

# Town of Whitby Staff Report

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**Report Title:**     **DEV-37-22: Draft Plan of Condominium Application  
CW-2022-04, Brookfield Residential (ONT) Station No.  
3 Ltd., 201 Brock Street South - REVISED**

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**Report to:**     **Committee of the Whole**

**Date of meeting:**     April 3, 2023

**Report Number:**     **PDP 15-23**

**Department(s) Responsible:**

Planning and Development Department  
(Planning Services)

**Submitted by:**

R. Saunders, Commissioner of Planning  
and Development

**Acknowledged by M. Gaskell, Chief  
Administrative Officer**

**For additional information, contact:**

C. Robertson, Planner I, x 1936

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## 1. Recommendation:

1. That Council approve the Draft Plan of Condominium (File No. CW-2022-04) subject to the comments included in Planning Report PDP 15-23 and the Conditions of Approval, included in Attachment #4;
2. That the Mayor and Clerk be authorized to execute the Condominium Agreement and any other necessary documents; and,
3. That the Clerk advise the Commissioner of Planning and Economic Development at the Region of Durham, of Council's decision.

## 2. Highlights:

- A Site Plan (SP-03-19) was approved for the development on February 9, 2021.
- The intent of the Draft Plan of Condominium application (CW-2022-04) is to facilitate the transfer of title from the Subdivider (Brookfield Residential (ONT) Station No. 3 Ltd.) to the future condominium purchasers and to

have the future condominium corporation assume responsibility of administering the conditions of site plan approval.

### **3. Background:**

#### **3.1 Site and Area**

The subject land is municipally known as 201 Brock Street South (refer to Attachments #1 and #2). The subject land is approximately 4.0 hectares (10.0 acres) in size.

Surrounding land uses to the subject land, include:

- A municipal parking lot to the east;
- Low rise mixed commercial and residential uses to the north and west; and,
- low rise commercial uses to the south.

#### **3.2 Application and Development Proposal**

A Site Plan Application (SP-03-19) for the development of 160 condominium apartments was approved by Council on February 9, 2021. Each condominium apartment has a minimum of 1 dedicated parking space. There are 24 parking spaces provided for visitor parking, 1 of which is an accessible parking space. The intent of the Draft Plan of Condominium application (CW-2022-04) is to facilitate the transfer of title from the Subdivider (Brookfield Residential (ONT) Station No. 3 Ltd.) to the future condominium purchasers and to have the future condominium corporation assume responsibility of administering the conditions of site plan approval (refer to attachment #3).

### **4. Discussion:**

#### **4.1. Planning Conformity**

The subject land has previously been considered through a number of planning applications, specifically a Zoning By-law Amendment (Z-04-19) and a Site Plan Application (SP-03-19). This application has been circulated to the appropriate departments and agencies and all comments and concerns have since been addressed.

The proposed development conforms to the Region of Durham Official Plan, the Town of Whitby Official Plan and Zoning By-law # 2585, as amended.

Therefore, it is recommended that the proposed Draft Plan of Condominium be approved, subject to the comments included in this report and the Conditions of Draft Plan of Condominium Approval included in Attachment #4.

### **5. Financial Considerations:**

- Not applicable.

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

- Not applicable.

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

### **Internal Departments**

#### **Engineering Services**

Engineering Services has no objection to the above application, provided that the conditions of the executed Site Plan Agreement for File SP-03-19 are included in the Condominium Agreement with the Developer's responsibilities and obligations transferred to the Condominium Corporation where appropriate. Refer to Attachment #5 for additional detailed comments.

#### **Financial Services**

From a Development Charges / Parkland Cash-in-Lieu standpoint there are no comments / concerns. The applicant paid both fees prior to building permit issuance in full.

### **External Departments**

#### **Durham Region Planning**

The Region has no objection to the draft approval of the condominium application. The conditions of draft approval must be complied with prior to clearance by the Region for registration of the plan.

## **8. Strategic Priorities:**

The development review process has provided opportunity for agency input. The recommendations contained in this report align with the objectives of the Organization Priority of the Corporate Strategic Plan.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility. The Site Plan Application was circulated to the Accessibility Advisory Committee for review and comment to ensure all accessibility requirements are met.

The proposed residential development increases the density on the subject land which provides a better use of existing infrastructure, which implements the Town's strategic priority of sustainability.

## **9. Attachments:**

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Common Element Condominium Plan

Attachment #4: Conditions of Draft Plan of Condominium Approval

Attachment #5: Agency & Stakeholder Detailed Comments