

Filing Date: June 9, 2021

Hearing Date: July 13, 2021

File: V-2021-0001

**Owner/
Applicant:** Iqbal Gill and Gagandeep Gaidu

Address: 25 Flatlands Way

Ward: 9

Contact: François Hémon-Morneau, Planner I

Proposal:

The purpose of the application is to request the consent of the Committee of Adjustment to validate the title of lands legally described as Part of Lot 92, Plan 43M-1299 and Part 2, Plan 43R-25733, having frontage on Flatlands Drive of approximately 9.42 metres (30 feet), a depth of approximately 21.92 metres (72 feet) and an area of approximately 206.14 square metres (0.50 acres).

Recommendations:

That application V-2021-0001 is supportable.

Background:

- **Official Plan:** The subject property is designated 'Residential' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Low Density Residential 1' in the Springdale Secondary Plan (Area 2); and
- **Zoning By-law:** The subject property is zoned 'Residential Semi-Detached A (R2A-853)' according to By-Law 270-2004, as amended.

Current Situation:

When the land transfer occurred, it was technically completed in contravention of the Planning Act. The applicant has filed this validation application to correct that error. 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.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, 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 consent to validate will have no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposal is in the public interest and is not premature.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The application maintains to the general intent and purpose of the Official Plan.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	No change in use is proposed and the land is suitable for the existing use.
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 proposal has no impact on the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	No new lots are proposed.
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 restrictions are required.
h) <i>The conservation of natural resources and flood control;</i>	No concerns.
i) <i>The adequacy of utilities and municipal services;</i>	No concerns.
j) <i>The adequacy of school sites;</i>	School sites are not affected.
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>	None required.

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 application has no impact on energy conservation.
m) <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 application has no impact on matters of site plan control.