



Public Meetings Revised Agenda

Monday, March 25, 2024, 7:00 p.m.

Council Chambers

Whitby Town Hall

Statutory Public Meetings under the Planning Act, R.S.O. 1990, c. P.13

This meeting will be held in a hybrid in-person and virtual format, and will be available for viewing through the Town's **live stream feed** while the meeting is in progress. Please visit whitby.ca/CouncilCalendar for more information about the live stream and archived videos.

Should you wish to provide comments regarding a matter being considered below, please submit written correspondence and/or a Delegation Request Form.

- **To submit written correspondence**, please email your correspondence to the Office of the Town Clerk at clerk@whitby.ca by noon on the day of the meeting. Correspondence must include your full name, address, and the item on the agenda that your correspondence is related to.
- **To speak during the Public Meetings meeting either in-person or virtually**, please submit a **Delegation Request Form** online to the Office of the Town Clerk by 10 a.m. on the day of the meeting. Should you be unable to access a computer, please call 905.430.4315 to speak with a Staff Member in the Office of the Town Clerk.

Interested parties who wish to be notified of updates pertaining to a matter considered at a Public Meeting may submit an **Interested Party List Registration Form**. Requests may also be submitted in-person during the meeting at a registration kiosk located in Council Chambers, Whitby Town Hall (575 Rossland Rd E).

A Revised Agenda may be published on a later date. Late items added or a change to an item will appear with an asterisk beside them.

Format of Public Meetings

Public meetings are chaired by a Member of Council appointed as the Planning Chair by the Mayor and will proceed as follows:

1. Town Staff will provide a brief overview of the application;

2. The applicant or their representative may provide information regarding the application;
3. Members of the public wishing to provide input may do so via written submission sent to clerk@whitby.ca or by oral submission; and,
4. The Chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public.

The Office of the Town Clerk captures all feedback received during a public meeting in minutes to provide a written record for Staff and Council of the public meeting.

Public Meetings - 7:00 p.m.

- *1. PDP 13-24, Planning and Development (Planning Services) Department Report
Re: Zoning By-law Amendment Application, 1000091294 Ontario Ltd., 3115 and 3125
Garden Street, File Number: DEV-06-24 (Z-01-24)

Delegations:

1. Devanshi Mehta and Adam Layton, representing 1000091294 Ontario Ltd.
(In Person Attendance) *
2. Maureen Moloney, Resident (In Person Attendance) *
3. Alan D'Cunha, Resident (In Person Attendance) *
4. Kenwyn Richards, Resident (In Person Attendance) *
5. Robert Weindorfer, Resident (In Person Attendance) *
6. James Black, Resident (In Person Attendance) *
7. Chris Pereira, representing 708 and 714 Rossland Road East (Virtual Attendance) *

Town of Whitby Public Meeting Report

whitby.ca/CouncilCalendar



Report Title: **DEV-06-24: Zoning By-law Amendment Application (Z-01-24), 1000091294 Ontario Ltd. and Fortress Management and Financial Corp., 700 Rossland Road East and 3115 & 3125 Garden Street**

Date of meeting: March 25, 2024

Report Number: **PDP 13-24**

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:

L. Taylor, Planner II, x2902

Planning Report PDP 13-24 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 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 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 person or public body as a party.

1. Highlights:

- A Zoning By-law Amendment Application has been submitted to change the zoning from R2 – Second Density Residential to an appropriate zone category to permit an 18-storey mixed use building with 184 residential units and non-residential uses at grade, and a separate 4-storey building with 26 residential units.
- The proponent will be required to submit a Site Plan Application and Draft Plan of Condominium at a later date.

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 at the northeast corner of Rossland Road East and Garden Street, municipally known as 700 Rossland Road East, 3115 Garden Street and 3125 Garden Street (refer to Attachment #1). Single detached dwellings that were located at 700 Rossland Road East and 3115 Garden Street have been removed. A remaining single detached dwelling at 3125 Garden Street is proposed to be removed to accommodate the proposed development. The subject land is approximately 0.92 hectares (2.27 acres) in size.

Surrounding land uses include:

- single detached dwellings to the north;
- a 12-storey apartment building and 1-storey commercial building (bank) to the east;
- a 12-storey apartment building and commercial plaza to the south;
- the Region of Durham headquarters to the southwest; and,
- a commercial plaza to the west.

3.2. Applications and Proposed Development

A Zoning By-law Amendment Application has been submitted by Evans Planning on behalf of 1000091294 Ontario Ltd. and Fortress Management and Financial Corp. to change the zoning from R2 in By-law 1784 to an appropriate zone category to permit the use of an 18-storey mixed use building with 184 residential dwelling units and 1,085 square metres

(11,679 square feet) of non-residential floor area at grade, and 26 residential units in a 4-storey building for a total of 210 residential units.

A Site Plan Application will be required and will be approved through the Commissioner of Planning and Development.

A Plan of Condominium Application will also be brought forward to Council for consideration at a later date.

3.3. Documents Submitted in Support

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

- A Concept Plan prepared by KLMA, dated February 21, 2024 (refer to Attachment #3);
- Conceptual Renderings prepared by KLMA, dated February 21, 2024 (refer to Attachment #4);
- An Arborist Report prepared by Landscape Planning Landscape Architects, dated June 6, 2022, provides a tree inventory and preservation plan, a summary of tree removals and recommendations for pre-construction, construction and post-construction;
- An Aviation Study prepared by Cormier Aviation Consultation dated May 4, 2023, provides an analysis of aviation aspects related to the Oshawa Airport, which concludes that the buildings will be vertically clear of the Outer Surface established by the Airport Zoning Regulations, but that the use of cranes during construction will require careful planning;
- A Functional Servicing and Stormwater Report prepared by GKD Designs Consulting Inc. dated October 28, 2023, provides an analysis of municipal water and sanitary servicing and stormwater management and concludes that the subject development can be serviced by the existing municipal services;
- A Geotechnical Investigation prepared by SOLA Engineering dated September 29, 2023, provides an analysis of the soil and groundwater and provides recommendations for construction;
- A Hydrogeological Assessment prepared by Harden Environmental Services Limited dated March 1, 2023, provides a summary of the groundwater and water balance and makes recommendations for construction;
- A Noise Impact Study prepared by J.E. Coulter Associates Limited dated February 21, 2024, provides an analysis of noise generated by the adjacent road network and stationary noise sources and includes

recommendations for air conditioning for all residential units and noise warning clauses to be registered on title;

- A Phase 1 Environmental Site Assessment (ESA) prepared by Fortis Environmental dated January 10, 2023, concludes that there are no areas of potential concern on the subject land and that a Phase 2 ESA is not required.
- A Planning Justification Report prepared by Evans Planning dated November 2023, provides an analysis of the provincial, regional and local planning policies and concludes that the proposed development is appropriate and reflects good planning principles;
- A Stage 1-2 Archaeological Assessment prepared by ASI dated November 5, 2021 and May 26, 2022, notes that no archaeological resources were encountered during test pit surveys and that no further archaeological assessment is required; and,
- A Transportation Study prepared by CGE Transportation Consulting dated October 4, 2023, which concludes that the incremental traffic generated by the development can be accommodated by the existing transportation network and the proposed parking supply is adequate to support the development.

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

4. Discussion:

4.1. Region of Durham Official Plan

The subject land is designated Living Areas on Schedule 'A' Map 'A4' of the Regional Official Plan (ROP). Living Areas are intended to be used predominantly for housing purposes, however commercial/retail uses may also be permitted in accordance with area municipal official plans.

The subject land is designated as Community Areas in the new Regional Official Plan adopted by Regional Council in May 2023. Community Areas are intended to develop as complete communities, providing a range of housing, transportation and lifestyle choices, and creating opportunities for residents to live, shop, work and access services and amenities within their community.

4.2. Whitby Official Plan

The subject land is designated Mixed Use on Schedule 'J' – Rossland/Garden Urban Central Area Secondary Plan (refer to Attachment #5).

The Mixed Use designation is intended to provide an integrated mixture of land use activities, including high density residential, offices, retail and personal service uses (11.4.5.1).

Building height within the Rossland/Garden Urban Central Area are required to be a minimum of 2-storeys and a maximum of 18-storeys (4.3.3.4.4.2b).

4.3. Zoning By-law

The subject land is zoned R2 – Second Density Residential Zone in By-law 1784 (refer to Attachment #6). The R2 zone permits single detached dwellings, reflecting the current and former uses of the properties.

An amendment to the Zoning By-law is required to permit the proposed mixed-use 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 Rossland Road East and Garden Street frontages 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 Concept Plan

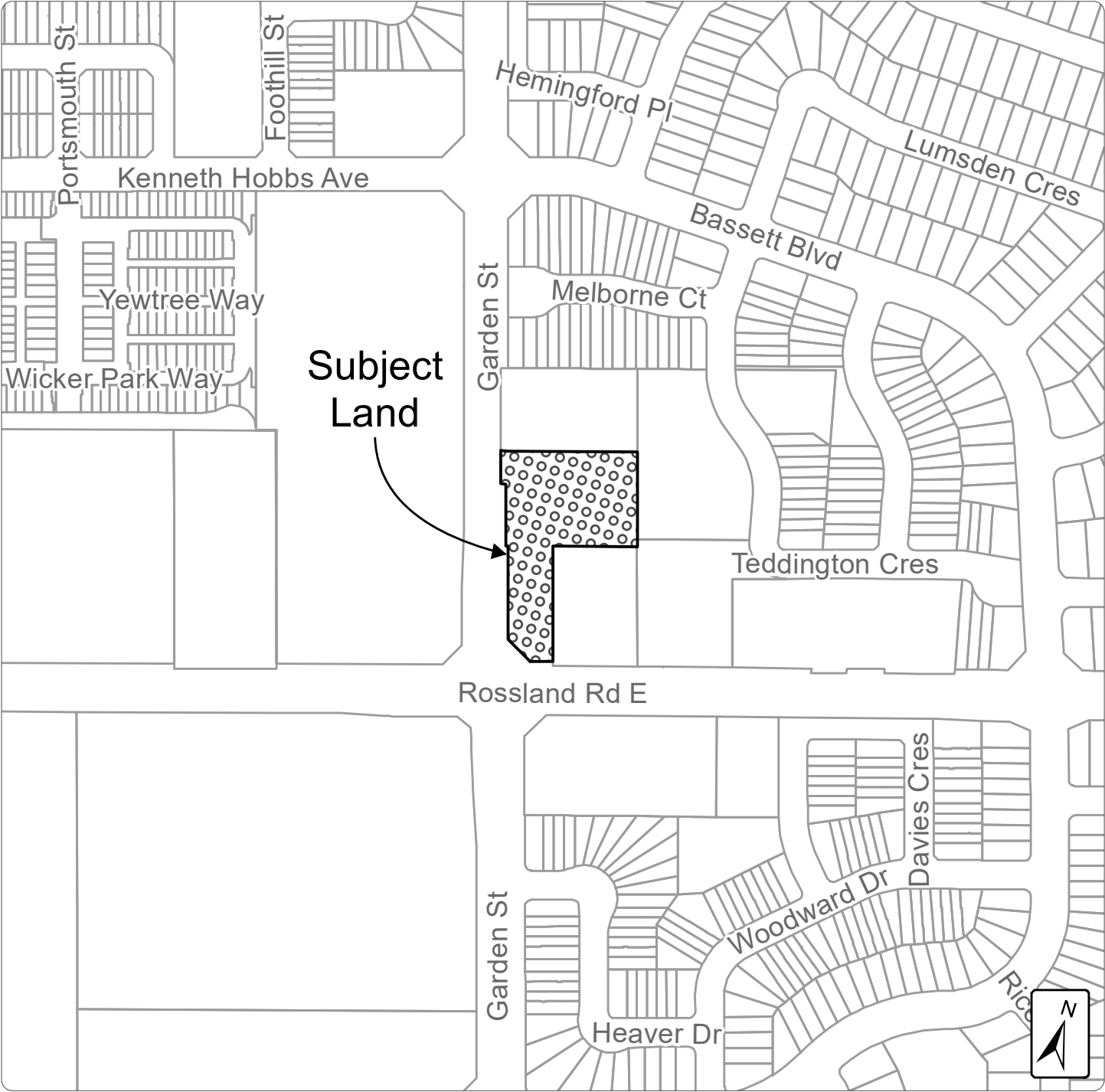
Attachment #4: Proponent's Conceptual Renderings

Attachment #5: Excerpt from Secondary Plan Schedule J

Attachment #6: Excerpt from Zoning By-law 1784

Attachment #1
Location Sketch

PDP 13-24



Town of Whitby Planning and Development Department

Proponent:

1000091294 Ontario Ltd.

File Number:

DEV-06-24 (Z-01-24)

Date:

March 2024

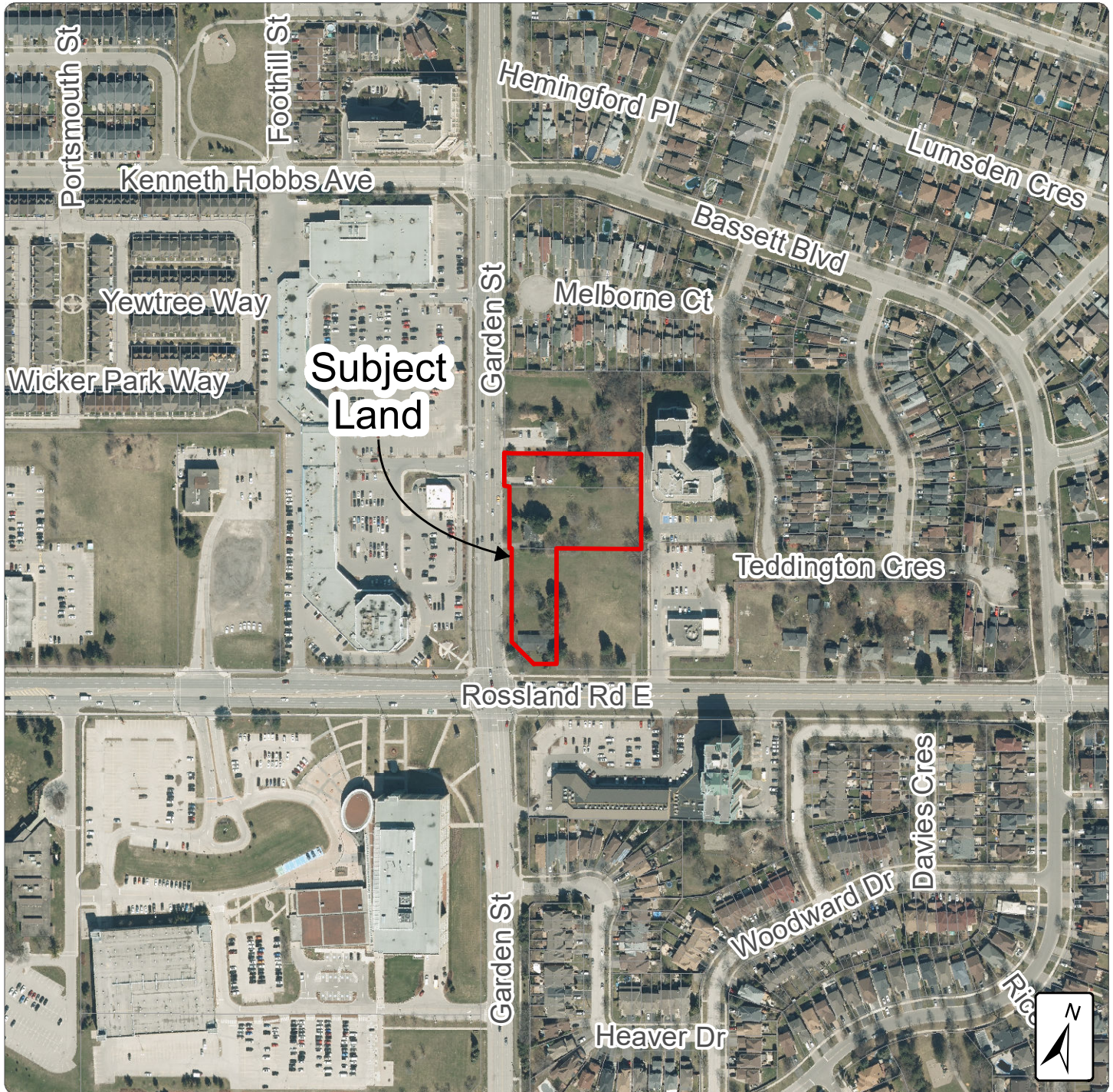
External Data Sources:

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Attachment #2 Aerial Context Map

PDP 13-24



Town of Whitby Planning and Development Department

Proponent:
1000091294 Ontario Ltd.

File Number:
DEV-06-24 (Z-01-24)

Date:
March 2024

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Attachment #4 Proponent's Conceptual Renderings

PDP 13-24



KEY MAP



SUBJECT LANDS

Lot	Area	Zone	Notes
10	0.15 Acre	RE-ZONING C.O.P.A.	
11	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 1	
12	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 2	
13	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 3	
14	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 4	
15	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 5	
16	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 6	
17	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 7	
18	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 8	
19	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 9	
20	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 10	
21	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 11	
22	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 12	
23	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 13	
24	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 14	
25	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 15	
26	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 16	
27	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 17	
28	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 18	
29	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 19	
30	0.15 Acre	RE-ZONING C.O.P.A. DIVISION 20	

NOTES:

1. THE CONSULTING ENGINEER HAS REVIEWED ALL SUBMITTED DOCUMENTS AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING BY-LAW AND THE ZONING C.O.P.A. DIVISIONS.

2. ALL CONSTRUCTION DOCUMENTS MUST BE SIGNED AND SEALED BY A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT AND MUST BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING BY-LAW AND THE ZONING C.O.P.A. DIVISIONS.

3. THE CONSULTING ENGINEER HAS REVIEWED THE SUBMITTED DOCUMENTS AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING BY-LAW AND THE ZONING C.O.P.A. DIVISIONS.

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PROPOSED MIXED-USE DEVELOPMENT
BY FORTRESS FINANCIAL CORP.
ROSSLAND ROAD & GARDEN STREET WHITBY ON.

MIXED USE DEVELOPMENT
3115-3125 GARDEN STREET &
700 ROSSLAND ROAD, WHITBY ON
OWNER: Fortress Financial Corp.

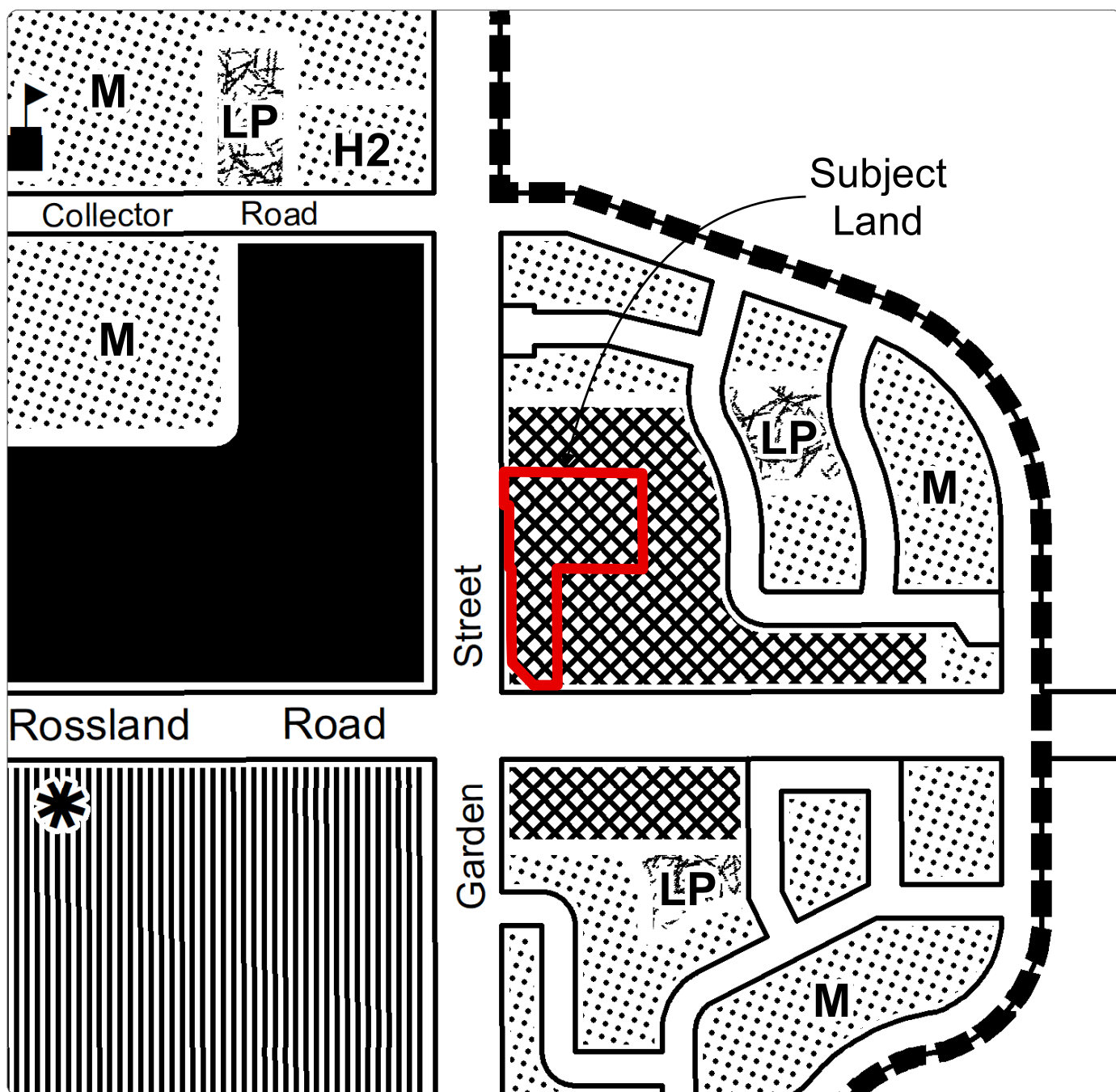
Cover Sheet

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Attachment #5

Excerpt from the Town of Whitby Secondary Plan Schedule 'J'



Legend:

	Low Density Residential		Pedestrian Corridor
	Medium Density Residential		Community Activity Node
	High Density Residential 1 & 2 & 3		Central Area Boundary
	Mixed Use		
	Elementary School		
	Major Commercial		
	Institutional		
	Open Space (Local Park)		
	Open Space (Cemetery)		

Excerpt from:
Rossland/Garden
Urban Central Area
Secondary Plan
Town of Whitby

Schedule

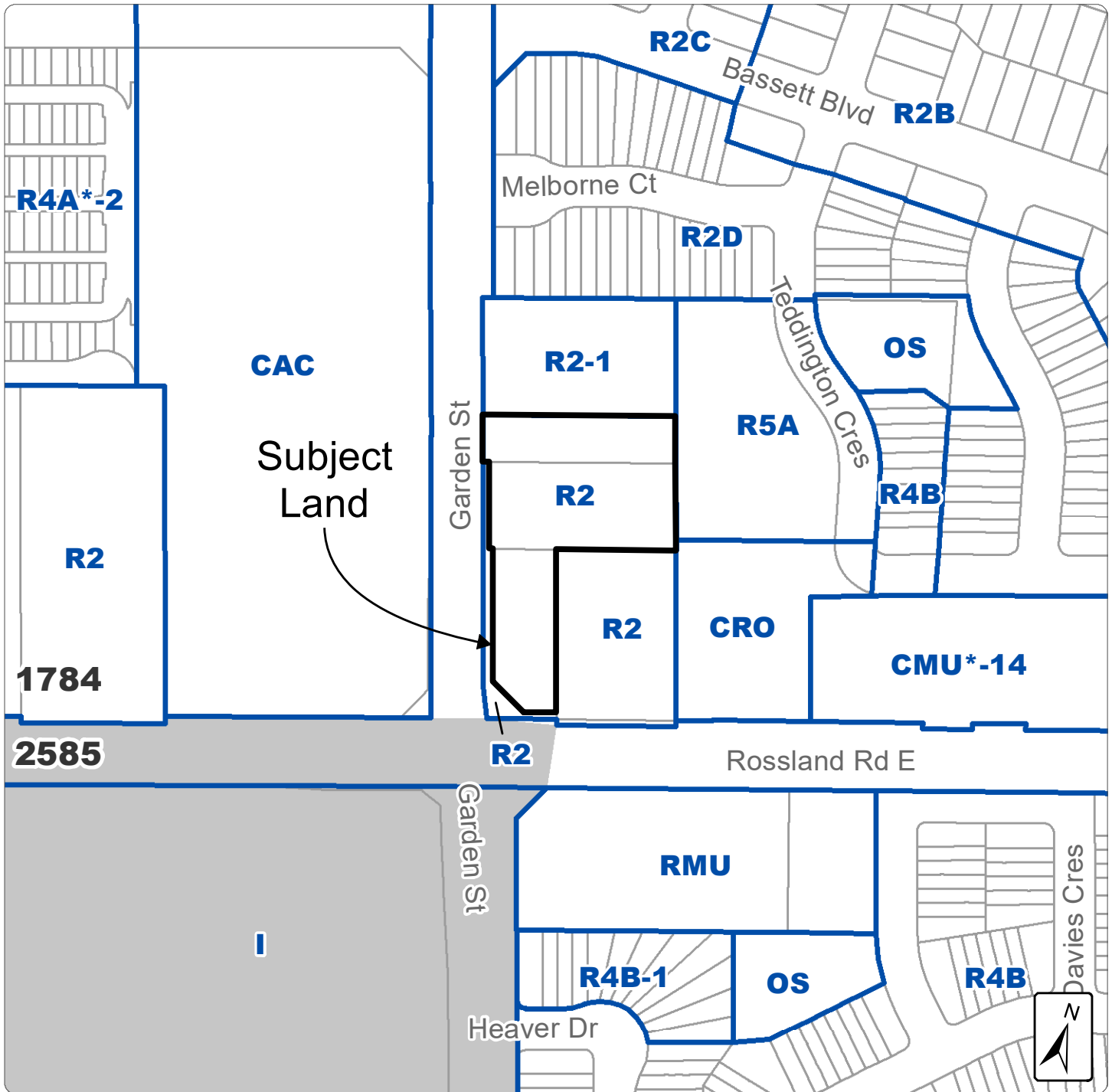
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Attachment #6
Excerpt from Zoning By-Law 1784

PDP 13-24



Town of Whitby Planning and Development Department

Proponent:
1000091294 Ontario Ltd.

File Number:
DEV-06-24 (Z-01-24)

Date:
March 2024

External Data Sources:
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