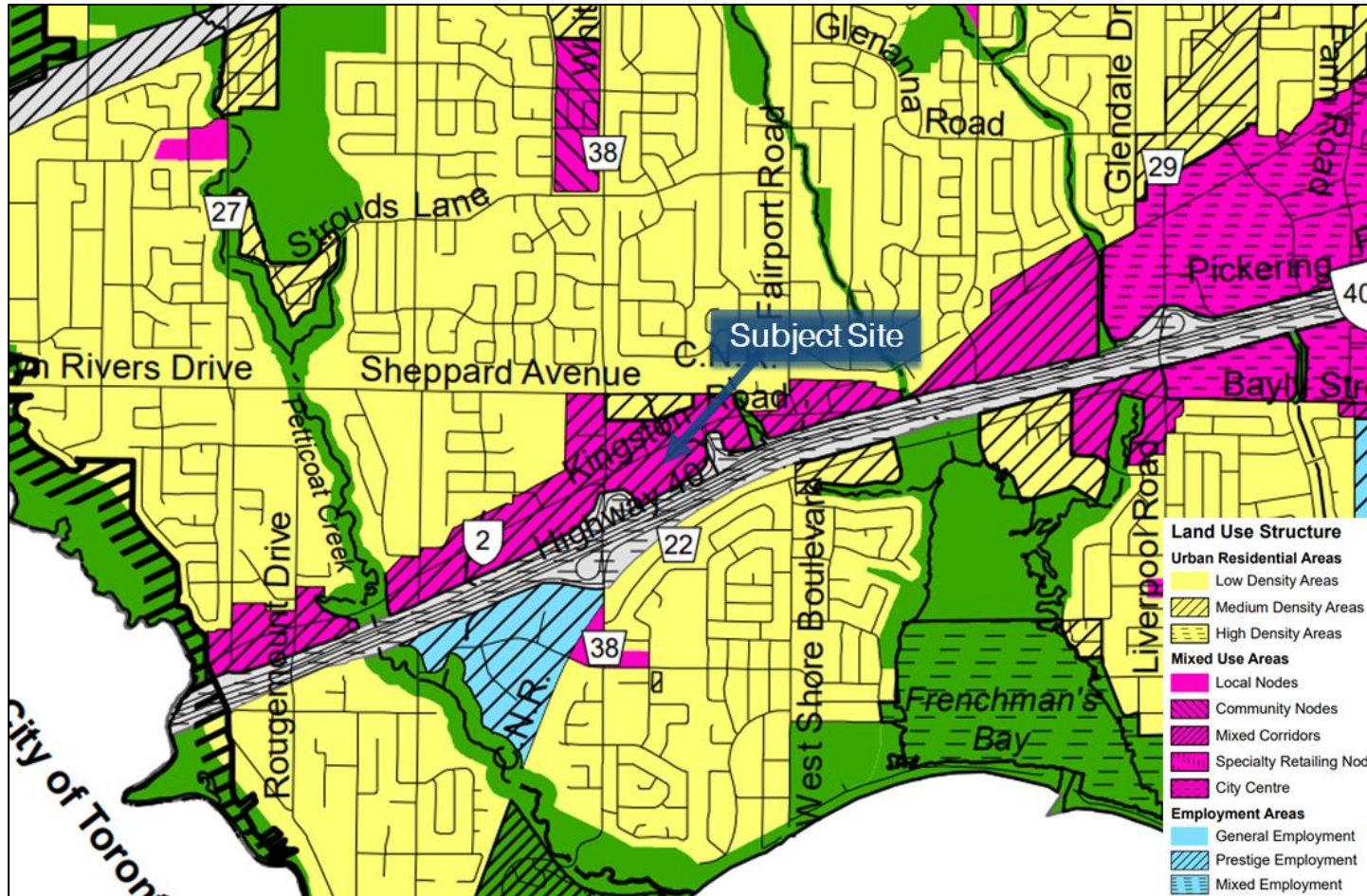
in terms of quantity, quality, and diversity (Policy 6.2). Per Policy 6.3 the City shall maintain a minimum 10-year supply of land to meet anticipated needs and achieve 12% apartments in the total housing stock. Policy 6.4(a) requires 25% of residential construction to be of forms that are affordable 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 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. The proposal also provides for a range of unit sizes and types internally, proposed to include 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 rate 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 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 15 – Land Use Designation



Source: City of Pickering Official Plan (2022)

#### 4.5.4 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 FSI's 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 and proposed 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.

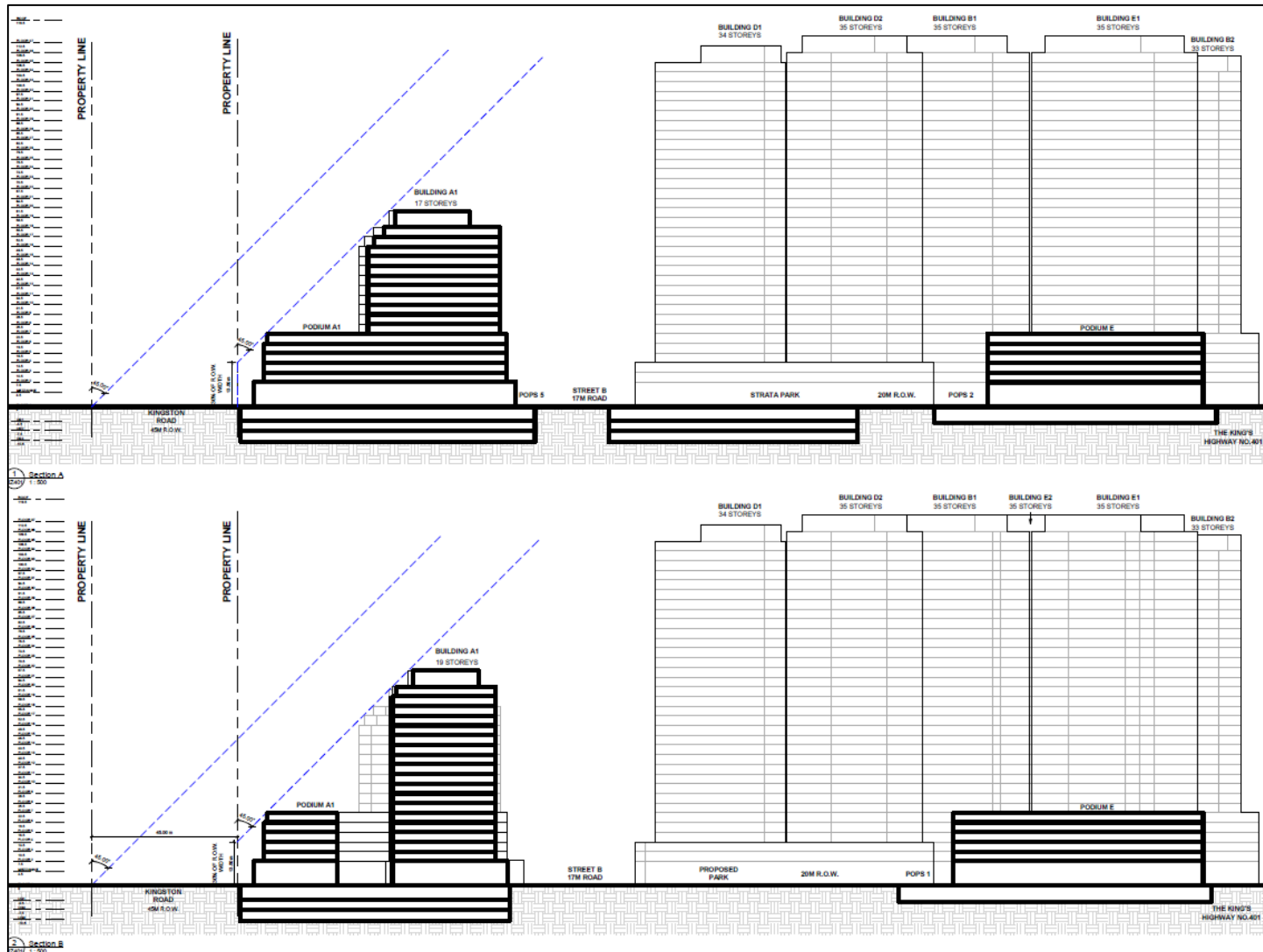
It is TBGs professional planning opinion that a density of 5.0 FSI conforms to the intent of the Pickering Official Plan. Policy 3.6(c)(ii)

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 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 16**). 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 appropriately 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 existing capacity will be allocated on a first come first serve basis. A new watermain that will be constructed as part of the Walnut Lane extension will serve the Subject Site.

Figure 16 – Angular Plane



Source: Turner Fleischer Architects Inc. (2024)

### 4.5.5 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 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.

- 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 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 park space is provided through the proposal. To increase park lands for the public, 5,013m<sup>2</sup> (7%) is provided through POPS spaces and 8,803m<sup>2</sup> in public ownership, including 2,312m<sup>2</sup> in stratified ownership. Combined, a total of 13,816m<sup>2</sup> of parks space is provided at the Subject Site, which represents 19.3% of

the area of the Subject Site. These spaces are intentionally located within the development to act as landmarks and focal points.

A central public park space is proposed, which consists of 6,491m<sup>2</sup> of unencumbered park space, and 2,312 m<sup>2</sup> of stratified park (0.88ha in total). The park has frontage onto two proposed municipal right-of-ways (Street A and B) as well as minimal frontage on Walnut Lane. The park will provide for a midblock pedestrian connection between Phase 1 and Street A. This park can be programmed to serve as a central public gathering place in the northern portion of the Block. The Park will be conveyed through phase 4 of the development and will provide opportunities for passive and active recreation to future residents of the block and Precinct at large.

The proposed POPS spaces 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 south side of Street A. As such, they will assist in creating distinctive landmark intersections and a distinctive public street.

A passive park and public recreational POPS is proposed in the south-eastern portion of the Site adjacent to Pine Creek. This area will provide for passive recreational opportunities and viewpoints into the creek system. The outdoor amenity space and residential units from Building B will provide surveillance onto the passive POPS and the MUP, ensuring safety of users.

Facility Fit plans for the parks to be publicly owned and conceptual landscape plans for the lands to remain in private ownership 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 will be more appropriately and fully 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.

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

OPA 38 was approved by 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. A summary chart of pertinent policies from OPA 38 and specific responses has been provided as Appendix 3 to this Report.

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.

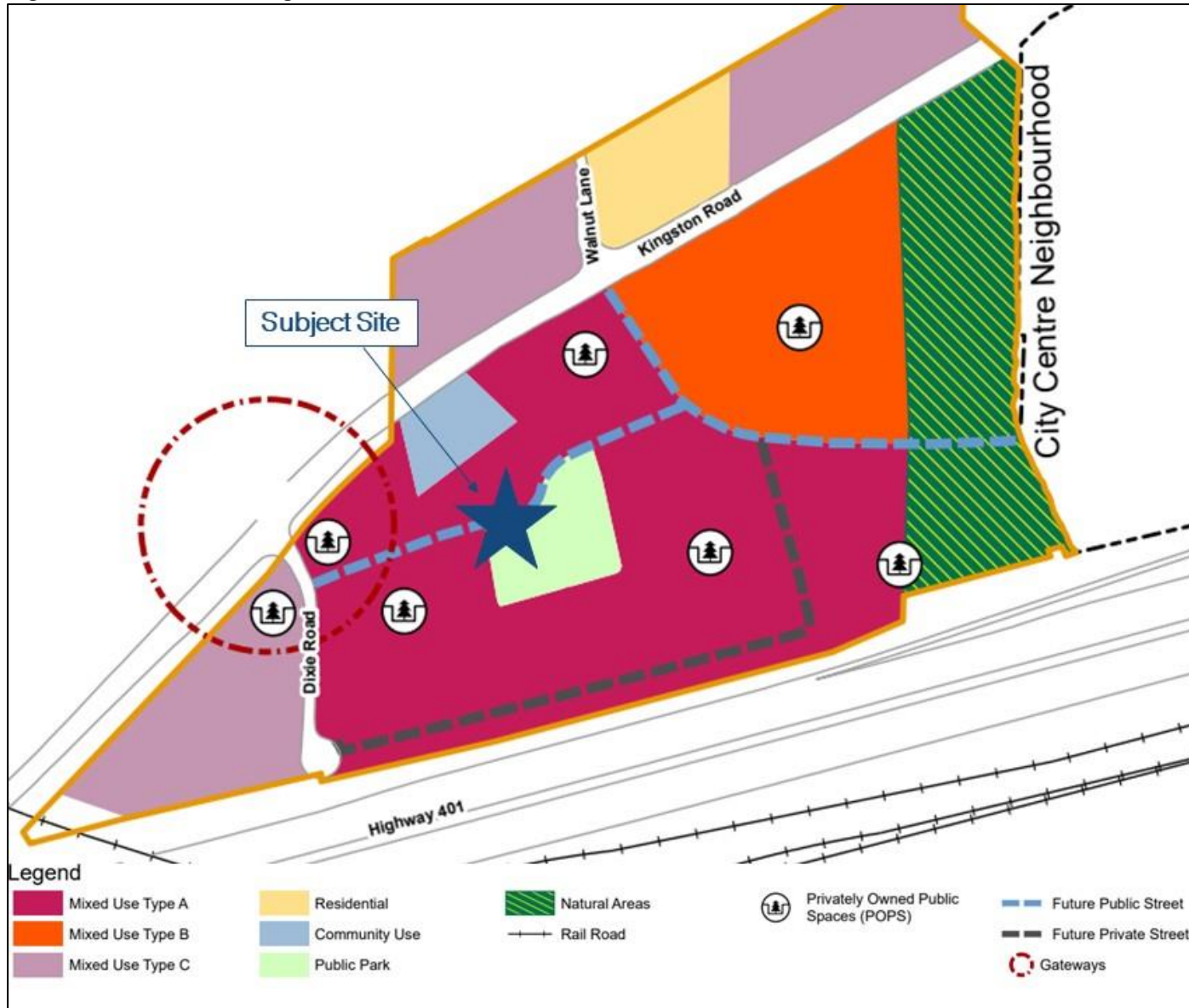
### 4.6.1 Designations & Indicators

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 17**). 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 lands 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.

### 4.6.2 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 17 – OPA 38 Designation



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



### 4.6.3 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 there is adequate infrastructure to support development of the

Subject Site. Design of Street A and B allow for flexible development of the Site to the west in the fullness of time.

- 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.

### 4.6.4 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 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&h). The proposal conforms to the intent of these policies. A central park is proposed. Commercial uses are proposed within Phases 1, 4 and 5. Active frontages are provided both along Street A as well as along Walnut Lane and Kingston Road. The proposal chooses to focus a majority of retail uses specifically toward Walnut Lane and Kingston Road, rather than the internal east-west public street (Street A), 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, commercial uses continue to be provided, not only along Walnut

Lane and Kingston Road, but also along the proposed public street, which addresses 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, 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, where desirable and agreeable to both the applicant and the existing commercial tenants. See the Tenant Relocation Plan, prepared by Tate Research for details on tenant relocation.

Policy 11A.9 (j) requires that re-development anticipates change over time. Further, open 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. In Phase 1 of the proposal development a private driveway provides access to Kingston Road, and a portion of Street B will be constructed, providing access to Walnut Lane and connection to the private driveway. A public access easement over the proposed private driveway will ensure that emergency service and city maintenance vehicles will have a continuous forward path of travel to all proposed public right-of-ways. In Phase 4, Street A and the remainder of Street B will be constructed, therefore temporary turning circles should not be required. Lastly, 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 4.98, which is just under the maximum FSI of 5.0, as 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 flexibility for office uses as well. While office uses are not proposed in later phases at this time, in conformity with these policies, flexibility to provide these uses exists should it be desirable and appropriate and 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 analyze the proposed park space relative to the proposed built form. 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 MBTW.
- 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 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 addressed in 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 south side 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 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 Street A, Kingston Road, Walnut Lane and Street B. Active frontages are inclusive of commercial uses as well as residential lobby accesses, access to individual residential units, and at grade indoor amenity space. Commercial uses specifically are proposed within Phases 1, 4 and 5. In order to ensure viability of the commercial spaces the proposal chooses to focus commercial uses specifically toward Kingston Road and Walnut Lane. This provides them with exposure to traffic on Kingston Road and the neighbourhood to the north. However, commercial uses continue to be provided south of Street A and Street B, which addresses 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) and encourages the provision of green roofs as a component of private outdoor amenity space (e). In recognition of the policies of the Plan, a large park is proposed central to the Subject Site to ensure that all units within the development are within 5 minutes walking distance of same (note that the park is partially stratified). Further, the park also provides for mid-block pedestrian connectivity between the Phase 1 (Building 'A') and Phase 5 (Building 'E'). Parklands through POPS spaces are located along Street A to create a distinctive streetscape, as well as at intersections within the proposal to allow for enhanced connectivity and act focal points of the community. A Facility Fit Plan has been prepared by MBTW which provides for preliminary design of the Parks spaces to be publicly owned and conceptual landscape plans have been provided for the parks to be maintained as POPS. These plans demonstrate provision of the amenities for pedestrians, and public art – among other items. Green roofs will be provided as a component of private outdoor amenity space.

Per Policy 11A.11.1 new public parks are required to be developed as shown on Schedule XIV (see **Figure 18** 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 Park has frontage on Street A, Street B, and Walnut Lane. A Park is generally located as shown in Schedule XIV, central to the Subject Site. In this regard, also see the portions of this report below which analyzes the proposed park 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 18** 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, (other than permitted street 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 43 of the UDB). These materials demonstrate provision of a complete street

including pedestrian paths, landscape and furniture zones including street trees, and on street parking area. With regards to the location of the Street A, it conforms to the location shown on Schedule XIV. Its intersection with 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, Street B is proposed to run along the north and west side of the proposed park. 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).

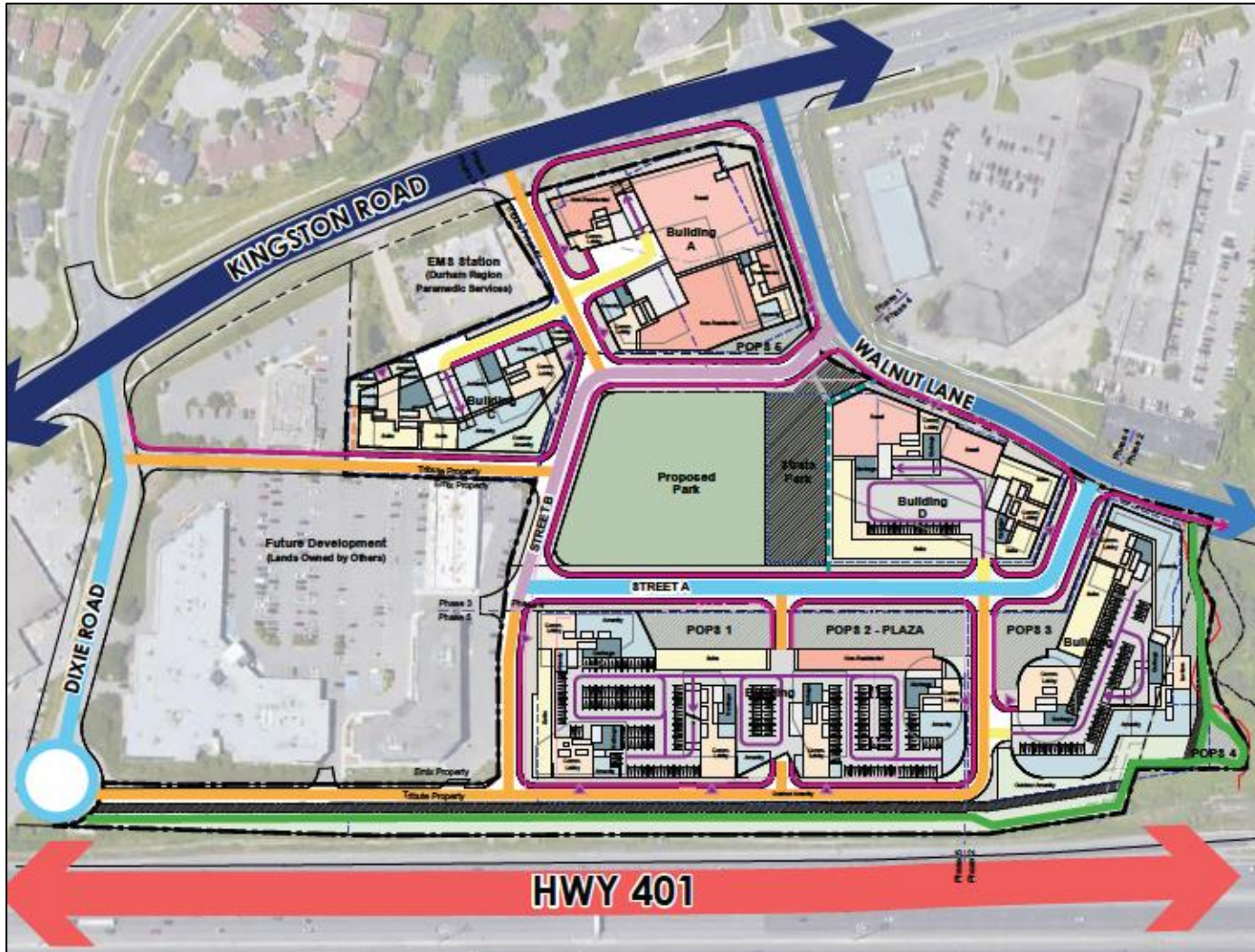
The materials provided in support of the application satisfy the requirements above. A Block Plan has been prepared which shows the location of block level infrastructure required by OPA 38 on the Subject Site inclusive of the Public Roads, Private Streets, and Public Parks and open spaces. It also demonstrates that Street A and B form an internal loop – negating the need for temporary

turning circles. Lastly, the Block Plan locates Street A and B directly adjacent to the western property line – providing for flexibility in future connection points for the lands to the west. This also safeguards the ability of the existing commercial lands to the west to operate while development of the Site occurs.

The Public Road and Public Park can be secured over time through Draft Plan of Subdivision and Site Plan applications as appropriate. An FSR and TIS has been prepared by WSP which demonstrate that required municipal infrastructure to support the development is currently in place, or under construction. Accordingly, there is no demonstrated need to enter into a cost-sharing or front ending agreement. Further there are existing cross access easements which will facilitate continued operation of the commercial lands to the west. These are respected by the proposed design and no new easements in that regard are required. 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 17 – Block Plan



Source: MBTW - WAI (2024).



## 4.7 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 18**). 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 near Street A. Additional concentrations of height are located along the edge of Highway 401.

### 4.7.1 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:

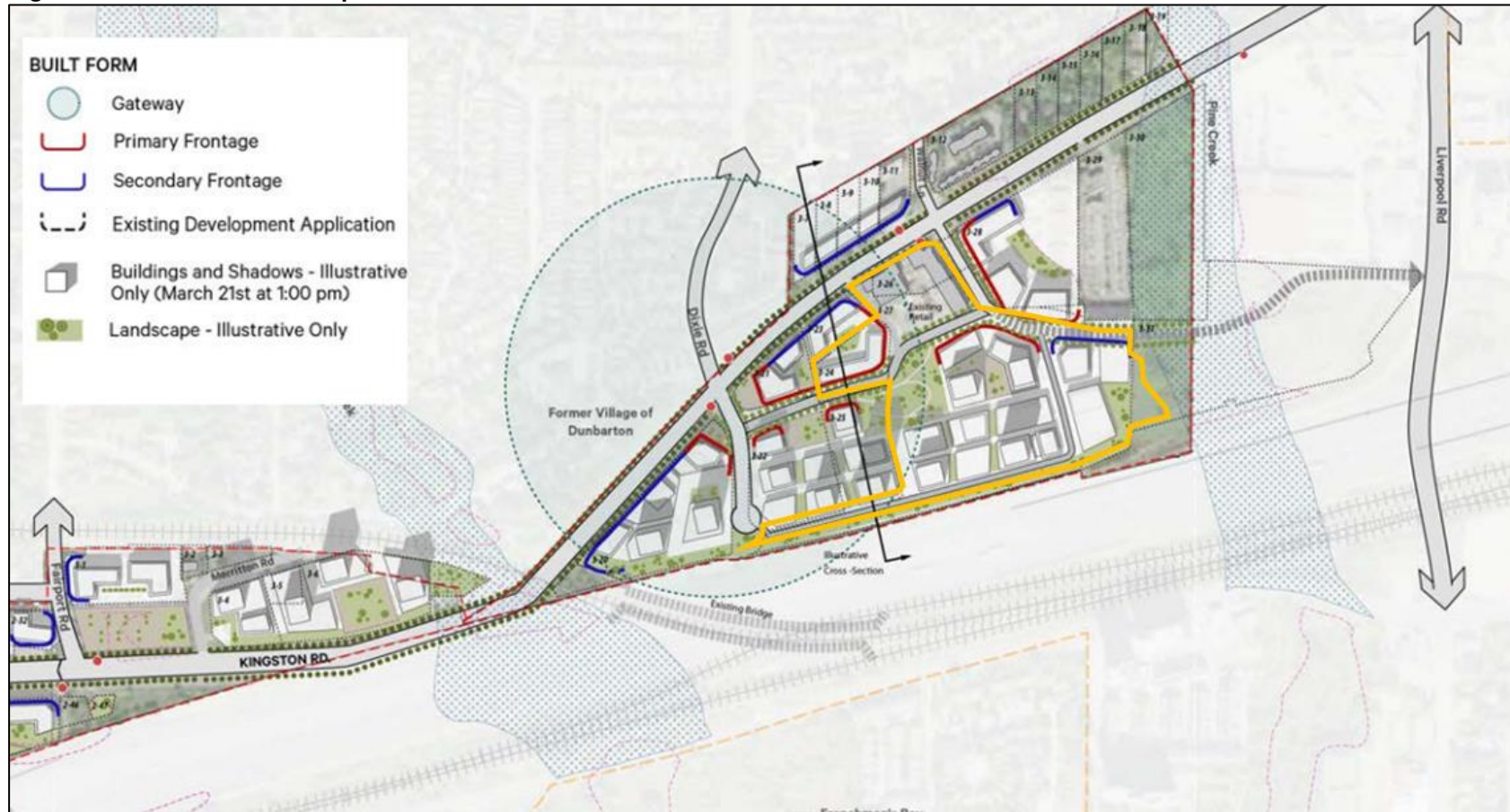
- The provision of highly visible entrances which front onto public streets and connect to pedestrian sidewalks and/or walkways (Guideline 2.3.1.i);
- A minimum separation distance of 25 metres has been provided between towers (Guideline 2.3.2.v);
- Building A which fronts onto Kingston Road is setback 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 both public recreation and 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);
- 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, Street A and Street B. Primary frontages include grade-related, active retail and service uses. These

locations differ somewhat from conceptual locations those shown on the Built Form Plan of 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 portions of Street A, Street B and the 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-storeys 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 exceed 25m. These 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 850m<sup>2</sup> (rather than the 750m<sup>2</sup> as specified in the guidelines). Tower floor plates are largely 850m<sup>2</sup> in size but range from 750m<sup>2</sup> to 850m<sup>2</sup>. 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

850m<sup>2</sup> tower floor plates are permitted in other areas of Pickering – specifically in the City Centre, located immediately adjacent to the Subject Site.

**Figure 18 – Dunbarton/Liverpool Precinct Built Form Plan**



Source: Draft Urban Design Guidelines, November 2019.

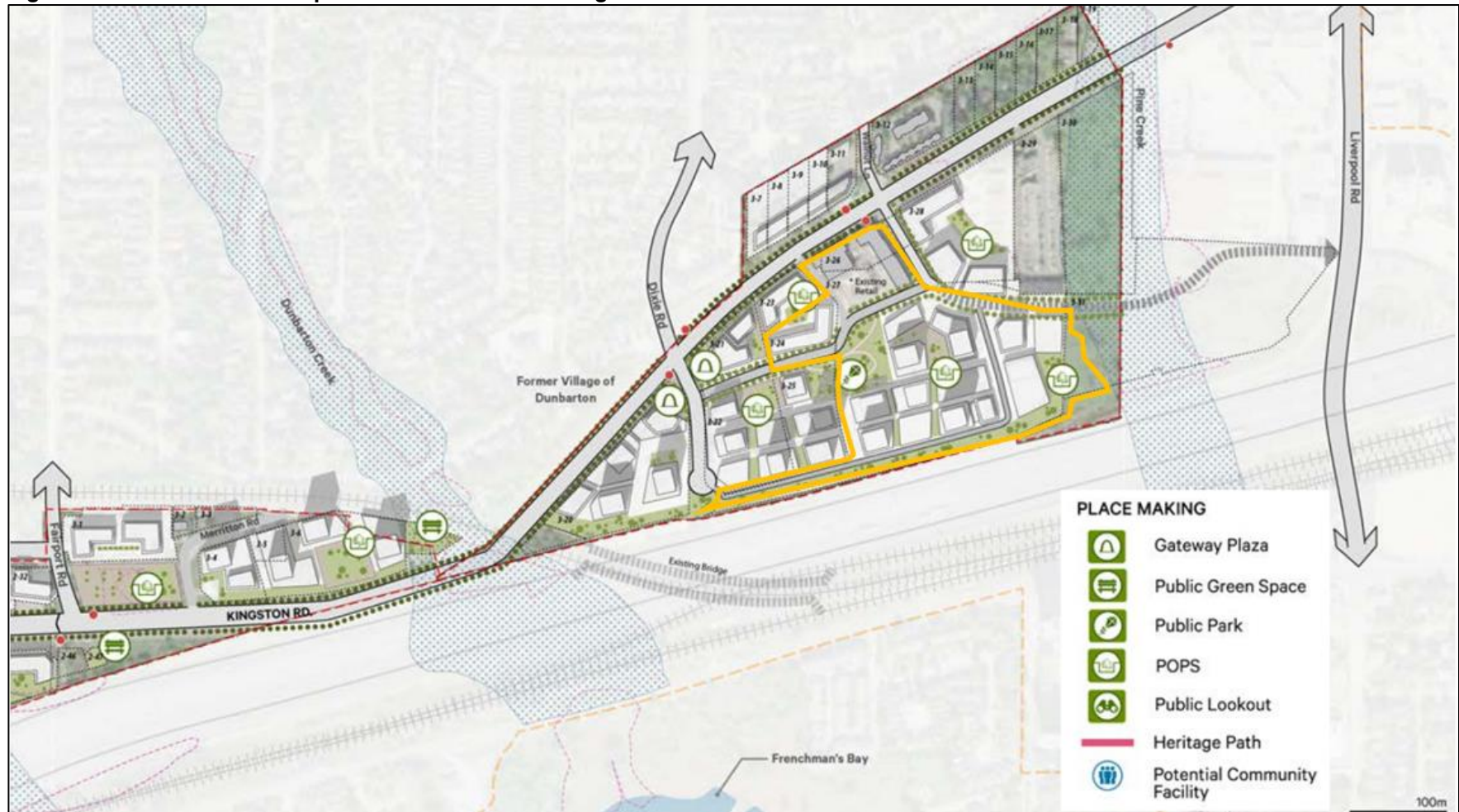
## 4.7.2 Place-making

In the Dunbarton/Liverpool Precinct, placemaking features are proposed to be concentrated along Kingston Road and Street A. A large central park is proposed to be located central to the Subject Site, located as conceptually planned on the placemaking plan, and is imagined to be a community hub and multi-use space. Additionally, several smaller parks (provided as POPS) are located throughout the precinct and are recommended to be provided central to the development blocks (**Figure 19**).

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 park is north of Street A, 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 large central park (including both the encumbered and unencumbered park area) is approximately 0.88 hectares in size, exceeding the preferred minimum of 0.3 hectares (Guideline 3.5.ii);
- As the proposed total park offerings will 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 large central park includes multiple access points and frontages from the public street network (Guideline 3.5.iii.&v.);
- The proposed public park is connected to Street A, Street B. Further, Building D frames 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 illustrate the degree of shadowing on the proposed public parks (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 (Street A) as well as key intersections within the Subject Site (Guideline 3.8.iii);
- The location of the POPS visually connects to Street A, by framing the public street (Guideline 3.8.vi); and
- Some POPS will have soft landscaping. All POPS contain trees. See conceptual plans provided by MBTW-WAI (Guideline 3.8.viii).

**Figure 19 – Dunbarton/Liverpool Precinct Placemaking Plan**



Source: Draft Urban Design Guidelines, November 2019.

### 4.7.3 Connectivity

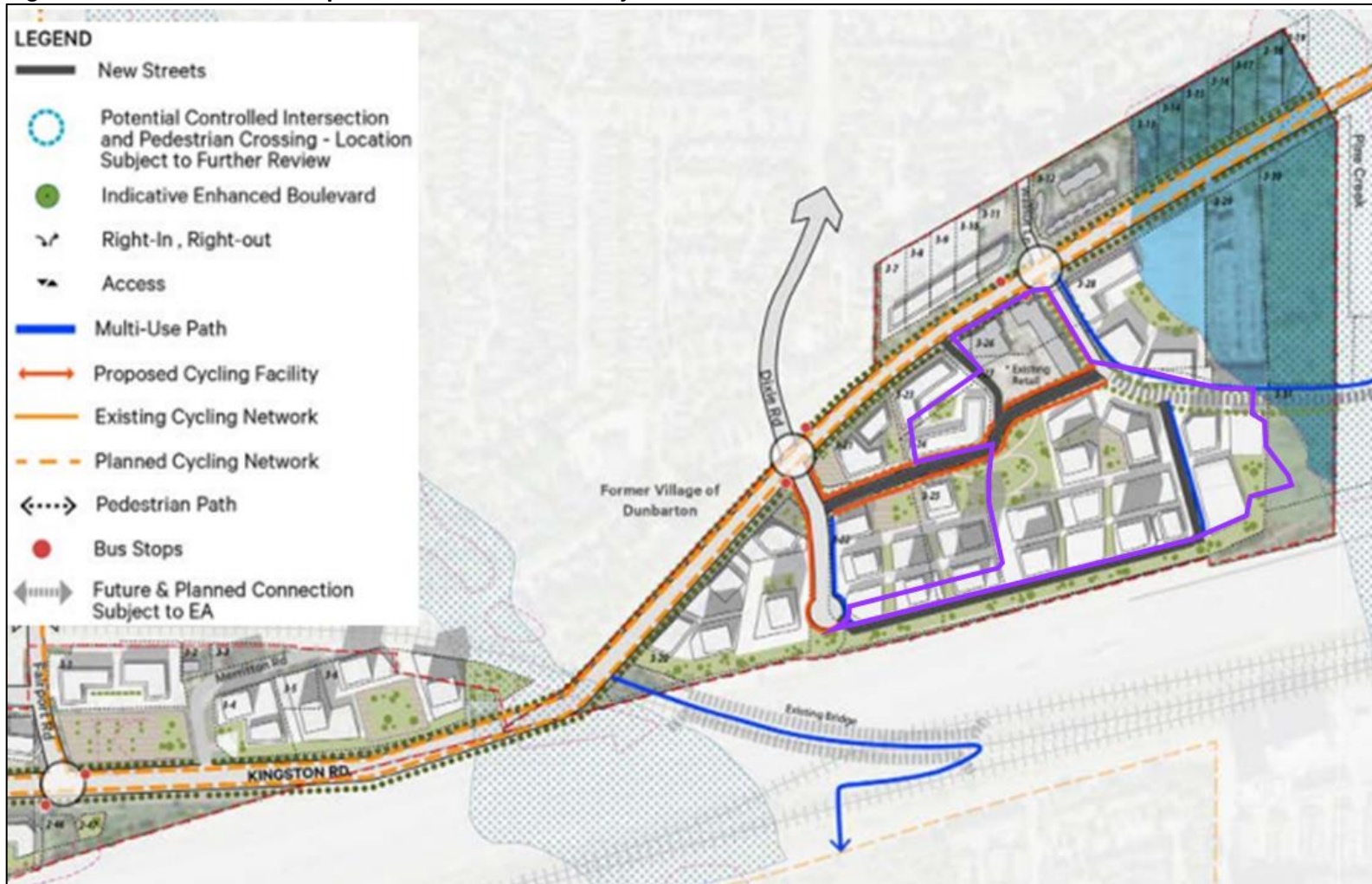
In the Dunbarton/Liverpool Precinct, large and deep parcels offer opportunities for new road connections, supporting internal, multi-modal routes of circulation. A new internal east-west public street (Street A) is proposed to run parallel to Kingston Road, connecting Walnut Lane to Dixie Road, supporting 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 20**).

**Figure 21** 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 (Street A), providing connections between Walnut Lane and Dixie Road. Furthermore, an additional public road ("Street B") runs along the north and west edges of the central park, providing connections to Street A, Walnut Lane, and Kingston Road (through a private driveway). Street A can be connected in the future through to Dixie Road when the neighbouring site to the west is redeveloped.

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:

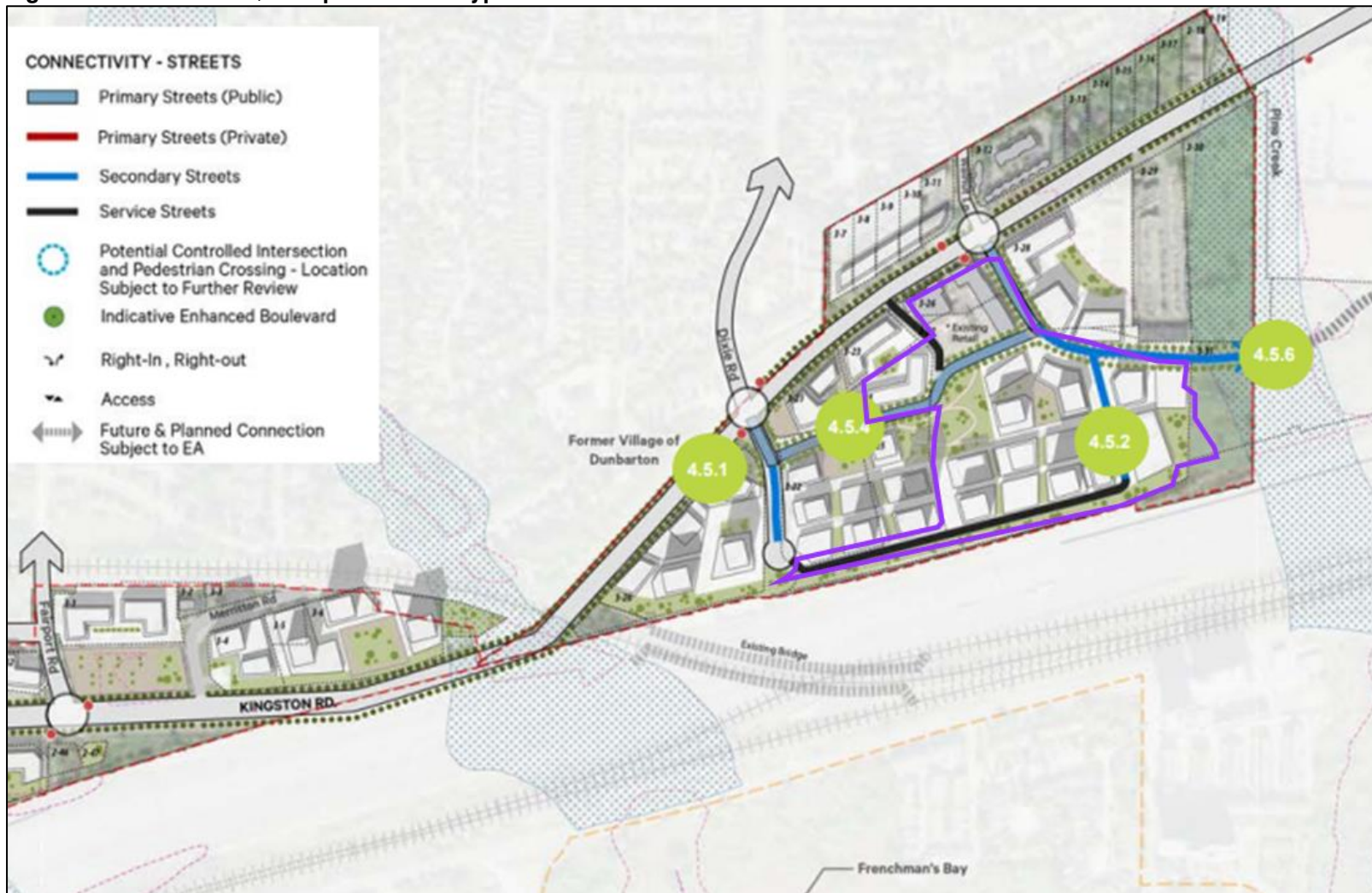
- Sidewalks provide direct connections of accessible and inter-connected pedestrian routes between buildings, to the Public Park, Walnut Lane, Dixie Road, and Kingston Road (Guideline 4.2.1.i);
- Sidewalks maintain the minimum 2 metre required width (Guideline 4.2.1.ii);
- Street trees are proposed to frame the streets along Buildings 'A', 'D', and 'E' 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. (Guideline 4.3.1i, ii.);
- Street A has been designed as a Primary Street. The Architectural materials demonstrate lands to be conveyed to the municipality per Guideline 4.5.4;
- The location of Street A was determined based on ideal block depths per Guideline 4.5.4;
- Street A provides for strong public amenities and opportunities for active transportation including 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 east-west 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 20 – Dunbarton/Liverpool Precinct Connectivity Plan**



Source: Draft Urban Design Guidelines, November 2019.

Figure 21 – Dunbarton/Liverpool Street Types Plan



Source: Draft Urban Design Guidelines, November 2019.



## 4.8 Proposed Local Official Plan Amendment

This development proposes to accommodate 338,503m<sup>2</sup> of total NFA (including residential and commercial/retail uses), with an FSI of approximately 4.98. An amendment to the Official Plan is required to permit the FSI of approximately 4.98. The proposed OPA requests an FSI of 5.0, to allow a buffer from the proposed FSI of 4.98. 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 meetings the general intent of the policies of Chapter 11A of this plan.

The proposed development has towers ranging is height from 17- to 35-storeys and meets the minimum net residential density of 60. The FSI of 4.98 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.

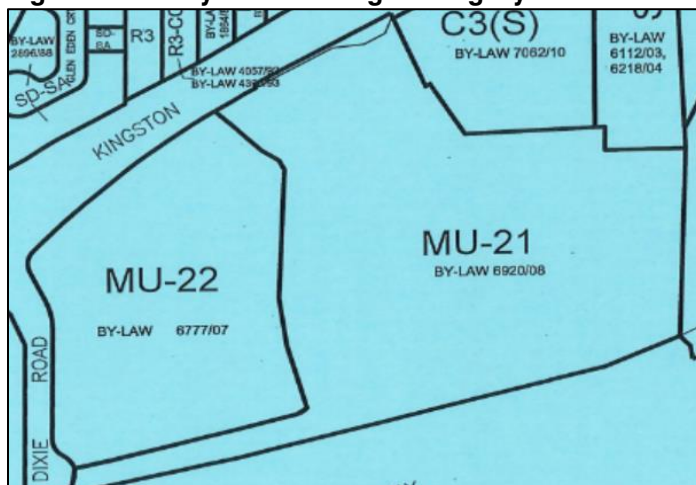
## 4.9 City of Pickering Zoning By-law No. 3036

The Subject Site is zoned Mixed Use “MU-22” and “MU-21” under Zoning By-law No. 3036 (Figure 22). 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.

### 4.9.1 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 22 – 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
<b>Building Location and Setbacks</b>	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
<b>Building Height</b>	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	
<b>Lot Coverage</b>	Minimum 20%	
<b>Parking Requirements</b>	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, purpose built rental is not proposed though there is potential and likelihood that some owners may rent out their individual units. It should be noted that for the purposes of these high-level OPA and ZBA applications for a large multi-phase site with many individual buildings, final tenure is more appropriately determined on a building by building basis at Site Plan Approval.

## **Breakdown in the type of rental units:**

At this time, purpose built rental is not proposed. However, as noted above it is premature at this time to determine and confirm building tenure. 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 (527 units);
- 49% 1-Bedroom (2,579 units);
- 33% 2-Bedroom (1,738 units); and
- 8% 3-Bedroom (421 units).

Given the scale and time horizon for this site, the mix of unit sizes above may change.

## **Estimated proposed monthly rent per type of unit:**

See above. Also note that the sale or rental costs of each of the unit types cannot be 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 Cities, 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.

### **Affordable Housing**

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.

Further, while it is too early in the development process to confirm, 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. Further, it is noted that Tribute will be making the required Community Benefits Charges (CBC) contributions, which could be used towards affordable housing.

### **Housing Forms & Phasing**

A phasing strategy outlining the different sizes of units, affordability and accessible units for each phase of the development has been requested. Affordability and tenure type will be discussed and secured on a phase-by-phase basis at the Site Plan Approval stage, as appropriate.

The breakdown below provides a preliminary phasing breakdown, however at this time all numbers are preliminary and may change at the time of Site Plan Approval.

#### Phase 1

##### *Building 'A'*

- 583 residential units
  - 10% bachelor
  - 49% 1-bedroom & 1-bedroom + den
  - 33% 2-bedroom & 2-bedroom + den
  - 8% 3-bedroom units

#### Phase 2

##### *Building 'B'*

- 1,258 residential units (including ~6 townhouse style units)
  - 10% bachelor
  - 49% 1-bedroom & 1-bedroom + den
  - 33% 2-bedroom & 2-bedroom + den
  - 8% 3-bedroom units

#### Phase 3

##### *Building 'C'*

- 597 residential units (including ~7 townhouse style units)
  - 10% bachelor
  - 49% 1-bedroom & 1-bedroom + den
  - 33% 2-bedroom & 2-bedroom + den
  - 8% 3-bedroom units

#### Phase 4

##### *Building 'D'*

- 853 residential units (including ~23 townhouse style units)
  - 10% bachelor
  - 49% 1-bedroom & 1-bedroom + den
  - 33% 2-bedroom & 2-bedroom + den
  - 8% 3-bedroom units

#### Phase 5

##### *Building 'E'*

- 1,972 residential units (including ~13 townhouse style units)
  - 10% bachelor
  - 49% 1-bedroom & 1-bedroom + den
  - 33% 2-bedroom & 2-bedroom + den
  - 8% 3-bedroom units

# 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 may influence the flow of groundwater toward Prine Creek and its associated wetland. Such impacts can be mitigated through design, as appropriate.

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 may 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.

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) were identified with respect to each APEC

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 or permits 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 – 137 inbound and 143 outbound vehicle trips;
- 2028: pm peak hour – 255 inbound and 243 outbound vehicle trips;
- 2033/2038/2043 – 395 inbound and 735 outbound vehicle trips; and
- 2033/2038/2043 – 897 inbound and 735 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.

The TIS includes a Parking Assessment in Section 8 of the Report to support the proposed parking rate. The parking assessment reviewed the parking requirements set out in the Zoning By-law, which are outlined in Table 8-2. The analysis also considered the approved parking rates of nearby development approvals, which are the same as the rates in the proposal. The assessment concludes that the proposed parking spaces exceed the adjusted

parking requirements, and as such an adequate supply of parking has been provided for the proposed 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 of 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;
- Pedestrian walkways
- 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 the SRR report. The SRR also highlights

that there are some specific design elements that will be appropriately 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.
- Wind conditions on the proposed terraces are generally predicted to be suitable for the intended use in the summer. Wind mitigation measures are recommended.
- 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.

## 6.11 Tenant Relocation Plan

A Tenant Relocation Plan has been prepared by Tate Research which was designed to minimize business interruption and provide tenants with relocation options. The report concludes that the redevelopment proposed at the Subject Site has been planned with careful consideration of tenant relocation with a phased process.

The tenants will be kept informed of redevelopment opportunities and the ongoing changes at the Subject Site.

The first phase of the proposed development would replace the current 39,000 square feet of commercial space on two levels with a proposed mixed used redevelopment that includes 51,000 square feet of non-residential space on two levels. This plan allows for 'front ending' of retail commercial space on the site and provides opportunities for tenants to operate without business interruption. The Report finds that there will be opportunities for relocation with minimal disruption for retailers such as food stores and drug stores on site, as well as for office tenancies and medical offices. As the redevelopment progresses, there will also be opportunities for relocation within nearby areas for both retail and office tenants. There are 19 vacant office units nearby, which represent approximately 59,500 square feet of space in which the existing second floor medical office space could relocate to.

The Report concludes that all of the ancillary retail tenants currently operating at the site are anticipated to be able to relocate on-site, or in the immediate vicinity of the subject site, if the tenant desires. Further, the redevelopment is stated to balance the needs of existing tenants with the goals for a high-density, mixed use site that serves both the local community and future residents in the evolving urban context.

# 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, has appropriate regard for matters of provincial interest, is consistent with the policies as set out in the Provincial Planning Statement, 2024, and conforms to the Regional Official Plan. The proposed development generally conforms 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, is in the public interest, meets all applicable tests, and is appropriate for approval.

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



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# Appendix A – Draft Official Plan Amendment



## Amendment XX to the Pickering Official Plan

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The Corporation of the City of Pickering

By-law No. XXXX/24

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;

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. 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, 2024.

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Kevin Ashe, Mayor

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Susan Cassel, City Clerk

**Amendment XX to the Pickering Official Plan**

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

## Amendment XX to the Pickering Official Plan

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**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 Planning Statement 2020, and conforms to Envision Durham Region Official Plan.

**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. For the purposes of calculating FSI, the lot are shall be 68,034m<sup>2</sup>.

**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/24

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"> <li>i) For the purposes of calculating FSI, lot area shall be 68,034 m<sup>2</sup>.</li> <li>ii) Maximum 5.0</li> </ul>
b) <i>Building Height</i>	<ul style="list-style-type: none"> <li>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</li> <li>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</li> </ul>
c) <i>Podium Requirements</i>	<ul style="list-style-type: none"> <li>i) Maximum podium height – 6-storeys</li> </ul>
d) <i>Building Setbacks</i>	<ul style="list-style-type: none"> <li>i) Minimum setback adjacent to Walnut Lane – 3.0 metres</li> <li>ii) Minimum setback adjacent to Kingston Road – 5.0 metres</li> </ul>

	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>
h) <i>Landscaped Area</i>	i) Minimum – 10% of the area of a <i>lot</i>
i) <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 <i>apartment dwelling unit</i>
j) <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"> <li>Exceed maximum building height up to a maximum of 6.0 metres</li> </ul>
b) planters and landscaping features may project	<ul style="list-style-type: none"> <li>a maximum of 1.5 metres</li> </ul>

c) architectural features, parapets, roof drainage components, green roofs and thermal and waterproofing assembly, may project up to	<ul style="list-style-type: none"> <li>• A maximum of 2.5 metres</li> </ul>
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"> <li>• a maximum of 3.0 metres</li> </ul>
e) trellises and pergolas may project above the height limits to	<ul style="list-style-type: none"> <li>• A maximum of 4.0 metres</li> </ul>
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"> <li>• A maximum of 5.0 metres</li> </ul>
g) Building maintenance and safety units and window washing equipment may project above the height limits to	<ul style="list-style-type: none"> <li>• A maximum of 7.5 metres</li> </ul>

(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	0.55 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 (long-term);
- ii. 0.1 of a space per apartment dwelling unit (short-term);
- iii. 1.0 space per block townhouse dwelling, stacked townhouse and live work unit;
- iv. 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, 2024.

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Kevin Ashe, Mayor



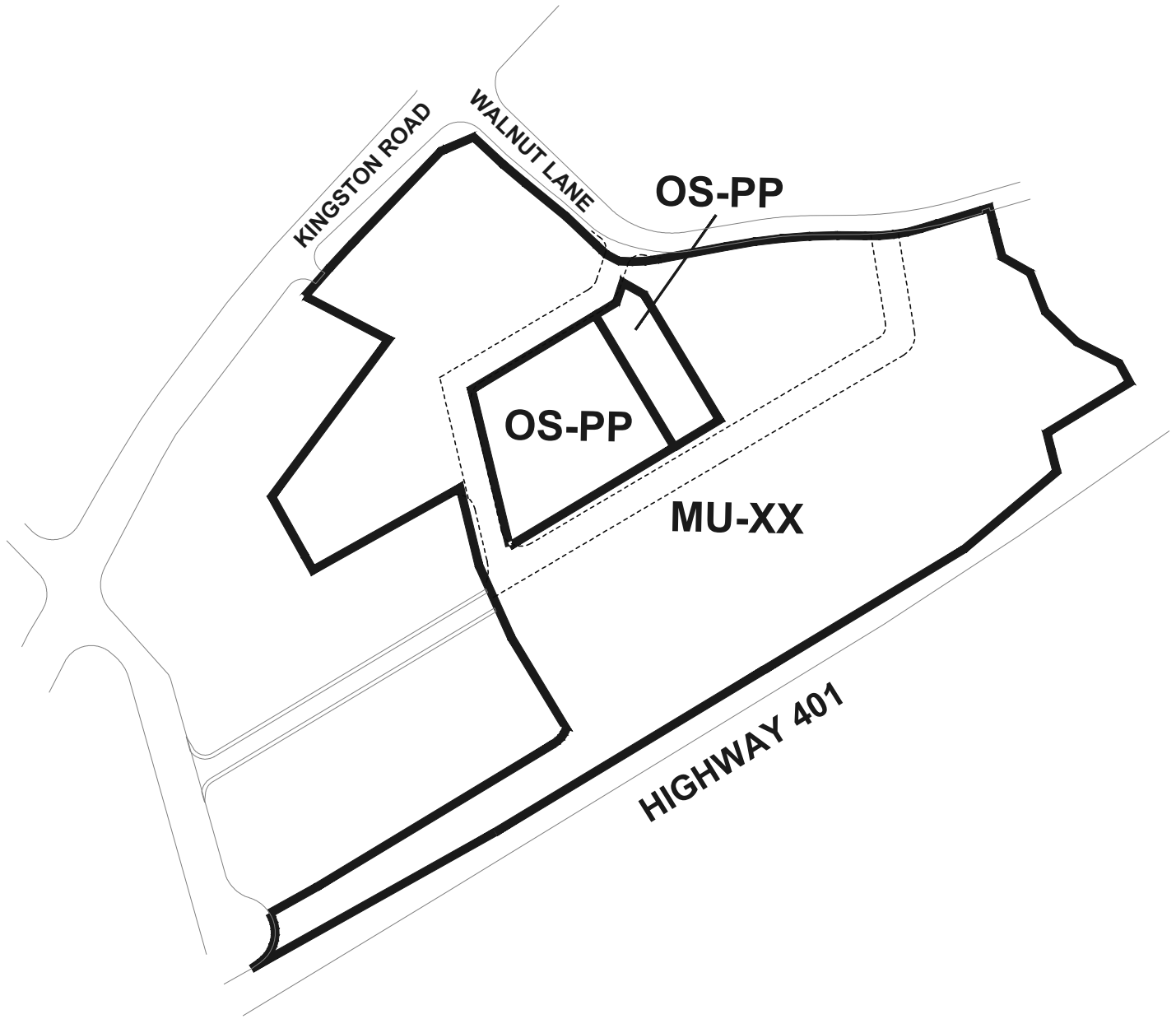
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Clerk

Schedule I

Schedule II

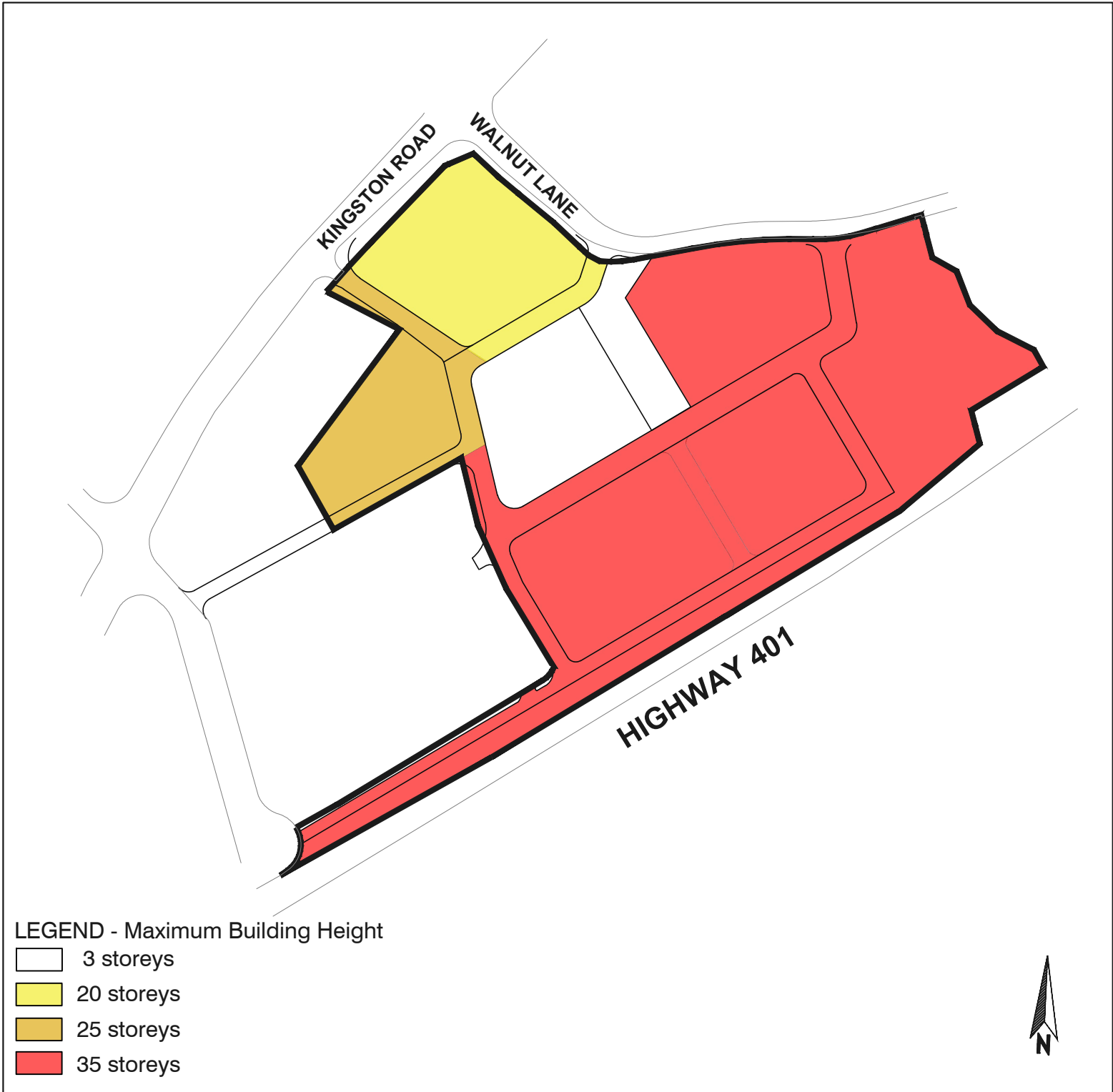
Schedule III



Schedule 1 to By-Law XXXX/24  
Passed This XXrd  
Day of XXXX 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



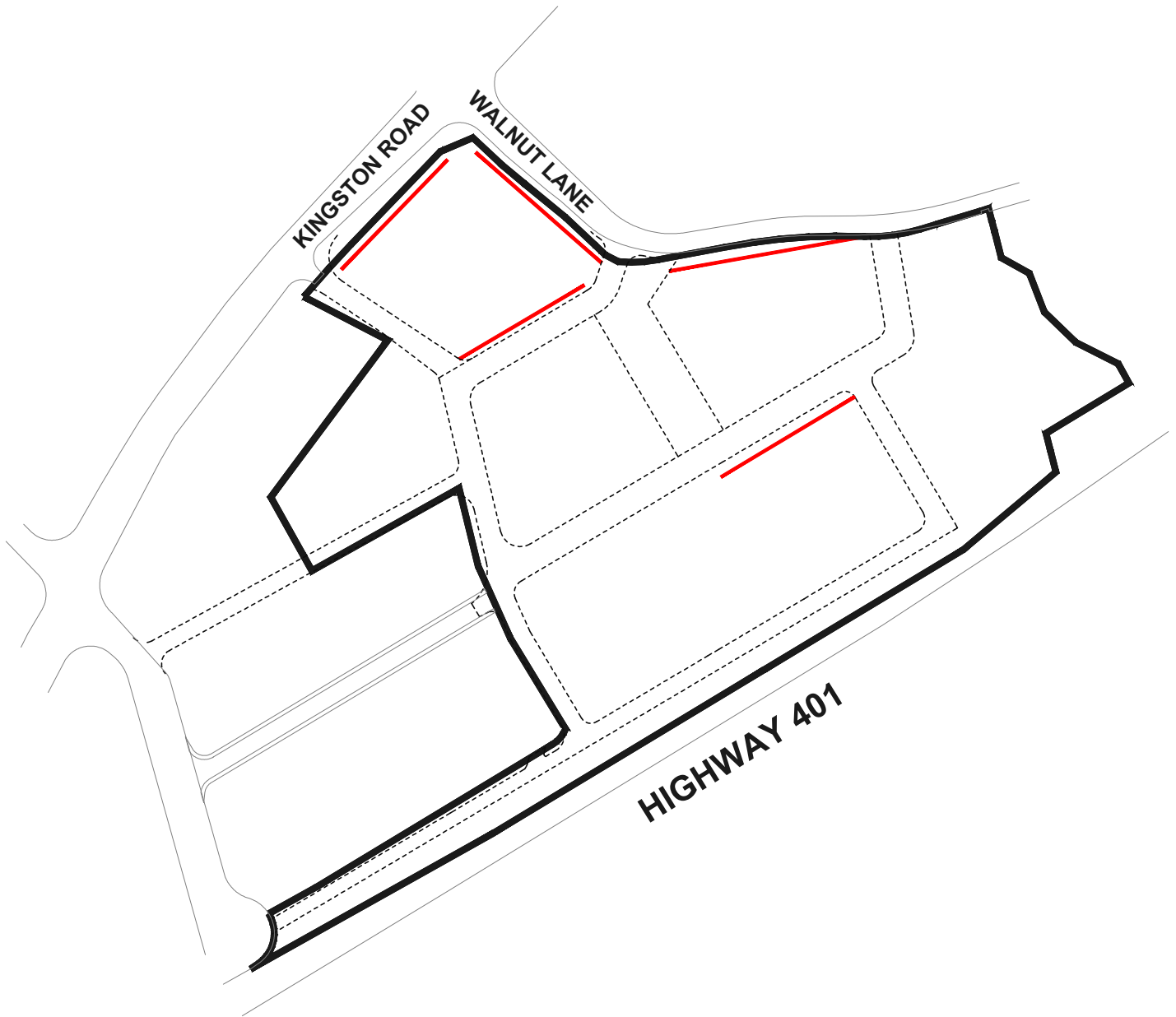
**LEGEND - Maximum Building Height**

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



Schedule 2 to By-Law XXXX/24  
Passed This XXrd  
Day of XXXX 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



LEGEND - Active At Grade Frontages

-  Proposed Roads
-  Required Active At Grade Frontages



Schedule 3 to By-Law XXXX/24  
Passed This XXrd  
Day of XXXX 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# Appendix C – OPA 38 Summary Chart

## MEMORANDUM

Date: December 20, 2024

Re: OPA 38 & Kingston Road UDGs Conformity – Revised Site Plan December 2024

Project Name: 1101A, 1105 & 1163 Kingston Road

TBG Project Number: 21809

Policies	OPA 38	Proposed	Conformity
<b>Schedule XIV</b>			
	Public Park Future Public Street Future Private Street POPS x3	All provided. Locations vary slightly from conceptual schedules as permitted by policy.	Yes
<b>Density – Parent OP</b>			
3.6(f)	FSI – up to 5.0, permitted through ZBLA	4.98 Note that the Net Site Area excludes only the following lands: <ul style="list-style-type: none"> <li>- Street A as the only public street required by in OPA 38; and,</li> <li>- a deduction of 5% to reflect statutory parkland dedication (consistent with the approach taken by the City in other applications, including City File A 08/21).</li> </ul>	Yes

PLANNING | DEVELOPMENT | PROJECT MANAGEMENT | URBAN DESIGN

2472 Kingston Road, Toronto, Ontario M1N 1V3  
 21 King Street West, Suite 1502, Hamilton, Ontario L8P 4W7  
 Office: (416) 693-9155 Fax: (416) 693-9133  
[tbg@thebiglierigroup.com](mailto:tbg@thebiglierigroup.com)

3.6(f)	<p>Despite Section 3.6(c)(ii) and Table 6, for the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas, may permit, in certain circumstances, floor space indices (FSI) beyond 2.5, up to and including 5.0, where appropriate, through a site-specific zoning by-law amendment and subject to the following criteria:</p> <p>(i) that the site is generally located in an appropriate gateway location and/or adjacent to Highway 401;</p> <p>(ii) that the proposal is compatible with adjacent land uses, particularly stable residential neighbourhoods, in terms of massing, height, scale and transition;</p> <p>(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,</p> <p>(iv) that the proposal meets the general intent of the policies of Chapter 11A of this Plan.</p>	<p>(i) Adjacent to Highway 401</p> <p>(ii) Angular Plane to north, Shadow Studies show shadows are adequately limited with no unacceptable impacts.</p> <p>(iii) Design of Streets A and B allow for flexible development of the Site to the west in the fullness of time. Proposal respects existing fabric and entitlements.</p> <p>(iv) See below related to Chapter 11A.</p>	Yes
<b>Commercial Uses – Parent OP</b>			
2.11	(c) long term employment target for the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas of 8,100 jobs.	The proposal provides for ~71,000 square feet of non-residential space that will assist in achieving the long term employment target.	Yes
Chapter 3 - Table 6	Maximum Gross Leasable Floorspace for the Retailing of Goods and Services (in square metres) - determined by site-specific zoning.	No maximum included in draft ZBA as it would not align with broader policies for Mixed Use Type A lands per policy 11A.9.2.	Yes
5.2	<p>(e) create a major node of corporate offices in the City Centre and promote the establishment of Major Offices in key locations within other Strategic Growth Areas.</p> <p>(Major Office means freestanding office buildings of approximately 4,000 square metres of floor space or greater, or with approximately 200 jobs or more)</p>	<p>Non-residential space, including space suitable for office, being provided. Major office not required or provided at the Subject Site.</p> <p>See also Retail/Office Commercial Assessment prepared by Tate</p>	Yes

		<p>Research (submitted with application) which supports opportunity for potential local serving office but not major office space on the Subject Site.</p> <p>Draft Zoning By-law and Concept Plan proposed does not preclude major office in the future should market dynamics change.</p>	
<b>General – OPA 38</b>			
11A.1	<p>The design of compatible and attractive built forms, streetscapes and sites will be promoted within the intensification areas identified on Schedule XIV. Accordingly, City Council shall require development to have regard to the following:</p> <p>(b) encourage the transformation of the areas into more liveable, walkable and human-scaled neighbourhoods with inviting public spaces such as parks, squares and streets;</p> <p>(c) location and integration of commercial uses such as cafes and bistros into development adjacent to the public realm to create social gathering places and vibrant street life;</p> <p>(d) development of streetscapes, public spaces and pedestrian routes that are inclusive, safe and comfortable for all, and accessible and easy to navigate regardless of physical ability;</p>	<p>(b) Achieved through proposed design.</p> <p>(c) Commercial spaces provided at grade adjacent to Kingston Road, Walnut Lane, and portions of Streets “A” and “B”. POPS spaces strategically located adjacent to commercial spaces to create social gathering recreational places and vibrant street life.</p> <p>(d) Walnut Lane and Streets “A” and “B” include infrastructure and space allocation for pedestrians and tree planting in the boulevard. Multi-use-path provides for additional active transportation options.</p> <p>(e) Proposal will result in transformation of existing strip-commercial development to higher-</p>	Yes



	(e) encourage the transformation of existing strip-commercial development and lots with single-detached dwellings into higher-density transit-supportive mixed use areas;	density transit-supportive mixed use area	
<b>Dunbarton-Liverpool Precinct – OPA 38</b>			
11A.5	<p>(a) the greatest densities and building heights shall be directed to the south of the intersection of Kingston Road and Dixie Road and south of Kingston Road along Highway 401;</p> <p>(c) development of the Dunbarton-Liverpool Precinct to be a local community and shopping destination with a series of connected and animated neighbourhood-oriented green spaces and squares will be encouraged;</p> <p>(d) the establishment of multi-modal connections to the City Centre will be encouraged;</p> <p>(e) encourage the design of new buildings to establish primary frontages at grade with enhanced boulevards onto the new proposed Public Street as shown on Schedule XIV;</p> <p>(g) in consultation with the Toronto and Region Conservation Authority, proponents of new development, where applicable, will be required to assess the regulatory flood plain risks associated with lands proposed for redevelopment within the Pine Creek flood plain and implement, where appropriate, a revised flood plain boundary for Pine Creek;</p> <p>(h) in consultation with the Toronto and Region Conservation Authority, proponents of new development adjacent to Pine Creek will be required to prepare a plan to rehabilitate Pine Creek, to enhance the natural heritage features and, where applicable, to design, align and construct a multi-modal bridge across Pine Creek; and</p>	<p>(a) Greatest heights within Subject Site proposed along HWY 401.</p> <p>(c) Provision of commercial uses adjacent to Kingston Road, Walnut Lane, and portions of Street “A” and “B”. Combined 19.3% provision park and public recreation lands, including publicly owned and POPS.</p> <p>(d) Sidewalk and bicycle lane on Walnut Lane provides for eastward connection to City Centre.</p> <p>(e) Parks and open spaces, Townhouse Style Residential units, and Commercial uses front onto new proposed Public Street “A”.</p> <p>(g) Floodplain plotted as a development constraint and respected, with no development proposed.</p> <p>(h) Addressed through Walnut Lane construction, being undertaken by Tribute on behalf of the Town through the VuPoint Project.</p>	Yes
<b>LID – OPA 38</b>			

<p>11A.8</p>	<p>(a) encourage sustainable and Low Impact Development (LID) for all development within the intensification areas to minimize energy consumption, greenhouse gas emissions and water consumption in accordance with the relevant policies of this Plan;                  (e) encourage development proposals to, at a minimum, meet the City’s mandatory sustainable development standards, and also encourage developers to strive to implement additional optional sustainability measures.</p>	<p>Project generally meets Pickering Sustainability Guidelines per the Sustainability Rationale Report (SRR) and Integrated Sustainable Design Standards checklist prepared by EQ Building Performance.</p>	<p>Yes</p>
<p><b>All development within the intensification areas – OPA 38</b></p>			
<p>11A.9</p>	<p>(a) promote the integration of residential and office uses in conjunction with retail, commercial and institutional uses in support of developing complete communities;                  (b) ensure the function of the intensification areas as key retail shopping destinations within the City, supporting various sizes and types of retail uses, is maintained and that expansion and establishment of new office and commercial uses is encouraged;                  (c) further to 11A.9 (b), where redevelopment of properties with existing businesses is proposed:                      (i) encourage early and on-going communication between the proponent and existing tenants;                      (ii) seek on-site retention of existing businesses, wherever possible, as part of the redevelopment through measures including provision of similar unit sizes and phasing, where feasible and appropriate, to allow the opportunity for businesses to relocate on-site; and                      (iii) seek to assist affected business owners in finding opportunities for relocation within the community where retention on-site is not possible or desired.</p>	<p>(a) Various commercial uses proposed with building podiums. Permissions for retail, service commercial, office etc. included in Draft ZBA.                  (b) Various commercial spaces proposed. Tate Research’s retail and office commercial assessment concludes that the amount of non-residential space proposed represents a reasonable and well-balanced quantum of space for this development.                  (c) Phasing Plan has been coordinated with existing plaza tenancies and operations to ensure that businesses can operate on site during construction and can be relocated into the development if there is mutual interest. See Tenant Relocation Plan by Tate Research.                  (d) Transit Stop located at Dixie and Kingston.</p>	<p>Yes</p>

	<p>(d) promote higher intensity employment and residential uses, within close proximity to higher order transit stops;                  (e) where multi-residential development is proposed, support the inclusion of on-site community gardens;                  (f) promote and encourage the establishment of community services and facilities including educational, cultural, recreational, health and emergency services, in preferred locations as identified conceptually on Schedule XIV, as well as other locations throughout the intensification areas to serve community needs.                  Accordingly:                  (i) establish and secure locations for community facilities through detailed block planning in accordance with Policy 11A.14(a);                  (ii) where appropriate, encourage community facilities to be integrated into multi-storey, mixed use developments;                  (g) in accordance with the policies of Sections 7.11 and 7.12 of this Plan, require all development to be designed to provide, where feasible, for the implementation of leading edge technologies and robust Information and Communication Technology infrastructure;                  (h) support the establishment of physical and visual connections with natural areas and greenspaces wherever appropriate;                  (j) ensure through development and re-development that the overall arrangement of streets, blocks, open spaces and buildings is achieved and that sites are designed and developed in a manner that anticipates change over time.</p>	<p>(e) Site Plan item.                  (f) none identified on Schedule XIV                  (g) Site Plan item.                  (h) POPS provided adjacent to Pine Creek Corridor.                  (j) Phasing plan provided which protects for existing cross access easements and ensures that businesses can operate on site during construction.</p>	
<b>Mixed Use Type A – OPA 38</b>			
11A.9.2	(a) shall require areas designated as Mixed Use Type A on Schedule XIV to have the greatest density and represent the highest-intensity uses within the intensification areas	(a) Mix of uses proposed. Density of 5.0 proposed in implementing documents.	Yes.

	<p>with a combination of higher density residential, commercial and retail uses including those which serve a broader area, and office uses in mixed use buildings, or in separate buildings on mixed use sites;</p> <p>(b) encourages office uses, particularly Major Office uses and major community (institutional) uses, to be located in Mixed Use Type A Areas. Accordingly:</p> <ul style="list-style-type: none"> <li>(i) these uses should be predominantly directed to major intersections or gateways where access to existing and planned transportation infrastructure is greatest, including higher order transit facilities;</li> <li>(ii) Council will seek the accommodation of office space as part of developments within Mixed Use Type A Areas;</li> <li>(iii) protection for future office space may be met through demonstrating phasing and/or including building types that can be easily converted to office uses over time; and</li> <li>(iv) in addition to the complete application requirements in Section 16 of this Plan, Council may require the submission of an office demand study, where Major Office uses are not being proposed at major gateway locations.</li> </ul>	<p>(b) Note that Dixie and Kingston is the Gateway in this precinct. See Tate Retail Office Commercial Study which demonstrates Major Office not viable at this time. Draft Zoning By-law and Concept Plan proposed does not preclude major office in the future should market dynamics change.</p>	
<b>Natural Areas</b>			
11A.9.7	<p>(a) shall ensure that the relevant policies of Chapter 10 and 16 of this Plan are applied; and</p> <p>(b) encourages the restoration and rehabilitation of creeks that bi-sect the Kingston Corridor Intensification Area, and the implementation of erosion control and stormwater management best practices to improve existing flood conditions.</p>	<p>(a) Limits of development adjacent to Pine Creek established through EIS and Floodplain Study.</p> <p>(b) Restoration and rehabilitation of Pine Creek proposed through VuPoint development.</p>	Yes
<b>Built Form</b>			

<p>11A.10</p>	<p>(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;                  (b) through the design of buildings, enforce a coherent, harmonious and well-designed streetscape, enhancing the experience of users in terms of visibility, animation, comfort, safety, and accessibility.                  (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;                  (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                  (e) all urban design matters regarding built form should have regard for the applicable policies of Chapters 9 and 14 of this Plan, the implementing zoning by-law, and the applicable urban design guidelines.</p>	<p>(a) Angular plane respected from Kingston Road per UDGs. Setbacks from Kingston provided per UDGs. Shadow Studies demonstrates limited and acceptable impacts north of Kingston Road.                  (b) Active uses (townhouse style residential units, amenity spaces, and commercial uses) proposed along Kingston, Walnut Lane, Future Public Street "A" and "B".                  (c) Angular plane respected from Kingston Road per UDGs. Build height transitions from north to south, with tallest buildings located adjacent to HWY 401.                  (d) See TFA Shadow Studies and MBTW UDB for analysis of Shadow impacts.                  (e) noted. See remainder of table as well as MBTW UDB.</p>	<p>Yes</p>
<p>11A.10.1</p>	<p>(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;</p>	<p>(a) building heights do not exceed 35-storeys. Subject Site located along Highway 401.                  (c)(i) Buildings adjacent to Kingston respect 45 degree angular plane as outlined in the UDGs</p>	<p>Yes</p>

	<p>(c) consider in the review of development applications for mid-rise and high-rise development, the following performance criteria:</p> <ul style="list-style-type: none"> <li>(i) that buildings be massed in response to the scale of surrounding buildings, nearby streets and public open spaces;</li> <li>(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;</li> <li>(iii) that shadowing impacts on surrounding development, publicly accessible open spaces and sidewalks be mitigated/minimized;</li> <li>(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;</li> <li>(v) that buildings be oriented to optimize sunlight and amenity for dwellings, private open spaces, adjoining public open spaces and sidewalks;</li> <li>(vi) that living areas, windows and private open spaces be located to minimize the potential for overlooking adjoining residential properties;</li> <li>(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</li> <li>(viii) that protection be provided for pedestrians in public and private spaces from wind down drafts;</li> </ul>	<ul style="list-style-type: none"> <li>(c)(ii) 3m stepback generally provided per UDGs.</li> <li>(c)(iii) See MBTW UDB</li> <li>(c)(iv) Minimum 25m spacing provided between tall buildings per UDGs;</li> <li>(c)(v) See MBTW UDB</li> <li>(c)(vi) Towers generally offset in location to minimize instances of windows facing windows.</li> <li>(c)(vii) Active uses (townhouse residential, commercial, amenity etc.) proposed along Kingston, Walnut Lane, Future Public Street "A" and "B".</li> <li>(c)(viii) See Wind Study, conditions at grade and at amenity level (with potential need for mitigation at outdoor amenity) suitable for intended uses.</li> <li>(e) All buildings min. 3 functional storeys</li> <li>(g) Permits discussion regarding 850m2 floor plates despite 750m2 being the guidelines included in the UDGs. Permits discussion reduced stepbacks and setbacks at building corners or specific pinch points on site.</li> </ul>	
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	<p>e) despite Sections 3.6(d) and 3.6(e) and Table 6, require all new buildings in the Intensification Area to be at least 3 functional storeys except for community facilities and in the Open Space System – Natural Areas designation</p> <p>(g) consider, where appropriate, flexibility in massing and height, if it can be demonstrated to the City’s satisfaction that the general intent if the Plan is met.</p>		
11A.10.2	<p>(a) encourage front yard setbacks to be kept to a minimum, in accordance with the applicable urban design guidelines, so that an urban streetwall condition can be achieved along all streets; and</p> <p>(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 policy.</p>	<p>(a) Setbacks to existing and proposed streets generally provided per the UDGs.</p> <p>(b) Spill out uses will be possible within the setbacks provided. Significant potential for same the POPS spaces south of Street “A” and north of Street “B”. Phasing Plans provided indicating how infill development can be accommodated over time.</p>	Yes
11A.10.3	<p>a) encourage the development of buildings with active frontages at grade in appropriate locations to promote a vibrant and safe street life;</p> <p>(b) require development to have regard for the relevant guidelines pertaining to active frontages contained within the applicable urban design guidelines;</p> <p>(c) encourage primary frontages to be developed with the highest levels of active uses such as retail that generates pedestrian activity; and</p> <p>(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.</p>	<p>(a) active frontages provided along Kingston Road, Walnut Lane, and Public Street “A” and “B” to promote.</p> <p>(b) see MBTW summary of UDGs</p> <p>(c)/(d) all frontages will be developed with a mixture of active uses such as retail, lobby accesses, townhouse residential uses and amenity spaces. They have also been co-located with POPS spaces.</p>	Yes
<b>Parks / POPS</b>			

<p>11A.11</p>	<p>(b) encourage all residences and places of employment to be within a 5 minute walk (400 metres) of existing and planned public parks and privately-owned publicly accessible spaces such as an urban square, courtyard, parkette, green space, or community garden;                  (c) prioritize connectivity between public spaces within the intensification areas as well as improved access to and enhancement of existing public spaces, including Public Parks, within a 10 minute walk (800 metres);                  (d) require the provision of high quality indoor and outdoor amenity spaces as a component of all development within the intensification areas with a prioritization of spaces which are accessible to the public;                  (e) further to Policy 11A.11(d), encourage the provision of green roofs as a component of private outdoor amenity space for all high density residential development;                  (f) encourage the provision of public access points to the Internet and infrastructure that supports this access in public spaces throughout the intensification areas and at Transit Stop locations, where possible;                  (g) encourage the provision of amenities for pedestrians such as seating areas, digital kiosks, play structures, fountains or feature benches in the public realm, as appropriate;                  (h) in accordance with the public art policies of Section 14.13, encourage opportunities for public art contributions and/or the integration of public art with development and infrastructure;                  (j) in consultation with the Toronto and Region Conservation Authority and/or Parks Canada, require the proponents of new development adjacent to creeks to enhance natural heritage features and incorporate passive recreational uses such as walking paths and seating areas, where appropriate;</p>	<p>(b) Achieved with proposed central park and POPS located throughout the Subject Site.                  (c) Achieved. Proposed central park within 800m of all uses on site.                  (d)-(e) Site Plan Stage. However, 2m2 per unit for outdoor private amenity to be achieved on podium roofs. Plans have demonstrated this is viable.                  (f) Site Plan Stage.                  (g) Site Plan Stage. Can also be accommodated in POPS along Street "A".                  (h) Site Plan Stage.                  (j) POPS proposed adjacent to Pine Creek, to include passive recreational uses such as walking paths and seating areas.                  (l) Facility Fit provided for Public Park.</p>	<p>Yes</p>
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	(l) in addition to the complete application requirements in Section 16 of this Plan, the submission of a facility fit plan may be required for proposals within the intensification areas to support the provision of suitable amenity spaces.		
11A.11.1	<p>(b) require the provision of Public Parks as shown on Schedule XIV. All new Public Parks are intended to be developed as Neighbourhood Parks...</p> <p>Note – Policy 11.13 (c):</p> <ul style="list-style-type: none"> <li>have a size of approximately 1.5 hectares to 1.8 hectares</li> <li>have road frontage on a minimum of two sides, where possible;</li> <li>be supported by on-street parking</li> </ul> <p>(c) require all Public Parks to have at least one frontage on a Public Street;</p> <p>(d) consider minor modifications to Public Parks as shown on Schedule XIV through detailed block planning, as long as the general intent of these spaces meet the City’s requirements; and</p> <p>(e) encourage the development of Public Parks in accordance with the City’s Parks and Recreation Master Plan and the applicable urban design guidelines.</p>	<p>(b) 0.88ha central Public Park provided, generally in the location shown per Schedule XIV. Location moved to north side of Street ‘A’ due to southern shift on Street ‘A’ to accommodate more appropriate entrance to Dixie. On Street Parking is provided on Street ‘A’. Park has 3 public frontages. Park represents over 50% of 1.5ha park area. Development to the west will provide additional park space per Schedule XIV in the fullness of time.</p> <p>(c) Proposed central park has frontage 3 public streets</p> <p>(d) Minor modification proposed to address location of Street “A” per above.</p> <p>(e) Facility Fit Plan provided.</p>	Yes
11A.11.2	<p>City Council supports the development of Privately-Owned Publically Accessible Spaces (POPS) throughout the intensification areas, including spaces such as urban squares, gateway plazas, parkettes, linear parks, and green spaces. These spaces are privately owned and maintained, however, are accessible to the general public. Accordingly,</p> <p>(a) the preferred location of POPS have been identified conceptually on Schedule XIV. However, POPS are encouraged as a component of all new development</p>	<p>(a) POPS provided</p> <p>(b) Conceptual POPS design has been on MBTW materials. To be confirmed through Site Plan Application.</p>	Yes

	<p>within the intensification areas, particularly in Gateways and near Transit Stops;</p> <p>(b) the exact size, location and design of POPS, including appropriate amenities, will be addressed through detailed block planning in accordance with Section 11A.14(a), the facility fit plan in accordance with Section 11A.11(k), and in accordance with the applicable urban design guidelines;</p>		
11A.11.4	<p>(a) in addition to Section 16.29 of this Plan, consider in-kind contributions through development, community philanthropy, and land acquisition; and</p> <p>(b) prioritize the acquisition of parkland through land dedication to provide active and passive recreation opportunities within the Intensification Area to serve the needs of the new community, as well as, the surrounding established neighbourhoods.</p>	<p>Park and public recreational uses account for almost 20% of Subject Site. Central publicly owned park (12.3%) + POPS (7%) combined 19.3% of site area.</p>	Yes
Mobility			
11A.12	<p>City Council supports the following key mobility principles for the intensification areas:</p> <p>(a) higher density, transit-supportive development with a mix of uses and activities;</p> <p>(b) the design of all streets as complete streets;</p> <p>(c) improved access management and connectivity for all transportation modes that connect to places where people live, learn, play and work;</p> <p>(d) prioritization of measures to improve pedestrian safety, reduce traffic collisions, and reduce traffic-related impacts to adjacent neighbourhoods;</p> <p>(e) promotion of transportation demand management measures in accordance with Policy 4.5(b) of this Plan, including mobility-as-a-service, where appropriate; and</p> <p>(f) prioritization of minimizing surface parking, and the development of active transportation networks.</p>	<p>(a) Proposal is high density and includes a mix of uses – supporting transit and alternative modes of transportation.</p> <p>(b) Street “A” and “B” will be designed as complete streets, with the provision of pedestrian infrastructure and street trees.</p> <p>(c) Street “A” and “B” will provide connectivity to the central park, POPS, and further to Walnut Lane, Dixie Road, and Kingston Road.</p> <p>(d) Subdivision and Site Plan level.</p> <p>(e) See TIS, TDM measures proposed to support reduced parking rate.</p> <p>(f) No surface parking proposed.</p>	Yes

11A.12.1	<p>(a) require the provision of pedestrian paths, cycling facilities, and multi-use paths in accordance with the City’s Integrated Transportation Master Plan, and where appropriate, in consultation with the Region of Durham;</p> <p>(b) encourage the provision of additional pedestrian and cycling infrastructure and connections, where opportunity arises, to support the City’s active transportation network; and</p> <p>(c) require pedestrian and cycling facilities to be developed in accordance with the applicable urban design guidelines, best practices, and the prioritization of the safety of pedestrians and cyclists.</p>	<p>(a)-(c) Bike Lane provided on Walnut Lane, MUP provided at southern end of Site. Sidewalks provided on both side of Street “A”. Park and recreational spaces (including POPS) provided adjacent to Street A and B will allow augmentation of public realm and provision of additional pedestrian and cycling infrastructure and connections.</p>	Yes
11A.12.2	<p>(c) will ensure the provision of appropriate amenities, including street furniture, trees for shade, digital kiosks, and access to pedestrian and cycling networks are provided to support transit ridership and promote an integrated and connected active transportation network;</p>	<p>(c) To be considered and confirmed through Site Plan application.</p>	Yes
11A.12.3	<p>(a) in accordance with the policies of Section 4.11, require the design of new streets and the design and extension of streets identified on Schedule XIV to be connected to existing streets, and have block lengths generally no longer than 150 metres and block depths generally not less than 60 metres to provide to provide a finer grid of walkable and interconnected development blocks over time;</p> <p>(b) require all new or re-designed streets, as appropriate, to be complete streets with public amenities including sidewalks, enhanced paving in busy pedestrian areas, cycle paths or multi-use paths, and landscape and furniture zones;</p> <p>(c) through the redevelopment of larger blocks of land, require new public and private streets in locations generally as shown on Schedule XIV;</p>	<p>(a) Block lengths generally do not exceed 150m in width, other than Block ‘E’, which is ~190m in length, as is appropriate given site context.</p> <p>(b) Street A and B are both collocated with public recreational spaces (including POPS) to provide opportunities for sidewalks, enhanced paving in busy pedestrian areas, cycle paths or multi-use paths, and landscape and furniture zones.</p> <p>(c) New public and private streets provided in locations generally in accordance with the schedule.</p> <p>(d) Street “A” location revised further south to create appropriate access</p>	Yes

	<p>(d) allow the exact alignment of new streets to be determined through block planning, provided the overall block pattern is achieved, the achievement of minimum and maximum block sizes on the development site and adjacent sites is not compromised, and appropriate intersection spacing is maintained;</p> <p>(e) require the provision of trees along streets to enhance the urban forest canopy and provide shade for pedestrians, particularly along Kingston Road, Whites Road, and Brock Road;</p> <p>(f) encourage all streets to be designed in accordance with the applicable urban design guidelines, with consideration given to integration and continuity of street design elements where streets intersect, and construction of public streets to public street design standards; and</p>	<p>location with Dixie. Street B is proposed to provide for additional fine grain street pattern.</p> <p>(e) To be confirmed through Site Plan / Subdivision applications; but can be accomplished per MBTW landscape plan.</p> <p>(f) See MBTW UDB and summary of Kingston Road UDG considerations.</p>	
<p>11A.12.4</p>	<p>(a) require development proponents to demonstrate the provision of an adequate supply of parking to meet site requirements while balancing broader mobility objectives to decrease reliance on private vehicle use;</p> <p>(b) consider in the review of development applications, the following performance criteria with regard to on-site parking and access drives/aisles,</p> <ul style="list-style-type: none"> <li>(i) that the primary parking format be structured or below grade parking to facilitate connectivity and minimize the heat island effect created by large surface parking;</li> <li>(ii) in phased development, that surface parking may be permitted if the proponent has demonstrated how parking will be accommodated in structures at full build out; and</li> <li>(iii) that shared parking be encouraged in mixed use areas to minimize land devoted to parking;</li> </ul> <p>(c) consider a reduction in the number of required car parking spaces and/or other means of providing for</p>	<p>(a) See TIS and parking justification study.</p> <p>(b) Parking primarily provided below grade, or in screened above grade structures. Existing at grade parking will remain during development.</p> <p>(c) Reduced parking is proposed and TDM measures are listed in the TIS</p> <p>(d) Shared parking is proposed using similar clauses as are provided for in the City Centre By-law.</p>	<p>Yes</p>

	parking such as cash-in-lieu, where bicycle parking facilities or transportation demand management measures are provided to reflect the compact, high-density urban form of the intensification areas and shift toward an increase of active modes of transportation and transit; and (d) consider shared on-site parking areas for two or more uses where the maximum demand of such parking areas by the individual uses occurs at different periods of the day.		
11A.12.6	(a) encourage, where possible, shared driveways, parking ramps and servicing areas between two or more properties to maximize building frontages and minimize the number of required curb cuts; (b) where such shared facilities are provided, or deemed to be necessary to improve mobility in accordance with Section 11A.12, require each landowner to provide a reciprocal easement in favour of the other landowner(s); (c) seek establishment of service streets and laneways with access off streets with lower levels of traffic, and to avoid interrupting active street frontages; (d) require service laneways to be designed in accordance with the applicable urban design guidelines;	(a) The number of vehicular access points per block has been limited generally to one point per block. Loading has been incorporated into the podium parking structure. (b) Noted and to be addressed as appropriate through Site Plan and Condo Plan applications. (c) Buildings A, B, C, & E all have vehicular access off private streets (rather than the public street). Only Blocks D and E have vehicular access via the new Public Street. (d) See MBTW UDB and summary of Kingston Road UDG considerations. (e) Not applicable.	Yes
Infrastructure			
11A.13	(a) development should be sequenced to ensure that appropriate transportation, municipal servicing and community infrastructure are available; (b) planned investment and expansion of infrastructure shall, wherever possible, be concurrent with and support growth;	(a) See FSR and TIS. Phase 1 - Street B connection to Kingston to be facilitated by easement over private north-south drive to Kingston until development of Phase 4 creates complete internal loop with	Yes

	(c) strategies shall be implemented for energy and water conservation, including energy and water demand management;	development of Street A and completion of Street B. (b) Proposal leverages under-construction Walnut Lane expansion and Kingston BRT (c) See Sustainability checklist.	
11A.13.1	City Council shall require proposals for large-scale development to be accompanied by a stormwater management plan or equivalent to the satisfaction of the City, in consultation with Toronto and Region Conservation Authority, that: (a) is informed by a subwatershed plan or equivalent for the area, where applicable; (b) aligns with the stormwater master plan or equivalent for the area, where applicable; and, (c) incorporates an integrated treatment approach to minimize stormwater flows including appropriate low impact development and green infrastructure.	SWM report provided.	Yes
Block Development Plan			
11A.14	(a) require development applications on larger sites, identified through the implementing zoning by-law, to provide a block development plan 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. The block development plans shall be accompanied by supporting technical studies that provide a level of information sufficient to assess the ultimate infrastructure and other requirements of full build out; (b) require the expansion of the street network into a finer grid of streets and connections to occur incrementally with	(a) Block development plan provided which demonstrate the full build out of new streets and blocks within the Subject Site, potential connections to adjacent sites, redevelopment within all future blocks, and the provision of supporting open spaces and community infrastructure. (b) Public road locations shown. Will be secured through Site Plan or Subdivision. (c) No indication or basis that this is necessary or appropriate at this time.	Yes

	<p>development, with new public streets being secured through the development application process and/or through cost-sharing by benefitting landowners, to the satisfaction of the City;</p> <p>(c) where appropriate and necessitated by timing considerations, require financial front-ending agreements to expedite infrastructure delivery. Agreements for cost-sharing will be implemented where appropriate to facilitate the provision of infrastructure and parkland and allocate the related costs amongst local landowners; and</p> <p>(d) support the use of the Holding provisions in the <i>Planning Act</i> and require where necessary, proponents to enter into agreements with the City, Region, other agencies, and adjacent landowners as appropriate, respecting various development related matters including but not limited to:</p> <p>(i) servicing or relocation of infrastructure including any required studies;</p> <p>(ii) requiring a multi-modal transportation study for proposed developments that are anticipated to generate 75 or more vehicle peak hour trips (two-way), or where site and design characteristics may result in traffic or transportation concerns, to assess the impact on the transportation system and the timing and need for future improvements;</p> <p>(iii) entering into cost-sharing and front ending agreements;</p> <p>(iv) ensuring that development shall not take place on lands within the defined Creek corridors;</p> <p>(v) providing or exchanging easements over lands where necessary;</p> <p>(vi) providing contributions to the cost of rehabilitating the Creek corridors, if necessary;</p>	<p>(d) Holding provisions not needed as any potential impacts are understood and can be mitigated, and:</p> <p>(i) no servicing infrastructure issues identified</p> <p>(ii) TIS has been provided;</p> <p>(iii) Cost-sharing and front ending not required;</p> <p>(iv) Development not within defined Creek corridors;</p> <p>(v) New cross easements not needed – existing easements are respected;</p> <p>(vi) Rehabilitating the Creek corridor occurring through Walnut Lane construction;</p> <p>(vii) Comprehensive functional servicing and stormwater management plan for the site has been prepared; and</p> <p>(viii) Block development plan has been prepared.</p>	
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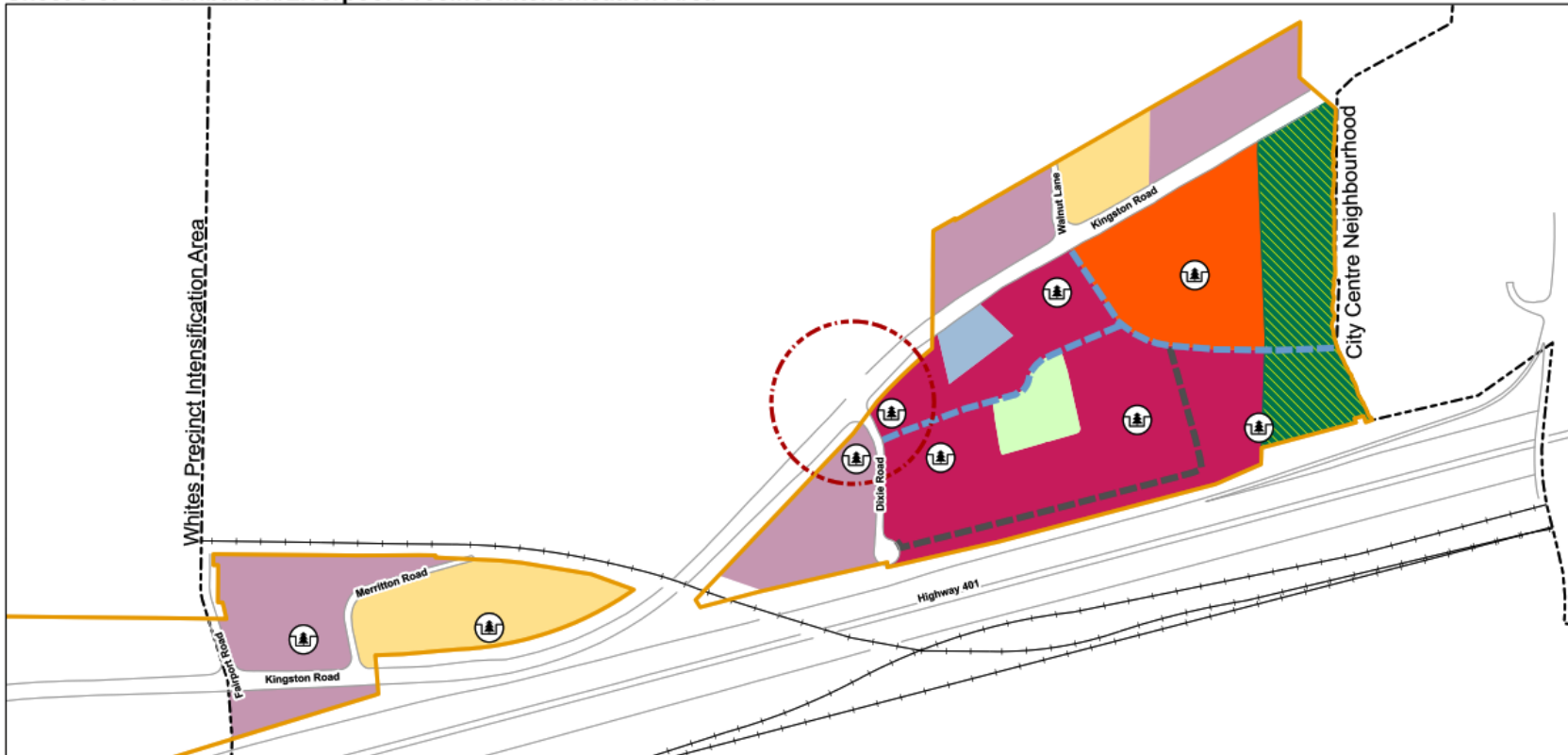
	(vii) requiring a comprehensive functional servicing and stormwater management plan that addresses stormwater management on a site-by-site basis; and (viii) requiring a block development plan.		
Implementation			
11A.14.3	City Council shall implement the policies of Chapter 11A through prescribing, in an implementing zoning by-law, matters including maximum building heights, maximum floor space indices, and other appropriate development standards.	Site Specific ZBLA proposed.	Yes



Image 1

**Schedule XIV: Kingston Mixed Corridor and Brock Mixed Node Intensification Areas  
Sheet 3 of 4 - Dunbarton/Liverpool Precinct Intensification Area**

Schedule 'B' to Official Plan Amendment 38



**Legend**

- |                  |               |               |                                      |                      |
|------------------|---------------|---------------|--------------------------------------|----------------------|
| Mixed Use Type A | Residential   | Natural Areas | Privately Owned Public Spaces (POPS) | Future Public Street |
| Mixed Use Type B | Community Use | Rail Road     | Future Private Street                | Gateways             |
| Mixed Use Type C | Public Park   |               |                                      |                      |



City of Montreal  
City Development Department  
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This Map Form is Part of Edition 7 of the Planning Official Plan and Must Be Read in Conjunction with the Other Schedules and the Text.

POPS & STRATA PARKS GUIDELINES & PARKLAND DEDICATION DRAFT BY-LAW

Provision	Strata Park Guidelines	Proposed	Regard for
Location	Minimum Frontage: 15m on open and maintained municipal road	Meets minimum dimension on Street A (~26m), B (>30m) and Walnut Lane (~20m).	Yes
	Accessibility: located at similar grade to public street	Detailed design direction.	Future
	Orientation: should face south and/or west to maximize sunlight exposure & should provide minimum of 5 consecutive hours of sunlight during the day	Has southern exposure and provides sunlight as appropriate given site context. See TFA and MBTW materials as related to consecutive hours of sunlight.	Generally
	Strata Limit: 200mm above the top grate of the private structure's roof	Detailed design direction.	Future
Size	Minimum size: 2,000 m <sup>2</sup> (where designed to directly abut a Strata Park on an adjoining property, each park must still meet the size requirement)	2,312m <sup>2</sup> .	Yes
Provision	POPS Guidelines	Proposed	Regard for
Location	Minimum Frontage: 15m on open and maintained municipal road	All POPS meet this frontage provision. Including POPS 4 (15m).	Yes
	Orientation: should face south and/or west to maximize sunlight exposure & should provide minimum of 5 consecutive hours of sunlight during the day	Generally yes. POPS 1 does not have western or southern exposure but is appropriate as a continuation of the enhanced southern boulevard Street A streetscape treatment provided through POPS 1, 2 and 3. See TFA and MBTW materials as related to consecutive hours of sunlight; sunlight is as appropriate given site context.	Generally

Size	Minimum size: 750 m <sup>2</sup> (where designed to directly abut a Strata Park on an adjoining property, each park must still meet the size requirement)	POPS 1, 2, 3, and 4 meet. POPS 5 does not meet.	Generally
Layout & Design	Must be at grade with surrounding properties	Detailed design direction.	Future
	Should face mostly south and or west	Generally yes – POPS 1 does not have western or southern exposure. However, POPS 1 is a continuation of the enhanced southern boulevard Street A streetscape treatment provided through POPS 1, 2 and 3.	Generally
	Minimum 25% shall be comprised of vegetation and planted material	Detailed design direction.	Future