



Town of Whitby

By-law # 8114-24

Official Plan Amendment Number 135

Being a By-law to adopt Amendment Number 135 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 135 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 9th day of October, 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule 'A' to By-Law 8114-24

Amendment # 135 to the Town of Whitby Official Plan

Purpose: 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 residential density from 65 to 75 dwelling units per net hectare on the subject lands.

Location: The lands subject to the Amendment are generally located at the north side of Rossland Road East, west of William Davidson Street, currently municipally known as 2002 Rossland Road East.

Basis: The Amendment is based on an application to amend the Town of Whitby Official Plan (File: DEV- 21-18 (OPA-2018-W/06)), as submitted by D.G. Biddle & Associates on behalf of Devon Downs Developments Ltd.

The Amendment would increase the maximum permitted residential density from 65 units per net hectare to 75 units per net hectare on the subject lands, to permit the proposed development of a 4-storey apartment building with a total of 59 dwelling units.

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 Durham Regional Official Plan, in that it would support increased housing supply and residential densities through intensification of an underutilized lot; take advantage of existing infrastructure and public services facilities; and provide a pedestrian-oriented compact built form.

The proposed development meets the general goals and intent of the Whitby Official Plan regarding the residential, housing and intensification policies in that it would allow for the development of a broader range of tenure types and housing forms while contributing to the achievement of the intensification targets for the municipality within the 'Built Boundary' as defined by the Province.

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 Section 4.4.5.3 c) of the Town of Whitby Official Plan, by adding the following new sentence at the end of the paragraph:

“Notwithstanding any other provisions of this Plan to the contrary, the maximum permitted residential density shall be 75 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.