

Town of Whitby Public Meeting Report

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Report Title: DEV-34-24: Zoning By-law Amendment Application, MHBC Planning Limited on behalf of 5515 Garrard Real Estate Inc, 5515 Garrard Road, File No. Z-16-24

Date of meeting: February 10, 2025

Report Number: PDP 11-25

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 11-25 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. 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 MHBC Planning Limited on behalf of 5515 Garrard Real Estate Inc for the land municipally known as 5515 Garrard Road.
- The Zoning By-law Amendment Application proposes to change the current zoning from Agricultural (A) Zone to an appropriate industrial zone category to permit the proposed development of two industrial warehouse buildings with a total gross floor area of 48,742 square metres.

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 Garrard Road, south of Highway 407. The subject land is municipally known as 5515 Garrard Road (refer to Attachment #1). The subject land is approximately 16.55 hectares (40.89 acres) in size. Approximately 11.27 hectares (27.84 acres) is proposed to be developed.

The subject land currently contains a 2-storey single-detached dwelling, an outbuilding, and a barn, which are proposed to be removed. The lands to the north, east, and west are vacant, while the lands to the south contain two residential uses fronting Garrard Road. (refer to Attachment #2)

3.2 Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by MHBC Planning Limited on behalf of 5515 Garrard Real Estate Inc to accommodate the future development of two industrial buildings (refer to Attachment #3).

The Zoning By-law Amendment Application proposes to change the current zoning from Agricultural (A) Zone within Zoning By-law No. 1784, to an appropriate industrial zone category to accommodate the proposed future development.

A future Site Plan Application will be required.

3.3 Documents Submitted in Support

The following documents were submitted in support of the application:

- A Boundary and Topographic Survey, prepared by Speight, Van Nostrant & Gibson Limited, dated October 2023.
- A proposed Site Plan prepared by Ware Malcomb, dated October 2024 (refer to Attachment #3).
- A set of Architectural Plans prepared by Ware Malcomb, dated October 2024.
- An Arborist Report, prepared by MHBC Planning Limited, dated October 2024.
- A set of Landscape Plans including a Landscape Cost Estimate prepared by MHB Landscape, dated October 2024 (refer to Attachment #4).
- A set of Building Elevations prepared by Ware Malcomb, dated October 2024 (refer to Attachment #5).
- A set of Archaeological Reports (Stages 1, 2, and 3), prepared by Lincoln Environmental Consulting, dated September 2024.
- A Functional Servicing & Stormwater Management Report including Civil Engineering Drawings, prepared by Crozier & Associates Inc., dated October 2024.
- A Construction Management Report, prepared by Leeswood Construction.
- A Compatibility Mitigation Study, Air Quality Report, prepared by SLR Consulting Ltd., dated October 2024.
- A Documentation & Salvage Report, prepared by MHBC Planning Limited, dated October 2024.
- An Environmental Impact Study, prepared by GHD, dated October 2024.
- A Hydrogeology Assessment, prepared by Pinchin, dated October 2024.
- An Initial Noise Impact Assessment prepared by SLR Consulting Ltd., dated October 2024.
- A Planning Justification Report, prepared by MHBC Planning Limited, dated November 2024.
- A Phase 1 Environmental Site Assessment Report, prepared by Pinchin, dated June 2023.
- A Photometric Site Plan & Exterior Lighting Specifications set, prepared by Inviro Engineered Systems, dated October 2024.
- A Transportation Impact Study prepared by Crozier & Associates Inc., dated October 2024.

- A Tree Inventory, Protection & Removals Plans, prepared by MHBC.

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 designated “Prestige Industrial”, “General Industrial”, and “Natural Heritage System” on Schedule ‘J’ – Brooklin Community Secondary Plan (refer to Attachment #6).

Prestige Industrial

Prestige Industrial areas shall generally include light industrial uses within enclosed buildings, professional, corporate, and industrial oriented office buildings, major office uses within Business Parks, data processing centres, commercial or technical schools, postsecondary education facilities, research and development facilities, and incidental sales outlets within industrial buildings, provided such floor space is identified in the Zoning By-law and is compatible with adjacent land uses (4.7.3.2.2).

Warehousing and wholesale distribution uses may be permitted on lands designated as Prestige Industrial, with the exception of Business Parks, subject to the following criteria:

- a) located in proximity to Highway 401, 407 or 412;
- b) separated from residential areas;
- c) does not create additional traffic through residential areas; and
- d) wholly enclosed in buildings with no outdoor storage.

General Industrial

The predominant use of land designated as General Industrial shall be for the manufacturing, processing, assembly, servicing, storing of goods and raw materials, warehousing, and uses for similar and related purposes such as utility yards and functions, and transportation terminals (4.7.3.1.1).

Natural Heritage System

The Natural Heritage System is comprised of an interconnected system of key natural heritage and hydrologic features (5.3.7.1). The extent and exact location of the component natural heritage and hydrologic features of the Natural Heritage System are to be determined through appropriate environmental studies and in consultation with the local conservation authority (5.3.7.3).

The boundary of the Natural Heritage System may be refined with additions and deletions without an amendment to the Plan (11.4.25.3).

4.2 Zoning By-law

The subject land is currently zoned Agricultural (A) Zone within Zoning By-law 1784 (refer to Attachment #7). The Agricultural (A) Zone does not permit the proposed use. Therefore, a Zoning By-law Amendment is required to permit the proposed development.

As the subject land is located within the Brooklin Secondary Plan Area, the site-specific By-law for the subject property will be premised upon applicable zoning provisions outlined within the Brooklin Community Secondary Plan Area By-law (# 7959-23).

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 Garrard Road 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 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 applications will be considered.

8. Attachments:

- Attachment #1: Location Sketch
- Attachment #2: Aerial Context Map
- Attachment #3: Proponent's Proposed Site Plan
- Attachment #4: Proponent's Proposed Landscape Plan
- Attachment #5: Proponent's Proposed Building Elevations
- Attachment #6: Excerpt from the Town of Whitby Secondary Plan Schedule 'J'
- Attachment #7: Excerpt from Zoning By-law 1784