

Town of Whitby Public Meeting Report

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Report Title: Zoning By-law Amendment Application - Halls-Lake Ridge Limited Partnership – 1650 Halls Road North (DEV-24-23, Z-08-23)

Date of meeting: December 6, 2023

Report Number: PDP 44-23

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 44-23 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](#).

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 has been submitted by Halls-Lake Ridge Limited Partnership for a Zoning By-law Amendment on land located along the west side of Halls Road North, immediately north of Dundas Street West and municipally known as 1650 Halls Road North.
- The proposal is to rezone the subject land to facilitate a future warehouse distribution centre.

2. Purpose:

The purpose of this report is to present information and materials submitted in support of the development application and to provide the opportunity for public input at the statutory public meeting, as required by the Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located at the northwest corner of Halls Road North and Dundas Street West (refer to Attachment #1). The parcel is 12.54 hectares (30.99 ac) in size and consists of vacant land, formerly used for agricultural purposes (refer to Attachment #2).

Surrounding land uses include agricultural lands to the north and west (future prestige industrial); various commercial uses to the south; and agricultural and residential uses to the east within the provincial greenbelt.

A number of existing residential lots fronting Halls Road North abut the subject land along west side of Halls, immediately north of Dundas Street West.

3.2. Application and Proposed Development

An application for a Zoning By-law Amendment has been submitted by Halls-Lake Ridge Limited Partnership, to change the existing zone categories from Agricultural Zone (A) and Residential Type 3 (R3) in By-law 1784, to an appropriate Zone category to facilitate the development of a future warehouse distribution centre.

3.3. Documents Submitted in Support

In support of the development application, a number of materials have been received for staff and agency review and are listed as follows:

- A Concept Site Plan, prepared by Ware Malcomb, dated September 9, 2022, revised June 14th, 2023 (refer to Attachment #3);

- A Planning Justification Report, prepared by GHD Limited, dated December 2022;
- A Functional Servicing and Stormwater Management Report, prepared by MGM Consulting Inc., dated June 2023;
- An Environmental Impact Study, prepared by Beacon Environmental Limited, dated December 2022;
- A Geotechnical Report, prepared by EXP Services Inc., dated June 2022;
- A Hydrogeological Report, prepared by EXP Services Inc., dated October 2022, revised June 2023;
- A Noise Impact Study, prepared by GHD Limited, dated October 2022;
- A Stage 1-2 Archaeological Assessment, prepared by Lincoln Environmental Consulting Corporation, dated July 2022;
- A Phase I Environmental Assessment, prepared by GHD Limited, dated July 2023;
- A Phase II Environmental Assessment, prepared by GHD Limited, dated August 2023;
- A Traffic Impact Study, prepared by GHD Limited, dated December 2022; and,
- An Urban Design Brief, prepared by GHD Limited, dated July 2023.

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

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated “Employment Areas” in the Regional Official Plan (ROP). The permitted uses within Employment Areas may include manufacturing, assembly and processing of goods, service industries, research and development facilities, warehousing, offices and business parks, hotels, storage of goods and materials, freight transfer and transportation facilities.

4.2. Whitby Official Plan

According to Schedule ‘V’ of the West Whitby Secondary Plan, the majority of the subject land is designated Prestige Industrial, with a band of Environmental Protection Area along the south boundary. The south-east portion of the subject land is also subject to a Flood Policy Area. In addition, this portion of Dundas Street is recognized as a Gateway Area (refer to Attachment #4).

Prestige Industrial:

Lands designated Prestige Industrial are parcels in strategic locations having prime exposure to Highways 401, 407, and 412. All development and redevelopment in these areas are to exhibit a high standard of building design, an attractive appearance and extensive landscaping.

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 4.7.3.2.3 notes that warehousing and wholesale distribution uses may be permitted on lands designated as Prestige Industrial, subject to the following criteria:

- a) Located in proximity to Highways 401, 407, or 412;
- b) Separated from residential areas;
- c) Does not create additional traffic through residential areas; and,
- d) Wholly enclosed in buildings with no outdoor storage.

Environmental Protection Area:

Lands within the Environmental Protection Area designation include those lands having hazard land/floodplain, valley lands, woodlands, stream, and wetland characteristics, including all Provincially Significant Wetlands.

Gateway Areas:

The subject land also is situated within a 'Gateway Area' in the West Whitby Secondary Plan. The symbol denotes the area as a 'Gateway' which is intended to serve as focal point into the greater West Whitby community. Within the Prestige Industrial designation, Gateway Areas shall be a minimum 2 storeys, establish visually attractive points of entry into the Town and provide a location for services that are important to the support of the primary employment function of the Prestige Industrial area.

Flood Policy Area:

Policy 11.12.7.4 recognizes that as a result of background work completed in support of the West Whitby Secondary Plan, an opportunity exists to reduce the size of the floodplain as a consequence of the upgrading of infrastructure in the surrounding area. To do so, the landowner must complete the work required and secure the appropriate approvals. Once approvals are secured and the works completed to the satisfaction of the Town of Town of Whitby and the Central Lake Ontario Conservation Authority (CLOCA), development may occur on these lands in accordance with the applicable land use designation.

4.3. Zoning By-law

The subject land is currently zoned both Agricultural Zone (A) and Residential Type 3 Zone (R3) in Zoning By-law 1784, as amended (refer to Attachment #5). The Agricultural Zone permits limited residential uses and traditional farming related activities, while the Residential Type 3 Zone permits single detached dwellings and converted dwellings.

A Zoning By-law Amendment is required to rezone the subject land to a Prestige Employment (PE) Zone category to implement the proposed warehouse distribution centre.

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 along both the Halls Road North and Dundas Street West frontages of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

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

7. Conclusion:

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

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

8. Attachments:

Attachment #1 – Location Sketch

Attachment #2 – Aerial Context

Attachment #3 – Applicant's Proposed Concept

Attachment #4 – West Whitby Secondary Plan

Attachment #5 – Zoning By-law 1784