



Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From: Debbie Vandenaeker

Position: Planner

Title / Subject: 04-2020-PL Pre-Development Agreement for Tree Removal, Beaverton Commons

Date of Report: August 9, 2021

Date of Meeting: August 23, 2021

Report No: 2021-PCA-022

1.0 Issue / Origin

The owner / developer of the lands located at Beaver Avenue in Beaverton wishes to remove trees in the development envelope in advance of a Site Plan Agreement being registered on the lands. Given the environmental sensitivity of the lands, and commitment to ecological offsetting with this project, it is appropriate to enter into a legal agreement directing the cutting of trees in advance of a formal Site Plan Agreement.

2.0 Background

In May 2021, the Council of the Township of Brock approved the rezoning of lands located adjacent to Highway 12, and north of the existing Ultramar/Pizza Pizza store adjacent to Beaver Avenue, approximately 430 metres north of the Highway 12/Simcoe Street intersection. These lands are often referred to as the "Beaver Avenue" or "Beaverton Commons" lands.

The applicant is proposing to develop up to 6,650 square metres of retail floor space, which would be comprised of five (5) separate buildings. It is anticipated that these buildings will accommodate large-format retail stores and restaurants. These buildings will be constructed on the western portion of the subject lands, immediately north of the Ultramar. Beaver Avenue, which connects to Highway 12 at a signalized intersection, will be extended (as a private driveway until such time as the other applicant lands are developed) immediately west and north to provide vehicular access to the site. The proposed commercial retail buildings will be served by 485 parking spaces.

No Site Plan Application has been received by the Township of Brock to date. Due to the requirement of an Ecological Offsetting Plan through the rezoning process, it is appropriate to require a pre-development agreement with the applicant that speaks to the area of tree removal, securities, and references to the required reports, studies and plans by the Lake Simcoe Region Conservation Authority (LSRCA) as follows:

- Forest Edge Management Plan for the Beaverton Common Commercial Site (Dillon Consulting, August 27, 2020)
- Ecological Offsetting Strategy (EOS) for the Beaverton Common Commercial (Dillon Consulting, February 3, 2021)
- Planting Plan Areas, Schedule, Invasive Species Management Plan and Ecological Monitoring Plan (Dillon Consulting, February 3, 2021)

3.0 Analysis

Through consultation with the LSRCA and legal services, an agreement that clearly outlines the area of trees to be cleared and some basic controls for this work as been created. The agreement has been reviewed and signed by the owner of the lands and forms the attachment to this report.

The agreement speaks to the lands in question, outlines the parameters under which the work is to be undertaken, and provides securities in the amount of the full ecological offsetting plan.

4.0 Related Policies / Procedures

N/A

5.0 Financial / Budget Assessment

A \$329,403.21 total security is required as part of the agreement. This amount represents the full amount directed by the Lake Simcoe Region Conservation Authority for the value of the Ecological Offsetting Plan, not just the tree cutting works.

6.0 Communications



Extensive communications were undertaken with the applicant's ecological service providers, Dillon Consulting, the LSRCA and Loopstra Nixon (the Township's legal representatives).

7.0 Conclusion

A pre-development agreement regarding the removal of trees to permit the eventual construction of a commercial development along Highway 12 in Beaverton is appropriate.

8.0 Recommendation

That Council approve the attached Pre-Development Agreement between Beaverton Common Inc. and the Corporation of the Township of Brock, and By-law 3069-2021 authorizing the execution of the Agreement, that permits the cutting of trees on lands located on Part Lot 11, Concession 5 in the Township of Brock in advance of a Site Plan Agreement.

Title	Name	Signature	Date
Planner	Debbie Vandenakker		08.10.2021
Chief Administrative Officer	Ingrid Svelnis	 Ingrid Svelnis	00.16.2021