



PLANNING OPINION REPORT

Revised Zoning By-Law Amendment and Draft Plan of Subdivision
5113 Brock Road
Hamlet of Claremont, Pickering

Prepared For:
Claremont Developments Inc.

July 2021

MGP

Revised Zoning By-law Amendment & Draft Plan of Subdivision Applications

Planning Opinion Report

**5113 Old Brock Road
Hamlet of Claremont, City of Pickering, ON**

Prepared by:

Malone Given Parsons Ltd
140 Renfrew Drive
Suite 201
Markham, ON L3R 6B3

Prepared for:

Claremont Developments Inc.
3190 Steeles Avenue East
Suite 300
Markham, ON L3R 1G9

Page intentionally left blank

Contents

1.0	Introduction.....	1
1.1	Purpose	1
1.2	Property Description and Original Development Applications	1
1.2.1	<i>Original Development Applications and Revisions</i>	3
1.3	Historical Development Context	5
2.0	Development Considerations	7
2.1	Introduction	7
2.2	Phase One Environmental Site Assessment.....	7
2.3	Natural Heritage	7
2.4	Functional Servicing and Stormwater Management	9
2.5	Geotechnical Conditions	10
2.6	Hydrogeological Conditions	10
2.7	Water Level Data Assessment	11
2.8	Private Servicing Feasibility	11
2.9	Transportation	11
2.10	Archaeology	12
2.11	Noise	12
2.12	Minimum Distance Separation	12
2.13	Architectural Control	13
2.14	Conclusion	13
3.0	Proposed Development	15
3.1	Overview	15
3.2	Transportation and Connectivity to Neighbouring Lands	16
3.3	Neighbourhood Structure and Urban Design	16
4.0	Transitional Status and the Clergy Principle.....	19
4.1	Transitional Provisions	19
4.2	Places to Grow Act, 2005, O. Reg. 311/06.....	19
4.3	Oak Ridges Moraine Conservation Act, 2001, Section 15(2).....	19
4.4	Application of the Clergy Principle.....	20

4.5	Historical Context & Precedents	20
4.6	Conclusion	22
5.0	Planning Policy and Regulatory Context Analysis	25
5.1	Policy Analysis	25
5.2	Provincial Policy Statement	26
5.3	Growth Plan for the Greater Golden Horseshoe	28
5.4	Oak Ridges Moraine Conservation Plan	28
5.4.1	<i>Sections 20, 22 & 23: Supporting Connectivity, Key Natural Heritage Features & Natural Heritage Evaluation</i>	<i>29</i>
5.4.2	<i>Section 26: Key Hydrologic Features & Hydrological Evaluation.....</i>	<i>30</i>
5.4.3	<i>Section 43(1): Sewage & Water Services</i>	<i>30</i>
5.4.4	<i>Section 45(7) & (8): Stormwater Management</i>	<i>30</i>
5.4.5	<i>Section 47: Rapid Infiltration Basins & Columns.....</i>	<i>30</i>
5.5	Durham Regional Official Plans.....	31
5.5.1	<i>Durham Regional Official Plan, 1987 Consolidation.....</i>	<i>31</i>
5.5.2	<i>Durham Regional Official Plan, 1991</i>	<i>32</i>
5.5.3	<i>Durham Regional Official Plan, 2020 Office Consolidation.....</i>	<i>33</i>
5.6	Claremont Development Plans	36
5.6.1	<i>Claremont Development Plan, Edition 2 – 1985.....</i>	<i>37</i>
5.6.2	<i>Claremont Development Plan, Edition 4 - 1993</i>	<i>37</i>
5.7	City of Pickering Official Plan, 2018 Consolidation (Edition 8).....	39
5.8	City of Pickering Zoning By-law, as amended	41
5.9	City of Pickering Sustainability Standards.....	42
6.0	Planning Opinion & Conclusion	45
6.1	Planning Opinion.....	45
6.2	Planning Act – Section 51(24)	47
7.0	Sources	51

List of Appendices

Appendix A:	Context Map
Appendix B:	Proposed Draft Plan of Subdivision
Appendix C:	Land Use Schedules
Appendix D:	Draft Zoning By-law Amendment
Appendix E:	Sustainability Checklist
Appendix F:	Conformity Tables

List of Figures

Figure A.1: Context Map	57
Figure B.1: Proposed Draft Plan of Subdivision (Colour).....	61
Figure B.2: Proposed Draft Plan of Subdivision.....	63
Figure B.3: Existing and Proposed Development	65
Figure C.1: Adjacent Developments.....	69
Figure C.2: Adjacent Developments Aerial	70
Figure C.3: DROP 2020 Regional Structure Excerpt.....	71
Figure C.4: DROP 2020 Greenbelt Natural Heritage System Excerpt	72
Figure C.5: DROP 2020 High Aquifer Vulnerability Area Excerpt	73
Figure C.6: DROP 2020 Oak Ridges Moraine Land Use Excerpt	74
Figure C.7: DROP 2020 Oak Ridges Moraine Landform Conservation Excerpt.....	75
Figure C.8: Claremont Development Plan, 1985 Schedule Excerpt	76
Figure C.9: Claremont Development Plan, 1993 Excerpt	77
Figure C.10: Pickering Land Use Structure Excerpt.....	78
Figure C.11: Pickering Key Natural Heritage Features Excerpt	79
Figure C.12: Pickering Key Natural Heritage Features Excerpt	80
Figure C.13: Pickering Key Natural Heritage Features/Key Hydrologic Features Excerpt	81
Figure C.14: Pickering High Aquifer Vulnerability Excerpt.....	82
Figure C.15: Pickering Claremont Development Plan Excerpt.....	83
Figure C.16: Pickering Oak Ridges Moraine Landform Conservation Areas Excerpt	84
Figure C.17: Pickering Zoning By-law No.6640/06 (A16/05) Excerpt	85

List of Tables

Table 1.1: Legal Description	2
Table 1.2: Development Application History.....	5
Table 5.1: Land Use Designation Summary	26
Table 5.2: ORM-R6 Proposed Zoning Standards.....	42
Table 6.1: Conformity with Section 51(24) of the Planning Act	48

List of Accompanying Reports

All accompanying reports, including those associated with the revised Zoning By-law Amendment and Draft Plan of Subdivision applications, are available in digital format on the Dropbox link/website included with this submission.

Table I: List of Accompanying Reports

Required Documents	Author
Planning	
Planning Opinion Report	Malone Given Parsons Ltd.
Environmental	
Natural Heritage Evaluation	Beacon Environmental Ltd.
Phase One Environmental Site Assessment	Golder Associates Ltd.
Preliminary Geotechnical Investigation	Golder Associates Ltd.
Private Servicing Feasibility Report	Golder Associates Ltd.
Preliminary Hydrogeological Investigation	Golder Associates Ltd.
Water Level Assessment	Golder Associates Ltd.
Minimum Distance Separation Report	AgPlan Limited
Cultural	
Stage 1-2 Archaeological Assessment	AMICK Consultants Inc.
Site Servicing	
Functional Servicing and Stormwater Management Report	SCS Consulting Group
Transportation	
Transportation Study	BA Group
Noise	
Preliminary Environmental Noise Report	Jade Acoustics Inc.

Executive Summary

Malone Given Parsons Ltd (“MGP”) was retained by the applicant, Claremont Developments Inc., for the property generally located on the west side of Brock Road and north of Concession Road 9 (Central Street), municipally known as 5113 Old Brock Road in the Hamlet of Claremont, City of Pickering (“Property”). The Property measures approximately 38.18 hectares (94 acres).

The purpose of this report is to provide a planning opinion on the revised Zoning By-law Amendment and Draft Plan of Subdivision applications to permit the development of 71 residential lots (to accommodate 70 new homes and one existing residence).

Original applications for Zoning By-law Amendments (A09/90 and A17/90), and Draft Plan of Subdivision (18T-90016) were submitted in 1990. No municipal or regional decisions were made on the applications under the *Planning Act* and, as such, the applications remain active. In 2012, the applicant submitted a revised Draft Plan of Subdivision and Zoning By-law Amendment application for the southern portion of the Property, also referred to as the Phase I lands. In 2018, a revised application provided a comprehensive development proposal for the Property, including the Phase I and Phase II lands. This proposed development plan and accompanying technical studies were submitted as a revision to the original applications and in response to study and community consultation over the previous seven years. The 2018 revised applications were subject to a series of appeals to the Local Planning Appeal Tribunal (now the Ontario Land Tribunal) and Divisional Court, which included determinations regarding the application of the “Clergy principle” and whether the Tribunal’s consideration of the subdivision application will include the Phase II lands. As the Divisional Court appeal was dismissed, the Local Planning Appeal Tribunal decision of August 27, 2020 prevails. The Local Planning Appeal Tribunal decision confirms that the Tribunal’s consideration of the appeal of the subdivision application will include the Phase II lands, that the statutory transitional provisions will apply to the applications for certain provincial policies, and that the Clergy principle applies in relation to certain municipal planning policies. As a result of the Tribunal’s determination that the Clergy principle applies to the appeals of the zoning by-law amendment and plan of subdivision applications, the applicable municipal planning policy documents to evaluate the applications are the Region of Durham Official Plan (June 5, 1991) and the Claremont Development Plan, 1991 (Edition 3).

Since the 2018 revised applications were filed, a number of policy documents have been updated. This July 2021 submission is intended to update the 2018 revised applications to ensure they remain relevant to the current context.

The applications will be considered for approval under the municipal planning policies that applied at the time of the original applications (1990/1991), while having regard for contemporary applicable standards and matters of good planning and the public interest. As confirmed by the Local Planning Appeal Tribunal, the applications have transitional

status under both the *Places to Grow Act, 2005 O.Reg. 311/06* and the *Oak Ridges Moraine Conservation Act, 2001* and should be assessed for compliance with the relevant municipal policy documents at the time of consideration of the original applications. The Transitional Rules of the *Places to Grow Act, 2005 O.Reg. 311/06* details that development applications commenced before June 16, 2006 shall be continued and disposed of as if the Plan had not come into effect (Section 3(4)). As per Section 15(2) of the *Oak Ridges Moraine Conservation Act, 2001*, Transitional Provisions apply for applications commenced before November 17, 2001 with no decision to date.

The proposed residential lots are organized along four new local roads which are designed to encourage most vehicular access through Old Brock Road and away from Franklin and Lane Streets. Connections for active transportation are provided through the proposed park to the open space blocks and beyond on the local roads to allow cycling and pedestrian movement between the proposed development and the existing neighbourhoods to the south and west. A 1.7 hectare park is proposed at the corner of Lane and Franklin Streets and is centrally located to maximize walking distance for both existing and future residents north of Central Street and east of Old Brock Road, providing a place for socializing and recreation. A noise buffer block is proposed on the eastern portion of the plan to provide for sufficient noise mitigation from Brock Road. Two stormwater management ponds are proposed to manage drainage on the Property, and alleviate pre-existing flooding issues in the community to the south of the Property. The proposed lots, at a minimum of 0.27 ha, technically meet the Region's minimum lot sizing policy. The proposed lots are generally larger than the historic growth that occurred within Claremont prior to current septic standards, yet smaller than contemporary development that has occurred within Claremont over the past 20 years; achieving a balance between technical requirements and efficient urban form. The proposed lot sizes are appropriate and contribute to the diversity of housing options in the municipality.

The proposed development provides a comparable amount of growth to that previously experienced in the Hamlet within the last 20 years (approximately 65 units), integrates well with the existing community, and achieves the historically planned, logical completion of the Hamlet to Brock Road. Including the development of the proposed lots, the total residential units in the Hamlet would be approximately 450, with a total population of approximately 1,200 people. Directing this limited growth to the Hamlet of Claremont is appropriate as it addresses an ongoing desirability for a small community lifestyle and represents one of, if not the only, opportunity to accommodate this type of growth within the rural settlements in the City of Pickering. Future residents will benefit from, and will contribute to, the ongoing vitality of the Hamlet and its community facilities. The additional growth will also serve to encourage retail, office, and other businesses to locate and remain viable in the Hamlet. The proposed development would locate residents close to a mix of uses and contribute to the resiliency of the Hamlet as a complete community.

Flooding has historically been an issue south of the Property along Franklin and Joseph Streets. Studies previously conducted by the City concluded that substantive and costly

infrastructure improvements are required to mitigate or eliminate the flooding issues. The proposed development incorporates best management practices and modern stormwater management measures to adequately support the proposed development as well as to alleviate the flooding/drainage problems experienced by the existing community to the south of the Property. This will serve to protect human health and safety, prevent property damage, and is in the public interest to implement solutions as soon as possible.

A significant woodland is located in the northern portion of the Property, and a small roadside wetland fragment exists at the far southeastern portion. These features will be protected with appropriate buffers which provide for the protection of Key Natural Heritage Features, Key Hydrologic Features and related ecological and hydrological functions associated with the Oak Ridges Moraine. The Natural Heritage Evaluation prepared by Beacon Environmental, dated July 2021, concluded that the southeastern wetland is not to be considered a Key Natural Heritage Feature or Key Hydrologic Feature under the Oak Ridges Moraine Conservation Plan. A precautionary conservative approach has been taken and a 30 m Minimum Vegetation Protection Zone (MVPZ) has been applied.

The 1991 Durham Regional Official Plan (DROP) and the Claremont Development Plan were the relevant municipal planning policy documents in effect at the time the original applications were being considered. The policies of the Claremont Development Plan (a non-statutory document) provided requirements for the development of *Residential – Phase II* lands which, amongst other matters, identified the need for a Regional Official Plan Amendment prior to development in connection with concerns at the time related to substandard septic systems and substandard shallow wells. During the early 1990s the Province and Region undertook studies and a well replacement program, which involved the drilling of deeper wells to access deeper aquifers and the modernization of the septic systems. This program eliminated growth-related concerns with regard to source water protection. The alleviation of these concerns are manifested in the practice of the (then) Town and Region to permit development throughout the late 1980s and early 1990s on other *Residential – Phase II* lands and lands beyond the Hamlet boundary by reclassifying the lands to *Residential – Phase I* in the Claremont Development Plan without the need for a Regional Official Plan Amendment. As the proposed development will proceed with modern standards for septic servicing and deep wells, it is our opinion that the proposed development can proceed through the draft plan of subdivision and zoning bylaw amendment processes. This is consistent with the historic practice of the municipality of proceeding by way of a change to the Claremont Development Plan. Furthermore, the entirety of the Property, including the Phase I and Phase II lands, was within the Hamlet boundary at the time of the original applications and would have required technical investigations to demonstrate the feasibility of development by way of a draft plan subdivision.

In this respect, the Regional Official Plan of the day (adopted June 1991) removed the requirement for a Regional Official Plan Amendment and required that development on

the Phase II portion of the Property be accompanied by, amongst other studies, a Settlement Capacity Study, demonstrating the technical feasibility of the development. The contemporary components of this study have been completed for the Property and form part of this revised submission. It is our opinion that the proposal represents good planning and is in the public interest.

The revised Zoning By-law Amendment and Draft Plan of Subdivision applications conform to all Provincial, Regional and Municipal policies applicable under transition from 1991. Study conclusions indicate the proposal:

- Will not adversely affect any natural heritage, ecologically or hydrologically sensitive features associated with the Oak Ridges Moraine;
- Can be accommodated within the immediate and larger transportation system;
- Can be technically supported from a servicing perspective with the proposed lot sizes; and,
- Will not have any adverse impacts on neighbouring/surrounding agricultural uses.

The proposed development implements good planning, integrates well with existing development and achieves the historically planned, logical completion of the Hamlet to Brock Road. The development is in the public interest. Moreover, it is our opinion that the proposed development, subject to transitional provisions, is consistent with and conforms to the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Oak Ridges Moraine Conservation Plan, Durham Regional Official Plan, and the City of Pickering Official Plan.

The remainder of this Report is structured as follows:

- Chapter One summarizes the purpose of this report, describes the Property and the development applications as well as offers a discussion on the historical development context in the Hamlet of Claremont;
- Chapter Two summarizes the technical studies submitted in connection with the proposed development;
- Chapter Three describes the proposed development;
- Chapter Four explains how Transitional Rules and Transitional Provisions are applicable to the Property, as well as the application of the Clergy principle;
- Chapter Five provides an analysis of relevant policies pertinent to the Property;
- Chapter Six provides our planning opinion and concludes the report.

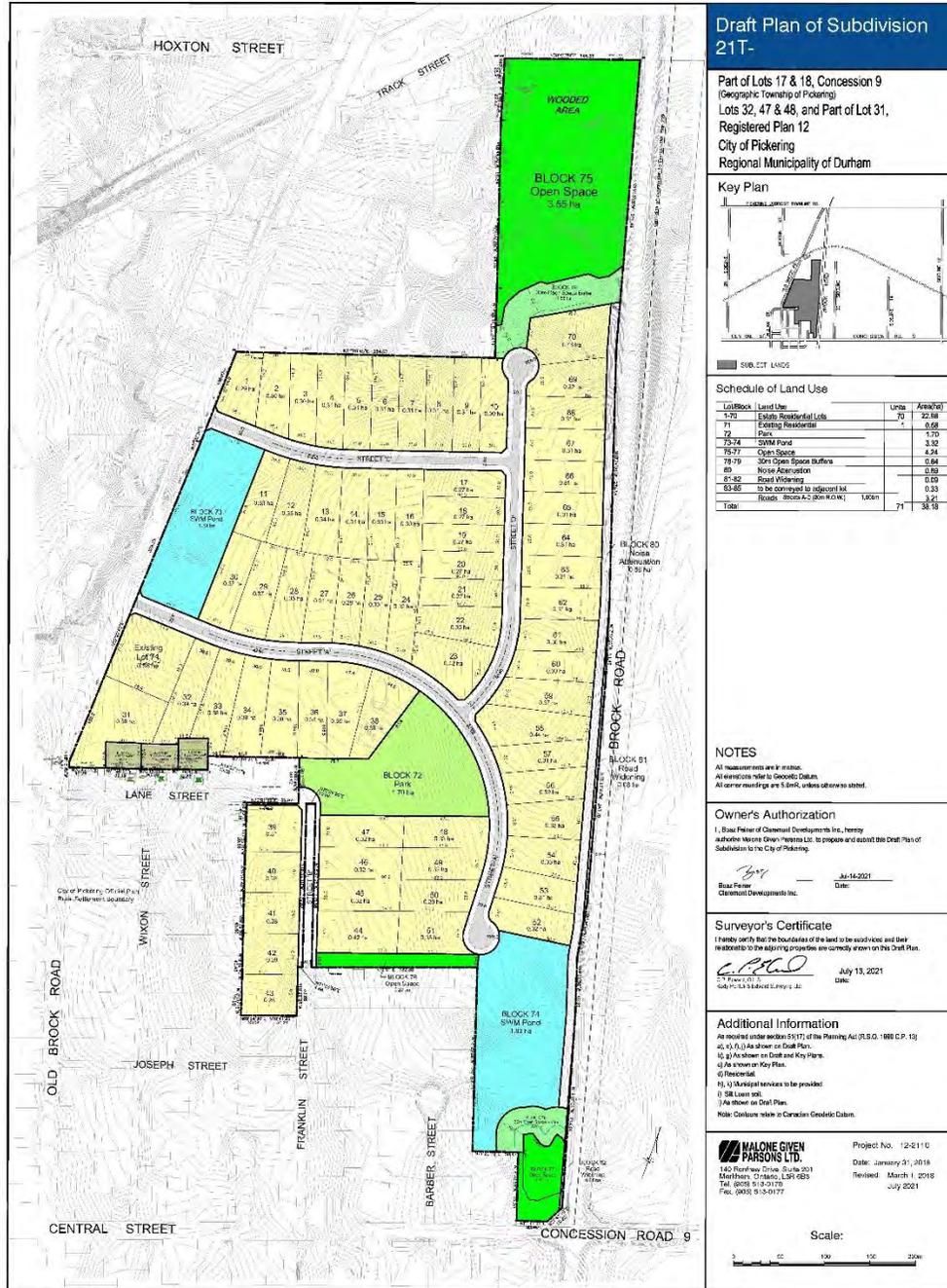


Table II: Land Use Designation Summary

Policy Document	Land Use Designation
Provincial Plans	
Growth Plan for the Greater Golden Horseshoe	Undelineated Built-up Area
Oak Ridges Moraine Conservation Plan	Countryside Area
	Rural Settlement Area
Regional Plans	
Durham Regional Official Plan, 1987	Hamlet
Durham Regional Official Plan, 1991	Hamlet
Durham Regional Official Plan, 2020	Greenlands System – Oak Ridges Moraine Areas
	Hamlet
	Countryside Area
	Natural Core Area
Local Plans	
Claremont Development Plan, 1985, Edition 2	Residential Phase I / Phase II
Claremont Development Plan, 1993, Edition 4	Residential Phase I / Phase II
City of Pickering Official Plan, 2018 Consolidation	Oak Ridges Moraine Countryside Areas
	Oak Ridges Moraine Natural Core Areas
	Oak Ridges Moraine Rural Hamlet
City of Pickering ORM Zoning By-law 6640-06	ORM-EP
	ORM-R5

1.0

Introduction

Claremont Developments Inc. is proposing a revised Zoning By-law Amendment and a revised Draft Plan of Subdivision, which will permit the development of 71 residential lots (to accommodate 70 new homes and one existing residence) in the northeast portion of the Hamlet of Claremont. This section describes the purpose of the report and summarizes the property context and application history.

1.1 Purpose

Malone Given Parsons Ltd. (“MGP”) was retained by the applicant, Claremont Developments Inc., to provide a Planning Opinion for the development of 71 residential lots (to accommodate 70 new homes and one existing residence) in the northeast portion of the Hamlet of Claremont, in the City of Pickering, municipally known as 5113 Old Brock Road (the Property).

The purpose of this report is to provide a planning opinion on the proposed revised Zoning By-law Amendment and revised Draft Plan of Subdivision applications. It renders a planning opinion with respect to the proposed development following an analysis of the land use and planning context in consideration of the applicable provincial, regional, and municipal planning policy regime. This report also relies on and summarizes the accompanying technical studies prepared by other expert consultants.

1.2 Property Description and Original Development Applications

The Property is municipally known as 5113 Old Brock Road and is located on the north side of Concession Road 9 (Central Street), between Old Brock Road and Brock Road, in the Hamlet of Claremont, in the City of Pickering. The Property totals 38.18 hectares (94 acres).

Table 1.1 provides the legal description of the Property. Figure A.1 in Appendix A provides a map of the Property and its surrounding context.

Table 1.1: Legal Description

Owner	Municipal Address	Legal Description of Property	Lot Area (Ha)
The Cairo Group / Claremont Developments Inc.	5113 Old Brock Road	PCL 31-1 SEC 12; SECONDLY: PT LTS 17 & 18 CON 9, OF THE GEOGRAPHIC TWP OF PICKERING & LTS 47 & 48 PL 12 PT 2, 40R14340; THIRDLY: LT 32 PL 12 & PT LT 31 PL 12 PT 1, 40R14340 EXCEPT PT 1, 40R15816; CITY OF PICKERING	38.18 (per Draft Plan of Subdivision)

The Property is primarily used for agricultural purposes, with an existing single-detached dwelling and barn located on the southwest corner fronting onto Old Brock Road. The existing dwelling is proposed to be maintained. The Property abuts existing single-detached residential homes to the south, west, and north and is adjacent to the existing Claremont community. The community is primarily composed of older single-detached residential homes with several local commercial uses at the intersection of Central Street and Old Brock Road. Septic beds for three abutting lots encroach onto the Property at the southwestern property line. Rural residential and other rural agricultural uses are found to the west, east, north and south of the Property; a Canadian Pacific Rail corridor is located further to the north. The Property is generally flat, sloping slightly downward from north to south. The Property is located within the East Duffins Creek subwatershed. There are no well-defined watercourses on the Property. There is, however, a significant woodland, minor watercourse and a portion of a Provincial Significant Wetland located on the northern part of the Property. Mitchell Creek, a tributary to the East Duffins Creek, is located west of Old Brock Road. Mitchell Creek is Redside Dace Occupied Habitat south of the CP Railway. A tributary to Mitchell Creek is located northeast of the Property, crossing Brock Road.

The following summarizes the surrounding uses:

To the North:

- Environmental Protection Area
- Residential Uses (Claremont Community)
- CP Railway

To the South:

- Commercial & Residential Uses (Claremont Community)

To the East:

- Brock Road Bypass
- Agricultural lands

To the West:

- Commercial & Residential Uses (Claremont Community)

1.2.1 Original Development Applications and Revisions

In February 1990, Toko Investments Ltd. submitted applications for a Zoning By-law Amendment (A9/90) and a Draft Plan of Subdivision (18T-90016) to develop the southern portion of the Property into a residential subdivision consisting of 27 single-detached lots, with additional lots depicted in a future phase on the northern portion of the Property. Consistent with the policies of the Claremont Development Plan and standards in nearby zoning categories at the time, the original applications proposed a minimum lot area of 0.3 hectares and a minimum lot frontage of 34 metres. Two roads were proposed that would extend Franklin Street and provide access to the future development. In keeping with the Claremont Development Plan, these applications phased development, anticipating that development of the Phase I lands would proceed initially and be followed by the development of the adjacent Phase II lands to the north.

To advance planning approvals for the Phase II lands, Toko Investments Ltd. submitted a Zoning By-law Amendment (A17/90) to the City of Pickering in June 1990, to rezone the remaining lands to Residential (R5). Steps were also taken to file a Draft Plan of Subdivision application for the Phase II lands, including preparing a concept plan and having discussions with the municipality.

In August 2012, a revised Zoning By-law Amendment and Draft Plan of Subdivision concept for the Phase I lands was submitted to the City. The revised submission proposed minor revisions to the original applications including the reorientation of four lots and revised lot lines as per technical updates from surveying and in consideration of specific servicing requirements. Following review and an extensive community consultation process, it became apparent that a comprehensive approach to developing the Phase I and Phase II lands concurrently would provide an opportunity to resolve pre-existing flooding issues occurring south of the Property through the implementation of stormwater management measures and best management practices.

The 1990 applications were further revised and filed with the City in 2018 (“2018 Revised Applications”), and were subject to a series of appeals to the Local Planning Appeal Tribunal (now the Ontario Land Tribunal) and Divisional Court, which included determinations regarding the application of the “Clergy principle” and whether the Tribunal’s consideration of the subdivision application will include the Phase II lands. The Local Planning Appeal Tribunal decision confirms that the subdivision application will include the Phase II lands, that the statutory transitional provisions will apply to the applications for certain provincial policies, and that the Clergy principle applies in relation to certain municipal planning policies. As a result of the Tribunal’s determination that the Clergy principle applies to the appeals of the zoning by-law amendment and plan of subdivision applications, the applicable municipal planning policy documents to evaluate the applications are the Region of Durham Official Plan (June 5, 1991) and the Claremont Development Plan, 1991 (Edition 3).

In accordance with the above municipal planning policy documents, the entirety of the subject lands (i.e., both the Phase I and Phase II lands) were within the Claremont Hamlet

boundary, which constitutes a settlement area. Consequently, for the purposes of evaluating the zoning by-law amendment and plan of subdivision applications, as revised, the entirety of the subject lands are to be treated as being within a settlement area.

Since the 2018 Revised Applications were filed, the Provincial Policy Statement has been updated by the Province and the Provincial Policy Statement 2020 came into force and effect in 2020. This July 2021 submission is intended to review the 2018 Revised Applications to ensure they remain relevant to the current context. It should be noted that the draft plan of subdivision submitted as part of the 2018 Revised Applications remains the same in the July 2021 submission.

The revised proposal submitted in 2018 represents an update and consolidation of the original 1990 applications, integrating comments received through a lengthy public consultation and study process. Following a review of the application history and applicable Provincial Plans and legislation, the applications have transitional status and should be assessed for conformity with the relevant municipal policies at the time of consideration of the original applications. The 2018 Revised Applications were submitted as a revision to the original applications and are assessed in this report for conformity with the municipal policy framework that applied at the time of the original applications and with consideration given to current Provincial policy and contemporary environmental and planning considerations.

The history of the development applications is summarized in Table 1.2.

Table 1.2: Development Application History

Application	Date
Zoning By-law Amendment Application (A9/90), Phase I Lands	February 1990
Draft Plan of Subdivision Application (18T-90016)	February 1990
Zoning By-law Amendment Application (A17/90), Phase II Lands	June 1990
Zoning By-law Amendment Application(A9/90), Phase I Lands	August 2012
Draft Plan of Subdivision Application (18T-90016)	August 2012
Community Information Meeting	November 2012
Public Meeting	December 2012
Community Working Group Process	2013-2014
Council Resolution	September 2015
Appeal to Ontario Municipal Board	November 2017
Revised Application Submission (Draft Plan of Subdivision (18T-90016) and Zoning By-law Amendments (A9/90, A17/90))	March 2018
Update to 2018 Revised Application Submission (Draft Plan of Subdivision (18T-90016) and Zoning By-law Amendments (A9/90, A17/90)) following Local Planning Appeal Tribunal and Divisional Court decisions.	July 2021

1.3 Historical Development Context

Existing residential development in Claremont is comprised of predominantly large lot single-detached homes. Based on our calculations, lot sizes in Claremont average approximately 0.28 ha, with the majority of lots in the range of 0.10 ha to 0.39 ha. In keeping with the existing average lot size in the community, the proposed development provides lots with an average size of 0.33 ha.

Currently there are approximately 376 residential lots within the Hamlet of Claremont, and 65 of these were developed after the time of the original applications in 1990, and represent approximately a 21% increase in total residential units since that time. The proposed development will add an additional 70 lots, representing an increase of approximately 19% of the existing residential development in the Hamlet. The proposed growth is proportionate to the amount of growth the Hamlet has experienced since the time of the original applications. The proposed development adds an appropriate and commensurate amount of growth while also logically completing the northeast section of the Hamlet as the City intended.

The predominant lot sizes prior to the 1990s were relatively small, ranging from under 0.1 ha to approximately 0.3 ha. The predominant lot sizes developed during the 1990s were comparatively large, ranging from over 0.3 ha to 1 ha and larger. The proposed development will provide lots larger than the historically sized lots from prior to the 1990s (reflecting the requirements for septic systems and the Region's minimum lot sizing policy), yet smaller than the lots created during the 1990s. The proposal adds to the variety of lot sizes in the community, providing a mid-range product that is in keeping with the historic policy direction.

Historically, private water wells in Claremont were predominantly dug at shallow depths ranging from 6m to 10m. At these depths, it was common for water contamination to occur. This could be attributed to the proximity of private sewage systems relative to the locations of the shallow wells on small lots. As a result, during the late 1980s the Ministry of the Environment began and completed a well replacement program and installed approximately 150 new deeper wells to rectify the matter.

Given that the historic lot sizes were relatively small, not all properties were able to accommodate the required septic systems within the property boundaries, thereby resulting in septic system encroachments onto abutting properties. With respect to the proposal, three existing properties along the north side of Lane Street have septic systems that abut and/or encroach onto the Property, and do not meet minimum zoning standards. The proposed plan of subdivision creates blocks of land along the southern periphery that are intended to be conveyed to the adjacent Lane Street property owners to rectify these historic deficiencies.

Historically, the Claremont community has experienced flooding of roads and private properties during significant rainfall events, particularly in areas south of the Property on Franklin Street, where the existing storm sewer has inadequate capacity to convey storm runoff from more than a 2-year storm event. Current engineering practices typically require construction of storm sewers that have the capacity to convey runoff from a 5-year storm event (the minor system), along with municipal roads that can safely convey runoff from the 100-year storm event (the major system) without impacting the adjacent privately-owned properties. The Franklin Street right-of-way has essentially no major system capacity, with overland flows spilling over the shallow roll curbs directly onto the adjacent lots. A major system spill along the original drainage path across the northwest corner of Franklin Street and Central Street causes ponding on the lots and flooding around the existing houses on Franklin and Barclay Streets, which occur in storms less than the 2-year storm event. The proposed development incorporates best management practices and modern stormwater management measures to adequately support the proposed development as well as address the pre-existing and historic drainage problems experienced by the existing community to the south of the Property.

2.0

Development Considerations

This section summarizes the supporting studies for the revised development applications. All technical studies support the development as proposed.

2.1 Introduction

This section summarizes the conclusions of technical studies and reports submitted in connection with the proposed Draft Plan of Subdivision. Specifically, the Phase One Environmental Site Assessment, the Natural Heritage Evaluation, the Functional Servicing and Stormwater Management Report, the Geotechnical Investigation, the Hydrogeological Investigation, the Water Level Data Assessment, the Private Servicing Feasibility Study, the Traffic Impact Assessment, the Stage 1-2 Archaeological Assessment, the Preliminary Environmental Noise Report and the Minimum Distance Separation analysis (MDS). Forthcoming Architectural Control Guidelines are also discussed.

2.2 Phase One Environmental Site Assessment

Golder Associates Ltd. completed a Phase One Environmental Site Assessment (ESA) dated March 2017; as per the report, a Phase Two Assessment is not required to support the submission of a Record of Site Condition (RSC). Based on the Phase One ESA, no issues of potential environmental concern were identified, and the proposed revised Draft Plan of Subdivision is not located in an area where previous uses would require any type of remediation.

2.3 Natural Heritage

Beacon Environmental completed a Natural Heritage Evaluation for the Property dated July 2021. As stated in the Report, the site is located within the East Duffins Creek subwatershed and there are no well-defined watercourses on site. Portions of the Property are regulated by the Toronto and Region Conservation Authority (TRCA) as they are within the 120 m area of influence from the Glen Major Provincially Significant Wetland (PSW) Complex and from a permanent/intermittent stream north and west of the Property. The feature will be preserved and protected with a 30 m Minimum Vegetation Protection Zone (MVPZ).

The Evaluation identified a second small wetland fragment, smaller than 0.5 ha, at the southeastern portion of the Property. The Natural Heritage Evaluation prepared by Beacon, dated July 2021 and the Hydrogeological Investigation and Water Level Data Assessment, prepared by Golder Associates Ltd., dated July 2021, indicate that this small wetland fragment does not meet the criteria to be a Key Natural Heritage Feature/ Key Hydrological Feature as defined by the Oak Ridges Moraine Conservation Plan. A precautionary conservative approach has been taken, and a 30 m MVPZ has been applied.

The majority of the Property consists of active agricultural lands used for cash-crops. There are a number of small cultural/successional communities associated with the agricultural lands, including small pockets of cultural woodland, thickets and hedgerows that occur around the perimeter of the Property, generally at the interface with existing residential development on Old Brock Road, Lane Street and Franklin Street. Larger blocks of higher quality natural vegetation (woodland and wetland) extend northward bounded by a rail line and occur well off-site to the west and east of the Property.

The Beacon Report states that the PSW that extends into in the northern portion of the Property serves as a habitat for Wood Frog and Spring Peeper, common avian species, and wetland plants relatively intolerant to disturbance. This area also provides a habitat for terrestrial amphibians and tree cover for forest sensitive bird species (i.e., White-breasted Nuthatch) and spring ephemeral plants. The wetland unit at the southeast corner of the site provides a habitat for Wood Frog, Spring Peeper and American Toad. Avian and botanical species here are common and tolerant to disturbance.

A Natural Heritage Evaluation (NHE) was initially conducted in 2012. At that time, Butternut trees, an endangered tree species, were identified within the hedgerows along the edge of the Property and a health assessment was undertaken; six of the eight trees were healthy and required a permit for removal from the Ministry of Natural Resources and Forestry (MNRF) if they were to be disturbed, along with compensation, planting and a monitoring plan. Given the initial assessment occurred in 2012, Beacon re-assessed and completed a comprehensive search of the remainder of the Property as part of the July 2021 NHE which came to the same conclusion as the 2012 NHE.

Several species of bats are now listed as provincially endangered. During the spring and summer these species are known to roost in trees, given the presence of woodland features on site. A habitat survey for endangered bats was conducted during leaf-off conditions in March 2018, along with acoustic monitoring in June 2018. No endangered bats protected under the *Endangered Species Act* were recorded during the acoustic monitoring period and therefore no further action is required to address endangered bats on the Property. The NHE also states that no threatened or endangered birds were encountered.

As per the NHE, the proposed development plan conforms with the Transitional Provisions of the Oak Ridges Moraine Conservation Plan, with the current natural heritage policies of the Region of Durham Official Plan, the City of Pickering Official Plan, and with the regulations and guidelines of the TRCA. Field investigations were completed in the

summer of 2018 to ensure compliance with the *Endangered Species Act*.

2.4 Functional Servicing and Stormwater Management

SCS Consulting Group completed a Functional Servicing and Stormwater Management Report (FSSR) for the Property in July 2021. Currently, there are no existing municipal sanitary or water services in the Hamlet to service the Property. As such, the proposed sanitary treatment system for the Property will consist of privately owned, on-site septic systems and the proposed water source for the Property will consist of privately owned, individual wells.

Flooding has historically been an issue south of the Property. The existing storm sewer has the capacity to convey storm runoff from less than a 2-year storm event. Current engineering practices typically require construction of storm sewers that have the capacity to convey runoff from a 5-year storm event (minor system), along with municipal roads that can safely convey runoff from a 100-year storm event (major system) without impacting the adjacent privately-owned properties. The Franklin Street right-of-way has essentially no major system capacity, with overland flows spilling over the shallow roll curbs directly onto the adjacent lots. A major system spill along the original drainage path across the northwest corner of Franklin Street and Central Street causes ponding on the lots and flooding around the existing houses on Franklin and Barclay Streets, which occur in storms less than the 2-year storm event.

In order to significantly reduce the amount of flows draining to Franklin Street and alleviate the pre-existing flooding issues in the community, the majority of the south portion of the developable area is proposed to drain to the Southeast Stormwater Management (SWM) Pond, adjacent to Brock Road. Major system flows will be captured at the south limit of the Property on Street 'B' and conveyed via storm sewer to the Southeast SWM Pond. The proposed stormwater management system will reduce stormwater drainage to Franklin Street by 97%.

The proposed residential lots are relatively large (averaging approximately 0.33 ha) to accommodate the required septic systems, and will therefore include significant amounts of pervious areas. Runoff from the rear yards at the north Property boundary is proposed to drain in a northerly direction to the wetland to the north. Runoff from the rear yards of the northeast lots will also drain to this wetland. Runoff from rear yards at the mid-eastern portion of the site will drain in a northerly direction to the existing ditch on Brock Road. The majority of the north portion of the developable area is proposed to drain to the West SWM Pond, adjacent to Old Brock Road. Major system flows will be captured at the north cul-de-sac on Street 'D' and conveyed via storm sewer to the West SWM Pond. Runoff from the rear yards at the northwest corner of the Property is proposed to drain to the east ditch at Old Brock Road. Runoff from Lot 71 on which the existing dwelling will be located and rear yards at the southwest portion of the Property will drain in a westerly direction to the east ditch on Old Brock Road. Flows from the southernmost lot on Franklin Street (Catchment 200, 0.33 ha) will drain to Franklin Street. Rear yard drainage from the southeast lots (Catchment 205, 1.32 ha) is proposed to drain uncontrolled in a southerly

direction to the existing ditch on Brock Road and eventually to the small wetland fragment to the south.

Water quality and quantity control will be provided through the use of two stormwater management ponds. Erosion control will be provided via on-site retention methods. Storm runoff will be captured through the use of storm sewers. The overall proposed site grading has been designed to match existing and surrounding grades and to provide conveyance of stormwater runoff.

The FSSR outlines the means by which the Property can be graded and serviced in accordance with the City of Pickering, Durham Region, TRCA, MNRF, and the Ministry of Environment, Conservation and Parks (MECP) design criteria and policy requirements.

2.5 Geotechnical Conditions

A Preliminary Geotechnical Investigation was prepared by Golder Associates Ltd. dated July 2021. The purpose of the investigation was to obtain information on the subsurface and groundwater conditions at the Property and assess their feasibility to accommodate development. Nineteen boreholes were drilled in two phases: six in February 2012 and thirteen in October 2017. Based on the results of the geotechnical investigation, the report concludes the subsurface soil conditions are considered generally suitable for the proposed development pending the typical, more detailed review of the subsurface and groundwater conditions at the detailed design stage and the final design of the homes.

2.6 Hydrogeological Conditions

A Preliminary Hydrological Evaluation was undertaken by Golder Associates Ltd., the results of which are set out in their report dated July 2021. The site is located in the physiographic region known as the South Slope. The site is not in the physiographic region known as the Oak Ridges Moraine, which is located approximately 125 m north of the Property. The purpose of the report was to characterize the subsurface conditions at the Property and prepare a pre-development and post-development water balance analysis based on the development concept. Nineteen boreholes were drilled in two phases: six in February 2012 and thirteen in October 2017. Groundwater monitoring wells were installed in eleven of the boreholes. Based on the results of the hydrogeological investigation, the report states the presence of the individual sewage systems on the lots will supplement post-development infiltration rates, as the potable water source for the lots is proposed to be a deep, confined aquifer that is recharged from beyond the Property boundaries, and the septic effluent is expected to infiltrate. With the addition of the septic effluent and the use of soakaway pits as a Low Impact Development (LID) measure, the average annual post-development infiltration at the Property will be increased by approximately 30% over pre-development conditions; the average annual post-development runoff at the Property will be increased by approximately 66% over pre-development conditions. The proposed development is not expected to have a measurable adverse effect on the PSW in the Mitchell Creek tributary valley west of the Property or its related hydrological functions, nor to the Key Hydrologic Features in the

wetland catchment areas at the north end of the Property.

2.7 Water Level Data Assessment

Golder Associates Ltd. prepared a Water Level Data Assessment for Wetland Fragment Open Space Block 77, dated July 2021 to provide additional comments on the results of the water balance assessment as presented in the Golder Associates Ltd. Preliminary Hydrogeological Investigation. The Water Level Data Assessment found no evidence of groundwater discharge resulting in intermittent or permanent free flowing or ponded water at the P3/SG3 location. If Wetland 3 is to be retained, it is recommended that a low-permeability cut off wall partially between Blocks 74 and 78 be installed. It is also recommended to maximize run-off contributions to Open Space Block 77 and to discharge this water in a diffuse manner.

2.8 Private Servicing Feasibility

Golder Associates Ltd. prepared a Private Servicing Feasibility Study dated July 2021 to provide a preliminary assessment of the feasibility of private, on-site, individual water wells and sewage systems. Based on a review of tests conducted on current deeper confined aquifer wells in the Claremont community, the report indicates that there is adequate water supply potential to meet the demands of the proposed development.

Individual on-site private septic systems are proposed for each lot. The Ontario Building Code (OBC) 2012, requires a Level IV treatment system (tertiary treatment system) and Type A Dispersal Bed (conventional raised leaching bed). The report concludes that given the Property's soil conditions, OBC requirements for a Level IV treatment system and Type A Dispersal Beds, and provisions for a 100% replacement area would require a loading area of 750 sq. m. for each lot. The proposed Draft Plan of Subdivision confirms that a minimum loading area of 750 sq. m. is achievable on each lot. The privately owned sewage systems and sizing will be described in greater detail at the detailed design stage which will include an investigation considering MECP Procedure D-5-5 and the Region of Durham Health Department's Drilled Well and Lot Sizing Policies.

2.9 Transportation

BA Group completed a Transportation Study for the proposed development, and the results of their assessment are set out in their report dated July 2021. Based on the traffic operations analyses, the proposed unsignalized intersections will operate acceptably during key peak periods. The report states that the proposed development is afforded a high degree of road accessibility by its proximity to arterial roads, such as Central Street, and collector roads, such as Old Brock Road, Lane Street and Franklin Street. The existing road network can accommodate the traffic generated by the proposed development, while maintaining acceptable levels of service. Furthermore, there will be no sight line issues associated with the proposed Street 'A' intersection with Old Brock Road. The Report states that the proposed development will have a minimal impact on the existing traffic conditions.

2.10 Archaeology

AMICK Consultants Inc. completed a Stage 1-2 Archaeological Assessment of the Property in April 2015 and subsequently submitted the Report to the then Ministry of Tourism, Culture and Sport (MTCS). The report states that no archaeological resources were encountered, and no further archaeological assessment of the study area is warranted. The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed and the proposed development is clear of any archaeological concern.

In December 2015, the MTCS issued a letter of concurrence confirming that it is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the Ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. Accordingly, the report has been entered into the Ontario Public Register of Archaeological Reports, concluding the archaeological assessment process.

2.11 Noise

Jade Acoustics Inc. prepared a Preliminary Environmental Noise Report dated July 2021. The primary noise sources investigated for potential impact on the proposed development is from road traffic on Brock Road, Old Brock Road and Central Street located east, west and south of the proposed development. The Report found that road traffic on Old Brock Road is considered acoustically insignificant due to the separation distance and intervening residential dwellings. Similarly, road traffic on Central Street is considered to be acoustically insignificant.

The proposed dwellings that have reverse frontage on Brock Road are predicted to have an unmitigated rear yard sound level greater than 60 dBA, which is 5dBA higher than Provincial standards. Therefore, mitigation measures are required and have been identified. A 10 m wide noise attenuation buffer block has been provided along the entire length of the Property and proposed residential lots adjacent to Brock Road. This noise attenuation block will be used for the development of a berm or modified grading and any other acoustical mitigation measures necessary to achieve a predicted rear yard sound level of less than 60 dBA in the rear yards of the lots adjacent to Brock Road. As the topography of Brock Road varies across the site, the proposed mitigation is to be confirmed once detailed grading plans are available, at the detailed design stage.

Based on the preliminary analysis, the report states that it is feasible to develop these lands for residential uses, provided the proposed noise mitigation measures, as set out in the report, are installed to achieve the appropriate environmental noise criteria.

2.12 Minimum Distance Separation

AgPlan Limited prepared an a Minimum Distance Separation Report, dated July 2021. It concludes that MDS I does not apply as the Property is within a settlement area as

confirmed by the August 27, 2020 Local Planning Appeal Tribunal decision.

Regardless, the Agricultural Study also calculated Minimum Distance Separation (MDS) for barn(s) located within a 1.5km study area of the proposed development and concluded that there are no potential MDS conflicts associated with the proposed development. The study also notes that the probability of conflicts due to manure odours is diminishing within Pickering and that there is sufficient distance available to allow for the expansion of an existing cattle or horse operation within the MDS study area without conflict with MDS.

2.13 Architectural Control

Architectural Design Guidelines, to be prepared as a condition of draft plan approval, will outline design requirements to ensure that the proposed development respects the existing character of the community. The quality and attention to detail that is envisioned for these homes will help promote good quality architecture and create a positive image and sense of community. House design features including style, detailing, massing, roofs, entries, windows, building materials, grades, utilities / mechanical equipment, lighting and garages will be subject to the guidelines to achieve harmony between varied architectural forms on the streetscapes. The revised Draft Plan of Subdivision is planned to complement and integrate with the existing community; the forthcoming Architectural Design Guidelines will assist in achieving that goal through lot siting, building design and exterior details.

2.14 Conclusion

All technical studies demonstrate that the proposed draft plan of subdivision and zoning by-law amendment are appropriate. The revised Draft Plan of Subdivision balances the many technical and planning considerations regarding the location, overall functionality and design. The next section outlines the proposed Draft Plan of Subdivision.

Page intentionally left blank

3.0

Proposed Development

This section summarizes the proposed development of 71 residential lots (to accommodate 70 new homes and one existing residence) and their relationship to adjacent land uses.

3.1 Overview

The revised Draft Plan of Subdivision (See Figures B.1 and B.2 Appendix B) proposes to subdivide the Property to facilitate development of 38.18 hectares of land within the Hamlet of Claremont. The proposed development consists of 71 lots (to accommodate 70 new homes and 1 existing residence) for single-detached, residential units, with a minimum lot frontage of 30.0 m.

Figure B.3 in Appendix B, represents the existing and proposed urban form in the Hamlet. The Figure displays how the proposed development fits into the existing context and logically completes the northeast quadrant of the Hamlet, bounded by Brock Road to the east, Central Street to the south, the CP railway to the north and Old Brock Road to the west.

As mentioned in Section 1.3, three existing lots on Lane Street have septic systems that either encroach onto the Property or do not meet zoning setback requirements. Three blocks (Blocks 83-85) are shown on the proposed Draft Plan of Subdivision that correspond to the area required for septic systems associated with these lots to meet zoning requirements. These Blocks are intended to be conveyed to the adjacent property owners to resolve this issue.

Four local roads are proposed for the development. All new roads are proposed with a 20.0 m right-of-way. A road widening to accommodate a planned right-of-way (ROW) width of 36.0 m is provided for Brock Road. In addition, a noise buffer block is proposed in the eastern portion of the plan to provide noise mitigation from Brock Road.

Two stormwater management ponds are proposed totalling 3.32 ha, one at the southeast portion of the development (1.93 ha) and the other in-between Street 'A' and Street 'C' (1.39 ha), on the west part of the Property. The proposed ponds provide sufficient stormwater management control to support the development and, importantly, also alleviate pre-existing flooding issues in the community to the south by reducing the

stormwater drainage to Franklin Street by 97%. For additional details regarding stormwater management, refer to the Functional Servicing/Stormwater Management report, dated July 2021, by SCS Consulting Group.

3.2 Transportation and Connectivity to Neighbouring Lands

The proposed Draft Plan of Subdivision provides four main access points; two from Old Brock Road one from Lane Street and one from the proposed extension of Franklin Street. Specifically, the following are proposed:

- Street 'A' – An east-west local road with access from Old Brock Road which extends south and terminates at a cul-de-sac.
- Street 'B' – a north-south local road proposed as an extension of the existing Franklin Street which connects to Lane Street
- Street 'C' – An east-west local road with access from Old Brock Road which connects to Street 'D'
- Street 'D' – A predominately north-south local, internal road which connects to Street 'A' and Street 'C' and terminates at the northern portion of the site at a cul-de-sac

Streets 'A' and 'C' are proposed to have access from Old Brock Road and are expected to be the main vehicular access points to the residential development. Access to Street 'D' is proposed from Streets 'A' and 'C'. Street 'B' completes the local road network, providing a connection between Lane and Franklin Streets.

3.3 Neighbourhood Structure and Urban Design

A 1.7 hectare park is proposed at the corner of Lane and Franklin Streets. The park is centrally located and within walking distance for existing residents north of Central Street and east of Old Brock Road, as well as for future residents in the proposed development. Open space blocks that provide connections between Franklin Street and Street 'A' (Block 76) and between Street 'D' and Brock Road (Block 79) are also proposed. The Draft Plan of Subdivision completes the northeast portion of the Hamlet, encourages primary vehicular access through Old Brock Road directing traffic away from Franklin and Lane Streets, and provides the opportunity for active transportation and connectivity through the park and open space blocks between this new portion of the neighbourhood and the existing areas to the south and west.

The overall proposed streetscape and character of the public realm in the proposed subdivision is intended to be administered through Architectural Control Guidelines that will guide development through design features such as street light design, sidewalk materials and locations, street tree planting and park/public open space design. The design and appearance of proposed homes will be detailed in forthcoming Architectural Control Guidelines. While these guidelines will seek to ensure a variety of building forms, they will also ensure that the appearance of new homes is sensitive to and consistent with

the existing character of the community.

The next section provides an overview of the Transitional Rules and Transitional Provisions and their applicability to the Property.

Page intentionally left blank

4.0

Transitional Status and the Clergy Principle

This section provides an overview of the Transitional Provisions and their applicability to the Property.

4.1 Transitional Provisions

Statutory Transitional Provisions ensure that applicants are treated fairly over time and allow the Province to set policy priorities, when it comes to Planning matters. As confirmed by the Local Planning Appeal Tribunal (now the Ontario Land Tribunal), the Transitional Rules of the *Places to Grow Act, 2005 O.Reg. 311/06* and the Transitional Provisions of the *Oak Ridges Moraine Conservation Act, 2001* are applicable to the Property and are discussed below.

4.2 Places to Grow Act, 2005, O. Reg. 311/06

The Transitional Rules of the *Places to Grow Act, 2005 O.Reg. 311/06* provides that development applications commenced before June 16, 2006 shall be continued and disposed of as if the Plan had not come into effect (Section 3(4)). The commencement date for Zoning By-law Amendment and Draft Plan of Subdivision applications is the day the application is made. The original applications for both the Phase I and Phase II lands within the Property were made prior to June 2006 and remain active. As such, the Transitional Rules apply.

4.3 Oak Ridges Moraine Conservation Act, 2001, Section 15(2)

As per Section 15(2) of the *Oak Ridges Moraine Conservation Act, 2001*, Transitional Provisions apply to applications commenced before November 17, 2001 where no decision has been made. The original applications for the Property occurred prior to November 2001. To date no decision has been made, therefore the Property is subject to the Transitional Provisions. The Transitional Provisions of the *Oak Ridges Moraine Conservation Act, 2001* do not require transitional applications to conform with the Oak Ridges Moraine Conservation Plan (ORMCP) except for the prescribed provisions outlined in Part V (Section 48) of the ORMCP 2017. The prescribed provisions relate to Natural Core Areas, Natural Linkage Areas and Countryside Areas and generally have regard for

maintaining the connectivity of the natural heritage network and the protection of Key Natural Heritage and Hydrologic Features (Sections 20, 22 and 26). In the case of the proposed development, the prescribed provisions require a natural heritage and hydrological evaluation be completed, to ensure the identification and protection of natural heritage features, the protection of the quantity and quality of groundwater and surface water be maintained, that new stormwater management ponds be prohibited from lands within Key Natural Heritage and Hydrologic Features and to prohibit new rapid infiltration basins and columns (Section 23, 43(1)(b), 45(7), 45(8) and 47). The proposed development conforms with the prescribed provisions as further detailed in Section 5 of this report.

4.4 Application of the Clergy Principle

As confirmed by the Local Planning Appeal Tribunal, the original policies and permissions that applied at the time of the original applications continue to apply to the applications as revised. In this regard, the proposed development must conform to the prevailing policies at the time the original applications were made. Specifically, the proposed development must conform to the Claremont Development Plan, 1991, Edition 3 and the 1991 Durham Regional Official Plan. The Regional Official Plan Review began during the submission and review period of the original applications, as such it is the most appropriate document to review the revised applications under as it represents the policy context that would have applied during the processing and approval of the original applications. The 1991 Durham Regional Official Plan removed policies limiting growth to certain Hamlets in the Region, thus permitting growth in Hamlets without the need for a Regional Official Plan Amendment, subject to the feasibility of the lands to support development which would be confirmed through the completion and submission of a Settlement Capacity Study (Region of Durham, 1991 and Ontario Ministry of Municipal Affairs and Housing, 1993). The requirement for a Regional Official Plan Amendment was originally intended to limit growth in certain Hamlets due to servicing and water quality concerns. However, with the resolution of these concerns the need for a Regional Official Plan Amendment was no longer required, instead the completion of a Settlement Capacity Study became a precursor to development. This is further elaborated in Section 5, and the policies that the proposed development must conform to are summarized in Appendix F of this Report. The required investigations for the Settlement Capacity Study have been undertaken and submitted with this Report.

4.5 Historical Context & Precedents

Dating back to the 1985 Claremont Development Plan, the Property, both Phase I and Phase II, have been contemplated for residential development.

The 1991 Durham Regional Official Plan (DROP) and the Claremont Development Plan were the relevant planning policy documents in effect at the time of the original applications. The policies of the Claremont Development Plan (a non-statutory document) allowed for development on *Residential – Phase I* lands and provided

requirements for the development of *Residential – Phase II* lands which, amongst other matters, identified the need for a Regional Official Plan Amendment prior to development in connection with concerns at the time related to substandard septic systems and substandard shallow wells. We understand that these concerns were subsequently addressed through a well replacement program. During the early 1990s the Province and Region undertook studies and a well replacement program, which involved the drilling of deeper wells to access deeper aquifers and the modernization of the septic systems. This program eliminated growth-related concerns with regard to source water protection. The alleviation of these concerns are manifested in the practice of the (then) Town and Region to permit development throughout the late 1980s and early 1990s on other *Residential – Phase II* lands and lands beyond the Hamlet boundary by reclassifying the lands to *Residential – Phase I* in the Claremont Development Plan without the need for a Regional Official Plan Amendment.

Development of the *Residential – Phase I* and *Residential – Phase II* lands was also supported by the results of a municipality initiated survey of the residents of Claremont in 1990. The survey was administered to gauge their attitudes towards additional growth in the Hamlet. The conclusions and recommendations of the survey were presented at a Town Hall Public Meeting in June 1990. In general, the survey results show there was a majority interest in favour of growth in the Hamlet, or more specifically, in the Phase II lands. The results also specified that any additional plans for growth in the Phase II lands should be justified through an environmental and engineering report which addresses such matters as the quantity and quality of the supply of potable water, stormwater management and the capacity of the soil to accommodate development, criteria that would come to be known as a Settlement Capacity Study.

As the proposed development will proceed with modern standards for septic servicing and deep wells, it is our opinion that the proposed development can proceed through the draft plan of subdivision and zoning bylaw amendment processes. This is consistent with the historic practice of the municipality which proceeded by way of a change to the Claremont Development Plan. Furthermore, the entirety of the Property was within the Hamlet boundary at the time of the original applications and would have required technical investigations to demonstrate the feasibility of development by way of a draft plan subdivision.

Using development precedents, the discussion below will show that it was not standard practice for the Region to require an amendment to the Regional Official Plan to permit additional development in Claremont. Development occurred, and amendments were made to the Claremont Development Plan Hamlet boundary and land use designations in two instances without amendment to the Regional Official Plan and are described below (Please see Figures C.1 and C.2 in Appendix C).

Claremont Estates Ontario Inc. (18T-87082)

On November 16, 1987 an application was made on behalf of Claremont Estates Ontario Inc. to amend the Durham Regional Official Plan to designate Claremont as a Hamlet for

growth to permit the creation of seventeen residential lots. This application required the expansion of the Hamlet boundary and the designation of the lands to Residential – Phase I in the Claremont Development Plan. The lands were located north of Central Street and west of Old Brock Road (see Figure C.1 and C.2, Appendix C).

On October 7, 1991, the then Town of Pickering Council adopted a resolution considering the proposed development to constitute a minor addition/expansion to the Hamlet of Claremont. As such, Council’s resolution amended the Claremont Development Plan to incorporate the Claremont Estates lands into the Hamlet boundary with a Phase I Residential designation (Town of Pickering, 1991).

Furthermore, on October 22, 1991, the Planning Commissioner at Durham Region wrote report No.91-P-166 recommending the application for a ROPA be closed. The ROPA was deemed unnecessary as the proposed development represented minor expansion and infilling (Region of Durham, 1991). Since then the Hamlet boundary has been expanded to include the Claremont Estates lands and development has occurred without any amendment to the Regional Official Plan.

M.P.L. Oakwood Holdings Ltd. (18T-88030)

M.P.L. Oakwood Holdings Ltd. proposed the development of eighteen residential lots on lands legally described as Part of Lot 19, Concession 8 in the southwest quadrant of the Hamlet of Claremont. At the time, the lands were designated Residential – Phase II by the Claremont Development Plan.

On July 3, 1992, Town Council passed a resolution to approve the redesignation of the lands from Residential – Phase II to Residential – Phase I to permit the development of Draft Plan of Subdivision 18T-88030 (Town of Pickering, 1993).

In October 1992, the Durham planning department requested that Pickering staff not amend the Claremont Development Plan until the appropriate ROPA for communal services, as requested by the Ministry of Environment, had been obtained. The Ministry of Environment requested communal water supply and sewage disposal systems for Oakwood Holdings and two other subdivision files (18T-87082 Claremont Estates Ontario Inc. and 18T-90016 Toko Investments – Phase I). The provision of communal services in rural areas did not conform with Regional policy and therefore required an amendment. A ROPA was not completed and M.P.L. Oakwood Holdings has since completed development on private individual services (Region of Durham, 1992).

4.6 Conclusion

The proposed development plan is to be assessed in accordance with the Transitional provisions of the *Places to Grow Act, 2005* and the *Oak Ridges Moraine Conservation Act, 2001*. Further, by virtue of the application of the Clergy principle, the 2018 Revised Applications are to be assessed for conformity with the relevant municipal policy documents at the time of consideration of the original applications. The proposed

development is submitted as a revision to the original applications and are assessed in this report for conformity with the municipal policies that applied in 1990/1991. Where appropriate, the proposal has regard to current policy documents with respect to achieving good planning, and the protection of the natural environment and human health and safety.

The examples described above show the Property should be permitted to proceed to development. Although the Claremont Development Plan had a policy requiring a ROPA to permit the development of Residential – Phase II lands, due to historic concerns with shallow wells which have since been rectified, it has not been a practice adhered to by Regional or City staff, nor is it a requirement of the Durham Regional Official Plan (DROP). Furthermore, the proposed development of the Property should be considered infilling and a logical completion of the Claremont community as originally contemplated in the Claremont Development Plan and as evidenced by the approval of other development applications.

Finally, the relevant policy to be addressed prior to proceeding to development is the requirement for a Settlement Capacity Study per DROP 1991. This study has been completed and forms the basis for the 2018 Revised Applications.

The next section of the report provides an overview of relevant policies applicable to the subject Property.

Page intentionally left blank

5.0

Planning Policy and Regulatory Context Analysis

This section of the report reviews the relevant Provincial, Regional and Municipal policies applicable to the proposed development. The proposed development is in conformity with all applicable policies.

5.1 Policy Analysis

This section provides an analysis of policies applicable to the Property. Specifically, this section begins with a review of the Provincial Policy Statement, 2020. Next, the Transitional Rules of the *Places to Grow Act, 2005 O.Reg. 311/06* and the Transitional Provisions of the *Oak Ridges Moraine Conservation Act, 2001* and their applicability to the proposal are revisited and elaborated upon. The following sections will also:

1. Analyze the policies with which the development must conform (namely the Durham Regional Official Plan, 1991 and the Claremont Development Plan, Edition 2, 1985 and Edition 4, 1993 (In lieu of Edition 3, 1991, which is not available));
2. Analyze the proposal through the lens of contemporary policies to test whether the proposal represents good planning under modern-day policies and practices;
3. Refine the proposed Zoning By-law Amendment; and
4. Measure the proposal against the City of Pickering's current Sustainability Standards.

Table 5.1: Land Use Designation Summary

Policy Document	Land Use Designation
Provincial Plans	
Growth Plan for the Greater Golden Horseshoe	Undelineated Built-up Area
Oak Ridges Moraine Conservation Plan	Countryside Area
	Rural Settlement Area
Regional Plans	
Durham Regional Official Plan, 1987	Hamlet
Durham Regional Official Plan, 1991	Hamlet
Durham Regional Official Plan, 2020	Greenlands System – Oak Ridges Moraine Areas
	Hamlet
	Countryside Area
	Natural Core Area
Local Plans	
Claremont Development Plan, 1985, Edition 2	Residential Phase I / Phase II
Claremont Development Plan, 1993, Edition 4	Residential Phase I / Phase II
City of Pickering Official Plan, 2018 Consolidation	Oak Ridges Moraine Countryside Areas
	Oak Ridges Moraine Natural Core Areas
	Oak Ridges Moraine Rural Hamlet
City of Pickering ORM Zoning By-law 6640-06	ORM-EP
	ORM-R5

5.2 Provincial Policy Statement

The Provincial Policy Statement 2020 (“PPS”) came into effect on May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014. The PPS provides policy direction on land use planning, development, and other related matters of provincial interest. All planning decisions “shall be consistent with” the policies of the PPS.

The goals identified in the PPS provide a framework for long-term policy directives and

are to be complemented by regional and municipal plans to achieve comprehensive, integrated planning. The PPS promotes efficient land development, the protection and management of natural resources, and public health and safety to improve the quality of both the natural and built environment within Ontario. In addition, the PPS places a greater emphasis on housing supply, as part of the More Homes, More Choice: Ontario's Housing Supply Action Plan.

It is the intent of the PPS to ensure an adequate supply of housing and that development occurs in a manner that is cost- and land-efficient and environmentally sensitive. The PPS requires the provision of an appropriate range and mix of land uses with sufficient densities to meet long-term needs, allow for an efficient use of infrastructure and services, and avoiding development and land use patterns that would prevent the expansion of settlement areas (Section 1.1.1).

Under the Clergy principle, applicable in this instance to the municipal planning policy documents, the proposed development is to be evaluated as if it is within the rural settlement area of the Hamlet of Claremont, as the Property was at the time of the original applications. Section 1.1.3 of the PPS directs land use patterns within settlement areas to be comprised of densities and a mix of land uses that efficiently use land and resources, as well as infrastructure and services. Section 1.4 of the PPS further requires that an appropriate range and mix of housing options and densities are provided to meet the needs of current and future residents.

The proposed development is consistent with the goals and intent of the Settlement Area policies outlined in Section 1.1.3 of the PPS as it proposes to efficiently use land and infrastructure by proposing residential development that efficiently uses land to the extent possible based on private servicing. The development will add single-detached dwellings at appropriate densities for the Hamlet and will meet the needs of families that require this type of housing in the City while also adding to the vitality of Claremont. The development is also consistent with the intent of policies 1.1.4.2 and 1.1.4.3 by focussing growth in the rural area to this rural settlement area and by proposing development that is appropriate in scale given the rural characteristics of Claremont. The additional supply of housing will also aid the City and Region in achieving and maintaining compliance with policy 1.4.1 in maintaining, at all times, the ability to accommodate residential growth for a minimum of 15 years and maintain, at all times, a minimum three-year supply of residential units in draft approved and registered plans.

The central location of the park and open space blocks adjacent to existing residents provides an equitable distribution of recreation opportunities for both existing and new residents, consistent with the policies contained in section 1.5.

Given that no municipal water or sewage services are available, and private communal services are not feasible, the proposed individual on-site sewage and water services to support the development as a rounding out of the existing development in the Hamlet are appropriate and consistent with the policies contained in section 1.6. The proposed stormwater management facilities associated with the development will appropriately

control stormwater runoff associated with the development and will mitigate the risks to human health, safety and property in the existing hamlet, consistent with policy 1.6.6.7, reducing stormwater drainage to Franklin Street by 97%.

The proposed Open Space and Open Space Buffer Blocks at the north and south extents of the Property provide for the protection of natural features consistent with the policies contained in section 2.1.

5.3 Growth Plan for the Greater Golden Horseshoe

Although not applicable to the 2018 Revised Applications by virtue of the transitional provisions in O. Reg. 311/06, a summary review of the Growth Plan for the Greater Golden Horseshoe follows. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020 Consolidation) (“Growth Plan”) came into effect on May 16, 2019 and Amendment 1 to the Growth Plan subsequently came into effect on August 28, 2020. The Growth Plan is a framework policy document for managing growth in the Greater Golden Horseshoe. The Growth Plan provides growth and intensification targets within the Greater Golden Horseshoe. The Plan also provides direction and policies with regard to transportation, infrastructure, land use, housing and other factors. All planning decisions “shall conform with” the policies of the Growth Plan.

The Hamlet of Claremont is considered a Rural Settlement, as it is a built-up area where development is currently concentrated and is also identified as a Rural Settlement Area in the Durham Region Official Plan. The Property has been identified for future development within the Hamlet boundary in the Claremont Development Plan since 1985. Through this identification of future development, the principle of development was established. Therefore, the proposed development serves to fulfill the intent of the Claremont Development Plan.

Furthermore, the 2020 Growth Plan states that limited growth will be allocated to settlement areas that are rural settlements, not serviced by existing or planned municipal water and wastewater systems or are in the Greenbelt Area. The Hamlet of Claremont is such a settlement area. The policies provide a clear direction that rural settlement areas are not intended to be a focus for achieving higher densities or greater forms of intensification, and rather should be generally developed in keeping with what they have been historically planned to achieve. The proposed development of the Property will deliver growth in keeping with the scale and density of the existing community of Claremont.

5.4 Oak Ridges Moraine Conservation Plan

As part of the Province’s 10-year Coordinated Land Use Planning Review, the Province released a revised Oak Ridges Moraine Conservation Plan (ORMCP) that came into full force and effect on July 1, 2017. The ORMCP provides land use and resource management direction for the 190,000 hectares of land and water within the Plan area. In general, it is the objective of the ORMCP to protect and maintain the Moraine’s

ecological and hydrological integrity and function while providing for compatible land uses, resource uses and development.

The Property is identified as Countryside Area and Rural Settlement Area in the ORMCP's detailed mapping. Rural Settlements are defined by the ORMCP as a designation within the Countryside Area that are typically existing Hamlets or similar small, generally long-established communities identified in official plans.

The limits of Countryside Areas and Rural Settlements may be further defined in local official plans and zoning by-laws as part of the amendments to bring local plans/by-laws into conformity with the ORMCP (Section 10(2)).

The Transitional Provisions of the *Oak Ridges Moraine Conservation Act, 2001* do not require applications made prior to November 17, 2001, where no decision has been made, to conform with the Oak Ridges Moraine Conservation Plan except for the prescribed provisions outlined in Part V (Section 48) of the ORMCP 2017. The prescribed provisions are as follows:

- Section 20. Supporting Connectivity
- Section 22. Key Natural Heritage Features
- Section 23. Natural Heritage Evaluation
- Section 26. Hydrologically Sensitive Features
- Section 43(1)(b). Sewage & Water Services
- Subsection 45(7) & (8): Stormwater Water Management
- Section 47: Rapid Infiltration Basins & Columns

The Transitional Provisions apply to the 2018 Revised Applications, which must conform with the prescribed provisions. Conformity with the Provisions is summarized in Sections 5.4.1 through 5.4.5 of this report, and further detailed in the reports accompanying the revised development applications.

5.4.1 Sections 20, 22 & 23: Supporting Connectivity, Key Natural Heritage Features & Natural Heritage Evaluation

The Natural Heritage Evaluation, prepared by Beacon Environmental (July 2021), confirms the Draft Plan of Subdivision supports the connectivity of the Natural Core Area and will not impede any hydrological functions or the movement of plants and animals among key natural heritage features, key hydrologic features and adjacent land within Natural Core Areas and Natural Linkage Areas. The Natural Heritage Evaluation, as required by Section 22(3) of the ORMCP, meets the requirements of a Natural Heritage Evaluation as set out in Section 23 of the ORMCP. Beacon Environmental's report confirms the proposed development will have no adverse effects on any of the key natural heritage features or associated ecological functions, and maintains, or where possible, improves or restores the health and diversity of the features. Furthermore, all relevant minimum vegetation protection zones have been evaluated and appropriately applied. For additional details please refer to the Natural Heritage Evaluation, July 2021 prepared

by Beacon Environmental.

5.4.2 Section 26: Key Hydrologic Features & Hydrological Evaluation

As required by Section 26(3), and in accordance with the requirements detailed in Section 26(4), a Natural Heritage Evaluation, prepared by Beacon Environmental and a Preliminary Hydrological Evaluation, dated July 2021 prepared by Golder Associates Ltd. confirm the proposed development will have no adverse effects on any of the key hydrologic features or the related hydrological functions, and maintains, or where possible, improves or restores the health and diversity of the features. Furthermore, all relevant minimum vegetation protection zones have been evaluated and sufficiently applied. For additional details please refer to the Natural Heritage Evaluation, July 2021 by Beacon Environmental and Preliminary Hydrogeological Investigation, July 2021 prepared by Golder Associates Ltd.

5.4.3 Section 43(1): Sewage & Water Services

Section 43(1)(b) requires that a sewage and water system plan demonstrate that the quantity and quality of ground water and surface water will be maintained. The Preliminary Hydrogeological Investigation, July 2021 by Golder Associates Ltd. confirms both the quantity and quality of ground and surface water will be maintained. Furthermore, the Private Servicing Feasibility Report, July 2021 by Golder Associates Ltd. indicates that there is more than adequate water supply potential to meet the demands of the proposed development and has confirmed that the proposed private sanitary systems are technically achievable and have been appropriately sized for the development with appropriate setbacks and minimum separation distances. For additional details, please refer to Preliminary Hydrogeological Investigation, July 2021 and Private Servicing Feasibility Report, July 2021 prepared by Golder Associates Ltd.

5.4.4 Section 45(7) & (8): Stormwater Management

Section 45(7) prohibits the disposal of stormwater into kettle lakes. Given that there are no kettle lakes on the Property, Section 45(7) is not applicable.

Section 45(8) prohibits new stormwater management ponds on lands within key natural heritage features and key hydrologic features. Key features in the area are appropriately protected with the required minimum vegetation protection zones and no stormwater management ponds are proposed within feature limits. For additional details regarding stormwater management please refer to the Functional Servicing and Stormwater Management Report, July 2021 prepared by SCS Consulting Group and the proposed Draft Plan of Subdivision in Appendix B.

5.4.5 Section 47: Rapid Infiltration Basins & Columns

Section 47 prohibits new rapid infiltration basins and columns. No rapid infiltration basins and columns are proposed as part of the revised Plan of Subdivision; as such, Section 47 has been satisfied.

In summary, the proposed development and supporting reports conform with the Transitional prescribed provisions set out in Part V (Section 48) of the ORMCP; therefore, the proposed development conforms to the requirements of the ORMCP.

5.5 Durham Regional Official Plans

5.5.1 Durham Regional Official Plan, 1987 Consolidation

The original applications were submitted in 1990, thus the December 31st, 1987 Office Consolidation of the Durham Region Official Plan (1987 DROP) would have been in force and effect at the time of application submission. As such, the policies relating to Hamlets from the DROP 1987 have been reviewed.

Section 10.4.1.2 identified specific Hamlets within the Region as designated for growth and permitted limited additional residential development within them. Specifically, Section 10.4.1.2 states:

“Subject to the provisions of Section 10.4.2.1, additional residential development may be permitted in the following Hamlets for growth if deemed desirable by the Council of the respective area municipality: the Hamlets of Burketon Station and Enniskillen in the Town of Newcastle; Columbus in the City of Oshawa; Greenbank, Manchester, Nestleton, and Nestleton Stations, Prince Albert, and Seagrave in the Township of Scugog; Leaskdale, Sandford, Siloam, Udora, and Zephyr in the Township of Uxbridge; Ashburn and Myrtle Station in the Town of Whitby. Generally, these Hamlets shall not grow beyond 150 residential units with the exception of Siloam in the Township of Uxbridge which shall not grow beyond a total of 60 residential units and the Hamlet of Enniskillen in the Town of Newcastle which shall not grow beyond a total of 200 residential units and the Hamlet of Prince Albert in the Township of Scugog which shall not grow beyond a total of 375 residential units.” – (Section 10.4.1.2, 1987 DROP)

While this policy was later removed from the 1991 Durham Region Official Plan, at the time, Claremont was not identified as a Hamlet for additional growth and therefore was subject to Section 10.4.1.4 which states *“...the residential development in the remaining Hamlets...and not mentioned in Section 10.4.2.1 shall be limited to minor internal infilling and/or minor additions to existing development.”* (Section 10.4.1.4 1987 DROP).

The principle of development in Claremont was established in the prevailing Claremont Development Plan (See Section 5, below).

Policy 10.4.2.1 of the DROP 1987 regarding the delineation of Hamlet boundaries states that:

“The delineation of the limits of and the detailing of land uses in Hamlets shall be undertaken in a development plan adopted by the Council of the respective

area municipality prior to major new development taking place. However, if such new development is in conformity with the policies of an existing approved official plan for that Hamlet and with the policies of Sections 10.4.1.2 or 10.4.1.4 of this Plan, the preparation and adoption of a Hamlet development plan need not be a prerequisite for such new development.” – (Section 10.4.2.1, 1987 DROP)

5.5.2 Durham Regional Official Plan, 1991

The 1991 Durham Regional Official Plan (1991 DROP) was adopted by Regional Council on June 5, 1991. The Regional Official Plan review began during the submission and review period of the original applications, and as such it is the most appropriate document to review the 2018 Revised Applications against as it represents the policy context that would have applied during the review of the original applications. Accordingly, the policies from the Regional Council adopted and Ministry approved versions of the 1991 DROP have been reviewed for conformity. Following the Region’s Official Plan Review, Section 10.4.1.4 was removed from 1987 DROP therefore removing the requirement for a Regional Official Plan Amendment (ROPA) and policy 10.4.2.1 was revised.

The 1991 DROP removed policies included in the 1987 DROP which only permitted growth in specific Hamlets (Section 10.4.1.2, 1987 DROP). Accordingly, the requirement established by the 1987 DROP for a Regional Official Plan Amendment (ROPA) to permit development within certain Hamlets not designated for growth was removed and Section 13.3.5 was added. The excerpt below represents the 1991 DROP and modifications added and/or revised by the 1993 Ministry Approved versions.

“The delineation of the limits of a Hamlet, and the details of the land uses to be permitted within a Hamlet, shall be incorporated in the area municipal official plan, following the conclusions and recommendations of a settlement capacity study to the satisfaction of the Region and the Ministry of the Environment, which shall include the following:

- a) an analysis of the hydrogeological regime in the area to determine the availability and quality of groundwater on a long term basis;*
- b) an assessment of the impact of future development on existing groundwater quantity and quality and on existing sources of drinking water, including municipal, communal and private wells;*
- c) an assessment of the long-term suitability of the soil conditions for the effective operation of private sewage disposal systems;*
- d) an identification of any existing restrictions to future development*
- e) an assessment of surface drainage;*
- f) an assessment of how new growth will be complimentary to, and consistent, the historic character of the area;*
- g) an assessment of the impact of new growth on the natural environment; and*

*h) a statement of conformity with the Agricultural Code of Practice”
(Region of Durham 1991).*

Additionally, based on the above noted policies, development within the boundary of the Hamlet of Claremont is permitted subject to the completion of a Settlement Capacity Study. The appropriate assessments as identified by policy 13.3.5 have been completed as part of the accompanying technical studies for the 2018 Revised Applications, thus satisfying the requirements of the Settlement Capacity Study. As such, no amendment to the 1991 DROP is required and development within the Hamlet is permitted subject to the completion of a Settlement Capacity Study for the Phase II lands only. The applicant has completed the Settlement Capacity Study for the Phase I and Phase II lands even though the Settlement Capacity Study was only required for the *Residential – Phase II* lands.

5.5.3 Durham Regional Official Plan, 2020 Office Consolidation

In 2000, the Region began a comprehensive review of the 1991 Regional Official Plan. The resulting amendment, ROPA No. 114, was Part I of the Region’s comprehensive review process and was approved by the Ontario Municipal Board in January 2008. ROPA 114 serves as the Region’s conformity exercise with the provincial policy documents including the Provincial Policy Statement, Greenbelt Plan and Oak Ridges Moraine Conservation Plan.

ROPA No. 128 was Part II of the Region’s comprehensive review process. It was adopted by Regional Council in June 2009 and approved by the Ontario Municipal Board in January 2013. ROPA 128 serves as the Region’s Growth Plan conformity exercise.

The current Official Plan (DROP 2020) is the May 26th, 2020 office consolidation.

The Property is designated *Oak Ridges Moraine Areas* within the Greenlands System in the DROP 2020, as shown in Figure C.3 in Appendix C. The Hamlet of Claremont is represented as a yellow circle at the intersection of Brock Road and Concession Road 9.

Regional Greenlands Systems

In the DROP 2020, the Oak Ridges Moraine Areas designation is within the overall Regional Greenlands System; and as such the policies of Section 10 – Greenlands System must be read in conjunction with the Oak Ridges Moraine Areas sub-section 10B (see Figure C.3 in Appendix C).

Generally, policy 10.2.4 requires that consideration of any development proposal must be in keeping with the overall intent of preserving the ecological benefits and biodiversity of the Greenlands System; including groundwater resources, air purification, habitats of plants, fish and wildlife, flood and erosion control and scenic and recreational values (Section 10.2.1, DROP, 2020).

The proposed Draft Plan of Subdivision will not impact the biodiversity or ecology of the

Greenlands System. The proposal will complete the northeast portion of the Hamlet of Claremont as historically planned, while protecting the key natural heritage features on the Property. The proposed development will not produce or store any prohibited chemicals that would affect the groundwater, air quality, or natural habitats of wildlife and flora. The development is approximately 125m south of the Oak Ridges Moraine feature. Therefore, any impact to the Moraine by the proposed Draft Plan of Subdivision would be negligible and is not expected to interfere with any natural processes or environmental features. For additional details please refer to Natural Heritage Evaluation, July 2021, by Beacon Environmental.

Oak Ridges Moraine Areas – Hamlet Area, Countryside Area and Natural Core Area

The Property is designated Oak Ridges Moraine Areas within the DROP 2020 and further designated Hamlet, Countryside Area and Natural Core Areas. Within the Oak Ridges Moraine designation, only applications for development and site alteration that conform to the ORMCP are considered (Section 10B.2.1, DROP, 2020). Figures C.3 and C.6 in Appendix C provide the context for the Property and its designations within the ORMCP.

The majority of the Phase I and Phase II lands are designated Countryside Area; this designation encourages agricultural and other rural uses through the protection of prime agricultural areas and is intended to maintain the character of Rural Settlements. Permitted uses include those in the Natural Core and Natural Linkage Areas as well as agriculture uses, small scale commercial/industrial/institutional uses, residential development and major recreational uses (Section 10B.2.1. c., DROP, 2020).

A small portion of the Property to the south is designated Hamlet (or Rural Settlement) within the Countryside Area. Hamlets are intended to provide for uses permitted in the Countryside Areas as well as residential development (for the minor infilling or rounding-out of Rural Settlements) and small-scale commercial/industrial/institutional uses (Section 10B.2.1. c., DROP, 2020).

A small portion of the Property to the north is designated Natural Core Area. These are areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas. The designation is intended to maintain, improve and restore the ecological integrity of the Moraine. The designation provides for limited new uses which include those related to conservation and resource management, uses accessory to existing residential such as home businesses, home industries, bed and breakfasts, farm vacation homes, and low-intensity recreation (Section 10B.2.1. a., DROP, 2020). The proposed Draft Plan of Subdivision will protect the Natural Core Area by zoning it Environmental Protection Area (EPA) and applying a 30 m minimum vegetation protection zone buffer.

Section 10B.2.2 describes the Transitional provisions as per the *Oak Ridges Moraine Conservation Act, 2001*. As described above, the Property has Transitional status under the *Act* and, as such, the 2018 Revised Applications are subject to the prescribed provisions under Section 48 of the ORMCP 2017. For additional details, please refer the

Natural Heritage Evaluation, dated July 2021, prepared by Beacon Environmental. The proposed development meets the requirements of the Transitional Provisions in ORMCP and conforms with the prescribed provisions of the ORMCP.

Oak Ridges Moraine Areas – Key Natural Heritage & Key Hydrological Features

As shown in Figure C.4, Appendix C, Key Natural Heritage and Hydrological Features are identified within the Property. Development within these areas and the related minimum protection zone is prohibited (Section 10B.2.6, DROP, 2020) Development is not proposed within these lands and a 30m minimum vegetation protection zone is provided.

Section 10B.2.7 requires that where development or site alteration is proposed within the minimum area of influence of key natural heritage features and/or hydrologically sensitive features as identified by the Table in Part III of the ORMCP, a natural heritage evaluation and/or a hydrogeological study is required (10B.2.7, DROP, 2020).

Both studies have been provided and confirm that there will be no adverse effects on the features and functions of any Key Natural Heritage Features or Key Hydrologic Features. For additional details, please refer to the Natural Heritage Evaluation, dated July 2021, prepared by Beacon Environmental and the Preliminary Hydrogeological Investigation, dated July 2021, prepared by Golder Associates Ltd.

Oak Ridges Moraine Areas – High Aquifer Vulnerability

As illustrated in Figure C.5, Appendix C, the southern portion of the Phase I lands and the eastern portion of the Phase II lands are identified as High Aquifer Vulnerability Areas.

Section 2.3.30 of the DROP 2020 relates to development proposals in areas of High Aquifer Vulnerability. Development proposals outside of designated Urban Areas and considered to be a high risk to groundwater will be prohibited, other uses not included in Table 'E5' and considered high-risk may require a hydrogeological investigation to determine potential risk to groundwater (Section 2.3.30, DROP, 2020). In Table 'E5', the proposed Draft Plan of Subdivision is not listed as a high-risk use and therefore is not prohibited (Schedule E – Table 'E5,' DROP, 2020). Additional hydrogeological details are included within the Preliminary Hydrogeological Investigation, dated July 2021, prepared by Golder Associates Ltd.

Oak Ridges Moraine – Landform Conservation Area

As shown in Figure C.7, Appendix C, the northern end of the Property is within Landform Conservation Area – Category 2. Landform Conservation Areas consist of steep slopes and represent landforms that shall be protected for their contribution to ecological integrity and hydrologic function.

Section 10B.2.15 relates to applications for development or site alteration proposed within a Landform Conservation Area (Section 10B.2.15, DROP, 2017). However, the area shown as Landform Conservation Area within the Property is not proposed for site

alteration, rather it is proposed to remain as an Environmental Protection Area and have a 30m MVPZ applied. As such, the landforms within this area and their ecological integrity and hydrologic function will be maintained.

Oak Ridges Moraine – Major Development

Section 10B.2.13 prohibits all major development until all relevant studies and requirements as outlined in the ORMCP have been completed to the satisfaction of the Region and relevant approval authorities (Section 10B.2.13, DROP, 2020). The ORMCP defines major development as development consisting of the creation of four or more lots, construction of a building / buildings with a ground floor area greater than 500 m², or the establishment of a major recreational use (ORMCP, Part I, Section 3). The proposed development is considered a major development and conforms with the required Transitional study requirements.

Rural Settlements

Section 9B provides the general policies for Rural Settlements which includes existing Hamlets like Claremont. Within the Rural Settlements designation, Hamlets are intended to be the predominant location for residential, social, commercial and employment development serving the needs of the surrounding area. Hamlets within the Oak Ridges Moraine are delineated and developed in accordance with the requirements of the ORMCP and applicable policies under Section 10 of the DROP 2020.

In general, Hamlets are to be predominantly single-detached housing with larger lots to accommodate individual private services and maintain views and vistas to the countryside. Hamlets are to develop in contiguous phases and utilize a grid system for local roads. Development within a Hamlet shall only proceed through a Plan of Subdivision and needs to be accompanied by technical studies including a hydrogeological report, lot servicing plan, soil analysis and grading plan to determine if development on individual private services is sustainable (Section 9B, DROP, 2020).

All required technical studies have been included as part of the 2018 Revised Applications and demonstrate that development on individual private services can be done in a sustainable manner. As such, the Draft Plan of Subdivision conforms with the Rural Settlement policies of the DROP 2020.

5.6 Claremont Development Plans

The first edition of the Claremont Development Plan was adopted by Pickering Town Council in 1985 as a non-statutory document and has been amended several times for a total of five editions of the Plan. The Claremont Development Plan has since been replaced, incorporated and modified by the current City of Pickering Official Plan, adopted in 1997.

A review of Edition 2 (1985) and Edition 4 (1993) of the Claremont Development Plan is provided in the following sections.

However, it should be noted that a third edition to the Claremont Development Plan was prepared between 1985 (Edition 2) and 1993 (Edition 4). Since the third edition was approved in 1991 it would have been the document used during the processing of the original applications and is therefore the most appropriate reference document for the 2018 Revised Applications. Upon request to the City of Pickering, planning staff have advised that a copy of Edition 3 is not available. As such, we have provided a review of Edition 2 and Edition 4.

5.6.1 Claremont Development Plan, Edition 2 – 1985

The Property is designated as *Residential – Phase I* and *Residential – Phase II* within the Hamlet Boundary in Edition 2 of the Claremont Development Plan (See Figure C.8, Appendix C).

The following policy applies to lands designated Residential – Phase I:

“Lands designated Residential-Phase I on Schedule “A” of this Plan may be used for single family residential purposes. No residential dwellings other than single detached dwellings shall be permitted. New residential lots may be created in this area by registered plan of subdivision or land severance providing:

- a) direct access on a publicly maintained street is available; and*
- b) a minimum lot area of 0.3 hectares is provided, except that a larger minimum lot area may be required by the Town, in consultation with other relevant authorities, where the results of any study under subsections 4.3 or 4.4 of this Plan indicate that a larger minimum lot area is required.” (Section 4.1, Claremont Development Plan, Edition 2, 1985).*

The following policy applies to lands designated Residential – Phase II:

“Lands designated Residential-Phase II on Schedule “A” may be used for single family residential purposes in accordance with the provisions of subsection 4.6 of this Plan. However, until such time as an amendment to the DROP is obtained as outlined in subsection 1.3 of this Plan, no new residential lots may be created in this area.” (Section 4.2, Claremont Development Plan, Edition 2, 1985).

As previously discussed, the requirement for a Regional Official Plan Amendment was due to groundwater contamination and septic system concerns at the time that were subsequently rectified, thus eliminating the requirement for an amendment to the DROP.

5.6.2 Claremont Development Plan, Edition 4 - 1993

In the 1993 version (Edition 4) of the Claremont Development Plan the Property

continues to be shown as within the Hamlet boundary and designated *Residential – Phase I* and *Residential – Phase II* (See Figure C.8 in Appendix C).

The following policy applies to lands designated Residential – Phase I:

“Lands designated Residential-Phase I on Schedule “A” of this Plan may be used for single family residential purposes. No residential dwellings other than single detached dwellings shall be permitted. New residential lots may be created in this area by registered plan of subdivision or land severance providing:

- a) direct access on a publicly maintained street is available; and*
- b) a minimum lot area of 0.3 of a hectare is provided, except that*
 - i) a larger minimum lot area may be required by the Town, in consultation with other relevant authorities, where the results of any study under subsections 4.3 or 4.4 of this Plan indicate that a larger minimum lot area is required, and*
 - ii) a smaller lot area may be permitted by the Town, in consultation with other relevant authorities, where the results of any study under subsections 4.3 or 4.4 of this Plan indicate that a smaller minimum lot area is acceptable, or where the lot results from a public acquisition or a realignment of lot lines resulting from a public acquisition.” (Section 4.1, Claremont Development Plan, Edition 4, 1993).*

The following policy applies to lands designated Residential – Phase II:

“Lands designated Residential-Phase II on Schedule “A” may be used for single family residential purposes in accordance with the provisions of subsection 4.6 of this Plan. However, until such time as an amendment to the Durham Regional Official Plan is obtained as outlined in subsection 1.3 of this Plan, no new residential lots may be created in this area.” (Section 4.2, Claremont Development Plan, Edition 4, 1993).

As discussed earlier, the requirement for a Regional Official Plan Amendment was due to groundwater contamination and septic system concerns at the time that were subsequently rectified, thus eliminating the requirement for an amendment to the DROP.

Notwithstanding Subsection 1.3 of the 1991 DROP, and as discussed in Section 4.4 of this report, the requirement for a ROPA was not enforced and removed during the period of application review, owing to the fact the initial conditions necessitating the ROPA (i.e. issues with shallow wells) had been rectified. The practice of the time was to permit re-designation of Phase II lands to Phase I lands by a change to the Claremont Development

Plan, without a ROPA, given that the conditions originally necessitating the ROPA had been addressed.

Both the 1985 and 1993 Claremont Development Plans permitted residential development to occur in two phases (Phase I and Phase II). In the Residential Phase I area, development is permitted as-of-right, subject to compliance with policy and applicable law. In the Residential Phase II area, no new lots may be created until an amendment is approved to the DROP designating Claremont as a Hamlet for growth although this policy was not enforced. Policy 4.1.b permits a minimum lot area of 0.3 ha subject to submission of engineering reports confirming an adequate supply of potable water and soil conditions for the operation of private sewage disposal systems, adequate separation between the water table and the septic tank fields, the confirmation that existing wells will not be adversely affected by the proposed development and installation of stormwater management practices acceptable to the then Town (Section 4.3 and 4.4, Claremont Development Plan, Edition 2, 1985). In 1985, this was the minimum required lot area, however, in later versions of the Claremont Development Plan the policy evolved and was revised such that a smaller lot area was permitted if deemed supportable by the required technical studies (Section 4.1, Claremont Development Plan, Edition 4, 1993).

5.7 City of Pickering Official Plan, 2018 Consolidation (Edition 8)

The City of Pickering (then Town) prepared its first Official Plan in the 1970s then referred to as the Pickering District Plan. In 1992, the Town of Pickering began working on their new Official Plan which was intended to replace the original plan. Since that time there have been seven consolidations of the Plan, the most recent of which was October 2018.

The Property is designated *Oak Ridges Moraine Rural Hamlet*, *Oak Ridges Moraine Countryside Areas* and *Oak Ridges Moraine Natural Core Areas* as shown in Figure C.10, Appendix C.

The Hamlet of Claremont is recognized as a Rural Settlement, and further identified as an *Oak Ridges Moraine Rural Hamlet*. Rural Hamlets are the focus of rural growth and development and often contain a variety of land uses although are typically predominantly residential land uses. The majority of the Phase I lands are identified as Oak Ridges Moraine Rural Hamlet area.

The remainder of the Phase I lands and the majority of the Phase II lands are designated *Oak Ridges Moraine Countryside Area*. As previously stated, the Property is subject to the Transitional Provisions of the ORMCP.

The northern portion of the Phase II lands is designated Oak Ridges Moraine Natural Core Area, which in accordance with the ORMCP is intended to maintain, and where possible improve or restore, the ecological integrity of the Moraine. To permit development within the Natural Core Area, studies in accordance with the ORMCP in connection with the applications for development are required. As previously noted, no site alteration or development is proposed within the Natural Core Area and a MVPZ is applied to minimize

the impact, if any, of the proposed development on the natural heritage features and functions present on the Property.

As shown in Figures C.11, C.12, and C.13, Appendix C, both the Phase I and Phase II lands contain areas shown as *Natural Heritage System*. The Phase I lands contain a *Significant Woodland* and the Phase II lands contain a *Wetland, Significant Woodland* features and the associated *Minimum Vegetation Protection Zones* (typically 30m) and *Minimum Areas of Influence* (typically 120m).

Section 10 of the Pickering Official Plan encourages the protection of significant natural heritage features and the Natural Heritage System from development. As such, an environmental report may be required as part of a development application. A Natural Heritage Evaluation, dated July 2021 has been prepared by Beacon Environmental and is provided under separate cover.

Similar to mapping found in the DROP 2020, parts of the Property are also subject to high aquifer vulnerability (as shown in Figure C.14, Appendix C), and the northern portion of the Phase II lands are shown as Category 2 landform conservation features (as shown in Figure C.16, Appendix C).

The proposed development will not store any noxious or toxic substances and will be designed to ensure its septic systems will operate in accordance with regulatory standards. Furthermore, the Draft Plan of Subdivision proposes the preservation of the northern portion of the Property identified as landform conservation area Category 2 as an environmental protection area. As such, no part of the proposed use will impact or place further stress on the aquifer or landform conservation area. In addition, a Preliminary Hydrogeological Investigation and a Water Level Data Assessment, dated July 2021 have been prepared by Golder Associates Ltd. and are provided under separate covers.

As shown in Figure C.15, Appendix C, a portion of the Phase I lands are shown as within the Hamlet of Claremont and designated *Hamlet Residential* which permits residential uses, home occupations, community, cultural and recreational uses, limited retail/commercial and employment uses.

Section 13.2 of the Pickering Official Plan requires Rural Settlements to develop along existing or new roads identified in settlement maps or through development review. Development is encouraged to be compatible in scale, character and relationship of the existing area (including lots, buildings, structures, roads, services and utilities) as well as enhance the range of housing choices in the settlement and to be innovative in relation to compact form, water usage and sewage disposal. Technical review of all applications is required for compliance with Provincial and Regional standards. Road connections to adjacent lands must also be protected. Development is required to comply with the provisions of the DROP with regard to matters of the delineation of the hamlet boundary and the details of the permitted land uses.

Section 13.12 (Settlement 10 – Claremont) provides direction with regard to the policies and planned intent for the Hamlet. The proposed development would deliver the last remaining growth in the Hamlet with the addition of 70 lots. Since the time of the original applications, in 1990, the Hamlet has accommodated growth of approximately 65 new homes to the southwest and west of the historic centre of Claremont. The development of the Property would provide a similar and appropriate level of growth to complete the northeast portion of the community, bringing the total residential units in the Hamlet to a total of approximately 450, with a total population of approximately 1,200 people. It is appropriate to direct this limited growth to the Hamlet of Claremont as it addresses an ongoing desirability for a small community lifestyle and Claremont is one of, if not the only, opportunity to accommodate this type of growth within the rural settlements in the City of Pickering. Future residents will benefit from and will contribute to the ongoing vitality of the Hamlet and its community facilities which include an elementary school, Masonic Hall, Royal Canadian Legion Hall, existing park (added to by the proposed park), two places of worship, and the Dr. Nelson F. Tomlinson Community Centre with a firehall, library, community centre and seniors centre. It is our opinion that this amount of additional growth will also help to support existing businesses and serve to encourage small-scale retail, office, and other businesses to locate and remain viable in the Hamlet. The proposed development would locate residents close to a mix of uses and contribute to the resiliency of the Hamlet as a complete community. The revised Draft Plan of Subdivision conforms to the general requirements and intent of the City of Pickering Official Plan through the lens of its transitional status.

5.8 City of Pickering Zoning By-law, as amended

The City of Pickering passed Zoning By-law 6640/06 (A16/05) on March 6, 2006 as an amendment the parent by-law, By-law No. 3037, to implement the ORMCP for lands within the Moraine area.

The majority of the Property is zoned *Oak Ridges Moraine Agricultural Zone (ORM-A)*; two smaller portions of the Property abutting the existing Claremont Community (south of the Lane Street extension and west of the Franklin Street extension and perpendicular to Old Brock Road and Bundy Street) are zoned *Oak Ridges Moraine Villages Residential Zone (ORM-R5)*; and a small area at the north end of the Phase II lands are zoned *Oak Ridges Moraine Environmental Protection Zone (ORM-EP)*. Zoning for the Property is shown in Figure C.17, Appendix C.

The following zones are proposed for the proposed Plan of Subdivision:

- The ORM-R6 zone permits detached dwellings and home-based businesses, specific regulations regarding setbacks, lot area, frontage, coverage, height and number of dwelling units applies.
- The ORM-EP zone permits all recreational uses of a non-commercial nature and forestry, reforestation, conservation and agricultural uses. Buildings and structures accessory to the foregoing uses are permitted except for dwelling or

residential uses.

Through review of the Zoning By-law and its regulations, the proposal will require a Zoning By-law Amendment application to rezone the lands to *Oak Ridges Moraine – Hamlet Residential Six (ORM-R6)* to permit the residential lots on the Property. The ORM-EP zone on the Phase II lands will be maintained as is. Table 5.2 provides the proposed standards for the ORM-R6 zone.

Table 5.2: ORM-R6 Proposed Zoning Standards

Oak Ridges Moraine – Hamlet Residential Six (ORM-R6)	Proposed Standard	Zoning
Minimum Lot Area	0.27 ha	
Minimum Lot Frontage	22.0 m	
Minimum Required Front Yard	9.0 m	
Minimum Required Interior Side Yard	1.8 m	
Minimum Required Exterior Side Yard	2.7 m	
Minimum Required Rear Yard	9.0 m	
Maximum Lot Coverage	20 %	
Maximum Height	12.0 m	
Minimum Dwelling Unit Gross Floor Area	100 m ²	
Maximum Dwellings Per Lot	1 only	
Special Regulations:		
a) No buildings or structures shall be erected within 10.0 metres of any Trans Canada Pipeline easement.		

The required zoning by-law amendment will permit the proposed Plan of Subdivision to develop and be consistent with some of the newer subdivision developments in the Claremont community including the areas southwest of Concession Road 9 and Old Brock Road and along Tom Thomson Court. These existing standards will ensure that the single detached residential dwellings and lots will be compatible with the general size and character of the surrounding area and existing neighbourhood.

5.9 City of Pickering Sustainability Standards

The City of Pickering prepared a set of Sustainable Development Guidelines in 2007. These guidelines (Guideline #2) identify required and optional criteria for development within the City including neighbourhoods, subdivisions and site plans. The revised Plan of

Subdivision meets the required items in the City’s Sustainable Development Guideline and achieves all required criteria and achieves a Level 2 standard based on the criteria for urban sustainable development in a rural area. Full details of the completed Sustainability Checklist for subdivision development can be found in Appendix E.

During the June 2012 pre-consultation meeting with City Staff, it was determined that these guidelines were intended primarily for urban type development as opposed to Hamlet development on private services; however, it was agreed that the revised Plan of Subdivision would also address the guidelines and attempt to achieve as many of the sustainable criteria as possible.

The revised Plan of Subdivision has been reviewed in the context of the City’s Sustainable Development Guideline criteria and meets all required elements plus a number of optional points to reach the Level 2 standard. Appendix E provides a detailed table addressing each of the Sustainability Guidelines. In general, the revised Plan of Subdivision is a vacant-infill area which will help complete the existing Hamlet of Claremont, will provide integrated environmental protection, the project intends to use 50% native species for landscaped areas, integrate and incorporate existing community design and historic patterns of development, incorporate building efficiency standards and provide access to local public transit options.

The home builder for the Property has also developed its own criteria for green building called Geranium Green. This program relates to the construction of new homes to ensure that techniques and materials used meet current sustainable building practices and offer homeowners options for “green” upgrades. It is anticipated that similar standards will be applied to all new homes proposed in the revised Plan of Subdivision.

The next section offers our Planning Opinion as it pertains to the proposed development.

Page intentionally left blank

6.0

Planning Opinion & Conclusion

This section provides a summary of the policy review in this report, concludes why the proposed development represents good planning, and provides of a review of Section 51(24) of the Planning Act.. The proposed development is in conformity with all applicable policies.

6.1 Planning Opinion

The 71 proposed residential lots are organized along four new local roads which are designed to encourage primary vehicular access through Old Brock Road and away from Franklin and Lane Streets. Connections for active transportation are provided through the proposed park to the open space blocks and beyond on the local roads to allow cycling and pedestrian movement between this new portion of the neighbourhood and the existing areas to the south and west. A proposed 1.7 hectare park at the corner of Lane and Franklin Streets is centrally located to maximize walking opportunities for both existing and future residents north of Central Street and east of Old Brock Road, providing a place for socializing and recreation. A noise buffer block is proposed on the eastern portion of the plan to provide for adequate noise mitigation from Brock Road. Two stormwater management ponds are proposed to manage drainage on the Property and to alleviate pre-existing flooding of the community south of the Property, reducing stormwater drainage to Franklin Street by 97%. The proposed lots, at a minimum of 0.27 ha, can meet the Region's technical requirements for minimum lot sizing. The lots are generally larger than the historic growth that occurred prior to current septic system standards, yet smaller than contemporary development, achieving a balance between technical requirements and efficient urban form. The lots are sized appropriately and provide for a greater diversity of housing options in the municipality. Three blocks are to be conveyed to neighbouring property owners to rectify deficient lot area and thereby permit properly sized septic systems.

The proposed development provides a comparable amount of growth to that previously experienced by the Hamlet (approximately 65 units) since the time of the original applications, integrates with the existing community, and achieves the historically planned and logical completion of the Hamlet to Brock Road. Including the development of the proposed lots, the total residential units in the Hamlet would be approximately 450, resulting in a total population of approximately 1,200 people. Directing this limited

growth to the Hamlet of Claremont is appropriate as it addresses an ongoing desirability for a small community lifestyle and represents one of, if not the only, opportunity to accommodate this type of growth within the rural settlements in the City of Pickering. Future residents will benefit from, and will contribute to, the ongoing vitality of the Hamlet and its community facilities. The additional growth will also support existing businesses and serve to encourage small-scale retail, office, and other businesses to locate and remain viable in the Hamlet. The proposed development would locate residents close to a mix of uses and contribute to the resiliency of the Hamlet as a complete community.

Flooding has historically been a serious issue for residents south of the Property along Franklin and Joseph Streets. Studies previously conducted by the City concluded that substantive and costly infrastructure improvements are required to mitigate or eliminate the flooding issues. The proposed development incorporates best management practices and modern stormwater management measures to adequately support the proposed development as well as to alleviate the pre-existing and historic flooding/drainage problems experienced by the community to the south. This will serve to protect human health and safety, prevent property damage, and is in the public interest to implement solutions as soon as possible.

A significant woodland is located in the northern portion of the Property, and a small wetland fragment exists at the far southeast. These features will be protected with appropriate buffers which provide appropriate protection for key natural heritage features and related ecological functions, key hydrologic features and related hydrological functions of the Oak Ridges Moraine. The southeastern wetland is not considered a Key Natural Heritage Feature or Key Hydrologic Feature under the Oak Ridges Moraine Conservation Plan. A precautionary conservative approach has been taken and a 30 m Minimum Vegetation Protection Zone (MVPZ) has been applied.

The 1991 DROP and the Claremont Development Plan were the relevant planning policy documents in effect at the time of the processing of the original applications. The policies of the Claremont Development Plan (a non-statutory document) provided requirements for the development of *Residential – Phase II* lands which, amongst other matters, identified the need for a Regional Official Plan Amendment prior to development, related to concerns at the time with substandard septic systems and substandard shallow wells. During the early 1990s the Province and Region undertook studies and a well replacement program, which involved the drilling of deeper wells to access deeper aquifers and the modernization of the septic systems. This program eliminated growth-related concerns with regard to source water protection. The alleviation of this concern is manifested in the practice of the (then) Town and Region to permit development throughout the late 1980s and early 1990s on other *Residential – Phase II* lands and lands beyond the Hamlet boundary by reclassifying the lands to *Residential – Phase I* in the Claremont Development Plan without the need for a Regional Official Plan Amendment. As the proposed development will proceed with modern standards for septic servicing and deep wells, it is our opinion that the proposed development can proceed through the draft plan of subdivision and zoning bylaw amendment processes without an amendment

to the Regional Official Plan. This is consistent with the historic practice of the municipality which proceeded by way of a change to the phase designation in the Claremont Development Plan. Furthermore, the entirety of the Property was within the Hamlet boundary at the time of the original applications and would have required technical investigations to demonstrate the feasibility of development by way of a draft plan subdivision.

In this respect, the Regional Official Plan of the day (adopted June 1991) removed the requirement for a Regional Official Plan Amendment and required that development on the Phase II portion of the Property be accompanied by, amongst other studies, a Settlement Capacity Study, demonstrating the technical feasibility of the development. The contemporary components of this study have been completed for the Property (both *Residential – Phase I* and *Residential – Phase II*) and form part of this revised submission.

The revised Zoning By-law Amendment and Draft Plan of Subdivision applications technically conform to all Provincial, Regional and Municipal policies applicable under transition from 1991. Study conclusions indicate the proposal:

- Will not adversely affect any natural heritage, ecologically or hydrologically sensitive features associated with the Oak Ridges Moraine;
- Can be accommodated within the immediate and larger transportation system;
- Can be technically supported from a servicing perspective with the proposed lot sizes; and,
- Achieve minimum distance separation requirements for surrounding agricultural uses, although not required to do so, given the Property is considered as being within a settlement area for the purposes of the 2018 Revised Applications.

The proposed development is in the public interest, and supported by appropriate technical studies. Moreover, it is our opinion that the proposed development, subject to transitional provisions, is consistent with and conforms to the applicable policies of the Provincial Policy Statement, Oak Ridges Moraine Conservation Plan, 1991 Durham Regional Official Plan, and the Claremont Development Plan. Although not required, it is also our opinion that the proposed development generally conforms with the Growth Plan and the current versions of the Durham Regional Official Plan and the City of Pickering Official Plan.

6.2 Planning Act – Section 51(24)

Section 51(24) of the *Planning Act* sets out criteria that planning authorities shall have regard to when considering a Draft Plan of Subdivision. Table 6.1 describes how each of the criteria are satisfied. The proposed Draft Plan of Subdivision meets the requirements of Section 51(24) of the *Planning Act*.

Table 6.1: Conformity with Section 51(24) of the Planning Act

	Criteria	Response
a)	The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2	The Zoning By-law Amendment and Draft Plan of Subdivision are consistent with matters of Provincial interest, as outlined in the PPS 2020, and conform to all applicable Provincial Plans. The Draft Plan of Subdivision ensures conformity with growth management, natural heritage, natural hazard and water resource objectives, among other matters.
b)	Whether the proposed subdivision is premature or in the public interest	The Draft Plan has been thoroughly assessed and is appropriately supported by technical studies and is not premature. The Draft Plan is in the public interest based on the policy analysis. It implements the goals of the City, Region and Province.
c)	Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any	The Draft Plan conforms to the applicable Official Plans. The Draft Plan is adjacent to previously approved and developed plans of subdivision and it allows for the logical continuation of development and maintains the integrity and character of the existing community.
d)	The suitability of the land for the purposes for which it is to be subdivided	The proposed development blocks in the Draft Plan are located on lands suitable for the proposed uses, as supported by the submitted technical studies.
e)	The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them	The Draft Plan provides for a local street network that connects to adjacent public streets. The proposed transportation system and right-of-way standards are appropriate as supported by the Traffic Assessment.
f)	The dimensions and shapes of the proposed lots	All proposed lots are dimensioned, and are of an appropriate shape and size, and conform to the proposed zoning standard which is an established zone for permitting the proposed single-detached residential lots.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land	The proposed zoning bylaw amendment provides for the appropriate restrictions on the lands proposed to be subdivided by limiting their use to those permitted in the zoning standards as described in Section 5.8.
h)	Conservation of natural resources and flood control	All existing natural resources will be protected. There will be no adverse effects on any of the key hydrologic features, or the related hydrological functions and the proposed development maintains, or where possible, improves or restores the health and diversity of the

	Criteria	Response
		<p>features. Furthermore, all relevant minimum vegetation protection zones have been evaluated and sufficiently applied. The overall proposed site grading has been designed to match existing and surrounding grades as well provide conveyance of stormwater runoff. Proposed stormwater management will alleviate flooding issues in the existing community to the south.</p>
i)	<p>The adequacy of utilities and municipal services</p>	<p>The Draft Plan can be serviced with adequate utilities and the creation of two on-site stormwater management facilities and privately owned individual on-site septic systems and water wells. The design of roads in the Draft Plan allows for the provision of utilities throughout the development area.</p>
j)	<p>The adequacy of school sites</p>	<p>No new schools are proposed. Previous comments on this proposal received from the Durham Catholic District and Durham District School Boards indicate that there is existing capacity to absorb any students generated by the proposed development.</p>
k)	<p>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes</p>	<p>The land within environmental protection blocks in the Draft Plan will be conveyed into public ownership, inclusive of all the associated buffers.</p> <p>Additionally, it is proposed that the park blocks, Noise Buffer and Road widening blocks will be conveyed into public ownership for public purposes.</p>
l)	<p>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</p>	<p>The Draft Plan is designed to conserve energy through the application of architectural control and industry best practices in both design and construction.</p>
m)	<p>The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the <i>City of Toronto Act, 2006</i>. 1994, c. 23, s. 30; 2001, c. 32, s. 31(2); 2006, c. 23, s. 22 (3,4)</p>	<p>The single detached lots do not require site plan control prior to development, however, it is intended that urban design and architectural control guidelines will address these matters.</p>

Page intentionally left blank

7.0

Sources

AMICK Consultants. (2015). *Stage 1-2 Archaeological Assessment: Claremont Property, Town of Pickering, Regional Municipality of Durham*. Prepared for Claremont Developments Inc. November 24, 2015.

BA Group. (2021). *Transportation Study. Claremont Residential Development, City of Pickering*. Prepared for Claremont Developments Inc. July 2021.

Beacon Environmental Ltd. (2021). *Natural Heritage Evaluation: 5113 Brock Road, Hamlet of Claremont, City of Pickering*. Prepared for Claremont Developments Inc. July 2021.

City of Pickering. (2006). *Zoning By-law 6640/06 (A16/05), March 6, 2006*.

City of Pickering. (2007). *City of Pickering Sustainable Development Guidelines – Plan of Subdivision, Site Plan, Rezoning and Building Permit Guidelines*. May 2007. Retrieved from the City of Pickering Website: <https://www.pickering.ca/en/living/sustainabledevelopment.aspx>

City of Pickering. (2018). *City of Pickering Official Plan: Edition 8. Office Consolidation, October 2018*.

Golder Associates Ltd. (2021a). *Phase One Environmental Site Assessment: Proposed Rural Residential Subdivision, 5113 Brock Road, Hamlet of Claremont, City of Pickering*. Prepared for Claremont Developments Inc. July 2021.

Golder Associates Ltd. (2021b). *Preliminary Geotechnical Investigation: Proposed Residential Subdivision, 5113 Brock Road, Hamlet of Claremont, City of Pickering*. Prepared for Claremont Developments Inc. July 2021.

Golder Associates Ltd. (2021c). *Private Servicing Feasibility Report: Proposed Residential Subdivision, 5113 Brock Road, Hamlet of Claremont, City of Pickering*. Prepared for Claremont Developments Inc. July 2021.

Golder Associates Ltd. (2021d). *Preliminary Hydrogeological Investigation: Proposed Residential Subdivision, 5113 Brock Road, Hamlet of Claremont, City of Pickering*. Prepared for Claremont Developments Inc. July 2021.

Jade Acoustics Inc. (2021). *Preliminary Environmental Noise Report: Proposed Residential Subdivision. Hamlet of Claremont, City of Pickering*. Prepared for

- Claremont Developments Inc. July 2021.*
- Ontario Ministry of Municipal Affairs and Housing. (1993). *Region of Durham. Official Plan, Post Circulation Comments from the Ministry of Municipal Affairs. 1993.*
- Ontario Ministry of Municipal Affairs and Housing. (2017). *Oak Ridges Moraine Conservation Plan.*
- Ontario Ministry of Municipal Affairs and Housing. (2020). *Provincial Policy Statement.*
- Ontario Ministry of Municipal Affairs and Housing. 2019. *Growth Plan for the Greater Golden Horseshoe. Office Consolidation, August 2020.*
- ORMCA. (2001). Oak Ridges Moraine Conservation Act, S.O. 2001, c. 31. (Consolidation Period: From June 1, 2021). Retrieved from Ontario e-Laws website: <https://www.ontario.ca/laws/statute/01o31>
- Places to Grow Act. (2005). O. Reg. 311/06: TRANSITIONAL MATTERS - GROWTH PLANS under Places to Grow Act, 2005, S.O. 2005, c. 13 (Consolidation Period: From July 1, 2017. Retrieved from the e-Laws Website: <https://www.ontario.ca/laws/regulation/060311>
- Planning Act. (1990). R.S.O. 1990, c. P.13. Section 51(24). (Consolidation Period: From June 3, 2021. Retrieved from the e-Laws Website: <https://www.ontario.ca/laws/statute/90p13>
- Region of Durham. (1991). *Region of Durham Official Plan. Office Consolidation, June 8, 1991.*
- Region of Durham. (1991a). *Commissioner of Planning Report No. 91-P-166: File No. OPA-87-83/P., October 22, 1991.*
- Region of Durham. (1985). *Commissioner of Planning Report No. 85-161: File No. DP-P4.3., September 17, 1985*
- Region of Durham. (2020). *Region of Durham Official Plan. Office Consolidation May 26, 2020.*
- Region of Durham. (1992). *Commissioner of Planning to Town of Pickering: File No. OPA 88-36., October 8, 2018.*
- Rural Development Consultants Ltd. (1991). *Lot Density and Nitrate Concentration, Project No. 89-906, May 27, 1991.*
- SCS Consulting Group Ltd. (2021). *Functional Servicing and Stormwater Management Report: 5113 Brock Street, Hamlet of Claremont.* Prepared for Claremont Developments Inc. July 2021.
- Town of Pickering. (1985). *Hamlet of Claremont Development Plan, Edition No. 2.* May 2, 1985.
- Town of Pickering. (1991). *File B 2310 – A 68/87: Draft Plan of Subdivision 18T-87082*

(R), July 2, 1991.

Town of Pickering. (1991a). *Hamlet of Claremont Development Plan Review, Public Meeting: Claremont Questionnaire, June 27, 1990.*

Town of Pickering. (1993). *Inter-departmental Memo, Clerk's Department, July 3, 1992.*

Town of Pickering. (1993). *Hamlet of Claremont Development Plan, Edition No. 4. April 1993.*

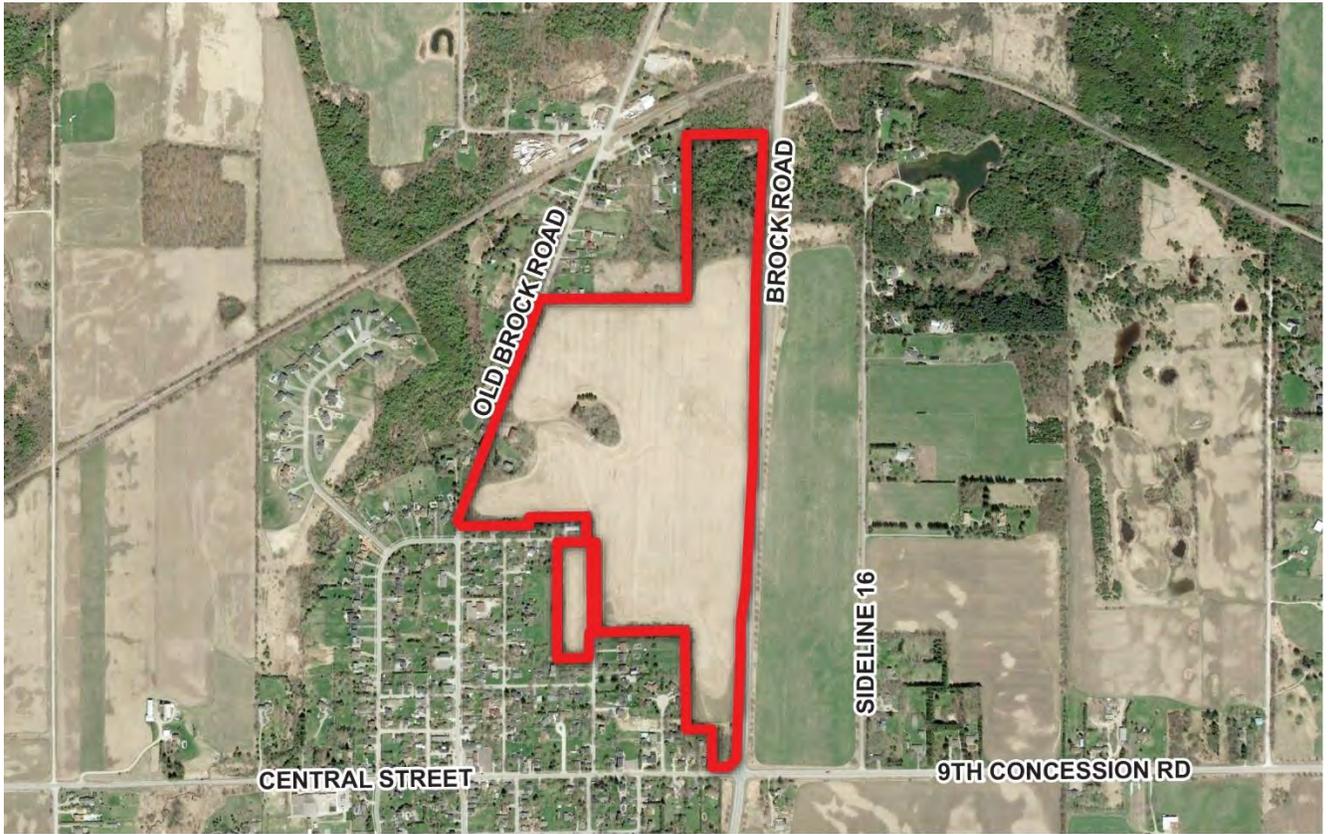
Page intentionally left blank

Appendix A

Context Map

Page intentionally left blank

Figure A.1: Context Map



 **SUBJECT LANDS**
5113 Old Brock Road
Hamlet of Claremont, Pickering



Google Earth, July 2018

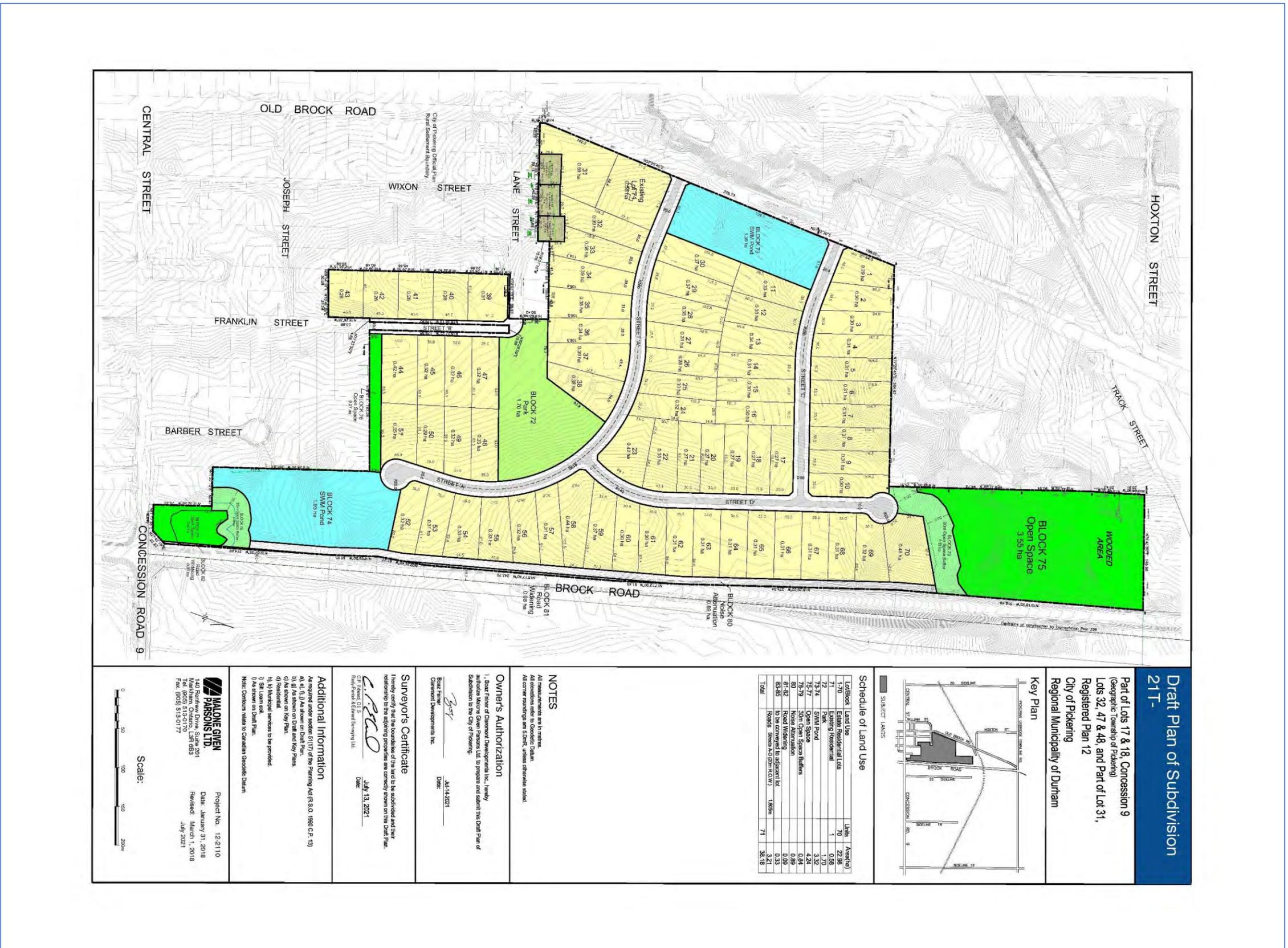
Source: Google Earth, 2018

Page intentionally left blank

Appendix B
Proposed Draft Plan of Subdivision

Page intentionally left blank

Figure B.1: Proposed Draft Plan of Subdivision (Colour)



Draft Plan of Subdivision
21T-

Part of Lots 17 & 18, Concession 9
(Geographic Township of Pickering)
Lots 32, 47 & 48, and Part of Lot 31,
Registered Plan 12
City of Pickering
Regional Municipality of Durham

Key Plan



Schedule of Land Use

Lot/Block	Land Use	Units	Area(ha)
170	Single Residential Use	70	22.98
77	Existing Residential	1	0.95
73-74	SRM Pond	3	3.32
75-77	Open Space	4	4.24
78-79	30m Open Space Buffers	0	0.84
80	Noise Attenuation	0	0.89
81-82	Road Widening	0	0.09
83-85	60m Open Space Buffers	0	0.55
	Total	74	36.16

NOTES

All measurements are to centres of lines unless otherwise stated.
All corner roundings are 50mm, unless otherwise stated.

Owner's Authorization

I, Barbara, Mayor of the City of Pickering, hereby authorize Malone Given Parsons Ltd. to prepare and submit the Draft Plan of Subdivision to the City of Pickering.

Barbara
Mayor of the City of Pickering
Date: July 14, 2021

Surveyor's Certificate

I hereby certify that the boundaries of the land to be subdivided and their area are as shown on the attached plan.

C. Parsons
City of Pickering
Date: July 13, 2021

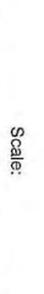
Additional Information

As required under section 61(17) of the Planning Act (R.S.O. 1990 c.P. 19)

- a) 61(1) As shown on Draft Plan
- b) 61(2) As shown on Key Plan
- c) As shown on Key Plan
- d) Residential
- e) 61(3) Municipal services to be provided
- f) 61(4) Lateral easement
- g) As shown on Draft Plan
- h) As shown on Draft Plan
- i) As shown on Draft Plan

Project No. 12-2110
MALONE GIVEN PARSONS LTD.
Date: January 9, 2018
Revised: March 1, 2018
July 2021

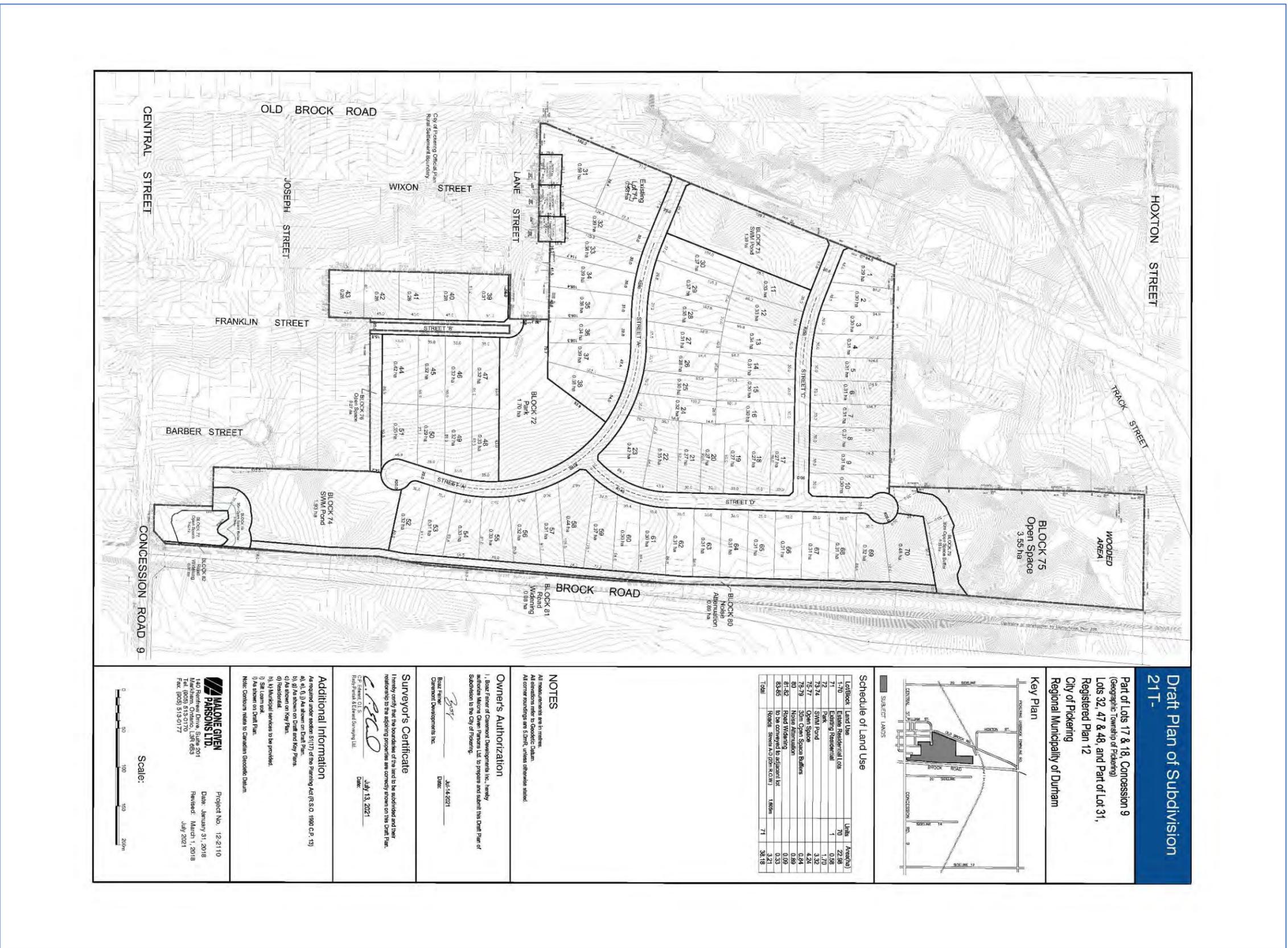
140 Penfield Drive, Suite 201
Markham, Ontario, L3R 0B3
Fax: (905) 513-0177



Source: Malone Given Parsons Ltd., 2018

Page intentionally left blank

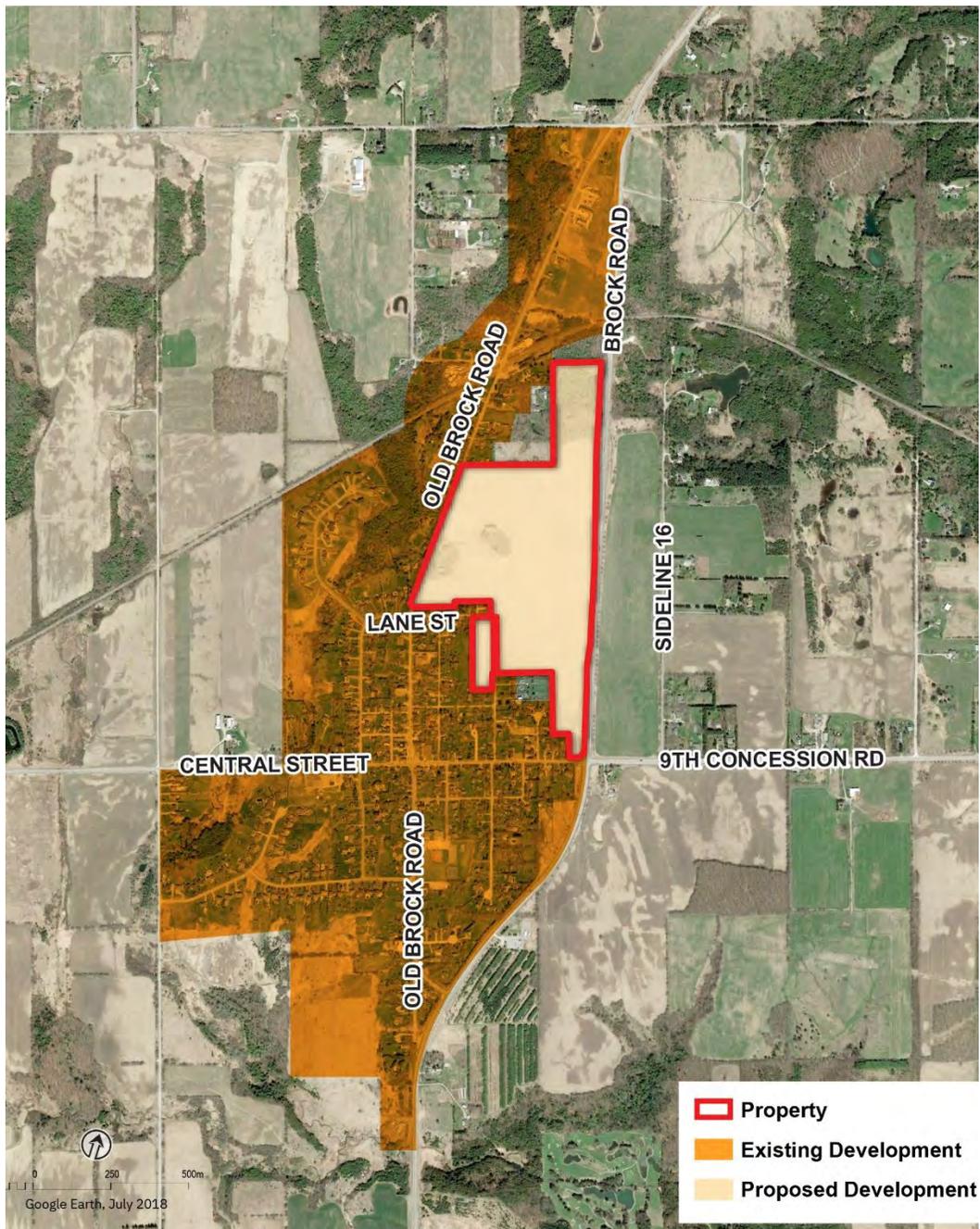
Figure B.2: Proposed Draft Plan of Subdivision



Source: Malone Given Parsons Ltd., 2018

Page intentionally left blank

Figure B.3: Existing and Proposed Development



Source: Malone Given Parsons Ltd.

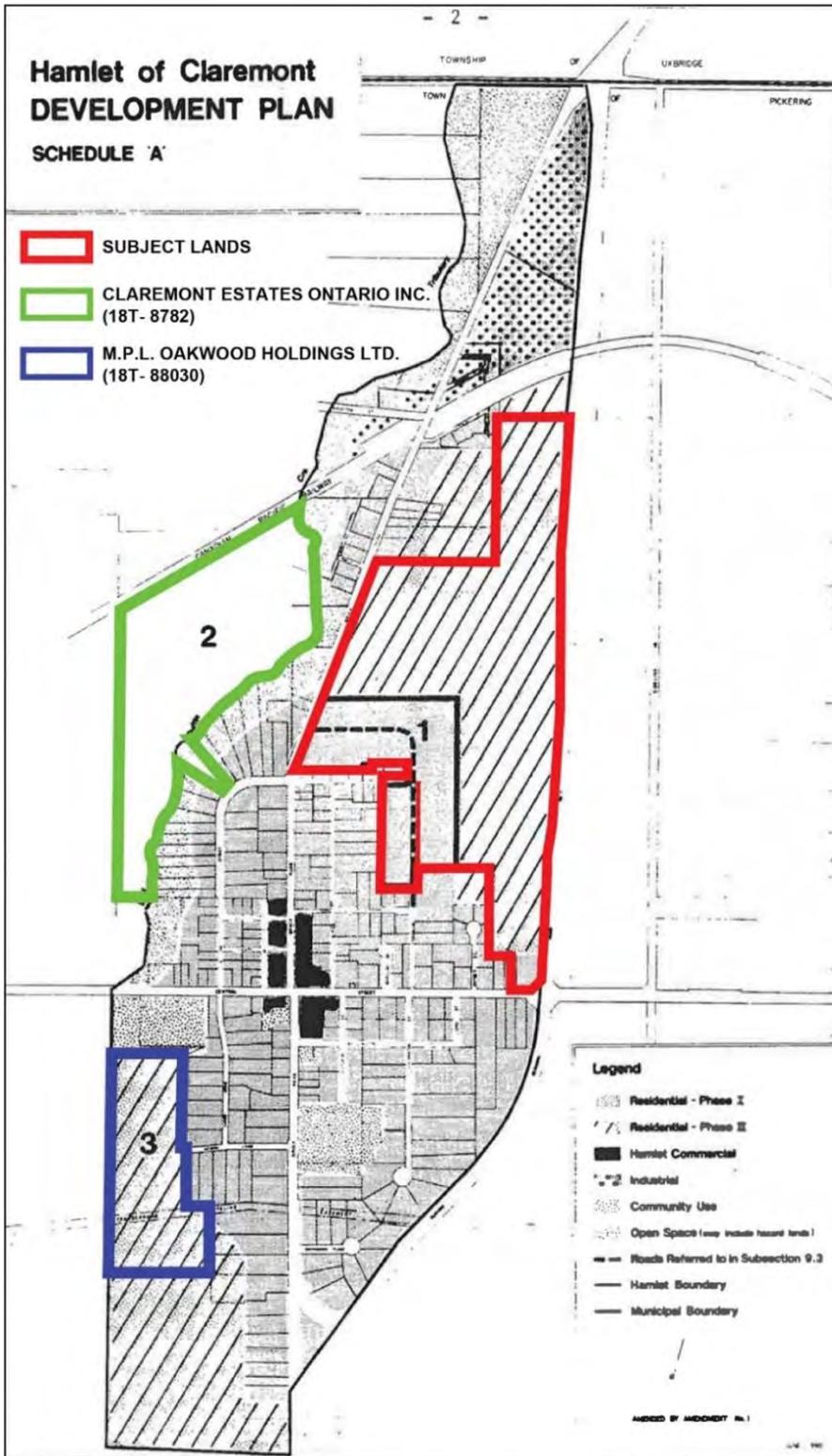
Page intentionally left blank

Appendix C

Land Use Schedules

Page intentionally left blank

Figure C.1: Adjacent Developments



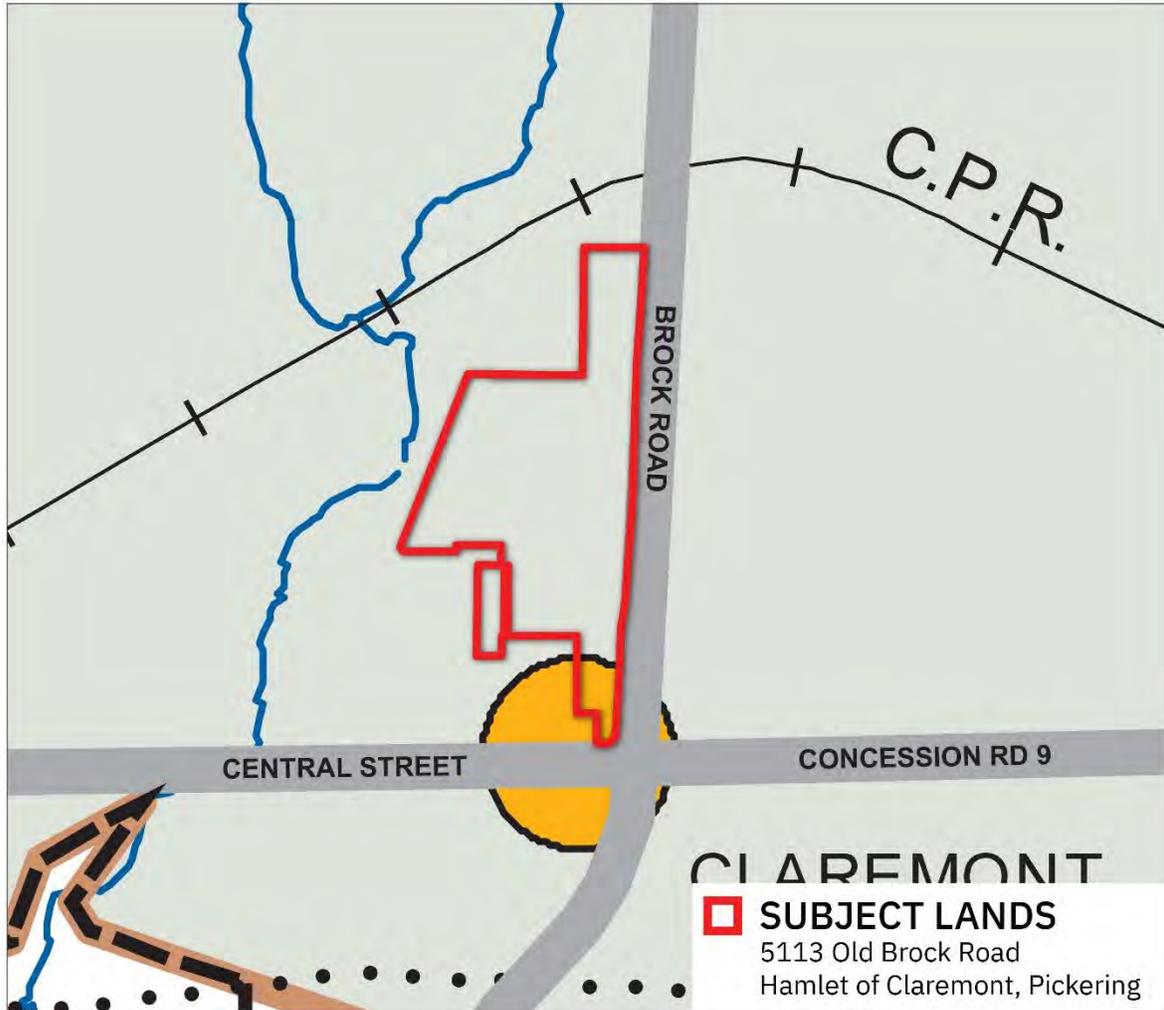
Source: Town of Pickering, Hamlet of Claremont Development Plan, Schedule A, Amendment 1, June 1990

Figure C.2: Adjacent Developments Aerial

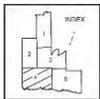


Source: Google Earth, 2017

Figure C.3: DROP 2020 Regional Structure Excerpt



OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM



SCHEDULE 'A' - MAP 'A4'
REGIONAL STRUCTURE

LEGEND

URBAN SYSTEM

--- URBAN AREA BOUNDARY

RURAL SETTLEMENTS :

● HAMLET

GREENLANDS SYSTEM

— OAK RIDGES MORaine BOUNDARY

■ OAK RIDGES MORaine AREAS

TRANSPORTATION SYSTEM

EXISTING

— ARTERIAL ROAD

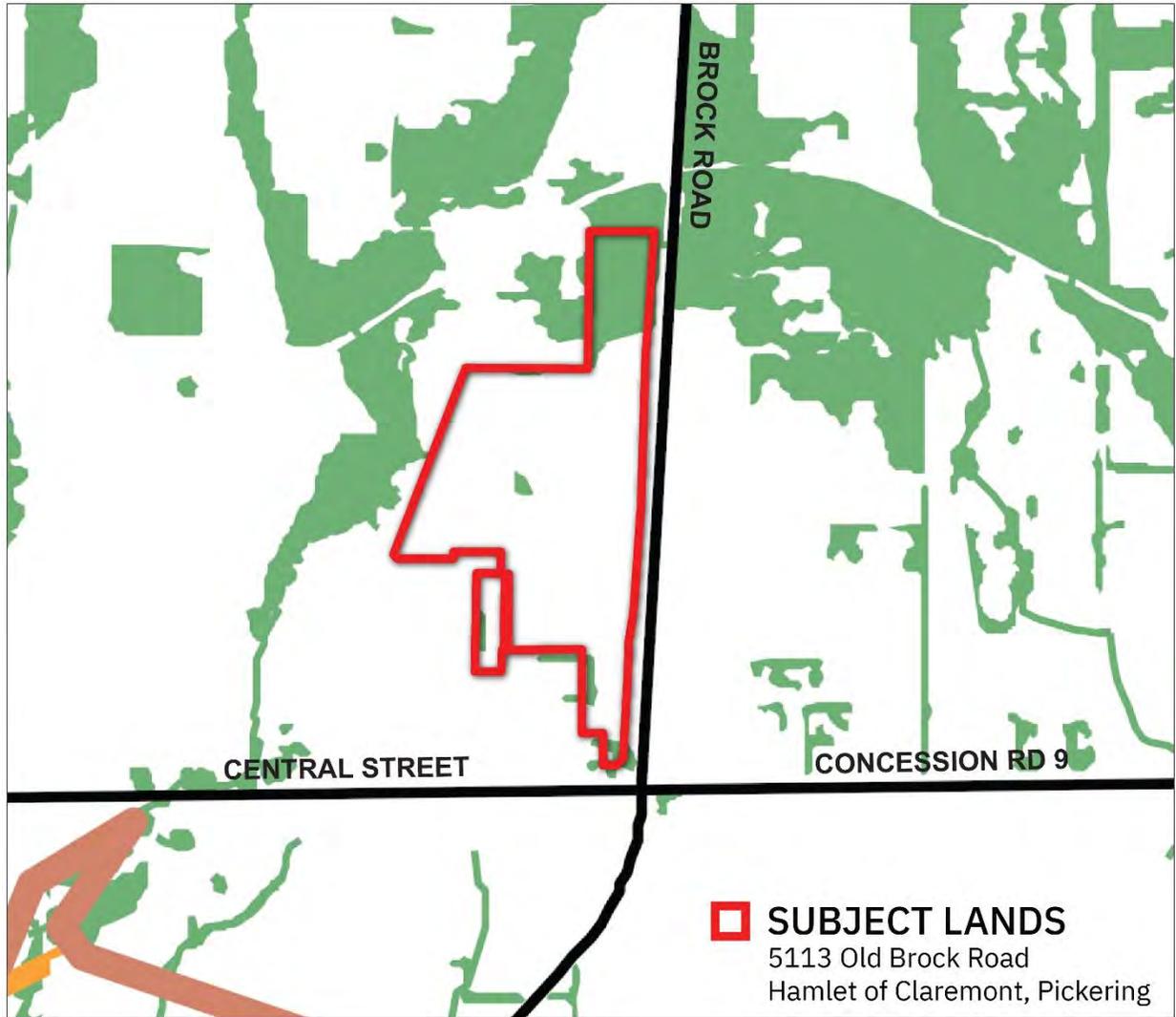
SPECIAL AREAS

2 SPECIAL STUDY AREA

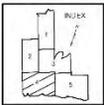


Source: Durham Region Official Plan, Schedule A, Map A4 (May 2020)

Figure C.4: DROP 2020 Greenbelt Natural Heritage System Excerpt



OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM



SCHEDULE 'B' - MAP 'B1d'
**GREENBELT NATURAL
HERITAGE SYSTEM &
KEY NATURAL HERITAGE
AND HYDROLOGIC
FEATURES**

LEGEND

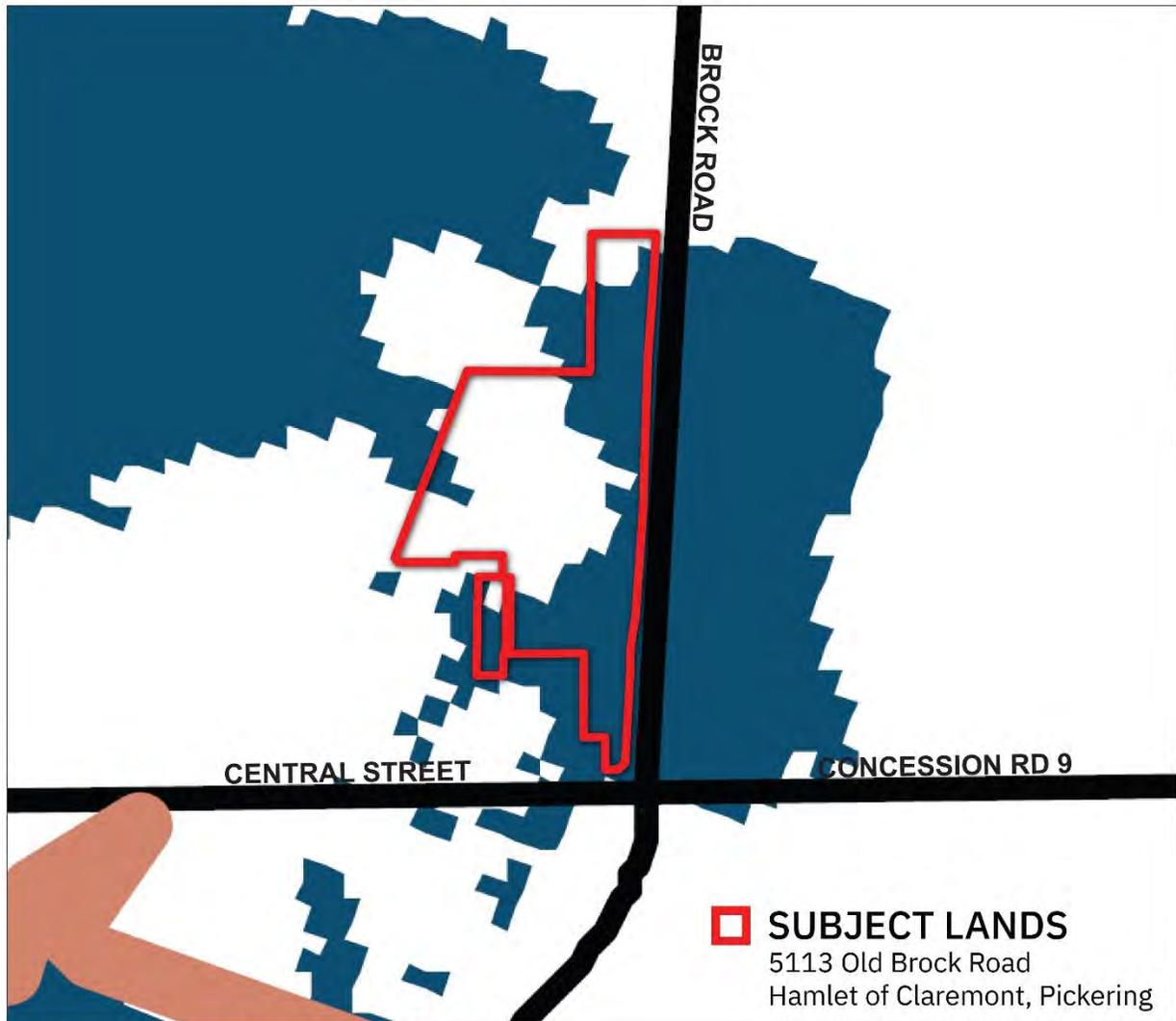
 KEY NATURAL HERITAGE AND
HYDROLOGIC FEATURES

 OAK RIDGES MORaine CONSERVATION
PLAN AREA BOUNDARY



Source: Durham Region Official Plan, Schedule B, Map B1d (May 2020)

Figure C.5: DROP 2020 High Aquifer Vulnerability Area Excerpt



OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM

SCHEDULE 'B' - MAP 'B2'
**HIGH AQUIFER VULNERABILITY AND
WELLHEAD PROTECTION AREAS**

LEGEND

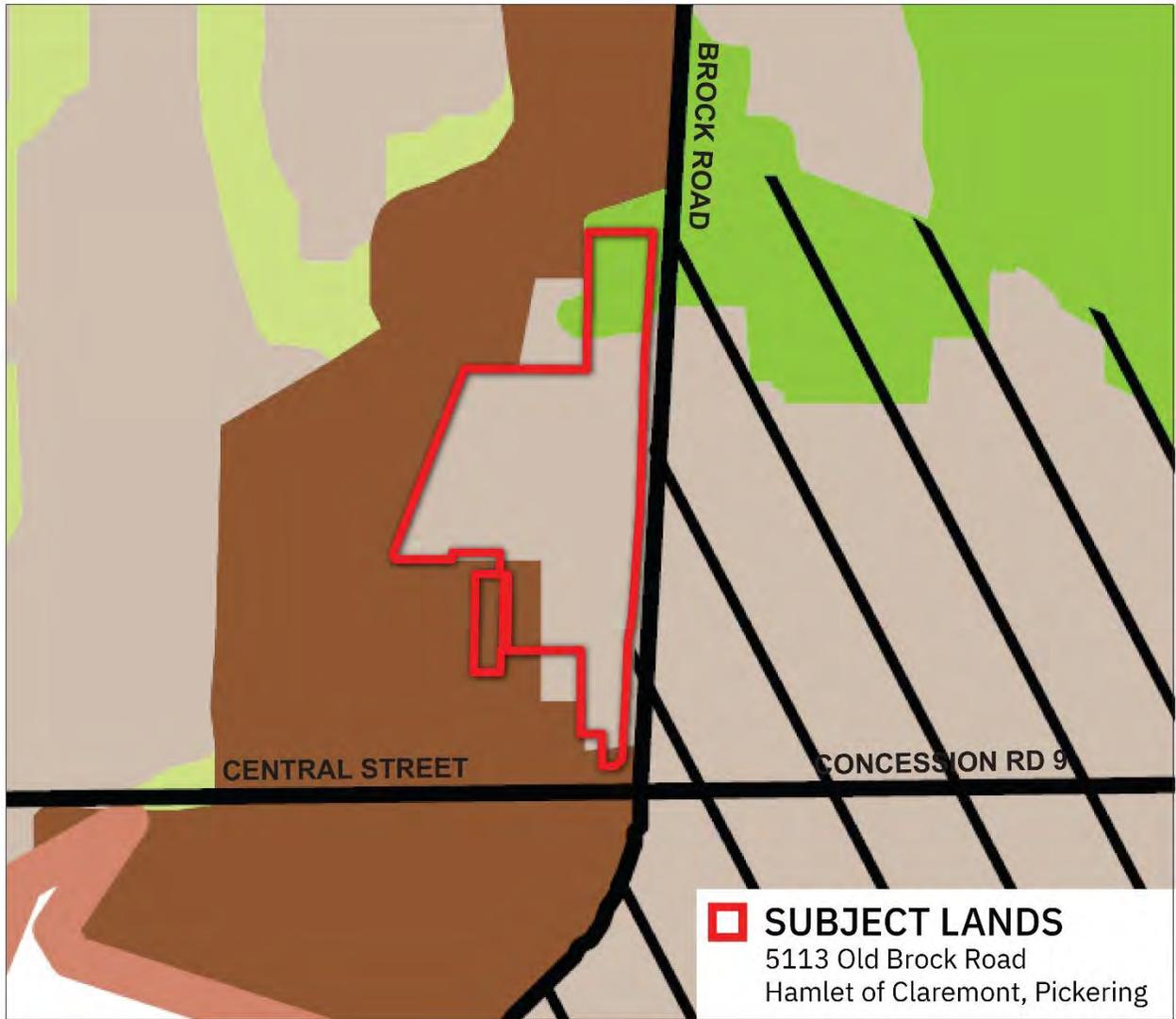
 HIGH AQUIFER VULNERABILITY
AREAS

 OAK RIDGES MORaine CONSERVATION
PLAN AREA BOUNDARY



Source: Durham Region Official Plan, Schedule B, Map B2 (May 2020)

Figure C.6: DROP 2020 Oak Ridges Moraine Land Use Excerpt



 OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF DURHAM

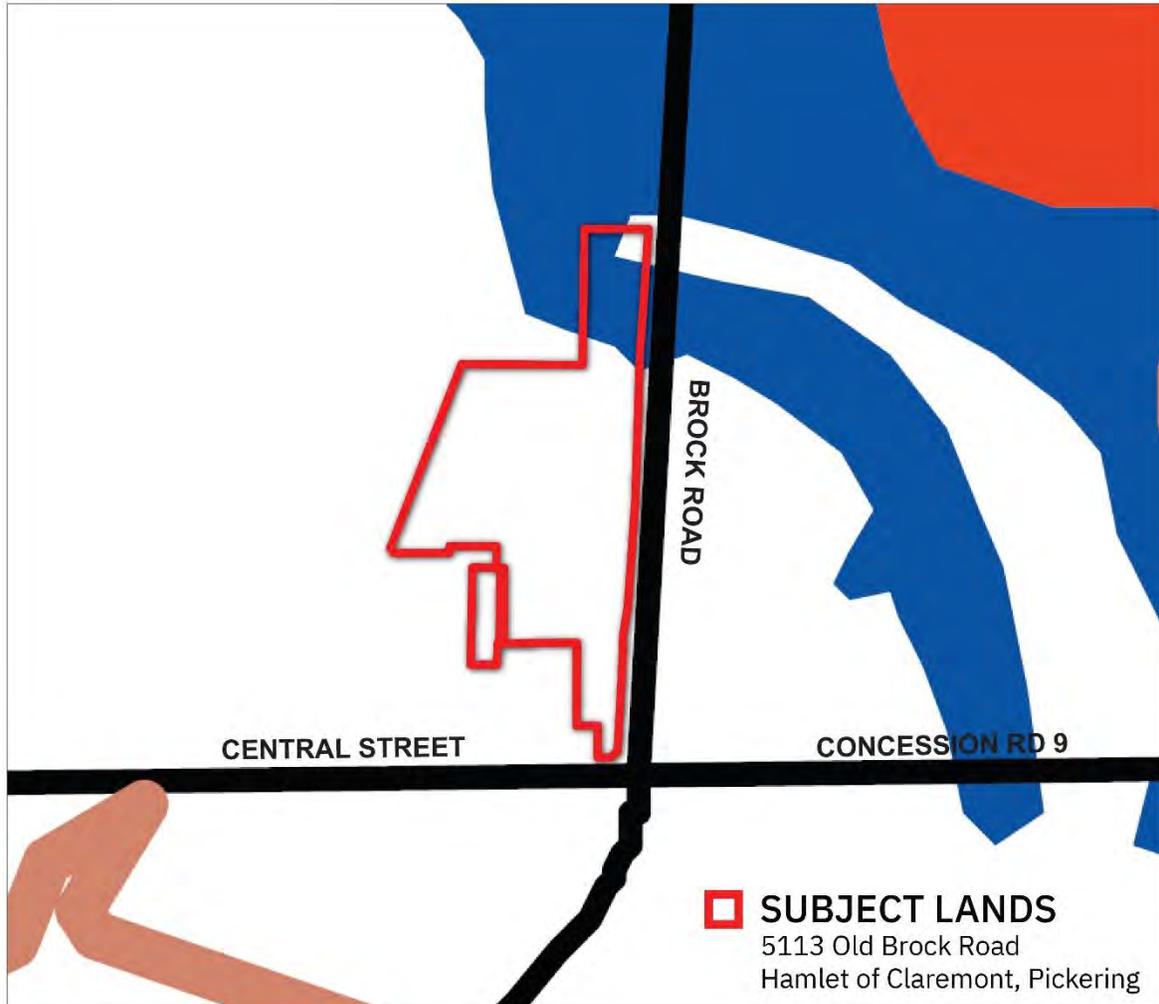
 SCHEDULE 'B' - MAP 'B3' OAK RIDGES MORaine LAND USE

LEGEND

-  NATURAL CORE AREA
-  NATURAL LINKAGE AREA
-  COUNTRYSIDE AREA
-  HAMLET
-  PRIME AGRICULTURE
-  OAK RIDGES MORaine CONSERVATION PLAN AREA BOUNDARY

Source: Durham Region Official Plan, Schedule B, Map B3 (May 2020)

Figure C.7: DROP 2020 Oak Ridges Moraine Landform Conservation Excerpt



OFFICIAL PLAN OF THE
REGIONAL MUNICIPALITY
OF DURHAM

**SCHEDULE 'B' - MAP 'B4'
OAK RIDGES MORaine
LANDFORM CONSERVATION**

LEGEND

 LANDFORM CONSERVATION AREA -
CATEGORY 1

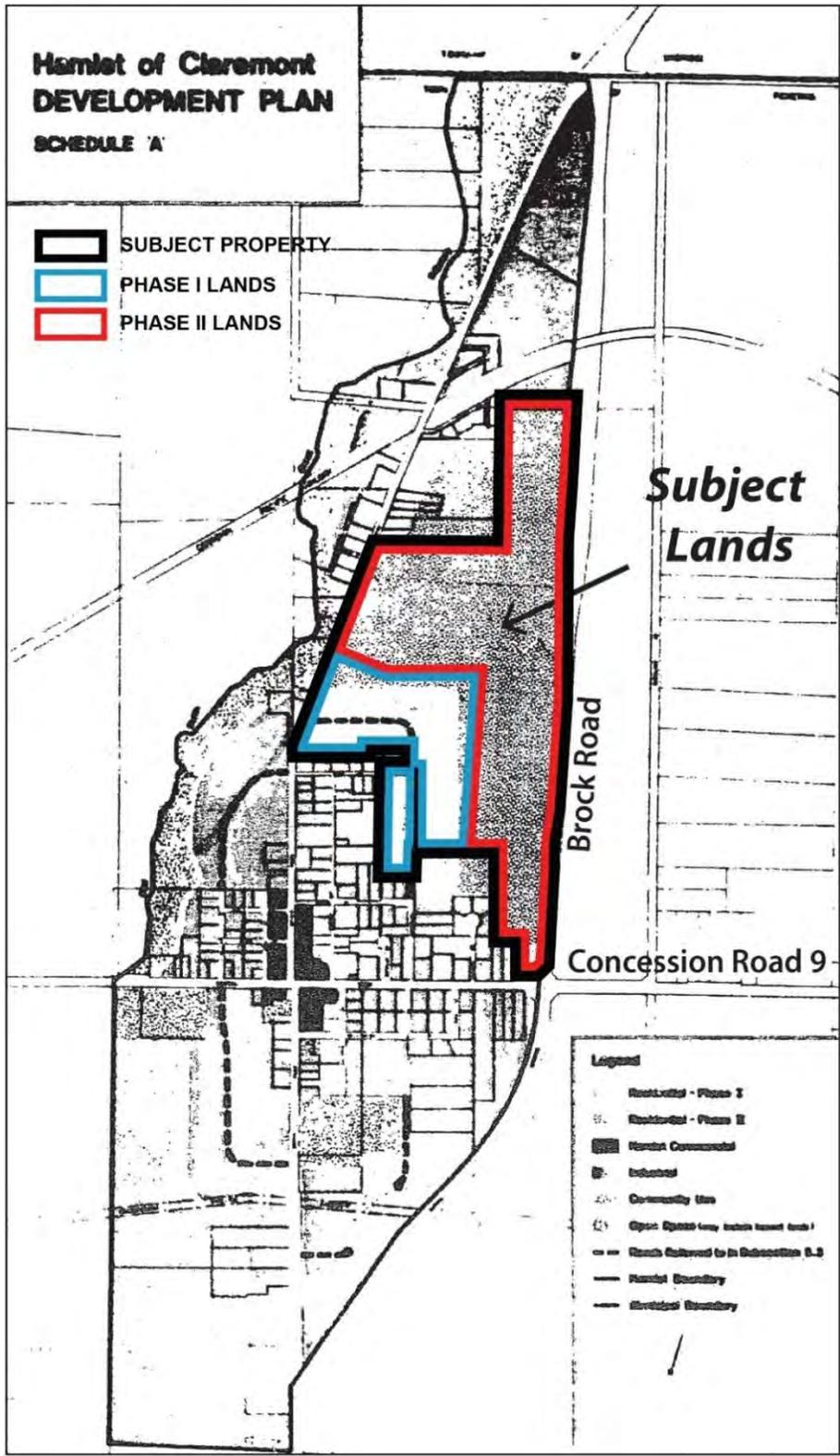
 LANDFORM CONSERVATION AREA -
CATEGORY 2

 OAK RIDGES MORaine CONSERVATION
PLAN AREA BOUNDARY



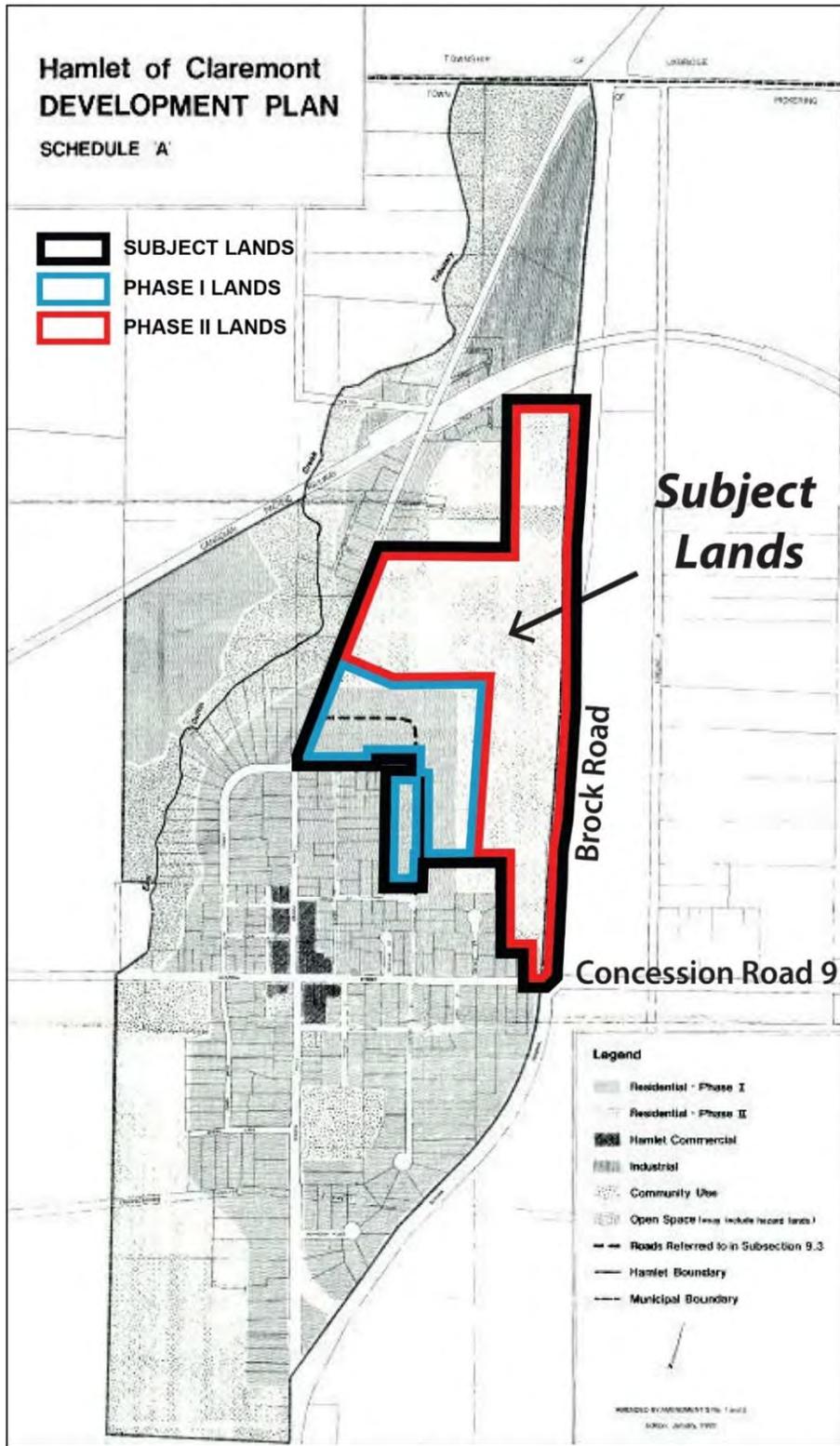
Source: Durham Region Official Plan, Schedule B, Map B4 (May 2020)

Figure C.8: Claremont Development Plan, 1985 Schedule Excerpt



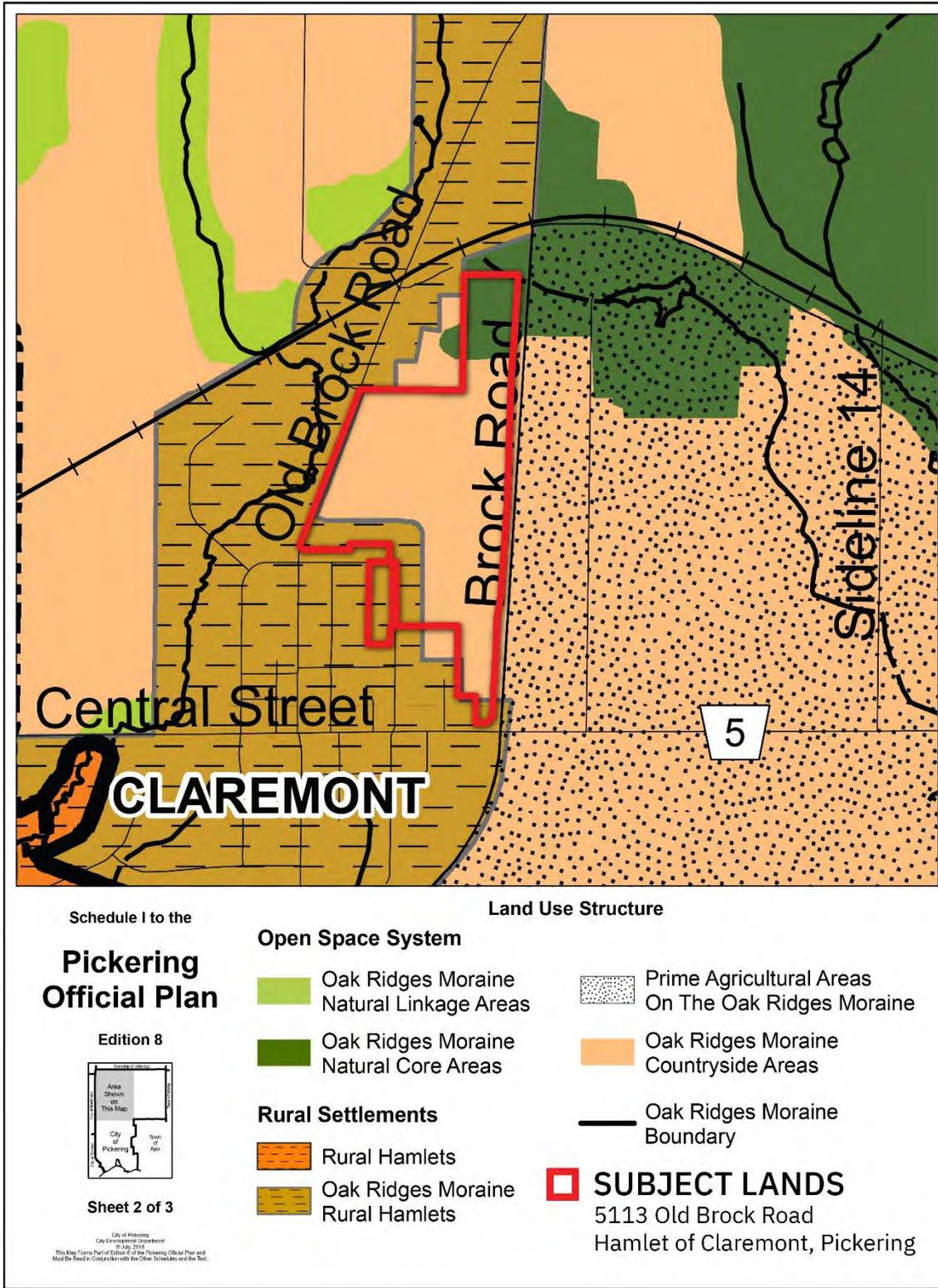
Source: Claremont Development Plan Edition 2, Schedule A (August 1985)

Figure C.9: Claremont Development Plan, 1993 Excerpt



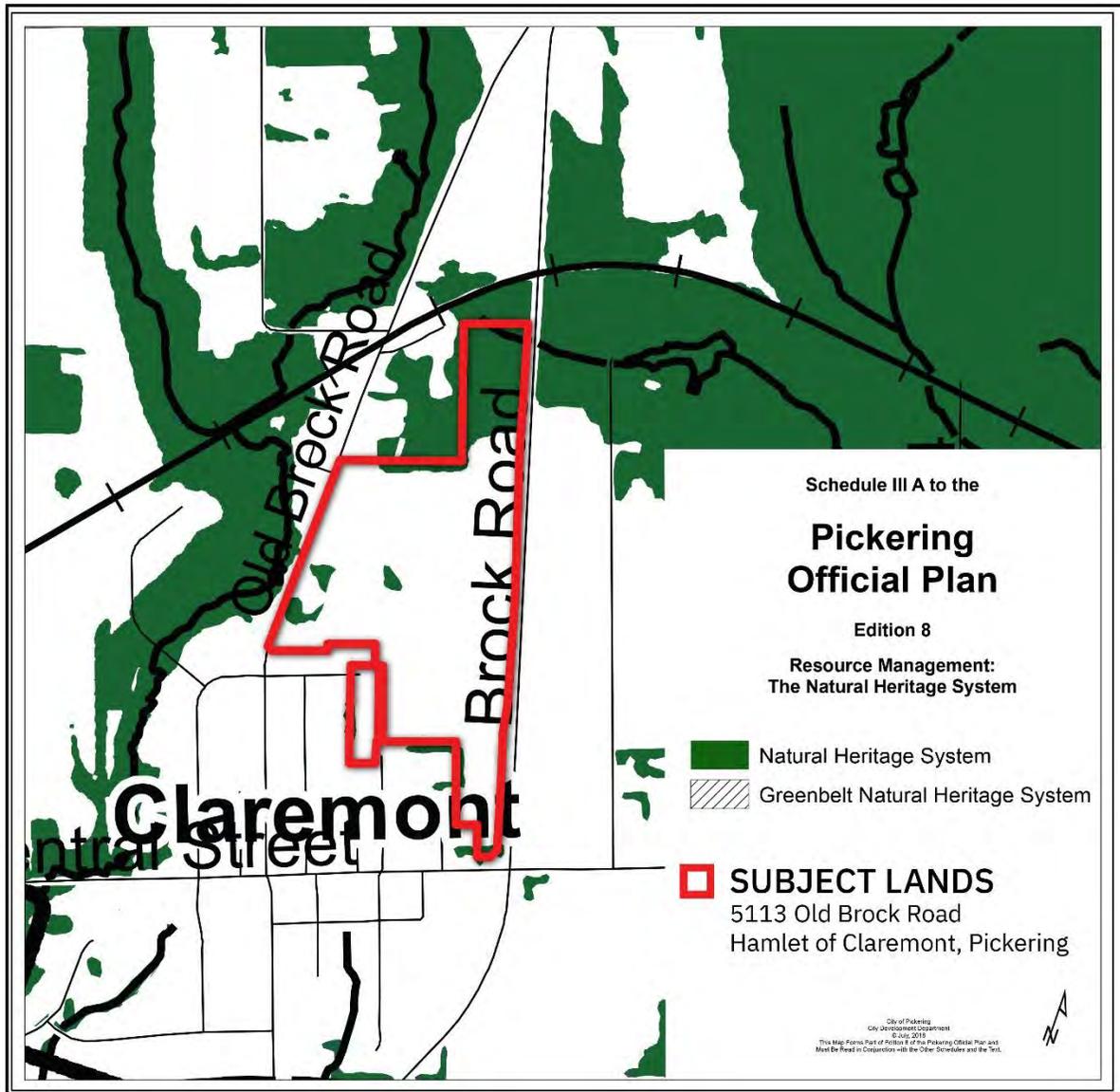
Source: Claremont Development Plan, Edition 4, Schedule 'A' (1993)

Figure C.10: Pickering Land Use Structure Excerpt



Source: City of Pickering Official Plan, Schedule I, Sheet 2 of 3 (October 2018)

Figure C.11: Pickering Key Natural Heritage Features Excerpt



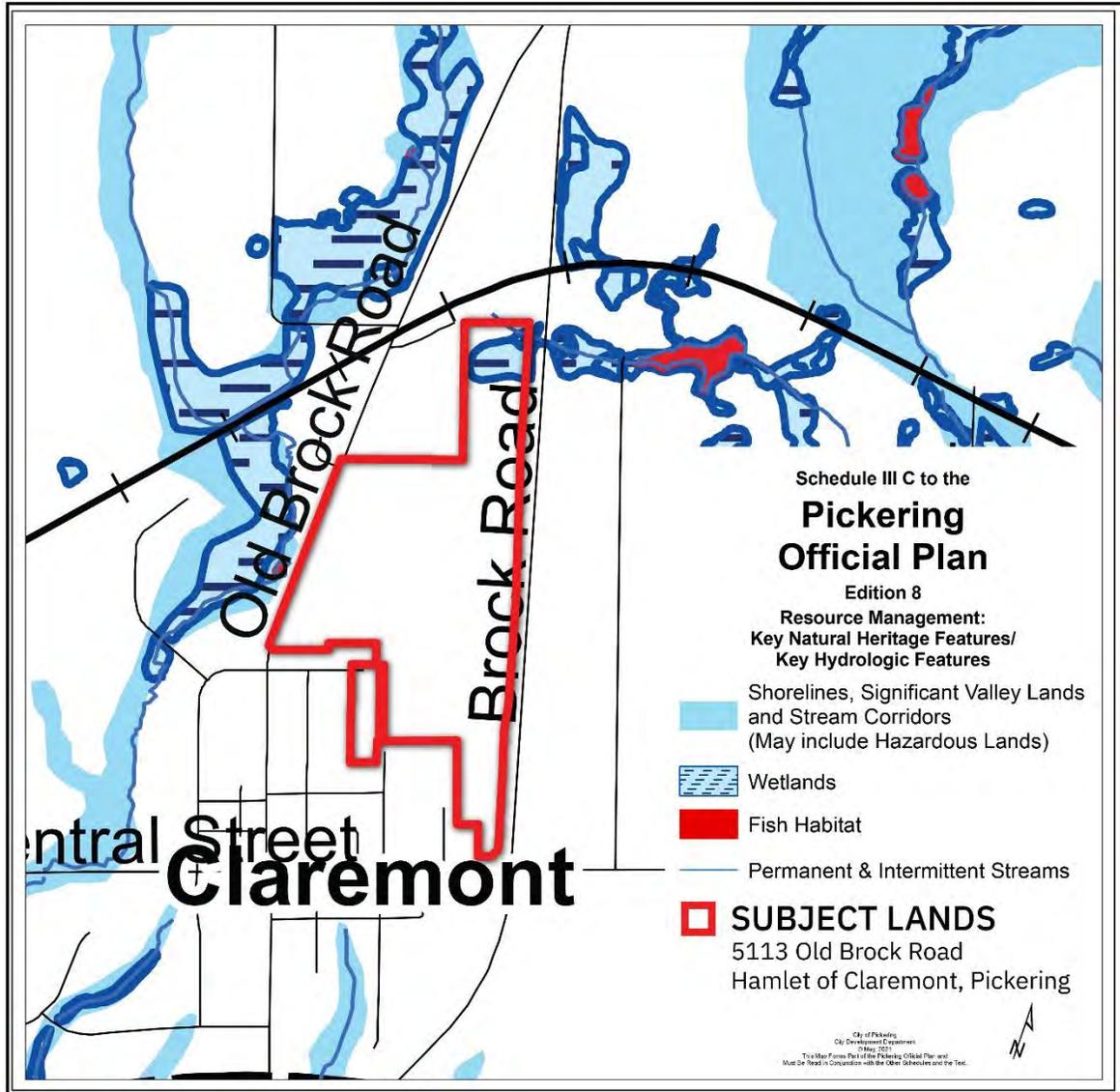
Source: City of Pickering Official Plan, Schedule III A, (October 2018)

Figure C.12: Pickering Key Natural Heritage Features Excerpt



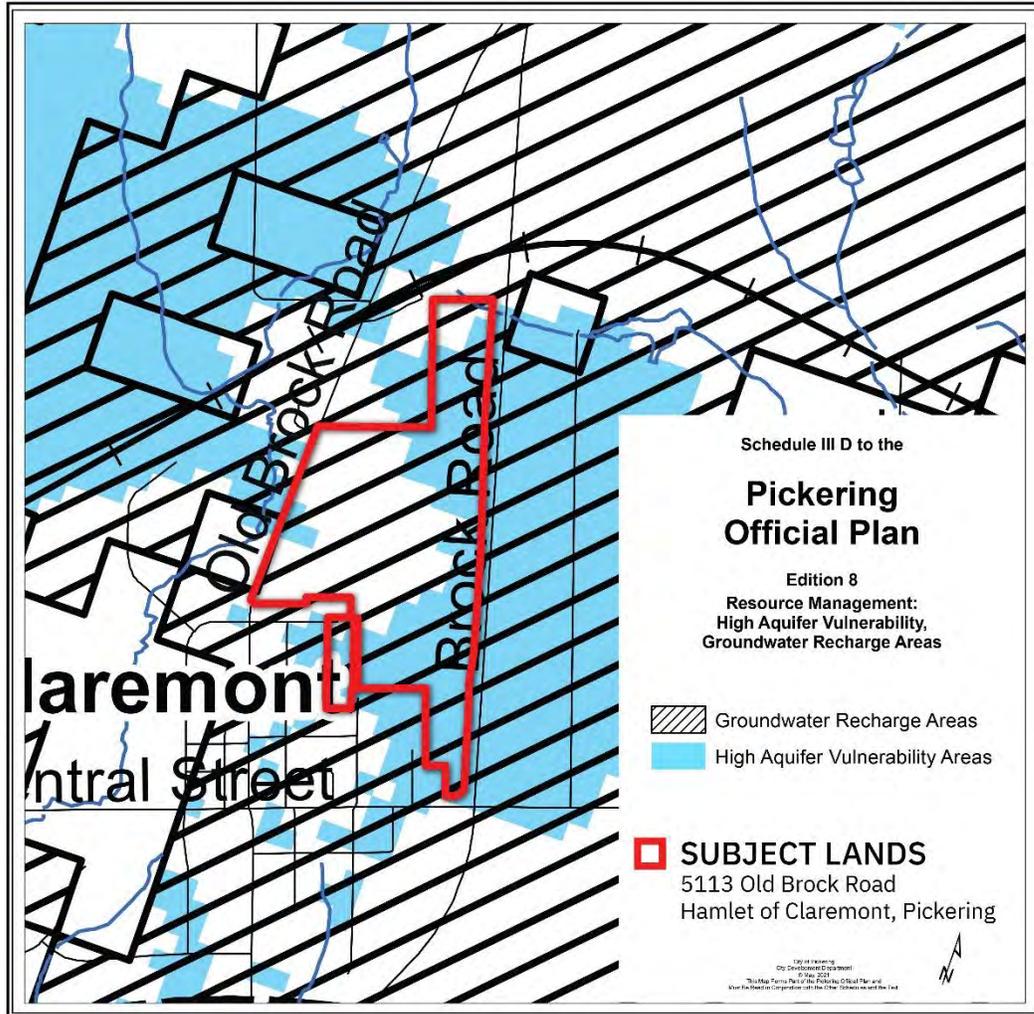
Source: City of Pickering Official Plan, Schedule III B, (October 2018)

Figure C.13: Pickering Key Natural Heritage Features/Key Hydrologic Features Excerpt



Source: City of Pickering Official Plan, Schedule III C, (October 2018)

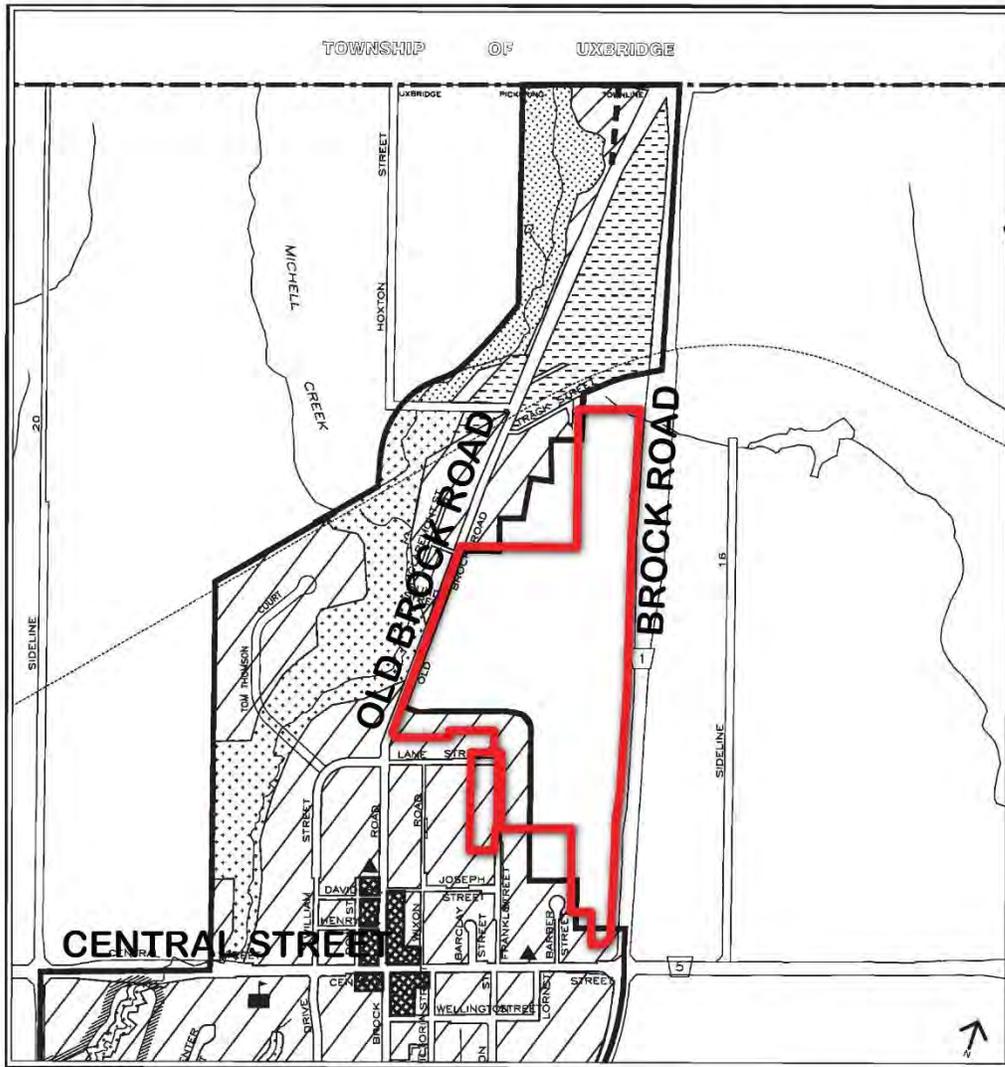
Figure C.14: Pickering High Aquifer Vulnerability Excerpt



Source: City of Pickering Official Plan, Schedule III D, (October 2018)

Figure C.15: Pickering Claremont Development Plan Excerpt

Schedule IV - 10: Settlement 10: Claremont - North Section



LEGEND

-  HAMLET RESIDENTIAL
-  HAMLET COMMERCIAL
-  HAMLET EMPLOYMENT
-  OPEN SPACE SYSTEM NATURAL AREAS

-  NEW ROAD CONNECTIONS (PROPOSED)
-  RURAL SETTLEMENT BOUNDARY
-  OAK RIDGES MORaine BOUNDARY

SYMBOLS

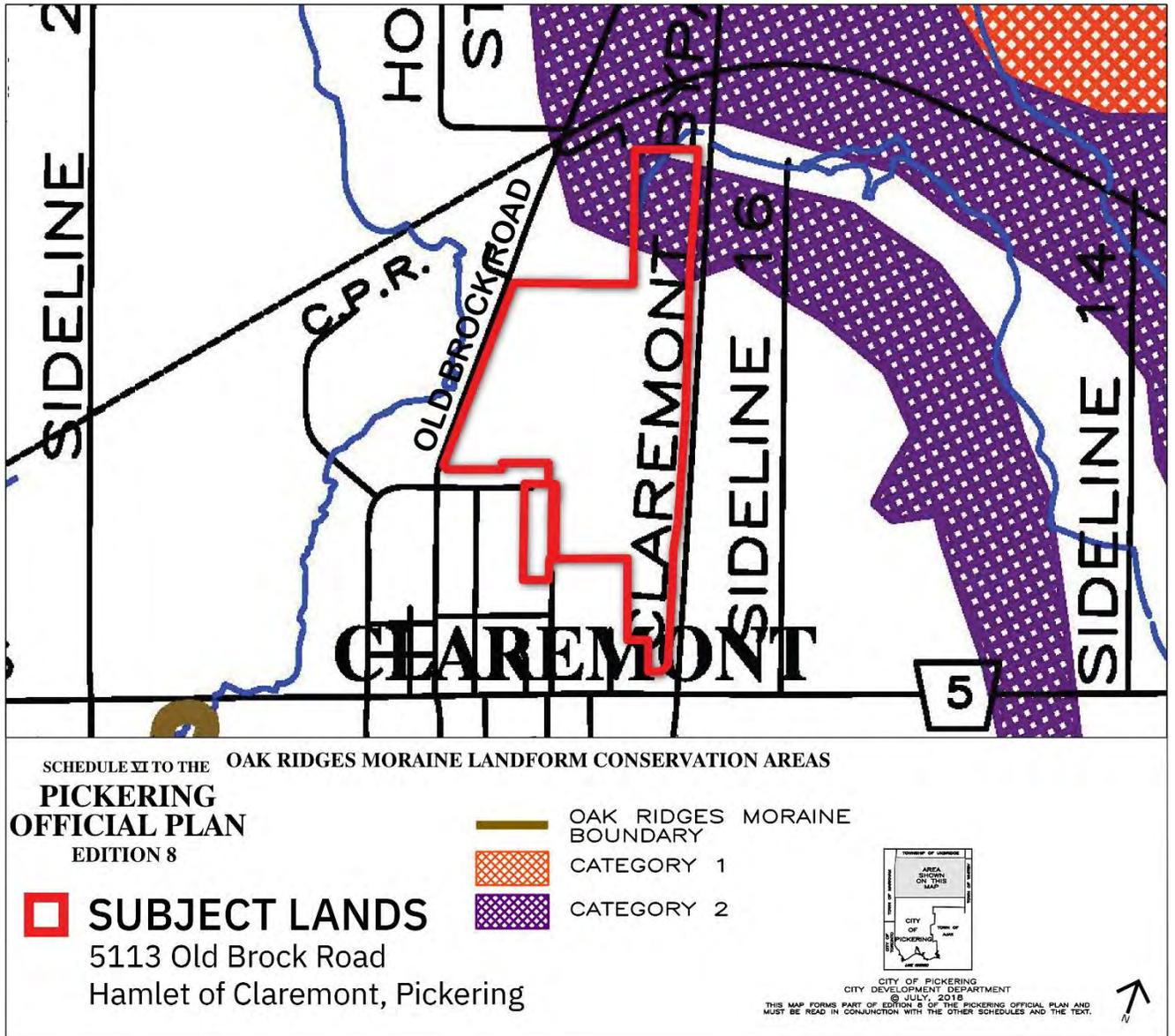
-  PLACE OF WORSHIP
-  PUBLIC SCHOOL

 **SUBJECT LANDS**
 5113 Old Brock Road
 Hamlet of Claremont, Pickering

CITY OF PICKERING
 CITY DEVELOPMENT DEPARTMENT
 JULY, 2018
 © THIS MAP FORMS PART OF EDITION 8 OF THE PICKERING OFFICIAL PLAN AND MUST BE READ IN CONJUNCTION WITH OTHER SCHEDULES AND THE TEXT.

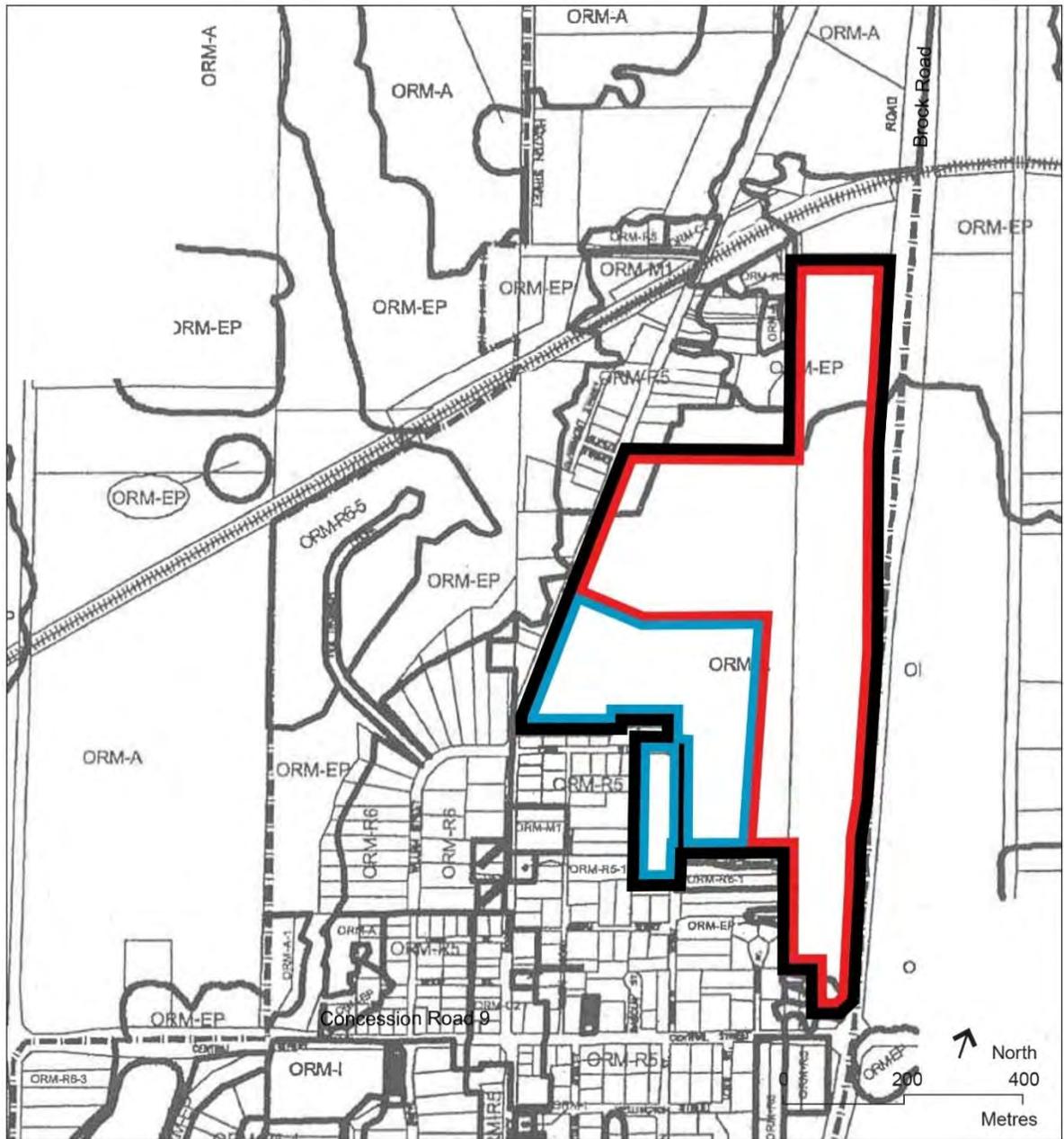
Source: City of Pickering Official Plan, Schedule IV-10 (October 2018)

Figure C.16: Pickering Oak Ridges Moraine Landform Conservation Areas Excerpt



Source: City of Pickering Official Plan, Schedule VI, (October 2018)

Figure C.17: Pickering Zoning By-law No.6640/06 (A16/05) Excerpt



PICKERING ORM ZONING BY-LAW 6640-06

-  SUBJECT PROPERTY
-  PHASE I LANDS
-  PHASE II LANDS

Source: City of Pickering Zoning By-law No. 6640/06 (A16/05), Schedule 8 and 9 (2006)

Page intentionally left blank

Appendix D
Draft Zoning By-law Amendment

Page intentionally left blank

DRAFT

The Corporation of the City of Pickering

By-law No. XXXX / 21

Being a By-law to amend Zoning By-law 6640 / 06, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, Part of Lots 17 & 18, Concession 9, Lots 47 & 48,

- i) Registered Plan No. 12 in the City of Pickering
- ii) (A9/90; A17/901; 18T-90016(R))

Whereas the Council of The Corporation of the City of Pickering deems it desirable to permit the development of single detached residential units on the Property being Part of Lots 17 & 18, Concession 9, Lots 47 & 48, Registered Plan No. 12, in the City of Pickering;

1. Schedule I

Schedule I attached hereto with notations and references shown thereon are hereby declared to be part of this By-law.

2. Area Restricted

The provisions of this By-law shall apply to those lands being Part of Lots 17 & 18, Concession 9, Lots 47 & 48, Registered Plan No. 12, designated "ORM-R6" on Schedule I attached hereto.

3. General Provisions

No building, land or part thereof shall hereafter be used, occupied, erected, moved, or structurally altered except in conformity with the provisions of this Bylaw.

4. Definitions

In this By-law, all definitions refer to definitions found in By-law 6640 / 06.

5. Provisions

(1)

- a) Permitted ("ORM-R6")
- b) Zone Requirements

Zoning Standard

I.	Minimum Lot Area	0.27 ha
II.	Minimum Lot Frontage	22.0 m
III.	Minimum Yard Requirements	
	a) Minimum Required Front Yard	9.0 m
	b) Minimum Required Interior Side Yard	1.8 m
	c) Minimum Required Exterior Side Yard	2.7 m
	d) Minimum Required Rear Yard	9.0 m
IV.	Maximum Lot Coverage	20 %
V.	Maximum Height	12.0 m
VI.	Minimum Dwelling Unit Gross Floor Area	100 m ²
VII.	Maximum Dwellings Per Lot	1 only
VIII.	Special Regulations:	
	a) No buildings or structures shall be erected within 10.0 metres of any Trans Canada Pipeline easement.	

6. By-law 6640 / 06

By-law 6640 / 06, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedule I attached hereto. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 6640/ 06, as amended.

7. Effective Date

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

By-law read a first, second and third time and finally passed this _____ day of _____, 2021.

David Ryan
Mayor

Susan Cassel
City Clerk

Page intentionally left blank

Appendix E

Sustainability Checklist

Page intentionally left blank

Table E.1: City of Pickering Sustainable Development Guidelines – Plan of Subdivision, Site Plan, Rezoning and Building Permit Guidelines

Guideline		Response	Points
1.0 Pre-Consultation And On-Going Consultation			
1.1	Completion of Extensive Pre-Consultation Sustainability Elements (O)	Pre-consultation with City Staff completed in June 2012 and ongoing discussions including discussion on applicability of sustainability measures. Agreed that many would largely be inapplicable given the rural nature of the development, but potential elements were discussed.	3
1.2	On-Going Education Program (O)	There are no on-going education /maintenance programs / incentives proposed.	0
2.0 Environmental Protection			
2.1	Watershed and Sub-watershed Planning (R)	The Plan implements the applicable objectives and targets in the Duffins Creek watershed plan.	<input checked="" type="checkbox"/>
2.2	Master Environmental Servicing Plan (MESP) (R)	The Plan implements the objectives and targets of the Functional Servicing Study (MESP not required).	<input checked="" type="checkbox"/>
2.3	Conservation Authority Regulations (R)	The Plan implements the objectives and requirements of all TRCA regulations, including the Generic Regulation.	<input checked="" type="checkbox"/>
2.4	Oak Ridges Moraine Plan (R)	The Plan reflects and implements the objectives and targets of the Oak Ridges Moraine Conservation Plan as implemented by the Region and City Official Plans.	<input checked="" type="checkbox"/>
2.5	Greenbelt Plan (R)	The Plan reflects and implements the objectives and targets of the Greenbelt Plan as implemented by the Region and City Official Plans	<input checked="" type="checkbox"/>

Guideline	Response	Points
2.6	<p>Conformance to Provincial Policy Statement (PPS) for Building Strong Communities (R)</p>	<p>The Plan reflects the requirements and intent of the PPS with respect to building strong communities, particularly those sections applying to Rural areas.</p> <p>The Plan of Subdivision is development within the existing Hamlet of Claremont, a settlement area defined in the PPS. The development pattern efficiently uses the lands at an appropriate level for residential lots on private services. The lands are within a settlement area boundary, for the purposes of the 2018 Revised Applications, where growth is directed and encouraged</p> <p>The development will also protect for and provide opportunity for future connection to the neighbouring/adjacent lands. The proposed development is an appropriate use given the surrounding land uses and provides enhanced connections through the use of existing public roads.</p> <p>Southern blocks will be conveyed to neighbouring property owners to rectify lot area deficiencies and in doing so bring septic systems into compliance with setback requirements.</p>
2.7	<p>Conformance to PPS for Wise Use and Management of Resources (R)</p>	<p>The Plan is consistent with Section 2 of the PPS, and conforms to the implementing policies in the Regional and City Official Plans related to natural and cultural heritage protection.</p>
2.8	<p>Conformance to PPS for Protecting Public Health and Safety (R)</p>	<p>The Plan is consistent with Section 3 of the PPS, and conforms to the implementing policies in the Regional and City Official Plans related to protecting public health and safety.</p> <p>The plan and its stormwater management strategy will resolve historic flooding problems in the community. Ninety-seven percent of storm runoff will be captured by the proposed storm water</p>

Guideline		Response	Points
		management facilities.	
2.9	Stormwater Quality (R)	The proposed stormwater management approach will capture and treat runoff to maintain run-off quality in accordance with the targets of the FSSR and redress historic flooding in the community.	☑
2.10	Maintain or Reduce Stormwater Runoff Rates (R)	The proposed stormwater management approach will meet or exceed run-off targets of the FSSR and redress historic flooding in the community.	☑
2.11	Water Balance and Source Water Protection (R)	The targets established in the FSSR are implemented by the Plan. A Hydrogeological and Water Budget Study has been prepared as part of the submission and included under separate cover.	☑
2.12	Ground Water Protection Plan (R)	The Plan meets or exceeds groundwater targets and complies with all Ministry Guidelines and the targets of the FSSR/ Hydrogeological Report.	☑
2.13	Integrated Environmental Protection (O)	The plan contains proven tertiary level sanitary sewage treatment and where possible, topsoil depth on grassed areas, shallow lot slopes and shallow roadside grassed swales will be used. The Plan will alleviate pre-existing flooding issues south of the Property.	3
2.14	Exceeding Regulatory Requirements (O)	The plan goes beyond requirements of Provincial or Conservation Authority and FSSR to protect features and functions of the NHS. The plan goes beyond the requirements of CA and FSSR in minimizing stormwater impacts, increasing permeability and reusing stormwater.	0 3
2.15	Biodiversity Protection and Enhancement (O)	N/A	N/A
2.16	Natural Heritage Protection (O)	The Plan protects and provides buffers for the Natural Heritage features but does not provide a	0

Guideline		Response	Points
		guaranteed funding source for the implementation of the management plan.	
2.17	Required Residential Site Design to Maximize Permeability (R)	The Plan maximizes permeability to increase infiltration as per the targets of the FSSR.	<input checked="" type="checkbox"/>
2.18	Optional Residential Site Design to Maximize Permeability (O)	N/A	N/A
2.19	Required Commercial / Employment / Institutional Site Design to Maximize Permeability (R)	The Claremont Development Plan designates no commercial/employment/institutional uses within the Plan area.	N/A
2.20	Required Commercial / Employment / Institutional Site Design to Maximize Permeability (R)	The Claremont Development Plan designates no commercial/employment/institutional uses within the Plan area.	N/A
2.21	Native Species and Planting (O)	The project intends to use 50% of native species for landscaped areas.	5
2.22	Landform Conservation (R)	The Plan of Subdivision will minimize the need for grading on the Property except where necessary to meet drainage requirements.	<input checked="" type="checkbox"/>
2.23	Net Environmental Gain (O)	The Plan establishes opportunities to achieve a net environmental gain to the watershed to compensate for unavoidable impacts by minimizing downstream impacts in the watershed.	3
2.24	Pesticide and Fertilizer Use (O)	Welcome package speaks to alternatives to cosmetic pesticides.	3
2.25	Minimize Construction Related Environmental Impacts (R)	As part of a future construction management plan, the applicant will be prepared to minimize impact to existing vegetation and trees as well as disturbance to the surrounding natural environment.	<input checked="" type="checkbox"/>

Guideline		Response	Points
2.26	Compensation for Unavoidable Impacts (O)	The plan implements the opportunity to restore native habitat outside the plan area in accordance with legislated regulations.	3
2.27	Erosion and Sedimentation Control (R)	The Plan will be supported by a sedimentation and erosion control plan to prevent soil loss during construction.	<input checked="" type="checkbox"/>
3.0 Location of Development / Selection of Lands			
3.1	Site Typology (O)	The plan pertains to lands that are adjacent to existing development with development on three sides.	5
4.0 Design of Development – Land Use and Distribution			
4.1	Diversity of Uses (R)	The Plan appropriately implements the Claremont Development Plan – the subdivision is a rounding out of the existing Claremont Community anticipated to accommodate residential dwellings. The development is however within 800 m of existing commercial, employment and institutional uses in the Hamlet.	<input checked="" type="checkbox"/>
4.2	Construction Phasing (R)	There is no neighbourhood plan and therefore this section is not applicable.	N/A
4.3	Residential and Non-Residential Phasing (O)	As per 4.2 this is not applicable	N/A
4.4	Proximity to Schools (R)	There is no neighbourhood plan; however, the Plan is within 600 m of Claremont Public School.	<input checked="" type="checkbox"/>
4.5	Provision of Mixed Uses and Commercial Structure Environments (R)	There is no neighbourhood plan; however, the Plan is within 300 m of the local commercial centre at Central Street/Concession 9 and Old Brock Road.	<input checked="" type="checkbox"/>
4.6	Enhanced Access to Amenities (O)	The Plan is within 800m from most of the uses listed in the table (school, commercial/retail, parks	0

Guideline		Response	Points
		and amenities).	
4.7	Enhanced Housing Diversity (R)	As per the requirements of the Durham Regional Official Plan and City of Pickering Official Plan, the Claremont Community is to be predominantly composed of single detached residential dwellings. The Plan of Subdivision proposes 70 new residential lots for single detached dwellings on private services.	N/A
4.8	Rental and For-Sale Housing Affordability (O)	Large-lot single detached units are proposed to maintain compatibility with the existing community and comply with MECP standards for private services – there is no opportunity for affordable housing associated with smaller unit types.	N/A
4.9	Retail Parcel Sizes (R)	No commercial elements are proposed or permitted.	N/A
4.10	Commercial Concentration (R)	As the Plan of Subdivision adds to market support and viability of existing commercial uses in the Claremont Community. No commercial elements are proposed or permitted.	N/A
4.11	Mixed Use Commercial Concentration (O)	No commercial elements are proposed.	0
4.12	Proximity to Public Spaces (R)	The Plan of Subdivision proposes a public park and provides linkages to existing public spaces.	<input checked="" type="checkbox"/>
4.13	Apply Regional Precedents in Urbanism and Architecture (O)	The Plan integrates design elements that reflects local historical patterns of neighbourhood development; The Plan incorporates existing dwellings/structures that may be historic in nature.	2 2

Guideline		Response	Points
5.0 Design of Development – Density and Compact Built Form			
5.1	Residential Density (R)	The Plan achieves net density and lot sizes similar to the surrounding community.	☑
5.2	Increased Residential Density (O)	As per earlier points, there is limited opportunity to achieve higher densities while maintaining compatibility with the existing community and developing on private services.	0
5.3	Commercial Density (R)	N/A No commercial elements are proposed or permitted.	N/A
5.4	Increased Density and Mixed-Use (O)	The Plan is not a mixed-use project.	0
5.5	Future Intensification (R)	The Plan is not located along a major mixed-use corridor or at focal nodal areas.	0
6.0 Design of Development – Connections			
6.1	Open and Connected Communities (R)	The Plan of Subdivision will not be enclosed or gated; the development will continue Franklin Street north and join Old Brock Road to the west. The Draft Plan provides four main access points; two from Old Brock Road one from Lane Street and one from the proposed extension of Franklin Street.	☑
6.2	Protect Linked Open Space System (R)	The Plan of Subdivision will feature street boulevards; the development will continue Franklin Street north to connect with Lane Street and join Old Brock Road to the west. The Draft Plan provides four main access points; two from Old Brock Road one from Lane Street and one from the proposed extension of Franklin Street. A centrally located park is proposed as well as two open space buffer blocks to serve as buffers for the woodlands/wetlands in the north and south of the Property.	☑
6.3	Provision of Interconnected Transportation Network (R)	The Plan of Subdivision will provide connecting streets for pedestrian, vehicular and cycling traffic; The Plan of Subdivision will not be enclosed or gated; the development will continue Franklin Street north and join Old Brock Road to the west. The Draft Plan provides four main access points;	☑

Guideline		Response	Points
		two from Old Brock Road one from Lane Street and one from the proposed extension of Franklin Street.	
6.4	Support for Alternative Transportation (O)	The nature of the Plan and the scale of development make alternative transportation options unviable.	0
6.5	Street Network (R)	As the Plan of Subdivision adds to the existing Claremont Community comprised of single detached residential development, connectivity will be made to the existing surrounding road network. The development will continue Franklin Street north to connect with Lane Street and join Old Brock Road to the west. The Draft Plan provides four main access points; two from Old Brock Road one from Lane Street and one from the proposed extension of Franklin Street.	<input checked="" type="checkbox"/>
6.6	Block Perimeter	As the Plan of Subdivision adds to the existing Claremont Community comprised of single detached residential development, connectivity to the existing road network will be made where possible.	<input checked="" type="checkbox"/>
6.7	Lanes (O)	Rear-lane access is not appropriate given the lot sizes and septic field requirements in rear lots.	0
6.8	Cycling Network (R)	Connectivity will be made to the existing road network where possible which can be used by cyclists – the City does not designate bicycle lanes in this location.	<input checked="" type="checkbox"/>
6.9	Transit Amenities (O)	The Claremont Community Bus operates only on Friday's and is a flag bus; there is ample room in the road right of way to flag the bus.	0
6.10	Transit Oriented Compactness (O)	The design of the plan locates two-thirds of the residential density within 250m walking distance of	2

Guideline		Response	Points
		transit. The design of the street pattern locates 66% of residents within 250 metres walking distance of existing transit stop.	3
6.11	Parking Management (O)	Parking Management approaches are not applicable in the proposed residential development.	0
6.12	Parking Location (R)	Parking in the side or rear of the lots may be considered in conjunction with tertiary level treatment systems.	<input type="checkbox"/>
6.13	Corridor Frontage (R)	The Plan does not have frontage on an intensification corridor.	N/A
7.0 Design of Development – Connections			
7.1	Amenities in Proximity (R)	The development is within 300 m of the local commercial centre at Centre Street/Concession 9 and Old Brock Road.	<input checked="" type="checkbox"/>
7.2	Pedestrian Network (R)	Density is less than 30 units/net hectare, therefore not applicable.	N/A
7.3	Pedestrian Safety and Comfort (R)	The Plan of Subdivision will include 20 m rights-of-way. Streetscape amenities will be detailed in forthcoming Architectural Control Guidelines.	<input checked="" type="checkbox"/>
7.4	Pedestrian Orientated Streetscapes (R)	No commercial elements are proposed.	N/A
8.0 Resource Efficiency			
8.1	Energy Performance for Building Residential Buildings (O)	Houses to be constructed to the Geranium Green standard, a program that addresses energy efficiency – which is equivalent to approximately	4

Guideline		Response	Points
		Energide 84.	
8.2	Energy Performance for Building Commercial Buildings (O)	There are no commercial buildings in the Plan area.	0
8.3	Energy Efficient Appliances (O)	In all cases Energy Star eligible appliances will be Energy Star Compliant when selected by purchaser.	3
8.4	Passive Solar Gain (R)	Passive solar gains have been considered as part of the design of the subdivision.	<input checked="" type="checkbox"/>
8.5	Private Outdoor Lighting (R)	Private outdoor lighting will minimize light intrusion and where possible use energy efficiently.	<input checked="" type="checkbox"/>
8.6	Required Water Efficiency in Buildings (R)	The plan will include water efficiency measures.	<input checked="" type="checkbox"/>
8.7	Optional Water Efficiency in Buildings (O)	The plan will achieve improved water savings as per calculation on spreadsheet.	4-8 TBD
8.8	Waste Management – Operations (R)	The Plan has no multi-unit or condominium residences and no waste management plan is required.	N/A
8.9	Waste Reduction – Construction (R)	<p>A future construction management plan will include best practice methods to manage construction waste materials through recycling and salvage.</p> <p>Include a Waste Audit and Waste Reduction Plan as defined in O.reg 102/94</p> <p>Divert from landfill a minimum of 50% of all waste generated on site</p>	<input checked="" type="checkbox"/>
8.10	Required Material Selection (R)	Design and construct according to requirements of Material Selection (Att A) for Parts 3 or 9 of the Ontario Building Code.	<input checked="" type="checkbox"/>
8.11	Optional Material Selection (O)	The Plan incorporates eight optional items from the Materials Selection found in Att A	3

Guideline		Response	Points
8.12	Green Upgrades Available to Home Buyers (O)	The developer/builder offers more than 5 of the listed green upgrade options as part of the Geranium Green program.	5
8.13	On-Site Power Generation (O)	The Plan will develop or incorporate on-site natural gas sources of power generation to meet 5% of the energy needs of all buildings.	0
8.14	On-Site Renewable Power Generation (O)	The Plan will develop or incorporate on-site renewable sources of power generation to meet 5% of energy needs of all buildings.	0
8.15	District Energy (O)	The site is too small to make a district energy system viable.	0
8.16	Green Building Certificate (O)	Documents or intention to achieve LEED or Green Globes certification.	0
8.17	Waste Water Management (O)	Grey/stormwater systems may capture or reuse at least 25% of grey/stormwater	2
8.18	Heat Island Reduction (O)	Plan provides shade within 5 years for at least 30% of non-roof impervious surfaces, or uses light coloured high-albedo materials for at least 30% of non-roof impervious surfaces.	3 TBD
8.19	Heat Island Reduction (Roofing) (O)	Plan provides for the use of Energy Star compliant and high emissivity roofing for a min. 75% of roof surfaces or green “vegetated” roof for at least 50%.	0
8.20	Durable Buildings (R)	Part 9 and/or Part 3 building requirements for Durable Buildings are generally addressed through Geranium Green.	<input checked="" type="checkbox"/>

Guideline		Response	Points
9.0 Monitoring and Process to Address Exceptions			
9.1	Monitoring Plan (O)	10 year Monitoring Plan for sustainable design elements and guaranteed funding mechanism.	0
9.2	Exceptions (O)	Listed above in as "N/A" or "O" points	N/A

Appendix F
Conformity Tables

Page intentionally left blank

Table F.1 Oak Ridges Moraine Conservation Act, Section 15(2), Prescribed Provisions

Policy	Applicable Study
Section 20. Supporting Connectivity	<ul style="list-style-type: none"> Natural Heritage Evaluation, July 2021 by Beacon Environmental Ltd.
Section 22. Key Natural Heritage Features	<ul style="list-style-type: none"> Natural Heritage Evaluation, July 2021 by Beacon Environmental Ltd.
Section 23. Natural Heritage Evaluation	<ul style="list-style-type: none"> Natural Heritage Evaluation, July 2021 by Beacon Environmental Ltd.
Section 26. Hydrologically Sensitive Features	<ul style="list-style-type: none"> Natural Heritage Evaluation, July 2021 by Beacon Environmental Ltd. and Preliminary Hydrogeological Investigation, July 2021 by Golder Associates Ltd.
Section 43(1)(b). Sewage & Water Services	<ul style="list-style-type: none"> Preliminary Hydrogeological Investigation, July 2021 by Golder Associates Ltd. and Private Servicing Feasibility Report, July 2021 by Golder Associates Ltd.
Subsection 45(7) & (8): Stormwater Water Management	<ul style="list-style-type: none"> Functional Servicing and Stormwater Management Report, July 2021 by SCS Consulting Group Ltd.
Section 47: Rapid Infiltration Basins & Columns	<ul style="list-style-type: none"> N/A

Table F.2 Durham Regional Official Plan, 1991

Policy	Response
<p>13.3.3 Regional Council and Councils of the area municipalities shall ensure that Hamlets shall be developed in phases in a compact form, in depth rather than strips, utilize a grid system of local roads and make every effort to preserve their historic characteristics by requiring new development to complement existing building types.</p>	<p>The Draft Plan of Subdivision represents good planning as it provides for a compact built form appropriate in a Hamlet context with an appropriate form of housing. Its approval will result in a logical and efficient street pattern given the configuration of the Property.</p>
<p>13.3.4 Development within Hamlets shall be individually serviced with private drilled wells and private sewage disposal systems which comply with the standards of the Region and Ministry of the Environment. Municipal water service may be extended without an amendment to this plan, in accordance with Sections 13.3.10 and 13.3.11. In addition, notwithstanding any other provisions of this Plan, where municipal water is to be extended, the capacity of such service shall be designed to service only the Hamlet are delineated in the area of the municipal official plan.</p>	<p>Each lot is proposed with individually serviced, private drilled wells and private on-site sewage disposal systems which comply with the standards of the Region and Ministry of the Environment.</p> <p>No municipal water extension is proposed.</p>
<p>13.3.5 The delineation of the limits of a Hamlet, and the details of the land uses to be permitted within a Hamlet, shall be incorporated in the area municipal official plan, following the conclusions and recommendations of a settlement capacity study to the satisfaction of the Region and the Ministry of the Environment, which shall include the following:</p>	
<p>a) an analysis of the hydrogeological regime in the area to determine the availability and quality of groundwater on a long- term basis;</p>	<p>A Private Servicing Feasibility Study prepared by Golder Associates Ltd states that based on a review of tests conducted on current deeper confined aquifer wells in the Claremont community, there is adequate water supply potential to meet the demands of the proposed development.</p>
<p>b) an assessment of the impact of future development on existing groundwater quantity and quality and on existing sources of drinking water, including municipal, communal and private wells;</p>	<p>The Private Servicing Feasibility Study and Hydrogeological Investigation prepared by Golder Associates Ltd. confirm that there will be no adverse effect on existing groundwater quantity and quality and on existing sources of drinking water. The proposed development will utilize private wells drilled to an average depth of 80.2m to target the aquifers found at 178m to 187 meters above sea level. In this way, potential for cross-contamination of surficial sources of contamination are avoided.</p>

Table F.2 Durham Regional Official Plan, 1991

Policy	Response
<p>c) an assessment of the long-term suitability of the soil conditions for the effective operation of private sewage disposal systems;</p>	<p>Golder’s Geotechnical Investigation has confirmed the proposed private sanitary systems are technically achievable and have been appropriately sized for the proposed development with appropriate setbacks and minimum separation distances are maintained.</p>
<p>d) an identification of any existing restrictions to future development;</p>	<p>All technical studies show that there are no restrictions on future development.</p>
<p>e) an assessment of surface drainage;</p>	<p>A FSSR prepared by SCS Consulting has confirmed that surface drainage has been designed to match existing and surrounding grades as well as provide conveyance of stormwater runoff.</p>
<p>f) an assessment of how new growth will be complementary to, and consistent with, the historic character of the area;</p>	<p>This Planning Opinion has confirmed that there will be no restrictions to any future development resulting from the proposed subdivision. Forthcoming Architectural Design Guidelines will outline design requirements to ensure that the integrity of the existing community is respected with the addition of the new homes.</p>
<p>g) an assessment of the impact of new growth on the natural environment; and</p>	<p>A Natural Heritage Evaluation / Environmental Impact Assessment prepared by Beacon Environmental Ltd. has assessed the impact of new growth on the natural environment.</p>
<p>h) a statement of conformity with the Agricultural Code of Practice</p>	<p>A Minimum Distance Separation (MDS) assessment is the appropriate contemporary study to address this requirement and has been completed by AgPlan Limited (July 2021). Although the lands are considered within a settlement area, in which case this is not applicable.</p>
<p>13.3.8 Major development in a Hamlet shall proceed by means of plan of subdivision. In addition to the requirements of the Planning Act, an application for approval of a draft plan of subdivision within a Hamlet shall be accompanied by:</p> <p>a) an updated settlement capacity study and a recent hydrogeological report based on test wells on the subject site, addressing existing conditions</p>	<p>The proposed development is proceeding by way of a plan of subdivision.</p> <p>a) An settlement capacity assessment has been completed through the technical reports</p>

Table F.2 Durham Regional Official Plan, 1991

Policy	Response
<p>and the potential impact of the proposed subdivision on the available water supply in terms of quantity, quality and sustainable yield for both the proposed and existing wells. The report shall also assess the potential impact of proposed private sewage disposal systems on the groundwater supply in terms of bacterial and chemical parameters as determined by the Region and the Ministry of the Environment;</p> <p>b) a lot servicing plan, indicating the proposed location of all structures, drilled wells and the subsurface sewage disposal system envelopes, including a 100 percent replacement area for each inground conventional Class 4 sewage disposal system;</p> <p>c) a report of the results of a soil sampling program that adequately represents the geology of the subdivision; and</p> <p>d) an existing and final grading plan, indicating elevations and lot drainage patterns</p>	<p>submitted. An updated hydrogeological report has been prepared by Golder Associates Ltd.</p> <p>b) A preliminary lot servicing plan has been provided in the Functional Servicing / Stormwater Management Report prepared by SCS Consulting Inc. A preliminary individually serviced on-site septic design has been prepared which includes the 100 percent replacement area for each inground conventional Class 4 sewage disposal system.</p> <p>c) A Geotechnical Investigation prepared by Golder Associates Inc. adequately represents the geology of the Property.</p> <p>d) An Existing and proposed lot grading plan has been provided in the Functional Servicing / Stormwater Management Report prepared by SCS Consulting Inc.</p>
<p>13.3.9 The conditions of draft approval attached to any plan of subdivision within a Hamlet shall contain provisions that:</p> <p>a) all studies submitted in accordance with Section 13.3.8 to justify the application be reconfirmed prior to registration and that such studies are not more than three {3} years old;</p> <p>b) a monitoring program, as defined by the Region shall be in place to determine the cumulative effect of the various stages of development on adjacent wells and the soil and groundwater conditions; and</p> <p>c) the plan of subdivision shall be developed in stages to allow monitoring in accordance with b);</p> <p>d) further stages of development shall not be permitted if the monitoring results show that soil or groundwater contaminants cannot be mitigated and/or in the case of an existing municipal water supply, the capacity has been reached.</p>	<p>N/A at this time.</p>
<p>16.3.11 Subject to site specific conditions and accepted traffic engineering principles such as signal progression,</p>	<p>Property dedications adjacent to Brock Road have been provided for to accommodate a right-of-way of</p>

Table F.2 Durham Regional Official Plan, 1991

Policy	Response
<p>operating speed, sight distances, safety and terrain considerations:</p> <ul style="list-style-type: none"> a) Type A arterial roads shall be designed to: <ul style="list-style-type: none"> i) accommodate the efficient movement of large volumes of traffic including large volumes of truck traffic; ii) generally, intersect only with freeways and other arterial roads; iii) provide the highest level of service and vehicle operating speeds relative to other arterial roads; iv) have a right-of-way ranging from 36 to 50 metres; v) accommodate high occupancy vehicle or bus lanes where required; vi) generally, maintain a desired operating speed of 70 kilometres per hour in urban areas and 80 kilometers per hour in rural areas; and vii) permit private accesses generally located a minimum of 200 metres apart in urban areas; 	<p>36m</p>
<p>16.3.15 In the consideration of development applications abutting arterial roads identified on Map 'B', Regional Council shall require that lands be dedicated for road widenings. The dedication of land shall take into account the following:</p> <ul style="list-style-type: none"> a) the extent of the right-of-way that may be required in accordance with Section 16.3.11; b) road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, grade separation, channelization or existing development, make the taking of equal widening impractical; c) the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices; sight triangles at intersections including intersections 	<p>Property dedications adjacent to the Brock Rd. have been provided for to accommodate a right-of-way of 36m</p>

Table F.2 Durham Regional Official Plan, 1991

Policy	Response
<p>of</p> <p>d) an arterial road and a railway line, railway grade separations and freeway interchanges. The extent of the widening shall be based on the specific characteristics of the intersection and shall be determined in accordance with accepted traffic engineering design criteria; and</p> <p>e) the need to provide bicycle lanes and/or bus lanes.</p>	

Table F.3: Claremont Development Plan, Ed. 4, 1993 (in lieu of Claremont Development Plan, Ed. 3, 1991)

Policy	Response
<p>4.1 Lands designated Residential-Phase I on Schedule “A” of this Plan may be used for single family residential purposes. No residential dwellings other than single detached dwellings shall be permitted. New residential lots may be created in this area by registered plan of subdivision or land severance providing:</p> <ul style="list-style-type: none"> a) direct access on a publicly maintained street is available; and b) a minimum lot area of 0.3 hectares is provided, except that, <ul style="list-style-type: none"> i) a larger minimum lot area may be required by the Town, in consultation with other relevant authorities, where the results of any study under subsections 4.3 or 4.4 of this Plan indicate that a larger minimum lot area is required, and ii) A smaller lot area may be permitted by the Town, in consultation with other relevant authorities, where the results of any study under subsections 4.3. or 4.4 of this Plan indicate that a smaller minimum lot area is acceptable, or where the lot results from a public acquisition or a realignment of lot lines resulting from a public acquisition. 	<p>Only single family residential dwellings are proposed.</p> <ul style="list-style-type: none"> a) Direct access on publicly maintained streets is available and is also proposed. b) A minimum lot area of 0.27 hectares is proposed. The proposed lot area is supported by the required technical studies, the finding of which deem the proposed smaller lot size as acceptable. Refer to policy responses for 4.3 and 4.4 below.
<p>4.2 Lands designated Residential-Phase II Schedule “A” may be used for single family residential purposes in accordance with the provisions of subsection 4.6 of this Plan. However, until such time as an amendment to the DROP is obtained as outlined in subsection 1.3 of this Plan, no new residential lots may be created in this area.</p>	<p>An amendment to the DROP is not required. The June 1991 DROP and 1993 Ministry approved version removed policies in the DROP 1987 relating to the designation of certain Hamlets as Growth Hamlets, thereby eliminating the requirement established by the DROP 1987 for a ROPA to permit development within certain Hamlets.</p>
<p>4.3 Pursuant to section 10.4.2.4 -of the DROP an application for development by registered plan of subdivision shall be accompanied by a detailed engineering-report based on test drilling which confirms:</p> <ul style="list-style-type: none"> a) an adequate supply of potable water and soil conditions satisfactory for the effective operation of a private waste disposal system; and b) an adequate separation between water 	<p>Detailed Engineering Reports have been prepared and confirm:</p> <ul style="list-style-type: none"> a) an adequate supply of potable water and soil conditions satisfactory for the effective operation of a private waste disposal system. See Functional Servicing Report (SCS Consulting Group), Geotechnical

Table F.3: Claremont Development Plan, Ed. 4, 1993 (in lieu of Claremont Development Plan, Ed. 3, 1991)

Policy	Response
<p>table and septic tank fields.</p>	<p>Investigation (Golder Associates Ltd.), Private Servicing Feasibility Study (Golder Associates Ltd.), and Hydrogeological Investigation (Golder Associates Ltd.)</p> <p>b) An adequate separation between the water table and septic bed has been provided. See Private Servicing Feasibility Study, prepared by Golder Associates Ltd., July 2021.</p>
<p>4.4 In addition the requirements of subsection 4.3 of this Plan, the Town may also require applications for development by registered plan of subdivision to be accompanied by information which confirms that:</p> <p>a) the quality and quantity of water available to existing wells in the community will not be adversely affected by the proposed development; and</p> <p>b) any increase or alteration in stormwater runoff as a result of the proposed development will be accommodated in such a way that existing buildings or structures are not adversely affected, and the various tributaries of the Duffin Creek are properly protected in accordance with stormwater management practices acceptable to the Town.</p>	<p>a) The Hydrogeological Investigation / Water Balance Report prepared by Golder Associates Ltd. confirms both the quantity and quality of ground and surface water will be maintained</p> <p>b) The FSSR prepared by SCS Consulting Group has confirmed that existing buildings and structures will not be adversely affected and the various tributaries of the Duffin Creek are protected through the use of two on-site stormwater management ponds. The proposed stormwater management strategy will reduce runoff from the Property by 97% and in doing so alleviate historic flooding problems.</p>
<p>4.6 On lands designated Residential Phase I or Residential Phase II on Schedule “A” single detached residential dwellings shall be permitted on lots in existence on the date of the adoption of this plan, notwithstanding that such lots may be less than 0.3 ha in area, so long as all other relevant provisions of this Plan are met</p>	<p>Lots are proposed with a minimum of 0.27 ha and all other relevant provisions of this plan are met.</p>
<p>4.7 The Town may encourage and, where possible, require developers of new residential dwellings in the Hamlet to complement the architectural style of existing dwellings in terms of height, siting, floor area and design.</p>	<p>The overall streetscape and public realm character of the proposed subdivision is proposed to be administered through Architectural Control Guidelines and Urban Design Guidelines that will guide development through design features such as street light design, street tree planting and park/public open space design. The design and appearance of proposed homes and materials will be detailed in forthcoming Architectural Control Guidelines. While these guidelines will seek to ensure a variety of building forms is experienced on local streets, they will also ensure that the appearance of new homes is contemporary yet sympathetic and sensitive to and consistent with the existing character of the community and to the eclectic styles of home in the</p>

Table F.3: Claremont Development Plan, Ed. 4, 1993 (in lieu of Claremont Development Plan, Ed. 3, 1991)

Policy	Response
	surrounding community.
<p>4.8 Home occupations may be permitted on lands designated Residential-Phase I or Residential-Phase II on Schedule "A", subject to the approval of the Medical Officer of Health where necessary providing they do not create an undue nuisance through noise, smell or traffic congestion and providing they are permitted in the zoning by-law, and where applicable the zoning order. as amended from time to time.</p>	<p>N/A – No home occupations are proposed at this time.</p>
<p>4.9 The location and design of new residential dwellings shall consider any existing or potential sources of noise that may be generated from Regional Road No. 1, the Canadian Pacific Railway right-of-way. and the proposed Pickering Airport. With regard to the proposed airport the developer of any new dwelling may be required to undertake to inform prospective purchasers or tenants of a possible noise problem if the dwelling is expected to be located within the 30-35 Noise Contours as determined by Transport Canada.</p>	<p>A Preliminary Environmental Noise Report prepared by Jade Acoustics Inc. has considered potential sources of noise from Regional Road 1/Brock Road and proposed noise attenuation measures such as a sound buffer and noise attention wall.</p>



Malone Given Parsons Ltd.
201- 140 Renfrew Drive
Markham Ontario
L3R 6B3 Canada

1-905-513-0170 mgp.ca