



**The Corporation of the Town of LaSalle
Committee of Adjustment Meeting
Agenda**

Wednesday, May 22, 2024, 5:00 p.m.

Council Chambers, LaSalle Civic Centre, 5950 Malden Road

Public Hearing for applications under sections 45 and 53 of the Planning Act.

The public is invited to comment by submitting written comments and or speaking to an application listed on the agenda. Members of the public who wish to speak to an application are encouraged to contact Committee of Adjustment Staff by email or phone to rtufts@lasalle.ca or by calling 519-969-7770 ext.1252. When your request is received, confirmation and instructions will be provided for participating in the hearing.

Accessible formats or communication supports are available upon request. Contact the Clerk's Department at 519-969-7770 ext. 1262.

Pages

A. Opening Business

1. Call to Order
2. Land Acknowledgement Statement
3. Appeal Notice

B. Disclosures of Pecuniary Interest and the General Nature Thereof

C. Adoption of Minutes from Previous Meeting

Recommendation

That the minutes of the meeting of the Committee of Adjustment dated April 17, 2024, be adopted as presented.

D. Requests for Withdrawal or Deferral

E. Current Applications

Application to: Seek relief from the provisions of Subsection 4.8 f) to allow a reduced front yard setback from 4.5 metres to 2.3 metres.

Application on Behalf of: Suburban Construction

Location of Application: 1740 Orford Street

Recommendation

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-04-2024 File # 4182 be approved subject to the following conditions:

1. That the applicant remove the holding zone symbol from the subject lands;
2. That the applicant receive Site Plan Control approval for the subject lands;
3. That the above be fulfilled by May 22, 2026.

Application to: Seek relief from the provisions of Subsection 4.2 h) to allow a reduced exterior side yard from 3 metres to 2.4 metres.

Application on Behalf of: Timberland General Contractors

Location of Application: 5185 Vel Lane

Recommendation

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-05-2024 File # 4183 be approved subject to the following conditions: None

Application to: Sever three parcels of land to create four lots fronting on Stuart Avenue for the construction of two semi-detached dwellings.

Application on Behalf of: Tom and Kasia Touralias

Location of Application: 1407 Stuart Avenue

Recommendation

Whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-06-2024 File #4181 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed, numbered, dated, and registered to be submitted to the Secretary-Treasurer;
2. That all property taxes be paid in full;
3. That a cash-in-lieu of parkland dedication fee in the amount of \$750 per lot be paid to the Corporation of the Town of LaSalle;
4. That the Applicant submits an updated lot grading and servicing plan prepared by a Professional Engineer for the subject lands to the satisfaction of the Town Engineer;
5. That the Applicant submits an as-built drawing for the servicing work to the municipality for review and approval;
6. That the Applicant obtain a right-of-way permit from the Town's Public Works Department;
7. That the Applicant provide all easements and dedications, pertaining to the subject lands, to be prepared and registered at the entire cost of the Applicant, including but not limited to such matters as servicing easements and road widening dedications as they relate to the development of the subject lands;
8. That the Applicant provides financial security in an amount satisfactory to the municipality to ensure proper installation of services. A portion of this security will be held by the municipality until such time as all restoration works and deficiencies are deemed complete by the Town;
9. That all of the above conditions be fulfilled on or before May 22, 2026.

4. Consent Applicant B-07-2024 File 4184 for lot creation

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Application to: Sever a parcel of land to create one new lot fronting on Sacred Heart Drive.

Application on Behalf of: Wantup Investment and Sinva Construction

Location of Application: 307 Sacred Heart

Recommendation

Whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-07-2024 File #4184 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed, numbered, dated, and registered to be submitted to the Secretary-Treasurer;
2. That all property taxes be paid in full;
3. That a cash-in-lieu of parkland dedication fee in the amount of \$750 per lot be paid to the Corporation of the Town of LaSalle;
4. That the Applicant submits an updated lot grading and servicing plan prepared by a Professional Engineer for the subject lands to the satisfaction of the Town Engineer;
5. That the Applicant submits an as-built drawing for the servicing work to the municipality for review and approval;
6. That the Applicant obtain a right-of-way permit from the Town's Public Works Department;
7. That the Applicant provide all easements and dedications, pertaining to the subject lands, to be prepared and registered at the entire cost of the Applicant, including but not limited to such matters as servicing easements and road widening dedications as they relate to the development of the subject lands;
8. That the Applicant provides financial security in an amount satisfactory to the municipality to ensure proper installation of services. A portion of this security will be held by the municipality until such time as all restoration works and deficiencies are deemed complete by the Town;
9. That the applicant obtain a demolition permit from the Town's Building Department;
10. That all of the above conditions be fulfilled on or before May 22, 2026.

F. Next Meeting

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The next meeting of the Committee of Adjustment will take place on Wednesday, June 19, 2024, at 5:00 p.m.

G. Adjournment



The Corporation of the Town of LaSalle

To: Members of the Committee of Adjustment

Prepared by: Ryan Tufts, Planning Technician

Department: Planning and Development

Date of Report: May 1, 2024

Report Number: PD-17-2024

Attachments: Figure 1 Location, Figure 2 Site Plan

Subject: A-04-2024 File 4182

Application for Minor Variance: A-04-2024 File 4182

Application on Behalf of: Suburban Construction

Location of Application: 1740 Orford Street

Purpose & Effect of Application

The subject property is located at 1740 Orford Street. The subject land currently has a single detached dwelling on it. The land is designated LaSalle Town Centre District in the Town's Official Plan and zoned Town Centre Zone One (TC1) and Town Centre Zone Two (TC2-h), according to Zoning By-law 8600.

The applicant is proposing to construct a three-storey apartment building on the subject lands. They are seeking relief from the provisions of Subsection 4.8 f) to allow a reduced front yard setback from 4.5 metres to 2.3 metres.

Report

1. Does the application conform to the general intent and purpose of the applicable Official Plan policies?

The proposed apartment conforms to the general intent of the Official Plan.

2. Does the application maintain the general intent and purpose of the applicable Zoning By-law? (This test requires an understanding of the nature and purpose of the regulations in effect as adopted by Council).

The proposed three-storey apartment maintains the general intent and purpose of the Zoning By-law as a permitted use.

3. Will the relief that is being applied result in the appropriate development of the subject property?

The proposed reduction in the front yard setback will facilitate the construction of an apartment building on the subject lands.

4. In this application minor in nature? (Minor does not mean a mathematical calculation – ex. 10% variance, but rather should be assessed on the basis of the impact that the requested change would have on abutting lands. Will an adverse impact be created as a result of this application being approved? If it will have an adverse impact, it should not be viewed as being minor in nature).

The variance for a front yard reduction is considered minor in nature as it does not appear to have any negative impact on the on travelled road or of neighboring properties as redevelopment will continue in this neighbourhood.

As the Committee is aware, before granting approval to a minor variance application, the Committee must be satisfied that all four of these tests have been met.

The following comments are offered with respect to this application:

- The proposed setback is measured from the outdoor amenity space for each unit (either a patio or balcony space), a further projection into the required front yard will not be required. Most of the build is set back further from the front lot line as shown on the site plan, see Figure 2.
- The relief is being requested due to the limited existing lot depth.
- The proposed development consists of a three-storey apartment building with 17 units and represents an appropriate redevelopment of the subject lands.
- The development is fully compliant with the by-law apart from the proposed variance.
- No comments have been received from the abutting neighbours at the time that this report was prepared.

Consultations

The notice has been circulated to property owners within a 60-metre radius and in the Windsor Star. The subject application was circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, the local school boards, and several utility companies. No comments or concerns have been raised at the time this report was written.

Recommendation

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-04-2024 File # 4182 be approved subject to the following conditions:

1. That the applicant remove the holding zone symbol from the subject lands;
2. That the applicant receive Site Plan Control approval for the subject lands;
3. That the above be fulfilled by May 22, 2026.

Prepared By:



Planning Technician

Ryan Tufts, Planning Technician

Communications

Notice is placed in the local newspaper, pursuant to the *Planning Act*.

Notifications

None

Report Approval Details

Document Title:	A-04-2024.docx
Attachments:	- B-04-2024 Suburban FIG 1.pdf - A-04-2024 Suburban FIG 2.pdf
Final Approval Date:	May 7, 2024

This report and all of its attachments were approved and signed as outlined below:



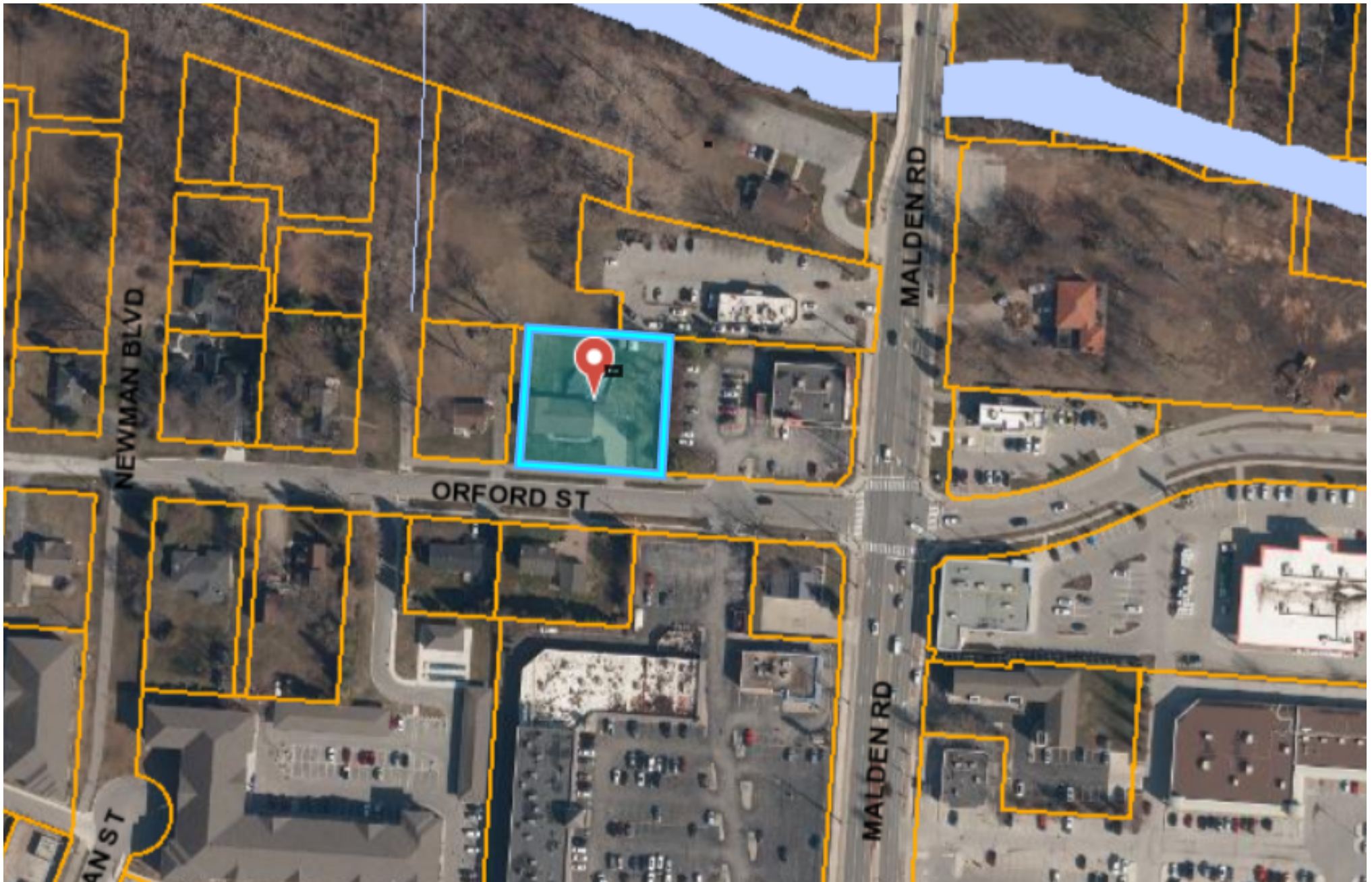
Allen Burgess, MCIP, RPP
Supervisor of Planning & Development Services
Town of LaSalle

Allen Burgess



Manager, Planning and Development

Kristina Brcic



Legend:



LaSalle File No: A-04-2024

Applicant: Suburban

Date: May 1 2024

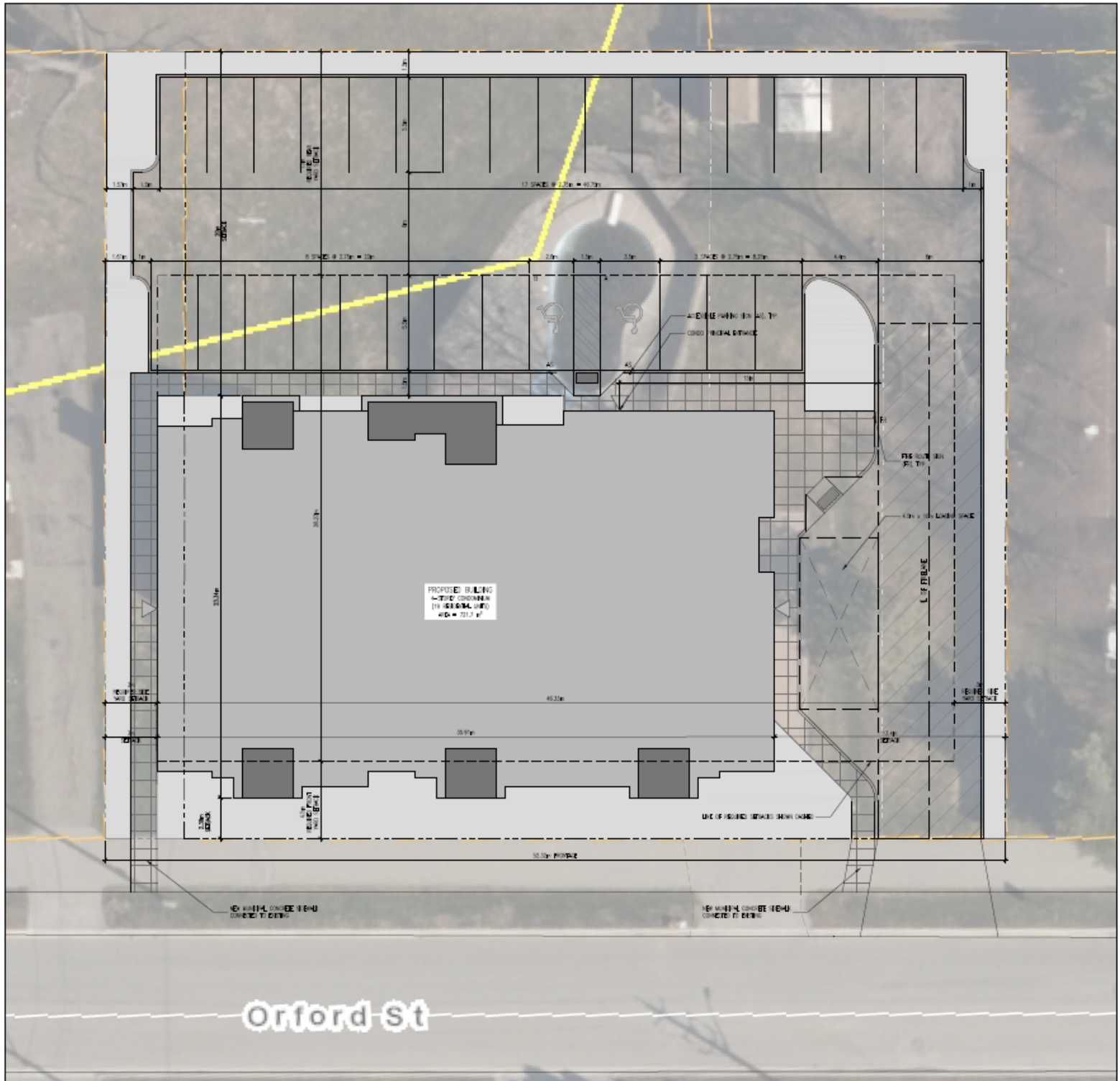
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FIGURE 1 -SUBJECT LANDS

Notes:

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This document is not a Legal Plan of Survey.



Legend:



LaSalle File No: A-04-2024

Applicant: Suburban

Date: May 1, 2024

Title:

FIGURE 2 -SITE PLAN

10Notes:

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The Corporation of the Town of LaSalle

To: Members of the Committee of Adjustment

Prepared by: Ryan Tufts, Planning Technician

Department: Planning and Development

Date of Report: April 24, 2024

Report Number: PD-14-2024

Attachments: Figure 1- Location, Figure 2- Site Plan

Subject: Minor Variance A-05-2024 File 4183

Application on Behalf of: Timberland General Contractors

Location of Application: 5185 Vel Lane

Purpose & Effect of Application

The subject property is located at 5185 Vel Lane. The subject land is currently vacant and a semi-detached residential dwelling will be constructed and is designated Residential District in the Town's Official Plan and zoned Residential Two (R2), according to Zoning By-law 8600.

The applicant is proposing to construct a semi-detached dwelling on the subject lands. They are seeking relief from the provisions of Subsection 4.2 h) to allow a reduced exterior side yard from 3 metres to 2.4 metres.

Report

When evaluating the merits of individual Minor Variance applications, the Committee of Adjustment should apply each of the following four (4) tests:

1. Does the application conform to the general intent and purpose of the applicable Official Plan policies?

The proposed semi-detached dwelling conforms to the general intent of the Official Plan.

2. Does the application maintain the general intent and purpose of the applicable Zoning By-law? (This test requires an understanding of the nature and purpose of the regulations in effect as adopted by Council).

The proposed semi-detached dwelling maintains the general intent and purpose of the Zoning By-law.

3. Will the relief that is being applied result in the appropriate development of the subject property?

The proposed reduction in the exterior side yard setback will facilitate the construction of a semi-detached dwelling on the subject lands.

4. Is this application minor in nature? (Minor does not mean a mathematical calculation – ex. 10% variance, but rather should be assessed on the basis of the impact that the requested change would have on abutting lands. Will an adverse impact be created as a result of this application being approved? If it will have an adverse impact, it should not be viewed as being minor in nature).

The variance for an exterior side yard reduction is considered minor as it is only the corner of the proposed dwelling that is seeking relief.

As the Committee is aware, before granting approval to a minor variance application, the Committee must be satisfied that all four of these tests have been met.

The following comments are offered with respect to this application:

- The application requires a reduction in the exterior side yard setback to facilitate the construction of a semi-detached dwelling.
- No comments or concerns have been received regarding the reduced exterior side yard setback at the time this report was prepared.
- No conditions are being requested as the builder will be required to obtain a building permit from the town before construction can begin.

Consultations

The notice has been circulated to property owners within a 60-metre radius and in the Windsor Star. The subject application was circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, the local school boards, and several utility companies. No comments or concerns have been raised at the time this report was written.

Recommendation

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-05-2024 File # 4183 be approved subject to the following conditions: None

Prepared By:
Planning Technician

Ryan Tufts, Planning Technician

Communications

Notice is placed in the local newspaper, pursuant to the *Planning Act*.

Notifications

None

Report Approval Details

Document Title:	A-05-2024.docx
Attachments:	- B-05-2024 Timberland FIG 1.pdf - A-05-2024 Timberland FIG 2.pdf
Final Approval Date:	May 7, 2024

This report and all of its attachments were approved and signed as outlined below:



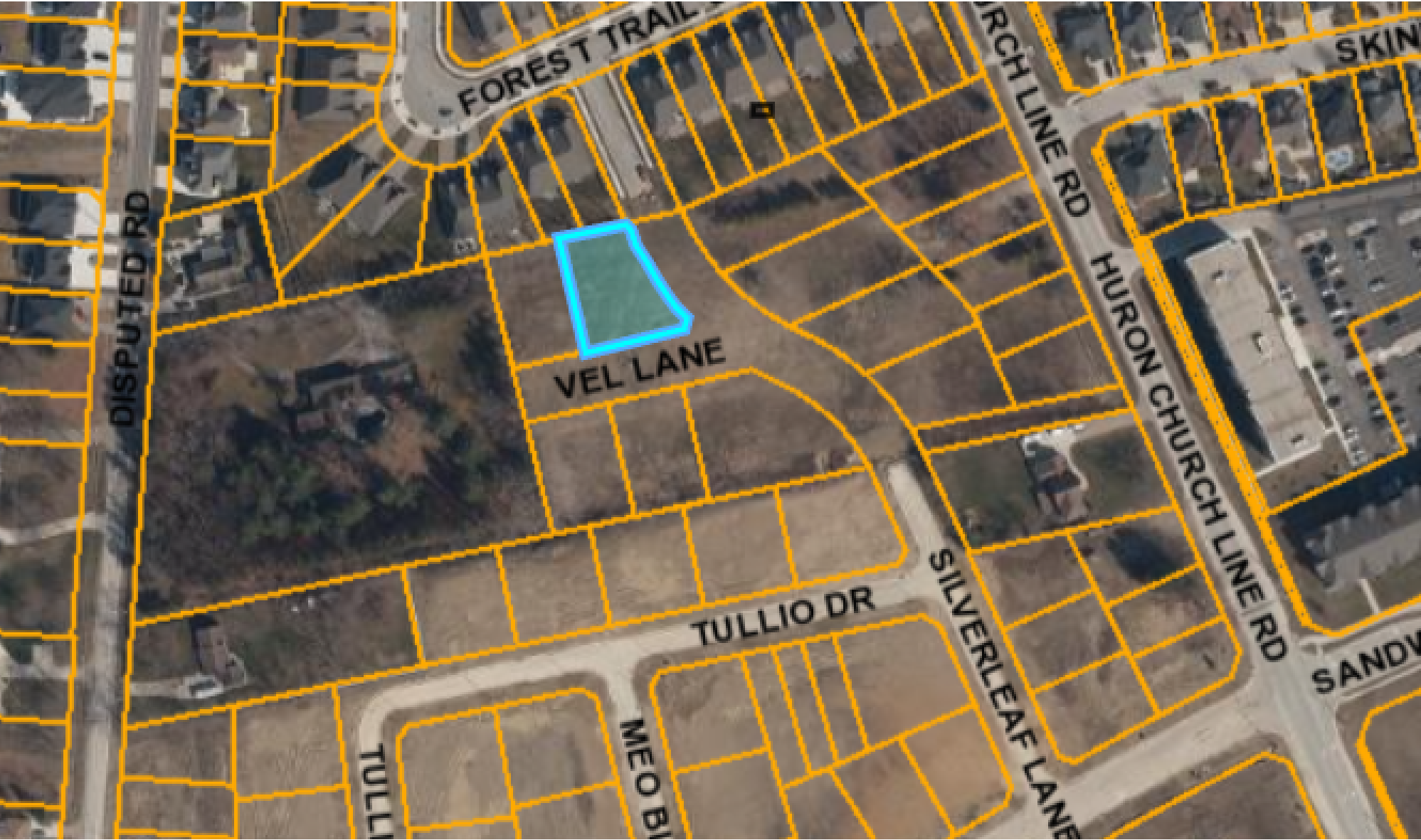
Allen Burgess, MCIP, RPP
Supervisor of Planning & Development Services
Town of LaSalle


Allen Burgess

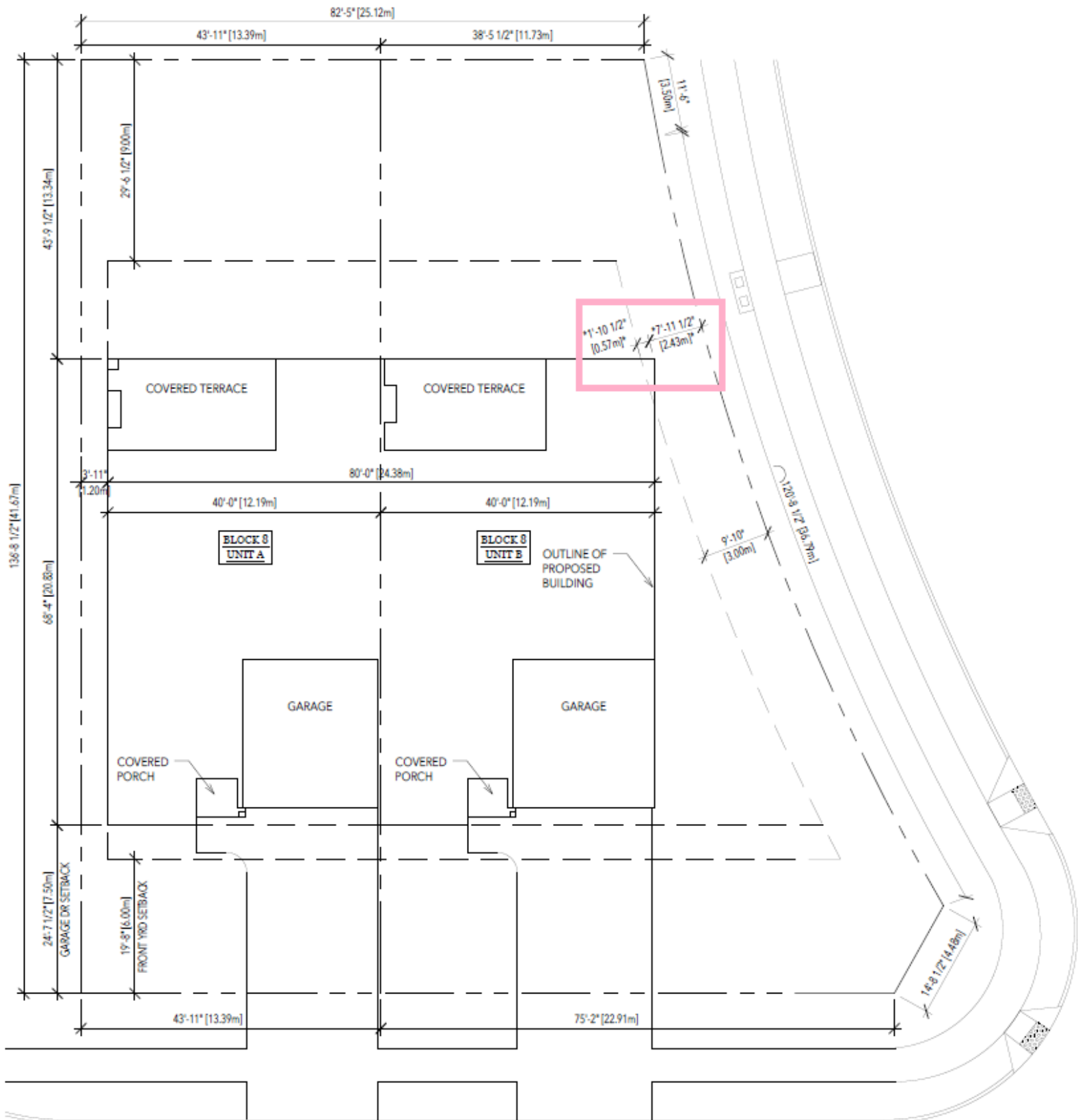


Manager, Planning and Development

Kristina Brcic



Legend:		LaSalle File No: A-05-2024	Title:	FIGURE 1 -SUBJECT LANDS
		Applicant: Timberland	Notes:	
		Date: May 1 2024	15	This document is not a Legal Plan of Survey.



Legend:



LaSalle File No: A-05-2024

Applicant: Timberland

Date: May 1, 2024

Title:

FIGURE 2 -SITE PLAN

16Notes:

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The Corporation of the Town of LaSalle

To: Members of the Committee of Adjustment

Prepared by: Ryan Tufts, Planning Technician

Department: Planning & Development

Date of Report: April 24, 2024

Report Number: PD-15-2024

Attachments: Figure 1- Location, Figure 2- Site Plan

Subject: Consent Application B-06-2024 File 4181 for lot creation

Application for Consent: B-06-2024 File 4181

Application on Behalf of: Tom and Kasia Touralias

Location of Application: 1407 Stuart Avenue

Purpose & Effect of Application

The subject land is located at 1407 Stuart Avenue, is designated 'Residential District' in the Official Plan, and is zoned Residential One (R1), according to Zoning By-law No. 8600.

The applicant wishes to sever three parcels of land each with a frontage of 9.1 metres (30') and a depth of 36.5 metres (119.8') having an area of approximately 334 m². The retained parcel of land will have a frontage of 9.1 metres (30') and a depth of 36.5 metres (119.8') having an area of approximately 334 m². Should this application be approved, the applicant wishes to create four lots fronting on Stuart Avenue for the construction of two semi-detached dwellings.

Report

The Provincial Policy Statement (PPS) provides direction on matters of provincial interests as they relate to planning and development. In reviewing the proposed severances, the new lot is in keeping with the character and built form in the surrounding neighbourhood.

The following are relevant sections of the Provincial Policy Statement that were considered as they relate to the proposed development;

- i) In section 1.0 of the PPS it states that “Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy, and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.”
- ii) In section 1.1.2 of the PPS it states “Within settlement areas, sufficient land shall be made available through intensification and redevelopment...”
- iii) In section 1.4.3 of the PPS it states that “Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:
 - d) *promoting densities for new housing that efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*

In the County of Essex Official Plan, the subject lands are located within a “Settlement Area” designation. It is my opinion that the new lot is in keeping with the policies and the goals of this upper-tier plan.

- i) In sections 3.2.4 of the County OP, goals for lands in the “Primary Settlement Areas” are as follows:
 - a) *Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.*
 - b) *Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).*
 - h) *All types of land use are permitted within the “Settlement Areas” designation subject to the specific land use policies of the local Official Plans.*

The Official Plan for the Town of LaSalle designates the lands subject to this application as a “Residential District” and are located within the Urban Area.

Section 3.3.1 of the LaSalle Official Plan contains a set of goals for lands designated residential, including the following:

“To promote and encourage private landowners, developers, and builders to undertake residential intensification activities in areas of the town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, conversions, and

redevelopment, and will be encouraged in certain areas of the town as a means of increasing the supply of affordable rental and ownership housing.

A broad range of residential dwelling unit types are permitted within Section 4.7 of the LaSalle Official Plan, the “Residential District” land use designation, including single detached, semi-detached, townhouse, and apartment-type dwelling units.

In sections 7.8.3 of the Town of LaSalle OP, goals for lands in the “Severances” include:

- a) The creation of lots may be permitted by severance if it has been established that the development would not more appropriately proceed by way of Plan of Subdivision or Plan of Condominium.
- b) New residential development created by severance is encouraged to be located in areas designated for growth by this Plan.
- c) Severances that would contribute to ribbon or strip residential development shall not be approved unless it is a severance that represents the “infill” of an area that has already experienced ribbon development and is located within the urban area boundary. Further, the development should represent the limit of development on the property and any remaining lands should not be suitable for further division.
- d) Applications for severances that would result in a parcel being landlocked shall not be approved.
- e) The creation of lots may be permitted by severance if the proposed and retained lot(s):
 - i) Front onto an existing public road that is maintained on a year-round basis by the Town;
 - ii) Can be accessed by a driveway that does not create a traffic hazard;
 - iii) Satisfy any separation distances required between the proposed land uses for the severed lot(s) and the neighbouring land uses;
 - iv) Satisfy the minimum lot area requirements established for any land use/land use designation of this Plan and of the implementing Zoning By-law;
 - v) Achieve an appropriate lot configuration that is compatible with the surrounding community character;
 - vi) Can be serviced by the Town’s water supply and sewage system without adversely affecting the Town’s finances, or by private well and wastewater disposal system where municipal services are not planned or existing;

- vii) Can be supplied with other municipal services such as fire protection and road maintenance, without adversely affecting the Town's finances; and,
- viii) Generally, result in no more than 5 lots in total.

As noted earlier in this report, the subject lands are zoned Residential One (R1). singles and semi-detached dwellings are permitted in the R1 zone.

As a result of the proposed severance two semi-detached buildings will be constructed over the four proposed lots, resulting in four separate dwellings.

It is my opinion that the proposed severance are in keeping with the policies and the intent of the Provincial Policy Statement, the County of Essex Official Plan, and the Town LaSalle Official Plan and Zoning By-law.

Consultations

The notice has been circulated to property owners within a 60-metre radius and in the Windsor Star. The subject application was circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, the local school boards, and several utility companies. No comments or concerns have been raised at the time this report was written.

Recommendation

Whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-06-2024 File #4181 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed, numbered, dated, and registered to be submitted to the Secretary-Treasurer;
2. That all property taxes be paid in full;
3. That a cash-in-lieu of parkland dedication fee in the amount of \$750 per lot be paid to the Corporation of the Town of LaSalle;
4. That the Applicant submits an updated lot grading and servicing plan prepared by a Professional Engineer for the subject lands to the satisfaction of the Town Engineer;

5. That the Applicant submits an as-built drawing for the servicing work to the municipality for review and approval;
6. That the Applicant obtain a right-of-way permit from the Town's Public Works Department;
7. That the Applicant provide all easements and dedications, pertaining to the subject lands, to be prepared and registered at the entire cost of the Applicant, including but not limited to such matters as servicing easements and road widening dedications as they relate to the development of the subject lands;
8. That the Applicant provides financial security in an amount satisfactory to the municipality to ensure proper installation of services. A portion of this security will be held by the municipality until such time as all restoration works and deficiencies are deemed complete by the Town;
9. That all of the above conditions be fulfilled on or before May 22, 2026.

Prepared By:
Planning Technician

Ryan Tufts, Planning Technician

Communications

Notice is placed in the local newspaper, pursuant to the *Planning Act*.

Notifications

None.

Report Approval Details

Document Title:	B-06-2024.docx
Attachments:	- B-06-2024 Touralias FIG 1.pdf - B-06-2024 Touralias FIG 2.pdf
Final Approval Date:	May 7, 2024

This report and all of its attachments were approved and signed as outlined below:



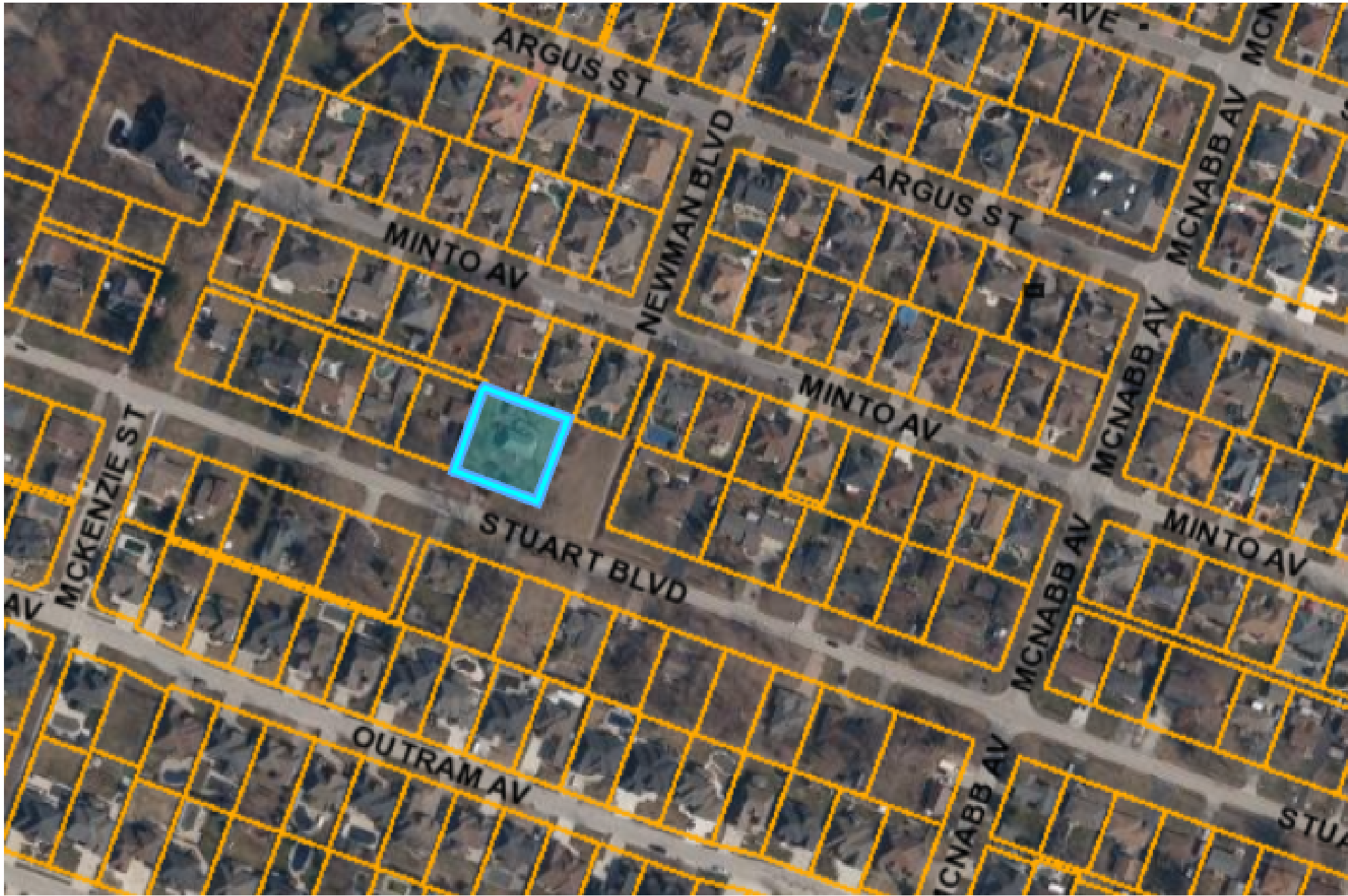
Allen Burgess, MCIP, RPP
Supervisor of Planning & Development Services
Town of LaSalle

Allen Burgess



Manager, Planning and Development

Kristina Brcic



Legend:



LaSalle File No: B-06-2024

Applicant: Touralias

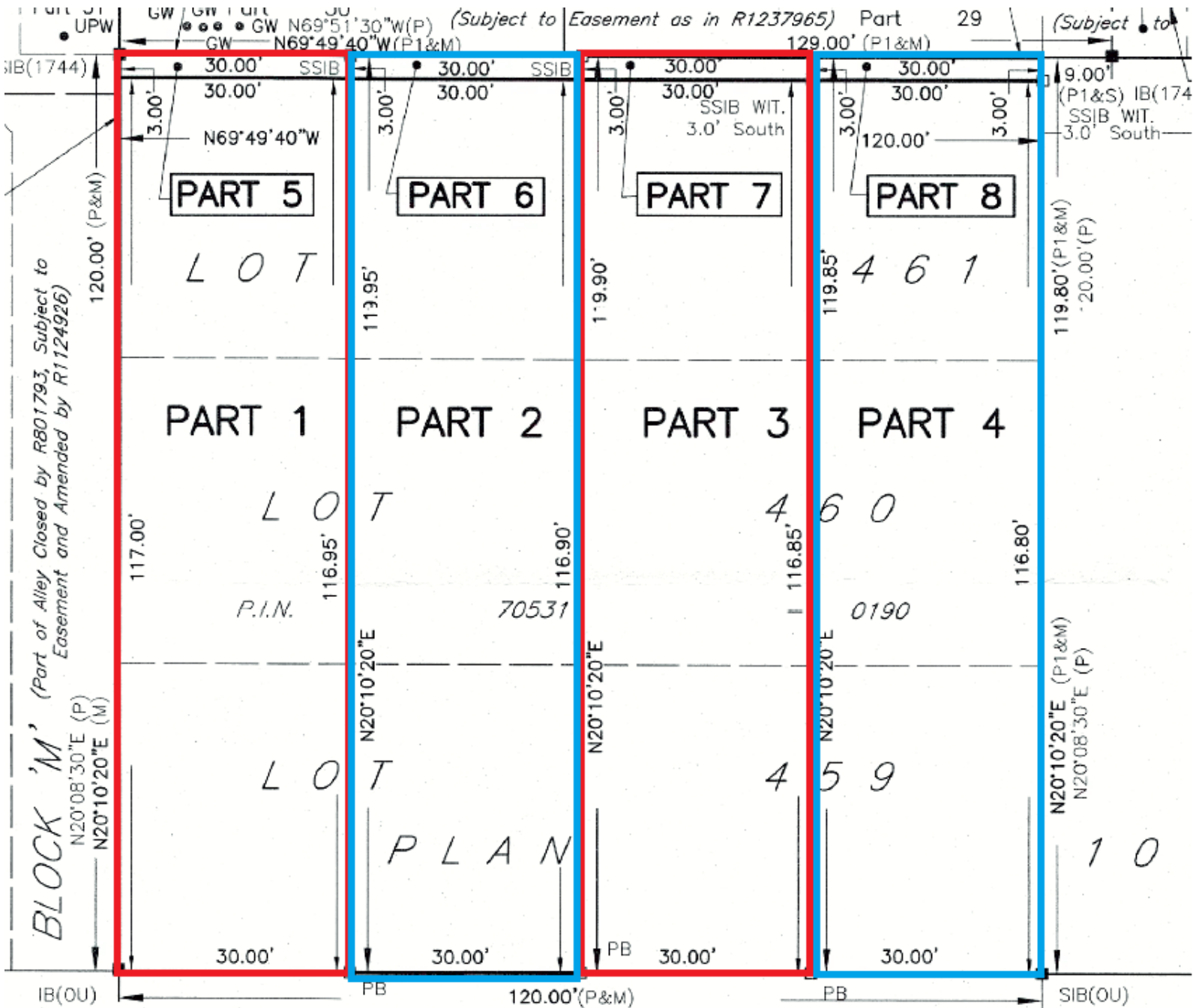
Date: May 1 2024

Title:

FIGURE 1 -SUBJECT LANDS

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P.I.N. 70531 - 0148

STUART (DEDICATED BY REGISTERED PLAN 1017) BOULEVARD

Legend:



LaSalle File No: B-06-2024

Applicant: Touralias

Date: May 1, 2024

Title:

FIGURE 2 -DRAFT SURVEY

24Notes:

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The Corporation of the Town of LaSalle

To: Members of the Committee of Adjustment

Prepared by: Ryan Tufts, Planning Technician

Department: Planning & Development

Date of Report: April 24, 2024

Report Number: PD-16-2024

Attachments: Figure 1- Location, Figure 2- Site Plan

Subject: Consent Applicant B-07-2024 File 4184 for lot creation

Application for Consent: B-07-2024 File 4184

Application on Behalf of: Wantup Investment and Sinva Construction

Location of Application: 307 Sacred Heart

Purpose & Effect of Application

The subject land located at 307 Sacred Heart, is designated 'Residential District' in the Official Plan, and is zoned Residential One (R1), according to Zoning By-law No. 8600.

The applicant wishes to sever a parcel of land with a frontage of approximately 16 metres and a depth of approximately 29 metres, having an area of approximately 475 m². The retained parcel of land will have a frontage of approximately 16 metres and a depth of approximately 29 metres having an area of approximately 475 m². Should this application be approved, the applicant wishes to create one new lot fronting on Sacred Heart Drive.

Report

The Provincial Policy Statement (PPS) provides direction on matters of provincial interests as they relate to planning and development. In reviewing the proposed severances, the new lot is in keeping with the character and built form in the surrounding neighbourhood.

The following are relevant sections of the Provincial Policy Statement that were considered as they relate to the proposed development;

- i) In section 1.0 of the PPS it states that “Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy, and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.”
- ii) In section 1.1.2 of the PPS it states “Within settlement areas, sufficient land shall be made available through intensification and redevelopment...”
- iii) In section 1.4.3 of the PPS it states that “Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:
 - d) *promoting densities for new housing that efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*

In the County of Essex Official Plan, the subject lands are located within a “Settlement Area” designation. It is my opinion that the new lot is in keeping with the policies and the goals of this upper-tier plan.

- i) In sections 3.2.4 of the County OP, goals for lands in the “Primary Settlement Areas” are as follows:
 - a) *Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.*
 - b) *Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).*
 - h) *All types of land use are permitted within the “Settlement Areas” designation subject to the specific land use policies of the local Official Plans.*

The Official Plan for the Town of LaSalle designates the lands subject to this application as a “Residential District” and are located within the Urban Area.

Section 3.3.1 of the LaSalle Official Plan contains a set of goals for lands designated residential, including the following:

“To promote and encourage private landowners, developers, and builders to undertake residential intensification activities in areas of the town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, conversions, and

redevelopment, and will be encouraged in certain areas of the town as a means of increasing the supply of affordable rental and ownership housing.

A broad range of residential dwelling unit types are permitted within Section 4.7 of the LaSalle Official Plan, the “Residential District” land use designation, including single detached, semi-detached, townhouse, and apartment-type dwelling units.

In sections 7.8.3 of the Town of LaSalle OP, goals for lands in the “Severances” include:

- a) The creation of lots may be permitted by severance if it has been established that the development would not more appropriately proceed by way of Plan of Subdivision or Plan of Condominium.
- b) New residential development created by severance is encouraged to be located in areas designated for growth by this Plan.
- c) Severances that would contribute to ribbon or strip residential development shall not be approved unless it is a severance that represents the “infill” of an area that has already experienced ribbon development and is located within the urban area boundary. Further, the development should represent the limit of development on the property and any remaining lands should not be suitable for further division.
- d) Applications for severances that would result in a parcel being landlocked shall not be approved.
- e) The creation of lots may be permitted by severance if the proposed and retained lot(s):
 - i) Front onto an existing public road that is maintained on a year-round basis by the Town;
 - ii) Can be accessed by a driveway that does not create a traffic hazard;
 - iii) Satisfy any separation distances required between the proposed land uses for the severed lot(s) and the neighbouring land uses;
 - iv) Satisfy the minimum lot area requirements established for any land use/land use designation of this Plan and of the implementing Zoning By-law;
 - v) Achieve an appropriate lot configuration that is compatible with the surrounding community character;
 - vi) Can be serviced by the Town’s water supply and sewage system without adversely affecting the Town’s finances, or by private well and wastewater disposal system where municipal services are not planned or existing;

- vii) Can be supplied with other municipal services such as fire protection and road maintenance, without adversely affecting the Town's finances; and,
- viii) Generally, result in no more than 5 lots in total.

As noted earlier in this report, the subject lands are zoned Residential One (R1). Both single detached dwellings and semi-detached dwellings are permitted in the R1 zone.

The applicant will demolish the existing home and as a result, the proposed severance will facilitate the construction of two single detached dwellings.

It is my opinion that the proposed severance is in keeping with the policies and the intent of the Provincial Policy Statement, the County of Essex Official Plan, and the Town LaSalle Official Plan and Zoning By-law.

Consultations

The notice has been circulated to property owners within a 60-metre radius and in the Windsor Star. The subject application was circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, the local school boards, and several utility companies. No comments or concerns have been raised at the time this report was written

Recommendation

Whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-07-2024 File #4184 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed, numbered, dated, and registered to be submitted to the Secretary-Treasurer;
2. That all property taxes be paid in full;
3. That a cash-in-lieu of parkland dedication fee in the amount of \$750 per lot be paid to the Corporation of the Town of LaSalle;
4. That the Applicant submits an updated lot grading and servicing plan prepared by a Professional Engineer for the subject lands to the satisfaction of the Town Engineer;

5. That the Applicant submits an as-built drawing for the servicing work to the municipality for review and approval;
6. That the Applicant obtain a right-of-way permit from the Town's Public Works Department;
7. That the Applicant provide all easements and dedications, pertaining to the subject lands, to be prepared and registered at the entire cost of the Applicant, including but not limited to such matters as servicing easements and road widening dedications as they relate to the development of the subject lands;
8. That the Applicant provides financial security in an amount satisfactory to the municipality to ensure proper installation of services. A portion of this security will be held by the municipality until such time as all restoration works and deficiencies are deemed complete by the Town;
9. That the applicant obtain a demolition permit from the Town's Building Department;
10. That all of the above conditions be fulfilled on or before May 22, 2026.

Prepared By:
Planning Technician

Ryan Tufts, Planning Technician

Communications

Notice is placed in the local newspaper, pursuant to the *Planning Act*.

Notifications

None

Report Approval Details

Document Title:	B-07-2024.docx
Attachments:	- B-07-2024 Wantup FIG 1.pdf - B-07-2024 Wantup FIG 2.pdf
Final Approval Date:	May 7, 2024

This report and all of its attachments were approved and signed as outlined below:



Allen Burgess, MCIP, RPP
Supervisor of Planning & Development Services
Town of LaSalle

Allen Burgess



Manager, Planning and Development

Kristina Brcic



Legend:



LaSalle File No: B-07-2024

Applicant: Wantup Investments

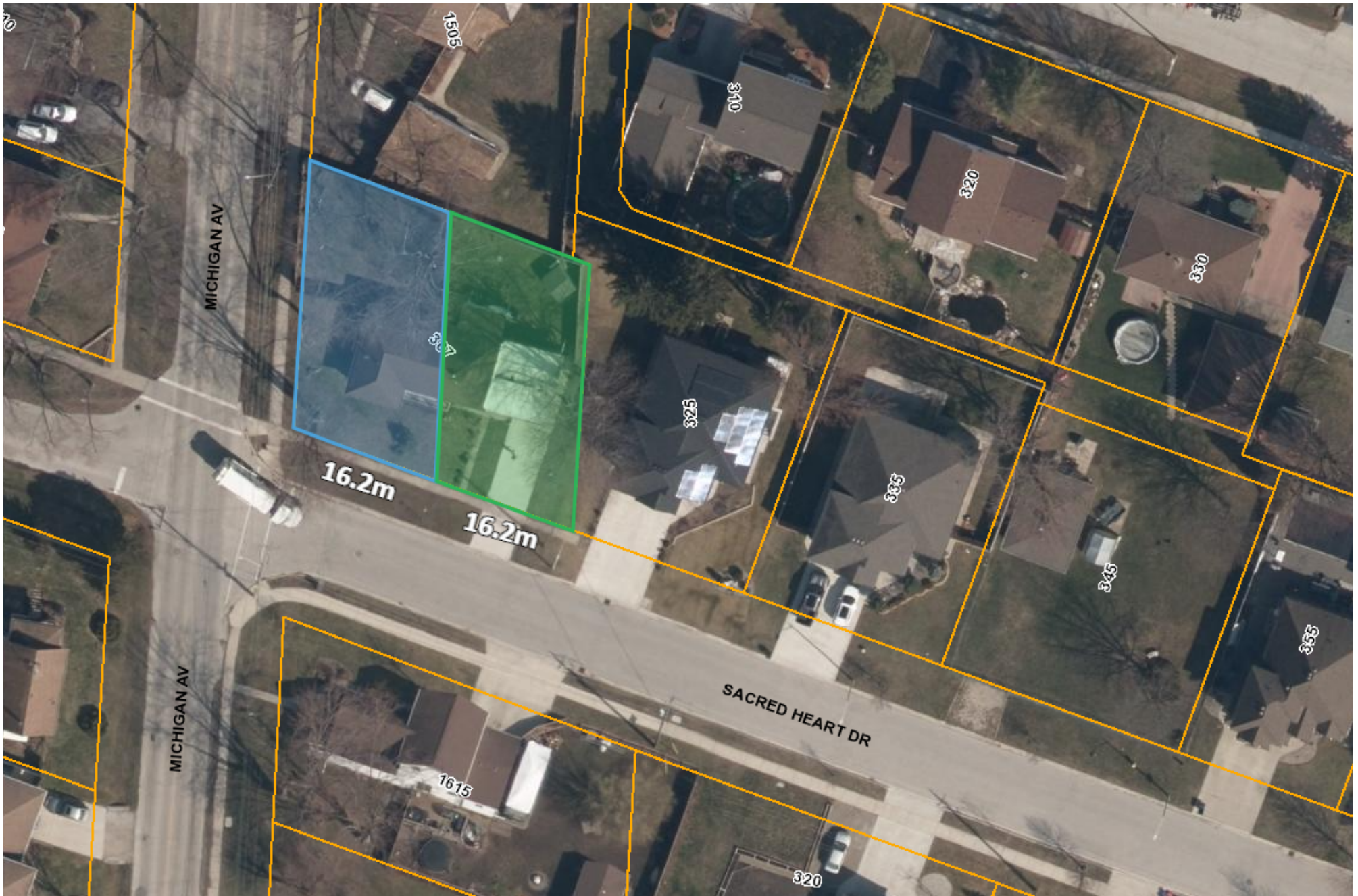
Date: May 1 2024

Title:

FIGURE 1 -SUBJECT LANDS

Notes:
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This document is not a Legal Plan of Survey.



Legend:



LaSalle File No: B-07-2024

Applicant: Wantup Investments

Date: May 1 2024

Title:

FIGURE 2 -PROPOSED SEVERANCE

Notes:

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This document is not a Legal Plan of Survey.



The Corporation of the Town of LaSalle

Minutes of the Meeting of the Committee of Adjustment

April 17, 2024

5:00 p.m.

Council Chambers, LaSalle Civic Centre, 5950 Malden Road

Members Present:

Theresa Nicodemo, James Boscariol, Valentina Brunone, Vince Marcotte, Maria Ferraro

Administration Present:

R. Tufts, Planning Technician/Secretary Treasurer, A. Burgess, Supervisor of Planning and Development, K. Brcic, Manager of Planning & Development, R. Tufts, Council Coordinator, S. Smith, IS Administrator

1. Opening Business

1.1 Call to Order

Theresa Nicodemo, Chair, called the meeting to order at 5:00 p.m.

1.2 Land Acknowledgement Statement

Theresa Nicodemo read the land acknowledgement statement.

1.3 Appeal Notice

Theresa Nicodemo read the appeal notice.

2. Disclosures of Pecuniary Interest and the General Nature Thereof

None disclosed.

3. Adoption of Minutes from Previous Meeting

COA-07-24

Moved By: Maria Ferraro

Seconded By: Vince Marcotte

That the minutes of the meeting of the Committee of Adjustment dated March 20, 2024, be adopted as presented.

Carried.

4. Requests for Withdrawal or Deferral

None received.

5. Current Applications

5.1 Consent Application B-01-2024 File 4174 for V/L Lorne Avenue and, Minor Variance Application A-02-2024 File 4176 for 1725 Sprucewood Avenue

Kristina Brcic presented the application.

Mohamed Tabib, owner, appeared before the Committee and confirmed that he read and accepted the recommendations in the staff report.

Christine Perry, representing the owners at 1620 Normandy Street, had questions regarding the Town Centre design if this design meets all the criteria and parking.

Mrs. Brcic explained that the application meets the zoning requirements, the design meets the Official Plan, and the parking requirements are regulated in the Zoning By-law.

Dr. Tabib explained that the commercial component will be business uses and that the design of the building only allows office uses.

Mrs. Perry asked about potential grading issues.

Mrs. Brcic explained grades are determined at the building permit stage.

Danny Curtis, 1735 Sprucewood Avenue, wants a privacy fence along the entire length of the property and a chain link from the front of the new building to the front property line.

Mrs. Brcic explained that this meeting is handling Consents and Minor Variances and that Mr. Curtis's comments do not pertain to these applications.

Franco Enea, 5930 Newman Boulevard, asked about the gap between his property and the development.

Mrs. Brcic explained there is an open alley.

Vince Marcotte asked when the Official Plan was adopted.

Mrs. Brcic confirmed it was adopted in 2018.

Mr. Marcotte asked when the Zoning By-law was adopted.

Mrs. Brcic confirmed it was adopted in 2021.

Mr. Marcotte explained to the Committee that the overall design for this area was established well in advance of this meeting.

COA-08-24

Moved By: Valentina Brunone

Seconded By: James Boscariol

That whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-01-2024 File #4174 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed,

numbered, dated, and registered to be submitted to the Secretary-Treasurer;

2. That the Secretary-Treasurer be provided with an undertaking from the Applicant's solicitor confirming the severed portion of the land shall be consolidated with the abutting property and that the solicitor provide confirmation of completion;
3. That all of the above conditions be fulfilled on or before April 17, 2026.

Carried.

COA-09-24

Moved By: Maria Ferraro

Seconded By: Vince Marcotte

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-02-2024 File # 4176 be approved subject to the following conditions:

1. That File B-01-2024 be approved;
2. That a Site Plan Control Agreement is registered on the property;
3. That all the above conditions be fulfilled on or before April 17, 2026.

Carried.

5.2 Consent Application B-04-2024 File 4179 for lot creation

Ryan Tufts presented the application.

Paul Crema, owner, appeared before the Committee and confirmed that he accepted the recommendations in the staff report.

Cheryl Doyle, 351 Superior Street, wanted to know what the setbacks are and what will be happening with the trees.

Mr. Crema explained that they had already trimmed the tree.

Theresa Nicodemo reminded Mrs. Doyle that the condition of trees is not the subject of the application and that we will only be discussing the severance.

Mr. Crema confirmed that these lots are bigger than the lots they built on Huron Street.

Vince Marcotte asked administration what the setbacks are.

Mr. Tufts explained the front and rear yard setbacks.

Jim Boscariol asked what the side yard setbacks are.

Mr. Tufts explained the side yard setbacks.

COA-10-24
Moved By: James Boscarol
Seconded By: Valentina Brunone

That whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-04-2024 File #4179 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed, numbered, dated, and registered to be submitted to the Secretary-Treasurer;
2. That all property taxes be paid in full;
3. That a cash-in-lieu of parkland dedication fee in the amount of \$750 per lot be paid to the Corporation of the Town of LaSalle;
4. That the Applicant submits an updated lot grading and servicing plan prepared by a Professional Engineer for the subject lands to the satisfaction of the Town Engineer;
5. That the Applicant submits an as-built drawing for the servicing work to the municipality for review and approval;
6. That the Applicant provide all easements and dedications, pertaining to the subject lands, to be prepared and registered at the entire cost of the Applicant, including but not limited to such matters as servicing easements and road widening dedications as they relate to the development of the subject lands;
7. That the Applicant provides financial security in an amount satisfactory to the municipality to ensure proper installation of services. A portion of this security will be held by the municipality until such time as all restoration works and deficiencies are deemed complete by the Town;
8. That all of the above conditions be fulfilled on or before April 17, 2026.

Carried.

5.3 Consent Application B-05-2024 File 4180 for lot creation

Ryan Tufts presented the application.

Kevin Miller, agent, appeared on Zoom and confirmed that he read and accepted the recommendations in the staff report.

COA-11-24
Moved By: Maria Ferraro
Seconded By: Vince Marcotte

That whereas the Consent is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application B-05-2024 File #4180 be approved subject to the following:

1. That one (1) paper copy and one (1) digital copy in .DWG format of a reference plan depicting the subject lands, which has been prepared by an Ontario Land Surveyor and which has been signed, numbered, dated, and registered to be submitted to the Secretary-Treasurer;
2. That all of the above conditions be fulfilled on or before April 17, 2026.

Carried.

6. Next Meeting

The next meeting of the Committee of Adjustment will take place on Wednesday, May 22, 2024 at 5:00 p.m.

7. Adjournment

The meeting is adjourned at 6:00 p.m.

Theresa Nicodemo, Chair

Ryan Tufts, Secretary-Treasurer