

Town of Whitby Staff Report

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Report Title: Draft Plan of Subdivision and Zoning By-law Amendment Applications – 1628755 Ontario Limited, 320 & 360 Columbus Road West – File #DEV-24-22 (SW-2022-05 and Z-16-22)

Report to: Committee of the Whole

Date of meeting: November 25, 2024

Report Number: PDP 52-24

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:

J. Taylor, Director of Planning

L. Riviere-Doersam, Project Manager, x 2895

1. Recommendation:

- 1. That Council approve the Draft Plan of Subdivision (File No. SW-2022-05), subject to the comments included in Planning Report PDP 52-24 and the Conditions of Draft Plan Approval included in Attachment #9;**
- 2. That Staff be authorized to prepare a Subdivision Agreement;**
- 3. That Council approve the amendment to Zoning By-law #1784 (File No. Z-16-22), and that a Zoning By-law Amendment be brought forward for consideration by Council;**
- 4. That John G. Williams Limited Architect be appointed as the Control Architect for the Draft Plan of Subdivision; and**
- 5. That the Clerk forward a Notice to those parties and agencies who requested to be notified of Council's decision, including the Region of Durham's Commissioner of Planning and Economic Development.**

2. Highlights:

- Applications have been submitted by 1628755 Ontario Limited, for a Draft Plan of Subdivision and Zoning By-law Amendment on land municipally known as 320 and 360 Columbus Road West within the Brooklin urban area;
- The proposed draft plan of subdivision includes 548 residential dwelling units, two future residential blocks, a local commercial block, a stormwater management block, a public elementary school block, a Trans-Canada Pipeline block, a vista block, five road widening/reserve blocks and roads; and
- All of the commenting departments and external agencies have indicated support for the proposed development, subject to their comments being addressed.

3. Background:

3.1. Site and Area Description

The subject land municipally known as 320 and 360 Columbus Road West, is located on the north side of Columbus Road, west of Cedarbrook Trail (refer to Attachment #1). The 27.1 hectare (67 acre) draft plan is proposed within the designated urban area, while the northern portion of the lands (12.0 ha.) are situated within the Provincial Greenbelt Plan Area, labeled as 'other lands owned by the applicant', and are not subject to this application.

Surrounding land uses include:

- Major Open Space / Greenbelt land to the north;
- Major Open Space / Greenbelt land to the east;
- Existing urban residential to the south; and
- Agricultural (future residential development) to the west (refer to Attachment #2).

3.2. Applications and Proposed Development

Applications for a Draft Plan of Subdivision and Zoning By-law Amendment have been submitted by 1628755 Ontario Limited to permit a proposed residential Plan of Subdivision. Key components of the proposed Draft Plan of Subdivision include:

- 236 single-detached dwelling units;
- 74 semi-detached dwelling units;
- 238 townhouse dwelling units;
- 2 future development blocks;
- A local commercial block;
- A stormwater management pond block;
- An elementary school block;
- A Trans-Canada Pipeline block;
- A walkway block;
- Road widening and reserve blocks; and

- Roads.

Access to the internal road system for the proposed draft plan of subdivision will be provided via Cedarbrook Trail – a Collector Road. Street ‘A’ will be a future east-west Collector Road (Bergamot Road).

The Zoning By-law Amendment application proposes to change the existing zoning from Agricultural (A) to appropriate Zone categories to implement the proposed draft plan of subdivision. If approved, the Zoning By-law Amendment would implement the Zoning categories and provisions of the Brooklin Secondary Plan Expansion Area Zoning By-law (9758-23), which was approved by Council in January 2023.

3.3. Documents Submitted in Support

The following reports and studies were submitted in support of the development applications:

- A Draft Plan of Subdivision, initially prepared by Evans Planning (April 13, 2022) and revised by Groundswell Urban Planners Inc. (July 12, 2024) illustrates the configuration of the proposed plan of subdivision (refer to Attachment #3);
- A legal survey;
- A Planning Justification Report, prepared by Evans Planning, dated July 2022 which provides the opinion that the proposed plan of subdivision conforms to Provincial plans, the Durham Regional Official Plan and Town of Whitby Official Plan;
- A Functional Servicing and Stormwater Report, prepared by Urbantech Consulting, dated September 2022 (revised January 2024 and August 2024) which outlines the servicing details for the proposed grading, sanitary sewer, stormwater management (SWM) and water distribution systems required to service the subject development;
- A Geotechnical Investigation, prepared by DS Consultants Ltd., dated April 25, 2022, which makes recommendations pertaining to the geotechnical design of site grading, underground utilities, roads and the foundation conditions for building construction;
- A Hydrogeological Investigation, prepared by DS Consultants Ltd., dated October 3, 2022, which includes an overview of the existing geological and hydrogeological conditions of the site and an assessment of the hydrogeological constraints and impacts of the proposed development on local groundwater and surface water features;
- A Noise Control Feasibility Study, prepared by SS Wilson Associates, dated March 30, 2022 which states that although projected sound levels are predicated to be above Provincial sound level criteria, it is feasible to control sound levels within the outdoor and indoor areas of the proposed development with mitigation measures, and that Provincial criteria will be met;

- A Sustainability Rationale Report, prepared by Evans Planning, dated July 2022 (revised January 2024 and August 2024 by Groundswell Urban Planners Inc.), and the Green Standard Checklist for Subdivision Applications, which demonstrate that Tier 1 performance measures can be met;
- A Fluvial Geomorphological Assessment, prepared by GEO Morphix Ltd., dated April 20, 2022 which concluded that the proposed approach to replicate the function of the Lynde Creek tributary within a piped watercourse controlled by the proposed Stormwater Management Pond is feasible;
- An Environmental Impact Statement, prepared by GeoProcess, dated March 2022 (updated January 2024), which provides mitigation and compensation measures to ensure that impacts on the property, adjacent natural heritage features and the greater landscape are minimized;
- An Arborist Report, prepared by the MBTW Group, dated May 16, 2022 which identifies the trees proposed to be removed.;
- A Tree Inventory and Preservation Plan, prepared by the MBTW Group, dated May 16, 2022 which maps the location of the wooded areas on site;
- A Butternut Health Assessment, prepared by GeoProcess, dated August 4, 2022 which determined that the 4 butternut trees located on-site were affected by butternut canker and the trees are considered non-retainable;
- Landscape Plans, prepared by the MBTW Group, dated April 22, 2022 which provided proposed planting and fencing details;
- A Traffic Impact Study, prepared by C.F. Crozier & Associates Inc., dated March 2022 (revised December 2023) which provides recommendations for road and intersection improvements;
- A Stage 1 and Stage 2 Archaeological Assessment prepared by ASI, dated July 19, 2019 which stated that no further archaeological assessment is recommended. In addition, supplementary documentation prepared by ASI, dated July 19, 2019 was provided as was the Clearance Letter from the Ministry of Heritage, Sport, Tourism and Culture Industries;
- A Site Screening Questionnaire, prepared by GHD Limited, dated March 29, 2022 which indicated that there are no potential indicators for site contamination;
- Sub Area Study 2A Report, prepared by SCS Consulting Group, dated October 2022 (revised February 2024), which evaluates stormwater drainage and provides management requirements for the subject site in the context of the broader Study Area;
- A Facility Fit Plan, prepared by Evans Planning, dated January 19, 2022 for the elementary school block; and
- A Mixed Use Block Concept Plan and Elevation Plans, prepared by Arc Design Group, dated April 1, 2022 which provides a design concept for the Local Commercial Area block.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated “Community Area” in the Regional Official Plan (ROP) with the “Regional Corridor” overlay adjacent to Columbus Road. Community Areas are intended to develop as complete communities, providing a range of housing, transportation and lifestyle choices, and creating opportunities for residents to live, shop, work and access services and amenities within their community. Regional Corridors support the movement of people and goods by encouraging development and intensification that is characterized by compact built form at a transit supportive density.

4.2. Whitby Official Plan

The subject land is designated as Low Density Residential, Medium Density Residential, Local Commercial and Natural Heritage System on Schedule ‘K’ of the Brooklin Community Secondary Plan (BCSP) (refer to Attachment #4).

Lands designated Low Density Residential are primarily intended for single, semi-detached and duplex dwellings not exceeding 3-storeys in height, at a density of 25 to 35 units per net hectare (upnh) outside of mature residential neighbourhoods.

The Medium Density Residential designation is intended to provide for increased densities along arterial and collector roads to support future transit and active transportation. Lands designated Medium Density Residential permit street and block townhouses, apartments and other forms of multiple residential dwellings not exceeding 4-storeys in height with a permitted density range of 30 to 65 upnh. The minimum building height is 3-storeys abutting arterial roads outside of mature residential neighbourhoods.

Local Commercial areas comprise small commercial areas and are intended to serve the day-to-day needs of the adjacent residential areas. A range of retail uses, including a food store or small supermarket, restaurants, personal service uses, offices and community uses shall be permitted. Residential uses may be integrated with commercial uses within the same building.

The Natural Heritage System designation is comprised of an interconnected system of key natural heritage and hydrologic features. The extent and boundary of the Natural Heritage System is conceptual and the exact boundary shall be determined through an Environmental Impact Study. The boundary of the Natural Heritage System may be refined with additions and deletions without an amendment to the Whitby Official Plan.

4.3. Zoning By-law

The subject land is zoned Agricultural (A) in Zoning By-law 1784, as amended (refer to Attachment #5). The A zone permits limited residential uses and traditional farming related activities.

A Zoning By-law Amendment is required to implement the proposed Draft Plan of Subdivision. If approved, the subject land will be rezoned from the Agricultural (A) Zone to the appropriate Zone categories within the Brooklin Secondary Plan Expansion Area Zoning By-law (9759-23) to implement the proposed development. This includes a site-specific amendment to allow the residential component permitted by the Official Plan in the Local Commercial block.

4.4. Control Architect

A Control Architect will be required to oversee the design of the subdivision's built form, in accordance with the Urban Design policies of the Official Plan and the Brooklin Architectural Control Guidelines. It is recommended that John G. Williams Limited Architect be appointed as the Control Architect for the proposed Draft Plan of Subdivision.

4.5. Fire Break Lots

The proponent must submit a Firebreak Lot Plan for review and approval by the Town of Whitby Fire and Emergency Services Department. The Plan must be provided prior to any construction activity taking place on the site.

4.6. Composite Transportation Component Plan

The Engineering Services Division has provided a Composite Transportation Component Plan to identify the anticipated locations of traffic infrastructure, including sidewalks, multi-use paths, road right-of-way dimensions (refer to Attachment #6). These elements will be further refined and implemented through the future detailed engineering design process.

5. Financial Considerations:

With each new subdivision development approved by the Municipality, the Town of Whitby assumes assets requiring regular operational maintenance and eventually capital replacement. The following assets will be generated as a result of the subdivision and included in the Town's Asset Management Plan. The Capital replacement and annual operating costs would be included in future budgets. Further details regarding infrastructure costs would also be identified in the Engineering Services Asset Management annual report.

Asset	Quantity
Roads	7.81 lane-km
Sidewalks/Multi-use paths	7.92 km
Storm Sewers	4.1 km
Ponds	22,839 m ³ /1.7 ha

6. **Communication and Public Engagement:**

A Public Meeting was held November 21, 2022 in accordance with the Town of Whitby Official Plan and the Planning Act. This meeting provided the public and interested persons and agencies the opportunity to make representation in respect of the Draft Plan of Subdivision and Zoning By-law Amendment Applications. The meeting minutes are included in Attachment #7. The property owner was in attendance to speak to the applications. A representative of the Brooklin Landowners Group was in attendance to speak at the public meeting. The comments were supportive of the proposed development and noted the need for cost sharing discussions related to infrastructure.

Two written submissions were received. Both noted support for the proposed development but highlighted the need for the applicant to engage in discussions with the Brooklin Landowners Group regarding cost-sharing. Requirements for cost-sharing have been included in the Conditions of Draft Plan of Subdivision Approval (refer to Attachment #9).

All individuals who registered as an interested party at the statutory public meeting and any individual who requested to be an interested party have been provided notice of the November 25, 2024 Committee of the Whole meeting.

7. **Input from Departments/Sources:**

The following agencies have reviewed the applications and have no objection:

- Bell Canada;
- Durham District School Board;
- Durham Catholic District School Board;
- Enbridge Gas; and
- Rogers Communication.

Refer to Attachment #8 for additional detailed comments.

7.1. **Internal Departments**

Community Services – Parks Planning and Development Division

Parks staff have provided supportive comments on the applications, subject to Conditions of Draft Approval and technical comments to be addressed through the detailed design stage.

Refer to Attachment #8 for detailed comments and Attachment #9 for Conditions of Draft Plan Approval.

Engineering Services

Comments provided by Engineering Services support approval of the applications, subject to Draft Plan Conditions and technical comments that can be addressed through the Engineering Submission and Subdivision Agreement process.

As part of their comment letter, Engineering Services have attached a Composite Transportation Component Plan (CTCP) highlighting the anticipated locations of sidewalks, multi-use paths, and dedicated cycling facilities. Engineering Services expects the components of this plan will be further refined and implemented through the future detailed engineering design process.

Refer to Attachment #8 for detailed comments and Attachment #9 for Conditions of Draft Plan Approval.

Financial Services

Comments provided by Financial Services staff outline the Town's standard requirements for the payment of development charges and cash-in-lieu of parkland.

Refer to Attachment #8 for additional detailed comments.

Landscaping

Landscape staff provided comments regarding the existing trees on and adjacent to the subject site, as well as the need for the submission of a Landscape Plan. Staff had no objection to draft approval subject to Draft Plan Conditions.

Refer to Attachment #8 for additional detailed comments and Attachment #9 for Conditions of Draft Plan Approval.

Strategic Initiatives (Sustainability)

Sustainability staff confirm that the Whitby Green Standard Checklist and Sustainability Rational Report meet the Tier 1 requirements.

Refer to Attachment #8 for additional detailed comments.

Whitby Fire and Emergency Services

Fire and Emergency Services have provided comments indicating a firebreak layout plan is required and also identified locations in proximity to the laneways where fire hydrants are required. The requirement for a firebreak layout has been added as a Condition of Draft Approval and hydrant locations will be reviewed and approved through detailed design.

Refer to Attachment #8 for additional detailed comments and Attachment #9 for Conditions of Draft Plan Approval.

7.2. External Departments

Central Lake Ontario Conservation Authority

Staff from the Central Lake Ontario Conservation Authority (CLOCA) have advised that, subsequent to site meetings and discussions, they are satisfied that any remaining comments can be addressed through conditions of draft approval.

This includes zoning all hazard lands and their associated development setbacks and interrelated natural heritage features and their associated vegetation protection zones, as Natural Heritage System and/or Natural Hazard Land.

Refer to Attachment #8 for additional detailed comments and Attachment #9 for Conditions of Draft Plan Approval.

Region of Durham

Comments provided by the Region of Durham state that there is no objection to the approval of the applications subject to the Conditions of Draft Plan Approval.

In their comments, the Region notes several technical and servicing requirements that will need to be addressed through detailed engineering submission(s).

Refer to Attachment #8 for additional detailed comments and Attachment #9 for Conditions of Draft Plan Approval.

8. Strategic Priorities:

The development review process has provided an opportunity for public and agency input. The development of a residential subdivision contributes to meeting the priorities of the Community Strategic Plan, specifically:

- Action Item 1.3.4 under Pillar 1: Whitby's Neighbourhoods by providing a variety of housing options;
- Action Item 2.1.5 under Pillar 2: Whitby's Natural & Built Environment, by meeting the Tier 1 requirements of the Whitby Green Standard; and
- Action Item 2.2.2 under Pillar 2: Whitby's Natural & Built Environment implementing active transportation facilities including sidewalks, trails, and multi-use paths.

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Applicant's proposed Draft Plan of Subdivision

Attachment #4: Excerpt from Town of Whitby Secondary Plan Schedule 'K'

Attachment #5: Excerpt from Zoning By-law 1784

Attachment #6: Preliminary Composite Transportation Component Plan

Attachment #7: Public Meeting Minutes

Attachment #8: Agency & Stakeholder Detailed Comments

Attachment #9: Conditions of Draft Plan of Subdivision Approval