



## **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:** July 31, 2024

**Report Number:** PD-28-2024

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

**Subject:** B-09-2024 File 4187

**Application for Consent:** B-09-2024

**Application on Behalf of:** Rose Boretsky c/o Michael Towers

**Location of Application:** 2502 Front Road

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

The Town of LaSalle has received the above-noted application for the lot located at 2502 Front Road, located north of Bechard Beach Avenue (See Figure 1 for subject land location). The subject property is designated "Residential District" by the Official Plan and Zoned "Residential One- R1" under the LaSalle Comprehensive Zoning By-law 8600, as amended. The subject site has a total area of 1.8 acres (7,567 m<sup>2</sup>) with approximately 30 metres (95.7 feet) of frontage. Currently, there is a single-detached dwelling on the subject land and the applicant is seeking to create one lot addition to the property located at 2500 Front Road and an access easement for the home located at 2502 Front Road. The lot addition will have a frontage of approximately 11 metres (36 feet), a depth of approximately 13 metres (44 feet) and an area of approximately 147 m<sup>2</sup> (1,582 ft<sup>2</sup>) (see applicants survey attached as Figure 2). The access easement will have a frontage of approximately 3.6 metres (12 feet) and a depth of approximately 13 metres (44 feet). The access easement is an extension of an existing easement that was created in 1996 by the Committee of Adjustment. This easement will allow the existing dwelling located at 2502 Front Road to have continuous access to their property from Front Road. All zoning requirements have been met, and no relief is requested as part of this consent application

### **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 lot addition;

- 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.

This lot addition application will increase the depth of the property located at 2500 Front Road, giving the owner a larger backyard.

There is an existing access easement for the dwelling at 2502 Front Road. Part of this application is to extend the existing easement which will allow the resident at 2502 Front Road continued access to their property.

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

## **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 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-09-2024 File #4187 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, is reviewed by the Secretary-Treasurer and once approved is signed, numbered, dated and registered, then submitted to the Secretary-Treasurer;
2. That the Secretary-Treasurer be provided with an undertaking from the Applicant's solicitor confirming the severed portion of the land shall be consolidated with the abutting property and that the access easement be registered on title;

3. That all of the above conditions be fulfilled on or before August 21, 2026.

**Prepared By:**



Planning Technician

Ryan Tufts, Planning Technician

**Communications**

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

**Notifications**

Not applicable.  
Report Approval Details

Document Title:	B-09-2024.docx
Attachments:	<ul style="list-style-type: none"><li>• B-09-2024 Tower FIG 1.pdf</li><li>• B-09-2024 Tower FIG 2.pdf</li></ul>
Final Approval Date:	Aug. 2, 2024

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



Manager, Planning and Development

Kristina Brcic