
From: Catherine Rose, MCIP, RPP
Chief Planner

Subject: Zoning By-law Amendment Application A 09/21
S. Larkin Developments Inc.
5435 Brock Road

1. Purpose of this Report

The purpose of this report is to provide preliminary information on an application for Zoning By-law Amendment, submitted by S. Larkin Developments Inc., to formalize the existing industrial uses and to permit the development of three new industrial buildings and a retail gasoline outlet with accessory retail and commercial uses. This report contains general information on the applicable Official Plan and other related policies and identifies matters raised to date.

This report is intended to assist members of the public and other interested stakeholders to understand the proposal. The Planning & Development Committee will hear public delegations on the application, ask questions of clarification, and identify any planning issues. This report is for information and no decision on this application is being made at this time. Staff will bring forward a recommendation report for consideration by the Planning & Development Committee upon completion of a comprehensive evaluation of the proposal.

2. Property Location and Description

The subject lands are located on the south side of Uxbridge Pickering Townline Road between Old Brock Road and Brock Road (Claremont By-pass) within the Hamlet of Claremont (see Location Map, Attachment #1). The site has an area of approximately 4.4 hectares and approximately 405 metres of frontage along Old Brock Road and 452 metres along Brock Road (Claremont By-pass). An existing wetland is identified at the southeast corner of the property.

The site contains an existing single-storey, 1,287 square metre industrial building with outdoor storage, which is currently occupied by a machinery sales and repair shop (see Figure 1 below). Currently stored outside are existing truck trailers, mobile trailers, shipping containers, construction vehicles and other equipment associated with the machinery sales and repair shop. The applicant has indicated that the machine shop and outdoor storage uses have existed on the property since 1975. The existing industrial building is proposed to remain.

The site also contains a temporary trailer, which is currently occupied by a landscape business, with associated outdoor storage, and a detached dwelling. Associated with the landscape business are commercial trucks, aggregates and other equipment stored outside. The applicant has indicated that the landscape business has existed on the property since 1996. The trailer and detached dwelling are proposed to be removed/demolished.

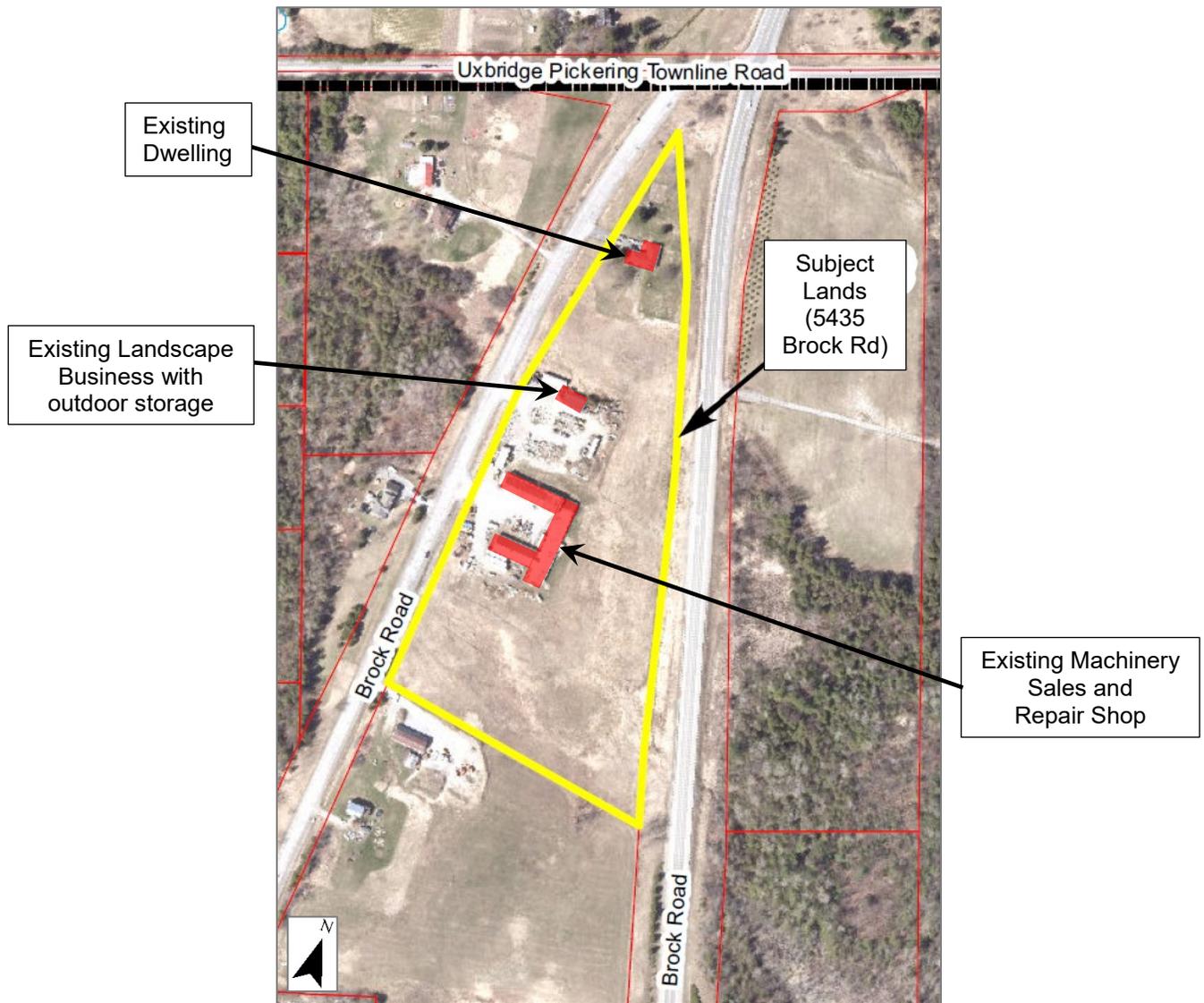


Figure 1: Existing uses on the subject property

The surrounding land uses are as follows (see Air Photo Map, Attachment #2):

North: Immediately to the north is Uxbridge Pickering Townline Road. Further north located within the Town of Uxbridge are detached dwellings on large residential lots and agricultural lands.

South: Immediately to the south is a large parcel of land that contains a barn and a detached dwelling. Further south, along the east side of Old Brock Road, is an industrial building occupied by an auto repair shop. Across the street from the auto repair shop is a commercial building occupied by a retail store selling household/farm supplies and a restaurant.

East: To the east, across Brock Road (Claremont By-pass), are agricultural lands.

West: To the west, across Old Brock Road, are detached dwellings on large residential lots.

3. Applicant's Proposal

S. Larkin Developments Inc. has submitted an application for a Zoning By-law Amendment to rezone the subject lands to an appropriate zone category to formalize the existing industrial uses and to expand the list of permitted uses to facilitate the redevelopment of the lands for industrial and commercial purposes. The proposed redevelopment is intended to be developed in three phases (see Submitted Site Plan, Attachment #3).

As part of Phase 1, the applicant is requesting to recognize the existing single-storey, 1,287 square metre industrial building with outdoor storage, located on the west side of the property fronting Old Brock Road. In support of this building, the applicant is proposing 28 parking spaces and no loading space or accessible parking spaces.

The applicant is proposing a retail gasoline outlet within Phase 1, which contains 6 islands (12 pumps) weather protected by a canopy. A separate set of pumps for larger commercial vehicles (also weather protected by a canopy) is proposed to the west of the gasoline outlet, immediately north of the existing industrial building. Two underground fuel tanks are located just north of the commercial vehicle pumps. A 111 square metre automatic car wash facility is proposed to the south of the gasoline outlet. A vehicular stacking lane with a queuing for up to 5 vehicles is proposed on the east side of the car wash facility. The facility has an associated parking area, including 8 parking spaces and 2 spaces with an air pressure/vacuum stall.

Also proposed is a single-storey, 250 square metre accessory commercial building containing a retail store, (which will also handle gas purchases), and a restaurant with a drive-through facility along the north and east sides of the commercial building. A total of 2 vehicle stacking spaces are provided before the order board and 7 vehicle stacking spaces are proposed between the order board and the pick-up window. The commercial building has a single loading space and an associated parking area, including 9 parking spaces and a single accessible space.

Phase 1 of the proposed redevelopment also includes a new single-storey, 568 square metre industrial building located on the west side of the property fronting Old Brock Road. The building will have a loading space and an associated parking area, including 44 parking spaces and 2 accessible spaces.

Phase 2 of the proposed redevelopment includes another new single-storey, 480 square metre industrial building located at the northern portion of the property. A parking area is proposed to support this building, including 40 parking spaces and no loading space or accessible spaces.

Finally, Phase 3 includes a third new single-storey, 542 square metre industrial building located on the east side of the property fronting Brock Road (Claremont By-Pass). The building has 2 loading spaces and an associated parking area, including 36 parking spaces and 2 accessible spaces.

Municipal servicing is not available for the subject lands. A private well is proposed at the most northern portion of the property, which will service the entire site for internal and fire uses through a private water network. A proposed septic system is located at the southwest corner of the site. All sanitary and servicing works are proposed to be completed during Phase 1 of the redevelopment.

Currently, two existing right-in/right-out vehicle accesses are from Old Brock Road, which are proposed to remain. A new third right-in/right-out vehicle access point is proposed along the west property line immediately north of the two existing accesses. Along the east property line, another new right-in/right-out/left-in vehicle access point is proposed from Brock Road (Claremont By-pass) located in proximity to the retail gasoline outlet.

All three phases of the proposed redevelopment will be subject to site plan approval.

4. Policy Framework

4.1 Oak Ridges Moraine Conservation Plan

The Oak Ridges Moraine Conservation Plan (ORMCP) designates the subject lands as “Countryside Area – Rural Settlement”. Small-scale commercial and industrial uses are permitted in Rural Settlement Areas, provided the uses does not require large-scale modifications of terrain and/or vegetation, or large-scale buildings and structures. The Plan states that an application for a small-scale commercial or industrial use within a Countryside Area may not be approved unless the applicant demonstrates that the buildings and structures will be planned, designed and constructed so as not to adversely affect the rural character of the Countryside Areas and the ecological integrity of the Plan Area. In addition, the applicant must demonstrate that the new or expanded uses will have no adverse impacts on surrounding agricultural operations and lands, or that such impacts will be minimized and mitigated to the extent possible.

The ORMCP identifies the subject lands as being within a Landform Conservation Area (Category 2). An application for development within a landform conservation area (Category 2) must identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including limiting the portion of the net developable area of the site that is disturbed to not more than 50 percent of the total area of the site, and limiting the portion of the net developable area of the site that has impervious surfaces to more than 20 percent of the total area of the site. In addition, major development (“major development” includes the development of buildings with a

ground floor area of 500 square metres or more) within a landform conservation area must be accompanied by a landform conservation plan and a development strategy that identifies appropriate planning, design and construction practices to minimize the disruption to landform character.

The applicant's proposal will be assessed against the provisions of the Oak Ridges Moraine Conservation Plan during the further processing of the application.

4.2 Durham Regional Official Plan

The Durham Regional Official Plan designates the subject lands as "Oak Ridges Moraine Areas – Countryside Area". Small-scale commercial and industrial uses are permitted within the Countryside Area.

The subject lands have frontage along Brock Road (Claremont By-Pass), which is designated as a Type 'A' Arterial Road in the Regional Official Plan. Type 'A' Arterial Roads are designed to carry large volumes of traffic at moderate to high speeds and connect to freeways and arterial roads. The right-of-way width requirement for Type 'A' arterial roads is between 36 and 45 metres.

The applicant's proposal will be assessed against the policies and provisions of the Durham Regional Official Plan during the further processing of the application.

4.3 Pickering Official Plan

The Pickering Official Plan designates the subject lands as "Rural Settlements – Oak Ridges Moraine Rural Hamlets". This designation provides opportunities for redevelopment and infilling within the existing hamlet boundary, permitting a variety of uses including residential, employment, commercial, community, cultural and recreational.

The Claremont Settlement Map (Schedule IV – 10 to the City's Official Plan) designates the subject lands as "Hamlet Employment". Permissible uses within Hamlet Employment designation include manufacturing, assembly, processing of goods, service industries, research and development facilities, warehousing, storage of goods and materials, offices, limited retailing associated with an industrial operation, and automotive uses.

The Official Plan has additional policies related to retail gasoline outlets. The policies state that within the urban area or within a rural hamlet, City Council may approve a site-specific zoning by-law amendment with appropriate provisions and restrictions to permit a retail gasoline outlet in any land use designation except for "Open Space – Natural Areas", provided:

- the retail gasoline outlet maintains the goals, objectives and policies of the City's Official Plan;
- the retail gasoline outlet obtains access from an arterial road as identified on Schedule II of the City's Official Plan;
- the retail gasoline outlet is not located adjacent to or opposite a school;

- the number of retail gasoline outlets is limited to a maximum of 2 outlets within 100 metres of any intersection; and
- the retail gasoline outlet will not adversely affect the safe and convenient movement of pedestrian and vehicular traffic.

The City's Official Plan designates the lands to the east of the subject property as "Oak Ridges Moraine Natural Core Area". The lands to the west and east of the subject property are also designated as "Natural Heritage System" containing significant woodlands and wetlands. A natural heritage evaluation is required for any proposed development within the Oak Ridges Moraine on lands within the minimum area of influence that relates to a key natural heritage feature, but outside the key natural feature itself, and the related minimum vegetation protection zone. The evaluation must demonstrate the following:

- that the development or site alteration applied for will have no adverse effects on the key natural heritage feature or on the related ecological functions;
- identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the key natural heritage feature and its connectivity with other key natural heritage features; and
- how connectivity within and between key natural heritage features will be maintained and, where possible, improved or restored before, during and after construction.

Old Brock Road is identified as a local road within the Pickering Official Plan, designed to carry local traffic and provide access to individual properties, to other local roads and collector roads. Local roads generally have a right-of-way width of up to 20 metres, except local roads serving industrial properties which may have a right-of-way width of up to 23 metres.

Brock Road (Claremont By-pass) is identified as Type 'A' arterial road within the Pickering Official Plan, which is the highest order arterial road, designed to carry large volumes of traffic at moderate to high speeds. Type 'A' arterial roads generally have a right-of-way width ranging from 36 to 50 metres.

The applicant's proposal will be assessed against the policies and provisions of the Pickering Official Plan during the further processing of the application.

4.4 Zoning By-law 3037, as amended by By-law 6640/06

The subject lands are currently zoned "ORM-A" – Oak Ridges Moraine Agricultural Zone within Zoning By-law 3037, as amended by By-law 6640/06. Permitted uses within the ORM-A Zone include agricultural uses, detached dwelling, home-based business and home industry, among other conservation and farm-related uses.

The applicant is proposing to rezone the subject lands to an appropriate zone category to facilitate the proposed redevelopment for industrial and commercial purposes. Specifically, the applicant is requesting to rezone the lands to "ORM-M1" – Oak Ridges Moraine Industrial Zone.

The applicant's requested permitted uses include a bakery, business office, creamery, dairy, dry cleaning pressing or laundry establishment, farm implement sales outlet, garage, light manufacturing or assembly of manufactured products, printing or duplicating shop, professional office, railway loading facilities, retail sales accessory to a permitted use, service or repair shop, warehouse or distributing depot, construction workshop/supply yard, metal fabrication, heavy equipment machinery repair/sales shop, general-purpose workshop and associated equipment parking, self-storage, outdoor storage, and automobile service station.

5. Comments Received

5.1 Public Comments

Notice of the Electronic Statutory Public Meeting regarding this application was provided through a mailing to all properties within 150 metres of the subject lands, including those properties located within the Town of Uxbridge. Two public meeting notice signs were erected at the property on November 1, 2021, located along the west and east property lines.

As of the date of this report, City staff have received the following comments from an area resident:

- considering Claremont has a newly renovated gas station to serve the immediate and surrounding community and an additional gas station located at Coppins Corners, and considering global conservation and climate initiatives to reduce/eliminate the use of fossil fuels, approval of this zoning by-law amendment application would be contrary to the interests of the Hamlet of Claremont, the Region, and out of step with the global initiatives;
- concerns related to noise, specifically the continuous noise of trucks braking or accelerating to enter or exit the subject property; and
- concerns with an increase in litter due to the proposed restaurant use.

5.2 Agency Comments

5.2.1 Canadian Pacific Railway (CPR)

- CPR's approach to development in the vicinity of rail operations is encapsulated by the recommended 2013 Proximity Guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities.
- Should the redevelopment proposal receive approval, CPR respectfully requests that the recommended 2013 Proximity Guidelines be followed.

5.2.2 Other Agencies

As of the date of writing this report, no comments have been received from the Region of Durham Planning Department, the Region of Durham Health Department, the Region of Durham Works Department, the Toronto and Region Conservation Authority or the Town of Uxbridge.

5.3 City Department Comments

5.3.1 Engineering Services

As of the date of writing this report, no comments have been received from Engineering Services.

5.3.2 Fire Services

- The applicant must address the fire route and adequate water for this plan.

6. Planning & Design Section Comments

The following is a summary of key concerns/issues or matters of importance raised to date. These matters, and others identified through the circulation and detailed review of the proposal, are required to be addressed by the applicant before a final recommendation report to Planning & Development Committee:

- ensure the proposed requested lands uses are consistent with the policies of the Oak Ridges Moraine Conservation Plan, Durham Regional Official Plan and Pickering Official Plan;
- review whether the policies in the Oak Ridges Moraine Conservation Plan that relate to landform conservation areas apply to the subject lands;
- ensure the Region of Durham concurs with the recommendations of the submitted Traffic Impact Study, particularly the proposed right-in/right-out/left-in vehicle access along Brock Road (Claremont By-law Pass);
- review the request for a proposed third vehicle access onto Old Brock Road;
- ensure the Region of Durham Health Department is satisfied with the proposed private servicing to accommodate the proposed existing and new uses, particularly the proposed automatic car wash facility;
- in consultation with the Toronto and Region Conservation Authority, determine whether the 30-metre minimum vegetation protection zone is sufficient to protect the existing wetland at the southeast corner of the site;
- assess the suitability and appropriateness of the request to permit all proposed uses on the site to be carried on without an enclosed building or structure;
- establish appropriate restrictions for the proposed outdoor storage use, such as regulating the type and amount of outdoor storage permitted on the lot, and regulate where outdoor storage may be located on the site, as to not have a negative visual impact on the residential properties to the west; and
- ensure the proposed drive-through facility associated with the restaurant use provides for sufficient vehicle stacking.

Further issues may be identified following receipt and review of comments from the circulated departments, agencies and public. The City Development Department will conclude its position on the application after it has received and assessed comments from the circulated departments, agencies, and public.

7. Information Received

Copies of the plans and studies listed below are available for viewing on the City's website at pickering.ca/devapp or in person at the office of the City of Pickering, City Development Department:

- Functional Servicing and Stormwater Management Report, prepared by Stantec, dated January 17, 2019;
- Natural Heritage Evaluation Report and Oak Ridges Moraine Conformity Evaluation, prepared by Stantec, dated January 17, 2019;
- Phase One Environmental Site Assessment Update, prepared by G2S Consulting Inc., dated July 23, 2021;
- Planning Justification Report, prepared by Humphries Planning Group Inc., dated June 2021;
- Preliminary Geotechnical/Hydrogeological Report, prepared by Stantec, dated January 17, 2019;
- Proposed Zoning By-law Amendment, prepared by Humphries Planning Group Inc., dated June 2021;
- Site Plan, prepared by Caricari Lee Architects, dated November 28, 2017; and
- Traffic Impact Study, prepared by Paradigm Transportation Solutions Limited, dated June 2019.

8. Procedural Information

8.1 General

- written comments regarding this proposal should be directed to the City Development Department;
- oral comments may be made at the Electronic Statutory Public Meeting;
- all comments received will be noted and used as input to a Planning Report prepared by the City Development Department for a subsequent meeting of Council or a Committee of Council;
- any member of the public who wishes to reserve the option to appeal Council's decision must provide comments to the City before Council adopts any by-law for this proposal; and
- any member of the public who wishes to be notified of Council's decision regarding this proposal must request such in writing to the City Clerk.

9. Owner/Applicant Information

The owner of this property S. Larkin Developments Inc. and is represented by Humphries Planning Group Inc.

Attachments:

1. Location Map
2. Air Photo Map
3. Submitted Site Plan

Prepared By:

Approved/Endorsed By:

Original Signed By

Original Signed By

Isabel Lima
(Acting) Planner II

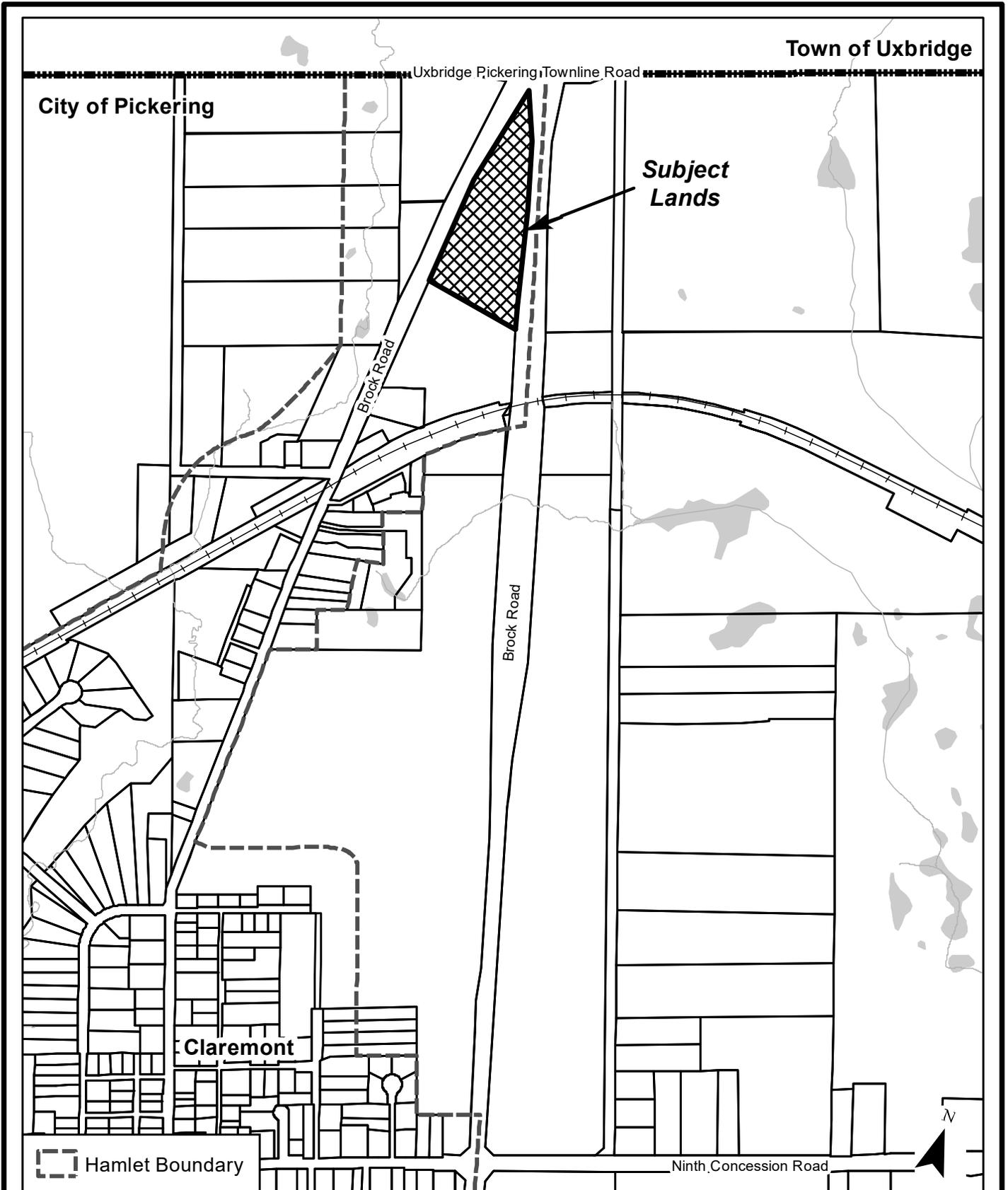
Catherine Rose, MCIP, RPP
Chief Planner

Original Signed By

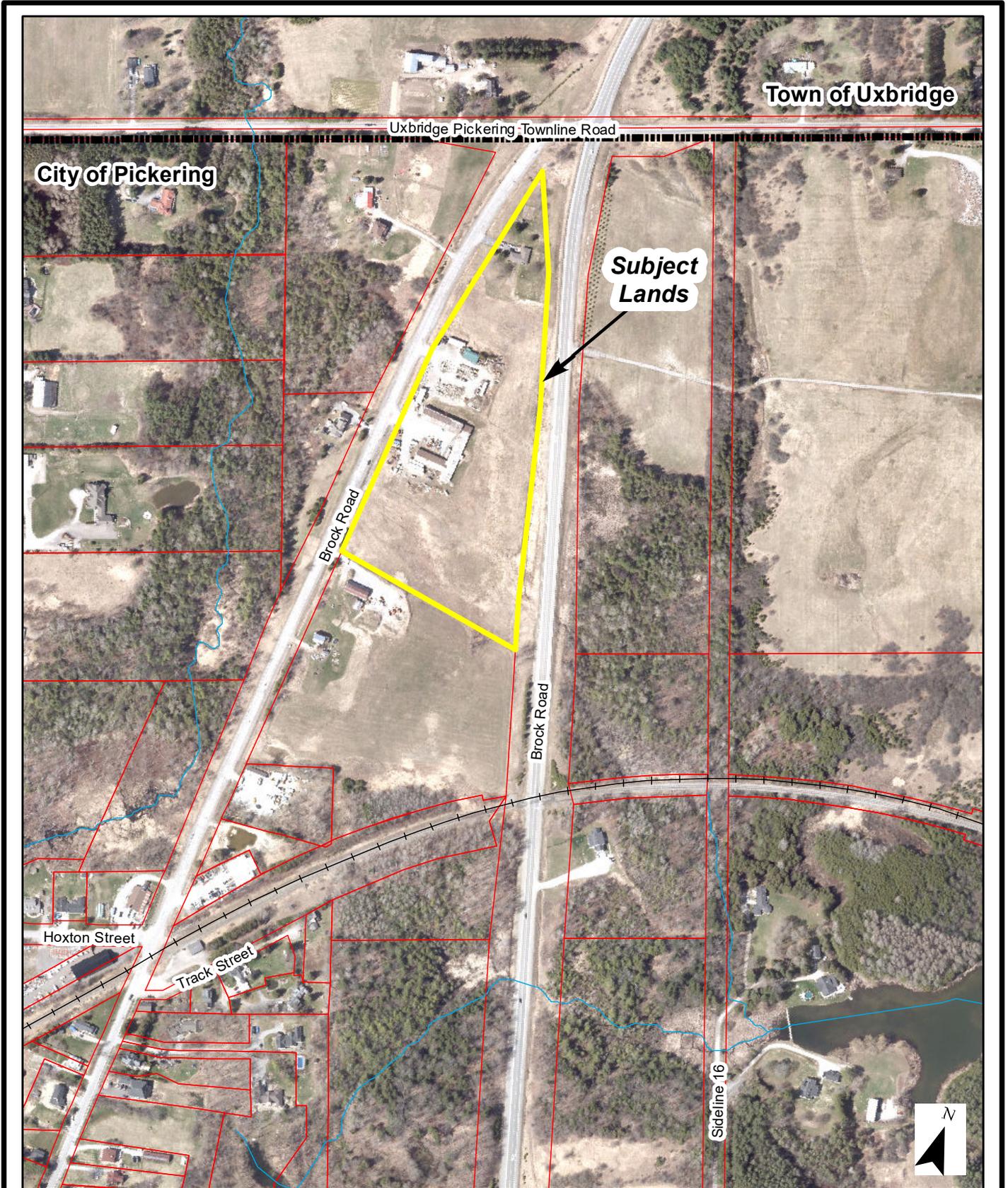
Nilesh Surti, MCIP, RPP
Manager, Development Review
& Urban Design

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Date of Report: November 12, 2021

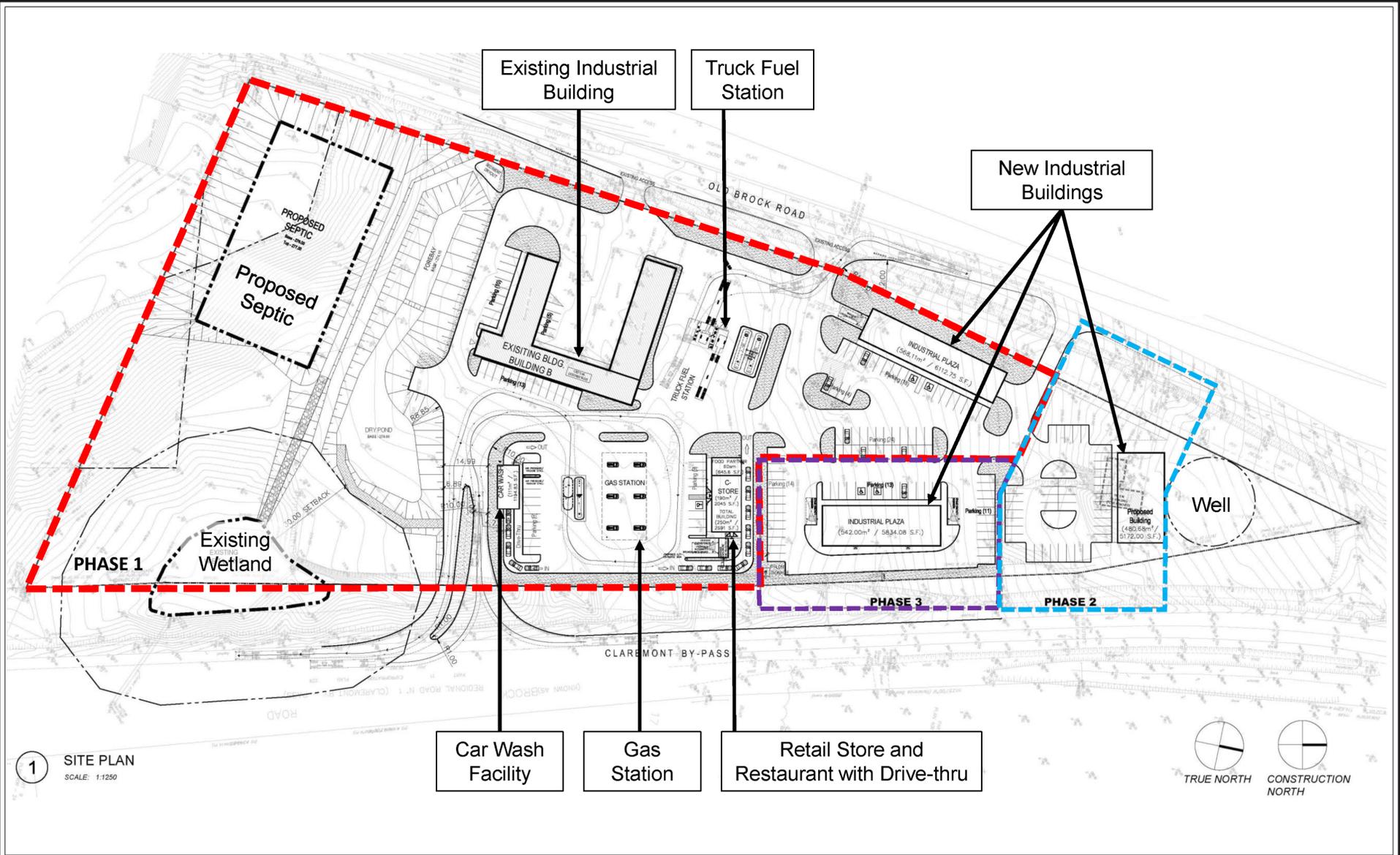


<p><i>City of</i> PICKERING City Development Department</p>	<p>Location Map</p>
	<p>File: A 09/21</p>
	<p>Applicant: S. Larkin Developments Inc.</p>
	<p>Municipal Address: 5435 Brock Road</p>
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	<p>SCALE: 1:10,000</p>
	<p><small>THIS IS NOT A PLAN OF SURVEY</small></p>

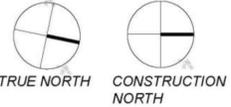


City of
PICKERING
 City Development
 Department

Air Photo Map	
File: A09/21	
Applicant: S. Larkin Developments Inc.	
Municipal Address: 5435 Brock Road	
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1 SITE PLAN
SCALE: 1:1250



<p>City of PICKERING City Development Department</p>	Submitted Site Plan
	File No: A 09/21
	Applicant: S. Larkin Developments Inc.
	Municipal Address: 5435 Brock Road
FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.	
DATE: Sept. 21, 2021	