

Brooklin Landowners Group

Supplementary Responses to Interrogatories from

OEB Staff

Interrogatory STAFF-12

North Brooklin Development Feeder Expansion - Feeders

Ref 1: Appendix B-2 – Sustainable Brooklin Business Case

Ref 2: EB-2021-0015 – Distribution System Plan – A3 – Feeder Expansion

Ref 3: EB-2021-0015 – Distribution System Plan – Figure 5.3-9 Municipal Station in the Whitby Area

Elexicon Energy stated that the first phase of this project requires Elexicon Energy to construct two new 27.6kV feeders connecting the North Brooklin development to Whitby TS. It is anticipated that the Brooklin Developers will construct 10,000 energy-efficient homes in the North Brooklin area over the next 20 years. The Brooklin Developers are proposing to build 700 DER/EV-ready homes per year for the next 20 years.

a) Please provide any additional information Elexicon Energy has for future phases for this development and Elexicon Energy's future system plans for the Brooklin area.

c) With recent economic developments, has this affected Brooklin Developers' forecast to construct 700 DER/EV-ready homes per year? Please provide any communications between Elexicon Energy and the developer on updated load forecasts.

Figure 1 in reference 1 shows the location of Whitby TS and the two feeders proposed to supply the Brooklin area.

d) Please add to the figure the approximate boundary of the subdivisions proposed by the Brooklin Developers along with the phase and year the subdivision is anticipated to be constructed.

e) Based on the notes attached in the figure it appears that there is an existing pole line for portions of these two new feeders. Please highlight sections that are rebuilds of the existing line and sections that are greenfield. For the green field sections please provide the distribution map of feeders in the surrounding area.

Response of Elexicon Energy Inc.

a) Elexicon has no detailed additional information on future phases of the North Brooklin development beyond that provided in its application and evidence.

c) Elexicon has not received any notification of change to the Brooklin Developer's current forecast of construction in North Brooklin.

d) Elexicon is awaiting a revised construction schedule from the Brooklin Developer's. The most recent plan provided to Elexicon is included as Attachment 1 to this response.

e) The final detailed design for the Sustainable Brooklin project is being developed at this time. Elexicon expects that its final design will identify sections that are rebuilds of any existing line and sections that are greenfield.

Supplementary Response of Brooklin Landowners Group

a) The development of the Community of North Brooklin is the last stage of a coordinated and comprehensive, planning process involving the Province of Ontario, the Region of Durham and the Town of Whitby. An understanding of this planning process is required in order to understand how and in what phases the Community of North Brooklin is being developed.

The starting point of the planning process is the [Provincial Growth Plan](#) that was issued by the government of then Premier Dalton McGuinty in 2006. This Plan has since been adopted by successive provincial governments, most recently, the government of Premier Ford. The Provincial Growth Plan mandates growth forecasts for the Greater Golden Horseshoe, including the Region of Durham, to 2031. In 2020, the Province updated the Provincial Growth Plan to require that municipalities plan for more growth to the 2051 planning horizon.

The [Official Plan of the Region of Durham](#) implements the Provincial Growth Plan, in respect of the Region of Durham, by allocating growth forecasts to local municipalities to each lower-tier municipality. In 2013, the Region of Durham amended this Official Plan to assign a growth forecast to the Town of Whitby, generally, and to the Community of North Brooklin, specifically, designating it as a "growth area" to accommodate the future growth requirements of the Region, to 2031. As per the Provincial Growth Plan, Whitby must plan to achieve this growth by 2031.

Durham Region is now in the process of updating its Official Plan, once again, as part of its [Envision Durham](#) initiative, to incorporate growth requirements from the 2020 update to the Provincial Growth Plan and to reflect the changes made to Ontario's land-use planning system by the recent enactment of [Bill 23](#), the *More Homes Built Faster Act, 2022*, to address the supply and affordability housing crisis in the Province. In connection with this updating initiative, Durham Region staff issued a report, in December 2022, which identified proposed new growth areas in the Region of Durham, to 2051. These new growth areas include all of the non-Greenbelt lands that lie along the proposed route of the new Brooklin Line. This will add significant growth areas along Lakeridge Road and Columbus Road (the route of the Brooklin Lines) in the near term future.

The [Official Plan of the Town of Whitby](#) provides the policy framework that guides development within the Town of Whitby. In 2018, the Town Council by approved the **Brooklin Community Secondary Plan**, attached to this response as **Attachment 1**, which provides the roadmap for development of North Brooklin. This plan requires sub-division developers to prepare a **Comprehensive Block Plan**, in order to facilitate and coordinate development amongst the many landowners in the area, including the phasing of growth in the community. The Comprehensive Block Plan document, attached to this response as **Attachment 2**, was approved by Town Council in early 2019. The Comprehensive Block Plan establishes three phases of development in Brooklin, as illustrated in the phasing schedule to this document. The phasing requires that development applications in phase one be substantially processed prior to submission of applications in

phase two, and that phase two applications be substantially processed prior to the submission of phase three applications. As of 2022, the Town of Whitby has allowed applications from all phases to be submitted, and most landowners have submitted development applications or are in the process of doing so.

Following the prescriptions in the Town of Whitby Comprehensive Block Plan, developers could proceed to submit applications to: (i) zone the lands within North Brooklin for specific uses; and (ii) approve the sub-division of these lands into parcels for residential housing and other uses (“**Draft Plans of Sub-Division**”) (together, “**Development Applications**”).

The first Development Applications for the Community of North Brooklin were submitted to the Town of Whitby in early 2019. As of the end of 2022, the Brooklin Landowner’s Group comprises of 12 developers representing 30 landowners. Five landowners have received Draft Plan Approval from the Town of Whitby. Of the remaining 25 landowners in the group, 16 have submitted Development Applications and are awaiting approval. One non-participating North Brooklin landowner has also submitted a Development Application and is awaiting approval. **Attachment 3** is a map of North Brooklin that shows the status of Draft Plan Applications for participating landowners in the Brooklin North Landowners Group. **Attachment 4** is a map of North Brooklin that shows the various Draft Plans of Sub-Division that have been approved or that are pending (the “**Draft Plan Composite**”). As seen in the Draft Plan Composite, most of the landowners who have received Draft Plan Approval or who are awaiting such approvals, are participants in the Brooklin Landowners Group.

The landowners participating in the Brooklin Landowners Group are “early movers” in the development of North Brooklin. They have banded together to facilitate the development process and secure a supply of electricity to the Community. They are sharing the common costs of development of North Brooklin in accordance with requirements of the Town of Whitby Official Plan. The lands in North Brooklin that are not the subject of approved or pending Development Applications, are owned by non-participating developers or by individual landowners who may have no interest in seeking development of their lands, at this time.

Following Draft Plan Approval, the process to obtain final approval of the plans of sub-division is commenced, a process that occurs in parallel with the physical preparation of the land for the construction of dwellings (single and multi-unit residential units). The final approval process is known as the “registration process” and can take from six to 12 months. Following registration, building permits are issued and home construction can commence, taking another six to nine months. Typically, land developers will not proceed in earnest through the registration process until they are confident that all required services and utilities (including electricity) will be available, as required. This is simply because of the extensive cost of preparing the land for development and the requirement to obtain financing to undertake this work, and the objective of minimizing carrying costs associated with this financing by seeking to achieve the shortest timeframe between the start of servicing to the occupancy of new homes.

After four years of working with Elexicon, the ability to bring electricity to the Community of North Brooklin has truly become, a gating item. Delays in the registration process, pending resolution of the electricity issue, will delay the development of the Community of North Brooklin and, in turn, frustrate the economic objectives of the Province, the Region of Durham and the Town of Whitby.

c) The Brooklin Landowners Group developed a construction forecast of the full build-out of the Community of North Brooklin, for a 16 year period, from the commencement of home construction (the “**Construction Forecast**”). This forecast was prepared for single and semi-detached and row house dwellings and was

based on the Town of Whitby's 2018 **Brooklin Community Secondary Plan** and the **Comprehensive Block Plan**, as described in response to 1-Staff-12(a) (see **Attachments 1** and **2**, respectively).

The Construction Forecast described above and set out in **Attachment 5** to this response, was provided to Elexicon in 2021. Although this forecast continues to be updated based on updates and refinements that continue to be made to the **Draft Plan Composite** (referenced in response to 1-Staff-12(a)), such updates are consistent with the original forecasts which were based on the **Brooklin Community Secondary Plan** and **Comprehensive Block Plan** (as referenced in response to 1-Staff-12(a)).

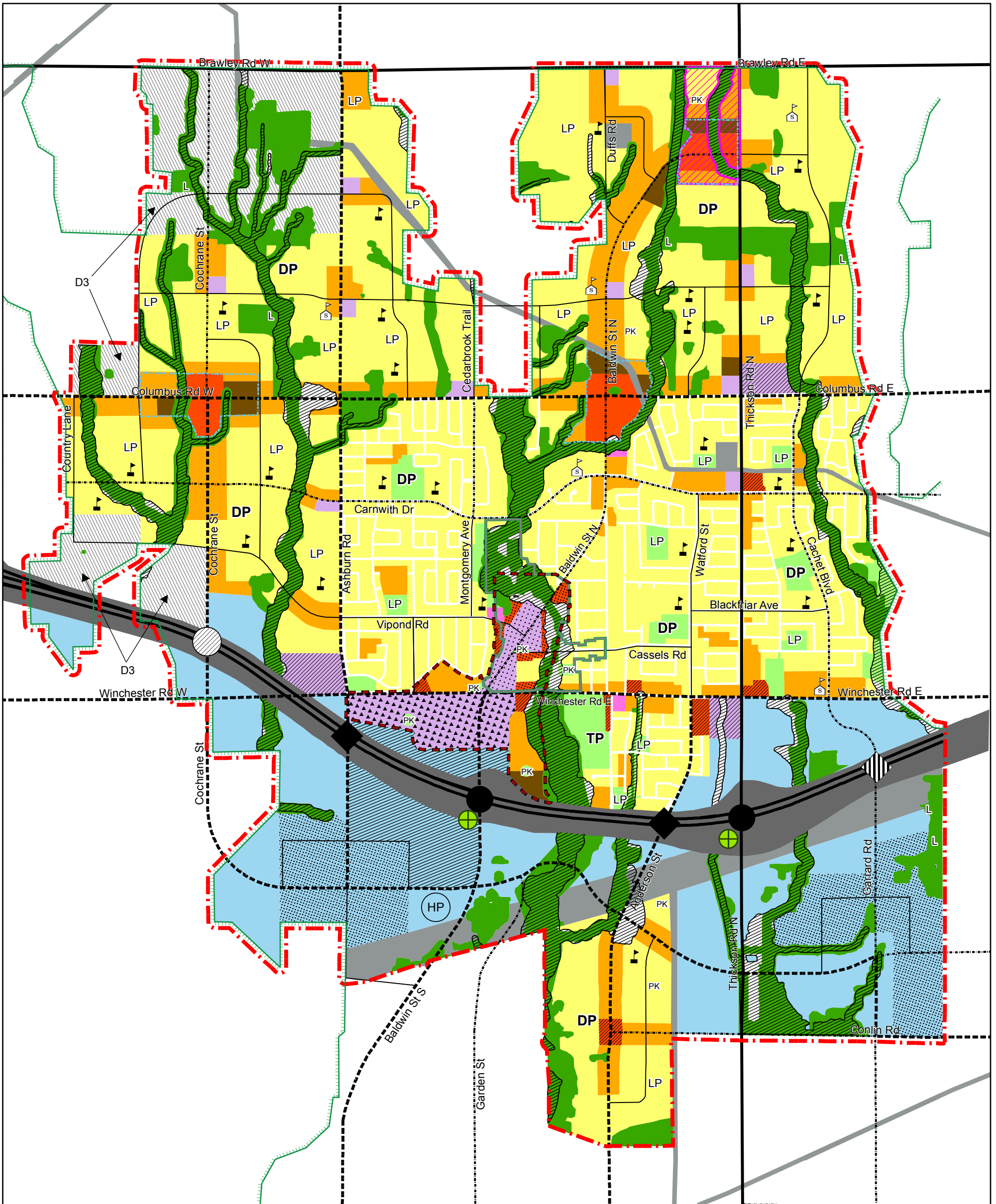
The Brooklin Landowners Group believes that the Construction Forecast of 700 residential units per year is reasonable once home construction can commence, and expects to realize it over the forecast period, provided a supply of electricity to North Brooklin can be secured in a timely fashion. This confidence is founded on current demand for housing in the Province and the lack of housing stock in the Greater Toronto Area and in the Region of Durham, in particular. Moreover, a forecast of 700 residential dwellings per year, over the forecast period is very reasonable in light of the fact that new communities - in the case of North Brooklin, comprising a total of 14,000 residential dwellings - generally take 20 years to be built out.

d) **Attachment 3**, provided in response to 1-Staff-12(a) above, is the most recent **Draft Plan Composite** that covers all of North Brooklin.

e) The Brooklin Landowners Group understands that even where there is an existing pole line on one or both sides of the proposed route of the Brooklin Line, along Lakeridge Road and Columbus Road, these lines will need to be replaced by, the existing lines and poles will need to be replaced.

STAFF-12

Attachment 1



LEGEND:

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|--------------------------------------|---|--|--|
| Low Density Residential | General Industrial | Natural Heritage System | Controlled Access Highway (Freeway) |
| Medium Density Residential | Lands subject to Durham Regional Official Plan Policy 14.13.7 | L Linkage in NHS | Type A Arterial |
| High Density Residential | Major Open Space | D Deferred by the Region of Durham | Type B Arterial |
| Local Commercial | DP District Park | Natural Hazards | Type C Arterial |
| Special Purpose Commercial | LP Local Park | Utility | Collector Road |
| Heritage Commercial | PK Parkette | Health Precinct Special Policy Area | Greenbelt Plan Boundary |
| Major Commercial | TP Town Park | Community Central Area | Full Interchange |
| Mixed-Use 1 - Community Central Area | Institutional | Major Central Area | Potential Interchange (Subject to Further Study) |
| Mixed-Use 2 - HCD | Secondary Schools | Heritage Conservation District Boundary | Grade Separation |
| Mixed-Use 3 | Elementary Schools | Secondary Plan Boundary | Potential Grade Separation |
| Prestige Industrial | | Special Policy Area - Refer to Section 11.5.31.6 | Future Transitway Station |
| Business Park | | | |

**Brooklin
Community
Secondary Plan
Official Plan** Schedule
Town of Whitby **K**

**Consolidation Date:
June 2021**



This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text.

11.5 Brooklin Community Secondary Plan

11.5.1 Vision and Objectives

11.5.1.1 Vision

Brooklin will grow in a manner that maintains the small-town community feel while evolving into a complete community. The unique heritage character of the downtown will be maintained and the vibrancy and pedestrian comfort of Baldwin Street will be enhanced. Additional retail and mixed-use development south of Winchester Road will allow Brooklin to have one downtown with an extension of the 'main street' character south of Winchester Road along a pedestrian promenade. While the community will grow in size and population, the growth will take place in a way that builds on and enhances the existing strengths of the community. Brooklin's new neighbourhoods will be walkable with higher density residential uses located along the arterial road spines and parks, schools and commercial areas distributed to promote a walkable destination. Transportation management will allow for a range of alternatives including active transportation along trails and cycle lanes. Residential growth and employment growth will be provided concurrently to achieve a balanced community where residents can work, live and play.

11.5.1.2 Objectives

Traffic management:

- a) To reduce traffic congestion by providing a balanced road network for local residents, businesses and visitors.
- b) To eliminate heavy vehicle and through traffic from Baldwin Street through Downtown Brooklin.

Downtown Brooklin Major Central Area North – a heritage downtown:

- c) To ensure Downtown Brooklin continues to be the focal area for shopping, dining, and entertainment.
- d) To ensure Baldwin Street is a safe, comfortable and accessible street for all users.
- e) To create a vibrant and pedestrian-friendly environment along Baldwin Street through an animated streetscape and by locating buildings close to the street.
- f) To conserve the heritage attributes of the significant cultural heritage resources identified in the Brooklin Heritage Conservation District Plan.
- g) To ensure new buildings are sensitive to, and maintain the heritage character of the Downtown as described in the Brooklin Heritage Conservation District Plan.

Downtown Brooklin Major Central Area South – an urban village:

- h) To create a diverse and vibrant mixed-use urban village south of Winchester Road as an extension of the historical Downtown, which will be designed to complement and support the historical Downtown.
- i) To provide for a mix of restaurants, cafes, and retail stores at-grade and close to the sidewalk which provides visual interest, promotes retail continuity and viability, encourages walking and contributes to a safe, comfortable and vibrant pedestrian environment.
- j) To require buildings to be built up to the street line along the Pedestrian Promenade, with active storefronts in order to promote pedestrian activity.

Mobility with choices:

- k) To provide a range of transportation choices including transit, cycling, walking and a diverse transportation network so that all ages and levels of mobility can comfortably and conveniently access all parts of the Municipality.
- l) To create a safe and accessible active transportation network linking destinations such as natural areas, parks, schools, recreation areas, stores, health services, employment areas and connections to southern Whitby.
- m) To create an integrated and connected multi-use trail system.

Healthy living:

- n) To promote active and healthy living for all ages and abilities through the development of parks, trails, safe and walkable streets and recreational facilities.
- o) To encourage active transportation through street design such as pedestrian lighting, benches, well maintained walkways and paths and traffic calming measures.

Green space:

- p) To protect significant natural areas and features.
- q) To ensure access to parks and open spaces in the planning of new residential neighbourhoods.

Jobs:

- r) To establish employment lands along Highway 407 to provide for a diverse range of employment opportunities.
- s) To service the employment lands concurrent with residential lands to ensure employment growth occurs at the same time as population growth.

Community and culture:

- t) To encourage community and cultural amenities and events to meet the diverse needs of the community, and to provide social meeting places.
- u) To develop infrastructure to support locations for community gardens in order to foster access to affordable and healthy food choices and provide opportunities for social connectivity.

Housing choice:

- v) To plan for a range of housing choices, including affordable housing to meet the needs of residents of all ages and abilities.

Neighbourhood character and design:

- w) To protect the character of existing mature residential neighbourhoods.
- x) To create new residential neighbourhoods, which are compact, walkable and diverse.

11.5.2 General Development Policies

- 11.5.2.1 The area to which this Secondary Plan applies is indicated by the Secondary Plan boundary on Schedule “K”. Any area shown on this map, but lying outside of this boundary is governed by the land use designations and policies of Part I of this Plan.
- 11.5.2.2 Any future development on lands shown on Schedule “K” as “Lands subject to Durham Region Official Plan Policy 14.13.7” are subject to the requirements of Section 9.3.2 of this Plan.

Note: Policy 11.5.2.2 has been deferred by the Region of Durham.
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- 11.5.2.3 Schedule “K” provides the detailed land use designations for the Secondary Plan Area. The more detailed policies of Section 11.5, together with the general policies of this Plan, apply to the land use designations of the Brooklin Community Secondary Plan area as shown on Schedule “K”.
- 11.5.2.4 Development within the Secondary Plan area shall be:
 - a) compact in form;
 - b) pedestrian-oriented;
 - c) supportive of active transportation options;
 - d) accessible by public transit;
 - e) connected;
 - f) efficient in the use of land, resources and municipal services; and
 - g) supportive of healthy living for persons of all ages and abilities.
- 11.5.2.5 The policies of the Brooklin Community Secondary Plan are intended to implement the requirements of the Part I policies regarding Intensification

Corridors, Intensification Areas and Major Central Areas, by providing for a range of residential, commercial, and community uses at higher densities.

11.5.2.6 Development shall consider the design and built form policies of Section 6.2 of this Plan and the guidelines of the “Brooklin Urban Design and Sustainable Development Guidelines”.

11.5.2.7 The minimum greenfield area density target for new (post 2017) residential neighbourhoods and employment areas combined shall be 54 persons and jobs per hectare. The entire greenfield area in the Brooklin Community Secondary Plan, including previously developed lands, shall be planned to achieve a density of 52.5 persons and jobs per hectare.

11.5.3 Sustainability

11.5.3.1 Green infrastructure and Low Impact Development techniques, such as permeable paving, infiltration trenches, rain gardens and other stormwater management techniques, shall be considered in the design of new development and implemented to the extent feasible, as determined by the Municipality in consultation with the Conservation Authority.

11.5.3.2 Land use patterns and transportation networks shall be arranged and planned to support safe and accessible transit and active transportation in an effort to reduce traffic congestion, encourage active, healthy living and to encourage a sustainable lifestyle.

11.5.3.3 The Municipality shall use a wide selection of native trees, shrubs and wildflowers along street boulevards and in parks.

11.5.3.4 The Municipality, through the review and consideration of development applications, will require proponents of new developments to address sustainability matters outlined in the Brooklin Urban Design and Sustainable Development Guidelines and Section 3.2 of this Plan. On this basis, proponents of new development may be required to prepare a Sustainability Plan that considers the elements of sustainability identified in this Plan and the Brooklin Urban Design and Sustainable Development Guidelines to demonstrate how the proposed development would advance sustainability objectives.

Community Structure

11.5.4 Downtown Brooklin Major Central Area

11.5.4.1 The boundary of the Downtown Brooklin Major Central Area is defined on Schedules “K” and “K1”.

11.5.4.2 The Downtown Brooklin Major Central Area is comprised of two separate but interrelated areas:

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- 1) The northern portion of the Downtown Brooklin Major Central Area comprising the historic Downtown located north of Winchester Road, and
 - 2) The southern portion of the Downtown Brooklin Major Central Area comprising a new mixed-use central area located south of Winchester Road.

These two components together shall be planned as a vibrant mixed-use core of Brooklin.

Downtown Brooklin Major Central Area North

- 11.5.4.3 The historic downtown shall remain the commercial heart of the community accommodating restaurants and small-scale shops, offices and personal services and limited infill residential development.
- 11.5.4.4 The Brooklin Heritage Conservation District (HCD) overlays much of the historic Downtown component of the Downtown Brooklin Major Central Area. The built form and design policies within the HCD Plan shall be used to evaluate development applications within the HCD along with the Brooklin Urban Design and Sustainable Development Guidelines.
- 11.5.4.5 Along Baldwin Street, the unique main-street shopping environment shall be enhanced and further infill development encouraged, while protecting the historic character of Downtown Brooklin in accordance with the policy directives of the Brooklin HCD Plan and the Brooklin Urban Design and Sustainable Development Guidelines.
- 11.5.4.6 Council shall also encourage and support mixed-use development comprised of ground level commercial uses with residential units located above, in order to support the vitality of the Downtown Brooklin Major Central Area.
- 11.5.4.7 Behind the buildings along Baldwin Street, low rise mixed-use infill development is permitted and encouraged in accordance with the policy directives of the HCD Plan and the Brooklin Urban Design and Sustainable Development Guidelines.
- 11.5.4.8 Within the historic Downtown, existing low density residential housing forms along Princess Street and Durham Street shall be conserved in accordance with the directives of the HCD Plan.
- 11.5.4.9 Notwithstanding any other provisions of this Plan to the contrary, new automobile service stations/gas bars and new drive-through service facilities are not permitted within the Downtown Brooklin Major Central Area North.

Downtown Brooklin Major Central Area South

- 11.5.4.10 The southern portion of the Downtown Brooklin Major Central Area, south of Winchester Road, shall accommodate high density residential development in conformity with the density provisions of the Durham

Regional Official Plan and Section 4.3.3.5.2 of this Plan as well as serve as the main commercial core in Brooklin.

- 11.5.4.11 Development in the southern portion of the Downtown Brooklin Major Central Area shall complement Brooklin’s historic Downtown and enhance its vibrancy through the development of a Pedestrian Promenade that functions as a pedestrian-oriented extension of the Baldwin Street retail “main street” in the southwest quadrant of the Downtown Brooklin Major Central Area. The Pedestrian Promenade will be designed to ensure a sense of continuity of the pedestrian-oriented streetscape of the historic downtown and may be a combination of pedestrian only promenade and/or a public or private street with retail stores built up to and facing the Pedestrian Promenade.
- 11.5.4.12 Development applications for lands within the southwest quadrant of Baldwin Street and Winchester Road, east of Ashburn Road and north of Highway 407, shall be accompanied by a Traffic Impact Study that identifies and supports a collector and local road network. The Traffic Impact Study shall also determine the appropriate connectivity of the collector road to the surrounding arterial road network, including an intersection on Winchester Road opposite Ferguson Avenue, and intersection locations, configurations and spacing to the satisfaction of the Ministry of Transportation and Town of Whitby, in consultation with the Region of Durham.
- 11.5.4.13 Development approvals within the Downtown Brooklin Major Central Area shall provide for a minimum gross leasable floor space for the retailing of goods and services of 70,000 square metres, and a maximum gross leasable floor space for the retailing of goods and services of 100,000 square metres, a portion of which will be oriented along the Pedestrian Promenade.
- 11.5.4.14 The large right-of-way in the southwest corner of the Baldwin Street/Winchester Road intersection provides an opportunity to create a significant Urban Square as the gateway to the Pedestrian Promenade. The design of the Urban Square within this right-of-way shall be explored through the Comprehensive Block Plan and shall be in accordance with the Brooklin Urban Design and Sustainable Development Guidelines and Sections 11.5.24.9 and 11.5.24.10.
- 11.5.4.15 The Downtown Brooklin Major Central Area shall also accommodate high density residential and mixed-use development as well as commercial development to support the vibrancy of the historic Downtown. A minimum of 750 additional residential units will be planned and accommodated in the southern portion of the Downtown Brooklin Major Central Area by 2031 within the High Density Residential, Medium Density Residential, Mixed-Use 3 and Major Commercial designations.
- 11.5.4.16 Notwithstanding any other provisions of this Plan to the contrary, new automobile service stations/gas bars are not permitted within the

Downtown Brooklin Major Central Area South and new drive-through service facilities may be permitted only in the southwest quadrant of the Baldwin/Winchester intersection, interior to the site.

- 11.5.4.17 The Downtown Brooklin Major Central Area shall be developed as a pedestrian supportive environment. Creating and enhancing the pedestrian environment shall be considered through all new development in accordance with the Brooklin Urban Design and Sustainable Development Guidelines.
- 11.5.4.18 A Comprehensive Block Plan, in accordance with Section 6.2.4.2.2 of this Plan, shall be required prior to the development and/or re-development within the southern portion of Downtown Brooklin Major Central Area. Within this area, separate Comprehensive Block Plans may be required for the area west of Baldwin Street and the area east of Baldwin Street.
- 11.5.4.19 In addition to the matters listed in Section 6.2.4.2.2 of this Plan, the Comprehensive Block Plans shall also address the following matters:
- a) the location and mix of uses;
 - b) how the commercial floor space and residential unit targets of Section 4.3.3.3.5.2 of this Plan and Policy 8A.2.2 b ii) of the Durham Regional Plan will be achieved and phased;
 - c) how the minimum residential densities will be achieved;
 - d) block sizes and location of local roads;
 - e) interface and relationship with adjacent employment and residential areas;
 - f) the location and design of the Pedestrian Promenade, Urban Squares and Parkettes;
 - g) commercial building interface with the Pedestrian Promenade to create a pedestrian-oriented retail “main street” and meet the ground floor animation target;
 - h) commercial building interface with the Urban Square at Baldwin Street/Winchester Road intersection to meet the ground floor animation target;
 - i) access and internal traffic circulation including appropriate intersection spacing for full-movement and right-in/right-out movements along Winchester Road;
 - j) the location of any proposed drive-through facilities such that they are internal to the site and sufficient queuing space is provided without hindering vehicular movement;
 - k) provision of adequate parking and the location of such parking; and
 - l) urban design and landscaping standards set out in the Brooklin Urban Design and Sustainable Development Guidelines.

11.5.5 Intensification Corridors

- 11.5.5.1 Portions of Baldwin Street, Winchester Road, and Columbus Road are identified as Intensification Corridors as illustrated on Schedule “B”.
- 11.5.5.2 Minimum height and density and maximum height requirements are set out in Section 4.2.7 of this Plan. The land use designations provided in the Brooklin Community Secondary Plan are intended to achieve these densities.
- 11.5.5.3 The portions of the Baldwin Street and Winchester Road Intensification Corridors located within the Downtown Brooklin Major Central Area will be guided by the policies of Section 11.5.4 for the Downtown Brooklin Major Central Area as well as the policy directives of the Brooklin Heritage Conservation District.

11.5.6 Residential Neighbourhoods

- 11.5.6.1 Sensitive infill development and appropriate transition shall be required between new development and the existing development in mature residential neighbourhoods.
- 11.5.6.2 Mature residential neighbourhoods in Brooklin are generally those residential neighbourhoods north of Highway 407, south of Columbus Road and east of Ashburn Road, excluding the lands in the Downtown Brooklin Major Central Area. New homes, lots and other infill development within mature residential neighbourhoods shall meet the Strategic Objective of Section 2.3.4.2.1 and the Residential objective of Section 4.4.2.2 of Part I of this Plan.
- 11.5.6.3 New residential neighbourhoods shall contain a variety of housing, commercial, and open space land uses as illustrated on Schedule “K”.
- 11.5.6.4 Medium Density and High Density Residential development shall predominantly be located along Columbus Road and Baldwin Street north of Columbus Road to meet the minimum densities for these Intensification Corridors as well as along Anderson Street south of the Highway 407 corridor and at the intersection of collector and arterial roads.
- 11.5.6.5 In order to create transit supportive built form along arterial and collector roads, stormwater management ponds shall be discouraged within Medium Density and High Density Residential designations unless it is demonstrated that there are no other feasible alternatives as determined through the study required in Section 11.5.30.5. In such instances, plans of subdivision shall accommodate the Medium Density Residential and/or High Density Residential designation elsewhere within the plan of subdivision.
- 11.5.6.6 Local Commercial Areas are distributed throughout the new residential neighbourhoods to increase active transportation access to convenience commercial destinations.

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- 11.5.6.7 The Municipality shall require that a Comprehensive Block Plan as set out in Section 6.2.4.2.1 be prepared for new residential neighbourhoods. The boundaries of the neighbourhoods for comprehensive block planning will be determined by the Municipality and will consider the proposed boundaries for further functional servicing reports set out in the Final Watershed Report as per Section 11.5.30.3.
- 11.5.6.8 Development of the greenfield area of the Brooklin Community Secondary Plan Area shall be planned to achieve an overall housing mix of 55% single and semi-detached dwellings, 29% townhouses and other ground related multi-unit housing and 16% apartment units.
- 11.5.6.9 Within the new greenfield expansion areas, excluding the Downtown Brooklin Major Central Area, development should be planned to achieve a housing mix of 58% single and semi-detached dwellings, 30% townhouses and other ground related multi-unit housing and 12% apartment units.

11.5.7 Community Central Areas

- 11.5.7.1 High density residential uses and mixed-uses shall be accommodated in the Community Central Areas in accordance with the policies of Sections 11.5.11 and 11.5.12.
- 11.5.7.2 Each Community Central Area shall provide a minimum of 12,000 square metres and a maximum of 15,000 square metres of gross leasable floor space for the retailing of goods and services.
- 11.5.7.3 While stand-alone commercial and residential buildings are permitted within the Community Central Area, the intent is that mixed-use buildings and developments shall also be accommodated in the Community Central Area as per Section 11.5.12 and the Community Central Area shall not be developed solely for one permitted land use type.
- 11.5.7.4 A Comprehensive Block Plan is required prior to the development and/or redevelopment of each Community Central Area. The Comprehensive Block Plan shall address the matters listed in Section 6.2.4.2.2 of this Plan as well as the following matters:
- a) Establish a unified urban design plan for each Community Central Area;
 - b) Identify the primary street where retail and commercial uses will be primarily focused and which will form the focal area for pedestrian-oriented retail uses;
 - c) Demonstrate how the minimum required leasable floor space for the retailing of goods and services will be provided;
 - d) Demonstrate how residential uses will be mixed with commercial uses in the areas designated as Mixed-Use 1 – Community Central Area;

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- e) Identify the extent of stand-alone commercial and residential development along with the extent of mixed-use buildings to be developed in the initial phase of development;
 - f) Illustrate how additional mixed-use development can be phased over time and how such stand-alone development will not preclude future mixed-use intensification;
 - g) Demonstrate how the minimum required commercial space will be phased with residential development in the Community Central Area; and
 - h) Identify locations for publicly accessible open space including at least one urban square.

11.5.7.5 The Community Central Area located at the intersection of Baldwin Street North and Thicksen Road North is located within a Special Policy Area and subject to the policies of Section 11.5.31.6.

11.5.8 Brooklin Heritage Conservation District Plan

11.5.8.1 The boundaries of the Brooklin Heritage Conservation District (HCD) are shown on Schedules “K” and “K1”.

11.5.8.2 The goal of the Brooklin HCD Plan is to reinforce the village character through the conservation of cultural heritage resources, the regularization of the building setbacks, the improvement of the pedestrian environment, and the development of new, compact, sensitive infill buildings.

11.5.8.3 Views and vistas as identified in the Brooklin HCD Plan shall be preserved including those of Lynde Creek.

11.5.8.4 Pedestrian access to Lynde Creek shall be improved where possible. Any redevelopment adjacent to Lynde Creek shall include dedication of the valleyland and associated natural hazard land and the accommodation of a public trail. Trails and pedestrian and bridge crossings will require appropriate approvals to address redside dace habitat.

11.5.8.5 New buildings shall be designed to harmonize with the heritage character and exhibit compatible scale, massing, setback, material, roof line, vertical alignments, exterior lighting, signage and landscaping in accordance with the policies and guidelines of the Brooklin HCD Plan.

11.5.8.6 Any new buildings shall adhere to the guidelines for new construction and the guidelines for streetscapes contained in the Brooklin HCD Plan.

11.5.8.7 Adaptive re-use of cultural heritage resources shall be encouraged.

11.5.8.8 Improvements to public street rights-of-way, including paving, sidewalks, lighting, and street furniture, shall be evaluated in terms of their ability to conserve and enhance the District’s heritage character.

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- 11.5.8.9 Street tree planting should use indigenous, historically accurate and non-invasive species. Species selection shall be made in consultation with municipal staff and a certified arborist.
 - 11.5.8.10 Existing mature trees should be maintained and preserved wherever possible. An assessment of tree condition within the District shall be conducted by a certified arborist to determine tree vitality. Any decisions regarding removal of mature trees for reasons of disease, damage or effect on public safety must be made in consultation with a certified arborist.
 - 11.5.8.11 New developments within the HCD shall be subject to site plan control and the policies of Section 10.1.11. Through site plan control, it shall be demonstrated that an appropriate transition of height and density with adjacent land uses, particularly low density residential neighbourhoods, is provided.

Land Use Designations

11.5.9 Low Density Residential

- 11.5.9.1 Lands designated as Low Density Residential on Schedules “K” and “K1” shall be developed in accordance with the policies of Section 4.4.3.4 except as modified by the following additional policies.
- 11.5.9.2 The Low Density Residential designation recognizes existing residential development, as well as future low density residential development on vacant and designated lands.
- 11.5.9.3 Limited residential infill and intensification will be permitted in mature residential neighbourhoods in accordance with Sections 4.4.3.4.2, 4.4.3.4.3 and 11.5.9.6.
- 11.5.9.4 The maximum building height shall not exceed 3 storeys except in mature residential neighbourhoods where it shall not exceed 2 storeys.
- 11.5.9.5 Notwithstanding Section 4.4.3.4.1 b), outside of mature residential neighbourhoods the minimum density shall be 25 units per net hectare and the maximum density shall be 35 units per net hectare.

Design

- 11.5.9.6 New development within mature residential neighbourhoods shall be compatible with, and fit in with the physical character of the neighbourhood. To fit in with the physical character, new development shall reflect the predominant building type, height, scale, massing, and setbacks of the block and surrounding residential neighbourhood.
- 11.5.9.7 Residential development within new residential neighbourhoods shall reflect the built form directions in the Brooklin Urban Design and Sustainable Development Guidelines.

11.5.10 Medium Density Residential

- 11.5.10.1 Lands designated as Medium Density Residential on Schedules “K” and “K1” shall be developed in accordance with the policies of Section 4.4.3.5 except as modified by the following additional policies.
- 11.5.10.2 The Medium Density Residential designation is intended to provide for residential development at increased densities along arterial and collector roads and within and surrounding Community Central Areas to support future transit and active transportation, support commercial and mixed-use nodes, create walkable higher density nodes and function as a transition in density and intensity of uses between Low Density Residential Areas and higher density mixed-use and commercial areas.
- 11.5.10.3 Stormwater management ponds are discouraged within Medium Density Residential designations and will only be permitted where it has been demonstrated that there is no other feasible alternative as determined through the study required in Section 11.5.30.5. In such instances, plans of subdivision shall accommodate the Medium Density Residential designation elsewhere within the plan of subdivision.
- 11.5.10.4 Notwithstanding Section 4.4.3.5.1 b), within the Intensification Corridor along Columbus Road, as well as along Baldwin Street north of Columbus Road, the minimum density shall be 50 units per net hectare and the maximum density shall be 80 units per net hectare.
- 11.5.10.5 The minimum building height shall be 3 storeys abutting arterial roads outside of mature residential neighbourhoods.

Design

- 11.5.10.6 Lands designated as Medium Density Residential shall be developed in accordance with the design policies of Section 6.2.3 and the additional design policies of this Section, as well as the Brooklin Urban Design and Sustainable Development Guidelines.
- 11.5.10.7 Medium Density Residential developments shall provide a transition in heights and densities adjacent to Low Density Residential designations.
- 11.5.10.8 Common parking areas shall be developed underground or situated at the rear or side of the lots. Common parking areas, where provided, shall be appropriately screened by landscaping or built features with consideration given to safety and visual impact to the surrounding residential areas and roadways.

11.5.11 High Density Residential

- 11.5.11.1 Lands designated as High Density Residential on Schedules “K” and “K1” shall be developed in accordance with the policies of Section 4.4.3.6 except as modified by the following additional policies.

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- 11.5.11.2 Lands designated as High Density Residential shall be located along Intensification Corridors and in the Central Areas in order to support future transit and walkability to mixed-use nodes.
- 11.5.11.3 The minimum and maximum permitted density is set out in Section 4.4.3.6.1 except that the minimum overall density in the Downtown Brooklin Major Central Area shall be in conformity with Section 4.3.3.3.5.2, and the maximum density may be increased in the following locations through an amendment to the Zoning By-law:
- a) within Intensification Areas or Intensification Corridors as set out in Section 4.4.3.6.1 c);
 - b) within Community Central Areas outside of an Intensification Corridor to a maximum of 150 units per net hectare provided at least one floor of non-residential uses are incorporated and the matters set out in Section 4.4.3.9.2 are addressed to the satisfaction of the Municipality;
 - c) within the Downtown Brooklin Major Central Area outside of an Intensification Area or Intensification Corridor to a maximum of 300 units per net hectare provided at least one floor of non-residential uses are incorporated and the matters set out in Section 4.4.3.9.2 are addressed to the satisfaction of the Municipality; and
 - d) where lands within the Downtown Brooklin Major Central Area are outside of an Intensification Area or Intensification Corridor and do not contain non-residential uses, the density may be increased to 200 units per net hectare provided the matters set out in Section 4.4.3.9.2 are addressed to the satisfaction of the Municipality.
- 11.5.11.4 The minimum building height shall be 4 storeys, except as identified in Section 11.5.11.7. The maximum building height shall be 8 storeys except that, within a Community Central Area and within the Downtown Brooklin Major Central Area outside of the Downtown Brooklin Intensification Area and outside of the Heritage Conservation District, the maximum height shall be 12 storeys.
- 11.5.11.5 Stormwater management ponds are discouraged within High Density Residential designations and will only be permitted where it has been demonstrated that there is no other feasible alternative as determined through the study required in Section 11.5.30.5. In such instances, plans of subdivision shall accommodate the High Density Residential designation elsewhere within the plan of subdivision.

Design

- 11.5.11.6 Lands designated as High Density Residential shall be developed in accordance with the design policies of Section 6.2.3 and the additional design policies of this Section, as well as the Brooklin Urban Design and Sustainable Development Guidelines.

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- 11.5.11.7 High Density Residential developments shall provide a transition in heights and densities adjacent to Low Density Residential designations including increased setbacks, intervening low-rise, multiple unit housing forms and the use of a 45 degree angular plane from the property line abutting Low Density Residential designations. In this regard, notwithstanding Section 11.5.11.4, for lands designated as High Density Residential located outside of Central Areas, the minimum building height shall be 3 storeys on the portion of the site immediately abutting a Low Density Residential designation. The remainder of the site shall meet the minimum height requirements of Section 11.5.11.4
 - 11.5.11.8 Buildings shall be sited near the street line to create a continuous streetscape, to reinforce the street edge and to promote a pedestrian scale.
 - 11.5.11.9 Development shall be designed and sited to provide an animated frontage or flankage adjacent to streets and other public spaces, to achieve the objective of “eyes on the street” through the inclusion of elements such as main entrances, porticoes, porches, windows and balconies.
 - 11.5.11.10 Site planning shall emphasize the importance of landscaped areas, building entrances and active built spaces at the street line. The design and location of driveways, parking areas and access to parking garages shall minimize their impact on streetscapes.
 - 11.5.11.11 Common parking areas shall be developed underground or situated at the rear or side of the lots. Where side yard parking is exposed to the street it shall be screened by landscaping or built features.
 - 11.5.11.12 Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active streetscapes.

11.5.12 Mixed-Use 1 - Community Central Area

- 11.5.12.1 Lands designated as Mixed-Use 1 – Community Central Area on Schedule “K” shall be developed in accordance with Section 4.6, except as modified by the following additional policies.
- 11.5.12.2 The intended function of the Mixed-Use 1- Community Central Area designation is to provide a mix of residential and commercial uses in a pedestrian-oriented manner at a density which supports frequent transit service. Each property shall have a mix of two or more land uses set out in Section 4.6.3.1, and each Mixed-Use 1 – Community Central Area designation as a whole shall have a mix of residential and commercial use as determined through Section 11.5.7.4. The designation is also intended to provide for a range of commercial uses provided by the Community Commercial designation to support the weekly shopping needs of the surrounding residential neighbourhoods.

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- 11.5.12.3 In addition to the uses permitted in Section 4.6.3.1, permitted commercial uses shall be as set out in Section 4.5.3.2.1 of this Plan except that the minimum gross leasable floor space of commercial uses within each Community Central Area shall be 12,000 square metres.
 - 11.5.12.4 The minimum and maximum permitted residential and mixed-use density shall be as set out in Section 11.5.11.3.
 - 11.5.12.5 The minimum and maximum permitted residential and mixed-use building height shall be as set out in Section 11.5.11.4.
 - 11.5.12.6 The minimum building height for non-residential buildings shall be 2 storeys. The proportion of the second floor that is occupied by functional space shall be set out in the zoning by-law.
 - 11.5.12.7 It is recognized that the mixed-use elements may occur in stages as the area develops and intensifies over the long-term. However, the intent is that the designation will be planned to accommodate a range of uses from its initial development and shall not be developed solely for one permitted land use type. The extent of mixed-use development in the initial stages and the phasing of mixed-use development over time will be illustrated in the Comprehensive Block Plan required in Section 11.5.7.4.

Design

- 11.5.12.8 Lands designated as Mixed-Use 1 – Community Central Area shall be developed in accordance with the design policies of Section 6.2.3.1 and the additional policies of this Section as well as the Brooklin Urban Design and Sustainable Development Guidelines.
- 11.5.12.9 Consolidation and the integrated development of properties within the Mixed-Use 1 – Community Central Area shall be encouraged.
- 11.5.12.10 Buildings should be located at or close to the street line to create a continuous streetscape and massed at intersections to establish a strong street edge and to promote a pedestrian scale.
- 11.5.12.11 Development shall provide a transition in heights and densities adjacent to Low Density Residential areas including increased setbacks, intervening low-rise, multiple unit housing forms and the use of a 45 degree angular plane from the property line of Low Density Residential designations.
- 11.5.12.12 Commercial uses and buildings containing ground floor commercial uses shall be oriented to the street.
- 11.5.12.13 As required in Section 11.5.7.4, a primary street and focal area for retail commercial space shall be identified in the Comprehensive Block Plan. Along such street(s), buildings shall provide an animated frontage with primary doors facing the street. The Brooklin Urban Design and Sustainable Development Guidelines shall set out minimum fenestration requirements, and the zoning by-law shall establish a minimum build-to line requirement. On-street parking along such street(s) may be permitted.

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- 11.5.12.14 Development shall be designed and sited to provide an animated frontage or flankage adjacent to streets and other public spaces, to achieve the objective of “eyes on the street” through the inclusion of elements such as main entrances, porticoes, porches, windows and balconies.
 - 11.5.12.15 Principal entrances shall face the sidewalk and provide direct access onto the public sidewalk so as to create a pleasant pedestrian shopping environment. The primary windows and signage shall also face the street.
 - 11.5.12.16 Site planning shall emphasize the importance of landscaped areas, including the provision of shade structures, building entrances and active built spaces at the street line. The design and location of driveways, parking areas and access to parking garages shall minimize their impact on streetscapes.
 - 11.5.12.17 Buildings should have a consistent minimum and maximum setback to promote pedestrian scale. A generally continuous building face is recommended to establish a unified streetscape.
 - 11.5.12.18 Common parking areas shall be developed underground or situated at the rear or side of the lots. Where side yard parking is exposed to the street it shall be screened by low walls and landscaping to provide a sense of enclosure along the setback line.
 - 11.5.12.19 Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active streetscapes.

11.5.13 Mixed-Use 2 – HCD

- 11.5.13.1 Lands designated as Mixed-Use 2 – HCD on Schedules “K” and “K1” shall be developed in accordance with Section 4.6, except as modified by the following additional policies.
- 11.5.13.2 The intent of the Mixed-Use 2 – HCD designation is to accommodate low-rise, mixed-use development within the HCD and to accommodate commercial uses in a mixed-use format that complement the commercial development in the historic downtown and in the adjacent Major Commercial designation.
- 11.5.13.3 In addition to the uses permitted in Section 4.6.3.1, in the Mixed-Use 2 – HCD designation, the range of permitted commercial uses shall complement but not compete with the Heritage Commercial designation as set out in Section 11.5.16.
- 11.5.13.4 The maximum permitted density in the Mixed-Use 2 – HCD designation shall be 85 units per net hectare.
- 11.5.13.5 The minimum height in the Mixed-Use 2 – HCD designation shall be 2 storeys and the maximum height shall be 4 storeys.
- 11.5.13.6 Cultural heritage resources shall be conserved.

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- 11.5.13.7 The built form, and separation distances and views between buildings shall reflect the design and built form guidelines of the HCD Plan and the Brooklin Urban Design and Sustainable Development Guidelines.

Design

- 11.5.13.8 Lands designated as Mixed-Use 2 – HCD shall be developed in accordance with the design policies of Section 6.2.3.1 and the additional policies of this Section as well as the Brooklin Urban Design and Sustainable Development Guidelines and the HCD Plan as applicable.
- 11.5.13.9 Principal entrances shall face the sidewalk and provide direct access onto the public sidewalk so as to create a pleasant pedestrian-oriented environment. Buildings should have a consistent minimum and maximum setback to promote pedestrian scale. A generally continuous building face is recommended to establish a unified streetscape.
- 11.5.13.10 Residential and mixed-use development shall be designed and sited to provide an animated frontage or flankage adjacent to streets and other public spaces, to achieve the objective of “eyes on the street” through the inclusion of elements such as main entrances, porticoes, porches, windows and balconies.
- 11.5.13.11 For commercial and mixed-use buildings, storefronts shall be located at or close to the street with active at-grade uses and with principal entrances and primary windows and signage facing the street.
- 11.5.13.12 Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active streetscapes and provide shade protection for pedestrians.
- 11.5.13.13 The design and location of driveways, parking areas and access to parking garages shall minimize their impact on streetscapes.
- 11.5.13.14 Common parking areas shall be situated at the rear or side of the lots. Where side yard parking is exposed to the street it shall be screened with low walls and landscaping to provide a sense of enclosure along the setback line.
- 11.5.13.15 The design of new development adjacent to cultural heritage resources, or infill, intensification and adaptive reuse developments around cultural heritage resources shall incorporate the principles of heritage conservation and shall be sensitive to the existing cultural heritage resources.
- 11.5.13.16 Where a property contains an existing dwelling, the dwelling may be converted to limited commercial use provided that such conversion is within the existing building, is compatible with surrounding uses, is in contextual harmony with the streetscape, and on-site parking is provided within the interior or rear yard area. Where a building of architectural and/or historical significance is involved, provision shall be made to ensure that the architectural features of the building are conserved.

11.5.13.17 Proposals for development in the Mixed-Use 2 – HCD designation or the conversion of existing detached dwellings to commercial use may require a site-specific Zoning By-law amendment.

11.5.14 Mixed-Use 3

11.5.14.1 Lands designated as Mixed-Use 3 on Schedules “K” and “K1” shall be developed in accordance with Section 4.6, except as modified by the following additional policies.

11.5.14.2 The intent of the Mixed-Use 3 designation is to accommodate a mix of two or more land uses on a site, as set out in Section 4.6.3.1, either within the same building or integrated as separate buildings on the lot.

11.5.14.3 In addition to the uses permitted in Section 4.6.3.1, in the Mixed-Use 3 designation, the range of permitted commercial uses shall vary depending on the location:

- a) Within the Downtown Brooklin Major Central Area outside of the HCD, the range of permitted commercial uses shall include those permitted in the Major Commercial designation as set out in Section 4.5.3.1;
- b) Outside of the Downtown Brooklin Major Central Area, the range of permitted commercial uses shall include those permitted in the Local Commercial designation as set out in Section 4.5.3.3.

11.5.14.4 The minimum permitted density in the Mixed-Use 3 designation shall be 60 units per net hectare and the maximum density shall be 85 units per net hectare.

11.5.14.5 The minimum height in the Mixed-Use 3 designation shall be 2 storeys and the maximum height shall be 4 storeys.

Design

11.5.14.6 Lands designated as Mixed-Use 3 shall be developed in accordance with the design policies of Section 6.2.3.1 and the additional policies of this Section as well as the Brooklin Urban Design and Sustainable Development Guidelines, as applicable.

11.5.14.7 Principal entrances shall face the sidewalk and provide direct access onto the public sidewalk so as to create a pleasant pedestrian-oriented environment. Buildings should have a consistent minimum and maximum setback to promote pedestrian scale. A generally continuous building face is recommended to establish a unified streetscape.

11.5.14.8 Residential and mixed-use development shall be designed and sited to provide an animated frontage or flankage adjacent to streets and other public spaces, to achieve the objective of “eyes on the street” through the inclusion of elements such as main entrances, porticoes, porches, windows and balconies.

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- 11.5.14.9 For commercial and mixed-use buildings, storefronts shall be located at or close to the street with active at-grade uses and with principal entrances and primary windows and signage facing the street.
 - 11.5.14.10 Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active streetscapes and provide shade protection for pedestrians.
 - 11.5.14.11 The design and location of driveways, parking areas and access to parking garages shall minimize their impact on streetscapes.
 - 11.5.14.12 Common parking areas shall be situated at the rear or side of the lots. Where side yard parking is exposed to the street it shall be screened with low walls and landscaping to provide a sense of enclosure along the setback line.

11.5.15 Major Commercial

- 11.5.15.1 Lands designated as Major Commercial on Schedules “K” and “K1” shall be developed in accordance with Section 4.5.3.1, except as modified by the following additional policies.
- 11.5.15.2 The Major Commercial designation shall function as an extension of the commercial shopping area in the Downtown as well as an urban gateway into the historic Downtown.
- 11.5.15.3 The Major Commercial designation shall provide for the higher order shopping needs of the Brooklin community and development is encouraged to accommodate at least one department store. Development in the Major Commercial designation shall be planned to achieve the retail space targets set out in Section 11.5.4.13.
- 11.5.15.4 Lands designated as Major Commercial shall be planned to accommodate a range of uses from its initial development and not be developed solely for one permitted land use type. In addition to the planned commercial development, the designation shall accommodate residential units in stand-alone or mixed-use formats. The extent of residential and mixed-use development in the initial stages and the phasing of residential and mixed use development over time will be illustrated in the Comprehensive Block Plan required in Sections 11.5.4.18 and 11.5.4.19. It is recognized that the mixed-use elements may occur in stages as the area develops and intensifies over the long-term.
- 11.5.15.5 The minimum and maximum permitted residential density in the Major Commercial designation shall be as set out in Section 11.5.11.3.
- 11.5.15.6 The permitted residential and mixed-use building height in the Major Commercial designation shall be a minimum of 2 storeys and a maximum of 6 storeys within the Downtown Brooklin Intensification Area as shown on Schedule “B” and a minimum of 2 storeys and a maximum of 12 storeys in the remainder of the Major Commercial designation.

11.5.15.7 The minimum building height for non-residential buildings in the Major Commercial designation shall be 2 storeys. The proportion of the second floor that is occupied by functional space shall be set out in the zoning by-law.

Design

11.5.15.8 Lands designated as Major Commercial shall be developed in accordance with the design policies of Section 6.2.3.1, the additional design policies of this Section, Sections 11.5.4.18 and 11.5.4.19 requiring a Comprehensive Block Plan as well as the Brooklin Urban Design and Sustainable Development Guidelines.

11.5.15.9 The area shall be developed with a view to maximizing its attractiveness, accessibility and convenience to pedestrians as a compact downtown area providing opportunities for active transportation.

11.5.15.10 The lands south of Winchester Road and west of Baldwin Street shall be developed in accordance with the direction of Section 11.5.4.11, which requires a Pedestrian Promenade to be provided.

11.5.15.11 Permitted commercial uses shall be oriented along the Pedestrian Promenade and the Urban Square in order to create a pedestrian-oriented “main street” with buildings and storefronts located close to the public sidewalk.

11.5.15.12 Where “Ground Floor Animation” is depicted on Schedule “K1”, buildings shall contain ground floor commercial uses, with the principal public entrance of each store and extensive windows facing the Pedestrian Promenade and the urban square to create an active and vibrant pedestrian-oriented shopping environment.

11.5.15.13 Where “Ground Floor Animation” is depicted on Schedule “K1”, parking lots and loading docks shall not abut or be located between buildings and the Pedestrian Promenade or urban square.

11.5.15.14 Residential units shall not be permitted on the ground floor of the portion of buildings facing the Pedestrian Promenade or urban square where “Ground Floor Animation” is depicted on Schedule “K1”.

11.5.15.15 When the Pedestrian Promenade is located along a public or private street, on-street parking shall be encouraged.

11.5.15.16 Along other streets within the Major Commercial designation, parking, driveways, lanes or aisles shall not be permitted between buildings and the public sidewalk, except that larger stores may be permitted to the rear of a site, where smaller stores are located up to the street frontage to create an active streetscape environment.

11.5.15.17 The location of entrances and exits to off-street parking facilities should be located so as to minimize the interference with street traffic and pedestrian circulation and should not be close to major intersections.

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- 11.5.15.18 Development shall minimize the impact of off-street parking on pedestrian streetscapes by locating off-street parking at the rear or to the interior of the block.
 - 11.5.15.19 High Density Residential development shall provide a transition in heights and densities adjacent to Low Density Residential Areas including increased setbacks, intervening low-rise, multiple unit housing forms and the use of a 45 degree angular plane from the property line abutting a Low Density Residential designation.
 - 11.5.15.20 Residential and mixed-use development shall be designed and sited to provide an animated frontage or flankage adjacent to streets and other public spaces, to achieve the objective of “eyes on the street” through the inclusion of elements such as main entrances, porticoes, porches, windows and balconies.
 - 11.5.15.21 Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active streetscapes.

11.5.16 Heritage Commercial

- 11.5.16.1 Lands designated as Heritage Commercial on Schedules “K” and “K1” shall be developed in accordance with Section 4.5.3.1, except as modified by the following additional policies.
- 11.5.16.2 The Heritage Commercial designation is intended to permit a broad range of commercial uses while respecting the historical character of the Downtown.
- 11.5.16.3 Baldwin Street shall be preserved as a primarily low-rise commercial/mixed-use main street and pedestrian use shall be reinforced. Cultural heritage resources shall be retained. Infill development shall be encouraged, but any new development shall maintain the heritage character of the Heritage Conservation District while also increasing the vibrancy and pedestrian comfort of the historic Downtown.
- 11.5.16.4 New residential units shall not be permitted on the main floor of buildings facing onto Baldwin Street.
- 11.5.16.5 Large scale buildings and uses such as department stores and grocery stores shall be directed to the adjacent Major Commercial designation.
- 11.5.16.6 Permitted building height shall be a maximum of 3 storeys.

Design

- 11.5.16.7 Development and redevelopment of lands designated as Heritage Commercial shall adhere to built form directives of the Brooklin Heritage Conservation District Plan.
- 11.5.16.8 Where possible, the width of pedestrian walkways shall be increased, particularly along Baldwin Street.

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- 11.5.16.9 The development of mid-block entrances to pedestrian mews and pathways is encouraged.
 - 11.5.16.10 Views and vistas of significant natural and built features shall be preserved.
 - 11.5.16.11 Heritage Commercial areas shall reinforce the “main street” character of Baldwin Street by locating buildings and storefronts close to the public sidewalk to reinforce the street edge and with doors and extensive windows facing the public sidewalk to create an active and vibrant pedestrian shopping environment.
 - 11.5.16.12 The principal public entrance of each building and ground floor of the buildings shall provide direct access onto the public sidewalk and the primary windows and signage shall also face the street.
 - 11.5.16.13 No parking, driveways, lanes or aisles shall be permitted between buildings and the public sidewalk.
 - 11.5.16.14 Off-street parking shall be located and designed to not interfere with the character of the Heritage Conservation District or impact on pedestrian streetscapes by locating off-street parking at the rear of stores and to the interior of the block.

11.5.17 Special Purpose Commercial

- 11.5.17.1 Lands designated as Special Purpose Commercial on Schedule “K” shall be developed in accordance with Section 4.5.3.4 of this Plan.
- 11.5.17.2 In addition to the uses permitted in Section 4.5.3.4.1, places of worship shall also be permitted.
- 11.5.17.3 Notwithstanding the policies of Section 4.5.3.4, the lands at 360 Columbus Road East may be zoned to allow the continuation of the Charles H. Best Diabetes Centre and the conservation of the designated heritage building.

11.5.18 Local Commercial

- 11.5.18.1 Lands designated as Local Commercial on Schedule “K” shall be developed in accordance with Section 4.5.3.3 of this Plan.

11.5.19 General Industrial

- 11.5.19.1 Lands designated as General Industrial on Schedule “K” shall be developed in accordance with Section 4.7.3.1 of this Plan.

11.5.20 Prestige Industrial

- 11.5.20.1 Lands designated as Prestige Industrial on Schedule “K” shall be developed in accordance with Section 4.7.3.2 of this Plan, except as modified by the following additional policy.

11.5.20.2 Secondary uses permitted by Section 4.7.3.2.4 are encouraged to be located in nodes along arterial roads at the intersection with other arterial and collector roads as well as at interchanges with Highway 407. The size of nodes shall be delineated in the implementing zoning by-law in conformity with the maximum unit size and floor area proportions requirements set out in Section 4.7.3.2.4.

11.5.21 Health Precinct Special Policy Area

11.5.21.1 The Health Precinct Special Policy Area is an overlay designation within the Prestige Industrial designation. In addition to the policies of Section 4.7.3.2 of this Plan, the Health Precinct Special Policy Area will be governed by the policies of this Section.

11.5.21.2 The Health Precinct Special Policy Area shall be developed as a cluster of health and medical related facilities, including research and development facilities and related uses in a highly visible and accessible location in proximity to Highway 407. Such uses shall be complimentary to and compatible with the Prestige Industrial uses within and adjacent to the Health Precinct Special Policy Area.

11.5.21.3 Notwithstanding the permitted uses in Section 4.7.3.2.4, retail uses that support the primary uses in the Health Precinct Special Policy Area shall be permitted provided that they are integrated in buildings for the primary use and subject to the size restrictions of Section 4.7.3.2.4. Stand alone retail uses shall not be permitted.

11.5.21.4 The extent of uses including any supportive retail uses and the delineation of the Health Precinct Special Policy Area shall be set out in the Zoning By-law.

11.5.21.5 Prior to the development of the Health Precinct Special Policy Area, a Comprehensive Block Plan shall be prepared to the satisfaction of the Municipality which addresses the matters set out in Section 6.2.4.2.2 as well as:

- a) sets out the appropriate block pattern for the Precinct;
- b) identifies any other design, access, parking or built form requirements that are unique to a Health Precinct; and
- c) considers compatibility of permitted uses with surrounding industrial uses.

11.5.22 Business Park

11.5.22.1 Lands designated as Business Park on Schedule “K” shall be developed in accordance with Section 4.7.3.2 of this Plan and in particular Sections 4.7.3.2.4, and 4.7.3.2.5, except as modified by the following additional policies.

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- 11.5.22.2 Business Parks are intended to accommodate higher intensity employment uses in a campus-like layout with a high order of urban design and landscaping. This designation is intended to be clustered around the Highway 407 and Baldwin Street interchange.
 - 11.5.22.3 The Business Park designation north of Highway 407 abutting the Downtown Brooklin Major Central Area shall provide for office and other intensive employment uses whose employees can support the commercial uses of the Downtown Brooklin Major Central Area.
 - 11.5.22.4 Outdoor storage and dealerships for new automobiles and trucks shall not be permitted in the Business Park designation.

Design

- 11.5.22.5 The lands designated as Business Park adjacent to Highway 407 and Baldwin Street are prominent entry points into the Municipality. As such, any buildings or structures visible from Highway 407 and Baldwin Street shall be designed in recognition of their prominent visibility.
- 11.5.22.6 Buildings shall be sited close to the street right-of-way with the main entrances facing the street to create an attractive and interesting streetscape.
- 11.5.22.7 Parking and loading facilities shall not be located between the building(s) and the street, to promote a prestige appearance and encourage pedestrian activity.
- 11.5.22.8 Buildings are to be designed using techniques (i.e., architectural design, landscape treatment, building siting, etc.) to create a pedestrian scale environment at the ground level, where pedestrians' perception of building mass and/or height is mitigated to create a comfortable, human scale interface along the street and abutting public open spaces.
- 11.5.22.9 Loading, servicing and other functional elements shall not be located adjacent to public spaces and shall be screened from view.

11.5.23 Schools

- 11.5.23.1 School sites symbolically shown on Schedule "K" shall be developed in accordance with the relevant policies of Section 4.8 of this Plan, except as modified by the following additional policies.
- 11.5.23.2 Elementary schools shall have frontage on at least one collector road and with a second frontage on either a second collector road or a local road. Secondary schools shall be located at the intersection of an arterial and a collector road, wherever possible, to optimize transit utilization and active transportation.
- 11.5.23.3 An elementary school may be located on a Type C arterial road where no collector road alternative exists in the vicinity and if determined acceptable by the applicable school board and the Municipality.

11.5.24 Major Open Space

- 11.5.24.1 Lands designated as Major Open Space on Schedules “K” and “K1”, including Local, District and Town Parks, shall be developed in accordance with Section 4.9 of this Plan, except as modified by the following additional policies.
- 11.5.24.2 Parkettes, Local Parks, District Parks and Town Parks are symbolically shown on Schedules “K” and “K1” and shall be further delineated at the time of development review and approval.
- 11.5.24.3 District Parks may be located adjacent to the Natural Heritage System to enhance the opportunity for multi-use trail linkages.

Parkettes

- 11.5.24.4 Parkettes are to be distributed in small residential neighbourhoods where the neighbourhood has limited access to Local Parks and District Parks due to intervening arterial roads or the Natural Heritage System. The Parkettes shall be located in central locations, accessible generally within a 200-400 metre walking distance of the neighbourhood they serve to support active transportation and residents’ increased accessibility to greenspace.
- 11.5.24.5 New Parkettes shall generally be approximately 0.4 hectares in size but a smaller size of approximately 0.25 hectares shall be considered in the Downtown Brooklin Major Central Area.

Urban Squares

- 11.5.24.6 Publicly accessible Urban Squares on the northwest, southwest, and southeast corners of the intersection of Baldwin Street and Winchester Road shall be provided to:
- a) promote the identity of the Downtown Brooklin Major Central Area;
 - b) add a visually attractive gateway feature at the corner of the Baldwin Street and Winchester Road intersection; and
 - c) create a public gathering space, the larger of which can be programmed for public events to increase opportunities for social connection within the community.
- 11.5.24.7 Urban Squares shall be provided in each Community Central Area, although not illustrated on Schedule “K”, with the location identified through the Comprehensive Block Plan.
- 11.5.24.8 Urban Squares shall be designed with edges, which are defined by buildings and other structures where not bound by roads.
- 11.5.24.9 Urban Squares shall be subject to the urban design policies of Section 6.2 of this Plan as well as the Brooklin Urban Design and Sustainable Development Guidelines.

-
- 11.5.24.10 The Urban Square at the southwest corner of Baldwin Street and Winchester Road is located on the wide right-of-way at that intersection and will serve as the pedestrian gateway to the Pedestrian Promenade.
- 11.5.24.11 The Urban Square is intended to provide an internal focal point for the Major Commercial designation and function as an urban park, serving the immediate neighbourhood and visitors to the Brooklin Major Central Area. The Urban Square should be easily accessible and visible to the public, contain eating amenities, hard landscaping, and natural elements, and provide passive recreation uses, programmed activities, and a display of public art. Adjacent commercial uses shall face onto and take access from the Urban Square. The existing row of mature coniferous trees shall be incorporated into the Urban Square where feasible.
- 11.5.24.12 Urban Squares shall be easily accessible and visible to the public, contain seating amenities, hard landscaping, and natural elements, and provide passive recreational uses, possible public or private programmed activities, and a display of public art. Adjacent commercial uses are encouraged to be integrated with and front upon these spaces.
- 11.5.24.13 Urban Squares may be developed in public or private ownership or a combination thereof.

11.5.25 Natural Heritage System

- 11.5.25.1 Lands designated as Natural Heritage System on Schedules “K” and “K1” fall within the Major Open Space designation on Schedule “A” and shall be subject to the policies of Section 5.3.7, except as modified by the following additional policies.
- 11.5.25.2 The components of the Natural Heritage System were identified through the “Brooklin Secondary Plan Area Natural Heritage Assessment Background Report” (December 2016). Reference shall be made to this study when determining which natural heritage features comprised the Natural Heritage System at the time of this study and when reviewing development applications and supporting studies.
- 11.5.25.3 The extent and boundary of the Natural Heritage System is conceptual. The exact boundary shall be determined through an Environmental Impact Study (EIS) and feature staking to the satisfaction of the Municipality in consultation with the Conservation Authority. The boundary of the Natural Heritage System may be refined with additions and deletions without an amendment to the Plan.
- 11.5.25.4 The Natural Heritage System includes all known permanent and intermittent streams which are delineated on Schedule “C”. A number of the streams shown on Schedule “C” are headwater streams. The status as intermittent versus ephemeral has not been confirmed for some headwater streams. The “Brooklin Secondary Plan Area Natural Heritage Assessment Background Report” (December 2016) identifies these

streams as subject to further study. A Headwater Drainage Feature Assessment will be required to the satisfaction of the Municipality and the Conservation Authority, in consultation with the Ministry of Natural Resources and Forestry, prior to approval of development adjacent to those streams. The assessment shall evaluate and classify the drainage feature status based on criteria established by the Conservation Authority and shall determine if the drainage features are to be maintained. Where authorized by the Conservation Authority and the Municipality, in consultation with the Ministry of Natural Resources and Forestry, the removal of a drainage feature from the Natural Heritage System may occur without an amendment to the Plan.

- 11.5.25.5 A number of small isolated natural heritage features are designated as part of the Natural Heritage System on Schedule “C”. Other than any natural heritage feature that is an identified Provincially Significant Wetland, further study through an EIS is required to determine the significance of these features and the appropriateness of inclusion in the Natural Heritage System prior to approval of any development. These features that are subject to further study are identified in the “Brooklin Secondary Plan Area Natural Heritage Assessment Background Report” (December 2016). An EIS shall be required to determine:
- a) if the feature is considered not to be a key natural heritage feature as set out in Section 5.3.7.1 or a linkage as identified on Schedule “K”. In this case, the feature may be removed without an amendment to the Plan;
 - b) if the feature is a key natural heritage feature but has limited function. In this case, the feature may be removed without an amendment to the Plan, at the discretion of the Municipality in consultation with the Conservation Authority, provided compensation is made which could include additional dedicated land and/or the construction and restoration of similar features elsewhere in the Secondary Plan Area adjacent to, or, where appropriate, within the currently designated Natural Heritage System in the Secondary Plan Area without an amendment to the Plan; and
 - c) if the feature is a key natural heritage feature and must be retained in-situ. In this case, the EIS shall consider the feasibility of alternatives to re-connect or create linkages from the feature to the broader Natural Heritage System.
- 11.5.25.6 Where a feature or portion of a feature is removed or reduced in accordance with Sections 11.5.25.3, 11.5.25.4 and 11.5.25.5, the urban designation abutting the feature shall apply.
- 11.5.25.7 In addition to the requirements of Section 5.3.7.3, feature staking, erosion analysis, confirmation of the Natural Heritage System boundaries and determination of the appropriate extent of vegetation protection zones

beyond those set out in Section 5.3.7.8 shall be required through the completion of an EIS prior to approval of development.

- 11.5.25.8 The Natural Heritage System incorporates a number of linkages as identified in the “Brooklin Secondary Plan Area Natural Heritage Assessment Background Report” (December 2016). These linkages are schematically shown on Schedule “K.” The EIS required for development shall identify how these linkages will be restored and enhanced through the development process. Stormwater management facilities may be located within linkages provided the EIS demonstrates that the linkage functions will be maintained, and there is no impact to adjacent natural heritage features.
- 11.5.25.9 The northern extension of Cachet Boulevard crosses one of these linkages. The EIS required for development in that area shall identify appropriate design considerations for the collector road to ensure the function of the linkage is maintained.
- 11.5.25.10 The hydro corridor south of Highway 407 also serves as an open space linkage. The Municipality shall encourage Hydro One to maintain it as a grassland area.
- 11.5.25.11 The EIS required for development adjacent to the Natural Heritage System shall also identify opportunities for restoration and enhancement of riparian habitat within the Natural Heritage System including opportunities to restore meandering channels in previously straightened watercourses.
- 11.5.25.12 Restoration and enhancement is particularly important along all stream reaches providing contributing, occupied and recovery habitat for Redside Dace. Protection of these watercourses must conform to the requirements of the Ministry of Natural Resources and Forestry and comply with the provisions of the Endangered Species Act.
- 11.5.25.13 The final location and design of all required road and servicing crossings of Redside Dace habitat shall be evaluated and designed according to the Ministry of Natural Resources and Forestry’s “Guidance for Development Activities in Redside Dace Protection Habitat” and shall be designed to:
- a) minimize the number of stream crossings to generally no more than one crossing per kilometre of stream;
 - b) minimize lengths and widths of crossings;
 - c) cross at straight sections of a stream;
 - d) be located where possible at previously disturbed areas;
 - e) minimize the width of the facility within the regulated habitat;
 - f) co-locate various infrastructure within the crossing to minimize the number of crossings;
 - g) adhere to appropriate timing windows during construction; and

h) incorporate effective erosion and sediment control measures.

11.5.26 Natural Hazards

- 11.5.26.1 Lands designated as Natural Hazard on Schedules “K” and Schedule “K1” shall be developed in accordance with Section 5.3.10 of this Plan and the approval of the Conservation Authority. Where the Natural Hazard designation falls within the Natural Heritage System, it is illustrated as an overlay designation.
- 11.5.26.2 Where detailed study in support of a draft plan of subdivision or other development application confirms that the boundary of a Natural Hazard designation may be refined, development and site alteration may be permitted without amendment to this Plan provided the Conservation Authority concurs with the study findings. When the Natural Hazard designation is removed or reduced, the urban land use designation abutting the area removed or reduced shall apply except where the lands are also located within the Natural Heritage System designation. Where more than one urban designation abuts the area removed or reduced, the abutting designations shall apply in the same proportion that abuts the area removed or reduced.

Other Policy Directions

11.5.27 Gateways

- 11.5.27.1 The intersection of Winchester Road and Baldwin Street has the opportunity to provide a significant Gateway to the community. The northwest, southwest, and southeast corners of this intersection will be designed to create comfortable Urban Squares as gateways to the Downtown and to the new commercial areas south of Winchester Road.
- 11.5.27.2 The intersection of Highway 7/Winchester Road and Cochrane Street is also identified as a Gateway in the Official Plan.
- 11.5.27.3 Generally, Gateways shall be designed in accordance with Section 6.2.3.7 of this Plan and include distinctive streetscape features and public art pieces in order to contribute to community image and identity.

11.5.28 Parking

- 11.5.28.1 The Municipality may consider cash-in-lieu of parking where it can be demonstrated that the full parking requirement cannot be provided on-site or in an alternate location. In such cases, the Municipality and the Developer shall enter into an agreement providing for such payment and setting out the basis upon which it was calculated pursuant to the provisions of the Planning Act. Within the Heritage Commercial designation, cash-in-lieu of parking will be encouraged for non-residential development in consideration of the limited opportunities for on-site parking and the intent to retain the heritage character of the designation.

11.5.28.2 The Municipality shall prepare a short and long-term parking strategy for Downtown Brooklin to accommodate the need for an increased number of parking spaces as commercial development occurs. Such a strategy will consider the use of surface parking and parking structures to accommodate parking needs.

11.5.28.3 The Municipality shall work with property owners to encourage more efficient use of present private parking areas for existing commercial development and optimize the opportunity for new infill development and cohesive commercial main street development.

11.5.29 Roads and Active Transportation

11.5.29.1 The Secondary Plan Area shall be developed in accordance with the Transportation policies of Section 8.1.3 except as modified by the following additional policies, as well as the recommendations of the Brooklin Transportation Master Plan.

11.5.29.2 While the arterial roads shown on Schedule "D" are intended primarily to allow for the ease of motor vehicle traffic throughout the Region and the Municipality, regard shall be had in their design to the other public interest objectives established by this Plan, which require that higher density development be established along arterial roads in a pedestrian-oriented and transit-supportive environment.

11.5.29.3 In this regard, arterial road rights-of-way shall consider the needs, safety and comfort of the pedestrians, cyclists and automotive users. In addition, priority shall be given to ensuring that public transit facilities, such as stops, shelters and dedicated lanes are all part of the overall design of the arterial road network over the long term.

11.5.29.4 New and reconstructed arterial roads shall be built with sidewalks on both sides and cycling provided through on-road facilities and/or off road multi-use paths. The location of multi-use paths will be determined based on connectivity to active transportation routes, accessibility and connectivity to public transit stops, and maximizing safety and use.

11.5.29.5 Collector and local roads shall be designed in a grid system, where possible, to disperse traffic and lower volumes on each road in this area.

11.5.29.6 The Municipality shall require the construction of roundabouts in appropriate locations. Roundabouts will be considered for implementation in the following situations:

- a) at proposed intersections where traffic signals or all-way stop control is warranted or expected to be warranted in the near future;
- b) at existing intersections with identified capacity issues or safety issues;
- c) where identified as a component of a large-scale road improvement plan or new development plan; or

d) on road construction projects where major rehabilitation and/or road widening is occurring.

- 11.5.29.7 An active transportation network which connects destinations within and beyond the neighbourhood such as schools, parks, the downtown, commercial areas and employment areas shall be planned and identified in the Municipality's Active Transportation Plan. In this regard, an active transportation network plan shall be prepared for each Comprehensive Block Plan and implemented through the development approvals process.
- 11.5.29.8 The active transportation network may be provided within road rights-of-way as well as on trails within the Natural Heritage System. Active transportation connections across barriers (natural and infrastructure) shall be planned at appropriate walking/cycling intervals to reduce barriers between neighbourhoods and increase accessibility for all ages and abilities.
- 11.5.29.9 Plans of subdivision shall be designed to optimize access to transit through active transportation, promote efficient and convenient transit stop locations, and facilitate the efficient operation of transit vehicles.
- 11.5.29.10 Reduced road and right-of-way widths may be considered if active transportation connections and improved transit are provided to move people through the community and shall be supported by an engineering study which demonstrates that all of the required elements can be accommodated within the proposed reduced width.
- 11.5.29.11 Subject to the resolution of an alternative route for Highway 7/12 and an environmental assessment, Baldwin Street and Thickson Road may be realigned south of Brawley Road in accordance with the policies of Section 11.5.31.6. The environmental assessment shall consider alternatives to the alignment of Thickson Road including, as an alternative, the avoidance of the small cluster of houses along Old Thickson Road.
- 11.5.29.12 All collector and local roads shall also be planned to include a vibrant and healthy tree canopy that will provide shade and enhance and establish a vibrant urban environment. In this regard, a Tree Canopy Plan shall be prepared for each plan of subdivision. In order to maximize the amount of tree planting, the co-location of utilities is encouraged.
- 11.5.29.13 All new local roads shall consider sidewalks on both sides and set back from the curb, to support a safe and connected pedestrian environment. Exceptions may be considered in Low Density Residential areas on short streets and crescents, which do not lead to trails, schools or parks and provided accessibility requirements are met.

11.5.30 Servicing

- 11.5.30.1 The Secondary Plan Area shall be developed in accordance with the Municipal Servicing policies of Section 8.2.3 and the Site Servicing

policies of Section 6.2.3.16 except as modified by the following additional policies.

- 11.5.30.2 Prior to any development occurring north of Columbus Road, west of Ashburn Road; south of Winchester Road, west of the Lynde Creek; and south of Highway 407, east of the Lynde Creek, a Final Watershed Report shall be completed which addresses such matters as drainage, stormwater management (water quality and quantity), erosion, flooding and ground water. Specifically, the Final Watershed Report shall identify and direct resolutions to each of the mitigation options contained in Section 5 of the Report on Watershed Planning, Hazard Lands and Stormwater Management (Candevcon & Stonybrook Consulting, September 2016) to the satisfaction of the Town and Conservation Authority. The Final Watershed Report shall also address Low Impact Development techniques and assess the ability to capture minimum rainfall events.
- 11.5.30.3 The Final Watershed Report shall identify quadrants/sub-areas/neighbourhoods where more detailed functional servicing reports and stormwater management plans will be completed on a quadrant/sub-area/neighbourhood basis in support of development applications. The boundary of the quadrants/sub-areas/neighbourhoods shall reflect, where possible, the boundaries of the Comprehensive Block Plans required in Section 11.5.6.7.
- 11.5.30.4 A Functional Servicing Report comprehensively addressing stormwater management and municipal servicing shall be prepared for each quadrant/sub-area/neighbourhood as identified in Section 11.5.30.3 and shall address any other requirements of the Final Watershed Report.
- 11.5.30.5 The stormwater management plan component of the Functional Servicing Report shall locate stormwater management ponds inboard from arterial and collector roads where feasible in order to create transit supportive built form along arterial and collector roads. The stormwater management plans shall explore how grading and infrastructure can be designed to accommodate the inboard location of these ponds.
- 11.5.30.6 The Functional Servicing Report shall demonstrate how post-development flows are controlled to pre-development flow rates for the 2 through 100-year return event storms. Additional controls beyond this will be required where the Conservation Authority has determined that flood control measures are required to avoid unacceptable downstream impacts resulting from development of the Brooklin Community Secondary Plan area.
- 11.5.30.7 Prior to any development occurring north of Columbus Road, west of Ashburn Road; south of Winchester Road, west of the Lynde Creek; and south of Winchester Road, east of the Lynde Creek, an Infrastructure Staging Plan shall be completed to the satisfaction of the Municipality and Region, which identifies the Regional infrastructure and Town facilities

which are needed for each quadrant/sub-area/Neighbourhood to be developed.

- 11.5.30.8 Applications for draft plan of subdivision along arterial roads shall also require submission of design solutions to achieve an active streetscape while mitigating noise impacts to adjacent residential development.

11.5.31 Phasing of Development

- 11.5.31.1 It is the intent of this Plan to encourage the timely provision of infrastructure as urban development occurs.
- 11.5.31.2 It is also the intent of this Plan that industrial lands north and south of Highway 407 are serviced in conjunction with residential and commercial lands. In particular, the industrial lands south of Highway 407, west of Baldwin Street, shall be serviced as part of the extension of services to the residential lands west of Ashburn Road except for the lands immediately west of Ashburn Road that can be serviced by the extensions of local water and sanitary infrastructure.
- 11.5.31.3 On this basis, the identification of infrastructure upgrades and service delivery requirements shall be carried out prior to any development occurring. This long-range planning should take the full build out of the Secondary Plan area into account and attempt to rationalize how long it will take for the area to be developed. External factors should also be considered, most notably the capacity of the transportation network located within, adjacent to and in the vicinity of the Secondary Plan area.
- 11.5.31.4 It is recognized that it is at times difficult to anticipate the timing of private development and on this basis, flexibility is required to respond to changing circumstances in a manner that does not affect the basic intent of the overall phasing plan for the Secondary Plan area and the financial plans and studies that support the phasing plan. Therefore, it is not the intent of this policy to require the establishment of a rigid set of criteria to guide development. Rather, the intent of the policy is to provide a general understanding of how and when infrastructure is to be upgraded and when service delivery is to be enhanced.
- 11.5.31.5 In order to ensure that the cost of new development will not have an adverse impact on the financial capability of the Municipality and the Region and to ensure that timely residential development and industrial/commercial development coincides with and supports required infrastructure development, including the building of roads, schools, parks and the introduction of increased transit service and facilities, an increase in public servicing levels such as fire and police and the timely development of water and wastewater servicing infrastructure, and the provision of telecommunications/communications infrastructure, development in the Brooklin Community Secondary Plan area shall only proceed when:

-
- a) an Infrastructure Staging Plan for the Secondary Plan is completed according to Section 11.5.30.7;
 - b) a Comprehensive Block Plan(s) is completed for new residential neighbourhoods as set out in Sections 6.2.4.2.1 and 11.5.6.7 which addresses phasing of roads, school sites, parks, transit service and public service facilities within that neighbourhood;
 - c) a Financial Plan for the Secondary Plan area that establishes the basis for the phasing, and the funding of new infrastructure of development and infrastructure has been approved by Whitby Council;
 - d) the Municipality has in full force and effect, and not subject to appeal, a Development Charges By-law enacted under the Development Charges Act, 1997 or any successor legislation identifying and imposing charges applicable to the lands in the Secondary Plan area;
 - e) certain benefitting landowners within the Secondary Plan area have entered, or will enter, into an agreement or agreements amongst themselves to address the distribution of all costs of development including those which may not be recoverable by the Municipality under the Development Charges Act, 1997, or any successor legislation, particularly the provision of community and infrastructure facilities such as parks, roads, road improvements, external services, storm water management facilities, public/private utilities and schools; and
 - f) in order to implement paragraph e) above, the Municipality may include conditions of Draft Plan Approval that may require the benefitting landowners to enter into agreements with other benefitting landowners with respect to the provision of servicing. If a benefitting landowner chooses not to enter into such agreements, no development shall be permitted until it has been demonstrated that the benefitting landowner has entered into required agreements with other affected landowners with respect to the provision of services and other infrastructure.

11.5.31.6 Upon completion of an environmental assessment to determine the final alignment of Baldwin Street North and Thickson Road North, and the intersection location, adjustments may be made to the arrangement of land use designations within the “Special Policy Area” identified on Schedule “K”, without amendment, provided the general distribution of the Mixed Use, Medium Density and High Density Residential land use designations within the Community Central Area is maintained. Development applications within the Special Policy Area may be approved prior to the conclusion of the environmental assessment process to determine the road alignments and intersection location, however such approvals shall not prejudice the environmental assessment process. Conditional development approvals and holding provision(s) as part of zoning by-law amendments shall recognize the need for any potential modifications to the development plans necessary to accommodate the final approved alignment, prior to final approval of development plans.

11.5.32 Implementation and Interpretation

11.5.32.1 The implementation and interpretation of the Secondary Plan will be in accordance with Section 10 of Part I of this Plan.

11.5.32.2 Applications for residential development and other sensitive uses with 300 metres of industrial uses may be required to prepare noise, air quality, vibration and other relevant land use compatibility studies to ensure that potential impacts on new residential development can be appropriately mitigated.

Please visit Whitby.ca/OfficialPlan to view Schedules “K” and “K1”.

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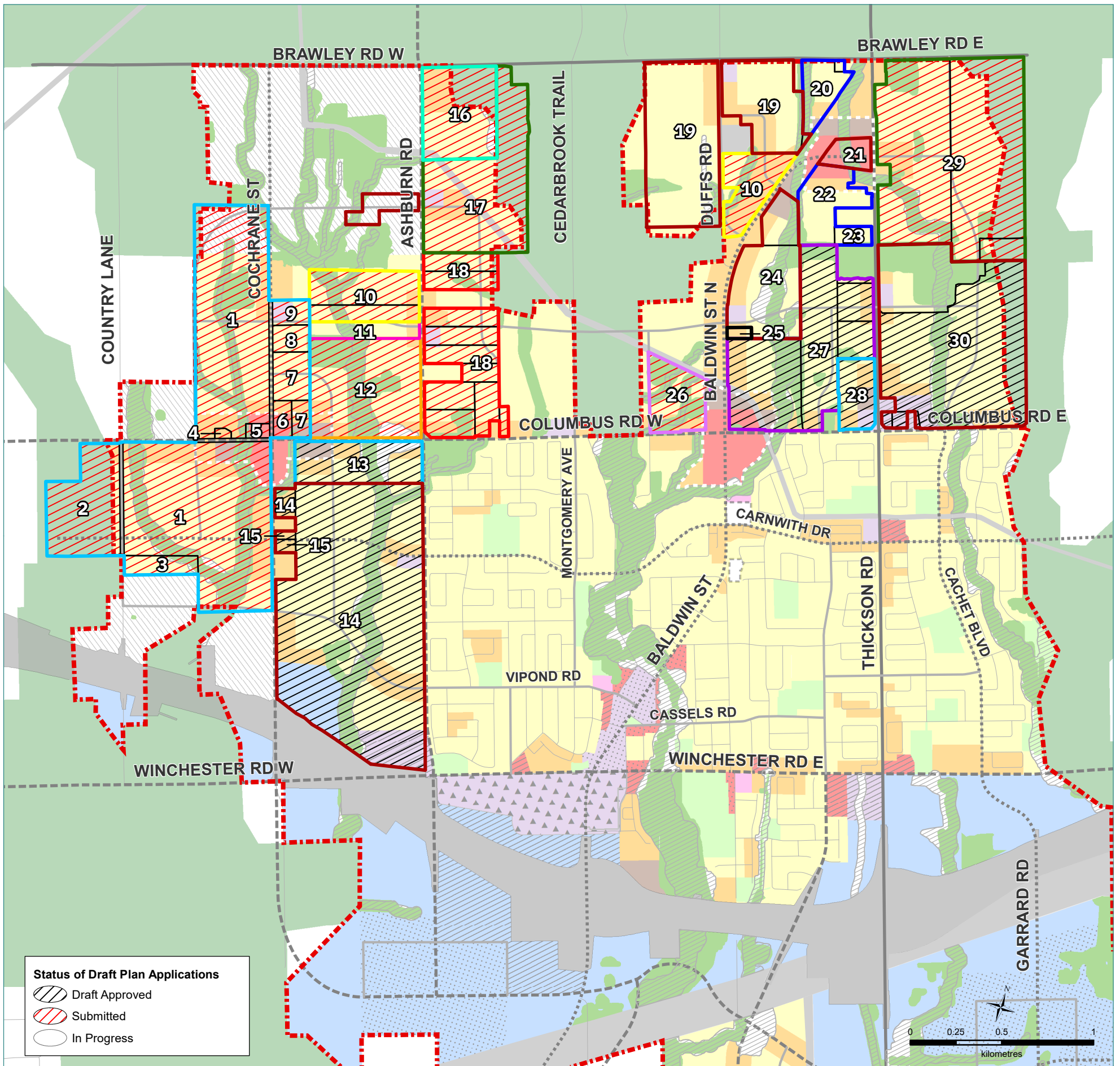
Attachment 2

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Attachment 3

PARTICIPATING LANDOWNERS

BROOKLIN NORTH LANDOWNERS GROUP



Status of Draft Plan Applications	
	Draft Approved
	Submitted
	In Progress

Map ID	Owner	Status
	Artlife	
25	10113344 Canada Corp.	In Progress
	Brooklin (AD) Limited Partnership	
10	Brooklin (AD) Limited Partnership, 1955551 Ontario Inc.	Submitted
	Brookvalley	
14	Brooklin Development General Partner Ltd.	Draft Approved
15	East Valley Farms Ltd.	Draft Approved
19	East Valley Farms Ltd.	In Progress
21	Brookvalley Developments Inc.	In Progress
24	Brookvalley Developments North Inc.	In Progress
30	Brooklin Northeast Developments CR Inc.	Draft Approved (Partially)
	Delpark Homes	
16	Delpark Homes (Brooklin) Inc.	Submitted

Map ID	Owner	Status
	Fieldgate	
1	Whitby Con Seven Developments Ltd.	Submitted
2	6800 Country Lane Developments Ltd	Submitted
3	Whitby Country Lane Developments	Submitted
4	740 Columbus Developments Ltd.	Submitted
5	710 Columbus Holdings Ltd.	Submitted
6	7081 Cochrane Developments Ltd.	Submitted
7	Rovesciata E stata Corp.	Submitted
8	7261 Cochrane Developments Ltd.	Submitted
9	7321 Cochrane Developments Ltd.	Submitted
13	625 Columbus Developments Ltd.	Draft Approved
28	7150 Thickson Developments Ltd.	Draft Approved
	Lakeview Homes	
18	2068681 Ontario Inc.	Submitted

Map ID	Owner	Status
	Mattamy	
17	Mattamy (Brooklin) Ltd.	Submitted
29	Mattamy (Thickson) Ltd.	Submitted
	Minto Communities	
26	Minto Communities	Submitted
	North Whitby & Brooklin Holdings Inc.	
20	North Brooklin Holdings Inc.	In Progress
22	North Whitby Holdings Inc.	In Progress
23	7510 Thickson Road Holdings Inc.	In Progress
	Sorbara/Tribute	
27	Abacus Equity Infusion Inc.	Draft Approved
	Tercot Properties	
11	Whitby Ashburn Holdings Inc.	In Progress
	Xarch Capital Corp.	
12	Xarch Capital Corp.	Submitted

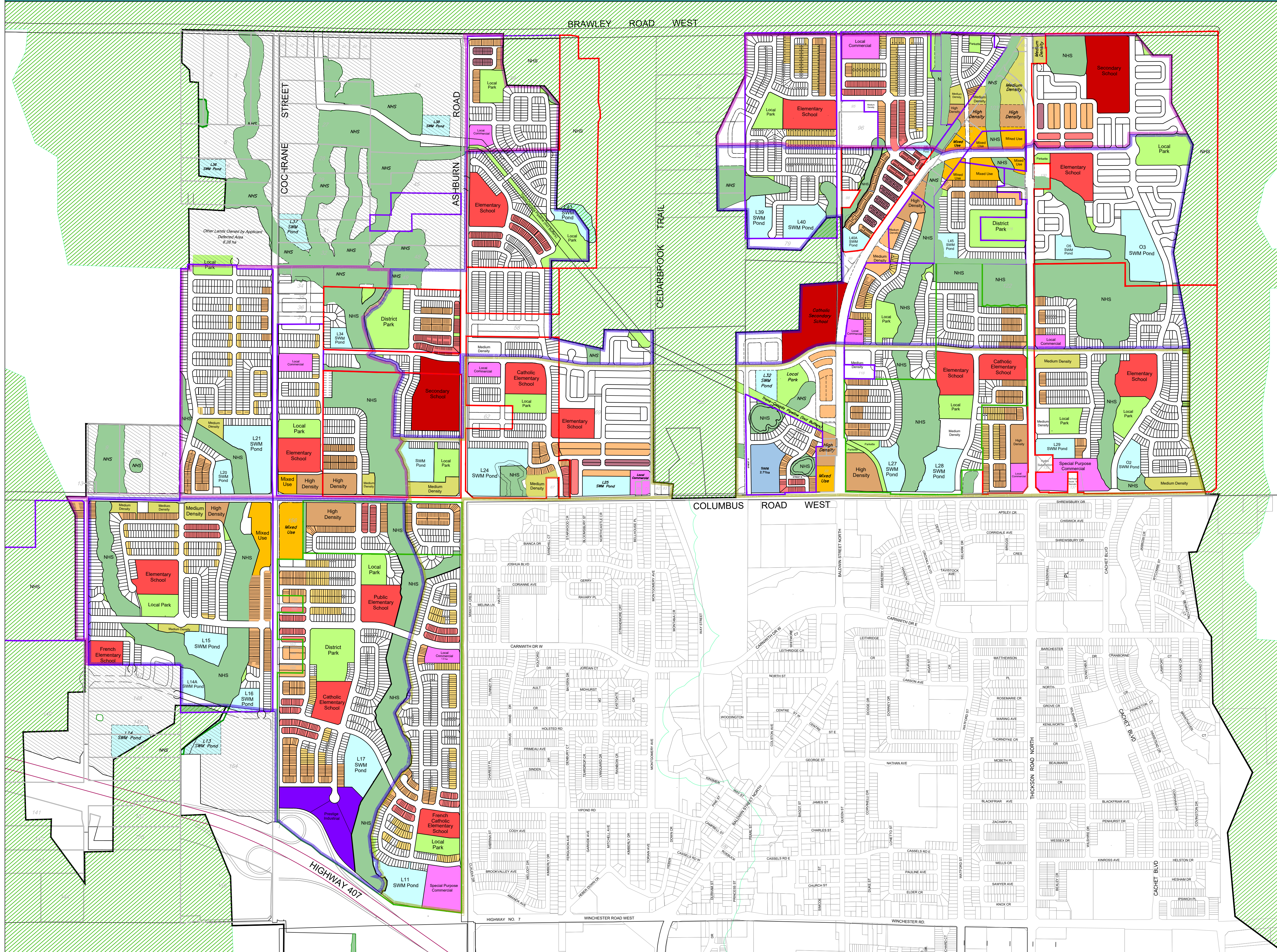
Sources: Town of Whitby Official Plan - Brooklin Secondary Plan - Schedule K - Approved, July 13, 2018.
 407 Corridor, Ministry of Transportation, March 2016.
 Contains information licensed under the Open Government Licence – Ontario

MGP File: 17-2666
 Date: January 9, 2023

STAFF-12

Attachment 4

DRAFT PLAN COMPOSITE



- Participating Landowners - Draft Approved
- Participating Landowners - Submitted Draft Plan
- Participating Landowners - Conceptual Plan
- Non-Participating Landowners

- Phase 1
- Phase 2
- Phase 3

LAND USE LEGEND

- Single Detached (Two Car Garage)
- Single Detached (One Car Garage)
- Single Detached (Lotting Undetermined)
- Semi Detached
- Street Townhouses
- Laneway Townhouses
- Back-to-Back Townhouses
- Medium Density
- High Density
- Mixed Use
- Parks, Parkettes & Vistas
- Natural Heritage System (NHS)
- Stormwater Management Ponds
- Elementary Schools
- Secondary Schools
- Local & Special Purpose Commercial
- Prestige Industrial
- Greenbelt
- Deferral Areas

Notes: This preliminary draft concept is high level and without prejudice. The final road network, land use pattern, and location of community / SWM facilities are subject to further review and will be determined through the Draft Plan of Subdivision process. SWM Ponds located within the intensification Corridor are subject to Policy 11.5.6.5 of the Brooklin Secondary Plan. Best efforts shall be made through future study work (e.g. Functional Servicing Reports) to locate these facilities outside of the Intensification Corridor.

0 500m

Date: November 1, 2022
File No. 17-2667

Prepared by:
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Table 1 - Unit Count Summary by Phase

Phase	Neighbourhood		Low Density (Singles/Semis)		Medium Density (Towns)		High Density (Apts)		Mixed Use (Apts)		Total		
			Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	
Phase 1	1 - NorthEast	Participating	591	592	678	703	307	394	0	0	1,576	1,689	
		Non-Participating	71	99	107	171	49	113	87	194	314	577	
		Subtotal	661	691	785	874	356	507	87	194	1,890	2,266	
	2 - NorthWest	Participating	158	159	239	267	0	0	0	0	396	426	
		Non-Participating	263	276	194	301	0	0	0	0	457	577	
		Subtotal	420	435	433	568	0	0	0	0	853	1,002	
	3 - SouthWest	Participating	517	517	232	232	0	0	0	0	749	749	
		Non-Participating	0	0	0	0	0	0	0	0	0	0	
		Subtotal	517	517	232	232	0	0	0	0	749	749	
	Subtotal	Participating	1,265	1,268	1,149	1,202	307	394	0	0	2,721	2,864	
		Non-Participating	333	375	301	472	49	113	87	194	770	1,154	
		Total	1,598	1,643	1,450	1,673	356	507	87	194	3,491	4,017	
Phase 2	1 - NorthEast	Participating	946	1,012	489	537	42	86	91	210	1,568	1,845	
		Non-Participating	122	171	71	136	3	5	22	51	217	363	
		Subtotal	1,069	1,184	560	673	44	92	113	260	1,785	2,208	
	2 - NorthWest	Participating	515	557	291	333	0	0	0	0	806	890	
		Non-Participating	185	229	0	0	0	0	0	0	185	229	
		Subtotal	700	786	291	333	0	0	0	0	991	1,119	
	3 - SouthWest	Participating	858	873	714	823	231	330	149	336	1,952	2,361	
		Non-Participating	0	0	45	98	0	0	171	386	216	484	
		Subtotal	858	873	759	921	231	330	319	721	2,168	2,845	
	Subtotal	Participating	2,320	2,442	1,495	1,692	273	416	239	545	4,326	5,096	
		Non-Participating	307	400	116	234	3	5	193	436	618	1,075	
		Total	2,627	2,842	1,610	1,926	275	422	432	982	4,944	6,172	
Phase 3	1 - NorthEast	Participating	793	845	457	481	22	52	58	134	1,330	1,512	
		Non-Participating	57	80	105	227	88	204	49	113	299	624	
		Subtotal	850	925	561	708	111	256	107	247	1,630	2,136	
	2 - NorthWest	Participating	873	884	350	373	310	438	67	149	1,600	1,844	
		Non-Participating	22	31	53	114	0	0	0	0	75	145	
		Subtotal	895	915	403	486	310	438	67	149	1,675	1,988	
	3 - SouthWest	Participating	41	41	11	11	0	0	0	0	52	52	
		Non-Participating	0	0	0	0	0	0	0	0	0	0	
		Subtotal	41	41	11	11	0	0	0	0	52	52	
			Participating	1,708	1,770	818	865	332	489	125	283	2,983	3,407

Brooklin Landowners Group

Supplementary Responses to Interrogatories from

OEB Staff

Interrogatory STAFF-15

North Brooklin Development Feeder Expansion – New TS

Ref 1: Appendix B-2 – Sustainable Brooklin Business Case

One of the alternatives considered and rejected was to build a new TS. Elexicon Energy stated that Whitby TS has a 90MW LTR and to construct a new TS it would take a minimum of 5 years.

c) When was Elexicon Energy first aware of the Brooklin Developers' plans for the North Brooklin subdivision development?

Response of Elexicon Energy Inc.

c) Initial consultations with the North Brooklin Developers began in 2020, and as further described in Section 5.2.2.3 of the Elexicon's Distribution System Plan filed April 1, 2021 (the "DSP") the consultations were ongoing at that time and the scope of the project was still subject to change. Commencement of earnest discussions narrowing the scope of the project with the North Brooklin Developers began in Q4, 2021.

Supplementary Response of Brooklin Landowners Group

c) The **Official Plan of the Region of Durham** implements the Provincial Growth Plan, in respect of the Region of Durham. As described above in response to 1-Staff-12(a), the Region of Durham amended this Official Plan in 2013 to assign growth to the Town of Whitby, generally, and to the Community of North Brooklin, specifically, designating it as a "growth area" to accommodate the future growth requirements of the Region of Durham, to 2031. Moreover, in 2018, the Town of Whitby approved the **Brooklin Community Secondary Plan**, which provides the roadmap for development of North Brooklin. Whitby Hydro, as the predecessor of Elexicon, would have been aware of the North Brooklin growth designation, as well as the Brooklin Community Secondary Plan, since those times, particularly because the Town of Whitby was a shareholder of Whitby Hydro and is now a shareholder of Elexicon. Finally, in 2019, the North Brooklin Landowners Group undertook and prepared a **Comprehensive Block Plan** that was subsequently approved by Whitby Council. This plan forms the basis of the landowners' Construction Forecast and development timeframes.

The Brooklin Landowners Group first approached Whitby Hydro in 2019 to discuss the provision of electricity to the new Community of North Brooklin by 2022. A number of discussions with Elexicon took place in 2019 and formal meetings between Elexicon and the newly constituted "North Brooklin Landowners Hydro Committee" commenced in August 2020.

During a meeting on November 5, 2020 amongst representatives of the Brooklin Landowners Group, Elexicon and the Town of Whitby, as well as representatives of the Brooklin Landowner Group's engineering

consultancy, MQ Energy, Elexicon reported on the results of its review of its 13.8kV system. The 44kV feeders that feed the 13.8kV system do not have the capacity to serve the landowners' incremental load. Moreover, an expansion of the existing 44kV feeder system was neither practical nor preferred. Elexicon expressed a strong preference to supply North Brooklin by constructing a new 27.6kV feeder.

Elexicon's preferred alternative - construction of a new 27.6kV feeder - would extend from a point of connection with the Whitby Transformer Station ("TS") to a point of connection with a new distribution system that would need to be built out along the roads and streets of each sub-division, downstream of the terminus of the 27.6 kV feeder line at the boundary of the new Community of North Brooklin, near the intersection of Columbus Road and Ashburn Road. Elexicon and the landowners came to refer to the proposed 27.6kV feeder as the "**Extension Cord**", the "**Brooklin Line**" or the "**Phase 1 Project**" and to the downstream distribution facilities as the "**Phase 2 Project**". The Phase 2 Project should not be confused with the individual connections from the street to individual dwellings which would, in any event, need to be constructed pursuant to individual "Offers to Connect" made by Elexicon, to the owners of such dwellings. **Attachment 1** is a schematic entitled "North Brooklin Layout" that shows the layout of the Phase 1 and 2 Project.

Over the course of meetings between the landowners and Elexicon, it became clear that no planning had been undertaken for the development of a new 27.6 kV distribution system, other than confirming that circuits and capacity were available at the Whitby TS, some 10 kilometers from the boundary of North Brooklin. Accordingly, and at the request of the landowners, a protracted system planning exercise was undertaken by Elexicon to determine precisely how electricity could be delivered to North Brooklin, including by which route.

In 2020, in order to facilitate and expedite matters, the Brooklin Landowner Group requested, and Elexicon agreed, that the Brooklin Landowners Group be permitted to assume responsibility for the design and, potentially, the construction of both the Phase 1 Project (i.e., the Brooklin Line) and the Phase 2 Project (i.e., the downstream distribution system).

Since that time, MQ Energy has continued to perform the required engineering and design work. Regular design meetings and parallel coordination meetings amongst Elexicon, the Brooklin Hydro Committee and MQ Energy began at the end of 2020 and continue to the present day. All of the work that has been performed by MQ Energy has been paid for by the Brooklin Landowners Group. To date, the Brooklin Landowners Group has incurred a total of approximately \$500,000 in respect of the Phase 1 engineering and design work. This amount is in addition to the costs that have been incurred by the Brooklin Landowners Group in respect of the engineering and design of the Phase 2 Project.

There is an expectation that the Phase 1 work product and/or the actual Phase 1 physical assets (if, indeed, the Phase 1 facilities are constructed by the landowners) will be transferred to Elexicon, in accordance with the contestable transfer provisions of the *Distribution System Code*, notwithstanding the absence of a signed Offer to Connect. There is also an expectation that such costs will be socialized amongst Elexicon's ratepayers. This expectation is founded on the view that the Brooklin Line will benefit all such ratepayers by contributing to and facilitating the modernization of Elexicon's distribution system and by enabling Elexicon to extend service to new areas in its service territory, in the future. Importantly, it will also complement and enhance the benefits of Elexicon's proposed Whitby Smart Grid.

Although the Brooklin Landowners Group assumed primary responsibility for the design and engineering of the Phase 1 Project, it continued to express its concern, to Elexicon, about requiring Brooklin landowners, as the early movers in the development of the northeast part of the Town of Whitby, to assume responsibility for the capital cost of the Brooklin Line, which, when constructed, will materially and significantly enhance Elexicon's distribution system and facilitate its ability to serve customers across its service territory. This includes service to the existing community of Brooklin (not to be confused with the new community of North Brooklin) which is currently served via Elexicon's 13.8kV system. Absent the new Brooklin Line, Elexicon will need to reinforce its existing 13.8kV system in order to serve the growing requirements of the existing community of Brooklin, which is experiencing significant growth as a result of infill and intensification development.

The Brooklin landowners also expressed their concern about their ability to secure financing in respect of the up-front capital cost of bringing electricity to North Brooklin, estimated at approximately \$46 million (\$26 million for the Brooklin Line and \$20 million for the Phase 2 downstream distribution system).

Elexicon acknowledged the concerns of the landowners and committed to work with them to find a resolution. In the result, Elexicon decided that to make applications for ICM funding for the Brooklin Line and for exemptions from the capital cost requirements of the *Distribution System Code*.

As for cost responsibility of the Phase 2 Project: The Brooklin landowners have consistently taken the position that the Phase 1 Project and the Phase 2 Project are constituent elements of one, large project, the cost of which is a system cost that should be borne by all ratepayers. This continues to be the position of the Brooklin landowners. They acknowledge, however, that unlike the Phase 1 Project, the Phase 2 Project may be constructed in stages. Accordingly, the current plan is to construct the Phase 2 facilities on an "as needed basis", which involves looping on both sides of Columbus Road, Ashburn Road and Thickson Road, on a section-by-section basis.

Notwithstanding this staged approach to construction of the Phase 2 Project, the Brooklin Landowners expect that at an appropriate time, Elexicon will exercise its discretion to request that the OEB permit the extension of the customer connection horizon used to determine the quantum of required capital contribution, from five to 20 years. A 20-year customer connection horizon best reflects the fact that the new community of North Brooklin will be developed and built out over the course of a 20-year period. It would also redress the inherent unfairness of holding "early movers" responsible for the capital cost of infrastructure required to serve parts of the community that will not be developed within the first five years of the project.



NORTH BROOKLIN LAYOUT

OCTOBER 24/ 2022

- OVERHEAD PRIMARY DISTRIBUTION CIRCUITS.
- UNDERGROUND PRIMARY DISTRIBUTION CIRCUITS.
- NORMALLY OPEN
- SPLICE CHAMBER (MANHOLE)

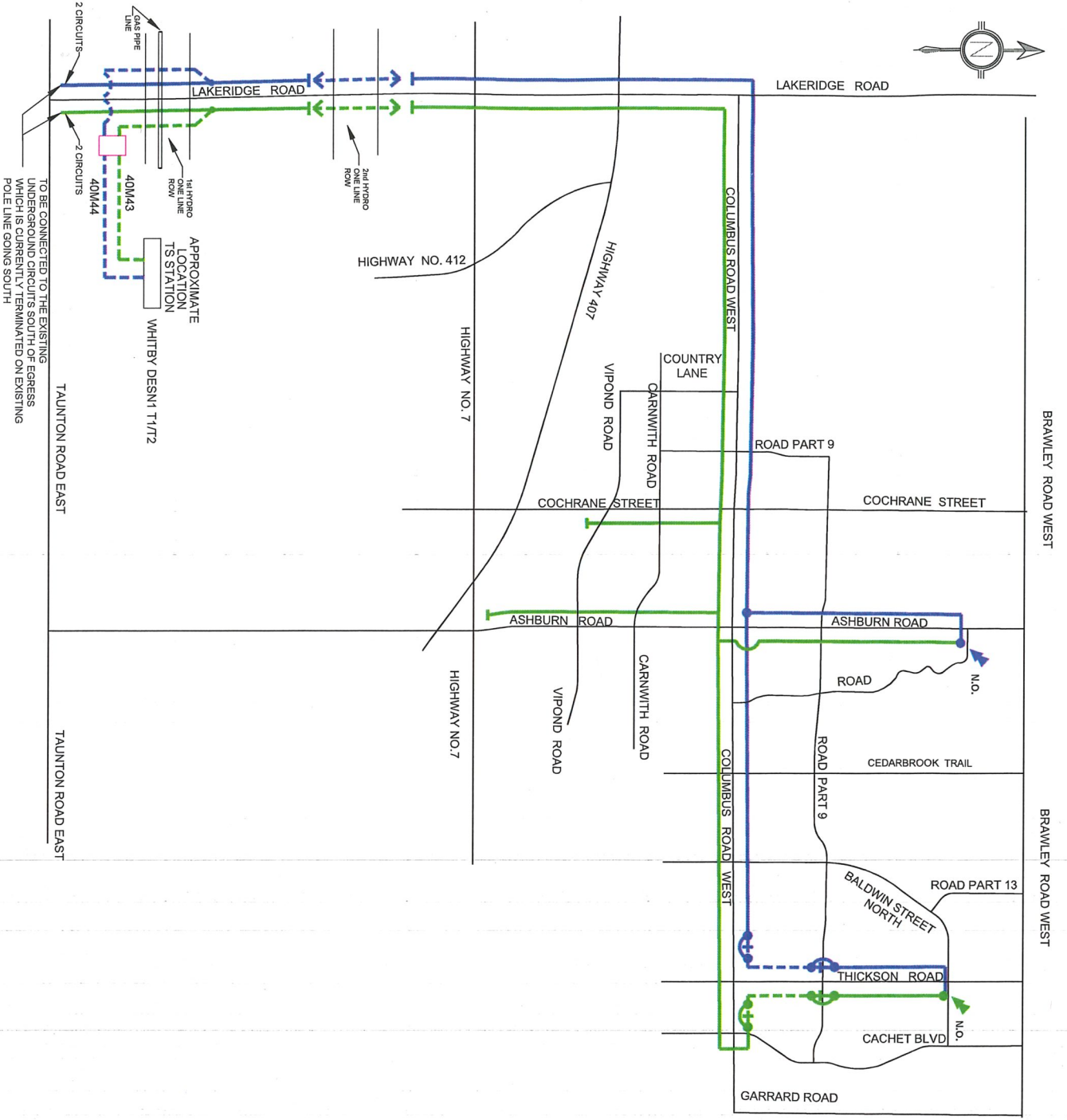
NOTE:
INSTALL TWO FEEDER CIRCUITS TO PROVIDE POWER TO THE SITE AND ITS BACKUP.

* REVIEWED AND APPROVED BY THE TOWN OF WHITTRY

Signature Date Dec 9/22

* REVIEWED AND APPROVED BY ELEXICON ENERGY INC.

Signature _____ Date _____



Brooklin Landowners Group

Supplementary Responses to Interrogatories from

OEB Staff

Interrogatory STAFF-17

North Brooklin Development Feeder Expansion – Capital Contribution

Ref 1: Appendix B-2 – Sustainable Brooklin Business Case

Ref 2: Elexicon Energy Energy's Condition of Service

Elexicon Energy stated that the Brooklin Developers would no longer be willing to commit to investing in building DER and EV-ready homes in North Brooklin if they were required to pay a capital contribution. Elexicon Energy also stated that if the Brooklin Developers do not install a DER and EV-ready home they would be required to pay a capital contribution of \$2,260 per home.

b) Please provide the calculation for the \$2,260 capital contribution per home, including all assumptions upon which the calculation is based.

c) Elexicon Energy stated that the Brooklin Developers would commit through a binding agreement or conditions in related regulatory approvals. Please provide all communications, including any binding agreement, discussed with the Brooklin Developers.

d) How can Elexicon Energy be certain that the cost of installing DER/EV-ready homes will not be passed to the future homeowners (i.e., included in the cost of the home)? Please explain why it would be reasonable for Elexicon Energy ratepayers to subsidize the cost of capital contributions to the Brooklin Developers.

e) In the event that Brooklin Developers are required to provide a capital contribution to Elexicon Energy, does Elexicon Energy have any information as to whether the DER/EV rough-ins will be provided an optional upgrade?

f) Please state if construction of the subdivision has commenced and confirm that Elexicon Energy expects to energize the project in Q3 of 2023.

Response of Elexicon Energy Inc.

b) \$2,260 is the estimated cost per home for the installation of rough-ins to enable DER-and-EVready homes, as provided by the Brooklin Developers. A breakdown of this cost is provided in the answer to Staff-18 part a). Understanding the complexity of managing dynamic capital contribution calculations in a growing development area over the course of twenty years, Elexicon proposes that this amount or a similar amount be prescribed as the standard capital contribution required in the event a developer of a new residential unit has failed to construct a DER-and-EV ready home. No contractual agreements are in place between Elexicon and the developers.

c) No contract or binding agreement has been signed. Elexicon proposes that an agreement be executed prior to beginning work to connect a customer, which is to include the commitment to build DER-and-EV-ready homes in exchange for eligibility for exemption to section 3.2. of the Distribution System Code if approved by the OEB. Elexicon has requested that the OEB's Decision and Order in this proceeding would require as a condition of approval that Elexicon's agreement for developers in the affected area include this provision.

d) Elexicon Energy cannot be certain that the cost of installing DER/EV-ready homes will not be passed to the future homeowners.

e) No, Elexicon Energy does not have any information as to whether the DER/EV rough-ins will be provided as an optional upgrade.

f) It is Elexicon Energy's understanding that no construction of the homes has commenced, but land permits have been obtained. Elexicon Energy can confirm that the Brooklin Developers expect the two new 27.6kV lines to be energized in Q3 of 2023.

Supplementary Response of Brooklin Landowners Group

b) Those Brooklin Landowners who are also contractors and builders have advised that although the cost of installing/constructing the DER and EV enablements may vary, such costs can generally be expected to be in the order of \$2,000/ unit, plus HST. This is an estimate of the minimum cost to construct/install the DER and EV enablements, made before the onset of current supply chain shortages and inflation of labour, material and equipment costs. In connection with the preparation of this response, the Brooklin landowners have advised that these costs have materially increased in recent months.

The \$2000/unit cost estimate includes the per unit cost of installing/constructing rough-ins for solar panels on the roof, electric vehicle charging ports in the garage and battery storage rough-ins near the electrical panel of the homes. The \$2000/unit estimate also includes the cost of installing "disconnects" at electrical panels and PVC conduit in the walls of the house, extending from the electric panel in the basement to the roof and to the garage. Finally, the estimate also includes the cost of installing LED lighting throughout the house, an upgrade that is not required under the current Ontario Building Code.

Attachment 1 to this response is a table that provides high and low cost estimates for constructing and installing solar and EV rough-ins in low and medium density units in North Brooklin. Based on the estimated rough-in cost per unit of \$2,000 plus HST (total of \$2,260), the total expected investment in DER and EV enablements in the Community of North Brooklin is in the order of \$23.8 to \$25.2 million, assuming investment by the "participating owners" only (i.e., by those landowners who are members of the Brooklin Landowners Group). If "non-participating" landowners also invest in DER and EV enablements, the total expected investment by both participating and non-participating landowners will be in the order of \$27.3 to \$30.4 million.

c) If the OEB approves Elexicon's request for an ICM for the Sustainable Brooklin Project and an exemption from the capital cost contribution provisions of the *Distribution System Code*, the members of the Brooklin Landowners Group would be willing to enter into legally binding agreements with Elexicon that reflect their commitment to construct/install DER and EV enablements, as described above, in each single family dwelling that they construct in the Community of North Brooklin.

d) The question incorrectly characterizes the reasons that underlie Elexicon's request as being related to a request for subsidization of landowners by ratepayers. The issue is not one of subsidization but, rather, of fairness. Is it fair that the Brooklin Landowners be required to pay the capital cost of the Brooklin Line, given the benefits that will accrue to existing Elexicon ratepayer (in the form of avoidance of the cost or expanding or reinforcing the 13.8 kV system), as well as to future ratepayers located outside of the new Community of North Brooklin who may be served via the new Brooklin Line? Is it fair that the Brooklin Landowners be burdened with the capital cost of a new distribution "backbone" simply because they are "early movers" in the development of a new area of Elexicon's service territory? Is it fair that the Brooklin Landowners pay the capital costs of constructing the Brooklin Line simply because it extends from a point of connection with an existing transformer station, 10 kilometers from the Community of North Brooklin, as opposed to a point of connection with a new transformer station, proximate to the Community? (Note that under this scenario, cost responsibility for the feeder that would connect the new North Brooklin transformer station to the Whitby TS would lie with Elexicon and such costs would be borne by its ratepayers). Fairness dictates that the answer to each of these questions be "no".

To answer Staff's question about the recovery of the costs of installing the DER and EV enablements: The Brooklin Landowners expect to recover all of their capital costs, whether these costs are in the form of a capital cost contribution to Elexicon or in the form of the cost of constructing/installing DER and EV enablement. Accordingly, such costs will be reflected in, and recovered by, the market price of the North Brooklin houses. In this respect, the Brooklin Landowners are like any other business, including Elexicon, the only difference being that the Brooklin Landowners must balance the desire to recover legitimate and prudently incurred costs against the need to remain price competitive in their market.

The Brooklin Landowners have committed to invest in the cost of installing/constructing DER and EV enabling features in all new homes in the Community of North Brooklin. This investment will not be possible if the Brooklin Landowners are required to finance the capital cost of the Brooklin Line. Such financing costs will serve to increase the base price of these new homes and the Brooklin Landowners will need to do everything, within their power, to control other costs, including the cost of fostering innovation and transformational change.

e) DER/EV rough-ins could be offered as an optional upgrade to potential home buyers. Based on their experience, however, the Brooklin Landowners are of the view that given the choice between paying for upgrades that yield tangible, visible comforts and benefits (e.g., marble counter tops) and paying for upgrades that provide less visible benefits (i.e, energy savings), most home buyers will opt for the former. If the Brooklin Landowners are right in this regard, the potential for the new Community of North Brooklin to serve as a catalyst of innovation and change within Elexicon's service territory, will be lost.

f) Initial grading has commenced on the properties that already have Draft Subdivision Plan Approval. If an electricity supply can be secured by Q3 2023, construction of homes on these properties will proceed as planned.

STAFF-17

Attachment 1

North Brooklin Community EV and Solar Rough-In Cost Estimate

EV and Solar Rough-in Cost for all Low and Medium density residential units in North Brooklin

Unit Type	Low Units Estimate	High Unit Estimate	Rough In Cost/Unit (incl. HST)	Low Cost	High Cost
Single and Semi Detached	5,984	6,332	\$ 2,260	\$ 13,523,840	\$ 14,310,320
Row	4,097	4,885	\$ 2,260	\$ 9,259,220	\$ 11,040,100
Total	10,081	11,217	-	\$ 22,783,060	\$ 25,350,420
			20% Increase Estimate	\$ 27,339,672	\$ 30,420,504

EV and Solar Rough-in Cost BNLG Participating Owners Low and Medium density residential units in North Brooklin

Unit Type	Low Units Estimate	High Unit Estimate	Rough In Cost/Unit (incl. HST)	Low Cost	High Cost
Single and Semi Detached	5,265	5,447	\$ 2,260	\$ 11,898,900	\$ 12,310,220
Row	3,523	3,839	\$ 2,260	\$ 7,961,980	\$ 8,676,140
Total	8,788	9,286	-	\$ 19,860,880	\$ 20,986,360
			20% Increase Estimate	\$ 23,833,056	\$ 25,183,632

Prepared by:  MGP Malone Given Parsons.

13-Jun-22

Brooklin Landowners Group

Supplementary Responses to Interrogatories from

OEB Staff

Interrogatory STAFF-18:

North Brooklin Development Feeder Expansion – Capital Contribution

Ref 1: Appendix B-2 – Sustainable Brooklin Business Case pp. 4 and 11

Elexicon Energy noted that the Developer estimated a cost of \$23M to install standard rough-ins.

- a) Please provide a breakdown of the \$23M between rough-ins for rooftop solar, battery storage, and EV charging.
- b) Please provide the developer's cost for the rough-ins per home.

Response of Elexicon Energy Inc.:

a) Elexicon obtained an estimate of the average cost of planned and in-scope rough-ins to be \$2,260 per home from the North Brooklin developers. Elexicon anticipates that the precise cost per home will vary based on the characteristics of the home in question. Elexicon does not have a separation of these largely similar costs across the technologies listed.

b) The developers provided Elexicon with an estimate of the cost for the rough-ins per home of \$2,260. It is Elexicon's understanding that the several developers obtained quotes directly from their trades and then used those different quotes in order to inform their estimate.

Supplementary Response of Brooklin Landowners Group

a) Please see the Supplementary Response of Brooklin Landowners Group to Staff-17(b) for a breakdown of the \$23 million estimate of investment in DER and EV enablements.

b) Please see the Supplementary Response of Brooklin Landowners Group to Staff-17(b) for detailed breakdown of the cost estimate for installing rough-ins in the homes to be constructed in the new Community of North Brooklin.

Brooklin Landowners Group

Supplementary Answers to Interrogatory from

OEB Staff

Interrogatory STAFF-19:

METSCO Load Forecast

Ref 1: Appendix B-4 METSCO Elexicon Energy 2022-2041 Peak Load Forecast, p. 29

In reference 1, it states that based on the load forecast the 27.6kV and 44kV systems for Brooklin are expected to reach capacity constraints in either 2031 or 2037, depending if the load could be balanced between the 27.6kV and 44kV systems.

e) Please provide the expected scope of work and costs for rooftop solar, 50-50 mixed infrastructure, and rooftop solar with battery energy storage system (i.e., number of solar panels, number of batteries, and auxiliary equipment).

Response of Elexicon Energy Inc.:

e) Installations of rooftop solar and battery energy storage systems would be owned and paid for by the homeowner. Elexicon has not prepared a detailed forecast of these costs.

Supplementary Response of Brooklin Landowners Group:

e) Please see the Supplementary Response of Brooklin Landowners Group to Staff-17(b) for detailed breakdown of the cost estimate for installing rough-ins in the homes to be constructed in the North Brooklin.

Brooklin Landowners Group

Supplementary Answers to Interrogatory from

OEB Staff

Interrogatory STAFF-20:

Distribution System Code Exemption

North Brooklin Development Feeder Expansion – Exemption from s. 3.2 of the Distribution System Code

If the exemption from section 3.2 of the DSC is granted and the Brooklin Landowners Group Inc. is not required to make capital contributions, please provide the following:

a) Does this provide an economic advantage to the members of the Brooklin Landowners Group Inc. relative to developers that are not members and may be building or planning to build developments elsewhere in Elexicon Energy's service territory, or even elsewhere in Ontario? If not, please explain why not?

Response of Elexicon Energy Inc.:

a) The economics of the innovative Sustainable Brooklin project have Brooklin Landowner's Group ("Brooklin Developers") committing to spend approximately \$23 million to \$30 million in return for approval of the requested DSC exemption. This expenditure is an equivalent expenditure to the cost of the infrastructure to extend the electricity grid to North Brooklin. Further, the Brooklin Line does not represent the full assets and costs required to serve development in the region; representing only the upstream investment required to bring capacity to the region (i.e. it does not include standard subdivision and connection assets). While a definitive determination cannot be made without a comparison of specific developments, Elexicon does not believe the economic outcomes of the Sustainable Brooklin/ DSC exemption materially alter the economic circumstances of affected developers relative to others.

Supplementary Response of Brooklin Landowners Group:

a) The Brooklin Landowners Group agrees with the response to this question provided by Elexicon, above. In addition, the Board and Intervenors should consider the following:

- The Brooklin Landowners Group believe that is unusual, if not unprecedented, for landowners and developers of urban subdivisions to be required to pay upwards of **\$41 million** towards the capital cost of securing a supply of electricity for their subdivisions *via* the construction of a brand new distribution system. We are not aware of any other similarly situated landowners or developers who have been put in this position. From this perspective, the members of the Brooklin Landowners Group are at competitive disadvantage, *vis a vis* other landowners and developers in the Greater Toronto Area.
- As only three of the participants in the Brooklin Landowners Group have received Draft Plan Approval, at this point in time, a requirement to finance a capital contribution in the order of \$23 million would fall on these three landowners/developers. (Without Draft Plan Approval, it is

unlikely that financing can be secured). This is an extraordinary cost burden for three landowners/developers to bear.

- The design capacity of the Brooklin Line far exceeds the combined requirements of the three landowners/developers who have Draft Plan Approval. Indeed, it also exceeds the combined requirements of all of the participants in the Brooklin Landowners Group. (Note that the Brooklin Line is being designed to carry up to **three circuits**, although only **one circuit** will be installed, initially).

Brooklin Landowners Group

Supplementary Answers to Interrogatory from

OEB Staff

Interrogatory STAFF-22:

Leveraging Private Capital

Ref. 1: Appendix B Incremental Capital Module: Whitby Smart Grid & Sustainable Brooklin, p. 10 of 56

On page 10, Elexicon Energy states that “the commitment by the Developers to invest approximately \$30.4 million over a 20-year period in DER and EV-enabling infrastructure in newly constructed homes in North Brooklin will lower barriers to entry for customers wishing to install DER and EV infrastructure in their newly purchased homes. ICM funding for the Sustainable Brooklin Project will guarantee this investment of private sector capital.”

f) Please indicate whether it is Elexicon’s expectation that the expenditure of \$2,260 per home, described as the Developers’ “capital contribution” and “investment” on p. 8 and p. 44 of Appendix B respectively, will not be recouped by the Developers from the sale proceeds of each home.

Response of Elexicon Energy Inc.:

f) The reference to the Developers’ “capital contribution” at page 8 of Appendix B is different from the reference to the Developers’ “investment” on page 44 of Appendix B. The Developers’ “investment” refers to their commitment to install solar PV rough-ins, EV rough-ins and a battery energy storage system rough in at an estimated cost of \$2,260 per home. By contrast, the “capital contribution” refers to remedy Elexicon has proposed should the Developer fail to deliver on their proposed investment by way of the condition that is more fully described in Staff-21. Elexicon has no authority to set out or enforce a sale price of the DER and EV ready homes that the Brooklin Developers will construct in North Brooklin. Elexicon believes that an OEB approval of a DSC exemption will foster the Brooklin Developers to inform prospective purchasers of the homes about its DER and EV readiness, and the approximate \$2,260 per home investment.

Supplementary Response of Brooklin Landowners Group:

f) Please see the Supplementary Response of the Brooklin Landowners Group to 1-Staff 17(d).

Brooklin Landowners Group

Supplementary Answers to Interrogatory from

OEB Staff

Interrogatory STAFF-24:

Customer-Specific Benefits

Ref. 1: Appendix B, s. 4.1.2. Sustainable Brooklin, pp. 41-50 of 56 “Elexicon Energy identified 4 alternatives with respect to the Sustainable Brooklin Project:

1. Extend feeders from Whitby TS DESN 1 to serve the North Brooklin area, with funding through this ICM, and with the WSG enabling DER integration capability (preferred);
2. Proceed with system enhancement by extending the feeders from Whitby TS DESN 1 to serve the North Brooklin area with developers paying a capital contribution as per the DSC, with the extension of the duration of capital contribution period from 5 years to 15 years....”

f) Given the “parameters of DER and EV-ready homes” described on p. 46 of Appendix B, and Elexicon Energy’s statement on p. 47 of the same document that “Absent the DSC Exemption, ... the Developers would no longer be willing to commit to invest in building DER and EV ready homes across all of North Brooklin”, please provide the basis of the statement and confirm Staff’s understanding that this means the Developers will build homes in North Brooklin that will NOT include:

- “two spare breaker slots” that could be used for a DER
- “sufficient space on the wall next to the circuit panel” to install solar controls and an inverter”
- “room on the wall for the [EV] charger”, and
- “appropriate room in the circuit panel for a breaker” that could be used for an EV charger.

On page 46, Elexicon Energy states that where “the roof size and orientation is suitable, developers will offer customers the option to purchase and install solar panels and related inverter and controls.”

g) Please confirm Elexicon Energy’s understanding that not all of the homes the Developers will build in North Brooklin will be suitable for solar panels.

h) Please provide any information that Elexicon Energy has as to the percentage of the 10,000 to 11,200 homes in North Brooklin that will not be suitable for solar panels.

i) Please confirm that where a home is not suitable for solar panels, the home will not be made ‘DER-ready’ by the Brooklin Developers and whether those homeowners will receive a discount for their home not being made ‘DER-ready’?

Response of Elexicon Energy Inc.:

- f) Elexicon is not privy to the exact assets that would not be installed. It is Elexicon's understanding that if a DSC exemption is not allowed, the Developers would not install the DER and EV rough-ins
- g) Elexicon's understanding is that some homes may not have roof orientation which would logically facilitate solar panel installation.
- h) See response part g.
- i) The Developers have indicated that all homes will be DER and EV-ready. This may in some circumstances not include solar rough-ins, however battery and EV rough-ins would continue to be included. Elexicon is not involved in the sale price of homes, whether they include some or all of the specific rough-ins contemplated.

Supplementary Response of Brooklin Landowners Group:

- f) Correct. Absent ICM funding, the Brooklin landowners will be unable to invest in DER and EV enabling features, as part of their standard offering. Please see also the Supplementary Response of the Brooklin Landowners Group to 1-Staff 17(d).
- g) It is anticipated that most homes will be constructed with gabled roofs and will have at least one roof side that faces south and that can accommodate solar panels. Given that the Town of Whitby's Official Plan limits the height of buildings to three or four storeys throughout the lower density portions of the Town, it is not expected that homes will be over shadowed by taller buildings.
- h) Please see the Supplemental Response of Brooklin Landowners Group to Staff-24(g).
- i) Please see the Supplemental Response of Brooklin Landowners Group to Staff-24(g).

Brooklin Landowners Group

Supplementary Answers to Interrogatory from

OEB Staff

Interrogatory STAFF-25:

Ref. 1: Appendix B-2 Sustainable Brooklin Business Case, p. 4 of 37

On page 4, Elexicon Energy refers to “the fairness principle”, and states that this principle “justifies this quid-pro-quo treatment to exempt the Brooklin Developers from paying a capital contribution to construct the Sustainable Brooklin project”.

a) Please explain what Elexicon means by “the fairness principle” and indicate who and under what circumstances this principle should be applied.

Response of Elexicon Energy Inc.:

a) Please see section 5.3. Fairness Issues Raised with Respect to the Brooklin Line1 for submissions regarding the fairness principle and to whom it applies. In summary, there are two areas fairness brought forward to Elexicon by the Brooklin Landowners Group: a purported inconsistency between the Distribution System Code and the Transmission System Code with respect to TS cost recovery in comparison to other significant upstream distribution investments (such as the Brooklin Line), and the circumstance in which first-movers pay all required capital contributions for the Brooklin Line while customers connected after 5 years avoid contributions

Appendix B – Incremental Capital Module Whitby Smart Grid & Sustainable Brooklin, Page 49 of 56.

Supplementary Response of Brooklin Landowners Group:

a) Please see the Supplementary Responses of the Brooklin Landowners Group to 1-Staff-15, 1-Staff-17(d) and 1-Staff-20.

Brooklin Landowners Group

Supplementary Answers to Interrogatory from

OEB Staff

Interrogatory STAFF-26:

Ref. 1: Appendix B-2 Sustainable Brooklin Business Case, p. 5 of 37

On page 5, Elexicon Energy states that over the next twenty years, “the Brooklin Developers have plans to provide affordable and energy-efficient homes to approximately 10,000 homes in a new residential community in the North Brooklin area.”

a) On what basis does Elexicon Energy believe it can rely on the Brooklin Developers’ plans? For example, has Elexicon Energy confirmed that the Brooklin Developers have the required the necessary permitting to continuously build homes in the above-mentioned area for 20 years at the rate described?

Response of Elexicon Energy Inc.:

a) The Brooklin Developers are not unlike any other developers with whom Elexicon has to work. Elexicon has a legal obligation to connect new customers pursuant to the terms of its distribution license, and when new property developers are proposing major new developments Elexicon routinely works with those developers to ensure the local distribution system has sufficient capacity available. In this context, the Brooklin developers have produced plans for the building of, on average, 700 DER and EV-ready homes for the next 20 years. It is Elexicon’s understanding the Brooklin Developers submitted such plans to the town council to obtain the relevant permitting. Elexicon also notes that the expedient development of additional residences is consistent with the policies of both the Region of Durham and the Government of Ontario, as described in Appendix B, page 21.

Supplementary Response of Brooklin Landowners Group:

a) Please see the Supplemental Response of Brooklin Landowners Group to 1-Staff-12.