

Attachment #5 Agency & Stakeholder Detailed Comments File CW-2024-01

External Agencies

Region of Durham

We have completed our review of the above-noted application and offer the following comments regarding conformity with the Regional Official Plan and Provincial Plans and Policies, the Region's delegated Provincial Plan Review responsibilities, Regional servicing, transportation, and Transit.

The intent of the Standard Condominium Application is to enable the transfer of title to the condominium apartment owners and create a Condominium Corporation for the Standard Condominium and to require the Condominium Corporation to adhere to the conditions of site plan approval (SP-13-18).

This will facilitate the following development:

- 347 apartment units; and
- 381 parking spaces.

Regional Official Plan Conformity

The subject site is designated as "Living Areas" in the current Regional Official Plan. Living Areas are primarily intended for housing purposes.

The site is also located within a Protected Major Transit Station Area (PMTSA) as per Amendment No. 186 to the ROP. Please note this Amendment has been adopted by Regional Council and forwarded to the Ministry of Municipal Affairs and Housing for approval. PMTSAs are transit-oriented communities, intended to have a minimum 150 people and jobs per hectare density target.

The proposed standard plan of condominium conforms to the policies of the ROP.

New Region of Durham Official Plan

On May 17, 2023, Regional Council adopted the new Region of Durham Official Plan. The newly adopted ROP is currently with the Ministry of Municipal Affairs and Housing for approval.

A new ROP was adopted by Regional Council in May 2023 and forwarded to the Ministry of Municipal Affairs and Housing for approval. The subject site is designated as a "Protected Major Transit Station Area" in the new ROP. As a Strategic Growth Area, PMTSAs are planned to have a minimum of 150 people and jobs per hectare density target. Protected Major Transit Station Areas are intended to develop as communities centered around higher order transit services. Permitted uses include medium and high

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

Provincial Policy Statement

Policy 1.1.3.2 a) of the Provincial Policy Statement (PPS) encourages development within settlement areas that support densities and a mix of land uses that efficiently use land, resources, and planned infrastructure. Policy 1.4.3 states that planning authorities shall provide an appropriate range and mix of housing options and densities to meet projected market-based and affordable needs of current and future residents. The proposed development would result in the construction of approximately 347 residential units. The proposed development is consistent with the housing policies of the PPS.

Growth Plan

The Growth Plan contains policies to guide land use planning and development. Policy 1.2.1 of the Growth Plan, in part, includes a policy related to housing, which emphasizes, “to support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.” The proposed residential development contributes to providing greater housing options for the community and maintains the objectives of the Growth Plan.

Provincial Plan Review Responsibilities

Potential Soil Contamination

The subject site was previously used for industrial purposes. As such, a Record of Site Condition (RSC) was filed with the Ministry of Environment, Conservation and Parks in September 2021. 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.

Noise

The subject site is less than 300 metres from Victoria Street, which is a Type A Arterial Road in the ROP. As such, 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 Servicing

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).

Transportation Planning

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

Durham Region Transit

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

Conclusion

The proposed condominium application conforms with the current ROP and the newly adopted ROP as it will result in the development of 347 high-density residential units.

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 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.

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 City's conditions of draft approval could be provided.