

Town of Whitby

Staff Report

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**Report Title: DEV-11-23: Draft Plan of Condominium Application
CW-2023-04, Sixfive (VICDEV) Inc., 1450 Victoria Street East**

Report to: Committee of the Whole

Date of meeting: September 18, 2023

Report Number: PDP 36-23

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-2023-04) subject to the comments included in Planning Report PDP 36-23 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-22-19) phase 2 was approved for the development on April 13, 2021.
- The intent of the Draft Plan of Condominium application (CW-2023-04) is to facilitate the transfer of title from the Subdivider (Sixfive (VICDEV) Inc.) 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 1450 Victoria Street East (refer to Attachments #1 and #2). The subject land is approximately 4.3 hectares (10.6 acres) in size.

Surrounding land uses include:

- vacant land to the west;
- commercial uses to the north;
- vacant land and storage facilities to the east; and,
- industrial uses to the west (refer to Attachment #2)

3.2 Application and Development Proposal

A Site Plan Application (SP-22-19) phase 2 for the development of two multi-tenant industrial buildings was approved by the Commissioner of Planning and Development on April 13, 2021. The intent of the Draft Plan of Condominium application (CW-2023-04) is to facilitate the transfer of title from the Subdivider (Sixfive (Vicdev) Inc.) 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 Site Plan Application (SP-22-19) phase 2 and Minor Variance Applications (A-29-20 & A-10-22). These applications have 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 # 1784, 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:

Durham Region Planning

The proposed industrial condominium supports efficient use of vacant employment lands and promotes employment opportunities to support a strong and diversified economy. The proposed application conforms with the Growth Plan.

We have reviewed the application for delegated Provincial Plan Review responsibilities and acknowledge the subject site is currently under construction in accordance with an approved site plan and building permit. However, soil and groundwater assessment would need to be addressed for the site. Soil and Groundwater Assessment will require the applicant to address potential site contamination concerns at the subject site.

A Qualified Person (QP) must complete the Region's "Site-Screening Questionnaire" for the subject site to assess if the property contains any potentially contaminating activity. Alternatively, the applicant can submit a Record of Site Condition Compliant "Phase One Environmental Site" of the subject site for our review. The QP who prepares the ESA Report(s) must complete the Region's "Reliance Letter" and "Certificate of Insurance" forms.

The Region had previously approved the proposed condominium development through the applicant's related Site Plan Application SP-22-19 phase 2.

The proposed condominium application supports employment opportunities and diversifies the Region's economic base. The proposed development generally conforms with the current ROP and the newly adopted ROP.

The Region has no objection to the draft approval of this condominium application subject to the inclusion of our request conditions of approval.

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 of industrial buildings contributes to meeting the priorities of the Community Strategic Plan, specifically Action Item 3.1.2 under the third Pillar: Whitby's Economy.

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

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Aerial Context Map

Attachment #3: Proponent's Proposed Standard Condominium Plan

Attachment #4: Conditions of Draft Plan of Condominium Approval

Attachment #5: Agency & Stakeholder Detailed Comments