



# **Town of Whitby**

## **By-law # 8093-24**

### **Official Plan Amendment Number 136**

Being a By-law to adopt Amendment Number 136 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 136 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 24<sup>th</sup> day of June, 2024.

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk

# Schedule 'A' to By-Law 8093-24

## Amendment # 136 to the Town of Whitby Official Plan

<b>Purpose:</b>	The purpose of this Amendment to the Town of Whitby Official Plan is to add a site-specific policy exception to increase the maximum permitted building height on the subject land, from four (4) storeys to six (6) storeys.
<b>Location:</b>	The lands subject to the Amendment are generally located at the southwest corner of Woodrow Court, approximately 100 metres west of Des Newman Boulevard, legally known as Part Block 271, Registered Plan 40M-2647, Parts 2 and 3 on Registered Plan 40R-31585.
<b>Basis:</b>	<p>The Amendment is based on an application to amend the Town of Whitby Official Plan (Files: DEV-09-24, OPA-2024-W/03, Z-05-24), as submitted by API Development Consultants Inc. on behalf of The DK Royal Star Groups Inc. The Amendment would increase the maximum permitted building height on the subject land, from four (4) storeys to six (6) storeys.</p> <p>The Amendment 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 Durham Regional Official Plan, in that it supports additional employment opportunities for a diversified economic base.</p> <p>The Amendment meets the overall intent and goals of the Town of Whitby Official Plan in that the increase in maximum permitted building height from 4 storeys to 6 storeys is minor and the proposed hotel is permitted as a secondary use within the Prestige Industrial designation.</p> <p>Development of the subject lands would be subject to the provisions in the implementing Zoning By-law Amendment and Site Plan approval.</p>
<b>Actual Amendment:</b>	<p>The Town of Whitby Official Plan is hereby amended by adding the following section:</p> <ol style="list-style-type: none"><li>1) By adding a new Section 11.12.2.6.12 to the Town of Whitby Official Plan: “Notwithstanding any other provisions of this Plan to the contrary, for the lands legally known as Part Block 271, Plan 40M-2647, Parts 2 and 3 on Registered Plan 40R31585, identified by Assessment Roll number 18-09-020- 00133999-0000, the maximum permitted building height shall be up to 6 storeys.”</li></ol>

**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.