

# Attachment #9

## Agency and Stakeholder Detailed Comments

### DEV-19-24 (Z-08-24)

#### Internal Departments

##### Whitby Engineering Services

Please find below Engineering Services' comments on the 1st Submission of the Zoning By-law Amendment for the above noted property.

Engineering Services has conducted a preliminary review of the circulated materials outlined below:

- Architectural Drawing Set, dated March 15, 2024, by Raw Design
- Geotechnical Report, dated August 31, 2022, by DS Consultants Ltd.
- Hydrogeological Report, dated October 5, 2022, by DS Consultants Ltd.
- Functional Servicing and Stormwater Management Report, dated May 2023, by TYLin
- Grading Plan, dated March 21, 2024, by TYLin
- Servicing Plan, dated March 21, 2024, by TYLin
- Erosion and Sediment Control Plan, dated March 21, 2024, by TYLin
- Engineering Cost Estimate, by TYLin

The application seeks to permit the development of back-to-back townhouses with 55 residential units across 2 blocks with one level of at grade parking. The unit mix will be made up of 1 to 3-bedroom suites and two units of retail space at the southwest corner of the site along Brock Street South. The entrance will be off Brock Street via a private lane with loading and garbage pick up located at the rear of the property. Private amenity space is provided through an internal courtyard, balconies, and terraces.

##### Zoning By-law Amendment

The subject land is currently zoned Residential Type 4C, Zoning By-law 2585. The Zoning By-law Amendment is required to permit the proposed mixed-use development.

Engineering Services does not object to the proposed Zoning By-law Amendment application provided that:

- The comments from Transportation Services dated June 21, 2024, are to be addressed to the Town's satisfaction.
  - The number of Accessible Parking space(s) does not align with the site plan on Drawing A200 provided in the Architectural Package. Confirm the number of accessible parking spaces required to support the Town's Zoning By-law. Consistent information is expected to be provided on all drawings.

- Fire Route signage to be installed no more than 30 metres (m) apart and shall be installed at an angle of 30 to 45 degrees to the flow of traffic as per the Ontario Traffic Manual.
- Identify Type A – Van Accessible Parking with appropriate signage on the plan. The number of Van Accessible Parking spaces to be in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).
- The number of visitor parking spaces does not satisfy the visitor parking requirements included in the Traffic Impact Study. Provide the accepted number of visitor parking spaces.
- Provide a visual representation of the signage that is expected to be installed to support the visitor parking.
- A revised Pavement Marking and Signage Plan, to the satisfaction of Engineering Services, is required.

### **Informational Comments**

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

The following items are informational and can be addressed through the future Site Plan application process:

1. A Construction Management Report shall be provided as per the Town's Guidelines.
2. Refer to Section J of the Town of Whitby Design Criteria for Site Plan submission requirements.
3. Final stamped and signed retaining wall drawings will be required prior to Building Permit issuance.
4. Address all drawing revision comments outlined in the Pre-Consultation Stage 2 memo and any additional comments from Engineering Services.
5. Provide a Vibration Monitoring Program.
6. Provide a cost estimate using the Town's template. Ensure that watermain and sanitary items are not included.

### **Whitby Fire and Emergency Services**

The fire access route shall be provided in accordance with OBC 3.2.5.4, 3.2.5.5, & 3.2.5.6.

Provide fire access route sign locations as per Town of Whitby Bylaw 4084-97.

Structural engineer shall provide letter confirming that the parking garage is capable of supporting the weight of fire apparatus if fire access route extends over top of it.

Submit a site plan indicating designated fire breaks for review and approval prior to construction.

## **Whitby Financial Services**

The following pertains to Town of Whitby Development Charges only, based on current Provincial legislation and Town of Whitby by-laws (subject to change). Additional information can be found at [https://www.whitby.ca/en/work/development-charges.aspx?\\_mid\\_=3457](https://www.whitby.ca/en/work/development-charges.aspx?_mid_=3457). This development will also be subject to Region of Durham development charges and DDSB/DCDSB education development charges, please reach out to them directly with any questions.

### Development Charges

Will be owing for both the residential and non-residential development. Under Section 26.2 of the Development Charges Act.

- The base DC rate(s) will be set as of the Zoning By-law Amendment 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 Zoning By-law 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 1<sup>st</sup> 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 both the residential and non-residential 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.

## **External Agencies**

### **Durham Region Planning and Economic Development Department & Works Department**

We have completed our review of the above-noted application and offer the following comments regarding conformity with the current Regional Official Plan (ROP) and the new ROP, Provincial Plans and Policies, the Region's delegated Provincial Plan Review responsibilities, and Regional servicing.

The subject site is approximately 0.4 hectares and is located on the east side of Brock Street South, north of Watson Street East. The property is currently vacant.

The proposed zoning by-law amendment application would rezone the subject site to an appropriate zoning category to permit the development of 2 blocks of back-to-back stacked townhouses with a total of 55 residential units and 2 units of retail space with frontage on Brock Street South. The proposed development would have a reported FSI of approximately 2.0, a density of approximately 140 dwelling units per net hectare, and will reportedly achieve a minimum density of approximately 225 residents and jobs per hectare.

#### Regional Official Plan Conformity

The subject site is within a designated Protected Major Transit Station Area (PMTSA), which is also a Strategic Growth Area (SGA).

PMTSAs are to be planned as communities centered around higher order transit services. Permitted uses include medium and high density residential, mixed-use development, compatible employment generating uses including but not limited to office and major office, cultural and entertainment uses, commercial and retail uses, institutional and educational uses including post-secondary facilities, recreational and community amenities such as parks, urban squares, and trail systems.

The PMTSA is planned to achieve a long-term transit supportive density target of 150 people and jobs per gross hectare, measured over the entirety of the area. Developments should contribute to, and not detract from, the long-term density target.

Development within the PMTSA should incorporate transit-oriented development design principles, including orienting development and entrances towards streets, providing active uses and entrances at grade, integrating open spaces, providing a mix of uses, compact built form with higher densities.

The proposed development would provide new higher-density townhouse dwelling units in a mid-rise built form, which is consistent with the requirements for residential development within the PMTSA. The proposed development would also provide limited retail space fronting on Brock Street South, which is a permitted use; however, the

amount of retail frontage proposed appears to fall short of the general intent of the PMTSA policies regarding a mix of uses to support a walkable, transit-oriented, pedestrian friendly public realm. Staff encourage the applicant and the Town to find innovative ways to increase the amount of grade-related non-residential floorspace on the Brock Street South frontage, in order to allow the development to respond to changing market and community needs over time.

#### Conclusion – Regional Official Plan Conformity

The proposed application supports compact built form through residential infilling developments, contributes to providing a mix of housing options for the community, provides limited non-residential uses, and makes efficient use of existing infrastructure.

The Region is generally supportive, however staff note that the proposal is missing an opportunity to support active uses at street-level by including adaptive, accessible, non-residential uses along the entirety of the Brock Street South frontage, as requested by the Town of Whitby. Staff support the Town of Whitby's request, and recommend that the proposal be revised to accommodate non-residential uses along the entirety of the Brock Street South frontage, in support of the goals and objectives of both the Durham and Whitby Official Plans for this area. The Region encourages the applicant and the Town of Whitby to work together to discuss alternative concept plans or conditions that would increase the amount of non-residential frontage and floorspace along Brock Street South.

The proposed application generally conforms with the current ROP and the new ROP.

#### Transit Oriented Development

The Region's TOD Office has reviewed the proposed application and offers the following comments. Please note that some comments may be better suited for the Site Plan stage, but some may affect the zoning, if implemented:

The inclusion of commercial space along the southwestern portion of the site will provide active uses at grade along the street front and provide amenities to the community. It is suggested that, if possible, open space is included adjacent to the commercial space to allow for spillover such as space for a small patio into the streets, further animating the street.

The communal courtyard will provide access to greenspace and a space for communal gathering, increasing socialization and the appeal to get out of the house and walk to various amenities.

Since this proposal is within the Town of Whitby PMTSA and short walking distance to the GO train station and various commercial amenities, conversations between the Town and the applicant should be had on how to reduce vehicle parking spaces and provide a more vibrant proposal with greater open space and access to active transportation connections, such as a multi-use path to replace the existing sidewalk in front of the property.

### Durham Region Transit (DRT)

The above noted file was reviewed from a transit perspective, and Durham Region Transit has no comments.

### Provincial Plans and Policies

#### Provincial Policy Statement and Growth Plan

The Provincial Policy Statement (PPS) and the Growth Plan support efficient land use and development patterns that comprise of an appropriate mix of housing options, including promoting transit-supportive density with Major Transit Station Areas.

The proposed application represents transit-supportive density, supports compact built form, and a mix of housing options.

The proposed application is consistent with the PPS and conforms with the Growth Plan.

#### Delegated Provincial Plan Review Responsibilities

We have reviewed the application for delegated Provincial Plan Review responsibilities.

#### Regional Works

The Region of Durham Works Department has reviewed the above-noted application and offers the following comments.

#### Transportation

The submission shows the 3 m ROW widening requested in the pre-consultation comments. The ROW widening should be confirmed by R-Plan and should be dedicated free and clear of all encumbrances as a condition of site plan approval.

We generally agree that the Whitby standards for the entranceway is acceptable, including the continuation of the sidewalk through the entranceway and lowered curbs along the edge of pavement. However, Brock Street is a Regional Road and therefore the proposed driveway should reference Regional standards.

An engineering drawing of the entranceway needs to be provided, and it should be constructed to Regional standards for multi-residential use. (40 mm HL3, 50 mm HL8 and 300 mm Gran A).

#### Storm Comments

The release rate to the Brock Street storm sewer is acceptable based on the predevelopment rate. However, the servicing plan proposes a second 200 mm storm sewer connection along the north boundary to the Brock Street storm sewer, which is not typically permitted for site plan developments. Since a 300 mm connection from the underground storage to the Brock Street storm sewer near the south boundary is already proposed, please remove the proposed 200 mm connection from CB 8 to the Brock Street storm sewer and instead connect CB 8 to the internal storm sewer system.

### Additional Comments

An engineering drawing of the entranceway is required and is to be constructed to Regional standards for multi-residential use. (40 mm HL3, 50 mm HL8 and 300 mm Gran A).

As per the Regions "Design Specifications for Service Connections", for storm sewer sizes up to 375 mm, storm service connections shall be made with an approved manufactured tee. As the existing storm sewer is 450 mm in diameter, a maintenance hole is required, and the storm service connection shall connect into the new proposed storm maintenance hole.

As part of the Site Plan Application, the Region will require all engineering comments to be addressed.

The proposed engineering drawing set must meet the Region's satisfaction, and all documents must be received, prior to entering into a servicing agreement with the Region.

### Summary

The Region has no objections to the further processing of the Zoning By-Law Amendment application only. Further comments will be provided on subsequent formal submissions.