
Report Title: DEV-02-23: Draft Plan of Condominium Application CW-2023-01, Block Andrin (Whitby) Developments Ltd., 1601-1605 Dufferin St.

Report to: Committee of the Whole

Date of meeting: May 1, 2023

Report Number: PDP 22-23

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. Roberton, Planner I, x 1936

1. Recommendation:

- 1. That Council approve the Draft Plan of Condominium (File No. CW-2023-01) subject to the comments included in Planning Report PDP 22-23 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:

- The Block Andrin (Whitby) Developments Ltd. Draft Plan of Subdivision (SW-2018-03) is approved and registered as 40M-2722. A Site Plan (SP-16-18) was subsequently approved for the development of Blocks 5, 6, and 7 on December 10, 2019.
- The purpose of the Condominium Application is to enable the transfer of title to the future townhouse owners and create a Condominium Corporation that will be responsible for the common elements, and require the Condominium Corporation to adhere to the conditions of site plan approval (SP-16-18).

3. Background:

3.1 Site and Area

The subject land is comprised of Blocks 5, 6, and 7 of approved Draft Plan of Subdivision SW-2018-03, municipally known as 1601-1605 Dufferin Street (refer to Attachment #1). The subject land is approximately 1.6 hectares (4.0 acres) in size.

Surrounding land uses to the Draft Plan of Condominium, include:

- a church and community garden to the north;
- low density residential to the south and west; and,
- wetlands to the east and southeast (refer to Attachment #2)

3.2 Application and Proposed Development

The subject land includes development blocks (Block 5, 6, and 7) that were created through the approval of Block Andrin (Whitby) Developments Ltd. Draft Plan of Subdivision SW-2018-03.

A Site Plan Application (SP-16-18) for the development of 82 townhouses fronting on a private (condominium) road was approved by the Commissioner of Planning and Development on December 10, 2019. Each townhouse has a minimum of 2 dedicated parking spaces.

The intent of the Draft Plan of Condominium application (CW-2023-01) is to facilitate the transfer of title from the Subdivider (Block Andrin (Whitby) Developments Ltd.) to the future condominium purchasers and to have the future condominium corporation assume responsibility of administering the conditions of site plan approval.

The common or shared elements of the condominium development include the private road and related infrastructure (i.e., water, storm, and sanitary sewers), fencing, landscaping, amenity space, water meter room, and visitor parking (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 Draft Plan of Subdivision (SW-2018-03), a Zoning By-law Amendment (Z-17-18) and a Site Plan Application (SP-16-18). These applications were 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, Zoning By-law # 2585, as amended, and the Town's policies for Site Plan Approval. 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:

Durham Region Planning

Through the Region's previous review of the related subdivision application, our concerns regarding conformity with the Regional Official Plan and Provincial Plans and Policies, and the delegated Provincial Plan Review responsibilities have been addressed.

The Proponent must provide a land use table prepared by an Ontario Land Surveyor to the Region's satisfaction. The land use table must provide lot area calculations for the proposed land use(s) allocated within the draft plan of condominium.

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