

Attachment #10
Agency and Stakeholder Detailed Comments
File: DEV-36-22 (OPA-2022-W/05, Z-23-22)

Internal Departments

Strategic Initiatives

Sustainability Comments

The Sustainability Section has reviewed the proposed development and wishes to provide the following comments.

The Sustainability Team appreciates that the Whitby Green Standard Checklist and Sustainability Rationale Report have been submitted but will require a more detailed description as to how all mandatory criteria of Tier 1 are being followed. In the Applicant Comments column of the Checklist, please state that each applicable Tier 1 Criteria will be met and provide a brief description of how it will be met.

Please note that only Town of Whitby staff can determine if criteria can be determined not applicable and this decision is made based on the explanations provided within the completed Green Standard Checklist.

It is encouraged that consideration be given for advanced sustainability criteria through the uptake of voluntary Tiers 2-4. These standards support sustainable site design for development and redevelopment on public and private property, enhancing the Municipality's natural heritage, economic vitality, cultural heritage, and social aspects.

For criteria # LUN1.2 please describe how this development meets the environmental management policies of the Official Plan.

For criteria # SW1.1 please also state the Ministry of the Environment, Town Design Criteria and Master Drainage Plans, and Central Lake Ontario Conservation Authority guidelines have been met.

Although we appreciate that the proposed residential dwelling and existing commercial building has capabilities to provide renewable energy opportunities, to meet the requirements of # ECC1.2 "Determine the feasibility of energy generation from renewable resources" please include a brief description in the Sustainability Rational Report of the feasibility assessment conducted for the use of renewable energy opportunities for this development.

Downtown Development Comments

The subject property is prominently located within the heart of Downtown Brooklin and acts as an anchor to the south side of Grass Park. The property is located within the Brooklin Heritage Conservation District (HCD) and is listed as 'VG' - Significant Heritage Value.

As noted on page 6 of the Brooklin HCD Plan, it states

“One of Brooklin’s defining heritage characteristics is the inter-twining of landscape and buildings. The spaces between buildings offer glimpses of trees or the creek, while the spaces around buildings form small parks and open spaces that contrast with the built portions of the District. The purpose of the following plan is to retain this sense of “porosity” in the District streetscape so that buildings are never so dominant that they shut out views of natural elements.”

Furthermore, the HCD Plan identifies the character defining elements of the district (pg. 27) including:

- street trees and landscaping in side yards
- modest individual buildings with open side yard
- oddly shaped lots caused by the diagonal street alignment (in the rest of the central area)
- balance of buildings and landscape (i.e. large lots and gardens, small buildings)
- views between buildings of trees/creek

Downtown Development staff are concerned with the proposal as presented due to the loss of mature street tree canopy (in particular the black walnut tree) and landscaped open space as a result of the creation of the new proposed residential lot and the relocation of the driveway access aisle of the retained lot.

Staff also have found a discrepancy in the proposed conceptual site plan being used in several of the reports and would like clarification on which concept design is to be referenced. In particular, pg. 96 of the Cultural Heritage Impact Assessment (CHIA) shows the parking spaces 7, 8, and 9 located behind the existing dwelling at 3 Cassels Rd E. Whereas the Planning Rational Report and the Arborist Report show only 1 parking space (number 6) behind the dwelling, while parking spaces number 7, 8 and 9 are shown closer to Durham Street. In addition, there is a discrepancy between the CHIA and the other two studies referenced here, as an additional large mature deciduous tree is shown beside parking space number 9 (on page 96).

Furthermore, the recommendations in the CHIA indicate three options to be considered to avoid or reduce adverse impacts to the heritage attributes of the properties at 3 Cassels Rd E and 24 Princess St in the Brooklin Heritage Conservation District. They include:

- 1) Preserve and maintain the property at 3 Cassels Rd E as is with no further development.
- 2) Develop 3 Cassels Rd E and redesign the proposed driveway location.
- 3) Develop 3 Cassels Rd E as proposed.

Based on this recommendation, staff would like to better understand which option the applicant is proposing and rationale to support this.

The information in the Planning Rationale Report indicates the following:

Section 3.6.4 Streetscapes and Landscapes (pg 51)

“The existing commercial lot has regard for streetscaping and landscaping guidelines and policies. There are existing mature trees located along Durham Street and Cassels Road East. The proposal development will result in the removal of two (2) trees along Durham Street to facilitate the construction of a driveway access to the parking area in the rear of the building.”

Downtown Development Staff do not support this planning rationale as the west side of Durham Street does not contain any mature street trees, while the black walnut that is proposed to be removed to create the new driveway appears to be one of the largest, most mature street trees along the east side, with the canopy reaching over the street.

Engineering Services

Official Plan Amendment Application (OPA-2022-W/05)

The subject lands are currently designated Mixed Use under the Official Plan. The purpose of the proposed Official Plan Amendment application is to change the Official Plan Designation from Mixed Use to Residential on the Severed Lot.

Engineering Services has no objection to the proposed Official Plan Amendment.

Zoning By-Law Amendment Application (Z-23-22)

The subject lands are currently zoned H-MUR-VB-5 under Zoning By-law 1784. The purpose of the zoning by-law amendment is to change the zoning from H-MUR-VB5 under By-law 1784 to an appropriate zone category to permit the construction of a two-storey single detached dwelling.

Engineering Services has no objection to the proposed Zoning Amendment.

Stormwater Management

A preliminary review of the Stormwater Management Brief finds that the assumptions and recommendations are acceptable to Engineering Services.

The Stormwater Management Report, Grading/Service Plan(s) and Construction Management Reports will be reviewed in detail at the engineering review stage as a part of the subsequent application circulations.

Engineering Services will require the following for the subsequent application circulations:

1. Grading and Service Plan drawings showing all existing and proposed works required for this development.
2. Revised Stormwater Management Brief addressing the information comments provided above.
3. A Construction Management Report will be required including a pre-construction survey/assessment on any adjacent buildings/structures/properties that may be affected by the construction activity. Please see attached the Town of Whitby Construction Management Report Guidelines.

External Agencies

Rogers Communications

With respect to the above-mentioned proposal, please be aware that Rogers Communications has no objections to the proposal.

Enbridge Gas

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

The applicant will contact Enbridge Gas Inc.'s Customer Connections department by emailing AreaPlanning40@Enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

Whitby Fire and Emergency Services

No Comment

Heritage Whitby Advisory Committee

Region of Durham

Conformity to the Regional Official Plan

The subject lands are designated as "Regional Centres" in the Regional Official Plan (ROP). Regional Centres are intended to function as the main concentration of urban activities and shall provide a fully integrated array of institutional, commercial, major retail, residential, recreational, cultural, entertainment and major office uses.

Development proposals must support a long-term density target of at least 75 residential units per gross hectare (upgh) and a floor space index of 2.5. The built form should be an appropriate mix of high-rise and mid-rise developments.

New development proposals shall support higher density and include mixed-uses that are transit-supportive and promote the intensification of the Brooklin Community Regional Centre as the main concentration for urban activities.

The subject lands are located in the boundary of the Brooklin Heritage Conservation District Plan. The ROP encourages the conservation, protection and enhancement of Durham's built and cultural heritage resources.

The Region of Durham recognizes that due to the location of the subject lands within the Brooklin Heritage Conservation District, high-density development may not be unachievable for this site. The proposed development generally conforms with the ROP.

We continue to encourage the Town of Whitby to support a mix of uses and higher density land uses within the Regional Centres. It will be the responsibility of the area municipality to compensate for the density deficit on another site located elsewhere within the Brooklin Community Regional Centre.

Provincial Plans and Policies

Provincial Policy Statement

The Provincial Policy Statement (PPS) encourages the building of strong, liveable, and healthy communities that promote compact development patterns and efficient use of land. The PPS supports appropriate mix of residential types to meet current and future housing needs. The proposed amendment supports mix-uses and compact development, consistent with PPS.

Growth Plan

The Growth Plan encourages developments that support a range and mix of housing options to serve all sizes, incomes, and ages of households. The Growth Plan supports efficient use of land and infrastructure. The proposed residential infilling development supports new housing opportunities and efficient use of existing infrastructure. The proposal generally conforms with the Growth Plan.

Delegated Provincial Plan Review Responsibilities

We have reviewed the application for delegated Provincial Plan Review responsibilities.

Phase One Environmental Site Assessment

Palmer TM has prepared a “Phase One Environmental Site Assessment,” (Phase One ESA) to support the proposed application, dated September 7, 2022. The Phase One ESA did not identify any areas of potential environmental concern at the site.

The subject land is currently occupied by an existing commercial building. The proposal to convert the southern portion of the commercial property to a residential use will require a Record of Site Condition to be filed with the Ministry of the Environment, Conservation and Parks (MECP) to support the proposed application.

Noise Impact Study

Traffic noise from Baldwin Street and Winchester Road, and the stationary noise from the existing commercial building has the potential to impact the proposed new dwelling.

Sonair Environmental Inc. has completed a “Noise Impact Study”, dated August 22, 2022, to support the proposed development. The report indicated that traffic noise is below the MECs’ noise guidelines and the existing commercial use is not expected to have any impact on the proposed new dwelling. No additional noise assessment is recommended for the proposed development.

Regional Servicing

The subject lands are located within the Zone 3 Water Pressure District of the water supply system for Whitby (Brooklin). The estimated static water pressure for this site is approximately 579 kPa (84.0 psi). Where the static pressure exceeds 550 kPa, a private pressure reducing valve shall be -4- installed to limit the maximum static pressure to not more than 550 kPa.

The subject lands have frontage along Cassels Road East and Durham Street. Our records indicate the existing property is currently provided with two water service connections and two sanitary service connections off Durham Street. The north existing service connections shall remain to service the existing commercial lot.

For the new severed south lot fronting Durham Street, water supply is available from the existing 150 mm PVC watermain and sanitary servicing is available the existing 200 mm PVC sanitary sewer off Durham Street. A private pressure reducing valve shall be required and installed to limit the maximum static pressure to not more than 550 kPa.

Any existing service connections that are not utilized must be located, surveyed, recorded and plugged at the mainline at the applicant’s expense.

No foundation drains (foundation weepers) or roof leaders are permitted to connect into the sanitary sewer system, as per the Regional Sewer Use By-Law.

Functional Servicing Report

We have reviewed the “Functional Servicing Report,” prepared by T.Y. Lin International Canada Inc., dated September 2022. We offer comments for Drawing GP01, as follows:

- Existing water service connections that are not utilized must be located, surveyed, recorded and plugged at the mainline; and
- Existing sanitary servicing connections that are not utilized must be located, surveyed, recorded and plugged at the mainline.

Water supply and sanitary sewer capacity are available to service the proposed development. Our servicing comments are based on the known information at this time and are subject to change. Additional comments will be provided upon subsequent submission and through the review of the related site plan application.

Exemption status

The proposed development is compatible with the existing low-density neighbourhood along Durham Street.

The proposed amendment does not represent any Regional and/or Provincial concerns and would be exempt from Regional approval.

Please advise the Commissioner of Planning and Economic Development of your Council’s Decision. If Council adopts an amendment, please forward a record to this Department within 15 days or the date of adoption. This should include the following:

- Two (2) copies of the adopted amendment;
- A copy of the adopting by-law; and
- A copy of the staff report and any relevant materials.