

Town of Whitby

Staff Report

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Report Title: DEV-06-23: Draft Plan of Condominium Application CW-2023-03, Brooklin Meadows Limited, Baldwin St. N. & Carnwith Dr. E.

Report to: Committee of the Whole

Date of meeting: June 5, 2023

Report Number: PDP 29-23

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 a Draft Plan of Condominium (File No. CW-2023-03) subject to the comments included in Report PDP 29-23 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 Condominium Application has been submitted by Brooklin Meadows Ltd. for the land at the northeast corner of Carnwith Drive East and Baldwin Street North.
- The Draft Plan of Condominium is required to enable the transfer of title to the future property owners and create a Condominium Corporation, which will be required to adhere to the conditions of Site Plan Approval (SP-09-20).
- All commenting departments/divisions and external agencies have indicated support for the proposed development, subject to their comments and requested conditions being addressed.

3. Background:

3.1 Site and Area

The subject land is located at the northeast corner of Carnwith Drive East and Baldwin Street North (refer to Attachment #1). The subject land is approximately 1.31 hectares (3.24 acres) in size.

Surrounding land uses, include:

- a Fire Station to the north;
- a high school to the west; and,
- low and medium density residential to the south and east (refer to Attachment #2)

3.2 Application and Proposed Development

A Site Plan Application (SP-09-20) for the development of 56 common element block townhouses fronting on a private (condominium) road was approved by the Commissioner of Planning and Development on July 7, 2021. Each townhouse has a minimum of 2 dedicated parking spaces. The common or shared elements of the condominium development include the private road and related infrastructure (i.e., water, storm, and sanitary sewers), the community mailbox, fencing, landscaping, water meter room, and visitor parking (refer to Attachment #3).

The intent of the Draft Plan of Condominium application (CW-2023-03) is to facilitate the transfer of title from the Subdivider (Brooklin Meadows Ltd.) to the future condominium purchasers and to have the future condominium corporation assume responsibility for administering the conditions of site plan approval.

4. Discussion:

4.1 Planning Conformity

The subject land has previously been considered through a number of planning applications, including an Official Plan Amendment (OPA 2016-W/06), a Zoning By-law Amendment (Z-23-16) and a Site Plan Application (SP-09-20). The Official Plan and Zoning applications were approved by the Local Planning Appeal Tribunal (now Ontario Land Tribunal).

The proposed development conforms to the Region of Durham Official Plan, the Town of Whitby Official Plan and Zoning By-law # 1784.

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 #5.

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

Not applicable.

7. Input from Departments/Sources:

Region of Durham

The following provides an overview of comments provided by the Region of Durham:

- The proposed Draft Common Element Condominium will permit facilities and services including a laneway, curbs/sidewalks, streetlights, sanitary/storm sewers, watermain and facilities, landscaping, utilities, community mailboxes, visitor parking, a water meter room, decorative fences, and a wood privacy fence.
- The condominium proposal will facilitate the development of 56 townhouse units by Parcels of Tied Land. Access to the proposed development will be from Carnwith Drive East.
- The Region of Durham had previously requested for a Record of Site Condition Compliant “Phase One Environmental Site Assessment Update” (ESA) along with a Reliance Letter and Certificate of Insurance to be provided to support the amendment applications. We have incorporated this requirement as a condition of draft approval for the proposed related condominium application. The Qualified Person who conducts the Phase One ESA Update must complete the Region’s Reliance Letter and Certificate of Insurance forms.
- All Regional servicing concerns have been addressed and approved through the applicant’s related Site Plan Application (File No.: SP-09-20).
- The proposed development contributes to a mix of housing options for the residents of Durham Region. The townhouse proposal will be consistent with the character of the existing residential community to the east and south and supports compact urban form and pedestrian-oriented environment. The proposal generally conforms with the Regional Official Plan.
- The Region has no objection to the draft approval of this condominium application. The attached conditions of draft approval must be complied with prior to clearance by the Region for registration of this plan.
- The Proponent must also 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.
- In addition to providing the Region with copies of the draft approved plan and conditions of approval, at such a time as the draft approval is in effect, we would appreciate if digital copies (both PDF and Word documents) of the Town’s conditions of draft approval could be provided.

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