

Town of Whitby Public Meeting Report

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Report Title: Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment Applications – Frontdoor Developments (Palmerston) Inc. – 400 Palmerston Avenue – File # DEV-25-23 (OPA-2023-W/03, SW-2023-03 & Z-09-23)

Date of meeting: December 6, 2023

Report Number: PDP 46-23

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:

C. Geiger, Principal Planner

Planning Report PDP 46-23 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:

- Applications have been submitted by Frontdoor Developments (Palmerston) Inc. for an Official Plan Amendment, a Draft Plan of Subdivision and a Zoning By-law Amendment on land fronting the south side of Palmerston Avenue, municipally known as 400 Palmerston Avenue.
- The proposed draft plan includes 71 residential units comprised of 3 lots for single detached dwellings, 34 lots for 68 semi-detached units, a walkway block and a new public road. The Official Plan and Zoning By-law Amendments are necessary to implement the proposed draft plan.

2. Purpose:

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

3. Background:

3.1. Site and Area Description

The subject land is located on the south side of Palmerston Avenue, east of Sugar Maple Crescent and municipally known as 400 Palmerston Avenue (refer to Attachment #1). The 2.28 hectare (5.6 ac) parcel was a former school site (Palmerston Avenue Public School) until it was closed in 2011 following an accommodation review. The site was deemed surplus to the Durham District School Board's needs in 2018 and was later sold.

The surrounding land uses include existing residential dwellings to the north, south and west. Palmerston Park is located to the east of the subject land (refer to Attachment #2).

3.2. Applications and Proposed Development

An Official Plan Amendment application has been received to change the land use designation from Residential to Medium Density Residential to implement the development proposal through a site-specific exception.

The proposed Draft Plan of Subdivision application (refer to Attachment #3) includes the following:

- 3 lots for single detached dwellings;
- 34 lots for 68 semi-detached units;
- a walkway block; and,
- a new public road (cul-de-sac).

The three single detached dwellings are identified as Lots 1, 19 and 37.

The Zoning By-law Amendment application proposes to change the existing zone category from Institutional 'I' Zone in By-law 2585 to appropriate zone categories to implement the proposed draft plan of subdivision.

3.3. Documents Submitted in Support

In support of the subject development proposal, the following reports and studies have been prepared and submitted for staff and agency review:

- A Draft Plan of Subdivision, prepared by David B. Searles Surveying Ltd., dated October 10, 2023;
- A Planning Justification Report, prepared by GHD Limited, dated December 2022;
- A Sustainability Report, prepared by GHD Limited including the Whitby Green Standard Checklist, dated December 2022, revised June 2023;
- Front Elevation Massing / Streetscape Drawing, prepared by Vincent J. Santamaura Architect Inc., dated June 2023 (refer to Attachment #4);
- An Arborist Report, including Tree Evaluation, prepared by Kuntz Forestry Consulting Inc., dated June 2022, revised May 2023
- Tree Preservation, Protection and Removal Plans, prepared by Kuntz Forestry Consulting Inc., dated October 2023;
- Lighting/Photometric Plan, prepared by RTG Systems inc., dated October 2023;
- Landscape Plans and Cost Estimates, prepared by Landscape Planning Limited, dated October 2023;
- A Functional Servicing and Stormwater Management Report, prepared by GHD Limited, dated October 2023;
- A Geotechnical Investigation Report, prepared by Soil Engineers Limited, dated May 2023;
- A Stage 1 and 2 Archaeology Assessment, prepared by Irving Heritage Inc., dated May 2022;
- Ministry Clearance Letter re Stage 1 and 2 Archaeological Assessment, dated June 2022;
- A Hydrogeological Study, prepared by Soil Engineers Limited, dated May 2023;
- A Noise Impact and Vibration Study, prepared by Valcoustics, dated October 2022;

- A Phase 1 & Limited Phase 2 Environmental Site Assessment, prepared by Spice Environmental Inc., dated September 2023, along with Reliance Letter and Certificate of Insurance for the Region of Durham;
- A Traffic Impact Study, prepared by GHD Limited, dated November 2022, revised June 2023; and,
- A Composite Transportation Component Plan (CTCP), prepared by GHD Limited, dated November 2023 (refer to Attachment #5).

4. Discussion:

4.1. Region of Durham Official Plan

The subject property is designated as “Living Areas” in the Regional Official Plan (ROP). Lands within the Living Areas designation are intended to be used predominantly for housing purposes consisting of a mix of housing types, sizes, and tenure to satisfy the diverse housing needs of residents of Durham Region.

4.2. Whitby Official Plan

The subject land is designated as ‘Residential’ on Schedule ‘A’ – Land Use on the Town’s Official Plan (refer to Attachment #6). Lands designated as Residential in the Official Plan are intended to:

- provide opportunities for a range of housing types, densities, tenure, and affordability to meet the needs of the Municipality;
- encourage residential intensification in appropriate locations while maintaining and enhancing the character and identity of established residential neighbourhoods; and,
- require that new residential development and redevelopment is transit-supportive, pedestrian-oriented, compatible with surrounding uses, and reflects a high standard of urban design.

The subject land is not within a specific Secondary Plan, Intensification Area or Intensification Corridor, therefore any proposals for new residential development or redevelopment must consider the policies and locational criteria, identified in Sections 4.4.3.4 (Low Density Residential) to 4.4.3.6 (High Density Residential), and the additional criteria in Section 4.4.3.9.2 (Redevelopment and Intensification) in the case of Medium Density and High Density Residential development.

4.3. Zoning By-law

The subject land is currently zoned Institutional Zone (I) and Open Space (OS) Zone in By-law 2585, as amended (refer to Attachment #7).

The Institutional Zone permits a range of institutional uses including a school, a community centre, a church, a long-term care home, a hospital, an arena and other non-residential institutional uses.

A 3.5m wide Open Space Zone extends the length of the west property line and permits both public and private park space and a public use. Residential uses within the 'OS' zone are prohibited.

A Zoning By-law Amendment is required to rezone the subject land to appropriate zone categories that implement the proposed Draft Plan of Subdivision.

In addition to the proposed changes to zone categories, the applicant has requested 14 site specific amendments to the standard zoning provisions to accommodate the proposed development.

4.4. Mature Neighborhood Study

In April 2023, Council adopted Official Plan Amendment No. 130 – the Town's Mature Neighborhood Study. The Town-initiated Official Plan Amendment introduced additional policies to aid in managing residential infill and intensification within certain areas of the Town, including the subject land.

The new policies noted that development within the interior of Mature Neighbourhoods shall be of a low density nature and subject to Low Density Residential policies, which include limits in building heights to 2 storeys and a maximum density of 30 units per net hectare (upnh).

Furthermore, the Mature Neighbourhood policies direct Medium Density Residential to the edges of Mature Neighbourhoods along arterial roads or abutting Intensification Corridors and Areas.

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 the Palmerston Avenue and Honey Tree Court 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 Draft Plan

Attachment #4 – Front Elevation Massing / Streetscape

Attachment #5 – Applicant’s Composite Transportation Component Plan

Attachment #6 – Official Plan

Attachment #7 – Zoning By-law 2585