

2023-11-09



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 335 & 337 Saddleridge Drive
Legal Description: ~~Part of Block 153, Registered Plan 24181~~ Block 153, Plan 4M-1370; further described as Parts 1-3, Plan 4R-24181
File No.: D08-01-23/B-00275
Report Date: November 9, 2023
Hearing Date: November 14, 2023
Planner: Jerrica Gilbert
Official Plan Designation: Suburban Transect, Neighbourhood Designation
Zoning: R3VV [1286]

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c .P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent.

Block 153 of the plan of subdivision was developed in 2009 with a semi-detached dwelling, addressed 335 and 337 Saddleridge Drive. While the block was subsequently divided to separately convey the two dwelling units through the lifting of part lot control at that time, 335 and 337 Saddleridge Drive were inadvertently merged after the passing of the Owner's partner in 2014. Part 3 of Reference Plan 4R-24181 denotes 335 Saddleridge Drive while Parts 1 and 2 identify 337 Saddleridge Drive.

The proposed severed and retained parcels meet the requirements of both the Official Plan and the Zoning By-law.

ADDITIONAL COMMENTS

Planning staff note that there was an error on the notice for the legal description of the subject lands. The notice reads "Part of Block 153, Registered Plan 24181" while the

actual legal description for the property is Block 153, Plan 4M-1370; further described as Parts 1-3, Plan 4R-24181. This error is minor in nature and does not affect the recommendation for the application's approval.

Building Code Services

Building Code Services has recommended one condition pertaining to the compliance of the party wall with the Building Code to ensure adequate fire separation between each half of the semi-detached dwelling.

Planning Forestry

The subject site has already been constructed. There are no concerns with the severance, however, a tree planting plan and proof of planting must be provided showing one new 50mm tree to be planted on each lot (preferably in the road right-of-way if space allows) to improve the streetscape and canopy cover.

CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions on the application:

1. That the Owner(s) provide evidence to the satisfaction of the Chief Building Official, or designate, that the party wall meets the Ontario Building Code, O Reg. 332/12 as amended, which requires a 1-hour fire separation from the basement through to the underside of the roof. Verification from the Building Inspector is required. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
2. The Owner/Applicant(s) shall prepare and implement a tree planting plan, prepared to the satisfaction of the Development Review Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or his/her designate, showing the location of one new 50mm tree to be planted on the property frontage or right-of-way of each lot following construction, to enhance the urban tree canopy and streetscape.



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