

2026-04-16



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 360 Terry Fox Drive
Legal Description: Block 3, Registered Plan 4M-642
File No.: D08-01-25/B-00285
Report Date: April 15, 2026
Hearing Date: April 21, 2026
Planner: Shoma Murshid
Official Plan Designation: Suburban Transect, Special Economic District designation with Natural Heritage Overlay
Zoning By-law 2008-250: IP6[1522]H(44)
Zoning By-law 2026-50: EDK[1522]H(44)

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **requests an adjournment of** 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 concerns with the proposed consent as submitted.

The retained lot will become a 2-hectare vacant treed lot. The Official Plan indicates this land to be within a Natural Heritage Feature overlay (as per Schedule C11). Pursuant to Official Plan policy 5.6.4.1.4, any development, including lot creation or site alteration proposed in or adjacent to natural heritage features is to be supported by an Environmental Impact Statement (EIS). A Tree Information Report (TIR), or written confirmation from a City Infill Forester that a TIR is not necessary, is an application requirement. As the retained lot is larger than 1 hectare, forestry requires a Tree Conservation Report (TCR) in place of a TIR. These reports have not been filed with this

application. They are typically required with this type of application submission to allow for review of the potential impacts of the severance and to determine whether developable area exists on the undeveloped portion of the land.

Infrastructure Engineering requires the submission of a Servicing Brief, to show if the land has adequate infrastructure capacity.

An adjournment is requested for the applicant to provide the submission requirements, namely an EIS and a TCR.

ADDITIONAL COMMENTS

Building Code Services

None submitted.

Infrastructure Engineering

None.

Planning Forestry

The 2ha forested lot proposed to be severed in this application is identified as a Natural Heritage Feature in Schedule C11 of the Official Plan. An EIS and TCR are required with the application submission to allow for review of the potential impacts of the severance and to determine the developable area of the retained lot. An adjournment is required to provide sufficient time to meet the submission requirements.

Transportation Engineering

None.

CONDITIONS

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

1. That the Owner(s) provide evidence, to the satisfaction of the Manager of Development Review All Wards, Planning, Development and Building Services Department, that each existing parcel has its own independent storm, sanitary and water services connected to City infrastructure and that these services do not cross the proposed severance line. If they do cross or are not independent, the Owner(s) will be required, at their own cost, to relocate the existing services or construct new services from the City sewers/watermain. Notice shall be provided in writing to the Committee from the Department confirming this condition has been fulfilled.
2. That the Owner(s) provide a Site Servicing brief/memo, prepared by a Professional Civil Engineer, licensed in the Province of Ontario, outlining the municipal servicing

requirements, including assessing the fire flow demand including boundary conditions, for each unit and indicating, if required, that capacity exists within existing City infrastructure. The brief/memo shall be to the satisfaction of Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

3. That the Owner(s) prepares and submits an Environmental Impact Study (EIS) to satisfaction of the Manager of the Development Review All Wards Branch, or their designate. If the accepted report recommends specific mitigation measures or other requirements, the Owner shall enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of the Manager of the Development Review All Wards Branch, or their designate, which is to be registered on the title of the property, which includes those recommendations.
4. That the Owner/Applicant(s) provide a Tree Conservation Report, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. This report shall be prepared by an appropriate professional, identifying all trees protected under the City's Tree Protection by-law, and meeting the standards of the City's Tree Conservation Report Guidelines, including an assessment of impacts related to the proposed severance with the associated zoning.

Where a severance will create a vacant lot, the Owner/Applicant(s) will provide a Grading/Servicing and Stormwater Management Plan based on the conceptual building envelope created by the zoning of the proposed lot, to establish that the lot can be graded to a sufficient and legal outlet and has access to services with adequate capacity, while minimizing impacts to protected trees outside of the building envelope, including boundary and adjacent trees. The Tree Information Report must reflect any changes to the grading and servicing plan. These plans will be to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.



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