



## The Corporation of the Town of LaSalle

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<b>Date:</b>	January 19, 2019	<b>Report No:</b>	DS-04-19
<b>Directed To:</b>	Mayor and Members of Council	<b>Attachments:</b>	Figures 1,2 & 3
<b>Department:</b>	Development & Strategic Initiatives		
<b>Prepared By:</b>	Allen Burgess, MCIP, RPP. Supervisor of Planning & Development Services	<b>Policy References:</b>	Approved Official Plan
<b>Subject:</b>	<u>Application:</u> Rezoning Application		
	<u>Our File No.:</u>	Z-17-2018	
	<u>Applicant &amp; Owner:</u>	Mohamed Tabib	
	<u>Location:</u>	Approximately 1 hectares of land located on the west side of Disputed Road, north of Bouffard Road municipally known as 6355 Disputed Rd.	

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### **RECOMMENDATION:**

Based on the comments that are contained within the following staff report, and subject to further input from Council, the public, and affected agencies, it is recommended that:

- i) Council grant approval to the Applicant's rezoning, based on the Applicant's proposed plan;
- ii) Council grant approval to the amendment to the existing severance agreement;
- iii) Council adopt the attached zoning by-law for the subject lands.

### **REPORT:**

This report is intended to provide members of Council with land use planning comments and recommendations regarding a development application that has been submitted to the Town requesting Council approval for the rezoning of approximately 1 hectare of land located on the west side of Disputed Road (as depicted on Figure 1). The rezoning from Agricultural (A) zone to a Traditional Neighbourhood Design Residential One (TND R1-1) zone at this location is to allow homes to be built on three (3) new single detached building lots at this location, in keeping with a consent application submitted to the Committee of Adjustment.

### **Provincial Policy Statement:**

The Provincial Policy Statement (PPS) provides direction on matters of provincial interests as they relate to planning and development. In reviewing the proposed development/redevelopment of this site, the proposed intensification and infill is in keeping with the character and built form in the surrounding neighbourhood and it is an efficient use of existing municipal services. It is my opinion that the servicing of these lots is in keeping with the policies outlined below.

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:

*b) permitting and facilitating:*

- 1. forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
- d) promoting densities for new housing which 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*
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

### **COUNTY OF ESSEX OFFICIAL PLAN:**

In the County of Essex Official Plan, the subject lands are located within a "Primary Settlement Area". The servicing of these infill lots is in keeping with the policies and the goals of this upper tier plan.

The following are relevant sections of the County OP that were considered as they relate to the proposed development;

- i) In sections 3.2.2 of the County OP, goals for land designated as "Settlement Areas" are set out and include the following:
  - a) *Support and promote public and private re-investment in the Primary Settlement Areas.*
  - c) *To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.*
  - e) *To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan.*
  - g) *To support long term economic prosperity by providing infrastructure and public service facilities to accommodate projected growth.*
  - j) *Promote affordable housing within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.*
- ii) 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.*

### **TOWN OF LASALLE OFFICIAL PLAN:**

It is my opinion, based on the policies below, the rezoning is in keeping with the policies and the intent of the approved Official Plan of the Town of LaSalle.

1. Section 4.7 of the Official Plan contains policies for the "Residential District Designation" as follows:

Intent

- a) *An array of housing and building types, as well as uses that support neighbourhood living, are encouraged throughout the Residential District Designation. Development in the Residential District Designation will contribute to the creation of compact, connected and walkable/ bikeable neighborhoods, where a wide range of community assets, such as*

*schools, parks, mixed use corridors, the town centre and the waterfront, are within a five minute walk.*

#### *Permitted Uses*

- b) Lands within the Residential District Designation may include a full range of residential dwelling types, as well as supporting land uses intended to serve local residents. The following uses may be permitted on lands within the Residential District Designation, as shown on Schedule B: Land Use Plan, subject to the policies of this Section:*
  - i) Dwelling units in low-rise, mid-rise and high-rise built forms;*
  - ii) Second units;*
  - iii) Communal housing, including special needs housing and housing for seniors;*
  - iv) Live-work units;*
  - v) Home occupations;*
  - vi) Bed and breakfast establishments;*
- c) Generally, the range of permitted residential and non-residential supporting uses and building types shall be distributed throughout the Residential District Designation. The range of permitted land uses within the Residential District Designation shall be further refined through the implementing Zoning By-law.*

#### *Development Policies*

- d) Reverse frontage (back-lotting) along public streets shall not be permitted.*
- e) The character of the Town's established neighbourhoods within the Residential District Designation shall be maintained. When considering an application for a development within this Designation, the policies in Chapter 3 of this Plan shall be applied. In addition, land use specific policies that are applicable within this Designation are included in Chapter 5 of this Plan.*

## **2. Section 5.2 of the Official Plan contains "Urban Area Use Specific Policies" as follows:**

#### **Urban Area Use Specific Policies**

- a) In addition to all of the other applicable policies of this Plan, the following land use specific policies shall also apply throughout the Urban Area Land Use Designations, where the use is permitted:**
  - i) Policies for Second Units and Garden Suites - Second units are permitted in all detached and semi-detached dwellings and ancillary structures in the Town's Urban Area, subject to the provision of adequate on-site parking, and compliance with applicable zoning, Building Code and Fire Code requirements. Garden suites may be permitted on residential lots containing single-detached dwellings throughout the Town's Urban Area, subject to the provision of adequate on-site parking, and compliance with applicable zoning, Building Code and Fire Code requirements.**

- ii) Policies for Low-Rise Residential Development – The following criteria apply to all low-rise residential development:
  - The maximum building height for low-rise residential uses shall be 3 storeys, or 11 metres, whichever is less;
  - Built-forms that are considered low-rise residential include:
    - Detached, duplex, and semi-detached dwellings;
    - Second units; and,
    - Street and block townhouse dwellings;
  - Notwithstanding the above noted uses, the Town may permit additional building forms that support the intent of the low-rise residential category; and,
  - Where permitted by the implementing Zoning By-law, low-rise residential uses that are located adjacent to highways will be required, wherever possible, to develop in a manner that will minimize direct access to such highways.

### **ZONING:**

The subject lands are zoned Agricultural in the Town's Comprehensive Zoning By-law. The proposed rezoning to the Traditional Neighbourhood Design Residential One (TND R1-1) zone will facilitate the servicing of three (3) new single detached building infill lots.

The Traditional Neighbourhood Design Residential One (TND R1-1) zoning requirements recognizes the dimensions of the proposed lots, are in keeping with the intent of the Official Plan and those new lots would exceed all zoning requirements. Attached is a portion of the draft 12R plan depicting the 3 proposed infill lots (Figure 2).

This rezoning is part of a concurrent severance application that will facilitate the creation of the proposed lots & lot addition; a copy of the proposed zoning by-law amendment is attached as Figure 3.

### **COMMENTS:**

In assessing the merits of the Applicant's development plan, the following land use planning comments are offered for Council's consideration:

- i) The existing single family home will remain as a remnant parcel, and the land on which the existing accessory building rests upon will be merged with the lands to the north;
- ii) The Applicant shall agree to enter into an amended severance agreement with the Town to ensure that the subject lands comply with all municipal development standards and servicing requirements, including lot grading, sanitary sewer system connections, rear yard drainage, easements, etc. This agreement shall apply to the entire subject property;
- iii) Town Engineering staff have worked with the Owner's Engineering consultant, and have confirmed that there is adequate Storm water drainage and sanitary sewer infrastructure available to accommodate the proposed development;



- iv) These three (3) lots front onto an existing local road owned and maintained by the Town of LaSalle. No new roads are being created and this infill residential development will maintain the existing lot pattern and built form that already exists on the remainder of Disputed Road;
- v) The lots will have a sufficient front yard frontage and depth to accommodate required parking and with 170' in lot depth, the builders can increase the length of the proposed driveways by increasing the garage setback, if they choose to do so.
- vi) It should be noted, that no further development on the agricultural lands located to the west of the subject lands, will take place until such time that a draft plan of subdivision application is prepared, submitted, approved by the Town of LaSalle and the County of Essex.

We would be pleased to answer any questions with respect to the comments and recommendations that are contained within this Staff report.

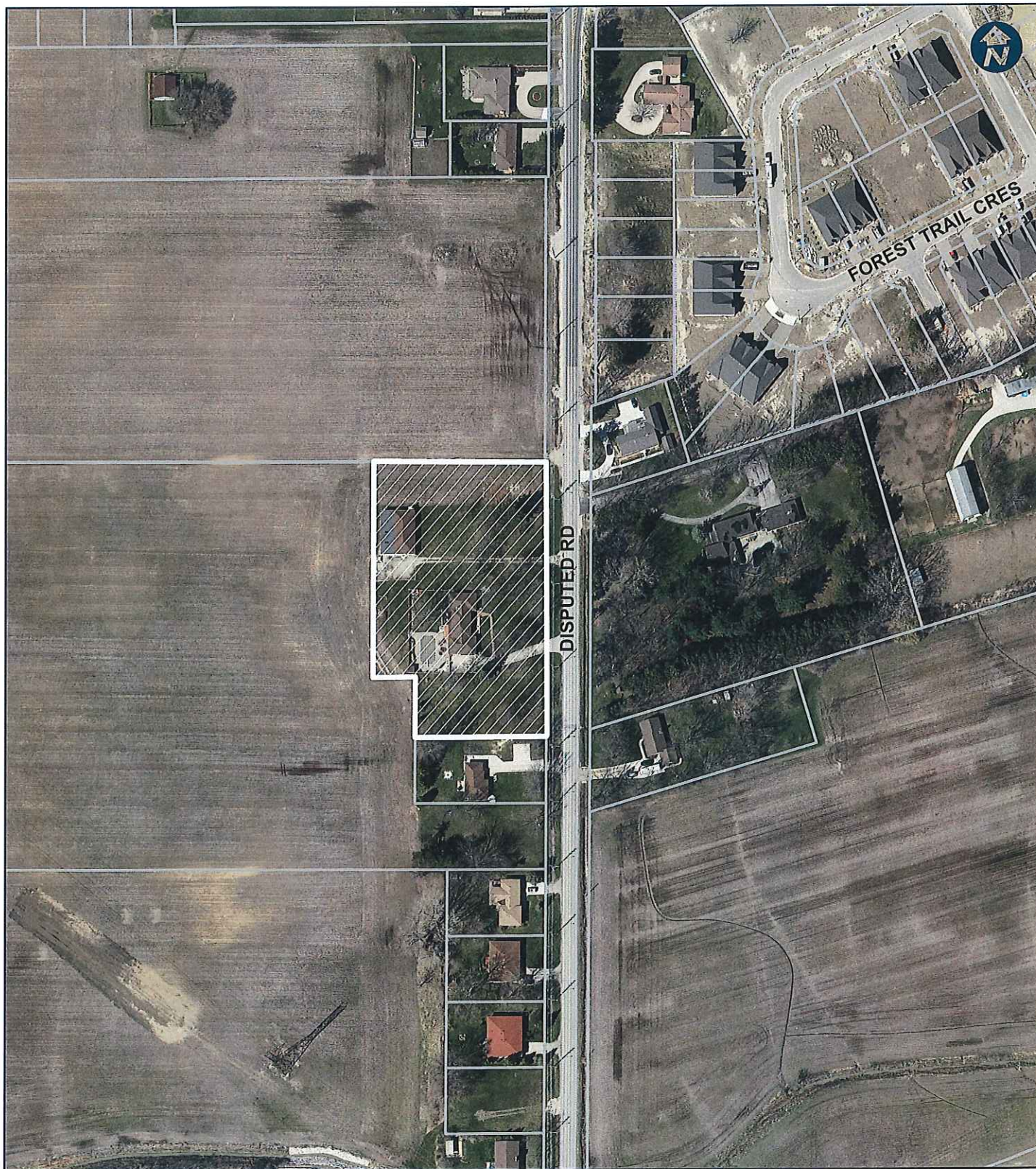
Yours truly,



A. Burgess, MCIP, RPP.  
Supervisor of Planning &  
Development Services

Reviewed by:						
<div> <div>CAO</div>  </div>	Finance	Clerk	Environmental Services	<div> <div>Development &amp; Strategic Initiatives</div>  </div>	Culture & Recreation	Fire





Legend:



**Subject Lands**

Title:

## FIGURE 1 - KEY PLAN



Scale: 1:1250

File No: Z-17-2018

Prepared For: Planning Dept.

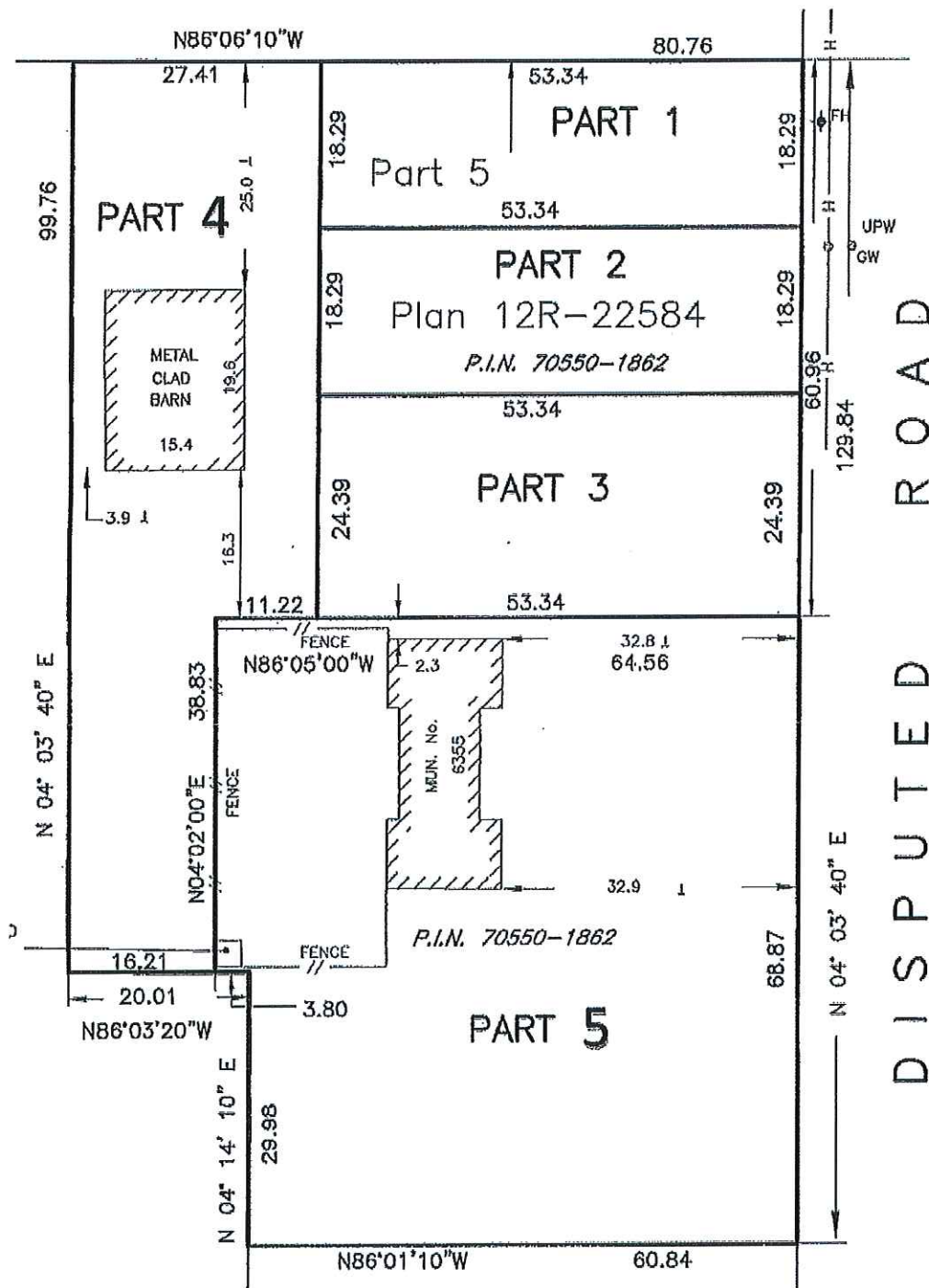
Applicant: Mohamed Tabib

Prepared By: DSI Dept.

Date: January 11, 2019

Notes: This document is not a Legal Plan of Survey.





## FIGURE 2 - PROPOSED LOTS

Scale:	N.T.S.	File No:	Z-17-2018	Title:	
Prepared For:	Planning Dept.	Applicant:	Mohamed Tabib	Notes:	
Prepared By:	DSI Dept.	Date:	January 11, 2019		

This document is not a Legal Plan of Survey.





## THE CORPORATION OF THE TOWN OF LASALLE

## BY-LAW NO.

A By-law to amend Zoning by-law No. 5050, the Town's Comprehensive Zoning By-Law, as amended.

**WHEREAS** authority is granted under Section 34 of the Planning Act, R.S.O. 1990, and amendments thereto, to the Council of the Town of LaSalle to pass this By-law;

**AND WHEREAS** this by-law conforms to the Official Plan in effect for the Town of LaSalle, as amended;

**NOW THEREFORE the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

1. Schedule "C", Maps 8 and 14, of By-law 5050, as amended, is hereby further amended by changing the zone classification on those lands depicted on Schedule "A" attached hereto and forming part of this by-law from an Agricultural- "A" to a Traditional Neighbourhood Design Zone- "TND-R1-1";
2. This by-law shall take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990.

**Read** a first and second time and finally passed this    day of                      , 2019.

1st Reading –                      , 2019

\_\_\_\_\_  
Mayor

2nd Reading –                      , 2019

3rd Reading –                      , 2019

\_\_\_\_\_  
Clerk

BY-LAW NO.

SCHEDULE A

Concession 2 part of lot 32  
12R-22584 part 5



Agricultural- "A" to a Traditional Neighbourhood Design Zone- "TND-R1-1"