



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: April 24, 2024

Report Number: PD-15-2024

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

Subject: Consent Application B-06-2024 File 4181 for lot creation

Application for Consent: B-06-2024 File 4181

Application on Behalf of: Tom and Kasia Touralias

Location of Application: 1407 Stuart Avenue

Purpose & Effect of Application

The subject land is located at 1407 Stuart Avenue, is designated 'Residential District' in the Official Plan, and is zoned Residential One (R1), according to Zoning By-law No. 8600.

The applicant wishes to sever three parcels of land each with a frontage of 9.1 metres (30') and a depth of 36.5 metres (119.8') having an area of approximately 334 m². The retained parcel of land will have a frontage of 9.1 metres (30') and a depth of 36.5 metres (119.8') having an area of approximately 334 m². Should this application be approved, the applicant wishes to create four lots fronting on Stuart Avenue for the construction of two semi-detached dwellings.

Report

The Provincial Policy Statement (PPS) provides direction on matters of provincial interests as they relate to planning and development. In reviewing the proposed severances, the new lot is in keeping with the character and built form in the surrounding neighbourhood.

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 that 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*

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

- i) 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.*

The Official Plan for the Town of LaSalle designates the lands subject to this application as a “Residential District” and are located within the Urban Area.

Section 3.3.1 of the LaSalle Official Plan contains a set of goals for lands designated residential, including the following:

“To promote and encourage private landowners, developers, and builders to undertake residential intensification activities in areas of the town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, conversions, and

redevelopment, and will be encouraged in certain areas of the town as a means of increasing the supply of affordable rental and ownership housing.

A broad range of residential dwelling unit types are permitted within Section 4.7 of the LaSalle Official Plan, the “Residential District” land use designation, including single detached, semi-detached, townhouse, and apartment-type dwelling units.

In sections 7.8.3 of the Town of LaSalle OP, goals for lands in the “Severances” include:

- a) The creation of lots may be permitted by severance if it has been established that the development would not more appropriately proceed by way of Plan of Subdivision or Plan of Condominium.
- b) New residential development created by severance is encouraged to be located in areas designated for growth by this Plan.
- c) Severances that would contribute to ribbon or strip residential development shall not be approved unless it is a severance that represents the “infill” of an area that has already experienced ribbon development and is located within the urban area boundary. Further, the development should represent the limit of development on the property and any remaining lands should not be suitable for further division.
- d) Applications for severances that would result in a parcel being landlocked shall not be approved.
- e) The creation of lots may be permitted by severance if the proposed and retained lot(s):
 - i) Front onto an existing public road that is maintained on a year-round basis by the Town;
 - ii) Can be accessed by a driveway that does not create a traffic hazard;
 - iii) Satisfy any separation distances required between the proposed land uses for the severed lot(s) and the neighbouring land uses;
 - iv) Satisfy the minimum lot area requirements established for any land use/land use designation of this Plan and of the implementing Zoning By-law;
 - v) Achieve an appropriate lot configuration that is compatible with the surrounding community character;
 - vi) Can be serviced by the Town’s water supply and sewage system without adversely affecting the Town’s finances, or by private well and wastewater disposal system where municipal services are not planned or existing;

- vii) Can be supplied with other municipal services such as fire protection and road maintenance, without adversely affecting the Town's finances; and,
- viii) Generally, result in no more than 5 lots in total.

As noted earlier in this report, the subject lands are zoned Residential One (R1). singles and semi-detached dwellings are permitted in the R1 zone.

As a result of the proposed severance two semi-detached buildings will be constructed over the four proposed lots, resulting in four separate dwellings.

It is my opinion that the proposed severance are in keeping with the policies and the intent of the Provincial Policy Statement, the County of Essex Official Plan, and the Town LaSalle Official Plan and Zoning By-law.

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

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-06-2024 File #4181 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 to be submitted to the Secretary-Treasurer;
2. That all property taxes be paid in full;
3. That a cash-in-lieu of parkland dedication fee in the amount of \$750 per lot be paid to the Corporation of the Town of LaSalle;
4. That the Applicant submits an updated 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 submits an as-built drawing for the servicing work to the municipality for review and approval;
6. That the Applicant obtain a right-of-way permit from the Town's Public Works Department;
7. That the Applicant provide all easements and dedications, pertaining to the subject lands, to be prepared and registered at the entire cost of the Applicant, including but not limited to such matters as servicing easements and road widening dedications as they relate to the development of the subject lands;
8. That the Applicant provides 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;
9. That all of the above conditions be fulfilled on or before May 22, 2026.

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:	B-06-2024.docx
Attachments:	- B-06-2024 Touralias FIG 1.pdf - B-06-2024 Touralias 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