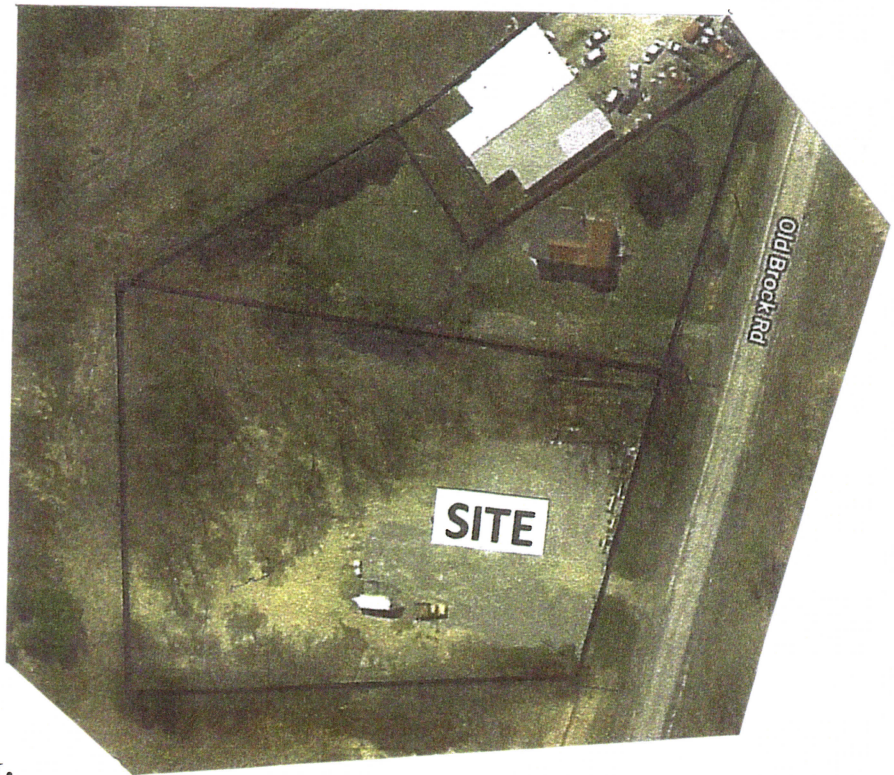


PLANNING REPORT

Description:	<i>Planning Justification & Sustainability Report prepared by Grant Morris Associates Ltd.</i>
Proposal:	<i>To apply to the City of Pickering for an Amendment to By-law 3037 and to obtain site plan approval to permit the Commercial Development of a Landscape and Pool Installation Business at 5329 Old Brock Road in the Hamlet of Claremont, in the City of Pickering and to respond to Violation Notices issued by TRCA and the City.</i>
Owner:	<i>1972229 Ontario Ltd., with Art Simpatico as President hereinafter Referred to as the Owners.</i>
Neighbourhood:	<i>Hamlet of Claremont</i>

FIGURE 1: SUBJECT PROPERTY & VICINITY



1.0 INTRODUCTION:

The services of Grant Morris of Grant Morris Associates Ltd. have been engaged by the owner to provide a professional Planning Report for the development of a Landscape and Pool Installation Business on the subject property. The owner

proposes to develop the site with an office trailer, a storage barn, storage bins and limited outdoor storage. To achieve this development a site plan, supported by an Amendment to Zoning By-law 3037, to include the subject use in the Oakridges Moraine Agricultural ORM-A Zone.

2.0 PURPOSE OF REPORT:

This Planning Report is intended to provide Justification and Sustainability for the proposed development in keeping with the Planning Act, the Provincial Policy Statement (PPS), the City of Pickering Official Plan, the Region of Durham Official Plan including the Oakridges Moraine Policy, City of Pickering Zoning By-law, the Provincial Policy Statement for the Greater Golden Horseshoe (GPGGH).

In addition, this report will provide the basis for the preparation of the required Planning applications through the Planning Process.

3.0 SITE DESCRIPTION CONTEXT:

The subject lands are located at 5329 Old Brock Road on the east side of Old Brock Road in the Hamlet of Claremont, legally described as Lots 16, 17, 18 and 20 and Part of Lots 15, 19, 21 and 23 and Part of Alfred Street and Tracy Street, Registered Plan 94, in the Geographic Township of Pickering, now in the City of Pickering, Regional Municipality of Durham. *Survey of the Property included as Tab 1.*

The subject property has an area of 1.5 acres (.61hectares) with a frontage of 56 metres along Old Brock Road and forms part of an old Registered Plan, located in the rural part of the Hamlet of Claremont. It is bounded on the north and east by Agricultural land, in the south by lands zoned Residential and on the west by Old Brock Road.

Until a few years ago, an old house was located in the north-west corner of the property. To the west are scattered trees mostly locusts, some existing trees along the north and south boundaries with a number of boulevard trees on the east side of Old Brock Road. The owner proposes to relocate his Landscape and Pool Installation business from the Toronto Area to the subject site.

In the Regional Official Plan, the property lies within the Hamlet of Claremont with the scattered area of trees identified as a Key Natural Heritage Feature. The proposed commercial development is permitted in the Hamlet designation. The proposed

development is also permitted within the Hamlet Employment Designation of the City of Pickering Official Plan.

4.0 BACKGROUND:

1972229 Ontario Ltd. purchased the property on February 27, 2017, for the purpose of relocating its Landscape and Pool Installation Business in the Pickering area. As part of its due diligence, before purchasing the property, representatives of the company were advised by Pickering Staff that although the proposed Landscape and Pool Installation business was permitted in the City's Official Plan, a rezoning was necessary to permit the use.

At the time of purchase, the site contained the remnants of an old demolished house, stacks of wood, illegal dumping of household and construction garbage, some of which was located in the wetland area of the site. In addition, the ice storm of 2013 resulted in the damage to a number of trees mostly on the tableland of the property.

The owner, being unaware of the TRCA regulations governing the property, placed illegal fill on part of the table land, removed three trailer loads of garbage from the property and erected a pressure treated wood fence along the front boundary with a gate to prevent the continued illegal dumping which was taking place. Once this work was undertaken, the owner began the temporary storage of a trailer, landscaping material and several storage bins on the table land of the property.

The easterly part of the property contains a number of trees, including many scattered non-nature locust trees and a small wetland area with a treed area via a drainage ditch along the southern boundary of the site. This ditch was cleared by the owner, thereby allowing standing water from the wetland area to drain via the existing road side ditch in front of the property and into a culvert under Old Brock Road, leading to a provincially significant wetland area on the west side of Old Brock Road. *These are shown on the site plan and photographs, attached as Tab 2.*

5.0 VIOLATION NOTICES:

As a result of the *illegal fill, approximately 2" to 4"*, and the activity which was taking place on part of the table land of the property, violation notices were issued by TRCA and the City of Pickering. TRCA was concerned about the possible negative impacts of the *illegal fill* on the wetland area of the site. TRCA Staff, in concert with Dave Cunningham, the owner's EIS Consultant, agreed on the terms of reference for the preparation of an EIS. This was followed up with a site meeting between the

owner's consultants and surveyor, together with representatives of TRCA and the City.

At that meeting, the staked wetland boundary was agreed upon in principle. This was surveyed and a copy sent to Vanessa Aubrey of TRCA. She indicated that the wetland boundary as surveyed would be checked against mapping in her office and the applicant would be advised of her findings. Unfortunately, Ms. Aubrey left the employment of TRCA without advising the applicant of her findings. *Copies of these violation notices are included as Tab 3.*

6.0 CHANGE OF TRCA STAFF PERSONNEL:

The carriage of the file was taken over by Stephanie Worrton, who indicated that to resolve TRCA's concerns, the applicant would be required *to plant a 10.0-metre buffer of trees from the scattered tree line of the property.* It should be noted that at no time during the site meeting or during negotiations of the terms of references for the preparation of the EIS, was there any discussion about TRCA's concern about protecting the scattered locust trees on the property, which do not constitute a woodlot, as a prerequisite for its approval.

7.0 OFFER TO SETTLE THE TRCA VIOLATION NOTICE:

Since this new requirement of TRCA would negatively impact the owner's ability to meaningfully develop the property for its intended use, the applicant objected to this on the basis that, given the substantial distance between the tableland and the wetland boundaries that no negative impacts upon the ecological integrity of the wetland function would result. *This offer to settle is included as Tab 4.*

As a compromise, the applicant proposed to plant a 10-metre buffer of trees from the staked wetland boundary. This matter was the subject of a Zoom debate with Senior TRCA Staff resulting in TRCA agreeing, in principle, subject to the owner submitting a plan showing the extent of the table land, the proposed 10-metre buffer from the wetland boundary with acceptable rationale supported by an EIS. TRCA also agreed to review the owner's proposal via the TRCA permit process at the time of the site plan application. *Confirmation of this zoom meeting is included as Tab 5.*

At the Zoom meeting, the applicant's consultants expressed concern about the activity taking place within less than 10 metres from the wetland boundary, approved for the adjoining owner to the south at 5321 Old Brock Road. This resulted in contaminated water being pumped into the ditch located on the owner's property.

8.0 PLANNING RATIONALE AND SUSTAINABILITY REPORT:

1972229 Ontario Ltd. purchased the property to locate its Landscape and Pool Installation business in the Hamlet of Claremont, Pickering, in anticipation of the projected population increase in the Durham Region from the current 88,721 to 190,000 by the year 2031 *according to Wikipedia*.

Shortly after purchasing the property and in response to the illegal dumping which was taking place on the site, the owner of the property undertook the following:

- a) Remove three (3) trailer loads of garbage, construction material garbage, some of which were located in the wetland area of the site. Notwithstanding this initial removal, the illegal dumping continued given that the property is located in a reasonably remote area of the Hamlet of Claremont.
- b) After clearing the site, the owner illegally placed about 2” to 4” of clean quarry run gravel on the table land section of the property in readiness for the intended use. This action was contrary to both TRCA Regulation 166/06 which required a permit from TRCA and contravention of the applicable City zoning by-law relative to the fill & grading of the property, the storage of units and material and the erection of a wood privacy fence along the front property line with a metal gate in an attempt to curb the illegal dumping which was continuing on the site.
- c) In addition to the ice storm of 2013 which destroyed a number of trees mainly on the table land resulting in the owner removing same.

This illegal activity on the site prompted both the TRCA and the City to issue violation orders. TRCA was concerned that the illegal placing of the fill on the table land could negatively impact the ecological function of the wetland. The owner was required to either remove the illegal fill or prepare an EIS to demonstrate through mitigation measures, to the satisfaction of TRCA through their permit process how the wetland would be protected.

The City, on the other hand, required an Amendment to the Zoning By-law to bring the property in line with the Official Plan, together with a suitable site plan application.

8.1 Action taken by the Owner

To satisfy the TRCA and the City, the owner took responsible action to address TRCA and the City's concerns. This included studies such as, Archaeological, Geotechnical, Hydrogeological, Arborist, EIS, Site Screening Questionnaire, Grading Plan and Landscape Plan, in addition to a Topographical Survey, Site Plan and Rezoning Application.

8.2 Regional Official Plan:

This plan recognizes the subject lands in the City of Pickering as being within the Hamlet of Claremont where an existing treed area is identified as a Key Natural Heritage Feature. However, given that the trees mainly Locusts (invasive species) are mainly in a scattered formation, this vegetation would not be considered as a wood lot. Having said this, the existence of the wetland area in the easterly part of the property would qualify as a significant wetland for which an EIS would be required to ensure that the integrity of the wetland function is not compromised by development. Policies 9B.1.3. & 9B.2.3. require hamlets to be developed in harmony with the surrounding uses. The subject proposal of a Landscape and Pool Installation business is a commercial use which supports employment opportunities serving the needs of the immediate hamlet residents and surrounding areas. ***Given this, the proposed commercial development conforms with the Regional Official Plan.***

8.3 City of Pickering Official Plan:

The subject property is designation as Oakridges Moraine Rural Hamlet and Schedule IV – Settlement 10 Claremont and Hamlet Employment. The plan also identifies significant woodlands on part of the property. Additionally, the Official Plan requires a number of studies be undertaken as a pre-requisite for development. These include: A Natural Heritage Evaluation, a Hydrogeological and Water Balance Study and a Planning Rationale Report and Sustainability Report to support the proposed Landscape and Pool Installation business, ***which is recognized as a permitted use in the Official Plan.*** Notwithstanding this, since the property is zoned Oakridges Moraine Agricultural ORM-A, an amendment to the City's By-law would be required.

8.4 The Provincial Policy Statement 2020:

The PPS 2020 recognizes that Urban Development in the form of commercial development should be encouraged in a Hamlet Area. Hence, the proposed development is in keeping with the Policy Statement.

8.5 Growth Plan for the Greater Golden Horseshoe Area 2017:

The Hamlet of Claremont is located with the City of Pickering which is recognized as a Growth Area in the Region of Durham. Hence, the proposal encourages employment growth opportunities in the Hamlet and therefore complies with the Growth Plan.

8.6 Site Screening Questionnaire:

As a requirement of the Region, a Site Screening Questionnaire was prepared by a Qualified Person from Cambium Inc. This was signed by both the Qualified Person and the owner's consultant. Since all the answers in the Questionnaire Form were negative, no Phase I Environmental Assessment is necessary. *A copy of the executed Site Screening Questionnaire is included as Tab 6.*

8.7 Hydrogeological Assessment dated September 17, 2019, Prepared by Cambium Inc.

This study concluded that impacts to the surrounding water resources are not anticipated from the proposed redevelopment.

The Water Balance Assessment indicated that the post-development infiltration rate will be reduced by 91.5 m³/year and runoff rate increased by 420.6 m³/year when compared to the pre-development water balance. By employing Low Impact Development Infiltration measures, the post development infiltration rate will increase by 74.4 m³/year, while the runoff rate will increase by 254.7m³/year.

To mitigate ground water infiltration losses associated with the proposed development, runoff generated from the proposed structures and expanded gravel area can be directed to Low Impact Development Infiltration Facilities. Given this, the study suggests that consideration should be made for inclusion of an enhanced grassed swale along the edge of the southern and eastern

margins of the gravelled area to capture runoffs. A Grading Plan and enhanced grassed swales have been included in a plan prepared by Valdor Engineering, which adequately addresses the water balance concerns. *The Grading Plan and Hydrogeological Report are included as Tab 7.*

8.8 Geotechnical Report dted July 9, 2019 Prepared by Cambium Inc.

Based on the results of the borehole investigation, subsurface conditions at the site generally consist of silty sand, overlying deposits of sandy silt fill materials. Bedrock was not encountered during the investigation.

Groundwater:

Short term ground water table was found at depths of 1.0 m to 3.4 m below the existing grade. It was also noted that the ground water levels at the site may fluctuate seasonally in response to climate events.

D-watering:

Given the depth of the excavation for the proposed buildings, it is not expected that a permit to take water from the site will be necessary.

A copy of the Geotechnical Report is included as Tab 8.

8.9 Archaeological Report, dated May 21, 2019, Prepared by ASI:

To satisfy the Region's Archaeological concerns, an Archaeological Study was prepared by Archaeological Services Inc. The study concluded that no artifacts were found on the site.

The study also noted that about 33% of the property where the old house existed was disturbed. Further that the gravel placed on the property corresponds to the location of the old house. The permanently wet area found on the site comprises of about 20% of the property and is considered to have no or low potential for Archaeological remains.

The study concluded that of 53% of the property surveyed, no Archaeological resources were found. A copy of the Archaeological Study and the sign off by the Ontario Ministry of Tourism, Culture and Sport (MTCS) are included at Tab 9.

8.10 *Arborist Report Prepared by David White Tree Care:*

The Arborist Report notes that the vegetation found on the site consists of scattered trees, the majority of which are Locusts (invasive species). The study also indicates that six (6) privately owned trees should be removed or have been removed with all other trees on the site remaining, particularly all the trees down slope of the 10-m barrier. The Arborist opined that the vegetation found on the site does not constitute a wood lot. *The owner has agreed to these recommendations and will plant the replacement trees in the 10-m buffer. A copy of the Arborist Report is included as Tab 10.*

8.11 *Natural Heritage Evaluation (EIS) Prepared by David Cunningham:*

The Cunningham Report is an extensive study of the site, including establishing the wetland boundary in the presence of TRCA. The principle concern of TRCA was the impact of the illegal fill on the wetland. The EIS was delayed when TRCA requested an unreasonable setback from the existing scattered tree line. Since this would severely affect the ability of the client to make reasonable use of the property, the owner strongly objected to this. TRCA agreed, in principle, to the compromised 10-metre buffer adjoining the wetland boundary. This allowed the EIS to be completed in concert with the original terms of reference. *After a careful analysis of the site, the Cunningham Report recommends that the proposed 10-metre buffer should be enhanced through landscape planting (e.g. tree whips, potted shrubs, ground cover grass/forb mix.*

The EIS Report also opined the following:

- That the as-built form as proposed on the gravel yard will not result any negative impacts or adverse affects to the remaining on-site and intact culture, woodland and wetland features and abutting features, provided the proposed mitigation measures and recommendations are implemented;
- That the proposed gravel yard is stable and has not resulted any negative impacts or adverse affects to the on-site and local natural environment;

- *The TRCA Ontario Regulation 166/06 Violation Notice, dated September 10, 2018, has been resolved based on the data and evaluations contained in this Natural Heritage Evaluation and EIS, as well as the data and evaluations contained in the Hydrogeological Assessment and Geotechnical Investigation Report and the proposed gravel yard area is an adequate and appropriate area on the subject property to operate the proposed commercial land use as a landscape storage facility and as a swimming pool storage facility. A copy of the EIS is attached to this Planning Report, given the large number of pages.*

8.12 Water Supply:

Currently existing on the property is a drilled well. The owner plans to re-commission this well for the proposed use and will seek the approval of the Regional Works Department.

8.13 Sewage System:

The owner proposes that waste water will be generated by a port-a-potty or by the inclusion of a holding tank, if washroom facilities are included in the office trailer.

8.14 Landscape Plan, Prepared by MSLA Landscape Architects:

Provides the proposed list of trees to be planted, including the tree planting in front of the existing wood privacy fencing in the boulevard of Old Brock Road to assist in beautifying the property. To satisfy the TRCA 10-metre planting requirements, the Landscape Plan proposes tree planting conducive to the climate and atmospheric conditions of the site together with seed mixtures, sodding for both the 10-metre buffer and the grassed area. The plan shall also take into account the recommendations of the Arborist Report and the EIS. In addition, the plan provides the details of the sediment control fence to be installed on the property.

The owner agrees to carry out the recommendations of the Landscape Plan. A copy of the Landscape Plan is included as Tab 11.

8.15 Conceptual Site Plan, Plans & Elevations:

The Site Plan, Architectural Plans and Topographic Survey included with this Planning Justification Report take into account the recommendations of the various Studies/Reports. They advocate for the retention of the existing wood privacy fence and gate which have been erected along the front property line. These plans propose the location of an office trailer, storage barn, storage bins, with a limited amount of outdoor storage. They also provide for an Environmental Fence during construction to prevent the intrusion of construction activity into the environmental area of the site. A significant feature of the site plan is the provision of a 10-metre planting buffer proposed by the owner to protect the ecological integrity of the wetland function of the site.

The Site Plan also shows:

- The installation of the grassed area around the table land portion of the site which is intended to serve as a filter to prevent contaminants from entering the environmental area of the site;
- To maintain the integrity of the ground water recharge area. The owner proposed to construct the office trailer and the storage barn without basements while maintaining the tableland gravel;
- To maintain the water balance of the site. The owner proposes to maintain a gravelled surface with no asphalt installation, while directing the roof water from the office trailer and the storage barn into the ditch in front of the property and into the drainage swales around the outskirts of the tableland;
- The drainage plan prepared by Valdor Engineering, directs the drainage from the first part of the site towards the front of the property with the remainder being directed into the grassed areas and by drainage swales leading into the drainage ditch on the south side of the property. *The Conceptual Site Plan & Elevations are included as Tab 12.*

8.16 Amendment to Zoning By-law 3037:

**DRAFT ZONING BY-LAW AMENDMENT
CORPORATION OF THE CITY OF PICKERING
BY-LAW NUMBER XXXX TO AMEND BY-LAWS 3037 & 6640/06**

Legal Description:

This property, municipally known as 5329 Old Brock Road, is legally described as being Lots 16, 17, 18 & 20, and parts of Lots 15, 19, 21 & 23 and part of Alfred Street and Tracey Street, Registered Plan 94, in the Geographic Township of Pickering now in the City of Pickering.

NOW THEREFORE the City of Pickering **ENACTS** as follows:

- 1) **WHEREAS** authority is granted under Section 34 of the Planning Act, R.S.O. 1990, C.P. 13, for the City of Pickering to pass this by-law;
- 2) **AND WHEREAS** the owner wishes to establish a Landscape and Pool Installation Business on the property;
- 3) **AND WHEREAS** the City of Pickering Official Plan designates 5329 Old Brock Road as Oak Ridges Moraine Rural Hamlet and Schedule IV – Settlement 10 Claremont and Hamlet employment, which permits a Landscape and Pool Installation Business on the property;
- 4) **AND WHEREAS** the owner is seeking to re-zone the property from Oak Ridges Moraine (ORM-A) to Oak Ridges Moraine Commercial Special (ORM-CS)
- 5) **AND WHEREAS** authority is granted under Section 34 of the Planning Act, R.S.O. 1990, C.P. 13, for the City of Pickering to re-zone 5329 Old Brock Road from Oak Ridges Moraine Agriculture (ORM-A) to Oak Ridges Commercial Special (ORM-CS) to permit the installation of a Landscape and Pool Installation Business on the property by amending By-law 3037 as amended by By-law 6640/06 and further amended by this By-law XXXX.

NOW THEREFORE the City of Pickering **ENACTS** as follows:

THAT the zoning specifically Map N19 attached to and forming part of By-law 3037 and as amended by By-law 6640/06 is hereby amended by By-law XXXX to zone on the lands located on the east side of Old Brock Road, municipally known as 5329 Old

Brock Road, in the City of Pickering (shown attached herewith as Schedule 'A') containing 6100.00 m², from Oak Ridges Moraine Agriculture (ORM-A) to Oak Ridges Moraine Commercial Special (ORM-CS) containing approximately 2,836 m² of table land to permit **a Landscape Pool and Installation Business**. Also, to amend the Oak Ridges Moraine Agriculture (ORM-A) zone to limit the permitted uses in the remaining ORM-A zone on the property containing approximately 3,264.00 m², shown **on Schedule 'A' attached**.

Permitted used in the Oak Ridges Moraine Commercial Special Zone ORM-CS):

- 1) Landscape, Pool and Installation business
- 2) Outdoor storage of landscape material
- 3) Office
- 4) A storage barn for landscape equipment and material

Regulations for the Permitted Uses:

Minimum lot area	6100.00 m ²
Minimum tableland area	2836.00 m ²
Minimum ground floor of office barn	350.0 m ²
Minimum coverage of tableland area	20%
Minimum lot frontage	56.0 m
Minimum front yard setback	3.0 m
Minimum side yard setback	3.0 m
Minimum rear yard setback	10.0 m
Maximum height	12.0 m

Specific Regulations:

- a) A front yard wood privacy fence with metal gate erected along the front lot line having a maximum height of 2.5 metres shall be permitted.

Since the site is located on a Municipal Road in the rural area of the Hamlet and in a remote area, this fence was erected by the owner to curb the illegal dumping of garbage namely household, construction and tree parts on the property. Hence, the owner is seeking this special exception for the fence as constructed.

- b) *The bulk storage of salt on this property shall not be permitted.*

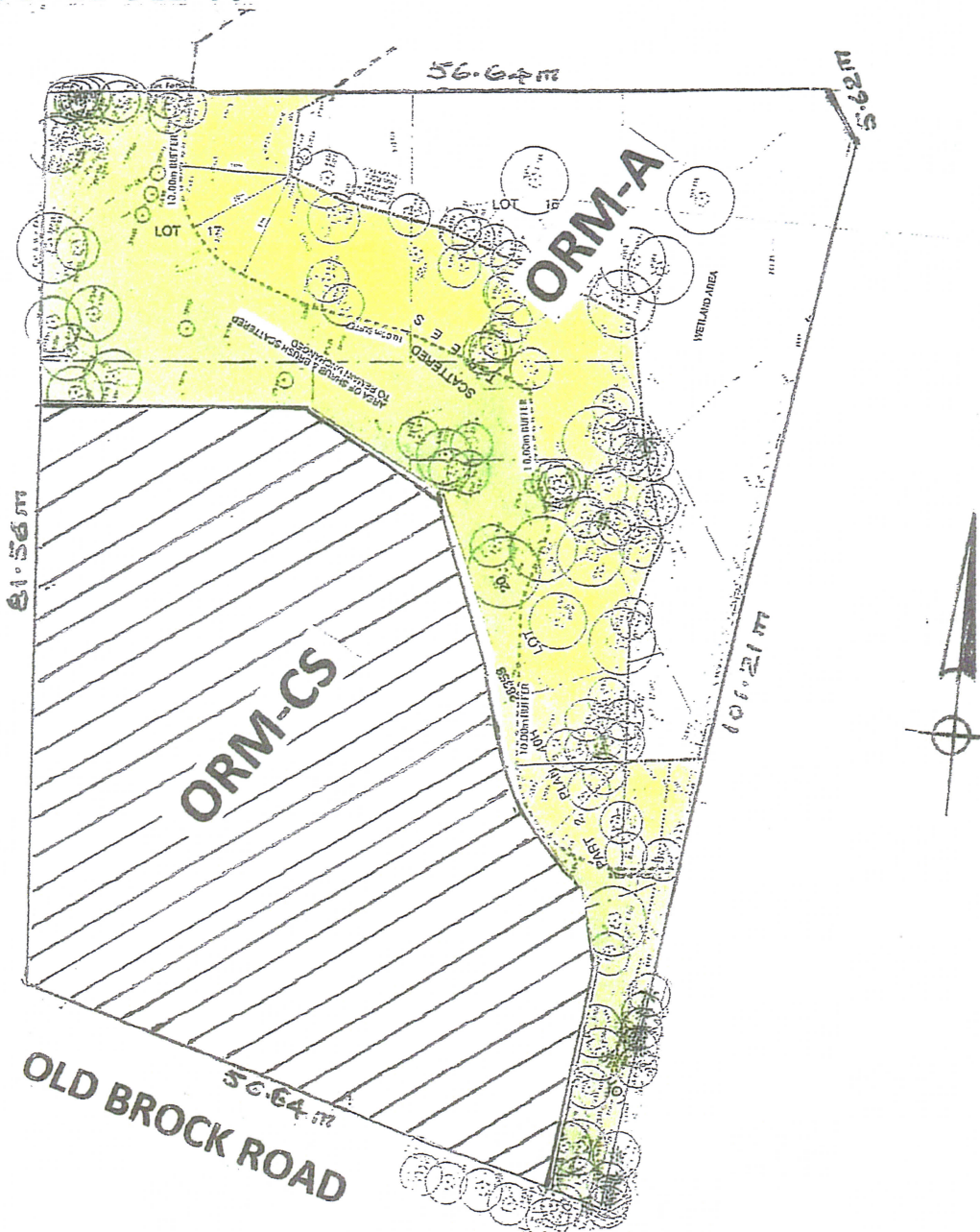
Oak Ridges Moraine – Agricultural (ORM-A).

Notwithstanding the uses permitted within the Oak Ridges Moraine Agriculture (ORM-A) Zone, on the property identified as 5329 Old Brock Road in the Hamlet of Claremont (Pickering), no person shall use the lands in this zone, *as shown on Schedule A*, except in accordance with the following:

Natural Heritage uses including:

- A wetland
- A 10-metre planted buffer outside the identified wetland boundary
- Conservation projects and flood and erosion control projects.

SCHEDULE 'A'



Effective Date:

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

By-law passed this _____ day of _____, 2022.

Signed: _____
Dave Ryan
Mayor of the City of Pickering

Signed: _____
Clerk of the City of Pickering

8.17 Conclusion:

- 1) This Planning Justification and Sustainability Report demonstrates that the proposed Landscape and Pool Installation business conforms to the intent of the Regional Official Plan and the City of Pickering Official Plan;
- 2) That the eastern part of the site does not constitute a wood lot;
- 3) That the ecological integrity of the wetland function will not be compromised by the proposed development;
- 4) That the proposal is in keeping with the intent of the Provincial Policy Statement 2017 which encourages commercial development and the Growth Plan for the Greater Golden Horseshoe Area 2017 recognizes the City of Pickering as a growth area in the Region of Durham and Urban Development is encourages within the Hamlet of Claremont.
- 5) Additionally it will assist in revitalizing the immediate area of the Hamlet through economic activity.
- 6) The proposed Landscape and Pool Installation Business will encourage employment opportunities in the City. The site will be used as a base for its

employees to provide landscaping and pool installation in the immediate and surrounding area. The owner anticipates that some employees will use the site on a part time basis.

- 7) The proposal will convert the previous residential use to a commercial use and will substantially increase the amount of taxes paid to the City.
- 8) The proposal will make more efficient use of the property which has remained in an unused state for many years.
- 9) The proposed activity on the site will discourage the illegal dumping of garbage and construction materials on the site.
- 10) The change in use will provide a higher rate of cash-in-lieu of parkland through the change in use from Residential to Commercial.

8.18 Sustainable Development Report:

In addition to the Planning Justification Report, the City requires the owner through a Sustainability Development Report to demonstrate that the proposed Landscape and Pool Installation Business will not adversely affect the neighbourhood and further to demonstrate that the use will be of benefit to the municipality without adding meaningful cost to the municipality.

The proposed use is a planned use recognized in the City of Pickering Official Plan and will be implemented by way of an amendment to the Oakridges Moraine Agricultural ORM-A-Zone, at a cost of \$15,400.00 to the owner.

Guideline 2 Points

- | | | |
|----------------|------------|---|
| 1.1 | (3) | Consultation for this development builds support for Sustainable Community Development and will enhance the potential for long term implementation of strategies. The pre-consultation process requirements exceed the Planning Act or the approval requirements. |
| 2.1 (R) | 0 | Water shed and sub-water shed planning provides the foundation for Environmental Planning in Southern Ontario. Sustainability |

Strategies for this particular development builds on the objectives and targets of the bio-regional scale analysis.

- 2.2 (R) 0** The proposal is in keeping with MESP which is a comprehensive analysis that integrates information on the Natural Heritage System with hard infrastructure requirements. The proposal ensures both protection of the function of the natural system and a cost effective and efficiency of the infrastructure plan.
- 2.3 (R) 0** The development adheres to the Generic Regulations of the TRCA as a requirement of approval.
- 2.4 (R) 0** The development implements the objectives and targets of the ORM Plan as a requirement of approval.
- 2.6 (R) 0** The development supports the building of strong communities and conforms to the PPS as a requirement of approval.

Guideline 2 Points

- 2.7 (R) 0** The development conforms to the PPS with respect to the intent of the Wise Management of Resources as a requirement of approval.
- 2.8 (R) 0** The development confirms to the PPS with respect to protecting Public Health and Safety.
- 2.9 (R) 0** Storm Water Quality is managed and maintained and meet the run off quality based upon the established targets in the Neighbouring Plan as established by the TRCA.
- 2.10 (R) 0** The post development flows of the storm water is being maintained at pre-development levels in keeping with the TRCA requirements.
- 2.11 (R) 0** The proposed development maintains the water balance and source water protection of the site and meets the goals of the City, TRCA and the Province.

- 2.12 (R) 0 The proposed development meets the ground water targets as shown in the Hydrogeology Study and the implementation by Valdor Engineering.
- 2.13 (3) The proposed development contains innovative elements which integrates various environmental objectives of the City and TRCA.
- 2.14 (3) The development introduces measures which go beyond the requirements of the Province or TRCA and MESP requirements in a deliberate attempt to protect the wetland feature and the natural heritage system of the site.
- 2.15 (3) The development also goes beyond the requirements of the Province, TRCA and MESP in a deliberate attempt to minimize the impacts of storm water and increased permability.
- 2.16 (3) The development goes beyond the requirements of the TRCA legislation and requirements in an attempt to enhance bio-diversity through an aquatic and terrestrial natural heritage strategy. This includes the planting of a 10-metre buffer and protection, fencing, swales, etc.

Guideline 2 Points

- 2.19 (R) 0 The design of the site ensures that more than 25% of the site area not occupied by buildings is in an unpaved area.
- 2.19 (R) (4) The development proposes that 100% of the landscape area of the site consists of native species and planting.
- 2.22 (R) 0 The design of the site provides for some re-grading of the natural topography while conforming to the municipality's requirements for drainage and grading.
- 2.24 (2) The proposed development does not intend to store pesticides and fertilizers on the property.
- 2.27 (R) 0 The plan proposes the installation of an erosion and sediment control fence during construction to minimize any negative

impacts on the wetland area of the site. Soil stripping of the site is not anticipated. Some topsoil is expected to be brought into the site to assist with grass cover. The Plan complies with the recommendation of the Erosion and Sediment Control Guidelines of TRCA.

3.1 (3) The development is located on a vacant infill site.

Total points = 24

9.0 REQUEST OF THE CITY:

In keeping with the Planning Justification and Sustainability Development Report, we respectfully ask the City to amend Zoning By-law 3037 to recognize the subject Landscape and Pool Installation Business as a permitted use and approve the Site Plan for approval, so that the required building permit can be issued for the development of the property. This report also addresses the concerns of the Violation Notice issued by the City.

10.0 TRCA SUBMISSION:

To resolve the Violation Notice concerns of TRCA, the owner will submit a permit application for approval, which will include the Site Plan, EIS, the 10-metre buffer, Landscaping Planting together with the recommendation of the Hydrogeological Report and Grading Plan to show how the concerns of the TRCA have been addressed.

Prepared by:

Revised Date: December 29, 2021



**Dr. Grant Morris
Dip. Eng. Tech., B.A., M. Ed., Hon. LLD
Planning Consultant
Grant Morris Associates Ltd.**