



## The Corporation of the Town of LaSalle

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<b>Date:</b>	March 20, 2017	<b>Report No:</b>	DS-13-2017
<b>Directed To:</b>	Mayor and Members of Council	<b>Attachments:</b>	Figures 1 to 4
<b>Department:</b>	Development & Strategic Initiatives		
<b>Prepared By:</b>	L. Silani, M.Pl., MCIP, RPP Director of Planning & Development Services	<b>Policy References:</b>	Approved Official Plan
	A. Burgess, MCIP, RPP Supervisor of Planning & Development Services		
<b>Subject:</b>	<u>Application:</u>	Zoning By-law Amendment and Site Plan Control Applications	
	<u>Our File No.:</u>	Z-02-2017 and SPC-01-2017	
	<u>Registered Owner:</u>	SD Development Corporation	
	<u>Applicant:</u>	Rosati Construction Inc. (D. McCulloch)	
	<u>Location:</u>	Approx. 0.4 hectares of land located on the southeast corner of Malden Road and Wyoming Avenue (Malden Planning District)	

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### **RECOMMENDATION:**

Based on the information provided within this report, and subject to further input from Council and the public, it is recommended that:

- Council grant approval in principle to the Applicant's development application for the subject lands, and that a final set of site plan drawings, landscape plans, site servicing plans and elevation drawings be submitted to the Town, in accordance with direction received from Council;

- a zoning by-law amendment, together with a site plan control agreement, be prepared by Town Staff and brought back to Council for adoption and execution purposes, in accordance with direction received from Council;

## REPORT:

### INTRODUCTION AND NATURE OF THE SUBJECT APPLICATIONS:

This report is intended to provide members of Council with comments and recommendations regarding an application that has been submitted requesting Council approval for a rezoning of approximately 0.4 hectares of land located along the southeast corner of Malden Road and Wyoming Avenue, from a Town Centre Commercial Holding Zone -- "C4(h)" to a Town Centre Commercial (C4-12) Zone -- "C4-12". A corresponding site plan control application has been submitted, depicting the building location and site details for a new 7,945 square foot (738 square metre) retail store.

A retail store is a permitted use within the C4 zone category. The side yard setback distance for a portion of the the proposed new retail store situated closest to the southerly lot line, and the required landscaped buffer strip along the southerly lot line are proposed to be reduced to 2 metres and 1.3 metres respectively. All other C4 zone regulations will continue to apply to this site.

Figures 1 and 2 depict the location of the subject lands, and the existing zoning on lands located in the surrounding neighbourhood. Figure 3 attached, is the Applicant's preliminary site plan for the proposed new retail store, and Figure 4 is a rendering of the exterior view of the new commercial building, when viewed from Wyoming Avenue.

### OFFICIAL PLAN AND PROVINCIAL POLICY STATEMENT CONSIDERATIONS

The Planning Act requires that all zoning by-laws and all zoning by-law amendments adopted by Council conform with the land use designations and policies contained within the municipal approved Official Plans (both the lower-tier and upper-tier plans) that are in effect at the time that an application is received.

The Planning Act also requires that all Planning Authorities make decisions that are consistent with the 2014 Provincial Policy Statement.

In this particular instance, the subject property is designated "Malden Town Centre" in the Town of LaSalle's approved Official Plan.

This property is also situated within the "Settlement Area" designation as defined on Schedule "A1" in the 2014 Approved Upper-Tier (County of Essex) Official Plan document.

Section 3.6.1 of the LaSalle Official Plan contains a set of goals for lands designated Malden Town Centre, including the following:

*"To promote a "town centre" for the community that will enable a full range of civic, leisure, recreational and shopping experiences to be delivered in an environment*

*which is compact, convenient, safe, and accessible for both pedestrian and vehicular traffic"*

*"To create and maintain a Town Centre that includes design elements such as civic squares, parkettes, shared parking facilities and administrative buildings which will enhance and strengthen the civic identity of this community, and will create a friendly and visually attractive "gathering place" for an urban centre that will have a population in the range of 30,000 to 40,000 persons by the year 2016"*

Section 3.6.2 of the Town's Official Plan provides the following policy direction for lands designated Malden Town Centre:

*"The Town Centre is to be developed and redeveloped as a compact built environment, where shared parking and access facilities are to be encouraged and incorporated within individual developments*

*Town Centre uses should be coordinated and designed to function as integrated sites, with internal access and parking areas being linked with one another to facilitate a free flowing movement of pedestrian and vehicular movement of goods and services between individual sites*

*The permitted commercial uses shall include all types of retail, office and service commercial uses, places of entertainment, recreational commercial uses, clinics, financial service establishments, and other similar commercial businesses that serve the needs of town residents*

*Outdoor storage should generally not be permitted in the Town Centre, and loading and unloading areas should be visually screened and located in areas which do not interfere with the access and movement of shoppers*

*All development within the Malden Town Centre designation will be required to conform to high performance standards relating to parking, loading, lighting, landscaping and buffering as set out in the implementing zoning by-law and site plan control agreements*

*Town Centre developments and redevelopments will be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O., 1990"*

The "Settlement Area" policies of the County of Essex Official Plan include goals which:

*"promote development that is compact, mixed use, pedestrian oriented*

*promote the creation of public places that foster a sense of community pride and well-being and create a sense of place*

*increase the opportunity for job creation within each local municipality by attracting and maintaining businesses closer to where County residents live"*

The 2014 Provincial Policy Statement includes a number of inter-related policies that provide direction to all Planning Authorities with respect to Town Centre Districts, including the following:



*"Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted*

*encouraging compact, mixed-use development incorporates compatible employment uses to support liveable and resilient communities*

*encouraging a sense of place, by promoting well-designed built form*

*"promote cost-effective development patterns and standards to minimize land consumption and servicing costs".*

#### AGENCY COMMENTS:

The subject application was circulated to the Essex Region Conservation Authority (ERCA), the County of Essex, to the local school boards, and to a number of utility companies.

To date, only one response was received --- from ERCA, stating that they had no objections with this development application.

#### PUBLIC COMMENTS RECEIVED TO DATE:

The Planning Advisory Committee held an Information Meeting on March 9, 2017, in the Council Chambers at the Town Hall: (i) to provide an opportunity for residents living in the surrounding neighbourhood to obtain additional information; (ii) to provide a forum for questions to be asked of the Applicant; and (iii) to receive public comments at the "front-end" of the planning review and approval process.

Representatives of the Applicant (Kathryn Hengl and Dan McCulloch) were in attendance, and provided a brief summary of the subject rezoning application, and were available to answer questions.

No residents/members from the public attended this Information Meeting.

Mr. McCulloch informed Town Staff and the Committee Members that they had come to an agreement with the owner of the adjacent apartment building (located immediately to the south of this site) --- and that they have agreed to construct a new 10 foot high masonry screening wall along the new unloading bay, in addition to a new 8 foot high wooden privacy fence along the southerly lot line and a dense planting of black cedar trees between the two properties.

One Committee Member asked a question about store hours, and expressed his concern that this new retail store would be a destination attraction ---- and that Wyoming Avenue would become a "rat run" in terms of increased vehicular traffic, and that it would attract undesirable clientele.

## COMMENTS AND DISCUSSION

In assessing the merits of this rezoning and site plan control applications the following comments are offered for Council's consideration:

- a) The proposed new retail store is already a permitted use at this location -- with the site being currently zoned in a "C4(h) zone category;
- b) The development that will result from the subject rezoning and site plan control applications represents appropriate and compatible retail commercial development that is in keeping with the Malden Town Centre goals and policies as set out in local Official Plan and with the Settlement Area policies found in the upper-tier Official Plan. It is also consistent with the policy direction as set out in the 2014 Provincial Policy Statement. This additional retail floor space adds to the floor space that already exists within this growing/evolving mixed-use town centre, and continues to expand the range of goods and services that are available to residents of this community in a vibrant, attractive and pedestrian/cyclist friendly urban centre;
- c) The Applicant's preliminary site plan depicts a building location and off-street parking areas that is "street-oriented" in nature, and contains features that are designed to maximize privacy for adjacent residential units. The parking areas, driveways and access ways are all integrated with the adjacent commercial lands, and are coordinated to ensure that there is efficient and safe movement of people and vehicles to/from this site and from other sites in this Town Centre District;
- d) The Applicant's final site plan, and the corresponding Site Plan Control Agreement, will incorporate site details and language that will ensure that the necessary screening, fencing and landscaping is constructed and maintained to reflect the agreement that has been reached between the Applicant and the Owner of the abutting residential building;
- e) Town Staff are satisfied that with the above-noted screening wall, fencing and landscaping it is appropriate at this location to permit the side yard setback distance for a portion of the proposed new retail store situated closest to the southerly lot line to be reduced to 2 metres, and the required landscaped buffer strip along the southerly lot line to be reduced to 1.3 metres as requested. All other C4 zone regulations will continue to apply to this site;
- f) Malden Road is a designated arterial road that has been designed and built to accommodate higher volumes of vehicular traffic. A new traffic signal is being installed at the corner of Malden Road and Wyoming Avenue, and is scheduled to be operational before the end of 2017. This road/intersection improvement implements the key recommendation that was contained in a traffic impact report prepared by Dillon Consulting. A new trail is also being built along the north side of Wyoming (from Elmdale to Malden Road) to complement and enhance the existing sidewalk already located along the south side of Wyoming and along both sides of Malden Road. With these improvements, Town Staff are satisfied that residents and visitors wishing to travel to/from this part of the Malden Town Centre will be able to do safely do so as a motorist, pedestrian and/or cyclist;
- g) This retail commercial site was previously serviced with full municipal services as part of the servicing and development of the adjacent Home Hardware retail commercial development.



- h) Public transit is currently provided to the Malden Town Centre District (and to this site) via an existing bus service that travels along Malden Road/Sprucewood Avenue and Todd Lane;
- i) If Council concurs with this rezoning and site plan control application, a Site Plan Control Agreement will be required to be prepared in advance of Council granting final approval for the proposed rezoning application. This agreement shall include detailed site plans, landscape plans and site servicing drawings, together with applicable provisions to ensure that all necessary site servicing, landscaping, lighting, fencing, refuse disposal, and other site development requirements and financial contributions are properly addressed by the Applicant, all to the satisfaction of Council and Town Staff.

We would be pleased to answer any questions with respect to the contents of this Staff Report.

Respectfully,




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L. Silani, M.Pl., MCIP, RPP  
Director of Development &  
Strategic Initiatives Services



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

*Attachments*

Reviewed by:						
 CAO	Finance	Clerk	Environmental Services	Development & Strategic Initiatives	Culture & Recreation	Fire





Legend:



Subject Lands

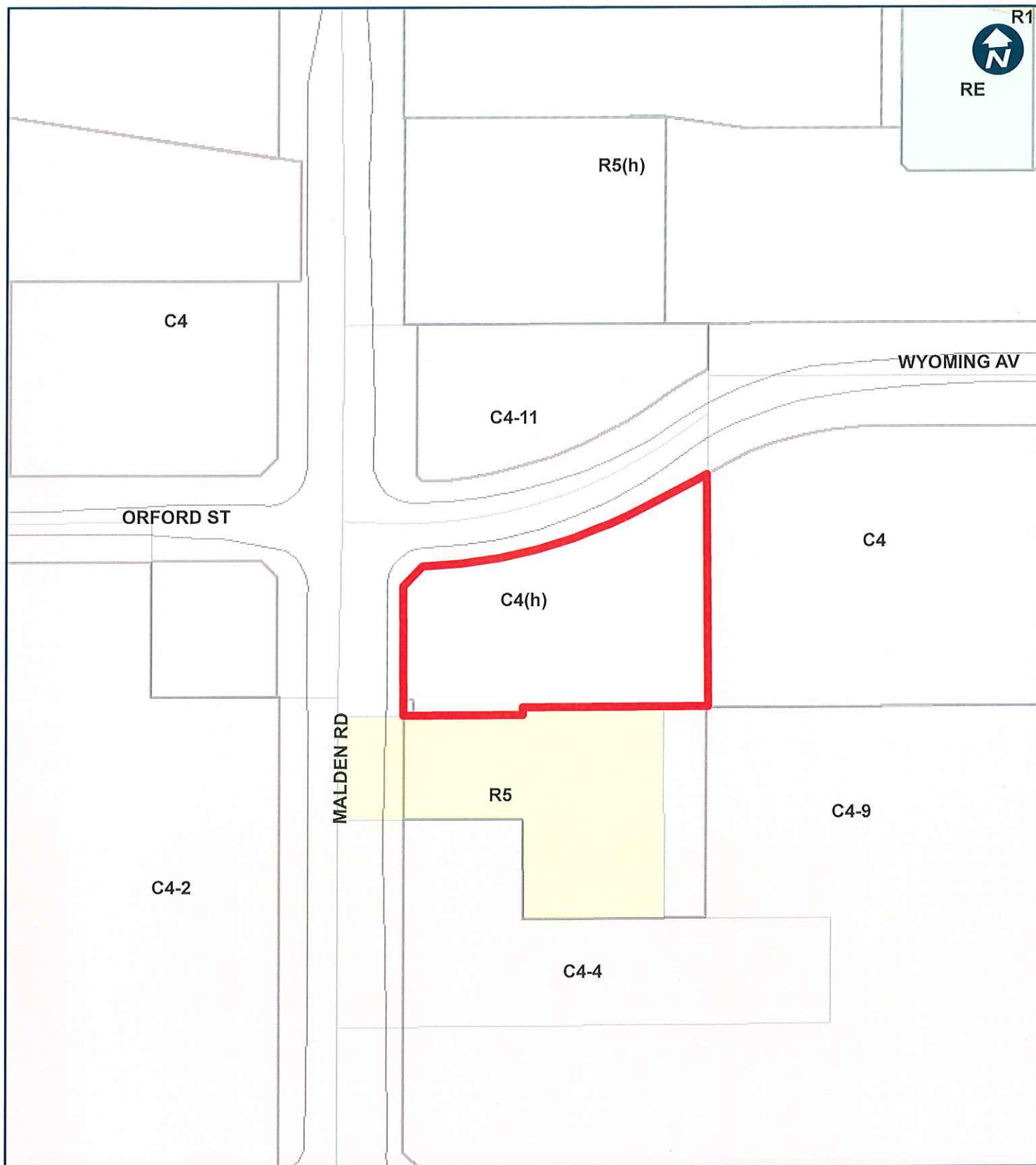
Title:

## FIGURE 1 - SUBJECT LANDS



Scale:	1:1250	File No:	Z-02-2017 & SPC-01-2017
Prepared For:	Planning Dept.	Applicant:	Rosati Construction Inc.
Prepared By:	Finance Department GIS Services	Date:	March 20, 2017
Notes:	This document is not a Legal Plan of Survey.		





Legend:



Subject Lands

Title:

## FIGURE 2 - ZONING



Scale: 1:1250

File No: Z-02-2017 & SPC-01-2017

Prepared For: Planning Dept.

Applicant: Rosati Construction Inc.

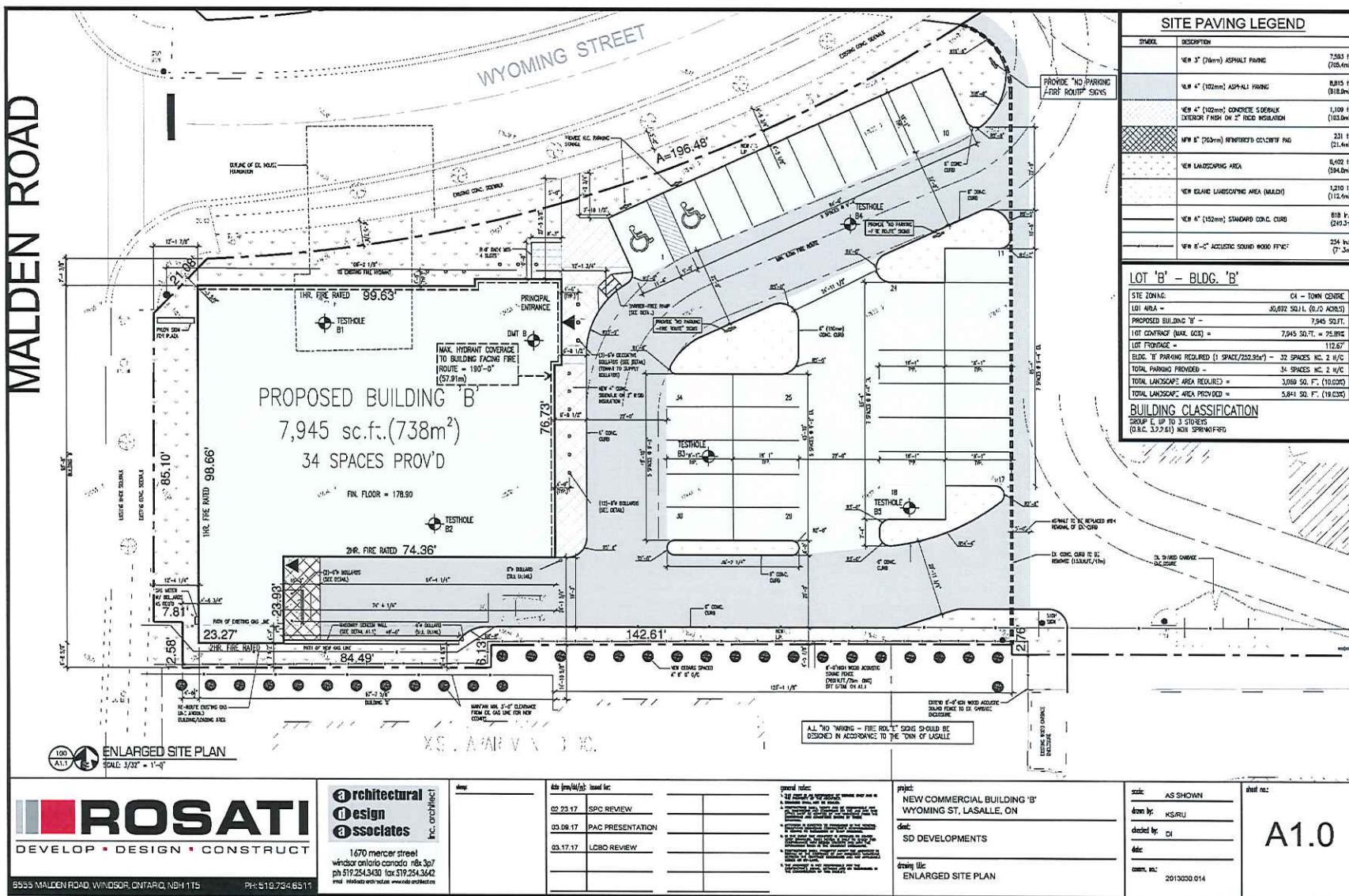
Prepared By: Finance Department  
GIS Services

Date: March 20, 2017

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



MALDEN ROAD



**ROSATI**  
 DEVELOP • DESIGN • CONSTRUCT

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date (mm/dd/yy) issued by:  
 02.23.17 SPC REVIEW  
 03.08.17 PAC PRESENTATION  
 03.17.17 LCBO REVIEW

general notes:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
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 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

project:  
 NEW COMMERCIAL BUILDING 'B'  
 WYOMING ST., LASALLE, ON  
 client:  
 SD DEVELOPMENTS  
 drawing title:  
 ENLARGED SITE PLAN

scale:  
 AS SHOWN  
 drawn by:  
 KSURU  
 checked by:  
 CH  
 date:  
 20130302 014

A1.0



Scale: N.T.S.	File No: Z-02-2017 & SPC-01-2017	Title: <b>FIGURE 3 - APPLICANT'S PRELIMINARY SITE PLAN</b>
Prepared For: Planning Dept.	Applicant: Rosati Construction Inc.	Notes:
Prepared By: Finance Department GIS Services	Date: March 20, 2017	This document is not a Legal Plan of Survey.





**ROSATI**  
DEVELOP • DESIGN • CONSTRUCT

### PROPOSED NEW LCBO RETAIL STORE

Corner of Malden and Wyoming, LaSalle, Ontario

Another Quality Development By:



Scale:	N.T.S.	File No:	Z-02-2017 & SPC-01-2017	Title:	<b>FIGURE 4 - EXTERIOR VIEW RENDERING</b>
Prepared For:	Planning Dept.	Applicant:	Rosati Construction Inc.	Notes:	
Prepared By:	Finance Department GIS Services	Date:	March 20, 2017		
					This document is not a Legal Plan of Survey.