



Public Meetings Revised Agenda

Monday, April 22, 2024, 7:00 p.m.

Council Chambers

Whitby Town Hall

Statutory Public Meetings under the Planning Act, R.S.O. 1990, c. P.13

This meeting will be held in a hybrid in-person and virtual format, and will be available for viewing through the Town's **live stream feed** while the meeting is in progress. Please visit whitby.ca/CouncilCalendar for more information about the live stream and archived videos.

Should you wish to provide comments regarding a matter being considered below, please submit written correspondence and/or a Delegation Request Form.

- **To submit written correspondence**, please email your correspondence to the Office of the Town Clerk at clerk@whitby.ca by noon on the day of the meeting. Correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak virtually during the Public Meetings**, please submit a Delegation Request Form online to the Office of the Town Clerk by 10 a.m. on the day of the meeting. **Those wishing to speak in-person** are encouraged to submit a Delegation Request Form, but are not required to pre-register in order to speak at the Public Meetings. Should you be unable to access a computer, please call 905.430.4315 to speak with a Staff Member in the Office of the Town Clerk.

Interested parties who wish to be notified of updates pertaining to a matter considered at a Public Meeting may submit an Interested Party List Registration Form. Requests may also be submitted in-person during the meeting at a registration kiosk located in Council Chambers, Whitby Town Hall (575 Rossland Rd E).

A Revised Agenda may be published on a later date. Late items added or a change to an item will appear with an asterisk beside them.

Format of Public Meetings

Public meetings are chaired by a Member of Council appointed as the Planning Chair by the Mayor and will proceed as follows:

1. Town Staff will provide a brief overview of the application;
2. The applicant or their representative may provide information regarding the application;
3. Members of the public wishing to provide input may do so via written submission sent to clerk@whitby.ca or by oral submission; and,
4. The Chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public.

The Office of the Town Clerk captures all feedback received during a public meeting in minutes to provide a written record for Staff and Council of the public meeting.

Public Meetings - 7:00 p.m.

- *1. PDP 17-24, Planning and Development (Planning Services) Department Report
Re: Temporary Zoning By-law Amendment, Nordeagle Developments Ltd., northeast corner of Montecorte Street and Victoria Street West, File Number: DEV-10-24 (Z-06-24)

Delegations:

1. Michael Bisset, representing Nordeagle Developments Ltd. (In Person Attendance) *

- *2. PDP 18-24, Planning and Development (Planning Services) Department Report
Re: Zoning By-law Amendment Application, The Baird Team Royal Lepage Baird Real Estate, 55 Garrard Road and Block 33 on Plan 40M-1315, File Number: DEV-08-24 (Z-04-24)

Delegations:

1. Steve Edwards and Paul Baird, representing The Baird Team Royal Lepage Baird Real Estate (In Person Attendance) *

- *3. PDP 19-24, Planning and Development (Planning Services) Department Report
Re: Official Plan Amendment and Zoning By-law Amendment Applications, The DK Royal Stars Group Inc., Des Newman Boulevard and Woodrow Court, File Number: DEV-09-24 (OPA-2024-W/03, Z-05-24)

Delegations:

1. Catriona Moggach, representing The DK Royal Stars Group Inc. (Virtual Attendance) *

- *4. PDP 20-24, Planning and Development (Planning Services) Department Report
Re: Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law
Amendment Applications, Tribute (Charles Street) Limited, 1636 Charles Street, File
Number: DEV-07-24 (SW-2024-01, OPA-2024-W/02, Z-03-24)

Delegations:

1. Michael Testaguzza, representing Tribute (Charles Street) Limited (In Person Attendance)
2. Ronald King, Resident (In Person Attendance) *
3. Loretta Gilbert, Resident (In Person Attendance)
4. Cheryl England, Resident (In Person Attendance) *
5. Wenda Abel, Resident (In Person Attendance) *
6. Chris Bond, Resident (In Person Attendance) *
7. James Dorey, Resident (Virtual Attendance) *
8. Daniel Coombes, Resident (Virtual Attendance) *

Town of Whitby Public Meeting Report

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Report Title: DEV-10-24: Zoning By-law Amendment, Nordeagle Developments Ltd., File No. Z-06-24.

Date of meeting: April 22, 2024

Report Number: PDP 17-24

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

L. England, Planner I, x.2822

Planning Report PDP 17-24 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13

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If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Whitby before the by-law is passed, the person or public body is not entitled to appeal the decision of Whitby Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

1. Highlights:

Nordeagle Developments Ltd. has submitted an application for a Temporary Zoning By-law Amendment for the parcel of land located at the northeast corner of Victoria Street West and Montecorte Street for the purpose of a sales office.

2. Purpose:

The Planning and Development Department is in receipt of an application for a Temporary Zoning By-law Amendment for the subject land. The purpose of this report is to present information related to the application at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located at the northeast corner of Montecorte Street and Victoria Street West (refer to Attachment #1). The subject land is currently vacant.

The surrounding land uses include:

- Low density residential to the south;
- Vacant land to the east;
- Vacant land to the north; and
- A gas bar to the west (refer to Attachment #2).

3.2. Application and Proposed Development

A Zoning By-law Amendment application has been submitted by Nordeagle Developments Ltd., to amend Zoning By-law 2585 to allow for the use of a temporary sales office.

3.3. Documents Submitted in Support

The application was submitted with the following supporting documents:

- A Concept Site Plan prepared by BDP Quadrangle, dated March 5, 2024 (refer to Attachment #3).
- A Landscape Plan and Details prepared by Studio tla., dated March 5, 2024 (refer to Attachment #4).
- Proposed Exterior Elevations prepared by BDP Quadrangle, dated March 5, 2024 (refer to Attachment #5).
- A Construction Plan prepared by BDP Quadrangle, dated March 5, 2024.
- A Lighting Plan and details prepared by BDP Quadrangle, dated March 5, 2024.
- An Electrical Plan prepared by Quasar Consulting Group, dated March 6, 2024.

- A Grading and Drainage Plan prepared by Valdor Engineering Inc., dated March 6, 2024.
- A Site Servicing Plan prepared by Valdor Engineering Inc., dated March 6, 2024.
- A Topographic Plan prepared by J.D. Barnes Limited, dated October 6, 2016.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Employment Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP).

4.2. Whitby Official Plan

The subject land is designated Prestige Industrial on Schedule 'A' of the Town of Whitby Official Plan (refer to Attachment #6). The subject land is also subject to a special policy (4.7.5.2), which allows for the development of an integrated, higher density, mixed-use development including residential, office, commercial and business park uses, in accordance with certain provisions.

The Prestige Industrial designation does not permit a sales office use. However, Council may pass a by-law to permit the temporary use of land(s), building(s), or structure(s), for any purpose which is otherwise prohibited by the Zoning By-law, without an amendment to this Plan for a period of up to three years (10.1.9.1).

A by-law to permit the temporary use of any land, buildings, or structures, may be considered when a use is intended to exist for only a limited period of time (10.1.9.2).

Council may extend a Temporary Use By-law beyond the initial time period as set out in the Planning Act, for additional periods of not more than three years each, provided such extension does not jeopardize the long-term development intention for the subject lands/ area as specified in the Official Plan (10.1.9.5).

4.3. Zoning By-law

The subject land is zoned M1A-LS-N-1 and M1A-LS-N (Prestige Industrial – Lynde Shores (Business Park) under Zoning By-law 2585 (refer to Attachment 7), which does not permit the proposed temporary use.

An amendment to the Zoning By-law is required to permit the temporary sales office.

5. Communication and Public Engagement:

Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. Furthermore, a public notice sign has been erected on the Montecorte Street and Victoria Street West frontages of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the application and copies of the associated supporting materials for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the development application. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public have been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the applications will be considered.

8. Attachments:

Attachment #1 – Location Sketch

Attachment #2 – Aerial Context Map

Attachment #3 – Proponent's Proposed Concept Plan

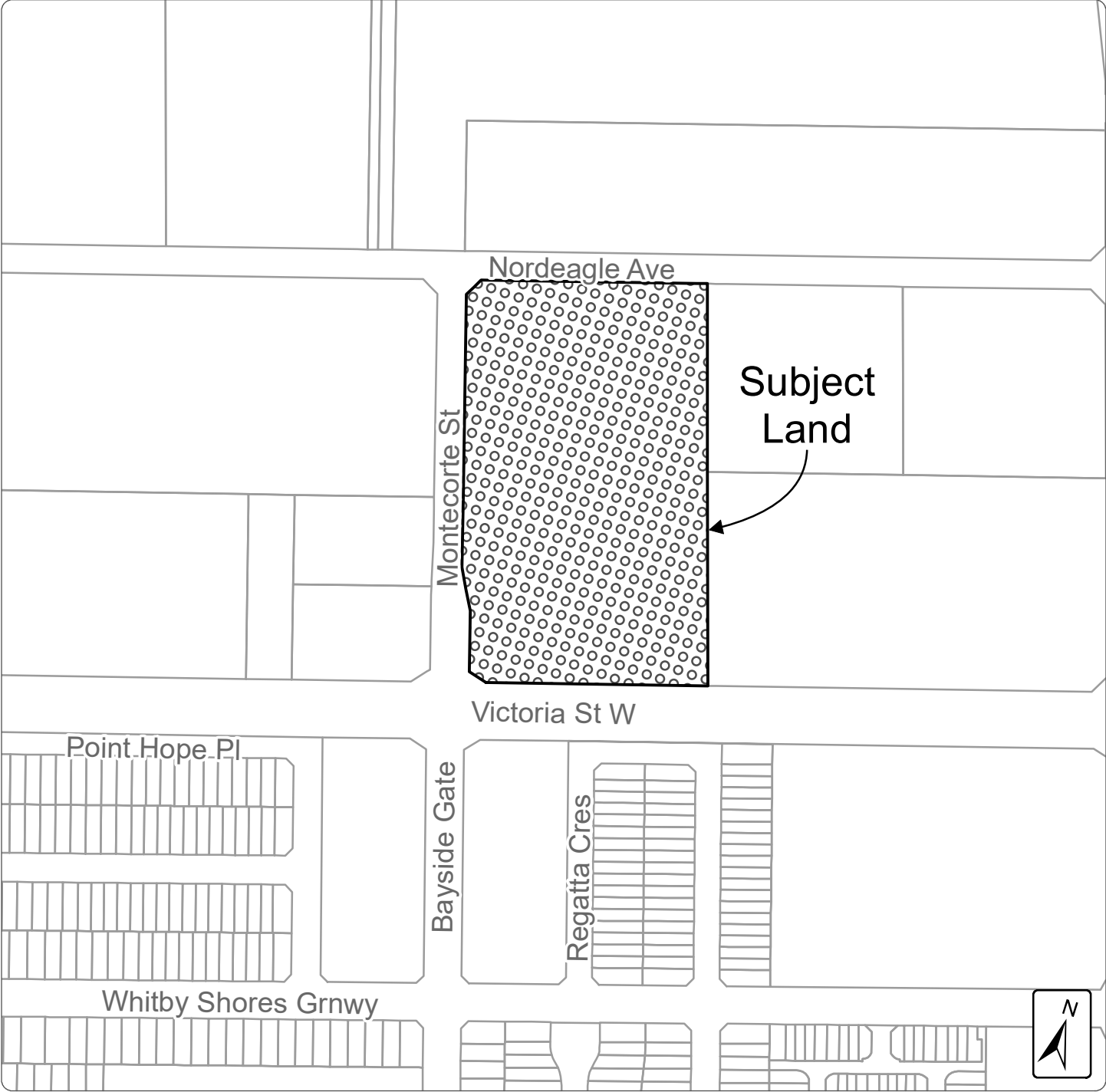
Attachment #4 – Proponent's Proposed Landscape Plan

Attachment #5 – Proponent's Proposed Building Elevations

Attachment #6 – Excerpt from Official Plan Schedule A

Attachment #7 – Excerpt from Zoning By-Law 2585

Attachment #1 Location Sketch



 **Town of Whitby Planning and Development Department**

Proponent: Nordeagle Developments Ltd.	File Number: DEV-10-24 / Z-06-24	Date: April 2024
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Attachment #2 Aerial Context Map

PDP 17-24



 **Town of Whitby Planning and Development Department**

Proponent:
Nordeagle Developments Ltd.

File Number:
DEV-10-24 / Z-06-24

Date:
April 2024

External Data Sources:
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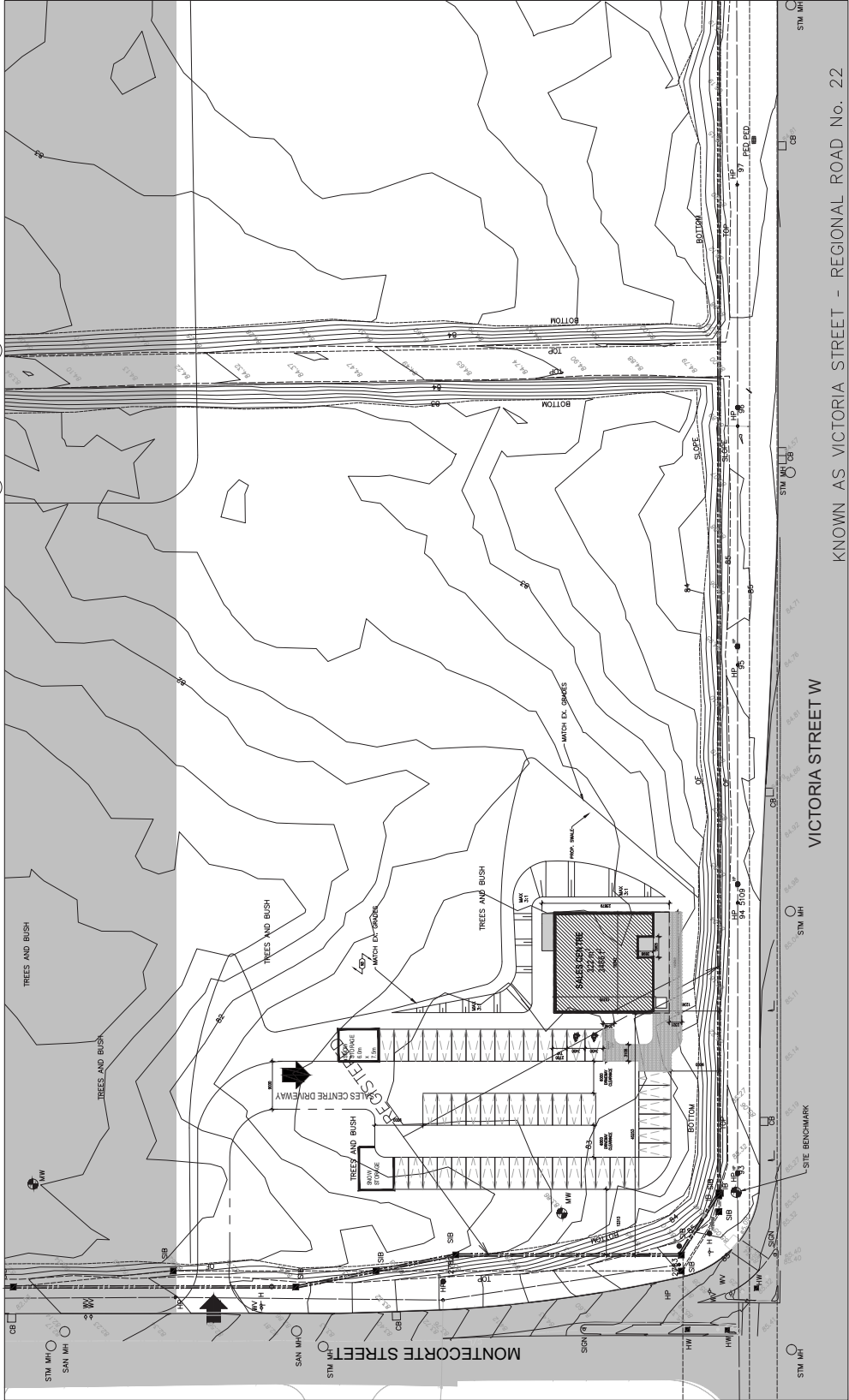
Attachment #3 Proponent's Proposed Concept Plan

A101



REFERENCED NOTES

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ASSOCIATION OF PROFESSIONAL ENGINEERS

BDP QUADRANGLE

Nordleigh Pavilion
1000 Wood Victoria St.
Whitby, Ontario

2025 1.250 JW SM
2024 1.100 JAW SM

Site Plan

Proponent's Proposed Landscape Plan

Landscape Architect
STUDIO ARA
 20 Chapman Blvd. Suite 102 - Toronto, ON, M4H 2Z1
 (416) 593-1111 | info@studioara.com | studioara.com

Nordeagle Sales Pavilion
 WHITBY, ON

Project Number
24-102

Client
CORTEL GROUP

Consultant
 M. CORTELLI
 1000 SHEPPARD AVENUE EAST, SUITE 1000
 SCARBOROUGH, ONTARIO M1S 1W7
 TEL: (416) 291-0800
 CELL: (416) 291-0800
 FAX: (416) 291-0800
 WWW.CORTELGROUP.COM

Revisions

Stamp
 1. REVISIONS
 2. SCALE
 3. NORTH
 4. PHASE



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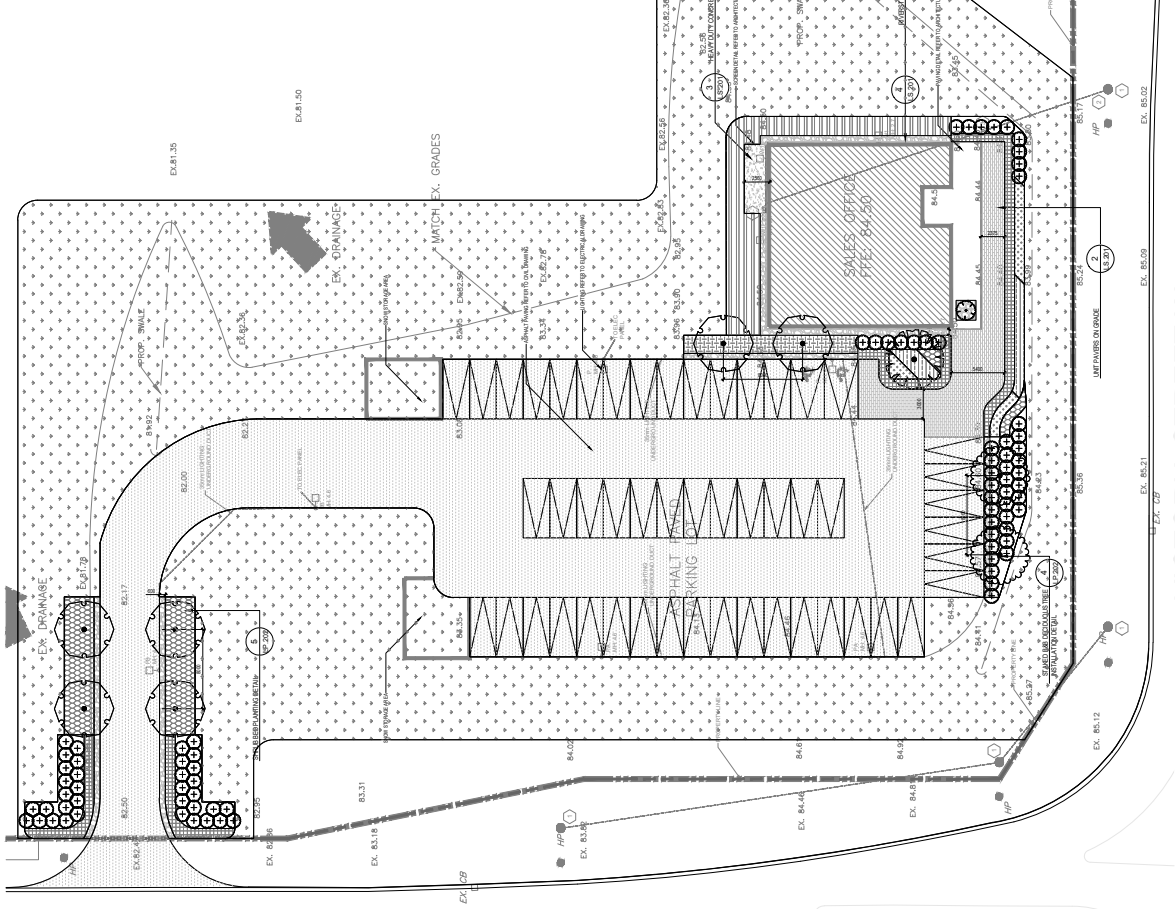
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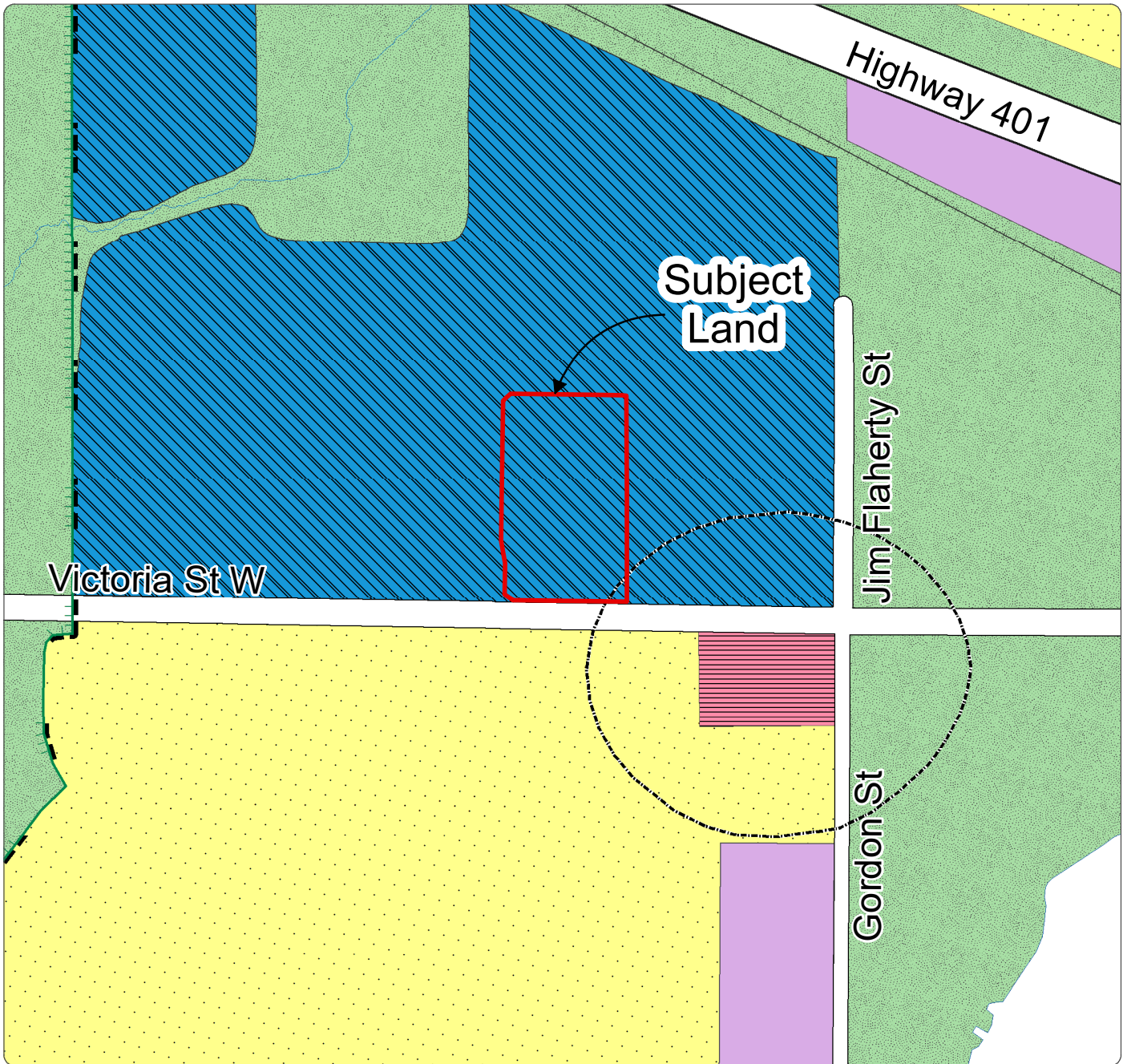
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MONTECORTE STREET

Excerpt from the Town of Whitby Official Plan Schedule 'A'



Legend

Residential	Lands Subject to Durham Regional Official Plan Policy 14.13.7	D3 (Deferred by Region of Durham)
Major Commercial	Deferred by the Region of Durham	
Community Commercial	Local Central Area	
Special Purpose Commercial	Resource Extraction Area (See Section 4.12)	
Mixed Use	Utility	
Prestige Industrial	2031 Urban Area Boundary	
General Industrial	Community Central Area Boundary	
Special Activity Node	Future Urban Development Area Boundary	
Institutional	Greenbelt Protected Countryside Boundary	
Major Open Space	Hamlet Boundary	
Agricultural	Major Central Area Boundary	
Hamlet	Municipal Boundary	
Estate Residential	Southern Boundary of Oak Ridges Moraine	
Special Policy Area	Urban Central Area Boundary	
Refer to section 11.5.31.6		

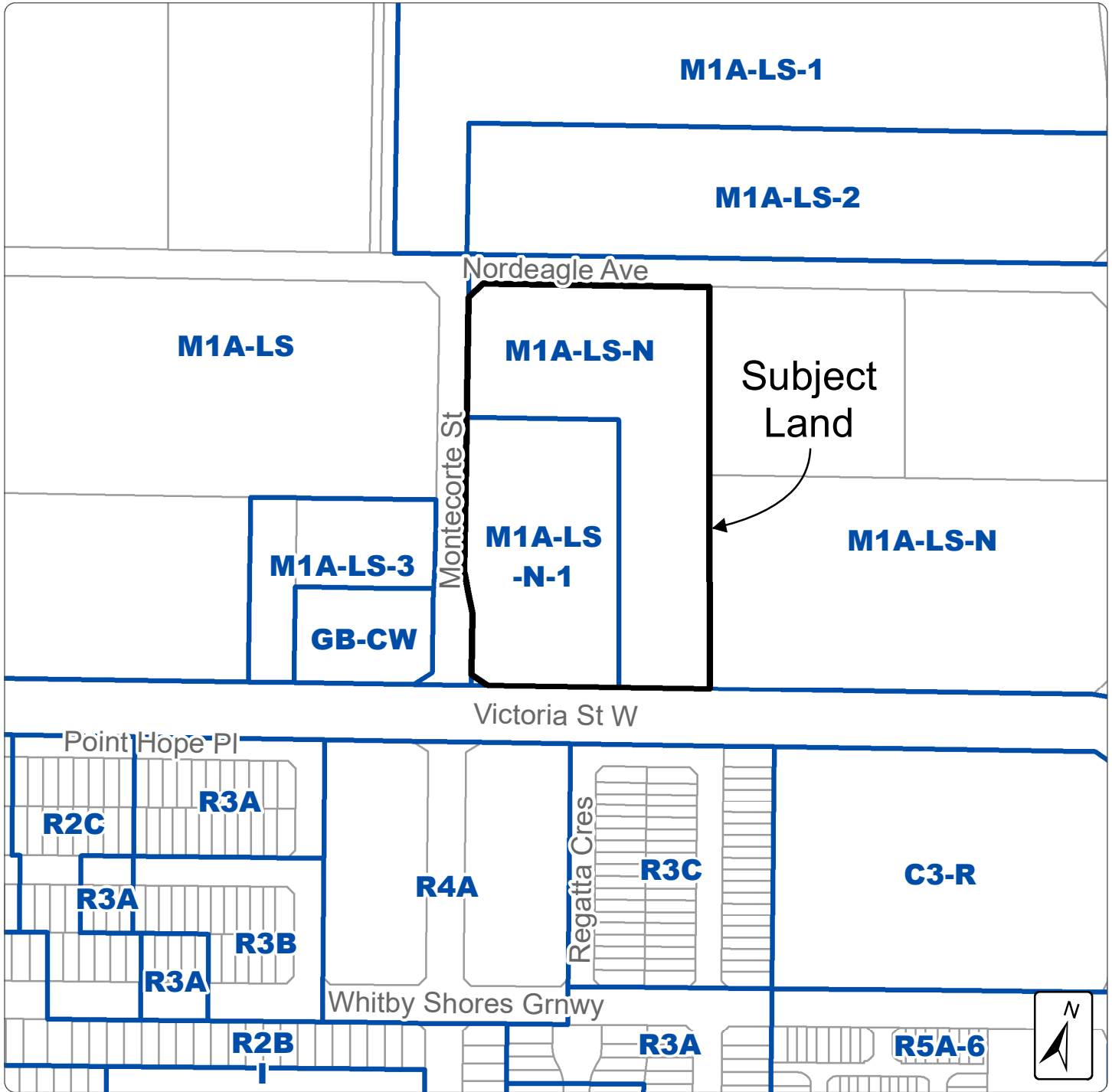
Notes: Refer to the applicable Secondary Plan for more detailed land use designations. Secondary Plan boundaries can be found on Schedule 'E', including the Oak Ridges Moraine Secondary Plan. Some legend items may not appear on the displayed figure extent.

Official Plan - Town of Whitby Schedule

Excerpt from Schedule 'A' Land Use

This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.

Attachment #7
Excerpt from Zoning By-Law 2585



Whitby Town of Whitby Planning and Development Department

Proponent: Nordeagle Developments Ltd.	File Number: DEV-10-24 / Z-06-24	Date: April 2024
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Town of Whitby Public Meeting Report

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Report Title: DEV-08-24: Zoning By-law Amendment Application, The Baird Team Royal Lepage Baird Real Estate, 55 Garrard Road and Block 33 on Plan 40M-1315, File No. Z-04-24

Date of meeting: April 22, 2024

Report Number: PDP 18-24

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

K. Afante, Planner I, x. 2836

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1. Highlights:

- A Zoning By-law Amendment application has been submitted by Baird Team Royal LePage Baird Real Estate for the land municipally known as 55 Garrard Road and Block 33 on Plan 40M-1315. The two parcels have been consolidated into one property.
- The proposal is to rezone a portion of the subject land from Third Density Residential (R3) to Residential (R2A) Zone to permit the creation of three (3) single detached lots.

2. Purpose:

The Planning and Development Department is in receipt of an application for Zoning By-law Amendment for the subject land. The purpose of this report is to present information related to the application at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located on the southeast corner of Garrard Road and Burnage Lane (refer to Attachment #1). The subject property currently has one (1) single detached dwelling which will be removed as part of the development.

The surrounding land uses include low density residential dwellings to the east, west, north, and south (refer to Attachment #2).

3.2. Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by Baird Team Royal LePage Baird Real Estate to rezone a portion of the subject land from Third Density Residential (R3) to Residential (R2A) Zone to permit the creation of three (3) single detached lots.

The three lots will be created through the Whitby Land Division process.

3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- Planning Rationale Brief, prepared by GHD, dated November 29, 2023, which concludes that the proposed development conforms to Provincial, Regional and Whitby Planning policies.
- Concept Site Plan, prepared by ERTL-HUNT Surveyors, dated March 8, 2023 (refer to Attachment #3).
- Site Servicing Plan, prepared by GHD, dated February 22, 2024.
- Site Grading Plan, prepared by GHD, dated February 22, 2024.

- Erosion Control & Construction Management Plan, prepared by GHD, dated February 22, 2024.
- Stormwater Management Brief, prepared by GHD, dated February 20, 2024, which concludes that no stormwater management measures are required for water quality treatment to accommodate the proposed development.
- Construction Management Report, prepared by GHD, dated February 2024, which has been prepared in accordance with the requirements of the Town of Whitby Construction Management Report Guidelines for Developers, Consultants, and General Contactor for non-subdivision applications.
- Tree Preservation Plan, prepared by Henry Kortekaas + Associates Inc., dated February 16, 2024.
- Landscape Plan prepared by Henry Kortekaas + Associates Inc., dated February 16, 2024 (refer to Attachment #4).
- Noise Impact Study, prepared by GHD, dated February 28, 2024, which recommends mandatory air conditioning and noise warning clauses for the three single detached dwellings fronting onto Garrard Road.
- Sustainability Brief, prepared by GHD, dated February 28, 2024, which outlines how the proposed development will meet the Tier 1 Whitby Green Standards requirements.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Living Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Living Areas are intended to be used predominantly for residential purposes.

4.2. Whitby Official Plan

The subject land is designated Residential on Schedule 'A' of the Official Plan (refer to Attachment #5).

According to the Official Plan Low Density Residential areas are generally located in the interior of residential neighbourhoods on local or collector roads (Policy 4.4.3.4.1).

Single detached, semi-detached, and duplex dwellings and other similar ground related built forms are permitted with a density of up to 30 dwelling units per net hectare (Policy 4.4.3.4.1).

As outlined in Policy 4.4.3.4.3, applications for redevelopment of existing lots in Low Density Residential areas that require a Zoning By-law amendment or minor variance shall be considered in accordance with the following criteria:

- a. The interior side yard setback is generally consistent with the existing dwelling(s) on the same side of the street; and
- b. The front yard setback for the new dwelling unit(s) is generally consistent with the front yards that exist on the same side of the street.

4.3. Zoning By-law

The land municipally known as 55 Garrard Road is zoned Third Density Residential (R3) under By-law #1784. Block 33 fronting Burnage Lane is zoned Residential (R2A) zone under By-law #1784 (refer to Attachment #6).

A Zoning By-law Amendment Application is required to change the zoning of 55 Garrard Road to R2A* to match the zoning of Block 33 fronting Burnage Lane to permit three single detached lots.

5. Communication and Public Engagement:

Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. Furthermore, a public notice sign has been erected on the Garrard Road and Burnage Lane frontages of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the applications and copies of the associated supporting materials for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the development application. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public have been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the application will be considered.

8. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Concept Plan

Attachment #4: Proponent's Proposed Landscape Plan

Attachment #5: Excerpt from Official Plan Schedule A

Attachment #6: Excerpt from Zoning By-law 1784

Attachment #1 Location Sketch



 **Town of Whitby Planning and Development Department**

Proponent: The Baird Team Royal LePage Baird Real Estate	File Number: DEV-08-24 / Z-04-24	Date: April 2024
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Attachment #2 Aerial Context Map

PDP 18-24



 **Town of Whitby Planning and Development Department**

Proponent:
The Baird Team Royal Lepage Baird Real Estate

File Number:
DEV-08-24 / Z-04-24

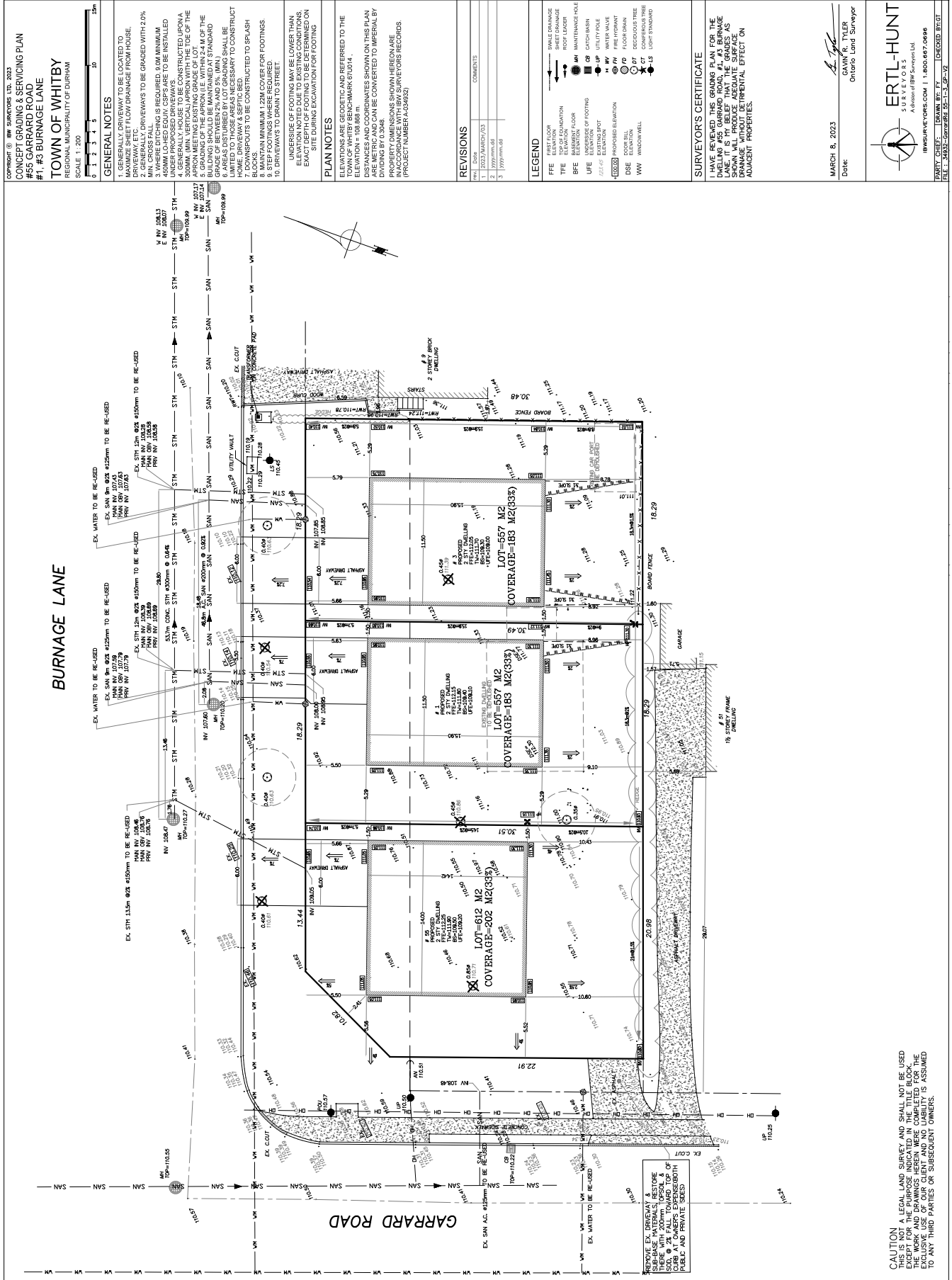
Date:
April 2024

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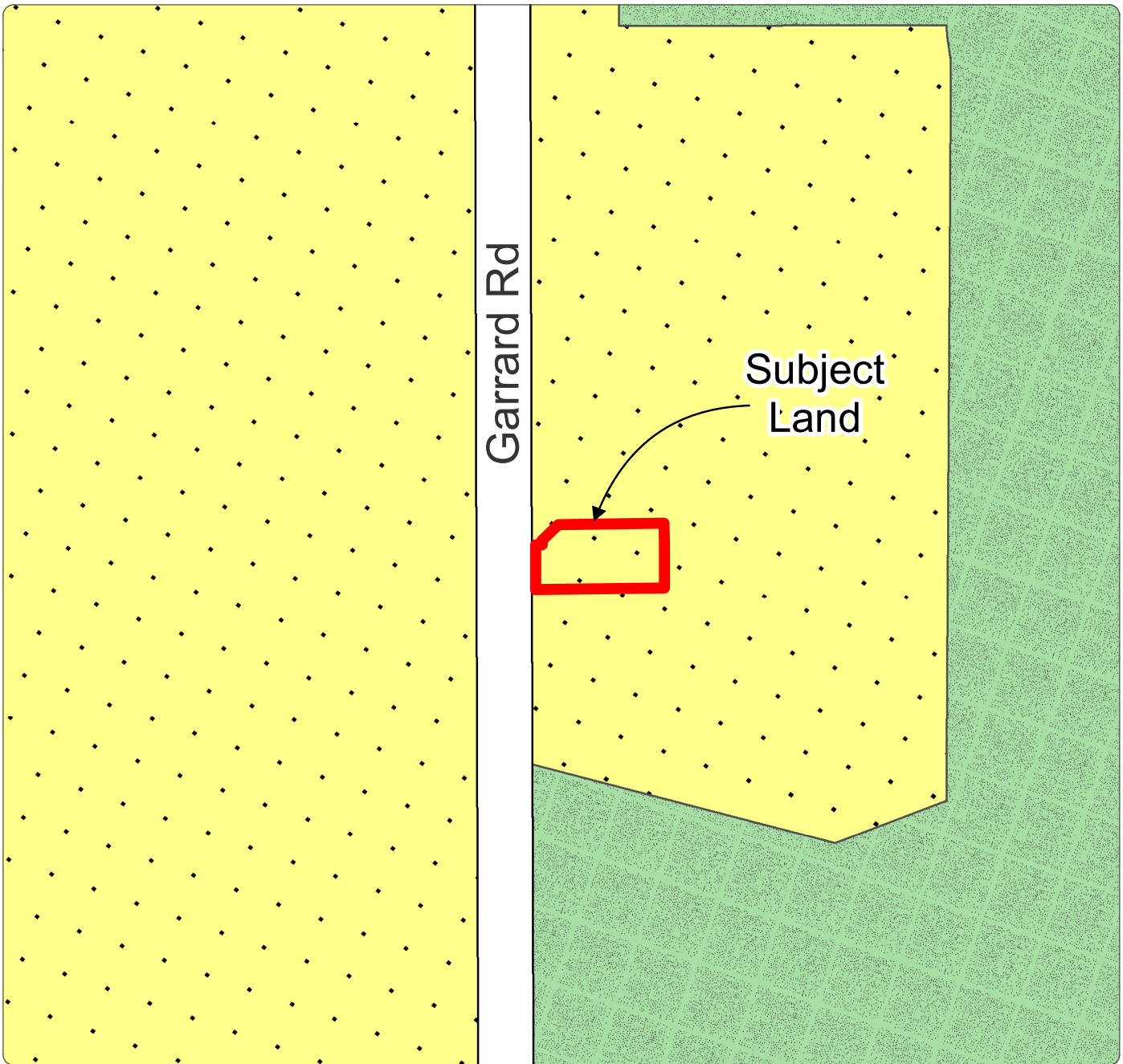
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Proponent's Proposed Concept Plan



CAUTION
 THIS IS NOT A LEGAL LAND SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EXCLUSIVE USE OF OUR CLIENT AND NO LIABILITY IS ASSUMED TO ANY THIRD PARTIES OR SUBSEQUENT OWNERS.

Excerpt from the Town of Whitby Official Plan Schedule 'A'



Legend

Residential	Lands Subject to Durham Regional Official Plan Policy 14.13.7	D3 (Deferred by Region of Durham)
Major Commercial	D Deferred by the Region of Durham	
Community Commercial	Local Central Area	
Special Purpose Commercial	Resource Extraction Area (See Section 4.12)	
Mixed Use	Utility	
Prestige Industrial	2031 Urban Area Boundary	
General Industrial	Community Central Area Boundary	
Special Activity Node	Future Urban Development Area Boundary	
Institutional	Greenbelt Protected Countryside Boundary	
Major Open Space	Hamlet Boundary	
Agricultural	Major Central Area Boundary	
Hamlet	Municipal Boundary	
Estate Residential	Southern Boundary of Oak Ridges Moraine	
Special Policy Area	Urban Central Area Boundary	
Refer to section 11.5.31.6		

Notes: Refer to the applicable Secondary Plan for more detailed land use designations. Secondary Plan boundaries can be found on Schedule 'E', including the Oak Ridges Moraine Secondary Plan. Some legend items may not appear on the displayed figure extent.

Official Plan - Town of Whitby

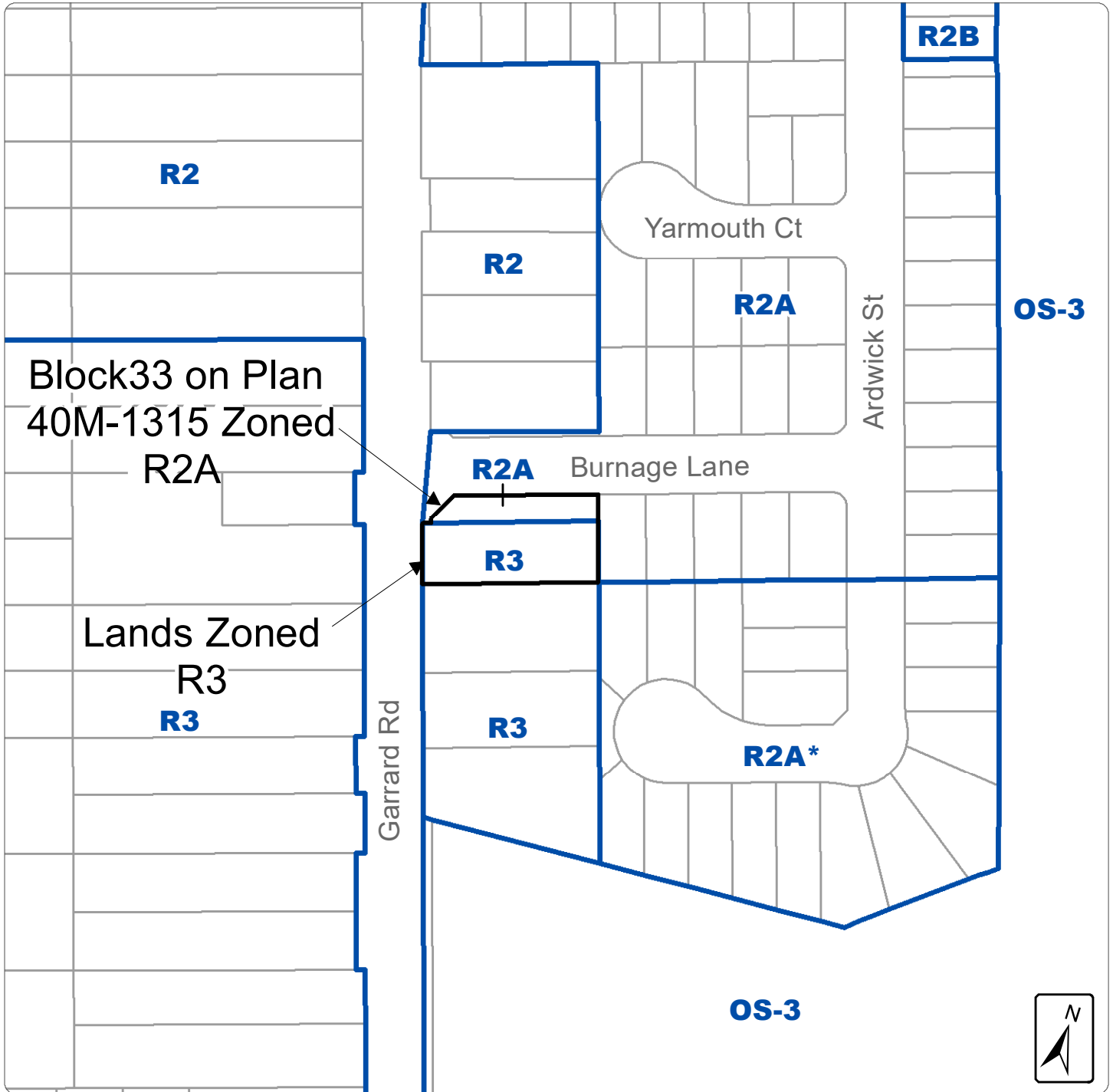
Schedule **A**

Excerpt from Schedule 'A' Land Use

This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.

Attachment #6 Excerpt from Zoning By-Law 1784

PDP 18-24



Town of Whitby Planning and Development Department

Proponent: The Baird Team Royal LePage Baird Real Estate	File Number: DEV-08-24 / Z-04-24	Date: April 2024
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Town of Whitby Public Meeting Report

whitby.ca/CouncilCalendar



Report Title: DEV-09-24: Official Plan Amendment Application, Zoning By-law Amendment Application, The DK Royal Stars Group Inc., Des Newman Boulevard and Woodrow Court, File No. OPA-2024-W/03, Z-05-24.

Date of meeting: April 22, 2024

Report Number: PDP 19-24

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

K. Afante, Planner I, x. 2836

Planning Report PDP 19-24 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13

Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Development Department on the proposed application(s). Also, any person may make written submissions at any time before Council makes a decision.

Additional information regarding statutory public meetings under the Planning Act can be found on the [Town's website](#).

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Whitby before the by-law is passed, the person or public body is not entitled to appeal the decision of Whitby Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

1. Highlights:

The DK Royal Stars Group Inc. have submitted Official Plan Amendment and Zoning By-law Amendment applications for land on Woodrow Court, located approximately 100 metres west of Des Newman Boulevard (refer to Attachment #1).

Upon approval of the above noted applications, the applicant will need to submit a Site Plan Application.

2. Purpose:

The Planning and Development Department is in receipt of the applications for Official Plan and Zoning By-law Amendments for the subject land. The purpose of this report is to present information related to the applications at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located at the southwest corner of Woodrow Court, approximately 100 metres west of Des Newman Boulevard.

The surrounding land uses include:

- Future prestige industrial to the east,
- A future industrial warehouse and employment uses to the north,
- A stormwater management pond to the west; and
- An Elexicon Hydro substation to the south.

The subject site is currently vacant (refer to Attachment #2).

3.2. Applications and Proposed Development

The subject land is proposed to be developed with a six (6) storey hotel with 104 guest suites.

An Official Plan Amendment application has been submitted by The DK Royal Stars Group Inc., to increase the maximum permitted building height on the subject land, from four (4) storeys to six (6) storeys.

A Zoning By-law Amendment application has also been submitted to change the zoning on the property to permit the development of a six (6) storey hotel with a reduction in the required parking spaces, loading spaces, and minimum landscape buffer.

3.3. Documents Submitted in Support

The application was submitted with the following supporting documents:

- Architecture Plans prepared by Saplys Architects Incorporated, dated March 13, 2024.
- Concept Plans prepared by Saplys Architects Incorporated, dated March 13, 2024. (refer to Attachment #3).
- Visual Impact Analysis of a 6 Storey Hotel prepared by Saplys Architects Incorporated, dated August 25, 2023.
- Pavement Marking and Signage Plan prepared by Saplys Architects Incorporated, dated March 3, 2024.
- Plan of Survey prepared by J.D. Barnes Limited, dated March 27, 2019.
- Grading Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Servicing Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Erosion and Sediment Control Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Construction Management Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Pre and Post Drainage Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Site Lighting Plan prepared by J+B Engineering Inc., dated December 14, 2023.
- Landscape Plan prepared by Marton Smith Landscape Architects, dated January 24, 2024.
- Planning Justification Report prepared by Arcadis Professional Services (Canada) Inc., dated January 29, 2024, which concludes that the proposed development is consistent with Provincial, Regional, and Municipal policies.
- Stormwater Management Report prepared by J+B Engineering Inc., dated November 2023, which concludes that there is no increase in Stormwater flow from the site and that the existing stormwater management facilities provide enhanced level of protection.
- Construction Management Report prepared by J+B Engineering Inc., dated November 2023 which has been prepared in accordance with the requirements of the Town of Whitby Construction Management Report Guidelines for Developers, Consultants, and General Contactor for non-subdivision applications.

- Transportation Study Update prepared by Trans-Plan Transportation Engineering, dated January 2024, which concludes that the proposed development can be accommodated on the existing road network and that the proposed parking rate for the subject site is expected to be sufficient.
- Infiltration Testing Program prepared by Toronto Inspection LTD., dated October 30, 2023, which concludes that the infiltration rates through fill material in similar sites could vary dramatically and that extra caution is needed when designing a Low Impact Development on the subject site.
- Preliminary Hydrogeological Investigation prepared by Toronto Inspection LTD., dated December 21, 2023, which concludes that where well designed and implemented environmental management plans are in place, short-term impacts to the groundwater system and the surface water system are not expected.
- Noise Feasibility Assessment prepared by SoftDB, dated December 2023, which recommends the installation of non-operable thermal double-glazing windows and that the noise generated by the rooftop mechanical equipment and the window/wall construction is evaluated as part of a Noise Impact Study, conducted by a qualified acoustic consultant, to be completed prior to the approval of the finalized construction drawings.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Employment Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Employment Areas permit land uses such as hotels, service industries, and limited retail and ancillary facilities, subject to compatibility.

4.2. Whitby Official Plan

The subject land is designated Prestige Industrial on Schedule 'V' of the West Whitby Secondary Plan (refer to Attachment #4).

The following secondary uses may be permitted in the Prestige Industrial designation:

- a) limited ancillary, commercial and personal service uses such as take-out or full-service restaurants, financial institutions and commercial fitness centres;

- b) commercial or trade school facilities; and,
- c) hotels and associated convention/banquet facilities (Policy 11.12.2.6.3).

Policy 11.12.2.6.4 permits building heights of 12 storeys in Gateway Areas and 4 storeys outside of Gateway areas.

As the site is not within a Gateway Area, the maximum height permitted on the site is limited to four (4) storeys. Therefore, an amendment to the Official Plan is required to permit the proposed six (6) storey hotel use.

4.3. Zoning By-law

The subject land is zoned Prestige Employment (PE) under Zoning By-law 1784 (refer to Attachment #5), which permits a maximum building height of 4 storeys.

Section 4A-4 of the Zoning By-law outlines that for hotel uses within the West Whitby Secondary Plan, parking is required to be provided at a rate of 1 space per 1 room, and 1 space per 10 m² of accessory uses. Based on the parking requirements for the site, a total of 110 spaces are required, wherein 97 spaces are provided.

The number of loading spaces required are dependant on the total Gross Floor Area (GFA) of the use. As the proposed GFA for the hotel is 6,060 m², a total of three (3) loading spaces are required, whereas 1 loading space is proposed.

Section 14.7 of the Zoning By-law outlines that a minimum 3.0 metre landscape buffer is required, whereas a 1.5 metre landscape buffer is proposed.

An amendment to the Zoning By-law is required to permit the proposed six (6) storey hotel, a reduction in the required parking spaces, loading space, and minimum landscape buffer.

5. Communication and Public Engagement:

Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. Furthermore, a public notice sign has been erected on the Woodrow Court frontage of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the application and copies of the associated supporting materials for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the development applications. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public have been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the applications will be considered.

8. Attachments:

Attachment #1: Location Sketch

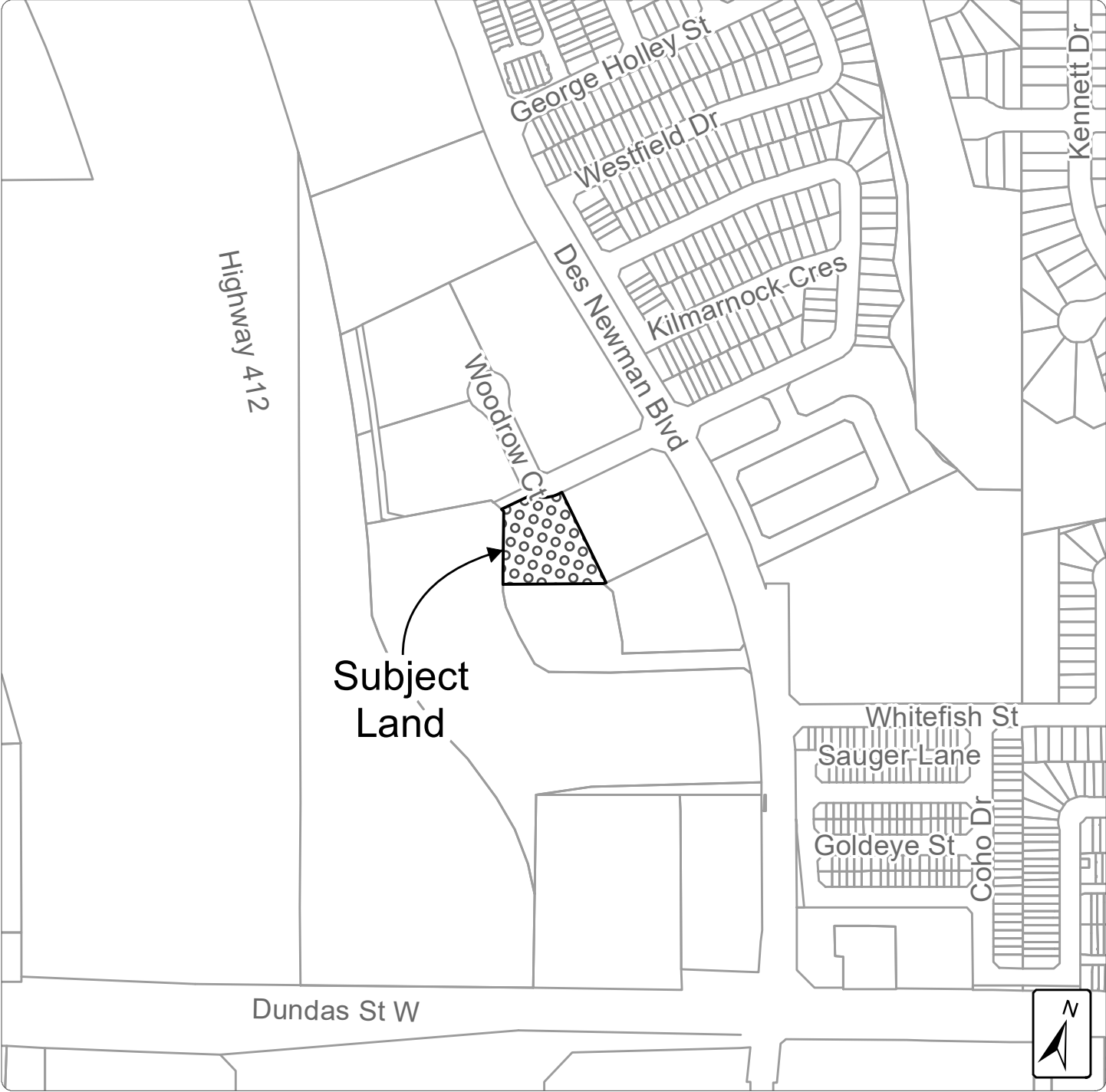
Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Concept Plan

Attachment #4: Excerpt from Official Plan Schedule V

Attachment #5: Excerpt from Zoning By-law 1784

Attachment #1 Location Sketch



 **Town of Whitby Planning and Development Department**

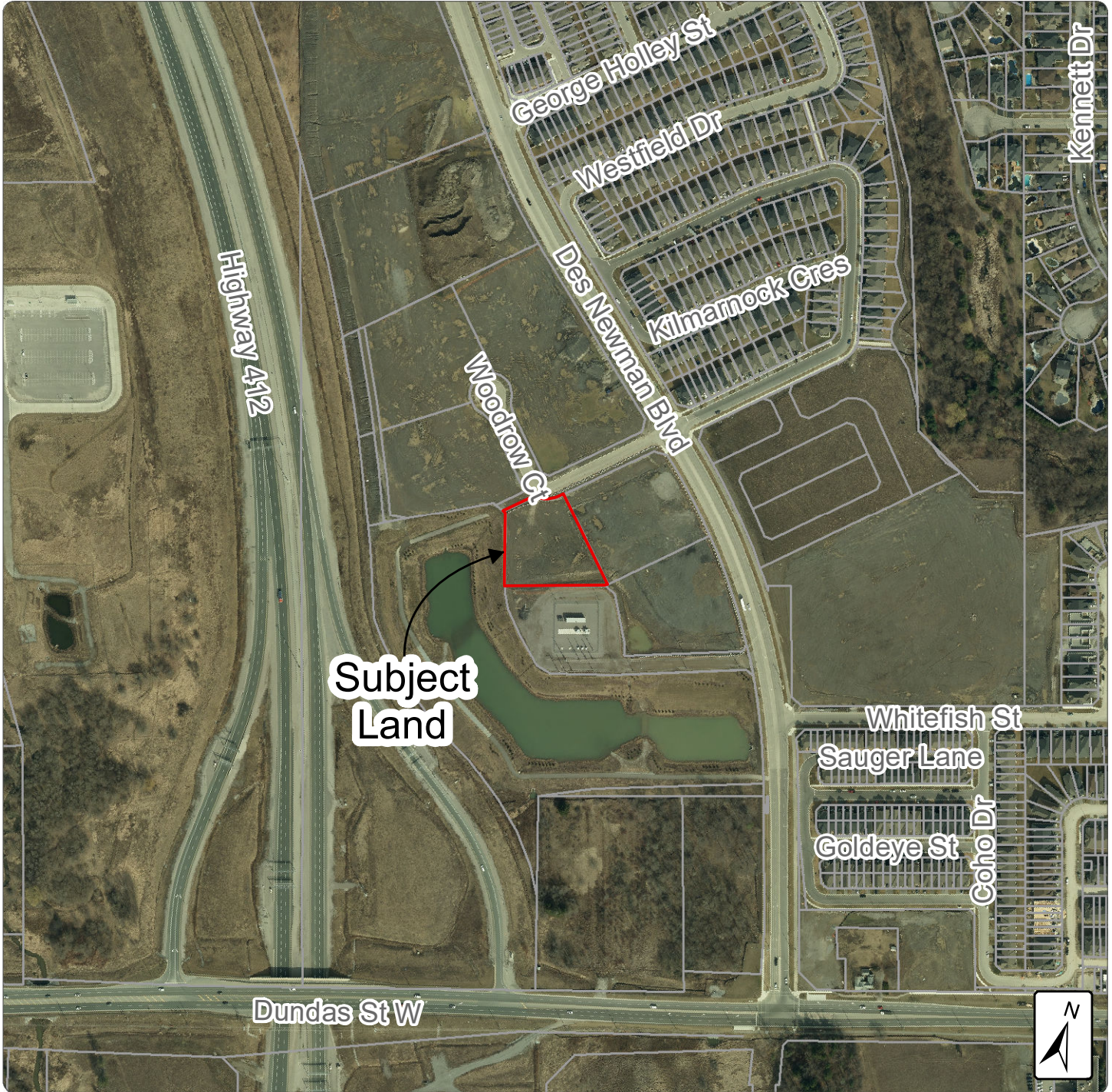
Proponent: The DK Royal Stars Group Inc.	File Number: DEV-09-24 (OPA-2024-W/03, Z-05-24)	Date: April 2024
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Attachment #2 Aerial Context Map

PDP 19-24



Whitby Town of Whitby Planning and Development Department

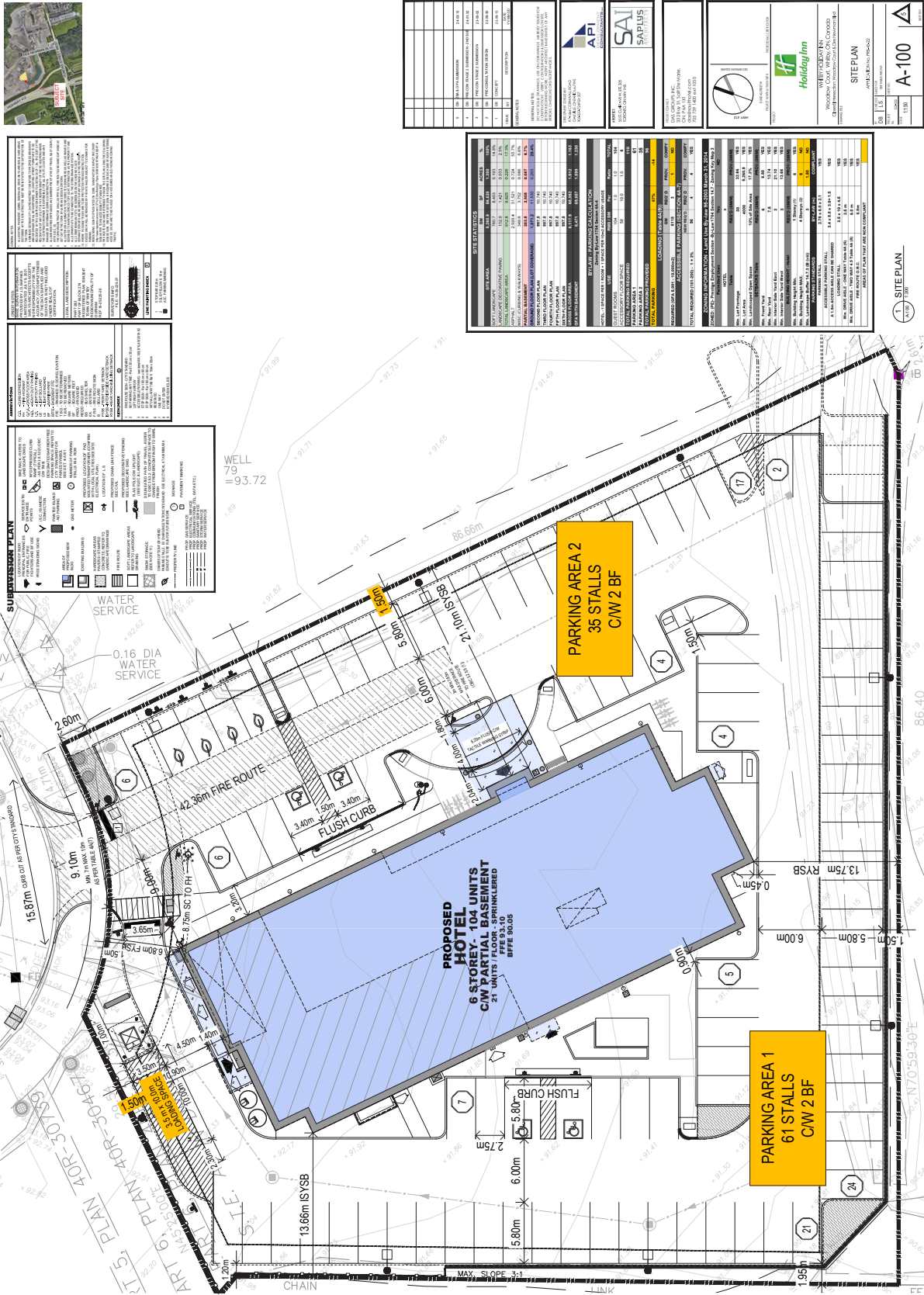
Proponent: The DK Royal Stars Group Inc.	File Number: DEV-09-24 (OPA-2024-W/03, Z-05-24)	Date: April 2024
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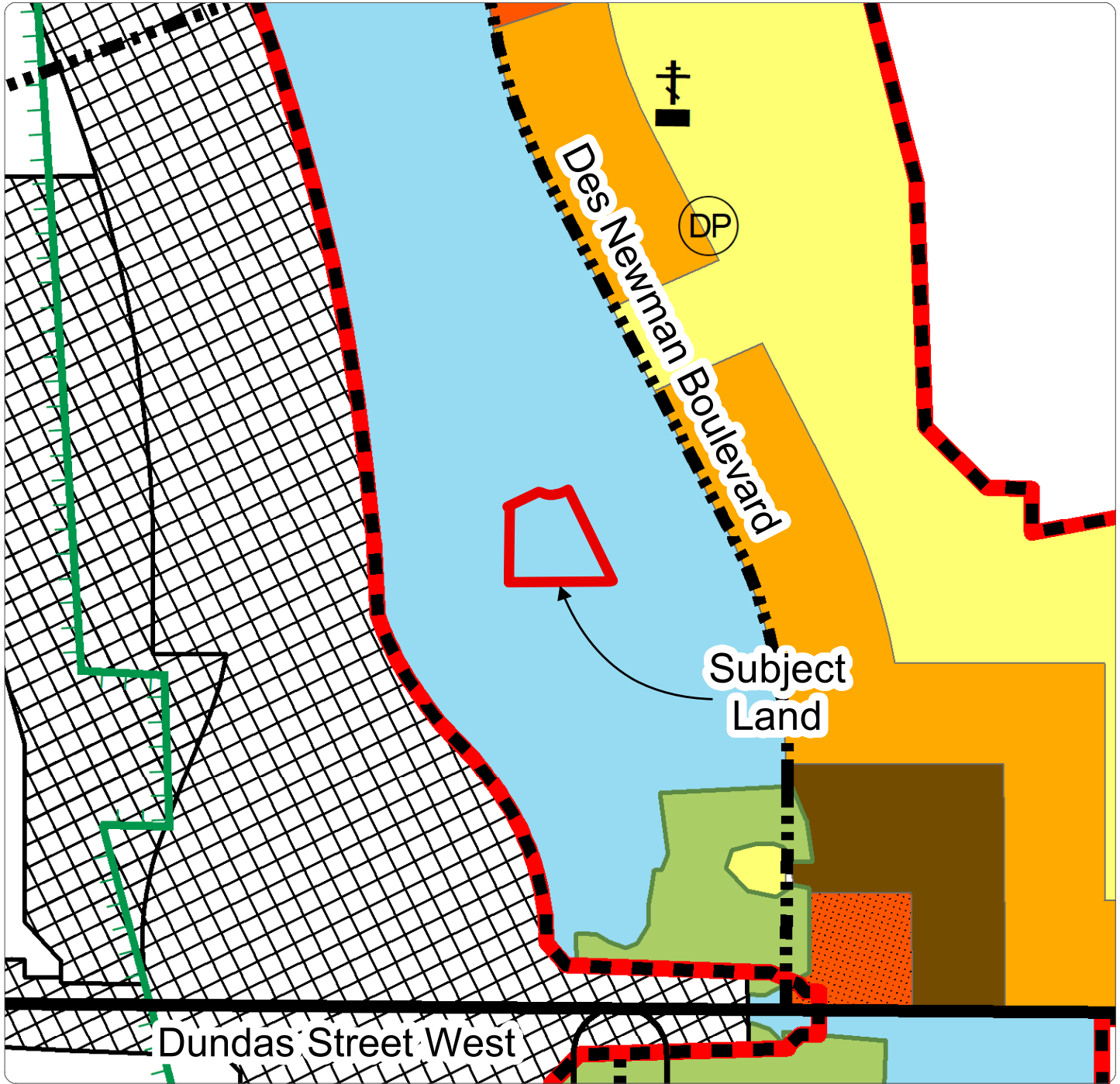
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Attachment #3 Proponent's Proposed Concept Plan

PDP 19-24



Excerpt from the Town of Whitby Secondary Plan Schedule 'V'



LEGEND

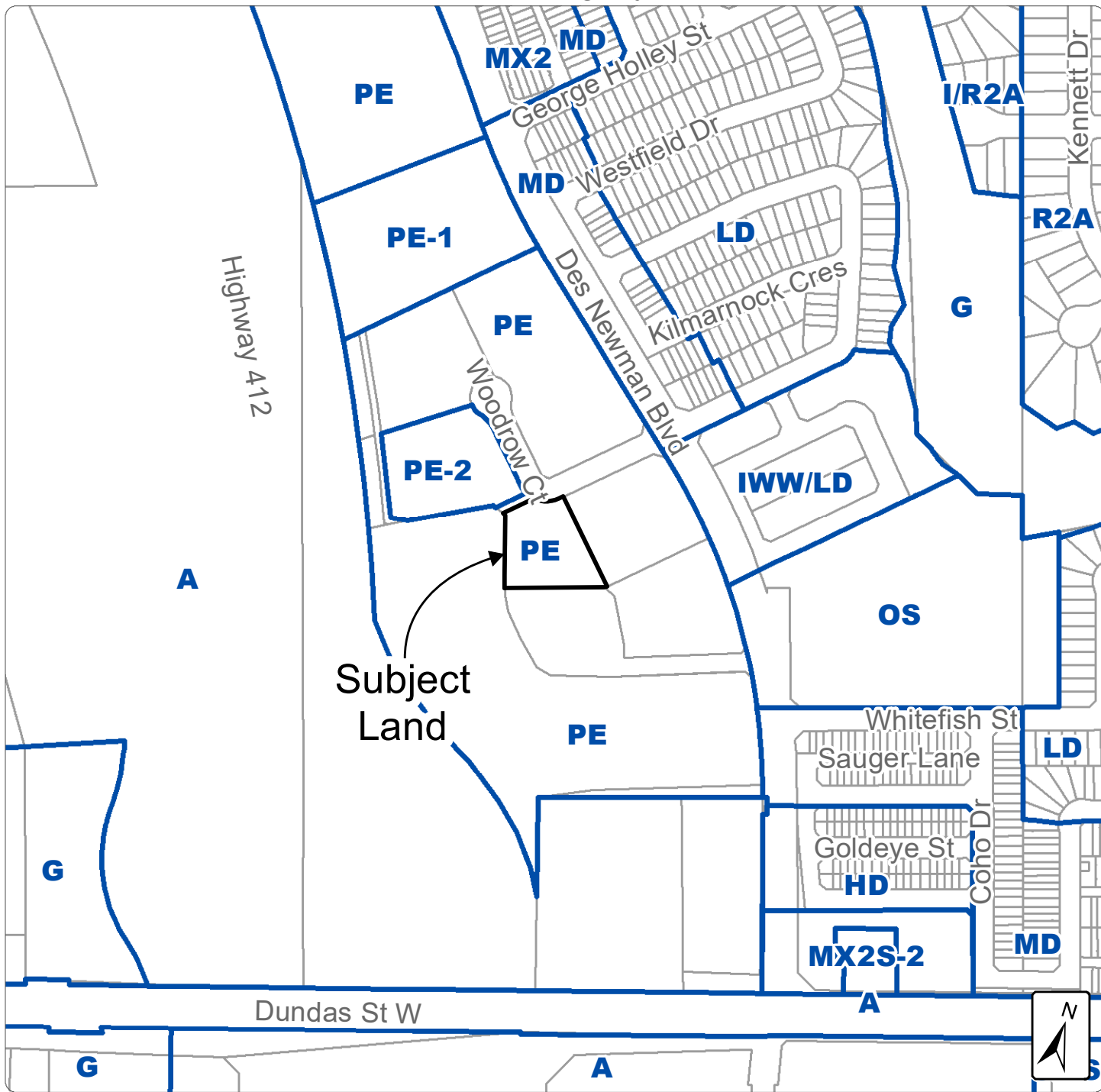
Land Use Designations		Boundaries		Symbols and Overlays	
	Prestige Industrial		Secondary Plan Boundary		Separate Elementary Schools
	Environmental Protection Area		Greenbelt Plan Boundary		Public Elementary Schools
	Major Open Space		Central Area Boundary		Public Secondary Schools
	Mixed Use One		Transportation		District Park
	Mixed Use Two		Existing Arterial Road Network		Local Park
	Special Mixed Use Two Policy Areas <i>(Refer to Section 11.12.2.2)</i>		Future Arterial Road Network		Flood Policy Area
	High Density Residential		Proposed Collector Road Network		Railway
	Medium Density Residential		Railway		Gateway Areas
	Low Density Residential		West Durham Link (WDL)		
	Special Purpose Commercial				
	Almond Village Special Policy Area				

Excerpt from: **West Whitby Community Secondary Plan**

Town of Whitby

Schedule **V**

Excerpt from Zoning By-Law 1784



Town of Whitby Planning and Development Department

Proponent: The DK Royal Stars Group Inc.	File Number: DEV-09-24 (OPA-2024-W/03, Z-05-24)	Date: April 2024
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Town of Whitby Public Meeting Report

whitby.ca/CouncilCalendar



Report Title: DEV-07-24: Official Plan Amendment Application, Zoning By-law Amendment Application, Draft Plan of Subdivision, Tribute (Charles Street) Limited, 1636 Charles Street, File No. OPA-2024-W/02, Z-03-24, SW-2024-01.

Date of meeting: April 22, 2024

Report Number: PDP 20-24

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

L. England, Planner I, x. 2822

Planning Report PDP 20-24 is presented for information purposes only, in accordance with the statutory public meeting requirements of the Planning Act R.S.O. 1990, c.P.13

Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Development Department on the proposed application(s). Also, any person may make written submissions at any time before Council makes a decision.

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If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Whitby before the by-law is passed, the person or public body is not entitled to appeal the decision of Whitby Council to the Ontario Land Tribunal (OLT) and may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

1. Highlights:

Tribute (Charles Street) Limited have submitted an Official Plan Amendment application, Draft Plan of Subdivision application, and Zoning By-law Amendment application to the Town of Whitby for the land municipally known as 1636 Charles Street.

The subdivision application proposes to create one block (Block 1) for a mixed-use development comprised of four 28 to 36 storey towers and 5 storey podium containing 1,639 residential units and 2,263.4 m² of commercial floor space located in the podium. A second block (Block 2) is proposed for the widening of Charles Street.

A recommendation report for the Official Plan Amendment application, Zoning By-law Amendment application, and Draft Plan of Subdivision application will be brought forward to a Committee of the Whole Meeting once all agency comments and public input have been received and assessed.

The applicant will be required to submit a Site Plan Application at a later date.

2. Purpose:

The Planning and Development Department is in receipt of the applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for the subject land. The purpose of this report is to present information related to the application at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located at the northwest corner of Charles Street and Watson Street West, municipally known as 1636 Charles Street (refer to Attachment #1).

The surrounding land uses include:

- Low density residential dwellings to the east;
- Future high density residential dwellings to the north (under construction);
- High density residential dwellings to the west; and
- Marina and outdoor boat storage to the south (refer to Attachment #2).

Currently, the property contains three one-storey buildings for employment / commercial uses.

3.2. Applications and Proposed Development

An Official Plan Amendment application has been submitted to increase the maximum permitted density from 300 to 1,025 units per net hectare on the subject land as well as increase the maximum building height to 36 storeys.

A Zoning By-law Amendment application has been submitted to change the zoning from D(NR)-2 to an appropriate zone category to accommodate the proposed mixed-use development.

A Draft Plan of Subdivision application has been submitted to create a Plan of Subdivision consisting of 2 (two) blocks, including 1 (one) block to accommodate the proposed mixed-use condominium development and 1 (one) to accommodate a road widening on Charles Street. The proposed mixed-use condominium development consists of 4 (four) towers ranging in heights from 28 storeys to 36 storeys. The development proposes 1,639 residential units, and approximately 2,263.4 m² of commercial space in a 5 storey podium.

3.3. Documents Submitted in Support

The application was submitted with the following supporting documents:

- Planning Addendum Letter and Planning Rationale Report prepared by Biglieri Group, dated March 7, 2024, provides an overview of the proposed development at 1636 Charles Street as well as the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications and documents submitted in support.
- Architecture Plans prepared by Turner Fleischer, dated March 1, 2024.
- A Concept Site Plan prepared by Turner Fleischer, dated March 1, 2024. (refer to Attachment #3).
- A Draft Plan of Subdivision prepared by Krcmar Surveyors Ltd., dated February 7, 2024. (refer to Attachment #4).
- An Active Transportation Plan prepared by WSP., March 20, 2024. (refer to Attachment #5).
- Elevations prepared by prepared by Turner Fleischer, dated March 1, 2024. (refer to Attachment #6).
- A Landscape Plan prepared by The MBTW Group, dated February 2023.
- Landscape Plan Details prepared by The MBTW Group, dated February 2023.

- A Shadow Study prepared by The MBTW Group, dated March 2024.
- Architecture Phasing Plans prepared by Turner Fleischer, dated March 1, 2024.
- A Plan of Survey prepared by Krcmar Surveyors Ltd., dated August 15, 2022.
- An Urban Design Report prepared by The MBTW Group, dated March 2024, provides detail on how the proposed development's public realm, built form, and sustainability elements function within its immediate surrounding context and the wider context of the Port Whitby Community and the Town of Whitby.
- An Impact Assessment of Rowe Channel Construction Phasing prepared by SCS Consulting Group Ltd., dated March 5, 2024, which concludes a phased approach with on-site mitigation measures ensures the proposed development can proceed, despite existing flood conditions from the adjacent Rowe Channel.
- A Functional Servicing Report and Stormwater Management Report prepared by SCS Consulting Group Ltd., dated March, 2024, which concludes that the site can be serviced by full municipal services (storm, sanitary, and water), and the site plan layout supports the stormwater management requirements. The stormwater management report has outlined the means which the proposed development at 1636 Charles Street will meet the objectives of the Whitby Design Standards and CLOCA Design Guidelines.
- A Phased Grading Plan prepared by SCS Consulting Group Ltd., dated March, 2024.
- A Hydrogeological Investigation and Water Balance Assessment Report prepared by EXP Services Inc., dated March 1, 2024, which concludes, based on the proposed design, construction could proceed in accordance with the recommendations outlined in this report.
- A Geotechnical Report prepared by EXP Services Inc., dated March 1, 2024, which concludes that a geotechnical engineer should be retained for a general review of the final design and specifications to verify that the recommendations outlined in this report address all relevant geotechnical parameters regarding the design and construction of the development.
- A Phase 1 Environmental Site Assessment prepared by EXP Services Inc., dated October 20, 2023, which recommends a Phase 2 Environmental Site Assessment be completed.

- A Phase 2 Environmental Site Assessment prepared by EXP Services Inc., dated October 20, 2023, which concludes that concentrations identified during the current and previous investigations to be in exceedance of the O. Reg. 153/04 Table 9 Standards for PHCs, VOCs, PAHs, Metals (including Hydride Forming Metals) (in soil) and VOCs (in groundwater) must be remediated and/or risk assessed before an RSC can be filed.
- A Traffic Impact Study prepared by WSP., dated October 23, 2023, provides a review of the traffic related impacts on the adjacent road network based on future projected traffic volumes. The study also includes justification for reduced parking due to the proximity to public transit routes and non-auto modes of transportation.
- A Sustainability Rationale Report prepared by EQ Building performance Inc., dated March 7, 2024, which concludes that the sustainability vision of the development is in line with the sustainability vision of the Whitby Green Standard.
- An Energy Modeling Report prepared by EQ Building performance Inc., dated May 26, 2023, which concludes that the project is currently on track to meet the listed performance of the Whitby Green Standard Tier 1.
- A Mechanical & Electrical Basis of Design prepared by MCW Consultants Ltd., dated April 27, 2023.
- A Pedestrian Wind Assessment prepared by SLR Consulting (Canada) Ltd., dated March 1, 2024, which concludes on the sidewalks surrounding the proposed development, wind conditions are predicted to be suitable for the intended usage.
- An Environmental Noise Assessment prepared by SLR Consulting (Canada) Ltd., dated October 25, 2023, which concludes that the noise from the proposed development on the surroundings is expected to meet the applicable guideline permits, and can be adequately controlled by the design guidelines outlined in this report.
- An Arborist Report prepared by GeoProcess Research Associates Inc., dated March 1, 2024, provides a review of the trees to be retained and removed from the subject site, as well as the recommendations for tree removal, replacement, and protection.
- A Natural Heritage Screening and Tree Inventory prepared by GeoProcess Research Associates Inc., dated May 26, 2023, which concludes that based on the absence of natural heritage features, any further environmental impact assessment is not expected to be required.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Living Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Living Areas are intended to be used predominantly for housing purposes.

In December 2021, the Region, as part of its Envision Durham Municipal Comprehensive Review, adopted Regional Official Plan Amendment (ROPA) #186 to delineate the boundaries of Protected Major Transit Station Areas (PMTSAs) – including a PMTSA within the Town of Whitby (both ROPA #186 and the new Regional Official Plan are awaiting approval by the Province). ROPA #186 also introduced a detailed policy framework to support transit-oriented developments and established a minimum density target of 150 people and jobs per hectare within PMTSAs. ROPA #186 also requires that area municipal Official Plans include similar detailed policies related to appropriate increases in heights and densities, and mix of land uses, within the PMTSAs.

4.2. Whitby Official Plan

The subject land is located within the Port Whitby Intensification Area as identified on Schedule B – Intensification of the Whitby Official Plan (refer to Attachment #7). Development within the Port Whitby Intensification Area, as well as in general proximity to the Whitby GO Major Transit Station, is where increased heights and densities are intended to occur (Policy 4.2.8; 4.2.9).

The subject land is designated High Density Residential Mixed Use on Schedule 'F' – Port Whitby Secondary Plan (refer to Attachment #8).

Lands designated as High Density Residential Mixed Use permit multi-storey high density residential buildings and a wide range of small-scale retail, cultural, small-scale service commercial and office uses (Policy 11.1.11.2).

The current designation permits a maximum residential density of 300 dwelling units per net hectare and maximum building height of 18 storeys (Policy 11.1.11.3).

An amendment to the Official Plan is required to permit the proposed 1,025 units per net hectare and a building height of up to 36 storeys.

The Town, through the recently commenced Official Plan review will consider appropriate increases in height and density within the PMTSA,

consistent with the intent, and in conformity with, ROPA #186 and the Envision Durham new Regional Official Plan.

4.3. Zoning By-law

The subject land is zoned Development Zone (Non-Residential) Exception 2 – D(NR)-2 under Zoning By-law 2585 (refer to Attachment #9), which does not permit the proposed use.

An amendment to the Zoning By-law is required to permit the proposed development.

5. Communication and Public Engagement:

Notice of the statutory public meeting was mailed to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. Furthermore, a public notice sign has been erected on Charles Street and Watson Street West frontages of the subject land in accordance with the Town's notification procedures.

6. Consultation with other Departments/Sources:

The applicable agencies and departments have been circulated the applications and copies of the associated supporting materials for their review and comment.

7. Conclusion:

All comments received at this statutory public meeting, as well as any subsequent written submissions, will be considered by the Planning and Development Department as part of its review and analysis of the development applications. A recommendation report will be brought forward to the Committee of the Whole at such time as input from the commenting agencies, departments and the public has been received and assessed.

All persons who make oral submissions, or have requested notification in writing, will be given written notice of the future meeting of the Committee of the Whole at which the applications will be considered.

8. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Concept Plan

Attachment #4: Proponent's Proposed Draft Plan of Subdivision

Attachment #5: Proponent's Active Transportation Plan

Attachment #6: Proponent's Proposed Elevations

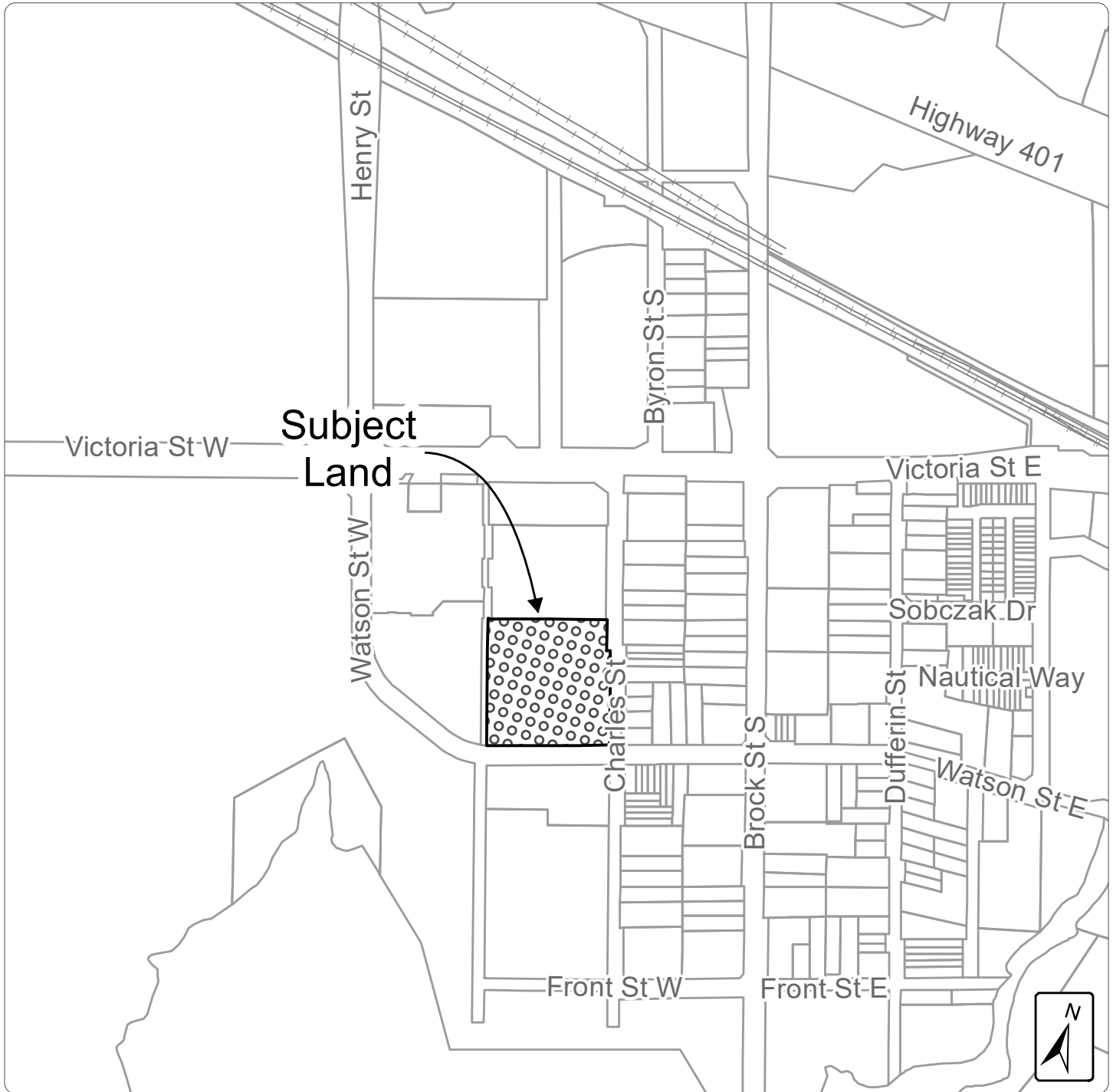
Attachment #7: Excerpt from Official Plan Schedule B – Intensification

Attachment #8: Excerpt from Official Plan Schedule F – Port Whitby Secondary Plan

Attachment #9: Excerpt from Zoning By-law 2585

Attachment #1 Location Sketch

PDP 20-24



Town of Whitby Planning and Development Department

Proponent:
Tribute (Charles Street) Limited

File Number:
DEV-07-24
(OPA-2024-W/02, Z-03-24)

Date:
April 2024

External Data Sources:
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Attachment #2 Aerial Context Map

PDP 20-24



 **Town of Whitby Planning and Development Department**

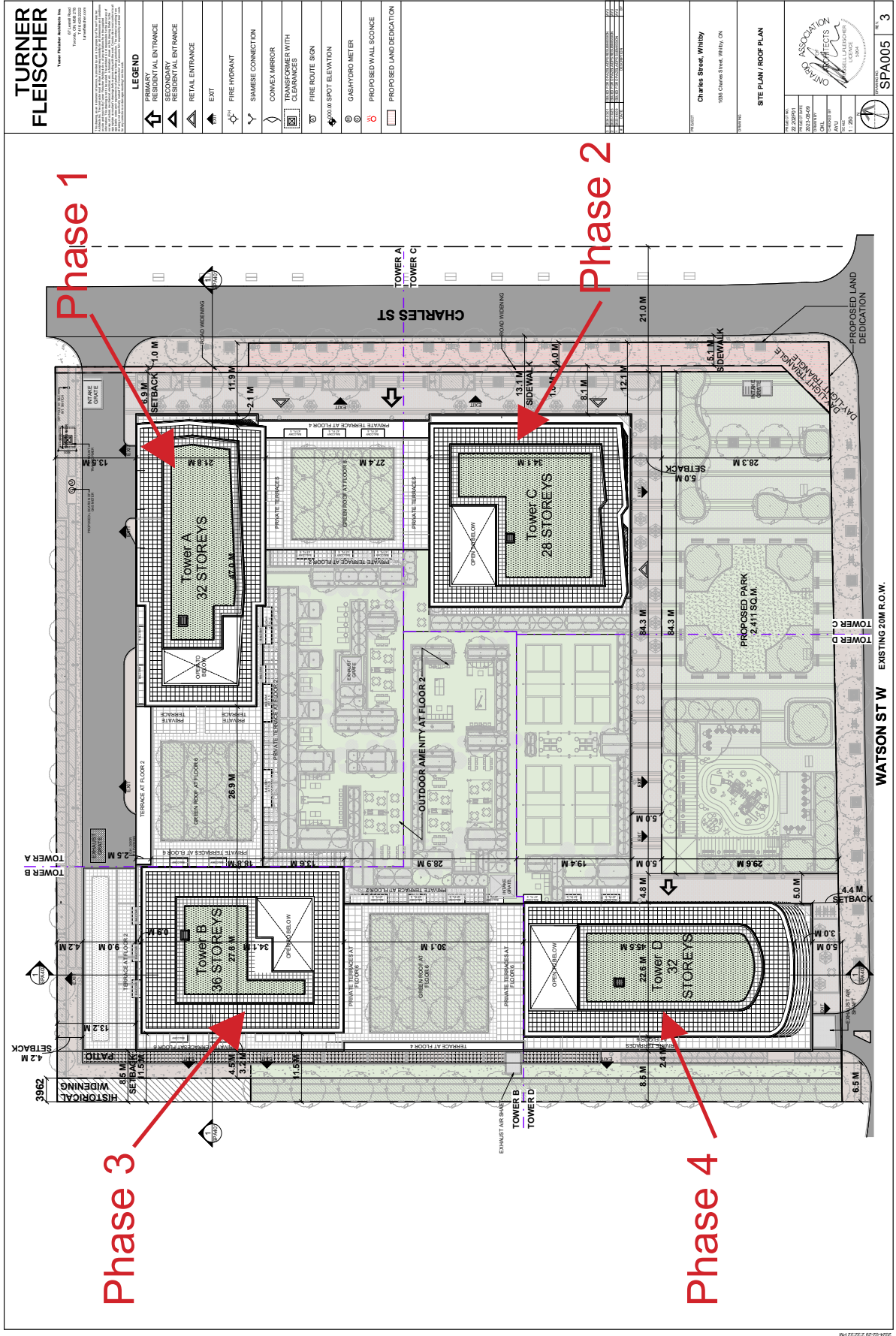
Proponent: Tribute (Charles Street) Limited	File Number: DEV-07-24 (OPA-2024-W/02, Z-03-24)	Date: April 2024
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Attachment #3 Proponent's Proposed Concept Plan



TURNER FLEISCHER
 1. Level: Proposed Architecture Inc.
 1111 12th Street
 Vancouver, BC V6Z 2Y4
 Tel: 604.681.3333
 Fax: 604.681.3334
 www.turnerfleischer.com

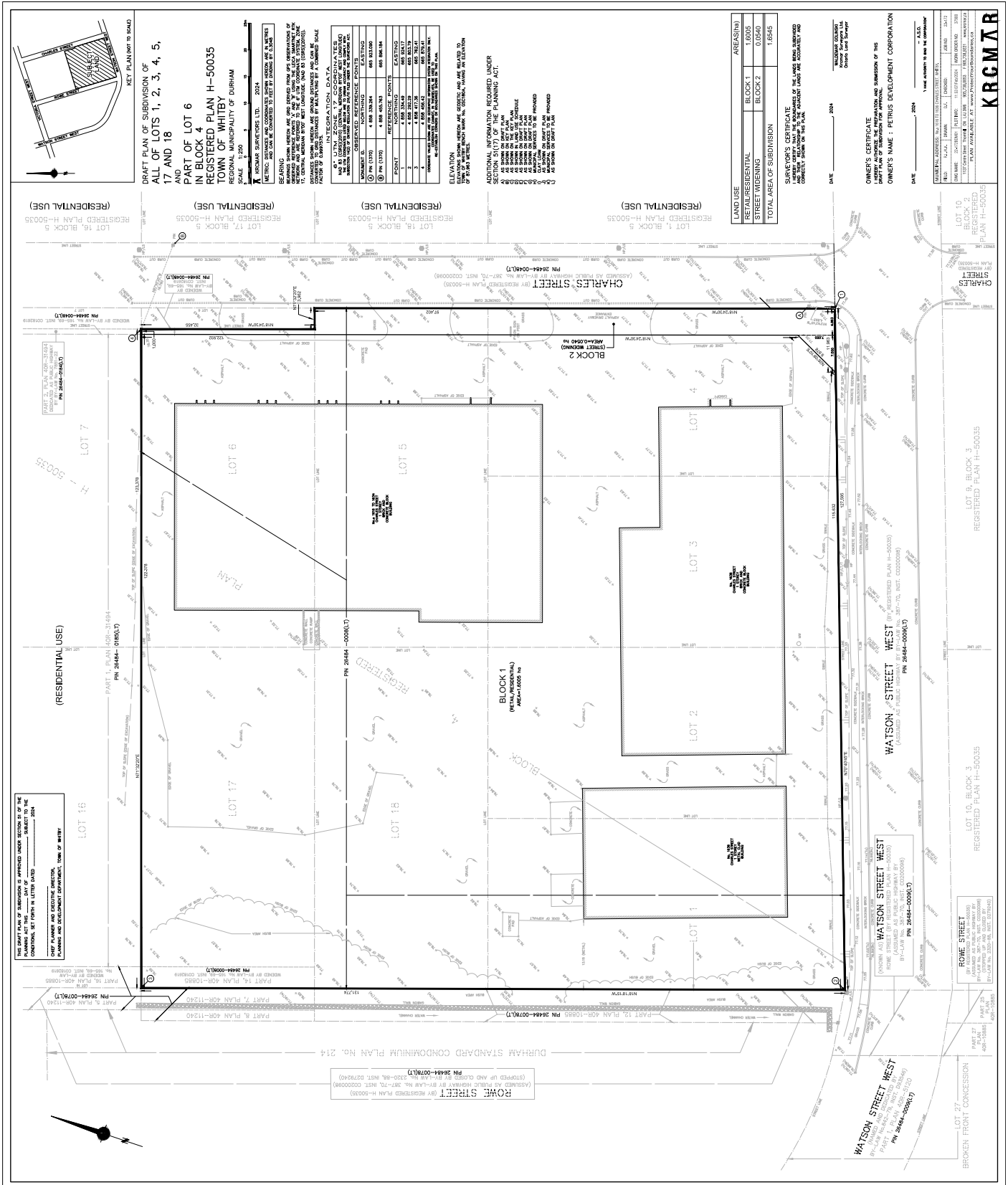
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[Symbol]	MAIN RESIDENTIAL ENTRANCE
[Symbol]	SECONDARY RESIDENTIAL ENTRANCE
[Symbol]	RETAIL ENTRANCE
[Symbol]	EXIT
[Symbol]	4" FIRE HYDRANT
[Symbol]	SIAMISE CONNECTION
[Symbol]	CONVEY MIRROR
[Symbol]	TRANSFORMER WITH CLEARANCES
[Symbol]	FIRE ROUTE SIGN
[Symbol]	1000 SPOT ELEVATION
[Symbol]	GAS/HYDRO METER
[Symbol]	PROPOSED WALL SCIENCE
[Symbol]	PROPOSED LAND DEDICATION

PROJECT	Charles Street, Whistler
LOCATION	1008 Charles Street, Whistler, BC
DATE	22.09.2021
SCALE	1:200
PROJECT NO.	SPA0005
REV.	3

SITE PLAN / RCP PLAN

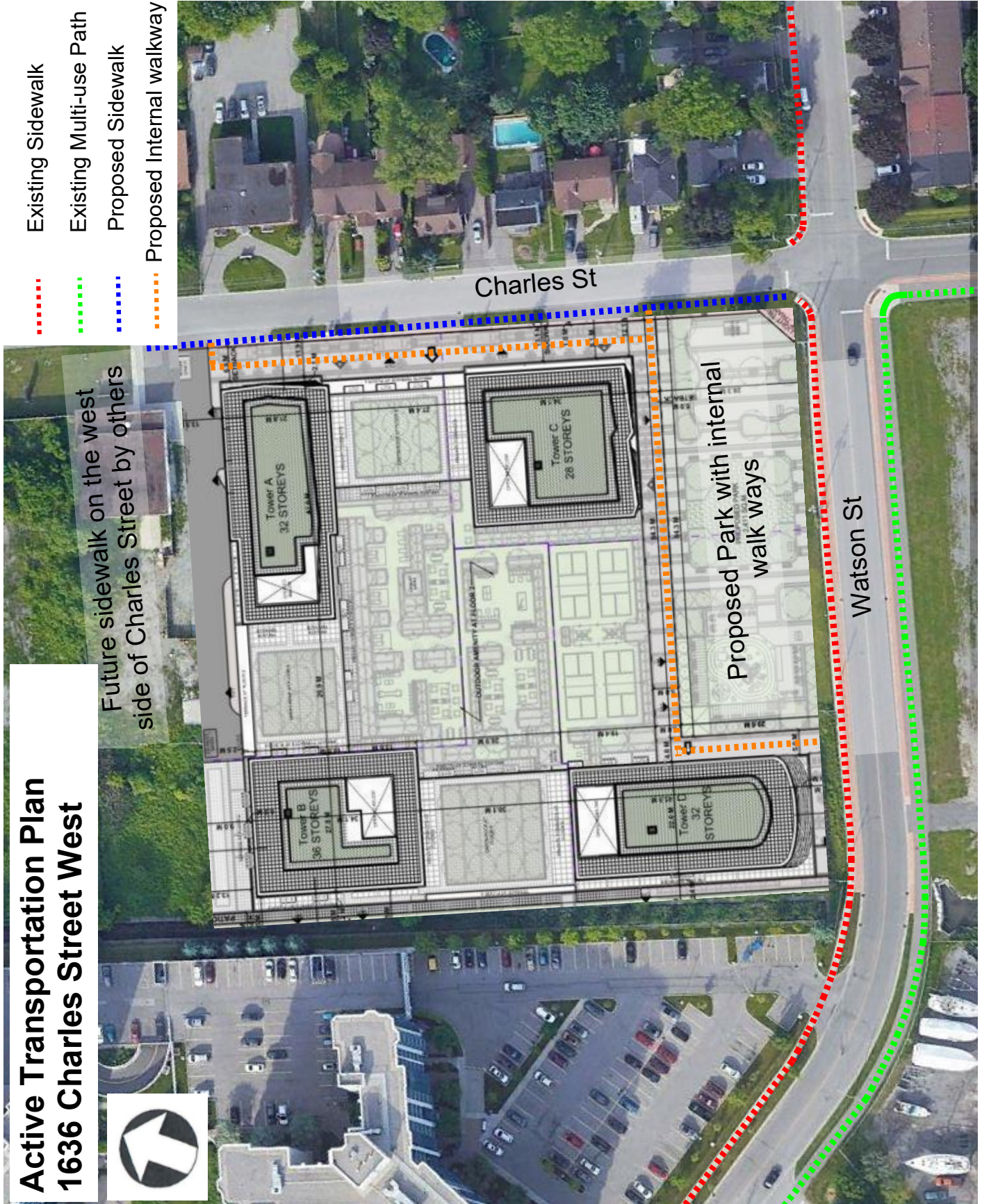
ONVAP ASSOCIATION OF ARCHITECTS
 ONVAP ASSOCIATION OF LANDSCAPE ARCHITECTS

Proponent's Draft Plan of Subdivision



KRCMTR

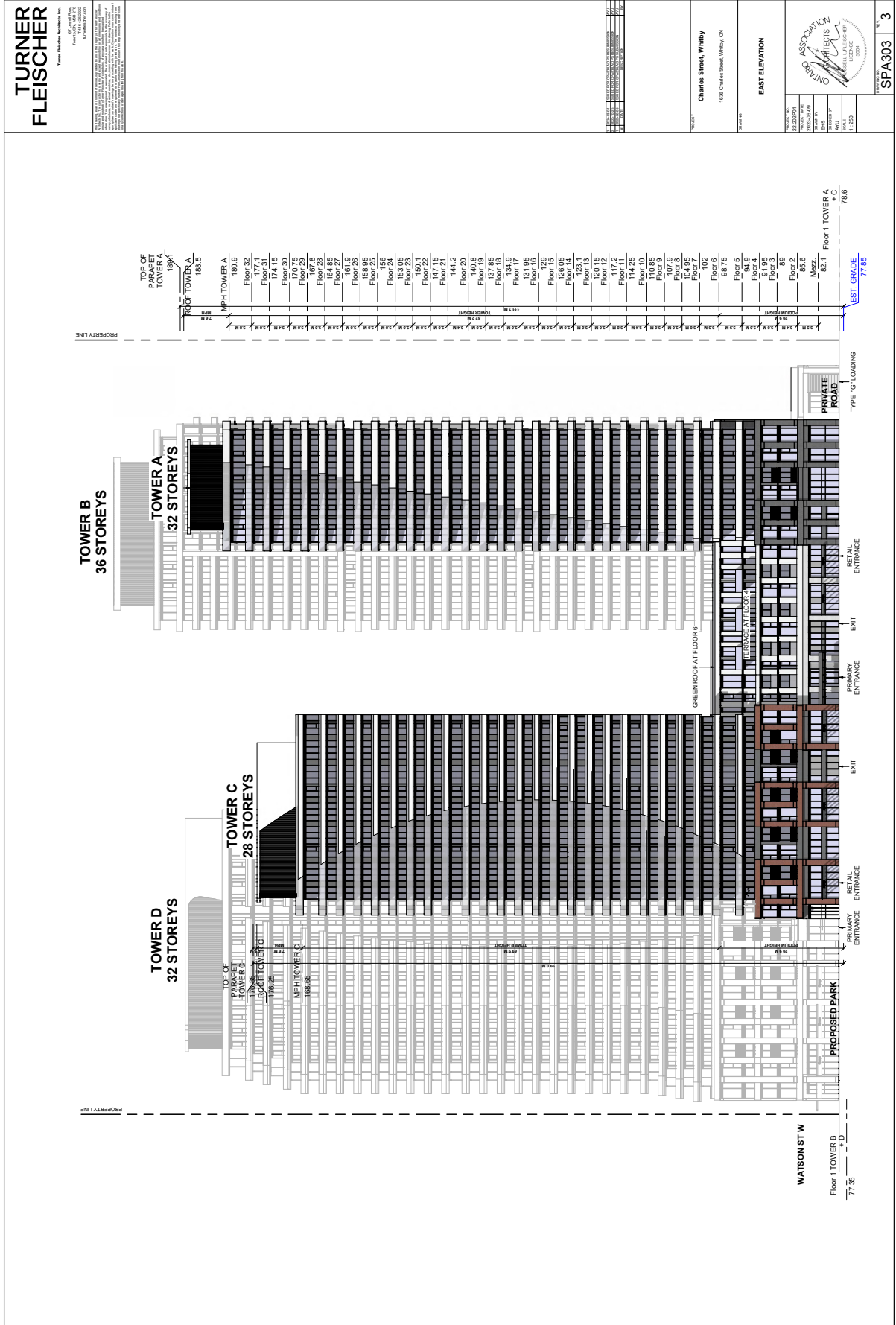
Proponent's Active Transportation Plan



Attachment #6

PDP 20-24

Proponent's Proposed Building Elevations



Excerpt from Official Plan Schedule B – Intensification



Legend

- Major Transit Station
- 2031 Urban Area Boundary
- Municipal Boundary
- Built Boundary (2006)
- Intensification Area
- Intensification Corridor
- Lands Subject to Durham Regional Official Plan Policy 14.13.7 D3 (Deferred by Region of Durham)

Intensification Areas:

- ① Downtown Brooklin
- ② Brock / Taunton
- ③ Rossland / Garden
- ④ Downtown Whitby
- ⑤ Dundas East
- ⑥ Port Whitby

Note: Some legend items may not appear on the displayed figure extent.

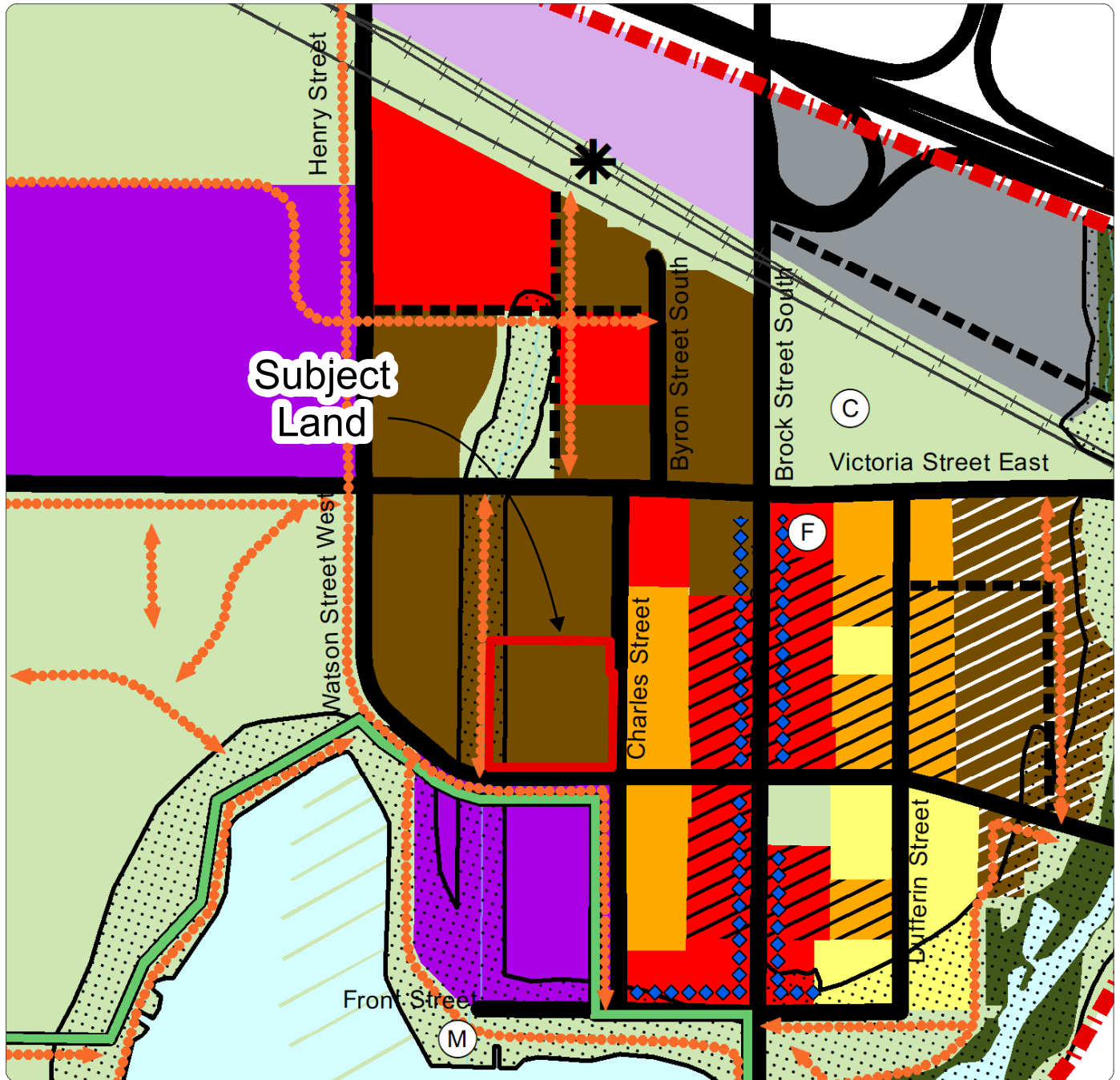
Official Plan - Town of Whitby

Schedule **B**

Excerpt from Schedule 'B' Intensification

This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.

Excerpt from Official Plan Schedule F – Port Whitby Secondary Plan



Legend:

- - - Boundary of Port Whitby Community
- Low Density Residential
- Medium Density Residential One
- Medium Density Residential Two
- Mixed Use Residential One
- Mixed Use Residential Two
- High Density Residential Mixed Use
- Community / Institutional
- Commercial
- Utilities
- Prestige Industrial
- Major Open Space
- Natural Hazard Area
- Environmental Protection Area
- Ⓢ Cemetery
- Ⓜ Marina
- Ⓣ Fire Station
- * Major Transit Station
- - - Proposed Roads
- Existing Road Network
- ⬮ Active Transportation Network / Connections
- ↔ Waterfront Trail (Improved)
- ⋯ Ground Floor Animation

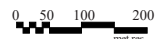
Excerpt From:
**PORT WHITBY COMMUNITY
SECONDARY PLAN**



Official Plan
Town of Whitby

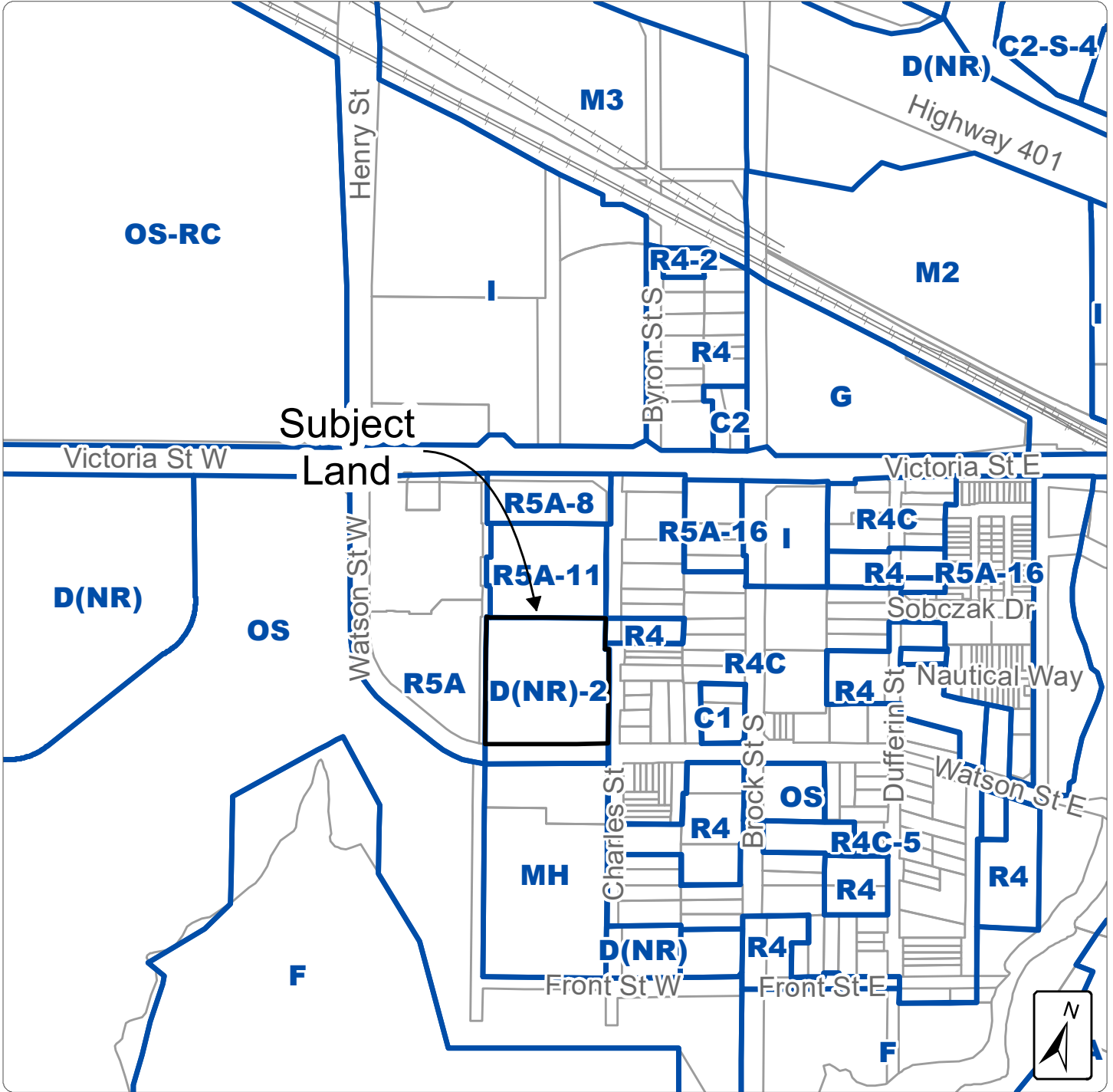


SCHEDULE



Attachment #9
Excerpt from Zoning By-Law 2585

PDP 20-24



Whitby Town of Whitby Planning and Development Department

Proponent: Tribute (Charles Street) Limited	File Number: DEV-07-24 (OPA-2024-W/02, Z-03-24)	Date: April 2024
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