

Town of Whitby

Staff Report

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Report Title: Extension to Draft Approved Plan of Subdivision SW-2016-07, Uxbridge Nurseries Ltd., Part of 590 Myrtle Road West.

Report to: Council

Date of meeting: April 8, 2024

Report Number: PDP 16-24

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Plan and
Development

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

For additional information, contact:

B. Anderson, Principal Planner, x. 2821

1. Recommendation:

1. That Council approve the extension of the Draft Approved Plan of Subdivision SW-2016-07, by an additional 3 years, to April 20, 2027.

2. Highlights:

- Section 51(33) of the Planning Act enables Council to extend draft approval for a time period as determined by the Town, as long as the approval has not yet lapsed.

3. Background:

Draft Plan of Subdivision SW-2016-07 is located on the portion of 590 Myrtle Road West that directly abuts the western edge of the Hamlet of Ashburn (refer to Attachment #1). The proposed plan of subdivision consists of 8 single detached residential lots and a road (refer to Attachment #2).

Draft Plan of Subdivision SW-2016-07 was granted Draft Plan Approval on April 20, 2021, for a period of 3 years by the Local Planning Appeal Tribunal (LPAT) now known as the Ontario Land Tribunal (OLT).

4. Discussion:

Section 51(32) of the Planning Act states that when granting Draft Plan Approval, the approval authority (i.e. the Town of Whitby) may establish that the approval lapses at the expiration of a specified period of time provided such period is not less than 3 years. The Draft Plan of Subdivision approval for this application will expire on April 20, 2024.

The applicant has advised that they are not ready to proceed with the registration of the Draft Plan of Subdivision and have requested an extension to the expiry date (refer to Attachment #3). Section 51 (33) of the Planning Act enables Council to extend draft approval for a time period as determined by the Town, as long as the approval has not lapsed.

It is recommended that the Draft Plan of Subdivision approval be extended by an additional 3 years, with a new expiry of April 20, 2027. The original Draft Plan Conditions would continue to apply (refer to Attachment #4).

5. Financial Considerations:

Not applicable.

6. Communication and Public Engagement:

Not applicable.

7. Input from Departments/Sources:

Not applicable.

8. Strategic Priorities:

The recommendations contained in this report are consistent with the Community Strategic Plan. In accordance with Strategic Pillar 1: Whitby's Neighbourhoods, the extension of Draft Plan Approval will enable the development of the subject lands to contribute to the range and diversity of the Town's housing supply.

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

9. Attachments:

Attachment #1: Location Sketch

Attachment #2: Approved Draft Plan of Subdivision

Attachment #3: Letter Requesting Extension of Draft Plan Approval.

Attachment #4: Conditions of Draft Approval