

**Draft Proposed Amendment # 147**  
**to the Town of Whitby Official Plan**

- Purpose:** The purpose of this Town-initiated Amendment to the Town of Whitby Official Plan is to make technical and housekeeping changes to certain Secondary Plan policies and schedules, necessitated by the changes made to the Whitby Official Plan through Official Plan Amendment #146 regarding the Town's Official Plan Review.
- Location:** The lands subject to this Amendment are all lands within all Secondary Plan areas, where relevant policy and schedule changes apply.
- Basis:** This Town-initiated Amendment (file: OPA-2023-W/02) includes technical and housekeeping changes to policies and schedules of certain Secondary Plans in Part 2 of the Town of Whitby Official Plan. Changes are being made to ensure alignment and consistency with the changes made to Part 1 of the Official Plan through OPA 146 regarding the Town's Official Plan Review.
- This Amendment is consistent with the Provincial Planning Statement 2024, incorporates Envision Durham where appropriate, and meets the overall goals and intent of the Whitby Official Plan, as it relates to the Town's Official Plan Review regarding: managing growth and intensification; providing a range of housing options; supporting transit-oriented development; planning for important employment uses that provide jobs; protecting the natural environment and enhancing the built environment to plan for sustainable complete communities.
- Relevant policy and map information in Envision Durham, as it relates to the Town of Whitby, has been included in this Amendment, and incorporated into the Secondary Plans of the Town of Whitby Official Plan.

The Amendment includes:

1. Policy (text) changes to the Official Plan and Secondary Plans, generally as follows:
  - Clarification and streamlining of policies;
  - Consistency and alignment of Whitby Official Plan policy language, terminology, phrasing, land use permissions, including consistency and alignment with Envision Durham, where appropriate;
  - Changes to land use designations and policies; (e.g. renaming; reclassifications; provisions;) where appropriate, to streamline the Whitby Official Plan, and ensure consistency with Envision Durham and Provincial policies and plans; and,
  - Technical revisions to remove outdated information.
2. Schedule (map) changes, generally as follows:
  - Select technical updates to land use designations, and growth management boundaries and terminology within the following Secondary Plans;
    - Port Whitby Secondary Plan
    - Lynde Shores Secondary Plan
    - Downtown Whitby Community Secondary Plan
    - Brock and Taunton Major Central Area Secondary Plan
    - Oak Ridges Moraine Secondary Plan
    - Taunton North Community Secondary Plan
    - West Whitby Secondary Plan
  - Revising certain existing Schedules, to streamline information and add updated information, including information from Envision Durham;
  - Legend updates to reflect the above change; and,

- Technical revisions to remove outdated information.

**Actual Amendment:** The Town of Whitby Official Plan is hereby amended as follows:

**Amendments to Secondary Plan Policies:**

1. By amending Secondary Plan policies, as shown on the attached Exhibit 'A' with:
  - a. Additions shown in underlined text;
  - b. Deletions shown in strikethrough text;
  - c. Relocated text shown in green text; and
  - d. Official Plan Amendments 138 and 139 to the Town of Whitby Official Plan shown in orange text.

**Amendments to Secondary Plan Schedules:**

1. By replacing existing Schedule "F" – Port Whitby Community Secondary Plan to reflect updated land use designations as shown on attached Exhibit 'B';
2. By replacing existing Schedule "G" – Lynde Shores Secondary Plan to reflect updated land use designations as shown on attached Exhibit 'C';
3. By replacing existing Schedule "H" – Downtown Whitby Community Secondary Plan Land Use to reflect updated land use designations as shown on attached Exhibit 'D';
4. By replacing existing Schedule "K" – Brock/ Taunton Major Central Area Secondary Plan to reflect updated land use designations and Major Central Area boundary as shown on attached Exhibit 'E';
5. By replacing existing Schedule "L" – Taunton North Community Secondary Plan Land Use to reflect updated land use designations as shown on attached Exhibit 'F';
6. By replacing Schedule "R" – West Whitby Community Secondary Plan, to reflect updated land use designations and introduce the land use designation for the 2051

urban expansion area as shown on the attached Exhibit 'G'.

**Implementation:** The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the implementation of the Plan shall apply in regard to this amendment.

**Interpretation:** The provisions set forth in the Town of Whitby Official Plan, as amended, regarding the interpretation of the Plan shall apply in regard to this amendment.

DRAFT



**TOWN OF WHITBY**

# Official Plan

~~Office Consolidation, December 2024~~  
**DRAFT Proposed - August 2025**

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# Part 2 – Secondary Plans

## Section 11 - Secondary Plans

All policies outlined in Part I, Sections 1 to 10 shall generally apply to Part II - Secondary Plans. Part II - Secondary Plans will reflect the overall intent of Part I - Official Plan. Secondary Plans shall be prepared in accordance with Sections 9.3, 10.1.4 and 10.1.5 of this Plan.

Any area shown on Secondary Plan schedules, but lying outside of the Secondary Plan boundary, shall be governed by the policies of Part I of this Plan.

Secondary Plans shall be read in conjunction with Part I of this Plan, including Schedules “A” – ~~“C”~~“E”.

In the event that a conflict exists between the Secondary Plan policies and/or schedules and those included within Part I of the Plan, then the more detailed Secondary Plan shall take precedence and prevail for interpretation and decision-making purposes.

Where a Secondary Plan is silent on a particular matter, the provisions of Part I of the Plan shall apply.

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## 11.1 Port Whitby Community Secondary Plan

### 11.1.1 Goals

- 11.1.1 To encourage the sensitive integration of new **development** into the fabric of the existing Port Whitby community.
- 11.1.2 To establish where new **development** and **intensification** will be located and to determine how existing stable neighbourhoods and environmental features and functions will be protected, while facilitating positive change and growth.
- 11.1.3 To create better transit, pedestrian, cycling and vehicular connections to the waterfront, GO Station, surrounding neighbourhoods, the downtown and within the Port Whitby community.

### 11.1.2 Objectives

- 11.1.2.1 To maximize the potential for the utilization of the Whitby Harbour as a small-craft harbour and the utilization of the adjoining public open space lands for active and passive recreational purposes.
- 11.1.2.2 To provide for the growth and **development** of a mixed-use community through **infilling** and/or **intensification** in order to provide a mix and range of housing, appropriate in terms of scale, traffic generated, and demand on municipal services.
- 11.1.2.3 To create a compact neighbourhood with a range of services that includes the necessary amenities and transportation options for an economically and socially viable neighbourhood.
- 11.1.2.4 To promote Port Whitby as a vibrant and diverse, liveable place with appropriate opportunities for **intensification**, entertainment, leisure, and civic activities, and where a variety of experiences, unique and neighbourhood retail uses, and a range of residential uses are available.
- 11.1.2.5 To ensure that the **character** of existing and well-established residential streets is maintained and enhanced by ensuring that **development** and **redevelopment** is consistent with the policies of this plan, and compatible with neighbouring **development**, in terms of built form, **character** of adjacent buildings and the scale and density of existing **development**.
- 11.1.2.6 To foster a sense of civic identity through a high standard of community design in all future **development** that encompasses:
- a) the appropriate integration of public and private spaces;
  - b) a high degree of visual diversity and aesthetic quality;

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- c) a well-defined public realm, including an interconnected open space network;
  - d) **sustainable** and energy efficient building and site design;
  - e) the sensitive integration of new **development** with existing **development**; and,
  - f) a pedestrian oriented **development** pattern.
- 11.1.2.7 To encourage reductions in the use of private automobiles by promoting public transit, **active transportation**, auto sharing, and the use of Transportation Demand Management measures.
- 11.1.2.8 To create a **sustainable** community that demonstrates excellence in all aspects of **sustainability** including land use and economic vitality, energy, water and wastewater, materials and solid waste, environment, habitat and biodiversity, and accessibility and transportation, and that advances the strategies and recommendations contained in the Port Whitby Sustainable Community Plan.

### 11.1.3 General Development Policies

- 11.1.3.1 The area to which this **Secondary Plan** applies is indicated by the **Secondary Plan** boundary on Schedule “F D”. Any area shown on this map, but lying outside of this boundary is governed by the general land use designations and policies of this Plan.
- 11.1.3.2 Schedule “F D” provides the detailed land use designations for the **Secondary Plan** Area. The more detailed policies of Section 11.1, together with the general policies of this Plan, apply to the land use designations of the Port Whitby Community Secondary Plan area as shown on Schedule “F D”.
- 11.1.3.3 **Development** within the **Secondary Plan** area shall be: compact in form; pedestrian-oriented; accessible by public transit; and, promote efficient and effective use of land resources and municipal services.
- 11.1.3.4 The Port Whitby GO Protected Major Transit Station Intensification Area identified on Schedule “B A-2” and the policies of the Port Whitby Community Secondary Plan are intended to implement Envision Durham the requirements of the Durham Regional Official Plan policies regarding Protected Major Transit Station Areas, Waterfront Places and Intensification Regional Corridors, by providing for a range of residential, commercial, marina, recreational, tourist, and community uses in proximity to the waterfront and Whitby GO Station in the Port Whitby area.
- 11.1.3.5 **Development** within the Port Whitby GO Protected Major Transit Station-Intensification Area identified on Schedule “B A-2” shall be considered in accordance with, amongst other policies, the policies of

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Section 4.2.8.3 of this Plan, and in particular Section 4.2.93.2 regarding the Protected Major Transit Station Area.

- 11.1.3.6     **Development** should consider the following design and built form criteria:
- a)     Buildings should be located at or close to the street line to reinforce a strong street edge, where appropriate, while respecting existing conditions;
  - b)     Parking areas should not be located between buildings and the streetlines;
  - c)     Landscape treatments should be provided to contribute to the **development** of a walkable and safe pedestrian environment; and
  - d)     Views and vistas to the waterfront and harbour from within the public realm will be considered, secured and enhanced through the review of **development** applications and the design of streets and public spaces.

- 11.1.3.7     **Development** and **redevelopment** within 1 kilometre of the Lake Ontario shoreline shall consider implementation of design measures to minimize impacts to the environmental and wildlife corridor function of the Waterfront and to maintain, restore and enhance corridor functions where possible, in consultation with Central Lake Ontario Conservation Authority.

- 11.1.3.8     **Development** south of Pringle Creek on the east side of the Whitby Harbour may only occur upon verification that flood proofing measures can be implemented to the satisfaction of the Municipality and the Conservation Authority and that safe access/egress to the site during flood events is available.

- 11.1.3.9     The Port Whitby Community Secondary Plan policies in Section 11.1 shall be read and applied in conjunction with the relevant policies and provisions of the ~~Port Whitby Town's~~ **Urban Design Guidelines**, the ~~Port Whitby Community Improvement Plan~~, and the Port Whitby Sustainable Community Plan.

#### 11.1.4     **Sustainability**

- 11.1.4.1     The Municipality, through the review and consideration of **development** applications, will require proponents of new **development** to address **sustainability** matters outlined in the Port Whitby Sustainable Community Plan and Section 3 of this Plan. On this basis, proponents of new **development** may be required to prepare a Sustainability Plan that considers the elements of **sustainability** identified in this Plan and the Port Whitby Sustainable Community Plan, to demonstrate how the proposed **development** would advance **sustainability** objectives.

- 11.1.4.2     Approval of new **development** within the Port Whitby area may be conditional on meeting **sustainability** objectives as appropriate.

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Consideration will be given through all review processes as to how these requirements could be phased through the **development** process.

### **11.1.5 Low Density Residential**

- 11.1.5.1 Lands designated as Low Density Residential on Schedule “F D” shall be developed in accordance with the policies of Section ~~4.4.3.4~~ 4.3.3.4 except as modified by the following additional policies.
- 11.1.5.2 Lands designated as Low Density Residential permit single and semi-detached dwellings.
- 11.1.5.3 The maximum residential density shall not exceed 30 dwelling units per net hectare and the maximum building height shall not exceed three storeys.
- 11.1.5.4 Where a single detached or semi-detached dwelling is proposed to be demolished and replaced, the Municipality may require proponents to demonstrate how the new dwelling is compatible from a siting, design and architectural perspective with existing homes on adjacent lots.
- 11.1.5.5 **Development** that has the effect of increasing the frontage of any existing lot or by increasing the building façade by 25% or more is discouraged unless it can be demonstrated that the relationship between the built form and the street frontage along the street is generally maintained. The width of any new or enlarged lot, or new or enlarged building façade, should not generally exceed the average width of the existing lots or building façades on the same block or as a consequence of a land assembly.
- 11.1.5.6 Notwithstanding any other provisions of this Plan to the contrary, townhouse **development** may also be permitted, to a maximum density of 50 units per net hectare, and a maximum building height of 3 storeys, on the property identified by Assessment Roll No. 18-09-030-012-19300-0000, subject to inclusion of appropriate provisions in the Zoning By-law.

### **11.1.6 ~~Medium Density~~ Mid-Rise Residential One**

- 11.1.6.1 Lands designated as ~~Medium Density~~ Mid-Rise Residential One on Schedule “F D”. shall be developed in accordance with the policies of Section ~~4.4.3.5~~ 4.3.3.5 except as modified by the following additional policies.
- 11.1.6.2 Lands designated as ~~Medium Density~~ Mid-Rise Residential One permit townhouses, multiple dwellings, and ~~low-rise~~ mid-rise apartment buildings.
- 11.1.6.3 The minimum residential density is greater than 30 dwelling units per net hectare and the maximum residential density shall not exceed 50 dwelling

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units per net hectare. The minimum building height shall be two storeys and the maximum building height shall not exceed four storeys.

11.1.6.4 The retention and updating of existing low-rise buildings in the ~~Medium-Density~~ Mid-Rise Residential One designation is encouraged where feasible. On this basis, additional **development, redevelopment** or alterations may be permitted on lots containing low-rise buildings provided that, as a condition of approval, the façades of the existing buildings are updated and modernized. The addition of landscaping and other design features is also encouraged.

11.1.6.5 Where **redevelopment** is proposed, it should have direct access from the dwelling to the street to support and encourage the residential **character** of the area. Garages and/or parking for the new dwellings should be located to the rear of the building.

11.1.6.6 It is recognized that the provision of additional landscaping may not be feasible when lots are redeveloped and/or when **existing uses** are expanded, particularly if the landscaping potentially limits the amount of **development** that could occur and/or is not feasible given building and parking area location. In these cases, the focus shall be on the enhancement of the **streetscape** by the addition of landscaping between the building and the public road and the parking areas adjacent to the public road.

#### 11.1.7 ~~Medium-Density~~ Mid-Rise Residential Two

11.1.7.1 Lands designated as ~~Medium-Density~~ Mid-Rise Residential Two on Schedule “~~F-D~~” shall be developed in accordance with the policies of Section 4.4.3.5 4.3.3.5 except as modified by the following additional policies.

11.1.7.2 Lands designated as ~~Medium-Density~~ Mid-Rise Residential Two permit mid-rise multiple dwelling units and mid-rise apartment buildings.

11.1.7.3 The minimum residential density is greater than 50 dwelling units per net hectare and the maximum residential density will be a product of the built form requirements for height, setbacks and step backs. shall not exceed 65 dwelling units per net hectare. The minimum building height shall be three storeys and the maximum building height shall not exceed six storeys, except north of Watson Street West, on the east side of Charlies Street, the maximum height shall be 12 storeys.

#### 11.1.8 ~~High-Density~~ Mid-Rise Residential Three

11.1.8.1 Lands designated as ~~High-Density~~ Mid-Rise Residential Three on Schedule “~~F-D~~” shall be developed in accordance with the policies of Section 4.4.3.6 4.3.3.6 except as modified by the following additional

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policies.

- 11.1.8.2 Lands designated as ~~High-Density~~ Mid-Rise Residential Three permit mid-rise multiple dwelling units and mid-rise apartment buildings.
- 11.1.8.3 The minimum residential density is greater than 30 dwelling units per net hectare and the maximum residential density will be a product of the built form requirements for height, setbacks and step backs. The minimum building height shall be three storeys and the maximum building height shall not exceed six storeys.

### **11.1.9 Main Street Mixed-Use ~~Main Street Residential One~~**

- 11.1.9.1 Lands designated as Main Street Mixed-Use ~~Main Street Residential One~~ on Schedules “A-1” and “~~F-D~~” shall be developed in accordance with the policies of Section ~~4.4.3.6~~ 4.4.3.2 and Section ~~4.6.3~~ 4.4.3.1, except as modified by the following additional policies.
- 11.1.9.2 Lands designated as Main Street Mixed-Use ~~Main Street Residential One~~ permit residential uses in a multiple unit setting and a wide range of ~~small-scale~~ retail, cultural and ~~small-scale~~ service commercial and office uses. Drive-through service facilities are not permitted.
- 11.1.9.3 The minimum residential density is greater than 50 dwelling units per net hectare and the maximum residential density will be a product of the built form requirements for height, setbacks and step backs. The minimum building height shall be three storeys, and the maximum building height shall not exceed six storeys.
- 11.1.9.4 Mixed-use commercial **development** shall be required to include integrated residential uses. For the purposes of this policy, floor space shall be calculated based on requiring a minimum of one square metre of residential floor space, for each one square metre of ground floor commercial floor space. Offices may be permitted within the upper floors of a mixed-use **development**, provided that residential uses are separated from non-residential uses.
- 11.1.9.5 ~~Development with frontage on Brock Street South and Front Street shall must contain ground floor related commercial~~ **Development** with frontage on Brock Street South and Front Street shall must contain ground floor related commercial non-residential uses across the entire Brock Street frontage and Front Street frontage, with the exception of residential lobbies, and subject to inclusion of appropriate provisions in the Zoning By-law. the appropriate provisions of the Zoning By-law.
- 11.1.9.6 New construction should frame and enclose the public realm of Brock Street South with mid-rise **infill** buildings that are stepped back from a four-storey street wall.
- 11.1.9.7 New **infill development** along Brock Street South should have adaptable and accessible ground floor spaces suitable for a range of

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uses such as galleries, professional offices, retail, community space and live/work units that can animate the public realm.

- 11.1.9.8 Improvements to the **streetscape**, such as soft landscaping, lighting fixtures, benches and public art, will be required as part of the overall project design of new **developments**.
- 11.1.9.9 The encroachment of restaurant patios and the outdoor display and sale of goods related to a business along Brock Street South is encouraged and may be permitted within the municipal right-of-way provided the scale and extent of the encroachment does not affect pedestrian/vehicular movement in the area.
- 11.1.9.10 Parking to serve uses along Brock Street South shall be comprised of a combination of private and, where feasible, public parking facilities. The provision of adequate and convenient off-street parking is recognized as a necessity in the promotion and enhancement of Brock Street South. On this basis, the Municipality will encourage the coordination of existing parking facilities including the linkage of driveways and lanes for parking purposes. To the extent possible, new parking facilities shall be coordinated and linked with existing parking facilities.
- 11.1.9.11 Notwithstanding any provisions of this plan to the contrary, townhouse **development** may also be permitted to a maximum density of 75 units per hectare, on the properties having frontage on Brock Street South, located in Part of Lot 26, Broken Front Concession, identified by Assessment Roll #18-09-030-012-9300-0000 and ~~Assessment Roll #18-09-030-012-9400-0000~~, subject to inclusion of appropriate provisions in the Zoning By-law.

### **Mixed Use Residential Two**

- ~~11.1.9.12 Lands designated as Mixed Use Residential Two on Schedule “F” shall be developed in accordance with the policies of Section 4.4.3.6, Section 4.6.3, and Sections 11.1.9.4 to 11.1.9.10 inclusive, except as modified by the following additional policies.~~
- ~~11.1.9.13 Lands designated as Mixed Use Residential Two permit residential uses in a multiple unit and apartment building setting and a wide range of small-scale retail, cultural and small-scale service commercial and office uses. Drive-through service facilities are not permitted.~~
- ~~11.1.9.14 The minimum residential density is greater than 60 dwelling units per net hectare and the maximum residential density shall not exceed 75 dwelling units per hectare. The minimum building height shall be three storeys and a maximum building height shall not exceed six storeys.~~

### **11.1.10 High Density Residential Mixed-Use High Rise Mixed Use**

- 11.1.10.1 Lands designated as ~~High Density Residential Mixed-Use~~ High Rise Mixed

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Use on Schedules “A-1” and “F-D” shall be developed in accordance with Section 4.4.3.6 4.4.3.3, except as modified by the following additional policies.

- 11.1.10.2 ~~Lands designated as High Density Residential Mixed-Use~~ High Rise Mixed-Use permit multi-storey residential buildings and a wide range of ~~small-scale~~ retail, cultural, ~~small-scale~~ service commercial and office uses. Drive-through service facilities are not permitted.
- 11.1.10.3 ~~The minimum residential density for lands designated Residential Mixed-Use High rise Mixed-Use shall be~~ is greater than 75 dwelling units per net hectare and the maximum residential density ~~shall be a product of the built form requirements for height, setbacks and step backs.~~ The minimum building height for lands designated ~~High Density Residential Mixed-Use High Rise Mixed-Use~~, north of Victoria Street shall be six storeys, ~~and the maximum building height shall be 40 storeys for lands north of Victoria Street. For lands south of Victoria Street within the Whitby Go Protected Major Transit Station Area, the maximum building height shall not exceed 36 storeys.~~
- 11.1.10.4 Notwithstanding any provisions of this Plan to the contrary for lands located within Part Lot 27, Broken Front Concession, identified by Assessment Roll #'s 18-09-030-012-03200-0000, 18-09-030-012-03300-0000 and 18-09-030-012-03400-0000, the minimum residential density shall be 115 dwelling units per net hectare and the maximum residential density shall be 370 dwelling units per net hectare with a maximum building height of up to 33 storeys. A marina, ancillary retail, and personal service uses may also be permitted. Retail and personal uses will be harbour-related and serve the recreational and tourist function of the harbour as well as the residents of lands subject to this policy.
- 11.1.10.5 ~~For lands located at the southwest corner of Brock Street and Victoria Street~~ development shall contain ground floor related non-residential uses across the entire Brock Street frontage, with the exception of residential lobbies, subject to inclusion of appropriate provisions in the Zoning By-law. In addition, development shall provide for an appropriate transition in building height downwards to permitted mid-rise development in the Main Street Mixed-Use Main Street designation to the south and providing for a substantial step back along Brook Street.
- ~~11.1.11.5 Notwithstanding any other provisions of this Plan to the contrary, for lands municipally known as 106 and 110 Victoria Street West and identified by Assessment Roll #'s 18-09-030-012-07000-0000 and 18-09-030-012-07100-0000, the maximum permitted residential density shall be 630 units per hectare.~~
- 11.1.10.6 ~~Notwithstanding any other provisions of this Plan to the contrary, for lands identified by Assessment Roll # 18-09-030-012-06100-0000, the~~

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maximum permitted residential density shall be 1,025 units per net-hectare and the maximum permitted building height shall be 36 storeys.

- ~~41.1.12.2~~ 11.1.10.6 ~~Lands designated as Commercial~~ For lands located north of the rail line between Henry Street and Brock Street, in addition to the mixed-use development permitted by Section 4.4.3.3, sole commercial development is permitted including permit business and professional offices, trade and convention centres, hotels and uses that are associated with the above uses and integrated within office buildings, such as take-out or full service restaurants, financial institutions, personal service shops, convenience stores and commercial fitness centres. The minimum building height shall be three storeys and the maximum building height shall be eighteen storeys.

### **11.1.11      Neighbourhood Commercial**

- 11.1.11.1      Lands designated as Neighbourhood Commercial on Schedules “A-1” and “F-D” shall be developed in accordance with the policies of Section ~~4.5.3.3~~ 4.4.3.6, except as modified by the following additional policies.
- 11.1.11.2      Lands designated as Neighbourhood Commercial south of Water Street permit ~~smaller floorplate~~ small scale retail and personal service uses limited to businesses and amenities servicing local residents and visitors. The maximum building height shall be two storeys.
- 11.1.11.3      New ~~office~~ commercial buildings shall generally form a continuous wall along public streets, respecting a consistent setback from the public street, to be determined through a detailed site plan review.

### **11.1.12      Community / Institutional**

- 11.1.12.1      Lands designated as Community/Institutional on Schedule “F-D” shall be developed in accordance with the policies of Section 4.86, except as modified by the following additional policies.
- ~~41.1.12.2~~      Lands designated as Community/Institutional bounded by Watson Street, Charles Street, Front Street and the Lake Ontario shoreline permit the uses permitted in the Main Street Mixed-Use Residential One designation as set out in Section 11.1.9 of this Plan, ~~subject to the preparation of an Urban Design Plan as set out in Section 11.1.1920 of this Plan.~~

### **11.1.13      Major Open Space**

- 11.1.13.1      Lands designated as Major Open Space on Schedule “F-D” shall be developed in accordance with the policies of Section 4.97 of this Plan, except as modified by the following additional policies.
- 11.1.13.2      Docking areas and related on-shore facilities are permitted on lands designated as Marina on Schedule “F-D”

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- 11.1.13.3 Applications for **development** will be required to connect to **active transportation** networks and Major Open Space areas through the **development** approval process.
- 11.1.13.4 A publicly accessible open space shall be included as part of the future **redevelopment** of the GO Station site north of Victoria Street. This open space shall provide an **amenity area** for residents of the redeveloped GO Station site and a strong pedestrian linkage between this neighbourhood and the waterfront.
- 11.1.13.5 The continued existence of St. John's Church, cemetery and grounds shall be permitted and is recognized as one of the significant heritage sites in the Port Whitby Community.
- 11.1.13.6 Notwithstanding any policies of this Plan to the contrary, the property identified by Assessment Roll No. 18-09-030-012-21305-0000 may be zoned to permit the adaptive reuse of the former pumphouse site for such uses as personal service or limited retail and commercial uses in order to support the economic viability of retaining the structure, provided that compatibility with adjacent land uses and conformity with the general intent of this Plan are maintained.

#### **11.1.14 Utilities**

- ~~11.1.14.1~~ Lands designated as Utilities on Schedule "~~F-D~~" shall be developed in accordance with the ~~provisions of the Durham Regional Official Plan~~ requirements of the authority having jurisdiction.
- 11.1.14.2 The lands designated as Utilities north of the rail corridor, and east of Brock Street recognize the continued existence of the Regional Sewage Treatment facility, and shall also permit transportation related uses, including vehicular parking for GO Transit if required. The lands designated as Utilities south of Water Street east of Brock Street South recognize the continued existence of the Regional Water Treatment facility.

#### **11.1.15 Prestige Industrial Employment**

- 11.1.15.1 Lands designated as Prestige ~~Industrial~~ Employment on Schedule "~~F-D~~" shall be developed in accordance with the policies of Section ~~4.7.3~~ 4.5.3.3 of this Plan.

#### **11.1.16 Natural Heritage System ~~Environmental Protection Area~~**

- 11.1.16.1 Lands designated as ~~Environmental Protection Area~~ Natural Heritage System shall be governed in accordance with the policies of Section 5 of this Plan, except as modified and/or enhanced by the following additional policies.

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- 11.1.16.2 Lands designated as ~~Environmental Protection Area~~ Natural Heritage System include natural **hazard lands / floodplain**, valley lands, **woodlands**, **wetlands**, as well as **Provincially Significant Wetlands**.
- 11.1.16.3 Where appropriate, Council shall consult with the Central Lake Ontario Conservation Authority to encourage the use of conservation easements to protect private lands within the ~~Environmental Protection Area~~ Natural Heritage System designation.
- 11.1.16.4 Full **Environmental Impact Studies (EIS)** shall be required for applications for **development** within 30 metres **of natural heritage features** and functions and for applications for **development** within 120 metres of a **Provincially Significant Wetland**. The details of the **EIS** shall be dependent on the features within and adjacent to the proposed **development**.
- 11.1.16.5 An **EIS** shall be prepared by a qualified professional(s) in the appropriate field(s) of expertise (e.g., ecology, hydrogeology and/or environmental planning) and must be submitted to the Municipality as part of a complete **development** application. The Municipality will consult with ~~Central Lake Ontario Conservation Authority, Ministry of Natural Resources and Forestry~~ Ministry of Natural Resources or other appropriate agencies and/or authority having jurisdiction in a review capacity or for additional guidance with respect to key issues.
- ~~11.1.16.6 The following minimum protection zones shall be required for protection of natural heritage or hydrologic features and their ecological functions:~~
- ~~a) 10 metres from the dripline of a woodland;~~
  - ~~b) 10 metres from the top of bank or the **erosion hazard** for **valleylands**;~~
  - ~~c) 30 metres from a **Provincially Significant Wetland**;~~
  - ~~d) 15 metres from all other **wetlands**;~~
  - ~~e) 30 metres from the centre line of a cold or cool water watercourse;~~
  - ~~f) 15 metres from the centre line of a warmwater watercourse; and~~
  - ~~g) any relevant requirement under the Endangered Species Act.~~
- ~~The final delineation of the **vegetation protection zone** shall be determined through an **EIS** which may exceed the minimum distances.~~
- ~~Notwithstanding the foregoing, the minimum **vegetation protection zone** may be reduced where it is not feasible to provide the minimum distances due to existing **development** or other restrictions, and subject to the determination of an **EIS** and the approval of the Municipality and the Conservation Authority.~~
- 11.1.16.7 An **EIS** shall identify and assess the potential impact of a proposed **development** on the ecologic and hydrogeological features and functions
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within the proposed **development** area. An **EIS** shall confirm that the minimum **buffer**/setback requirements from the environmental features/functions are adequate and that greater **buffers** are not required. The **EIS** shall also include a detailed water balance to demonstrate that pre- and post-**development** infiltration can be maintained and recommendations on **buffers** adjacent to sensitive areas and preservation, maintenance, and enhancement of woodlot, wetland and natural linkage corridors are provided.

- 11.1.16.8 Where an **EIS** recommends that minor modifications can be made to the boundary of the ~~Environmental Protection Area~~ Natural Heritage System designation and subject to the satisfaction of the Municipality and Central Lake Ontario Conservation Authority, then the boundary may be refined without further amendment to this Plan. Where boundaries are adjusted, the abutting land use designation shall apply, provided the intent of the Plan is maintained.

### **11.1.17 Natural Hazard Lands Area**

- 11.1.17.1 Lands identified as Natural **Hazard Lands Area** on Schedule “~~F~~ D” shall be governed in accordance with the policies of Section 5 of this Plan.

### **11.1.18 Transportation**

- 11.1.18.1 The classification of all existing and proposed roads in the Port Whitby Community Secondary Plan area is identified on Schedule “~~D~~ C-1”. Existing and proposed trails and connections are identified on Schedules “~~F-D~~” and “C-2”.
- 11.1.18.2 While the Arterial Roads shown on Schedule “~~D~~ C-1” are intended primarily to allow for the ease of motor vehicle traffic throughout the Region and the Municipality, regard must be had in their design to the other public interest objectives established by this Plan, which require that higher density **development** be established along Arterial Roads in a pedestrian oriented and **transit supportive** environment.
- 11.1.18.3 Arterial roads shall be designed in a manner that provides for other modes of non-motorized travel and the pedestrian. In addition, priority shall be given to ensuring that public transit facilities, such as stops, shelters and dedicated lanes, are all part of the overall design of the arterial road over the long term.
- 11.1.18.4 Within the ~~Mixed Use Residential One and Mixed Use Residential Two~~ Main Street Mixed-Use designations focused on Brock Street South, it is the intent of this Plan that a pedestrian oriented public realm be established along Brock Street South to promote a safe, walkable and vibrant urban environment.
- 11.1.18.5 All of the right-of-ways in the Port Whitby Community Secondary Plan

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- area shall be planned to allow for a tree canopy that will provide shade and enhance and establish a vibrant urban environment. In this regard, a Tree Canopy Plan may be required as part of a complete **development** application, and the trees should be planted as soon as feasible to ensure that a canopy is established in the shorter term.
- 11.1.18.6 Given anticipated densities and built form, all right-of-ways in the Port Whitby Community Secondary Plan area shall be planned to accommodate sidewalks wherever feasible.
- 11.1.18.7 Increased east-west **connectivity** through the Port Whitby Community Secondary Plan area should be accomplished over the long-term and considered during the **development** approval process.
- 11.1.18.8 Applications for **development** may be required to be supported by a traffic study that amongst other matters, demonstrates no negative impacts on Arterial Roads to the satisfaction of the Town of Whitby and the Region of Durham, and identifies options that have the effect of improving **connectivity**, especially between Henry Street and Brock Street. In order to provide for the orderly **development** of lands north of Victoria Street, phasing options may need to be considered.
- 11.1.18.9 Any new roads or road improvements may be subject to an Environmental Assessment and must meet the engineering standards of the Municipality, the Region and the requirements of the Conservation Authority. If it is determined that proposed connections are not feasible, other alternative alignments that provide the same function will need to be considered.
- 11.1.18.10 Applications for **development** may be required to be supported by a parking management plan that identifies how parking requirements will be addressed. As a condition of approval, the Municipality may require that easements be provided to allow for the sharing of internal accesses between parking areas.
- 11.1.18.11 The provision of appropriate space for the storing and parking of bicycles, and motor vehicles that are part of a car sharing program, shall be considered through the **development** approval process.
- 11.1.18.12 In considering the continual enhancement of the Region's public transit system, priority may be given to **developments** which support public transit and/or which facilitate the provision of transit **infrastructure** and/or related **infrastructure** as a condition of **development** approval. In addition, parking requirements may be reduced in circumstances where it can be demonstrated that the number of vehicles expected to access the proposed use is, or can be, lessened through the use of public transit or other travel demand management.
- 11.1.18.13 As an incentive to encourage travel demand management, the Municipality may permit reduced parking standards for **developments** that demonstrate through their travel demand management plan and

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implementation strategy that a reduction in the parking standards is appropriate.

### **11.1.19 Urban Design**

- 11.1.19.1 The provisions of Section 6.2 of this Plan shall apply to all lands within the Port Whitby Community Secondary Plan area, except as modified and/or enhanced by the policies of this Section and the relevant provisions of the, the Port Whitby Town's Urban Design Guidelines. and the Port-Whitby Community Improvement Plan.
- 11.1.19.2 An Urban Design Plan may be required as part of a complete application for **development**, to illustrate such matters as consolidation or joint **development** of lands, integration of uses, building placement, access and internal circulation, pedestrian connections, land use compatibility, accessibility, landscaping and opportunities for transit connections. Where an Urban Design Plan is required, such plan shall consider all matters listed in Sections 6.2 and 11.1.19 of this Plan, as well as the relevant provisions of the Town's Port Whitby Urban Design Guidelines. and the Port Whitby Community Improvement Plan.
- 11.1.19.3 Landscaping and planting are an integral component of all new **development** on vacant lots, **redevelopment of existing uses** and/or proposed alterations. All landscaping and planting plans shall be developed in accordance with the Port Whitby Urban Design-Guidelines-Town's landscape design guidelines.
- 11.1.19.4 Proponents may be required to restore or enhance building façade(s) on the same lot in order to maintain the architectural **character** and identity of the surrounding area in accordance with the Port Whitby Urban-Design Guidelines.
- 11.1.19.5 The Municipality shall require tree planting and preservation through subdivision agreements and **development** approvals so that all areas are provided with sufficient urban tree canopy to maintain a high standard of amenity and identity for the Port Whitby community.
- 11.1.19.6 Where feasible, electrical, cable, telephone and other utilities shall be encouraged to locate underground and the location of associated at-grade service boxes will have regard to the pedestrian environment and vehicular sight-lines.
- 11.1.19.7 It is the intent of this Plan that lands be developed in an integrated fashion by encouraging the consolidation or joint **development** of lands.
- 11.1.19.8 Notwithstanding Section 11.1.2019.7, where consolidation or joint **development** is not possible or desirable, **development** may be permitted on individual properties, provided that the Urban Design Plan-outlined in Section 11.1.20.2 indicates how the proposed development of the specific parcel will permit the orderly and harmonious, future

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**development of adjacent lands.**

**11.1.20 Heritage Considerations**

11.1.20.1 **Development** and **redevelopment** on or adjacent to lands with heritage resources shall be considered in accordance with the policies of Section 6.1 of this Plan.

11.1.20.2 In order to support the economic viability of retaining heritage resources, properties with buildings designated under the Ontario Heritage Act may be zoned to permit such additional uses as limited office, retail or personal service uses, provided that compatibility with adjacent land uses and conformity with the general intent of this Plan are maintained.

**11.1.21 Implementation**

11.1.21.1 Applications for **development** and **redevelopment** within the Port Whitby Community Secondary Plan area, as contemplated by the policies of this Plan, may require supporting Functional Servicing Reports and/or Phasing plans to address required extensions, improvements and upgrading of components of the water supply, sanitary sewer and storm sewer services.

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## 11.2 Lynde Shores Secondary Plan

### 11.2.1 Goals

11.2.1.1 To provide for the comprehensive **development** of the Lynde Shores Secondary Plan Area in a manner which protects and enhances the Lynde Creek wetland, **natural heritage system** and natural hazards, and integrates residential, commercial, institutional, ~~industrial~~ employment, and community-oriented uses.

~~11.2.1.2 To provide for the **development** of an Business Park **Employment area** adjacent to Highway No. 401 that capitalizes on the advantages of the surrounding transportation facilities.~~

### 11.2.2 Objectives

11.2.2.1 To develop a fully integrated residential neighbourhood incorporating a range of residential densities and community facilities.

11.2.2.2 To develop a community that is integrated and interconnected with the Port Whitby community through **active transportation** networks, open space connections, and shared community facilities.

11.2.2.3 To develop a neighbourhood which provides a full range of **housing options** ~~types~~ to satisfy the social and economic needs of Whitby's population.

11.2.2.4 To develop a strategically located ~~Business Park~~ **Employment area** taking advantage of the Highway No. 401 exposure and the surrounding transportation network.

11.2.2.5 To encourage the **development** and expansion of the **Health Precinct**.

11.2.2.6 To develop an open space system which provides both passive and active recreational opportunities, utilizing the Lake Ontario waterfront while respecting the environmentally sensitive nature of the **Provincially Significant Wetlands** on the western boundary of the area, and the sensitive nature of potential archaeological sites in the area.

11.2.2.7 To establish a focal point for the neighbourhood at the Gordon Street-Victoria Street intersection, incorporating a mixture of residential, retail commercial, office and recreation uses while ensuring a high quality of design and visual appearance.

### 11.2.3 General Development Policies

11.2.3.1 The area to which this **Secondary Plan** applies is indicated by the **Secondary Plan** boundary on Schedule "EG". Any area shown on this map, but lying outside of this boundary, is governed by the policies of Part I of the Whitby Official Plan, and the Port Whitby Secondary Plan, where applicable.

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- 11.2.3.2 Schedule “E” provides the detailed land use designations for the **Secondary Plan Area**. The more detailed policies of Section 11.2, together with the general policies of this Plan, apply to the land use designations of the Lynde Shores Secondary Plan area as shown on Schedule “E”.
- 11.2.3.3 **Development** and **redevelopment** within 1 kilometre of the Lake Ontario shoreline, as shown on Schedule “B”, shall be in accordance with the policies of Section 5.3.2.4.
- 11.2.3.4 Portions of Victoria Street identified as Intensification Corridors as illustrated on Schedule “A-2” will be guided by the policies of Section 4.2.7 4.2.3.5, and the more detailed policies of this **Secondary Plan**.
- ~~11.2.3.5 The Community Commercial Areas as illustrated on Schedule “E” will be guided by the policies of Section 4.2.3.6.2, and the more detailed policies of this Secondary Plan.~~
- 11.2.3.6 **Development** and **redevelopment** shall be encouraged to incorporate energy conserving land use planning design principles in accordance with the policies of Section 3.2.
- 11.2.3.7 The **development** of all lands within the Lynde Shores Secondary Plan shall be undertaken in accordance with Section 5 of this Plan, ~~the recommendations of the “Environmental Management Plan – Lynde Shores Secondary Plan Area” (April 1991) by Bird and Hale Limited and as approved by the Minister of the Environment and Whitby Council.~~

As part of Council’s approval for any **development** applications, the Municipality shall enter into a subdivision agreement, or in the case where no subdivision agreement exists, a **development** agreement with the proponent to ensure the completion of any works required to implement the Environmental Management Plan and the Master Plan.

## **11.2.4 Residential**

- 11.2.4.1 The intent of the Residential designation is to provide a variety of housing densities and forms that accommodate a broad range of incomes and household sizes.
- 11.2.4.2 Lands designated as Low Density Residential on Schedule “E” shall be developed in accordance with the policies of Section ~~4.4.3.4~~ 4.3.3.4.
- 11.2.4.3 Lands designated as Medium Density Residential on Schedule “E” shall be developed in accordance with the policies of Section 4.3.3.5 except as modified by the following additional policies.
- a. Notwithstanding Section 4.3.3.5, in the Medium Density Residential designation the minimum density shall be 35 dwelling units per net

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hectare and the maximum density shall be 75 dwelling units per net hectare;

- b. ~~Notwithstanding Section 4.3.3.5, in the Medium Density Residential 1 designation may also permit semi-detached dwellings with a minimum density of 30 units per net hectare.~~

11.2.4.4 Lands designated as High Density Residential 1, 2 and 3 on Schedule “E” shall be developed in accordance with the policies of Section 4.3.3.6 except as modified by the following additional policies.

- a. Notwithstanding Section 4.3.3.6, in the High Density Residential 1 designation the minimum density shall be 80 dwelling units per net hectare and the maximum density shall be 170 dwelling units per net hectare, and shall not exceed 12 storeys in height.
- b. Notwithstanding Section 4.3.3.6, in the High Density Residential 2 designation the minimum density shall be 100 dwelling units per net hectare and the maximum density shall be 275 dwelling units per net hectare, and shall not exceed 14 storeys in height.
- c. Notwithstanding Section 4.3.3.6, in the High Density Residential 3 designation the minimum density shall be 75 dwelling units per net hectare and the maximum density shall be 220 dwelling units per net hectare, and shall not exceed 6 storeys in height.

11.2.4.5 **Development** within all Residential designations shall be encouraged to incorporate energy conserving land use planning design principles.

## **11.2.5 Community Commercial Mixed Use**

11.2.5.1 The Community Commercial Mixed Use designation ~~associated with the Community Central Area~~ identified on Schedule “E” may develop in accordance with ~~Section 4.3~~ 4.2.3.6 and Section 4.5.3.2 4.4.3.5 of this Plan except as modified by the following additional policies.

11.2.5.2 Residential **development** shall be permitted on lands designated Community Commercial Mixed Use on the second and above floors of commercial **development** to a maximum overall building height of 12 storeys and a maximum density of 100 units per net hectare.

11.2.5.3 The minimum and maximum floor space capacity for the commercial component on lands designated as Community Commercial Mixed Use shall be 3,000 square metres and 8,900 square metres respectively.

## **11.2.6 Residential Mixed Use**

11.2.6.1 Lands designated Residential Mixed Use on Schedule “E” are intended for an integrated, higher density, mixed-use development including residential, office, commercial, and business park uses, and may be developed in

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accordance with the permitted uses and general development policies of the relevant Sections of Part 1 of this Plan, except as modified by the following additional policies.

- 11.2.6.2 Lands designated Residential Mixed Use shall include privately-owned, publicly accessible open space and public park block(s), in order to provide convenient outdoor amenity spaces.
- 11.2.6.3 The minimum required building height shall be 4 storeys, and the maximum permitted building height shall be 41 storeys. Taller buildings shall generally be located along the Victoria Street, Montecorte Street and Jim Flaherty Street frontages.
- 11.2.6.4 Lands located south of Nordeagle Avenue
- 11.2.6.4.1 The Residential Mixed Use designation for lands located south of Nordeagle Avenue permits multi-storey, apartment buildings, higher density block townhouses, retail, service and office uses integrated within mid-rise to high-rise built forms.
- 11.2.6.4.2 Non-residential uses at grade shall be required within mixed-use buildings, and shall generally be directed to the Victoria Street, Montecorte Street and Jim Flaherty Street frontages.
- 11.2.6.4.3 Notwithstanding 11.2.6.4.2 and Section ~~4.6.3.1~~ 4.4.3.3.2 to the contrary, residential only uses may be permitted on a portion of lands located south of Nordeagle Avenue, subject to the implementing Zoning By-law including appropriate provisions regarding the minimum gross floor area for non-residential uses.
- 11.2.6.5 In accordance with policies ~~10.3.8, 11.3.3 and 11.3.4 of the Durham Regional Official Plan~~ and Section 10.1.7 of this Plan, for lands designated Residential Mixed Use and shown with crosshatching on Schedule "E", a "H" – Holding symbol shall be applied in the implementing Zoning By-law, to ensure that, prior to any development, an adequate and acceptable school site has been provided, to the satisfaction of the Town of Whitby and the Durham District School Board.

## **11.2.7 Special Mixed Use**

- 11.2.7.1 Notwithstanding any other provisions of this Plan to the contrary, lands designated Special Mixed Use located north of Nordeagle Avenue permit only the following uses: offices, hotel, convention centre, banquet facilities, and limited ancillary at-grade retail/ uses integrated with another permitted use.
- 11.2.7.2 Residential uses shall be prohibited.

## **11.2.8 Special Policy Area**

- 11.2.8.1 Lands designated as Special Policy Area on Schedule 'E' are intended for an integrated, residential and commercial mixed-use **development** including an elementary school site. Prior to any **development** within the Special Policy Area, an Amendment to the Lynde Shores Community Secondary Plan shall be required which shall address, to the satisfaction of the Town and other authorities having jurisdiction, such matters as, but not limited to:
- a) an appropriate range and mix of permitted uses;
  - b) the extent and scale of development, including determination of appropriate height, density, massing, and built form, as well as appropriate transitions to adjacent lands;
  - c) land use compatibility with existing and designated uses on adjacent lands;
  - d) appropriate site for an elementary school;
  - e) analyses of impacts regarding such matters as traffic, noise, environment, air quality, water and wastewater servicing, phasing; and
  - f) any other studies required by this Plan and as requested by authorities having jurisdiction.

## **11.2.9 Business Park Prestige Employment**

- 11.2.9.1 Lands designated as ~~Business Park Prestige Employment~~ on Schedule "GE" shall be developed in accordance with the policies of Section ~~4.7.3.2~~ 4.5.3.3 except as modified by the following additional policies.
- 11.2.9.2 In addition to the uses permitted in Section ~~4.7.3.2~~ 4.5.3.3, the following additional uses are permitted: information processing establishments, communication production uses, pharmaceutical, light assembly and light manufacturing operations for the production and/or distribution of high value and high technology products.
- 11.2.9.3 Notwithstanding Section ~~4.7.3.2~~ 4.5.3.3, within the northeast section of the ~~Business Park Prestige Employment~~ designation adjacent Highway 401, the additional use of a regional warehouse and distribution centre may also be permitted, subject to the inclusion of appropriate provisions in the implementing Zoning By-law.
- 11.2.9.4 **Development** shall be encouraged to take full advantage of the Highway No. 401 exposure through the staggering of lot lines on opposite sides of internal roads, siting of buildings and other appropriate site design measures. Consideration and appropriate mitigation measures for contamination management and on-site containment shall be required for all **development** and **redevelopment** on lands designated as ~~Business Park Prestige~~

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## Employment.

On-site water detention facilities shall be required to contain industrial spills.

11.2.9.5 Appropriate **active transportation** linkages shall be required through publicly accessible pedestrian walkways on private property and within rights-of-way where appropriate.

11.2.9.6 Within the ~~Business Park~~ Prestige Employment designation, **development** and **redevelopment** should foster a distinct **character** area of high urban, architectural and landscape design. **Development** and **redevelopment** shall be in accordance with the policies of Section 6.2 and shall include the following:

- a. minimizing at-grade surface parking;
- b. restricting service and loading areas;
- c. minimizing and restricting outdoor storage areas; and
- d. requiring berms, landscaping and other appropriate measures to adequately **buffer** residential areas on the south side of Victoria Street from the uses on the north side of Victoria Street.

11.2.9.7 Where detailed study in support of a development application confirms that the boundary of a Natural Hazards designation may be refined, **development** and **site alteration** may be permitted without amendment to this Plan provided the Conservation Authority concurs with the study findings. When the Natural Hazards designation is removed or reduced, the urban land use designation abutting the area removed or reduced shall apply.

## **11.2.10 Institutional**

11.2.10.1 Lands designated as Institutional on Schedule "EG" shall be developed to support and expand the **Health Precinct**, which includes Lakeridge Health Whitby and the Ontario Shores Centre for Mental Health and Sciences.

Lands designated as Institutional shall be developed as a cluster of health and medical related facilities, and complementary health-related research and development facilities and shall be developed in accordance with the relevant policies of Sections 6.2 and 10.1.11.

11.2.10.2 That Building 22 of the former Whitby Psychiatric Hospital known as the Doctor's House, shall be preserved due to its significant heritage value. In order to support the economic viability of this heritage structure, the following uses shall be permitted within the existing building: day nursery, residential use, community centre, business and professional offices ancillary to the Ontario Shores Centre for Mental Health and Sciences, public use, and a clinic.

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## **11.2.11 Major Open Space**

- 11.2.11.1 Lands designated as Major Open Space on Schedule “~~EG~~” shall be developed in accordance with the policies of Section ~~4.9~~ 4.7 of this Plan, except as modified by the following additional policies.
- 11.2.11.2 Access for the servicing of public utilities, where necessary, may be provided through all lands within the Major Open Space designation.

## **11.2.12 Transportation and Active Transportation**

- 11.2.12.1 The **Secondary Plan** Area shall be developed in accordance with the Transportation policies of Section 8.1.3 except as modified by the following additional policies.
- 11.2.12.2 Consideration of the future road linkage connecting Jim Flaherty ~~Gordon~~ Street to Annes Street shall be considered during the **development** approval process within the ~~Business Park~~ **Employment area**.
- 11.2.12.3 **Active transportation** corridors shall be maintained in the open space corridor along the Lake Ontario waterfront and Lynde Creek.
- 11.2.12.4 A looped **Active Transportation** Network shall be required to facilitate public ~~pedestrian and bicycle~~ access to link Iroquois Park, the Port Whitby Harbour area, the Lake Ontario waterfront, and the Lynde Creek area in an integrated manner. The **Active Transportation** Network, as shown on Schedule “~~EG~~” shall form part of a continuous waterfront trail system along the Lake Ontario waterfront and assist in enhancing public access and usability of this public recreational resource.

## **11.2.13 Heritage Conservation**

- 11.2.13.1 **Development** and **redevelopment** on or adjacent to lands with heritage resources shall be considered in accordance with the policies of Section 6.1 of this Plan.

## **11.2.14 Servicing**

- 11.2.14.1 The **Secondary Plan** Area shall be developed in accordance with the Municipal Servicing policies of Section 8.2.3 and the Site Servicing policies of Section 6.2.3.17.

## **11.2.15 Implementation and Interpretation**

- 11.2.15.1 The implementation and interpretation of the **Secondary Plan** will be in accordance with Section 10 of Part I of this Plan.



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## 11.3 Downtown Whitby Community Secondary Plan

### 11.3.1 Vision and Objectives

#### 11.3.1.1 Vision

- 11.3.1.1.1 Downtown Whitby is a vibrant, **sustainable**, innovative, inclusive and walkable urban destination, where our heritage is **conserved** and celebrated and where residents, employees and visitors are inspired to shop, live, work, play and connect.

#### 11.3.1.2 Objectives

##### 11.3.1.2.1 Conserve and Enhance Cultural Heritage Resources:

To enhance Downtown Whitby's historic **character** and respect **cultural heritage resources** through protection, adaptive re-use, sensitive integration with new **developments**, preservation of views and mature trees and appropriate built form transitions.

##### 11.3.1.2.2 Provide the Right Built Form in the Right Place:

To provide for **intensification** that is supportive of transit, businesses and a variety of **housing options**.

To require appropriate transition to existing adjacent mature areas.

##### 11.3.1.2.3 Improve the Public Realm:

To support public realm and **streetscape** improvements through features like expanded boulevards where possible, increased tree canopy, accessibility, additional street furniture and opportunities for flex streets and flex spaces.

##### 11.3.1.2.4 Increase Access to Parks and Open Space:

To provide for additional parks and accessible private and public open spaces, which create opportunities for year-round community engagement and outdoor social interaction.

##### 11.3.1.2.5 Encourage Sustainability:

To encourage innovative ideas that embrace principles of **sustainability**, **resiliency** and **climate change** adaptation and mitigation.

##### 11.3.1.2.6 Support Innovation and Technology in Downtown:

To support the Town's growing technology and innovation sectors and establish Downtown as an innovation district by encouraging technology companies, entrepreneurs, innovators, co-working spaces and post-secondary institutions to locate Downtown.

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- 11.3.1.2.7      **Design for Accessibility:**
- To ensure accessibility for people of all ages and abilities within Downtown Whitby by incorporating **universal site and building design** through **development** and **redevelopment**.
- 11.3.1.2.8      **Enhance Road Networks and Connectivity:**
- To maintain and enhance the existing roadway grid network configuration through provisions of "missing links" and discouraging the creation of cul-de-sacs or dead-end streets for new **developments**.
- 11.3.1.2.9      **Encourage Active Transportation:**
- To improve **active transportation** facilities and connections through innovative transportation design, considering opportunities such as road diets, and flex streets, that focus on pedestrians and cyclists.
- 11.3.1.2.10      **Improve Parking:**
- To ensure access and availability of parking, including bicycle and accessible parking, throughout Downtown Whitby.
- 11.3.1.2.11      **Establish a Transit Oriented Downtown:**
- Recognize the opportunity to establish a transit-oriented Downtown to support existing and planned transit within and in the vicinity of Downtown Whitby.
- 11.3.1.2.12      **Enhance Vitality and Viability of the Downtown:**
- To enhance Downtown Whitby as a focal point and destination for visitors, as well as a place that meets the needs of existing and future residents and employees through a mix of retail and service commercial businesses, a broader range of **housing options** and an animated public realm.

## **11.3.2      General Development Policies**

- 11.3.2.1      The area to which this **Secondary Plan** applies is indicated by the **Secondary Plan** boundary on Schedule "F". Any area shown on this Schedule, but lying outside of this boundary, is governed by the general land use designations and policies of Part I of this Plan.
- 11.3.2.2      Schedule "F" provides detailed land use designations for the **Secondary Plan** Area. The more detailed policies of Section 11.3, together with the general policies of Part I of this Plan, apply to the land use designations of the Downtown Whitby Community Secondary Plan area as shown on Schedule "F" subject to Policy 10.2.1.5.
- 11.3.2.3      Schedule "G" provides maximum permitted heights in storeys for buildings,

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which are in addition to the policies related to each land use.

- 11.3.2.4 The policies of the Downtown Whitby Community Secondary Plan are intended to implement the requirements of the Part I policies of this Plan regarding **Strategic Growth Areas** ~~Intensification Corridors, Intensification Areas and Major Central Areas~~, by providing for a range of residential, commercial, employment and community uses at higher densities.
- 11.3.2.5 The unique **character** of Downtown Whitby, which is defined by heritage buildings, a vibrant retail main street, low to mid-rise built form and surrounded by low density mature neighbourhoods, should be maintained and enhanced.
- 11.3.2.6 **Development** and **redevelopment** within the **Secondary Plan** area should follow the objectives set out in Section 11.3.1 and be:
- a. Compact in form;
  - b. Pedestrian Oriented;
  - c. Supportive of **active transportation** options;
  - d. Accessible by, and supportive of, public transit;
  - e. Supportive of an active and vibrant mixed-use core;
  - f. Compatible between different built forms through a transition of heights and densities, particularly abutting mature neighbourhoods;
  - g. Compatible with the heritage **character** of the downtown;
  - h. Efficient in the use of land, resources and municipal services; and
  - i. Supportive of healthy living for persons of all ages and abilities.
- 11.3.2.7 **Development** and **redevelopment** shall consider the design and built form policies of Section 6.2 of this Plan and relevant Town established **urban design guidelines**.
- 11.3.2.8 In accordance with Policy 4.2.3.3.3.2 of this Plan, new drive-through service facilities and automotive uses, including automobile sales, gas bars, car washes and service stations shall not be permitted within the Downtown Whitby Community Secondary Plan area. Such **existing uses** will be encouraged to relocate. Existing gas bars, car washes and automobile service stations may be recognized as permitted uses in the implementing Zoning By-law.
- 11.3.2.9 Residential **development** shall be encouraged within Downtown Whitby to help support the economic vitality of the area and provide a broader range of **housing options**.
- 11.3.2.10 Senior Citizen and **Special Needs housing** shall be encouraged to locate in Mixed-Use, Medium Density Residential and High Density Residential designations within the **Secondary Plan** Area.

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11.3.2.11 **Affordable housing** will be encouraged in Downtown Whitby in accordance with the policies of Section 7.7.3 of this Plan.

### 11.3.3 Sustainability

11.3.3.1 The Municipality shall require new **development** and **redevelopment** to address the **sustainability** matters set out in Section 3.2 of this Plan and **sustainable** design measures set out in Section 6.2.3.2322 of this Plan. On this basis, proponents of new **development** may be required to prepare a Sustainability Plan to demonstrate how the proposed **development** would advance **sustainability** objectives.

11.3.3.2 **Green infrastructure** and **Low Impact Development** techniques, such as permeable paving, infiltration trenches, rain gardens and other stormwater management techniques, shall be considered wherever possible in the design of new **development** and through retrofit opportunities to adapt existing buildings for **sustainable** design.

11.3.3.3 The Municipality shall use a wide selection of native trees, shrubs and wildflowers along street boulevards and in parks and encourage the planting of native trees, shrubs and wildflowers within the private realm through the **development** process.

11.3.3.4 All collector and local roads shall be planned to include a vibrant and healthy tree canopy that will provide shade and enhance and establish a vibrant urban environment, and comfortable pedestrian experience, where feasible. In order to maximum the amount of tree planting, the co-location of utilities is encouraged.

### 11.3.4 Placemaking

11.3.4.1 The unique grid street layout and short block pattern within Downtown Whitby should be maintained and enhanced wherever possible to facilitate walkability and support greater **connectivity** within the Downtown. Schedule "F" identifies several new connections that will expand upon the historic grid street layout in accordance with Section 11.3.9 of this Plan.

11.3.4.2 **Streetscape** features that enhance the pedestrian experience and encourage walkability shall be implemented in Downtown Whitby where feasible, including distinctive street furniture, unique paving features, public art, signage/wayfinding and seating areas.

11.3.4.3 Within the Downtown core, opportunities to enlarge and enhance the pedestrian realm shall be considered including bulb-outs at intersections, reduced traffic lane widths and conversion of on-street parking to patios for restaurants and cafes.

11.3.4.4 Distinctive placemaking features should be implemented at entry points into Downtown Whitby. These features will contribute to the image and identity of Downtown Whitby and include such features as special landscape

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treatments, plantings, signage and banners.

- 11.3.4.5 Landowners with properties abutting rear lanes are encouraged to include storefronts facing the rear lane, public building entrances, patio spaces, seating areas, plantings, public art and lighting, to improve the overall pedestrian experience and safety of laneways.
- 11.3.4.6 The implementation of public art at key intersections, areas of high pedestrian activity and within parks and urban squares, is encouraged to foster a unique sense of place in Downtown Whitby.
- 11.3.4.7 Urban squares and parks within Downtown Whitby, developed in accordance with Section 11.3.7.11 of this Plan and shown on Schedule “F”, provide opportunities to contribute to placemaking. The Town shall consider opportunities to program these spaces to animate public spaces and enhance placemaking.
- 11.3.4.8 New privately owned, publicly accessible open spaces are encouraged to increase the provision of public space within Downtown Whitby.

### **11.3.5 Cultural Heritage Resources**

- 11.3.5.1 **Development** and **redevelopment** shall be in accordance with the cultural heritage and **archeological resource** policies of Section 6.1 of this Plan.
- 11.3.5.2 The adaptive re-use of **cultural heritage resources** is encouraged.
- 11.3.5.3 Any proposed demolition of a **cultural heritage resource** must demonstrate that all alternative options have been considered and demolition is the only viable option.
- 11.3.5.4 **Development** and **redevelopment** adjacent to or incorporating **cultural heritage resources** shall be respectful of the resource, having regard for scale, **massing**, setbacks, building materials and design features, following established Heritage Conservation District Plans where applicable. **Development** and **redevelopment** may require a heritage permit, Cultural Heritage Impact Assessment and/or other relevant documentation required through the **development approval** process.
- 11.3.5.5 The Werden's Plan Neighbourhood Heritage Conservation District is located within Downtown Whitby and is subject to the policies of Section 11.3.6.2 of this Plan, as well as the Heritage Conservation District Plan. The Town may establish additional Heritage Conservation Districts within the Downtown Whitby Community Secondary Plan area under Part V of the Ontario Heritage Act, including the adoption of Heritage Conservation District Plans.

### **11.3.6 Community Structure**

#### **11.3.6.1 Downtown Whitby Major Central Area**

- 11.3.6.1.1 The boundary of the Downtown Whitby Major Central Area is delineated on Schedule "A-2" and also on Schedule "F". Occupying the core of the Downtown Whitby Community Secondary Plan, this area shall be planned to serve as vibrant mixed-use centre, providing an array of institutional, commercial, retail, services, residential, recreational, cultural, entertainment and office uses. These lands shall be developed in accordance with Section 4.32.3.3.2 of this Plan.
- 11.3.6.1.2 ~~A portion of the Downtown Whitby Major Central Area is also identified as an Intensification Area on Schedule "B". These lands shall be developed in accordance with Section 4.3.3.3.2 of this Plan.~~
- 11.3.6.1.3 Schedule "A-2" also identifies Brock Street and ~~Dundas Street~~ as an Intensification Corridor. ~~These~~ Intensification Corridors shall be developed in accordance with Section 4.2.7 4.2.3.5 of this Plan.
- 11.3.6.1.4 **Development** and **redevelopment** within the Downtown Whitby Major Central Area shall maintain and **conserve** the historic commercial character and the low-rise built form within the Main Street Heritage Mixed-Use designation, as delineated on Schedule "F". Denser forms of **development** are permitted and encouraged elsewhere within the **Secondary Plan** area.
- 11.3.6.1.5 Along Brock Street and Dundas Street, the unique main-street business environment shall be maintained, and the pedestrian experience enhanced through placemaking initiatives and public realm improvements. These areas should continue to function as destinations for shopping, dining and entertainment, as well as office and service uses, with encouragement for mixed-use **infill development** that is comprised of ground level commercial units with residential units located above.
- 11.3.6.1.6 Offices, co-working spaces and flex offices, innovative industries, postsecondary institutions and health and social service agency facilities shall be encouraged to locate in Downtown Whitby.
- 11.3.6.1.7 The majority of residential **intensification** will be accommodated within the Downtown Whitby Major Central Area and the Brock Street ~~the Intensification Area and Intensification~~ Corridors within the Downtown. Limited **infill** and **intensification** will be permitted within the existing Low Density Mature Neighbourhoods.
- 11.3.6.1.8 Compatible residential **intensification** through the **redevelopment** of existing buildings and the **infilling** of vacant and underutilized properties shall be encouraged in the Downtown Major Central Area and along the Brock Street Intensification Area and Corridors in order to achieve the intent of the designation and **intensification** targets set out within this Plan.
- 11.3.6.1.9 The permitted height and density of residential and mixed-use **intensification** shall consider the local context and character of

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surrounding uses and built form, including surrounding mature neighbourhoods and **cultural heritage resources**, and should provide for appropriate built form transition to mature neighbourhoods and a built form **character** that fits in with the established **character**.

#### 11.3.6.2 **Werden's Plan Neighbourhood Heritage Conservation District**

- 11.3.6.2.1 The boundary of the Werden's Plan Neighbourhood Heritage Conservation District (Werden's Plan HCD) is shown on Schedule "F". Significant **built heritage resources** within the Werden's Plan HCD shall be **conserved**.
- 11.3.6.2.2 The goal of the Werden's Plan HCD Plan is to preserve the neighbourhood's small-town historic **character** and manage physical change to the neighbourhood over the long term.
- 11.3.6.2.3 The primary land use designations in the Werden's Plan HCD are Low Density Mature Neighbourhoods and Main Street Heritage Mixed-Use. The intent of these designations is to respect and maintain the historic low density **character** of the area.
- 11.3.6.2.4 Notwithstanding Policy 11.3.6.2.3, the Werden's Plan HCD Plan recognizes the opportunities for conversion of existing buildings to commercial uses and apartments in specific areas. These areas are designated Main Street Heritage Mixed-Use.
- 11.3.6.2.5 Changes to buildings, the public realm or private open space shall be in accordance with the goals, objectives, policies and guidelines of the Werden's Plan HCD Plan, which includes direction for new development, **redevelopment**, **infill** and alterations.
- 11.3.6.2.6 **Development** and **redevelopment** within or adjacent to the Werden's Plan HCD, may require a heritage permit, a Cultural Heritage Impact Assessment, and/or any other relevant documentation required through the **development** process. **Development** and **redevelopment** shall have regard for scale, **massing**, setbacks, building materials and design features in accordance with the requirements of the Werden's Plan HCD Plan.
- 11.3.6.2.7 The Werden's Plan HCD Plan identifies five historic landmarks: the St. Mark's United Church, the former R.A. Sennett School, the former Ontario County Registry Office, the Centennial Building and the St. Arsenije Sremac Serbian Orthodox Church. Views of these historical landmarks should be maintained, wherever possible.

### 11.3.7 **Land Use Designations**

#### 11.3.7.1 **Low Density Mature Neighbourhoods**

- 11.3.7.1.1 Lands designated as Low Density Mature Neighbourhoods on Schedule

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- "F" shall be developed in accordance with the policies of Sections 4.3.3.4 and ~~4.4.3.4~~ ~~4.4.3.4~~ 4.2.3.8 except as modified by the following additional policies.
- 11.3.7.1.2 The Low Density Mature Neighbourhoods designation recognizes existing residential **development**.
- 11.3.7.1.3 Limited residential **infill** and **intensification** will be permitted in Low Density Mature Neighbourhoods in accordance with Sections ~~4.4.3.4~~ ~~4.4.3.4~~ 4.2.3.8, and 10.1.13-12.1, provided it fits in with, is context sensitive to and is compatible with the existing physical **character** of the neighbourhood.
- 11.3.7.1.4 The maximum permitted height shall not exceed 2-storeys or as shown on Schedule "G". The Zoning By-law may consider areas where a third storey above the roofline of a dwelling is permitted.
- 11.3.7.1.5 New **development** and **redevelopment** within Low Density Mature Neighbourhoods shall be compatible with and fit in with the existing physical **character** of the neighbourhood.
- 11.3.7.1.6 New **development** and **redevelopment** within the Low Density Mature Neighbourhoods designation shall follow the Residential Design policies of Section 11.3.7.5.
- 11.3.7.2 **Low Density Residential**
- 11.3.7.2.1 Lands designated as Low Density Residential on Schedule "F" shall be developed in accordance with Section ~~4.4.3.4~~ of this Plan, except as modified by the following additional policies.
- 11.3.7.2.2 This designation recognizes newer low density residential **developments** and future low density residential **development** on designated lands.
- 11.3.7.2.3 The Certain lands on the north and south side of Beech Street are designated Low Density Residential on Schedule "F". When the existing industrial uses leave over time, the lands shall be developed for residential uses. Mitigation measures may need to be incorporated in new **development** while existing industries remain.
- 11.3.7.2.4 The maximum permitted building height shall be 3-storeys as shown on Schedule "G".
- 11.3.7.2.5 New **development** and **redevelopment** within the Low Density Residential designation shall follow the Residential Design policies of Section 11.3.7.5.
- 11.3.7.3 **Medium Density Residential**
- 11.3.7.3.1 Lands designated as Medium Density Residential on Schedule "F" shall be developed in accordance with Section ~~4.4.3.5~~ of this Plan, except as

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modified by the following additional policies.

- 11.3.7.3.2 The Medium Density Residential designation recognizes existing designated medium density areas ~~developments~~ as well as some areas for newer **development** adjacent to the Mixed-Use Corridors and along Beech Street.
- 11.3.7.3.3 ~~The~~ Certain lands on the north and south side of Beech Street are designated Medium Density Residential on Schedule "F". When the existing industrial uses leave over time, the lands shall be developed for residential uses. Mitigation measures may need to be incorporated in new **development** while existing industries remain.
- 11.3.7.3.4 The maximum permitted building height shall be 4-storeys or as shown on Schedule "G".
- 11.3.7.3.5 No maximum density is established for this designation as density will be a product of the built form requirements for height, setbacks and step backs.
- 11.3.7.3.6 New **development** and **redevelopment** within the Medium Density Residential designation shall follow the Residential Design policies of Section 11.3.7.5.
- 11.3.7.4 **High Density Residential**
- 11.3.7.4.1 Lands designated as High Density Residential on Schedule "F" shall be developed in accordance with Section 4.3.3.6 of this Plan, except as modified by the following additional policies.
- 11.3.7.4.2 The High Density Residential designation recognizes existing apartment development, and also permits both residential **development** and **redevelopment** up to 6-storeys, and taller residential **development** and **redevelopment** up to 8-storeys in specific areas of the **Secondary Plan** Area.
- 11.3.7.4.3 The minimum height of buildings shall be 4-storeys. The maximum permitted building height is identified on Schedule "G", or as further restricted by Policy 11.3.7.4.5.
- 11.3.7.4.4 No maximum density is established for this designation as density will be a product of the built form requirements for transition, height, setbacks and step backs.
- 11.3.7.4.5 New **development** and **redevelopment** shall provide a transition in heights and densities adjacent to the Low Density Mature Neighbourhoods and any heritage properties, which may be achieved through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane from any property abutting a low density designation.

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- 11.3.7.4.6 New **development** and **redevelopment** within the High Density Residential designation shall follow the Residential Design policies of Section 11.3.7.5.
- 11.3.7.5 **Residential Design**
- 11.3.7.5.1 Lands designated as Low Density Mature Neighbourhoods, Low Density Residential, Medium Density Residential, and High Density Residential shall be developed in accordance with the design policies of Section 6.2 of this Plan, Town established **urban design guidelines** and the additional policies of this Section.
- 11.3.7.5.2 To fit in with the physical **character**, new **development** or **redevelopment** in Low Density Mature Neighbourhoods shall reflect the predominant building type, height, scale, **massing**, and setbacks of the block and surrounding residential neighbourhood.
- 11.3.7.5.3 **Development** or **redevelopment** within the Werden's Plan HCD shall respect the prevailing front yard setback in the siting of new dwellings and additions should be to the rear of existing dwellings away from public view.
- 11.3.7.5.4 Front yard parking should be minimized in the Werden's Plan HCD. The creation of new parking bays, and new driveways, shall be permitted in side yards or rear yards, in accordance with policies of the HCD Plan.
- 11.3.7.5.5 Lot severances will be discouraged in the Werden's Plan HCD.
- 11.3.7.5.6 New buildings and additions to existing buildings in the High Density Residential designation shall provide for a building step back above the third storey for the portion of the building facing a public street or public park, in order to create a low-rise scale abutting the public realm.
- 11.3.7.5.7 New buildings and additions to buildings in the Medium Density Residential or High Density Residential designations should be massed to establish a continuous **streetscape** and promote pedestrian scale, with consistent minimum and maximum setbacks.
- 11.3.7.5.8 Principal entrances should face the sidewalk wherever possible and provide direct access onto the public sidewalk.
- 11.3.7.5.9 Site planning should emphasize the importance of landscaped areas, including the provision of shade structures, building entrances and active built spaces at the street line.
- 11.3.7.5.10 For lands designated High Density Residential, projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in order to create diverse and active **streetscapes**.
- 11.3.7.5.11 For lands designated Medium Density Residential and High Density

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- Residential, off-street parking areas shall be located underground, at the surface at the rear of buildings, or within above ground parking structures so as to not impact the **character** of the area or impact pedestrian **streetscapes**. Common parking areas shall be appropriately screened by landscaping or built form features, or other techniques as may be required through site plan approval. The location of entrances and exits to offstreet parking facilities should consider safety and visual impact and be located so as to minimize the interference with street traffic and pedestrian circulation and should not be close to major intersections.
- 11.3.7.5.12 Where side yard parking is exposed to the street on lands designated Medium Density Residential and High Density Residential, it shall be screened by low walls and landscaping to provide a sense of enclosure along the street.
- 11.3.7.6 **Main Street Heritage Mixed-Use**
- 11.3.7.6.1 Lands designated as Main Street Heritage Mixed-Use on Schedule "F" shall be developed in accordance with the policies of Section 4.6 4.4.3.2-3 of this Plan, except as modified by this Section.
- 11.3.7.6.2 This designation is intended to permit a broad range of commercial, office, service, and community, institutional and residential uses in a mixed-use environment, while respecting and maintaining the historic low-rise **character** of the area designated on Schedule "F".
- 11.3.7.6.3 The minimum height of buildings shall be 2-storeys. The maximum permitted building height is identified on Schedule "G".
- 11.3.7.6.4 No maximum density is established for this designation, as density will be a product of the built form requirements for height, setbacks and step backs as applicable.
- 11.3.7.6.5 **Development** and **redevelopment** shall reinforce the "main street" historic **character** of Brock Street and Dundas Street by locating buildings and storefronts close to the public sidewalk, wherever possible.
- 11.3.7.6.6 Compatible **infill** development that respects and complements the existing historic built form is encouraged.
- 11.3.7.6.7 New residential units shall not be permitted on the main floor of buildings.
- 11.3.7.6.8 New **development** and **redevelopment** within the Main Street Heritage Mixed-Use designation shall follow the Mixed-Use Design policies of Section 11.3.7.9.
- 11.3.7.7 **Downtown Main Street Mixed-Use**
- 11.3.7.7.1 Lands designated as ~~Downtown~~ Main Street Mixed-Use on Schedule "F" shall be developed in accordance with the policies of Section 4.6 4.4.3.2

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of this Plan, except as modified by this Section.

- 11.3.7.7.2 The intent of the ~~Downtown Main Street~~ Mixed-Use designation is to provide a mix of residential and commercial uses in a pedestrian-oriented manner at a density that supports **frequent transit** service, creating an expanded, vibrant pedestrian experience within Downtown Whitby. ~~Notwithstanding Policy 4.6.3.3, department stores, major retail uses and supermarkets may also be permitted within the Downtown Mixed Use designation, subject to appropriate provisions in the Zoning By-law.~~
- 11.3.7.7.3 New buildings shall accommodate retail, office and/or service commercial uses at grade, with residential or additional non-residential uses directed to the floors above. Indoor **amenity areas**, loading and vehicular access may not be permitted along Dundas Street, Brock Street and Colborne Street. Rather, these uses should be directed to frontages that face other streets or laneways, where possible.
- 11.3.7.7.4 Notwithstanding Section 11.3.7.6.7, where the ~~Downtown Main Street~~ Mixed-Use designation abuts a residential designation, consideration will be given to permitting the portion of the mixed-use **development** abutting the residential designation to contain residential uses at grade.
- 11.3.7.7.5 The minimum height of buildings shall be 2-storeys. The maximum permitted building height is identified on Schedule "G", or as further restricted by 11.3.7.7.7.
- 11.3.7.7.6 No maximum density is established for this designation as density will be a product of the built form requirements for height, setbacks and step backs.
- 11.3.7.7.7 New **development** and **redevelopment** shall provide a transition in heights and densities adjacent to Low Density Mature Neighbourhoods, and any heritage properties, which may be achieved through increased setbacks, intervening low-rise built form and the use of a 45-degree angular plane from any property abutting a low density designation.
- 11.3.7.7.8 New **development** and **redevelopment** within the ~~Downtown Main Street~~ Mixed-Use designation shall follow the Mixed-Use Design policies of Section 11.3.7.9.
- 11.3.7.8 **Corridor Residential Mixed-Use Corridor**
- 11.3.7.8.1 Lands designated as ~~Corridor Residential Mixed-Use Corridor~~ on Schedule "F" shall be developed in accordance with the policies of Section ~~4.6~~ **4.4.3.3** of this Plan, except as modified by this Section.
- 11.3.7.8.2 The intent of the ~~Corridor Residential Mixed-Use Corridor~~ designation is to accommodate a mix of uses along the Dundas Street and Brock Street Intensification Corridors, providing an extension of the commercial, office and residential uses of the Downtown core. Notwithstanding Policy

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- 4.6.3.3 ~~4.4.3.3.3~~, department stores, **major retail uses** and supermarkets grocery stores may also be permitted within the ~~Corridor~~ Residential Mixed-Use Corridor designation, subject to appropriate provisions in the Zoning By-law.
- 11.3.7.8.3 A mix of uses within the ~~Corridor~~ Residential Mixed-Use Corridor designation shall be accommodated on individual sites, either within the same building or as separate buildings on the lot. This mix of uses provides flexibility for the evolution of the ~~Corridor~~ Residential Mixed-Use Corridor area, allowing stand-alone residential, commercial and office uses, as well as mixed-use buildings. Consideration should be given as to how these land use elements will be phased through the **development** process. A phasing plan may be required to ensure a mix of uses is created in the initial stages of **development**.
- 11.3.7.8.4 In addition to the requirements Section 4.4.3.2.7 of ~~Section 4.6.3.9~~ of this Plan, where an existing single detached dwelling is converted to a sole commercial use, the conversion must also enhance the pedestrian **streetscape**, provide on-site parking within the interior of the lot or rear yard, and where a building of historic significance is involved, ensure the heritage attributes of the building are **conserved**.
- 11.3.7.8.5 The minimum height of buildings shall be 2-storeys. The maximum permitted building height is identified on Schedule "G", or as further restricted by Policy 11.3.7.8.7.
- 11.3.7.8.6 No maximum density is established for this designation as density will be a product of the built form requirements for height, setbacks, step backs and angular plane.
- 11.3.7.8.7 New **development** and **redevelopment** shall provide a transition in heights and densities adjacent to the Low Density Mature Neighbourhoods, and any heritage properties, which may be achieved through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane from any property abutting a low density designation.
- 11.3.7.8.8 New **development** and **redevelopment** shall enhance the pedestrian comfort along Brock Street and Dundas Street by locating new buildings close to the street, activating the street frontage and enhancing the public realm in front of buildings.
- 11.3.7.8.9 Prior to approval of any mixed-use **redevelopment** for lands south of Consumers Drive, a Comprehensive Block Plan may be required in accordance with Section 6.2.4.2 of this Plan.
- 11.3.7.8.10 New **development** and **redevelopment** within the ~~Corridor~~ Residential Mixed-Use Corridor designation shall follow the Mixed-Use Design policies of Section 11.3.7.9.

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### 11.3.7.9 **Mixed-Use Design**

- 11.3.7.9.1 Lands designated as Main Street Heritage Mixed-Use, Downtown Main Street Mixed-Use and Corridor Residential Mixed-Use Corridor shall be developed in accordance with the design policies of Section 6.2 of this Plan, relevant Town established **urban design guidelines** and the additional policies of this Section.
- 11.3.7.9.2 Mixed-use buildings shall be oriented to the street and massed to establish a continuous **streetscape**, wherever possible, that promotes a pedestrian scale, with consistent minimum and maximum setbacks.
- 11.3.7.9.3 A variety of architectural styles are encouraged in new buildings that complement the historic built form **character** of the Main Street Heritage Mixed-Use designation.
- 11.3.7.9.4 Mixed-use buildings should provide active at-grade uses that animate the **streetscape** along both the frontage and flankage adjacent to public streets.
- 11.3.7.9.5 Within the Main Street Heritage Mixed-Use and Downtown Main Street Mixed-Use designations, retail buildings and the ground floor of mixed-use buildings should be designed to:
- a. Maintain the existing **character** of small shops within the Main Street Heritage Mixed-Use designation, which includes a fine grain of entrances, and/or windows along the street edge;
  - b. Contain clear glazing on windows and doors along front facades to ensure active store frontages;
  - c. Separate, where possible, residential entrances and lobbies along Brock Street and Dundas Street and direct them to side streets or rear entrances; and
  - d. Provide for ground floor heights that reflect the heights of other commercial and mixed-use buildings on the block.
- 11.3.7.9.6 Principal entrances shall face the sidewalk, wherever possible, and provide direct access onto the public sidewalk. The primary windows and signage shall also face the street.
- 11.3.7.9.7 **Development** and **redevelopment** facing a residential designated area should provide a residential **character**, wherever possible.
- 11.3.7.9.8 Projections of canopies, roof overhangs, window bays and other architectural elements are encouraged in accordance with relevant Town established **urban design guidelines**.
- 11.3.7.9.9 The design of new **development**, **infill** and **intensification** adjacent to **cultural heritage resources** shall incorporate principles of heritage conservation and shall be sensitive to the existing resources in

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|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             | accordance with Section 11.3.6 of this Plan and where applicable the Werden's HCD.                                                                                                                                                                                                                                                                                           |
| 11.3.7.9.10 | Off-street parking areas shall be located underground, in above ground structures, at the rear of buildings or interior to the block, so as to not impact the <b>character</b> of the area or impact pedestrian <b>streetscapes</b> .                                                                                                                                        |
| 11.3.7.9.11 | Above ground parking structures shall contain active commercial and community uses on the ground floor of a building's frontage and flankage, except facing a Residential designated area. Above ground parking structures in the <u>Main Street</u> Heritage Mixed-Use designation shall be designed to reflect and fit in with the surrounding heritage <b>character</b> . |
| 11.3.7.9.12 | Where side yard parking is exposed to the street, it shall be screened by low walls, landscaping, and/or other techniques, to provide a sense of enclosure along the street. Implementation of these techniques may be required through site plan approval.                                                                                                                  |
| 11.3.7.9.13 | Parking, driveways, lanes or aisles shall not be permitted between the public sidewalk and the facade of buildings.                                                                                                                                                                                                                                                          |
| 11.3.7.9.14 | The location of entrances and exits to off-street parking facilities should be located so as to minimize the interference with street traffic and pedestrian circulation and should not be close to major intersections.                                                                                                                                                     |
| 11.3.7.9.15 | The <b>development</b> of mid-block entrances to pedestrian mews and pathways is encouraged.                                                                                                                                                                                                                                                                                 |
| 11.3.7.10   | <b>Institutional</b>                                                                                                                                                                                                                                                                                                                                                         |
| 11.3.7.10.1 | Lands designated as Institutional on Schedule "F" shall be developed in accordance with the relevant policies of Section 4.8 <u>4.6</u> of this Plan, except as modified by the following additional policies.                                                                                                                                                               |
| 11.3.7.10.2 | The maximum building height in the Institutional designation will be governed by Schedule " <u>G</u> " and the applicable Zoning By-law with consideration given to the height of existing buildings on each site.                                                                                                                                                           |
| 11.3.7.10.3 | Notwithstanding Section 11.3.7.1, a private office may be permitted, as an exception, on the property located at 400 Centre Street South, identified as Assessment Roll #18-09-030-014-06900, subject to the inclusion of appropriate provisions in the Zoning By-law.                                                                                                       |
| 11.3.7.11   | <b>Open Space</b>                                                                                                                                                                                                                                                                                                                                                            |
| 11.3.7.11.1 | Lands designated as Open Space on Schedule "F" shall be developed in accordance with Section 4.9 <u>4.7</u> of this Plan, except as modified by the following additional policies.                                                                                                                                                                                           |
| 11.3.7.11.2 | New Parks and Urban Squares are shown symbolically on Schedule "F"                                                                                                                                                                                                                                                                                                           |

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and shall be further delineated at the time of **development** review and approval through the **development** approval process.

- 11.3.7.11.3 New park spaces should accommodate smaller scale uses and activities that can be used by people of all ages and abilities.
- 11.3.7.11.4 The Town will explore opportunities to incorporate interactive placemaking elements, in accordance with the policies of Section 11.3.4, in existing parks such as public art, games, tables, seating, skating rinks, water features, food vendors, outdoor markets, outdoor theatres and distinctive play structures.
- 11.3.7.11.5 Publicly accessible Urban Squares shall be provided, wherever possible, within the Main Street Heritage Mixed-Use designation and ~~Downtown~~ Main Street Mixed-Use designations through the **redevelopment** of existing spaces to:
- a. Promote the identify of the Downtown;
  - b. Allow for a variety of uses, such as spaces for gathering, hosting events, and markets;
  - c. Address the need for more park space in the Downtown; and
  - d. Provide vegetation and diversity in tree and shrub planting.
- 11.3.7.11.6 Urban Squares should be designed with edges that are defined by buildings or other structures where not bound by roads.
- 11.3.7.11.7 Urban Squares should be easily accessible and visible to the public, containing hard landscaping and natural elements, and provide passive recreation uses, programmed activities and a display of public art. Adjacent commercial uses should provide access to and from the Urban Square, wherever possible.
- 11.3.7.11.8 Public-private partnerships between landowners, as part of new **development** or **redevelopment**, are encouraged to establish privately owned publicly accessible open spaces.
- 11.3.7.11.9 Residential land uses within the Beech Street area shall include a new park within this new neighbourhood. The location of the new park on Schedule "F" is conceptual.

## **11.3.8 Natural Hazards**

- 11.3.8.1 Lands designated as Natural Hazards on Schedule "G" represent **floodplain** and **erosion hazards** as determined by the Central Lake Ontario Conservation Authority. These lands shall be developed in accordance with Section 5.3.10 of this Plan and the approval of the Conservation Authority.
- 11.3.8.2 Where detailed study in support of a **development** application confirms that the boundary of a Natural Hazards designation may be refined,

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**development** and **site alteration** may be permitted without amendment to this Plan provided the Conservation Authority concurs with the study findings. When the Natural Hazards designation is removed or reduced, the urban land use designation abutting the area removed or reduced shall apply.

### **11.3.9 Other Policy Directions**

#### **11.3.9.1 Parking**

- 11.3.9.1.1 The **development** and **redevelopment** of parking lots within Downtown Whitby will be based on Town Parking Master Plans that are specific to Downtown Whitby.
- 11.3.9.1.2 The Town shall consider means to reduce parking needs, which may include carpool incentives, cycling **infrastructure**, transit improvements, micro-transit support service and car share services.
- 11.3.9.1.3 Parking is encouraged to be shared between businesses for **developments** and uses that do not have competing parking needs to reduce overall parking requirements.
- 11.3.9.1.4 The Town may consider cash-in-lieu of non-residential parking where it can be demonstrated that the full parking requirement cannot be provided on-site or in an alternate location. In such cases, the Municipality and the Developer shall enter into an agreement providing for such payment. Within the Main Street Heritage Mixed-Use designation, cash-in-lieu of parking may be encouraged for in order to retain the heritage **character**.
- 11.3.9.1.5 The Town shall work with property owners to encourage more efficient use of existing private parking areas for commercial uses and optimize the opportunity for new **infill development** and cohesive commercial main street **development**.
- #### **11.3.9.2 Roads, Transit and Active Transportation**
- 11.3.9.2.1 The **Secondary Plan** Area shall be developed in accordance with Section 8.1 of this Plan, except as modified by the following additional policies.
- 11.3.9.2.2 Schedule "F" illustrates the road pattern for the **Secondary Plan** Area.
- 11.3.9.2.3 Road extensions, as shown on Schedule "F" shall be implemented in a coordinated manner, maintaining the historic grid street layout that is integral to the structure of Downtown Whitby, walkability and vehicular circulation. Local road extensions may be public, private or primary pedestrian connections as determined by the Town.
- 11.3.9.2.4 **Development** and **redevelopment**, including any road improvements or reconstruction projects, shall provide, wherever possible, enhanced

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- pedestrian, cycling and other **active transportation** connections to existing and planned Regional and Provincial transit routes and stations.
- 11.3.9.2.5 Road improvements or reconstruction projects shall consider future transit **infrastructure** improvements such as bus shelters, bulb-outs and transit signal priorities.
- 11.3.9.2.6 Transportation Demand Management Plans may be required for new **development** and **redevelopments** to assist in reducing single occupant vehicle trips.
- 11.3.9.2.7 Arterial road rights-of-way shall consider the needs, safety and comfort of pedestrians, cyclists and automotive users. Priority shall be given to ensuring that public transit facilities and amenities, such as stops, large shelters, seating, posted route schedules and information and dedicated lanes are part of the overall design of the road network over the long term.
- 11.3.9.2.8 New and reconstructed arterial roads shall be built with sidewalks on both sides and cycling provided through on-road facilities and/or off-road multi- use paths.
- 11.3.9.2.9 The location of multi-use paths and the **active transportation** network will be based on the Town Active Transportation Master Plans in effect. The Town will consider opportunities to join existing disconnected trails and expand multi-use paths, as well as improve wayfinding signage for on and off-road facilities.
- 11.3.9.2.10 Within existing Residential areas, the provision of sidewalks on at least one side of the street should be considered for neighbourhoods that do not provide sidewalks in order to improve accessibility and support a safe and connected pedestrian environment.
- 11.3.9.2.11 **Active transportation** connections across arterial roads shall be planned at appropriate walking/cycling intervals to reduce barriers between neighbourhoods, improve safety and increase accessibility for all ages and abilities.
- 11.3.9.2.12 Flex streets are portions of a public-right-of-way designed to function either wholly or partially, as desired, for pedestrian activities, and/or public events through the use of design elements including, but not limited to, bollards, flexible on-street parking configurations, pavement materials, enhanced **streetscapes** and/or modified curbs. Portions of Colborne Street and Brock Street within the Main Street Heritage Mixed-Use and Main Street ~~Downtown~~-Mixed-Use designations may be designed as a flex street.
- 11.3.9.2.13 The Town may consider reducing Brock Street to two lanes between

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Burns Street and Maple Street in order to expand the pedestrian realm providing opportunities for wider sidewalks, benches, enhanced transit stops, sidewalk cafes and street trees for shading. The reduction of lanes will require a study of traffic impacts on the broader transit network and surrounding road network.

### **11.3.9.3 Servicing**

- 11.3.9.3.1 The Secondary Plan Area shall be developed in accordance with the municipal servicing policies of Section 8.2.3 and the site servicing policies of Section 6.2.3.16..

### **11.3.10 Implementation and Interpretation**

- 11.3.10.1 The implementation and interpretation of this **Secondary Plan** shall be in accordance with Section 10 of this Plan.
- 11.3.10.2 Mitigation measures may need to be incorporated in new **development** in the Beech Street area, while existing industries remain.



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## 11.5 Brock/Taunton Major Central Area Secondary Plan

### 11.5.1 Goal

- 11.5.1.1 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, and respects the **hazard lands** and environmentally sensitive areas associated with Lynde Creek.

### 11.5.2 Objectives

- 11.5.2.1 To encourage the creation of a dynamic, vibrant area with a strong sense of identity, which provides a wide range of activities for residents and visitors.
- 11.5.2.2 To provide for a full range of retail and personal service uses to serve the needs of the residents.
- 11.5.2.3 To encourage the creation of mixed-use **developments** which provide a suitable integration of uses within the Major Central Area and provide a variety of employment and residential opportunities.
- 11.5.2.4 To provide a range of **housing options** ~~types~~ to accommodate a variety of household sizes and incomes, that support the other land uses in the Major Central Area and are developed at densities which are **transit supportive**.
- 11.5.2.5 To respect and protect the natural environmental features within the area.
- 11.5.2.6 To provide an appropriate balance between the traffic functions of the arterial roads and the need for **active transportation** and transit in the Major Central Area.
- 11.5.2.7 To create an area which is pedestrian and bicyclist friendly and ensures their comfort, safety and convenience.
- 11.5.2.8 To establish an **urban design** framework for **development** in the Major Central Area.

### 11.5.3 General Development Policies

- 11.5.3.1 The area to which this **Secondary Plan** applies is indicated by the **Secondary Plan** boundary on Schedule "~~K~~". Any area shown on this map but lying outside of this boundary is governed by the policies of Part 1 of this Plan.
- 11.5.3.2 Schedule "~~K~~" provides the detailed land use designations for both the Major Central Area and the ~~larger~~ **Secondary Plan** area. The more detailed policies of Section 11.5, together with the general policies of this Plan, apply to the land use designations of the **Secondary Plan** area as shown on **Schedule "~~K~~"**.

- 11.5.3.3 Development within the Major Central Area shall have regard to the relevant provisions of the Town of Whitby Official Plan and the ~~Durham Regional Official Plan~~, and in particular the overall density and long term floor space index targets in Section 4.32.3.3.4.2.
- 11.5.3.4 **Development** within the Major Central Area shall be integrated in a compact form; pedestrian-oriented; accessible by public transit; and promote efficient and effective use of land resources and municipal services.
- 11.5.3.5 The highest intensity of land uses shall be within the Major Commercial Mixed-Use and Residential Mixed-Use designations in the vicinity of the intersection of Brock Street and Taunton Road, and Garden Street and Taunton Road East. There shall be a transition of densities towards the boundaries of the Major Central Area. New **development** will 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.
- 11.5.3.6 Throughout the **development** approval process, the municipality will encourage the use and implementation of **urban design** in accordance with Section 6.2, with specific regard to **development** adjacent to the arterial roads and the tributary of the Lynde Creek.
- 11.5.3.7 New automobile service stations and gas bars shall not be permitted within this Major Central Area.

#### 11.5.4

#### Major Commercial Mixed-Use

- 11.5.4.1 Lands designated as Major Commercial Mixed-Use on Schedule “K1” shall be developed in accordance with the policies of Section 4.5.3.1-4 4.4.3.4 except as modified by the following additional policies.
- 11.5.4.2 Medium and high-density residential uses may be permitted in conjunction with the permitted non-residential uses, subject to Section 4.5.3.7 4.4.3.7 and Section 4.32.3.3.4.2. Proposals for residential **development** shall be required to submit a detailed Noise Impact Study which evaluates the potential adverse effects on such residential uses from **adjacent land** uses and arterial roads. The study will demonstrate how appropriate noise levels for residential **development** can be achieved, including the identification of any required mitigation measures.
- 11.5.4.3 ~~New non-residential buildings greater than 500 square metres, shall have a minimum building height of 2 storeys and a maximum building height of 18 storeys.~~
- ~~New residential and mixed-use buildings shall have a minimum building height of 6 storeys and a maximum building height of 18 storeys.~~
- ~~All buildings that have a height of greater than 8 storeys shall generally be located in proximity to Baldwin Street South, Brock Street North or Taunton Road East and West.~~

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The minimum building height for new non-residential buildings greater than 500 square metres shall be 2 storeys. The minimum building height for new residential and mixed-use buildings shall generally be 6 storeys. The maximum building height shall be 25 storeys, subject to providing a transition in height and density where **development** abuts existing low-rise residential **development**, through increased setbacks, intervening low rise built form and the use of a 45-degree angular plane. Buildings that have a height greater than 8 storeys shall generally be located in proximity to Brock Street and Taunton Road.

- 11.5.4.4 **Development** shall accommodate continuous connections for transit, pedestrian and vehicular traffic throughout the Major Commercial Mixed-Use designations.
- 11.5.4.5 Notwithstanding any other provisions of this Plan to the contrary, the maximum permitted residential density will be a product of the built form requirements for height, setbacks and step backs. on lands designated as Major Commercial-1 is 555 units per net hectare. For the purposes of this calculation, **net residential hectare** shall include all private laneways.
- 11.5.4.6 Notwithstanding any other provisions of this Plan to the contrary, for lands located within Concession 4 Part Lot 26, municipally known as 70 Taunton Road East, identified by Assessment Roll number 18-09-010-037-29800-0000, the additional use of a commercial self-storage facility may be permitted as an exception, provided the operation is wholly enclosed within the building and is subject to the inclusion of appropriate provisions in the Zoning By-law.
- 11.5.4.7 Notwithstanding any other provisions of this Plan to the contrary, for lands located within Concession 4, Part Lot 26, municipally known as 20 Taunton Road East, identified by Assessment Roll number 18-09-010- 037-29725-0000, the additional use of a commercial self-storage facility may be permitted, provided the operation is wholly enclosed within the building and is subject to the inclusion of appropriate provisions in the Zoning By-law.
- In addition, a lot for the commercial self-storage facility may be created without frontage on an open public road provided there are necessary easements respecting such matters as appropriate shared access across parcels to/from a public road, vehicular and pedestrian circulation, and municipal servicing.
- 11.5.5 Residential Mixed-Use**
- 11.5.5.1 Lands designated as **Residential Mixed-Use** on Schedule “K1” shall be developed in accordance with policies of Section 4.6 4.4.3.3 except as modified by the following additional policies.
- 11.5.5.2 **Development** within the Residential Mixed-Use designation shall be required to provide for an integration of medium or high-density residential uses and non-residential uses. Residential uses shall be developed in accordance with

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the relevant provisions of Section 4.5.3.7 4.4.3.7.

The residential component of a Residential Mixed-Use **development** may be located either within the same building as the permitted non-residential use or, in separate buildings on the same site with permitted non-residential uses, as part of an integrated **development** plan. Where the residential and non-residential uses are not proposed within the same building, the **development** shall demonstrate the means by which integration of residential and non-residential uses shall occur, prior to rezoning. Single-purpose land uses within the Residential Mixed-Use designation shall not be permitted.

11.5.5.3 Recreational, institutional and community uses in accordance with Section 4.4.3.1 4.3.3.1 a) of this Plan, may also be permitted.

11.5.5.4 **Development** and **redevelopment** in the Residential Mixed-Use designation shall take into consideration the **Urban Design** policies established in Section 11.5.12 and Section 6.2 of this Plan.

11.5.5.5 ~~New residential and mixed-use buildings shall have a~~ The minimum building height for new non-residential buildings greater than 500 square meters in gross floor area shall be 2 storeys. The minimum building height for new residential mixed-use buildings shall generally be 6 4 storeys and a maximum building height of 18 storeys. The maximum building height shall be 25 storeys, subject to providing a transition in height and density where **development** abuts existing low rise residential development, through increased setbacks, intervening low-rise built form and the use of a 45-degree angular plane. Buildings that have a height of greater than 8 storeys shall generally be located in proximity to ~~Baldwin Street~~, Brock Street or Taunton Road.

~~New non-residential buildings greater than 500 square metres in gross floor area shall have a minimum building height of 2 storeys.~~

11.5.5.6 Notwithstanding any other provision of this plan to the contrary, the maximum density will be a product of the built form requirements for height, setbacks and step backs.

11.5.5.7 Where lands within a Residential Mixed-Use designation are under more than one ownership, complementary site design shall be encouraged, where appropriate, including such matters as: co-ordination of access points; internal traffic circulation; parking; pedestrian connections, and integrated landscaping.

11.5.5.8 Additional policies have been developed for specific areas designated Residential Mixed-Use as illustrated on Schedule "K". **Development** shall proceed in accordance with the following:

11.5.5.8.1 Commercial uses and buildings shall be encouraged to be situated in close proximity to the Brock Street and Taunton Road intersection.

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- 11.5.5.8.2 There shall be a transition of densities with the highest densities occurring closest to the Brock Street and Taunton Road intersection.
- 11.5.5.8.3 The gross leasable floor area assignment for retail and personal service uses within Residential Mixed-Use Area at the south east quadrant of Brock Street South and Taunton Road East shall generally be 5,300 square metres. Additional floor space will also be permitted for business and corporate offices which are located within the upper floors of a Residential Mixed-Use **development**.
- 11.5.5.8.4 Commercial uses and buildings shall be encouraged to be situated in close proximity to Brock Street North and Taunton Road East.
- 11.5.5.8.5 **Development** of Residential Mixed-Use shall be required to include medium and/or high-density residential uses, in accordance with Sections 11.5.5.2.

#### **~~11.5.6 Institutional/Corporate Office~~**

- ~~11.5.5.9 The predominant uses permitted within Institutional/Corporate Office designation shall include business and corporate offices, entertainment uses, recreational uses and institutional uses including health care and medical facilities, civic administration centres, government facilities, education facilities, places of worship, community centres, libraries, transit, art and cultural facilities, banquet halls and fraternal organizations.~~
- ~~11.5.5.10 In addition to the uses permitted in Section 11.5.6.1, residential uses are also permitted within mixed-use buildings that have a minimum height of 6 storeys and a maximum height of 10 storeys.~~
- ~~11.5.5.11 For the purposes of this designation, corporate offices are defined as offices which provide business headquarters or main office functions but do not include medical offices, law offices, and real estate offices and are greater than a minimum of 500 square metres of gross leasable area.~~

#### **11.5.6 Residential**

- 11.5.6.1 A range of **housing options** ~~tenure types and built forms of residential development~~ shall be encouraged to serve a variety of housing needs within the Major Central Area.
- ~~11.5.6.2 Lands designated as Low Density Residential on Schedule “K1” shall be developed in accordance with Section 4.4.3.4 4.3.3.4 and are located outside of the Major Central Area.~~
- 11.5.6.2 Lands designated as Medium Density Residential on Schedule “K1” shall be developed in accordance with Section ~~4.4.3.5~~ 4.3.3.5.
- 11.5.6.3 Lands designated as High Density Residential shall be developed in accordance with Section ~~4.4.3.6 and 4.3.3.4~~ 4.3.3.6 and 4.2.3.3.4 of this Plan. Notwithstanding, the maximum density will be a product of the built

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form requirements for height, setbacks and step backs.

- 11.5.6.4 ~~Local Neighbourhood~~ Commercial Areas, convenience stores ~~Commercial Centres~~ and professional, business office and personal service uses permitted in accordance with Sections 4.43.3.1 b) and 4.43.3.1 c) of this Plan, shall not be permitted within Residential designations in this **Secondary Plan**.

## **11.5.7 Institutional**

- 11.5.7.1 A variety of Institutional uses currently exist within the Major Central Area. Institutional uses, including schools, places of worship, community centres, libraries and cultural facilities may be permitted, subject to an amendment to the Zoning By-law.
- 11.5.7.2 Integrated access points and circulation routes with adjacent uses shall be encouraged.

## **11.5.8 Major Open Space**

- 11.5.8.1 Lands designated Major Open Space shall be developed in accordance with Section 4.97 of this Plan, except as modified by the following additional policies.
- 11.5.8.2 **Natural Heritage System** and Natural Hazards, shown on Schedule “**CB**”, comprise of a portion of the Major Open Space corridor along the Lynde Creek tributary.

## **11.5.9 Parks**

- 11.5.9.1 Parkettes and Urban Squares are shown symbolically on Schedule “**K1**” and shall be developed in accordance with the relevant policies of Sections 4.97.3.22.

## **11.5.10 Transportation**

- 11.5.10.1 The **Secondary Plan** area shall be developed in accordance with the Transportation policies of Sections 8.1 and 6.2 in particular Section 6.2.3.13 and 6.2.3.14 except as modified by the following policies.
- 11.5.10.2 Taunton Road is a Type “A” arterial road which is intended to provide cross regional transportation. This road also provides the main east-west transportation connection and individual property access within the Major Central Area.
- 11.5.10.3 Brock Street North/Baldwin Street South is a Type “B” arterial road which is intended to provide the main north-south transportation connection through the Major Central Area.
- 11.5.10.4 In order to respect the designated road functions of the arterial roads and to

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provide opportunities for access to intensified uses within the Major Central Area, individual property access to the arterial roads may be restricted and may be required to be coordinated with other **developments** in order to ensure adequate vehicular and pedestrian safety. The Town of Whitby and the Region of Durham shall determine these requirements during the **development** approval process.

- 11.5.10.5 A vehicular and pedestrian movement shall be designed to reduce conflict between pedestrians and vehicular traffic, and between residential and non-residential vehicular traffic.
- 11.5.10.6 The use of traffic control measures may be required in the future to address the impacts of through traffic, or locally generated non-residential traffic, on local streets within the Residential designations shown on Schedule “K”.
- 11.5.10.7 Future public transit routes and facilities shall serve the Major Central Area and be designed to provide optimum service to the various land uses within the Major Central Area. Transit facilities may be required in the Major Commercial Mixed-Use designation and all land uses shall make provision for transit connections, where necessary.
- 11.5.10.8 Safe and convenient pedestrian circulation systems shall be provided within all areas of the Major Central Area. Within developed areas, the pedestrian system shall include sidewalks and walkways which shall be well lit and hard surfaced. Within open space areas, the pedestrian system will be designed in accordance with the environmental character of the area. Appropriate pedestrian road crossing locations shall be provided. Landscaping and buffering of the pedestrian system shall be encouraged and shall be addressed through the **development** approval process where appropriate.
- 11.5.10.9 **Active transportation** shall be encouraged in and through the **Secondary Plan area**. The integration of **active transportation** facilities shall be addressed through the **development** approval process, where appropriate.
- 11.5.10.10 In addition to the matters listed in Section 4.43.3.12.2, the Municipality may also consider reduced parking requirements after detailed study for all **developments**, where justified in terms of need, to the satisfaction of the Municipality where specific land uses share a common site and have non-coincident peak parking requirements.

It is the long-term intent of this Plan that the majority of the parking spaces in the Central Area be included within structured parking garages or underground. In this regard, a long term parking strategy for the area which takes into account the phasing of **development** should be prepared.

## **11.5.11 Urban Design**

- 11.5.11.1 The provisions of Section 6.2 and 4.3.3.7 of this Plan shall apply to all **development** within the Major Central Area.

- 11.5.11.2 Proposals for **development** and **redevelopment**, adjacent to arterial roads, shall be evaluated by the relevant **urban design** provisions of Section 6.2 and the following **urban design** criteria:
- a. A coordinated **streetscape** theme, where appropriate, within both the public and private realms in order to enhance the identity of the Major Central Area;
  - b. The provision of enhanced entrance landscaping treatments within the Major Commercial Mixed-Use and Residential Mixed-Use designations;
  - c. The location and arrangement of built form, including reduced setbacks, where appropriate, shall be used in close proximity to the street edge in order to promote the image of the area as a high intensity node and to provide a more pedestrian-friendly and lively street environment;
  - d. Primary access shall be coordinated between adjacent land parcels to minimize pedestrian and vehicular conflicts; and
  - e. Appropriate sidewalk connections shall be incorporated within land parcels and to the right of way, where appropriate, to maximize opportunities for pedestrian movement.
- 11.5.11.3 More intensive land uses and tall buildings shall be encouraged to be adjacent to arterial roads, wherever appropriate with a transition of densities and building heights from these arterial roads.
- 11.5.11.4 Off street parking and service areas shall be encouraged to locate at the side or rear of buildings, where feasible, in order to promote an attractive **streetscape** and reduce the visual impact of large surface parking lots.
- Underground or decked parking or other similar parking solutions shall be encouraged and the treatment of such structures shall be consistent with the building materials and landscaping used elsewhere on the site. Sufficient setbacks for enhanced landscaping where parking is located adjacent to an arterial or collector road shall be provided, which does not limit or impair pedestrian or vehicular sightlines.
- 11.5.11.5 Commercial service areas shall be encouraged to locate away from residential areas and shall not be visible from arterial roads. Service areas shall be screened with a combination of fencing and/or landscaping.
- 11.5.11.6 Where feasible, electrical, cable, telephone and other utilities shall be encouraged to locate underground and the location of associated at-grade service boxes will have regard to the pedestrian environment and vehicular sight-lines.
- 11.5.11.7 Landscaping and planting shall be provided in accordance with Section

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6.2.3.15.1 and also include the following:

- a. Define pedestrian and vehicular routes;
- b. Establish and define a uniform and coordinated street edge; and
- c. Reinforce the prominence and enhance focal points with enhanced landscaping within the Major Central Area.

11.5.11.8 Landscaping plans shall include native local species, where appropriate.

## **11.5.12 Implementation and Interpretation**

11.5.12.1 The implementation and interpretation of the **Secondary Plan** will be in accordance with Section 10 of Part I of this Plan.

11.5.12.2 Notwithstanding Section 10.2.1.2 of this Plan, minor deviations to the floor space allocations of this **Secondary Plan** may be permitted without amendment to this Plan, where such deviations do not affect the general intent and purpose of this Plan and where supported by a valid planning rationale, to the satisfaction of the Town of Whitby.



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## 11.6 Taunton North Community Secondary Plan

### 11.6.1 Goal

- 11.6.1.1 To provide for the comprehensive **development** of a safe, healthy and attractive residential and industrial community that meets the needs of current and future residents and businesses.
- 11.6.1.2 To ensure that all decisions are based on an “Environment First” principle which preserves, protects and enhances the **significant** environmental features, functions and linkages.

### 11.6.2 Objectives

- 11.6.2.1 To employ an ecosystem approach in planning to ensure all of the components of the ecosystem which are air, water, land and living organisms are considered as a whole and that balanced decisions are made with an understanding of the environmental, community and economic implications. Balance may not occur on each individual property and protection of the natural environment will be given more weight in certain areas.
- 11.6.2.2 To work with public and private sector interests to preserve, protect and enhance the **significant** environmental features, functions and linkages including valley and stream corridors, hydrogeological functions, water quality and quantity, groundwater recharge, headwater functions, riparian vegetation, **fish habitat**, forest and tree cover, species at risk and **endangered species, wetlands** and important terrestrial functions within the community.
- 11.6.2.3 To create a safe, livable, and healthy community that has a sense of community identity.
- 11.6.2.4 To encourage innovative and alternative forms of **development** that respond to and enhance the environmental attributes of the area.
- 11.6.2.5 To encourage, to the extent possible, an urban form that is efficient and cost effective for servicing, storm water, transportation and public transit systems and is sensitive to environmental conditions.
- 11.6.2.6 To provide safe, comfortable and convenient opportunities for pedestrian, cycling and other similar **active transportation** movements through streets, paths and greenways such as utility corridors throughout the community and to provide a connection from the Lynde Creek to the Whitby/Oshawa boundary.
- 11.6.2.7 To encourage a high standard of **urban design** to ensure the creation of an attractive community.
- 11.6.2.8 To provide parks, open space, linkages and recreational opportunities that

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meet the needs of the community, respect the environment and provide opportunities for social **connectivity**.

11.6.2.9 To encourage the provision of a variety of housing forms which provide choices and address the economic and social needs of all facets of the population.

11.6.2.10 To provide for business opportunities that benefit the community, provide employment opportunities, take advantage of existing and future transportation linkages and are sensitive to environmental conditions.

### **11.6.3 General Development Policies**

11.6.3.1 The area to which this **Secondary Plan** applies is indicated by the **Secondary Plan** boundary on ~~Schedule “L”~~ Schedule “J”. Any area shown on this map, but lying outside of this boundary, is governed by the policies of Part I of this Plan.

11.6.3.2 ~~Schedule “L”~~ Schedule “J” provides the detailed land use designations for the **Secondary Plan** Area. The more detailed policies of Section 11.6, together with the policies of Part I of this Plan, apply to the land use designations of the Taunton North Community Secondary Plan area as shown on ~~Schedule “L”~~ Schedule “J”.

11.6.3.3 ~~Schedule “M”~~ Schedule “K” identifies area within which an **Environmental Impact Study (EIS)** shall be required prior to any **development** or **development** approvals being permitted to occur. For the purposes of this **Secondary Plan**, the term **development** as it relates to ~~Schedule “M”~~ Schedule “K” is defined to include the construction of any building or structure which requires vegetation removal or installation of services. Policies outlining the **EIS** requirements are found in Section 11.6.4.

11.6.3.4 **Development** and **redevelopment** on or adjacent to lands with heritage resources shall be considered in accordance with the policies of Section 6.1 of this Plan.

11.6.3.5 Prior to any **development** or **redevelopment** within the **Secondary Plan** area, an archaeological survey may be required in accordance with Section 6.1.4. and Policy 2.3.4 and Table ‘E8’ of the Durham Regional Official Plan.

11.6.3.6 Known former waste disposal sites are identified on ~~Schedule “L”~~ Schedule “J”. The policies of Section 5.3.11 shall apply to those lands within 500 metres of identified former waste disposal sites

11.6.3.7 Lands identified as School sites on ~~Schedule “L”~~ Schedule “J” shall be developed in accordance with the policies of Section 4.86.

Schools are symbolically shown and the exact location shall be determined through the draft plan of subdivision or site plan approval process and may

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be relocated without amendment to this Plan, as long as the intent of the Plan is maintained.

Where a designated school site is not required, the site may be developed in accordance with the underlying designation without amendment to this Plan.

#### **11.6.4 Environmental Management**

11.6.4.1 **Development** and **redevelopment** shall be subject to the appropriate policies of Section 5.3 of the Official Plan, except as modified by the following additional policies.

11.6.4.2 All owners in the **Secondary Plan** area shall be encouraged to protect, preserve, and enhance to the greatest extent possible, the **significant** natural heritage of their land.

**Development** and **redevelopment** will only be considered where it has been demonstrated to the satisfaction of the Municipality, in consultation with the ~~Central Lake Ontario~~ Conservation Authority that the Environment First principle has been achieved and that the environment can be protected and sustained over the long term.

11.6.4.3 Core **woodlands** identified on ~~Schedule “M”~~ Schedule “K” shall be protected and maintained in a natural state subject to the policies of this Plan. All owners are encouraged to promote restoration of forest edges and interior gaps through either active planting or passive natural succession processes, in consultation with the ~~Central Lake Ontario~~ Conservation Authority.

11.6.4.4 During the **development** review process the application shall be reviewed to ensure that the existing natural features, functions and linkages are preserved and enhanced.

11.6.4.5 ~~Schedule “M”~~ Schedule “K” identifies those lands that are required to prepare a full or scoped **Environmental Impact Study (EIS)** prior to any **development** or **redevelopment** approvals being permitted to occur.

If a full or scoped **EIS** is required, the exact form and density of **development** that will be permitted shall be determined through the **EIS** process and may be lower than the maximum density permitted by this Plan in order to properly address the environmental conditions identified.

For the purposes of this **Secondary Plan**, the terms “**development**” and “**redevelopment**”, as it relates to ~~Schedule “M”~~ Schedule “K”, are defined to include the construction of any building or structure which requires regarding, vegetation removal or installation of services.

A full **EIS** is intended to apply to all those lands that are designated Natural Hazards or **Natural Heritage System** and to all lands within approximately 50 metres of those designations. A scoped **EIS** is intended to apply to those lands that have been identified as having a high or moderate groundwater

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resource or lands within approximately 50 metres of such lands. The Municipality in consultation with the ~~Central Lake Ontario~~ Conservation Authority shall be responsible for the interpretation of the limits of the boundaries as shown on ~~Schedule “M”~~ Schedule “K” and the need for preparation of an **EIS**.

11.6.4.6 **EIS** shall be prepared in accordance with the policies of Section 5.4.2 of this Plan, except as modified by the following additional policies.

- 11.6.4.6.1 In addition to the requirements of Section 5.4.2.4, components of a full **EIS** shall generally include, but are not necessarily limited to:
- a. a detailed study area description, including an assessment of the terrain conditions, hydrogeology, surface water, groundwater-surface water interactions, biological setting and **Natural Hazard lands**;
  - b. a characterization of existing on-site and adjacent natural heritage features and functions, including the roles of vegetation, surface water and groundwater in maintaining the natural heritage area and an assessment of the contribution of the study area to those adjacent functions;
  - c. a detailed description of the proposed **development** or land use activities including servicing and grading plans and building envelopes where appropriate;
  - d. a prediction of the potential direct, indirect and cumulative effects of the proposed **development** on the environment compared with the overall environmental objectives;
  - e. preparation of a water budget analysis which reflects the natural conditions determined by the site specific study and demonstrates that these existing conditions can be maintained with the proposed change in land use through the use of site planning design and Best Management Practices;
  - f. an identification and evaluation of options to avoid or mitigate impacts, including recommendations for establishing **buffers**/setbacks, erosion and sediment control, surface and sub-surface drainage, and habitat restoration/enhancement;
  - g. a strategy for implementing the recommended mitigation measures;
  - h. a summary of predicted net effect following mitigation/rehabilitation compared with overall environmental objectives;

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- i. recommendations to be applied to the Construction Management Plan and an evaluation of the need for a post construction monitoring program; and
  - j. recommendations on information to be incorporated into the environmental education/awareness program, to be provided to the homeowners, as appropriate.
- 11.6.4.6.2 In addition to the requirements of Section 5.4.2.4, components of a scoped **EIS** shall generally include, but are not necessarily limited to:
- a. details regarding maintaining recharge of precipitation to the surface aquifer and to the contributions of baseflow to the Lynde and Pringle Creek systems.
  - b. preparation of a water budget analysis which reflects the natural conditions determined by the site specific study and demonstrates that these existing conditions can be maintained with the proposed change in land use through the use of site planning design and Best Management Practices.
  - c. construction and post-construction monitoring program and recommendations on information to be incorporated into the environmental education/awareness program.
  - d. recommendations on information to be incorporated into an environmental education/awareness program, to be provide to the homeowners, as appropriate.
- 11.6.4.7 Where the **EIS** recommends that minor modifications can be made to the boundary of the Natural Hazards or **Natural Heritage System** and the Municipality, in consultation with the Conservation Authority approves that recommendation, then the boundary can be refined without further amendment to this Plan. Where boundaries are adjusted, the abutting land use designation shall apply, provided the intent of the Plan is maintained.
- 11.6.4.8 A Construction Management Plan shall be required for all lands requiring an **EIS**. The Construction Management Plan shall be prepared in accordance with Section 5.4.3.2 of this Plan.
- 11.6.4.9 The Construction Management Plan may identify any special construction and servicing techniques utilized where necessary to prevent the alteration of existing groundwater conditions and to address disturbance of the natural environment during construction. Sewer materials and construction methods shall be designed to minimize the impact on water table conditions.
- 11.6.4.10 Impacts of future road and utility crossings on stream and valley corridors shall be minimized to the greatest extent possible through the use of siting,

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design and construction techniques. Precise alignments of new roads will be determined by appropriate studies, such as, but not limited to environmental assessment studies.

- 11.6.4.11 In accordance with the ~~Durham Regional Official Plan~~ and Section 4.9.3\_4.7.3 of this Plan, an open space/wildlife corridor has been identified along the Trans Northern Oil Pipeline. Strengthening of the corridor adjacent to the pipeline shall be encouraged through such measures as naturalization or restoration of **adjacent lands** and **buffering** from adjacent land uses where appropriate.

## **11.6.5 Natural Hazards**

- 11.6.5.1 Lands designated as Natural Hazards on Schedule ‘L’”J” comprise, in part of, lands associated with the Lynde and Pringle Creek valleys and shall be developed in accordance with the policies of Section 5.3.10 of this Plan, except as modified by the following additional policies.
- 11.6.5.2 Natural Hazards are lands that have inherent environmental hazards requiring the preservation, conservation and enhancement of the natural environment. Lands having a Natural Hazard designation are considered to have the highest level of environmental sensitivity and provide the greatest number of environmental functions and attributes. As a result, they have the highest constraints to **development**. **Natural Hazard Lands** within the **Secondary Plan** area are usually associated with creek or stream valleys and therefore also provide **significant** north south environmental linkages. Within the Natural Hazards designation, protection, enhancement and restoration of the vegetation, groundwater, surface water quality and quantity, species at risk and **endangered species**, **fish habitat** and **wetlands** will be given the highest priority.
- 11.6.5.3 Permitted uses on lands designated as Natural Hazards include conservation and passive recreational uses. Additional uses such as agriculture, passive recreation, conservation of soil, wildlife and fisheries habitats, may be permitted subject to the provisions of an **Environmental Impact Study (EIS)** in accordance with the policies of Section 11.6.4.
- 11.6.5.4 The extent and exact limit of the Natural Hazards designation shall be defined in the Zoning By-law, in consultation with the Municipality and the ~~Central Lake Ontario~~ Conservation Authority. The boundary shall be determined through the **development** approval process in accordance with the recommendations of the **EIS**, prepared in accordance with Section 11.6.4, and may include the greater of top of bank, **flood hazard**, **wetlands**, erosion setbacks, slope stability setbacks, adjoining **woodlands** and/or maintenance access, where required.
- 11.6.5.5 Natural Hazards as designated on ~~schedule ‘L’~~ Schedule “J” are encouraged to be transferred to public ownership through the **development** approval process.

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## 11.6.6 Natural Heritage System

11.6.6.1 Lands designated **Natural Heritage System** shall be developed in accordance with the policies of Section 5.3.7 of this Plan, except as modified by the following additional policies. These lands have high environmental sensitivity and are composed of lands which are generally part of large and contiguous core **woodlands** but may include openings in the forest cover that are within or adjacent to the forest block. The core **woodlands** contain a variety of vegetation communities and harbour many locally and regionally **significant** plant species. The forest provides habitat for regionally rare and provincially rare and vulnerable wildlife. It also provides habitat and local and regional movement corridors for a variety of species. The size of the core **woodlands** provides the opportunity for area sensitive wildlife and forest interior breeding bird species. Much of this area lies on the Lake Iroquois beach and is characterized by a high water table which makes this area a major groundwater recharge and discharge resource. The area provides baseflow to the Lynde and Pringle Creeks and the vegetation cover assists in providing temperature control for the surface and groundwater runoff. Together with the **Natural Hazard lands**, the **Natural Heritage System** forms a contiguous corridor of land which create north/south and east/west environmental linkages which are critical to the long term **sustainability** of the environmental health of the Town.

11.6.6.2 Permitted uses on lands designated as **Natural Heritage System** will include passive recreation, environmental education, woodlot, fishery and wildlife management, conservation areas and other similar uses. Outdoor recreation uses such as trails may also be permitted provided such uses are compatible with environmental conditions.

Existing residential uses on existing lots of record are permitted and one new house on an existing vacant lot of record may be permitted subject to an **Environmental Impact Study** as defined in Section 11.6.4 of this Plan and subject to the approval of the Municipality ~~and the Conservation Authority~~. Further subdivision or severance of land within this designation is not permitted without amendment to this Plan.

The establishment of golf courses shall require an amendment to this Plan ~~and are subject to the provisions of Policy 10A of the Durham Regional Official Plan~~ and shall be strongly discouraged.

11.6.6.3 The extent and exact limit of the **Natural Heritage System** shall be defined in the Zoning By-law, in consultation with the ~~Central Lake Ontario~~ Conservation Authority. The boundary shall be determined through the findings of the **EIS** and the **development** approval process, in accordance with the recommendations of the **EIS**, and may include the greater of top of bank, **flood hazard**, **wetlands**, erosion setbacks, slope stability setbacks, adjoining **woodlands** and/or maintenance access, where required.

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- 11.6.6.4 In accordance with ~~Section 5.3.7.14~~ Section 5.3.7.16, where any feature in the **Natural Heritage System** is damaged or removed without appropriate approvals, the Municipality shall require the reinstatement of the feature(s). Furthermore, the Municipality will not consider the removal of the feature as being the basis for any application seeking **development** approvals on the affected lands.
- 11.6.6.5 Where lands designated as **Natural Heritage System** are under private ownership, it shall not be construed that such areas are free and open to the public nor that they will be acquired by the municipality or other public agency.
- However, during the **development** approval process, the dedication of **Natural Heritage System** lands to the municipality or the provision of an Environmental Easement across some or all of the lands shall be encouraged. Where the lands have been dedicated to the municipality or other public agency, they shall be maintained in their natural state.
- 11.6.6.6 Where new **development** is proposed on a site, those lands which are **Natural Heritage System** lands shall not be acceptable as part of the parkland dedication requirements under the Planning Act.

## **11.6.7 Major Open Space**

- 11.6.7.1 Lands designated as Major Open Space 1 shall be developed in accordance with the policies of ~~Section 4.9~~ 4.7 of this Plan.
- Where lands in Major Open Space 1 are intended to form part of an open space corridor identified in this Plan, owners shall be encouraged to restore the environmental features, functions and linkages of the lands where appropriate and to minimize the impacts of **development** on adjacent environmentally sensitive lands.
- 11.6.7.2 Lands designated as Major Open Space 2 have been identified as having environmental sensitivities and have also been filled or used for **landfill** purposes in the past. In some areas, there is the potential for the production of methane gas from decaying organic material, the possibility of lack of geotechnical integrity of the soils, and the possibility of soil contamination from materials which have been used or dumped on these sites in the past. Prior to any **development** being permitted to occur on these lands, studies shall be carried out to confirm soil conditions and recommend appropriate mitigative measures, if required. Owners shall be strongly encouraged to restore such lands to their former environmental state. Restoration shall be carried out in conjunction with the recommendations of an **EIS** where required.

If it is demonstrated to the satisfaction of the Municipality, ~~Region of Durham,~~

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and the Conservation Authority that these lands can be safely utilized, then the applicable permitted uses and provisions of Section ~~4.9~~ 4.7 of this Plan shall apply.

- 11.6.7.3 Lands designated as Major Open Space 3 shall be developed in accordance with the policies of ~~Section 4.9~~ Section 4.7 of this Plan.

In accordance with Section ~~40.1.6.5~~ 10.1.5.5, legally **existing uses** shall be permitted to continue and Council may zone to permit the minor expansion or enlargement of the **existing uses** or the variations to similar uses subject to the recommendations of an **Environmental Impact Study** in accordance with Section 11.6.4 of this Plan and provided the uses have no adverse effect on the **existing uses** of the surrounding lands or the implementation of this Plan.

- 11.6.7.4 Notwithstanding any other policy of this Plan to the contrary, lands municipally known as 5055 Baldwin Street South, referred to as Lyndebrook Golf Course, and identified by Assessment Roll No. 18-09-010-037-02300, may be developed for low density residential uses, to a maximum of 15 units per net hectare, and subject to an Environment Impact Study being required in accordance with Section 11.6.4 of this Plan, to the satisfaction of the Town and any authority having jurisdiction, prior to development or redevelopment being permitted to proceed.

## **11.6.8 Residential**

- 11.6.8.1 The predominant use of land in areas designated as Residential shall be for residential purposes. Additional uses that are compatible with residential uses by their activity, scale and design and which serve the residential area shall also be permitted in accordance with Section ~~4.4.3.1~~ 4.3.3.1.
- 11.6.8.2 The intent of the Residential designation is to provide a variety of housing densities and forms that accommodate a broad range of incomes and household sizes.
- 11.6.8.3 Alternative and innovative housing forms and development design techniques which allow for greater protection or enhancement of the environmental conditions shall be encouraged.
- 11.6.8.4 The school and park symbols that are shown in the Residential designations are not intended to control the precise location of the land uses that they represent. The exact location will be determined at the time of **development** application. Where a designated school site is not required, the site may be developed in accordance with the underlying residential designation without amendment to this Plan.
- 11.6.8.5 All residential **development** shall be encouraged to provide attractive, coordinated **streetscapes** that enhance the identity of the area and reflect the environmental goals of this Plan.

- 11.6.8.6 Residential **development** may be required to prepare an **EIS** in accordance with Section 11.6.4 of this Plan and to address other matters as identified within this Plan prior to **development** or **redevelopment** being permitted to proceed. If a full or scoped **EIS** is required, the exact form and density of **development** that will be permitted shall be determined through the **EIS** process and may be lower than the maximum density permitted by this Plan in order to properly address environmental conditions identified.
- 11.6.8.7 The **development** of new medium and high density residential units shall be encouraged to contribute to the **affordable housing** targets in the Municipality.
- 11.6.8.8 Medium and High Density Residential **development** shall address the requirements of Section 4.2.3.7.3 and 4.2.3.7.5 ~~Sections 4.4.3.9.2 and 4.4.3.9.4~~ of this Plan.
- 11.6.8.9 Low Density Residential**
- 11.6.8.9.1 Lands designated as Low Density Residential 1, 2, 3, 4, 5, 6 and 7 on ~~Schedule "L"~~ Schedule "J" shall be developed in accordance with the policies of Section 4.4.3.4 4.3.3.4 except as modified by the following policies.
- 11.6.8.9.2 Lands designated as Low Density Residential 2 shall only permit single detached dwellings on existing lots of record. Further **intensification** of this area shall not be permitted and preservation of the existing residential development located within the Robmar subdivision shall be encouraged. If municipal services are provided to this area, then Council may review this policy.
- 11.6.8.9.3 Lands that are designated Low Density Residential 3 are currently used for agricultural and open space purposes. It is not the intent of this Plan to discourage the continuation of these uses but to recognize long term potential land uses for this area. The uses permitted in Section 4.4.3.4 4.3.3.4 of this Plan shall apply to all land designated Low Density Residential 3. Lands designated as Low Density Residential 3 shall also permit the additional uses permitted in the Major Open Space designation under Section ~~4.9.3.5~~ 4.7.3.5.
- Notwithstanding Section 4.4.3.4 4.3.3.4 the maximum density shall be up to 15 dwelling units per **net residential hectare**.
- Additional **buffering** and enhancement adjacent to the open space corridor along the Trans Northern Pipeline shall be required.
- 11.6.8.9.4 On lands designated Low Density Residential 4, the maximum density shall be 15 dwelling units per net hectare. For the purposes of this calculation, the net residential density may be averaged across the same plan of subdivision, provided that the overall maximum density remains within the maximum density permitted, subject to the approval of the Regional Works Department.

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An **EIS** is required and shall be prepared in accordance with Section 11.6.8.6 and shall also address the sensitive groundwater recharge functions of this area.

- 11.6.8.9.5 On lands designated as Low Density Residential 5 the permitted use shall be single detached dwellings with a maximum net density of 15 dwelling units per net hectare and / or block townhouses and other forms of multiple dwellings, arranged in clusters with a maximum density of 40 dwelling units per net hectare.

For purposes of this calculation, net residential density may be averaged across the same plan of subdivision, provided that the overall maximum density remains within the maximum density permitted, subject to the approval of the Town of Whitby.

- 11.6.8.9.6 On lands designated Low Density Residential 6, a full **EIS** is required. Increased building heights along the Taunton Road Intensification Corridor may be considered in accordance with Section ~~4.2.7~~ 4.2.3.1.

- 11.6.8.9.7 On lands designated Low Density Residential 7, further **intensification** may be considered subject to the applicable **intensification** policies of Section 4.2 and other relevant policies of this Plan.

#### **11.6.8.10 Medium Density Residential**

- 11.6.8.10.1 Lands designated as Medium Density Residential 1, 2 and 3 shall be developed in accordance with the policies of Section ~~4.4.3.4~~ 4.3.3.5 except as modified by the following additional policies.

- 11.6.8.10.2 Lands that are designated Medium Density Residential 3 are adjacent to Natural Hazard and **Natural Heritage System** and have major groundwater constraints. The form of **development** will be encouraged to respond to the environmental sensitivities of the area. The permitted uses include street and block townhouses, cluster bungalows, other forms of multiple dwellings and retirement homes not exceeding a height of four storeys; and, in limited amounts, semi-detached and small lot single detached units. Notwithstanding Section ~~4.4.3.4~~ 4.3.3.5, the minimum permitted density shall be 20 units per net hectare and the maximum permitted density shall be 65 units per net hectare.

- 11.6.8.10.3 Lands that are designated Medium Density Residential 4 are adjacent to **Natural Heritage System** lands which include **significant** woodlots and **Provincially Significant Wetlands**. Lands designated as Medium Density Residential 4 permit street, block and stacked townhouses and other forms of multiple dwellings not exceeding a maximum height of 3 storeys and a maximum permitted net residential density of up to 80 units per net hectare. For the purpose of this calculation, net residential density excludes private roads and laneways.

#### **11.6.8.11 High Density Residential**

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11.6.8.11.1 Lands designated as High Density Residential shall be developed in accordance with the policies of Section ~~4.4.3.4~~ 4.3.3.6.

## **11.6.9 ~~Special Purpose Commercial~~ Business**

11.6.9.1 The permitted uses for lands designated as ~~Special Purpose Commercial Business~~ shall be in accordance with the policies of Section ~~4.5.3.4~~ 4.5.3.5.

## **11.6.10 ~~General Industrial~~ Employment**

11.6.10.1 The permitted uses for lands designated as ~~General Industrial~~ Employment shall be in accordance with the policies of Section ~~4.7.3.4~~ Section 4.5.3.3.

11.6.10.2 **Development or redevelopment** adjacent to lands designated as Natural Hazards or **Natural Heritage System** shall be required to carry out an **EIS** in accordance with Section 11.6.4 of this Plan, shall incorporate appropriate **buffers** and landscape treatments adjacent to those lands, and shall also address the requirements in Sections ~~11.6.15.9 and 11.6.15.10~~ of this Plan to ensure that appropriate stormwater management techniques and controls are established that protect, maintain and enhance adjacent environmentally sensitive areas.

11.6.10.3 New **development**, expansion of existing development or **redevelopment** on lands designated as ~~General Industrial~~ Employment, adjacent to Major Open Space 3 lands or existing residential uses shall be sensitive to existing residential and commercial uses and shall provide appropriate **buffers** as determined by the Municipality in consultation with the ~~Central Lake Ontario~~ Conservation Authority.

## **11.6.11 Parks**

11.6.11.1 Lands identified as a District Park, Local Park, and Parkette shown on ~~Schedule “L”~~ Schedule “J” to this Plan shall be developed in accordance with the policies of Section ~~4.9.3.22~~ 4.7.3.22.

Parks are symbolically shown and the exact location and size shall be determined through the draft plan of subdivision or site plan approval process and may be relocated without amendment to this Plan, as long as the intent of the Plan is maintained.

11.6.11.2 Connections between parks and open space lands which are under public ownership or for which access arrangements have been made shall be encouraged where environmentally appropriate.

## **11.6.12 Special Policy Area**

11.6.12.1 Lands that are designated as Special Policy Area have been filled or used for **landfill** purposes in the past. In some areas, there is the potential for the production of methane gas from decaying organic material, the possibility of

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lack of geotechnical integrity of the soils, and the possibility of soil contamination from materials which have been used or dumped on these sites in the past.

Prior to any **development** or **redevelopment** being permitted to occur on these lands, studies shall be carried out to confirm soil conditions and recommend appropriate mitigative measures, if required. If it is demonstrated to the satisfaction of the Municipality that these lands can be safely developed, then the land use designation as shown on ~~Schedule “A”~~ Schedule “A-1” of this Plan and the corresponding provisions of this Plan shall apply.

Where the land use designation on ~~Schedule “A”~~ Schedule “A-1” is Residential then the provisions of the Low Density Residential designation shall apply. All other provisions of this **Secondary Plan** including Section 11.6.4 shall apply to the lands designated Special Policy Area.

### **11.6.13 Urban Design**

- 11.6.13.1 The relevant provisions of Section 6.2 of this Plan shall apply to all lands within this **Secondary Plan**.
- 11.6.13.2 Rear yards for residential lots adjacent to arterial roads are to be avoided, wherever possible.
- 11.6.13.3 Where feasible, electrical, cable, telephone and other utilities shall be encouraged to locate underground and the location of associated at-grade service boxes will have regard to the pedestrian environment and vehicular sight-lines.

### **11.6.14 Transportation**

- 11.6.14.1 The **Secondary Plan** area shall be developed in accordance with the Transportation policies of Section 8.1.3 except as modified by the following policies. The location of arterial and collector roads are shown on ~~Schedule “L”~~ Schedule “J” as well as ~~Schedule “D”~~ Schedule “C-1” of this Plan.
- 11.6.14.2 In determining the location of roads, consideration shall be given to minimizing the impact on the natural environment. Consideration should also be given to the alignment of connections on both sides of arterial roads to control the number of intersections on the arterial road networks and to provide continuity for any future transit service. Where it is undesirable to align roads, then they should be sufficiently offset, and adequate spacing between intersections shall be provided wherever possible on arterial roads.
- 11.6.14.3 The location and distribution of land uses shall also be designed to be transit supportive.
- 11.6.14.4 Safe and convenient **active transportation** systems shall be provided within the **Secondary Plan** area in accordance with Section ~~8.1.3.7~~ 8.1.3.8 of this

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Plan.

Connections between residential, industrial, commercial and community and recreational facilities shall be provided, where appropriate.

11.6.14.5 Within developed areas, the pedestrian system shall include sidewalks and walkways that are well lit and hard surfaced, where appropriate.

11.6.14.6 Within the open space areas, the pedestrian system will be designed in accordance with the environmental **character** of the area.

Connections between sidewalks and the pedestrian systems within the open space system shall be encouraged. Appropriate pedestrian crossings shall be provided and landscaping and **buffering** of the pedestrian system shall be encouraged.

11.6.14.7 A direct pedestrian connection between the Lynde Creek valley system and the City of Oshawa boundary may be provided within the Taunton North Community.

11.6.14.8 Cycling use shall be encouraged in and through the **Secondary Plan** area and adequate cycling facilities shall be encouraged. The integration of bicycle parking facilities with **development** shall be addressed through the site plan approval process.

#### **11.6.15 Servicing**

11.6.15.1 The **Secondary Plan** Area shall be developed in accordance with the Municipal Servicing policies of Section 8.2.3 and the Site Servicing policies of ~~Section 6.2.3.16~~ Section 6.2.3.17.

11.6.15.2 Adequate looping of watermain within pressure zones shall be incorporated into **development** plans in accordance with the Region of Durham's design criteria and engineering principles.

11.6.15.3 **Development** of municipal services in areas with a high water table shall provide appropriate design and construction techniques to address potential negative impacts on the groundwater regime. The design may include a restriction on the density of **development**. These restrictions shall be determined through the subdivision approval process and in accordance with the provisions of an **Environmental Impact Study** carried out in accordance with Section 11.6.4 of this Plan. In addition, the specific construction techniques shall be addressed in the Construction Management Plan as identified in Section 11.6.4 of this Plan.

11.6.15.4 Applications for **development** shall be required to employ appropriate stormwater management techniques and practices to maintain the existing conditions within this area in accordance with Sections ~~5.3.9~~ and 8.2.5 of this Plan and in accordance with the principles of the background analysis for this **Secondary Plan** and the requirements of the Lynde Creek Master Drainage

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Plan, the Lynde Creek Water Resource Management Strategy and the Taunton North Environmental Study.

- 11.6.15.5 The Municipality, in consultation with the Conservation Authority shall require the use of Best Management Practices based on local soil and groundwater conditions, in order to promote environmental objectives consistent with sound engineering practices, to control both the quantity and quality of surface water run-off and to maintain or enhance the conditions of the receiving watercourses. In particular, the storm water management facilities for **development** within the Lake Iroquois Beach area, and within areas of high water table and/or groundwater recharge functions shall address these criteria in conjunction with the criteria in Section 11.6.4 of this Plan.
- 11.6.15.6 On-site stormwater quantity and quality controls shall be encouraged for specific types of commercial, institutional and industrial uses.
- 11.6.15.7 Stormwater management facilities may be permitted in any land use designation on ~~Schedule “L”~~ Schedule “J” except for the **Natural Heritage System** designation, subject to any required approvals from the Municipality in consultation with the Conservation Authority.

#### **11.6.16 Implementation and Interpretation**

- 11.6.16.1 The implementation and interpretation of the **Secondary Plan** will be in accordance with Section 10 of Part I of this Plan.
- 11.6.16.2 The lot lines shown on ~~Schedules ‘L’ and ‘M’~~ Schedules ‘J’ and ‘K’ are approximate and illustrative for information purposes only.

The lot lines shown are not intended to control nor represent the precise location of the property boundary lines.



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## 11.7 Oak Ridges Moraine Secondary Plan

### 11.7.1 Goal

- 11.7.1.1 To protect the ecological and hydrological features and functions of the Oak Ridges Moraine.

### 11.7.2 Objectives

- 11.7.2.1 To protect the ecological and hydrological integrity of the Oak Ridges Moraine Area.
- 11.7.2.2 To ensure that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted.
- 11.7.2.3 To maintain, improve and where possible, restore the health, diversity, size and **connectivity** of **significant** natural heritage features, hydrologically sensitive features and related **ecological functions**.
- 11.7.2.4 To maintain natural stream form and flow characteristics and the integrity and quality of watercourses.
- 11.7.2.5 To maintain the quantity and quality of groundwater and surface water, and maintain groundwater recharge.
- 11.7.2.6 To ensure that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations.
- 11.7.2.7 To provide for land and resource uses and **development** that is compatible with the other objectives of the Official Plan.
- 11.7.2.8 To encourage all landowners to practice good stewardship and enhance natural features and functions on the Oak Ridges Moraine wherever possible.
- 11.7.2.9 To provide for appropriate public recreational access to the Oak Ridges Moraine Area.
- 11.7.2.10 To guide and provide direction on which, where, and when uses are permitted and under what conditions the uses may be specified in the implementing Zoning By-law.
- 11.7.2.11 To establish a process whereby certain uses, building, and structures may be permitted adjacent to **Key natural heritage features** and Hydrologically Sensitive Features.

### 11.7.3 General Development Policies

- 11.7.3.1 The **Oak Ridges Moraine Conservation Act** and the accompanying Oak Ridges Moraine Conservation Plan provide land use and resource management planning direction for protecting the ecological and hydrological features and functions of the Oak Ridges Moraine. The applicable provisions of the Provincial Oak Ridges Moraine Conservation Plan have been incorporated within this **Secondary plan**.
- 11.7.3.2 The Oak Ridges Moraine ~~Secondary Plan~~ southern boundary, within the Town of Whitby is shown on ~~Schedules “A”, “C”, “E”~~ Schedules “A-1”, “B” and Appendix “1” of the Town of Whitby Official Plan. The southern boundary of the Oak Ridges Moraine coincides with the boundary defined in the Oak Ridges Moraine Conservation Plan.
- The boundary of the Oak Ridges Moraine has been established by the Province by Ontario Regulation 01/02 and can only be changed by the Province. However, in the case of a discrepancy between the 245 metre contour elevation and the boundary shown on the mapping, a licensed Ontario Land Surveyor shall be consulted, at the proponent’s cost, to identify those lands above the 245 metre (Ontario Geodetic Datum) contour elevation for the purposes of establishing more accurate zone boundaries. An application to amend the Zoning By-law may be permitted to refine the boundaries.
- 11.7.3.3 The area to which this **Secondary plan** applies is indicated by the **Secondary plan** boundary on ~~Schedule “N”, “O”, “P”, and “Q”~~ Schedules “A-1”, “L”, “M”, “N”, and “O”. Any area shown on this map but lying outside of this boundary is governed by the policies of Part I of this Plan.
- 11.7.3.4 Nothing in this **Secondary plan** or the Zoning By-law shall prevent the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was legally used for that purpose on November 15, 2001 and continues to be used for that purpose.
- 11.7.3.5 Nothing in this **Secondary plan** applies to prevent the erection or use for a purpose prohibited by this Plan of a building or structure for which a permit has been issued under subsection 8(2) of the **Building Code Act**, 1992 on or before November 15, 2001 providing the permit has not been revoked under subsection 8 (10) of the **Building Code Act**, 1992, and the building or structure when erected is used and continues to be used for the purpose for which it was erected.
- 11.7.3.6 Nothing in this **Secondary plan** applies to prevent the reconstruction of any building or structure that legally existed on November 15, 2001, provided the ground floor area of the reconstructed building or structure is within the outside limits of the building or structure that existed on November 15, 2001 and provided the use of the building or structure, once reconstructed, will be the same as, the use of the building or structure on November 15, 2001 and there is no **intensification** of the use.

11.7.3.7 Nothing in this **Secondary plan** applies to prevent the conversion of a legally **existing use** to a similar use. An application to amend the Zoning By-law to permit any other use not identified in the by-law will be required and will only be approved if it can be demonstrated that the conversion will bring the use into closer conformity with the requirements of the Official Plan and will not adversely affect the ecological integrity of the Oak Ridges Moraine.

11.7.3.8 Nothing in this **Secondary plan** applies to prevent the expansion of a building or structure on the same lot, or the expansion of an existing institutional use that existed legally on November 15, 2001 on lands that are located no closer than 120 metres from the Environmental Protection designation provided:

- a. the use of the building or structure, once expanded, will be the same as, or similar to, the use of the building or structure on November 15, 2001; and
- b. the expansion will not adversely affect the ecological integrity of the Oak Ridges Moraine.

If the lands on which the expansion is proposed are located closer than 120 metres from the boundary of the Environmental Protection designation or within the Environmental Protection designation, such **development** is subject to Section 11.7.5 of this Plan.

For the purposes of this subsection, institutional uses includes, without limitation, existing place of worship, existing community centres and existing fire halls.

11.7.3.9 Nothing in this Plan shall prevent the erection of an **accessory building** or structure provided it:

- a. is **accessory** to a principal use that is permitted on the property;
- b. is located in close proximity to the main building or structure on the lot; and
- c. complies with Section 11.7.5, 11.7.9.4 and 11.7.9.5 of this Plan.

Notwithstanding any other policy in this Plan to the contrary, deemed to be hazardous, unless specific permission is obtained from the Conservation Authority.

11.7.3.10 Nothing in this Plan applies to prevent the use, erection or location of a single detached dwelling and **accessory** uses on a lot that existed on November 15, 2001 provided:

- a. the proposed dwelling is located on an open public road maintained on a year round basis and subject to the provisions of the Zoning By-law;

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- b. the use, erection and location would have been permitted by the applicable Zoning By-law on November 15, 2001; and
  - c. the **development** complies with Section 11.7.5 of this Plan if the lands on which the dwelling is proposed are located within the Environmental Protection designation.

11.7.3.11 Nothing in this Plan applies to prevent the expansion of an existing institutional use, if the applicant demonstrates that:

- i. there will be no change in use; and
- ii. the expansion will not adversely affect the ecological integrity of the Plan Area.

If an **existing use** has adverse effects on the ecological integrity of the Oak Ridges Moraine, any **Planning Act** or **Condominium Act** application to expand the building, structure or use or to convert the **existing use** to a similar use may be considered provided the approval, if granted, will bring the use into closer conformity with the requirements of the Official Plan

11.7.3.12 Notwithstanding any other policy in this Plan to the contrary, in accordance with the Durham Regional Official Plan, granny flats/**garden suites** within the Oak Ridges Moraine are only permitted in the Rural Settlement designations, as shown on ~~Schedule 'N'~~ Schedule 'L' - Oak Ridges Moraine Secondary Plan.

## 11.7.4 Land Use Designations

11.7.4.1 Only applications for **development**, **redevelopment**, and **site alteration** that conform to the Official Plan will be considered within the Oak Ridges Moraine Secondary plan Area. The following land use categories, as shown on ~~Schedule 'N'~~ Schedule 'L' govern the use of land within the Oak Ridges Moraine. All **development**, **redevelopment**, and **site alteration** shall conform to the purposes and objectives of the applicable land use designation as set out in the Oak Ridges Moraine Conservation Plan.

### 11.7.4.2 Oak Ridges Moraine Natural Linkage Area

11.7.4.2.1 The Oak Ridges Moraine Natural Linkage Area as shown on ~~Schedule 'N'~~ Schedule 'L' applies to lands identified as being part of a Provincially Significant open space corridor that stretches along the length of the Oak Ridges Moraine. The purpose of the Oak Ridges Moraine Linkage Area is to maintain, and where possible improve or restore, the ecological integrity of the Moraine, and where possible, to improve or restore the regional-scale open space linkages between **Key natural heritage features**, Hydrologically Sensitive Features, Landform Conservation Areas, river valleys and stream corridors.

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11.7.4.2.2 Only those uses permitted in the land use designations, as specified in Sections 11.7.4.3 and 11.7.4.5, shall be permitted save and except, agriculture related uses that are ancillary to agricultural production, the primary function of which is to serve the needs of the local rural population.

11.7.4.2.3 Every **Planning Act** or **Condominium Act** application or **site alteration** shall be supported by information which identifies the planning, design and construction practices that will ensure that no buildings or other **site alterations** will impede the movement of plants and animals among **key natural heritage features**, hydrologically sensitive features and **adjacent lands**.

11.7.4.2.4 The use of lands shall be in accordance with the relevant policies of this **Secondary Plan**, including Subsections 11.7.5 to 11.7.9 inclusive.

### **11.7.4.3 Oak Ridges Moraine Agriculture**

11.7.4.3.1 Any **development, redevelopment** or **site alteration** shall be subject to the policies of ~~Section 4.10~~ Section 4.8 in addition to the underlying land uses permitted in Section 11.7.4.5. Where there is a conflict between the policies of ~~Section 4.10~~ Section 4.8 and the **Secondary plan**, the policies of the **Secondary plan** shall prevail.

11.7.4.3.2 New or expanding **mineral aggregate operations** shall only be considered by an Official Plan Amendment application and must conform to the Part 1 policies, including ~~Section 4.12~~ Section 4.11 of the Whitby Official Plan and ~~the relevant sections of the Durham Regional Official Plan~~ and shall be further subject to the policies of Section 11.7.7.

11.7.4.3.3 The following **accessory** uses to **agricultural uses** are permitted, but are not limited to:

- a. construction of buildings and structures that are farm-related and required for a farm operation;
- b. roadside sale of produce from a farm operation;
- c. **development** of a second dwelling that is a temporary, mobile or portable unit, if the applicant demonstrates that the dwelling:
  - i) is required to house help that is needed on the farm operation on a seasonal or full time basis;
  - ii) does not require a consent under Section 50 or 53 of the **Planning Act**; and
  - iii) will not adversely affect the ecological integrity of the Oak Ridges Moraine.
- d) uses **accessory** to the **agricultural uses** shall be developed in accordance with the relevant policies of this **Secondary plan**, including Subsections 11.7.4 to 11.7.9 inclusive.

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#### 11.7.4.4 Oak Ridges Moraine Rural Settlement

- 11.7.4.4.1 The Oak Ridges Moraine Rural Settlement designation includes the Hamlets of Ashburn, Myrtle and Myrtle Station as shown on ~~Schedule 'N'~~ Schedule 'L'.

Any **development**, **redevelopment** or **site alteration** in Hamlets on the Oak Ridges Moraine shall be subject to the policies of ~~Section 4.11.3~~ Section 4.9.3 and the policies of this **Secondary plan**.

- 11.7.4.4.2 The permitted uses for lands designated as Oak Ridges Moraine Rural Settlement shall consist of predominantly single detached dwellings, community uses, parks, and limited commercial and employment uses that meet the needs of the residents of the Hamlet and surrounding rural area in accordance with the policies of this **Secondary plan**.
- 11.7.4.4.3 Community uses include, but are not limited to, parks, community centres, places of worship, fraternal organizations, schools, post offices, fire stations and fire fighting reservoirs.
- 11.7.4.4.4 The Municipality shall encourage and, where possible, may require that new **development** in the Hamlet complement the architectural **character** of that Hamlet in terms of a variety of height, siting and design.
- 11.7.4.4.5 Notwithstanding any other policy in this Plan to the contrary, residential **development** that is located within the Oak Ridges Moraine Rural Settlement designation, are exempt from Site Plan Control, provided such **development** or **redevelopment** is not:
- i) located no closer than 30 metres from the boundary of the Environmental Protection designation;
  - ii) located within a **Natural Heritage System** or Natural Hazard indication as shown on ~~Schedule 'C'~~ Schedule 'B';
  - iii) designated under the Ontario Heritage Act; and
  - iv) a structure that is a **garden suite**.
- 11.7.4.4.6 **Limited Commercial, Industrial and Institutional within Oak Ridges Moraine Rural Settlement designation**
- 11.7.4.4.6.1 New or expanding small scale commercial, industrial and institutional uses shall only be permitted if:
- i) such uses do not require large scale modification of terrain or vegetation, and do not require large scale buildings and structures; and
  - ii) the buildings and structures will be planned, designed and constructed so as not to adversely affect the **character** of the hamlet or the ecological and hydrological integrity of the Oak Ridges Moraine.

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11.7.4.4.6.2 Notwithstanding any other policy in this Plan to the contrary, within the Hamlet of Ashburn, the following properties identified as:

- a) the lands identified by Assessment Roll No. 18-09-010-043-04000-0000, municipally known as 8990 Ashburn Rd;
- b) the portion of land adjacent the former Wilson House Hotel, on the lands identified by Assessment Roll No. 18-09-010-043-39500-0000, municipally known as 9005 Ashburn Rd;
- c) the portion of land adjacent Myrtle Road West outside of the **Natural Heritage System** on ~~Schedule ‘C’~~ Schedule ‘B’– Environmental Management, on land identified by Assessment Roll No. 18-09-010-043-37310-0000, municipally known as 600 Myrtle Rd W,

may permit commercial and are intended for limited retail and personal service uses, automobile service stations, public garages and farm implement dealerships. The specific commercial uses permitted on a particular property shall be specified in the Zoning By-law.

11.7.4.4.6.3 Notwithstanding Section 11.7.4.4.6.2, on the property located at the north-east corner of Myrtle Road and Ashburn Road, identified by Assessment Roll No. 18-09-010-043-39500-0000, municipally known as 9005 Ashburn Rd, the former Wilson House Hotel building may also be zoned to permit a commercial use within the existing building if it is designated as a heritage structure under Part IV of the Ontario Heritage Act.

#### **11.7.4.5 Oak Ridges Moraine Environmental Protection**

11.7.4.5.1 Lands within the Oak Ridges Moraine Environmental Protection designation are those lands identified as **key natural heritage features** or hydrologically sensitive features on ~~Schedules “N” and “O”~~ Schedules “L” and “M” of the Official Plan.

11.7.4.5.2 The following land uses may be permitted in the Oak Ridges Moraine Environmental Protection designation:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Existing **agricultural uses**;
- iv) Low intensity recreational uses;
- v) Transportation, **infrastructure** and utilities (subject to Section 11.7.8 of this Plan); and
- vi) Uses **accessory** to the uses set out above.

11.7.4.5.3 Low-intensity recreational uses are recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation

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modification and few, if any, buildings or structures, including but not limited to the following:

- i) Non-motorized trail uses;
- ii) Natural heritage appreciation;
- iii) Unserved camping on public and institutional land; and
- iv) **Accessory** uses.

11.7.4.5.4 Small-scale structures **accessory** to low-intensity recreational uses, such as trails, boardwalks, foot bridges, fences, docks and picnic facilities, are permitted only if the applicant demonstrates that the adverse effects on the ecological integrity of the Oak Ridges Moraine will be kept to a minimum by:

- i) keeping disturbed areas to a minimum; and
- ii) avoiding the most sensitive portions of the site, such as steep slopes, organic soils and **significant** portions of the **habitat of endangered, rare or threatened species**.

## 11.7.5 Development Criteria

### 11.7.5.1 Key Natural Heritage and Hydrologically Sensitive Features

11.7.5.1.1 **Key natural heritage features** relate to **wetlands, significant portions of the habitat of endangered, rare and threatened species, fish habitat, significant valleylands, significant woodlands, and significant wildlife habitat**. Hydrologically sensitive features relate to permanent and **intermittent streams, wetlands**, and seepage areas and springs.

The general location of **key natural heritage features** and hydrologically sensitive features are shown on ~~Schedule 'O'~~ Schedule 'M'. ~~Schedule 'O'~~ Schedule 'M' does not include seepage areas and springs. These features shall either be identified on a site-by-site basis or through the appropriate study such as a natural heritage evaluation prior to undertaking any **development or site alteration** on the Oak Ridges Moraine.

Minor changes and refinements to ~~Schedule 'O'~~ Schedule 'M' based on updated information from the Province or as a result of a natural heritage evaluation and/or hydrological evaluation will not require an amendment to this Plan.

11.7.5.1.2 **Development, redevelopment and site alteration** shall be prohibited within **key natural heritage features** and hydrologically sensitive features and their related minimum **vegetation protection zone** as identified by Table 1. Notwithstanding, forest, fish and wildlife management, conservation and flood or erosion control projects, transportation, **infrastructure**, utilities, and low intensity recreational uses may be permitted.

11.7.5.1.3 New **agricultural uses** and/or agriculturally related uses including **accessory** uses shall not be permitted within a **key natural heritage feature** and/or a hydrologically sensitive feature and their associated minimum

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**vegetation protection zone.**

- 11.7.5.1.4 An application for **development** or **redevelopment** requiring approval under the **Planning Act** and **Condominium Act** or **site alteration** with respect to land within the minimum area of influence that relates to a **key natural heritage feature** and/or hydrologically sensitive feature, but outside the feature itself and the related minimum **vegetation protection zone**, shall be accompanied by a natural heritage evaluation and/or hydrological evaluation.
- 11.7.5.1.5 Where lands require a natural heritage evaluation, the evaluation shall satisfy the Oak Ridges Moraine Conservation Plan requirements for a natural heritage evaluation to the satisfaction of the Municipality.

A natural heritage evaluation shall include, but not be limited to:

- i) demonstrate that the **development, redevelopment** or **site alteration** applied for will have no adverse effects on the **key natural heritage feature** or on the related **ecological functions**;
- ii) identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the **key natural heritage features** and its **connectivity** with other **key natural heritage features**;
- iii) in the case of an application relating to land in an Oak Ridges Moraine Natural Linkage Area, Oak Ridges Moraine Environmental Protection or Oak Ridges Moraine Agriculture Area, demonstrate how **connectivity** within and between **key natural heritage features** will be maintained and, where possible, improved or restored before, during and after construction;
- iv) determine whether the minimum **vegetation protection zone** whose dimensions are specified in Table 1 is sufficient to protect the natural heritage features within it and their associated functions, and if not, specify whether a larger minimum **vegetation protection zone** is necessary and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;
- v) where a minimum **vegetation protection zone** is not specified in Table 1, determine whether such a minimum **vegetation protection zone** is required and if so, provide the appropriate dimensions to protect, improve or restore the **key natural heritage feature** and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;
- vi) in the case of **key natural heritage feature** that is **fish habitat**, ensure compliance with the requirements of the Department of Fisheries and Oceans.

11.7.5.1.6 Where lands require a hydrological evaluation, the evaluation shall satisfy the Oak Ridges Moraine Conservation Plan requirements for a natural heritage evaluation to the satisfaction of the Municipality.

A hydrological evaluation shall include, but not be limited to:

- i) demonstrate that the **development, redevelopment or site alteration** will have no adverse effects on the hydrologically sensitive feature or on the related hydrological functions;
- ii) identify planning, design and construction practices that will maintain and, where possible, improve or restore, the health, diversity and size of the hydrologically sensitive feature;
- iii) determine whether the minimum **vegetation protection zone** whose dimensions are specified in Table 1 is sufficient, and if it is not sufficient, specify the dimensions of the required minimum **vegetation protection zone** and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it.

11.7.5.1.7 In determining the minimum **vegetation protection zone** for permanent and **intermittent streams** and seepage areas and springs, a key natural heritage evaluation shall include an analysis of land use, soil type, slope and vegetation type using criteria established by the Province to the satisfaction of the Municipality.

11.7.5.1.8 ~~Schedule 'O'~~ Schedule 'M' does not identify **significant** portions of the **habitat of endangered, rare and threatened species, significant valleylands, significant wildlife habitat** and seepage areas and springs. These features shall either be identified on a site-by-site basis or through the completion of an appropriate study such as a **watershed plan** or natural heritage evaluation, prior to undertaking any **development or site alteration** within the Oak Ridges Moraine.

**Table 1: Key natural heritage features and Hydrologically Sensitive Features  
Minimum Areas of Influence and Minimum Vegetation protection zones**

| <b>Column 1<br/>Item #</b> | <b>Column 2<br/>Feature</b>                                                       | <b>Column 3<br/>Minimum Area of<br/>Influence</b> | <b>Column 4<br/>Minimum Vegetation protection<br/>zone</b>                                                                                                        |
|----------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                         | <b>Wetlands</b>                                                                   | All land within 120 metres of any part of feature | All land within 30 metres of any part of feature, subject to Section 11.7.5.1.5 if a natural heritage evaluation is required                                      |
| 2.                         | Significant portions of <b>habitat of endangered, rare and threatened species</b> | All land within 120 metres of any part of feature | As determined by a natural heritage evaluation carried out under Section 11.7.5.1.5                                                                               |
| 3.                         | <b>Fish Habitat</b>                                                               | All land within 120 metres of any part of feature | All land within 30 metres of any part of feature, subject to Section 11.7.5.1.5 if a natural heritage evaluation is required                                      |
| 4.                         | <b>Significant valleylands</b>                                                    | All land within 120 metres of stable top of bank  | All land within 30 metres of stable top of bank, subject to Section 11.7.5.1.5 if a natural heritage evaluation is required                                       |
| 5.                         | <b>Significant woodlands</b>                                                      | All land within 120 metres of any part of feature | All land within 30 metres of the base of outermost tree trunks within the woodland, subsection to Section 11.7.5.1.5 if a natural heritage evaluation is required |
| 6.                         | <b>Significant wildlife habitat</b>                                               | All land within 120 metres of any part of feature | As determined by a natural heritage evaluation carried out under Section 11.7.5.1.5                                                                               |
| 7.                         | Permanent and Intermittent streams                                                | All land within 120 metres of meander belt        | All lands within 30 metres of meander belt, subject to Section 11.7.5.1.5 and subsection 11.7.5.1.8 if a hydrological evaluation is required                      |

| Column 1<br>Item # | Column 2<br>Feature                                   | Column 3<br>Minimum Area of<br>Influence          | Column 4<br>Minimum Vegetation protection<br>zone                                                                                                   |
|--------------------|-------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.                 | Seepage areas and springs                             | All land within 120 metres of any part of feature | All land within 30 metres of any part of feature, subject to Sections 11.7.5.1.5 and subsection 11.7.5.1.8 if a hydrological evaluation is required |
| 9.                 | <b>Sand barrens, Savannahs and Tallgrass prairies</b> | All land within 120 metres of any part of feature | All land within 30 metres of any part of feature, subject to Section 11.7.5.1.5 if natural heritage evaluation is required.                         |

### 11.7.5.2 Watershed and Subwatershed plans

11.7.5.2.1 Any major **development** or **redevelopment** proposed in the **Secondary plan** Area shall be in accordance with **watershed** and subwatershed plans prepared by the Region of Durham.

11.7.5.2.2 Notwithstanding any other provision of this Plan, Major **development** is prohibited after April 23, 2007 unless:

- i) the appropriate **watershed plan**, including the water budget and conservation plan, has been completed to the satisfaction of Ministry of Municipal Affairs and Housing;
- ii) the proposed major **development** conforms to the **Watershed plan**; and
- iii) it can be demonstrated that water supply required for the proposed major **development** is **sustainable** in accordance with the appropriate water budget and conservation plan

11.7.5.2.3 Notwithstanding any other provision of this Plan, applications for major **development** made before April 22, 2007 shall not be approved unless;

- i) ~~the Region of Durham has confirmed compliance with Section 11.7.7.2 (iii) of the Town of Whitby Official Plan;~~ or
- ii) the applicant identifies any hydrologically sensitive features and related hydrological functions on the site and how they will be protected; and
- iii) the applicant demonstrates that an adequate water supply is available for the **development** without compromising the ecological integrity of the Oak Ridges Moraine; and
- iv) the applicant provides, with respect to the site and such other land as the approval authority considers necessary, a water budget and water conservation plan that models groundwater and surface flow

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systems, identifies the availability, quantity and quality of water sources and identifies water conservation measures.

- 11.7.5.2.4 **Development, redevelopment and site alteration** are prohibited if the total percentage of the area of the sub-**watershed** that has impervious surfaces exceeds 10% or any lower percentage of the applicable **watershed plan**.
- 11.7.5.2.5 In considering applications for **development** or **site alteration** with respect to land in a sub-**watershed** Council shall take into account the desirability of ensuring at least 30% of the area of the sub-**watershed** has self-sustaining vegetation.
- 11.7.5.2.6 Applications that exceed 10% impervious surface and provide less than 30% self-sustaining vegetation shall be forwarded to the Region of Durham for confirmation of the sub-**watershed** policies identified in Section 11.7.5.2.
- 11.7.5.2.7 The Town shall incorporate through an official plan amendment the applicable objectives and requirements of completed **watershed** and subwatershed plans undertaken by the Region of Durham as well as the results of related environmental studies and monitoring into planning documents as appropriate.

### **11.7.5.3 Areas of High Aquifer Vulnerability Policies**

- 11.7.5.3.1 Aquifer vulnerability refers to the susceptibility of the groundwater aquifer to contamination from both human and natural sources. Areas of High Aquifer Vulnerability are shown on ~~Schedule 'P'~~ Schedule 'N'.
- 11.7.5.3.2 Council shall consider impacts on Areas of High Aquifer Vulnerability when new **development, redevelopment or site alteration** is proposed. The following uses are prohibited on the lands identified as High Aquifer Vulnerability on ~~Schedule 'P'~~ Schedule 'N':
- i) generation and storage of hazardous waste or liquid industrial waste;
  - ii) waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
  - iii) underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and
  - iv) storage of contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

### **11.7.5.4 Landform Conservation Area Policies**

- 11.7.5.4.1 Landform Conservation Areas are areas consisting of steep slopes and representative landforms that shall be protected for their contribution to the ecological integrity and hydrological function of the Moraine. Landform Conservation Areas (Categories 1 and 2) are shown on ~~Schedule 'Q'~~ Schedule 'O'.

11.7.5.4.2 Council shall consider impacts on landform conservation areas when new **development** or **site alteration** is proposed.

11.7.5.4.3 A **Planning Act** or **Condominium Act** application for **development** or **site alteration** on lands identified as a Landform Conservation Area - Category 1 or 2 with the exception of **mineral aggregate operations** shall identify planning, design and construction practices that will keep disturbance to landform **character** to a minimum including:

- i) maintaining **significant** landform features such as steep slopes, kames, ravines and ridges in their natural undisturbed form;
- ii) limiting the portion of the net developable area of the site in accordance with the following:

| Criteria                                                          | Category 1 | Category 2 |
|-------------------------------------------------------------------|------------|------------|
| Maximum net developable area of the site that is disturbed        | 25%        | 50%        |
| Maximum net developable area of the site with impervious surfaces | 15%        | 20%        |

11.7.5.4.4 A **Planning Act** or **Condominium Act** application for major **development** with the exception of **mineral aggregate operations** with respect to land in a Landform Conservation Area shall be accompanied by Landform Conservation Plan, to the satisfaction of the municipality, that include, but not limited to:

- i) elevation contours in sufficient detail to show the basic topographic **character** of the site, with an interval of not more than two metres;
- ii) analysis of the site by slope type;
- iii) **significant** landform features such as kames, ravines and ridges; and
- iv) all water bodies including **intermittent streams** and ponds.

11.7.5.4.5 The landform conservation plan shall also include a **development** strategy, to the satisfaction of the municipality, that identifies appropriate planning, design and construction practices to minimize disruption to landform **character** including but not limited to:

- i) retention of **significant** landform features in an open, undisturbed form;

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- ii) road alignment and building placement to minimum grading requirements;
  - iii) concentration of **development** on portions of the site that are not **significant**;
  - iv) use of innovative building design to minimize grading requirements; and
  - v) use of selective grading techniques.

11.7.5.4.6 A **Planning Act** or **Condominium Act** application for **development** or **site alteration** with the exception of **mineral aggregate operations** that does not constitute major **development** in a Landform Conservation Area shall be accompanied by a site plan, to the satisfaction of the municipality, that includes, but is not limited to:

- i) identifies the areas within which all building, grading and related construction will occur; and
- ii) demonstrates that buildings and structures will be located within the areas referred to in clause i) so as to minimize the amount of **site alteration** required.

11.7.5.4.7 Site Plan Control will be used to limit grading and the alteration of the natural landscape to implement the policies of this Section of the Plan.

## **11.7.6 Lot Creation Policies**

11.7.6.1 Notwithstanding any provision of this Plan, a lot may be created subject to the policies of this Plan and under the following conditions, where applicable:

- a. Severance, from a rural lot, of a lot for a residence surplus to a farming operation. The maximum permitted is a cumulative total of one such severance for each rural lot. All consents granted on or after January 1, 1994 are included in the calculation of the cumulative total. This policy applies, whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.
- b. Severances of 40 hectare parcels or greater may be permitted only if the subject properties have previously merged in title and the severance follows the original lot lines or original half lot lines and the retained portion has an area of at least 40 hectares.
- c. Allowing land acquisition for transportation, **infrastructure** and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative.

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- d. The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.
  - e. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.
  - f. Severance from each other the parts of a lot that are devoted to different uses, but only if uses are legally established at the time of the application for severance.

11.7.6.2 A lot may be created subject to the policies Section 11.7.6.1 and under the following conditions:

- a. Only residential **infilling** and lot creation shall be permitted within the hamlet boundaries of Ashburn, Myrtle and Myrtle Station. An expansion of these hamlet boundaries shall not be permitted.
- b. A lot may only be created if there is enough net developable area on both the severed lot and the retained lot to accommodate the proposed uses, buildings, structures and **accessory** uses without encroachment into **key natural heritage features** or hydrologically sensitive features shown on ~~Schedule 'O'~~ Schedule 'M' or as identified within an approved natural heritage evaluation or hydrological evaluation.
- c. When a lot is created, Council shall enter into a site plan agreement or other agreement with the applicant to establish conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any **key natural heritage features** or hydrologically sensitive features on the lot.
- d. New lots shall not be created within or partially within a minimum **vegetation protection zone** of a **key natural heritage feature** and/or a hydrologically sensitive feature.
- e. Lot boundary adjustments or new lot creation may be permitted to secure valued greenspace for natural heritage conservation purposes provided the severed parcel is zoned to permit only natural heritage conservation uses. However, consistent with other policies of this Plan, no new lot may be created for a residential dwelling in **Prime Agricultural Areas** or where **development** would negatively impact a **key natural heritage** and/ or **key hydrologic feature**.
- f. New estate residential subdivisions shall not be permitted within the Oak Ridges Moraine.

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- g. A lot shall not be permitted that would extend or promote strip **development**.

- a) Any application to create new lots must include a report demonstrating that the application is in conformity with the requirements of the Oak Ridges Moraine Secondary plan.

## **11.7.7 Mineral aggregate operations and Wayside Pits**

11.7.7.1 In addition to the policies of ~~Section 4.12~~ Section 4.11 – Aggregates of the Official Plan, the policies of Section 11.7.7 shall apply to lands within the Oak Ridges Moraine Secondary plan Area.

11.7.7.2 Applications for **mineral aggregate operations** or wayside pits shall not be approved unless the applicant demonstrates that:

- i) the quantity and quality of groundwater and surface water will be maintained and, where possible, improved or restored;
- ii) the health, diversity, size and **connectivity** of **key natural heritage features** on the site or on adjacent land, will be maintained and, where possible, improved or restored;
- iii) there will be no extraction within 1.5 metres of the water table within the Natural Linkage Area designation;
- iv) the extraction of mineral aggregates from the site will be completed as quickly as possible within the Natural Linkage Area designation; and
- v) the entire site will be rehabilitated as quickly as possible, and in the case of a **prime agricultural area**, by restoring the land so that the average soil quality of each area is substantially returned to its previous level and in all other cases, by establishing or restoring natural self-sustaining vegetation.

11.7.7.3 In order to maintain **connectivity**, when a **mineral aggregate operation** or wayside pit is located in the Natural Linkage Area designation, there shall at all times be an excluded area which may contain both undisturbed land and land whose rehabilitation is complete that:

- i) is at least 1.25 kilometres wide;
- ii) lies outside the active or unrehabilitated portions of the area being used; and
- iii) connects parts of the Natural Linkage Area designation outside of the **mineral aggregate operation** or wayside pit.

11.7.7.4 Notwithstanding Section 11.7.5.2, an application for **mineral aggregate operation** or wayside pit with respect to land in a **key natural heritage**

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**feature** may be approved provided:

- i) the **key natural heritage feature** is occupied by young plantations or early successional habitat; and
- ii) the applicant demonstrates to the satisfaction of the Municipality that:
  - the long-term ecological integrity of the site will be maintained, or where possible improved or restored;
  - the extraction of mineral aggregates from the area within the **key natural heritage feature** will be completed, and the area will be rehabilitated, as early as possible in the life of the operation; and
  - the area from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value.

11.7.7.5 An application for **mineral aggregate operation** or wayside pit in a Landform Conservation Area shall not be approved unless the applicant demonstrates to the satisfaction of the municipality and that:

- i) the area from which the mineral aggregates are extracted will be rehabilitated to establish a landform **character** that blends in with the landform patterns of the **adjacent lands**; and
- ii) the long-term ecological integrity of the subject lands will be maintained, or where possible improved or restored.

11.7.7.6 The Town of Whitby shall work cooperatively with the aggregate industry to develop and implement comprehensive rehabilitation plans for the parts of the Oak Ridges Moraine that are affected by **mineral aggregate operations**.

11.7.7.7 **Mineral aggregate operations** are exempt from the requirements of Section 11.7.5.2.

## **11.7.8 Transportation, Infrastructure and Utilities**

11.7.8.1 The **Secondary plan** area shall be developed in accordance with the Transportation policies of the Oak Ridges Moraine Conservation Plan and Section 8.1 and 8.2 of this Plan, except as modified or clarified by the following policies.

11.7.8.2 Transportation, **infrastructure** and utility uses are only permitted within the Oak Ridges Moraine if the appropriate study has been undertaken, to the satisfaction of the municipality, and demonstrated both need and that there is no reasonable alternative to the undertaking.

An undertaking for a transportation, **infrastructure** or utility use is required to demonstrate that the requirements of this **Secondary plan** and the Oak Ridges Moraine Conservation Plan for protecting the ecological and

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hydrological integrity of the Moraine have been fulfilled.

11.7.8.3 Transportation, **infrastructure** and utilities uses are defined to include:

- a) public highways;
- b) transit lines, railways and related facilities;
- c) gas and oil pipelines;
- d) sewage and water service systems and lines and stormwater management facilities;
- e) power transmission lines;
- f) telecommunications lines and facilities, including broadcasting towers;
- g) bridges, interchanges, stations and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses (a) to (f); and
- h) rights of way required for the facilities listed in clauses (a) to (g).

11.7.8.4 An application for a transportation, **infrastructure** or utilities use shall not be approved unless:

- a) the need for the project has been demonstrated and there is no reasonable alternative, to the satisfaction of the municipality; and
- b) the applicant demonstrates, to the satisfaction of the municipality that the following requirements will be satisfied, to the greatest extent possible while also meeting all applicable safety standards:
  - i) The area of construction disturbance will be kept to a minimum;
  - ii) Right of way widths will be kept to the minimum that is consistent with meeting other objectives such as stormwater management and with locating as many transportation, **infrastructure**, and utility uses within a single corridor as possible;
  - iii) The project will allow for wildlife movement;
  - iv) Lighting will be focused downwards; and
  - v) The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Oak Ridges Moraine to a minimum.

11.7.8.5 Except as permitted in Sections 11.7.8.4 and 11.7.8.6, with respect to land in a **key natural heritage feature** or a hydrologically sensitive feature, all new transportation, **infrastructure** and utilities uses and all upgrading or extension of existing transportation, **infrastructure** and utilities uses, including the opening of a road within an unopened road allowance, are prohibited.

11.7.8.6 Transportation, **infrastructure**, and utilities uses may be permitted to cross a

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key natural feature or hydrologically sensitive feature if the applicant demonstrates, to the satisfaction of the municipality that:

- a) the need for the project has been demonstrated and there is no reasonable alternative;
- b) the planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Oak Ridges Moraine to a minimum;
- c) the design practices adopted will maintain, and where possible improve or restore, key ecological and recreational linkages.
- d) the landscape design will be adapted to the circumstances for the site and use native plant species as much as possible, especially along rights of way; and
- e) the long-term landscape management approaches adopted will maintain, and where possible improve or restore, the health, diversity, size and **connectivity** of the **key natural heritage feature** or hydrologically sensitive feature.
- f) service and utility trenches for transportation, **infrastructure** and utilities shall be planned, designed and constructed so as to keep disruption of the natural groundwater to a minimum.

#### **11.7.8.7 Stormwater Management**

11.7.8.7.1 Every application for **development, redevelopment** or **site alteration** shall demonstrate planning, design and construction practices, to the satisfaction of the municipality, to protect water resources will be used, including:

- a) keeping the removal of vegetation, grading and soil compaction to a minimum;
- b) keeping all sediment that is eroded during construction within the site;
- c) seeding or sodding exposed soils as soon as possible after construction; and
- d) keeping chemical applications to suppress dust and control pests and vegetation to a minimum.

11.7.8.7.2 In considering an application for **development, redevelopment** or **site alteration**, the municipality shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads.

11.7.8.7.3 Municipal **development** standards shall incorporate planning, design and construction practices that will:

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1. reduce the portions of lots and sites that have impervious surfaces; and
  2. provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.
- 11.7.8.7.4 Sections 11.7.8.7.1 to 11.7.8.7.3 (inclusive) do not apply to applications for **mineral aggregate operations**.
- 11.7.8.7.5 For the purposes of stormwater management, the minimum standard for water quality is that 80 percent of suspended solids shall be removed from stormwater runoff as a long-term average.
- 11.7.8.7.6 Notwithstanding any other provisions in this plan to the contrary, new stormwater management ponds are prohibited with respect to land in **key natural heritage features** and hydrologically sensitive features.
- 11.7.8.7.7 An application for major **development** shall be accompanied by a Stormwater Management Plan.
- 11.7.8.7.8 Stormwater Management Plans**
- 11.7.8.7.8.1 The objectives of a stormwater management plan are to:
- a) maintain groundwater quality and flow and stream base flow;
  - b) protect water quality;
  - c) protect aquatic species and their habitat;
  - d) prevent increases in stream channel erosion; and
  - e) prevent any increase in flood risk.
- 11.7.8.7.8.2 A stormwater management plan shall provide for an integrated treatment train approach that uses a planned sequence of methods of controlling stormwater and keeping its impact to a minimum by techniques including, without limitation:
- a) lot level controls such as devices and designs that direct roof discharge to rear yard ponding areas;
  - b) conveyance controls such as grassed swales; and
  - c) end-of-pipe controls such as wet ponds at the final discharge stage.
- 11.7.8.7.8.3 A Stormwater Management Plan shall be prepared in accordance with the applicable **watershed plan**, if one exists.
- 11.7.8.7.8.4 Notwithstanding any other provisions in this plan to the contrary, new rapid infiltration basins and new rapid infiltration columns are prohibited.

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### 11.7.8.8 Sewage and Water Services

11.7.8.8.1 An application for major **development** shall be accompanied by a sewage and water system plan that demonstrates, to the satisfaction of the municipality:

- a) that the ecological integrity of hydrological features and key natural heritage features will be maintained;
- b) that the quantity and quality of groundwater and surface water will be maintained;
- c) that stream baseflows will be maintained;
- d) that the project will comply with the applicable **watershed** plan and water budget and conservation plan; and
- e) that the water use projected for the **development** will be **sustainable**.

Water and sewer service trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.

### 11.7.9 Implementation and Interpretation

11.7.9.1 The implementation and interpretation of the **Secondary plan** will be in accordance with Section 10 of Part I of this Plan.

11.7.9.2 The lot lines shown on ~~Schedules 'N', 'O', 'P' and 'Q'~~ Schedules 'L', 'M', 'N' and 'O' are approximate and illustrative for information purposes only.

The lot lines shown are not intended to control nor represent the precise location of the property boundary lines.

11.7.9.3 All public works undertaken in the Oak Ridges Moraine Planning Area shall conform to the policies of the Oak Ridges Moraine Conservation Plan, Part 1 and this **Secondary plan**.

#### 11.7.9.4 Zoning By-law and Minor Variances

11.7.9.4.1 Lands within the Rural Settlement designation shall be placed within the appropriate zone in the Zoning By-law to provide for a range of residential uses and small scale commercial and industrial uses that meet the needs of the rural area.

11.7.9.4.2 All **key natural heritage features** and hydrologically sensitive features shall be placed within an appropriate zone in the Zoning By-law.

11.7.9.4.3 The Zoning By-law shall permit minor **development** such as limited expansions to legally existing buildings that existed as of November 15, 2001 and the **development** of small-scale **accessory** structures. However, such

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**development** may be subject to a scoped site plan approval process at the discretion of the Town. If such **development** is proposed, it is deemed, for the purposes of this Plan, not to have an adverse impact on the ecological integrity of the Oak Ridges Moraine.

If **development** that cannot occur as-of-right in accordance with the implementing Zoning By-law is proposed, an application for Site Plan Approval may be considered by Council provided the applicant demonstrates that:

- a) the **development** will be set back from the boundaries of the Environmental Protection designation as far as possible;
- b) no other reasonable opportunities to site the **development** on the lot are available and that the ecological integrity of the natural heritage feature can be maintained or enhanced; and
- c) the **development** will not have an adverse impact on the ecological integrity of the Oak Ridges Moraine.

The preparation of a natural heritage evaluation and/or hydrological evaluation or other studies shall be in accordance with the policies in Section 11.7.5 of this **Secondary Plan**.

11.7.9.4.4 A minor variance may be granted by the Committee of Adjustment to permit **development** without requiring the lands to be rezoned provided that the Committee is satisfied that the variance is minor in nature and is in keeping with the intent of this Plan and the **Oak Ridges Moraine Conservation Act**, 2001 and regulations thereunder.

11.7.9.4.5 A minor variance may be used to alter the boundary of the vegetation **buffer** zone associated with a key natural heritage/hydrological feature where an **Environmental Impact Study (EIS)** has demonstrated that the vegetation **buffer** area may be reduced without resulting in adverse impacts on the **ecological features** and functions for which the area has been identified.

#### **11.7.9.5 Site Plan Control**

11.7.9.5.1 Applications for Site Plan Approval within the Oak Ridges Moraine Area will be reviewed in accordance with the objectives of the Oak Ridges Moraine Conservation Plan and this Plan in order to protect and enhance the **ecological features** and functions of the Oak Ridges Moraine ecosystem.

Notwithstanding this Policy, where the lands are situated on the Oak Ridges Moraine, site plan control shall be in accordance with the relevant policies of the Oak Ridges Moraine Conservation Plan, and ~~Subsection 10.1.14~~ Subsection 10.1.10 of this Plan.

11.7.9.5.2 Through the Site Plan Approval process, the municipality may require the preservation, maintenance or establishment of vegetation **buffers** in order to

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mitigate the potential impact of the **development** and enhance the natural features and functions of the Oak Ridges Moraine ecosystem. Conditions of Site Plan Approval may require greater setbacks, landscaped open space, less lot coverage or other limitations that exceed the minimum requirements of the Zoning By-law in order to maintain or enhance the ecological integrity of the Oak Ridges Moraine.

#### **11.7.9.6 Definitions**

- 11.7.9.6.1 The definitions contained in the Oak Ridges Moraine Conservation Plan, Ontario Regulation 140/02 shall apply in the Oak Ridges Moraine Secondary plan Area in addition to the definitions of Section 10.2.2 of the Official Plan (where questions of interpretation arise, regard shall be had to the Oak Ridges Moraine Conservation Plan itself).



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## 11.8 West Whitby Community Secondary Plan

### 11.8.1 Goals and Objectives

#### 11.8.1.1 Natural Heritage

##### 11.8.1.1.1 Goal

11.8.1.1.1.1 To protect and enhance **significant natural heritage features** and **ecological functions** in the **Secondary Plan** area and beyond, having regard to the approved Lynde Creek Watershed Plan prepared by the Central Lake Ontario Conservation Authority.

##### 11.8.1.1.2 Objectives

11.8.1.1.2.1 To protect **significant** natural heritage and hydrologic features and their associated **ecological functions**.

11.8.1.1.2.2 To require that land use planning contributes to the protection, maintenance and enhancement of water and related resources and aquatic ecosystems on an integrated **watershed** management basis.

11.8.1.1.2.3 To recognize that a healthy community is made up of an interconnected system of open spaces and **natural heritage features**.

11.8.1.1.2.4 To promote the retention of **natural heritage features** so that they can be enjoyed by future generations and serve as a legacy of the community's desire to protect their role and function.

11.8.1.1.2.5 To minimize negative changes to the water quality and hydrological and hydrogeological characteristics of watercourses, lakes, aquifers and **wetlands**.

11.8.1.1.2.6 To prohibit the loss or fragmentation of **Provincially Significant Wetlands** and **significant habitat of endangered and threatened species**.

11.8.1.1.2.7 To promote land use decisions that incorporate water conservation measures and the efficient use of water resources on a **watershed** and sub-watershed basis.

11.8.1.1.2.8 To encourage the establishment of a greenspace network that links environmental and recreational resources both within and beyond the boundaries of the **Secondary Plan** area as part of the **development** of a Town-wide Natural Heritage Strategy.

11.8.1.1.2.9 To encourage the **development** of a safe, convenient, affordable, efficient and energy-conserving **transportation system** that minimizes impacts on the natural environment.

11.8.1.1.2.10 To encourage the protection of valley lands and other environmentally

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sensitive areas.

## **11.8.1.2 Urban Character**

### **11.8.1.2.1 Goal**

11.8.1.2.1.1 To support the **development** of an urban area that is diverse, liveable, safe, thriving and attractive.

### **11.8.1.2.2 Objectives**

11.8.1.2.2.1 To ensure that all new urban **development** has a positive contribution on urban life in the Town.

11.8.1.2.2.2 To ensure that all urban streets are defined by buildings and public spaces wherever possible and appropriate.

11.8.1.2.2.3 To require a high quality of site and building design for all forms of **development** within the **Secondary Plan** area.

11.8.1.2.2.4 To exercise appropriate municipal **development** control in order to achieve a consistently high standard of site, building and landscape design.

11.8.1.2.2.5 To ensure that neighbourhoods are compact, pedestrian-friendly with the mix of ~~housing types~~ **housing options**, community facilities, commercial centres and open spaces.

11.8.1.2.2.6 To ensure that a system of trails and bike paths are integrated with new **development** throughout the **Secondary Plan** area.

11.8.1.2.2.7 To foster a sense of civic identity and pride through a high standard of **urban design** in all future **developments** that considers:

- a) the appropriate integration of public and private spaces;
- b) a high degree of visual diversity, interest and aesthetic quality;
- c) a well-defined public realm, including an interconnected open space network;
- d) the sensitive integration of new **development** with existing **development**; and,
- e) a **transit-supportive** and pedestrian-oriented **development** pattern.

## **11.8.1.3 Economic Development**

### **11.8.1.3.1 Goal**

11.8.1.3.1.1 To provide opportunities for between 5,000 and 7,000 jobs in locations that

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take advantage of the Provincial highway network and which serve to highlight Whitby's location as a place to do business.

### **11.8.1.3.2 Objectives**

- 11.8.1.3.2.1 To ensure that the quality and **character** of life in the Town is sustained and improved in context of the Greater Golden Horseshoe and the global economy.
- 11.8.1.3.2.2 To facilitate opportunities to provide a range of goods and services to the public within Whitby through the use of a flexible policy regime that encourages a mix of land uses with a strong pedestrian focus.
- 11.8.1.3.2.3 To establish, maintain and enhance industrial, commercial, institutional and community areas that provide a range of job opportunities geared specifically to meet the needs of residents of the Town and the wider area.
- 11.8.1.3.2.4 To ensure that a sufficient supply of serviced employment generating lands is available for **development** at all times.

### **11.8.1.4 Infrastructure**

#### **11.8.1.4.1 Goal**

- 11.8.1.4.1.1 To ensure that all **infrastructure**, including sanitary sewers, water distribution and stormwater management facilities, roads, and telecommunications/communication facilities meet the needs of present and future residents and businesses in an efficient, environmentally-sensitive, cost effective and timely manner.

#### **11.8.1.4.2 Objectives**

- 11.8.1.4.2.1 To ensure that consideration is given to the economics of providing services to the Town as part of the review of any **development** proposal.
- 11.8.1.4.2.2 To ensure that the **development** pattern is efficient and does not lead to a decline in the level of municipal services.
- 11.8.1.4.2.3 To ensure that all necessary **infrastructure** required to serve the **Secondary Plan** area is built prior to, or coincident with, urban **development**.
- 11.8.1.4.2.4 To establish an integrated **transportation system** that safely and efficiently accommodates various modes of transportation including trains, automobiles, trucks, public transit, ~~cycling~~ **non-motorized vehicles** and walking for both people and goods movement.
- 11.8.1.4.2.5 To establish a street pattern within new **development** areas that is based on a permeable grid pattern of arterial, collector and local roads.
- 11.8.1.4.2.6 To ensure that there are mechanisms in place that provide for the equitable sharing of **infrastructure development** costs amongst the benefiting

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landowners in the **Secondary Plan** area.

### **11.8.1.5 Housing**

#### **11.8.1.5.1 Goal**

11.8.1.5.1.1 To ensure that an adequate supply of land and **housing choices options** are available for present and future residents in the **Secondary Plan** area.

#### **11.8.1.5.2 Objectives**

11.8.1.5.2.1 To encourage and support opportunities for mixed-use **development** in appropriate locations that assist in the achievement of residential **intensification** and **affordable housing**.

11.8.1.5.2.2 To ensure that a full range of **housing options** opportunities are available throughout the **Secondary Plan** area and that no one type of housing is concentrated in one area, unless specifically anticipated by this Plan.

### **11.8.2 Land Use Designations**

Schedule 'RP' provides detailed land use designations for the **Secondary Plan** area. The land use designations include Low Density Residential, Medium Density Residential, High Density Residential, ~~Mixed Use One Community Commercial Mixed-Use, Mixed Use Two Residential Mixed-Use, Special Purpose Commercial Business, Prestige Industrial-Employment, Major Open Space and Environmental Protection Area Natural Heritage System~~. In instances where the policies and designations contained in Section 11.8 vary with the policies within Section 4 of this Plan, the more specific and detailed policies of Section 11.8 shall prevail, provided the overall intent of the Official Plan is maintained.

#### **11.8.2.1 ~~Mixed Use One Community Commercial Mixed-Use~~**

##### **11.8.2.1.1 Goal**

11.8.2.1.1.1 To provide community commercial uses and higher density uses in a mixed-use setting in the **Secondary Plan** area.

##### **11.8.2.1.2 Objectives**

11.8.2.1.2.1 To establish the ~~Mixed Use One Community Commercial Mixed-Use~~ designation as a major activity area in the **Secondary Plan** area.

11.8.2.1.2.2 To provide a focus for the **development** of **major retail** uses in the **Secondary Plan** area.

11.8.2.1.2.3 To provide for a mix of residential and non-residential uses in a pedestrian-oriented manner.

- 11.8.2.1.2.4 To provide for the establishment of a pedestrian, active transportation, cycling and transit-first community, where dependence on the private automobile is minimized.
- 11.8.2.1.2.5 To provide for a diverse range of retail, service, community, institutional, cultural and recreational uses to serve the Town and the Region.
- 11.8.2.1.3 The lands designated ~~Mixed Use One~~ Community Commercial Mixed-Use are located within a Community Central Area as described in Section 4.3.3.5 4.2.3.6 of this Plan.
- 11.8.2.1.4 The minimum residential density for the ~~Mixed Use One~~ Community Commercial Mixed-Use designation is 45 units per net hectare.
- 11.8.2.1.5 The uses permitted on lands designated ~~Mixed Use One~~ Community Commercial Mixed-Use are listed in Section 4.5.3.2 4.4.3.5 of this Plan, with the exception that residential uses in freestanding buildings, and ~~supermarkets~~ grocery stores are also permitted.
- 11.8.2.1.6 It is the intent of this Plan that the lands designated ~~Mixed Use One~~ Community Commercial Mixed-Use are the focus of **major retail** uses and higher density residential uses in a mixed-use setting. All **major retail** uses shall be located on the north side of Rossland Road and the maximum gross leasable floor area permitted for all retail uses combined in the ~~Mixed Use One~~ Community Commercial Mixed-Use designation is 15,000 square metres.
- 11.8.2.1.7 The establishment of a higher-order ~~supermarket~~ grocery store serving a large trade area is a key component of the Rossland/Coronation Community Central Area. Given the intent of this Plan to establish the ~~Mixed Use One~~ Community Commercial Mixed-Use area as the focus of activity in the **Secondary Plan** Study Area, the establishment of a higher-order ~~supermarket~~ grocery store serving a large trade area is a key component of the land use plan for the area.
- 11.8.2.1.8 Lands designated ~~Mixed Use One~~ Community Commercial Mixed-Use on the south side of Rossland Road ~~within the Mixed Use One Community Commercial Mixed-Use designation~~ shall include residential uses. Commercial **development** that is of a neighbourhood scale may also be permitted provided it is integrated with residential uses on the south side of Rossland Road.
- 11.8.2.1.9 It is intended that a pedestrian-oriented environment be established that is integrated with surrounding lands and in particular with the ~~Prestige Industrial Employment~~ lands located to the west.
- ~~11.8.2.1.10 Prior to any **development** occurring on the lands designated Mixed Use One Community Commercial Mixed-Use north of Rossland Road and within the Mixed Use One Community Commercial Mixed-Use designation, an Urban Design Plan shall be prepared to the satisfaction of the Town. The Urban~~

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Design Plan shall consider all matters listed in Section 6.2 of this Plan and additionally include:

- a) ~~a detailed overall land use plan, identifying the location of all of the proposed uses and in particular the location of higher density residential uses;~~
- b) ~~a detailed phasing plan that describes the sequencing of~~ **development** ~~and the timing of any infrastructure improvements;~~
- c) ~~a plan showing the location of any future public lands that may be dedicated to the Town as part of the approval process;~~
- d) ~~the proposed built-form of the~~ **development** ~~including type, height, and architectural treatments;~~
- e) ~~the location of appropriate access points onto the abutting road network;~~
- f) ~~the location of pedestrian, **non-motorized vehicle** bicycle, vehicular and service circulation and access and parking areas in the context of the overall parking management strategy; and,~~
- g) ~~Urban Design Guidelines, proposed streetscape components and the location of proposed landscaping.~~

~~11.8.2.1.11 In preparing the Urban Design Plan set out in sub-section 11.8.2.1.10, the determination of how residential and other non-residential **development** will be integrated in the Mixed Use One Community Commercial Mixed-Use designation is required, as set out in Section 4.6.3.2 4.4.3.5 of this Plan. In this regard, phasing options shall be considered, with these options relating the amount of commercial **development** permitted at any one time to the amount of residential **development** that has occurred within the Mixed Use One Community Commercial Mixed-Use designation.~~

11.8.2.1.10 The **development** of urban squares is required to be a key component of **development** in the Mixed Use One Community Commercial Mixed-Use designation. Urban squares shall be subject to the policies of Sections 6.2.3.10 and 4.9.3.22.3 4.7.3.22.4 in the Official Plan. These spaces are intended to provide an internal focal point for the area and function as a public gathering area serving the immediate neighbourhood and visitors to the area. These spaces should be easily accessible and visible to the public, contain seating amenities, hard landscaping, and natural elements, and provide passive recreational uses, possible public or private programmed activities, and a display of public art. Adjacent commercial uses are encouraged to be integrated with and front upon these spaces. Urban squares may be developed in public or private ownership or a combination

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thereof.

- 11.8.2.1.11 A pedestrian linkage across the CP rail-line shall be required to link the lands designated ~~Mixed Use One~~ Community Commercial Mixed-Use with lands located to the north. This linkage should provide pedestrians/cyclists with easy access to the uses in the ~~Mixed Use One~~ Community Commercial Mixed-Use designation.
- 11.8.2.1.12 The minimum height of any new residential building shall be 3 storeys and the maximum height shall be 12 storeys. Buildings that are between 8 and 12 storeys shall be directed to the area in the vicinity of the future Rossland Road/ ~~Des Newman Boulevard~~ Coronation Road intersection, which is identified as a “Gateway Area” on Schedule ‘RP’ and will serve as a gateway into the ~~Mixed Use One~~ Community Commercial Mixed-Use designation from the west. The minimum height for non-residential buildings shall be two storeys.
- 11.8.2.1.13 Buildings should be located on or close to the street line and massed at intersections to establish a strong street edge. In cases where buildings that have a height of 8 storeys or more are proposed adjacent to the streetline, the upper storeys of a building should be sited on podiums having a minimum height of 3 storeys and a maximum height of 5 storeys, with such podiums being located at or near the street line. In order to break up the mass of the podium along a street edge, the lengths of podium should be minimized.
- 11.8.2.1.14 It is the long-term intent of this Plan that the majority of the parking spaces in the ~~Mixed Use One~~ Community Commercial Mixed-Use designation be included within structured parking garages or underground. ~~In this regard, the Urban Design Plan required by sub-section 11.8.2.1.10 shall establish a long-term parking strategy for the area which takes into account the phasing of development.~~
- 11.8.2.1.15 Notwithstanding any other provisions of this Plan to the contrary, for lands located within part of Lot 32, Concession 2, municipally known as 840 Rossland Road West, and identified by Assessment Roll No. 18-09-020-004-10805, the maximum permitted residential density is 280 units per net hectare. ~~For the purpose of this calculation, net residential density includes private roads and laneways.~~ In addition, a minimum of 900 square metres of non-residential floorspace shall be required on the ground floor of mixed-use building(s) fronting on Rossland Road West.

## **11.8.2.2 ~~Mixed Use Two~~ Residential Mixed-Use**

### **11.8.2.2.1 Goal**

- 11.8.2.2.1.1 To provide for medium density residential uses and small-scale retail and personal service uses that are integrated on sites and/or within buildings with residential uses in a manner that is designed to be **transit-supportive** and pedestrian-oriented.

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### 11.8.2.2.2 Objectives

- 11.8.2.2.2.1 To provide opportunities for a mix of land uses at key intersections in the **Secondary Plan** area.
- 11.8.2.2.2.2 To reduce the need to use the motor vehicle to obtain convenience type merchandise and local services.
- 11.8.2.2.2.3 To provide opportunities for the establishment of focal points at the neighbourhood level.
- 11.8.2.2.3 The permitted uses on lands designated ~~Mixed Use Two~~ Residential Mixed-Use are listed in Section 4.5.3.3 4.4.3.3 of this Plan, and subject to the remaining policies of this Section.
- 11.8.2.2.4 Dundas Street and Taunton Road

The long term overall density target ~~as established by the Region of Durham Official Plan~~ is 60 residential units per gross hectare and the overall long term ~~floor space index~~ target is 2.5. Sufficient depth for appropriate block **development** shall be provided along Regional Corridors and applicants shall demonstrate how more intensive **development** and increased densities can be accommodated over the long term. Given that these targets are to be measured across the entire Regional Corridor where possible, some areas will have higher densities and other areas will have lower densities. In the case of the ~~Mixed Use Two~~ Residential Mixed-Use designation on Dundas Street and Taunton Road, the minimum residential density is 60 units per net hectare, the minimum height is 3 storeys and the maximum height is 8 storeys. The minimum building height for non-residential buildings shall be 2 storeys. Buildings of up to 12 storeys may be considered depending on the land use context.

- 11.8.2.2.5 Coronation Road and Des Newman Boulevard (existing and new)

The minimum residential density is 45 units per net hectare up to a maximum of 70 units per net hectare. The minimum building height shall be 2 storeys and the maximum building height shall not exceed 4 storeys.

- 11.8.2.2.6 Lands designated ~~Mixed Use Two~~ Residential Mixed-Use are encouraged to develop with a wide variety of building forms, generally low to mid-rise in height, but with higher buildings depending on location. A smaller scale of commercial use is anticipated with emphasis on good building/street relationships. The following design and built-form criteria shall be applied in ~~Mixed Use Two~~ Residential Mixed-Use areas:

- a) buildings should be located on or close to the street line to reinforce a strong street edge;
- b) front yard parking shall ~~not be encouraged~~ be discouraged

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and larger parking areas shall be set back an appropriate distance from the street edge to ensure that the majority of the street edge is occupied by buildings;

- c) a strong street edge landscape treatment should be provided to contribute to the **streetscape**; and
- d) well-delineated pedestrian walkways should be provided between the street and main entrances.

11.8.2.2.7 The policies of Section 6.2 of this Plan apply.

11.8.2.2.8 Non-residential uses shall be integrated with residential uses in the ~~Mixed-Use Two Residential Mixed-Use~~ designation. Single purpose commercial areas or single purpose residential areas shall not be established. In this regard, the following provisions apply:

- a) The ~~Special Mixed-Use Two Residential Mixed-Use~~ Policy Areas focused on major intersections on Taunton Road and Dundas Street and identified on Schedule 'RP' are considered to be Local Commercial and Convenience Commercial areas as set out in Section ~~4.5.3.3~~ 4.4.3.3 of this Plan. Up to 3,500 square metres of gross leasable retail and personal service floor space may be permitted within each of the four areas identified, regardless of the number of properties within each area. As an exception to the ~~Mixed-Use Two Residential Mixed-Use~~ designation for the lands at the north-east corner of Taunton Road and New Coronation Road, up to 7,560 square metres of gross leasable retail and personal service floor space may be permitted regardless of the number of properties within this designation;
- b) Prior to any **development** occurring within each of the four ~~Special Mixed-Use Two Residential Mixed-Use~~ areas, an Urban Design Plan ~~shall be prepared~~ may be required to the satisfaction of the Town. The Urban Design Plan shall consider all matters listed in Section 6.2 of this Plan and additionally include:
  - i) a detailed overall land use plan, identifying the location of all of the proposed uses and in particular the location of residential uses;
  - ii) a detailed phasing plan that describes the sequencing of **development** and the timing of any **infrastructure** improvements;
  - iii) a plan showing the location of any future public lands that may be dedicated to the Town as part of the

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**development** approval process;

- iv) the proposed built-form of the **development** including type, height, and architectural treatments;
  - v) the location of appropriate access points onto the abutting road network;
  - vi) the location of pedestrian, **non-motorized vehicle** bicycle, vehicular and service circulation and access and parking areas in the context of the overall parking management strategy; and,
  - vii) **Urban Design Guidelines**, proposed **streetscape** components and the location of proposed landscaping.
- c) In preparing the Urban Design Plan set out in paragraph b), the determination of how residential and other non-residential **development** will be integrated is required in accordance with Section ~~4.6.3.2~~ 4.4.3.3 of this Plan for areas identified as Local Commercial areas in accordance with Section 11.8.2.2.8 a). In this regard, phasing options shall be considered, with these options potentially relating the amount of non-residential **development** permitted at any one time in each of the areas identified in Section 11.8.2.2.8 a) to the amount of residential **development** that is proposed within the same area; and
- d) ~~Other Mixed Use Two Residential Mixed Use areas not identified as Special Mixed Use Two Residential Mixed Use on Schedule 'RP' and as set out in Section 11.8.2.2.8 are considered to be Convenience Commercial Areas as set out in Section 4.5.3.3 of this Plan. Residential uses shall be integrated within convenience commercial uses, within the same building or on the same site.~~

### **11.8.2.3 High Density Residential**

- 11.8.2.3.1 The policies of the High Density Residential designation in Section ~~4.4.3.6~~ 4.3.3.6 of this Plan apply, except as modified by this section of the **Secondary Plan**.
- 11.8.2.3.2 ~~The long term overall density target as established by the Region of Durham Official Plan is 60 residential units per gross hectare and the overall long-term~~ **floor space index** ~~target is 2.5 within the High Density Residential designations adjacent to Dundas Street and Taunton Road. Sufficient depth for appropriate block~~ **development** ~~shall be provided along Regional Dundas Street Rapid Transit Intensification Corridor and Taunton Road Intensification Corridors and applicants shall demonstrate how more intensive~~ **development** ~~and increased densities can be accommodated over the long~~

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term. ~~Given that these targets are to be measured across the entire Regional Corridor where possible, some areas will have higher densities and other areas will have lower densities.~~ In the case of the High Density Residential designation on Dundas Street and Taunton Road, the minimum residential density is 75 units per net hectare ~~and the maximum residential density is 150 units per net hectare~~, the minimum height is 3 storeys and the maximum height is 12 storeys. Taller buildings should be located adjacent to Taunton Road where possible.

- 11.8.2.3.3 Buildings should be located on or close to the street line and massed at intersections to establish a strong street edge. In cases where buildings that have a height of 8 storeys or more are proposed, the upper storeys of a building should be sited on podiums having a minimum height of 3 storeys and a maximum height of 5 storeys, with such podiums being located at or near the street line. In order to break up the mass of the podium along a street edge, the lengths of podium should be minimized.

#### **11.8.2.4 Medium Density Residential**

- 11.8.2.4.1 The policies of the Medium Density Residential designation in Section ~~4.4.3.5~~ 4.3.3.5 of this Plan apply, except as modified by this section of the **Secondary Plan**.

- 11.8.2.4.2 The minimum residential density is 40 units per net hectare. The minimum building height shall be 2 storeys and the maximum building height shall not exceed 4 storeys.

- 11.8.2.4.3 Notwithstanding 11.8.2.4.2 above, the long term overall density target is 60 residential units per gross hectare ~~and the overall long term floor space index target is 2.5~~ within the Medium Density Residential designations adjacent to Dundas Street and Taunton Road. Sufficient depth for appropriate block **development** shall be provided along Regional Corridors and applicants shall demonstrate how more intensive **development** and increased densities can be accommodated over the long term. Given that these targets are to be measured across the entire Regional Corridor where possible, some areas will have higher densities and other areas will have lower densities. In the case of the Medium Density Residential designation on Dundas Street and Taunton Road, the minimum residential density is 45 units per net hectare, the minimum height is 3 storeys and the maximum height is 8 storeys. Buildings that have a height of up to 12 storeys may be considered depending on the land use context.

- 11.8.2.4.4 The planned built-form characteristics for this designation encourage the **development** of a wide variety of building forms, generally mid-rise in height. The following design and built-form criteria shall be applied in Medium Density Residential areas:

- a) buildings should be located on or close to the street line to reinforce a strong street edge;

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- b) parking areas shall generally not be located between buildings and the streetlines. Notwithstanding the above, front yard parking associated with street townhouse **development** is permitted in appropriate locations; and
  - c) landscape treatments should be provided to contribute to the **development** of a walkable and safe pedestrian environment.

#### **11.8.2.5 Low Density Residential**

11.8.2.5.1 The policies of the Low Density Residential designation in Section 4.4.3.4 4.3.3.4 of this Plan apply, except as modified by this section of the **Secondary Plan**.

11.8.2.5.2 The maximum building height shall not generally exceed 3 storeys.

11.8.2.5.3 The minimum density is 25 units per net hectare.

#### **11.8.2.6 Prestige Industrial Employment**

11.8.2.6.1 The policies of the Prestige Industrial Employment designation in Section 4.7.3.2 4.5.3.3 of this Plan apply, except as modified by this section of the **Secondary Plan**.

11.8.2.6.2 ~~In addition to the permitted uses within the Prestige Industrial Employment designation, the following **Business Park** uses shall also be permitted: research, **development** and information processing establishments, corporate head offices or major regional branch offices, training facilities, communication production uses, pharmaceutical, light assembly and manufacturing operations for the production and/or distribution of high value and high technology products.~~

11.8.2.6.3 ~~The following secondary uses may be permitted in the Prestige Industrial Employment designation:~~

- ~~a) limited ancillary, commercial and personal service uses such as take-out or full-service restaurants, financial institutions and commercial fitness centres;~~
- ~~b) commercial or trade school facilities; and,~~
- ~~c) hotels and associated convention/banquet facilities.~~

11.8.2.6.4 The height of any buildings or structures within the Prestige Industrial Employment designation shall not exceed 12 storeys in Gateway Areas and 4 storeys outside of Gateway Areas. The implementing Zoning By-law shall establish reduced building height maximums in the vicinity of residential areas to ensure built-form compatibility with low-rise residential

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**development.** Any buildings with permitted ancillary commercial and personal service uses shall have a minimum height of 2 storeys. In addition, the minimum height of any building in Gateway Areas shall be 2 storeys.

- 11.8.2.6.5 The implementing Zoning By-law shall control the location of open storage and uses which may have adverse effects on **sensitive land uses** within an appropriate distance of the residential areas.
- 11.8.2.6.6 ~~The maximum gross floor area permitted for limited or ancillary commercial and personal service uses is 500 square metres. The number of such uses on a lot shall be restricted in the Zoning By-law to ensure that these uses are ancillary to Prestige Industrial Employment uses and do not detract from the planned function of the Prestige Industrial Employment designation.~~
- 11.8.2.6.7 ~~The **development** of office buildings that have a gross leasable floor area of 10,000 square metres or greater is not permitted. Notwithstanding the above, office **development** that has a gross leasable floor area of 10,000 square metres or greater that is located on the same lot as a related use permitted in Section 11.8.2.6 of this Plan is permitted.~~
- 11.8.2.6.8 Lands within the Prestige Industrial Employment designation in the immediate vicinity of Taunton Road, Rossland Road and Dundas Street and shown as Gateway Areas on Schedule 'RP' are intended to function as gateway areas into the Town of Whitby. The objective of the Plan in these areas is to:
- a) establish visually attractive points of entry into the Town;
  - b) draw the travelling public off Highway 401/407 allowing an introduction to the Town of Whitby and its attractions and amenities beyond the Prestige Industrial Employment area; and,
  - c) provide a location for services that are important to the support of the primary employment function of the Prestige Industrial Employment area.
- 11.8.2.6.9 An Urban Design Plan for Gateway Areas ~~shall be prepared~~ may be required prior to **development** occurring to achieve the above objectives.
- 11.8.2.6.10 The existing single detached dwellings on the west side of Halls Road north of Dundas Street will be recognized in the implementing Zoning By-law as permitted uses and can continue to be so used into the future. The implementing Zoning By-law may permit employment type uses in the existing single detached dwellings as an interim use. Over the long term, the integration of these lots with the remainder of the Prestige Industrial Employment area shall be encouraged.
- 11.8.2.6.11 Notwithstanding any other provisions of this Plan to the contrary, for lands legally known as Block 270, Plan 40M-2647, identified by Assessment Roll

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number 18-09-020-001-33563-0000, the additional use of a multi-storey, commercial self-storage facility and flex office building, and **accessory** single-storey, commercial self-storage facility may be permitted, as an exception, provided the operation is wholly enclosed within the building and is subject to the inclusion of appropriate provisions in the Zoning By-law.

In addition, a lot for the additional use(s) noted above may be created without frontage on an open public road provided there are necessary easements respecting such matters as appropriate shared access across parcels to/from a public road, vehicular and pedestrian circulation, and municipal servicing.

- 11.8.2.6.12 Notwithstanding any other provisions of this Plan to the contrary, for the lands legally known as Part Block 271, Plan 40M-2647, Parts 2 and 3 on Registered Plan 40R31585, identified by Assessment Roll number 18-09-020- 00133999-0000, the maximum permitted building height shall be up to 6 storeys.

#### **11.8.2.7 ~~Special Purpose Commercial Business~~**

- 11.8.2.7.1 The policies of Section ~~4.5.3.4~~ 4.5.3.5 of this Plan apply.

#### **11.8.2.8 ~~Environmental Protection Area~~ Natural Heritage System**

- 11.8.2.8.1 The policies of Section 5 of this Plan apply except as modified by the policies of this section of the **Secondary Plan**.

- 11.8.2.8.2 Lands within the ~~Environmental Protection Area~~ Natural Heritage System designation include: hazard land/**floodplain**, valley lands, **woodlands** on the Iroquois Beach Aquifer, mature **woodlands** that are associated with **wetlands** and/or streams, and **wetlands**, including all **Provincially Significant Wetlands**. The ~~Environmental Protection Area~~ Natural Heritage System designation is focused primarily on the east and west branches of Lynde Creek which extend from the Oak Ridges Moraine in the north to Lake Ontario.

- 11.8.2.8.3 Where appropriate, Council shall consult with the authority having jurisdiction ~~Region of Durham and the Central Lake Ontario Conservation Authority~~ to encourage the use of conservation easements to protect private lands within the ~~Environmental Protection Area~~ Natural Heritage System designation.

#### **11.8.2.8.4 Environmental Impact Studies**

- 11.8.2.8.4.1 Full **Environmental Impact Studies** will be required for applications for **development** within 50 metres of very high sensitivity areas (**Natural Heritage Features**) and for applications for **development** within 120 metres of a **Provincially Significant Wetland**. A full **Environmental Impact Study (EIS)** may be required for lands outside of 50 metres of a **Natural Heritage Feature**, and up to 120 metres of a **Natural Heritage Feature**, to be determined in consultation with the Town and Central Lake Ontario Conservation Authority. The details of the EIS shall be dependent on the

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features within and adjacent to the proposed **development**.

11.8.2.8.4.2 An EIS must be prepared by a qualified professional(s) in the appropriate field(s) of expertise (e.g., ecology, hydrogeology and/or environmental planning) and must be submitted to the Town as part of the **development** application. The 2010 AECOM Environmental Study can be used by Town staff as a guide to determine what issues need to be addressed and the level of detail of the EIS. The Town will consult with the authority(ies) having jurisdiction ~~Central Lake Ontario Conservation Authority, Ministry of Natural Resources and Forestry, Ministry of Natural Resources or other appropriate agencies~~ in a review capacity or for additional guidance with respect to key issues. ~~The Provincial Natural Heritage Reference Manual in current effect, approved Watershed Plans and Fisheries Management Plans as prepared by the Conservation Authority should also be consulted when establishing appropriate~~ **buffers** for natural environment features.

11.8.2.8.4.3 An EIS will identify and assess the potential impact of a proposed **development** on the ecologic and hydrogeologic features and functions, including groundwater recharge, within the proposed **development** area. The EIS will include a detailed water balance to demonstrate that pre- and post-**development** infiltration can be maintained and recommendations on **buffers** adjacent to sensitive areas and preservation, maintenance, and enhancement of woodlot, **wetland** and natural linkage corridors are provided.

The scope of the EIS will depend on the nature of the specific **development**, the function and significance of the natural environment features that may be affected and the nature of the predicted impacts.

11.8.2.8.4.4 Generally, the components of a full EIS will include:

- a) a detailed description of the **development** proposal;
- b) a detailed description of the study area including an assessment of the terrain conditions, hydrogeology, surface water, groundwater-surface water interactions and biological setting;
- c) site specific sub-surface investigations to confirm soil conditions, groundwater recharge and the elevation of the high water table;
- d) establishment of elevation(s) of foundation drains, if applicable, in order to protect groundwater levels/building basements (i.e. in some cases, particularly in depressional areas of the beach sand plain, it may be necessary to raise footings drains above the water table);
- e) assessment of flora, fauna and habitat;
- f) assessment of how vegetation, **groundwater** and surface water

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systems support and maintain the **natural heritage features** and functions;

- g) assessment of the predicted direct, indirect and **cumulative impacts** of the **development** proposal on the **natural heritage features** and functions;
- h) mitigative measures and recommendations to avert negative impacts from the **development** such as **buffer/setback** areas, design considerations and/or restoration/enhancement of natural features;
- i) a plan for implementing mitigative measures;
- j) a summary of the predicted impacts upon implementation of mitigation compared to the overall objectives; and,
- k) recommendations on the need for a construction/post-construction monitoring program.

11.8.2.8.4.5 A scoped EIS shall be conducted for all other **development** applications where a full EIS is not required. These include areas that are considered less sensitive, from a natural heritage standpoint, to **development**, such as the cleared areas on the beach sands as well as the low recharge areas in the till and silt and clay soils and areas identified with high water table or fill soils. The primary issues with **development** on these lands are typically related to hydrogeology rather than ecological considerations. The primary intent of these studies is to maintain recharge.

11.8.2.8.4.6 A scoped EIS will include many of the basic components of the full EIS, although some of the components, particularly with respect to **ecological features**, may not be applicable. The scoped EIS will require a detailed pre and post-development water balance to mitigate potential recharge losses. The study would also include sub-surface investigations to determine the soil conditions, depth to the water table, groundwater flow patterns, soil hydraulic conductivity and flow rates, discharge to surface water courses and recommendations for mitigative measures, as required.

11.8.2.8.4.7 Through the EIS process, site-specific hydrogeological conditions should be confirmed and appropriate mitigative measures recommended to protect and maintain the hydrogeological regime of the groundwater resources, particularly for **development** proposals within the Iroquois Beach deposits, where appropriate. A number of technologies and initiatives appropriate to the specific soil conditions can be considered within the West Whitby Community Secondary Plan area as part of the review of a **Planning Act** application.

11.8.2.8.4.8 A water balance shall be included in all EIS documents. One of the objectives of any **development** should be to maintain post-development

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infiltration conditions in order to preserve groundwater function and linkages to natural features (e.g., **fish habitat, wetlands**), where appropriate. Mitigative measures should be presented with the goal of balancing pre- and post-development recharge conditions.

11.8.2.8.4.9 As the maintenance of recharge within the Iroquois Beach area is particularly **significant** in light of its contribution of groundwater resources and baseflow to local tributaries, the recommended mitigation measures should be addressed through review of **development** applications.

11.8.2.8.4.10 Where an EIS recommends that minor modifications can be made to the boundary of the ~~Environmental Protection Area~~ Natural Heritage System designation and the Town, in consultation with the Conservation Authority approves that recommendation, then the boundary can be refined without further Amendment to this Plan. Where boundaries are adjusted, the abutting land use designation shall apply, provided the intent of the Plan is maintained. Notwithstanding the above, where an EIS indicates that the removal of the pond feature located on the north side of Taunton Road is supported, an Amendment to the Official Plan will not be required to provide for **development** in accordance with the policies of the Medium Density Residential designation.

#### **11.8.2.9 Major Open Space**

11.8.2.9.1 The policies of Section 4.97 of this Plan apply.

#### **11.8.2.10 Almond Village Special Policy Area**

11.8.2.10.1 It is the goal of the Almond Village Special Policy Area to:

- a) permit land uses that maintain the unique **character** of Almond Village; and,
- b) ensure that land uses planned on **adjacent lands** also respect the unique stable residential neighbourhood character.

11.8.2.10.2 Permitted uses in the Almond Village Special Policy Area designation are single detached dwellings on existing lots, **accessory buildings** and structures, and home occupations in accordance with Section ~~4.4.3.1d~~ 4.3.3.1d of this Plan.

11.8.2.10.3 Severances to create new lots within the Almond Village Special Policy Area are not permitted unless a Neighbourhood Study has been completed and a full public consultation process has been undertaken.

11.8.2.10.4 It is the long-term intent of this Plan that municipal sewer and water services be provided to Almond Village. Other **infrastructure** upgrades such as sidewalks and storm sewers are also to be planned where appropriate and installation shall be coordinated with the construction of sewer and water services. The Region of Durham is encouraged to size trunk sewers and

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watermains for the eventual servicing of this area, as required.

### 11.8.3 Phasing of Development

- 11.8.3.1 It is the intent of this Plan to encourage the timely provision of **infrastructure** as urban **development** occurs. On this basis, the identification of **infrastructure** upgrades and service delivery requirements shall be carried out prior to any **development** occurring. This long range planning should take the full build out of the **Secondary Plan** area into account and attempt to rationalize how long it will take for the area to be developed. External factors should also be considered, most notably the capacity of Regional roads located within, adjacent to and in the vicinity of the **Secondary Plan** area.
- 11.8.3.2 It is recognized that it is at times difficult to anticipate the timing of private **development** and on this basis, flexibility is required to respond to changing circumstances in a manner that does not affect the basic intent of the overall phasing plan for the **Secondary Plan** area and the financial plans and studies that support the phasing plan. Therefore, it is not the intent of this policy to require the establishment of a rigid set of criteria to guide **development**. Rather, the intent of the policy is to provide a general understanding of how and when **infrastructure** is to be upgraded and when service delivery is to be enhanced.
- 11.8.3.3 In order to ensure that the cost of new **development** will not have an adverse impact on the financial capability of the Town and the Region and to ensure that timely residential **development** and industrial/commercial **development** coincides with and supports required **infrastructure development**, including the building of roads, schools, parks and the introduction of increased transit service and facilities, an increase in public servicing levels such as fire and police and the timely **development** of water and wastewater servicing **infrastructure**, and the provision of telecommunications/ communications **infrastructure, development** in the West Whitby Community Secondary Plan area shall only proceed when:
- c) a Financial Plan for the **Secondary Plan** area that establishes the basis for the phasing, and the funding of new **infrastructure of development and infrastructure** has been approved by Whitby Council;
  - d) the Town has in full force and effect, and not subject to appeal, a Development Charges By-law enacted under the **Development Charges Act, 1997** or any successor legislation identifying and imposing charges applicable to the lands in the **Secondary Plan** area;
  - e) certain benefitting landowners within the **Secondary Plan** area have entered, or will enter, into an agreement or agreements amongst themselves to address the distribution

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of all costs of **development** including those which may not be recoverable by the Town under the **Development Charges Act**, 1997, or any successor legislation, particularly the provision of community and **infrastructure** facilities such as parks, roads, road improvements, external services, storm water management facilities, public/private utilities and schools;

- f) benefitting landowners within the **Secondary Plan** area that benefit from the extension of services along Coronation Road from the south have entered into an agreement or agreements or have made other satisfactory arrangements with the Town for the provision of funds or the provision of services or both and have entered into an agreement with the Region with respect to the provision of Regional roads, transit, sewer and water **infrastructure**; and,
- g) in order to implement paragraphs c) and d) above, the Town may include conditions of Draft Plan Approval that may require the benefitting landowners to enter into agreements with other benefitting landowners with respect to the provision of servicing. If a benefitting landowner chooses not to enter into such agreements, no **development** shall be permitted until it has been demonstrated that the benefitting landowner has entered into required agreements with other affected landowners with respect to the provision of services and other **infrastructure**.

#### 11.8.3.4 **Seaton-Durham Cost Sharing Agreement and Capital Funding of Regional Infrastructure**

As a pre-condition to the urban designation of the West Whitby Community Secondary Plan area, the Durham Contributing Landowners, including certain landowners within the West Whitby Community Secondary Plan Area, signed Minutes of Settlement that required, amongst other things, that a Seaton-Durham Cost Sharing Agreement be entered into respecting the payment and sharing of Oversized Water and Sewer Works to service the Federal lands in Pickering. In addition, as a pre-condition to the urban designation of the West Whitby Community Secondary Plan area, Durham Contributing Landowners in the West Whitby Community Secondary Plan area, made a commitment to pay, on November 4, 2017, the West Whitby Community Secondary Plan area's proportionate share of a \$20,000,000 payment to the Region, to be used by the Region toward the capital funding of Regional **infrastructure**.

Prior to the approval of any draft plan of subdivision or zoning by-law amendment respecting any Durham Contributing Landowners' lands within the West Whitby Community Secondary Plan area, the Seaton-Durham Cost Sharing Agreement shall be executed. Furthermore, registration of a plan of subdivision respecting any Durham Contributing Landowners' lands in the West Whitby Community Secondary Plan area

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shall not be permitted unless the Durham Contributing Landowner is in good standing under the Seaton-Durham Cost Sharing Agreement. To this end, conditions of draft plan approval on Durham Contributing Landowners' land shall require that the Region be advised by the Seaton-Durham Trustee that the subject Durham Contributing Landowner has paid all amounts and is in good standing under the Seaton-Durham Cost Sharing Agreement.

#### **11.8.4. Parks, Open Space and Schools**

11.8.4.1 The establishment of new parks and open space areas in the West Whitby Community Secondary Plan area is subject to Section 4.97 of this Plan. In addition, new parkland in the **Secondary Plan** area should:

- a) have as much street frontage as possible and be open to view on as many sides as possible to maximize visibility from adjacent streets and promote safety;
- b) maximize public safety through park block size, visibility, configuration and location of park fixtures and facilities;
- c) have direct and safe pedestrian access from adjacent residential areas or adjacent greenlands where appropriate;
- d) be designed to minimize any potential negative impacts on adjacent residential areas through the use of such measures as planting, fencing and the provision of appropriate access, parking and **buffers** to active recreational facilities;
- e) incorporate **natural heritage features** wherever possible into the design of the parkland;
- f) be integrated into the fabric of the adjacent neighbourhood by promoting open space or walkway linkages to adjacent facilities, neighbourhoods and natural features;
- g) be connected, wherever possible, to trail systems, ~~cycling-~~**active transportation** routes, walkways, natural heritage corridors, utility corridors and drainage systems;
- h) encourage linking and consolidation of parks to provide a continuous system of open space areas, where possible; and,
- i) encourage the **development** of trails on private open space lands where appropriate.

11.8.4.2 The school and park symbols that are shown in the residential designations are not intended to control the precise location of the land uses that they represent. The exact location will be determined through the **development** approval process.

11.8.4.3 Where a designated school site is not required, the site may be developed in

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accordance with the underlying residential designation without amendment to this Plan.

- 11.8.4.4 Notwithstanding Section 5.3.10.8, Council may consider the dedication of lands for park purposes for the **development** of sports fields on open field areas located outside of the **natural heritage feature** but within the Hazard Land designation as shown on Schedule "A-1", in consultation with the Central Lake Ontario Conservation Authority. Any associated buildings or structures for this park shall be located outside of the Hazard Land designation.

## **11.8.5 Urban Design**

- 11.8.5.1 The policies of Section 6.2 of this Plan, apply, except as modified by this section of the **Secondary Plan**:
- a) **streetscape** features and **sustainable** design elements located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters, above ground **infrastructure** and street furniture shall be complementary to the **streetscape** and located in an integrated manner, so as to avoid visual clutter;
  - b) the design of all buildings shall have regard to pedestrian safety and direct street access. Buildings should be massed to recognize pedestrian scale and provide an appropriate street wall height at the street line and be architecturally articulated to provide visual variety and interest, yet be sensitive to high wind speeds, and long periods of shadowing. Generally, building articulation features such as canopies, cornice lines and varying façade materials should be used to reinforce a pedestrian scale;
  - c) buildings shall be encouraged to present their principal building façades with an appropriate building design and openings to the public street. The design of corner buildings shall take into account the exposure of the building to multiple street frontages and high public exposure; as well as incorporate elements such as increased height, fenestration and roof features, and well-articulated entrances;
  - d) buildings located at major vista terminations in their urban setting, or on view corridors within the **development** site, shall be given special treatment through the use of **massing** and building articulation strategies, such as added height, special roof treatments, and use of special cladding materials;
  - e) the protrusion of garages on residential buildings into the front yard, beyond the main front building wall, shall be discouraged. In addition, the width of private driveways accessing private garages shall be controlled to ensure that there is an

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appropriate relationship between pavement and landscaping in the yards where the driveway is located. Such a relationship shall also take into account the desire to maximize the infiltration of rainwater into the ground and minimize the amount of rainwater that is to be directed to stormwater management facilities;

- f) when a **development** is located adjacent to existing, or planned residential areas, sufficient building setbacks should be provided to minimize potential height and **massing** impacts such as overlook, shadowing and high wind speeds. **Massing** strategies such as stepping down towards buildings of lower height should be employed to minimize impacts. Site Plan applications may be required to submit wind and/or shadow studies to address such potential conditions;
- g) freestanding buildings for commercial, retail, restaurants and personal service uses, as well as office and medium and high density residential uses, shall be located at the street edge where possible, to encourage their use by pedestrians;
- h) buildings on corner lots shall be located in close proximity to the street rights of way. Corner lots should emphasize their important urban presence by employing appropriate strategies for major landscape treatments as well as building **massing** and articulation that emphasize the corner condition;
- i) the location of parking is a major determinant for the layout of a **development** that is pedestrian-friendly and **transit-supportive**. Where appropriate, the Town shall encourage the provision of surface parking areas in locations not visible from the public street, and if they are visible, they shall be screened from view from the street;
- j) where surface parking areas are situated adjacent to a public street in the front yard, their layout should be subdivided into smaller areas to avoid large monotonous asphalt surfaces. In these cases, a certain percentage of the frontage should be reserved for landscaping between the buildings and the street line; and,
- k) personal safety for individuals for new **development** shall be promoted by including the provision of:
  - i) appropriate lighting, visibility and opportunities for public surveillance for parking lots, walkways, parking garages and open space area;

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- ii) unobstructed views into parks and open spaces from adjoining streets;
  - iii) design and siting of new buildings shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open space.
  - iv) views into and out of publicly-accessible buildings shall be encouraged; and,
  - v) landscaping that maintains views for safety and surveillance.

## **11.8.6 Transportation**

- 11.8.6.1 While the Arterial Roads shown on Schedule 'RP' are intended primarily to allow for the ease of motor vehicle traffic throughout the Region and the Town, regard shall be had in their design to the other public interest objectives established by this Plan, which require that higher density **development** be established along Arterial Roads in a pedestrian-oriented and **transit-supportive** environment.

In this regard, Arterial Roads must be designed in a manner that provides for other modes of non-motorized travel and the pedestrian. In addition, priority shall be given to ensuring that public transit facilities, such as stops, shelters and dedicated lanes are all part of the overall design of the arterial road network over the long term.

- 11.8.6.2 Within the ~~Mixed Use One~~ Community Commercial Mixed-Use designation focused on Rossland Road, it is the intent of this Plan that a pedestrian-oriented public realm be established to promote a safe, walkable and vibrant urban environment. Traffic calming measures shall be considered on collector and local roads and a grid system of these roads shall be considered to disperse traffic and lower volumes on each road in this area.

- 11.8.6.3 Coronation Road (old and new alignments), Des Newman Boulevard, Twin Streams Road and Bonacord Avenue shall be designed in a manner that ensures that no more than approximately 60% of the planned right-of-way is devoted to the automobile.

In this regard, a minimum of approximately 40% of the planned right- of-way shall be devoted to pedestrian and non-motorized modes of travel and landscaping.

These roads shall also be planned to include a tree canopy that will provide shade and enhance and establish a vibrant urban environment. In this regard, a Tree Canopy Plan shall be prepared for each of these roads and the trees shall be planted as soon as feasible to ensure that a canopy is established in the shorter term.

- 11.8.6.4 Given anticipated densities and the built form, all local roads shall generally include sidewalks on both sides. Exceptions may be considered in Low Density Residential areas, provided accessibility requirements are met. Each of the local roads shall also be the site of street trees that are planted in a manner that provides for the establishment of a vibrant and healthy tree canopy. In order to maximize the amount of tree planting, the co-location of utilities is encouraged.
- 11.8.6.5 Burns Street has been shown on Schedule 'RP' to go around a **Provincially Significant Wetland** located south of Dundas Street. All options respecting the location of Burns Street shall be investigated and if the preferred option differs from the option shown on Schedule 'RP', an Amendment to this Plan shall not be required. The extension of Burns Street is generally and conceptually shown to connect to Dundas Street. All options regarding the extension of Burns Streets to Dundas Street shall be subject to further study, and an Amendment to this Plan shall not be required.
- 11.8.7 Floodplains**
- 11.8.7.1 New **development** or **site alteration** shall not be permitted within **floodplains**.
- 11.8.7.2 In order to implement the objectives of this Plan, the implementing Zoning By-law shall place all **floodplain** lands in an appropriate Environmental Zone category. ~~Uses permitted in this Environmental Zone category shall be limited to agricultural operations that existed on the date the implementing Zoning By-law is passed by Council and open space uses, excluding those uses that necessitate tree cutting. No buildings or structures, with the exception of essential structural works required for flood and/or erosion or sediment control, shall be permitted in this Zone.~~
- 11.8.7.3 Notwithstanding 11.8.7.2 above, any alteration of the existing channel of a watercourse shall require the approval of the Central Lake Ontario Conservation Authority in accordance with applicable statutes and its **Development**, Interference with **Wetlands** and Alterations to Shorelines and Watercourses Regulation.
- 11.8.7.4 A Flood Policy Area has been identified on Schedule 'RP' to this Plan. Based on work completed in support of the West Whitby Community Secondary Plan, an opportunity exists to reduce the size of the **floodplain** as a consequence of the upgrading of **infrastructure** in the area. It shall be the responsibility of the landowners involved to complete the work required and secure the appropriate approvals. Once approvals are secured and the works completed to the satisfaction of the Town of Whitby and the Central Lake Ontario Conservation Authority, **development** may occur on these lands in accordance with the applicable land use designation.



**Legend**

- Boundary of Port Whitby Community
- Low Density Residential
- Mid Rise Residential 1
- Mid Rise Residential 2
- Main Street Mixed Use
- Mid Rise Residential 3
- Residential Mixed Use High Rise
- Community / Institutional
- Neighbourhood Commercial
- Utilities
- Prestige Employment
- Major Open Space
- Natural Hazard Area
- Natural Heritage System
- Cemetery
- Marina
- Fire Station
- Major Transit Station
- Future Roads
- Existing Road Network
- Active Transportation Network / Connections
- Waterfront Trail
- Ground Floor Animation
- Whitby GO Protected Major Transit Station Area Boundary

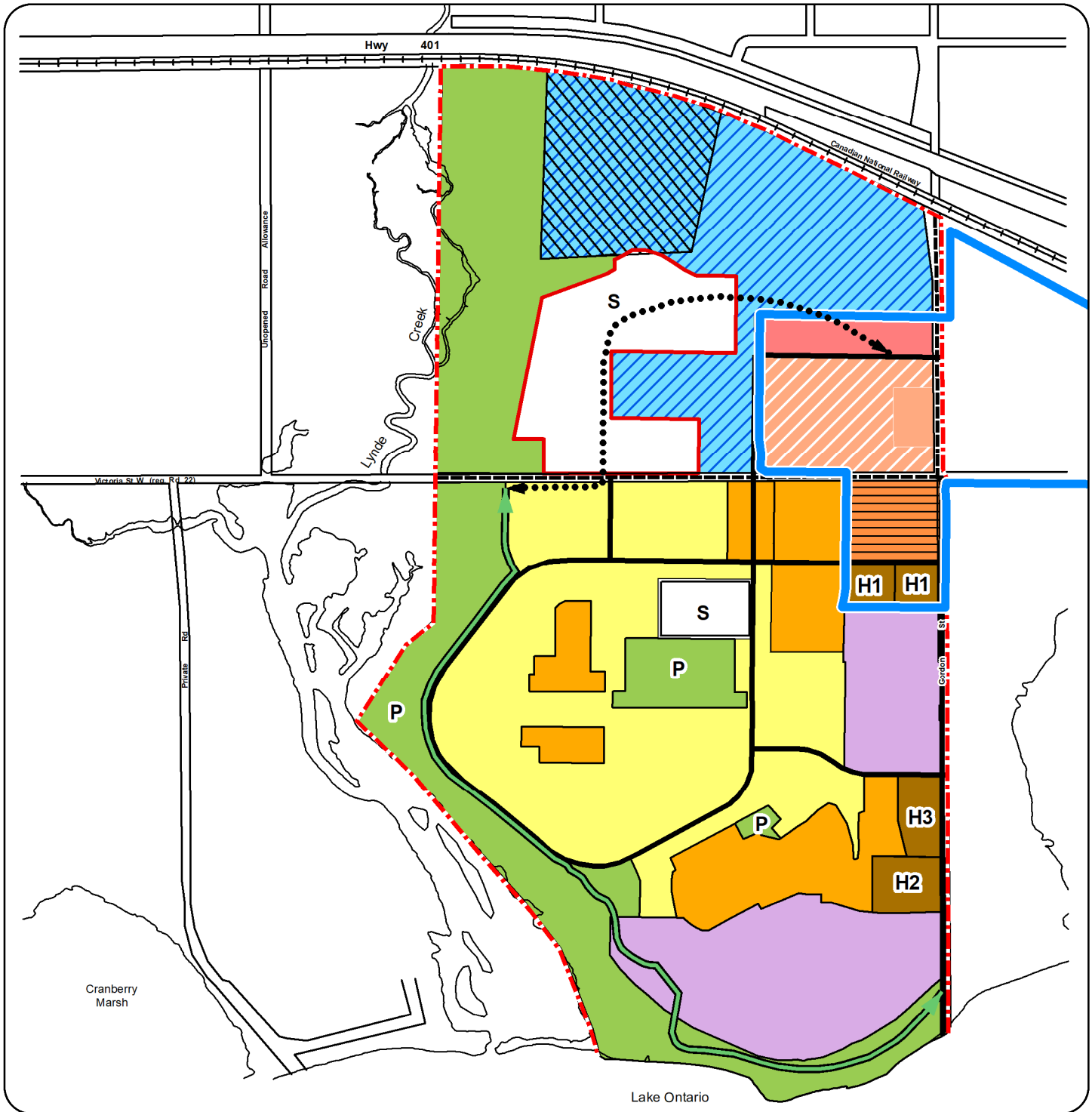
**PORT WHITBY COMMUNITY  
SECONDARY PLAN**

**Official Plan**  
Town of Whitby

Schedule **D**

**Draft Proposed**

0 100 200 400 Metres



### Legend

- |  |                                |  |                                                         |
|--|--------------------------------|--|---------------------------------------------------------|
|  | Low Density Residential        |  | Special Policy Area                                     |
|  | Medium Density Residential     |  | Special Mixed Use                                       |
|  | High Density Residential 1     |  | Refer to Policy 11.2.6.6                                |
|  | High Density Residential 2     |  | Hazard                                                  |
|  | High Density Residential 3     |  | Arterial Road                                           |
|  | Institutional                  |  | Collector Road                                          |
|  | Major Open Space/Park          |  | Lynde Shore Boundary                                    |
|  | Residential Mixed Use          |  | Active Transportation Network                           |
|  | Community Commercial Mixed-Use |  | Waterfront Trail                                        |
|  | Prestige Employment            |  | Whitby GO Protected Major Transit Station Area Boundary |
|  |                                |  | Park                                                    |
|  |                                |  | Elementary School                                       |

## Lynde Shores Secondary Plan

Official Plan  
Town of Whitby

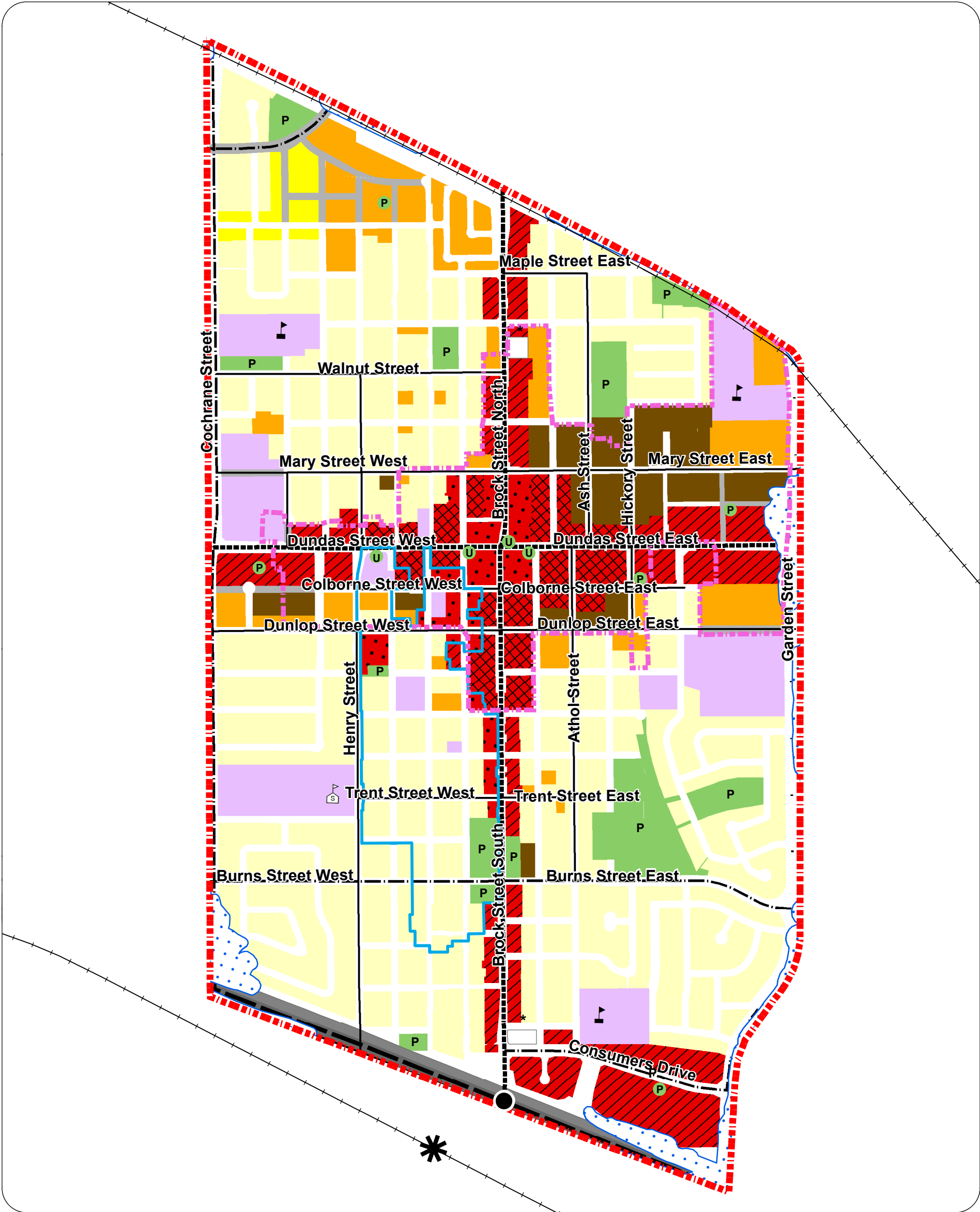
Schedule

**E**



0 200 400 m

**Draft Proposed**



### Legend

|                                  |                       |                                                            |
|----------------------------------|-----------------------|------------------------------------------------------------|
| Low Density Mature Neighbourhood | Proposed Park         | Secondary Plan Area Boundary                               |
| Low Density Residential          | Urban Square          | Major Central Area Boundary                                |
| Medium Density Residential       | Elementary Schools    | Werden's Plan Neighbourhood Heritage Conservation District |
| High Density Residential         | Secondary Schools     | Natural Hazards                                            |
| Main Street Mixed Use            | Type B Arterial       |                                                            |
| Residential Mixed Use Corridor   | Type C Arterial       |                                                            |
| Main Street Heritage Mixed Use   | Collector Road        |                                                            |
| Institutional                    | Proposed Connection   |                                                            |
| Existing Park & Open Space       | Railway               |                                                            |
|                                  | Full Interchange      |                                                            |
|                                  | Major Transit Station |                                                            |

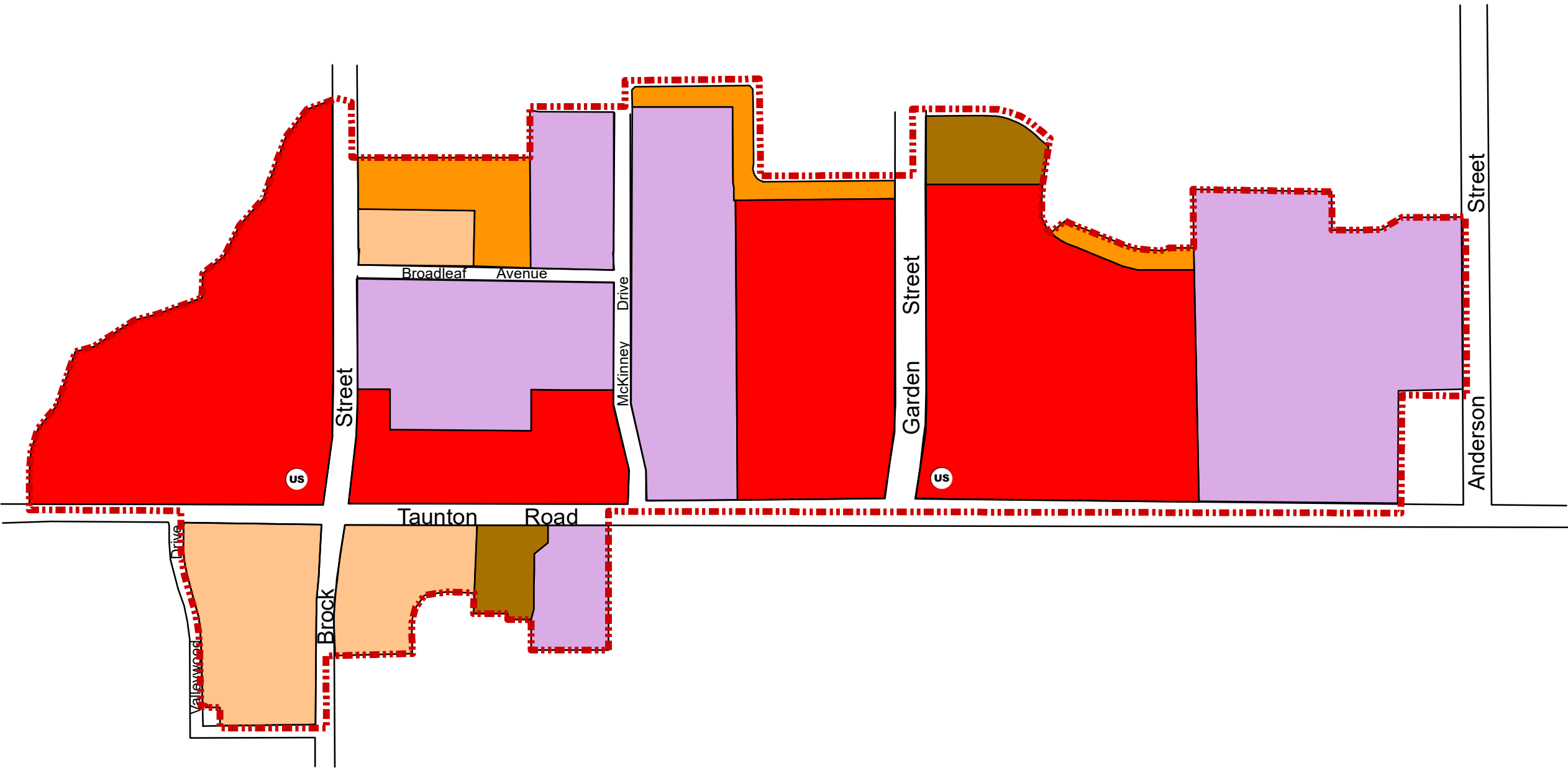
### Downtown Whitby Community Secondary Plan Land Use

**Official Plan**  
**Town of Whitby**

Schedule **F**

0 100 200 400 Metres

**Draft Proposed**

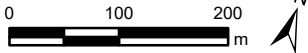
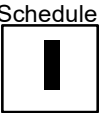


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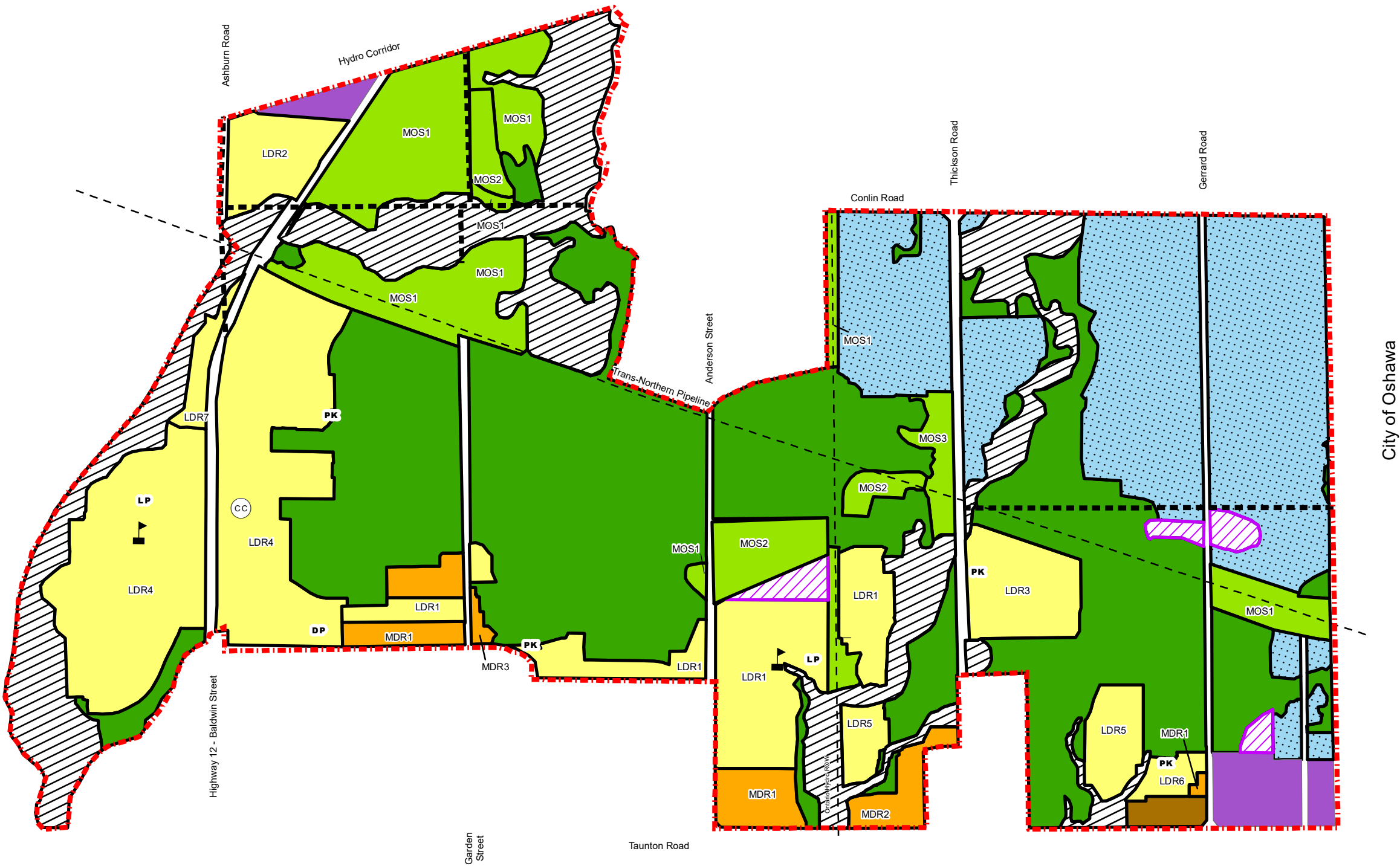
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|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
|  Medium Density Residential |  Major Commercial Mixed Use |  Secondary Plan Boundary |
|  High Density Residential   |  Institutional              |  Urban Square            |
|  Residential Mixed Use      |                                                                                                                |                                                                                                               |

**Brock/Taunton  
Major Central Area  
Secondary Plan**

**Official Plan**  
Town of Whitby



**Draft Proposed**



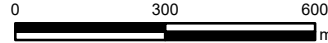
City of Oshawa

**Legend**

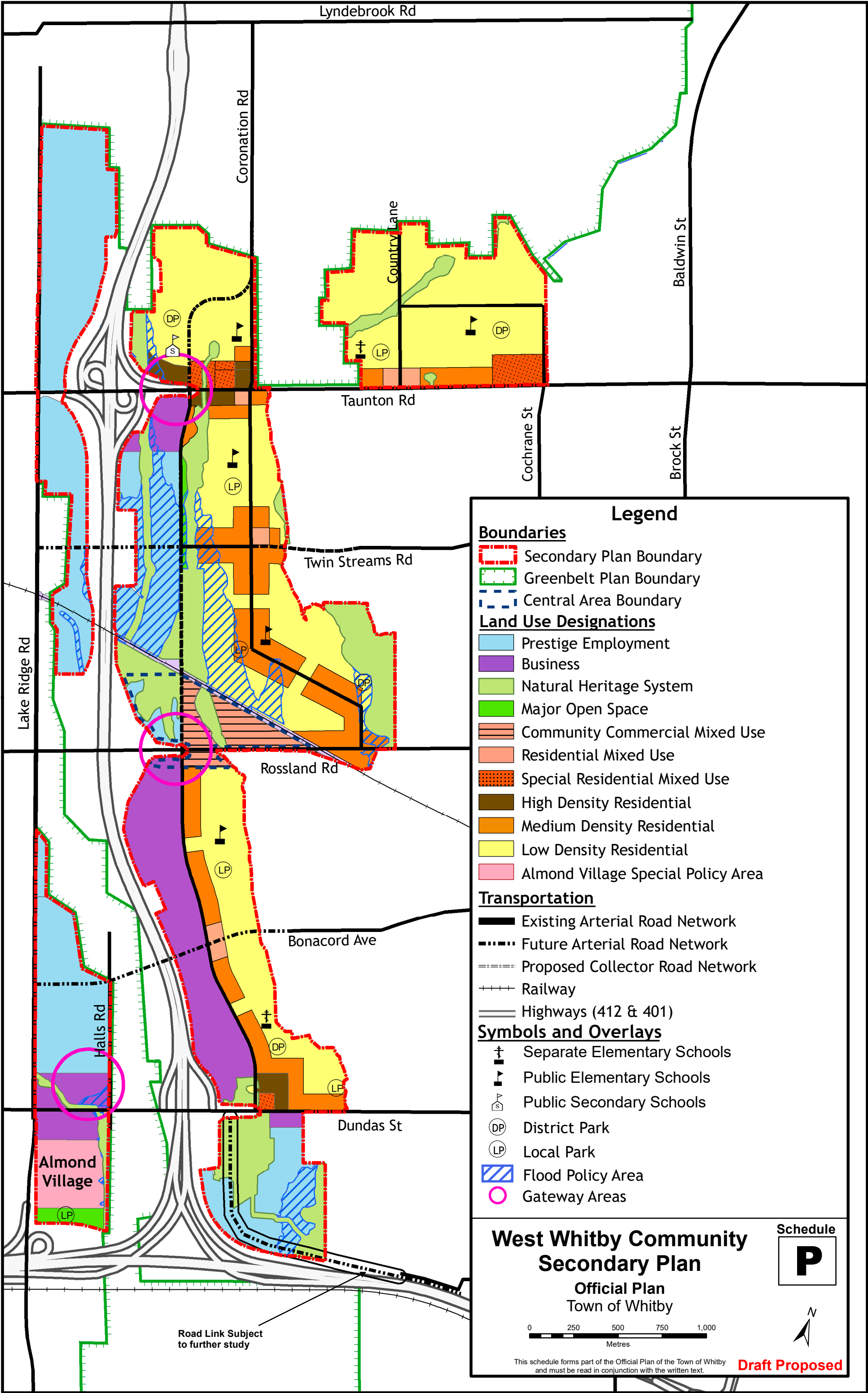
- |                                  |                        |                               |                            |                        |                         |
|----------------------------------|------------------------|-------------------------------|----------------------------|------------------------|-------------------------|
| Low Density Residential (LDR)    | General Industrial     | Natural Hazard (NH)           | Public Elementary School   | District Park          | Secondary Plan Boundary |
| Medium Density Residential (MDR) | Business               | Natural Heritage System (NHS) | Seperate Elementary School | Local Park             | Utility Corridors       |
| High Density Residential         | Major Open Space (MOS) | Special Policy Area (SPA)     |                            | Parkette               | Proposed Collector Road |
|                                  |                        |                               |                            | Convenience Commercial | Proposed Arterial Road  |

Taunton North Community  
Secondary Plan  
Official Plan  
Town of Whitby

Schedule  
**J**



**Draft Proposed**



### Legend

#### Boundaries

- Secondary Plan Boundary
- Greenbelt Plan Boundary
- Central Area Boundary

#### Land Use Designations

- Prestige Employment
- Business
- Natural Heritage System
- Major Open Space
- Community Commercial Mixed Use
- Residential Mixed Use
- Special Residential Mixed Use
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Almond Village Special Policy Area

#### Transportation

- Existing Arterial Road Network
- Future Arterial Road Network
- Proposed Collector Road Network
- Railway
- Highways (412 & 401)

#### Symbols and Overlays

- Separate Elementary Schools
- Public Elementary Schools
- Public Secondary Schools
- District Park
- Local Park
- Flood Policy Area
- Gateway Areas

### West Whitby Community Secondary Plan

Official Plan  
Town of Whitby

Schedule

**P**

0 250 500 750 1,000

Metres

This schedule forms part of the Official Plan of the Town of Whitby and must be read in conjunction with the written text.

**Draft Proposed**