

Town of Whitby Public Meeting Report

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Report Title: **DEV-01-23: Zoning By-law Amendment Application,
1621 McEwen Drive
File No. Z-01-23**

Date of meeting: February 13, 2023

Report Number: **PDP 05-23**

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:

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Planning Report PDP 05-23 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:

- An Application for a Zoning By-law Amendment has been submitted by 1351789 ONTARIO LIMITED for land municipally known as 1621 McEwen Drive.
- The proposal is to amend Zoning By-law # 1784 to permit and operate a hydrolysis facility within an existing unit located on the subject land.

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 at 1621 McEwen Drive (refer to Attachment #1). The subject land is approximately 1.61 hectares (3.99 acres) in size.

Surrounding land uses include industrial uses to the north and west, and open space and vacant land to the south and east (refer to Attachment #2).

The subject land currently consists of five (5) single-storey industrial buildings (refer to Attachment #3).

3.2. Applications and Proposed Development

A Zoning By-law Amendment Application has been submitted by 1351789 ONTARIO LIMITED to amend Zoning By-law # 1784 to permit and operate a hydrolysis facility within an existing unit located on the subject land.

The hydrolysis facility will utilize aquamation, which is a flameless type of cremation. Hydrolysis facilities are generally associated with funeral home facilities. However, the applicant has confirmed that there will be no funeral home or funeral home services operating out of the proposed unit.

The proposal does not involve any external alterations or other site development. The proposed use will be contained within Unit #1 of Building A (refer to Attachment #3). Unit #1 includes a reception area, three (3) offices, a board room, a kitchen, a washroom, a utility room and a loading bay/storage area (refer to Attachment #4). The hydrolysis machine will be located within the loading bay/storage area. The minimum space requirements for the hydrolysis machine are 9 feet in height, 8.3 feet in width, and 19 feet in length (refer to Attachment #5).

3.3. Documents Submitted in Support

The application was submitted with the following supporting documents:

- A Planning Rationale Report prepared by Batory: Urban Planning & Project Management, dated December 2022, which contains an overview of the subject land, the proposed development, and provides a detailed rationale regarding the application.
- A formerly approved Site Plan (1988), which illustrates the location of the unit associated with the application (refer to Attachment #3).
- A Floor Plan, which displays the proposed internal layout of the unit associated with the application (refer to Attachment #4).
- Minimum Space Requirements associated with the hydrolysis machine (refer to Attachment #5).

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 as “Employment Areas” in the Regional Official Plan (ROP). Employment Areas permit a variety of industrial, manufacturing, processing and service industry related uses.

4.2. Whitby Official Plan

The subject land is designated as “General Industrial” on Schedule A of the Whitby Official Plan (refer to Attachment #6). General Industrial areas permit a variety of manufacturing, processing, servicing and storage related activities. Because there are no funeral home activities associated with the hydrolysis facility, the use is considered to be an acceptable permitted use in the General Industrial designation.

4.3. Zoning By-law

The subject land is zoned Prestige Industrial (M1A) Zone within Zoning By-law # 1784 (refer to Attachment #7). The M1A Zone permits manufacturing, assembly and warehousing type uses, but does not permit uses such as a hydrolysis facility. Therefore, a Zoning By-law Amendment is required to permit and operate a hydrolysis facility within an existing industrial unit located on the subject land.

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 McEwen 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: Site Plan – Unit Location

Attachment #4: Unit #1 Floor Plan

Attachment #5: Hydrolysis Facility – Minimum Space Requirements

Attachment #6: Excerpt from the Town of Whitby Official Plan – Schedule A

Attachment #7: Excerpt from Zoning By-law # 1784