



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 531 & 533 Broadhead Avenue  
Legal Description: Lot 55, Registered Plan 364  
File No.: D08-01-24/B-00146  
Report Date: September 13, 2024  
Hearing Date: September 18, 2024  
Planner: Luke Teeft  
Official Plan Designation: Inner Urban Transect; Neighbourhood  
Zoning: R3R

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services 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.

**CONDITIONS**

If approved, the Planning, Development and Building Services Department requests that the Committee of Adjustment impose the following conditions on the application:

1. That the Owner(s) provide evidence to the satisfaction of both the **Chief Building Official and the Manager of the Development Review All Wards branch, or their designates**, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.

2. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners.


The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways and common landscaping.

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, and **City Legal Services**. The Committee requires written confirmation that the Agreement is satisfactory as well as a copy of the Agreement and confirmation that it has been or will be registered on title.

3. That the Owner enter into an Agreement with the City, at the expense of the Owner, which is to be registered on Title to deal with the covenants/notices that shall run with the land and bind future owners on subsequent transfers;

“The property is located in close proximity to lands that have an existing source of environmental noise (collector road) and may therefore be subject to noise and other activities associated with that use.”


The Agreement shall be to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.



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Luke Teeft  
Planner I, Development Review, All Wards

Planning, Development and Building  
Services Department



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Erin O'Connell  
Planner III, Development Review, All  
Wards

Planning, Development and Building  
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