

Town of Whitby Public Meeting Report



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Report Title: DEV-19-22: Zoning By-law Amendment Application, 1816568 Ontario Limited – 951 Dundas Street E. & 200 Mason Drive – File No. Z-14-22

Date of meeting: November 21, 2022

Report Number: PDP-53-22

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 and Development Department

Planning Report PDP-53-22 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 for Zoning By-law Amendment has been submitted by Miller Planning Services on behalf of 1816568 Ontario Limited for land identified as 951 Dundas Street East and 200 Mason Drive (Refer to Attachment #1).
- The proposal is to amend the zoning from Residential Type 4 Zone (R4) in By-law 2585, to a site specific zone category to permit a 6-storey residential apartment consisting of 53 units at 951 Dundas Street East. To facilitate the proposed development, a portion of underutilized lands from 200 Mason Drive will be added to the property at 951 Dundas Street East.
- A future Site Plan application/agreement will be required to permit the proposed development of the subject land.

2. Purpose:

The Planning and Development Department is in receipt of an application for a Zoning By-law Amendment for the subject land. The purpose of this report is to present information related to the application at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1 Site and Area Description

The subject land is comprised of two properties, which include 951 Dundas Street East and 200 Mason Drive (Refer to Attachment #2). The land located at 951 Dundas Street East has direct frontage onto Dundas Street East and approximately 2,281.0 sq.m in size. The land includes a 2-storey detached dwelling, and is surrounded by residential uses to the north, east, south, and west.

200 Mason Drive is situated to the south of 951 Dundas Street East. This property has direct frontage onto Mason Drive and is approximately 5,753.0 sq.m in size. The property includes a 3-storey, 40 unit apartment building, and surface parking lot. The land is surrounded by residential uses to the north, east, south, and west.

3.2 Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by Miller Planning Services on behalf of 1816568 Ontario Limited for land identified as 951 Dundas Street East and 200 Mason Drive to amend the current zoning from Residential Type 4 Zone (R4) in By-law 2585, to a site specific zone category to permit a 6-storey residential apartment consisting of 53 units at 951 Dundas Street East (refer to Attachment #3). A portion of underutilized lands from 200 Mason Drive is proposed to be added 951 Dundas Street East, in order to provide additional lands to support the proposed development. No changes are proposed to the existing apartment building at 200 Mason Drive.

The proponent has identified site specific amendments to the R4 zoning, which includes relief to: minimum landscape area, parking, front yard setback, building height, and parking stall size provisions for 951 Dundas Street East; and, rear yard setback, and parking provisions 200 Mason Drive.

The proposed apartment building will have direct frontage and vehicular access from Dundas Street East. A two-way driveway will be located within the west side yard in addition to surface parking also located within the side yard (west) and rear yard (south). The proposed land conveyance from the rear yard (north) of 200 Mason Drive will be in favor of 951 Dundas Street East and will be used to create additional surface parking for the residents/visitors of the proposed apartment building.

A future Land Division Application(s) to the Region of Durham Land Division Committee will be required to facilitate the proposed land conveyance from 200 Mason Drive to 951 Dundas Street E, and to also create an easement access (in favour of 200 Mason Drive) over a portion of the future rear drive aisle/parking area on 951 Dundas Street East for the purposes of a shared garbage and recycling pick up location.

A future Site Plan application will also be required to permit the proposed apartment building at 951 Dundas Street E and the conveyance of land from the rear of 200 Mason Drive.

3.3 Documents Submitted in Support

A number of documents were submitted in support of the application, including the following:

- A Plan of Survey prepared by IBW Surveyors, dated January 17, 2018;
- A Site Plan, Renderings and Shadow Study prepared by Chamberlain Architect Services Limited, dated March 14, 2022 (refer to Attachment #3);
- A Planning Rationale Report prepared by Miller Planning Services, dated May 19, 2022;
- A Conceptual Easement Location Plan prepared by Miller Planning Services, dated May 12, 2022;
- A Functional Servicing Report/ Stormwater Management Plan with Preliminary Grading and Servicing Plans prepared by KWA Site Development Consulting, dated May 2022;
- A Noise/Acoustical Report prepared by YCA Engineering Limited, dated February 2022;
- A Phase One Environmental Site Assessment prepared by Cambium Inc., dated March 7, 2022;
- A Species at Risk Report prepared by GHD, dated October 5, 2022;
- A Tree Inventory and Preservation Plan/Arborist Report prepared by Kuntz Forestry Consulting Inc., dated May 9, 2022;
- A Stage 1-2 Archaeological Assessment prepared by Parslow Heritage Consultancy Inc., dated February 10, 2022; and

- A Traffic Impact Study and Parking Justification Report; prepared by IBI Group, dated May 10, 2022.

4. Discussion:

4.1 Region of Durham Official Plan

The subject property is designated as “Living Areas” in the Regional Official Plan (ROP). Dundas Street East is designated as a “Regional Corridor” and as a “Transit Priority Network” in the ROP.

The lands within the Living Areas designation are to be developed with a range and mix of housing types, sizes, and tenure to serve the diverse housing needs of the residents of the Region Durham.

Development proposals along Regional Corridors should be at higher densities and support an overall, long-term density target of at least 60 residential units per gross hectare (upgh).

4.2 Whitby Official Plan

The subject lands are designated Residential within Schedule A of the Town of Whitby Official Plan (refer to Attachment #4), and a portion of the lands (951 Dundas Street E) are also situated within an Intensification Corridor as per Schedule B of the Official Plan (refer to Attachment #4).

The Official Plan notes that Medium Density and High Density Residential development and redevelopment are encouraged to be located in Intensification Areas and Intensification Corridors. The Plan also supports infilling of vacant and underutilized properties in residential areas, subject to the availability of servicing infrastructure.

The minimum building height for new residential and mixed-use buildings in Intensification Corridors is 2-storeys and the maximum building height is 8-storeys. Buildings that have a height of between 4- and 8-storeys are to be located at intersections, wherever possible, to take advantage of the location of transit stops and to establish neighbourhood focal points and landmarks. Notwithstanding the foregoing, consideration may be given to building heights of up to 12-storeys on sites that meet certain requirements of the Official Plan.

4.3 Zoning By-law

The subject land is zoned Residential Type 4 Zone (R4) in By-law 2585, as amended (refer to Attachment #5). The ‘R4’ Zone permits a variety of residential uses including apartment buildings.

A Zoning By-law Amendment is required to permit certain relief from the R4 Zone provisions to permit the proposed development.

The proponent has identified site specific amendments to the R4 zoning, which includes relief to: minimum landscape area, parking, front yard setback, building height, and parking stall size provisions for the land located at 951 Dundas Street

East; and, amendments to rear yard setback, and parking provisions for the land located at 200 Mason Drive.

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 frontage of 951 Dundas Street East and 200 Mason Drive 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 – Proponent's proposed Site Plan](#)

[Attachment #4 – Excerpt from Official Plan Schedule 'A'](#)

[Attachment #5 – Excerpt from Zoning By-law # 2585](#)