



Town of Whitby

By-law # 7978-23

Official Plan Amendment Number 127

Being a By-law to adopt Amendment Number 127 to the Official Plan of the Town of Whitby.

Whereas, Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provide that the Council of a municipality may by by-law adopt amendments to its Official Plan;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. General

- 1.1. Amendment Number 127 to the Official Plan of the Town of Whitby, attached as Schedule "A" to this By-law, is hereby adopted.
- 1.2. The Clerk of the Corporation of the Town of Whitby is hereby authorized and directed to forward to the Regional Municipality of Durham the documentation required by Regional By-law 11-2000 and Regional Procedure: Area Municipal Official Plans and Amendments, for exempt Official Plan Amendments.
- 1.3. This By-law shall come into force and take effect in accordance with the provisions of the Planning Act.

By-law read and passed this 20th day of March, 2023.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule 'A' to By-Law 7978-23

Amendment # 127 to the Town of Whitby Official Plan

- Purpose:** The purpose of this Amendment to the Town of Whitby Official Plan is to increase the maximum permitted density on the subject lands from 75 units per net hectare to 100 units per net hectare.
- Location:** The lands subject to this Amendment are generally located on the south side of Mary Street and the west side of Garden Street, municipally known as 100 Garden Street (the "Subject Lands") and designated Medium Density Residential.
- Basis:** The Amendment is based on an application to amend the Town of Whitby Official Plan (File: OPA-2021-W/08), as submitted by Bousfields Inc., on behalf of Brookfield Residential (Ontario) Garden Limited. The Amendment would permit an increase in the maximum density permitted on the portion of the subject lands designated Medium Density Residential, in order to permit the proposed development of stacked townhouses. The proposed residential development is consistent with the policies of the Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the overall goals and intent of the policies of the Regional Official Plan, in that it would support increased housing supply and residential densities on underutilized lots, take advantage of existing infrastructure and public services facilities, provide compact and pedestrian oriented development, and support active transportation and transit oriented development in proximity a Regional Transit Priority Corridor.
- The proposed development meets the overall intent of the policies of the Whitby Official Plan and Downtown Whitby Secondary Plan, by increasing residential density in the Downtown Whitby Intensification Area, and Downtown Whitby Major Central Area, where such residential intensification is planned to occur, and while providing an appropriate transition to the adjacent residential areas.

The subject lands are serviceable and suitable for the proposed use and would be compatible with the existing and designated uses of surrounding lands.

Development of the subject lands would be subject to the provisions in the implementing Zoning By-law and Site Plan Control By-law.

Actual Amendment:

The Town of Whitby Official Plan is hereby amended as follows:

1) By amending the Downtown Whitby Secondary Plan, to add the following new section:

“11.3.6.7 Notwithstanding any other provisions of this Plan to the contrary, for lands designated Medium Density Residential, and identified by Assessment Roll number 018-09-030-018-10300-0000, the maximum permitted residential density shall be 100 units per net hectare.”

Implementation:

The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this amendment.

Interpretation:

The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the interpretation of the Plan shall apply in regard to this amendment.