



Town of Whitby

By-law # 8136-24

Official Plan Amendment Number #140

Being a By-law to adopt Amendment Number #140 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 #140 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 16th day of December 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule 'A' to By-Law 8136-24

Amendment # 140 to the Town of Whitby Official Plan

Purpose: The purpose of Amendment #140 to the Town of Whitby Official Plan is to change the land use designation on the subject lands from Prestige Industrial to Mixed Use, to permit a proposed mid/high-rise mixed-use development concept consisting of apartment buildings, hotel, retail, office, and conference centre uses.

Location: The lands subject to the Amendment are generally located north of Victoria Street West, east of Montecorte Street, west of Jim Flaherty Street, and the north and south sides of Nordeagle Avenue, currently identified by Assessment Roll No.'s: 18-09-020-002-70465-0000; 18-09-020-002-70450-0000; 18-09-020-002-70455-0000; 18-09-020-002-70460-0000; and 18-09-020-002-70445-0000.

Basis: The Amendment is based on an application to amend the Town of Whitby Official Plan (Files: DEV-03-18; OPA-2018-W/02), as submitted by Bousfields Inc, on behalf of Nordeagle Developments Ltd. The Amendment would permit the proposed development of the subject land for a mixed-use concept, generally consisting of:

- approximately 7,034 dwelling units (buildings ranging in height from 2 to 8 storeys for podium buildings and 18 to 41 storeys for tower buildings);
- a 16-storey hotel (401 hotel suites);
- 13,327 square metres of retail floor space within various mixed use buildings;
- 65,464 square metres of office floor space, in 4-6 storey office buildings;
- 36,020 square metre Conference Centre;
- Park block(s);
- Privately Owned Public Spaces (POPS) in form of open space and Urban Plaza/Square;
- Local roads; and,
- Various levels of underground, storage, mechanical rooms, and parking spaces.

The Amendment is consistent with the policies of the Provincial Planning Statement in that it: would focus development within a Strategic Growth Area, such as Major Transit Station Areas (MTSAs); would provide for intensification in compact form; would increase the range and type of housing supply; and plans for future population and employment growth within a delineated Protected Major Transit Station Area.

The Amendment conforms to the new Envision Durham Regional Official Plan, in particular Policy 10.3.8, in that it: would provide transit-supportive redevelopment and intensification, with appropriate transition to adjacent land uses, within the Protected Major Transit Station Area (PMTSA) as delineated by the Region of Durham through Envision Durham; and would assist in meeting the minimum required persons and jobs within the delineated PMTSA.

The Amendment meets the overall goals and intent of the Town of Whitby Official Plan in that it: would provide an integrated, higher density, mixed-use development including residential, office, commercial, and business park uses within a PMTSA where more intensive land uses are intended to be located; would increase the supply of housing to assist in meeting the Province's target for Whitby of 18,000 new dwelling units by 2031; and, would provide appropriate transitions to existing and future planned land uses.

Development of the subject lands would be subject to the provisions in the implementing Zoning By-law Amendment, including requirement for an 'H' – Holding Provision, regarding a school site, Phasing Plan, and future Site Plan approval.

Actual Amendment:

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

- 1) By amending Schedule 'A' – Land Use, by changing the land use designation from Prestige Industrial, to Mixed Use, as shown on the attached Exhibit 'A';
- 2) By amending Schedule 'G' – Lynde Shores Secondary Plan, by changing the land use designation on the subject lands from "Business Park" to "Mixed Use", as shown on the attached Exhibit 'B';
- 3) By deleting Section 4.7.5.2 in its entirety;

- 4) By deleting Section 11.2.6.7 in its entirety, and renumbering subsequent Sections accordingly;
- 5) By adding a new Section 11.2.7 as follows, and renumbering subsequent Sections accordingly:

“11.2.7 Mixed Use

11.2.7.1 Lands designated Mixed Use on Schedule “G” are intended for an integrated, higher density, mixed-use development including residential, office, commercial, and business park uses, and may be developed in accordance with the permitted uses and general development policies of Section 4.6 of this Plan, except as modified by the following additional policies.

11.2.7.2 Lands designated Mixed Use shall include privately-owned, publicly accessible open space and public park block(s), in order to provide convenient outdoor amenity spaces.

11.2.7.3 The minimum required building height shall be 4 storeys, and the maximum permitted building height shall be 41 storeys. Taller buildings shall generally be located along the Victoria Street, Montecorte Street and Jim Flaherty Street frontages.

11.2.7.4 Lands located south of Nordeagle Avenue

11.2.7.4.1 The Mixed Use designation for lands located south of Nordeagle Avenue permits multistorey, apartment buildings, higher density block townhouses, retail, service and office uses integrated within mid-rise to high-rise built forms.

11.2.7.4.2 Non-residential uses at grade shall be required within mixed-use buildings, and shall generally be directed to the Victoria Street, Montecorte Street and Jim Flaherty Street frontages.

11.2.7.4.3 Notwithstanding 11.2.7.3.2 and Section 4.6.3.1 to the contrary, residential only uses may be permitted on a portion of lands located south of Nordeagle Avenue, subject to the implementing

Zoning By-law including appropriate provisions regarding the minimum gross floor area for non-residential uses.

11.2.7.4.4 Notwithstanding any provisions of this Plan to the contrary, there is no maximum residential density requirement, as density will be a product of the built form requirements for building height, setbacks and step backs, and other appropriate urban design considerations.

11.2.7.5 Lands located north of Nordeagle Avenue

11.2.7.5.1 The Mixed Use designation for lands located north of Nordeagle Avenue permits only the following uses: offices, hotel, convention centre, banquet facilities, and limited ancillary at-grade retail/ uses integrated with another permitted use.

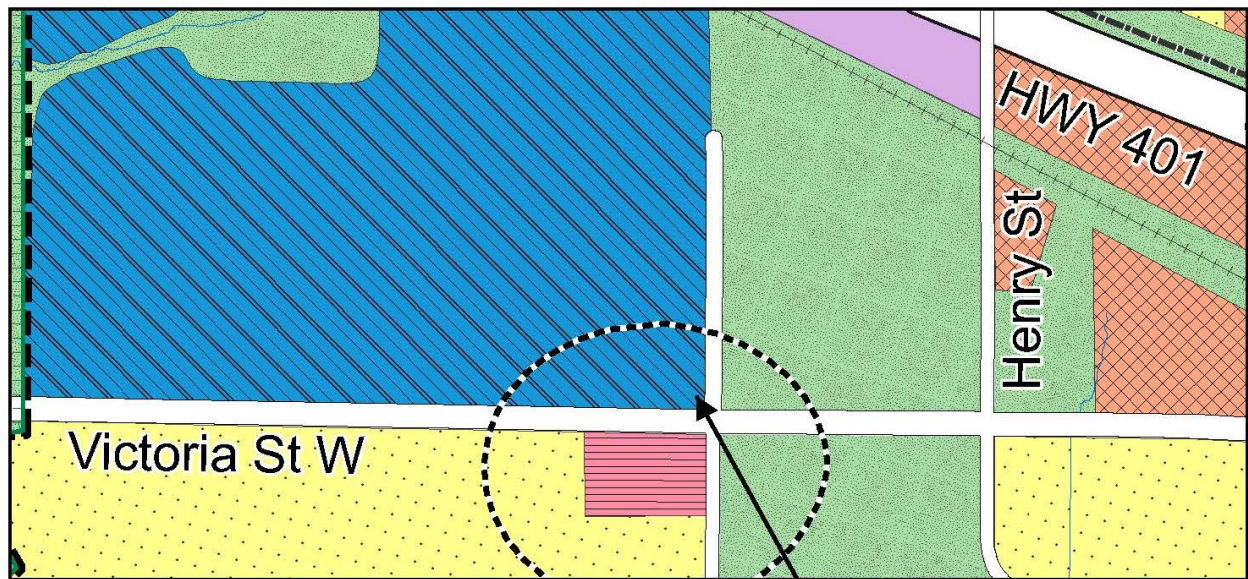
11.2.7.5.2 Residential uses shall be prohibited.

11.2.7.6 In accordance with policies 10.3.8, 11.3.3 and 11.3.4 of the Durham Regional Official Plan and Section 10.1.7 of this Plan, for lands designated Mixed Use and shown with crosshatching on Schedule “G”, a “H” – Holding symbol shall be applied in the implementing Zoning By-law, to ensure that, prior to any development, an adequate and acceptable school site has been provided, to the satisfaction of the Town of Whitby and the Durham District School Board.”

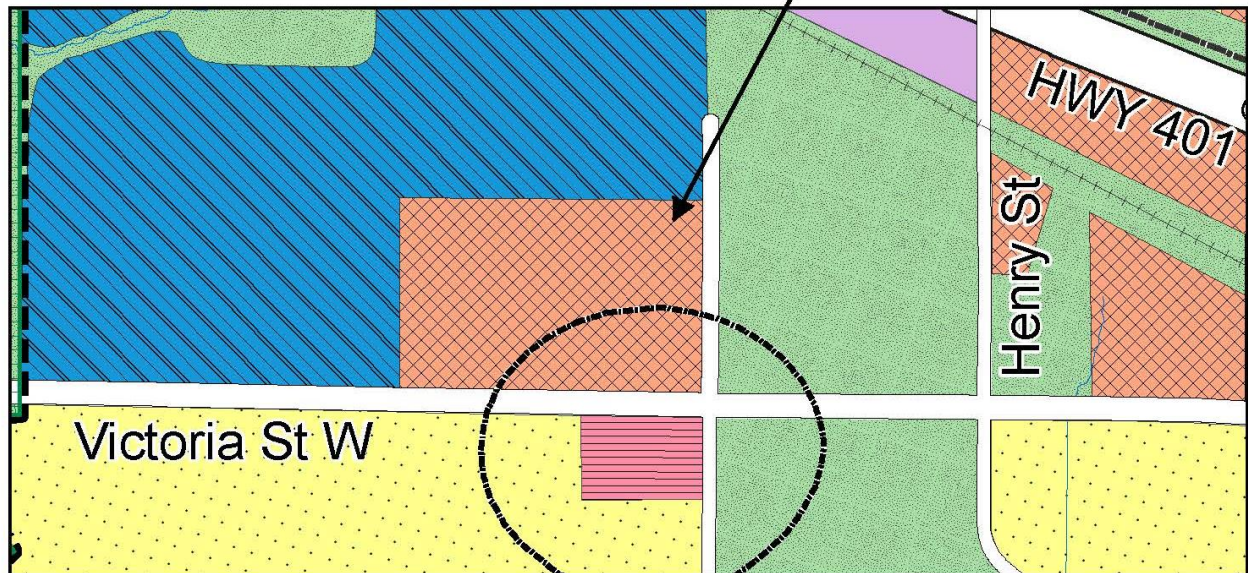
Implementation: The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this amendment.

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.

Exhibit 'A' to Official Plan Amendment #140 to the Town of Whitby Official Plan



Change From: "Prestige Industrial"
To: "Mixed Use"



Legend

- Residential
- Major Commercial
- Community Commercial
- Special Purpose Commercial
- Mixed Use
- Prestige Industrial
- General Industrial
- Special Activity Node
- Institutional
- Major Open Space
- Agricultural
- Hamlet
- Estate Residential
- Special Policy Area
Refer to section 11.5.31.6

- Lands Subject to Durham Regional Official Plan Policy 14.13.7
- D Deferred by the Region of Durham
- Local Central Area
- Resource Extraction Area (See Section 4.12)
- Utility
- Refer to Policy 4.7.5.2.
- 2031 Urban Area Boundary
- Community Central Area Boundary
- Future Urban Development Area Boundary
- Greenbelt Protected Countryside Boundary
- Hamlet Boundary
- Major Central Area Boundary
- Municipal Boundary
- Southern Boundary of Oak Ridges Moraine
- Urban Central Area Boundary

D3 (Deferred by Region of Durham)

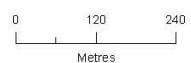
Notes: Refer to the applicable Secondary Plan for more detailed land use designations. Secondary Plan boundaries can be found on Schedule 'E', including the Oak Ridges Moraine Secondary Plan. Some legend items may not appear on the displayed figure extent.

Official Plan - Town of Whitby

Schedule

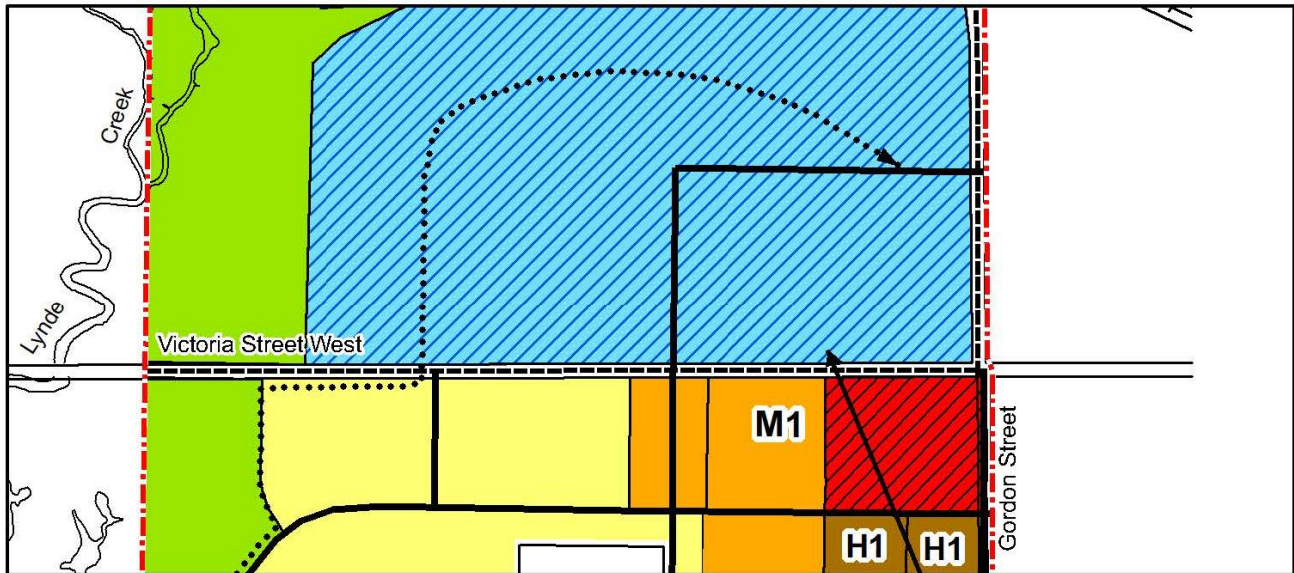
Excerpt from Schedule 'A' Land Use

A



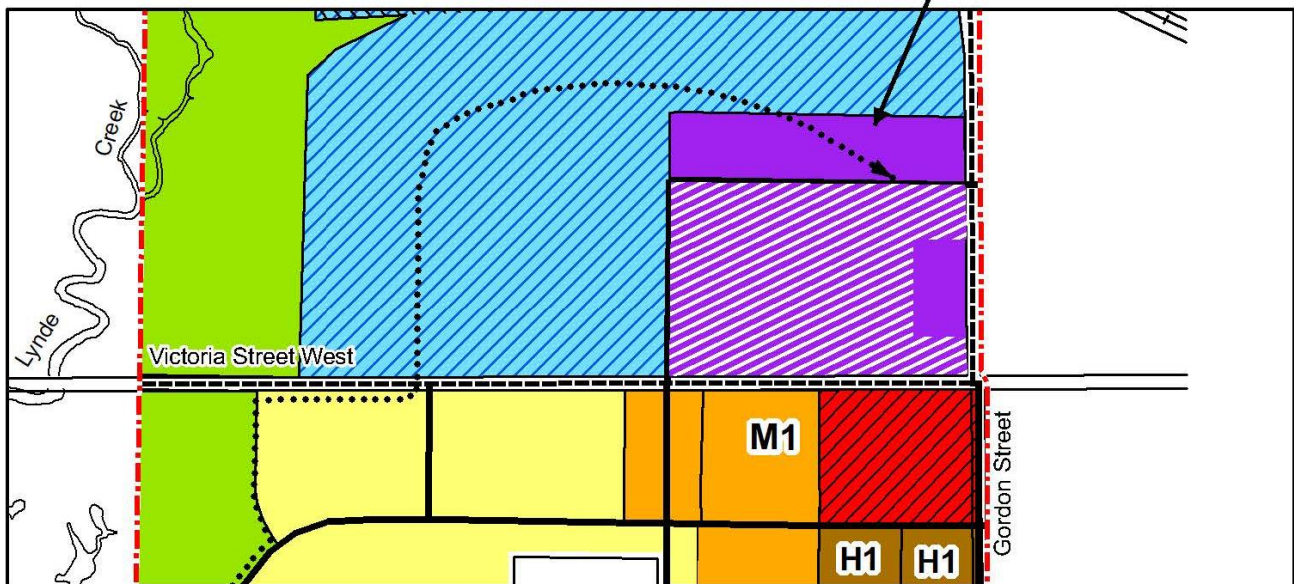
This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text. For all intents and purposes, the elements within this schedule are to be considered conceptual.

Exhibit 'B' to Draft Proposed Official Plan Amendment #140 to the Town of Whitby Official Plan



Add: "Mixed Use"
and "Refer to Policy
11.2.7.6" to Legend

Change From: "Business Park"
To: "Mixed Use"



Legend

	Low Density Residential
	Medium Density Residential
	Medium Density Residential 1
	High Density Residential 1
	High Density Residential 2
	High Density Residential 3
	Institutional
	Major Open Space/Park
	Community Commercial

	Business Park
	Hazard
	Mixed Use
	Mixed Use (Refer to Policy 11.2.7.6)

	Arterial Road
	Collector Road
	Lynde Shore Boundary
	Pedestrian Walkways
	Park
	Elementary School

Lynde Shores Secondary Plan

Official Plan
Town of Whitby

Schedule

G

