

Town of Whitby Public Meeting Report

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Report Title: DEV-09-24: Official Plan Amendment Application, Zoning By-law Amendment Application, The DK Royal Stars Group Inc., Des Newman Boulevard and Woodrow Court, File No. OPA-2024-W/03, Z-05-24.

Date of meeting: April 22, 2024

Report Number: PDP 19-24

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 19-24 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:

The DK Royal Stars Group Inc. have submitted Official Plan Amendment and Zoning By-law Amendment applications for land on Woodrow Court, located approximately 100 metres west of Des Newman Boulevard (refer to Attachment #1).

Upon approval of the above noted applications, the applicant will need to submit a Site Plan Application.

2. Purpose:

The Planning and Development Department is in receipt of the applications for Official Plan and Zoning By-law Amendments for the subject land. The purpose of this report is to present information related to the applications 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 the southwest corner of Woodrow Court, approximately 100 metres west of Des Newman Boulevard.

The surrounding land uses include:

- Future prestige industrial to the east,
- A future industrial warehouse and employment uses to the north,
- A stormwater management pond to the west; and
- An Elexicon Hydro substation to the south.

The subject site is currently vacant (refer to Attachment #2).

3.2. Applications and Proposed Development

The subject land is proposed to be developed with a six (6) storey hotel with 104 guest suites.

An Official Plan Amendment application has been submitted by The DK Royal Stars Group Inc., to increase the maximum permitted building height on the subject land, from four (4) storeys to six (6) storeys.

A Zoning By-law Amendment application has also been submitted to change the zoning on the property to permit the development of a six (6) storey hotel with a reduction in the required parking spaces, loading spaces, and minimum landscape buffer.

3.3. Documents Submitted in Support

The application was submitted with the following supporting documents:

- Architecture Plans prepared by Saplys Architects Incorporated, dated March 13, 2024.
- Concept Plans prepared by Saplys Architects Incorporated, dated March 13, 2024. (refer to Attachment #3).
- Visual Impact Analysis of a 6 Storey Hotel prepared by Saplys Architects Incorporated, dated August 25, 2023.
- Pavement Marking and Signage Plan prepared by Saplys Architects Incorporated, dated March 3, 2024.
- Plan of Survey prepared by J.D. Barnes Limited, dated March 27, 2019.
- Grading Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Servicing Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Erosion and Sediment Control Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Construction Management Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Pre and Post Drainage Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Site Lighting Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Landscape Plan prepared by Marton Smith Landscape Architects, dated January 24, 2024.
- Planning Justification Report prepared by Arcadis Professional Services (Canada) Inc., dated January 29, 2024, which concludes that the proposed development is consistent with Provincial, Regional, and Municipal policies.
- Stormwater Management Report prepared by J+B Engineering Inc., dated November 2023, which concludes that there is no increase in Stormwater flow from the site and that the existing stormwater management facilities provide enhanced level of protection.
- Construction Management Report prepared by J+B Engineering Inc., dated November 2023 which has been prepared in accordance with the requirements of the Town of Whitby Construction Management Report Guidelines for Developers, Consultants, and General Contactor for non-subdivision applications.

- Transportation Study Update prepared by Trans-Plan Transportation Engineering, dated January 2024, which concludes that the proposed development can be accommodated on the existing road network and that the proposed parking rate for the subject site is expected to be sufficient.
- Infiltration Testing Program prepared by Toronto Inspection LTD., dated October 30, 2023, which concludes that the infiltration rates through fill material in similar sites could vary dramatically and that extra caution is needed when designing a Low Impact Development on the subject site.
- Preliminary Hydrogeological Investigation prepared by Toronto Inspection LTD., dated December 21, 2023, which concludes that where well designed and implemented environmental management plans are in place, short-term impacts to the groundwater system and the surface water system are not expected.
- Noise Feasibility Assessment prepared by SoftDB, dated December 2023, which recommends the installation of non-operable thermal double-glazing windows and that the noise generated by the rooftop mechanical equipment and the window/wall construction is evaluated as part of a Noise Impact Study, conducted by a qualified acoustic consultant, to be completed prior to the approval of the finalized construction drawings.

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 Employment Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Employment Areas permit land uses such as hotels, service industries, and limited retail and ancillary facilities, subject to compatibility.

4.2. Whitby Official Plan

The subject land is designated Prestige Industrial on Schedule 'V' of the West Whitby Secondary Plan (refer to Attachment #4).

The following secondary uses may be permitted in the Prestige Industrial designation:

- a) limited ancillary, commercial and personal service uses such as take-out or full-service restaurants, financial institutions and commercial fitness centres;

- b) commercial or trade school facilities; and,
- c) hotels and associated convention/banquet facilities (Policy 11.12.2.6.3).

Policy 11.12.2.6.4 permits building heights of 12 storeys in Gateway Areas and 4 storeys outside of Gateway areas.

As the site is not within a Gateway Area, the maximum height permitted on the site is limited to four (4) storeys. Therefore, an amendment to the Official Plan is required to permit the proposed six (6) storey hotel use.

4.3. Zoning By-law

The subject land is zoned Prestige Employment (PE) under Zoning By-law 1784 (refer to Attachment #5), which permits a maximum building height of 4 storeys.

Section 4A-4 of the Zoning By-law outlines that for hotel uses within the West Whitby Secondary Plan, parking is required to be provided at a rate of 1 space per 1 room, and 1 space per 10 m² of accessory uses. Based on the parking requirements for the site, a total of 110 spaces are required, wherein 97 spaces are provided.

The number of loading spaces required are dependant on the total Gross Floor Area (GFA) of the use. As the proposed GFA for the hotel is 6,060 m², a total of three (3) loading spaces are required, whereas 1 loading space is proposed.

Section 14.7 of the Zoning By-law outlines that a minimum 3.0 metre landscape buffer is required, whereas a 1.5 metre landscape buffer is proposed.

An amendment to the Zoning By-law is required to permit the proposed six (6) storey hotel, a reduction in the required parking spaces, loading space, and minimum landscape buffer.

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 Woodrow Court 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 application 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: Proponent's Proposed Concept Plan

Attachment #4: Excerpt from Official Plan Schedule V

Attachment #5: Excerpt from Zoning By-law 1784