



The Corporation of the Town of LaSalle

To: Members of the Committee of Adjustment

Prepared by: Ryan Tufts, Planning Technician

Department: Planning and Development

Date of Report: April 24, 2024

Report Number: PD-14-2024

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

Subject: Minor Variance A-05-2024 File 4183

Application on Behalf of: Timberland General Contractors

Location of Application: 5185 Vel Lane

Purpose & Effect of Application

The subject property is located at 5185 Vel Lane. The subject land is currently vacant and a semi-detached residential dwelling will be constructed and is designated Residential District in the Town's Official Plan and zoned Residential Two (R2), according to Zoning By-law 8600.

The applicant is proposing to construct a semi-detached dwelling on the subject lands. They are seeking relief from the provisions of Subsection 4.2 h) to allow a reduced exterior side yard from 3 metres to 2.4 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 semi-detached dwelling conforms to the general intent of 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 semi-detached dwelling maintains the general intent and purpose of the Zoning By-law.

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

The proposed reduction in the exterior side yard setback will facilitate the construction of a semi-detached dwelling on the subject lands.

4. Is this application minor in nature? (Minor does not mean a mathematical calculation – ex. 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 for an exterior side yard reduction is considered minor as it is only the corner of the proposed dwelling that is seeking relief.

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 application requires a reduction in the exterior side yard setback to facilitate the construction of a semi-detached dwelling.
- No comments or concerns have been received regarding the reduced exterior side yard setback at the time this report was prepared.
- No conditions are being requested as the builder will be required to obtain a building permit from the town before construction can begin.

Consultations

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 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-05-2024 File # 4183 be approved subject to the following conditions: None

Prepared By:



Planning Technician

Ryan Tufts, Planning Technician

Communications

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

Notifications

None

Report Approval Details

Document Title:	A-05-2024.docx
Attachments:	- B-05-2024 Timberland FIG 1.pdf - A-05-2024 Timberland FIG 2.pdf
Final Approval Date:	May 7, 2024

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



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

Allen Burgess



Manager, Planning and Development

Kristina Brcic