

Town of Whitby Public Meeting Report

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Report Title: DEV-01-25: Temporary Use Zoning By-law Amendment Application, RAI Architect Inc. c/o Charles McVety, 300 Water Street, File No. Z-01-25

Date of meeting: February 10, 2025

Report Number: PDP 07-25

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 07-25 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 Temporary Use Zoning By-law Amendment has been submitted by RAI Architect Inc. c/o Charles McVety (Canada Christian College and School of Graduate Theological Studies) for 300 Water Street.
- The Temporary Use Zoning By-law Amendment proposes to permit an elementary and secondary school within the existing building.

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 north side of Water Street, east of South Blair Street (refer to Attachment #1). It is municipally known as 300 Water Street and is approximately 4.45 hectares (10.99 acres) in size.

The Canada Christian College and School of Graduate Theology Studies is a post secondary institution which operates out of the existing building on the subject property.

The surrounding land uses include:

- a warehouse to the north;
- commercial and industrial uses to the east;
- a Water Supply Plant and open space/parkland, including the Waterfront Trail to the south;
- and vacant (Town owned) and industrial uses to the west (refer to Attachment #2).

3.2. Application and Proposed Development

A Temporary Use Zoning By-law Amendment Application has been submitted by RAI Architect Inc. c/o Charles McVety (Canada Christian College and School of Graduate Theological Studies), to permit elementary and secondary school uses, as additional uses within the existing building.

3.3. Documents Submitted in Support

A Proposed Concept Plan, prepared by RAI Architect Inc., dated December 17th, 2024 was submitted in support of the application (refer

to Attachment #3). The Plan has 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 on Schedule A – Land Use of the Town of Whitby Official Plan (refer to Attachment #4).

The use of land in 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, post-secondary educational facilities, research and development facilities, and incidental sales outlets within industrial buildings, provided such floor space is identified in Zoning By-law and is compatible with adjacent uses (4.7.3.2.2).

Elementary and secondary school uses are not permitted in the Prestige Industrial designation. However, as outlined within Section 10.1.9.1, Council may pass a by-law to permit the temporary use of land(s), building(s), or structure(s), for any purpose which is otherwise prohibited by the Zoning By-law, without an amendment to this Plan for a period of up to three years.

Upon the expiry of the time period(s) authorized by the Temporary Use By-law, the use of land, buildings, or structures that were permitted under such By-law shall cease to exist and cannot be considered as non-conforming uses (10.1.9.6).

4.2. Zoning By-law

The subject land is currently zoned Select Industrial (M1A) & Preferred Industrial (M1) within Zoning By-law No. 2585 (refer to Attachment #5). The Select Industrial (M1A) & Preferred Industrial (M1) Zones do not permit elementary or secondary school uses. Therefore, a Temporary Use Zoning By-law Amendment is required to permit the proposed use for a period of up to three years, in accordance with Section 10.1.9.1 of the Official Plan.

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 Water Street 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 applications 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 Concept Plan

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

Attachment #5: Excerpt from Zoning By-law No. 2585