

Town of Whitby

Staff Report

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Report Title: Extension of Draft Approved Plan of Subdivision SW-2020-02 (DEV-05-20) Brooklin Development General Partner Limited / East Valley Farms Ltd., 6605 Cochrane Street, Whitby

Report to: Committee of the Whole

Date of meeting: May 6, 2024

Report Number: PDP 21-24

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:

B. Anderson, Principal Planner, x. 2821

1. Recommendation:

1. That Council approve the extension of the Draft Approved Plan of Subdivision SW-2020-02 by an additional 5 years, to October 19, 2029.

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-2020-02 is located at 6605 Cochrane Street (refer to Attachment #1). The proposed plan of subdivision consists of: 858 low density residential units; 412 townhouse units; future development / residential blocks; 3 elementary school blocks; district and local park blocks; a local commercial block; a special purpose commercial block; a prestige industrial block; a block for a potential future interchange; 2 blocks for stormwater management ponds; 3 blocks for the Natural Heritage System; and a number of blocks for access and roads / road widenings (refer to Attachment #2).

Draft Plan of Subdivision SW-2020-02 was granted Draft Plan Approval on October 19, 2021, for a period of 3 years.

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, provided such period is not less than 3 years. The Draft Plan of Subdivision approval for this application will expire on October 19, 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. In their letter (refer to Attachment #3) the applicant references the lack of available hydro service as a key reason for delay and have requested that the fees associated with the extension be waived. The applicant has also requested the extension extend to 2029 (5 years). 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.

The Town charges a modest, standardized fee, to extend Draft Plan Approval (\$3,479.10). This fee for service applies regardless of the individual circumstances in which an extension may be required. Staff do not support the request to waive the fee. To do so would set a precedent for requests of a similar nature and diminish the fee for service protocol that applies to all applications.

The Town establishes a lapsing period of 3 years as a standard practice when approving or extending Draft Plan Approval to ensure the period between the granting of planning approvals and the construction of new housing supply is minimized. There is limited hydro service available to service new development in the broader Brooklin Secondary Plan area. The Brooklin Landowners Group are currently working with Elexicon Energy on a servicing solution. Given the complexity associated with the detailed design, approvals, and construction of the required electrical service extension, staff are supportive of a 5-year extension of Draft Plan Approval.

It is recommended that the Draft Plan of Subdivision approval be extended by an additional 5 years, with a new expiry date of October 19, 2029. 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.

The application of the Town's standard Planning Fees aligns with Strategic Pillar 4: Whitby's Government, by ensuring that the cost of delivering planning services are recovered through user fees.

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