



## The Corporation of the Town of LaSalle

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**Date:** June 5, 2017 **Report No:** DS-29-2017

**Directed To:** Mayor and Members of Council **Attachments:** Figures 1 to 6

**Department:** Development & Strategic Initiatives

**Prepared By:** L. Silani, M.Pl., MCIP, RPP  
Director of Planning & Development Services  
A. Burgess, MCIP, RPP  
Supervisor of Planning & Development Services

**Policy References:** Approved Official Plan

**Subject:** Application: Zoning By-law Amendment Applications  
Our File No.: Z-08-2017 & Z-09-2017  
Registered Owner: 9095217 Canada Inc. & Martin and Donna Dupuis  
Applicant: Ron LaPointe (River Canard Canoe Company)  
Agent: Paul Bezaire (Planning Consultant) and Dan Krutsch (Consulting Engineer, Landmark Engineering)  
Location: Approx. 0.5 hectares of land located along the south side of Malden Road (County Road 3) at the intersection of North Townline Road (County Road 8) --- municipally known as 9350 Malden Road, and the vacant lot situated immediately to the north

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### **RECOMMENDATION:**

Based on the information provided within this report, and subject to further input from Council and the public, it is recommended that:

- Council grant approval in principle to the Applicant's rezoning application for the subject lands, and that a site plan control agreement be prepared and executed to the satisfaction of the Town, the County of Essex and the Essex Region Conservation Authority;

- a zoning by-law amendment, together with a site plan control agreement, be prepared by Town Staff and brought back to Council for adoption and execution purposes, in accordance with direction received from Council.

## **REPORT:**

### **INTRODUCTION AND NATURE OF THE SUBJECT APPLICATIONS:**

This report is intended to provide members of Council with comments and recommendations regarding the subject rezoning applications. These Applications are requesting Council approval to rezone these two properties, from a Rural Commercial Zone – “C6” and an Agricultural Zone – “A”, to a Rural Commercial (C6-6) Zone – “C6-6”. This new site-specific zone category will add “the rental and launch of non-motorized watercraft” as a permitted additional use on both properties. It should be noted that no new buildings or structures will be permitted within the “C6-6” zone category.

The two properties affected by these rezoning applications are depicted on Figure 1.

The Applicant has retained the services of a Planning Consultant (Paul Bezaire) and an Engineering Consultant (Dan Krutsch, Landmark Engineering) to prepare planning reports, engineering reports, site plans, and topographic surveys, in support of these applications.

Figure 2 is the planning report prepared by Paul Bezaire, dated April 28, 2017. It provides background information regarding these sites, and explains why these rezoning applications are being submitted.

Figure 3 is the Applicant's proposed site plan, prepared by Paul Bezaire, dated April 2017.

Figure 4 is the Topographic Survey prepared by Total Tech Surveying Inc.,

Figure 5 is the Engineering Report prepared by Dan Krutsch, Landmark Engineering, dated April 28, 2017.

### **OFFICIAL PLAN AND PROVINCIAL POLICY STATEMENT CONSIDERATIONS**

The Planning Act requires that all zoning by-laws and all zoning by-law amendments adopted by Council conform with the land use designations and policies contained within the municipal approved Official Plans (both the lower-tier and upper-tier plans) that are in effect at the time that an application is received.

The Planning Act also requires that all Planning Authorities make decisions that are consistent with the 2014 Provincial Policy Statement.

In this particular instance, the subject properties are designated "Agricultural" in the Town of LaSalle's approved Official Plan. They are also designated "Agricultural" on Schedule "A1" in the 2014 Approved Upper-Tier (County of Essex) Official Plan document.

Subsection 7.11 of the LaSalle Official Plan contains a set of policies that pertain to "existing land uses and buildings" ---- and states that applications to amend the zoning by-law to permit a use that is as compatible or is more compatible with the surrounding area may also be approved by Council without an amendment to the Official Plan, provided the proposed use satisfies the following criteria:

- a) the buildings lawfully existed prior to the date of the adoption of this Plan;*
- b) the use to be permitted does not interfere with the desirable development or enjoyment of neighbouring properties;*
- c) the use does not constitute a danger to surrounding uses and persons because of its hazardous nature or traffic generated; and*
- d) the by-law reasonably limits the amount of expansion that is to be permitted to ensure that the use does not become larger than would be appropriate for the area.*

#### AGENCY COMMENTS:

The subject applications were circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, to the local school boards, and to a number of utility companies.

To date, the County of Essex (as the road authority that has jurisdiction over access and parking along both County Road 3 and County Road 8) has submitted a memorandum dated May 30, 2017, with their comments and recommendations. This memorandum is attached as Figure 6.

Since receiving this memorandum from the County, Town Staff met with County Engineering Staff and confirmed that they are prepared to support the Applicant's rezoning request on the condition that:

- a new internal parking lot is constructed by the Applicant as shown on Applicant's site plan;
- parking prohibitions (by way of new signage and/or painted parking restrictions) are put in place along sections of both County Road 3 and County Road 8, in locations as specified by their department; and
- no new buildings or structures are being built on either site.

County Engineering Staff also advised Town Staff that they have a County parking by-law in place that will allow them to effectively police (enforce) these new parking prohibitions once the signage is installed to their satisfaction along both County roadways.



## COMMENTS AND DISCUSSION

In assessing the merits of these rezoning applications the following comments are offered for Council's consideration:

- a) Adopting a by-law amendment that will rezone the subject lands, from a Rural Commercial Zone – "C6" and an Agricultural Zone – "A", to a Rural Commercial (C6-6) Zone – "C6-6" ---  
- which adds "the rental and launch of non-motorized watercraft" as a permitted additional use on these lands, with restrictions that do not allow any new buildings or structures (including no expansions to existing buildings) ----- would in our professional planning opinion be in conformity with the Town's Official Plan, provided that:
  - the new internal off-street parking lot is constructed and maintained by the Applicant, as shown on Figure 3;
  - the existing towing storage area is reduced in size, and new fencing is installed and maintained by the Applicant to delineate the new off-street parking area from the towing storage yard;
  - access to this site (from both County Road 8 and County Road 3) is restricted to locations as approved by the County of Essex Engineering Office;
  - "no parking" signage and a "painted gore area" are put in place to the satisfaction of the County of Essex Engineering Office;
  - the new "canoe launch area" is sited and maintained along the shoreline of River Canard at a location to be approved by the Essex Region Conservation Authority.
- b) If Council concurs with the Applicant's requested rezoning for these two parcels of land, the zoning by-law amendment will be drafted in such a manner as to ensure that no new buildings or structures are allowed at this location (including any expansions);
- c) A Site Plan Control Agreement will be required to be prepared and executed in advance of Council granting final approval for the proposed by-law amendment. This agreement shall include provisions to ensure that: (i) the site improvements as noted above (and as depicted on Figure 3) are installed and maintained; (ii) the necessary measures to restrict parking and access to locations approved by the County of Essex are put in place and maintained (for ongoing enforcement purposes); and (iii) required language is incorporated to satisfy ERCA as it applies to regulating activities taking place adjacent to the River Canard shoreline (for which they have jurisdiction).



We would be pleased to answer any questions with respect to the contents of this Staff Report.

Respectfully,




L. Silani, M.Pl., MCIP, RPP  
Director of Development &  
Strategic Initiatives Services



A. Burgess, MCIP, RPP  
Supervisor of Planning &  
Development Services

*Attachments*

Reviewed by:						
	Finance	Clerk	Environmental Services	Development & Strategic Initiatives	Culture & Recreation	Fire



Legend:



Subject Lands

Title:

## FIGURE 1 - SUBJECT LANDS



Scale: 1:5100

File No: Z-08/2017 & Z-09/2017

Prepared For: Planning Dept.

Applicant: 9095217 Canada Inc.  
Martin & Donna Dupuis

Prepared By: Finance Department  
GIS Services

Date: June 5, 2017

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



# Bezaire Partners

Urban Planners, Landscape Architects,  
Planning & Construction Mediation, Public Consultation, Project Management,  
Environmental Impact Studies, Park and Recreation Planning

3514 Walker Rd. Unit 1A Windsor ON N8W 3S4  
C 519 816 6844 | V 519 966 6844 | F: 519 966 4088 | E: pbezaire@bezaire.ca

April 28, 2017

**Town of LaSalle**  
**Development and Strategic**  
**Initiatives Department**  
5950 Malden Rd.,  
LaSalle ON N9H 1S4

**Att: Mr. Larry Silani**

Dear Larry:

**RE: 9350 Malden Rd., LaSalle ON and Next North– Application to Amend Zoning Bylaw**

This refers to the proposed amendment to the zoning bylaw with respect to the property located at 9350 Malden Rd and the property next north along Malden Rd. The site consists of two parcels under separate ownership.

**Parcel A** is located at the intersection of Malden Rd. and North Townline Rd. It is owned by 9095217 Canada Inc., a company represented by Mr. Ricky Randhawa of LaSalle. Mr. Randhawa occupies the second-floor apartment and leases the lower level and surrounding property to two tenants for the operation of various businesses. The applicant, Mr. Ron LaPointe of LaSalle operates the convenience store/restaurant (*River Canard Outpost*), the canoe launch/rental (*River Canard Canoe Company*) and the gas bar. The automotive service garage and towing businesses, (*Canard Automotive and LaSalle Towing and Recovery*) are operated by a second tenant, Mr. Rick Oram.

**Parcel B** is located northeast of the first parcel and is vacant. The parcel is owned by Mr. and Mrs. Martin (Marty) and Donna Dupuis of LaSalle. The River Canard Canoe Company, one of the tenants, operates a canoe launch/canoe rental business on this parcel. To be clear, the actual rental transaction occurs on Parcel A in the Outpost and most canoes are launched from Parcel B.

**SITE STATISTICS**

Mun. Address	9350 Malden Rd., LaSalle ON and Next North of 9350 Malden Rd.				
	Parcel A	Parcel B		Parcel A	Parcel B
Property Description	Pt. Lot 5 Concession 1	Pt. Lot 6 Concession 1	OP Designation	Agricultural	Agricultural
Site Area	2,899.68 sq m	1,654.00 sq m	Existing Zoning	C6 - Rural Commercial	A - Agricultural
Frontage	45.73 m	65.32 m	Existing Use	Commercial / Residential	Canoe Launch/Rental
Parcel A Roll #	3734 16 000000 7 000000		Parcel B Roll #	3734 16 000000 8 000000	



**BACKGROUND**

We understand that the existing building was constructed on the site in 1938 and has operated as a gas/service station and restaurant/convenience store continuously since that time. Recently, the site has been the subject of enforcement activity by the Town of LaSalle for non-compliance with the zoning by-law. Discussions between Mr. Ron LaPointe (River Canard Canoe Company and River Canard Outpost) and the town have resulted in an agreed approach to amend the zoning by-law as well as submit a recent topographic survey and proposed site plan so that future usage and/or changes to the site can be effectively monitored. An application for such is required by no later than April 30, 2017.

Concerns noted by the Town of LaSalle and other Authorities Having Jurisdiction include:

- the operation of the Canoe Launch/Rental business which is currently not a permitted use,
- the condition of the existing shoreline and need to be able to monitor and regulate it in the future,
- unorganized parking, some of which occurs on the public right-of-way, and unrestricted vehicular site access from both Malden and North Townline Roads, especially in the vicinity of the road intersection.
- the general clutter and condition of the site

**OFFICIAL PLAN**

Both parcels are designated Agricultural in the Official Plan. This designation is compatible with proposed zoning and no amendment to the Official Plan is considered necessary. Both parcels are designated Agricultural in the Essex County Official Plan

**ZONING BYLAW**

Parcel A is currently zoned Agricultural (A) and Parcel B is Rural Commercial (C6). Since neither parcel is large enough to farm, nor near an adjacent agricultural use, it seems reasonable to extend the Rural Commercial zoning over both parcels. In addition, the commercial nature of the zoning will benefit from its presence on a County Road, it's location near a church and school, and traffic heading to and from the nearby residential areas on the Second Concession in Amherstburg.

The Rural Commercial zoning provides for a range of uses including in part, the following which pertain to this development:

- Convenience Store
- Restaurant
- Delicatessen
- Gas Bar.

The following uses are known to have been present on the site and, on the advice of the town, will continue as legal non-conforming uses for as long as they exist:

- Automotive Service Garage
- Automobile Towing and Storage Compound
- Residential.

We propose to amend the zoning bylaw as follows:

1. Change the zoning of Parcel B from Agricultural to Rural Commercial.

2. Add **“Canoe Launch and Rental”** as an additional permitted use on a site-specific basis to both Parcels A and B. Canoes and similar vessels will be stored, rented, and launched from this area of the site.

We note that the existing building generally complies with the C6 zoning regulations except for front yard and external side yard setbacks, both of which pre-existed the bylaw. The existing building does not comply with the setback requirement from a County Rd. (85 ft.) but is considered to have pre-dated that requirement.

No additional buildings are proposed. The use of picnic tables, benches and similar features will continue as uses accessory to one or more of the permitted uses.

#### **SITE PLAN**

General use of the site will be as indicated on the Site Usage Plan, Drawing LA-1. Additional details of the parking and access are provided on the Site Plan, Drawing LA-2.

Note that the outdoor storage area for towing has been reduced by about two-thirds and a new fence and secure gate has been added along the north-east side to separate the compound from the parking area. The existing fence will remain along the River Canard and North Townline Rd. sides of the storage area. Both towed vehicles and the tow truck itself will be stored within this area.

The existing survey notes the location of a raised deck and stairs serving the second-floor apartment, and a trailer that is connected to and accessible from the building and has been used for about 35 years for storage related to the convenience store/restaurant. Although not shown on the survey, there is a small portable garden shed that is used for the storage of life jackets. These structures are proposed to remain.

The parking requirement for the site is as follows:

Residential Dwelling	1 required	1.5 (2)
Based on GFA of 626.1 sq m	1/ 45m GFA	14
<b>Total Parking Required</b>		<b>16</b>
<b>Total Parking provided</b>		<b>30</b>

*Note: 2 barrier free spaces are required and are included above.*

Parking is provided in two areas:

1. Six spaces near the convenience store/restaurant to be accessed directly from the North Townline Rd. right-of-way. Parking will be prohibited from the area closest to the bridge and closest to the intersection will be prohibited and signs and/or no parking area striping have been provided for that purpose.
2. Twenty-four spaces east and north east of the building (behind and beside the building) to be accessed from Malden Rd. and arranged along a maneuvering lane. Parking between the existing berm and the Malden Rd. right-of-way will be prohibited and “no parking” signs will be provided where shown. Vehicular access to the Canoe Launch Area will be restricted to maintenance vehicles only. The maintenance access is located at the far north-east end of Parcel B and gated.

The existing fence and gate around the newly provided parking area is in poor condition and will be removed. Car bumpers will be provided to designate and control use of the parking spaces. There will be no change to the parking area surfaces; a portion will



retain the existing asphalt or concrete and the remainder will utilize the existing gravel surface.

Since no buildings are proposed, the Town advises that a Site Plan Agreement will not be required.

#### PROVINCIAL POLICY STATEMENT 2014 (PPS)

The application is consistent with the following policies of the PPS:

1.1.1 a)	Healthy, liveable, and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
1.1.1 b)	Healthy, liveable and safe communities are sustained by: b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
1.1.4.1 a)	Healthy, integrated and viable <i>rural areas</i> should be supported by: a) building upon rural character, and leveraging rural amenities and assets;
1.1.4.1 e)	Healthy, integrated and viable <i>rural areas</i> should be supported by: e) using rural <i>infrastructure</i> and <i>public service facilities</i> efficiently;
1.1.4.1 f)	Healthy, integrated and viable <i>rural areas</i> should be supported by: f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
1.1.4.1 g)	Healthy, integrated and viable <i>rural areas</i> should be supported by: g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
1.1.5.2 b)	On <i>rural lands</i> located in municipalities, permitted uses are: b) resource-based recreational uses (including recreational dwellings);
1.1.5.3	Recreational, tourism and other economic opportunities should be promoted.
1.1.5.4	Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.
1.1.5.5	Development shall be appropriate to the <i>infrastructure</i> which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this <i>infrastructure</i> .



**RESULTS OF PRE-CONSULTATION**

Dan Krutsch P. Eng. from Landmark Engineers Inc. consulted with both ERCA and the County of Essex. The results of this consultation with ERCA are appended in a separate report by Landmark and summarized below along with a summary of our consultation with the County.

County of Essex: While the vehicular access and parking arrangement for the site aren't ideal, the County does consider the proposed site revisions to be an overall improvement and when consulted by the Town will likely have no objections. Improvements include reducing the potential for parking on the adjacent road rights-of-way, removal of parking spaces from the area nearest the intersection, provision of a substantial parking area on lot 5 (and part of lot 6) with organized access from the street, creation of a maintenance access for lot 6 as far away as practical from the intersection.

Essex Region Conservation Authority: The current physical state of the site is a product of historic development activities that occurred on an ad-hoc basis over many decades, and without the benefit of a comprehensive, coordinated development plan. One site activity that has been of particular concern to the Essex Region Conservation Authority involves historic dumping of assorted fill materials and gradual infilling within the regulated area of the Canard River without procurement of proper permits and approvals.

The Essex Region Conservation Authority has been identified as an affected party to the rezoning process. Through pre-consultations with Landmark representatives, ERCA has identified two conditions for offering its support to the subject rezoning, namely:

1. That the current topography of the site (shoreline alignment, site grades, and site features) be documented through the preparation of a topographic survey plan; and,
2. That the condition of the shoreline be assessed and documented with respect to its current condition and erosion mitigation effectiveness.

A topographic survey plan has been prepared by Total Tech Surveying to address Item #1 above. A separate shoreline condition report has been prepared by Landmark (appended hereto) to address Item #2.

Town of LaSalle Planning: In addition to the above, a representative of Bezaire consulted with Larry Silani from the Town and we intend that these applications generally reflect that consultation.

**CURRENT SUBMISSION**

Attached, you will find the following:

- A completed application for Parcel A
- A completed application for Parcel B.
- A cheque payable to the Town in the amount of \$4,100 for the application fee. Because the two parcels are being used for a single development, the Town as agreed to levy only one application fee.
- A recent topographic survey prepared by an OLS for the site.
- A proposed site plan, Drawing LA-2, showing both the way in which the site will be used and details of the proposed site access, towing compound, and parking.
- A proposed site usage plan, Drawing LA-1 indicating what use will be made of the various areas of the site.

- A report from Landmark Engineers outlining the results of their consultation with the Essex Region Conservation Authority and including a shoreline assessment.
- A Jump Drive containing the above documents.

In summary, the proposed bylaw amendment and associated site improvements will legalize the canoe launch/rental activity, improve vehicular site access including parking restrictions near the road intersection, reduce the potential for parking in the right-of-way, provide a record of the current condition for future monitoring of the site and the shoreline, and provides the basis for a tidier and more organized appearance for the site.

I trust that this submission meets the initial requirements of the Town. We would be happy to meet with you or the related agencies to review the proposal and provide whatever additional information might be required.

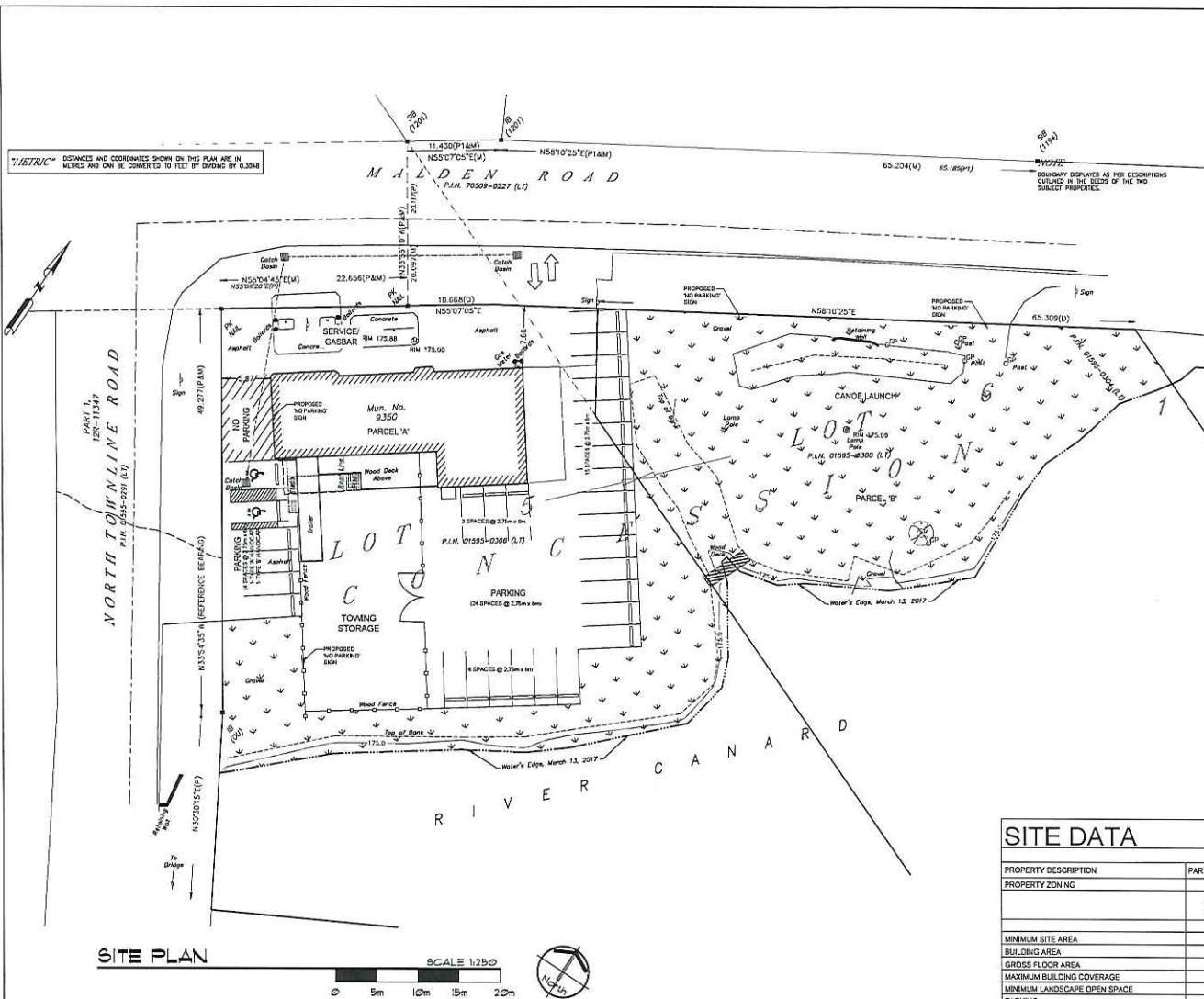
Sincerely,

A handwritten signature in black ink, appearing to read 'PB' followed by a stylized surname and a horizontal line.

**Paul Bezaire** OALA, RPP MCIP  
**Partner**

**cc:**

River Canard Canoe Company, Att: Mr. Ron LaPointe  
Canard Automotive, Att: Rick Oram  
Mr. Ricky Randhawa  
Mr. Marty Dupuis  
Landmark Engineers Inc., Att: Mr. Dan Krutsch



SITE DATA			
PART OF LOT 5 & 6 CONCESSION 1			
PROPERTY DESCRIPTION	CG-RURAL COMMERCIAL		A-AGRICULTURAL
	REQUIRED	PROPOSED	
		(PARCEL 'A')	(PARCEL 'B')
MINIMUM SITE AREA	0.4h	2,899.68 sq.m.	1,854.00 sq.m.
GROSS FLOOR AREA		425.38 sq.m.	0
MAXIMUM BUILDING COVERAGE	50%	15%	0%
MINIMUM LANDSCAPE OPEN SPACE	11%	23.02%	100%
PARKING	16	30 SPACES	
MINIMUM STORAGE AREA	20%	378.75 sq.m.	0
MINIMUM LOT FRONTAGE	30m	45.73 m	65.32 m
MINIMUM FRONT YARD DEPTH	10.5m	7.60 m	N/A
MINIMUM SIDE YARD (ABUTTING A STREET)	6m	5.67 m	N/A
MINIMUM FLOODWAY SETBACK	15m	15 m	15 m

**BP**  
Bozaine Partners

**Bozaine Landscape Architects**  
Construction & Planning Division  
1-800-661-1111, Project Management  
1-800-661-1111, Project Management  
1-800-661-1111, Project Management

3514 Walker Rd., Unit 1A  
Windsor, ON N9W 3S4  
p: 519 566 8844  
f: 519 566 4365  
glenn@bozaine.ca

**SEAL:**

**ISSUED:**

**REVISIONS:**

All drawings, specifications and other related documents are the property of Bozaine Landscape Architects. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the CONSULTANT.

The contractor shall check and verify all dimensions, elevations, etc., before proceeding with the work.

**PROJECT:**  
**RIVER CANARD CANOE COMPANY**  
9350 MALDEN ROAD  
LASALLE, ONTARIO

**DRAWING TITLE:**  
**SITE PLAN**

**SCALE:**  
As Noted

**DRAWN BY:**  
GDB

**CHECKED BY:**  
PLB

**APPROVED BY:**

**DATE:** APRIL 2017

**DRAWING NO.:**  
**LA-2**

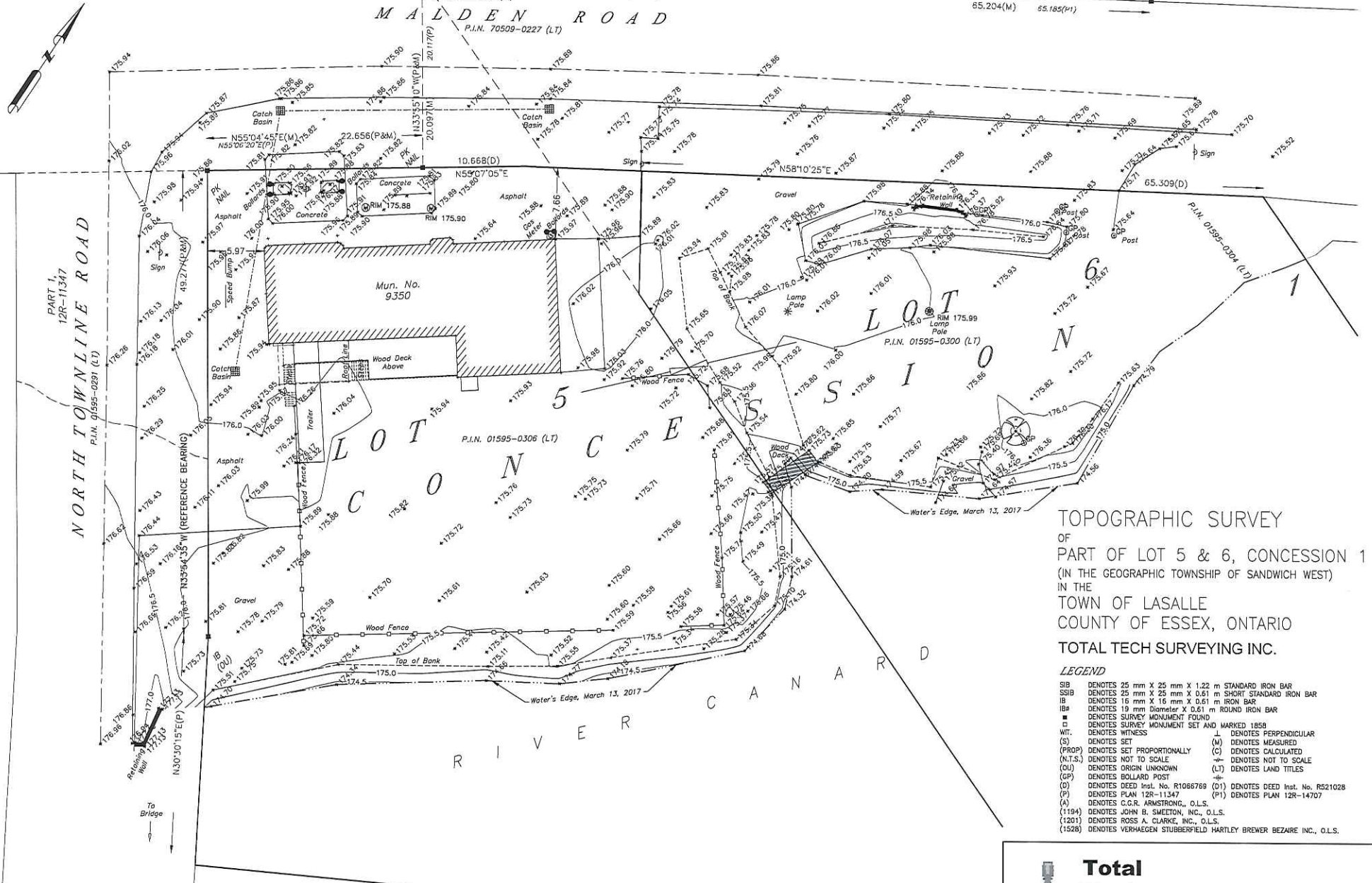
CAD file: 1252 site plan

*Figure 3*



"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTE  
BOUNDARY DISPLAYED AS PER DESCRIPTIONS  
OUTLINED IN THE DEEDS OF THE TWO  
SUBJECT PROPERTIES.



TOPOGRAPHIC SURVEY  
OF  
PART OF LOT 5 & 6, CONCESSION 1  
(IN THE GEOGRAPHIC TOWNSHIP OF SANDWICH WEST)  
IN THE  
TOWN OF LASALLE  
COUNTY OF ESSEX, ONTARIO  
TOTAL TECH SURVEYING INC.

#### LEGEND

SIB DENOTES 25 mm X 25 mm X 1.22 m STANDARD IRON BAR  
SSIB DENOTES 25 mm X 25 mm X 0.61 m SHORT STANDARD IRON BAR  
IB DENOTES 16 mm X 16 mm X 0.61 m IRON BAR  
IB# DENOTES 19 mm Diameter X 0.61 m ROUND IRON BAR  
■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET AND MARKED 1858  
WIT DENOTES WITNESS  
(S) DENOTES SET  
(PROP) DENOTES SET PROPORTIONALLY  
(N.T.S.) DENOTES NOT TO SCALE  
(OU) DENOTES ORIGIN UNKNOWN  
(CP) DENOTES COLLARD POST  
(D) DENOTES DEED Inst. No. R1066769 (D1) DENOTES DEED Inst. No. R521028  
(P) DENOTES PLAN 12R-11347 (P1) DENOTES PLAN 12R-14707  
(A) DENOTES C.G.R. ARMSTRONG, O.L.S.  
(1194) DENOTES JOHN B. SWEETON, INC., O.L.S.  
(1201) DENOTES ROSS A. CLARKE, INC., O.L.S.  
(1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC., O.L.S.

#### BEARING REFERENCE

BEARINGS ARE ASTROMONIC AND DERIVED FROM THE EASTERLY LIMIT OF NORTH TOWNLINE ROAD AS SHOWN ON 12R-22210 AND HAVING A BEARING OF N33°54'35"W.

A COUNTER CLOCKWISE ROTATION OF 0°24'25" MUST BE APPLIED TO 12R-14707

SCALE = 1:250



METRES

THE SURVEY WAS COMPLETED ON THE 13th DAY OF MARCH, 2017.

DATE: APRIL 24, 2017

BLOSS J. SUTHERLAND  
ONTARIO LAND SURVEYOR  
for TOTAL TECH SURVEYING INC.



**Total  
Tech  
Surveying Inc.**

341 Talbot St. N.  
Units 2 & 3  
Essex, ON N8M 2W3  
(519) 776-9887

Drawn by: W.R.G.

Checked by: B.J.S.

Job No: 2017-050

Plan File No: C2-248

Fluore 4



## Shoreline Condition Assessment

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**Date:** April 28, 2017  
**To:** File 17-006  
**From:** Daniel M. Krutsch, P.Eng.  
**Subject:** 9350 Malden Road (River Canard Canoe) Rezoning

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### **A. Project Background**

The property at municipal address 9350 Malden Road (hereafter referenced as Parcel A) and the northeast abutting property (hereafter referenced as Parcel B) are currently undergoing a rezoning to accommodate a change in land-use. The two properties front onto the Canard River and are located within an area that is regulated by the Essex Region Conservation Authority. Consequently, the rezoning is subject to review by ERCA.

Although the original building that occupies Parcel A dates back to the late 1930s, the current physical state of the two properties is largely a product of the subsequent development activities that occurred over the following decades, apparently without the benefit of a comprehensive site development plan. Of notable concern to ERCA is the historic dumping of assorted fill materials within a regulated area, which occurred during more recent decades without procurement of proper permits and approvals. This concern relates mostly to the westerly vacant parcel of property (Parcel B).

As a consequence, ERCA has imposed two conditions for their support of the subject rezoning. The first condition requires that a detailed topographic survey be undertaken to document the current topography of each site (i.e., shoreline alignment, site grades, and site features). This condition is intended to mitigate the potential for further unlawful infilling at the two parcels of land. The survey will provide a basis for assessing future site alterations.

To further mitigate the potential for unauthorized site alterations, a shoreline condition assessment was also requested. In addition to documenting current shoreline conditions, the existing erosion potential and the immediate need for improvements or upgrades to shoreline protection was assessed. The primary objective was to ensure that the Canard River is not being adversely impacted by deleterious substances or impacted soils eroding into the River.



## **B. Methodology**

The shoreline assessment entailed a visual examination of the entire reach of Canard River shoreline within the boundary of the two subject properties. Representative segments of the shoreline were photographed to document current conditions.

The balance of this report provides a brief narrative on the findings of the assessment.

### **1. Existing Shoreline Conditions**

The shore protection along the two land parcels that are being rezoned consists predominantly of stacked, broken concrete and concrete rubble. The majority of the stacked concrete appears stable and well founded (e.g., Photos 4, 6, 8, and 17), however some segments appear less stable and less substantial (e.g., Photos 3, 11, 12, and 20).

In general, the erosion protection that is being provided along the shoreline of Parcel A appears to be more substantial than the protection along the shoreline of Parcel B. Some segments of Parcel A are backed with a poured concrete apron (e.g., Photos 1 and 2). Some areas of Parcel B have minimal protection (e.g., Photo 19 and 20). A short segment with Parcel B features a sand/gravel beach (refer to foreground of Photo 19).

The condition of the upland area that abuts the shore protection varies throughout the two sites. As previously noted, a short segment near the west limit of Parcel A features a concrete apron (Photos 1 and 2). Except for this area, and a short segment near the boundary of Parcel A and Parcel B, the upland that abuts the shoreline is naturally vegetated with shrubs, herbaceous plants, and a few trees (Photos 4 through 16). The extreme east portion of Parcel A is covered with wood-chip mulch (Photos 17). For the most part, the upland portion of Parcel B is covered with sparse, mowed grass (Photos 19 and 20) or a mixture of sands and gravels (Photo 21). The extreme easterly portion of Parcel B exhibits an upland that is heavily vegetated with shrubs and a few small trees (Photos 24 and 25).

### **2. Erosion Susceptibility Assessment**

For the large majority of the shoreline that fronts the two property parcels, there is no evidence of recent soil loss, settlement or bare soil that would signify significant ongoing shoreline erosion. Therefore, except as noted below, we would characterize the shoreline as moderately stable.

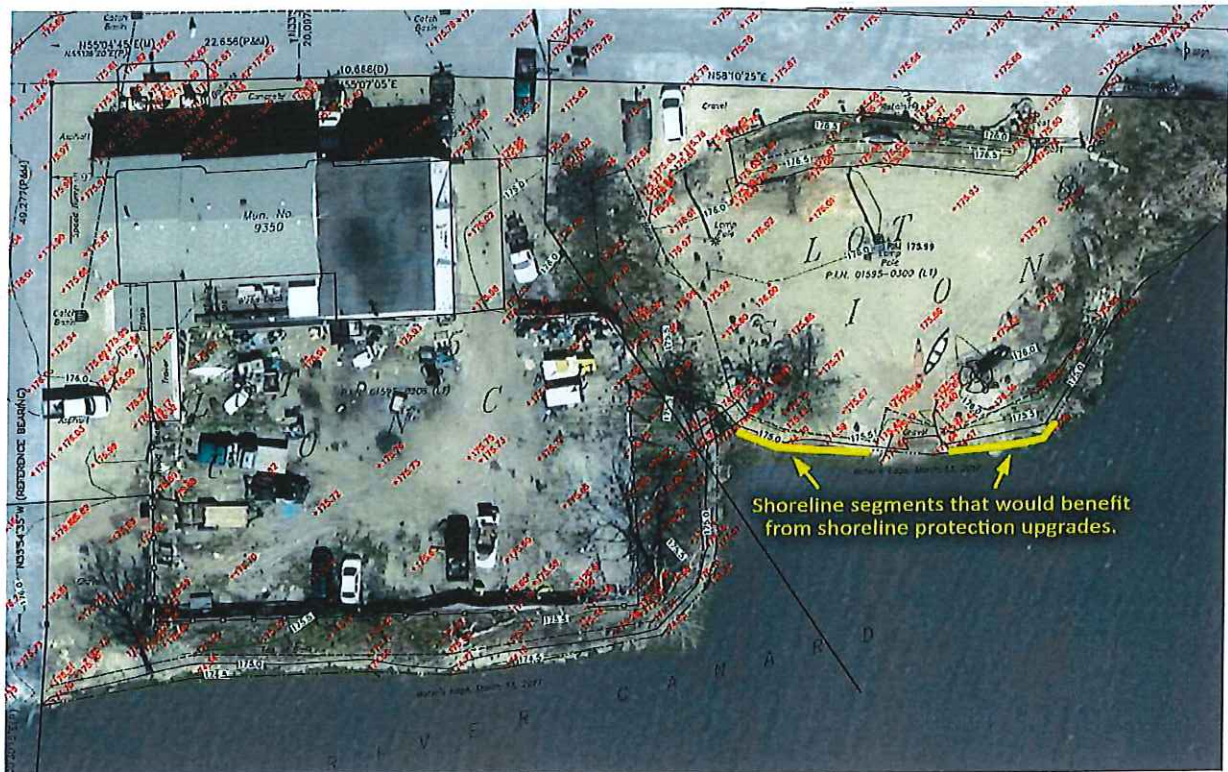
There are a few areas of the shoreline that do exhibit conditions that are consistent with active shoreline erosion (however minor). The most notable of such areas is the westerly portion of Parcel B (Photos 19 and 20). The amount of concrete rubble along this shoreline segment is relatively sparse in comparison to other areas. A second smaller reach of apparently erosion prone land is located toward the east limit of Parcel B, where the shoreline alignment turns towards the roadway (Photos 22 through 24). It seems probable that this 'corner' is more exposed to ice flows, and therefore more prone to erosion.

In conclusion, the shorelines that front the subject sites are being afforded variable degrees of erosion protection. The large majority of the shoreline could be characterized as being in fair condition with regard to stability and erosion protection, given that the protection is only protecting land. That is, no



existing buildings exist in close proximity to the shoreline. Therefore, there does not appear to be any warrants for upgrades to the shoreline protection, on the basis of erosion control alone.

However, from a sediment control perspective, two segments of shoreline would benefit from some minor shoreline upgrades. The objective would be to cover the bare, erodible riverbanks with a suitably sized rock/rubble material. The two areas that appear to be more susceptible to erosion are illustrated in the figure below.



Shoreline improvements could consist of installing suitably sized rock or broken concrete on filter fabric. The protection should cover the entire slope, and extend from the toe of the shoreline slope up to the level of the abutting upland. Prescription of shoreline improvements beyond this qualitative description is beyond the scope of this exercise. Although not considered mandatory, we would recommend that consideration be given to improving the shoreline protection in the interest of mitigating the adverse impacts of shoreline erosion on turbidity levels in the Canard River.





## Shoreline Photographs



Photograph Location Key

During the site examination conducted by Landmark Engineers Inc. staff on April 19, 2017, photographs were taken to record the condition of the shoreline. The above Key records the location where each photograph was taken. The 25 photographs are presented on the following pages.





Photo 1



Photo 2





Photo 3



Photo 4





Photo 5



Photo 6





Photo 7



Photo 8





Photo 9



Photo 10





Photo 11



Photo 12.





Photo 13



Photo 14





Photo 15



Photo 16





Photo 17



Photo 18





Photo 19.



Photo 20



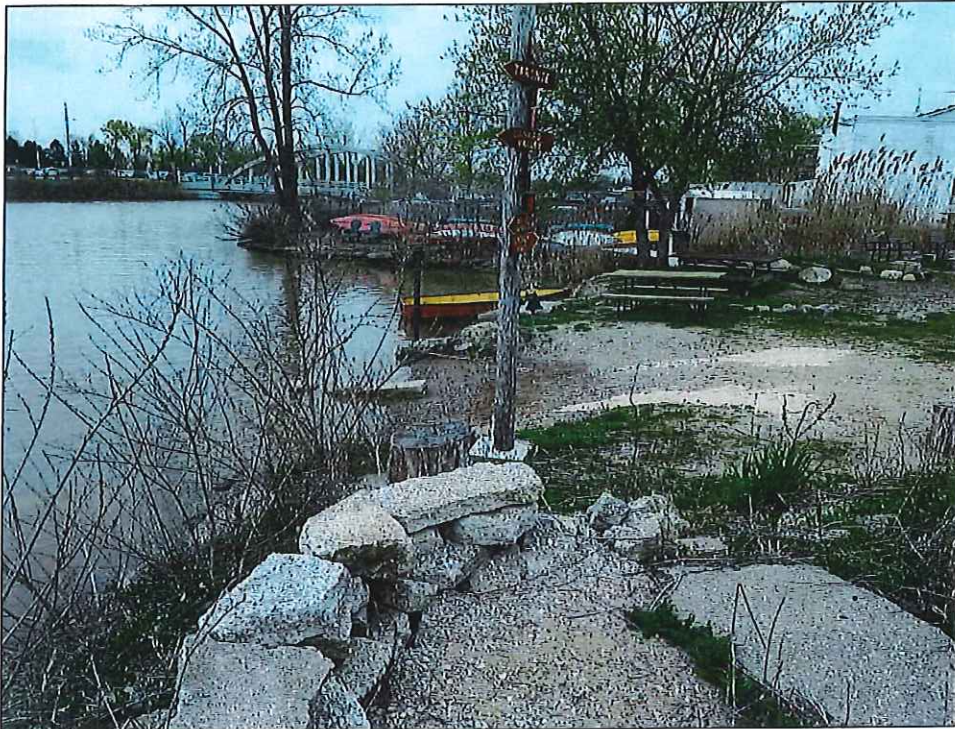


Photo 21



Photo 22





Photo 23



Photo 24





Photo 25



County of  
Essex

Corporation of the County of Essex  
Engineering Department

**Thomas R. Bateman, P. Eng.,**  
County Engineer  
tbateman@countyofessex.on.ca

## Memorandum

**TO:** Larry Silani, Town of LaSalle (via email)

**FROM:** Dale Myer

**CC:** Jane Mustac

**DATE:** May 30, 2017

**SUBJECT:** ZBA-08-2017 & ZBA-09-2017, Ron LaPointe, Ricky Randhawa, Mr. & Mrs. Martin, Donna Dupuis, Part Lot 5, Concession 1, East Side County Road 8, South Side County Road 3, Municipal Number 9350 Malden Road, Town of LaSalle.

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Larry,

We have reviewed your letter of May 11, 2017 that was addressed to Tom Bateman, along with the accompanying documents from Bezaire Partners and Landmark Engineers Inc.

We are generally in agreement with this proposal.

Our main issue with this property is the use of our right of way for parking. This has been a problem for us for some time and this proposal addresses many of our concerns. The area along the west wall of Municipal Number 9350 is designated as No Parking on the plan. This pavement should be clearly marked, perhaps by the use of a painted gore area. The gravel portion along the entire north limit of Parcel B is proposed to remain as is. This would seem to be an attractive parking area for visitors not familiar with the area. The plan shows no parking signs to be erected along the existing grass berm adjacent to this gravel area.



It will be up to the owners to ensure that customers do not park in the gravel portion. The County of Essex will monitor the situation to review compliance. If parking in the gravel area becomes an ongoing concern we will inform the Town of LaSalle and insist that the owners address the situation by constructing some sort of physical barrier. That could include the construction of an open roadside ditch.

The other concern for us is access to the site. The proposal eliminates all access to County Road 3 for the canoe launching site except for a gated maintenance access. All vehicles accessing the towing and storage area, and the canoe launching site shall enter the parking area behind Municipal Number 9350 via a clearly defined access immediately east of the east wall of the building. This is a welcomed improvement over the existing condition.

Can you tell us if any environmental studies are required for this site with respect to the fuel storage tanks and pumps?

Please contact me if you have any questions or require any further comments.



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