

Town of Whitby

Staff Report

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Report Title: DEV-11-24: Draft Plan Condominium Application CW-2024-02, HarbourTen10 Residences Inc., 1010 Dundas Street

Report to: Committee of the Whole

Date of meeting: May 13, 2024

Report Number: PDP 27-24

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:

K. Afante, Planner I, x. 2836

1. Recommendation:

1. That Council approve the Draft Plan of Condominium (File No. CW-2024-02) subject to the comments included in the Planning Report PDP 27-24 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 HarbourTen10 Residences inc. for the land located at 1010 Dundas Street East.
- 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-25-18) and the Subdivision Agreement (SW-2014-01).

- 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 the northwest corner of Dundas Street East and the Canadian Pacific (CP) Railway (refer to Attachment #1). The subject land is approximately 0.74ha (1.83 acres) in size.

Surrounding land uses to the Draft Plan of Condominium, include CP Railway lands to the west, existing residential uses, and a high school to the north, and commercial uses to the east and south (refer to Attachment #2).

3.2 Application and Proposed Development

A Condominium Application (CW-2024-02) was submitted for one hundred ten (110) apartment dwelling units (refer to Attachment #3).

4. Discussion:

Planning Conformity

The Subject Land has previously been considered through a number of planning applications, specifically a Site Plan Application (SP-25-18), and a Subdivision Application (SW-2014-01). These applications were circulated to the appropriate internal departments and external agencies and all comments and concerns have since been addressed through the relevant Subdivision and Site Plan Agreements.

The proposed development conforms to the Region of Durham Official Plan, the Town of Whitby Official Plan and Zoning By-law #2585, 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:

External Agencies

Region of Durham

Comments provided by the Region of Durham include:

- In June 2014, the Region reviewed and provided comments on the related subdivision application (S-W-2014-01). All our concerns regarding conformity with the Regional Official Plan and Provincial and Policies were previously addressed as part of the subdivision review. For the condominium proposal, we offer updated comments with respect to conformity with the new adopted Regional Official Plan (Envision Durham), the Region's delegated Provincial Plan Review responsibilities, regional servicing, and Bus Rapid Transit.
- The proposed condominium building will provide a residential density of approximately 149 units per hectare and meets the new Regional Official Plan's density target for land uses located along a Rapid Transit Spine.
- The condominium proposal also contributes to providing a full mix of housing options for the residents of Durham Region and the proposed high density promotes the intensification of the Dundas Street East Rapid Transit Corridor and efficient transit services. The development proposal further supports compact built form and pedestrian-friendly urban environment. The proposed condominium application conforms with the new Regional Official Plan.
- In April 2015, a Record of Site Condition (RSC) #217529 had been filed with the Ministry of Environment, Conservation and Parks (MECP) for the subject land. However, the Region will not accept this RSC as it exceeds the Region's and Province's 18-month limitation date. We will require a Qualified Person to prepare an Updated Environmental Letter indicating that the condition of the site remains appropriate for residential development. The Updated Environmental Letter must be provided to the Region along with the Region's Reliance Letter and Certificate of Insurance forms.
- The proposed condominium building abuts Dundas Street East and the Canadian Pacific Railway corridor to the west. The site is also located in close proximity to existing commercial uses.
- The Town of Whitby's executed Site Plan Agreement (SP-25-18) dated September 17, 2020, contains the appropriate noise control recommendations from the Environmental Noise and Vibration Impact Study, prepared by Aercoustics Engineering Ltd., revised and dated October 16, 2015. We are satisfied that noise concerns for the proposed development have been addressed to our satisfaction.

- Municipal water supply and sanitary sewer servicing for the proposed development were approved and installed through the related Regional Subdivision Agreement (S-W-2014-01).
- The Region's Rapid Transit Office has reviewed this application and indicated that the proposed grades at the property line should be set using a maximum of 2% from the back of existing curb.
- The proposed condominium building contributes to providing a full mix of housing options for the residents of Durham Region. The proposed high-density development is transit-supportive and promotes the intensification of the Dundas Street East Rapid Transit Corridor. The condominium proposal also supports compact built form and pedestrian-friendly urban environment. The proposed condominium application conforms with the current ROP and the new ROP.
- Based on the foregoing, 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 Owner 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 condominium 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 Standard Condominium Plan

Attachment #4: Conditions of Draft Plan of Condominium Approval

Attachment #5: Agency and Stakeholder Detailed Comments