



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: Kristina Brcic, Manager of Planning & Development

Department: Planning & Development

Date of Report: October 18, 2024

Subject: Public Meeting to Consider an Official Plan Amendment, OPA-01-2024 for 2362 Front Road and southern adjacent Vacant Lands.

Report Number: PD-40-2024

Attachments: Figures 1- 5

Applicant & Registered Owner: Beatties' Sunset Marina Inc. c/o Tom Beattie

Agent/Planner: Lassaline Planning Consultants c/o Jackie Lassaline

Location: The lands affected by this application comprise approximately 1.22 hectares of land located at 2362 Front Road and the southern adjacent Vacant Lands, west of Front Road, north of Victory Street.

Recommendation

That the report of the Manager of Planning and Development dated October 18, 2024 (PD-40-2024) regarding Official Plan Amendment OPA-01-2024 be received and that Council support:

- i) Should issues arise at the Public Planning Meeting that are not immediately resolved, a summary of the issues, along with a final recommendation on the application will follow by way of a future Planning Report.

Or

- ii) Should all issues be resolved at the Public Planning Meeting, the requisite Official Plan Amendment and by-law will be brought forward for Council's consideration at a subsequent Council Meeting.

Report

Background

This report is intended to provide members of Council with information regarding an Official Plan Amendment application that has been submitted to the Town for lands located at 2362 Front Road and the adjacent parcel to the south, shown on the location map in Figure 1. The requested amendment seeks to amend 'Schedule B – Land Use Plan' of the Town of LaSalle Official Plan. Specifically, the applicant is requesting to remove the 'Provincially Significant Wetlands' designation from the subject property and designate the lands 'Residential'. The amendment has been requested so that the vacant lands are consistent with current Provincial wetland mapping to support a future residential apartment building / condominium development, shown in Figure 2. The purpose of the public meeting is to hear public and agency comments on the proposed Official Plan Amendment application for the lands noted herein. The following figures accompany the report:

- **Figure 1** illustrates the location of the subject lands.
- **Figure 2** illustrates the concept plan for the proposed residential development.
- **Figure 3** illustrates the current Official Plan Schedule B designation of the subject lands.
- **Figure 4** illustrates the current zoning of the lands.
- **Figure 5** includes the County Official Plan Amendment Decision.

In 2018, a Provincially Significant Wetland (PSW) Review was prepared by Beacon Environmental, a sub-consultant to RWDI Air Inc., to determine if the subject area could be declassified as a Provincially Significant Wetland. Beacon Environmental visited the site on August 16, 2018 to complete a field assessment in order to verify the presence or absence of wetland areas, as required by the Ontario Wetland Evaluation System Manual. As a result of the findings of the wetland assessment, a formal request was submitted to the Ministry of Natural Resources (MNR) to adjust the boundary of the wetland. The revision to the mapping was accepted by the MNR, removing the Provincially Significant Wetland from the subject lands. This result supported the Official Plan Amendment application to both the County and Town to rectify outdated Official Plan Schedules.

Further the environmental report from the Applicant states: "Myler's observations of site conditions during a 10 November 2022 site visit confirmed the absence of wetland vegetation, and natural vegetation of any sort, on the site. As with Beacon's observations, Myler observed only upland, manicured grassed areas with scattered Eastern Cottonwood trees in the area on site where PSW had formerly been mapped."

Myler further stated that the future condominium development would be subject to a scoped EIA concerned only with the adjacent PSW that is more than 80 metres away to

the west of the site within the Detroit River, and possibly also with fish and wildlife habitat within the artificial inlet.

The Essex Region Conservation Authority (ERCA) participated in the pre-consultation on this matter, which pre-dated Bill 23, where they provided the County and Town with natural heritage advice regarding the consultant's submissions. The consultation held with ERCA resulted in no objections to the proposed OPA to remove the 'Provincially Significant Wetland' designation.

The applicant was required to first successfully pursue an Official Plan Amendment with the County of Essex prior to making application with the Town. The application to the County requested an amendment to two County Official Plan Schedules. One being an amendment to Schedule 'A1' by removing the 'Natural Environment' designation and replacing it with the 'Settlement Area' designation. The second being a request to remove the 'Provincially Significant Wetland' from the subject lands on Schedule 'B1'. On April 8, 2024 the County of Essex approved the requested amendments through Official Plan Amendment No. 5 under by-law 2024-02. Notice of the County decision is provided in Figure 5.

Policy Considerations & Comments

When considering an application for an Official Plan Amendment, the Planning Act requires that decisions be made in a manner that are consistent with the policies contained within the 2024 Provincial Planning Statement. The Planning Act also requires that all decisions made by LaSalle Council conform with the land use designations and policies contained within both the County of Essex Official Plan as well as the municipally approved Official Plan that are in effect at the time when an application is received.

Provincial Planning Statement (2024)

The PPS encourages the promotion of efficient development patterns while protecting resources of Provincial interest, public health and safety, and the quality of the natural and built environment. The PPS provides for an appropriate range and mix of housing types and densities to meet the needs of current and future residents of the Municipality and the surrounding region.

The PPS promotes and encourages residential intensification to utilize existing services within urban settlement areas. Residential intensification means the intensification of property, site or area which results in a net increase in residential units and includes the development of vacant or underutilized lots within previously developed areas. Planning authorities are encouraged to permit and facilitate a range of housing options,

including new development as well as residential intensification, to respond to current and future needs.

Moreover, new development is to be located within the settlement area, rather than the rural area, to prevent the premature extension of municipal services. The proposed subdivision will develop an existing vacant parcel of land, within the settlement area boundary of the municipality, without requiring upgrades to the existing public service facilities.

The PPS states that “Natural Heritage features shall be protected for the long term” and that “development and site alteration shall not be permitted in significant wetlands” unless no negative impacts are demonstrated. As mentioned earlier in the report, the labeled areas of wetland on the subject property were not identified in the Provincial wetland mapping, along with the environmental studies which concluded that a PSW is not present on the subject lands. As a result, following the redesignation of the subject lands to ‘Residential’, the significant wetland concerns outlined in the PPS regarding development and site alteration would not apply.

As such, the proposed official plan amendment, is consistent with the above-mentioned goals, policies and objectives put forward as part of the PPS.

County of Essex Official Plan (2014)

As a result of the recently approved OPA No. 5 in the County of Essex Official Plan, the subject lands are located in a ‘Settlement Area’ as per Schedule ‘A1’ in the approved 2014 County of Essex Official Plan. The applicant adequately addressed the requirements of an Official Plan Amendment for a “Settlement Area” boundary change as outlined in section 4.2 of the County of Essex Official Plan, see County decision in Figure 5.

Moreover, the subsection 3.2.4.1 of the County Official Plan (2014) states that:

- Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality;
- Primary Settlement Areas shall promote residential intensification (net increase in residential units of vacant sites);
- 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);

- All types of land uses are permitted within the Settlement Areas designation subject to the specific land use policies of the local Official Plans;
- Cost-effective development patterns and those that minimize land consumption and reduce servicing costs are encouraged. Land use patterns that may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

As a result of the approved County of Essex OPA No. 5, the application conforms to the County of Essex Official Plan.

Town of Lasalle's Official Plan (2018)

The subject property is currently designated both 'Residential' and 'Provincially Significant Wetlands' on Schedule 'B' in the Town of LaSalle's approved Official Plan, illustrated in Figure 3. The applicants request to amend the Official Plan by removing the 'Provincially Significant Wetlands' designation and replace it with the 'Residential' designation would be consistent with both Provincial wetland mapping and the recently approved County of Essex OPA No. 5.

Furthermore, the Planning Opinion prepared by Lassaline Planning Consultants Inc., the Provincially Significant Wetland Review prepared by Beacon Environmental, and the Myler Ecological Natural Heritage Constraints Analysis, were required submissions in order to deem the application complete. These reports are unanimously in support of the removal of the 'Provincially Significant Wetland' designation. A summary of their findings was provided earlier in this report.

Section 7.3 of the Official Plan outlines the criteria required to support an Official Plan Amendment to ensure the amendment is most suitable and compatible for the use of the lands, and with the surrounding area. The subject land is currently surrounded by 'Residential' designated lands. Therefore, the replacement of the 'Provincially Significant Wetlands' designation with the 'Residential' designation is the most compatible and suitable option.

If Council supports the Official Plan Amendment to redesignate the subject lands 'Residential' then the applicant would proceed with additional Planning Act applications to pursue the proposed condominium development. Section 4.7 of the LaSalle Official Plan, which contains the Town's land use policies for properties located within the "Residential District", would apply. Policies within this section promote an array of housing, building types and permitted uses that support neighborhood living.

Ultimately, the requested Official Plan Amendment will bring the Official Plan into conformity with the County of Essex Official Plan and would be considered good planning.

Town of LaSalle Zoning By-law (By-law 8600)

The subject property is currently zoned 'Marine Related Commercial Zone (MC)', as shown in Figure 4. The applicant is looking to develop a residential apartments /condominium on the site. Prior to commencing further working in terms of Zoning, Site Plan or Plan of Condominium, the 'Provincially Significant Wetland' designation, which was determined through environmental reviews to not exist, should be appropriately redesignated. Following a suitable redesignation to 'Residential', the applicant will likely pursue a Zoning By-law Amendment to rezone the lands to permit the proposed residential condominium.

Conclusion

Given that the requested Official Plan Amendment to redesignate the subject lands from 'Provincially Significant Wetland' to 'Residential' is consistent with the PPS, conforms to both the County of Essex Official Plan and Town of LaSalle's Official Plan, Administration is in support of the request.

Agency & Public Comments

No comments were received at the time of writing the report. Comments received up until the Public Planning Meeting will be shared with both the Applicant and Council.

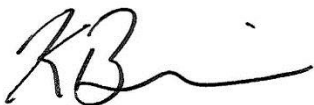
Consultations

County of Essex Planning Department and ERCA.

Financial Implications

There are no financial implications resulting from the potential approval of this Official Plan Amendment.

Prepared By:



Manager, Planning and Development

Link to Strategic Goals

1. Enhancing organizational excellence - No
2. Strengthen the community's engagement with the Town - No
3. Grow and diversify the local economy - Yes
4. Build on our high-quality of life - No
5. Sustaining strong public services and infrastructure - No

Communications

A copy of the Council Agenda and Report will be provided to the Applicant and their Agent.

Notifications

Notifications were provided pursuant to the *Planning Act*.

Report Approval Details

Document Title:	OPA-01-2024 Beatties Sunset Marina.docx
Attachments:	- Figure 1- Subject Lands.pdf - Figure 2- Concept Plan.pdf - Figure 3- Current OP.pdf - Figure 4- Current Zoning.pdf - Figure 5- No Appeals Letter County.pdf
Final Approval Date:	Oct 25, 2024

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



Director of Planning and Development

Gudrin Beggs



Chief Administrative Officer

Joe Milicia