

Town of Whitby Public Meeting Report

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Report Title: **DEV-19-24: Zoning By-law Amendment Application, Brookfield Residential (Ontario) Brock St Limited, 1615 Brock Street South, File No. Z-08-24.**

Date of meeting: September 9, 2024

Report Number: **PDP 38-24**

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 38-24 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:**

A Zoning By-law Amendment Application has been submitted by Brookfield Residential (Ontario) Brock St Limited for the land municipally known as 1615 Brock Street South.

The proposal is to rezone the subject land from R4C (Residential Type 4C Zone) to an appropriate zoning category to permit the proposed mixed-use development.

2. Purpose:

The Planning and Development Department is in receipt of the application for a 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 approximately 30 metres north of the northeast corner Brock Street South and Watson Street East, municipally known as 1615 Brock Street South (refer to Attachment #1).

The surrounding land uses include:

- A 3-storey residential apartment dwelling to the east;
- Single-detached dwellings to the north and west; and
- Townhouse dwellings and a single detached dwelling to the south.

Currently, the subject land is vacant (refer to Attachment #2).

3.2. Application and Proposed Development

A Zoning By-law Amendment application has been submitted to change the zoning from R4C (Residential Type 4C Zone) to an appropriate zoning category to permit the proposed mixed-use development.

The proposed mixed-use development consists of 55 back-to-back stacked townhouses with two at-grade commercial units totalling approximately 215 square metres.

3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- Cover Letter, prepared by Brookfield Residential (Ontario) Garden Limited, dated May 7, 2024.
- Geotechnical Report, prepared by DS Consultants LTD., dated August 31, 2022.
- Hydrogeological Report, prepared by DS Consultants LTD., dated October 5, 2022.
- Archaeological Report Registers, prepared by Ontario Ministry of Tourism, Culture, and Sport, dated November 10, 2015, and November 12, 2015.

- Architectural Drawing Package, prepared by RAW Design Inc., dated March 14, 2023. (refer to Attachment #3).
- Building Elevations, prepared by RAW Design Inc., dated March 14, 2023. (refer to Attachment #4).
- Planning Opinion Letter, prepared by Malone Given Parsons Ltd., dated March 22, 2024.
- Sustainability Report, prepared by Malone Given Parsons Ltd., dated March 22, 2024.
- Record of Site Condition, prepared by Ontario Ministry of the Environment, Conservation and Parks, dated June 26, 2023.
- Functional Servicing and Stormwater Management Report, prepared by TYLin Group, dated May 2023.
- Servicing Plan, prepared by TYLin Group, dated September 2022.
- Traffic Comment Response, prepared by TYLin Group, dated March 21, 2024.
- Response Matrix, prepared by Brookfield Residential (Ontario) Garden Limited.

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.

New Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Regional Official Plan. The new ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

The subject land is designated as Protected Major Transit Station Area (PMTSA) on Map 1 – Regional Structure in the new ROP.

4.2. Whitby Official Plan

The subject land is designated Residential on Schedule "A" of the Town of Whitby Official Plan (refer to Attachment #5). Living Areas are intended to be used predominantly for residential purposes.

The subject land is also designated Mixed Use Residential One within the Port Whitby Secondary Plan on Schedule 'F' of the Whitby Official Plan (refer to Attachment #6).

Lands designated as Mixed Use Residential One permit residential uses in a multiple unit setting and a wide range of small-scale retail, cultural and small-scale service commercial and office uses (11.1.9.2).

The minimum residential density is greater than 50 dwelling units per net hectare and the maximum residential density shall not exceed 175 dwelling units per hectare. The minimum building height shall be three storeys and a maximum building height shall not exceed six storeys (11.1.9.3).

Development with frontage on Brock Street South must contain ground floor related commercial uses (11.1.9.5).

New infill development along Brock Street South should have adaptable and accessible ground floor spaces suitable for a range of uses such as galleries, professional offices, retail, community space and live/work units that can animate the public realm (11.1.9.7).

4.3. Zoning By-law

The land municipally known as 1615 Brock Street South is zoned R4C (Residential Type 4C Zone) under By-law #2585. (refer to Attachment #7).

A Zoning By-law Amendment Application is required to change the zoning of 1615 Brock Street South to permit the proposed mixed-use 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 the Brock Street South 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 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 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 Building Elevations

Attachment #5 Excerpt from Official Plan Schedule A

Attachment #6 Excerpt from Port Whitby Community Secondary Plan Schedule F

Attachment #7 Excerpt from Zoning By-Law 2585