

# Town of Whitby

## Staff Report

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**Report Title: DEV-22-25: Zoning By-law Amendment Application, Garrard Limited Partnership, 5305 and 5365 Garrard Road, File No. Z-13-25.**

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**Report to:** Committee of the Whole

**Date of meeting:** April 13, 2026

**Report Number:** PDP 20-26

**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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### 1. Recommendation:

1. That Council approve an amendment to Zoning By-law No. 1784 (Z-13-25), as set out in Planning Report PDP 20-26, and,
2. That a By-law to amend Zoning By-law No. 1784 be brought forward for consideration by Council.

### 2. Highlights:

- A Zoning By-law Amendment has been submitted by GHD, on behalf of Garrard Limited Partnership, for the land municipally known as 5305 and 5365 Garrard Road.
- The Zoning By-law Amendment Application proposes to change the current zoning from Agricultural (A) Zone, Prestige Industrial – Exception 3 (MI-3) Zone, and Greenbelt (G) Zone to appropriate zone categories to permit the proposed development of a single-storey industrial warehouse building with associated office space.

### 3. Background:

#### 3.1. Site and Area Description

The subject land is located on the east side of Garrard Road, north of Conlin Road. The subject land is municipally known as 5305 and 5365 Garrard Road (refer to Attachment #1). The subject land is approximately 9.8 hectares (24 acres) in size. Approximately 8.8 hectares (21.7 acres) of the subject land is proposed to be developed, with the remaining lands to be utilized for wetland conservation and a stormwater management pond.

The subject land is currently vacant. Surrounding land uses include the following:

- A single-detached dwelling and a vacant parcel (future industrial uses) to the north;
- Residential homes to the east (City of Oshawa);
- A future Mid-Block Arterial Road (Kent Mills Road) and existing Amazon Warehouse to the south; and,
- Vacant lands (future industrial uses) to the west.

#### 3.2. Application and Proposed Development

A Zoning By-law Amendment Application has been submitted by GHD, on behalf of Garrard Limited Partnership, to develop a single-storey industrial warehouse with 29,800 m<sup>2</sup> (320,765 ft<sup>2</sup>) of floorspace (refer to Attachment #3).

The Zoning By-law Amendment Application proposes to change the current zoning from Agricultural (A) Zone, Prestige Industrial – Exception 3 (MI-3) Zone, and Greenbelt (G) Zone within Zoning By-law No. 1784 to appropriate zone categories to accommodate the proposed development.

A Site Plan Application will be required to be submitted in the future.

#### 3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- Cover Letter, prepared by GHD, dated March 2025.
- Arborist Report, prepared by ARCADIS, dated December 2024.
- Stage 1 and 2 Archaeological Assessment, prepared by Lincoln Environmental Consulting, dated March 2025.

- Civil Engineering Drawing Set, prepared by MTE Consultants, dated October 2024.
- Functional Servicing and Stormwater Management Report, prepared by MTE Consultants, dated February 2025.
- Geotechnical Investigation, prepared by MTE Consultants, dated September 2023.
- Hydrogeological Characterization, prepared by MTE Consultants, dated July 2023.
- Conceptual Site Plan, prepared by GHD, dated March 2025 (refer to Attachment #3).
- Plan of Survey, prepared by J.D. Barnes Limited, dated April 2023.
- Transportation Impact Study, prepared by GHD, dated January 2025.
- Tree Protection Plan, prepared by ARCADIS, dated December 2024.
- Environmental Impact Study, prepared by Azimuth, dated September 2025.
- Phase One Environmental Site Assessment Report, prepared by MTE Consultants, dated August 2025.
- Phase Two Environmental Site Assessment Report, prepared by MTE Consultants, dated September 2025.
- Phase Two Environmental Site Assessment Reliance Letter, prepared by MTE Consultants, dated September 2025.

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

#### **4. Discussion:**

##### **4.1. Envision Durham**

The subject land is designated as Employment Areas on Map 1 – Regional Structure in the Envision Durham Official Plan. Employment Areas are intended to provide attractive and suitable locations for uses such as manufacturing, warehousing, storage, assembly, and processing (5.5).

##### **4.2. Whitby Official Plan**

The subject land is designated “General Industrial” and “Natural Heritage System” on Schedule ‘J’ – Brooklin Community Secondary Plan (refer to Attachment #4).

### **General Industrial**

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

The Natural Heritage System is comprised of an interconnected system of key natural heritage and hydrologic features and areas. The extent and exact location of areas shown as Natural Heritage System, including their features and significance are determined at a site level through Environmental Impact Studies or other environmental studies and may be further refined or delineated in the Zoning By-law.

### **4.3. Zoning By-law**

The subject land is currently zoned Agricultural (A) Zone, Prestige Industrial – Exception 3 (MI-3) Zone, and Greenbelt (G) Zone within Zoning By-law No. 1784 (refer to Attachment #5). The current zoning does not permit the proposed use. Therefore, a Zoning By-law Amendment is required to permit the proposed development and to implement the Official Plan.

### **4.4. Conclusion**

The proposed Zoning By-law Amendment implements the General Industrial land use designation of the Official Plan, while also respecting the environmental sensitivity of a portion of the lands. Therefore, it is recommended that Council approve the application.

## **5. Financial Considerations:**

Not applicable.

## **6. Communication and Public Engagement:**

A Public Meeting was held on June 16th, 2025, in accordance with the Town of Whitby Official Plan and the Planning Act. This meeting provided the public, interested persons, and agencies the opportunity to make representation in respect of the Zoning By-law Amendment Application. The meeting minutes are included in Attachment #6.

There was one oral submission made, in which a resident expressed concern regarding increased tractor-trailer traffic and the associated impact to safety and strain on local infrastructure.

In response, it is recognized that the subject lands and broader contiguous area is a developing employment area and that the transportation systems in the area have been maintained to provide for such development, including the on-going construction of Kent Mills Road.

All individuals who registered as an interested party at the statutory public meeting and any individual who provided written correspondence to the Town have been provided notice of the April 13th, 2026, Committee of the Whole Meeting.

## **7. Input from Departments/Sources:**

### **Internal Departments**

#### **Town of Whitby Engineering Services:**

Engineering Services does not object to the proposed Zoning By-law Amendment Application. Engineering Services' outstanding comments will be addressed as part of a future Site Plan Application.

#### **Whitby Fire and Emergency Services:**

- Identify Principal Entrance on site plan.
- Indicate location of fire department connections on site plan.
- Indicate location of fire hydrant(s) on site plan and distance to FDC.
- A fire access route shall be provided in accordance with OBC 3.2.5.6.
- Provide fire access route sign locations as per Town of Whitby Bylaw 4084-97.
- Standpipe System to be provided if building height is more than 14m high measured between grade and the ceiling of the top storey as per OBC 3.2.9.1.
- A Water supply shall be provided as per OBC 3.2.5.5.7.
- Please note an Integrated Testing Coordinator may be required to provide an integrating testing plan and date of integrated system testing as per CAN/ULC S10001 for all buildings containing more than one fire and life safety system within it that are integrated with each other.

All of the above comments will be addressed in the future Site Plan Application.

### **External Agencies**

#### **Region of Durham:**

The Region of Durham has no objection to the proposed Zoning By-law Amendment Application. The outstanding comments provided by the Region of Durham will be addressed as part of a future Site Plan Application.

#### **Central Lake Ontario Conservation Authority (CLOCA):**

CLOCA has no objection to the proposed Zoning By-law Amendment Application. The outstanding comments provided by CLOCA will be addressed as part of a future Site Plan Application.

### **Oshawa Executive Airport:**

- The location appears to be within the Transport Canada Oshawa Executive Outer surface airport zoning. The proponent must ensure the maximum height of the development, all of its associated features and any cranes used do not exceed the maximum zoning as outlined in the Transport Canada Zoning Regulations for the Oshawa Executive Airport. We require a qualified engineer to overlay the zoning on property to confirm if there are any impacts.
- The proponent will be required to submit an application to the NAV Canada land use process. No impact on the instrument approaches at the airport will be accepted. This would be for both the development and any cranes used to construct the development. A response letter from NAV Canada illustrating no impacts prior to construction is required.
- The proponent must submit an application to Transport Canada to determine the need for obstacle lighting through Transport Canada's Aeronautical Assessment Form. We would want to see the response letter from Transport Canada prior to construction.
- If the proponent required a temporary obstacle (i.e. crane) to be above the maximum height as permitted in item 1 of this list at any time during the construction project, they must complete a Transport Canada – Temporary Zoning exemption request prior to construction.
- The proponent shall complete an Oshawa Airport Crane Permit application prior to erecting any obstacle into the airspace.
- The proponent shall ensure the new structure and associate refuge does not become a wildlife attractant due to its location in proximity to the airport.
- The applicant shall ensure that the storm water management pond (if applicable) cannot be used as habitat for waterfowl.
- If a storm water management pond or swim pond is proposed, the applicant shall retain a wildlife expert to complete a wildlife risk assessment to ensure the risk of wildlife strikes is mitigated due to the proximity of the airport. All mitigation measures must be implemented, and the airport's wildlife risk assessment must be updated to include the pond.

The majority of the above comments will be addressed through the future Site Plan Application.

### **8. Strategic Priorities:**

The proposed Zoning By-law Amendment will permit the development of a single-storey industrial warehouse with 29,800m<sup>2</sup>. The recommendations contained in this report align with Pillar 3 of the Community Strategic Plan by contributing to the Town's overall economic growth through job creation.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

**9. Attachments:**

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Site Plan

Attachment #4: Excerpt from Town of Whitby Secondary Plan Schedule 'J'

Attachment #5: Excerpt from Zoning By-law 1784

Attachment #6: Public Meeting Minutes

Attachment #7: Detailed Agency & Stakeholder Comments