

**MOUSSEAU DELUCA**  
**McPHERSON PRINCE LLP**  
BARRISTERS & SOLICITORS

**ATTACHMENT 1 (36pgs)**

LEON Z. MCPHERSON, Q.C. (1954-1989)  
WALTER H. PRINCE, LL.D., Q.C. (1955-2005)  
THOMAS R. PORTER, B.A., LL.B.  
RICHARD LEE POLLOCK, B.P.A., LL.B.  
JOSEPH R. DE LUCA, B.A.(HON), LL.B.  
JENNIFER SIMPSON ROOKE, B.A.(HON.), LL.B.  
ALEXA M. POSLIEFF, B.A. (SPEC. HON.), J.D.(CAN/US), LL.M.\*  
ARMANDO D'ALESSANDRO, B.A.(HON.), J.D. (CAN/US)

MAX N. MOUSSEAU, Q.C. (1949-1988)  
ARMANDO F. DELUCA, O.Ont., Q.C. (1965-2011)  
EDWARD J. POSLIEFF, B.A.(HON.), LL.B., LL.M.  
ILIAS KIRITSIS, LL.B., J.D.  
JEFFREY W. NANSON, B.Sc.(HON.), LL.B.  
ZUZANA (SUE) SZASZ, B.A.(HON.), J.D.  
SAMANTHA GREENSPAN, B.A.(HON.), MA(CRM), J.D.(CAN/US)  
TEODORA SLJEPCEVIC, B.A.(HON.), J.D.

\* MEMBER OF NEW YORK STATE BAR

September 29, 2020

The Corporation of the Town of LaSalle  
5950 Malden Road  
LaSalle, Ontario N9H 1S4  
Phone: 519-969-7770  
Fax: 519-969-4469

Attention:

Ms. Agatha Robertson, Director of Council Services and Clerk  
[arobertson@lasalle.ca](mailto:arobertson@lasalle.ca)

Dear Madam:

**RE: Seven Lakes Subdivision Agreements (Donato and Meo Subdivision Agreements)**

**AND RE: Asphalt Trail Condition**

**AND RE: 7229 Meo, Tom Lascak (Meo Subdivision)**  
**7233 Meo, Peter and Franca Piazza (Donato Subdivision)**  
**7241 Meo, Nour Ghamrawi (Donato Subdivision)**

I write to you at the request of the residents at 7229, 7233, 7237 and 7241 Meo Drive.

The residents seek an exemption from the provisions of their respective subdivision agreements which mandate the installation of an asphalt trail in front of their homes. In the alternative, the residents seek amendments to the subdivision agreement to achieve the same effect.

As this is only possible through the exercise of Council's discretion, the residents request to appear before Council as a delegation.

Mr. Donato has acknowledged his representations to some of the property owners at the time of their respective agreements of purchase and sale that concrete sidewalks would be installed at the developer's expense. In his words, he "missed it". The fact is that these residents, including the lot with an existing strip of asphalt believed they had bargained for concrete sidewalks. (*Mr. Lascak of the adjoining Meo subdivision believed that his asphalt was temporary*)

The residents understand that the Town may say “*you should have known*”  
Respectfully, this should not prevent Council from considering how and why it is also in the Town’s interests to consider the matter.

I am not aware of Mr. Meo’s agreements with the Town. For reasons raised by the contents of this letter, Council would be assisted with an answer to the following question: within the Meo subdivision there exists but **one lot** with asphalt trail as opposed to a sidewalk: Why?

We have had an opportunity to review Mr. Marra’s letter to Councillors precipitated by the recent concerns of residents. Mr. Marra states:

*“While the thought from the residents is that this trail starts no where and goes no where, is far from true. It is just the overall network is being built in stages and will eventually provide a well interconnected network that will allow our residents to interconnect with each other from different neighbourhoods in a very pedestrian safe manner and will also safety interconnect them into our already great trail system.”*

The residents support the Town’s vision with respect to the trail system. Moreover, they appreciate and understand the reasoning behind its design and the important principles which underpin their placement. The residents understand that consistent with the policy objective of the Official Plan, all new roads linked to the existing and planned asphalt trails should contain a condition in their respective subdivision agreements calling for an asphalt trail and parallel sidewalks in all “catch roads”.

This policy has not been fairly applied in connection to Meo Blvd.

The impacted residents ask you to give consideration to their position and request. In these specific circumstances, for the following reasons, a sidewalk is much preferred to a trail. The residents ask that you consider factors which were not specifically addressed in Mr. Marra’s letter to Council.

This is one the few blocks in LaSalle that lacks a contiguous sidewalk or trail within the same residential block. The block envisioned by Administration is one which includes a sidewalk that *morphs* into a trail; or vice versa. This can’t accord with good planning principles.

Mr. Marra states:

*“On collector roads within LaSalle, for all new subdivisions, the Town has a long term plan and vision for pedestrian safety in having facilities on these busier roads that address traffic as well as our residents. On collector roads, of course there will be the road, but there is almost always a sidewalk on one side, and a off road multi use trail on the other*

*side and in some cases bike lanes on the road. These treatments, will cater to a wide variety of users and keep these users safe and provide them with facilities they feel safe using. For example, those walking - will use the sidewalk, those who ride bikes - the more experienced rider (the road warriors) will use the on road bike lanes (if available) and those with families and small children - will inherently use the off road multi use trail."*

The text above suggests that there is a prohibition regarding the use of bicycles on trails. Anecdotal evidence in the Town would suggest otherwise.

Consistent with the safety reasoning expressed above, it would seem clear that a concrete sidewalk that feeds into a trail; and vice versa, runs contrary to the public safety goals that underpin the trails system referenced above. Moreover, liability concerns should be considered in situations, like this, where the Town is indirectly encouraging both cyclists and pedestrians to use the same contiguous sidewalk/trail.

As your residents understand the safety component, pedestrians are encouraged to use sidewalks, while runners and cyclists are encouraged to use trails (there are no bike lanes in either the Donato or Meo subdivision: existing or contemplated). There is little precedent in the Town, for a policy which both discourages appropriate use and encourages unwanted use. This would arise if the present plan on Meo Blvd. were allowed to proceed as recommended by Administration.

With respect to the request of the residents we note that:

1. No trail user would be directly impacted by a sidewalk as opposed to a trail.
2. By all accounts the combined sidewalk /trail is not aesthetically appealing.
3. Trails are not known to be close to homes. Here they would be. And for the corner lot, even more so.

The impact to the trail system itself, should Council accede to this request, would be minimal to non-existent.

The only persons with direct access to the trail are the impacted home owners. In other words, any person who seeks to access the subject trail would have to access same using the Meo sidewalk; from the road via one of the resident's driveways; or access the trail from the north after crossing a road (Donato)

We ask that you consider a waiver of the relevant subdivision agreement condition in connection to these properties, as in these circumstances:

1. It would not negatively impact good planning principles;
2. It is not opposed by residents in either subdivision;
3. It would ensure a contiguous sidewalk; by the continuation of the same sidewalk on Meo within the same block;

4. The absence of a trail in front of these four homes would not negatively impact the existing trails system or the policy objectives cited by Mr. Marra;
5. The absence of a trail on this block would not be noticed;
6. Maintaining a contiguous sidewalk as opposed to a trail connecting to a sidewalk would both promote safety and discourage cyclists from using the attached sidewalk to the south.

We attach the following Schedule:

**#1** Map of subject area provided by administration indicating “*area of concern*” (note that there are **no** asphalt trails in the now completed Meo subdivision except for one lot wide strip in front of for a present asphalt strip in front of one house only: directly to the south of Lot 46 on Schedule # 2, known municipally as 7229 Meo , r/o Tom Lascak

**#2** Donato Registered Plan showing Lots 46, 47 and 48 (7233 Meo, 7237 Meo, and 7241 Meo.) The small “x” denotes the current concrete sidewalk on Meo. The dark black line shows the planned subject trail system as described by Mr. Marra in his report to Councillors. Please note the following:

- Within the interior confines of the Meo subdivision there is currently one asphalt trail strip. It is in front of 7229 Meo. The Meo subdivision appears complete. But for the lot sized strip in front of Mr. Lascak’s residence there are no asphalt trails *within* the Meo subdivision
- but for the trail that encircles the Donato pond; and in front of the 3 impacted Donato homes, there are no other trails *within* the Donato subdivision.
- As such, there is no asphalt trail linking Seven Lakes to Meo; nor is there an asphalt trail linking Donato to Meo; nor is there a trail connecting Seven lakes or Donato to Disputed Road; nor is there an asphalt trail linking Donato or St. Francis to Huron Line.
- The residents do not accept administration’s reasoning as to why the asphalt trail needs to start in front of Mr. Lascak’s home. Consistency should dictate either a contiguous sidewalk or contiguous trail.
- There is no reference in Mr. Marra’s report as to why the trail does not extend directly to the park to the south end of Meo;
- nor is an explanation or underpinning planning principle offered for how a sidewalk on a residential block should morph mid block into a trail;
- Consistent with the policy cited by Mr. Marra, and common sense, the asphalt trail should begin at the northeast corner of Meo and Donato. Eventually this will be a contiguous trail connecting to Laurier Parkway. The residents support this.

- Note as well that Meo Blvd. does not run in straight line. As a result, as the trail progresses northward it increasingly interferes with the use and enjoyment of the impacted resident's property, particularly the corner lot.

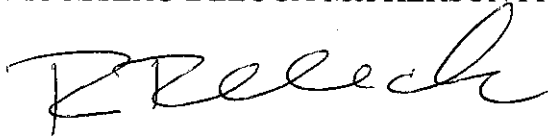
# 3 Progressive Photos which commence at Donato Drive proceeding south (*impacted residents on the left /east side of Meo commencing at corner*).

#4 Progressive photos which commence at the Parkette on the south end of Meo looking north on Meo towards Donato. (*impacted residents on the right /east side*)

#5 dated google Satellite photo showing the foot of Meo Drive (at South end). Photo shows the commencement of the north south sidewalk. It also shows that there are no trails in the Meo subdivision or anywhere else on Meo.

# 6 dated Google satellite photo showing the 4 lots in question (in black) to the north of the concrete driveway. Note that residents have already poured concrete driveways; note as well the concern of having to rip out a new driveway and/or deal with a trail running square into the concrete drive.

Yours truly,  
MOUSSEAU DELUCA McPHERSON PRINCE LLP

A handwritten signature in black ink, appearing to read 'R Pollock', written in a cursive style.

RICHARD L. POLLOCK  
RLP/sb

cc Ms. Linda Jean, Deputy Clerk  
[ljean@lasalle.ca](mailto:ljean@lasalle.ca)





Zeitung



$\bullet$  = proposed trans

**BLOCK 85**

P  
A  
R



#3

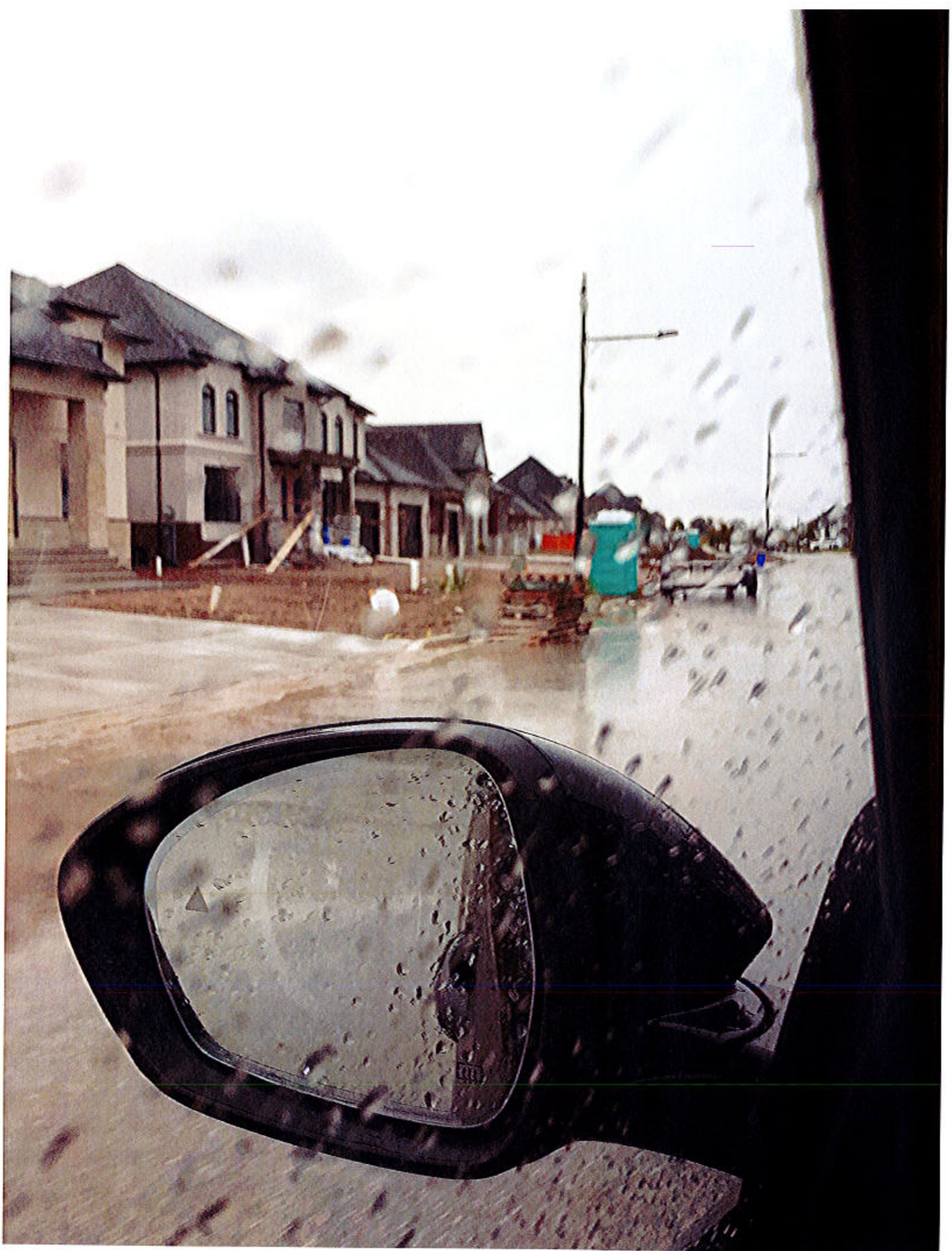




#3









































#4























































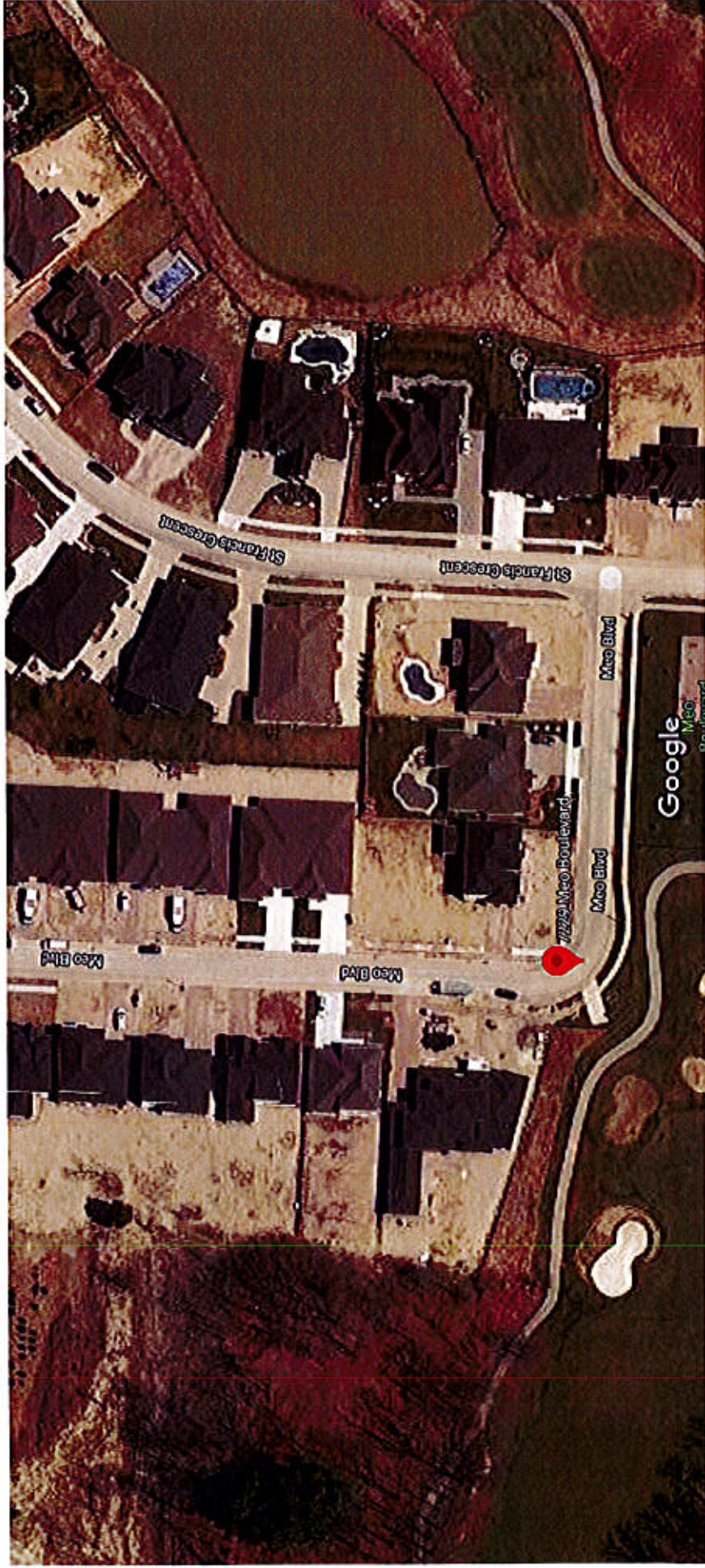












#5

#5



Handwritten marks: a large 'A' and a curved line with an arrow pointing to the map.



Handwritten marks: a blue scribble and a large black '#6'.