

Attachment #7

Agency & Stakeholder Detailed Comments

File DEV-09-24 (OPA-2024-W/03, Z-05-24)

Internal Departments

Engineering Services

Engineering Services does not object to the proposed Official Plan Amendment and Zoning By-law Amendment applications.

It is Engineering Services' understanding that a Site Plan application will be required upon approval of the Official Plan Amendment and Zoning By-law Amendment. Detailed review comments will be provided at the Site Plan application stage.

Detailed comments for the Construction Management Report have been provided under separate cover in Memo dated April 19, 2024. A revised and updated Construction Management Report will be required once more information is available.

Financial Services – Development Charges

The following pertains to Town of Whitby Development Charges only, based on current Provincial legislation and Town of Whitby by-laws (subject to change).

Development Charges

- Will be owing for the development.
- Under Section 26.2 of the Development Charges Act.
 - The base DC rate(s) will be set as of the Site Plan application submission date.
 - Interest will accrue on the base DC rate(s), from the date of site plan application submission until the date of building permit issuance. Per the DC Act, the interest is set at Prime +1% adjusted quarterly.
- The applicant has 2 years from the date of Site Plan application approval to obtain a building permit. Otherwise, Section 26.2 no longer applies, and instead the applicable DC rate(s) are the current posted rates in effect as of the building permit issuance date.
- If this development is a condo, development charges are payable prior to the issuance of the 1st building permit. If this development is entirely rental housing development charges shall be payable as per Section 26.1 of the DC Act.

- If this development includes affordable or attainable units (as defined in Section 4.1 of the DC Act), those units are eligible for DC exemptions.
- If this development includes rental housing or institutional development, Section 26.3 of the DC Act allows for development charges to be paid in equal annual installments beginning upon occupancy.
- If this development includes rental housing, Section 26.2 (1.1) of the DC Act allow for additional development charge reductions based on number of bedrooms per unit.
- If a building is being demolished to make way for this redevelopment, the applicant has 5 years from the date that the demolition permit was issued, to obtain the new building permit to qualify for a redevelopment credit.

Parkland Dedication / Cash-in-Lieu

Shall be applicable as per the Planning Act and Town of Whitby By-Law for the development.

- If utilizing a CIL, a land appraisal is required at the cost of the developer and will remain current for a maximum period of one (1) year.
- If CIL has previously been applied, a reduction in the amount owing will be applied.
- If CIL has not previously been applied, only the incremental residential units are used for the calculation of the CIL value.

Please note Region of Durham and DDSB/DCDSB fees may also apply, the applicant should contact them directly with any questions.

Fire and Emergency Services

- Fire access route sign locations shall be indicated on site plan as per TOW Bylaw 4084-97
- Water supply shall be provided as per OBC 3.2.5.7
- Be aware WFES would be open too accepting a proposal for standpipe connections to be installed in the stairwell without hose.

Strategic Initiatives

Economic Development Comments

Economic Development Staff are fully supportive of the Official Plan Amendment (OPA) application to increase the maximum permitted building height on the subject lands, from 4 storeys to 6 storeys. The attraction of a new hotel is a priority of Mayor and Council as recognized in the 2023-2026 Community Strategic Plan Action 3.2.1 'Attract investment for a hotel and convention centre'.

We encourage the proponent to consider the addition of a convention centre within the proposed development, as identified in Action 3.2.1 of the Community Strategic Plan. There

is a growing demand for event space in Whitby. Currently, Whitby's Chamber of Commerce hosts their large-scale, signature events at venues in neighbouring municipalities. It would be largely beneficial to the business community if these events could be hosted in Whitby. Further, Whitby sees 5.7 million guests to our sports facilities annually and sports teams and organizations are in need of banquet space. A convention centre or small banquet facility could help capture this demand, among others, and avoid having residents, businesses, and organizations seek venues in other municipalities.

Our team is happy to meet with the proponent to discuss further. Please use the contact information below to connect with us.

External Agencies

Ministry of Transportation (MTO)

The Ministry has reviewed the follow application for DEV-09-24 and is supportive of the zoning in principle and offers the following preliminary comments:

- The subject site is within MTO's Permit Control Area and as such, MTO Site Plan Approval and an MTO Permits will be required prior to any construction activities.
- As part of the review and approval process the applicant will be required to submit copies of a detailed Site Plan, Master SWMR, Site Servicing and Grading Plans prepared by a Licensed Professional Engineer.
- MTO requires a Brief/Letter from the Traffic consultant to describe the general criteria of the anticipated traffic.

Please be aware that MTO has the right to request a more detailed (Master) Traffic Impact Study should the brief/letter be deemed insufficient upon review.

- Any noise mitigation is the responsibility of the land-owner which includes the design and implementation. The Ministry will not be held liable for noise attenuation next to the highway which also includes its maintenance and upkeep.
- The proponent is required to submit a copy of the Photometric Lighting Plan (in metric LUX units) for MTO review and approval. The plan must illustrate proposed lighting and any light spillage on the Highway 412 & associated service roads ROW.
- All plans and reports must be stamped and signed and circulated to the MTO through municipal site plan application process for a formal review and comments.
- The Applicant should be advised that they cannot apply for the MTO Permit until the Site Plan has been approved by MTO and the Municipality.
- MTO Sign Permits will be required for any new signage visible from Highway 412 & associated service roads.
- Please note, all plans and reports must be stamped and signed.

Region of Durham

Conformity to the Regional Official Plan

The subject site is designated “Employment Areas” in the current Regional Official Plan (ROP). Employment Areas are set aside for uses that by their nature may require access to highway, rail, and/or shipping facilities, separation from sensitive uses, or benefit from locating close to similar uses. Permitted uses 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. The proposed hotel use is permitted by the policies of the current ROP.

New Regional Official Plan

A new ROP was adopted by Regional Council in May 2023 and forwarded to the Ministry of Municipal Affairs and Housing for approval. The new ROP maintains the “Employment Areas” designation. The proposed hotel is permitted by the policies of the new ROP.

Provincial Policy and Delegated Plan Review Responsibilities

Provincial Policies

Provincial Policy Statement

Policy 1.1.3.2 a) of the Provincial Policy Statement (PPS) encourages development within settlement areas that support densities and a mix of land uses that efficiently use land, resources and planned infrastructure.

Policy 1.3.1 of the PPS states that Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) ensuring the necessary infrastructure is provided to support current and projected needs.

The proposed hotel is located on a site designated as Employment Areas in the ROP and

will provide employment opportunities in Durham Region. The proposed development is consistent with the policies of the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan contains policies to guide land use planning and development. Policy 2.2.5.1 states that economic development and competitiveness in the GGH will be promoted by:

- a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;
- c) planning to better connect areas with high employment densities to transit; and
- d) integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.

The proposed hotel, which is located in a designated Employment Areas will add to the variety of employment opportunities in the area and conforms with the policies of the Growth Plan.

Provincial Plan Review Responsibilities

Potential Site Contamination

The Phase One Environmental Site Assessment (ESA) was prepared by Toronto Inspection Ltd. (April 2023). The Phase One ESA identified one Potentially Contaminating Activity, but concluded that the potential impact to the site was low and no Areas of Potential Environmental Concern were identified and further environmental work was not required. The Phase One ESA report is acceptable to the Region. The Regional Reliance Letter and Certificate of Insurance were also submitted and are acceptable to the Region. There are no further matters related to the potential for site contamination.

Noise

The Noise Feasibility Assessment prepared by Soft DB (December 2023) examines road noise sources from Highway 412 and Dundas Street West. Most of the traffic noise will be from Highway 412. The appropriate traffic figures supplied by the Region were used for calculating sound levels for Dundas Street West. Highway 412 traffic information was supplied by the Ministry of Transportation.

There were no Outdoor Living Areas mentioned in the Study. Hotels are not residential uses, however, they are considered “noise sensitive” commercial purpose buildings.

Stationary noise was examined. On-site stationary noise would include a future HVAC system located on the rooftop of the proposed hotel. Any potential stationary noise from the hotel HVAC system is not known at this time and a future noise report is recommended. There is a residential area situated about 300 metres to the east, but due to this distance, no noise impact is anticipated from the proposed hotel.

Off-site stationary sound would include noise from the adjacent transformer at the “Elexicon Energy” substation situated on the property immediately to the south. Table 8 in the Assessment shows Daytime and Nighttime sound levels for each of the facades of the proposed hotel (north, east, west, south). Table 8 indicates compliance with the Provincial Guidelines for the north and east facades, but not for the west and south facades as they face the Elexicon Energy transformer. Further, with respect to Highway Traffic Noise, Table 7 indicates that the west façade of the hotel would exceed 60 dBA for nighttime sound levels.

Indoor Noise Limits for the proposed hotel was evaluated to be in “non compliance” with Ministry of Environment Conservation and Parks (MECP) Guidelines. Certain Noise Mitigation measures would be required. These would include “inoperable windows” for the hotel suites using double- glazing windows. This would contribute to noise reduction. Further, façade design for the hotel would need to be reviewed, especially for the west façade due to highway traffic noise. The Assessment recommends that window and wall construction should be reviewed by a qualified acoustic consultant at a later stage of the project.

Please note that the findings and recommendations of this Noise Feasibility Assessment remain the sole responsibility of the Consultant. Also, this Assessment should have been signed and stamped by a Professional Engineer.

Municipal Servicing

Water Supply

The subject site is located within the zone 1 water pressure district of the water supply system for Whitby. The estimated static water pressure exceeds the maximum allowance of 550 kPa (80 psi); therefore, private pressure reducing valves will be required within the subject development.

The subject site could be serviced via a 300mm PVC watermain within the Woodrow Court R.O.W. As per Region Standard S-230.011, servicing the proposed site will require a separate domestic water service and a separate fire line.

Water services shall be extended to the meter room prior to distribution throughout the site.

Sanitary Servicing

The subject site could be serviced via a 200mm PVC sanitary sewer within the Woodrow Court R.O.W. A proposed service could be extended from the inspection maintenance hole (MH-I17-0021) 1.5m inside the property line.

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.

Water supply and sanitary sewer capacity appear to be available to service the above proposed development; however, please note water and sanitary capacity will not be allocated until such time that a development agreement (servicing/subdivision agreement) is signed.

Servicing Plan (P-301)

- Confirm design of 300mm PVC watermain;
- Revise note to include method of connection (tapping sleeve and valve);
- Provide crossing data;
- Adjust valves to show on existing property line;
- Show valves as per S-230.011;
- Separate the lengths from the watermain to property line, then from the property line to the meter room for each service; and
- A mark-up of the Servicing Plan is attached and the above-noted comments can be addressed through submission of future applications.

Additional Comments

The newly installed sanitary sewer and watermain are currently under maintenance. When the Region assumes operation of the watermain and sanitary sewer, the installation of the water services can proceed through a Regional Servicing agreement.

Transportation Planning

The applications were reviewed from a transportation planning perspective. The site plan indicates parking facilities, however, the provision of carpool priority parking spaces and roughing in Electric Vehicle charging infrastructure located near the building entrance should be considered to support Transportation Demand Management (TDM) goals and help the Town of Whitby and Region of Durham achieve their respective sustainable mode share targets.

Durham Region Transit

Durham Region Transit has reviewed the applications and advised that sidewalks must be built along Woodrow Crescent to Des Newman Boulevard to facilitate area transit stops on Des Newman Boulevard.

Exemption and Conclusion

The proposed development of a 6-storey hotel on the subject site conforms with the policies of the ROP and is consistent with the policies of Provincial Plans as it will provide an employment use in a designated Employment Area.

In accordance with By-law 11-2000 the Official Plan Amendment application is exempt from Regional Approval.

Please advise the Commissioner of Planning and Economic Development of your Council's decision. If Council adopts an Amendment, a record must be submitted to this Department within 15 days of the date of adoption. The record must 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.

Town of Ajax – Planning and Development Department

The Town of Ajax Planning and Development Services has reviewed the materials provided for the proposed hotel development consisting of a 6-storey hotel with 104 guest suites located on an unaddressed Parcel at Des Newman Boulevard and Woodrow Court in the Town of Whitby. Staff have no comments at this time.

Please include the Town of Ajax in future circulations, for further review and comment.