



## **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:** October 25, 2024

**Report Number:** PD-41-2024

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

**Subject:** Consent Application B-12-2024 File 4190 for lot creation

**Application for Consent:** B-12-2024 File 4190

**Application on Behalf of:** Royal Oak Luxury Builders Limited

**Location of Application:** 1244 Surrey Drive

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

The subject land is located at 1244 Surrey Drive, is designated 'Residential District' in the Official Plan, and zoned 'Residential One Zone (R1)', according to Zoning By-law No. 8600.

The applicant wishes to sever the vacant land with a frontage of approximately 9 metres and a depth of approximately 55 metres, having an area of approximately 507 m<sup>2</sup>. The proposed severance is represented by the red line in Figure 2. The retained parcel of land will have a frontage of approximately 9 metres and a depth of approximately 55 metres, having an area of approximately 507 m<sup>2</sup>.

Should this application be approved, the applicant wishes to further subdivide the land to create four lots fronting onto Surrey Drive for the construction of semi-detached dwellings, see the green dashed lines in Figure 2.

### **Report**

The Provincial Planning 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 Planning Statement that were considered as they relate to the proposed development;

## 2.2 Housing:

*1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

*a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*

*b) permitting and facilitating:*

*1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*

*2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

*c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*

*d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

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 a 'Residential One Zone (R1)', according to Zoning By-law No. 8600. The proposed lots comply with the provisions of By-law 8600, and no concurrent minor variance or rezonings are required as part of this approval.

The application is in keeping with the policies of the County of Essex and the Town of LaSalle Official Plan. The creation of single or semi-detached lots is an acceptable form of development at this location.

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

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-12-2024 File #4190 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 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;
7. 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;
8. That all of the above conditions be fulfilled on or before November 20, 2026.

### Prepared By:



Planning Technician

Ryan Tufts

### 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:	B-12-2024.docx
Attachments:	- B-12-2024 Royal Oak Fig 1 RT.pdf - B-12-2024 Royal Oak Fig 2 RT.pdf
Final Approval Date:	Nov 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