

Attachment #8

Detailed Agency Comments

PDP 03-25

Whitby Fire and Emergency Services

Whitby Fire and Emergency Services has reviewed the application for 605 Winchester Rd W and we have no comments.

Planning and Development Department - Planning Services – Landscape

The below landscape comments shall be addressed upon submission of a Site Plan Application.

1. Coordination of the Concept Site Plan and Edge Management Plan is required as there are a few discrepancies with the plant quantity.
2. To help increase the biodiversity and resilience of the natural heritage feature the enhancement of the buffer zone should also include native shrubs and forbs, as suggested in the EIS - considering adding to the plant list.
3. Landscape plans associated with Phase 2 (605 Winchester) should reference the Town's development file code: DEV-19-21 in the CAD title block .
4. The Arborist Report has used the Town of Whitby's Tree protection details. For consistency, it is preferred that the Town of Whitby's Plant Details be referenced on the Edge Management Plan.
5. Details and notes are available here: <https://www.whitby.ca/en/resources/Town-of-Whitby-Landscape-Plan-Guidelines-Complete---July-9,-2021.pdf>
 - 710: Deciduous Tree Planting
 - 711: Coniferous Tree Planting
 - 712: Shrub Planting and Layout etc.
6. The edge of the existing woodlot should be illustrated on the concept site plan – edge is shown on the TPP for reference. Potential hazard trees along the edge should also be identified to determine if they will affect development and/ or user safety.

7. Site amenity features (benches, trash receptacles, ball washers, signage) should be located on the landscape plan (deferred to the site plan stage is acceptable) and included in the cost estimate.
8. Tree protection fencing should be included in the cost estimate. Review markup attached.
9. Include the following Town of Whitby notes/details:
 - 715: Standard Utility Clearances for Streetscape Plantings
 - 750 & 750.10: General Notes
 - 753: Topsoil Notes
 - 755, 755.10, 755.20: Plant Material Standards & Specification

Planning and Development Department – Engineering Services

Formal Engineering Services comments will be provided upon receipt of a Site Plan Application. There are no comments offered in regards to the Zoning By-law and Official Plan Amendment applications.

Whitby Corporate Services – Sustainability

The Town of Whitby Economic Development continues to be supportive of the development proposal to construct the golf course facility at 605 Winchester Road West. This proposal has the potential to draw sports tourists to our community, which can, in turn, benefit our local restaurants and other surrounding businesses. The addition of this tourism asset would closely align with the Town's 2022-2025 Tourism Strategy.

Staff are still interested in connecting the proponent with representatives from Durham Tourism and Durham Region Sport Tourism.

Sustainability Staff have concerns with the rezoning and potential loss of agricultural lands because of the impact this has on local food production, loss of wildlife corridors, natural environment lands, and dark sky bird and bat migration pathway. Staff encourage the applicant to seek the offset of this loss through the provision of local food opportunities and enhancement of advanced sustainability criteria throughout the development site.

Additionally, there are concerns about water conservation on site due to the increase in water supply demands for both potable and irrigation water usage. Staff encourage the applicant to seek opportunities that use water-saving technologies in building design, identify innovative site design and landscaping opportunities on site and identify opportunities for the use of low irrigation naturalized low maintenance landscaping or other innovative water conservation techniques.

Whitby Building Services

Building Services offers no comments as there are no buildings proposed on the subject land.

Elexicon

Further to the referenced File #DEV-19-21 (OPA-2021-W/06, Z12-21) Elexicon Energy Inc. has no objection to the proposed Site Plan Application to permit a Golf Course facility on the subject land.

The applicant or its authorized representative shall consult with Elexicon Energy Inc. concerning the availability of supply voltage, service location, metering, costs and any other details. These requirements are separate from and in addition to those of the ESA. Elexicon Energy Inc. will confirm the characteristics of the available electrical supply and will designate the location of the supply point to the applicant. Elexicon Energy Inc. will also identify the costs that the applicant will be responsible for.

The applicant or its authorized representative shall apply for new or upgraded electric services and temporary power service in writing. The applicant is required to provide Elexicon Energy Inc. with sufficient lead-time in order to ensure:

- a. The timely provision of supply to new and upgraded premises; and/or
- b. The availability of adequate capacity for additional loads to be connected in the existing premises

Please ensure that a minimum of 4.8m clearance is maintained from existing overhead conductors, which applies to all structures, equipment, and people.

Enbridge

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Durham District School Board

Staff has reviewed the information on the above noted application and under the mandate of the Durham District School Board, has no objections.

Bell

We have reviewed the circulation regarding the above noted application and have no objections to the application as this time. However, we hereby advise the Owner to contact Bell Canada at planninganddevelopment@bell.ca during detailed design to confirm the provisioning of communication/telecommunication infrastructure needed to service the development. We would also ask that the following paragraph be included as a condition of approval:

“The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

It shall also be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the *Bell Canada Act*, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

Ministry of Transportation (MTO)

The Ministry has no comments on the OPA (OPA 2021-006) for 605 Winchester Road.

The site is within the Ministry's permit control and as such Ministry permits and approvals are required. For any access requests to Highway 7, such access points will need to adhere to the Ministry's Highway Access Management Guidelines.

The Ministry will ask as part of its review a drainage report and or traffic impact study for the site when it comes in as part of the site plan application.

Region of Durham

According to the "Planning Justification Report/Agricultural Assessment" submitted in support of the application, the lands subject to this application are the second phase of the Devil's Den Golf Course, the first phase was the subject of Official Plan Amendment Number 165, which was adopted in 2016.

The subject site is generally square in shape and is 19.5 ha (48.2 acres) in size. The site is currently under active agricultural use with a wooded area and valleyland associated with Lynde Creek on the southern portion of the parcel. There is also a single-detached dwelling and several ancillary agricultural dwellings located on-site.

The proposed application would result in the addition of 7 holes to the east of the existing Devil's Den golf course and 2 new holes in the phase 1 lands. The new holes in the phase 2 portion would be developed on the agricultural portion of the subject lands.

Phase 1 consists of the existing an 18 hole golf course, a clubhouse, pro-shop, parking and maintenance facilities. Both Phase One and Two are intended to function contiguously, sharing the clubhouse and pro-shop, as well as parking and maintenance facilities.

Comments on the first submission of Phase 2 from the Policy Planning Section were submitted on July 27, 2021. At this time the subject site had been identified as Prime Agricultural Area in the Provincial Agricultural System and was a candidate to be included in the Regional Prime Agricultural Areas designation. Comments had recommended that the application was premature until such time as the Prime Agricultural mapping was complete in the new Regional Official Plan.

As part of the municipal comprehensive review and implementation of the Provincial Agricultural System, it was determined that the subject site would remain in the Major Open Space designation. The new Regional Official Plan (ROP) has been adopted by Regional Council, however the ROP is subject to Provincial approval and as such the designation is subject to change.

Provincial Plans and Policies

The subject lands are located within the “Protected Countryside” of the Greenbelt Plan. There are also Key Natural Heritage/ Key Hydraulic Features identified on the site.

The following Greenbelt Plan policies are relevant for this application:

3.2.2.3	<p>New <i>development</i> or <i>site alteration</i> in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:</p> <ul style="list-style-type: none">a. There will be no <i>negative impacts</i> on <i>key natural heritage features</i> or <i>key hydrologic features</i> or their functions;b. <i>Connectivity</i> along the system and between <i>key natural heritage features</i> and <i>key hydrologic features</i> located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;c. The removal of other natural features not identified as <i>key natural heritage features</i> and <i>key hydrologic features</i> should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;d. Except for uses described in and governed by the policies of sections 4.1.2 and 4.3.2,<ul style="list-style-type: none">i. The disturbed area, including any buildings and structures, of the <i>total developable area</i> will not
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	<p>exceed 25 per cent (40 per cent for golf courses); and</p> <p>ii. The impervious surface of the <i>total developable area</i> will not exceed 10 per cent.</p>
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Regional Official Plan

The subject lands are designated “Major Open Space” in the current ROP.

As per policy 10A.2.8 of the current ROP, new and expanding major recreational uses, such as a golf course, may be permitted in the Major Open Space Areas by amendment.

In accordance with policy 10A.2.4 of the current ROP “where non-agricultural uses are contemplated within the Major Open Space Areas and/or the Greenbelt Natural Heritage System, applicants shall demonstrate that:”

- At least 30 percent of the total developable area of the site will remain or be returned to natural self-sustaining vegetation. This does not apply to new or expanding Aggregate Resource Extraction Areas;
- Connectivity along the system and between key natural heritage or hydrologic features located within 240 metres of each other is maintained or enhanced, or in the case of aggregate extraction rehabilitated;
- Buildings or structures do not occupy more than 25 percent of the total developable area and are planned to optimize the compatibility of the development with the natural surroundings; and
- With the exception of recreational uses, the use is small in scale and serves the resources and agricultural sectors.

According to the application, 61% of the developable area will remain and planting will be completed to improve the connectivity between the existing wildlife corridors. No buildings are being proposed as part of this application. As such this application meets the requirements of the Major Open Space/ Greenbelt Natural Heritage System designation of the current ROP.

In the new Region Official Plan, as adopted, the subject site is designated Major Open Space. Policy 7.1.12 of the recommended Regional Official Plan continues to allow for major recreational uses in the Major Open Space areas by amendment and in accordance with policy 7.1.11.

Conclusion

1. This application appears to meet the overall intent of the Major Open Space Areas designation of ROP.
2. The applicant has submitted studies that satisfy the Natural Heritage Systems requirements of the Greenbelt Plan.

Site Contamination

A Phase 1 Environmental Site Assessment Report was prepared by Soil Engineers (December 2020) and submitted in support of the application. The Phase 1 ESA report identified the following items of environmental concern:

- Potential use of pesticides during agricultural activities at the north-western portion of the site; and
- An above-ground oil tank located on the western side of the residential building. As such, the Phase 1 ESA recommended that a Phase 2 ESA be undertaken. The Phase 2 ESA Report should be submitted prior to the Town's consideration of the proposed amendment. Additionally, the Regional Reliance Letter and Certificate of Insurance are also required.

Archaeology

A Stage 1 and 2 Archaeological Assessment prepared by Archeoworks Inc. was submitted in support of the application. The assessment recommended that no further archaeological work on the site is required. The assessment should be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries and no site alteration should occur onsite until their clearance letter is provided.

Servicing

The Regional Works Department advised that they have no concerns with the proposal.

Transportation and Transit

The application was reviewed by Transportation Planning staff and Durham Region Transit who both advised that they have no comments.

Exemption

The subject applications have been filed concurrently with an amendment to the Regional Official Plan. The Regional Official Plan amendment process will determine whether a golf course development may occur on the subject site. As a decision has not been made on the Regional Official Plan Amendment application, we can advise you that the Town of Whitby Official Plan Amendment is not exempt from Regional approval. Accordingly, the Region of Durham is the approval authority for this amendment, as per the Procedures for Area Municipal Official Plans and Amendments.

The Region also notes that adoption of the related zoning by-law amendment is also premature until such a time a decision on the Regional Official Plan Amendment is rendered.

Please advise of any decision on the proposed official plan amendment by Whitby Council. If Council adopts an Amendment, please forward a record to this Department, within 15 days of the date of adoption. The record must include the following:

- Adopted Amendment (1 certified copy, 4 duplicates & 5 working copies);
- Region's submission form (1 copy);
- Letter requesting the Region's approval;
- Adopting by-law (2 certified copies);
- Region's processing fee (as of the date of this letter \$5,000);
- Minutes of all public meetings;
- All written submissions and comments (originals or copies), showing the dates received;
- All planning reports considered by Council;
- Affidavit(s) of municipal employee(s) certifying that Notice of Public Meeting was given, a public meeting was held, and Notice of Adoption was given in accordance with the requirements of the Planning Act; and
- Mailing list of persons who spoke at the public meeting(s).

Central Lake Ontario Conservation Authority (CLOCA)

Based on our review of the submitted documentation, we are satisfied that all previous comments have been addressed to our satisfaction and have no objection to any

approval of the proposed Official plan Amendments and/or Zoning By-law Amendment as presented in the most recently circulated materials.

Ontario Regulation 41/24 of the *Conservation Authorities Act*

A permit from CLOCA will be required for any site alteration and/or grading within lands regulated through Ontario Regulation 41/24. Please contact CLOCA Head Office Directly with regard to the process and fees associated with obtaining any required permits.

Valleyland Conveyance

CLOCA staff recommend that the lands to be designated Major Open Space be conveyed to a public body.

Given CLOCA owns and operates a Conservation Area on the lands bordering the south boundary of this property, if the valleyland within this property were to be conveyed to a public body, CLOCA would appreciate the opportunity to discuss acquisition of these lands as part of this process. Please contact Jamie Davidson, Director of Watershed Planning and Natural Heritage at CLOCA directly regarding this matter.