



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2
PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 845 and 847 Dundee Avenue
Legal Description: Lot 83, Registered Plan 4M- 311
File No.: D08-01-23/B-00341 & D08-01-23/B-00342
Report Date: February 1, 2024
Hearing Date: February 6, 2024
Planner: Samantha Gatchene
Official Plan Designation: Inner Urban Transect, Neighbourhood
Evolving Neighbourhood Overlay
Zoning: R2G[1564]

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The Official Plan designates the property Neighbourhood within the Inner Urban Transect. The Evolving Neighbourhood Overlay also applies. The Official Plan provides policy direction that Neighbourhoods located in the Inner Urban Transect shall accommodate residential growth to meet the City's Growth Management Framework and that new development should include urban built form and site design attributes, including shallow front yard setbacks, range of lot sizes including smaller lots and higher lot coverage, small formal landscaped areas, and limited automobile parking.

The property is zoned Residential Second Density Subzone G, Urban Exception [1564] (R2G[1564]), which permits detached and semi-detached dwellings. The purpose of this zone is to limit development to detached dwellings and two-principal unit buildings regulate the massing, height, and design of new developments in a manner that is compatible with the existing land use pattern and built form as well as permit front yard parking.

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. The severance will enable separate ownership of the semi-detached dwelling currently under construction, which conforms with the policies of the Official Plan and is a permitted use in the R2G zone. The size and shape of the resulting lots are suitable for the purposed building form and the lots front onto an established municipal road with municipal services.

ADDITIONAL COMMENTS

Planning Forestry

Construction of the dwellings at 845 and 847 Dundee is in progress. There are no trees in the frontage or rear yard of either proposed property. To enhance the urban forest and contribute to the Official Plan target of 40% canopy cover across the City (S. 4.8.2, policy 2), Planning Forestry is requesting a planting plan be provided showing the location of one new tree to be planted per lot. Priority should be given to large-growing native species, to maximize potential canopy and ecosystem benefits on site.

Right of Way Management

Private approach permits have already issued to 845 and 847 Dundee Avenue.

CONDITIONS

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

1. The Owner/Applicant(s) shall prepare and submit a tree planting plan, prepared to the satisfaction of the Manager of the West Branch within the Planning, Real Estate and Economic Development Department, or their designate(s), showing the location(s) and species or size class (small, medium, large) for one new 50 mm tree, to be planted on each lot following construction to enhance the urban tree canopy, in line with the Official Plan's policies (S 4.8.2).
2. That the Owner(s) provide proof to the satisfaction of the Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that each existing parcel has its own independent storm, sanitary and water services connected to City infrastructure and that these services do not cross the proposed severance line. If they do cross or are not independent, the Owner(s) will be required to relocate the existing services or construct new services from the City sewers/watermain, at his/her own cost.
3. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements, at the expense of the Owner(s), setting forth the obligations between the Owner(s)

and the proposed future owners.

The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways and common landscaping

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of the Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate, and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to the Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate, and is satisfactory to City Legal Services, as well as a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.



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