



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: L. Silani, Director of Planning & Development Services
P. Marra, Director of Public Works

Department: Development & Strategic Initiatives

Date of Report: October 11, 2019

Report Number: DS-36-2019

Attachments: Figures 1 to 7

Subject: Application: Rezoning Application

Our File Nos: Z-05-2019

Applicant & Registered Owner: Valente Development Corporation
(Peter Valente) and Steve Nedin

Agent/Planner: Dillon Consulting Limited (Karl Tanner)

Location: The lands affected by these applications comprise approximately 2.1 hectares of land located along the west side of Ellis Street, south of Delmar Street

Recommendation

Based on the information provided within this report (DS-36-2019, pertaining to rezoning application Z-05-2019), and subject to further input from Council, it is recommended that:

- i. Council grant approval to the Applicant's request to rezone this property from a Town Centre Commercial Holding Zone – "C4(h)" to a Site-Specific Residential Five Holding Zone;
- ii. Council adopt the corresponding draft zoning by-law amendment by-law.

Report

Introduction and Nature of the Subject Application:

This report is intended to provide members of Council with comments and recommendations regarding a rezoning application that has been submitted to the Town, requesting approval to rezone approximately 2.1 hectares of land located along the west side of Ellis Street, south of Delmar Street, from a Town Centre Commercial Holding Zone – “C4(h)” to a Residential Five (R5-8) Holding Zone – “R5-8(h)”.

Figure 1 depicts the location of the subject lands.

Figures 2 and 3 identify the existing Official Plan designations and Zoning By-law zone categories that apply to the subject lands and to lands in the surrounding area.

Figure 4 is the Applicant’s Conceptual Site Plan, depicting 3 multi-storey apartment style residential buildings, with a total of 178 dwelling units.

It should be noted that a broad range of commercial land uses and higher density apartment style residential dwelling units are currently permitted on the subject property --- with the following “C4” uses being permitted as-of-right at this location:

- Retail stores, Shopping Centres, Supermarkets;
- Restaurants;
- Financial Institutions, Professional and General offices;
- Health Studios, Pharmacies, Clinics;
- Theatres, Gas Bars;
- Apartment Dwelling Units.

Within the “C4” zone, the following additional regulations apply to Apartment Dwelling Units:

- Apartment Dwelling Units must be located within a mixed-use building, where the ground floor area shall only be used for a permitted commercial use;
- On the east side of Malden Road the maximum building height is 18.3 metres, and a maximum residential density is seventy-five units per net hectare;
- A zero setback distance for the nearest point of any building located next to Ellis Street (the front and side lot lines), and a 9 metre rear yard setback for the

nearest point of any building located near the most westerly lot line (which is the rear lot line of the subject property)

The Applicant does not wish to build any commercial buildings on this site.

Instead, they are requesting approval to rezone this property from the Town Centre (C4) Holding zone to a site-specific Residential Five zone, in order to restrict the uses on this site to a maximum of 178 new apartment dwelling units located in 3 residential buildings with a height that would not exceed 12.2 metres (4 storeys) for the building located closest to Serenity Circle, and 18.3 metres (6 storeys) for the other two buildings.

Official Plan and Provincial Policy Statement Considerations:

The Planning Act requires that all decisions made by LaSalle 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 these decisions be made in a manner that are consistent with the policies that are contained within the 2014 Provincial Policy Statement.

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

Section 4.2 of the LaSalle Official Plan contains the Town's land use policies for properties located within the "LaSalle Town Centre District Designation", and read as follows:

"4.2 LaSalle Town Centre District Designation

Intent

- a) The lands within the LaSalle Town Centre District Designation are intended to represent a key component of the Town's Urban Structure, and will be designed as a focal point for major retail and other associated institutional and commercial development. It is the intent of this Plan to allow the ongoing evolution of the retail sector within this Centre in LaSalle's "Downtown" to occur with a minimum of policy interventions with respect to the amount and type of space/facilities. This Plan focuses on broadening the mixture of land uses within the LaSalle Town Centre District Designation, and promoting good urban design and high quality architecture and

landscapes. Lands within the LaSalle Town Centre District Designation are considered to be key destinations for the evolving transit system. It is also the intent of this Plan to create a compact, walkable and mixed use town centre that promotes street-edge buildings with parking to the side and rear of buildings.

Permitted Uses

- b) Buildings and sites throughout the LaSalle Town Centre District Designation may develop or redevelop as a comprehensively planned commercial centre, consisting of individual buildings or multi-unit buildings. New development is encouraged to accommodate an array of uses. This mixture of uses is encouraged not just within the designation in general, but also on individual development sites, and within individual buildings. Development within stand-alone buildings is also permitted, unless specified otherwise within the policies of this Plan or the implementing Zoning By-law. Permitted uses on lands designated as LaSalle Town Centre District Designation may include:
- i) Retail, service commercial uses and restaurants, excluding auto-focused uses such as auto dealerships, service centres and repair shops;
 - ii) Hotels, including convention/conference facilities and other ancillary uses;
 - iii) Commercial, medical, social service, civic/administrative and institutional office uses;
 - iv) Mid-Rise and High-Rise residential uses, including live-work units and communal housing, which may include special needs housing and housing for seniors;
 - v) Institutional uses, including elementary schools, secondary schools, hospitals, health clinics, medical laboratories;
 - vi) Cultural, recreational and entertainment facilities;
 - vii) Community facilities, parks and open spaces;
 - viii) Parking facilities at-grade and/or in structure; and,
 - ix) Public uses and public and private utilities.

- c) The range of permitted land uses within the LaSalle Town Centre District Designation shall be further refined through the implementing Zoning By-law. The Zoning By-law may, for specific sites within the LaSalle Town Centre District Designation, not permit all of the uses listed herein.

Development Policies

- d) Retail and service commercial development in the LaSalle Town Centre District Designation shall generally be part of a retail commercial centre, where a group of retail, service commercial or other shopping facilities function with some common parking and/or loading facilities and shared ingress and egress. Freestanding buildings are also permitted on individual sites, provided they do not adversely affect access or traffic circulation within the broader LaSalle Town Centre District Designation.
- e) Office and residential uses shall be permitted in stand-alone buildings, or in upper storeys of a mixed-use building/development. Office and residential uses may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre.
- f) Hotels, institutional uses, community, cultural, recreational and entertainment facilities shall be permitted in stand-alone buildings, or in mixed-use buildings/developments. Hotels, institutional uses, community, cultural, recreational and entertainment facilities may be located on individual sites, or form part of a larger, comprehensively planned retail commercial centre.
- g) Within the LaSalle Town Centre District Designation, the maximum building height shall be 12 storeys, or 48 metres, whichever is less.
- h) Notwithstanding the identified maximum height limit, additional building height may be considered by the Town on a site by site basis, subject to the height bonus provisions of this Plan and where community benefits have been secured in exchange for additional height.
- i) At-grade uses may change over time. As a result, the floor-to-ceiling height of ground floors for all buildings should generally be sufficient to adapt to a range of permitted uses.

- j) Adequate parking, loading and garbage collection/storage facilities for all permitted land uses shall be provided on the site. To promote a high quality appearance and pedestrian activity at street level, these facilities, generally shall not be located between the building(s) and adjacent streets. Shared access and parking among various properties is encouraged.
- k) All lands within the LaSalle Town Centre District Designation are identified as within a Community Improvement Area. The Town may consider the preparation of a Community Improvement Plan to establish more specific improvement objectives for LaSalle's "downtown", identify public realm improvement priorities and establish incentive programs to assist the private sector in improving their properties. The provision of municipal incentives should be linked to the establishment of a LaSalle Town Centre Business Improvement Area.
- l) When considering an application for a development within the LaSalle Town Centre District 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.
- m) All development within the LaSalle Town Centre District Designation shall be subject to Site Plan Approval."

Ellis Street is designated as a "Collector Road" in the Town's Official Plan. Subsection 6.5.3(iii) sets out the planned function for collector roads, and reads as follows:

- "iii) *Collector Roads* are intended to provide for the movement of moderate volumes of traffic between local roads and the arterial roads at low to moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Collector Roads shall be within 22.0 to 26.1 metres."

Section 3.2.2 of the LaSalle Official Plan articulates a broad range of urban design policies, including the following:

"Compatible Development

- a) The principle of compatible development will be applied to all applications for development to ensure the appropriate integration of new development with existing built forms and landscapes in a way that enhances the image and character of the Town.

- b) To ensure development is compatible, when considering any application for development within the Town of LaSalle, particular attention shall be paid to the following:
 - i) Adverse impacts are to be minimized on adjacent properties in the vicinity;
 - ii) Significant natural heritage features and their associated ecological and hydrological functions are appropriately protected;
 - iii) The height and massing of nearby buildings is appropriately considered, and buffers and/or transitions in height and density to adjacent properties are implemented, where necessary;
 - iv) On-site amenity space is provided and it is reflective of the existing patterns of private and public amenity space in the vicinity;
 - v) Streetscape patterns, including block lengths, setbacks and building separations; and,
 - vi) Utility, infrastructure and transportation system capacity exists and/or will be made available to serve the proposed development and there are no undue adverse impacts on the Town's sewer, water, storm water management and transportation systems.
- c) It is important to note that there are areas of the Town where the prevailing quality of existing development detracts from the unique character and attractiveness of the Town. In these circumstances, new development may deviate (is not compatible development) from the prevailing quality/character of design, where doing so will make a positive contribution to the unique quality of place and character of the Town."

Mix of Uses

- a) A mixed-use community that is walkable/bikeable, with connected

trail/greenway facilities and public gathering places, where opportunities for social and recreational interaction are increased and where commercial and community services can be provided within easy walking and cycling distances, is a requirement of this Plan.

- e) This Plan will accommodate a range and mix of housing types to allow for a range of choice and opportunity for residents to remain in the community for their entire lifecycle.
- f) Higher density house forms will provide opportunities for housing that is more affordable, will contribute to the affordable housing requirements of the Town and will be incorporated into the housing stock. In addition, senior's housing, long term care facilities, affordable supportive and affordable accessible housing, and assisted living units will be incorporated into the Town's housing stock.
- g) Community infrastructure and institutional uses, recreational facilities, public buildings, and arts and cultural facilities shall be in locations that are accessible by the active transportation network and by public transit to meet the needs of people of all ages, backgrounds, and capabilities throughout the various stages of their lives.

Section 3.2.4 of the LaSalle Official Plan contains housing policies, including the following

“Housing Mix

- a) Housing is vital to the creation of healthy, sustainable, and complete communities. Residents of all ages, income levels and abilities rely on a range and mix of housing types to offer a meaningful place to grow and a safe and secure place to live. An appropriate range of housing choices contributes to the overall health and well-being of communities.

Accessible Housing Forms

- b) The Town shall work with appropriate agencies to encourage the creation and maintenance of an adequate supply of appropriately scaled, accessible housing forms, including: assisted living; special

needs housing; nursing homes and other forms of housing for seniors; and innovative housing models such as co-housing.

- c) Appropriately scaled, accessible housing forms shall be integrated within the LaSalle Town Centre, the Waterfront District and the Residential Neighbourhoods where community services and amenities are easily accessible to ensure people with special needs have the best opportunity to care for themselves as much as possible in a non-institutional setting. Special needs and emergency housing shall be permitted in any designation that permits residential uses.

Social and Affordable Housing

- d) This Plan establishes a Town -wide target for the provision of affordable housing at 20 percent of all new housing units. Further, this Plan anticipates that the target for affordable housing will be met primarily within the Urban Area.
- e) The Town supports the provision of affordable housing for low and moderate income households through the following policies:
 - i) The Town will achieve a minimum affordable housing target of 20 percent of all new residential development on a Town-wide basis;
 - ii) Affordable housing should be focused within the Urban Area, which offers residents easy access to existing services, facilities and infrastructure; and,
 - iii) The Town discourages the demolition or conversion of affordable rental housing into condominium tenure in order to maintain the rental housing stock.
- f) The Town shall utilize the implementation tools provided in this Plan and/or in the Planning Act to ensure a diversity of housing options are available to residents of all ages, abilities and incomes, including but not limited to:
 - i) Zoning By-Law regulations;

- ii) Land Division processes (conditions of approval);
- iii) Development Agreements; and,
- iv) Community Improvement provisions.”

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

“promote development 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”

“promote residential intensification within Settlement Area boundaries”.

Policies have also been adopted by County Council that support “a range of land uses and densities, a healthy mix of housing types, and walkable communities with public transit” as integral components of all “Settlement Areas”.

The County of Essex also:

“specifically encourages residential intensification and redevelopment within settlement areas in order to increase their vitality, offer a range of housing choices, efficiently use land and optimize the use of infrastructure and public service facilities”.

The 2014 Provincial Policy Statement includes a number of inter-related policies that provide direction to all Planning Authorities, including policies which:

“promote 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”

“promote cost-effective development patterns and standards to minimize land consumption and servicing costs”.

Agency Comments:

Notice of this rezoning application has been circulated to various agencies, utility companies, school boards, etc. To date, correspondence has been received from the Essex Region Conservation Authority indicating that they have no objections or concerns with this Planning Act application.

Public Comments Received to Date:

The Planning Committee held an Information Meeting on September 25, 2019, 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 development review/approval process.

Representatives of the Applicant were in attendance, and provided a description of the subject rezoning application --- and confirmed that the Applicant intends to build and sell the planned new apartment dwelling units as residential condominium units. They also explained that approximately 60 percent of their purchasers will be “empty-nesters/retirees”, and 25 percent will be first time homebuyers --- “generally households without children wanting to live in the Town Centre where they can easily and safely walk to all the amenities and services that exist nearby”.

The following is a brief summary of the public comments/questions that were received at this Information Meeting:

- concerns were raised regarding the speeding and volume of traffic using Ellis Street today, and that this development would lead to unsafe conditions along Ellis Street;
- lack of sidewalks on the east side of Ellis Street, and the corresponding safety of children walking to/from Serenity Circle and the nearby elementary school;
- with over 200 new parking spaces being built as part of this development, there will be “lots of asphalt and a minimal amount of greenspace”;
- residents would prefer to see townhouse development on this site;
- concerns about loss of privacy, due to the height of new building on Ellis Street;
- concerns about visibility for motorists travelling along “the bend” on Ellis Street;
- concerns were raised about “the kind of people that this development would attract”;
- could a fence be installed between the existing multi-storey residential condominium on Ellis Street and the planned new condominium building to prevent residents living in the new building parking in their parking lot?;
- could access to this site be restricted to Normandy, with no driveways being allowed to enter/exit onto Ellis Street?

On October 2, 2019, correspondence was submitted to the Clerk’s Office by Mr. Shanfield expressing concerns with the Applicant’s requested zoning change, and offering an amended concept plan for this site that relocated buildings and

entrances/exits onto Normandy Street --- see attached correspondence and plan submitted by Mr. Shanfield (Figure 5).

It should be noted that Mr. Shanfield's proposal to relocate driveways would require the removal of the existing landscaped berm between the Town's Fire Station and the adjacent condominium apartment building, and would also require the removal of the existing parking lot for the Town's Police Station and portions of the newly constructed Civic Centre Park.

Applicant's Written Response to Public Comments Received to Date:

On October 4, 2019, written correspondence was received from Mr. Karl Tanner (Dillon Consulting – the Applicant's consultant), providing written responses to comments/questions and concerns raised to date.

Attached, as Figure 6, is a copy of Mr. Tanner's correspondence.

Comments and Discussion:

In assessing the merits of this rezoning application the following comments are offered for Council's consideration:

- a) The Applicant's rezoning application conforms to the applicable land use designations and policies contained in the Town's and to the County's approved Official Plans, and is consistent with the policies set out in the Provincial Policy Statement. It will result in a new multi-unit residential condominium development that will broaden the range of housing choices available, in a location that has the necessary services and amenities nearby, and is located on an existing transit route that enables residents to also easily travel to locations outside of the Town Centre and to nearby communities.
- b) The Applicant's revised conceptual site plan (Figure 4) has incorporated design features to minimize adverse impacts on nearby existing land uses:
 - by limiting the height of the building to be built closest to Serenity Circle to a maximum of 4 storeys (12.2 metres), and maintaining a minimum setback distance to the lot line closest to Serenity Circle of 15.2 metres --- which is a height and setback distance that is in keeping with the adjacent existing multi-storey residential condominium building located immediately to the south of this site, along the west side of Ellis Street;
 - by incorporating additional tree planting along the east side of Ellis Street;
and

- by placing one storey accessory garage structures, additional landscaping and fencing along interior side lot lines where adjacent existing land uses have activities that may generate noise.

Based on the existing “C4” zoning, a new multi-storey mixed use residential/commercial building can be built at this location with a zero setback distance from the Ellis Street lot lines, and with a height of 18.3 metres (6 stories).

As a result of this rezoning, what is being proposed by the Applicant will provide enhanced privacy for nearby residents, by lowering the building height and moving the building to be built closest to Serenity Circle further away from the Ellis Street lot line.

More than 25 percent of this site will remain landscaped open space, much of which will be located immediately adjacent to Ellis Street – ensuring proper sight lines are maintained, and providing tree-lined boulevard areas and shaded walking surfaces along both sides of Ellis Street.

- c) It should be noted that Ellis Street is a designated collector road, and is intended to carry larger volumes of traffic --- including traffic from intersecting local streets such as Serenity Circle, Wyoming and Delmar to Todd Lane and to Normandy Street.
- d) A traffic engineering analysis was completed by Dillon Consulting (dated August 15, 2019 – copy attached as Figure 7), confirming that the additional traffic that will be generated by this new residential development can be safely accommodated while maintaining an overall high level of service. This report recommends that the signal timing at the Todd Lane/Elmdale intersection be adjusted during the PM peak hour to accommodate westbound vehicle queuing at this intersection. This change will be made at this intersection location, as recommended.
- e) A sidewalk exists along the west side of Ellis Street. A new sidewalk/trail will be built along the east side of Ellis Street --- from Serenity Circle to the existing pedestrian entrance/exit to the adjacent school property --- to improve pedestrian safety for children travelling to/from this elementary school.
- f) All required services exist at this location, including the required municipal sanitary, storm and water services to accommodate the three proposed new multi-storey buildings.
- g) LaSalle Transit services this site, with transit stops conveniently located at corner of Ellis and Normandy and at the corner of Ellis and Delmar.
- h) It should be noted that the Applicant will be required to submit a Draft Plan of Condominium Application, a Site Plan Control Application, and an application to remove the holding zone symbol before any development is allowed to proceed on this site.

Detailed site plans, site servicing, landscaping, and elevation drawings will need to be submitted to and approved by the Town as part of these additional Planning Act applications. A site plan control agreement will need to be prepared, executed and registered on title before any construction can begin. Details regarding on-site and off-site servicing, construction traffic, fencing, lighting, internal and external pedestrian access/walkways will be part of those detailed drawings and will be reviewed and approved by the Town as part of the additional Planning Act applications as noted herein.

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

Consultations

Not Applicable

Financial Implications

Not Applicable

Prepared By:



Director, Development and
Strategic Initiatives

Larry Silani



Director, Public Works

Peter Marra

Link to Strategic Priorities

Yes	Expanding and diversifying our assessment base
	Effectively communicating the activities and interests of the Town
	Managing our human and financial resources in a responsible manner
	Promoting and marketing LaSalle
Yes	Promote a healthy and environmentally conscious community

Communications

	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
Yes	Notification pursuant to the Planning Act

Notifications

Name	Address	Email

Report Approval Details

Document Title:	DS-36-2019 - Rezoning Application .docx
Attachments:	<ul style="list-style-type: none">- Figure 1, oct 22, 2019.pdf- Figure 2, oct 22, 2019.pdf- Figure 3, oct 22, 2019.pdf- Figure 4, oct 22, 2019.pdf- Figure 5, Oct 22, 2019.pdf- Figure 6, oct 22, 2019.pdf- Figure 7, oct 22, 2019.pdf
Final Approval Date:	Oct 15, 2019

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



Director, Development and
Strategic Initiatives

Larry Silani



Chief Administrative Officer

Joe Milicia