



## **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:** January 5, 2023

**Report Number:** PD-02-2023

**Attachments:** Describe attachments

**Subject:** Figure 1- Location, Figure 2- Proposed Variances, Figure 3 – Proposed Mutual Access, Figure 4- Proposed Severances.

**Application for Consent:** A-09-2022, B-14-2022 and B-15-2022

**Application on Behalf of:** 2312205 Ontario Ltd.

**Location of Application:** 2459 Front Road and Vacant land

## **Purpose & Effect of Application**

A-09-2022

The subject lands are zoned Residential One Zone (R1), according to Zoning By-Law No. 8600.

The Applicant is seeking relief from the provisions of Subsection 3.1 c) of By-Law No. 8600, to allow a reduced frontage of 8.6 metres from 9.0 metres for four of the proposed six parcels.

B-14-2022 and B-15-2022

The subject lands are zoned Residential One Zone (R1), according to Zoning By-Law No. 8600.

The applicant wishes to sever two parcels of land with a frontage of approximately 10.8 metres and varied depths having an area of approximately 900 m<sup>2</sup>.

The applicant wishes to sever four parcels of land with a frontage of approximately 8.6 metres and varied depths having an area of approximately 714 m<sup>2</sup>.

If the application is successful, the applicant wishes to create six new parcels fronting on Front Road for the construction of six semi-detached dwelling units and establish mutual access driveways for lots 2 and 3 and 4 and 5, shown on Figure 3.

## Report

### Provincial Policy Statement:

The Provincial Policy Statement (PPS), provides direction on matters of provincial interests as they relate to planning and development. In reviewing the proposed severance of this site, the proposed severance/intensification is in keeping with the character and built form of the surrounding neighbourhood and it is an efficient use of existing municipal services. It is my opinion that the severance of this lot is in keeping with the policies outlined below.

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 which 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
  - e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

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

The following are relevant sections of the County OP that were considered as they relate to the proposed development;

- i) In sections 3.2.2 of the County OP, goals for land designated as a “Settlement Area” are set out and include the following:
  - a) Support and promote public and private re-investment in the Primary Settlement Areas.
  - e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan.
- ii) 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.

#### Town of LaSalle Official Plan

The Official Plan for the Town of LaSalle designates the lands subject to this application as a “Residential District”.

It is my opinion, based on the policies below, the proposed severance is in keeping with the policies and the intent of the approved Official Plan of the Town of LaSalle.

1. Section 4.7 of the Official Plan contains policies for the “Residential District Designation” as follows:

Intent

- a) An array of housing and building types, as well as uses that support neighbourhood living, are encouraged throughout the Residential District Designation.

Permitted Uses

- b) Lands within the Residential District Designation may include a full range of residential dwelling types, as well as supporting land uses intended to serve local residents. The following uses may be permitted on lands within the Residential District Designation, as shown on Schedule B: Land Use Plan, subject to the policies of this Section:
    - i) Dwelling units in low-rise, mid-rise and high-rise built forms;
2. Section 5.2 of the Official Plan contains “Urban Area Use Specific Policies” as follows:

Urban Area Use Specific Policies

- a) In addition to all the other applicable policies of this Plan, the following land use-specific policies shall also apply throughout the Urban Area Land Use Designations, where the use is permitted:
  - ii) Policies for Low-Rise Residential Development – The following criteria apply to all low-rise residential development:
    - Built forms that are considered low-rise residential include:
      - Detached, duplex, and semi-detached dwellings;
      - Second units; and,
      - Street and block townhouse dwellings;

The creation of six new infill lots will efficiently utilize existing services and meets the objectives of both the Upper and Lower Tier Official Plan documents.

Section 7.7 (c) of the Official Plan states, “The Committee of Adjustment may grant an application for minor variance from the Zoning By-Law only when satisfied that the variance:”

- i) Is minor in nature; Yes
- ii) Is desirable for the appropriate development or use of land; Yes
- iii) Maintains the general intent and purpose of this Plan; Yes and,

- iv) Maintains the general intent and purpose of the Zoning By-law, Yes.

The applicant's proposed design allows the construction of detached garages and parking to the rear and side of each semi-detached unit creating unique housing choices. However, the driveways will result in the need for lots 1 and 6 to be wider than the minimum zoning requirement and lots 2 to 5 requiring the proposed variances, these are considered minor as these lots would fully comply if conventional semi-detached units were constructed, therefore being minor in nature.

Variations in housing type and style are encouraged and are desirable as they bring additional housing choices to the market and create no additional negative impacts.

Sufficient servicing capacity is available for the proposed units related to water, sanitary sewers, stormwater and the general carrying capacity of Front Road. It should be noted that due to the number of required service connections and as these connections are within the travelled portion of the road, repaving of entire lanes across the frontage of this development may be required.

It is my opinion that the proposed severance conforms to the applicable Provincially approved Official Plan policies of the County of Essex and the Town of LaSalle; the implementing Zoning By-Law 8600 is deemed appropriate and maintains the general intent and purpose for these lands.

## **Consultations**

The subject applicant was circulated to the Essex Regional Conversation Authority (ERCA), the County of Essex, the local school boards, and to a number of utility companies.

No agency or neighbourhood comments or concerns have been received prior to the writing of this report.

## **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-09-2022 File # 4154 be approved subject to the following conditions:

1. That application B-14-2022 and B-15-2022 File #4151 and 4152 be approved and all conditions achieved;

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-14-2022 and B-15-2022 File #4151 and 4152 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 be submitted to the Secretary-Treasurer;
2. That the lands be consolidated in the title;
3. That the existing home be demolished;
4. That the Applicant submits a 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 applies for a Right-of-Way Permit with the municipality and the required fees are paid in full;
6. That the Applicant enters into a Severance Agreement with the Town, pertaining to the subject lands, to be registered on title at the entire cost of the Applicant, including, but not limited to such matters as servicing, drainage, fees, easements, securities and other matters as they relate to the development of the lands;

**Prepared By:**



Planning Technician

Ryan Tufts, Planning Technician

**I concur**



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

#### Link to Strategic Goals

1. Enhancing organizational excellence - No
2. Strengthen the community's engagement with the Town - No
3. Grow and diversify the local economy - No
4. Build on our high-quality of life - No
5. Sustaining strong public services and infrastructure - No

#### **Communications**

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

#### **Notifications**

Anthony Pipolo, Agent for 2312205 Ontario Ltd.

Jackie Lassaline, Planner for 2312205 Ontario Ltd.

**Report Approval Details**

Document Title:	A-09-2022, B-14-2022 and B-15-2022.docx
Attachments:	<ul style="list-style-type: none"><li>- Figure 1 Buchcic.pdf</li><li>- Figure 2 Buchcic MV.pdf</li><li>- Figure 3 Buchcic.pdf</li><li>- Figure 4 Buchcic.pdf</li></ul>
Final Approval Date:	Jan 16, 2023

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



Director of Planning and Development

Gudrin Beggs