

Town of Whitby Public Meeting Report

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Report Title: DEV-27-24: Zoning By-law Amendment Application, Bousfield Inc., 307 Brock Street South, File No. Z-12-24

Date of meeting: February 10, 2025

Report Number: PDP 05-25

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:

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Planning Report PDP 05-25 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 Bousfields Inc. on behalf of Yeda Whitby Limited Partnership for land municipally known as 307 Brock Street South.

The Zoning By-law Amendment Application proposes to change the current zoning from Holding, Central Commercial – Downtown Zone (H-C3-DT) within Zoning By-law 2585 to an appropriate zone category to permit a proposed mixed-use 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 land is located on the east side of Brock Street South, north of Gilbert Street East, west of Green Street (refer to Attachment #1). The subject land is approximately 0.52 hectares (1.28 acres) in size.

The subject land currently contains a commercial plaza which is proposed to be removed. The surrounding land uses include:

- A single storey commercial building (Dollarama) immediately to the north with additional commercial and residential uses further north;
- Commercial uses to the west;
- Commercial and office uses to the south; and
- Residential dwellings to the east, including apartment buildings and single detached residential dwellings (refer to Attachment #2).

3.2. Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by Bousfields Inc. on behalf of Yeda Whitby Limited Partnership to permit a mixed-use development consisting of a 6-storey building, with 303 residential units and 663 square metres of at-grade commercial, fronting Brock Street South (refer to Attachment #3).

The Zoning By-law Amendment Application proposes to change the current zoning from Holding, Central Commercial - Downtown Zone (H-C3-DT) within Zoning By-law No. 2585, to an appropriate zone category to accommodate the proposed development.

3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- Site Plan and Architectural Drawing List, prepared by RAW Design Inc., dated November 2024;
- Planning and Urban Design Rationale Report, prepared by Bousfields Inc., dated August 2024;
- Addendum to Planning and Urban Design Rationale Report, prepared by Bousfields Inc., dated November 2024;
- Functional Servicing & Stormwater Management Report, prepared by Aplin Martin Consultants Ltd., dated November 2024;
- Preliminary Geotechnical Investigation, prepared by GeoPro Consulting Limited, dated May 2023;
- Preliminary Hydrogeological Assessment, prepared by GeoPro Consulting Limited, dated October 2023;
- Landscape Plans, prepared by Janet Rosenberg & Studio, dated November 2023;
- Environmental Noise Feasibility Study, prepared by Valcoustics Canada Ltd., July 2024;
- Phase One Environmental Site Assessment, prepared by Premier Environmental Services Inc., dated January 2022;
- Phase Two Environmental Site Assessment, prepared by Premier Environmental Services Inc., dated January 2022;
- Shadow Study, prepared by RAW Design Inc., dated October 2024;
- Plan of Survey, prepared by J.D. Barnes Limited, dated February 2023;
- Sustainability Rationale Report, prepared by Polaris Energy Sustainability Sol., dated July 2024;
- Traffic Impact Study, prepared by GHD, dated December 2024;
- Tree Inventory and Preservation Plan, prepared by Kuntz Forestry Consulting Inc., dated December 2023;
- Demolition/Construction Vibration “Zone of Influence” Study & Vibration Monitoring Program, prepared by Valcoustics Canada Ltd., dated May 2024; and
- Civil Engineering Plans, prepared by Aplin Martin Consultants Ltd, dated November 2024.

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

4. Discussion:

4.1. Whitby Official Plan

The subject land is located within the Downtown Whitby Community Secondary Plan area and is within the Major Central Area. The subject land is designated as “Downtown Mixed Use” per Schedule ‘H’, Downtown Whitby Community Secondary Plan Land Use, of the Town of Whitby Official Plan (refer to Attachment #4).

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 services, 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).

As per Schedule ‘I’, Downtown Whitby Community Secondary Plan Building Height, of the Official Plan, the maximum height of buildings on the subject land shall be 6-storeys (refer to Attachment #5).

4.2. Zoning By-law

The subject land is currently zoned Holding, Central Commercial – Downtown Zone (H-C3-DT) within Zoning By-law 2585 (refer to Attachment #6). While the H-C3-DT zone does permit apartment dwellings in conjunction with permitted non-residential uses, an exception will be required to revise the zone provisions to reflect the proposed development.

Further, as outlined in Section 26.2.2 of Zoning By-law 2585, 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:

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 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 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 application will be considered.

8. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Concept 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