

Comment No.	Comment	Consultant	Response
<b>Town of Pickering – City Development Department</b>			
1.	<p>This letter is to summarize comments received to date with respect to the above-noted application for Zoning By-law Amendment. The purpose of the applications is to rezone a portion of the property from a commercial zone category to a residential zone category to facilitate the future severance of the property to create a total of two residential lots fronting onto Old Brock Road. Materials and studies submitted in support of the application have been circulated to internal departments and external agencies for their comments. Below are comments and concerns identified by the City of Pickering’s City Development Department.</p>	DGB	<p>The zoning by-law amendment application has been revised to only include one detached dwelling use permission within the existing property.</p> <p>The Consent to Sever application is no longer required and will be withdrawn.</p>
2.	<p><b>Conformity with the Oak Ridges Moraine Conservation Plan</b>                      Section 3.5(b) of the Planning Act states that “a decision of the council of a municipality, in respect of the exercise of any authority that affects a planning matter, shall conform with the provincial plans that are in effect on that date”, including the Oak Ridges Moraine Conservation Plan (ORMCP). The subject property is within the boundaries of the Oak Ridges Moraine and is designated “Countryside Area – Rural Settlement” within the ORMCP.</p> <p>The Planning Justification Report, prepared by D. G. Biddle &amp; Associates Limited, dated May 2021, submitted in support of this application, does not address the policies of the ORMCP or the proposal’s conformity to the policies of the Plan. With your second submission, please provide a revised Planning Justification Report that addresses these matters.</p>	DGB – Planning	<p>Included with this submission is an addendum to the Planning Justification Report.</p>
3.	<p><b>Conformity with the Claremont Settlement Policies</b> The Claremont Settlement Map (Schedule IV – 10 to the Pickering Official Plan) designates the subject lands as “Hamlet Commercial”. Permissible uses within the Hamlet Commercial designation include</p>	DGB – Planning	<p>Included with this submission is an addendum to the Planning Justification Report.</p>

	<p>retail, office, business, personal services and employment uses, residential uses, home occupations and community, cultural and recreational uses including community gardens and farmers' markets. City Development Department A 10/21 – 1023343 Ontario Inc. March 17, 2022 Page 2 of 4 The Claremont Settlement policies encourage opportunities to enhance the historic village through general or site-specific zoning that allows for the introduction of arts and craft studios, custom workshops and small-scale commercial enterprises on suitable sites, providing the historic character of the village and the interests of neighbouring residents are respected. In addition, the policies encourage retail, shopping, office and other business uses to locate in the hamlet commercial area surrounding Central Street and Brock Road.</p> <p>For residential infilling, the policies encourage providing a wider variety of housing forms within the Hamlet, particularly to meet the needs of young people and senior citizens.</p> <p>The proposal is to rezone the subject property from commercial to solely residential. The submitted Planning Justification Report does not provide a rationale for the conversion of the subject property from commercial to solely residential, nor does it address the proposal's conformity with the Claremont Settlement policies or the Hamlet Commercial designation. With your second submission, please provide a revised Planning Justification Report that addresses these matters.</p>		
<p>4.</p>	<p><b>Proposed Site-Specific Zoning Standards</b> The submitted site plan, prepared by D.G Biddle &amp; Associates Limited, dated March 2021, shows the lot area of the proposed north lot (Part 1) being 1,367.515 square metres, and the area of the proposed south lot (Part 2) being 1,389.866 square metres. However, the submitted Planning Justification Report identifies the north lot as having an area of 1,379.2 square metres and the south lot having an area of 1,390 square metres. The submitted draft zoning by-law proposes a site-specific exception to permit a minimum lot area of 1,370 square metres on the proposed north lot, whereas the by-law requires a minimum lot area of 1,390 square metres. With your second submission, please confirm the exact area of each proposed lot and</p>	<p>DGB – Civil Eng/Planning</p>	<p>The owner is not moving forward with 2 lots rather it will be one block with a total area of 2,756.75 square meters. Therefore, no reduction in lot area will be required. An updated Site Plan is included with this submission.</p>

	confirm which lots will require a reduction in lot area. The submitted site plan, Planning Justification Report and draft zoning by-law should be updated to reflect the correct lot areas		
5.	In addition, to recognize the siting of the existing dwelling, the draft zoning by-law proposes a minimum front yard depth of 1.0 metre on the proposed north lot, whereas the by-law requires a minimum front yard depth of 9.0 metres. However, this does not address the siting of the existing attached deck that is located beyond the front property line and encroaches onto the Old Brock Road right-of-way. With your second submission, please provide a revised draft zoning by-law that includes appropriate zoning restrictions to recognize the deck	DGB – Planning	The updated draft amending zoning by-law has been written so as to not address the existing condition regarding the front yard setback for two reasons; A) the front yard setback is an existing condition that will be considered “legal non-conforming”, and B) it may not be prudent to allow for a reduced front yard setback should any new owner want to redevelop the property with a detached dwelling or commercial building.
6.	<b>Encroachment Agreement</b> Based on the City’s records, there does not appear to be an existing encroachment agreement for the deck that encroaches onto the Old Brock Road right-of-way. Please confirm if this is correct. In accordance with comments received from Engineering Services, if an encroachment agreement does not currently exist, the applicant will be required to obtain an encroachment agreement as a condition of approval of a future land division application	DGB – Planning	No encroachment agreement in place. A land division application will not be moving forward as the owner will not be severing the land.  An encroachment agreement can be secured by the City through any future site plan control or building permit application as necessary.
<b>Internal Circulation Comments December 13, 2021</b>			
1.	<b>Application Details</b> The applicant is proposing to rezone the lands to facilitate a future severance of the subject property to create a total of two residential lots for detached dwellings fronting onto Old Brock Road.	DGB - Planning	The owner will not be severing the land for two residential lots rather to retain one block for one residential lot
2.	<b>Site Context</b> The subject site is located within the Claremont Hamlet, on the east side of Old Brock Road south of Central Street. The site is approximately 0.14 hectares. The site is currently occupied by a single detached dwelling and the remainder of the site is vacant. Surrounding the subject site to the north and south along Old Brock Road are commercial and residential uses		For information only
<b>Summary of Policy Comments:</b>			
4.	<b>Place to Grow (2020)</b> A Place to Grow supports the creation of complete communities as well as a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households (1.2.1). Further,	DGB - Planning	Acknowledged

	A Place to Grow encourages municipalities to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses (2.2.9.1).		
5.	Oak Ridges Moraine Conservation Plan The Oak Ridges Moraine Conservation Plan indicates that the purpose of Settlement Areas, including hamlets, is to focus and contain urban growth through encouraging the development of communities that provide their residents with convenient access to an appropriate mix of employment, transportation options and local services and a full range of housing and public service facilities. Settlement Areas also have the objectives of promoting strong communities, a strong economy and a healthy environment.	DGB - Planning	Included with this submission is an addendum to the Planning Justification Report.
6.	Durham Region Official Plan (2020) The Durham Regional Official Plan (DROP) recognizes existing Rural Settlements and supports their function of providing for the limited residential, social and commercial needs of the Rural System. Development in Hamlets shall be in harmony with surrounding uses and may consist of predominately single-detached housing and community facilities (9B.2.3) that conform to the outlined principles to guide the preservation, cultural attributes and historic heritage of the community (9B.2.4). Development within Hamlets shall also be individually serviced with private drilled wells and private sewage disposal systems where groundwater quantity and quality permits, and in compliance with the standards of the Region and the provincial Ministry (9B.2.6). Infill development within Hamlets is encouraged within the established delineation of the detailed Hamlet boundary determined by the area municipal official plan (9B.2.7), provided adequate servicing can be provided and that there will not be any adverse impacts to the supply of water or soil and groundwater conditions of adjacent properties (9B.2.10).	DGB - Planning	Acknowledged
7.	Pickering Official Plan (8th Edition) 4.1 Land Severance The Pickering Official Plan (POP) states that the City Council, in commenting to the Regional Land Division Committee regarding the consideration of land severances pursuant to the Planning Act may permit residential infilling and lot creation within the boundaries of rural settlement and rural clusters (16.26(g)). For lands within the	DGB – Planning	Acknowledged

	<p>Oak Ridges Moraine, residential infilling and lot creation is permitted within the hamlet boundaries of Claremont subject to the provisions of Sections 13.12 (d), including restricting applications for lot creation to limited infilling and requiring development or site alteration to be subject to the Oak Ridges Moraine policies as set out in Chapter 16 in addition to the policies of the Oak Ridges Moraine Conservation Plan. <b><i>The Oak Ridges Moraine General Commercial (ORM-C2) Zone does not permit residential uses as a stand alone use. Accordingly, In order to facilitate the land severance, a Zoning By-law Amendment is required.</i></b></p>		
<p>8.</p>	<p>Permitted Use The subject site is designated “Rural Settlements - Rural Hamlet” on Schedule I: Land Use Structure to the POP. In terms of Development and Growth Characteristics the POP in Table 10 describes Rural Hamlets as settlements with historic roots as social and service centres for the surrounding area, permitting a variety of uses including residential, employment, commercial, community, cultural and recreational uses. Rural Hamlets are the primary focus for limited growth and development in the rural area (both residential and other complementary and support facilities) within the existing hamlet boundary (Table 10). <b><i>Subject to the provisions of the Regional Official Plan, the Pickering Official Plan permits residential uses within the “Rural Settlements – Rural Hamlet” Designation.</i></b></p>	<p>DGB – Planning</p>	<p>Acknowledged</p>
<p>9.</p>	<p>Claremont Rural Settlement The subject site is located within the Claremont Rural Settlement (Schedule IV, Settlement 10). Policies in the POP pertaining to Rural Settlements (Chapter 13) outline provisions for development to occur along existing roads, to preserve the cultural attributes and historic heritage of the community through compatible scale and building design, and encourages new development to enhance the range of housing choice in the settlement and to be innovative in relation to compact form, water usage and sewage disposal (13.2). Policy 13.12 for Claremont encourages: • opportunities for enhancing the historic village of Claremont through general or site specific zoning that allows the introduction of arts and craft studios, custom workshops and small-scale commercial enterprises on suitable sites, providing the historic</p>	<p>DGB – Planning</p>	<p>Included with this submission is an addendum to the Planning Justification Report.</p>

	character of the village and the interests of neighbouring residents are respected; • retail, shopping, office and other business uses to locate in the hamlet commercial area surrounding Central Street and Brock Road; and, • the provision of a wider variety of housing forms within the Hamlet, particularly to meet the needs of young people and senior citizens. The subject property is identified as Hamlet Commercial on Schedule IV, 10. Permitted uses within Hamlet Commercial include: retail, office, business, personal service and employment uses; residential uses, home occupations; and community, cultural and recreational uses including community gardens and farmers' markets. <b>The Planning Rationale report does not adequately address the proposal's conformity with the Rural Settlement policies.</b>		
10.	Source Protection The subject property is within an area identified as Highly Vulnerable Aquifers- and Significant Groundwater Recharge Areas as shown in Schedule III D – Resource Management: Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas in the POP. <b>Accordingly, the application is required to indicate designated areas on the subject property for snow storage (POP 10.8(a)(iii)), and submit a salt management plan (POP 10.13(g) if required by the Region of Durham Risk Management Official)</b>	DGB – Planning	Acknowledged
<b>Additional Policy Comments</b>			
1.	The Pre-consultation Minutes from June 10th, 2016 indicated “should the applicant apply for all residential lots, the Planning Justification report must provide a rationale for the conversion to residential and shall also address lot create policies of the Oak Ridges Moraine Conservation Plan”. The Planning Justification Report does not provide a fulsome rationale for the conversion to solely residential uses.	DGB – Planning	Included with this submission is an addendum to the Planning Justification Report.
2.	The subject property is one of few remaining properties in Claremont with a significant proportion being vacant		Information
3.	Claremont’s population in 2020 was approximately 1,108. The applicant’s attention should be drawn to an application for a plan of subdivision that is currently before the Ontario Land Tribunal, having the potential to accommodate between sixty five to seventy new lots. In the event of the OLT approving the plan of subdivision the	DGB – Planning	Information

	population of Claremont could potentially be increasing by approximately 20%, in addition to opportunities for limited infill		
4.	Policy Staff feel it is important to maintain the intent of the Hamlet Commercial, as well as a sufficient land base, as Claremont is relied upon as a focal point for the surrounding rural area for its community facilities and commercial amenities. With the possible approval of more growth and additional infill opportunities, there will be a greater demand and need for commercial and service uses and a mix of housing options which are intended to be accommodated for within the Hamlet Commercial areas.	DGB – Planning	The updated draft amending zoning by-law proposes to allow for a residential detached dwelling use as an additional use permission so that the ORM-C2 use permissions are available to any future owner of the property.
5.	The City’s Economic Development Division has indicated that there is a demand for smaller commercial/retail units in Pickering.	DGB – Planning	The updated draft amending zoning by-law proposes to allow for a residential detached dwelling use as an additional use permission so that the ORM-C2 use permissions are available to any future owner of the property.
6.	Rezoning these lands for solely residential uses could represent a potentially significant reduction in the commercial land base in Claremont. It is important to note, that of the remaining proportion of the lands that are identified as Hamlet Commercial, many of the properties appear to be currently used solely for residential purposes and not commercial uses	DGB – Planning	The updated draft amending zoning by-law proposes to allow for a residential detached dwelling use as an additional use permission so that the ORM-C2 use permissions are available to any future owner of the property.
7.	Staff recommend the applicant reconsider the proposal to address commercial needs or a zoning that would accommodate mixed use development and housing options other than single-detached dwellings.	DGB – Planning	The updated draft amending zoning by-law proposes to allow for a residential detached dwelling use as an additional use permission so that the ORM-C2 use permissions are available to any future owner of the property.
Staff encourage all proponents to consider incorporating green/sustainability features into development proposals to align with the City’s community sustainability goals and objectives. Staff are pleased to see consideration of sustainability measures for future development as outlined in the “Environmental Sustainability Plan”, dated August 2021, prepared by D.G. Biddle and Associates. **Kristy Kilbourne			For Information only
<b>Town of Pickering – Planning &amp; Development Committee</b> <b>The following is a summary of comments/questions received at the Planning and Development Committee Meeting held on January 10, 2022</b>			
1.	Has the subject property contained a commercial use in the past?	DGB – Planning	The Phase I ESA indicates that there may have been commercial uses on the site in the late 1800s.

2.	Will the existing building on the subject property be modified?	DGB – Planning	It is not the intent of the current owner to make any additions to the property at this time, though this is a possibility at any time in the future or for any future owners.
3.	Concerns related to the existing septic system on the subject property and the need to ensure the septic is in proper working order.	DGB – Civil Eng.	The existing operating septic system will be permitted to continue to operate as there is no change proposed to the use of the property as a detached dwelling unit.
4.	Concerns related to traffic as a result of an additional driveway access being proposed onto Old Brock Road	Traffic	No additional driveway will be constructed.
<b>Town of Pickering – Engineering Services Department</b>			
1.	As per the Development Services User Fee Schedule, please provide payment in the amount of \$7,500.00 for the review of the Functional Servicing and Stormwater Management Report (FSSR).	Client	Fee's delivered to City
2.	It appears that the deck of the existing dwelling unit encroaches onto the City's road allowance. An Encroachment Agreement will be required in order for the deck to remain. This will be addressed with the future Land Division application.	DGB – Planning	An encroachment agreement can be secured by the City through a future site plan control or building permit application.
<b>Environmental Sustainability Report:</b>			
1.	Section 2.3 of the report says the minimum top soil depth is 300mm which is not correct. The minimum top soil depth for all new fill areas is to be 450mm.	DGB – Civil Eng.	Not applicable with rezoning application.
2.	Provide a detailed Erosion & Sediment Control Plan with the next submission.	DGB – Civil Eng	Not applicable with rezoning application.
<b>Functional Servicing and Storm Water Management Report</b>			
1.	No Comments	n/a	
<b>Water Resources Comments</b>			
1.	The quantity control criteria, i.e., controlling post-development flows to the Duffins Creek Hydrology Update (DCHU) target flow rates, has not been addressed. The proponent must refer to the DCHU		Not applicable with rezoning application.

	Addendum (2013) and apply the target criteria as per Table 8.1 for Subcatchment 49. Please revise the design accordingly		
2.	Please quantify the total amount of TSS removal achieved by the proposed LID measures to confirm that an Enhanced level of protection can be achieved on-site	DGB – Civil Eng	Not applicable with rezoning application.
3.	The bioretention swale storage volume calculations, provided in Schedule 1, has been overestimated by accounting for the upper bioretention layers, above the gravel storage. Please revise the volume based on the depth of the gravel storage layer	DGB – Civil Eng.	Not applicable with rezoning application.
<b>Capital Projects General Comments</b>			
1.	Provide a 5m daylighting at corner on Part 2	Architect/Civil	Not applicable with rezoning application. The City may secure a daylight triangle with any future site plan control application.
2.	The new driveway grades should match the existing sidewalk. Clearly indicate if the existing sidewalk to be removed and replaced to match with the proposed driveway.	DGB – Civil Eng.	Not applicable with rezoning application.
<b>Traffic Comments</b>			
1.	No Comments	n/a	
<b>Landscape &amp; Parks Development</b>			
1.	Provide a tree inventory and protection plan as there are a number of mature trees on the south side of the subject site. Site grading shall be such that these existing trees are not impacted by the proposed development (grading alterations to remain outside of the tree's driplines). It appears that there are some trees across the east side of the property that may be impacted by the construction of a bio-swale. Modify the bio-swale design to suit or compensate for the loss of these trees through on-site replacement plantings as per the City's policy: <a href="https://www.pickering.ca/en/city-hall/resources/tree-inventory-preservationremoval-compensation-requirements.pdf">https://www.pickering.ca/en/city-hall/resources/tree-inventory-preservationremoval-compensation-requirements.pdf</a> If compensation planting is proposed, provide a landscape plan indicating the location, species and size of the replacement trees	Landscape Architect	Not applicable with rezoning application.
2.	Include the City of Pickering standard tree protection notes and detail (attached) on the tree inventory and protection plan	Landscape Architect	Not applicable with rezoning application.

<b>The following comments are to be addressed with the land division application.</b>			
<b>Development Services</b>			
1.	All elevations shown are to be referenced to a City of Pickering bench mark. Provide the details of the bench mark used. There are a number of bench marks around the site; 8-002, 8-003, 8-018, and 9-002.(Copies attached)	DGB – Civil Eng.	Not applicable with rezoning application.
2.	A 0.3m reserve will be required to be shown along the flankage of the severed lot on the reference plan submitted with the Land Division application	DGB – Civil Eng/OLS	Not applicable with rezoning application.
<b>Preliminary Grading/ Servicing Plan</b>			
1.	Remove temporary bench mark details from the plans	DGB – Civil Eng	Not applicable with rezoning application.
2.	Revise Site Grading Note #2. It is the City of Pickering: Not the Town of Pickering	DGB – Civil Eng.	Not applicable with rezoning application.
3.	Revise note #7 and #8. The minimum depth of topsoil for disturbed areas is 450mm while 300mm in the road allowances.	DGB – Civil Eng.	Not applicable with rezoning application.
4.	If possible, move the proposed bio retention swale further west so the toe of the 3:1 swale within the subject property	DGB – Civil Eng.	Not applicable with rezoning application.
5.	Note #1 for Typical Infiltration Gallery detail says that all dimensions are in millimetres: But, there are some dimensions shown in metres. Revise as required.	DGB – Civil Eng.	Not applicable with rezoning application.
6.	Show the location of the screen/filter for downspouts as mentioned on note #3 of the Typical Infiltration Gallery Detail.	DGB – Civil Eng.	Not applicable with rezoning application.
7.	The Foundation Drain Discharge detail seems incorrect. There is an original ground shown above the basement. Correct and resubmit.	DGB – Civil Eng.	Not applicable with rezoning application.
8.	Provide all building related elevations such as main floor elevation, basement floor elevation, top of footing elevation etc. with the land division application.	Architect	Not applicable with rezoning application.
9.	Provide a minimum surface slope of 2% away from the building foundations.	DGB – Civil Eng.	Not applicable with rezoning application.

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10.	Maintain existing grades along the property lines and a minimum of 0.6m wide strip around the site perimeter. No swales are allowed within this 0.6m wide strip.(except the newly formed property line due to severance).	DGB – Civil Eng.	Not applicable with rezoning application.
11.	Show proposed curb cut/infills.	DGB – Civil Eng.	Not applicable with rezoning application.
12.	If a common swale is proposed along the new property line, please refer to the City of Pickering lot grading design guidelines.	DGB – Civil Eng.	Not applicable with rezoning application.
13.	Provide a minimum of 2% longitudinal slope for the proposed swales.	DGB – Civil Eng.	Not applicable with rezoning application.
14.	If any proposed retaining wall meets or exceeds 1.0 metre in height must be designed by and the installation certified by a professional engineer. Also, a minimum 1.2m high chain link fence or approved equivalent shall be erected on top of the wall.	DGB – Civil Eng.	Not applicable with rezoning application.
15.	Show all existing sewer mains on Old Brock Road and Wellington Street	DGB – Civil Eng.	Not applicable with rezoning application.
<b>Conclusion: With your second submission, please provide a cover letter indicating how each comment/concern outlined above has been addressed. The following materials are required to accompany your next submission:</b>			
1.	Matrix providing a written response to all comments received from the City Development Department, external agencies, internal departments and Planning & Development Committee (digital);	DGB – Planning	Complete
2.	Revised Planning Justification Report (digital)	DGB – Planning	Revised
3.	Revised Site Plan (digital)	DGB – Civil Eng.	Revised
4.	Revised Draft Zoning By-law (digital)	DGB – Planning	Revised
5.	Revised Environmental Sustainability Report (digital)	DGB – Planning	Not applicable with rezoning application.
6.	Erosion & Sediment Control Plan (digital)	DGB – Civil Eng.	Not applicable with rezoning application.
7.	Revised Functional Servicing & Stormwater Management Report (digital)	DGB – Civil Eng	No comments received on the Functional Servicing report & Stormwater Management Report
8.	Tree Inventory and Protection Plan	LA	Not applicable with rezoning application.

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9.	Letter of Verification stating that the documents submitted are in an accessible format.	All	Enclosed
<b>Notes:</b>			
	Enbridge, Elexicon & Fire has no objections to the site		Comments noted.