

Town of Whitby

Staff Report

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Report Title: DEV-07-23: Zoning By-law Amendment Application, 2844542 Ontario Inc., 918 Brock Street South, File No. Z-03-23

Report to: Committee of the Whole

Date of meeting: June 12, 2023

Report Number: PDP 32-23

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:

C. Roberton, Planner I, x. 1936

1. Recommendation:

1. That Council approve an amendment to Zoning By-law # 2585 (File No. Z-03-23) as outlined in Planning Report PDP 32-23; and,
2. That a by-law to amend Zoning By-law # 2585 be brought forward for consideration by Council.

2. Highlights:

- An Application for Zoning By-law Amendment has been submitted by Brian Moss on behalf of 2844542 Ontario Inc. for the land municipally known as 918 Brock Street South.
- The proposal is to amend the existing Residential Type 3 zoning to permit the additional use of office within the existing one-storey building.
- All the commenting departments and external agencies have indicated support for the proposed Zoning By-law Amendment.

3. Background:

3.1 Site and Area Description

The subject land is located on the west side of Brock Street South, south of Burns Street, municipally known as 918 Brock Street South (refer to Attachment #1). The subject land is approximately 0.06 hectare (0.14 acre) in size.

There is an existing one-storey building (converted commercial) on the subject land, which is to remain.

Surrounding land uses include residential, institutional and parkland uses to the north; and residential uses to the south, east and west (refer to Attachment #2).

3.2 Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by Brian Moss on behalf of 2844542 Ontario Inc. to amend the existing Residential Type 3 zoning to permit the additional use of office within the existing one-storey building.

3.3 Documents Submitted in Support

Several documents were submitted in support of the application, including the following:

- A Concept Plan prepared by Brian Moss & Associates (refer to Attachment #3), which shows the existing building and parking areas; and,
- A Planning Justification Report prepared by Brian Moss & Associates, dated March 23, 2023, which provides a review of provincial, regional, and municipal policies and concludes that the proposed zoning by-law amendment represents good land use planning.

The above documents were 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” in the Region of Durham Official Plan (ROP). Brock Street South is also designated as a “Regional Corridor” in the ROP.

Living Areas are predominantly intended for housing purposes, however, also permit limited office and retailing of goods and services, in appropriate locations, as components of mixed-use development, subject to appropriate provisions in area municipal official plans.

Regional Corridors are intended to be developed at higher density and include mixed-uses, supporting higher order transit service and pedestrian oriented development.

4.2 Whitby Official Plan

The subject land is designated “Mixed Use” on Schedule A – Land Use (refer to Attachment #4). Lands designated as Mixed Use are intended to integrate mixed-use development and redevelopment including residential, office, retail, restaurant, personal service, and community and/or institutional uses. Lands designated as Mixed Use are to contain two or more of the foregoing permitted use categories. Notwithstanding the above, Section 4.6.3.9 allows an existing dwelling to be converted to a single permitted non-residential use provided that such conversion is compatible with surrounding uses and subject to a site-specific amendment to the Zoning By-law.

4.3 Zoning By-law

The subject land is zoned Residential Type 3 Zone (R3), under By-law # 2585, which does not permit the use of an office (refer to attachment #5). Therefore, a Zoning By-law Amendment is required to permit the proposed additional use.

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

Public Meeting was held on May 29, 2023, in accordance with Town of Whitby Official Plan and the Planning Act. This meeting provided the public and interested persons and agencies the opportunity to make representation in respect of the Zoning By-law Amendment Application. The meeting minutes are included in Attachment #6. There were no oral submissions from the public.

No written public correspondence was received.

7. Input from Departments/Sources:

The following agencies have reviewed the application and have no objection:

- Engineering Services;
- Fire and Emergency Services;
- Policy & Heritage Section; and,
- Region of Durham.

Refer to Attachment #7 for additional detailed comments.

8. Strategic Priorities:

The development review process has provided opportunity for public and agency input. The recommendations contained in this report align with the objectives of the Organization Priority of the Corporate Strategic Plan.

This report is in a fully accessible format, which addresses the Town’s strategic priority of accessibility.

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Concept Plan

Attachment #4: Excerpt from Official Plan Land Use Schedule 'A'

Attachment #5: Excerpt from Zoning By-law # 2585

Attachment #6: Public Meeting Minutes

Attachment #7: Agency & Stakeholder Detailed Comments