

Town of Whitby

Staff Report

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Report Title: DEV-12-24: Draft Plan of Condominium Application CW-2024-03, Brookfield Residential (Ontario) Station No.3 Limited, 201 Brock Street South

Report to: Committee of the Whole

Date of meeting: June 3, 2024

Report Number: PDP 30-24

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:

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1. Recommendation:

1. That Council approve the Draft Plan of Condominium (File No. CW-2024-03) subject to the comments included in Planning Report PDP 30-24 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 Brookfield Residential (Ontario) Station No.3 Limited for the commercial portion of the land located at 201 Brock Street South.
- The Draft Plan of Condominium is required to enable the transfer of title to the future commercial condominium unit owners and create a Condominium Corporation to adhere to the conditions of Site Plan Approval (SP-03-19).

- 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 201 Brock Street South (refer to Attachment #1). The commercial portion of the subject land is approximately 0.128 hectares (0.316 acres) in size.

Surrounding land uses to the Draft Plan of Condominium include commercial uses to the north, west, and south, and residential uses and a municipal parking lot to the east (refer to Attachment #2).

3.2. Application and Proposed Development

A Condominium Application was submitted (CW-2024-03) for four (4) commercial units (refer to Attachment #3).

4. Discussion:

Planning Conformity

The Subject Land has previously been considered through Site Plan Application (SP-03-19). 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:

In May 2019, the Region commented on the applicant's related area municipal OPA which permitted the development of the existing mixed-use condominium building. Our earlier comments regarding conformity with the current Regional Official Plan (ROP), Provincial Plans and Policies, and the Region's delegated Provincial Plan Review remain applicable. However, we offer updated comments with respect to conformity with the new ROP (Envision Durham) and Regional servicing for this condominium proposal.

Region of Durham Adopted Official Plan (Envision Durham)

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

We have reviewed the proposed development for conformity with the new ROP.

The subject lands are located within the Downtown Whitby Regional Centres designation on Map 1 – Regional Structure in the new ROP. Regional Centres are recognized as a Strategic Growth Area and represents an optimal location for prioritizing intensification and higher density mixed-use developments that supports compact and dense urban and amenity-rich environments.

Region Centers should be planned and developed as the main concentrations of urban activities and are intended to be hubs for culture, service, shopping, and key to the identity of their broader surrounding communities, and shall be planned:

- a) for a full and integrated array of institutional of institutional, commercial, public service facilities, higher density mixed-use residential development, recreational, cultural, entertainment, office and major office uses; and
- b) for a built form mix of contextually appropriate high-rise and mid-rise development, providing an appropriate transition in building height, density, and massing to surrounding areas, and with a mix of uses and public spaces that provide for complete and vibrant communities, as determined by area municipalities.

Brock Street South is designated as a High Frequency Network on Map 3a – Transit Priority Network in the new ROP. The minimum density target for a High Frequency Transit Network is 100 people and jobs per hectare (45 units per hectare).

The proposed commercial condominium supports mixed-use development and establishing a live and work complete community. The proposed condominium also contributes to compact built form and promotes the intensification of the Downtown Whitby Regional Centres. The proposed application conforms with the new ROP.

Regional Servicing

Municipal water supply and sanitary sewer servicing for the proposed condominium has been approved through Site Plan Application (SP-03-19) and are to be installed through a Regional servicing agreement.

Conclusion

The proposed condominium application will allow the commercial component of the existing condominium building to be approved for condominium tenure. The condominium proposal supports mixed-use development, compact urban form, and promotes the intensification of the Downtown Whitby Regional Centre. The proposed application conforms with the new ROP. Accordingly, Region has no objection to the draft approval of the condominium application.

The attached condition of draft approval must be complied with prior to clearance by the Region for registration of the 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. In addition to providing the Region with copies of the draft approved plan and condition of approval, at such a time as the draft approval is in effect, we would appreciate a digital copy of the Town's conditions of draft approval be provided.

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 3.1.2 under Pillar 3: Whitby's Economy by increasing the number of new businesses in the Town.

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: 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