

2024-03-15



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 2666 Tenth Line Road  
Legal Description: Part of Lot 5, Concession 11, Former Township of Cumberland  
File No.: D08-01-23/B-00019  
Report Date: March 15, 2024  
Hearing Date: March 19, 2024  
Planner: Cass Schlauzero  
Official Plan Designation: Suburban (East) Transect, Neighbourhood & Greenspace designations, Evolving Neighbourhood Overlay, Minor Corridor  
Zoning: RU, I1B & O1

**DEPARTMENT COMMENTS**

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

**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.

**ADDITIONAL COMMENTS**

At its hearings on March 1 and March 15, 2023, the Committee of Adjustment adjourned the subject application based on the recommendation from City staff on the grounds that the proposed school development was not permitted in the Rural Countryside (RU) zone, and that the property should be re-zoned before a subsequent consent application was submitted.

On January 24, 2024, City Council approved Zoning By-law Amendment application D02-02-23-0027 and passed By-law 2024-48 to re-zone the subject property from RU to Minor Institutional Zone, Subzone B (I1B) and Parks and Open Space Zone (O1).

The severed parcel, to be addressed as 2674 Tenth Line Road and shown as Parts 1 and 2 on the draft reference plan submitted with the application, corresponds with the area zoned as I1B, with a small portion in the northwest corner of the parcel zoned O1. The O1 area corresponds with the landing area of a future bridge to be constructed over McKinnon's Creek, per the Mer Bleue Expansion Area 10 Community Design Plan.

The retained parcel, addressed as 2666 Tenth Line Road and shown as Part 3 on the draft reference plan, will be used for future residential subdivision development. Application D02-02-22-0060, referenced in the public notice, is an active Zoning By-law Amendment for a companion application for draft plan of subdivision approval for a large area to the west, which includes the portion of the retained lands still zoned RU and excludes the portion of the retained lands re-zoned to O1.

The proposed severed lands are subject to active Site Plan Control Approval application D07-12-23-0094.

### **Infrastructure Engineering**

The civil and infrastructure works for this site will be reviewed and approved through associated Site Plan Control Approval application D07-12-23-0094.

### **Planning Forestry**

There have been recent tree plantings along Sweetvalley Drive. The design of the school should prioritize the retention of any healthy trees on site, with special consideration given to the trees located on or near the boundary of 2680 Tenth Line Road.

The proposed school project is subject to Site Plan Control Approval. Detailed tree conservation and planting plans are being addressed through the review of that application.

### **Transportation Engineering**

Comments have been provided through review of the Transportation Impact Assessment associated with Site Plan Control Approval application D07-12-23-0094.



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