Attachment #4: Comment - Response Matrix

PDP 61-22

External Agency Comments

Date Received	From	Comment	Response
		Regional Official Plan Conformity At the meeting held on August 31, 2022 regarding the proposed amendment, it was noted by Regional staff that the Town of Whitby is required to identify the Regional Centre for Downtown Whitby. Moving forward, it is our understanding that Town staff will engage their planning consultant to examine various land use scenarios and identify the appropriate boundary for the Regional Centre prior to adopting the proposed amendment.	The consultant has prepared population and employment forecasts for Downtown Whitby for review by Town and Regional Planning Staff. Town Planning staff are working with Regional Planning staff on an updated draft Regional Centre Boundary for Downtown Whitby. Regional staff have also indicated that the boundary can be refined by the staff, once the full draft Envision Durham Regional Official Plan Amendment is released for consultation.
	Region of Durham Planning	Transportation The amendment has also been reviewed from a transportation planning perspective and we offer the Town the following transportation related comments:	Noted.
September 9, 2022		Report PDP 34-22, Section 4.4 – The Durham-Scarborough BRT TPAP has been approved. Consider adding a policy to Section 11.3.9.2 of the Secondary Plan to recognize the approved design concept and promote early implementation.	The BRT is being undertaken by Metrolinx, however the Secondary Plan policies speak to supporting planned transit through development and redevelopment.
		Schedule H – Dundas Street is designated as a Rapid Transit Spine and Brock Street is designated as part of the High Frequency Transit Network in the Regional Official Plan. Consider showing this on the map to highlight the key transit routes through the Secondary Plan.	Transit Spines are identified on Schedule D of the Town Official Plan, and would be updated as required, after the Region receives final approval for the Envision Durham Regional Official Plan Amendment.
		Consider revising policy to highlight the need for safety to be explicitly considered in selecting locations and traffic control devices for active transportation crossings of arterial roads.	Wording added to Policy 11.3.9.2.11 to "improve safety".
		Policy should note the need to maintain Brock Street's function as part of the designated High Frequency Transit Network when considering reducing the road to two lanes. Opportunities for enhanced transit stop amenities should be included in the list of potential benefits. The policy should also require a study of the transit and traffic impacts of the proposed lane reduction, including its impacts on the surrounding road network.	Policy 11.3.9.2.13 has been updated to require a study of traffic impacts on the broader transit network and surrounding road network.

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September 19, 2022	Bell Canada	We have reviewed the copy of the Draft Official Plan, and have no specific comments or concerns at this time. We do note however, that the Durham-Scarborough Bus Rapid Transit (BRT) route proposed by Metrolinx along Dundas Street is currently in the planning and design stages and would request that Bell be circulated on that project as details become available.	Noted. The BRT is a project of Metrolinx, who will circulate all materials. The Town is monitoring the project and providing input to Metrolinx.	
June 15, 2022	Durham District School Board	Staff has reviewed the Report #PDP 34-22 re: the above draft proposed OPA amendment and under the mandate of the Durham District School Board, has no comments at this time.	Noted.	
May 31, 2022	Enbridge	Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.	Noted.	
		Establish a Transit Oriented Downtown	Objective revised to the following:	
			Consider adding language that emphasizes the importance of increased densities to support existing and future transit, including Durham Region Transit, GO Bus, GO Rail, and the future Durham- Scarborough BRT.	"Establish a Transit Oriented Downtown: Recognize the opportunity to establish a transit-oriented Downtown Whitby to support existing and planned transit within and in the vicinity of the Downtown."
		Other Policy Directions	New policy 11.3.9.2.4 has been added as follows:	
July 6, 2022	Metrolinx	Metrolinx recommends including additional policy directions that specifically mention transit in addition to parking, roads, and active transportation. This could include language that mentions the consideration of future transit infrastructure improvements such as bulb-outs, queue jump lanes, transit signal priority, bus shelters, consolidated transit stop poles, etc.	"Development and redevelopment, including any road improvements or reconstruction projects, shall consider future transit infrastructure improvements such as bus shelters, bulb-outs and transit signal priorities.	
		Proposed Amendment	Noted.	
		Taller, mixed use buildings near the Whitby GO station are supported from a ridership growth point of view. Integrated planning will be required to connect these areas north of Hwy 401 with the GO station MTSA, capitalizing on planned mixed uses, frequent transit services and active transportation facilities along Brock Street and planned active transportation facilities on Henry Street to access the Whitby GO station.		
		Development and redevelopment should be both accessible by and supportive of public transit, in line with provincial plans and policies like the Provincial Policy Statement. Recommended to edit as follows: "d) Accessible by, and supportive of, public transit;"	Edit made as suggested to Policy 11.3.2.6 d)	

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		In addition to "developments and redevelopments," it is recommended that municipally led road improvements/reconstruction projects also consider providing enhanced pedestrian, cycling, and other active transportation connections.	Edit made as suggested to Policy 11.3.9.2.4
		Suggestion to edit as follows: "Development and redevelopment, including any road improvements and road reconstruction projects, shall provide, where possible, enhanced pedestrian, cycling and other active transportation connections to existing and planned Regional and Provincial transit routes and stations."	
		Outside the scope of this Secondary Plan, but a portion of the Metrolinx South Parking is shown as Major Open Space, just north of the Town's leased parcel. A mixed use designation in this area would support the Major Transit Station Areas and Transit Oriented Community goals.	Outside scope of Secondary Plan. Town Staff will continue to discuss this matter with Metrolinx.
July 6, 2022	Ministry of Transportation	The Ministry has a minor comment: In Exhibit C of the draft plan amendment, the Hwy 401 ROW is not correctly shown. Please ensure that the Ministry's ROW is accurately depicted.	The Major Central Area and Intensification Corridor boundaries have been modified to exclude the Highway 401 ROW on the final recommended Schedules H and I. These boundaries would be further updated on Schedules A and B of the Town Official Plan during future consolidations of the Official Plan.
October 31, 2022	Central Lake Ontario Conservation Authority	The Central Lake Conservation Authority has been a member of the Technical Advisory Team for the Downtown Whitby Secondary Plan update. Key comments from each project phase have been incorporated into the final recommended policies and Schedules regarding natural hazards, stormwater management, and other related items. CLOCA did not have any further comments on the draft recommended Official Plan Amendment.	Noted.
September 21, 2022	Hydro One	Hydro One does not respond to Official Plan Amendment.	Noted.
September 13, 2022	Infrastructure Ontario	As the Downtown Whitby Secondary Plan does not have any lands that are managed by Infrastructure Ontario, we do not have any comments at this time.	Noted.
		Any construction in the outlined area – the area of concern for the plan - will pose no immediate obstruction issue for the Region's NextGen radio system and associated microwave links, aside from the small area near the 401 in the lower SE Corner.	Noted.
October 17, 2022	Durham Regional Police	In addition to the microwave path obstruction noted above, internal in-building radio coverage for First Responders may be an issue in the future if larger buildings are constructed in the outlined area.	
		Larger and newly constructed buildings will have to be tested for in-building coverage once the buildings are completed.	

Public Submissions

Date Received	Format	From	Comment	Response
February 16, 2022	Email	Peter Heinrich, Resident Subject Property: 401 Colborne Street West	 Noted concerns regarding whether flexibility of current zoning would continue. Indicated reductions in development permissions would impact attractiveness to potential buyers. Noted increased densities and traffic, as well as Metrolinx BRT, would make a single detached less attractive. 	 The subject property is currently zoned R6-DT Zone which permits a range of dwelling types including townhouses, stacked dwellings and apartments. The current R6-DT-8 Exception limits the maximum building height to 3-storeys. The draft proposed updated Secondary Plan designated the property Low Density Mature Neighbourhood, consistent with the intent of the Werden's Plan Neighbourhood Heritage Conservation District (HCD), to sustain the neighbourhood's low-density residential character. The final recommended Secondary Plan designates the subject lands and the north half of the block Medium Density with a maximum height permission of 3-storeys, to fit in with the low rise residential character of the HCD, and reflect current zoning.
March 2, 2022	Email	Max Lysyk, Owner Representative Subject Property: 700 Dunlop Street West	 Identified concerns regarding the proposed extension of Colborne Street West through the property and ultimately connecting it to Annes Street. Questioned whether the 1992 Site Plan Agreement to construct a 37 unit addition to the existing building would be impacted. Questioned whether there would be three different density categories and maximum building heights and whether multiple buildings on one lot would be permitted. 	 The Colborne Street West extension is a long-term objective that will provide improved access through the existing blocks if, or when, the property is redeveloped. Under the existing Site Plan Agreement, the owner could build according to the site plan with minor revisions and updated drawings or could build additional height and density as permitted under the updated Secondary Plan.
May 30, 2022	Public Meeting Delegation	Max Lysyk, Owner Representative Subject Property: 700 Dunlop Street West	 Indicated support for the Downtown Whitby Secondary Plan recommendations. Requested that their inputs/recommendations are included within the final version. 	The final recommended Secondary Plan has a Mixed Use designation, High Density and Medium Density designation across the broader area to provide for an appropriate transition. The increase in height permission is intended to incentivise redevelopment of the property in the future.
March 2, 2022 May 27, 2022	Comment Letters	Candice Hood, Corbett Land Strategies on behalf of Cacoeli Asset Management Inc. and Terra Bona Developments	 Indicated concerns with the apparent down designation of these lands as it impacts proposed development potential and land valuations. Indicated that the proposed, 11-storey mixed-used development will include commercial/retail uses on the ground floor and residential uses on the upper floors. Two of the existing heritage buildings will be maintained and incorporated within the building design. 	 The subject properties are designated Commercial under the original Secondary Plan, with development along Brock Street permitted up to 3-storeys and 6-storeys towards the back of the properties. The final recommended Secondary Plan designates the properties Heritage Mixed Use to support a key objective developed from extensive public and stakeholder feedback, which is to conserve and enhance Cultural Heritage Resources in Downtown Whitby. The subject properties are located within the future planned Four Corners HCD. Community feedback demonstrates support for intensification in appropriate locations, while maintaining the unique heritage character of Downtown
		Subject Properties: 132 and 146 Brock Street North	 Noted that the applicant is also proposing to provide affordable housing unit opportunities. Also noted the following: Aging infrastructure is costly for business owners to upkeep especially if the original heritage 	appropriate locations, while maintaining the unique heritage character of Downtown Whitby. The maximum building height permitted elsewhere in the Secondary Plan area is up to 8-storeys, away from the historic core. Further increased height permissions exist in other areas in Whitby, where increased intensification can be better supported.

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			infrastructure features are still intact and must be maintained/ preserved. There are a lot of infill development opportunities for higher density development. A Rapid Transit Route is scheduled along Dundas St. The proposed development and surrounding areas will provide immediate access to Dundas St. Reduced height in an Intensification Area seems counterintuitive to providing housing. Agrees development higher than 3 storeys should respectfully be designed as an elevated, tiered style building to maintain the existing functional streetscape. Typically, building heights are increased within downtown areas to improve the business district and provide a gradual decrease in height to the existing lower density outer areas. (Note: Applications for Official Plan and Zoning By-law Amendment were submitted in April 2022 for an 11-storey Mixed Use development. The Statutory Public Meeting was held on September 12, 2022 (refer to Report PDP 45-22 Staff Report for DEV-15-22))	 The subject properties are zoned C3-DT-1 and H-C3-DT. The C3-DT Zone permits a maximum height of 6-storeys; however, the C3-DT-1 Exception allows for a maximum height of 3-storeys along Brock Street. To align with the existing zoning, the final recommended Secondary Plan will permit a maximum height of 3-storeys along Brock Street, with up to 6-storeys permitted towards the rear of properties (similar to the permitted heights on the east side of Brock Street across from the subject lands). If affordable housing is being proposed, the applicant should provide further detailed information.
March 3, 2022	Comment Letter	Steve H. Edwards, GHD Group on behalf of Vandenboom Properties (Owners) Subject Properties: 301, 315, 317 Colborne Street East; 304, 320 Dunlop Street East; 207, 217 Athol Street	 Indicated that Vandenboom Properties intends to redevelop this site for three, midrise mixed-use buildings. Provided the following comments: Land Use: Wish to maintain the opportunity to provide a mixed-use, high density development. The proposed land use in the Study is Medium Density Residential. Density: Requests that the 200 units per net hectare be provided for within the mixed-use designation. This density should also be applied to the south portion of the site which is proposed to become medium density. Height: The proponents concept includes ten storeys on the north half of the block and six storeys on the south half and notes that six storeys are currently permitted (for apartment dwellings) on the south half. As for the north half the 	 The subject properties are currently zoned H-R6-DT under Zoning By-law 2585, which permits up to 4-storeys for townhouses and stacked dwellings and up to 6-storeys for apartment buildings. The final recommended Secondary Plan designates a portion of the subject lands along Colborne as Downtown Mixed Use. In order to not reduce the existing permissions of the zoning, it is recommended that the designation for the south part of the block be High Density Residential, with a maximum height up to 6-storeys. This proposed change should similarly apply to the block to the west between Green and Athol Streets. The policies of the Secondary Plan require a transition in height and density for development adjacent to Low Density designations. This may be achieved through increased setbacks, intervening low-rise or the use of a 45-degree angular plane. These transition requirements would be applied for building heights adjacent to the southern end of the block.

Date Received	Format	From	Comment	Response
March 4, 2022 May 30 and 31, 2022 June 7, 2022 September 28 and 29, 2022 October 13, 2022	Emails; phone call	John Koukidis, Owner Subject Properties: 701 Brock Street and 700 Green Street	proposed height exceeds the existing permission and the height suggested by the study consultant. The ten-storey height would not be appropriate on the south half of the property due to the abutting lands to the south being proposed as Low-Density Mature Neighbourhoods. Existing Zoning: Notes the subject block is zoned "H-R6- DT". Based on this zoning, high density building forms such as apartments are permitted as of right, as is the height currently specified by the secondary plan of 6 storeys for apartments. Implementation of the preferred concept through zoning would reduce development rights for height on the south side. Notes that there is already a 5-storey, high density building existing on the nearby property. Questioned why only a 4-storey building would be appropriate on this corner. Noted that owner has prepared various concept plans for redevelopment including a 4-storey building. Indicated concern that the draft proposed Secondary Plan recommendations do not suit the neighborhood, nor the Province's mandates to intensify. Indicated concern regarding the requirement for a 45 degree angular plane from Brock Street to Green Street, and would limit development potential. Noted that underground parking is not realistic for 3 and 4 storey buildings. Indicated concern regarding requiring consolidation of parcels prior to redevelopment.	 The original Secondary Plan designates the subject properties as Mixed Use along Brock Street South and Low Density Residential along Green Street, with a maximum building height of 3-storeys. The existing designations are reflected in the updated Secondary Plan, which designates the lands along Brock Street as Corridor Mixed Use and the lands along Green Street as Low Density Mature Neighbourhood. As the original Secondary Plan permits up to 3-storeys along the west side of Green Street which would act as a transition to the mature residential neighbourhood, the maximum building height along the west side of Green Street will be 3-storeys for the final recommended Secondary Plan. The lands along Brock Street South are subject to transitional policies, which may be achieved through the use of a 45-degree angular plane from the abutting a Low Density Mature Neighbourhood to a maximum of 6-storeys. Additionally, the Zoning By-law would also establish details to measure the 45 degree angular plane. The new zoning provision could provide some flexibility in height where a proposed building abuts a 3-storey permission. The revised policies allow for intensification along Brock Street while ensuring the adjacent low density neighbourhoods are not negatively impacted. Underground parking could potentially extend under both properties despite being in separate designations. Note: Town Staff have had, and continue to have, discussions with the owner regarding the various proposed development concepts, and regarding questions, comments, development options, and the updates to the Secondary Plan.

Date Received	Format	From	Comment	Response
April 13, 2022	Email	Steve Popoff, Owner Subject Properties: 231/233 Brock Street South and 227 Brock Street	 Indicated there should not be a 45 degree angular plane height limitation for the entire block from Colborne to Dunlop and from Brock to Green Street for, among others, the following reasons: The Brookfield/Station 3 development has no similar restriction and it impacts the other properties (only 4) which form likely about 30% of the rest of the block – Brookfield's development dominates the block by far and imposing a restriction on the rest of the block would be unfair and nonsensical; The restriction is really meant to protect mixed/ground floor residential such as what exists further East (at Athol/Green Streets) – owner's block is essentially all commercial and eventual development into a mixed-use condominium development such as Brookfield's makes the most sense; and Removing the 45 degree angular plane requirement would be in line with Whitby's preference to have people move into, and live in, the downtown. 	 The block north of Dunlop Street East, south of Colborne Street East, east of Brock Street and West of Green Street will be designated as Downtown Mixed Use, with building heights up to 6-storeys permitted. The properties are bordered by the Downtown Mixed Use Area designation, as well as High Density to the east and Medium Density Residential designations to the southeast. Policies for the Downtown Mixed Use designation require a transition in heights and densities adjacent to Low Density Mature Neighbourhoods and heritage properties, which may be achieved using a number of techniques such as increased setbacks, intervening low-rise built form or a 45-degree angular plane.
May 27, 2022	Comment Letter	Christopher J. Tanzola Partner, Overland LLP on behalf of Whitby Brock Estates Inc. Subject Properties: 423-435 Brock Street North	 Notes that the existing permissions for the site limit height to a maximum of 4 storeys. Notes that the site was the subject of a recently-concluded Ontario Land Tribunal (OLT) hearing that considered Official Plan and Zoning By-law Amendment Applications. The Applications proposed development of a 6 storey residential building containing 113 dwelling units and 8,826 m2 of gross floor area. [Whitby Brock Estates] Supports the overall thrust of the Draft Secondary Plan as it encourages reinvestment, redevelopment, and intensification within Downtown Whitby and in particular along the Brock Street North corridor where the site is located. Indicated that it would be appropriate to designate the site with a Corridor Mixed-Use designation and a height permission of at least 6-storeys. This would promote intensification in an area where facilities and infrastructure exist and where it can be accommodated 	 The Secondary Plan and Schedules have been updated to designate the property Corridor Mixed Use with a height permission of 6-storeys. This request for alternative wording of the policy is not required as the OLT decision has been released, and the final recommended Secondary Plan has been revised to show Corridor Mixed Use with a height permission of 6-storeys. Agreement with the approach regarding angular plane is noted. Policies regarding transition have all been updated by adding "which may be achieved byincreased setbacks, intervening low-rise built form and the use of a 45-degree angular plane" This provides flexibility in how transition may be achieved. These policies have also been revised to remove requirements for transition for properties adjacent to those designated Medium Density Residential. The Zoning By-law would establish more specific 45-degree angular plane requirements, rather than detailed in the Official Plan policies.

Date F	Format	From	Comment	Response
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February 17, 2022	Email	Barb White	and where appropriate transition can be provided to existing and planned residential uses in the surrounding area. Notwithstanding our qualified support for the current approach in the Draft Secondary Plan, we request that draft Policy 11.3.10.3 be reworded as follows: 11.3.10.3 The lands identified with an asterisk (**") on Schedule "H" are the subject of site-specific development applications that have been appealed to the Ontario Land Tribunal (File Nos. OP-2019-W/05 & Z-19-19; OLT Case No. PL200651). These lands shall be subject to the land use designation and policies in effect on the day before the adoption of the Downtown Whitby Secondary Plan until the final determination of the site-specific appeals, at which time this plan shall be updated in a manner consistent with the outcome of the site-specific appeals. Noted a change between the Phase 3 and 4 Draft Proposed Policies with respect to certain references to the transition between areas of relatively higher density and areas of relatively lower density. The change concerns the use of angular planes among other built form control. In proponent's experience, angular planes are commonly applied at different heights depending on the context of surrounding development and the reason for imposing the built form controls. It would not be appropriate to insist, at the level of Official Plan policy, on using angular planes in every circumstance. Given that an Official Plan should not be interpreted or applied like a zoning by-law, in our view this policy should be worded to provide for contextual flexibility. Identified concerns regarding traffic impacts, and in particular, Maple to Mary Streets and how it will affect the traffic in our residential neighbourhoods. Identified concern that the Road Diet is going to encourage drivers to divert through the [residential] neighbourhoods, and in the case of southbound on Brock from Maple to Mary, more will drive through the neighbourhood northwest of 4 corners. Reducing to 1 lane a few blocks earlier will divert	Concerns noted. Brock Street transitions from 4 lanes to 2 lanes between Dunlop Street and Mary Street. The intent of the Road Diet is to extend that to between Burns and Maple Street to provide opportunities for wider sidewalks, on-street parking, benches, sidewalk cafés and street trees. The reduction of these streets into two lanes would signal drivers that lower speeds are required through the Downtown. The final recommended Secondary Plan states that "the Town may consider" this. Further analysis will be required, including through the development approval process, to ensure there are no impacts to traffic capacity or infiltration into established neighbourhoods.

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	Comment Letters	Margaret Clayton, Resident	residential streets west of Brock (e.g. Maple, Chestnut, Walnut, Byron, Centre, Kent & Euclid). Requested that a traffic study be undertaken with projected impact. Noted concerns regarding changes to the building heights and densities for new and/or infill development in the area of the Dundas/Garden Streets intersection, and especially the Dundas/Garden/Mary/Pine Streets area. The current building heights and densities for this area of the Downtown more than allow for intensification. Much of the current built form along the north and south sides of Mary Street East currently consists of a middle type of built form, and the current building heights of 3 to 4 storeys along Mary Street East and the east and west sides of Pine Street, are compatible with this type of	 The original Secondary Plan currently permits 6 storey development on the north side of Dundas including north and south of Mary Street East. The proposed Secondary Plan would increase the heights immediately adjacent to Dundas Street from 6-to-8 storeys in the block west of Garden Street and provide for additional 6-storey development south of Mary Street. These are only moderate increases in heights in this area. The other areas of the Downtown where additional heights are proposed are along Dundas Street east of Cochrane/Annes Streets and along Consumers Drive. These increased heights are appropriate in these locations in recognition of the increased transit along Dundas Street and near the GO Station. There are a number of proposed Medium Density Residential areas, which permit
			 development. Therefore, it would be reasonable to maintain the existing building heights to encourage this style of infill development. It would create housing opportunities for people who cannot afford to buy or rent in low- density single-family areas, but don't wish to live in a high-rise building. The Dundas/Garden Streets and Consumers Drive and Brock Street South, identified in the Report as "being at capacity during the afternoon peak hour(s)", and yet this is the area slated for the greatest increase in density. Concern with highest densities and building heights concentrated in the Dundas and Mary Streets East area of the Downtown with high traffic congestion. Identified concern with no new park space envisioned for the Dundas/Garden Streets area where intensification is to be the greatest. 	 and maintain building heights between 3-and-4 storeys. This includes redevelopment of the Beech Street Area, which provides a good opportunity for the introduction of a new community area that accommodates missing middle housing. Schedule H of the final recommended Secondary Plan includes several existing and proposed parks and urban squares.
March 1, 2022	Email	Doug Anderson	 Concerns that 6-storey buildings along Dundas would have a severe impact on the closely adjacent homes in the blocks from Centre to Euclid which are appropriately limited to 2 storeys. Concerns that future Perry's Plan Heritage District should 	Dundas Street has been identified as an Intensification Corridor in the Whitby Official Plan and is a Regional Corridor in the Region Official Plan. As such a 6-storey height adjacent to Dundas Street is appropriate with appropriate transition in height to the existing mature residential area.
			 be much larger. Cites Werden's Heritage Conservation District (HCD) Plan "11.3.7.5.5 Lot severances will be discouraged in the 	The final permitted heights in the Perry's Plan area, and transition policies in the final recommended Secondary Plan, would support heritage conservation.

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			Werden's Plan HCD" should be applied to an expanded Perry's Plan and to all mature residential areas.	The Perry's Plan Heritage Conservation District (HCD) Plan has not yet been developed and approved by Council, but comments will be considered.
March 3, 2022	Email	Erika Andrusiak	 Cites Subsection 3.3.5 which states there should be a reduction of lanes on Brock St. from 4 to 2 lanes, to increase pedestrian walkways. Indicates concerns regarding this reduction in lanes as it would impact the downtown: Would push traffic off the "slower" main route onto the side streets. Businesses will lose this exposure by pushing traffic. The side streets are already not walkable due to the speed of traffic, for those looking to bypass Brock Street. My family has had several incidents on Green St. Indicated it is their opinion that the road diet will decrease business exposer in the downtown area; decrease the ability for businesses with current driveways to maintain clients/customers; and, create an even more unsafe environment on the residential side streets. 	See response above regarding proposed lane reduction on Brock St.