

2024-07-11



CONSENT & MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 2140 Baseline Rd
Legal Description: Part of Block 41, Registered Plan 4M-623 and Part of Lot 35, Concession 2 RF
File No.: D08-02-24/A-00153 & D08-01-24/B-00107
Report Date: July 11, 2024
Hearing Date: July 16, 2024
Planner: Penelope Horn
Official Plan Designation: Outer Urban Transect, Hub
Zoning: MC[2588] F(4.4) H(45)

DEPARTMENT COMMENTS

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

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. The proposed lot line adjustment will increase the useable area for both 2140 Baseline Road and 1 Centrepointe, by making each lot more rectangular.

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested minor variance meets the “four tests”. The minor variance is related to a site plan revision for a 14-storey mixed-use building. The refuse staging area will be screened by a masonry wall and landscaping along Gemini Way. The garbage and recycling bins are proposed to be kept in the underground parking garage, except on days where the refuse is collected. This will mitigate the visual impacts of the reduced setback.

ADDITIONAL COMMENTS

Infrastructure Engineering

Planning Forestry

Through the site plan revision it was determined that there are several significant tree conflicts with the work taking place on site and the applications in place.

The proposed lot line adjustment would change the ownership of tree #2 (as listed in the TIR) from adjacent to private; trees #1 and 4 remain adjacent and would require permission from the owners for removal. All 3 of these trees have been heavily impacted by ongoing construction with no tree protection. Through discussions with the applicant and arborist a revised TIR was to be prepared, including mitigation measures such as the removal of construction materials and rehabilitation of soils within the CRZs of these trees and future planting beds. This revised TIR and Landscape Plan are required with the severance application as well, to confirm that the severance will allow for the retention of these trees and the planting of additional trees on site.

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. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of **Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate** to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of **Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**.
2. That the Owner(s) provide a servicing plan or other evidence, to the satisfaction of **the Development Review Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**, to be confirmed in writing from the Department to the Committee, that each existing building and/or unit on the severed and retained parcels has its own independent water, sanitary and sewer connection, as appropriate, that are directly connected to City infrastructure and do not cross the proposed severance line.

3. That the Owner/Applicant(s) provide a revised site and/or grading plan with the locations of proposed elements (buildings, driveways, services, grading, etc.) designed to reduce any excavation within the Critical Root Zones of protected trees and/or to provide sufficient soil volume to plant new trees, to the satisfaction of the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s). The Tree Information Report must be revised to reflect changes to the site plan and to show the accurate tree protection areas and mitigation measures.

4. That the Owner/Applicant(s) provide a signed letter of permission from the owner(s) of identified adjacent or boundary tree(s), for the proposed removal or operations impacting the tree(s). The owner/applicant(s) acknowledge(s) that a tree removal permit cannot be issued without the permission of all owners of a tree, and that the development plan must be revised to allow for the retention and protection of the adjacent or boundary trees if this letter cannot be produced.



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