



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: Kristina Brcic, Manager of Planning and Development

Department: Planning & Development

Date of Report: October 15, 2024

Subject: Fields Court Draft Plan of Subdivision (T-05-2024) and Removal of Holding Symbol (Z-06-2024)

Report Number: PD-38-2024

Attachments: Figures 1-7

Applicant & Registered Owner: 939415 Ontario Ltd.

Agent: Frank Fazio

Location: The lands affected by this application comprise approximately 1.88 hectares of land located at the east end of Fields Avenue and east of the Lafferty Drain.

Recommendation

That the report of the Manager of Planning and Development dated October 15, 2024 (PD-38-2024) regarding the Fields Court Subdivision proposal, be received;

And that, Council approve the Applicant's request to remove the holding symbol from the above-noted lands, once the required development agreement is properly executed by the Corporation;

And that, Council pass a resolution in support of the Applicant's request to grant draft plan approval for the proposed Fields Court plan of subdivision, in accordance with the draft plan drawing prepared by Verhaegen Land Surveyors a Division of J.D. Barnes Ltd., dated August 20, 2024, subject to the following draft plan approval conditions:

- a. That a subdivision agreement be entered into with the Town to ensure that all required municipal infrastructure and services are designed and built by the Applicant to the satisfaction of the Town and that all required financial contributions be made and/or secured to the Town, including all required letters of credit, cash securities, and insurances.

- b. That the subdivision agreement contains a provision that all identified road allowances be appropriately named and conveyed to the Town.
- c. That cash-in-lieu of parkland be provided as parkland compensation, in accordance with the Planning Act requirements.
- d. That the subdivision agreement contains a provision where Blocks 15, 16, 17, 18 and, 19 on the Draft Plan be gratuitously conveyed to the Town.
- e. That the subdivision agreement contains a provision stipulating that prior to site alteration, the proponent shall install Temporary Exclusion Fencing in accordance with the Species at Risk Screening & Addendum report completed by Goodban Ecological Consulting Inc.

And that, a copy of this Council resolution is forwarded to the Manager of Planning Services for the County of Essex, Ms. Rebecca Belanger, together with a copy of this staff report.

Report

Background

This report is intended to provide members of Council with information regarding a draft plan of subdivision and a removal of holding symbol application that has been submitted to the Town. The subject property is currently known municipally as 1680 and 1690 Orford Street, and legally described as Part of Lot 28, Concession 1, Part 2 on 12R-28905, as shown in Figure 1. The subject property is designated 'Residential District' in the Town of LaSalle's Official Plan and is currently zoned 'Residential One Zone Holding - R1(h)' in the Town of LaSalle's Zoning By-law 8600.

A plan of subdivision application has been submitted to both the Municipality and the County for consideration as part of the property owners' larger development plan for the subject lands. Plans of Subdivision are approved at the upper tier (County of Essex) but require a Council resolution in support of the application request. As a result of the changes imposed under Bill 23, public meetings pursuant to a draft plan of subdivision application are no longer a legislative requirement. If the public has any questions or concerns regarding the proposed plan of subdivision, they are encouraged to contact the Manager of Planning at the County of Essex.

The following figures are included as part of the report:

- **Figure 1** depicts the location of the subject lands.
- **Figure 2** depicts the Applicant's draft plan of subdivision, proposing 14 semi-detached dwelling units
- **Figure 3** illustrates the current zoning as established within the Town of LaSalle's Comprehensive Zoning By-law 8600
- **Figure 4** is a copy of the County of Essex letter for the 'Request to notify the public of an application' for the Draft Plan of Subdivision application.

- **Figure 5** is a copy of the County of Essex letter requesting Agency Comments for the Draft Plan of Subdivision application.
- **Figure 6** includes the Agency Comments received.
- **Figure 7** is a copy of the Draft Plan of Subdivision Notice.

Proposal Description

The plan of subdivision proposal seeks to develop approximately 1.88 hectares of land located at the east end of Fields Avenue and east of the Lafferty Drain. The property is currently zoned 'Residential One Zone Holding - R1(h)', as illustrated in Figure 3, which permits both single-detached and semi-detached dwellings. If approved, the holding zone removal will permit the construction of the proposed 14 semi-detached dwelling units fronting onto a new public street with driveways in the front yard of each dwelling unit. The proposed subdivision will extend Fields Avenue across the Lafferty Drain to provide a public right-of-way for each proposed lot, as illustrated in the draft plan of subdivision sketch in Figure 2.

Furthermore, the subdivision proposal will connect to existing municipal services to be extended along the newly constructed extension of Fields Avenue. In order for the pavement and other services to extend into the proposed subdivision, a portion of the Lafferty Drain under the right-of-way will need to be enclosed. The rear yard drainage will outlet into a detention basin behind the lots which will have a controlled release into the nearby Lafferty Drain. As part of this development, Administration will be requiring a sidewalk to be installed along the northern side of the Fields Avenue extension and along the front yards of the proposed subdivision lots before connecting back to the asphalt path parallel to the Lafferty Drain, as shown in Figure 2.

As part of the Applicant's complete application for the proposed plan of subdivision to both the County of Essex and to the Town of LaSalle, the following reports in support of the proposal were submitted:

- Functional Servicing Report (Meo & Associates Inc.)
- Archaeological Stage 1-2 Assessment (AMICK Consultants Limited)
- Species at Risk Screening & Addendum (Goodban Ecological Consulting Inc.)
- Stormwater Runoff Management Report (Meo & Associates Inc.)

Policy Considerations & Comments

The Planning Act requires that all applicable decisions made by LaSalle Council and the County of Essex conform with the land use designations and policies contained within the approved Official Plans (both the lower-tier and upper-tier plans) that are in effect at the time that an application is received.

In addition, the Planning Act requires that:

- I. Land-use decisions be made in a manner that is consistent with the policies that are contained within the Provincial Planning Statement (PPS 2024); and
- II. Development applications conform to the policies contained within the approved Town of LaSalle Official Plan.

In Essex County, approval authority for land use planning matters is a shared responsibility, with:

- the upper-tier (the County of Essex) acting as the approval authority for all local Official Plans and all Plans of Subdivision, and
- the lower-tier (the Town of LaSalle, and all other six lower-tier municipalities in the region) being responsible for adopting detailed Official Plans, comprehensive zoning by-laws, community improvement plans, etc. and for delivering day-to-day land-use planning and development control services to the ratepayers and landowners within their municipalities.

When dealing with draft plan of subdivision applications each local municipality is responsible for making recommendations to the Manager of Planning for the County, as the provincially delegated approval authority. The recent changes made as a result of Bill 23 (More Homes Build Faster, Act) imposed certain amendments to the Planning Act, which legislated that there is no longer a statutory public meeting required pursuant to a draft plan of subdivision application. However, there is still a requirement for the Town of LaSalle Council to provide a resolution in support of the proposed plan of subdivision request. To do so, the application is vetted against the policy framework outlined below.

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.

As such, the proposed subdivision and holding symbol removal, which will allow for residential infilling and intensification, is consistent with the above-mentioned goals, policies and objectives put forward as part of the PPS.

County of Essex Official Plan (2014)

The subject lands are located within a 'Prime Settlement Area' as identified on Schedules "A1" and "A2" in the approved County of Essex Official Plan (2014). The Prime Settlement Area corresponds to the limits of the Town of LaSalle's urban area boundary.

Moreover, 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 such, the proposed plan of subdivision and holding symbol removal conforms with the County of Essex's Official Plan policies for lands within the settlement area boundary.

Town of LaSalle's Official Plan (2018)

The subject property is designated 'Residential District' in the Town of LaSalle's approved Official Plan. Section 4.7 of the LaSalle Official Plan contains the Town's land use policies for properties located within the "Residential District". Policies within this section promote an array of housing, building types and permitted uses that support neighborhood living.

More specifically, lands within the Residential District support a full range of residential dwelling types, including dwelling units in low-rise built forms, which include both single and semi-detached dwelling units. The proposed plan of subdivision, which consists of 14 semi-detached units, conforms to the Residential District goals and policies put forward in the Town of LaSalle's Official Plan.

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

The subject property is zoned 'Residential One Holding - R1(h)'. The plan of subdivision proposal seeks to develop 14 semi-detached dwelling units within the 14 lots as depicted on the draft plan in Figure 2. The proposed semi-detached lots within the plan of subdivision comply with all zone provisions for the R1 zone.

The criteria for the removal of the holding zone is established in the Planning Act and reinforced in the Town's Official Plan. The holding provision is in place until such time as Administration is satisfied that there are adequate municipal services available to service the proposed development and that a subdivision agreement is in place and approved by Council.

Once draft plan approval is finalized by the County and a subdivision agreement is negotiated between the property owner and the municipality, the by-law amendment to remove the holding zone symbol will be brought forward to Council at the same time as the subdivision agreement is brought forward for Council's formal execution.

Supplementary Information

As part of the Applicant's submission to the Town and the County, there were various studies and reports required to be submitted for the application to be deemed complete by the approval authority. These requirements were identified to the Applicant at the initial pre-consultation meeting held at the beginning stages of the plan of subdivision process.

As stated above, the following reports were identified by the County and the Town as being required to support the proposal and necessary to deem the application complete:

- Functional Servicing Report (Meo & Associates Inc.)
- Archaeological Stage 1-2 Assessment (AMICK Consultants Limited)
- Species at Risk Screening & Addendum (Goodban Ecological Consulting Inc.)
- Stormwater Runoff Management Report (Meo & Associates Inc.)

The Functional Servicing Report established the overall servicing strategy for the development in keeping with the Town of LaSalle's Engineering Design Standards.

The Archaeological Stage 1-2 Assessment revealed no archaeological significance was associated with the property. Therefore, no additional archaeological work was necessary to support the development proposal.

The Species at Risk (SAR) Screening & Addendum contains suggested mitigation measures due to the possible presence of Eastern Foxsnake. The mitigation measures include education and awareness, the careful operation of machinery, areas of no disturbance, site management, and Temporary Exclusion Fencing to be installed prior to commencing site works, to later be removed and replaced by Permanent Exclusion Fencing following the completion of construction and landscaping. In February 2018, a SAR clearance letter was awarded for the development by MNRF. The screening identifies both a SAR Management Area and a Natural Regeneration Area which will function as a habitat that is contiguous with the adjacent woodlot. The SAR Preliminary Screen determined that the proposed subdivision development activities in conjunction with the mitigation measures outlined in the study will not contravene Section 9 (Species Protection) and/or Section 10 (Habitat Protection) of the Endangered Species Act, 2007.

The Stormwater Runoff Management Report identified that Blocks 15, 16, 17, 18, and 19 will be conveyed to the Town as such lands will be used for subdivision drainage. It was determined that the Lafferty Drain is a suitable receiver for the rainfall runoff from the subject development. To date, all municipal steps under the Drainage Act have been completed and a permit has been issued by ERCA for the required work in the Lafferty Drain. The municipal services, including the storm water management facilities, are to be built by the developer. Once the maintenance period is over, the works will be assumed by and will be maintained by the Town of LaSalle.

Agency & Public Comments

Public notification pursuant to the *Planning Act* was provided in accordance with the legislation. A copy of the County of Essex's request to notify the public is included as part of this report in Figure 4. The County of Essex requested agency comments, see Figure 5, and at the time of writing this report, the following comments regarding T-01-2023 from the following agencies were received:

1. Canada Post
2. Essex Region Conservation Authority (ERCA)
3. WSP on behalf of Bell Canada
4. Essex Powerlines
5. Watson Economists on behalf of GECDSD and WECDSB

All the above comments, available in Figure 7, have been sent to the Applicant and the County of Essex for review and consideration and will be incorporated as part of draft plan conditions if deemed necessary.

Summary and Conclusion

Based on the planning analysis provided within this report and Administration's evaluation of the development proposal against the current PPS, the County of Essex Official Plan, the Town of LaSalle's Official Plan and the Town of LaSalle's Comprehensive Zoning By-law, the proposed draft plan of subdivision is consistent with the PPS and in conformity with the above-noted land-use planning documents.

The development proposal presents an opportunity for infill residential intensification which is promoted in both the PPS as well as the Town of LaSalle's Official Plan. The proposal will utilize full municipal services in keeping with the Town's requirements for new developments.

Following draft plan approval, the Applicant will be required to enter into a subdivision agreement with the Municipality to ensure that all municipal requirements for servicing are met prior to building permit availability. The required subdivision agreement will be prepared and executed to the satisfaction of the Director of Planning and Development and Director of Public Works and will be brought forward for adoption at a subsequent Council Meeting. Furthermore, it is recommended that the By-law to remove the holding symbol from the subject lands be adopted once the corresponding development agreement has been executed to the satisfaction of the Corporation.

Consultations

County of Essex and Municipal Engineering.

Financial Implications

There are no significant financial risk impacts to the Municipality as a result of the proposed applications. The draft plan of subdivision application, if approved, has the potential to increase the assessment base for the Municipality.

Prepared By:



Manager, Planning and Development

Link to Strategic Goals

1. Enhancing organizational excellence - Not Applicable
2. Strengthen the community's engagement with the Town - Yes
3. Grow and diversify the local economy - Yes
4. Build on our high-quality of life - No
5. Sustaining strong public services and infrastructure - Yes

Communications

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

Notifications

Notifications pursuant to the *Planning Act*.

Report Approval Details

Document Title:	Fields Court Draft Plan of Subdivision and Removal of Holding Symbol.docx
Attachments:	Figures 1-7
Final Approval Date:	Oct 24, 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