

WHITBY **MATURE** NEIGHBOURHOODS

Options Report

DRAFT

July 2021

Prepared
For:



Table of Contents



1. Introduction	1
1.1. Why is this Study Being Undertaken?	1
1.2. What is the Purpose of this Study?	1
1.3. Phase 1 Background and Analysis Report.....	2
1.4. What is the Purpose of this Report?	3
1.5. Report Structure.....	4
2. New and Replacement Dwellings.....	5
2.1. The Issue	5
2.2. The Development Process	6
2.3. Official Plan Options	6
2.4. Zoning By-law Options.....	7
2.5. Urban Design Guideline Options	8
3. Severances.....	11
3.1. The Issue	11
3.2. The Development Process	12
3.3. Official Plan Options	12
3.4. Zoning By-law Options.....	13
4. Single Detached Subdivisions.....	15
4.1. The Issue	15
4.2. The Development Process	16
4.3. Official Plan Options	16
4.4. Zoning By-law Options.....	16
4.5. Urban Design Guideline Options	17
5. Multi-Unit Buildings.....	18
5.1. The Issue	18
5.2. Official Plan Options	25
5.3. Zoning By-law Options.....	28

5.4. Urban Design Guideline Options 29

6. Summary 31

1. Introduction



1.1. Why is this Study Being Undertaken?

Large lot sizes and wide lot frontages are hallmarks of older, mature neighbourhoods. When compared to newer residential neighbourhoods, homes within older mature neighbourhoods often tend to be more modest in size with larger front, side and rear yards. These large lots are ripe for infill and intensification. This infill ranges from the replacement of small bungalows with large two storey dwellings, to the severance of larger lots into two smaller lots and to the redevelopment of large lots with multi-unit subdivisions.

The pressure of intensification has increased due to a focus on intensification in Provincial policy documents, including the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, coupled with ever increasing land costs in the Greater Golden Horseshoe, denser greenfield development with progressively smaller single detached lots in newer greenfield areas and a trend for larger single detached houses. These trends and policy shifts have all led to considerable pressure for infill and redevelopment of mature neighbourhoods.

While infill and intensification can lead to profound changes in a neighbourhood, it is also important not to discourage re-investment in homes. There is an important balance to strike between maintaining neighbourhood character and encouraging and promoting re-investment through new development or redevelopment. That balance starts with recognizing the key elements of neighbourhood character that make Whitby's mature neighbourhoods unique and assessing the planning tools that may be used to ensure new development fits with that character.

1.2. What is the Purpose of this Study?

The purpose of this study is to inventory and describe the character of mature neighbourhoods in Whitby, identify redevelopment, infill and intensification trends and pressures affecting mature neighbourhoods, identify options for managing these changes and recommend revised Official Plan policies, zoning provisions and urban design guidelines to manage infill and intensification in mature neighbourhoods. Protection of mature neighbourhoods must be balanced with the Provincial policy direction to accommodate intensification. The majority of intensification should be accommodated in the Town's Intensification Corridors and Intensification Areas. However, it is also appropriate to accommodate "gentle" intensification within mature neighbourhoods in order to improve housing affordability and provide for a broader and more inclusive range of housing options for Whitby's residents. The question for this

study will be: what constitutes “gentle” intensification and where, and under what circumstances, should it be considered?

1.3. Phase 1 Background and Analysis Report

The Background and Analysis Report prepared as part of Phase 1 of this study provides an overview of the Town’s existing Official Plan policy, zoning and urban design context as it relates to mature neighbourhoods, as well as an assessment of current development trends. Mature neighbourhoods, in this context, refers to the Study Area for this project, specifically the areas covered by the Town’s Interim Control By-laws, as shown on Figure 1 and generally described as the residential areas south of Taunton Road and north of Highway 401, outside of Intensification Corridors and Intensification Areas.

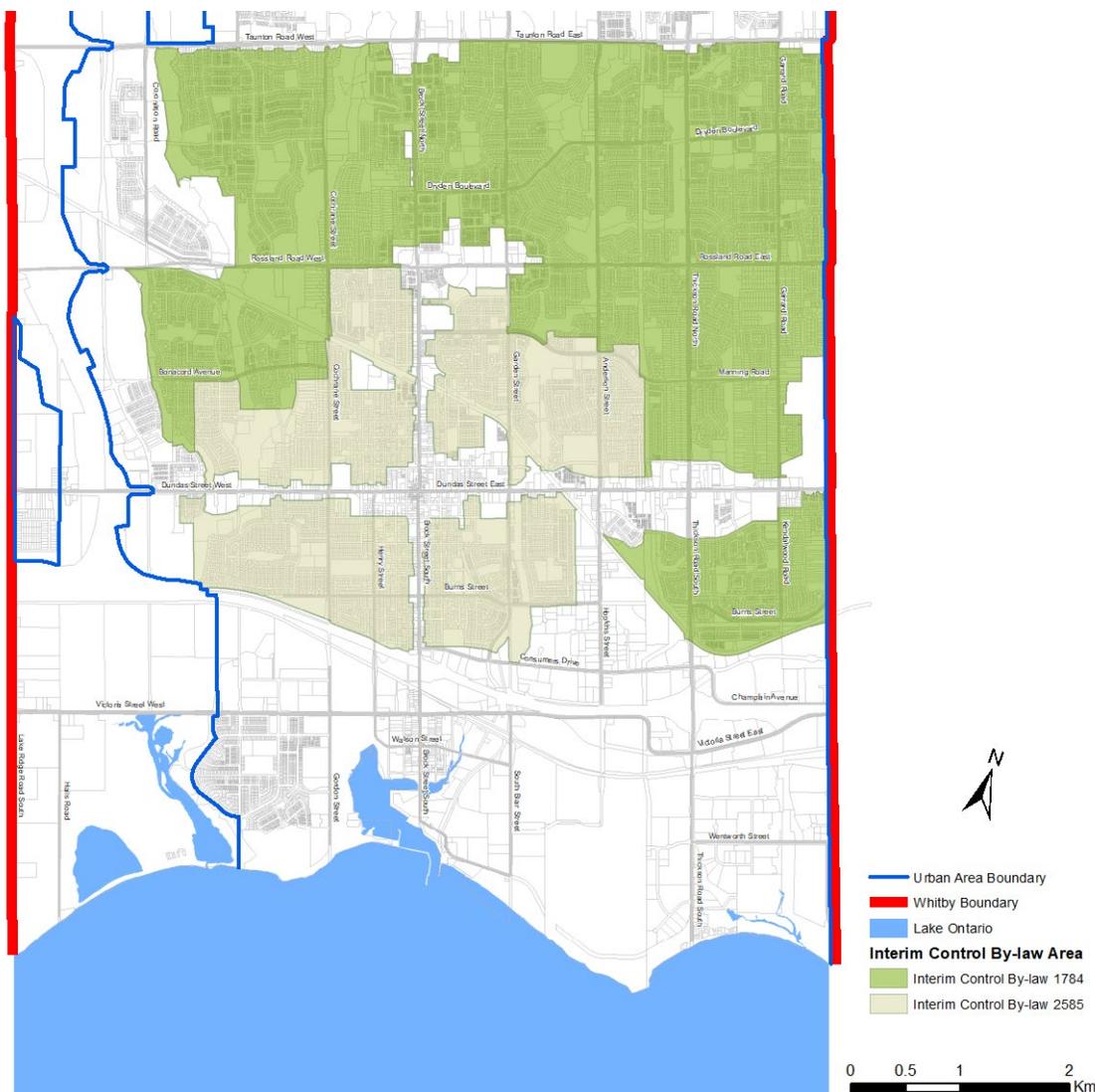


Figure 1. Study Area

The Phase 1 report described the current development trends in the Study Area and highlighted instances of infill and intensification pressures within Whitby's mature neighbourhoods. These development trends include applications for infill such as townhouses and apartment buildings, severances of residential lots into multiple lots and new larger replacement houses.

A number of character areas were delineated based on similar defining features. From the zoning and character area analysis undertaken, the Study Area is predominantly made up of single detached dwellings, with pockets of denser dwelling forms including semi-detached dwellings and townhouse blocks. The exception to this pattern is the area around Downtown Whitby, which exhibits much more variability in the lot size, configuration and built form than the remainder of the Study Area.

1.4. What is the Purpose of this Report?

This report addresses the following four different types of redevelopment, infill or intensification occurring within Whitby's mature neighbourhoods:

New and Replacement Dwelling: The development of a new single detached dwelling on a vacant lot or replacement of an existing single detached dwelling with a larger replacement dwelling through redevelopment or additions.

Severances: The severance of one existing larger lot to create two (or three) lots.

Single Detached Subdivisions: The division of one existing larger lot, or the assembly of multiple lots, to create multiple new lots for single detached dwellings through a plan of subdivision.

Multi-Unit Buildings: A large lot or the assembly of multiple lots to be redeveloped for multi-unit buildings such as townhouses within a subdivision or condominium development or an apartment building.

For each of these types of redevelopment, infill and intensification, this report identifies where the development could be out of place with the existing character and describes different planning tools and strategies that can be used to ensure that the scale of development is appropriate, fits in to and respects the character of the neighbourhood. These planning tools include:

- Changes to Official Plan policies;
- Changes to zoning permissions and/or provisions;
- The creation of additional urban design guidelines as part of the Town's new urban design guidelines; and/or
- Changes to the Site Plan Control Process to review applications.

Specific options for the use of each tool are set out in this report, including how compatibility issues may be addressed, consideration for where the most appropriate

locations for development should be located and what types of development are appropriate. This report makes reference to the 2018 Consolidation of the Whitby Official Plan.

1.5. Report Structure

The report is structured as follows:

Section 1 – Introduction: Introduces the study and the purpose of this specific Phase 2 Report.

Section 2 – New and Replacement Dwellings: Describes potential compatibility issues and possible planning tools that could be used to regulate new and replacement dwellings within the Study Area.

Section 3 – Severances: Describes potential compatibility issues and possible planning tools that could be used to regulate severances within the Study Area.

Section 4 – Single Detached Subdivisions: Describes potential compatibility issues and possible planning tools that could be used to regulate draft plan of subdivisions within the Study Area.

Section 5 – Multi-Unit Buildings: Describes potential compatibility issues and possible planning tools that could be used to regulate multi-unit buildings within the Study Area.

Section 6 – Summary: Provides a summary of the options set out within this report and next steps for the study.

2. New and Replacement Dwellings



2.1. The Issue

New and replacement dwellings can take two forms, as illustrated in **Figure 2**:

- The development of a new single detached dwelling on a vacant lot; or
- Replacement of an existing single detached dwelling with a larger replacement dwelling.



Figure 2. Example of New and Replacement Dwellings

While different, the potential impacts of these two scenarios are similar and have the potential to create changes that are out of keeping with the existing character of a neighbourhood. These changes may include taller dwellings, deeper dwellings, smaller side yards and a greater mass of the dwelling. As identified in Phase 1 of this study, there are a number of distinct character areas within Whitby's mature neighbourhoods that have a similar built form and defining features such as dwelling height, garage placement and roof pitch. These proposed changes can raise concerns related to

shadowing, privacy or overlook for adjacent residents and concerns that the size and mass of the dwelling are out of keeping with the character of surrounding houses.

2.2. The Development Process

Where a proposed new dwelling does not meet the requirements of the zoning by-law, the proposed dwelling would be required to go through a minor variance process. Through this process the development would have to have regard for the policies of the Official Plan and the general intent and purpose of the zoning by-law. In these cases, there is an opportunity for Town Staff to ensure new replacement housing reflects the established character and for adjacent residents to provide their input to the Committee of Adjustment.

However, where the existing provisions of the zoning by-law, such as requirements for lot coverage, building depth, building height or side yard setbacks, are not reflective of the character of a neighbourhood, a minor variance may not be required and issues of compatibility with existing character may arise without any scrutiny by Town Staff or input by adjacent residents. Therefore, it is important that the zoning by-law reflect the established character of neighbourhoods, while still providing opportunities for re-investment in new and updated homes.

In addition, since single detached dwellings are not subject to site plan control, there is currently no mechanism through which to enforce any urban design or architectural guidelines. However, urban design guidelines can still be used in the evaluation of minor variances or as a guide for home builders/developers.

2.3. Official Plan Options

Development in Low Density Residential areas is addressed in Section 4.4.3.5 of the Official Plan. Policy 4.4.3.5.2 sets out criteria for the development of new residential units through intensification, which addresses:

- The compatible size and location of lots and driveway widths; and
- Consideration for retaining trees or enhancing landscaping.

There are opportunities to strengthen and add to this policy, by providing a broader set of criteria to address the compatibility of new dwellings. Other matters that could be addressed include, but are not limited to, requirements for:

- Proposed heights, massing, scale and dwelling type reflect the pattern of nearby dwellings;
- Similar setbacks (front, side and rear yard) to those that exist in the neighbourhood;
- Consistent building depths;
- Minimal impacts to adjacent properties in relation to drainage, access, shadow, overlook and privacy; and

- Continuation of special landscape or built-form features that contribute to the unique physical character of the neighbourhood.

The policies of this section of the Official Plan could also be updated to provide greater direction with respect to new development on vacant lots.

Further direction is also recommended for Policy 4.4.3.5.3 of the Official Plan, which sets out criteria for redevelopment applications requiring a Zoning By-law Amendment or minor variance in Low Density Residential areas. The current criteria include requirements for:

- Consistent interior side yard setbacks; and
- New front yard setbacks being consistent with others on the street.

The need to differentiate between Policy 4.4.3.5.2 and Policy 4.4.3.5.3 should be considered, as the set of two criteria for applications requiring a Zoning By-law Amendment or minor variance could also be applied to all applications, regardless of the need for a specific process. It is recommended that these two policies be combined and added to, with the new policy clarifying that it applies to both the development of vacant lots for residential development and the residential redevelopment of previously developed lots. Further these combined policies should require as a basic principle that new development fits into and respects the established character of the neighbourhood.

2.4. Zoning By-law Options

Zoning requirements currently regulate what can be developed as of right and what is required to go through a zoning by-law amendment or minor variance. From the review conducted in Phase 1 of this study, the Town's existing zoning is considered to be generally appropriate for existing lots in mature neighbourhoods. Potential exceptions to this include provisions related to height, front yard setback, building depth, lot coverage and side yard setbacks.

2.4.1. Height

In terms of height, the predominant character of low density residential dwellings in the Study Area is two storeys. However, most of Whitby's low density residential zones have a permitted maximum height of 8.5 metres, 9.5 metres or 3 storeys. Therefore, there is the potential for 3 storey homes to be developed as-of-right in an area consisting predominantly of 2 storey homes. This discrepancy raises potential compatibility concerns with impacts of greater mass and height relative to the established character. In order to avoid this potential issue, the Town could consider implementing a maximum height of two storeys within the Study Area, where appropriate, to be consistent with the existing built form.

2.4.2. Front Yard Setbacks

Another important character element in neighbourhoods is consistent front yard setbacks along the street, so that the front of dwellings are generally aligned. Some residential zones have a front yard setback requirement of 4.5 or 6 metres, while other zones require that the front yard setback aligns with the established front yard setback on either side of the dwelling. While a detailed analysis of the existing front yard setbacks compared to the existing zoning was not undertaken, it is possible that in some areas the zoning permits a lower front yard setback than what currently exists. A simple solution would be to require that the minimum front yard setback be based on the established front yard setback of the dwellings on either side of it.

2.4.3. Lot Coverage and Side Yard Setbacks

Lot coverage also plays a key role in influencing neighbourhood character. There are pockets within the Study Area that have low lot coverages (less than 20%), making these areas subject to redevelopment pressure, particularly if the permitted lot coverage in the zoning is much higher as-of-right. However, the majority of the large lot areas are currently located in zones where the maximum coverage is 20%. This includes for example, Elizabeth Crescent and the larger lots located on and around Garrard Road, south of Rossland Road.

Additionally, there are areas that are subject to maximum lot coverages in the 30% to 35% range, but have a lower existing lot coverages in the 10% to 20% range. However, the lower coverage lots in the 10% to 20% range tend to be mixed in with the lots in the 20% to 30% range, as opposed to being in a distinct separate pocket.

One option is to further explore areas where the existing lot coverage is significantly different from the zoning by-law requirement and provide for differing lot coverages in those areas.

Some of the large lots with lower coverage also tend to have greater side yard setbacks than required by the by-law. Another option is to further examine the side yard setbacks and increase them in certain large lot areas.

2.4.4. Building Depth

The zoning by-law does not currently regulate building depth. One of the biggest issues of overlook, privacy and massing is caused by the construction of a new dwelling that sits much deeper on a lot than the adjacent homes which results in perceived impacts on neighbours use and enjoyment of their back yard. One option is to implement a maximum building depth in the zoning by-law.

2.5. Urban Design Guideline Options

While the type of dwelling, location of a building on a lot and its coverage are regulated by the zoning by-law, urban design guidelines can address compatibility concerns that

are not addressed in the zoning. Design guidance in the form of urban design guidelines can provide direction on the character and built form of an area, which may include addressing elements such as dwelling entrances, roof pitches, garage placement and lighting, as well as driveways and landscaping considerations. However, urban design guidelines need a planning tool such as site plan control or a minor variance to require their application and review of them by Town staff. Currently, single detached dwellings, semi-detached dwellings, link dwellings, and street townhouses are exempt from site plan control in the Town.

As a tool, urban design guidelines may or may not be appropriate in all cases. Site plan control, modified site plan control, infill and replacement housing design guidelines and/or the development of an infill and replacement design manual are options to consider, as described below.

Option 1 – No Site Plan Control: Leave the Site Plan Control By-law as is, which exempts single detached housing, relying on the zoning by-law. The benefit is a less complicated process for property owners. The drawback is a lessened opportunity for the Town to ensure character alignment of new development.

Option 2 – Design Guide for Homeowners and Builders: Where site plan control is not applied to infill and replacement housing, a guide could be produced for property owners, builders and/or developers to describe desired built form characteristics in Whitby's mature neighbourhoods. The use of guidelines can provide clear direction on the Town's vision, to guide builders in the development of new and replacement dwellings to ensure neighbourhood compatibility. This type of guide is typically geared to individual homeowners or small builders who want to build or replace a dwelling, providing simple guidance and education to help the Town express their expectations for these types of projects in Whitby's mature neighbourhoods.

Option 3 – Modified Site Plan Control: A Site Plan Control By-Law does not have to apply to development across the entire Town and can include exemptions. The Site Plan Control By-Law could be enacted to focus on key areas of concerns such as specific types of built form within the mature neighbourhoods. Although this would increase staff workload and increase costs to builders and homeowners, the By-Law could be scoped to specific requirements and areas to minimize the extent of work required by the applicant and by staff. This approach would give the Town more control over building details on a site-by-site basis.

Any change in the types of development that are subject to site plan control would also require an update to the Official Plan policies which outline which types of development are subject to site plan control (i.e., Section 10.1.11 of the Official Plan).

Option 4 – New and Replacement Dwelling Guidelines: If the Town opts to implement site plan control for new and replacement dwellings, specific urban design guidelines can be developed as part of the Town's comprehensive guidelines for infill and replacement housing. A set of guidelines specific to new and replacement

dwelling would provide the Town with the ability to communicate their expectations for new development and provide examples of the types of design solutions and built form elements that are acceptable for mature neighbourhoods.

New urban design guidelines could address built form elements such as the design and structure of dwelling entrances, porches, roof, lighting and garage placement, among other considerations. For example, in the Study Area, there is a fairly consistent pattern of peaked roofs, as opposed to flat roof developments. Thus, direction related to roof pitch may be desired in the guidelines. The guidelines could further address matters of lowering eaves, multiple roof lines or the use of dormers all to give the image of a lower scale house.

3. Severances



3.1. The Issue

Severances in Whitby's mature neighbourhoods involve the creation of two or more lots from one existing larger lot as illustrated in **Figure 3** below. Typically, a large lot with an existing dwelling may be severed to facilitate the development of a new adjacent single detached dwelling on the newly created lot. The existing dwelling may be demolished and replaced by a new dwelling or it may be retained depending on configuration of the severance.

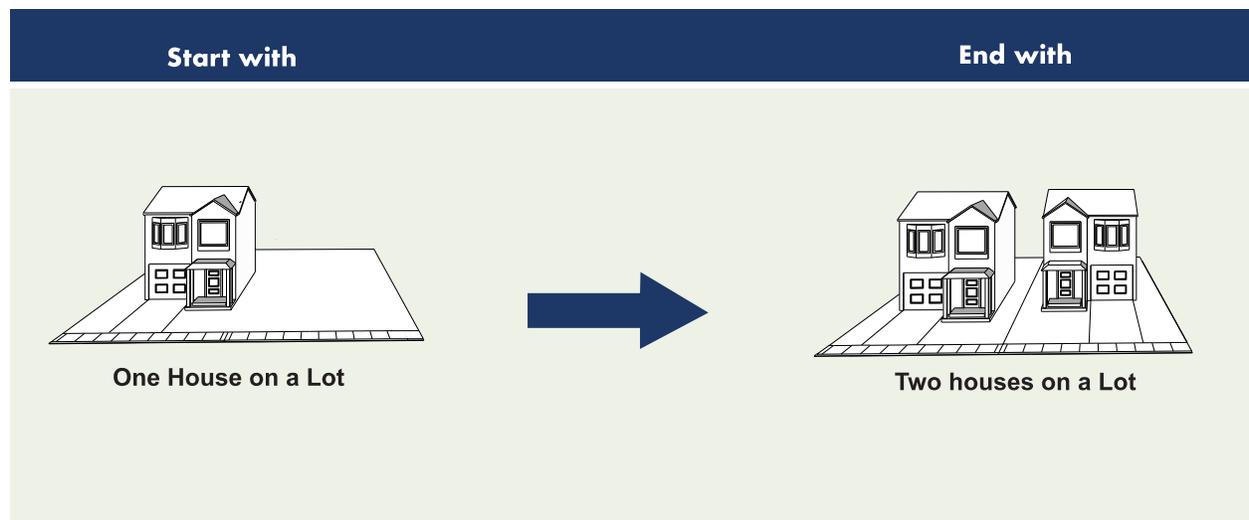


Figure 3. Example of Severance of One Lot into Two

Under certain scenarios, severances in mature neighbourhoods may be appropriate. For example, there may be no issue where there is a one-off large lot amongst much smaller lots and it is being severed to be similar in frontage and area to the surrounding lots. Or, where there is already an existing mix of lot sizes in a neighbourhood, a severance may have no impact on the existing character or streetscape. In locations where the severance leads to lot sizes that do not have any impacts, such as in either of the two above noted scenarios, this type of development is an example of gentle intensification.

Where the severance of a lot may become an issue is where the severance creates two smaller lots that are not consistent with the lot fabric within the surrounding area. Depending on the nature of the severance, concerns may relate to the relationship between the size of new lots compared to the others on the street. The new dwelling(s) may also be sited closer to the adjacent dwellings than typically found in the area, raising concerns related to reduced setbacks out of keeping with the character of the neighbourhood, privacy and consistent character along the street.

Thus, the key issue is to ensure that the creation of new lots fits in and respects the character of the surrounding neighbourhood.

3.2. The Development Process

An application for consent to sever would be required to divide a lot into two new lots. A consent or severance application is required to conform with the Town's Official Plan, specifically Policy 4.4.3.5.2 which provides direction for residential intensification and Policy 10.1.13.1 which provides direction for severances, as well as the Durham Regional Official Plan and the Planning Act.

Both of the new lots created would also be expected to meet all applicable requirements set out within the zoning by-law, such as minimum lot area and minimum lot frontage. In situations where the new lots do not meet the provisions of the zoning by-law, a minor variance would be required.

Thus, there is a role for both the Official Plan and the Zoning By-law in regulating severances. Concurrently or subsequent to a severance process, new dwellings would be proposed on the lot(s). The same potential concerns and planning tools as discussed under Section 2 of this report, "New and Replacement Dwellings" would apply for these new dwellings. However, similar approaches on strengthening Official Plan policies to ensure severances fit into the established character would also apply to severances.

3.3. Official Plan Options

As discussed, applications for severances are required to conform with all applicable Official Plan policies. Severances are specifically addressed in Policy 10.1.13.1:

- a) Severance for non-farm residential development outside the Urban Area boundary shall not be permitted;
- b) Strip development along arterial roads shall be avoided and direct access from arterial roads may be restricted;
- c) Where public sewer and water services are not available, severances shall only be granted with the approval of the Regional Health Unit and Provincial agencies involved;
- d) The land shall front on an open public road which is of a reasonable standard of construction and is maintained on a year-round basis;
- e) The size of any parcel of land created by severance should be appropriate for the use proposed and no parcel shall be created which does not conform to the provisions of this Plan and the implementing Zoning By-law;

- f) Access can be obtained without creating a traffic hazard because of limited sight lines on curves or grades;
- g) Approved severances may be conditional upon an agreement being entered into with the Municipality, pursuant to the provisions of the Planning Act;
- h) The fulfilment of the requirements of the Durham Regional Official Plan; and
- i) The Municipality is satisfied that a plan of subdivision is not required.”

The criterion for severances within this policy is not specific to residential neighbourhood situations and there is no direction to ensure that the severances are in keeping with the character of the surrounding neighbourhood and existing lots. Policy direction could be provided that requires new lots to maintain the prevailing character of lot sizes and frontages in a neighbourhood.

Lot size should also be a consideration for Policy 4.4.3.5.2 which addresses development of new residential units through intensification as previously discussed above in Section 2, “New and Replacement Dwellings”. This policy could be expanded to provide further detail on what compatible lot size means and also to ensure lot frontages fit into the character of the neighbourhood.

On occasion, a severance may lead to the creation of semi-detached dwellings as opposed to single detached dwellings. The same policy updates discussed above could equally apply to semi-detached dwellings.

3.4. Zoning By-law Options

Comparing the existing lot fabric to the lot size provisions in the Town’s zoning by-laws in the Study Area, most of the existing lot sizes in the Study Area are consistent with what is prescribed in the zoning by-laws. As a result of this alignment, a severance application would likely necessitate a minor variance application as the new lot sizes would be smaller than what is required

However, the deep lots in the western portion of the Study Area may be subject to development pressures that would allow severances without a minor variance. For example, there are some deep lots on Garrard Road, Scott Street, Kendalwood Road and Powell Road that exceed double the minimum lot area, which could be subject to pressure for severances. One option is to refine the minimum lot area requirement to more closely align with the size of the existing lots in these areas which would require a minor variance for any future severances.

A similar situation exists in some small areas for lot frontage. For instance, along Elizabeth Crescent, the minimum lot frontage in the zoning is 18.5 metres, whereas many of the existing lots fall within the 23 metre range. Another option is to refine the minimum lot frontage requirement for lots within this area and others to reflect the

existing prevailing lot frontages. This change would discourage the creation of new lots without the need for a minor variance.

4. Low Density Subdivisions



4.1. The Issue

Single detached subdivision development includes the division of one existing larger lot, or amalgamated underutilized lots, to create multiple new lots through a plan of subdivision or a condominium (**Figure 4**). This section specifically considers scenarios where new severed lots are developed with single detached and/or semi-detached dwellings. Other denser forms of development, such as townhouses within a plan of subdivision or condominium, are addressed in the next section of this report.

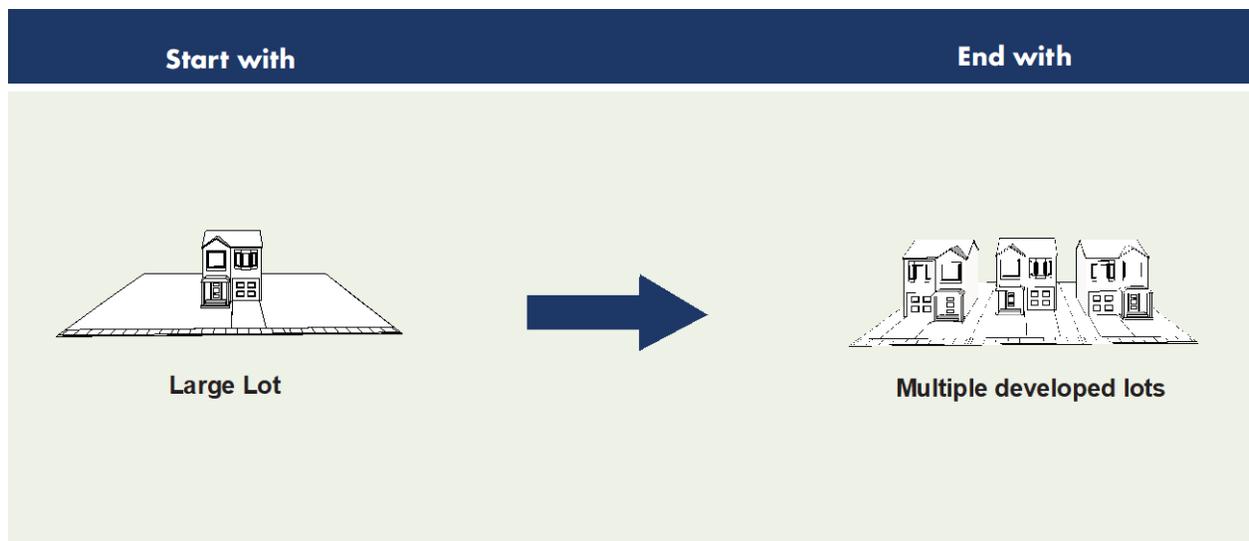


Figure 4. Example of Draft Plan of Subdivision

There is potential for both appropriate and inappropriate forms of this type of development. The development of single detached or semi-detached dwellings on large lots where the new lots fit into the character of a neighbourhood, which may include having a consistent lot size, frontage and dwelling setback as adjacent dwellings, are not of concern. This type of development would be considered as appropriate infill and a gentle form of intensification. More intense development, such as development on smaller lots than typical of the neighbourhood, may also fit within the character of a neighbourhood where there is appropriate transition to adjacent dwellings. Denser subdivisions on the edge of a neighbourhood such as along arterial roads may also be appropriate.

Where a new single detached and/ or semi-detached dwelling subdivision may be out of place, is where it is located in the middle of a mature neighbourhood and where the lot sizes are not in keeping with the surrounding character. Subdivision applications can

cause similar concerns as lot severances, including smaller lot sizes when compared to the surrounding neighbourhood, as well as loss of open space between dwellings.

4.2. The Development Process

A draft plan of subdivision application is required where the development of more than three lots is proposed, or if there are new roads or extensions to existing roads or services. Subdivision proposals must meet the criteria set out in Section 51 (24) of the Planning Act, and similar to severances, must also conform with the Official Plan and the criteria set out in Section 10.1.2 as discussed in the next section. Additionally, new lots are expected to meet all applicable requirements set out within the zoning by-law, such as minimum lot area and minimum lot frontage. Where the provisions of the zoning by-law are not met, either a minor variance or zoning by-law amendment would be required.

Concurrently or subsequent to the subdivision process, typically new dwellings would likely be proposed on the lot(s). The same potential concerns and potential tools as discussed under Section 2, “New and Replacement Dwelling” of this report would apply to the new dwellings, including application of Official Plan Policies 4.4.3.5.2 and 4.4.3.5.3, zoning requirements related to height and lot size and application of urban design guidelines. As such, this section focuses on the creation of new lots only and not any subsequent or related development of lots.

4.3. Official Plan Options

Similar to severance applications, subdivision applications are required to conform with all applicable Official Plan policies. Section 10.1.12 of the Official Plan sets out requirements for plans of subdivision/condominium but does not provide any criteria for considering draft plans of subdivision in an infill situation.

One option is for the Official Plan to contain specific development criteria for plans of subdivision to ensure that the proposed lots be examined in relation to the existing abutting lots. These criteria could address, a lot and block pattern that reflects the strong grid pattern of the study area; require a transition of lot sizes with larger lots required adjacent to existing lots and smaller lots only permitted in the interior of the new subdivision and ensure integration with existing surrounding blocks.

4.4. Zoning By-law Options

There is less relevance to the zoning by-law, as the majority of new draft plan of subdivisions would likely seek a zoning by-law amendment to reduce the minimum lot area and / or lot frontage requirements.

Where a zoning by-law amendment is sought in order to re-zone an area to create a subdivision with lots that are smaller than the zoning standard, conformity with the

Official Plan policies becomes the key planning tool to evaluate the appropriateness of the proposed zoning by-law amendment.

4.5. Urban Design Guideline Options

Through a draft plan of subdivision process, the Town has the opportunity to ensure the development meets all applicable urban design guidelines. Many of the possible criteria discussed in Section 2.5 of this report could be applicable. Additional options for controlling subdivision development are set out below.

Option 1 – Urban Design Guidelines for Infill Subdivisions: The Town’s Urban Design Guidelines could address infill single detached subdivision development. These guidelines would be applicable Town-wide but could emphasize their importance in Whitby’s mature neighbourhoods. Specific guidelines for infill subdivision development could include direction for the orientation of lots, frontages and the location of driveways, among other considerations. These guidelines would help to inform the development of draft plan of subdivisions. They could also work together to provide a framework for Architectural Control Guidelines, as described below, or could be used as general design guidance for single detached subdivisions.

Option 2. Architectural Control Guidelines: The Town has the option to require the development of Architectural Control Guidelines, prepared by an applicant/developer as part of the draft plan of subdivision process. These guidelines are typically prepared on a site-specific basis to address specific design issues, which are reviewed by the Town and implemented by a control architect. This process gives the Town the ability to use a control architect as a third party reviewer of development applications in order to ensure builders comply with the approved architectural controls. It also provides more control than urban design guidelines for the housing forms that are planned to occur within the subdivision and following the process through to the building permit stage.

Architectural Control Guidelines provide design criteria to improve the quality of residential development and ensure acceptable design standards are met for building elements such as entrances, porches, roofs, lighting, garage placement and typology within the subdivision. They can also be used to set a standard for priority lots, particularly adjacent to parks, schools, and the public realm.

5. Multi-Unit Buildings



5.1. The Issue

As identified in Phase 1 of this study, recent development trends in Whitby's mature neighbourhoods include the development of townhouses and apartment buildings on large vacant or large lots, as well as through the amalgamation of multiple lots and the demolition of the existing dwellings. There is potential for the continuation of multi-unit building intensification, to be proposed in Whitby's mature neighbourhoods on:

- Vacant lots;
- Large lots; or
- A lot created by the assembly of multiple lots.

Except for development on vacant lots, this form of development would include the demolition of existing dwellings. Examples are illustrated in **Figure 5** below.

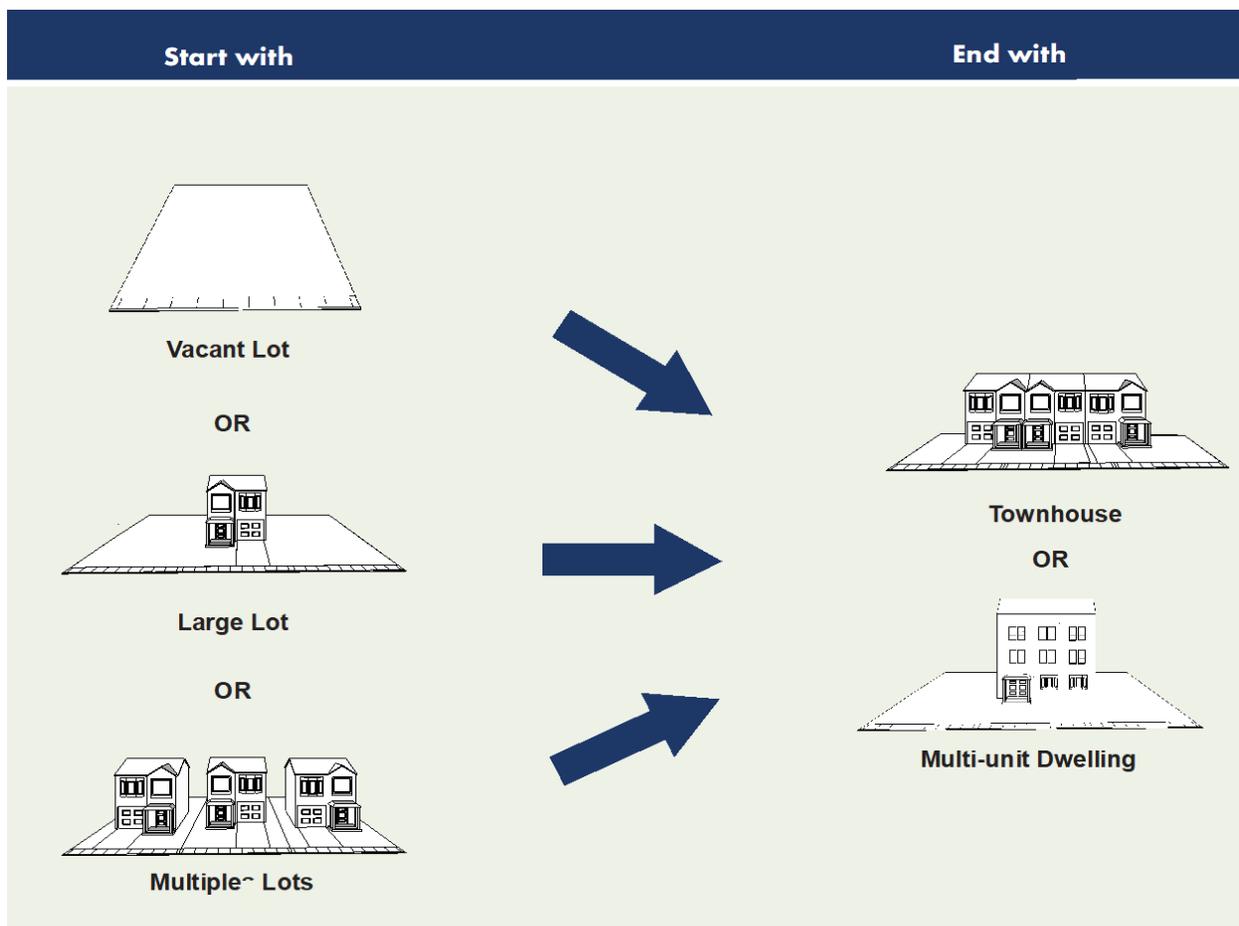


Figure 5. Examples of Multi-Unit Intensification

Within the Study Area, where the predominant character is single detached dwellings, denser development can raise concerns with how it fits into the character of the mature neighbourhood areas and may lead to impacts such as shadow, overlook, traffic, and changes to the existing neighbourhood character. However, the impact and appropriateness of each multi-unit development will differ by proposal and location.

5.1.1. Medium and High Density Residential Locations

Many of the issues facing Whitby's mature neighbourhoods relate to the location of multi-unit development. **Figure 6** below illustrates some of the locations where medium and high density residential development are permitted under the existing zoning within the Study Area, but does not include all site-specific exceptions. Permitted medium density dwelling types generally include linked dwellings, triplexes, fourplexes, converted dwellings and townhouses. Permitted high density dwelling types include apartments, retirement homes, long term care homes and boarding or lodging houses. These types of development are permitted as-of-right by the zoning in the locations identified below.

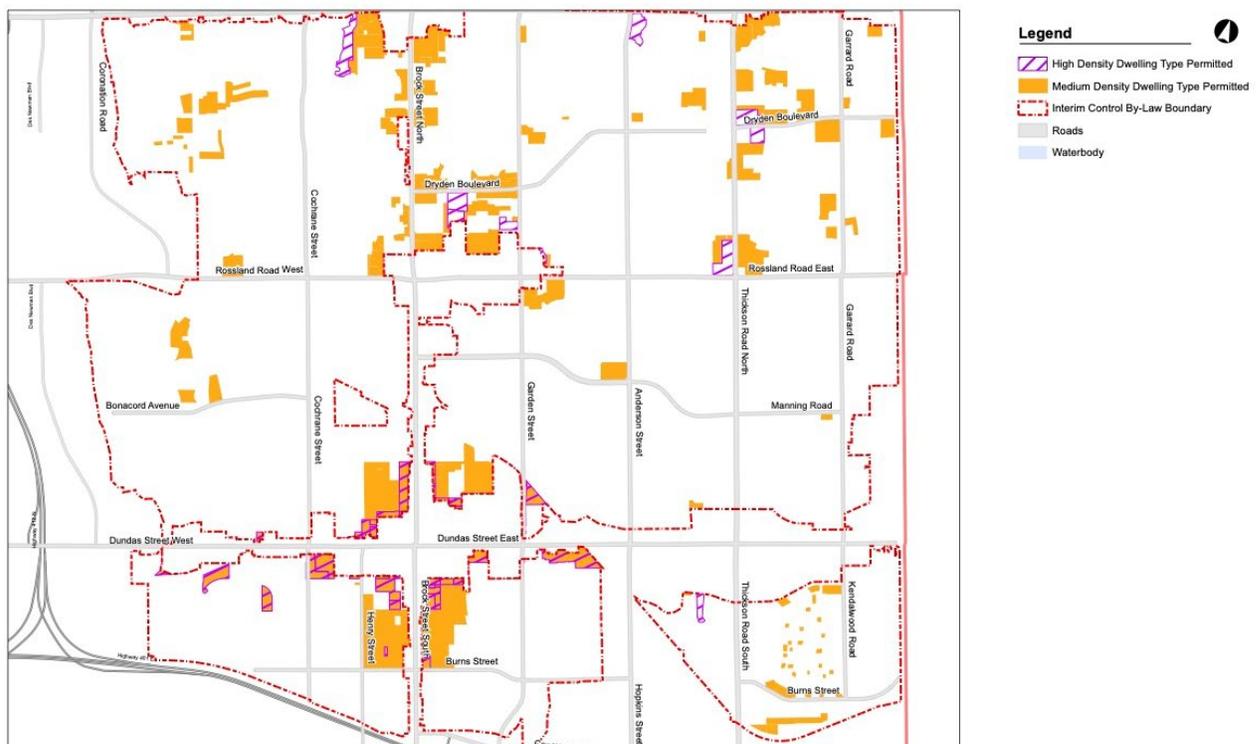


Figure 6. Locations of Permitted Medium and High Density Dwellings

Comparatively, the locations where medium or high density uses actually exist are shown in **Figure 7**. Data for this map was collected through aerial analysis. Within **Figure 7**, the term multiplex is used to refer to triplexes and fourplexes, though it was not possible to discern the number of units from the outside and some may actually contain more units and be low rise apartments. From comparison of the two maps, it is

evident the zoning permits greater areas for medium and high density development than what exists currently. This could be particularly problematic in the interior of mature neighbourhoods, as it relates to issues already discussed such as impacts to the established low density character of neighbourhoods, as well as impacts of shadow, overlook, parking and traffic.

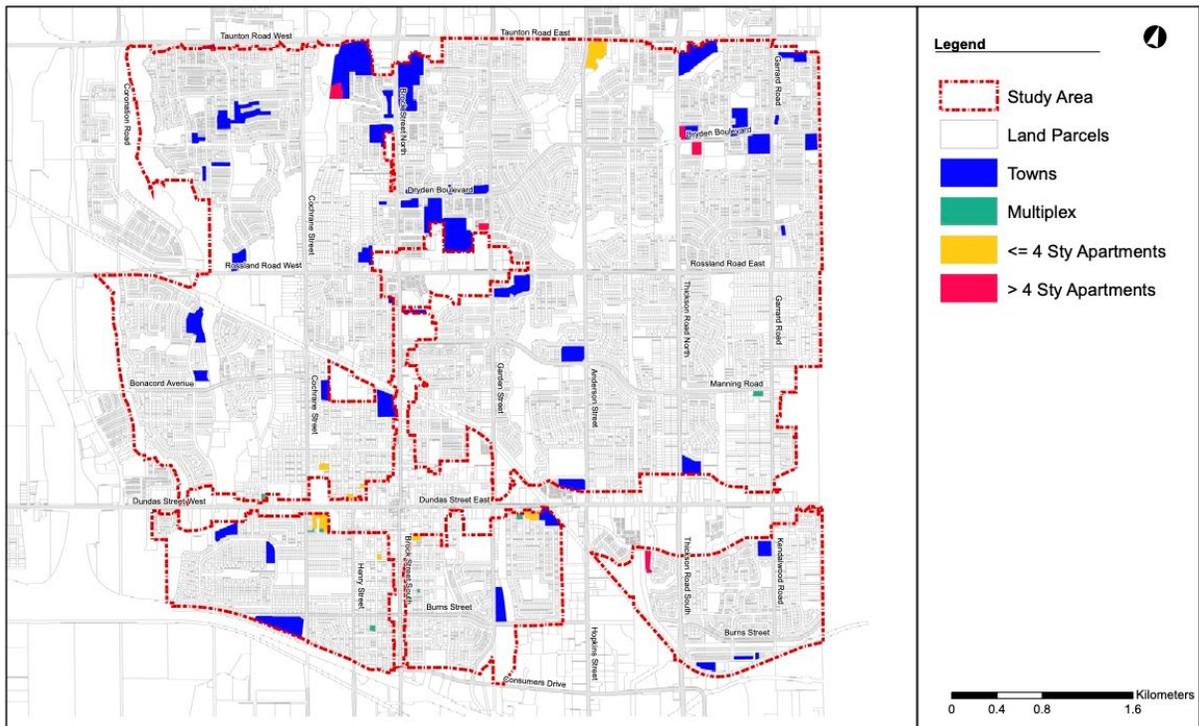


Figure 7. Existing Medium and High Density Development

If the proposed development is not within one of the areas identified in **Figure 5** above or does not otherwise meet the requirements of the zone it is located within, the development would be required to go through a zoning by-law amendment or minor variance application process. Through these application processes, as well as through any draft plan of subdivision or condominium process, the Town would determine if the proposal meets the Official Plan policies or if an Official Plan Amendment is also required. Under a number of different scenarios within the Study Area, it is unlikely that an Official Plan Amendment would be required to permit medium or high density residential development due to the fact that the Town's parent Official Plan does not specifically designate areas for low, medium and high density residential and its policies for the location of these uses are not overly clear.

Currently, the Whitby Official Plan only identifies one Residential designation on Schedule "A", which applies to the majority of the Study Area (**Figure 7**).

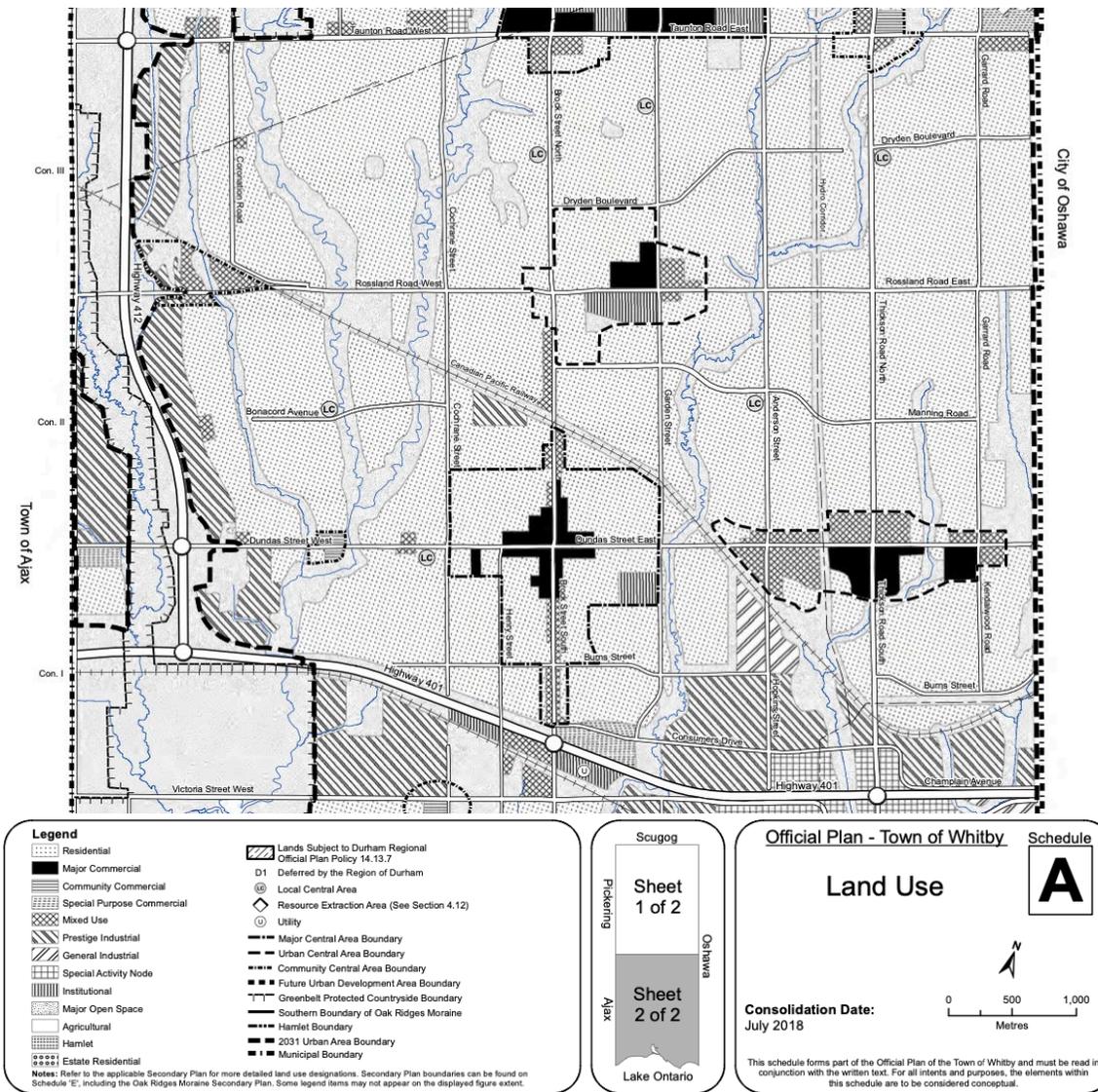


Figure 8. Whitby Land Uses (South)

The policies of the Residential designation differentiate between Low Density, Medium Density and High Density Residential areas, however Schedule “A” does not delineate these specific locations. Instead, where there is no secondary plan in place, Policy 4.4.3.3 of the Official Plan directs new residential development and redevelopment be subject to the policies and locational criteria of the following sections:

- Section 4.4.3.6: Medium Density Residential;
- Section 4.4.3.7: High Density Residential; and
- The additional criteria in Section 4.4.3.10.2 for Medium Density and High Density Residential development.

According to Section 4.4.3.6, Medium Density Residential areas shall generally be located in the interior or at the edges of neighbourhoods in proximity to transit and in

Central Areas, Intensification Areas and Intensification Corridors, the latter of which are outside of the Study Area. Medium Density Residential areas are to provide a transition of density and intensity of uses (Policy 4.4.3.6.1 a). Permitted uses include street and block townhouses, apartments and other forms of multiple dwellings to a maximum height of 4 storeys, with a density range of 30 to 65 dwelling units per net hectare (Policy 4.4.3.6.1 b).

This policy direction is very high level and essentially permits medium density development anywhere in the Study Area as it can be located in the interior or at the edges of neighbourhoods. **Figure 9** below shows the location of existing transit routes, which includes portions of Rossland Road East and West, Brock Street, Dryden Boulevard, Thickson Road and Garrard Road¹. It is not clear from the above policy what is considered “in proximity to transit”. Additionally, since the policies allow Medium Density Residential development in both the interior and edges, there is not a strong policy direction to focus medium density along transit routes. These factors raise concerns related to the permission for medium density dwelling types such as townhouses or low-rise apartments to be integrated internal to mature neighbourhood areas.

According to the Official Plan, High Density Residential areas are generally permitted at the edge of neighbourhoods, along arterial roads and in Central Areas, Intensification Areas and Intensification Corridors, the latter of which are outside of the Study Area (Policy 4.4.3.7.1 a). Townhouses, apartments and other forms of multiple dwellings are permitted with a density range of 65 to 135 dwelling units per net hectare (Policy 4.4.3.7.1 b).

Also identified on **Figure 9** below is the location of arterial roads within the Study Area, which may serve as a guide to where high density residential development is to be directed. This potential area for high density development includes along Cochrane Street, Brock Street North, Garden Street, Anderson Street, Thickson Road North, Garrard Road, Rossland Road West, Bonacord Avenue, Manning Road, Dryden Boulevard and Burns Street. Due to the extent of arterial roads in the study area, high density development has the potential to occupy a significant portion of the Study Area. According to Section 4.4.3.10.3 of the Official Plan, the maximum height outside of Intensification Areas and Corridors and secondary plan is 6 storeys. Considering the predominant low-rise character along these arterial roads, that height and the extent of potential permission for high density development could be a significant change to the character of the existing neighbourhoods.

Finally, **Figure 9** also delineates the locations of Medium Density and High Density Residential designations within secondary plans. While Schedule “A” of the parent Official Plan does not differentiate these locations, the Town’s secondary plans do. The areas of the Study Area where secondary plans exist and Medium Density Residential designations apply include the Downtown, Rossland/Garden Urban Central Area, the

¹ Transit routes based on June 21, 2021 Durham Region Transit Map and routes may be subject to change.

Thickson/Taunton Community Central Area and the Brock/Taunton Major Central Area. There are also limited High Density Residential secondary plan designations in the Downtown, Rossland/Garden Urban Central Area and Brock/Taunton Major Central Area Secondary Plans. Both Medium and High Density development could occur within these areas as-of-right. The locations of these designations are generally at the exterior of neighbourhoods, therefore raising less of an issue for incompatible higher density development in established low rise areas. However, consideration for transition is important, which is discussed in the section to follow.

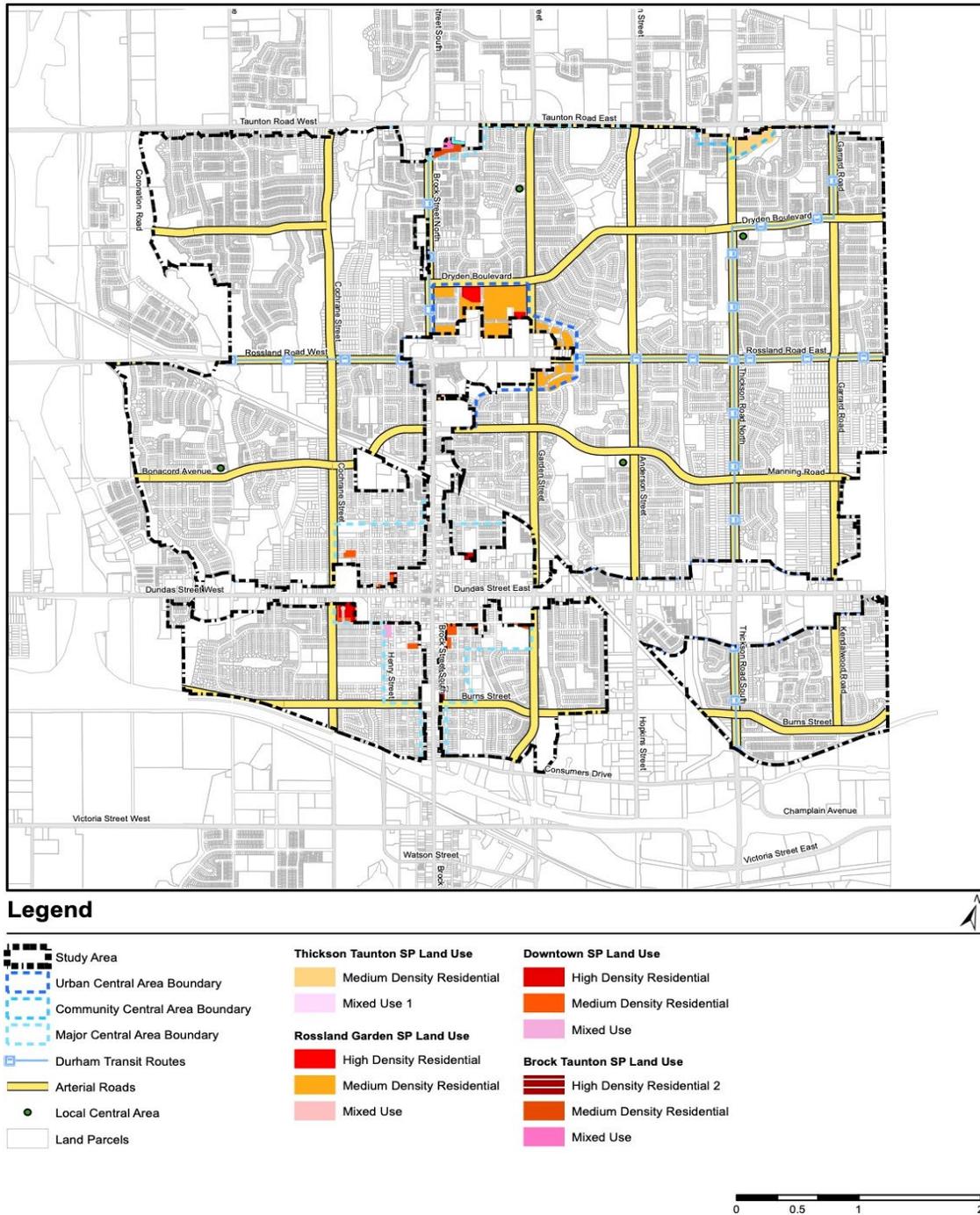


Figure 9. Location of Transit Routes; Arterial Roads; and Existing Medium/High Density and Mixed Use Secondary Plan Designations within the Study Area

5.1.2. Development Criteria

Applications for new Medium Density and High Density Residential development shall be considered on the basis of criteria in Policy 4.4.3.10.2. The criteria include servicing capacity, access, proximity to transit, suitability of the lot for accommodating more

intensive use, proximity to commercial, employment and park space, proximity to schools, adequacy of parking and landscaping, traffic impacts, and adequacy of on-site recreation facilities. The policy also speaks to impact on adjacent uses “relating to height, design, and form in order to achieve an appropriate transition of height and density” as well as the requirement to orient the development in order to minimize shadow and overlook and maximize sun (Policy 4.4.3.10.2. h and i). However, these criteria are not strong enough to specifically consider the appropriateness of the development adjacent to, or within, existing low rise mature neighbourhoods and do not address matters of transition, angular planes, or fitting into and respecting the character of existing mature neighbourhoods.

Policy 4.4.3.10.3 of the Official Plan provides direction for medium and high density residential development and redevelopment outside of areas designated for intensification including Intensification Areas and Intensification Corridors. Thus, this policy applies to lands within the Study Area. The policy requires development to address the requirements of Section 4.4.3.10.2 (discussed above). It also requires development to demonstrate that the scale and density does not compete with or detract from the potential to establish medium and high density residential or mixed-use development within the designated areas of intensification. Development is limited to a maximum of 6 storeys outside of areas designated for intensification. This direction focuses on the preservation of intensification areas for intensified uses, however, it does not provide direction on where medium and high density development may be appropriate in neighbourhoods and under what circumstances.

5.2. Official Plan Options

5.2.1. Medium and High Density Residential Locations

The Town has a number of options to consider in order to provide further direction on the location of Medium and High Density development.

Option 1 – Updated Mapping: The locations for Low, Medium and High Density Residential designations could be mapped on Schedule “A” or a new schedule of the Official Plan, similar to how Whitby’s secondary plans are structured. This approach would clearly delineate where medium and high density residential uses are permitted.

Sub-options for this mapping include:

Option 1a: Map the portions of the Arterial roads/transit routes deemed desirable for medium and high density intensification based on existing policy. While the existing policy is unclear what is meant by “in proximity to transit”, specified mapping would be able to delineate these areas. This would force medium and high density residential development outside these specifically mapped areas to proceed through an Official Plan Amendment application process.

Option 1b: Medium and High Density Residential designations could be applied only where existing medium and high density uses exist currently (as previously illustrated on **Figure 6**). Thus, these designations would reflect the existing built form and all new medium and high density residential development would be required to proceed through an Official Plan Amendment application process.

Option 2 – Updated Locational Criteria: The locational criteria for the Medium and High Density Residential designations within the policies of the Official Plan could be updated. This approach could be implemented in addition to introducing new mapping for the designations, or as a stand-alone option with more specific direction for where different densities are permitted.

A combination of the various sub-options set out below could be implemented:

Option 2a: Remove the permission for medium density residential in the interior of neighbourhoods.

Option 2b: Specify what is meant by “in proximity to transit” for medium density residential permissions. This criterion could include a specific numerical radius or distance from transit lines or stops. Alternatively, this permission could be removed, in order to focus medium density residential development based on its proximity to neighbourhoods and intensification areas.

Option 2c: For both the Medium and High Density Residential designations, stronger criteria for what is considered the “edge of neighbourhoods” could be considered. While the requirement for “along arterial roads” is distinct, the “edge of neighbourhoods” could be interpreted in different ways.

5.2.2. Development Criteria

Issues with the current development criteria for medium and high density residential development are described previously, which generally relate to the current policy criteria not appropriately addressing impacts to mature neighbourhoods, transition and/or existing character. Although Official Plan policies 4.4.3.10.2 and 4.4.3.10.3 address potential impacts on adjacent residential development, they do not address whether the intensification is appropriate in a given area or fits in to the character of the surrounding neighbourhood.

One option is to introduce new policies that cover these considerations. A new policy or additional criteria could be added to ensure the new development respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing, and impacts of shadow etc. Further, a requirement to adhere to a 45 degree angular plane may also assist in ensuring appropriate transitions from new medium and high density residential development to existing low rise neighbourhoods.

Section 4.4.3.10.3 sets out that the maximum height permitted outside of areas specifically designated for intensification is 6-storeys. Based on the permissions of the

current Official Plan for High Density Residential areas set out within Section 4.4.3.7, 6-storey buildings could be developed at the edge of neighbourhoods and along arterial roads within the Study Area. This permission could have a significant impact on existing neighbourhoods. One option would be to change this permission to lower the height permission for high density areas adjacent to mature neighbourhoods or existing low-rise dwellings. An alternative option would be to establish more specific locational criteria for high density residential areas which would limit them to fewer areas that could provide sufficient buffer and transition to adjacent mature residential neighbourhoods.

5.2.3. Urban Design Policies

Section 6.2 of the Official Plan sets out urban design policies, with various sub-sections to address a number of different topics including intensification areas, streetscapes, gateways, parks and open space, site circulation and access, landscaping and sustainable design, among a number of others. Policies for built form, scale and massing are set out in Section 6.2.3.12, which are of relevance to development in Whitby's mature neighbourhoods.

Policy 6.2.3.12.1 requires new buildings to be compatible with surrounding existing and planned development and the overall streetscape in terms of massing, scale and design. Policy 6.2.3.12.2 provides criteria for the design of non-residential, mixed-use and multi-residential uses, which includes a general list of development considerations related to the location of buildings, facades, architectural elements, parking areas, shadows, amenity space and universal design principles. While these policies address a number of elements that direct built form in an appropriate manner as it relates to its surroundings and site, they do not directly address the issue of compatibility for multi-unit buildings in mature neighbourhoods.

Policy 6.2.3.12.3 provides the following direction for compatible heights:

“Heights for new buildings shall be compatible with adjacent planned development with consideration to an appropriate transition of height, which includes such measures as vertical step backs/terracing and setbacks from property lines, to reduce shadowing and overlook on adjacent properties and to maintain a pedestrian scale at street level...”.

This policy is appropriate in addressing height and built form transitions; however, the Town has the option to include more direct language in their urban design policies that speak to multi-unit development adjacent to and within mature neighbourhood areas.

Option 1 – Mature Neighbourhoods Sub-Section: Section 6.2 currently sets out a number of different sub-sections related to different topics and areas throughout Whitby. The Town has the option to introduce a new sub-section specific to mature neighbourhoods, which could be structured in a few different ways. This section could provide general design guidance, focused on the compatibility of new multi-unit

development in mature neighbourhoods including addressing consistent neighbourhood character, built form transitions, lot patterns, similar building forms, etc. Although not discussed in previous sections, it could also speak to the four different issues discussed throughout this report, including new and replacement dwellings, severances and multi-unit buildings. Setting out this general design guidance within the Official Plan would provide an overarching framework for the implementation of urban design guidelines for mature neighbourhoods.

Option 2 – Updated Policies for Mature Neighbourhoods Throughout:

Alternatively, the various sub-sections of Section 6.3 could be updated to make specific reference to development adjacent to, or within, mature neighbourhoods where applicable. For example, Policy 6.2.3.12.3, as set out above, could be added to, to reference the importance of height transitions of multi-unit buildings to single detached dwellings in Whitby's mature neighbourhoods. This option would provide more specific references to mature neighbourhoods throughout the design policies of the Official Plan in order to emphasize the importance of compatibility in these areas.

5.3. Zoning By-law Options

5.3.1. Zone Locations

Pending decisions on the Official Plan options with respect to mapping of designations and any updated locational criteria for Medium Density and High Density Residential designations, the zoning by-laws should be revised to reflect those permissions. The zoning may only permit medium and high density dwelling types in areas where the designations apply, therefore the options set out above for the locations of each designation also apply to zoning considerations.

As previously illustrated in **Figures 5** and **6** above, the locations of existing medium and high density built form do not align with the current locations of zones permitting higher density uses. One option is to update the permissions in the zones to reflect the existing built form condition. Removal of the permission for medium and high density dwelling types in the zoning where they do not currently exist would then require a rezoning to permit any new medium or high density development. This approach would provide the Town with the ability to review the application based on any updated Official Plan policies and / or new urban design guidelines.

This method of aligning the zoning with where current higher densities exist could also be used in combination with other locational criteria. For example, analysis of the existing built form could be considered in addition to aligning the location of zones with the current (or ultimately, updated) criteria of the Official Plan including the permission for higher density uses at the edge of neighbourhoods and along arterial roads.

5.3.2. Permitted Uses

Converted dwellings are permitted in a number of locations, including on some of the larger lots identified in Phase 1 of this Study as being subject to intensification

pressures. Some of these areas are not considered appropriate locations for converted dwellings, based on the existing character of these neighbourhoods containing predominantly single detached dwellings. These areas are highlighted on **Figure 10** with large blue circles. One option is to remove the permission for converted dwellings in these areas, given the consideration for parking impacts and increased densities per lot in these neighbourhoods.

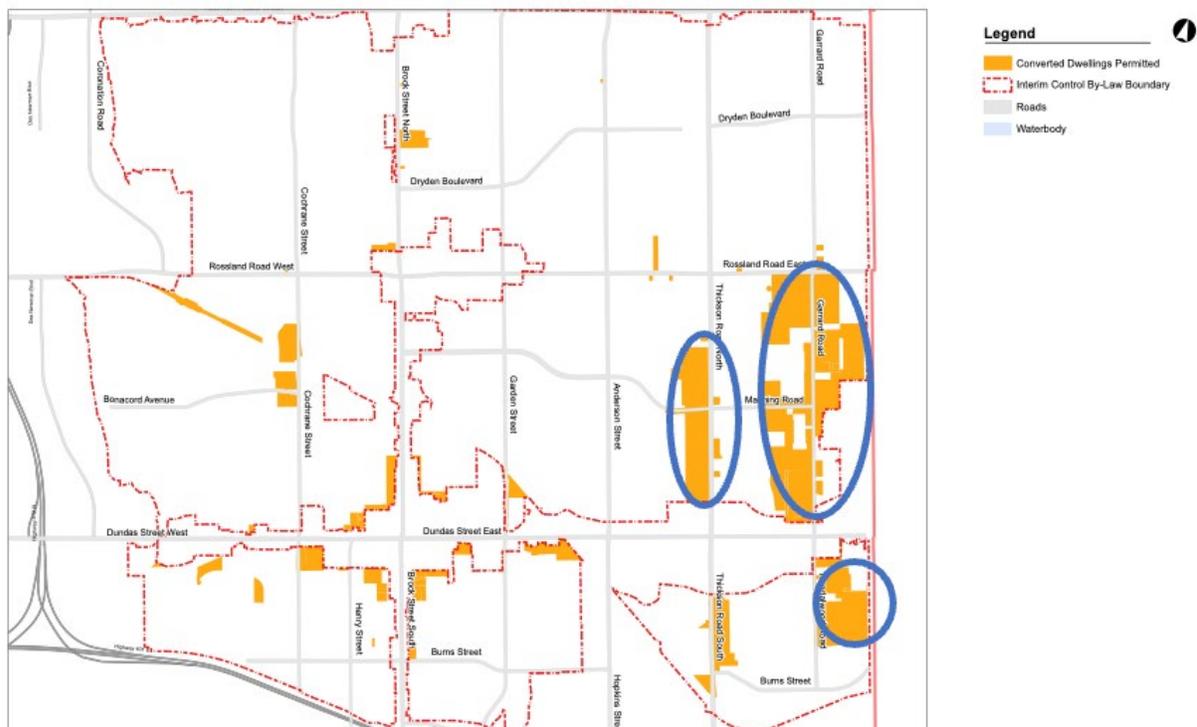


Figure 10. Location of Converted Dwelling Permissions

5.4. Urban Design Guideline Options

Introduction of a medium or high density multi-unit residential building in proximity to lower density dwellings can raise concerns related to transition, built form compatibility, shadows, privacy, overlook, traffic etc. The development of multi-unit buildings are subject to site plan control within Whitby and therefore, there is an opportunity for the Town to ensure regard is had to any applicable urban design guidelines.

As part of the Town-Wide Urban Design Guidelines, built form guidelines could be developed that address the design, massing and orientation of these dwellings in relation to adjacent low density development to provide appropriate transitions or character features. For example, one such requirement may be a 45 degree angular plane, which can be used to help with transition in scale. An angular plane is an imaginary line that restricts the height of buildings in proximity to low density

development. **Figure 11** illustrates this concept.

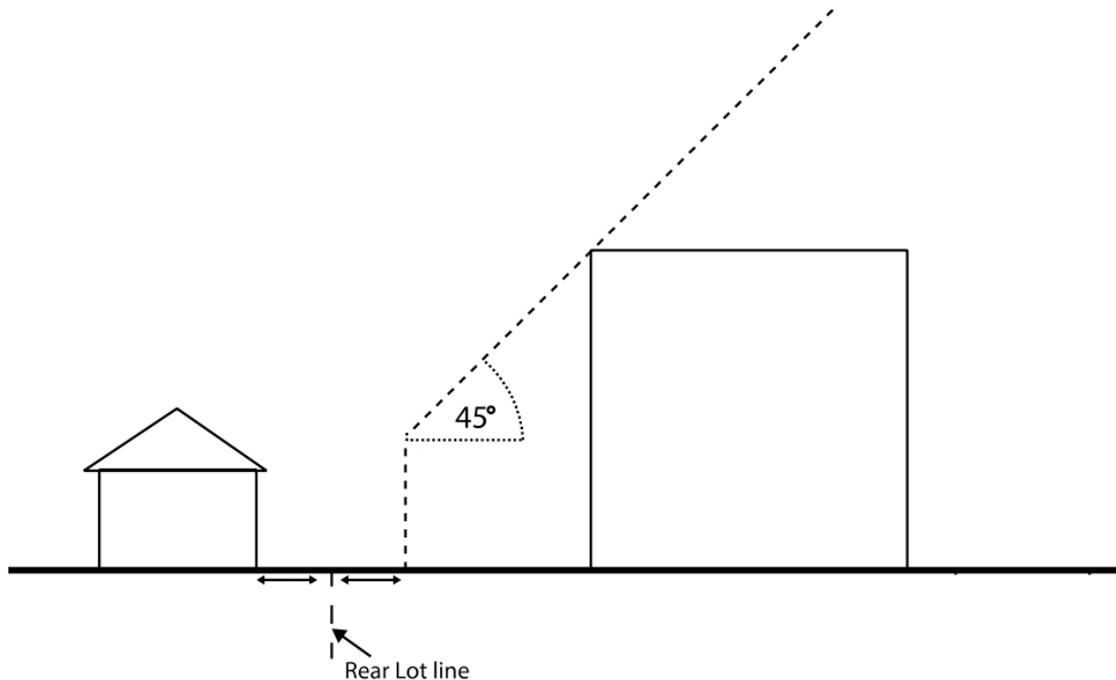


Figure 11. Example of a 45 degree angular plane

Transition of built form may also be addressed. For example, placement of townhouses where these are adjacent to neighbourhoods could be used to assist with transition. Different sets of guidelines could be developed for built form types, such as townhouses, apartments and mixed-use buildings.

Another option is to specifically reference mature neighbourhoods within the urban design guidelines and introduce direction for neighbourhood character and compatible adjacent dwellings. Alternatively, specific direction for the infill development of multi-unit buildings could be introduced that would apply across the Town. The implementation of guidelines related to higher density development within and adjacent to mature neighbourhoods would provide the Town with the opportunity to set out their expectations for appropriate design.

6. Summary



As illustrated in this report, there are opportunities to provide further guidance on the redevelopment, infill and intensification within the planning tools available to the Town. Options for this direction are summarized in the table below.

Development Type	Relevant Planning Tools	Options
New and Replacement Dwellings	Official Plan	<ul style="list-style-type: none"> Combine and update Policy 4.4.3.5.2 and 4.4.3.5.3 and clarify that the new policy applies to both the development of vacant lots and previously developed lots. Clarify that new development is to fit into and respect the established neighbourhood character.
	Zoning By-law	<ul style="list-style-type: none"> Consider establishing a two-storey maximum height, consistent with the predominant character of the Study Area. Require front yard setbacks consistent with established lots. Further explore areas where existing lot coverage and side yard setbacks are significantly different from the current zoning and provide for differing requirements.
	Urban Design	<ul style="list-style-type: none"> Option 1: Leave the Site Plan Control By-law as is, which exempts single detached dwellings. Option 2: Develop a design guide for homeowners and builders where site plan control is not applied to infill and replacement dwellings. Option 3: Update the Site Plan Control By-law to apply scoped site plan review of new and replacement dwellings. Option 4: Develop urban design guidelines to apply to new and replacement dwellings,

		to be implemented through site plan control.
Severances	Official Plan	<ul style="list-style-type: none"> Update policies for severances (i.e., Section 10.1.13.1) to require maintenance of the existing character of neighbourhoods, including prevailing lot sizes and frontages.
	Zoning By-law	<ul style="list-style-type: none"> Update the existing zoning on large lots to ensure that it is in alignment with the existing lot fabric.
Single Detached Subdivisions	Official Plan	<ul style="list-style-type: none"> Update subdivision policies (i.e., Section 10.1.12) with direction related to the creation of draft plans of subdivision within or adjacent to neighbourhoods in the Study Area and provide direction on transition and orientation of new lots.
	Zoning By-law	<ul style="list-style-type: none"> Not applicable. Zoning By-law Amendment would typically be required.
	Urban Design	<ul style="list-style-type: none"> Option 1: Develop urban design guidelines for infill single detached subdivision development. Option 2: Require the development of architectural control guidelines for new subdivision development.
Multi-Unit Buildings	Official Plan	<ul style="list-style-type: none"> Option 1: Update the mapping (Schedule "A") to identify locations for the Low, Medium and High Density Residential designations: <ul style="list-style-type: none"> Option 1a: Map the portions of the Arterial roads/transit routes deemed desirable for medium and high density development; and/or, Option 1b: Apply the Medium and High Density Residential designations only where existing medium and high density uses exist. Option 2: Update the locational criteria in the policies for the Medium and High Density Residential designations:

		<ul style="list-style-type: none"> ○ Option 2a: Remove the permission for medium density residential in the interior of neighbourhoods; and/or, ○ Option 2b: Specify what is meant by “in proximity to transit” for medium and high density permissions; and/or, ○ Option 2b: Consider stronger criteria for what is considered the “edge of neighbourhoods”. ● Update the development criteria policies for medium and high density residential uses to ensure appropriate transitions and neighbourhood compatibility (i.e., Policy 4.4.3.10.2 and 4.4.3.10.3). ● Consider the maximum 6-storey height permission at the edge of neighbourhoods and along arterial roads (Section 4.3.3.7): <ul style="list-style-type: none"> ○ Lower the height permission for high density areas adjacent to mature neighbourhoods or existing low rise dwellings; and/or, ○ Establish more specific locational criteria for high density residential areas. ● Update the urban design policies (Section 6.3) to directly reference mature neighbourhoods and compatible development: <ul style="list-style-type: none"> ○ Option 1: Create a mature neighbourhoods sub-section, setting out general design guidance; or, ○ Option 2: Update the urban design policies and other sub-sections throughout Section 6.3 to reference mature neighbourhoods where applicable.
	<p>Zoning By-law</p>	<ul style="list-style-type: none"> ● Refine permissions for medium and high density development to where it exists currently. ● Remove permission for converted dwellings in established large lot residential neighbourhoods.

	Urban Design	<ul style="list-style-type: none">• Introduce guidelines that address the design, massing and orientation of multi-unit buildings in relation to adjacent low density development to provide appropriate transitions or character features.
--	--------------	---

