



Zelinka Priamo Ltd.

LAND USE PLANNERS

July 30, 2025

Jose Alberto Veloso - Municipal Services Office – Central Ontario
777 Bay Street, 13th Floor
Toronto, ON
M7A 2J3

Attn: Jose Alberto Veloso

**Re: Comments and Request to Modify Town of Whitby Official Plan (OPA 139) - ERO # 025-0675 - Ministry Reference 18-OP-252602
Preliminary Comments on Behalf of CP REIT Ontario Properties Limited
Various Sites
Whitby, Ontario**

Our File: CHO/WHT/22-01

We are the planning consultants for CP REIT Ontario Properties Limited (“Choice”), for the Whitby Official Plan Review. Choice is the owner of various lands within the Town of Whitby (the “Choice Lands”), including:

- 910 & 920 Dundas St W;
- 200 Taunton Rd W;
- 400 Glen Hill Dr.; and
- 3555 Thicksen Road N.

BACKGROUND

On behalf of Choice, we have been monitoring the Town of Whitby Official Plan Review process. As part of the Town’s Official Plan Review, it is our understanding a Community Open House and Special Meeting of Council was held on May 29, 2024. An Open House was then held on June 25, 2024, and June 26, 2024. Staff presented Staff Report No. PDP 47-24 to Council on October 16, 2024, providing an update to Council on the Official Plan Review process and Staff held the Statutory Public Meeting on October 16, 2024. We submitted preliminary comments on behalf of Choice on November 14, 2024.

COMMENTS AND REQUESTED MODIFICATIONS

We have the following comments and requested modifications for the Town of Whitby Official Plan Amendment No. 139:

- Amendment 6, Policy 4.2.10.1 c) states “*The minimum height for new residential and mixed use buildings shall be 4 storeys with a maximum of 8 storeys, except for lands along Dundas Street East between the railway tracks and Kathleen Street, the maximum height for buildings abutting Dundas Street shall be 25 storeys subject to providing a transition in height and density where the development abuts low rise residential development adjacent to the Rapid Transit Intensification Corridor, through increased setbacks, intervening low-rise built form and the use of a 45-degree angular plane*”. **In our submission, we suggest that the means of transition provided be clarified as examples of how transition**

may be achieved and suggest the following revision (consistent with Policy 4.2.10h):

Revised Policy 4.2.10.1c): "...subject to providing a transition in height and density where the development abuts existing low rise residential development *which may be achieved by* increased setbacks, intervening low-rise built-form and/or the use of a 45-degree angular plane";

- Amendment 6, Policy 4.2.10 g) states "*That new development or redevelopment of existing commercial sites designated Mixed Use and Major Commercial shall maintain the commercial function and shall generally maintain the existing commercial Gross Floor Area in the redevelopment unless a study demonstrates a lesser amount is sufficient to the satisfaction of the Town.*". **In our submission, "shall" should be revised to "encouraged to", in order to provide flexibility to account for site context and operational considerations during comprehensive redevelopment scenarios, including for larger format commercial sites where a 1:1 replacement of non-residential GFA may be challenging, in particular for large format retail uses that redevelop with different design objectives being considered. We suggest the following revision:**

Revised Policy 4.2.10g): That new development or redevelopment of existing commercial sites designated Mixed Use and Major Commercial ~~shall~~ *should* maintain the commercial function and ~~shall~~ *are encouraged to* generally maintain the existing commercial Gross Floor Area in the redevelopment unless a study demonstrates a lesser amount is sufficient to the satisfaction of the Town

- Amendment 10, Policy 4.3.3.3.4.2 b) states "*The minimum building height for residential and mixed-use buildings shall be 4 storeys and the maximum building height shall be 25 storeys subject to providing a transition in height and density where the development abuts existing low rise residential development through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane*". **In our submission, we suggest that the means of transition provided be clarified as examples of how transition may be achieved and suggest the following revision:**

Revised Policy 4.3.3.3.4.2b): "...subject to providing a transition in height and density where the development abuts existing low rise residential development which may be achieved by increased setbacks, intervening low-rise built-form and/or the use of a 45-degree angular plane".

In our submission, the proposed modifications are consistent with the Provincial Planning Statement and represents good planning.

Please kindly ensure that the undersigned is notified of any further studies, modifications, approvals and/or notices with respect to this posting. We reserve the opportunity to provide further comments in the event that additional information becomes available.

Yours very truly,

ZELINKA PRIAMO LTD.



Brooke Burlock B.A., MPlan

Planner

cc. CP REIT Ontario Properties Limited (via email)

encl. Letter to the Town of Whitby, dated November 14, 2024



VIA EMAIL

November 14, 2024

Town of Whitby
575 Rossland Rd E,
Whitby ON
L1N2M8

Attention: Lori Tesolin, Principal Planner and Supervisor

Dear Ms. Lori Tesolin,

**Re: Whitby Official Plan Review – Official Plan Amendment 2 (#139)
Preliminary Comments on Behalf of CP REIT Ontario Properties
Limited
Various Sites
Whitby, Ontario**

Our File: CHO/WHT/22-01

We are the planning consultants for CP REIT Ontario Properties Limited (“Choice”), for the Whitby Official Plan Review. Choice is the owner of various lands within the Town of Whitby (the “Choice Lands”), including:

- 910 & 920 Dundas St W;
- 200 Taunton Rd W;
- 400 Glen Hill Dr.; and
- 3555 Thicksen Road N.

On behalf of Choice, we have been monitoring the Town of Whitby Official Plan Review process. As part of the Town’s Official Plan Review, it is our understanding a Community Open House and Special Meeting of Council was held on May 29, 2024. An Open House was then held on June 25, 2024, and June 26, 2024. Staff presented Staff Report No. PDP 47-24 to Council on October 16, 2024, providing an update to Council on the Official Plan Review process and Staff held the Statutory Public Meeting on October 16, 2024.

We have reviewed the Official Plan Review materials and associated schedules in the context of the Choice Lands, and we have preliminary comments as outlined below and may provide further comments as required.

Preliminary Comments on Draft Official Plan Amendment 2 (#139)

At this time, Choice does not have any specific plans for the redevelopment of the Choice Lands and are seeking to maintain existing operations while allowing for short- and medium-term modest infill or expansion to respond to the market demand. Further, Choice would like to protect for potential redevelopment scenarios, should this be contemplated in the future.

At this time our preliminary comments for the draft Official Plan Amendment 2 (#139) are as follows:

- Based on our review of the Exhibit A to the Draft Official Plan Amendment #139,
 - 910 & 920 Dundas St W are proposed to be redesignated from “Community Commercial” to “Mixed Use”;

- 200 Taunton Road is proposed to remain designated “Major Commercial”;
 - 400 Glen Hill Dr is proposed to remain designated “Mixed Use”; and
 - 3555 Thicksen Road N is proposed to remain be designated “Residential” and is located within a “Local Central Area”.
- Based on our review of the Exhibit B to the Draft Official Plan Amendment #139:
 - 910 & 920 Dundas St W is proposed to be along a “Rapid Transit Intensification Corridor”;
 - 200 Taunton Road is proposed to remain within the “Brock / Taunton Intensification Area”;
 - 400 Glen Hill Dr is proposed to remain within the “Dundas East Intensification Area”; and
 - 3555 Thicksen Road N is proposed to remain within the “Built Boundary”.
- In the context of the Choice Lands located at 910 & 920 Dundas St W being proposed to be redesignated from “Community Commercial” to “Mixed Use”, **we seek confirmation that the existing retail functions of the Choice Lands will continue to be permitted, including interim development, additions and expansions to existing buildings or moderate infill development, in the context of the Mixed Use Policies in Section 4.6.3 of the Official Plan;**
- Draft Amendment 8, Policy 4.2.10 c) states “The minimum height for new residential and mixed use buildings shall be 4 storeys with a maximum of 8 storeys, except for lands along Dundas Street East between the railway tracks and Kathleen Street, the maximum height for buildings abutting Dundas Street shall be 25 storeys subject to providing a transition in height and density where the development abuts existing low rise residential development through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane”. **In our submission, we suggest that the means of transition provided be clarified as examples of how transition may be achieved, and suggest the following revision (consistent with Draft Policy 4.2.10h):** “...subject to providing a transition in height and density where the development abuts existing low rise residential development which may be achieved by increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane”;
- Draft Amendment 8, Policy 4.2.10 f) states “Development and redevelopment of sites along Dundas Street East between the railway tracks and Kathleen Street shall prepare Block Plans to ensure considering of a broader context along the corridor”. **In our submission, “shall” should be revised to “may be required to”, in order to provide flexibility to account for site context and operational considerations. Further, we suggest that the draft policy should be revised to exempt certain forms of development from this requirement, including additions and expansions to existing buildings or infill development prior to full scale redevelopment;**
- Draft Amendment 8, Policy 4.2.10 g) states “That new development or redevelopment of existing commercial sites designated Mixed Use and Major Commercial shall generally maintain the existing commercial Gross Floor Area in the redevelopment unless a study demonstrates a lesser amount is sufficient to the satisfaction of the Town”. **In our submission, “shall” should be revised to “encouraged to”, in order to provide flexibility to account for site context and operational considerations during comprehensive redevelopment**

- scenarios, including for larger format commercial sites where a 1:1 replacement of non-residential GFA may be challenging; and**
- Draft Amendment 10, Policy 4.3.3.3.4.2 b) states “The minimum building height for residential and mixed-use buildings shall be 6 storeys and the maximum building height shall be 25 storeys subject to providing a transition in height and density where the development abuts existing low rise residential development through increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane”. **In our submission, we suggest that the means of transition provided be clarified as examples of how transition may be achieved and suggest the following revision:** “subject to providing a transition in height and density where the development abuts existing low rise residential development which may be achieved by increased setbacks, intervening low-rise built-form and the use of a 45-degree angular plane”.

As noted above, we request the opportunity to meet with Staff to discuss the comments and clarifications outlined above.

Please kindly ensure that the undersigned is provided with all future notice related to Whitby Official Plan Review.

Yours very truly,

ZELINKA PRIAMO LTD.



Brooke Burlock B.A., MPlan
Planner

cc. CP REIT Ontario Properties Limited (via email)