

Town of Whitby Staff Report

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Report Title: DEV-05-24: Draft Plan of Condominium Application CW-2024-01, 1606-1614 Charles Street East GP Inc., 1604 Charles Street

Report to: Committee of the Whole

Date of meeting: May 6, 2024

Report Number: PDP 23-24

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:

L. England, Planner I, x. 2822

1. Recommendation:

1. That Council approve the Draft Plan of Condominium (File No. CW-2024-01) subject to the comments included in Planning Report PDP 23-24 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 1606-1614 Charles Street East GP Inc. for the land located at 1604-1614 Charles Street.
- The Draft Plan of Condominium is required to enable the transfer of title to the future property owners and create a Condominium Corporation to adhere to the conditions of Site Plan Approval (SP-13-18).
- All commenting departments 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 1604 Charles Street (refer to Attachment #1). The subject land is approximately 1.17 hectares (2.88 acres) in size.

Surrounding land uses to the Draft Plan of Condominium, include residential uses to the west, north, and east, and businesses (future mixed-use development) to the south (refer to Attachment #2).

3.2 Application and Proposed Development

A Condominium Application (CW-2024-01) was submitted for three-hundred-forty-seven (347) apartment residential dwelling units (refer to Attachment #3).

4. Discussion:

Planning Conformity

The Subject Land has previously been considered through Site Plan Application (SP-13-18). This application was circulated to the appropriate internal departments and external agencies and all comments and concerns have since been addressed through the relevant Site Plan Agreement.

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:

External Agencies:

Region of Durham:

The subject site is designated as "Living Areas" in the current Regional Official Plan. Living Areas are primarily intended for housing purposes. The proposed standard plan of condominium conforms to the policies of the ROP.

The proposed standard plan of condominium, which would facilitate the development of high-density residential units, conforms to the policies of the new ROP.

The proposed development is consistent with the housing policies of the Provincial Policy Statement (PPS).

The proposed residential development contributes to providing greater housing options for the community and maintains the objectives of the Growth Plan.

As a condition of draft approval, and in keeping with the Region's Council-adopted Soil and Groundwater Assessment Protocol, the Region will require a letter from a Qualified Person, stating that the site conditions have not changed and are acceptable for the proposed use. The Regional Reliance Letter and Certificate of Insurance are also required.

As a condition of draft approval, an Environmental Noise Report should be submitted to the Region, and the recommendations of the Environmental Noise Report should be included in the appropriate development agreement with the Town of Whitby.

Regional Works has advised that municipal water and sanitary sewer services were approved and installed through a Regional Servicing Agreement as part of the associated Site Plan Application (SP-13-18).

The application was reviewed from a Transportation Planning perspective and there are no comments.

Durham Region Transit reviewed the application and advised that a sidewalk should be constructed along Charles Street to Victoria Street.

Based on the foregoing, the Region has no objection to the draft approval of this condominium application subject to the inclusion of our requested conditions of approval. 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.

8. Strategic Priorities:

The development review process has provided opportunity for agency input. The recommendations contained in this report align with the priorities of the Community Strategic Plan, specifically Section 1.3.4 under Pillar 1: Whitby's Neighbourhoods by providing a variety of housing options.

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

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: Proponents Proposed Common Element Condominium Plan

Attachment #4: Conditions of Draft Plan of Condominium Approval

Attachment #5: Agency and Stakeholder Detailed Comments