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September 1, 2022

Mr. Ryan Tufts,  
Planning Technician  
Town of LaSalle  
5950 Malden Road  
LaSalle, Ontario, N9H 1S4

Dear Mr. Tufts:

**RE: Revised Comments**

Application for Site Plan Control: SPC-04-22 &  
Zoning By-Law Amendment: Z-04-22 (H Removal)  
WYOMING AVENUE AND MALDEN ROAD  
ARN 373422000006900, 373422000006100, 373422000007000,  
373422000006400, PIN: 705461073, 373422000006200  
Applicant: 2805549 ONTARIO INC

The following is provided, as a result of our review of Application for Site Plan Control SPC-04-22 & Zoning By-law Amendment Z-04-22 (H removal), in light of the *Turkey Creek Watershed Hydrologic and Hydraulic Modelling Study* and further to our letter / comments, dated August 23, 2022.

The Owner/Applicant has applied for the following:

- to remove the holding zone symbol from the subject lands, which are currently zoned Town Centre One Zone Holding– TC1(h) and Town Centre Two Zone Holding – TC2(h) in the Town's Comprehensive Zoning By-law;

- to obtain site plan control approval for a two-phased development consisting of:

Phase 1 – a new 5-storey 38 unit residential apartment building; and

Phase 2 – a new 6-storey mixed-use building consisting of 66 residential apartment dwelling units, and approximately 5,000 square feet of office commercial floor space located on the 1st floor of this new building, facing Malden Road.

(It should be noted that all of the new apartment units and the new commercial office units will be rental units, and that no severances are required, since this site is being kept as one property containing two new buildings.).

- to acquire approximately 630 square metre of closed alley and town owned "RE" lands to be added to this site. The closed alley is currently zone TC2 (h) and it will be used to create proper on-site circulation for the easterly -off-street parking area. The town owned "RE" land will remain its natural state, and the town will retain an easement over this property.

**DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT**

The following comments reflect our role, as representing the provincial interest in natural hazards, as outlined by Section 3.1 of the *Provincial Policy Statement* of the *Planning Act*, as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our *Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation* under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Grand Marais Drain / Turkey Creek and Lance Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority, prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

The subject property is located partially within a floodplain. Section 3.1.2 of the 2020 *Provincial Policy Statement* notes that “*Development and site alteration shall not be permitted within: d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*”

After a review of the *Turkey Creek Hydrologic and Hydraulic Modelling Update / Study*, being undertaken by both Landmark Engineers and Dillon Consulting, it has been recently confirmed, that the proposed development, as depicted on the site plan and discussed in the most recent Functional Servicing Report prepared by D.C. McCloskey Engineering Limited (September 1, 2022), will not encroach into the designed floodway, maintains the minimum setbacks from the Turkey Creek bank for slope stability, and can satisfy minimum floodproofing requirements.

The consultants have also pointed out to the ERCA, that substantial vegetation has been observed along the south bank of the drain, since it was improved in the mid-1990s. Please be advised that, the proposed development presents an opportunity to undertake some badly needed drain bank maintenance (i.e., vegetation removal), as well as an opportunity to maintain the area in a more hydraulically efficient condition, as part of the routine site maintenance. This would result in an improvement to the system. Should the Town be supportive of this type of work, our office can address it through the required S.28 Permit process.

**WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

**SECTION 1.6.6.7 Stormwater Management (PPS, 2020)**

ERCA has concerns with the potential impact of the quality of runoff in the downstream watercourse due to the proposed development on this site. Note that quantity control may not be required at this



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location due to the proximity and direct connection to Turkey Creek; however, an appropriate plan for conveying runoff from the site to the receiver must be established (i.e. minor system and overland conveyance). Therefore, ERCA still recommends that stormwater quality and quantity, up to and including the 1:100 year design storm be addressed and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We therefore request inclusion of the following conditions in the Site Plan Control Agreement:

1. That the developer undertakes an engineering analysis to identify stormwater quality and quantity measures, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority;
2. That the developer installs stormwater management measures identified above, as part of the development of the site, to the satisfaction of the Municipality and the Essex Region Conservation Authority; and
3. That the developer obtains the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

#### **PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020**

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems, as outlined in Section 2.1 of the *Provincial Policy Statement* of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

#### **FINAL RECOMMENDATION:**

The ERCA has no objections to these applications at this time, subject to the comments above and compliance with the relevant requirements of the *Turkey Creek Watershed Hydrologic and Hydraulic Modelling Study / Update*, related to flooding and natural hazards, associated with the Turkey Creek floodplain. Additionally, the ERCA is requesting that the Conditions listed above are included in the Site Plan Control Agreement.

The property owner will be required to obtain a *Permit and/or Clearance* from the Essex Region Conservation Authority, prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*. At which time, a more detailed review of this development and its stormwater management scheme, will be undertaken.

If you have any questions or require any additional information, please contact the undersigned.



Mr. Tufts  
September 1, 2022

Sincerely,



Kim Darroch, B.A. (Hons.), M.P.L., MCIP, RPP  
*Team Lead, Planning Services*