

Public Meetings Revised Agenda

Monday, September 9, 2024, 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, and will be available for viewing through the Town's <u>live stream feed</u> while the meeting is in progress. Please visit whitby.ca/CouncilCalendar for more information about the live stream and archived videos.

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 virtually during the Public Meetings, please submit a <u>Delegation Request Form</u> online to the Office of the Town Clerk by 8 a.m. on the day of the meeting. Those wishing to speak in-person are encouraged to submit a <u>Delegation Request Form</u>, but are not required to pre-register in order to speak at the Public Meetings. 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.

Interested parties who wish to be notified of updates pertaining to a matter considered at a Public Meeting may submit an <u>Interested Party List Registration Form</u>. Requests may also be submitted inperson during the meeting at a registration kiosk located in Council Chambers, Whitby Town Hall (575 Rossland Rd E).

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.

PDP 38-24, Planning and Development (Planning Services) Department Report
Re: Zoning By-law Amendment Application, Brookfield Residential (Ontario) Brock St
Limited, 1615 Brock Street South, File Number: DEV-19-24 (Z-08-24)

Delegations:

- 1. Matthew Cory, representing Brookfield Residential (Ontario) Brock St Limited (In Person Attendance)
- *2. PDP 39-24, Planning and Development (Planning Services) Department Report Re: Official Plan Amendment Application, Zoning By-law Amendment Application, Menkes Champlain Inc., Unaddressed Parcel North side of Stellar Drive, East of Thickson Road South, File Number: DEV-18-24 (OPA-2024-W/07, Z-07-24)

Delegations:

- Scott Waterhouse, representing Menkes Champlain Inc. (In Person Attendance) *
- *3. PDP 40-24, Planning and Development (Planning Services) Department Report Re: Draft Plan of Subdivision Application and Zoning By-law Amendment Application, CODR Holdings Limited, Unaddressed Property on Coronation Road, File Number: DEV 20-24 (SW-2024-02, Z-09-24)

Delegations:

 Christian Jattan, representing CODR Holdings Limited (In Person Attendance) * *4. PDP 41-24, Planning and Development (Planning Services) Department Report Re: Zoning By-law Amendment Application, GHD on behalf of William Feaver, 7595 Duffs Road, File Number: DEV-22-24 (Z-10-24)

Delegations:

1. Christian Jattan, representing GHD on behalf of William Feaver (In Person Attendance) *

Town of Whitby Public Meeting Report



whitbv.ca/CouncilCalendar

Report Title: DEV-19-24: Zoning By-law Amendment Application,

Brookfield Residential (Ontario) Brock St Limited,

1615 Brock Street South, File No. Z-08-24.

Date of meeting: September 9, 2024

Report Number: PDP 38-24

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:

L. England, Planner I, x. 2822

Planning Report PDP 38-24 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 <u>Town's website</u>.

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:

A Zoning By-law Amendment Application has been submitted by Brookfield Residential (Ontario) Brock St Limited for the land municipally known as 1615 Brock Street South.

The proposal is to rezone the subject land from R4C (Residential Type 4C Zone) to an appropriate zoning category to permit the proposed mixed-use development.

2. Purpose:

The Planning and Development Department is in receipt of the application for a Zoning By-law Amendment for the subject land. The purpose of this report is to present information related to the application 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 approximately 30 metres north of the northeast corner Brock Street South and Watson Street East, municipally known as 1615 Brock Street South (refer to Attachment #1).

The surrounding land uses include:

- A 3-storey residential apartment dwelling to the east;
- Single-detached dwellings to the north and west; and
- Townhouse dwellings and a single detached dwelling to the south.

Currently, the subject land is vacant (refer to Attachment #2).

3.2. Application and Proposed Development

A Zoning By-law Amendment application has been submitted to change the zoning from R4C (Residential Type 4C Zone) to an appropriate zoning category to permit the proposed mixed-use development.

The proposed mixed-use development consists of 55 back-to-back stacked townhouses with two at-grade commercial units totalling approximately 215 square metres.

3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- Cover Letter, prepared by Brookfield Residential (Ontario) Garden Limited, dated May 7, 2024.
- Geotechnical Report, prepared by DS Consultants LTD., dated August 31, 2022.
- Hydrogeological Report, prepared by DS Consultants LTD., dated October 5, 2022.
- Archaeological Report Registers, prepared by Ontario Ministry of Tourism, Culture, and Sport, dated November 10, 2015, and November 12, 2015.

- Architectural Drawing Package, prepared by RAW Design Inc., dated March 14, 2023. (refer to Attachment #3).
- Building Elevations, prepared by RAW Design Inc., dated March 14, 2023. (refer to Attachment #4).
- Planning Opinion Letter, prepared by Malone Given Parsons Ltd., dated March 22, 2024.
- Sustainability Report, prepared by Malone Given Parsons Ltd., dated March 22, 2024.
- Record of Site Condition, prepared by Ontario Ministry of the Environment, Conservation and Parks, dated June 26, 2023.
- Functional Servicing and Stormwater Management Report, prepared by TYLin Group, dated May 2023.
- Servicing Plan, prepared by TYLin Group, dated September 2022.
- Traffic Comment Response, prepared by TYLin Group, dated March 21, 2024.
- Response Matrix, prepared by Brookfield Residential (Ontario) Garden Limited.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Living Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Living Areas are intended to be used predominantly for residential purposes.

New Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Regional Official Plan. The new ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

The subject land is designated as Protected Major Transit Station Area (PMTSA) on Map 1 – Regional Structure in the new ROP.

4.2. Whitby Official Plan

The subject land is designated Residential on Schedule "A" of the Town of Whitby Official Plan (refer to Attachment #5). Living Areas are intended to be used predominantly for residential purposes.

The subject land is also designated Mixed Use Residential One within the Port Whitby Secondary Plan on Schedule 'F' of the Whitby Official Plan (refer to Attachment #6).

Lands designated as Mixed Use Residential One permit residential uses in a multiple unit setting and a wide range of small-scale retail, cultural and small-scale service commercial and office uses (11.1.9.2).

The minimum residential density is greater than 50 dwelling units per net hectare and the maximum residential density shall not exceed 175 dwelling units per hectare. The minimum building height shall be three storeys and a maximum building height shall not exceed six storeys (11.1.9.3).

Development with frontage on Brock Street South must contain ground floor related commercial uses (11.1.9.5).

New infill development along Brock Street South should have adaptable and accessible ground floor spaces suitable for a range of uses such as galleries, professional offices, retail, community space and live/work units that can animate the public realm (11.1.9.7).

4.3. Zoning By-law

The land municipally known as 1615 Brock Street South is zoned R4C (Residential Type 4C Zone) under By-law #2585. (refer to Attachment #7).

A Zoning By-law Amendment Application is required to change the zoning of 1615 Brock Street South to permit the proposed mixed-use development.

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 frontage 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 Concept Plan

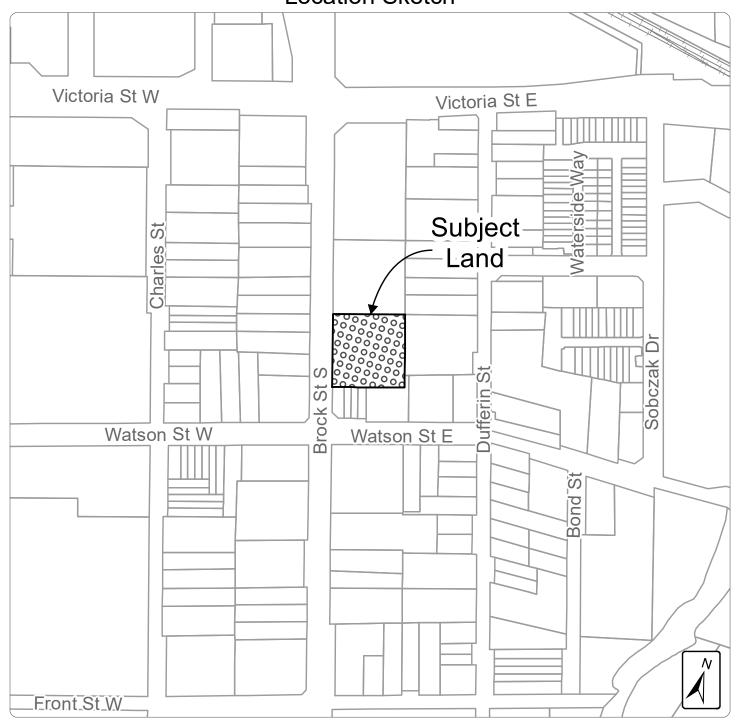
Attachment #4 Proponent's Proposed Building Elevations

Attachment #5 Excerpt from Official Plan Schedule A

Attachment #6 Excerpt from Port Whitby Community Secondary Plan Schedule F

Attachment #7 Excerpt from Zoning By-Law 2585

Attachment #1 Location Sketch



white Town of Whitby Planning and Development Department

Proponent:
BROOKFIELD RESIDENTIAL (ONTARIO)
BROCK ST LIMITED

File Number: DEV-19-24 (Z-08-24)

September 2024

Date:

External Data Sources:

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Attachment #2 Aerial Context Map



white Town of Whitby Planning and Development Department

Proponent:
BROOKFIELD RESIDENTIAL (ONTARIO)
BROCK ST LIMITED

File Number: DEV-19-24 (Z-08-24)

Date:

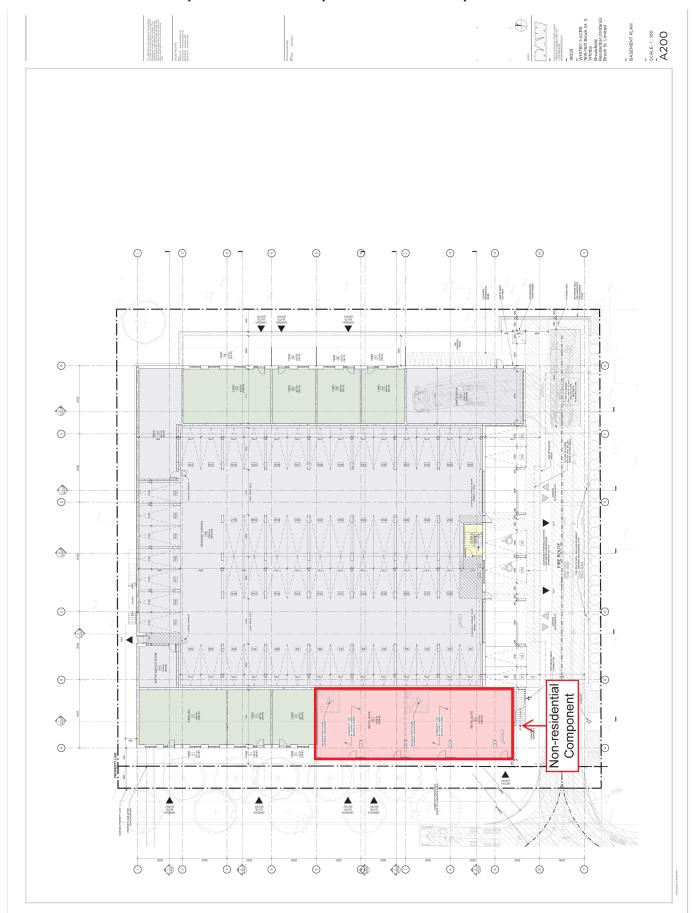
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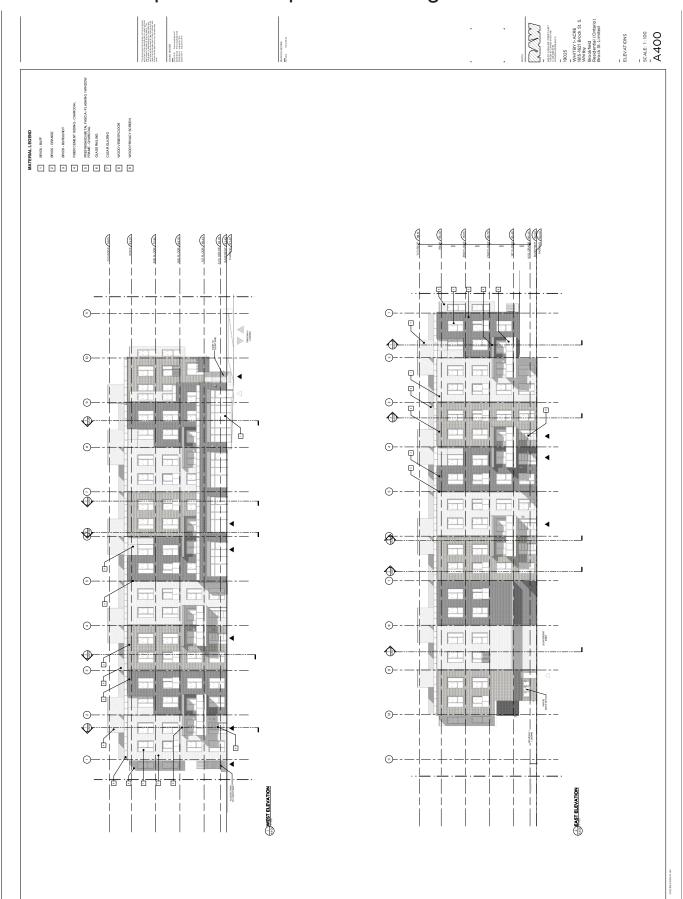
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Attachment #3 Proponent's Proposed Concept Plan

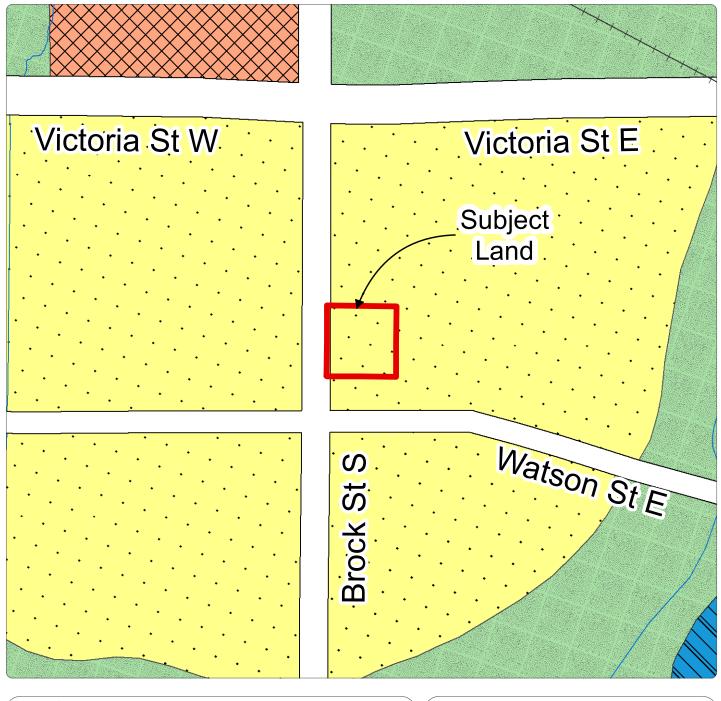


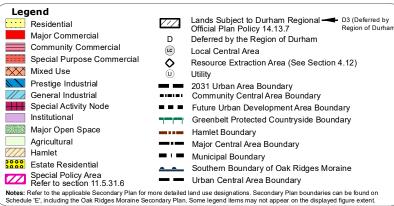
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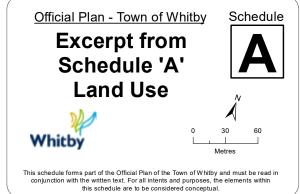
Attachment #4 Proponent's Proposed Buildng Elevations



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







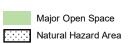
Attachment #6

Excerpt from Port Whitby Community Secondary Plan Schedule F



Legend:





Environmental Protection Area

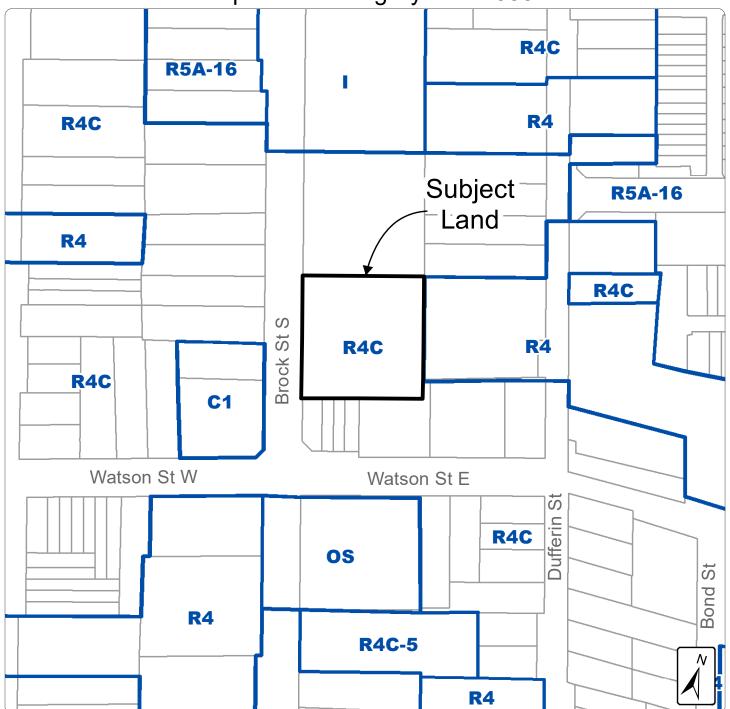
- 0 Cemetery
- W Marina
- Fire Station
- Major Transit Station
- Proposed Roads
- **Existing Road Network**
- Active Transportation Network / Connections
- Waterfront Trail (Improved)
- Ground Floor Piagien 14 of 50

Excerpt From PORT WHITBY COMMUNITY **SECONDARY PLAN**





Attachment #7 Excerpt from Zoning By-Law 2585



Town of Whitby Planning and Development Department		
Proponent: BROOKFIELD RESIDENTIAL (ONTARIO) BROCK ST LIMITED	File Number: DEV-19-24 (Z-08-24)	Date: September 2024

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Town of Whitby Public Meeting Report



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Report Title: DEV-18-24: Official Plan Amendment Application,

Zoning By-law Amendment Application, Menkes Champlain Inc., Unaddressed Parcel North side of Stellar Drive, East of Thickson Road South, File No.

OPA-2024-W/07, Z-07-24.

Date of meeting: September 9, 2024

Report Number: PDP-39-24

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:

K. Afante, Planner I, x 2836

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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.

If a specified 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 specified 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 specified person or public body as a party.

1. Highlights:

- Applications for Official Plan Amendment and Zoning By-law Amendment have been submitted by Menkes Champlain Inc. for the unaddressed land located north of Stellar Drive.
- The proposal is for a new automobile dealership as an additional permitted use on a portion of the subject land.
- The proponent will be required to submit a Site Plan application at a later date.

2. Purpose:

The Planning and Development Department is in receipt of applications for Official Plan Amendment and Zoning By-law Amendment for the subject land. 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 includes the unaddressed parcel on the north side of Stellar Drive, approximately 500 metres east of Thickson Road South (refer to Attachment #1). The subject land is currently vacant and approximately 5.4 hectares (13.5 acres) in size.

Surrounding land uses include: automobile dealerships to the west, the Canadian Pacific Railway to the north, vacant future Prestige Industrial lands to the south, and vacant future Prestige Industrial lands to the east (refer to Attachment #2).

3.2. Applications and Proposed Development

An Official Plan Amendment Application has been submitted to permit the proposed new automobile dealership, as an additional permitted use within the Prestige Industrial designation, on a portion of the subject land, as the site is not located on lands abutting Highway 401, nor abutting a service road adjacent to Highway 401 (refer to Attachment #3).

A Zoning By-law Amendment Application has been submitted to permit the additional use of an automobile sales dealership and apply appropriate development standards in the Prestige Industrial – Exception 2 Zone (M1A-2).

In addition, the Zoning By-law Amendment application seeks to change the zoning on eastern portion of the property to match the western portion of the property to permit a warehouse distribution facility. The Zoning By-law Amendment application also seeks to remove the holding symbol applicable to the portion of the property zoned H-M1A-2.

A Site Plan Application will be submitted at a later date and will proceed through the Commissioner of Planning and Development once all agency comments have been received and addressed.

3.3. Documents Submitted in Support

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

- A Concept Site Plan prepared by Turner Fleischer Architects Inc., latest revision date May 15, 2024 (refer to Attachment #3);
- An Arborist Report prepared by Strybos Barron King Ltd, dated May 27, 2022, which summarizes the trees inventoried immediately adjacent to the site and provides recommendations for retention in context with the proposed industrial development;
- An Environmental Impact Study and Addendum Letter prepared by Stantec Consulting Ltd, dated June 10, 2024, which provides recommendations to protect the natural features including measures to mitigate potential impacts and enhance the natural heritage system where appropriate;
- A Geotechnical and Hydrogeology Report prepared by Terrapex Environmental Ltd, dated June 8, 2022, which provides an evaluation of the subsurface conditions and recommends specific construction methods for the building foundations;
- A Conceptual Drainage Plan prepared by Stantec Consulting Ltd;
- A Land Use Compatibility Study prepared by prepared by GHD, dated February 17, 2023, which concludes that the development is not a significant source of air quality, dust or vibration, emissions. Based on the proposed operations, there is a potential for noise impacts and minor odour impacts if paint spraying is used as part of the automobile dealership use. The Land Use Compatibility Study includes mitigation recommendations if paint spraying is part of the automobile dealership use;
- A Phase One Environmental Site Assessment (ESA), prepared by Terrapex Environmental Ltd, dated October 3, 2022, for the East portion of the site which concludes no areas of potential environmental concern have been identified at the Site. As such, a Phase Two ESA is not required for the east portion of the subject site:

- A Phase One Environmental Site Assessment (ESA), prepared by DS Consultants Ltd, dated March 3, 2021, for the west portion of the site identified two (2) areas of potential environmental concern which require further investigation;
- A Phase Two Environmental Site Assessment for the west portion of the site, dated April 6, 2021, prepared by DS Consultants Ltd, indicates the results of the soil and groundwater sampling completed as part of the 2021 Phase Two ESA and concludes that the Site Condition Standards had been met and no further investigation is required;
- An Environmental Conditions Letter for the West portion of the site prepared by DS Consultants Ltd, dated October 3, 2023, which identifies that there is no evidence of new potentially contaminating activities occurring on the property since the Phase One and Two ESAs were completed, and that no further environmental investigation is warranted at this time;
- A Planning Rationale prepared by GHD, dated February 2023 states that the proposed development and the Official Plan Amendment and Zoning By-law Amendment applications are consistent with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Durham Regional Official Plan. The Rationale also states that the additional automobile dealership use does not create any significant land use compatibility concerns;
- A Planning Rationale Addendum Letter prepared by GHD, dated June 10, 2024, states that the conclusions of the February 2023 Planning Rationale Report are still valid to support the Official Plan Amendment and Zoning By-law Amendment applications;
- A Site Servicing Plan prepared by Stantec Consulting Ltd;
- A Stage 1-2 Archaeological Assessment Report prepared by AMICK Consultants Limited, dated January 16, 2023, encountered no archaeological resources and recommended that no further archaeological assessment of the study area is warranted;
- A Storm Drainage Plan prepared by Stantec Consulting Ltd;
- A Stormwater Management Report prepared by Stantec Consulting Ltd, dated October 20, 2023, which concludes that the Site can be adequately serviced with storm drainage using conventional municipal engineering practices and compliance to Town Standards. The Report requires all onsite storm sewers will be designed to convey, at a minimum, runoff from the 1 in 100-year storm event to the on-site storage system;

- A Stormwater Management Addendum Letter prepared by Stantec Consulting Ltd, dated June 6, 2024, which identifies that the site has undergone minor revisions which removed direct impacts from the staked limit of wetland, resulting in minor revisions to catchment areas. The recommendations and conclusions in the Storm Water Management Report (Stantec 2023) are valid and do not require revision;
- A Traffic Impact Study and Addendum Letter prepared by LEA Consulting Ltd, dated February 2023, concludes that the traffic generated by the proposed uses are acceptable for the surrounding road network, the site is functional from a maneuverability perspective with appropriate signage, and provides sufficient vehicular parking;
- A Tree Inventory and Preservation Plan prepared by Strybos Barron King Ltd, latest revision date September 22, 2023; and,
- A Noise Impact Study prepared by Howe Gastmeier Chapnik Limited, dated October 11, 2023, which indicates that the sound emissions from the proposed facilities will be within the limits of the Ministry of Environment, Conservation and Parks (MECP) requirements under a worst case assumed operational scenario with the implementation of noise controls including an acoustic barrier and limiting the operations of Warehouse C to daytime hours only.

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

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated as "Employment Area" in the Durham Regional Official Plan (ROP). Employment Areas are intended for uses that require access to highway, rail and/or shipping facilities, such as manufacturing, assembly and processing of goods, service industries, research and development facilities, warehousing, offices and business parks, as outlined in Section 8C.2.1 of the Region of Durham Official Plan.

New Region of Durham Official Plan:

On May 17, 2023, Regional Council adopted the new Regional Official Plan. The new ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

The subject land is designated as Employment Areas on Map 1 – Regional Structure in the new ROP. Employment Areas are intended for manufacturing, warehousing, storage, assembly and processing.

4.2. Whitby Official Plan

Most of the subject land is designated "Prestige Industrial" with a small portion of the property at the west boundary designated "Major Open Space" on Schedule A of the Town's Official Plan (refer to Attachment #4).

Prestige Industrial areas generally include light industrial uses within enclosed buildings, professional, corporate, and industrial oriented office buildings, major office uses within Business Parks, data processing centres, commercial or technical schools, post-secondary educational facilities, research and development facilities, and incidental sales outlets within industrial buildings.

Policy 4.7.3.2.10 adds that as an exception, dealerships for new automobiles and trucks may be permitted in the Prestige Industrial designation by amendment to the Zoning By-law on lands abutting Highway 401 east of Pringle Creek, Highway 407 or Highway 412, or abutting a service road adjacent to one of these Provincial highways, provided such uses are compatible with the surrounding area.

The subject land is not abutting Highway 401 nor abutting a service road adjacent to Highway 401. As a result, an amendment to the Whitby Official Plan is required to permit the proposed dealership use.

4.3. Zoning By-law

The east portion of the subject land is zoned Restricted Industrial (M1). The west portion of the subject land is mostly zoned Holding Prestige Industrial, Exception 2 (H-M1A-2) with a small portion along the west boundary zoned Greenbelt (G) as per Zoning By-law 1784 (refer to Attachment #5).

The M1A zone permits industrial and employment related uses, including warehousing and office buildings among other uses. Exception 2 to the M1A zone permits a hotel. The 'H' Holding symbol can be removed once a Noise Impact Study has been prepared to the satisfaction of Durham Region.

An automobile dealership use is not a permitted use in the M1A zone. A Zoning By-law Amendment is required to permit the proposed new automobile dealership and to remove the holding symbol applicable to the portion of the property zoned H-M1A-2.

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 Stellar Drive frontage 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 Concept Plan

Attachment #4: Excerpt from Town of Whitby Official Plan Schedule A – Land Use

Attachment #5: Excerpt from Zoning By-law 1784

Attachment #1 Location Sketch



Town of Whitby Planning and Development Department Proponent: Menkes Champlain Inc. File Number: DEV-18-24 (OPA-2024-W/07, Z-07-24) Date: September 2024

External Data Sources:

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Attachment #2 **Aerial Context Map**



white Town of Whitby Planning and Development Department Proponent:

File Number: DEV-18-24

Date:

Menkes Champlain Inc.

(OPA-2024-W/07, Z-07-24)

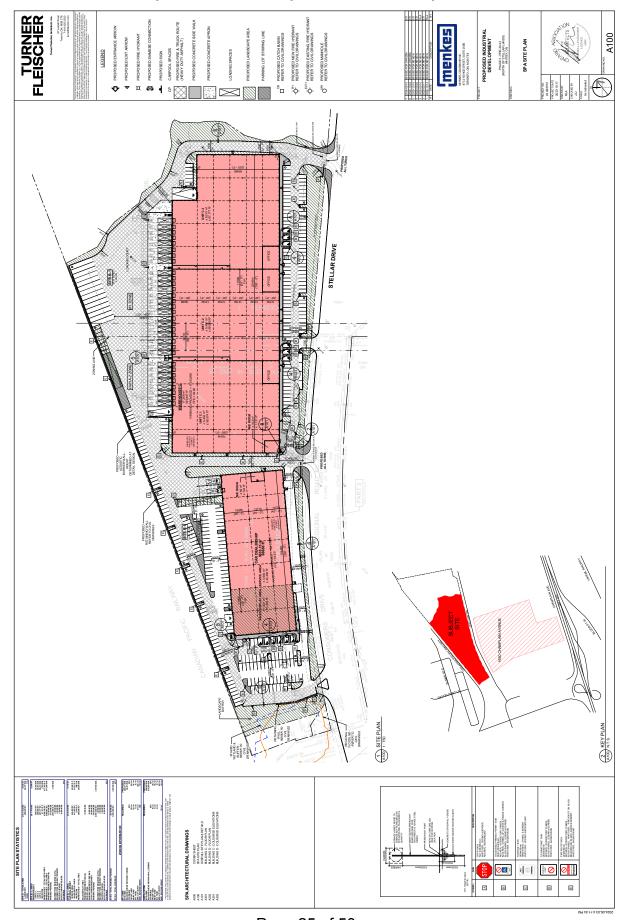
September 2024

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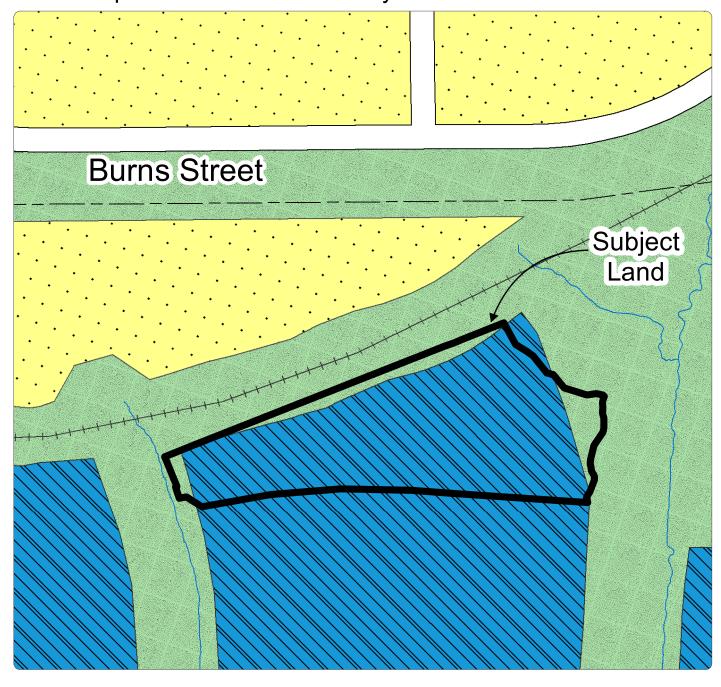
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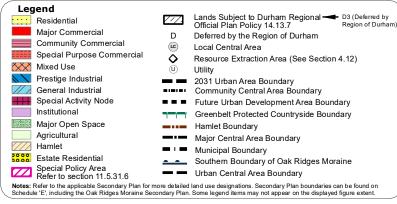
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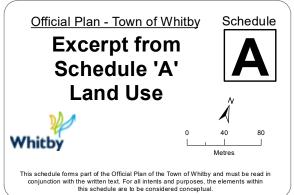


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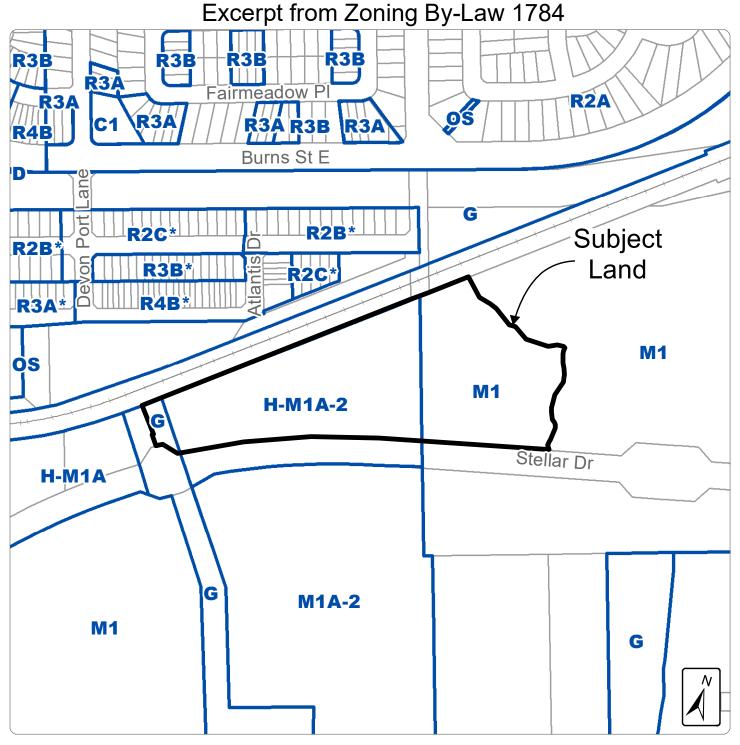
Attachment #4 Excerpt from the Town of Whitby Official Plan Schedule 'A'







Attachment #5



Town of Whitby Planning and Development Department Proponent: Menkes Champlain Inc. File Number: DEV-18-24 (OPA-2024-W/07, Z-07-24) Date: September 2024

External Data Sources:

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Town of Whitby Public Meeting Report



whitbv.ca/CouncilCalendar

Report Title: DEV-20-24: Draft Plan of Subdivision Application,

Zoning By-law Amendment Application, CODR Holdings Limited, Unaddressed property on Coronation Road, File No. SW-2024-02, Z-09-24.

Date of meeting: September 9, 2024

Report Number: PDP 40-24

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:

K. Afante, Planner I, ext. 2836

Planning Report PDP 40-24 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.

If a specified 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 specified 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 specified person or public body as a party.

1. Highlights:

- Applications for Draft Plan of Subdivision and Zoning By-law Amendment have been submitted by GHD on behalf of CODR Holdings Limited for the unaddressed Coronation Road property within the West Whitby Community Secondary Plan.
- The proposal is for a draft plan of subdivision including three residential lots, an institutional block for a Place of Worship, an open space block, and a culde-sac.
- The proponent will be required to submit a Site Plan application for the institutional block at a later date.

2. Purpose:

The Planning and Development Department is in receipt of applications for Draft Plan of Subdivision and Zoning By-law Amendment for the subject land. 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 on the east side of Coronation Road, approximately 440 metres south of Taunton Road West (refer to Attachment #1). The subject land is currently vacant and approximately 0.72 hectares (1.78 acres) in size.

The surrounding land uses include:

- Lynde Creek Valley to the east;
- A single-detached dwelling to the north;
- A park block and multiple blocks that create a proposed School Site in Plan 40M-2651 to the west, and:
- Future single detached dwellings in a registered Plan of Subdivision to the south (refer to Attachment #2).

3.2. Applications and Proposed Development

A Draft Plan of Subdivision Application has been submitted to develop three residential lots, an institutional block, an open space block, and a cul-de-sac. The Proponent is proposing to develop three single detached residential dwellings on the easterly portion of the site, and a Synagogue on the Institutional block. The Synagogue will have direct access from Coronation Road. The residential dwellings will obtain access from the proposed cul-de-sac that connects to Fire King Drive, being the local road created by the approved draft plan of subdivision (Plan 40M-2746) to the south of the subject land.

A Zoning By-law Amendment Application has also been submitted to change the zoning from Agricultural Zone – Exception 3 (A-3) to appropriate zone categories to implement the West Whitby Secondary Plan and the proposed draft plan of subdivision.

A Site Plan Application for the institutional block will be submitted later and will proceed through the Commissioner of Planning and Development once all agency comments have been received and addressed.

3.3. Documents Submitted in Support

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

- A Draft Plan of Subdivision prepared by GHD, latest revision date May 2024 (refer to Attachment #3);
- An Environmental Constraints Plan prepared by GHD, latest revision date June 2024;
- A Construction Management Report prepared by GEI Consultants, latest revision date July 2024;
- A Functional Servicing and Stormwater Management Report prepared by GEI Consultants, dated July 2024;
- The Grading, Servicing, and Erosion and Sediment Control Plans prepared by GEI Consultants, latest revision date June 28, 2024;
- An Engineering Comment Response Matrix prepared by GEI Consultants;
- A Geotechnical Report prepared by Soil Engineers Ltd, dated June 2023;
- A Hydrogeological Assessment prepared by Soil Engineers Ltd, dated June 2023;
- An Infiltration Trench Opinion Letter prepared by Soil Engineers Ltd, dated July 3, 2024;
- A Traffic Brief and Parking Study prepared by GHD, dated June 6, 2023;
- A Noise Study prepared by J.E. Coulter Associates Limited, dated March 27 2024;
- A Phase One Environmental Site Assessment prepared by Soil Engineers Ltd, dated October 24, 2022;
- A Planning Justification Report prepared by GHD, dated June 2023;

- An Arborist Report and Tree Inventory and Preservation Plan prepared by Cosburn and Giberson Landscape Architects, latest revision date March 14, 2024;
- A Multi-use Trail Route and Planting Plan prepared by Cosburn and Giberson Landscape Architects, dated March 13, 2024;
- A Stage 1 & 2 Archaeological Assessment prepared by Archaeological Consultants Canada, dated October 14, 2022; and,
- An Updated Sustainability Report and Whitby Green Standards Checklist prepared by GHD, dated March 25, 2024.

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

4. Discussion:

4.1. Current Region of Durham Official Plan

The subject land is designated as "Living Area" in the Durham Regional Official Plan (ROP). Lands designated as Living Areas are to be used predominately for housing purposes, however, it also permits additional uses that are compatible with the surrounding neighbourhood, as outlined in Section 8B.2.1 of the Region of Durham Official Plan.

4.2. New Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Regional Official Plan. The new ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

The subject land is designated as Community Areas on Map 1 – Regional Structure in the new ROP. Community Areas are intended include residential, commercial, retail, institutional and other public service facilities.

4.3. Whitby Official Plan

The subject land is designated Residential on Schedule A – Land Use of the Town's Official Plan and "Low Density Residential" on Schedule V – West Whitby Community Secondary Plan (refer to Attachment #4). Community uses such as a place of worship are permitted on lands designated Residential as outlined in Policy 4.4.3.1 (a). Lands designated Low Density Residential on Schedule V – West Whitby Secondary Plan permit single detached, semi-detached, duplex dwellings and other similar ground related built forms.

Schedule C - Environmental identifies Natural Heritage System east of Coronation Road adjacent to this property. Policies 5.3.7.3, 5.3.7.6 and 5.3.7.7 in the Official Plan state that the extent and exact location of the Natural Heritage System shall be determined at a site level through Environmental Impact Studies and that it must be demonstrated that there will be no negative impact to the features and ecological function of the features within the Natural Heritage System. Given the proximity of these lands to the Natural Heritage System identified in Schedule C, completion of a site-specific Environmental Impact Study is required.

4.4. Zoning By-law

The subject land is zoned Agricultural Zone – Exception 3 (A-3), which permits agricultural and agricultural related uses, and one single detached dwelling per property (refer to Attachment #6).

A Zoning By-law Amendment is required to implement the West Whitby Community Secondary Plan and permit the proposed development. The Zoning By-law Amendment will include a site-specific parking rate for the Institutional use.

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 Coronation Road frontage 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

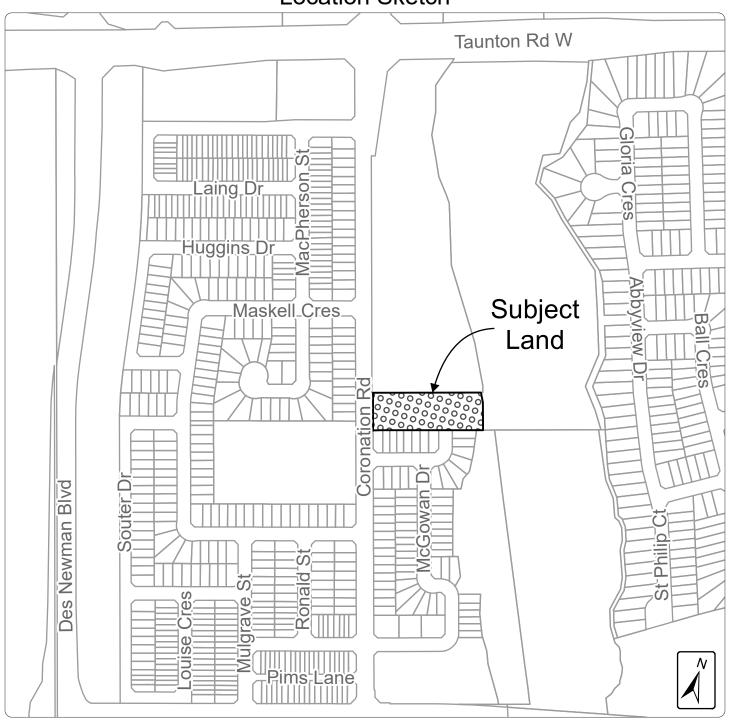
Attachment #3: Proponent's Proposed Draft Plan

Attachment #4: Excerpt from Town of Whitby Official Plan Schedule V – West

Whitby Community Secondary Plan

Attachment #5: Excerpt from Zoning By-Law 1784

Attachment #1 Location Sketch



White Town of Whitby Planning and Development Department

Proponent: CODR Holdings Limited

File Number:

DEV-20-24 (SW-2024-02 / Z-09-24)

Date:

September 2024

External Data Sources:

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Attachment #2 Aerial Context Map



white Town of Whitby Planning and Development Department

Proponent: File Number: Date:

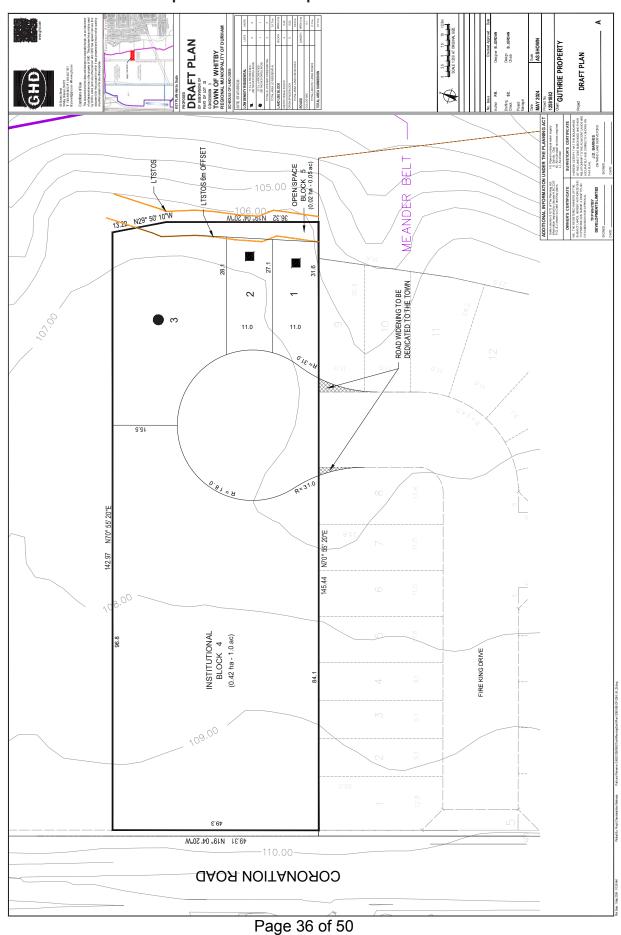
CODR Holdings Limited DEV-20-24 (SW-2024-02 / Z-09-24) September 2024

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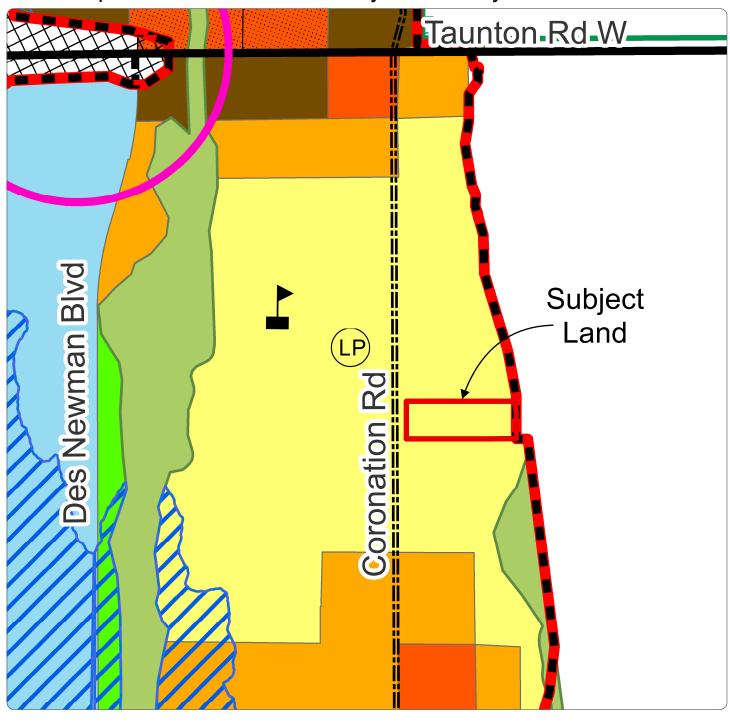
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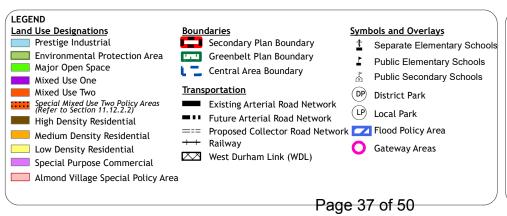
Attachment #3 Proponent's Proposed Draft Plan



Attachment #4

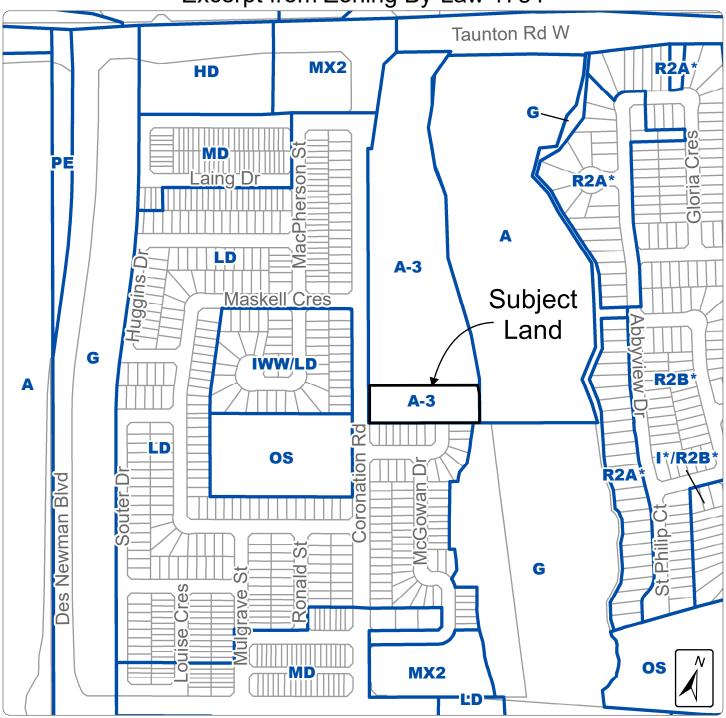
Excerpt from the Town of Whitby Secondary Plan Schedule 'V'







Attachment #5 Excerpt from Zoning By-Law 1784



Town of Whitby Planning and Development Department			
Proponent:	File Number:	Date:	
CODR Holdings Limited	DEV-20-24 (SW-2024-02 / Z-09-24)	September 2024	

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Town of Whitby Public Meeting Report



whitby.ca/CouncilCalendar

Report Title: DEV-22-24: Zoning By-law Amendment Application,

GHD on behalf of William Feaver, 7595 Duffs Road,

File No. Z-10-24.

Date of meeting: September 9, 2024

Report Number: PDP 41-24

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:

M. Wianecki, Planner II, x. 2932

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Additional information regarding statutory public meetings under the Planning Act can be found on the Town's website.

If a specified 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 specified 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 specified person or public body as a party.

1. Highlights:

 A Zoning By-law Amendment Application has been submitted by GHD on behalf of William Feaver for land municipally known as 7595 Duffs Road.

- The Zoning By-law Amendment Application proposes to change the current zoning from Agricultural (A) Zone to appropriate zone categories to permit the proposed development of eight (8) single-detached dwellings.
- The future Draft Plan of Subdivision Application proposes to create eight (8) residential lots that will front directly onto Duffs Road as well as an open space block.

2. Purpose:

The Planning and Development Department is in receipt of an application for a Zoning By-law Amendment for the subject land. The purpose of this report is to present information related to the application 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 on the east side of Duffs Road, north of Baldwin Street. The subject land is municipally known as 7595 Duffs Road (refer to Attachment #1). The subject land is approximately 0.45 hectares (1.12 acres) in size.

The subject land currently contains a single-detached dwelling, which will be removed. The land uses to the west include agricultural uses, while land uses to the north, east, and south are vacant (future residential uses) (refer to Attachment #2).

The adjacent property that surrounds the subject land to the north, east, and south is subject to a development application (SW-2021-11) to facilitate the development of a residential plan of subdivision.

3.2. Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by GHD on behalf of William Feaver to accommodate the future development of a residential plan of subdivision.

The Zoning By-law Amendment Application proposes to change the current zoning from Agricultural (A) Zone within Zoning By-law No. 1784, to appropriate zone categories to accommodate the proposed future development (refer to Attachment #3).

A future Draft Plan of Subdivision Application will be required to create eight (8) residential lots that will front directly onto Duffs Road, as well as an open space block (refer to Attachment #3).

3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- A Concept Draft Plan, prepared by GHD, dated April 2024 (refer to Attachment #3);
- A Boundary and Topographic Survey, prepared by J.D. Barnes, dated June 2022;
- An Environmental Impact Study, prepared by Beacon Environmental, dated May 2023;
- An Environmental Constraints Plan, prepared by Beacon Environmental, dated January 2024;
- An Arborist Report, prepared by Beacon Environmental, dated December 2023;
- A Brooklin Secondary Plan Area Sub-Area Study Sub-Area 3C, prepared SCS Consulting Group Limited, dated March 2024;
- A Functional Servicing and Stormwater Management Report, prepared by SCS Consulting Group Limited, dated December 2023;
- A Geotechnical Investigation, prepared by GHD, dated December 2022;
- A Sustainability Report and Whitby Green Standard Checklist, prepared by GHD, dated May 2023 – revised May 2024;
- A Hydrogeological Assessment and Water Balance, prepared by R.J. Burnside & Associates Limited, dated January 2024;
- A Noise Impact Study, prepared by GHD, dated April 2023;
- A Site Screening Questionnaire, prepared by GHD, dated November 2022;
- A Stage 2 Archaeological Assessment, prepared by Archeoworks Inc., dated August 2022; and,
- An Active Transportation Plan, prepared by GHD, dated May 2024 (refer to Attachment #4).

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

4. Discussion:

4.1. Current Region of Durham Official Plan

The subject land is designated 'Living Areas' on Schedule 'A' Map 'A4' of the Regional Official Plan. Living Areas are primarily intended to accommodate residential uses.

4.2. New Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Regional Official Plan. The new Regional Official Plan is currently with the Ministry of Municipal Affairs and Housing for approval.

The subject land is designated as Community Areas on Map 1 – Regional Structure in the new Regional Official Plan. Community Areas are intended for residential, commercial, retail, institutional and other public service facilities.

4.3. Whitby Official Plan

The subject land is designated Low Density Residential, Natural Heritage System, and Natural Hazards on Schedule K – Brooklin Community Secondary Plan of the Town of Whitby's Official Plan (refer to Attachment #5).

Low Density Residential

The Low Density Residential designation recognizes existing residential development, as well as future low density residential development on vacant and designated lands (11.5.9.2).

The Whitby Official Plan (11.5.9.5) requires a minimum density of 25 units per net hectare and a maximum density of 35 units per net hectare for lands designated Low Density Residential.

Natural Heritage System & Natural Hazards

The Natural Heritage System is comprised of an interconnected system of key natural heritage and hydrologic features (5.3.7.1). The extent and exact location of the component natural heritage and hydrologic features of the Natural Heritage System are to be determined through appropriate environmental studies and in consultation with the local conservation authority (5.3.7.3).

Natural Hazards are lands exhibiting poor drainage, unstable or organic soils, flood susceptibility, erosion hazards such as steep slopes or any other physical condition which could cause property damage, loss of life,

or lead to the deterioration or degradation of the environment, if developed (5.3.10.1).

4.4. Zoning By-law

The subject land is currently zoned Agricultural (A) Zone within Zoning Bylaw 1784 (refer to Attachment #6). The Agricultural (A) Zone does not permit the proposed use. Therefore, a Zoning By-law Amendment is required to permit the proposed development.

As the subject land is located within the Brooklin Secondary Plan Area, the site-specific By-law for the subject property will be premised upon applicable zoning provisions outlined within the Brooklin Community Secondary Plan Area By-law (# 7959-23).

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 Duffs Road frontage 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

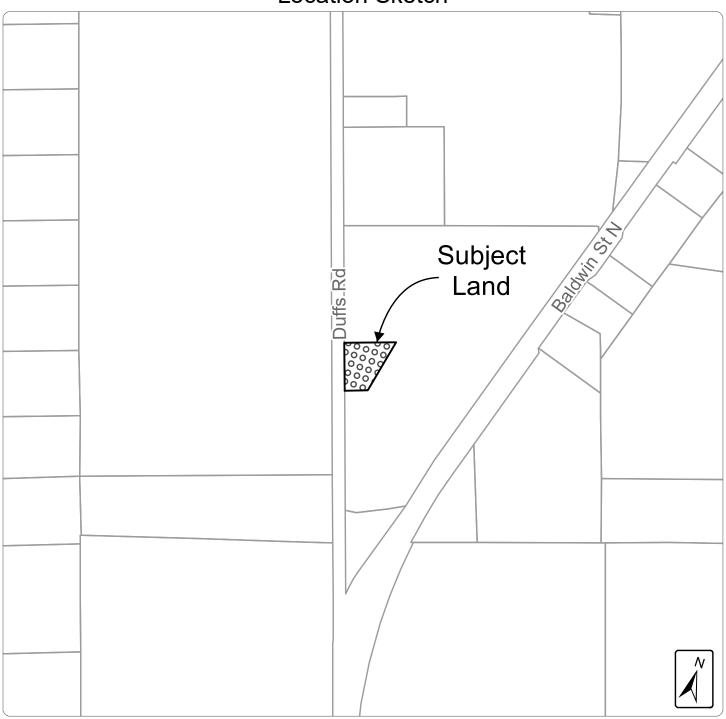
Attachment #3: Proponent's Proposed Concept Plan

Attachment #4: Proponent's Proposed Active Transportation Plan

Attachment #5: Excerpt from the Town of Whitby Official Plan – Schedule K

Attachment #6: Excerpt from Zoning By-law No. 1784

Attachment #1 **Location Sketch**

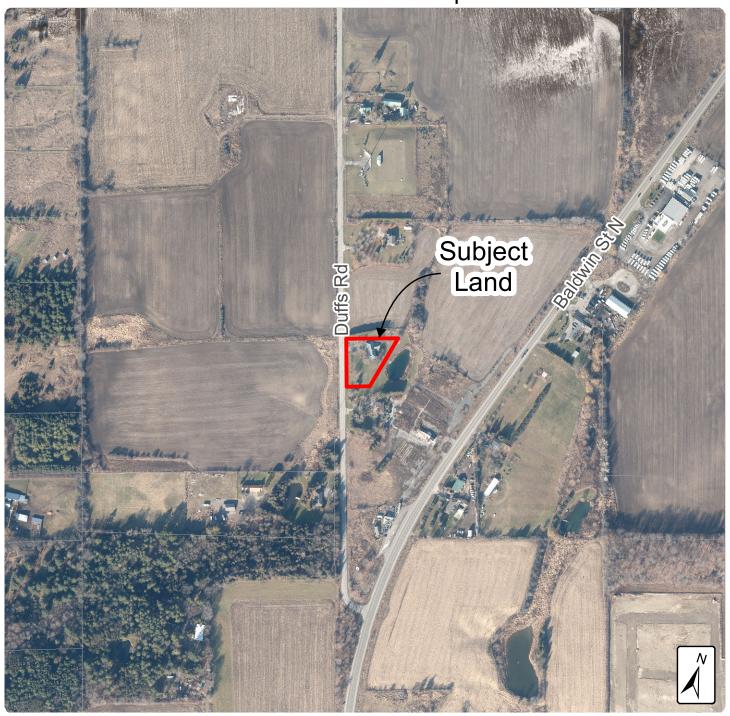


Town of Whitby Planning and Development Department			
Proponent:	File Number:	Date:	
GHD c/o William Feaver	DEV-22-24 (Z-10-24)	September 2024	

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Attachment #2 **Aerial Context Map**



white Town of Whitby Planning and Development Department

Proponent: File Number: GHD c/o William Feaver

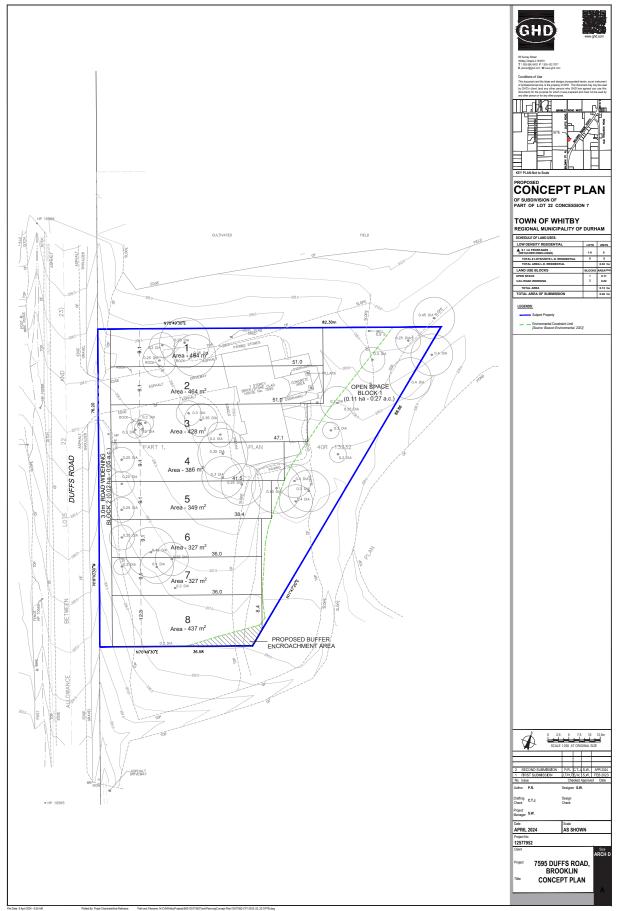
Date: DEV-22-24 (Z-10-24)

September 2024

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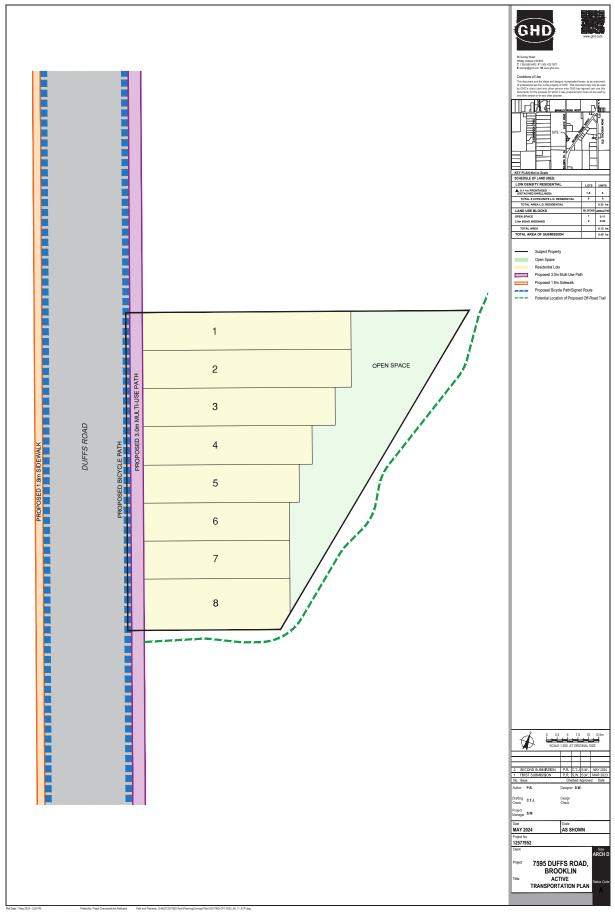
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Attachment #3 Proponent's Proposed Concept Plan

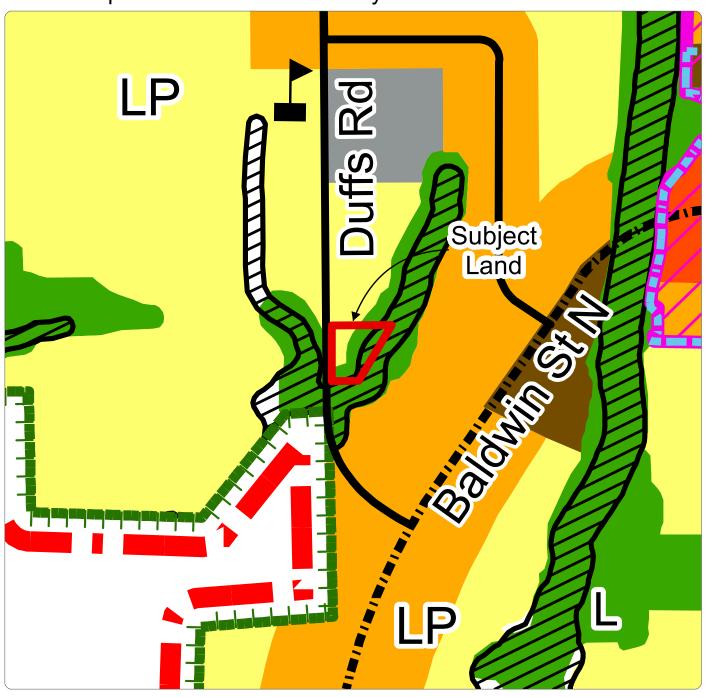


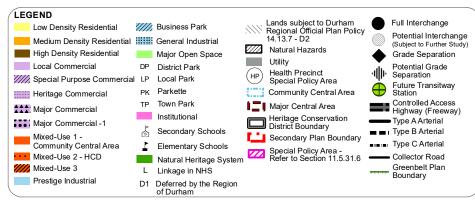
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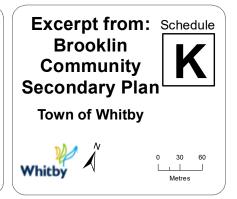
Attachment #4 Proponent's Proposed Active Transportation Plan



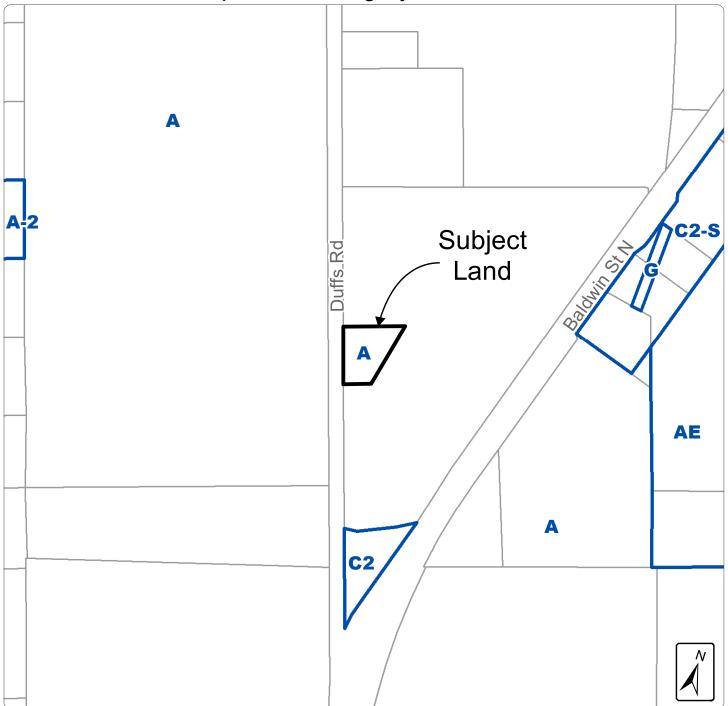
Attachment #5
Excerpt from the Town of Whitby Official Plan – Schedule K







Attachment #6 Excerpt from Zoning By-Law No. 1784



Town of Whitby Planning and Development Department			
Proponent: GHD c/o William Feaver	File Number: DEV-22-24 (Z-10-24)	Date: September 2024	

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