

# Town of Whitby Public Meeting Report

[whitby.ca/CouncilCalendar](http://whitby.ca/CouncilCalendar)



---

**Report Title: Zoning By-law Amendment Application  
301, 315, 317 Colborne Street East, 304, 320 Dunlop  
Street East, and 205, 207 Athol Street  
File No. DEV-38-24 (Z-19-24)**

---

**Date of meeting:** December 9, 2024

**Report Number:** PDP 60-24

**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:**

J. Taylor, Director of Planning Services,  
905-444-2908

K. Afante, Planner II, x. 2836

---

Planning Report PDP 60-24 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 specified 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 specified 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 specified person or public body as a party.

## **1. Highlights:**

- A Zoning By-law Amendment Application has been submitted by GHD on behalf of Vandenoorn Properties for lands municipally known as 301, 315, 317 Colborne Street East; 304, 320 Dunlop Street East; and 205, 207 Athol Street.
- The Zoning By-law Amendment Application proposes to change the current zoning from Holding, Residential Type 6 – Downtown Zone (H-R6-DT) within Zoning By-law No. 2585 to an appropriate zone category to permit a proposed mixed-used development.

## **2. Purpose:**

The Planning and Development Department is in receipt of an 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 lands are located on the east side of Athol Street, south of Colborne Street East and north of Dunlop Street East (refer to Attachment #1). The subject lands are approximately 0.70 hectares (1.74 acres) in size.

The subject lands currently contain five (5) single-detached dwellings, and two (2) apartment buildings which are proposed to be removed. The surrounding land uses include:

- Commercial uses to the north;
- A 6-storey apartment building to the east;
- A 4-storey apartment building and a municipal parking lot to the west; and,
- Single detached residential dwellings to the south (refer to Attachment #2).

### **3.2. Application and Proposed Development**

A Zoning By-law Amendment Application has been submitted by GHD on behalf of Vandenoorn Properties to permit a mixed-used development consisting of three 6-storey residential buildings containing a total of 158 units and 655.12m<sup>2</sup> of commercial gross floor area.

The Zoning By-law Amendment Application proposes to change the current zoning from Holding, Residential Type 6 – Downtown Zone (H-R6-DT) within Zoning By-law No. 2585, to an appropriate zone category to accommodate the proposed development (refer to Attachment #3).

### **3.3. Documents Submitted in Support**

The following documents were submitted in support of the application:

- A Site Plan, prepared by Memar Architects, dated August 2024 (refer to Attachment #3).
- Building Elevations prepared by Memar Architects, dated August 2024.
- Floor Plans prepared by Memar Architects, dated August 2024.
- A Survey Plan, prepared by IBW Surveyors, dated February 2023.
- A Planning Justification Report, prepared by GHD, dated February 2023.
- A D-6 Land Use Compatibility Report, prepared by R.J. Burnside, dated January 2023.
- Civil Engineering Drawing Package prepared by R.J. Burnside, dated August 2024.
- A Stormwater Management Report prepared by R.J. Burnside, dated August 2024.
- A Hydrogeology Report prepared by R.J. Burnside, dated July 2024.
- A Geotechnical Report prepared by R.J. Burnside, dated January 2024.
- A Noise Impact Report prepared by R.J. Burnside, dated February 2024.
- A Record of Site Condition prepared by Geobase Solutions, dated January 2023.
- A Phase I Environmental Site Assessment, prepared by Geobase Solutions, dated January 2023.
- A Phase 2 Environmental Site Assessment, prepared by Geobase Solutions, dated January 2023.
- A Traffic Impact Study prepared by R.J. Burnside, dated February 2023.
- A Construction Management Plan Letter prepared by R.J. Burnside, dated August 2024.

The above documents have been distributed to relevant internal departments and external agencies for review and comment.

#### **4. Discussion:**

##### **4.1. Region of Durham Official Plan**

The subject lands are located within a Strategic Growth Area which includes 'Regional Centres', on Map 1 – Regional Structure – Urban and Rural Systems of the Durham Regional Official Plan (ROP).

The ROP states that Strategic Growth Areas, including Regional Centres, are intended as significant destinations, offering a range of opportunities for urban and mixed-use redevelopment, while serving as focal points for both regional and local services, and areas for residential intensification with a transit-supportive density target ranging between 100 to 150 people and jobs per hectare.

##### **4.2. Whitby Official Plan**

The subject lands are designated Downtown Mixed Use Area and High Density Residential on Schedule H – Downtown Whitby Community Secondary Plan Land Use of the Town of Whitby's Official Plan (refer to Attachment #4), as recently updated through Official Plan Amendment 126.

###### **Downtown Mixed Use**

The intent of the Downtown Mixed Use designation is to provide a mix of residential and commercial uses in a pedestrian-oriented manner at a density that supports frequent transit service, creating an expanded, vibrant pedestrian experience within Downtown Whitby (11.3.7.7.2). New buildings shall accommodate retail, office and/or service commercial uses at grade, with residential or additional non-residential uses directed to the floors above (11.3.7.7.3).

###### **High Density Residential**

The High Density Residential designation permits both residential development and redevelopment up to 6-storeys (11.3.7.4.2).

No maximum density is established for this designation as density will be a product of the built form requirements for transition, height, setbacks and step backs (11.3.7.4.4). New buildings in the High Density Residential designation shall provide for a building step back above the third storey for the portion of the building facing a public street in order to create a low-rise scale abutting the public realm (11.3.7.5.6).

The entirety of the subject lands are permitted to have a maximum building height of 6-storeys as per Scheule I – Downtown Whitby Community Secondary Plan Building Height (refer to Attachment #5).

#### **4.3. Zoning By-law**

The subject lands are currently zoned Holding, Residential Type 6 – Downtown Zone (H-R6-DT) within Zoning By-law No. 2585 (refer to Attachment #6). The H-R6-DT Zone does not permit the proposed use.

Further, as outlined in Section 26.2.2, where the Zone symbol is preceded by the letter "H", the lands shall not be developed for the uses permitted in that Zone until a By-law has been adopted by Council to remove the "H". In this case, a By-law shall not be enacted to remove the "H" until such time as it has been demonstrated, to the satisfaction of the Town of Whitby and the Regional Municipality of Durham, that sanitary sewer, municipal water, and storm water servicing facilities and/or capacities are available to service the proposed development (26.2.2.3).

#### **5. Communication and Public Engagement:**

Due to the Canada Post strike the notice of the statutory public meeting was hand delivered to all property owners within 120 metres of the subject land at least 20 days prior to the meeting date. In addition the public notice has been posted on the Town's website at <https://www.whitby.ca/en/town-hall/participation-at-public-meetings.aspx>. Furthermore, a public notice sign has been erected on the Colborne Street East, Dunlop Street East, and Athol Street frontages 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 application 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 application. 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 application will be considered.

**8. Attachments:**

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Site Plan

Attachment #4: Excerpt from the Town of Whitby Official Plan – Schedule H

Attachment #5: Excerpt from the Town of Whitby Official Plan – Schedule I

Attachment #6: Excerpt from Zoning By-law No. 2585