

Town of Whitby Public Meeting Report

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Report Title: **DEV-17-25: Official Plan Amendment and Zoning By-law Amendment, NIGICO Holdings Inc., Southeast Corner of Brock Street North and Taunton Road East, File No. OPA-2025-W/03 and Z-10-25**

Date of meeting: June 16, 2025

Report Number: **PDP 38-25**

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 38-25 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:

The Biglieri Group, on behalf of NIGICO Holdings Inc., has submitted Official Plan Amendment and Zoning By-law Amendment applications for a 3.08 hectare (7.63 acre) parcel of land located at the southeast corner of Brock Street North and Taunton Road East.

The proposed development consists of two blocks of multi-storey, high-rise, mixed-use apartment buildings, with commercial/retail floorspace at grade; stacked back-to-back, 4-storey townhouses; and 3-storey townhouses.

The proposed development, comprising a total of 788 dwelling units, and 1,220 square metres (13,000 square feet) of commercial/retail space at grade, would be developed in two phases. Phase One would consist of two 18-storey and two 25-storey, mixed-use buildings totaling 664 units; all retail/commercial floorspace; and, 96 4-storey, stacked back-to-back townhouse units. Phase Two would consist of 28 3-storey townhouse units.

2. Purpose:

The Planning and Development Department is in receipt of Official Plan Amendment and Zoning By-law Amendment applications for the subject land. The purpose of this report is to present information related to the 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 located at the southeast corner of Brock Street North and Taunton Road East (refer to Attachment #1). The subject land is approximately 3.08 hectares (7.63 acres) in size.

The subject land is currently vacant. The surrounding land uses include:

- A commercial plazas to the north, and northwest;
- A commercial plaza and a retirement home to the west;
- Townhouse residential units to the south; and,
- A commercial plaza, townhouse residential units and a retirement home to the east (refer to Attachment #2).

3.2. Applications and Proposed Development

The purpose of the Official Amendment application is to increase the maximum permitted building height from 18 to 25-storeys; increase the density for the portion of the property designated Mixed Use; and adjust the boundary of the land use designations on the subject land.

The purpose of the Zoning By-law Amendment application is to amend Zoning By-law 1784 from the current CMU*-1 (Commercial Mixed Use Exception 1) and CMU*-2 (Commercial Mixed Use Exception 2) zoning to appropriate zone categories to permit the proposed development.

3.3. Documents Submitted in Support

The following documents were submitted in support of the applications.

- A Site Plan prepared by Venchiarutti Gagliardi Architect Inc., dated February 4, 2025. (refer to Attachment #3).
- Site Plan Statistics and Underground Parking Plans prepared by Venchiarutti Gagliardi Architect Inc., dated February 4, 2025.
- Floor Plans and Elevations prepared by Venchiarutti Gagliardi Architect Inc., dated February 3, 2025. (refer to Attachment #4).
- A Massing Model prepared by Venchiarutti Gagliardi Architect Inc., dated November 21, 2024.
- A Shadow Study prepared by Venchiarutti Gagliardi Architect Inc., dated November 29, 2024.
- A Stage I & II Archaeological Assessment prepared by Amick, dated January 15, 2024.
- A MCM Registry Record prepared by Amick, dated April 3, 2024.
- A Functional Servicing Report and Stormwater Management Report prepared by KWA Site Development Consulting Inc., dated February 7, 2025.
- An Existing and proposed Drainage Plan prepared by KWA Site Development Consulting Inc., dated January 10, 2025.
- A Grading Plan prepared by KWA Site Development Consulting Inc., dated January 10, 2025.
- A Site Servicing Plan prepared by KWA Site Development Consulting Inc., dated January 10, 2025.
- An Erosion and Sediment Control Plan prepared by KWA Site Development Consulting Inc., dated January 10, 2025.
- A Site Location Plan prepared by KWA Site Development Consulting Inc., dated January 10, 2025.
- An Environmental Site Assessment Phase I prepared by Pinchin Ltd. Dated June 4, 2024.

- An Environmental Site Assessment Phase II prepared by Pinchin Ltd. Dated June 4, 2024.
- A Geotechnical Report prepared by Pinchin Ltd. Dated July 30, 2024.
- A Hydrogeological Report prepared by Pinchin Ltd. Dated July 26, 2024.
- An Arborist Report prepared by Henry Kortekaas and Associates Inc., dated January 21, 2025.
- A Landscape Plan prepared by Henry Kortekaas and Associates Inc., dated January 31, 2025.
- A Landscape Cost Estimate prepared by Henry Kortekaas and Associates Inc., dated July 24, 2024.
- A Tree Inventory Plan prepared by Henry Kortekaas and Associates Inc., dated January 31, 2025.
- A Noise Feasibility Study prepared by HGC Engineering, dated January 10, 2025.
- A Draft Official Plan Amendment prepared by The Biglieri Group, dated February 4, 2025.
- A Draft Zoning By-law Amendment prepared by The Biglieri Group, dated February 4, 2025.
- A Traffic Impact and Parking Study prepared by Paradigm Transportation, dated January 2025.
- A Traffic Functional Design prepared by Paradigm Transportation, dated December 2024.
- A Construction Vibration Assessment prepared by HGC Engineering, dated July 5, 2024.

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 Official Plan

The subject land is designated as Regional Centre in the Envision Durham Official Plan. Brock Street North and Taunton Road East are also designated as High Frequency Networks. Envision Durham supports high-density mixed-use developments within Regional Centres where increased densities promote efficient transit services and create pedestrian-friendly oriented communities.

4.1.2. Whitby Official Plan

The subject land is designated Mixed Use, within the Brock/Taunton Intensification Area as per the Town of Whitby Official Plan.

Lands located within an Intensification Area and designated Mixed Use, are intended to encourage mixed residential and commercial development and redevelopment to ensure an intensive, transit-supportive, and efficient use of land, particularly in Intensification Areas and Intensification Corridors (4.2, 4.6.1.1).

These lands are intended to provide new opportunities for housing and employment which support the redevelopment of Mixed Use areas as accessible, transit-supportive, and pedestrian-oriented areas (4.6.2.1).

The subject land is also located within the Brock/Taunton Major Central Area Secondary Plan and is designated Mixed Use (refer to Attachment #5).

Lands designated Mixed Use as per the Brock/Taunton Major Central Area Secondary Plan are intended to provide for the development of a prominent, intensive, multi-functional Major Central Area that provides a focal point of mixed use activities including major commercial, office, institutional, residential, recreational and entertainment activities (11.5.1.1).

These lands are to provide a range of housing types to accommodate a variety of household sizes and incomes, that support the other land uses in the Major Central Area and are to be developed at densities which are transit supportive (11.5.2.4).

The highest intensity of land uses are intended to be within the Major Commercial and Mixed Use designations in the vicinity of the intersection of Brock Street and Taunton Road, with a transition of densities towards the boundaries of the Major Central Area. New development is to occur in an orderly manner which is consistent with the efficient and effective use and provision of municipal services and with the policies of this Plan (11.5.3.5).

The maximum permitted building height for mixed-use buildings within the Mixed Use designation in the Brock/Taunton Major Central Area is 18-storeys. The maximum permitted density is 300 units per net hectare.

An Official Plan Amendment application is being sought to: permit an increase in the maximum permitted height from 18-storeys to 25-storeys; permit an increase in the maximum permitted density; and, adjust the boundary of the mixed-use designation to permit the proposed townhouses.

4.1.3. Whitby Official Plan Amendment #139

The Town of Whitby has adopted Official Plan Amendment #139, as it relates to Strategic Growth Areas, including the Brock/Taunton Major Central Area. OPA #139, amongst other matters, will increase the maximum permitted building height on the subject land, from 18-storeys to 25-storeys, and removed the maximum permitted density. Instead, density will be a product of the built form requirements for height, setbacks and step back.

OPA #139 has been forwarded to the Ministry of Municipal Affairs and Housing for approval.

Should the Ministry approve OPA #139, an Official Plan Amendment would no longer be required for an increase in maximum permitted building height, nor density, but would still be required to adjust the land use designation to permit the proposed townhouses.

4.2. Zoning By-law

The subject land is currently zoned CMU*-1 (Commercial Mixed Use Exception 1) and CMU*-2 (Commercial Mixed Use Exception 2) within Zoning By-law 1784 (refer to Attachment #6) which does not permit the proposed development.

A Zoning By-law Amendment is required to rezone the subject land to appropriate categories 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 on the north, south, and west sides 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 Site Plan
- Attachment #4 Proponent's Proposed Building Elevations
- Attachment #5 Excerpt from Town of Whitby Official Plan Schedule 'K' –
Brock/Taunton Major Central Area Secondary Plan
- Attachment #6 Excerpt from Town of Whitby Zoning By-law 1784