

Town of Whitby Public Meeting Report

whitby.ca/CouncilCalendar



Report Title: **Official Plan Amendment and Zoning By-law
Amendment Applications for 21,25 & 27 Winchester
Rd. E., by Upperview Winchester Inc. File No. DEV-16-
25 (OPA-2025-W/02, Z-09-25)**

Date of meeting: June 16, 2025

Report Number: **PDP 37-25**

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:

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

D. Coore, Planner I, Policy & Heritage
Planning, 905-444-1946

Planning Report PDP 37-25 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](http://whitby.ca).

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:

- Official Plan Amendment and Zoning By-law Amendment applications have been submitted by Evans Planning Inc., on behalf of Upperview Winchester Inc. for lands municipally known as 21, 25 and 27 Winchester Rd. E.
- The applications seek to: increase the maximum permitted residential density from 85 units per net hectare to 247 units per net hectare; increase the maximum permitted building height from 4 storeys to 6 storeys; and, change the zoning to an appropriate zone category to permit a proposed mixed-use development consisting of a 6-storey apartment building with 98 residential dwelling units and 385 square metres of ground floor commercial floor space.
- If approved, a future Site Plan Application will be required to facilitate the proposed development.

2. Purpose:

The Planning and Development Department is in receipt of Official Plan Amendment and Zoning By-law Amendment applications for the subject lands located at 21, 25 and 27 Winchester Rd. E. The purpose of this report is to present information related to the Official Plan Amendment and Zoning By-law Amendment applications at a statutory public meeting, as required by the Ontario Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is municipally known as 21, 25 and 27 Winchester Rd. E. and is situated on the southeast corner of Winchester Road East and Chelmsford Drive. The lands collectively have approximately 49.72 metres of frontage along Winchester Road East and also includes approximately 70.0 metres of frontage (exterior yard) onto Chelmsford Drive (refer to Attachment #1).

The subject land currently has two single detached dwellings located at 25 and 27 Winchester Rd. E. A portion of the subject land located at 21 Winchester Rd. E. is currently vacant (refer to Attachment #2).

Surrounding land uses include: a dental office, clinic and single detached dwellings to the north; open space and a single detached dwelling and commercial use to the east; a commercial plaza to the west; and townhouses and open space to the south (refer to Attachment #2).

3.2. Applications and Proposed Development

The applicant is proposing a 6-storey apartment building with 98 apartment units and 385 square metres of ground-floor commercial floor space (refer to Attachments #3 and #4).

The Official Plan Amendment Application (OPA-2025-W/02) seeks to increase the maximum permitted net residential density from 85 units per net hectare to 247 units per net hectare, and to also increase the maximum permitted building height of a mixed-use building from 4-storeys to 6-storeys.

The Zoning By-law Amendment application (Z-09-25) seeks to amend the existing zoning from Commercial 1 – Village of Brooklin Zone Exception 2 (C1-VB-2) and Residential Type 1 – Village of Brooklin Zone (R1-VB) to an appropriate zone category to permit the proposed mixed-use development.

3.3. Documents Submitted in Support

A number of documents were submitted in support of the applications, including the following:

- An Arborist Report and Tree Preservation Plan prepared by Beacon Environmental Limited, dated February 21, 2025;
- An Architectural Drawing Set prepared by SRN Architects, dated January 22, 2025;
- Civil Engineering Drawings prepared by Aplin Martin dated February 21 2025;
- A Draft Proposed Official Plan Amendment, prepared by Evans Planning Inc.;
- A Draft Proposed Zoning By-law Amendment, prepared by Evans Planning Inc.;
- An Engineering Letter prepared by Aplin Martin, dated December 17, 2024;
- An Environmental Impact Study prepared by Beacon Environmental Limited, dated February 21, 2025;
- A Functional Servicing Report and Stormwater Management Plan prepared by Aplin Martin, dated February 21, 2025;
- A Geomorphic Assessment prepared by Beacon Environmental, dated January 2021;
- A Geotechnical Investigation Report prepared by GHD Inc., dated August 9, 2021;

- A Traffic Impact Study prepared by GHD, dated May 10, 2024;
- A Hydrogeological Assessment prepared by GHD, dated July 26, 2021;
- A Landscape Drawing Set prepared by Henry Kortekaas & Associates Inc., dated December 19, 2022;
- A Landscape Cost Estimate prepared by Henry Kortekaas & Associates Inc., dated January 10, 2025;
- A Noise Study prepared by YCA Engineering Limited, dated March 2023;
- A Phase I Environmental Site Assessment prepared by GHD, dated July 26, 2021;
- A Planning Justification Report prepared by Evans Planning Inc. dated December 2023;
- A Site plan and Elevations prepared by SRN Architects, dated December 1, 2023;
- A Stage 1-2 Archaeological Assessment prepared by Archaeological Assessments Ltd., dated June 18 2021; and,
- A topological Survey prepared by Greater Toronto Acres Surveying Inc., dated January 20, 2015.

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

4. Discussion:

4.1. Official Plan

4.1.1. Envision Durham

The subject land is designated as “Regional Centres” in Envision Durham. Envision Durham also identifies the lands as being situated within a “High Frequency Transit Network” (Winchester Road East).

Regional Centres are intended to be hubs for culture, services, shopping and offer an integrated variety of institutional, commercial including major retail, public service facilities, higher density mixed use residential development, recreation, cultural, entertainment and office uses.

4.1.2. Town of Whitby Official Plan

The subject land is designated Major Commercial, with a portion designated Major Open Space, located within a Major Central Area, as identified on Schedule A – Land Use of the Whitby Official Plan (refer to Attachment #5).

The subject land is also located within an Intensification Area on Schedule B – Intensification of the Official Plan (refer to Attachment #6). Intensification Areas are locations where more intensive development, through appropriate forms of increased height and density, is intended to occur.

The subject land is designated Mixed-Use 3, with a portion designated Natural Hazards on Schedule 'J' – Brooklin Community Secondary Plan (refer to Attachment #7).

Lands designated Mixed-Use 3 are intended to accommodate a mix of two or more land uses on a site, either within the same building or integrated as separate buildings on the lot to ensure an intensive, transit-supportive and efficient use of land (Policy 4.6.1.1) and to provide new opportunities for housing and employment that support the redevelopment of Mixed-Use areas (Policy 4.6.2.1). The maximum permitted building height is 4-storeys, and the maximum permitted residential density is 85 units per net hectare.

Lands designated Major Open Space are intended to establish, maintain, preserve and enhance integrated and linked system of public open spaces, natural heritage and hydrologic features, agricultural lands, rural uses, parkland and recreational facilities.

Lands designated Natural Hazards are those lands exhibiting poor drainage, unstable or organic soils, flood susceptibility, erosion hazards such as steep slopes or any other physical condition which could cause property damage, loss of life, or lead to the deterioration or degradation of the environment, if developed. The extent and exact location of Natural Hazards are to be determined through an Environmental Impact Study (EIS) and set out in the Zoning By-law in consultation with the Conservation Authority and any other applicable agency.

An Official Plan Amendment is required to increase the maximum permitted building height within the Mixed-Use 3 designation from 4-storeys to 6-storeys, and to increase the maximum permitted residential density from 85 units per net hectare to 245 units per net hectare to permit the proposed development.

4.2. Zoning By-law

The subject land is zoned Commercial 1 – Village of Brooklin Zone Exception 2 (C1-VB-2) and Residential Type 1 – Village of Brooklin Zone (R1-VB) within the Town of Whitby Zoning By-law 1784 (refer to Attachment # 8).

A Zoning By-law Amendment is required to rezone the subject land to an appropriate zone category to permit the proposed development of a 6-storey apartment building with 98 residential dwelling units, with 385 square metres of ground floor commercial floor space.

4.3. Future Application

If approved, a future Site Plan application will be required to implement the proposed development.

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 along the Chelmsford Drive and Winchester Road E. frontages of the subject land at least 20 days in advance of the meeting date in accordance with the Planning Act and the Town's notification procedures. Although the applicant originally installed the sign with the incorrect meeting date, it was corrected the following day and meets the statutory requirements for notice.

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 Site Plan
- Attachment #4 Proponent's Proposed Building Elevations
- Attachment #5 Excerpt from Town of Whitby Official Plan Schedule 'A' – Land Use
- Attachment #6 Excerpt from Town of Whitby Official Plan Schedule 'B' – Intensification
- Attachment #7 Excerpt from the Brooklin Community Secondary Plan Schedule 'J'
- Attachment #8 Excerpt from Zoning By-law 1784