



Report Committee of Adjustment

Filing Date: November 1st, 2022
Hearing Date: December 6th, 2022

File: B-2022-0021

**Owner/
Applicant:** 2667812 Ontario Inc. / David McKay, MHBC Planning Ltd.

Address: 120 Summerlea Road

Ward: 8

Contact: Rabia Ahmed, Planner I

Proposal:

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 2.52 ha (6.23 acres) with 132.59m (435 ft.) of frontage on Summerlea Road. The proposed severed lot has a frontage of approximately 67.79m (222.40 ft.), a depth of approximately 144.48m (474 ft.) and an area of 0.98 ha (2.42 acres). The retained lot has a frontage of approximately 64.8m (212.6 ft.), a depth of approximately 190.2m (624 ft.), and an area of 1.54 ha (3.81 acres). The effect of the application is to establish two separate lots from the existing lot to facilitate future development for industrial purposes.

Recommendations:

That application B-2022-0021 is supportable, subject to the following conditions being imposed:

1. That the applicant agrees to provide an access easement in favour of the severed land over the retained land to the satisfaction of the City's Legal Services Division, Corporate Services Department and the Commissioner, Public Works & Engineering, if requested by the City in future. Part 4 in the approved R-plan shall be deposited in the Land Registry Office of Peel and deposited copies are to be provided to the Transportation Division and the Legal Services Division (see Appendix B);
2. Separate water, sanitary and storm services shall be provided for each lot in accordance with the Ontario Building Code and to the satisfaction of the Chief Building

Official. Should services serving one lot cross the other, the appropriate easements shall be registered prior to the completion of the severance application and issuance of the Certificate from the COA Secretary Treasurer. A building permit is required for alteration to the existing services;

3. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate; and,
 4. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received.
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Background:

- **Official Plan:** The subject property is designated 'Industrial' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'General Employment One' in the Airport Intermodal Secondary Plan (Area 4); and
- **Zoning By-law:** The subject property is zoned 'Industrial Three A (M3A)' according to By-Law 270-2004, as amended.

Current Situation:

The applicant is requesting to sever a parcel of land from the property municipally known as 120 Summerlea Road in order to establish a separate parcel for future sale and development. Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Rabia Ahmed

Rabia Ahmed, Planner I

SCHEDULE "A"

CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The proposed severance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severance does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The severance is suitable for the purposes for which it is to be subdivided.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed severance does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed lots are appropriate in size and shape for their purpose and maintain all minimum Zoning By-law requirements.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.

i)	<i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j)	<i>The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l)	<i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severance has no impact on matters of energy conservation.
i)	<i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed consent has no impact on matters of Site Plan Control under the Planning Act. The lands are subject to Site Plan Control and will be further evaluated under future development applications.

R-Plan

