



Town of Whitby

By-law # 8075-24

Official Plan Amendment Number 134

Being a By-law to adopt Amendment Number 134 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;

And whereas, the Council of The Corporation of the Town of Whitby deems it advisable to amend the Official Plan of the Town of Whitby;

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

1. General

- 1.1. Amendment Number 134 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 29th day of April 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule 'A' to By-Law 8075-24

Amendment # 134 to the Town of Whitby Official Plan

Purpose:	The purpose of this Amendment to the Whitby Official Plan and the Port Whitby Community Secondary Plan is to increase the maximum permitted density on the subject lands from 300 units per hectare to 630 units per hectare.
Location:	The lands subject to the Amendment are generally located at the northeast corner of Byron St. S. and Victoria St. W., municipally known currently as 106 & 110 Victoria Street East (the "Subject Lands").
Basis:	<p>The Amendment is based on an application to amend the Town of Whitby Official Plan (File: DEV- 33-22, OPA-2022-W/04), as submitted by KLM Planning Partners Inc., on behalf of Whitby-108 Victoria Inc-Orpheus Management Services Inc. The Amendment would permit an increase in the maximum permitted residential density on the subject lands from 300 units per hectare to 630 units per hectare, on the existing lot prior to any road widenings/site triangles, in order to permit the proposed development of an 18-storey mixed-use apartment building, containing a total of 238 rental apartments (including 30 affordable units), retail/office space at grade, and underground parking.</p> <p>The Amendment is consistent with the policies of the Provincial Policy Statement, in that it would provide increased and transit-supportive residential densities and intensification; takes advantage of existing infrastructure and public services facilities; and, supports active transportation and transit in the neighbourhood.</p> <p>The Amendment conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the policies of the Regional Official Plan, in that it would support increased housing supply and residential densities, take advantage of existing infrastructure; provides compact and pedestrian oriented development; and support active transportation and transit oriented development through intensification within a Protected Major Transportation Station Area (PMTSA) and Intensification Area.</p>

The Amendment for the proposed development meets the overall goals and intent of the Whitby Official Plan and Port Whitby Secondary Plan, by increasing residential density in the Major Transit Station Area and the Port Whitby Intensification Area, where such residential intensification is planned to occur. 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 approval.

Actual Amendment:

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

1) By amending the Port Whitby Secondary Plan, by adding the following new section:

“11.1.11.5 Notwithstanding any other provisions of this Plan to the contrary, for lands municipally known as 106 and 110 Victoria Street West and identified by Assessment Roll #'s 18-09-030-012-07000-0000 and 18- 09-030-012-07100-0000, the maximum permitted residential density shall be 630 units per 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 regarding this amendment.