



## **The Corporation of the Town of LaSalle**

**To:** Members of the Committee of Adjustment

**Prepared by:** Ryan Tufts, Planning Technician

**Department:** Planning, Building and Property

**Date of Report:** June 13, 2022

**Report Number:** PBP-21-22

**Attachments:** Figure 1, Location

**Subject:** A-05-22 File #4142

**Application for Minor Variance:** A-05-22 File #4142

**Application on Behalf of:** 823821 Ontario Inc.

**Location of Application:** Vacant land beside 2500 Todd Lane

### **Purpose & Effect of Application**

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 4.1 h) of By-Law No. 8600, to allow a reduced exterior side yard from 3 metres to 1.5 metres.

### **Report**

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

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

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

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

The following comments are offered with respect to this application:

- The vacant land abuts a municipally owned unopened Right-of-way to the west. The unopened Right-of-way to the north, Bondy Avenue, as well as the land to the north which is zoned Natural Environment (identified as an environmentally significant area). The Town does not intend to install roads for development at this location and does not require the increased side yard setback for an exterior side yard.
- No comments or concerns have been raised by the abutting property owners.

## **Consultations**

The subject application was circulated to the Essex Regional Conservation Authority (ERCA), the County of Essex, to the local school boards, and to several utility companies.

## **Recommendation**

That whereas the Minor Variance, is consistent with the general intent and purpose of the Official Plan and the implementing Zoning By-law, as amended from time to time, and having heard all comments and concerns from the public, agencies, and Town Staff, be it therefore resolved that Application A-05/22 File # 4142 be approved subject to the following conditions:

1. THAT the Applicant submit a lot grading and servicing plan prepared by a Professional Engineer for the subject lands to the satisfaction of the Town Engineer.
2. THAT the Applicant apply for a Right-of-Way Permit with the municipality and the pay required application fee.
3. THAT the Applicant install separate water, sanitary sewer, and storm water sewer services to the satisfaction of the municipality in accordance with the approved lot grading and servicing plan. The contractor selected to complete the works must be selected from the Town's Approved Contractors List.

4. THAT the Applicant confirm adequate utility services are available for the proposed new lots.
5. THAT the Applicant provide a financial security in an amount satisfactory to the municipality to ensure proper installation of services. A portion of this security will be held by the municipality until such time as all restoration works and deficiencies are deemed complete by the Town.

**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 - 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
5. Sustaining strong public services and infrastructure - Not Applicable

**Communications**

Notices given by local newspaper and notifications pursuant to the Planning Act Notifications.

**Notifications**

Name	Address
Mary-Ann Keefner	2570 Ouellette Ave, Suite 301

**Report Approval Details**

Document Title:	A-05-22.docx
Attachments:	- Figure 1 823821 Ont Inc.pdf
Final Approval Date:	Jun 17, 2022

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



Director of Planning and Development

Gudrin Beggs