

Attachment #10

Agency & Stakeholder Detailed Comments

File DEV-38-24 (Z-19-24)

Internal Departments

Engineering Services

Engineering Services has conducted a preliminary review of the circulated materials outlined below for the purpose of the Zoning By-law Amendment application:

- Transportation Response to Comments Letter, dated August 15, 2024, by RJ Burnside
- Transportation Existing Conditions Figure
- Phase One ESA, dated January 28, 2023, by GeoBase Solutions
- Phase Two ESA, dated January 28, 2023, by GeoBase Solutions
- Plan of Survey, dated May 25, 2020, by IBW Surveyors
- Geotechnical Report, dated September 13, 2021, by DS Consultants Ltd.
- Geotechnical Peer Review Letter, dated January 31, 2024, by GeoBase Solutions
- Hydrogeological Assessment, dated July 2024, by RJ Burnside
- Watertight Foundation Commitment Letter, dated July 2024, by RJ Burnside
- Functional Servicing and Stormwater Management Report, dated August 2024, by RJ Burnside
- Architectural Drawing Set, dated August 19, 2024, by Memar Architects
- Civil Drawing Set, dated August 16, 2024, by RJ Burnside
- Construction Management Report, dated August 15, 2024, by RJ Burnside

Zoning By-law Amendment

The subject land is currently zoned H-R6-DT under Zoning By-law 2585. The purpose of the proposed Zoning By-law Amendment application is to remove the Holding “H” provision from the subject land and to permit a mixed-use development with three (3) 6- storey towers that comprises of 158 residential units and 665 square metres of ground floor commercial space.

Engineering Services does not object to the proposed Zoning By-law Amendment application.

Informational Comments

It is Engineering Services' understanding that a Site Plan application will be required upon 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. Provide a revised Stormwater Management Report addressing comments from the Town's Water Resources Engineer provided at the pre-consultation stage.
2. A response to the transportation comments issued by the Town's Transportation Engineer shall be provided. See attached.
3. A Pavement Marking and Signage Plan will be required.
4. Drainage shall be contained within the property and shall not impact adjacent neighbours. Detailed grading including cross sections along the property boundary will be required to ensure no negative impact on adjacent lands.
5. Construction Management Report comments to be addressed at the Site Plan Approval stage. See attached.
6. Refer to Section J of Town of Whitby Design Criteria for Site Plan submission requirements.

Attached Transportation Comments

Transportation Services has reviewed the following document, which was submitted as part the Zoning By-law Amendment application for the proposed mixed-use development located at 301, 315, 317 Colborne Street East; 304, 320 Dunlop Street East, and 205, 207 Athol Street in the Town of Whitby:

- Third submission response to comments, completed by R.J Burnside and Associates Limited (Burnside) and dated August 15, 2025.

The following comments are provided:

- The proposed parking rate is acceptable to Transportation Services.
- A Signage and Pavement Marking Plan is required as part of the submission. The response references an updated Site Plan; however, the details expected on a Signage and Pavement Marking Plan do not appear to be included on the site plan. Details to include the sign code, visual representation of the signage and pavement marking details that follow the legend included as Drawing 414.10 in the Town's Design Criteria and Engineering Standards.

- Future Traffic Impact Study (TIS) submissions from Burnside shall include observations with site visit data attached to the TIS. Observations to document critical movements, as well as confirm when movements are functioning well. Other details expected are confirmation of traffic signal timing, if applicable, driver behaviour, pedestrian and cyclist behaviour, conflicts, etc.
- Reductions to the to ITE trip rates are not acceptable to Transportation Services. Future TIS submissions shall not include reductions. If the ITE trip generation rates are not acceptable to the consultant, they may propose collecting data at comparable locations.
- The sightline analysis shall consider the posted speed limit unless there is documented speed limit data available that a lower speed may be more appropriate.
- If a development does not fully support the Town's Zoning By-law, a parking justification is required as part of the TIS. Town staff will confirm the justification approach through the Terms of Reference review. This is to be noted for future TIS submissions.

Transportation Services has no objection to the Zoning By-law Amendment. No response to the above comments is requested; however, an updated Signage and Pavement Marking drawing is required

Attached comments on Construction Management Plan

Engineering Services has reviewed the following documents for the purpose of this application:

- Construction Management Report dated August 15, 2024 by RJ Burnside & Associates Limited.

General Comments

1. The below comments assume that there will be further revision of this report as more information becomes available to the Applicant. Revised subsequent reports shall be dated with the applicable revision number.
2. Update Town file number to Z-19-24.
3. A Construction Management Plan will be required for each phase of the development construction, including the demolition of the existing buildings which will be a substantial undertaking. Show the above ground features such as sidewalk, boulevard, curb and gutter, catchbasins, and any utilities along the frontages of the site.
4. Erosion controls are to be in place prior to the demolition stage to protect Town infrastructure.

5. Construction access mud mat shall not impact any of the road right-of-way features.
6. Confirm that the proposed parking is sufficient for all phases of construction. As noted, no queueing or parking of vehicles is permitted on any Town of Whitby roads. If on-street parking is observed the contractor will be responsible to manufacture and install No Parking/Stopping signage at the Town's request.
7. Contractor to review By-law No. 1718-84 and identify any half-load restrictions that may impact the project and adjust accordingly.
8. Drawings are required for all phases of construction (i.e. servicing, driveway construction, building construction, etc.) and shall identify proposed signage and location of signage. Reference to Ontario Traffic Manual (OTM) only is insufficient. Signage shall include No Construction Vehicles Beyond This Point at residential locations (e.g. Athol Street south of Dunlop Street).
9. Construction signage shall be bagged/removed when not in use or relevant.
10. Number of anticipated truck trips to be identified and included in the CMR.
11. The fencing shall not impede visibility for road users (motorists, pedestrians, cyclists, etc.).
12. Timelines to include anticipated start dates as well as duration to provide appropriate context for construction activities.
13. The applicant shall include the Durham District School Board (DDSB), the Durham Catholic District School Board (DCDSB) and Durham Student Transportation Services (DSTS) in their notification circulation.

Construction Management Report

14. Please revise the Construction Management Report to address the following comments:
 - Section 1.0 Introduction.
 - Verify and confirm that there aren't any Town assets or services that may be impacted.
 - Section 2.0 Communication.
 - Briefly reference any final inspection or close out procedures, including who will be involved.
 - Provide distribution map for notices.
 - Section 6.0 Traffic Management
 - Update when more information is available.

- Section 7.0 Active Transportation and Management Impacts
 - Identify all sidewalks, multi-use pathways and bike lanes fronting and approaching the proposal. In this case, sidewalks exist along both sides of frontage roads, and the nearest bike lane is on Hickory Street. During all stages of demolition, site preparation, and construction, identify any impacts to these sidewalks once those impacts are known.
- Section 10.0 Crane Locations
 - Update when more information is available.
- Section 11.0 Shoring and Tie Backs
 - Update when more information is available.
- Section 12.0 Vibration Monitoring Program and Condition Assessment
 - Update when more information is available.
- Section 15.0 Special Permissions from the Town of Whitby
 - Road Occupancy Permit (ROP), Site Servicing and Access permits are required for the construction access(es) proposed for the site.
 - Lane closures will require advance notice to ROW Services or be detailed in the relevant ROP permissions.
- Section 16.0 Contacts
 - Update when more information is available.

A revised and updated Construction Management Report will be required once more information is available.

Financial Services – Development Charges

Development Finance comments for Parkland and DCs:

Parkland Dedication / Cash-In-Lieu

In accordance with the Planning Act and the Town of Whitby By-law, parkland dedication or cash-in lieu (“CIL”) of is applicable to 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.

Development Charges

The following pertains to Town of Whitby Development Charges (“DCs”) 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>.

This development will also be subject to Region of Durham DCs and DDSB/DCDSB education development charges, please contact those agencies directly with any questions pertaining to their policies, rates and charges.

DCs will be applicable to the residential and non-residential development and must be paid prior to building permit issuance, unless all conditions of a provision from the Development Charges Act (“DCA”) permitting alternative payment timing are met.

Calculation of Development Charges

- The ‘relevant’ application is considered the application for approval in a site plan control area. If there is no site plan control application, the relevant application is the application for an amendment to a by-law. In cases where there are multiple applications, the date of the later application is deemed the relevant application.
- Under Section 26.2 of the DCA, the rate(s) in effect on the date the relevant application is submitted, will be used to determine the applicable development charges. If there is no relevant application, the charges are based on the prevailing rates at the time of building permit issuance.
- If the first building permit is issued more than 18 months after the relevant application was approved, the charges are based on the prevailing rates at the time of permit issuance.
- Interest at Prime +1%, adjusted quarterly, will accrue on the base development charge rate(s) from the application date of the relevant application until the date of building permit issuance.

Affordable, Attainable and Non-Profit Housing

- If this development includes affordable, attainable or non-profit housing units (as defined in Sections 4.1 and 4.2 of the Development Charges Act (“DCA”), those units are eligible for DC exemptions.

Fire and Emergency Services

See WFES comments below:

1. Please note an Integrated Testing Coordinator may be required to provide an integrating testing plan and date of integrated system testing as per CAN/ULC S1001 for all buildings containing more than one fire and life safety system within it that are integrated with each other.

2. Provide separate fire alarm monitoring points for each tower on site.
3. Structural engineer shall provide letter confirming that parking garage is capable of supporting the weight of fire apparatus.
4. Below grade parking garage shall be considered an Ordinary Hazard Group 2 occupancy for the purpose of sprinkler design and equipment with a mechanical ventilation system that can be controlled by emergency responders if required during a fire emergency.
5. Below grade parking garage shall include a room(s) designed for the storage of micro-mobility devices with a minimum 1 hour fire resistance rating and mechanical ventilation.
6. Water supply shall be provided as per OBC 3.2.5.7

External Agencies

Conseil Scolaire Viamonde

Did not provide comments within the commenting timeframe.

Durham Catholic District School Board

Did not provide comments within the commenting timeframe.

Conseil Scolaire Catholique MonAvenir

Did not provide comments within the commenting timeframe.

Durham District School Board

Staff has reviewed the information on the above noted and has the following comments:

1. Approximately 32 elementary pupils and 32 secondary pupils could be generated by the above noted application.
2. Students generated from this development will attend existing neighbourhood schools.

Under the mandate of the Durham District School Board, at this time, staff has no objection.

Region of Durham

Please be advised effective January 1, 2025, the Region is an Upper-tier municipality without planning responsibilities. As such, the comments pertaining to conformity and consistency with the Region of Durham Official Plan and provincial plans and policies and those comments relating to the Region's delegated provincial plan review

responsibilities will fall under the purview of the area municipalities. The Town of Whitby should be satisfied that the applicant has addressed site contamination, noise, and land use compatibility concerns for the proposed development.

Regional Servicing

The Region offers the following servicing comments for the proposed application.

Stage 2 Pre-Consultation Submission:

Our Stage 2 pre-consultation comments dated October 9, 2024, have not been addressed. These outstanding comments are provided below and can be addressed through the future Site Plan application process.

Servicing Plan (Drawing S1):

The Region has reviewed the Servicing Plan (Drawing S1). We will require redline revisions to be completed to the Servicing Plan, as outlined in Attachment 1 to this letter.

1. Clearly identify the section and length of the existing 150 mm watermain is to be replaced. A profile is required for the proposed watermain and the sanitary sewer connection.
2. A cross section is required for the proposed sanitary sewer connection on Colborne Street. Provide minimum 0.5 m vertical clearance between the proposed watermain and sanitary sewer connection.
3. Rename the proposed sanitary MH numbers as marked.
4. Confirm if a 100 mm domestic water service is suffice for this development.
5. Provide the lengths, sizes and pipe materials for the proposed water service and fireline from mainline to the property line.
6. Provide the crossing elevations between the existing sanitary sewer and proposed storm sewer connection on Dunlop Street.

Other comments:

1. Regional Development Charges will be payable prior to the issuance of a building permit. The applicable rates and policy will apply at the time of the building permit application.
2. Please confirm if this development consists of any rental/affordable housing component. Provide more information on the type and number of units on the rental portion where applicable.

Next submission:

We will require the following in the next submission:

1. Revised Servicing Plan (Drawing S1) to address the above comments.
2. Confirmation on the affordable housing as per the comment above.

Durham Region Transit & Transportation Planning

The Region has reviewed the proposed application from a transit and transportation perspective and have no comments.

Conclusion

In our review of the application, we have identified servicing comments that need to be resolved. The Region's comments can be addressed through the review of the future related Site Plan application.

Durham Region Police Services

The proposed construction in the outlined area will pose no immediate obstruction issue for the Region's NextGen radio system and associated microwave links.

In addition, please note **Internal** in-building radio coverage for First Responders MAY be an issue in the future if larger buildings are constructed in the surrounding area.

Larger and newly constructed buildings will have to be tested for in-building coverage once the buildings are completed.