

2026-02-26



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 4960 & 5034 Highway 17
Legal Description: Part of Lot 23, Concession 4, Former Township of Fitzroy
File No.: D08-01-26/B-00016
Report Date: February 25, 2026
Hearing Date: March 3, 2026
Planner: Shoma Murshid
Official Plan Designation: Agriculture with Sand & Gravel Resource Overlay, Schedule B9 - Rural Transect
Zoning: AG & ME2[1r]

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the consent 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 COMMENT

N/A

CONDITIONS

The Department further requests that the following conditions be imposed on the Consent application, if approved:

1. *That the Owner(s) of the retained lands enter into an Agreement with the City,*

at the expense of the Owner(s), which is to be registered on title to deal with the following covenant/notice that shall run with the land and bind future owners on subsequent transfers:

“The property is located next to lands that have an active pit operation and may therefore be subjected to noise, vibration, and other activities associated with this use.”

The Committee shall be provided a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.



Shoma Murshid
Planner II, Development Review All Wards
Planning, Development and Building
Services Department



Erin O'Connell
Planner III, Development Review All Wards
Planning, Development and Building
Services Department