

July 14, 2021

**SRPI.21.084**  
**Appendix "B"**

**Memo To:** Sanda DeMaria, Senior Planner - Development

**From:** Anant Patel, Planner II - Parks

**File Number(s):** D01-21004 (Official Plan)  
D02-21007 (Zoning By-law)

**Location:** 9593 Bathurst Street  
**Applicant:** Neuhaus Developments Ltd

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**Summary:** A request for approval of Official Plan Amendment and Zoning By-law Amendment to permit a four storey, residential apartment building with 13 dwelling units, 22 parking spaces and shared access via 9601 Bathurst Street.

Materials reviewed:

- Arborist Report & Tree Preservation Plan, prepared by 7 Oaks Tree Care & Urban Forestry Consultants Inc., dated November 16, 2020;
- Tree Preservation Plan, prepared by 7 Oaks Tree Care & Urban Forestry Consultants Inc., dated November 16, 2020;
- L1-01, Landscape Plan, prepared by Marton Smith Landscape Architects, dated October 6, 2020;
- LD-01, Landscape Details, prepared by Marton Smith Landscape Architects, dated October 6, 2020.

**Comments:**

**Parkland Dedication**

1. The parkland area generated for this development does not create a viable park that can be programmed or contribute to the overall park system and we recommend that council resolve to accept cash-in-lieu of parkland dedication at building permit issuance for this development application.

**D01-21004 & D02-21007**

2. The density of this proposal has an impact on the opportunity for landscaping. As currently shown, the proposed apartment building and parking area will take up the entirety of the property leaving very little space provided for landscaping. Park staff encourages zoning that allows for additional landscaping. We also recommend that the applicant provide a landscape buffer to the rear (eastern) portion of the subject property to soften/screen the view of the proposed building and parking area to the adjacent residential properties to the east. A combination of deciduous and coniferous plantings, shrubs and flower beds are recommended.

**Other Comments**

*Tree Inventory and Preservation Plan*

3. The Tree Inventory and Preservation Plan notes that there are four trees on and within six metres of the subject lands. The proposed development will result in the removal of four native and non-native trees. The City will seek to restore the tree canopy within the development by securing tree plantings and/or compensation for the loss of these trees through the development process.
4. The proposed development will impact trees # 496 and 497, that are either co-owned or on the neighbouring properties. Please note that the City's review of this report does not authorize the applicant to injure or destroy a co-owned/boundary tree or tree on the neighbouring property without obtaining the consent of the neighbour tree owner or boundary tree co-owner. It is the applicant's responsibility to obtain necessary consent prior to undertaking any tree injury or destruction approved by the City.

To this point, the Forestry Act states that “every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands and every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the landowners is guilty of an offence under the Act.”

*Landscape Plan*

5. Please update the Proposed Plant Materials list on the Landscape Plan to provide for the total number plantings proposed on the subject property.
6. The Landscape Plan and Details do not provide any plans or details for the proposed Green Roof. Please update accordingly.
7. There are six trees located on the eastern portion of the property that are noted to have a soil volume of less than 30 m<sup>3</sup> for each of these six trees. The applicant’s landscape architect should ensure that any proposed trees will have access to sufficient soil volume and the species are appropriate for the proposed locations. Please revise the landscape plan to show how a soil volume of 30 m<sup>3</sup> for each tree can be achieved. Structural methods will be required to support tree growth, e.g. tree trenches, silva cells, structural soils.
8. Discuss landscaping in the Regional Road right-of-way (Bathurst Street) with York Region.
9. Once the above noted comments have been addressed, staff will require a cost estimate for landscape works and the items outlined in the Tree Inventory and Preservation Plan/Report for letter of credit purposes.

I trust the above is of assistance. Should you require any further information regarding our comments, please contact the undersigned at (905) 771-2492.

Sincerely,

**Anant Patel, B.URPI**  
Planner II - Parks  
Park and Natural Heritage Planning