

**Filing Date:** September 24, 2020

**Hearing Date:** October 20, 2020

**File:** B-2020-0018

**Owner/  
Applicant:** **DANIELS CHOICE MOUNT PLEASANT CORPORATION**

**Address:** 10-40 Lagerfeld Drive

**Ward:** 6

**Contact:** Shelby Swinfield, , Planner I, Development

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**Proposal:**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 8313 square metres (2.05 acres). The effect of the application is to create a new lot having frontage of approximately 65.4 metres (214.57 feet) and an area of approximately 4478 square metres (1.11 acres), together with reciprocal easements including access, servicing, maintenance, parking and any associated easements for both the proposed severed and retained lands. A 25 storey rental apartment building is proposed for the "retained" land and one 6 storey midrise condominium plus two 3 storey blocks of back- to-back townhouses are proposed for the "severed" land.

**Recommendations:**

That application B-2020-0018 is supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
  - a. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate; and
  - b. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received; and
2. That the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services.

**Background:**

The lands are currently subject to Site Plan Application SP18-002.000 to develop the lands with a combination of condo and rental units. The site plan application is in its final stages and staff consider it appropriate to move forward with the consent application to establish the required parts and easements. A condition of approval is recommended that this site plan application be completed to the satisfaction of the Director of Development services to ensure that the approved site plan and proposed easements are consistent.

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Mixed Use Node' in the Fletcher's Meadow Secondary Plan (Area 44); and
- **Zoning By-law:** The subject property is zoned "Residential Apartment A – Section 3527 (R4A-3527)" according to By-Law 270-2004, as amended.

**Current Situation:**

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

*Shelby Swinfield*

Shelby Swinfield, Planner I, Development



**SCHEDULE "A"**
**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT**

<b>CRITERIA TO BE CONSIDERED</b>	<b>ANALYSIS</b>
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed severance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There is no concerns about the suitability of the land for the purposes of the severance.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed severance does not present any concern with regard to the adequacy of the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed severance is appropriate in size and shape for its purpose.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.

j) <i>The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severance has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no concerns related to the design of the proposal and matters of Site Plan Control.