

Town of Whitby

Staff Report

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Report Title: DEV-21-24: Draft Plan of Condominium Application CW-2024-04, 10447889 Canada Inc., 400 and 414 Mary Street East

Report to: Committee of the Whole

Date of meeting: September 16, 2024

Report Number: PDP 43-24

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-2024-04) subject to 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 10447889 Canada Inc. for the land located at 400 & 414 Mary Street East.
- The Draft Plan of Condominium is required to enable the transfer of title to the future townhouse owners and create a Condominium Corporation to adhere to the conditions of Site Plan Approval (SP-23-18).
- 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 the northeast corner of Mary Street East and Hickory Street North (refer to Attachment #1). The subject land is approximately 0.36ha (0.89 acres) in size.

Surrounding land uses to the Draft Plan of Condominium, include:

- Apartment buildings to the north;
- A single detached dwelling and an apartment building to the east;
- A retirement home to the west; and,
- An automobile sales establishment, body shop, and single detached dwellings to the south (refer to Attachment #2).

3.2 Application and Proposed Development

A Condominium Application (CW-2024-04) was submitted for thirty-eight (38) townhouse dwelling units on a private road (refer to Attachment #3).

4. Discussion:

The Subject Land has previously been considered through a Site Plan Application (SP-23-18). This application was circulated to the appropriate internal departments and external agencies and all comments and concerns have since been addressed through the Site Plan Agreement.

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:

- On February 19, 2019, the Region had previously provided comments for the related subdivision application (SW-2018-05). All of the comments regarding conformity with the current Regional Official Plan, Provincial Plans and Policies, and matters of Provincial interest were addressed through the subdivision process.

Region's Adopted Regional Official Plan (Envision Durham)

- The proposed infill townhouse development will have a residential density of approximately 109 units per gross hectare and meets the new ROP's planned density target for Regional Centres.
- The townhouse proposal provides transit-supportive densities and promotes compact built form and the intensification of the Downtown Whitby Regional Centre as the main concentration of urban activities.
- The proposed condominium application conforms with the new ROP.

Regional Servicing

- Municipal water supply and sanitary sewer services to the subject land were previously constructed.
- The proposed infill high-density condominium supports the intensification of Downtown Whitby's Regional Centre as the main concentration of urban activities. The proposed development also promotes compact built form, pedestrian-friendly urban environment, and efficient transit services. The proposed condominium application conforms with the current and the new ROP.
- Based on the foregoing, the Region has no objection to the draft approval of this condominium application. The Region's 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.

Refer to Attachment #5 for further details.

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: Proponent's Proposed Draft Plan of Condominium
- Attachment #4: Conditions of Draft Plan of Condominium Approval
- Attachment #5: Agency and Stakeholder Detailed Comments