



INCORPORATED 1855

TOWN OF WHITBY REPORT

PLANNING ACT PUBLIC MEETING

REPORT TO: Planning and Development Committee	REPORT NO: PL 13-08
DATE OF MEETING: February 11, 2008	FILE NO(S): Z-01-08, SP-02-08
PREPARED BY: Planning Department	LOCATION: 28 Shepherd Rd, Macedonian Village
REPORT TITLE/SUBJECT: Zoning Amendment Application & Site Plan Application Richard Brimstin and Alannah Flannery	

1.0 **RECOMMENDATION:**

1. That Planning Report, Item PL 13-08 be received as information; and,
2. That the Planning Department report back to the Planning and Development Committee at such time as the public input and agency comments have been received and assessed.

2.0 **EXECUTIVE SUMMARY:**

N/A

3.0 **ORIGIN:**

The Planning Department is in receipt of a zoning amendment application for the above-captioned property.

4.0 **BACKGROUND:**

A zoning amendment application was submitted by Richard Brimstin and Alannah Flannery to amend Town of Whitby Zoning By-law No. 1784, as amended, to permit the construction of a single detached dwelling on a proposed lot to be severed from the existing lot at 28 Shepherd Road in the hamlet of Macedonian Village. If the zoning amendment and site plan applications are approved, the applicants will apply to the Region of Durham for consent to sever.

A site plan application has been submitted for the lot to be created which identifies the proposed building envelope.

The subject property is designated 'Residential' and 'Hazard Land' on Schedule A – Land Use of the Town of Whitby Official Plan. Schedule C – Environmental Management identifies the property as within the 'Environmentally Sensitive Area'.

An Environmental Impact Study (EIS), completed by Niblett Environmental Associates Inc. and in consultation with the Central Lake Ontario Conservation Authority, was submitted in support of the application, as required under Town of Whitby Official Plan Policy Section 5.3.2.3 (see Attachment #3). The Environmental Impact Study determined that the construction of a single family dwelling, septic and driveway would not have a negative impact on the key natural heritage features of the Greenbelt Plan or the identified Environmentally Sensitive Area, provided that the following recommendations of Niblett Environmental Associates are followed:

1. The house footprint be located in the northern half of the severed parcel.
2. The house footprint be located a minimum of 10 metres from the top of bank.
3. The mature trees on the western portion of the severed parcel within the recommended buffer and along the slope be preserved.
4. Roof leaders from the house outlet onto the grassed surfaces to maintain infiltration.
5. A silt fence be installed along the western and southern boundary of the construction envelope prior to any activities on site.
6. Tree clearing occur outside of the peak breeding bird season (May 1st – July 31st).
7. Septic system be located on the eastern portion of the severed lot on the roadside of the house.

5.0 DISCUSSION/OPTIONS:

Site Statistics:

Site Location	:	Part of Lot 32, Concession 5, municipally known as 28 Shepherd Avenue (see Attachment #1)
Present Use	:	Single Detached Dwelling
Proposed Use	:	Additional Single Detached Dwelling on new lot
Official Plan	:	Region – Living Area Town – Residential and Hazard Land
Present Zone Category	:	'A' – Agriculture Zone, By-law 1784, as amended
Proposed Zone Category	:	'A' – Agriculture Zone with an exception to permit the proposed development

Surrounding Land Uses : Single detached dwellings

6.0 COMMUNICATION ISSUES/PLAN:

Notice of this meeting was mailed to all property owners within 120 metres (400 feet) of the subject property at least fourteen days prior to the meeting. In addition, a public notice sign has been erected on the site in accordance with the sign notification procedures prior to the public meeting date.

7.0 CONSIDERATIONS:

A. PUBLIC
N/A

B. FINANCIAL
N/A

C. IMPACT ON & INPUT FROM OTHER DEPARTMENTS/SOURCES
N/A

D. CORPORATE AND/OR DEPARTMENT STRATEGIC PRIORITIES
N/A

8.0 SUMMARY AND CONCLUSION

Comments received at this public meeting, as well as any subsequent written comments will be considered by the Planning Department in its analysis of the zoning application. A recommendation report will be brought forward upon receipt of all agency and public comments.

9.0 ATTACHMENTS

Attachment #1: Location Sketch

Attachment #2: Concept Site Plan

Attachment #3: Official Plan Policy 5.3.2.3

For further information contact:
Lauren Taylor, Ext. 2318

Robert B. Short, Director of Planning, Ext. 4309

Kenneth Nix, Acting Chief Administrative Officer, Ext. 4314



**SUBJECT
PROPERTY**

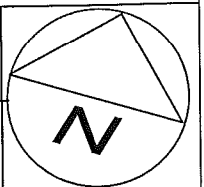
Town of Whitby Planning Department

APPLICANT
RICHARD BRIMSTIN & ALANAH FLANNERY

FILE NO.
Z-01-08
SP-02-08

DATE
JANUARY 2008

SCALE
N.T.S.



PART 2, PARCEL M-2, BLOCK B

PROPOSED

LOT SEVERANCE

SHEPARD ROAD, MACEDONIAN VILLAGE (WHITBY)



D.G. Biddle & Associates Limited

consulting engineers

96 KING STREET EAST • DSHAWA/DON' L14, 1B6
PHONE (905) 576-8500 • FAX (905) 576-9730

PROJECT NO.

104205

SCALE:

1:500

DRAWING NO.

SK-1

DESIGN BY:

M.E.T.

CAD FILE: 04205-4

PLOT DATE: JUL 17 07

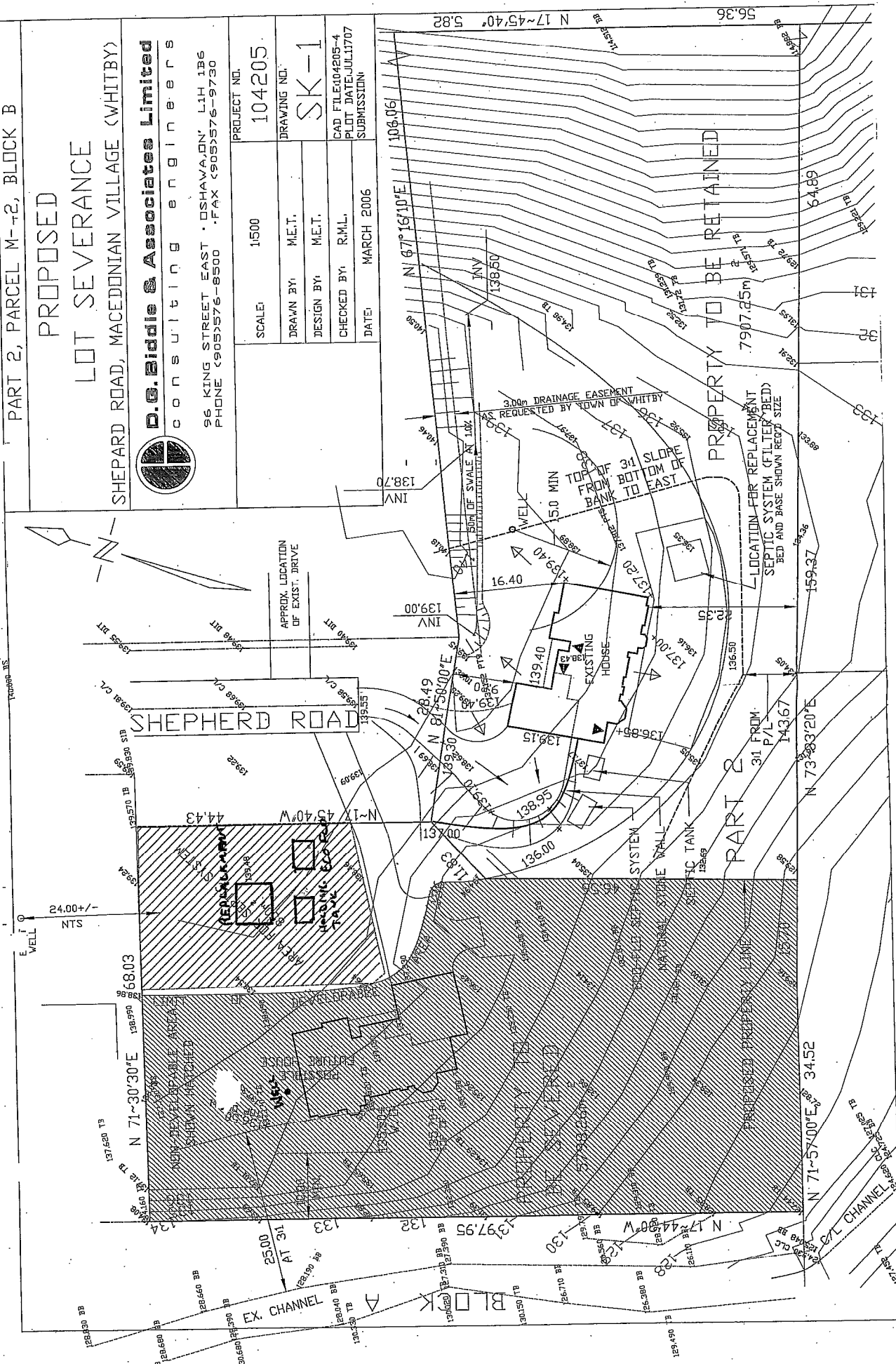
SUBMISSION

CHECKED BY:

R.M.L.

DATE:

MARCH 2006



PROPERTY TO BE RETAINED

LOCATION FOR REPLACEMENT SEPTIC SYSTEM (FILTER BED) BED AND BASE SHOWN RED SIZE

31 FROM P/L

PROPOSED PROPERTY LINE

N 71°54'00"E 34.52

N 73°33'20"E

7907.25m

64.89

56.36

N 17°45'40" 5.82

108.06

N 67°16'10"E

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fisheries management; and conservation areas. With such uses, natural features are to be preserved to the maximum degree possible, buildings and structures should be minor in scale, and no or minimal parking should be provided on-site.

5.3.2.2 Development proposals for other uses allowed in the prevailing land use designation on Schedule "A" that are within or adjacent to ESAs may be permitted to the extent that the type or magnitude of development is compatible with the environmental conditions or that measures have been undertaken to mitigate any resulting negative environmental impact.

5.3.2.3 Prior to the consideration of any development application within Environmentally Sensitive Areas (ESAs), the Municipality shall require an Environmental Impact Study, to be prepared in consultation with other authorities as appropriate. In addition, such a study may be required for development applications on lands adjacent to ESAs. These studies may apply to the subject area or a wider area where determined to be necessary. Council in consultation with the Region of Durham shall select and retain qualified professional expertise to prepare the Environmental Impact Study (EIS). The expense of the study shall be borne by the proponent. The Study will examine and assess the following:

- a) the type and degree of sensitivity of the environmental conditions and the potential impacts of the proposed development;
 - b) the compatibility of the proposed development with the ESA;
 - c) the need for, and description of, mitigating measures to protect the sensitivity of the environmental conditions;
 - d) the location, amount and type of development; and
 - e) the location and extent of those sensitive area(s) which should be preserved.
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