

Town of Whitby Public Meeting Report

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Report Title: DEV-03-26: Zoning By-law Amendment Application, Rubabaza Investments Inc. (c/o GHD Ltd.), 814 Brock Street North, File No: Z-01-26

Date of meeting: April 27, 2026

Report Number: PDP 21-26

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**

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Planning Report PDP 21-26 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 Zoning By-law Amendment application has been submitted to the Town of Whitby by GHD Ltd. on behalf of the owners, Rubabaza Investments Inc., for the subject land municipally known as 814 Brock Street North.

- The application is to amend Zoning By-law No. 2585 to re-zone the subject land from "Special Purpose Commercial (C2-S)" to a Mixed Use Zone to permit a three-storey clinic and pharmacy.
- If approved, a future Site Plan Application will be required.

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 and materials submitted in support of the development application and to provide the opportunity for public input at the statutory public meeting, as required by the Planning Act.

3. Background:

3.1. Site and Area Description

The subject land is located north of the Canadian Pacific Railway corridor on the west side of Brock Street North (refer to Attachment #1). The subject land is municipally known as 814 Brock Street North and is approximately 0.13 ha (0.32 ac) in size. The subject land abuts an unopened Town road allowance to the south which contains an easement to facilitate access to the public garage and car wash establishment to the south. The property is currently occupied by a 2.5-storey commercial building (former physiotherapy clinic).

On February 02, 2025, Council approved a request to remove the subject land from the Town's Municipal Heritage Register (Resolution # 6-26). The Applicant submitted a Cultural Heritage Evaluation Report prepared by LHC Heritage Planning & Archaeology, dated August 28, 2025. The report concluded that the property does not meet the minimum required criterion for Cultural Heritage Value or Interest as per O.Reg 9/06 under the Ontario Heritage Act. Therefore, the subject land no longer contains heritage status.

The surrounding land uses of the subject land include:

- Commercial and Residential (single detached dwellings) uses to the north;
- Recreational (Whitby Curling Club), Open Space (Bradley Park), and Residential (single detached dwellings) uses to the east;
- A public garage and car wash use, and Canadian Pacific Railway Corridor to the south; and,
- Residential (single detached dwellings) uses to the west.

3.2. Application and Proposed Development

The purpose of the Zoning By-law Amendment application is to amend Zoning By-law No. 2585 to re-zone the subject land from "Special Purpose Commercial (C2-S)" to a Mixed Use zone to permit a three-storey clinic and pharmacy of 295.95 m² (3,185.58 ft²) (refer to Attachment #3).

3.3. Documents Submitted in Support

The following documents were submitted in support of the application:

- Survey Plan, prepared by J.D. Barnes Ltd., dated June 24, 2025;
- A Conceptual Site Plan, prepared by Mistecture Architecture and Interiors Inc., dated February 10, 2026 (refer to Attachment #3);
- Planning Opinion Letter, prepared by GHD Ltd., dated February 11, 2026;
- Traffic Comment Response Letter, prepared by Paradigm Transportation Solutions Ltd., dated February 11, 2026;
- Phase One Environmental Site Assessment, prepared by GHD Ltd., dated June 19, 2025; and,
- Geotechnical and Hydrogeological Investigation, prepared by GHD Ltd., dated August 07, 2025.

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

4. Discussion:

4.1. Envision Durham

The subject land is designated Community Areas on Map 1 of the Envision Durham Official Plan.

The objective of the Community Areas designation is to create complete communities with the opportunities for residents to live, shop, work, and access services and amenities within their community.

4.2. Whitby Official Plan

The subject land is currently designated Mixed Use as per Schedule 'A' of the Town's Official Plan (refer to Attachment #4).

The objective of the Mixed Use designation is to provide new opportunities for housing and employment which support the redevelopment of mixed-use areas as accessible, transit supportive, and pedestrian oriented areas. Permitted uses in the Mixed Use designation include office, retail, personal service, and institutional uses. Policy 4.6.3.1 requires lands designated Mixed Use to contain a minimum of two of the permitted use categories.

4.3. Zoning By-law

The subject land is currently zoned "Special Purpose Commercial (C2-S)" in Zoning By-law No. 2585 (refer to Attachment #5). The C2-S Zone permits a variety of commercial uses.

A Zoning By-law Amendment is required to re-zone the subject land to an appropriate Mixed Use Zone to permit the proposed clinic and pharmacy use and establish appropriate zoning provisions for the proposed three-storey building.

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 Brock Street North 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 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 application. 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 application 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 Official Plan – Schedule A

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