



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: K. Miller, Deputy Clerk / D. Dadalt, Legal Counsel

Department: Administration

Date of Report: November 30, 2020

Report Number: AD-09-2020

Subject: AD-09-2020 - Alley R2 Referral - R. and A. Mancini

Recommendation

That the report of the Deputy Clerk and Legal Counsel dated November 30, 2020 (AD-09-2020) regarding the alley referral request by R. & A. Mancini be received and that Council confirm the decision of Administration and direct that the distribution of the remaining portion of the closed alley proceed in accordance with Figure 3 to Report AD-09-2020.

Report

An application was received by the Town to convey a portion of the closed alley located east of McNabb Av. between Lansdowne Av. and Morton Dr. (refer to Figure 1). In accordance with municipal practice, Administration ordered a survey to be prepared to identify all existing structures/encumbrances in the alley. As shown on Figure 2 attached, the survey identified an existing metal fence located to the rear of 1730 and 1740 Lansdowne Av. This fence is situated approximately 1 foot from the northern limit of the 14 foot alley.

On review of the adopted policy, the location of the fence as shown on the survey and considering past practice, portions of the alley were offered to the abutting owners as shown on the alley distribution plan (Figure 3 attached). Following notification to the owners of the intended distribution, R. & A. Mancini requested the matter be referred to Council for further review. The purpose of the referral is to obtain the full north half of the alley located to the rear of 1730 and 1740 Lansdowne Av. Attached to this report are the submissions Administration received from R. & A. Mancini. Following a review of those submissions, Administration has found nothing that would alter the original distribution recommendation. Therefore, it is recommended that Council deny the

AD-09-2020

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referral request from R. & A. Mancini and confirm the distribution of the alley as shown on Figure 3.

This matter was originally scheduled to be considered at the December 8th meeting, however, was deferred at the request of Mr. and Mrs. Mancini. It is anticipated that R. & A. Mancini will be in attendance via zoom at the January 26 meeting to present their referral submissions to Council. In the event that Council deems it appropriate to alter the distribution as presented by Administration, then Council should afford the opportunity for the owners of 1730 and 1740 Lansdowne Av. to speak to the matter as it will affect the portion of the alley that was originally offered to each of them. In the event that Council confirms the distribution as shown on Figure 3, there would be no need for further delegation representations.

Consultations

N/A

Financial Implications

N/A

Prepared By:

A handwritten signature in black ink, appearing to read 'Kevin Miller'.

Kevin Miller, Deputy Clerk

A handwritten signature in black ink, appearing to read 'D. Dadalt'.

Domenic Dadalt, Legal Counsel

AD-09-2020

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Link to Strategic Goals

1. Enhancing organizational excellence - Not Applicable
2. Strengthen the community's engagement with the Town - Not Applicable
3. Grow and diversify the local economy - Not Applicable
4. Build on our high-quality of life - Not Applicable

Communications

N/A

Notifications

Council Meeting notices were mailed out to affected property owners located at 1730 Lansdowne and 1740 Lansdowne.

Report Approval Details

Document Title:	AD-09-2020 - Alley R2 Referral - R. and A. Mancini.docx
Attachments:	- Figures 1-3 Mancini Council report.pdf
Final Approval Date:	Jan 21, 2021

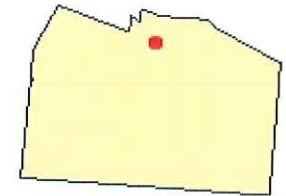
This report and all of its attachments were approved and signed as outlined below:


Chief Administrative Officer

Joe Milicia



FIGURE 1



Legend

- Essex Terminal Railway
- Water Features
- Addresses
- Parcels

Scale: 1:1,107



Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT A LEGAL SURVEY

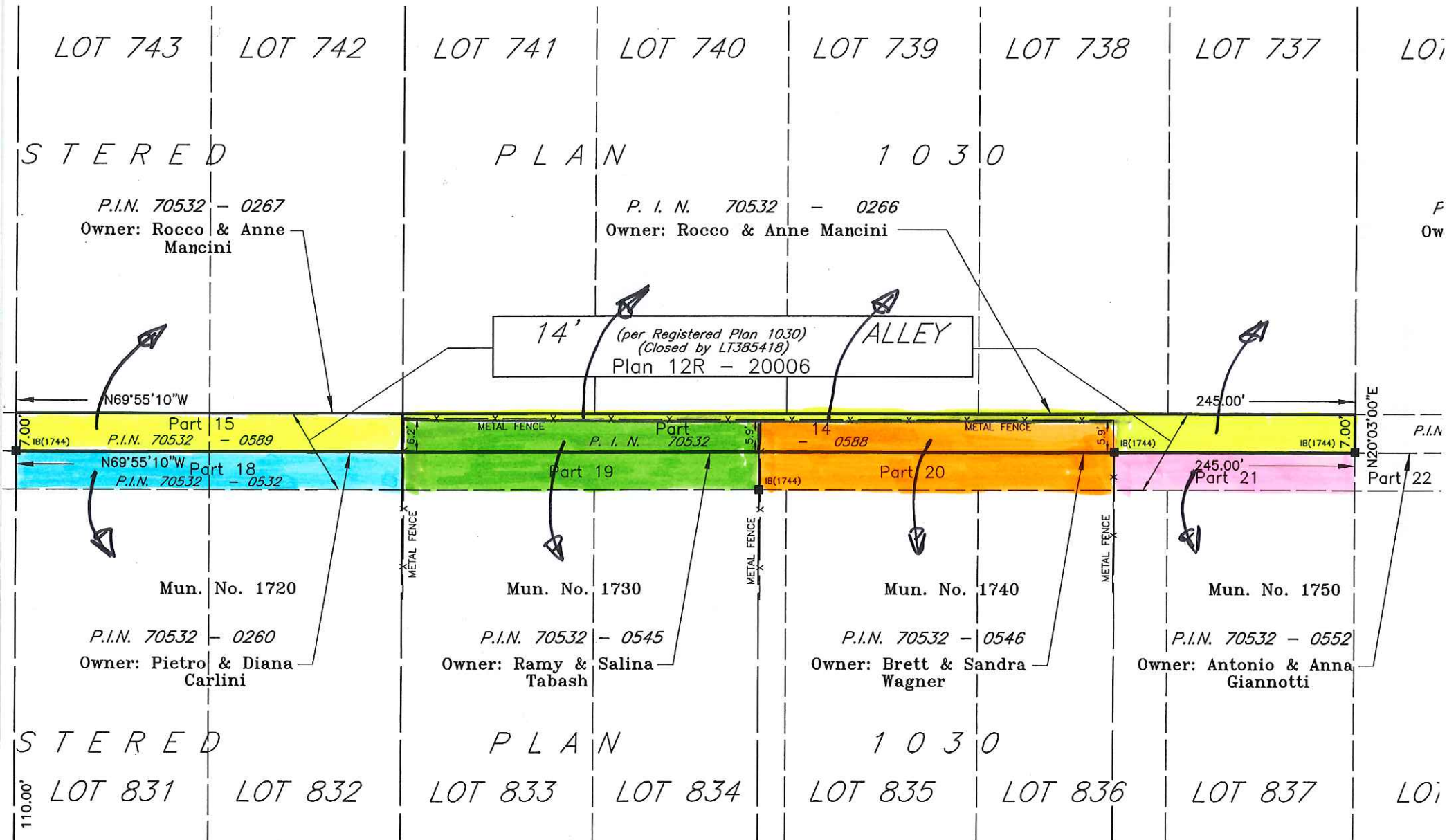
0 18 37 Meters

Printed: 11/17/2020



FIGURE 3

DISTRIBUTION PLAN



Clerk's Note: Participation will be held electronically due to COVID-19 pandemic. Delegations have been notified of the virtual Council Meeting process and a maximum of 5 minutes shall be allotted for each delegation to present his/her position of support or opposition to the relevant item on the Agenda.

Attached are written submissions provided by residents (listed below) that were notified of the Alley R2 Review.

- Rocco & Anne Mancini
- Brett & Sandra Wagner
- Ramy & Salina Tabash

RECEIVED

JAN 15 2021

COUNCIL SERVICES
TOWN OF LASALLE

January 14, 2021

Corporation of the Town of LaSalle
5950 Malden Rd.
LaSalle, Ontario N9H 1S4
ATTENTION: Councillors

Dear Sir/Madam:

Reference: Alley R2

Roll No. 3734020000051400000 & 3734020000051000000 on Morton Drive

The Provincial Municipal Act, until very recently, stated that alleys were to be split evenly (50/50) to each owner whose property backs onto or abuts these alleys. The spirit of this act was to ensure that each landowner was treated fairly and equally (without favouritism to any particular party). This act of fairness should be continued by the municipality of LaSalle.

We are requesting to be able to purchase Parts 14 & 15, Plan 12R-20006 (alley behind Morton Drive) in their entirety.

This alley has already been closed. We, along with a partner in the Lansdowne development project, paid for all the costs involved in closing the alley in question as well as paying for the survey and registered reference plan (12R-20006) in order to add 7 feet to the depth of the property on Lansdowne and the remaining 7 feet to the depth of the property on Morton. All the property owners of Lansdowne Avenue including 1740 & 1730 Lansdowne are already in possession of ½ of the alley which was included in their lot depth when they purchased the property.

The alley in question with the fence encumbrance shown as Part 14 (Plan 12R - 20006) was surveyed as one part in order to be conveyed to one owner, the owner of the adjoining lots on Morton Drive (Plan 1030, Lots 737 to 741), which is us, Rocco & Anne Mancini. At the time, the Town of LaSalle requested that we divide up the alley according to their specifications with the property line down the middle of the alley and a reference plan was duly prepared and property bars set up by a registered land surveyor at our cost according to the town's specifications. This fence was not in existence prior to the reference plan being prepared. It was clearly the town's intention to sell Parts 14 & 15 to the owners of the lands on Morton Drive. If that was not the town's intention, it would not have been necessary for us to pay for a survey and reference plan in order to split up the alley down the middle. Not allowing us to purchase Parts 14 & 15 violates the spirit of our original deal with the Town of LaSalle.

If the alley is now split up again and conveyed to multiple owners, a new reference plan to break up Part 14 must be prepared and registered which is costly.

EXHIBITS 1 - 6 – Letter from Realtor, Geowarehouse Reports, Pictures of fence & backyard area

1740 & 1730 Lansdowne had no fences at the time that the present owners took possession of the properties. In both cases, steel survey bars were visible on both properties that should have been used by the homeowners as a guide when installing the fencing. The surveyor, in his report, has confirmed that the survey bars (monuments) “mark or witness all corners of the parcel”. (Exhibit 7)

1740 Lansdowne was listed for sale on MLS and the new owners took possession of the property on September 16, 2011 (Geowarehouse Report – Exhibit 2). The property was listed by Elica Berry, Salesperson. Attached is a letter (Exhibit 1) from Ms. Berry whereby she verifies that there was no fence nor pool on the property at the time of the purchase by Sandra & Brett Wagner. Ms. Berry also states that the buyers were interested in constructing a pool and fencing the yard in the future. She goes on to say that the owners “proceeded to verify the dimensions of the property before the completion of the transaction”. The pool was installed after September 16, 2011 followed by the installation of the fence. It is clear that Sandra & Brett Wagner were aware of the limits of the lot and, in our opinion, they knowingly installed the fence outside the limits.

The home at 1730 Lansdowne was built in 2012 and the owners, Salina & Ramy Tabash, took possession of the property on September 10, 2012 (Geowarehouse Report – Exhibit 3). The fence on this property, which is perfectly aligned with the fence behind 1740 Lansdowne, was installed after the possession date of September 10, 2012. In May of 2020, Salina & Ramy Tabash had a pool constructed in the backyard of their property. A large part of the fence, that had been illegally installed on town property, was temporarily opened in order to accommodate machinery to construct the pool (Exhibit 5). It is clear from Exhibits 5 & 6 that the gates can be opened to a size large enough to allow heavy machinery into the yard to dig a pool. This homeowner used our property behind his home (without permission from us, the owners) to facilitate the construction of his pool. They were trespassing on our property and caused damage which has not been satisfactorily repaired (Exhibit 6). While speaking to the owner, Mr. Tabash, when I, Rocco, asked him why he installed his fence in that location, his answer was: Because the neighbour did. He pointed to the neighbour to the east at 1740 Lansdowne. However, the neighbour to the west, at 1720 Lansdowne installed their fence in the proper location (Picture – Exhibit 4). In our opinion, Mr. & Mrs. Tabash were very aware that they were installing their fence in the wrong location.

EXHIBIT 7 – SURVEY prepared dated December 21, 2020 – no permanent structures in alley View Surveyor’s Real Property Report on Survey

According to the survey attached prepared by Verhaegen Land Surveyors dated December 21, 2020 (Exhibit 7), the alley (Part 14) clearly has no permanent structures, no pool, no sheds, no concrete decks, no utility poles, no above ground or underground services, etc. (see Survey & Surveyor’s Real Property Report). The alley in question (Part 14) is completely vacant in all respects except for the fence encroachment (no gardens). A fence outside its boundaries is not considered a structure nor a permanent fixture. Fences can easily be moved! The owners of 1730 Lansdowne opened or removed a very large section of the fence in order to accommodate construction equipment to build their pool in May 2020 (Exhibit 5). Both property fences (1740 & 1730 Lansdowne) have large gates that open onto the property on Morton. Both property owners built their sheds and pools within the boundaries of their property but chose to build their fences outside their property boundaries. The survey proves that “iron survey monuments” (steel bars) were visible on the property.

EXHIBIT 8 – DRAWING showing adverse effect on Morton properties

Some Lots -- 110 feet deep on one side and 117 feet deep on other side

The adjoining lot depths in this particular area including Lansdowne & Morton Avenues have an approximate depth of 117 feet with the alleys included. Without the 7 foot alleys, the depths would only be approximately 110 feet which would make it almost impossible for pool installations and more difficult for patios, landscaping, recreational backyard areas, rear yard drainage, etc. Both homeowners on Lansdowne (1740 & 1730) had intentions of constructing pools and 117 ft. depths are tight for pool construction. So if some lots on Morton Drive had only 110 ft. depths, pool construction would be basically impossible. As well, removing the alley reduces the square footage allowance for the home to be built because of front, rear yard and lot coverage requirements. Consequently, the values of the lots affected on Morton will be substantially adversely affected.

It would be very poor planning to allow 1740 & 1730 Lansdowne to retain the extra 7' alley. There would be irregular jags in the backyards of properties on Morton. The lots on Morton would have no continuity (no straight back line). Two of the lots would have irregular backyard depths with 110' depths on one side and 117' depths on the other side of each lot. (See Exhibit 8). The rear yard depths of Lots 738 to 741 would be inconsistent with the remaining future lots to be developed on the south side of Morton Drive. This would definitely adversely impact the value of the lots.

The practice of installing fences on municipal property should not become a precedent in the Town of LaSalle. Can you imagine if the word gets out that, in the Town of LaSalle, if you want to gain extra property, all you have to do is install a fence on town land!

In the past we have been very fair towards the town, doing our best to accommodate the Town of LaSalle. For example, several years ago, a major error was made in the construction of the home at 1655 Lansdowne. One side of the home was constructed on the lot next door that we owned. We proceeded to rectify the situation by selling, at a fair price, a large enough strip of property to make the home legally conform with the by-laws of the Town of LaSalle. If we had not accommodated the situation, there would have been major lawsuits (likely against the town as well) and/or the property owner would have had to demolish a section of his home. In the past, we also spent tens of thousands of dollars to build fencing along the heritage property on Lansdowne in order to protect town property.

Unlike many other instances in the Town of LaSalle, the fences in question have been in existence less than 10 years, the property is subject to land titles (no squatters' rights) and this alley was already closed, registered and surveyed. The Limitations Act (Ontario) prevents any claims for occupation against municipal lands. The owners of 1740 & 1730 Lansdowne are already in possession of one-half of the alley.

Morton Drive is one of the last residential areas for homes directly adjacent to the Town Centre that is available for development. It is located at the first open street past Normandy south of LaSalle Town Hall. Proper planning is essential in this area.

The homeowners of 1740 & 1730 Lansdowne have built fences which gave them occupancy of land which they do not own. This decision by these neighbours has adverse effects and harmful impacts on property which we own. While we do not believe that it was their purpose or intention to harm us, the end result of their actions did just that. The proposed manner in which the alley is to be conveyed according to the Draft Survey Plan originally sent to us would penalize us. We want council to bring fairness and equal treatment for all to the situation. Everyone's rights should be considered and protected.

It is to our understanding that every municipality including the Town of LaSalle, in the past, have asked homeowners to take down fences or move them to their proper locations. In these particular cases, this is not a difficult task. As a significant gesture to resolve this problem we are proposing that we are willing to carefully move the fences in question to their proper locations at our cost. We want to do our part to be fair to everyone and we are looking for a resolution that considers fairness to us as well.

Regards.



Rocco Mancini



Anne Mancini

Encls – Cover Letter
Index Page (Exhibits) & 8 Exhibits
Main Points

MAIN POINTS – ALLEY R2

ALLEY IN QUESTION ALREADY CLOSED, SURVEYED & REGISTERED (PAID FOR BY ROCCO & ANNE MANCINI & PARTNER) – NO FENCE ON PROPERTY AT THAT TIME

ALLEY DIVIDED UP AS PER TOWN'S SPECIFICATIONS (RP 12R-20006) – CLEARLY TOWN'S INTENTIONS TO SELL PARTS 14 & 15 TO MORTON DRIVE OWNERS

ALLEY IN QUESTION SURVEYED AS ONE PART (PART 14) TO BE CONVEYED TO ONE OWNER, ROCCO & ANNE MANCINI

1740 LANSDOWNE – POSSESSION OF HOME – SEPTEMBER 16, 2011

- NO FENCE NOR POOL ON DATE OF POSSESSION
- OWNERS PROCEEDED TO “VERIFY THE DIMENSIONS OF THE PROPERTY BEFORE THE COMPLETION OF THE TRANSACTION”
- ALLEY FENCED 9 YEARS OR LESS
- HOMEOWNERS ALREADY IN POSSESSION OF ½ OF ALLEY
- IRON SURVEY BARS (MONUMENTS) AVAILABLE ON PROPERTY

1730 LANSDOWNE – POSSESSION OF HOME – SEPTEMBER 10, 2012

- NO FENCE NOR POOL ON DATE OF POSSESSION
- POOL INSTALLED MAY 2020 – LARGE GATES IN BACKYARD OPENED TO ACCOMMODATE MACHINERY TO DIG POOL
- ALLEY FENCED 8 YEARS OR LESS
- HOMEOWNERS ALREADY IN POSSESSION OF ½ OF ALLEY
- IRON SURVEY BARS (MONUMENTS) AVAILABLE ON PROPERTY

SURVEY – NO PERMANENT STRUCTURES, NO POOL, NO SHED, NO CONCRETE DECKS, NO UTILITY POLES, NO ABOVE GROUND OR UNDERGROUND SERVICES, NO GARDENS, ETC. IN ALLEY

- ONLY FENCE ENCROACHMENT IN ALLEY
- “IRON SURVEY MONUMENTS MARK OR WITNESS ALL CORNERS OF THE PARCEL”

DRAWING – SHOWS EFFECT OF LOTS ON MORTON WITHOUT 7 FT. ALLEYS

- 1) ALMOST IMPOSSIBLE FOR POOL INSTALLATIONS IN BACK
- 2) MORE DIFFICULT FOR BACK PATIOS, LANDSCAPING, RECREATIONAL BACKYARD AREAS, ETC. (DEPTH ONLY 110 FT.)
- 3) REDUCES THE SQUARE FOOT ALLOWANCE FOR THE HOME TO BE BUILT BECAUSE OF FRONT, REAR YARD AND LOT COVERAGE REQUIREMENTS
- 4) IRREGULAR JAGS IN BACKYARD
LOTS ON MORTON WOULD HAVE NO CONTINUITY – NO STRAIGHT BACK LINE
- 5) SOME OF THE LOTS WOULD HAVE IRREGULAR BACKYARD DEPTHS (117 FT. DEPTHS ON ONE SIDE AND 110 FT. DEPTHS ON OTHER SIDE)
- 6) MAJOR IMPACT ON VALUE OF LOTS

WE WILL MOVE THE FENCES IN QUESTION TO THEIR PROPER LOCATIONS AT OUR COST!

INDEX -- EXHIBITS

- EXHIBIT 1 – LETTER FROM REALTOR REGARDING 1740 LANSDOWNE
-- STATES THAT NO FENCE NOR POOL ON PROPERTY AT TIME OF
PURCHASE AND THAT OWNERS PROCEEDED TO VERIFY
DIMENSIONS OF PROPERTY
- EXHIBIT 2 – GEOWAREHOUSE REPORT – 1740 LANSDOWNE
POSSESSION DATE – SEPTEMBER 16, 2011
- EXHIBIT 3 – GEOWAREHOUSE REPORT – 1730 LANSDOWNE
POSSESSION DATE – SEPTEMBER 10, 2012
NEW CONSTRUCTION – NO FENCE NOR POOL
- EXHIBIT 4 – PICTURE SHOWING FENCE @ 1730 LANSDOWNE COMPARED TO FENCE
AT 1720 LANSDOWNE
– OWNER OF 1720 LANSDOWNE FOLLOWED PROPER GUIDELINES TO
INSTALL FENCE
- EXHIBIT 5 – PICTURE – 1730 LANSDOWNE – LARGE GATE PARTIALLY OPENED
DURING POOL CONSTRUCTION MAY 2020 TO ALLOW CONSTRUCTION
MACHINERY INTO BACKYARD FROM OUR PROPERTY
– SHOWS HOW EASY IT IS TO MOVE THIS FENCE AND HOW LARGE THE
OPENING IS WHEN GATES ARE FULLY OPEN
– GATE OPENING IS AMPLE SIZE TO ALLOW HEAVY MACHINERY INTO
BACK YARD TO DIG POOL (SEE PATH)
- EXHIBIT 6 – PICTURE – SHOWS PATH MADE BY CONSTRUCTION MACHINERY ON
OUR PROPERTY (WITHOUT PERMISSION) – 1730 LANSDOWNE
– PATH SHOWS THE LARGE SIZE OF OPENING IN GATE IN YARD
- EXHIBIT 7 – SURVEY – DECEMBER 21, 2020
– SHOWS NO PERMANENT STRUCTURES IN ALLEY – NO POOLS, NO
SHEDS, NO CONCRETE DECKS, NO UTILITY POLES, NO ABOVE
GROUND OR UNDERGROUND SERVICES
– ALLEY COMPLETELY VACANT IN ALL RESPECTS EXCEPT FOR FENCE
ENCROACHMENT (NO GARDENS)
– “IRON SURVEY MONUMENTS MARK OR WITNESS ALL CORNERS OF
THE PARCEL”
- EXHIBIT 8 – DRAWING SHOWING JAGS IN BACKYARD
– NO STRAIGHT BACK LINE
– NO CONTINUITY WITH OTHER LOTS ON SAME SIDE OF STREET
– SOME LOTS 110 FEET DEEP ON ONE SIDE & 117 FEET DEEP ON OTHER
SIDE
– POOR PLANNING

EXHIBIT 1
LETTER FROM REALTOR

November 17, 2020

The Town of LaSalle

5950 Malden Rd

LaSalle, Ontario N9H 1S4

Dear Sir/Madam:

re: 1740 Lansdowne Avenue, LaSalle

In 2011, I had the property at 1740 Lansdowne Avenue listed for sale while employed at Re/Max Preferred Realty Ltd. and it was subsequently purchased by Sandra & Brett Wagner. At the time the property was listed in 2011, there was no pool nor fence on the property at 1740 Lansdowne. When the purchase of the property was being negotiated, the buyers real estate agent told me that the prospective buyers wanted to have the property surveyed in order to make sure that the backyard would accommodate a pool and to insure that they would erect the fence in the proper location. The Buyers, Sandra & Brett Wagner, proceeded to verify the dimensions of the property before the completion of the transaction and then completed the Agreement of Purchase and Sale.

Regards.

Authentisign
ELICA BERRY
11/19/2020 11:01:09 AM EST

Elica Berry, Salesperson

Jump Realty Inc.

EXHIBIT 2

Overview

Property Details

Site & Structure Print

Valuation & Comparables

Plans & Surveys

Demographics

Back

1740 Landsdowne Ave, Lasalle, N9H3J2

[Suggest an address correction](#)

Owner Name

WAGNER,
SANDRA ANN
MAY; WAGNER,
BRETT ALAN

Last Sale

\$405,000

Sep 16, 2011



Lot Size

64.99 ft 117.09 ft

Frontage

Depth

Measurements Available
(See Site & Structure)

Assessed Value

\$520,000

Based on Jan 1, 2016

Phased-In Value

\$520,000

2020 Tax Year

Legal Description

PT LOT 834, 836, LOT 835, PT ALLEY (CLOSED BY ORDER LT385418) PL 1030, DESIGNATED AS PTS 2 & 20 ON PL 12R20006; LASALLE.

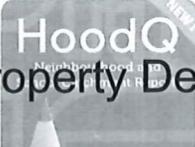
Property Details



EXHIBIT 3

PIN: 705320545

Generated: April. 3, 2020

[Overview](#)[Property Details](#)[Site & Structure](#)[Print Valuation & Comparables](#)[Plans & Surveys](#)[Demographics](#)[Back](#)

1730 Landsdowne, Lasalle

[Suggest an address correction](#)

Owner Name

TABASH, SALINA;
TABASH, RAMY

Last Sale

\$364,153

Sep 10, 2012



Lot Size

64.99 ft 117.06 ft

Frontage

Depth

Measurements Available
(See Site & Structure)

Assessed Value

\$453,000

Based on Jan 1, 2016



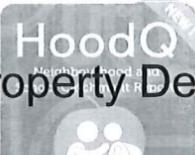
Phased-In Value

\$453,000

2020 Tax Year

Legal Description

LOT 833, PT LOT 834, PT ALLEY (CLOSED BY ORDER LT385418) PL 1030, DESIGNATED AS PTS 1 & 19 ON PL 12R20006; LASALLE.

Property Details

GeoWarehouse Address

1730 LANDSDOWNE, LASALLE

Ownership Type

Registration Type

EXHIBIT 4
(FENCES 1720 LANSDOWNE
& 1730 LANSDOWNE)

1720
LANSDOWNE



EXHIBIT 5

1730 LANSDOWNE

- LARGE GATE PARTIALLY OPENED DURING POOL CONSTRUCTION (MAY 2020) TO ALLOW CONSTRUCTION MACHINERY INTO BACKYARD FROM ROCCO & ANNE MANCINI'S PROPERTY ON MORTON DRIVE
- SHOWS HOW EASY IT IS TO MOVE THIS FENCE AND HOW LARGE THE OPENING IS WHEN GATES ARE OPEN (SEE PATH)

EXHIBIT 6



1730 LANSDOWNE

SHOWS PATH MADE BY CONSTRUCTION MACHINERY
ON OUR PROPERTY

PATH SHOWS LARGE SIZE OF OPENING IN GATE IN YARD

INTEGRATION DATA		
COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O. REG 218/10		
POINT ID	NORTHING	EASTING
ORP-A	N15350463.348	E1081738.657
ORP-B	N15350229.691	E1082378.887
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

NOTES
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS.
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99993444
THERE IS A 1°40'40" CLOCKWISE ROTATION TO BE APPLIED TO THE ASTRONOMIC BEARINGS ON PLAN 12R-20006 TO CONVERT THEM TO UTM(CSRS) NAD 83 BEARINGS.

SURVEYOR'S REAL PROPERTY REPORT
PART 1 OF 2 PARTS - THE PLAN

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2145897




THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1028, Section 29 (3)

EXHIBIT 7
SURVEY

Appendix A - page 21 of 26

PLAN OF SURVEY
OF
PART OF ALLEY, (CLOSED BY JUDGE'S ORDER DATED DEC. 5,
2002 DEPOSITED AS INST. NO. LT385418)
REGISTERED PLAN 1030
IN THE
TOWN OF LASALLE
COUNTY OF ESSEX, ONTARIO
© VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

SCALE : 1"=20'



LEGEND AND NOTES
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS.
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99993444
ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.
SIB DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR
SIB DENOTES 1" X 1" X 2'-0" SHORT STANDARD IRON BAR
IB DENOTES 5/8" X 5/8" X 2'-0" IRON BAR
IB # DENOTES 3/4" diameter X 2'-0" ROUND IRON BAR
CC DENOTES CUT-CROSS
CP DENOTES 5mm X 50mm STEEL PIN
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET AND MARKED 1744
WIT. DENOTES WITNESS ⊥ DENOTES PERPENDICULAR
(S) DENOTES SET (M) DENOTES MEASURED (O) DENOTES DEED
ORP DENOTES OBSERVED REFERENCE POINT
SIB'S SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF SIB'S WHERE THE POSSIBILITY THAT UNDERGROUND UTILITIES EXIST.
(S/P) DENOTES SET PROPORTIONALLY (OU) DENOTES ORIGIN UNKNOWN
(P) DENOTES PLAN 12R-20006 (P1) DENOTES REG'D PLAN 1030
(1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
(KVL) DENOTES VERHAEGEN AND BEZAIRE LIMITED, O.L.S.


THIS PLAN MUST BE READ IN CONJUNCTION WITH PART 2 AS SHOWN BELOW
THIS REPORT WAS PREPARED FOR ROCCO AND ANNE MARCINI.

SURVEYOR'S REAL PROPERTY REPORT PART 2 OF 2 PARTS
Please note the following:
1. Iron Survey Monuments mark or witness all corners of the parcel.
2. The parcel has an Area of 1,225 Sq. Ft., (0.028 Ac.).
3. The location of the metal fence that extends up to 6.2' into Part 14 which is the section of the closed Alley to be transferred from the Town of LaSalle.
4. All other pool structures, concrete decks and Sheds are clear of the land shown as Part 14 on Plan 12R-20006.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 18th DAY OF DECEMBER, 2020

DATE DECEMBER 21, 2020

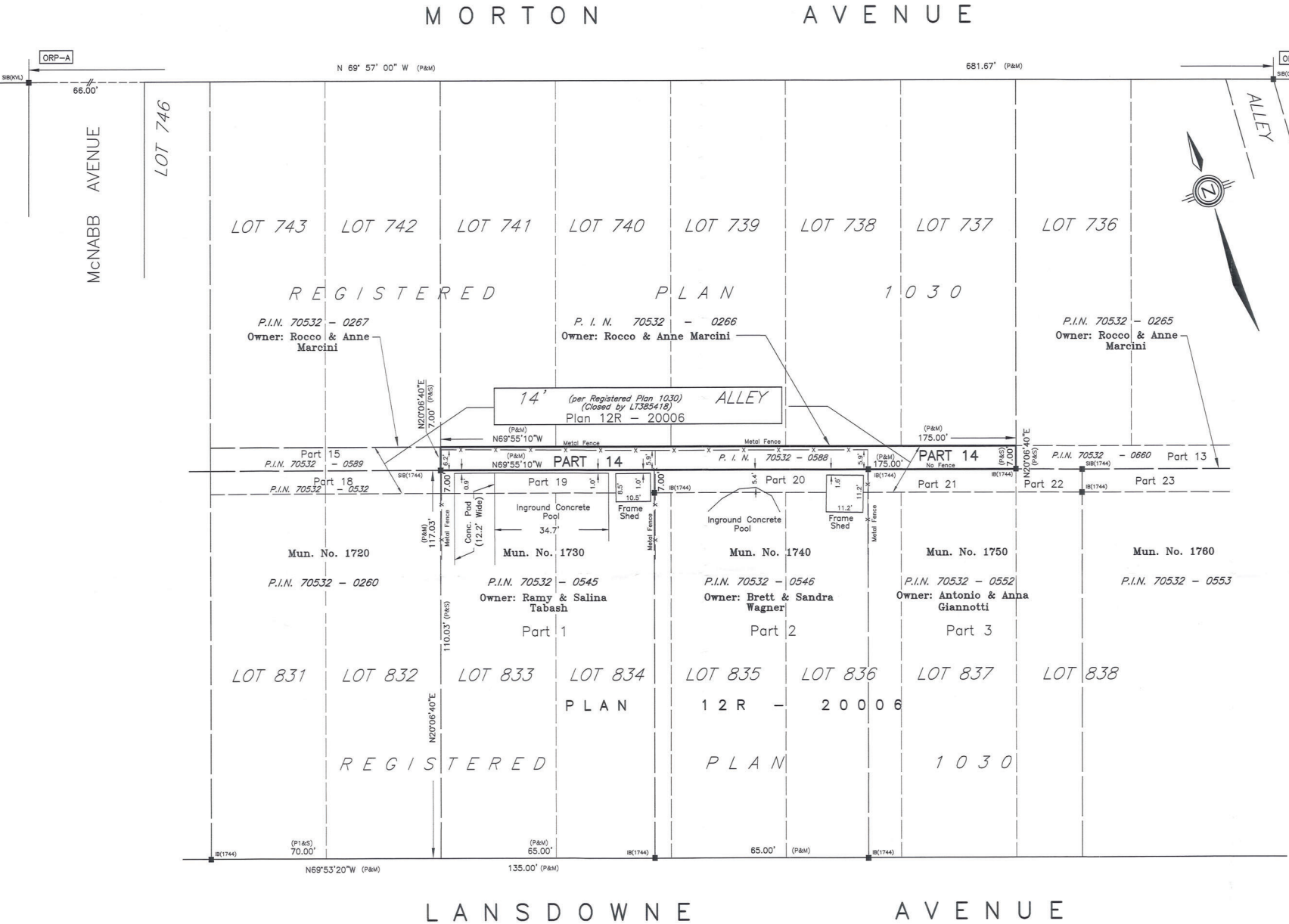
ANDREW S. MANTHA
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFIELD • HARTLEY
BREWER • BEZAIRE INC.

**VERHAEGEN**
LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

SURVEYING
MAPPING
GIS

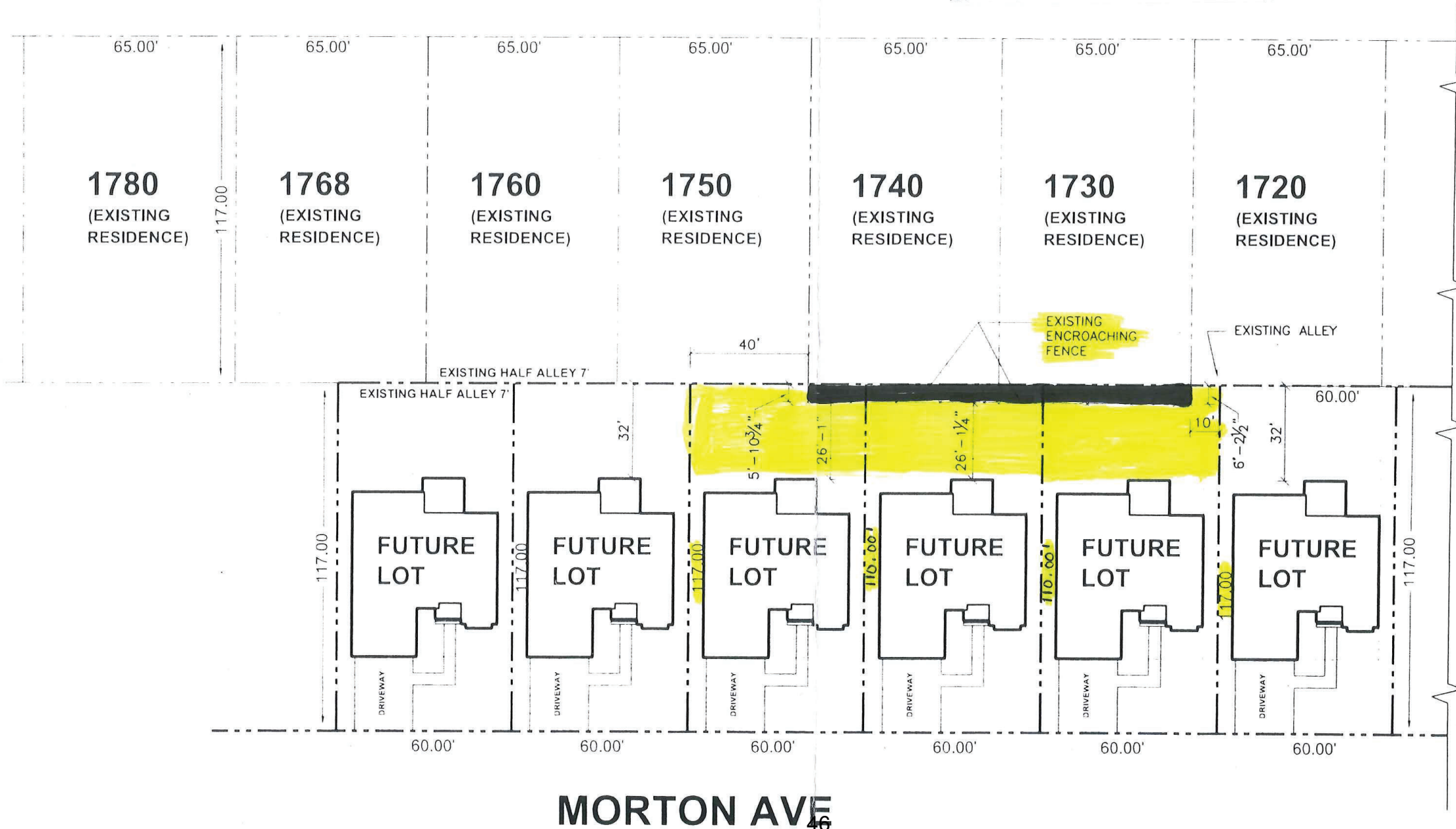
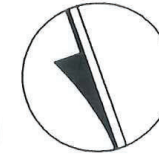
DRAWN BY: A.S.M. CHECKED BY: A.S.M. REFERENCE NO.: 20-47-005-00
FILE: 20-47-005-00.dwg E-1030-ALLEY CAD Date: December 21, 2020 11:03 AM
CAD File: 20-47-005-00.dwg

2023-12-21 11:03 AM
A.S.M.



LANSDOWNE AVE.

EXHIBIT 8
DRAWING SHOWING JAGS
IN BACKYARD
- NO CONTINUITY WITH OTHER
LOTS (IRREGULAR BACKYARDS)



From: Brett & Sandy Wagner [REDACTED]
Sent: Friday, November 27, 2020 6:15 PM
To: Natalie Sharp <nsharp@lasalle.ca>
Subject: Re: Alley R2 Review Notice - Dec 8, 2020

Here is a second pic. Thanks again.

On Fri, Nov 27, 2020 at 6:14 PM Brett & Sandy Wagner <[REDACTED]> wrote:
Dear Councillors,

I have happily maintained the abandoned alley behind my property at 1740 Lansdowne Ave since I moved here in 2011. My family and I draw countless hours of enjoyment from the respectful use of this orphaned property as evidenced in the attached picture. Over the years, the absentee landowners behind this property have shown no interest in maintaining this small strip of land, and I have never personally met or talked to any of these distant holders.

I can guarantee to you that no absentee landowner will ever experience the personal enjoyment of use that we do every day, for the simple fact that they are not present. Please honour the recommendation of Administration in this matter, and allow the sale of this property to my wife and I, the owners of 1740 Lansdowne Ave.

Deepest thanks for your consideration,
Brett & Sandra Wagner,
1740 Lansdowne Ave,
LaSalle, ON

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From: Ramy Tabash
Sent: Thursday, January 21, 2021 3:54 PM
To: Natalie Sharp <nsharp@lasalle.ca>
Subject: Reference Number: Alley R2 - Ramy & Salina Tabash

Hello Natalie,

Please add the following as our written submission as we will not be able to participate in the Council Meeting via Zoom.

Reference Number: Alley R2

To Members of Council,

We have maintained the abandoned alley directly behind our property at 1730 Lansdowne Ave since 2012. We respectfully request that council honor the decision made by administration to convey the east/west alley to the north of 1730 Lansdowne pursuant to the municipal policy.

Sincerely,
Ramy & Salina Tabash
1730 Lansdowne Ave
Lasalle, ON

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