



## **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:** November 1, 2023

**Report Number:** PD-40-2023

**Attachments:** Figure 1 Location, Figure 2 Site Plan

**Subject:** A-06-2023 File 4172

**Application for Minor Variance:** A-06-2023

**Application on Behalf of:** Roseland Homes c/o Melanie Muir

**Location of Application:** 4865 Terra Bella Drive

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

The subject lands is currently vacant and the applicant is proposing to build a semi-detached dwelling. The applicant is seeking a reduction of the exterior side yard, being the western lot line, to build both semi-detached dwelling units the same size. The property is zoned Residential Two (R2), under Zoning By-Law No. 8600, which requires a 3 metres exterior side yard.

Therefore, the applicant is seeking relief from the provisions of Subsection 4.2 h) of By-Law No. 8600, to allow a reduced exterior side yard from 3 metres to 2.1 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?

The proposed construction does not contravene the Official Plan.

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

The proposed construction of this semi-detached dwelling maintains the general intent and purpose of the Zoning By-law as it exceeds the minimum interior side yard setback requirement of 1.2 metres.

3. Will the relief that is being applied result in the appropriate development of the subject property?

The proposed construction maintains the general intent and purpose of the Zoning By-law as it exceeds the minimum interior side yard setback requirement.

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).

The variance is considered minor as it is not anticipated that the proposed reduced exterior side yard will not impact the neighbours as there are no direct neighbours affected.

In an effort to reduce the impact of the proposed minor variance, Town staff have worked with the applicant's consultant to reduce the variance that was being sought from a 1.5 metre exterior side yard, increasing it to the proposed 2.1 metre exterior side yard.

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.

Subject to receiving comments from the public, Administration is in a position to state that the application, as proposed:

- i. Is in keeping with the general intent of the Official Plan.
- ii. Is in keeping with the general intent of the Zoning By-law, 8600.
- iii. Is desirable as it will result in an appropriate development of the area.

Is minor in nature because any adverse impact that may result from approving this variance is considered minor.

## **Consultations**

In accordance with the *Planning Act*, the notice has been circulated to property owners within a 60-metre radius and in the Windsor Star. The subject application was circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, the local school boards, and several utility companies. No comments or concerns have been raised at the time this report was written.

## **Recommendation**

That the Committee of Adjustment approve the Minor Variance Application A-06-2023 File #4172 to reduce the exterior side yard from 3 metres to 2.1 metres.

## **Prepared By:**



Planning Technician

Ryan Tufts, Planning Technician

## **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**

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

Not Applicable.

**Report Approval Details**

Document Title:	A-06-2023.docx
Attachments:	- Roseland Homes FIG 1.pdf - Roseland FIG 2.pdf
Final Approval Date:	Nov 7, 2023

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



Manager, Planning and Development

Kristina Brcic