



Public Meetings Revised Agenda

Monday, March 27, 2023, 7:00 p.m.

Council Chambers

Whitby Town Hall

Statutory Public Meetings under the Planning Act, R.S.O. 1990, c. P.13

This meeting will be held in a hybrid in-person and virtual format.

Should you wish to provide comments regarding a matter being considered below, please submit written correspondence and/or a Delegation Request Form.

- **To submit written correspondence**, please email your correspondence to the Office of the Town Clerk at clerk@whitby.ca by noon on the day of the meeting. Correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak during the Public Meetings meeting either in-person or virtually**, please submit a Delegation Request Form online to the Office of the Town Clerk by 10 a.m. on the day of the meeting. Should you be unable to access a computer, please call 905.430.4315 to speak with a Staff Member in the Office of the Town Clerk.

The meeting will be available for viewing through the Town's **live stream feed** at whitby.ca/CouncilCalendar while the meeting is in progress.

A Revised Agenda may be published on a later date. Late items added or a change to an item will appear with an asterisk beside them.

Format of Public Meetings

Public meetings are chaired by a Member of Council appointed as the Planning Chair by the Mayor and will proceed as follows:

1. Town Staff will provide a brief overview of the application;
2. The applicant or their representative may provide information regarding the application;
3. Members of the public wishing to provide input may do so via written submission sent to clerk@whitby.ca or by oral submission; and,
4. The Chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public.

The Office of the Town Clerk captures all feedback received during a public meeting in minutes to provide a written record for Staff and Council of the public meeting.

Public Meetings - 7:00 p.m.

- *1. PDP 12-23, Planning and Development (Planning Services) Department Report
Re: Official Plan Amendment and Zoning By-law Amendment Applications, Whitby
108 Victoria Inc., 106 & 110 Victoria Street West, File Number: DEV-33-22 (OPA-
2022-W/04, Z-22-22)

Delegations

- 1. Marshall Smith, representing 108 Victoria Inc. (Virtual Attendance) *
- 2. Wenda Abel, Resident (Virtual Attendance)

Town of Whitby Public Meeting Report

whitby.ca/CouncilCalendar



Report Title: **DEV-33-22: Official Plan Amendment Application OPA-
Zoning By-law Amendment Application - Whitby 108
Victoria Inc., 106 & 110 Victoria Street West**

Date of meeting: March 27, 2023

Report Number: **PDP 12-23**

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

Danielle Coore, Planner I, Policy &
Heritage Planning, x. 1946

Planning Report PDP 12-23 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13

Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Development Department on the proposed application(s). Also, any person may make written submissions at any time before Council makes a decision.

Additional information regarding statutory public meetings under the Planning Act can be found on the [Town's website](http://whitby.ca).

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Whitby before the by-law is passed, the person or public body is not entitled to appeal the decision of Whitby Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

1. Highlights:

Applications for Official Plan Amendment and Zoning By-law Amendment have been submitted by KLM Planning Partners Inc. on behalf of Whitby-108 Victoria Inc-Orpheus Management Services Inc. for lands generally located at the northeast corner of Victoria Street West, and Byron Street South, municipally known as 106 & 110 Victoria Street West.

The proposal is to increase the maximum permitted net residential density and change the zoning to permit the proposed development of an 18-storey mixed-use apartment building, containing 208 rental apartments, retail/office space at grade, with underground parking.

The existing buildings at 106 and 110 Victoria Street W. are proposed to be demolished.

2. Purpose:

The Planning and Development Department is in receipt of applications for an Official Plan Amendment and a Zoning By-law Amendment for the subject land at 106 & 110 Victoria St. W. The purpose of this report is to present information related to the applications at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located at the northeast corner of Byron St. S. and Victoria St. W., municipally known as 106 & 110 Victoria Street East (refer to Attachment #1). There is a 3-storey residential rental building and associated parking lot, which is proposed to be demolished.

The subject land is approximately 0.39 hectares (0.96 acres) in size.

Surrounding land uses include:

- residential uses to the north;
- a fire station and residential uses to the south;
- institutional (church and cemetery) to the east, and,
- the Whitby Go Station and parking lot to the west (refer to Attachment #2).

3.2. Applications and Proposed Development

An Official Plan Amendment Application has been submitted to increase the maximum permitted net residential density from 300 units per net hectare to 618 units per net hectare.

A Zoning By-law Amendment application has been submitted to change the current Residential Type 4 (R4) zoning to permit the proposed 18-storey mixed use apartment building.

A Site Plan Application will be required at a later date.

3.3. Documents Submitted in Support

A number of documents were submitted in support of the applications, including the following:

- An Archaeological Assessment (Stage 1-2) prepared by LHC, dated August, 2022, which notes that no archaeological resources were found and concludes that no further archaeological assessment of the study area is warranted;
- A Functional Servicing and Stormwater Management Report prepared by MTE Consultants, dated September 28, 2022, provides a summary and recommendations regarding site grading, on-site groundwater and soils conditions, storm drainage, sanitary servicing, water supply and servicing, utilities, and erosion and sediment control during construction;
- A Geotechnical Report prepared by Canada Engineering Services Inc., dated August, 2018, provides a summary of subsurface conditions including soil and groundwater analysis. The Report includes recommendations regarding geophysical soils and rock analysis and construction practices;
- A Hydrogeology Report prepared by Grounded Engineering, dated October, 2020, which includes recommendations regarding short-term and long-term groundwater seepage and a monitoring and mitigation program during dewatering activities.
- Landscape Plans prepared by Studio TLA, CGL Architects, KLM Planning Partners, dated September, 2022;
- A Noise Study prepared by Valcoustics, dated September, 2022, which includes recommendations regarding existing noise sources in the vicinity of the site, including road traffic on Brock Street South, Victoria Street West and Highway 401, as well as rail traffic on the Canadian National Railway (CN) Kingston Subdivision and Metrolinx GO Subdivision, which carries Lakeshore East GO rail service;
- A Phase 1 Environmental Assessment prepared by IFM Environmental, dated August 2022, which identified potentially contaminating activities and recommends further environmental investigation (Phase 2 ESA);
- A Planning Justification Report prepared by KLM Planning Partners Inc., dated September 2022, which concludes that the proposed development is consistent with provincial, regional and municipal policies and will support the intensification of the Port Whitby Community Secondary Plan Area and support the increased amount of dwelling units that can be efficiently and functionally accommodated within the Port Whitby community without increasing building height;
- A Servicing Plan prepared by MTE Consultants Inc., dated September, 2022;

- A draft Site Plan prepared by CGL Architects, dated September, 2022;
- A Site Plan-Electrical prepared by CGL Architects, dated June, 2022;
- A Survey, prepared by J.D Barnes, dated April, 2021;
- A Transportation Study prepared by Dillion Consulting, dated September 2022, which assessed the impacts of the trips generated by the proposed development, proposes a parking supply of 241 residential and non-residential spaces, and concludes it will adequately serve the development's parking demands;
- A Tree Inventory Preservation Plan, prepared by Kuntz Forestry Consulting Inc., dated June 2022, which includes recommendations regarding mitigation measures to minimize impacts to the preserved trees, tree protection barriers and fencing, tree protection measures prior to demolition;
- An Urban Design Plan prepared by Studio TLA, dated September, 2022, which provides an overview of public and private realm, built form, sustainability principles and implementation of the proposed urban design to meet the built form principles in the Town's Urban Design Guidelines.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated "Living Area" on Schedule 'A' Map A-4 of the Regional Official Plan (ROP). The subject land is also with a Protected Major Transit Station Area (PMTSA) as identified in Regional Official Plan Amendment (ROPA 186) as adopted by Regional Council, awaiting approval by the Minister. Lands within a PTMSA are intended for increased densities and transit-supportive uses to take advantage of proximity to major transit systems.

Victoria St. W. is designated as a "Type B" Arterial Road and is also identified as a "Rapid Transit Spine" in the ROP.

4.2. Whitby Official Plan

The subject land is within the Port Whitby Intensification Area as identified on Schedule 'B' of the Town Official Plan (refer to Attachment #5) and is located within the Port Whitby Community Secondary Plan area as identified on Schedule 'F' (refer to Attachment # 6). Port Whitby is identified as a Major Transit Station Area and is one of several Intensification Areas located within the Town of Whitby where increased residential densities and appropriate types of intensification are planned to occur.

The Port Whitby Major Transit Station area seeks to provide for higher density residential and mixed uses at an appropriate scale to support transit and reduce vehicle dependence.

The Port Whitby Community Secondary Plan seeks to provide for the growth and development of a mixed-use community through infilling and/or intensification, to provide a mix and range of housing, appropriate in terms of scale, traffic generated, and demand on municipal services, and to create a compact neighbourhood with a range of services.

The Port Whitby Community Secondary Plan also encourages reductions in the use of private automobiles by promoting public transit, active transportation, auto sharing, and the use of Transportation Demand Management measures.

The subject land is designated as High Density Residential Mixed Use on Schedule 'F' – Port Whitby Community Secondary Plan (refer to Attachment #6). The High Density Residential Mixed Use permits a maximum building height of 18-storeys, and a maximum density of 300 units per net hectare (OP Policy 11.1.11.3).

An Official Plan Amendment is required to increase the maximum permitted residential density from 300 units per net hectare to 615 units per net hectare to permit the proposed development .

4.3. Zoning By-law

The subject land is zoned Residential Type 4 (R4) on 110 Victoria Street West portion of the subject site, and Highway Commercial (C2) on the 106 Victoria Street West portion (refer to Attachment #7). The R4 zone permits residential dwellings including an apartment dwelling house, but does not allow for the proposed scale and density. In addition, commercial uses are not permitted in the R4 Zone. The C2 Zone does not permit residential uses.

A Zoning By-law Amendment is required to amend the zoning to permit the proposed 18-storey mixed use building.

5. Communication and Public Engagement:

Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. Furthermore, a public notice sign has been erected on the Brock Street South, Victoria Street West. and Byron Street South frontages of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the applications and copies of the associated supporting materials for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the development applications. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public have been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the applications will be considered.

8. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Site Plan

Attachment #4: Proponent's Proposed Building Elevations

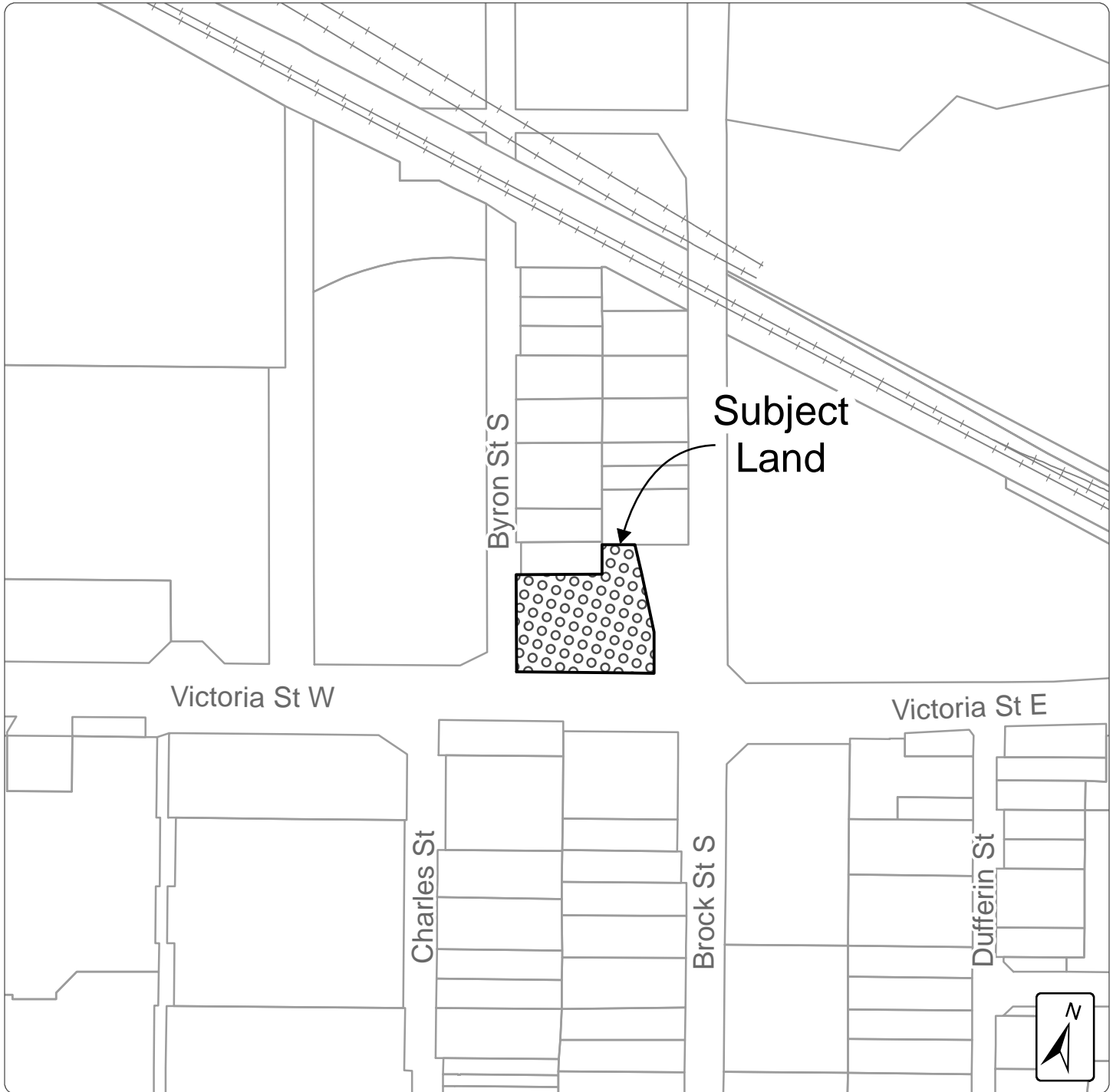
Attachment #5: Excerpt from the Town of Whitby Official Plan Schedule 'B'

Attachment #6: Excerpt from the Town of Whitby Secondary Plan Schedule 'F'

Attachment #7: Excerpt from Zoning By-law #2585

Attachment #1 Location Sketch

PDP 12-23



Town of Whitby Planning and Development Department

Proponent:
Whitby-108 Victoria Inc.

File Number:
DEV-33-22
(OPA-2022-W/04, Z-22-22)

Date:
March 2023

External Data Sources:
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Attachment #2 Aerial Context Map

PDP 12-23



Town of Whitby Planning and Development Department

Proponent:
Whitby-108 Victoria Inc.

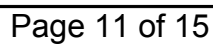
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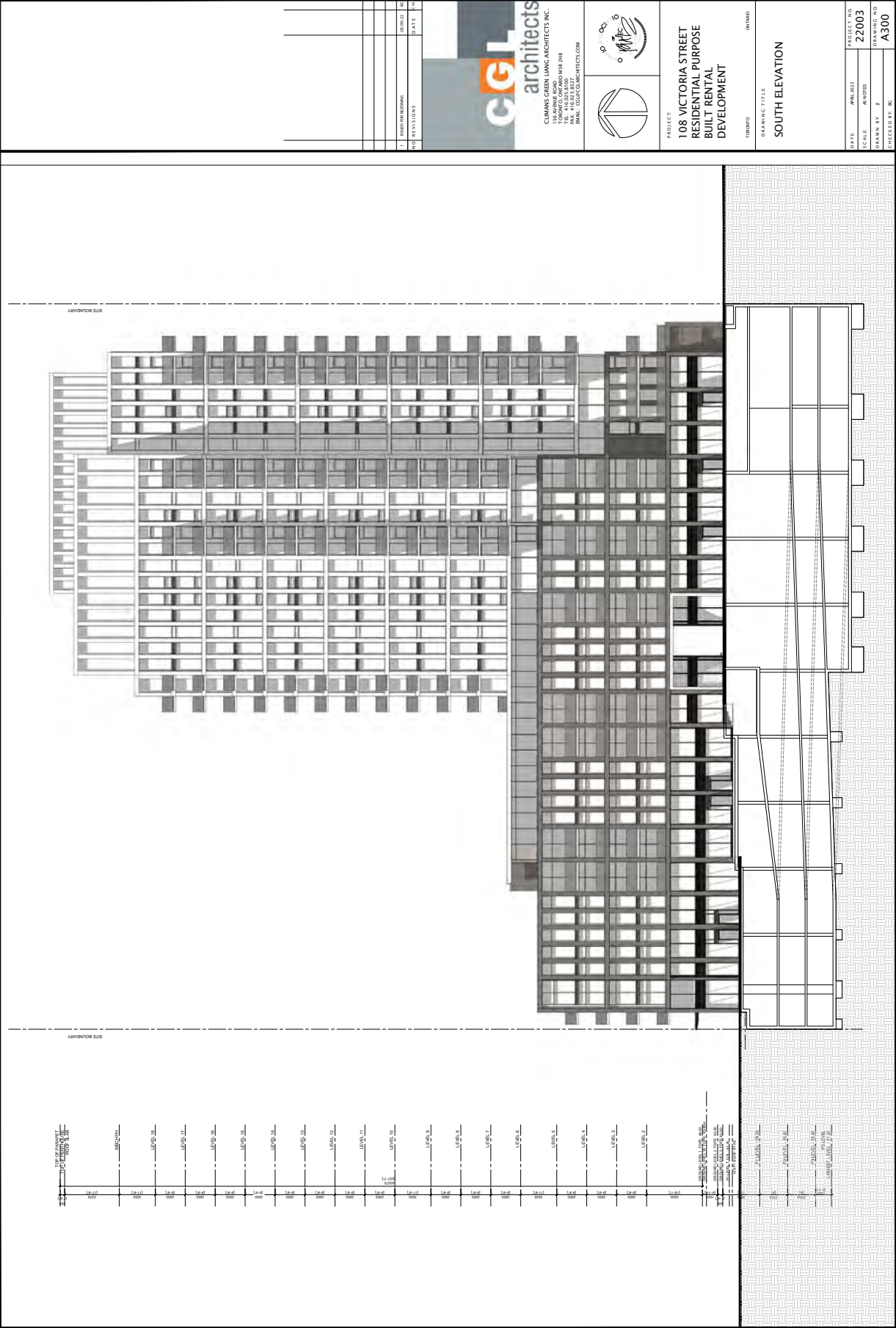
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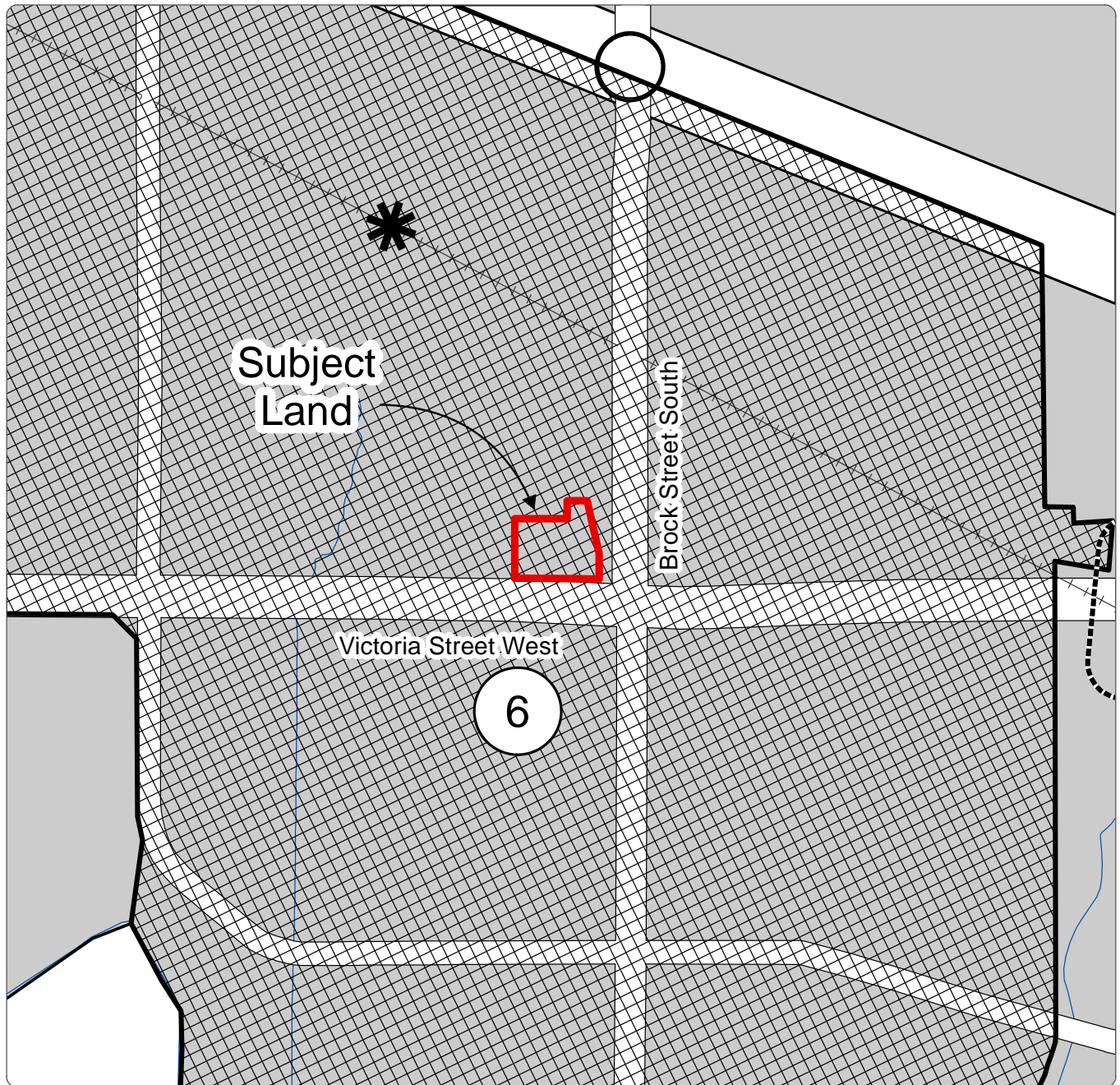


Attachment #4
Proponent's Proposed Building Elevations

PDP 12-23



Excerpt from the Town of Whitby Official Plan Schedule 'B'



Legend

- Major Transit Station
- 2031 Urban Area Boundary
- Municipal Boundary
- Built Boundary (2006)
- Intensification Area
- Intensification Corridor
- Lands Subject to Durham Regional Official Plan Policy 14.13.7

Intensification Areas:

- ① Downtown Brooklin
- ② Brock / Taunton
- ③ Rossland / Garden
- ④ Downtown Whitby
- ⑤ Dundas East
- ⑥ Port Whitby

→ D3 (Deferred by Region of Durham)

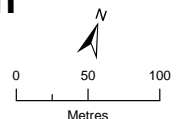
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Official Plan - Town of Whitby

Schedule

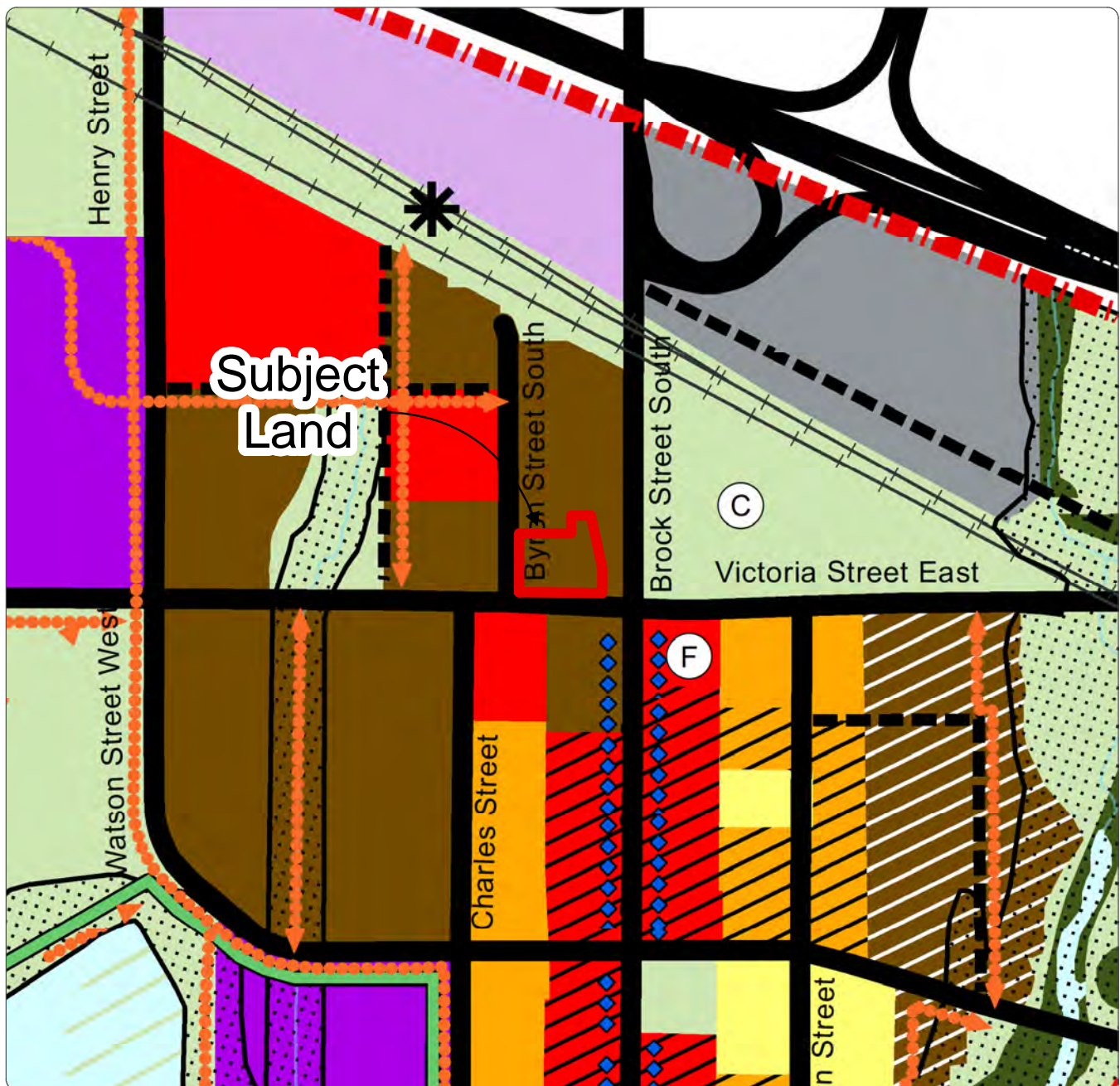
Excerpt from Schedule 'B' Intensification

B



This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.

Excerpt from the Town of Whitby Secondary Plan Schedule 'F'



Legend:

--- Boundary of Port Whitby Community	Major Open Space
Low Density Residential	Natural Hazard Area
Medium Density Residential One	Environmental Protection Area
Medium Density Residential Two	⊙ Cemetery
Mixed Use Residential One	⊙ Marina
Mixed Use Residential Two	⊙ Fire Station
High Density Residential Mixed Use	* Major Transit Station
High Density Residential	--- Proposed Roads
Community / Institutional	— Existing Road Network
Commercial	--- Active Transportation Network / Connections
Utilities	--- Waterfront Trail (Improved)
Prestige Industrial	--- Ground Floor Animation

Excerpt From PORT WHITBY COMMUNITY SECONDARY PLAN



Official Plan
Town of Whitby



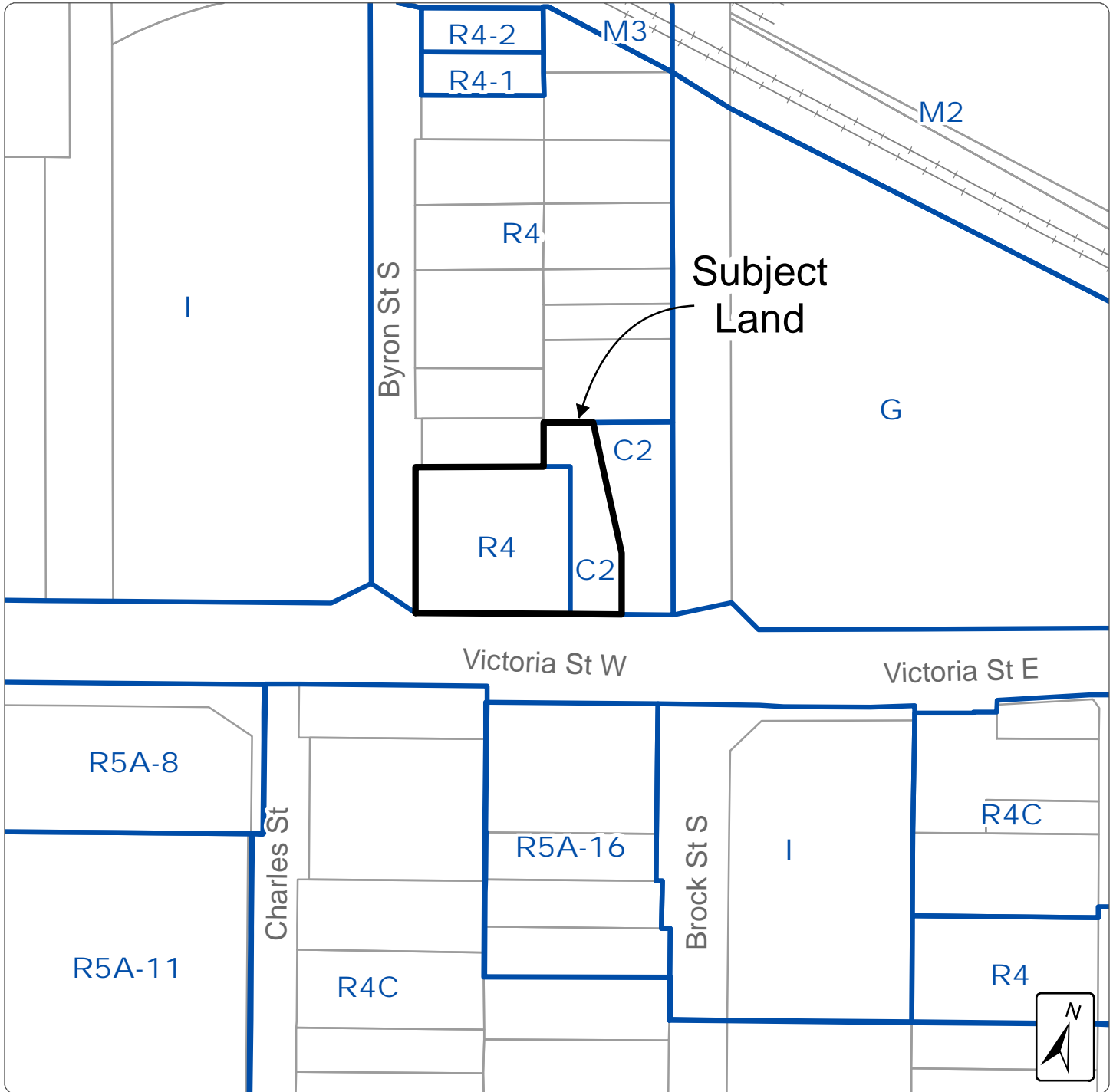
SCHEDULE



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Attachment #7
Excerpt from Zoning By-Law 2585

PDP 12-23



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