



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: L. Silani, RPP, MCIP, Director of Development & Strategic Initiatives

Department: Development & Strategic Initiatives

Date of Report: June 30, 2020

Report Number: DS-18-2020

Subject: Sterling Lakes Draft Plan of Subdivision (Fanelli) – Request to Designate certain lands as Class 4 under the NPC-300 Noise Guidelines

Recommendation

That the report of the Director of Development & Strategic Initiatives, dated June 30, 2020 (DS-18-2020) regarding a request that has been submitted by the owners of the Sterling Lakes Limited Partnership (Fanelli) for lands located within 300 metres to the west and to the south of the nearest property line for 5000 Howard Business Parkway, BE CLASSIFIED as a Class 4 area pursuant to Publication NPC- 300 (MOECP Environmental Noise Guideline -Stationary and Transportation Sources -Approval and Planning), AND FURTHER THAT the Director of Development & Strategic Initiatives or their designate BE DIRECTED to incorporate additional mitigation measures including warning clauses required for a Class 4 designation pursuant to the Publication NPC-300 in the corresponding subdivision agreement, AND FURTHER THAT the Director of Development & Strategic Initiatives or their designate BE DIRECTED to provide a copy of the Council Resolution approving the Class 4 area classification for the subject lands to Propower Manufacturing Inc.

Report

On June 9, 2020, Karl Tanner from Dillon Consulting, working on behalf of Sterling Lakes Limited Partnership (Laura Fanelli), submitted a letter to the Town (copy attached as Figure 1) requesting that a Class 4 designation pursuant to the NPC-300 Guidelines be applied to all lands owned by Sterling Lakes Limited Partnership located within 300

metres of the 5000 Howard Business Parkway (Propower Manufacturing Inc.) property line. The 300 metre affected area is depicted on the map provided by Dillon Consulting as part of their June 9th correspondence.

On May 22, 2020, the County of Essex granted Draft Plan Approval to Phase 1 of the Sterling Lakes Draft Plan of Subdivision. The following condition was incorporated as part of this draft plan approval (Condition 8):

“That prior to final approval by the County of Essex, the County is to be advised by the Municipality that this proposed subdivision conforms to the zoning by-law in effect. This requirement includes the lands immediately south and west of the industrial site along the Sixth Concession Road and that these lands are zoned Commercial holding. Further that the subdivision agreement contain provisions ensuring compliance (zoning) with the applicable Ministry of the Environment D-6 Guidelines (compatibility between industrial facilities).”

On June 11, 2020, a letter of appeal was filed against the County of Essex’s decision to grant draft approval to this plan of subdivision. This LPAT appeal was filed by the solicitor for the owner of 5000 Howard Business Parkway (Propower Manufacturing Inc.).

The June 9th letter from Dillon Consulting outlines a number of recommended actions to be taken to address the appellant’s noise concerns, and to fulfill Draft Plan Approval Condition 8, as set out in the County of Essex’s Notice of Decision dated May 22, 2020. These recommended actions can be summarized as follows:

- applying a Class 4 designation to the lands owned by Sterling Lakes within 300 metres of the property limits of 5000 Howard Business Parkway;
- creating a commercial buffer by rezoning the lands owned by Sterling Lakes located to the immediate south and west of 5000 Howard Business Parkway --- to a site-specific neighbourhood commercial holding zone, with the only permitted uses being a retail store with a maximum floor area of 929 square metres, a personal service establishment, a pharmacy, a delicatessen, a financial institution, and an office (excluding a clinic); and
- requiring Type “E” and Type “F” warning clauses to be registered on title for all lots/dwelling units created on the Sterling Lakes lands located within 300 metres of 5000 Howard Business Parkway property lines. The wording to be used in these warning clauses can be found in the attached correspondence from Karl Tanner dated June 25, 2020 (Figure 2).

Town Staff have reviewed the contents of the correspondence that has been submitted by Dillon Consulting in support of their Class 4 designation request (under the Ministry of Environment, Conservation and Parks NPC-300 Environmental Noise Guideline), and are in support of this classification being applied as requested.

In addition, Town Staff also support the balance of the recommended actions as set out in the June 9, 2020 and June 25, 2020 correspondence. The warning clause requirement will be incorporated as part of the Subdivision Agreement for the Phase 1 lands, and draft Zoning By-law Amendment documents have been prepared and will be provided to Council for adoption purposes. These ZBA documents will create the recommended commercial buffer and will also fulfill the terms of Condition 8 of the corresponding draft plan of subdivision approval as noted earlier in this Staff Report. Although not required, the owner/developer has agreed to construct an earthen berm along the perimeter of the Sterling Lakes lands adjacent to the Propower Manufacturing property line. This berm will be installed by the developer to provide additional noise reduction at ground level and for aesthetic purposes (see Figure 3). The details associated with this new earthen berm will be set out in the Subdivision Agreement.

Consultations

Engineering Services

Financial Implications

None

Prepared By:



Director, Development and
Strategic Initiatives

L. Silani

Link to Strategic Goals

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
Yes	Grow and diversify the local economy
Yes	Build on our high-quality of life

Communications

None	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

Notifications

Name	Address	Email

Report Approval Details

Document Title:	Sterling Lakes (Fanelli) - Request to Designate certain lands as Class 4 under the NPC-300 Guidelines.docx
Attachments:	- Figure 1 - 20200630074049723.pdf - Figure 2 - 20200630074212085.pdf - Figure 3 - 20200630074231137.pdf
Final Approval Date:	Jul 6, 2020

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



Chief Administrative Officer

Joe Milicia