FIGURE 1

DILLON CONSULTING

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

File No.: 16-3967

June 9, 2020

County of Essex
Planning Services
360 Fairview Avenue West
Essex, Ontario
N8M 1Y6

Attention: Rebecca Belanger, MCIP RPP

Town of LaSalle
5950 Malden Road
LaSalle, ON
N9H 1S4

Attention: Larry Silani, MCIP RPP

Request for Class 4 Designation - Sterling Lakes Subdivision
Town of LaSalle

On behalf of our client, Sterling Lakes Limited Partnership (Sterling Lakes), we are writing to confirm our request for the designation of a portion of the Sterling Lakes Subdivision as Class 4 under the NPC-300 Guidelines. This request should be read in conjunction with our previous correspondence dated March 5, 2020 (see attached).

Our request follows a meeting on June 9, 2020 with Mr. Coulthard, his consultant, the Town of LaSalle, our client and ourselves to reach an understanding regarding the potential impact from Propower Manufacturing Inc. (Propower), located at 5000 Howard Business Parkway, on the proposed Sterling Lakes development in the Town of LaSalle, Ontario. We are suggesting the following:

1. **Class 4 Designation for Proposed Development and Surrounding Sterling Lakes Lands**

   A Class 4 designation be applied to all lands owned by Sterling Lakes within 300m of the 5000 Howard Business Parkway property line (refer to attached drawing).

2. **Commercial Designation as Buffer**

   At the request of Mr. Coulthard, we removed the Neighbourhood Commercial lands to the east of D'Amore Drive from the approved Draft Plan of Subdivision; however, we encourage the Town of LaSalle to rezone these lands to an appropriate site specific Neighbourhood Commercial zoning category excluding all sensitive land uses. The lands are not part of the Sterling Lakes Draft Plan and rezoning application.

3. Extension of the Class 4 designation to the North or East

This matter does not pertain to other lands beyond the property limits of Sterling Lakes.

4. Warning Clause

We are in support to include a warning clause in the Development Agreement and all Agreements of Purchase and Sale with 300m of the 5000 Howard Business Parkway property line. As per NPC-300, a Type E warning clause associated with stationary sources is as follows:

"Purchasers/tenants are advised that due to the proximity of the adjacent industry, municipally known as 5000 Howard Business Parkway, LaSalle, noise from the industry may at times be audible."

We look forward to Council's consideration at your earliest convenience and recommend that the Council Resolution be shared with the Mr. Coulthard and his consultants.

Please do not hesitate to contact me should there be any questions or requirements for additional information.

Sincerely,

DILLON CONSULTING LIMITED

Karl Tanner, MCIP RPP
Partner
KDT:dlt

cc+encl: Laura Fanelli – Sterling Lakes Limited Partnership
John Coulthard – Propower Inc.
Brad Bergeron – RWDI
Allen Burgess – Town of LaSalle
Lucas Arnold – Dillon Consulting Limited

File No.: 16-3967

March 3, 2020

3200 Deziel Drive
Suite 608
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Telephone
519.948.5000
Fax
519.948.5054

County of Essex, Planning Services
Essex County Civic Centre
360 Fairview Avenue West
Essex, Ontario
N8M 1Y6

Attention: Rebecca Belanger

Borden Lander Gervais LLP – Response to Comments - DRAFT
Sterling Lakes Subdivision

Dillon Consulting Limited (Dillon) was retained by Sterling Lakes Limited Partnership (Sterling Lakes) to prepare a Stationary Noise Assessment to confirm the impact from Propower Manufacturing Inc. (Propower), located at 5000 Howard Business Parkway, on the proposed mixed-use development in the Town of LaSalle, Ontario. The study has been completed in support of the Zoning By-Law Amendment (ZBA) and Draft Plan of Submission applications for the proposed development. This assessment focused on the area of the development parcel that is closest to the Propower facility, bounded by Huron Church Line Road, Sixth Concession Road, and the proposed D'Amore Drive extension.

The subject site is located east of Huron Church Line Road between Sixth Concession Road and Seventh Concession Road. The subject site, as well as the lands surrounding the property, including the Propower property, are currently designated Residential in the Official Plan. The intent of the Official Plan is to guide development in the next 20 years and plan for future development. The Town of LaSalle has designated the lands with the intention to promote residential development in the surrounding area thus restricting any further industrial uses in the vicinity.

An Acoustic Assessment Report (AAR) in support of the provincial environmental approvals for Propower, was completed by RWDI in September 2019. Dillon obtained the AAR directly from RWDI, and utilized the information to reproduce the stationary noise assessment of the Propower facility, while including the proposed development as a new point of reception in the assessment.

The purpose of this letter is to address comments prepared by RWDI, and provided by Borden Ladner Gervais (BLG) in a letter, dated February 11, 2020, which are outlined below:

Response to RWDI Comments Re: Dillon Stationary Noise Assessment

(i) Exclusion of Other Noise Sources

As per discussions with the Town of LaSalle, the intent of this study was to assess compatibility between Propower and the proposed residential development with respect to noise impacts. Noise impacts from transportation sources were not assessed in this study (roadways and railways).

The assessment of impacts from the stationary noise sources at Propower is independent of road/rail noise impact as per NPC-300, and does not change the concluding statements of the stationary noise assessment. Dealings with RWDI is specific to the stationary noise sources at Propower.

Any potential impacts from transportation sources on the proposed development will have no bearing on the compatibility between the proposed development and the operation of stationary noise sources at Propower.

(ii) Building Heights & Potential Sound Differential

The stationary noise analysis assessed noise impacts from Propower on the nearest proposed sensitive receptor locations. The Building Evaluation feature was used in Cadna/A to determine the predicted worst-case plane of window impacts, which include the following:

- Block 13, 4-stories (at 1.5m, 4.5m, 7.5m, and 10.5m)
- Block 12 and Block 14, 2-stories (at 1.5m and 4.5m)

The predicted noise impacts outlined in Table 5 of the Dillon Report represent the maximum predicted impacts resulting from Propower operations for each of the identified receptor points. The height of 4.5m indicated on the figures is in reference to the noise impact height at which the noise level contours are presented. The figures are prepared as such for ease of comparison with the same prepared by RWDI.

(iii) Assumes the Implementation of Phase 2 of the Propower NAAP

Phases 1 and 2 of the Noise Abatement Action Plan (NAAP), as outlined in the RWDI AAR, were both assumed to be included in the noise study based on the following rationale:

- Section 4(3) of the current Environmental Compliance Approval (ECA) for the Propower facility (ECA No. 6042-AYMMEV, dated August 16, 2018) states that *"The Company shall: (a) implement the Noise Control Measures*

as detailed in the Noise Abatement Action Plan of the Acoustic Assessment Report not later than twelve (12) months after the date of the Approval".

Since a twelve month period has lapsed from the issue date of the ECA, and there is no evidence that the Noise Control Measures have been implemented, Propower would not be in compliance with the ECA conditions.

- Based on information provided by the Town of LaSalle, building permits were issued for the residential development north of the Propower site in September 2019. In addition, the Sterling Lakes residential development is not expected to begin construction until October 2020.

- Propower is required to meet MECP's NPC-300 noise guidelines at all existing and approved sensitive land uses.

Response to RWDI Recommendations

1. **Class 4 Designation for Proposed Development and Surrounding Lands**

   Information was provided by RWDI regarding the existing and proposed operations of Propower. Based on the provided information, predicted noise impacts from Propower on the proposed development meet the Class 2 exclusionary guideline limits of NPC-300. A Class 4 designation is unnecessary to achieve compatibility between the proposed development and Propower (considering existing and proposed sources). It is also noted that designating a land as Class 4 solely rest with the land-use planning authority of the municipality.

2. **Commercial Designation as Buffer**

   The lands referred to in this comment are not part of this draft plan and rezoning application. Future plans for this land solely rest with the owner with relevant approvals from the municipality.

3. **Extension of Class 4 to the North Lands**

   This matter does not pertain to our assessment and the subject lands.

   However, MECP's NPC-300 states Class 4 is for areas intended for development with new noise sensitive land uses(s) that are not yet built. The areas to the north are currently being built and a warning clause was to be registered on title, as approved by Town Council.

   Additionally, areas with existing noise sensitive land use(s) cannot be classified as Class 4 areas.

4. Warning Clause

The letter requests that the warning clause be reworded in accordance with NPC-300. As per NPC-300, a Type E warning clause associated with stationary sources is as follows:

"Purchasers/tenants are advised that due to the proximity of the adjacent industry (Propower Manufacturing Inc. municipally known as 5000 Howard Business Parkway, LaSalle), noise from the industry may at times be audible."

Warning Clause Type E is quite minor in nature and its inclusion is suggested for transparency purposes, and not because of any exceedance of criteria scenarios. Inclusion of the Type E clause for the proposed development within 300m from the property boundary of Propower is suggested, which is in line with MECP's D6 guideline for areas of influence (i.e., 300m for a Class II industry).

Additionally, as the study Dillon completed assessed only existing and proposed noise impacts on the proposed development, "other emissions" should not be included in the warning clause.

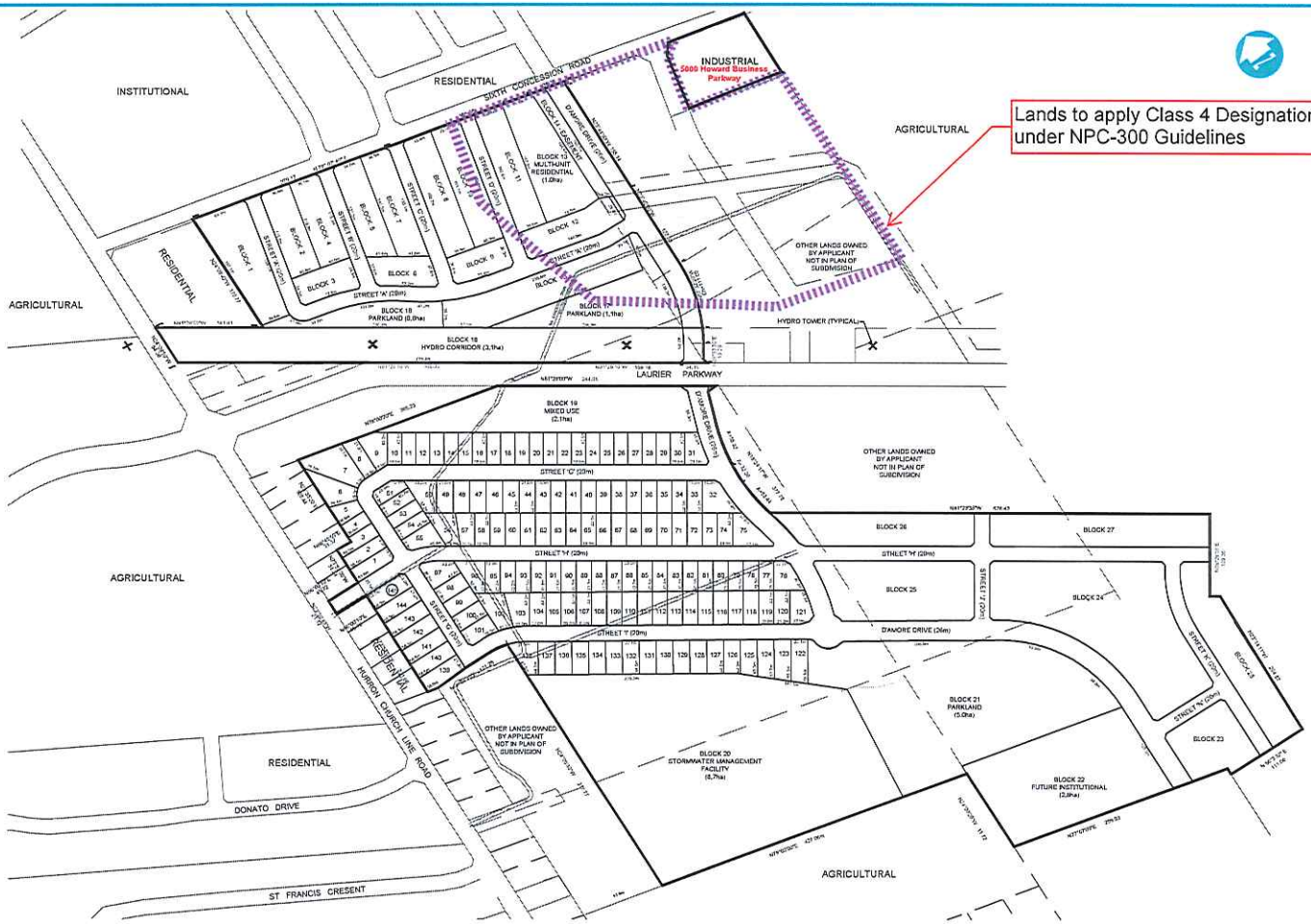
Please do not hesitate to contact us should there be any questions or requirements for additional information.

Sincerely,

DILLON CONSULTING LIMITED

Lucas Arnold, P.Eng.
Associate

Karl Tanner, MCIP RPP
Project Manager



KEY PLAN
N.T.S.
SOURCE: ESSEX REGION CONSERVATION AUTHORITY GIS MAPPING (2017)

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS.
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99993300

ALL MONUMENTS SHOWN THUSLY ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.

SIB	DENOTES	25mm	X	25mm	X	1.22m STANDARD IRON BAR
SSIB	DENOTES	25mm	X	25mm	X	0.61m SHORT STANDARD IRON BAR
IB	DENOTES	16mm	X	16mm	X	0.61m IRON BAR
IB Ø	DENOTES	19mm	diameter		X	0.61m ROUND IRON BAR
CC	DENOTES CUT-CROSS					
CP	DENOTES 5mm X 50mm STEEL PIN					
■	DENOTES SURVEY MONUMENT FOUND					
□	DENOTES SURVEY MONUMENT SET AND MARKED 1744					
WIT.	DENOTES WITNESS					
(S)	DENOTES SET					
ORP	DENOTES OBSERVED REFERENCE POINT					
(OU)	DENOTES ORIGIN UNKNOWN					
⊥	DENOTES PERPENDICULAR					
(M)	DENOTES MEASURED					
(D)	DENOTES DEED					

SSIB'S SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF SIB'S WHERE THE POSSIBILITY THAT UNDERGROUND UTILITIES EXIST.

BEARING REFERENCE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LIMIT OF PLAN 12R-21631 SHOWN AS HAVING A BEARING OF N20°55'20"W THEREON.

4.5m CORNER CUTOFF
TYPICAL UNLESS NOTED

"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

STATISTICS

ATTACHED RESIDENTIAL	=	BLOCKS 1 TO 12 (INCL.), 15
DETACHED RESIDENTIAL	=	LOTS 1 TO 145 (INCL.), AND BLOCKS 23-28
MULTI-RESIDENTIAL	=	BLOCK 13
MIXED USE	=	BLOCK 19
FUTURE INSTITUTIONAL	=	BLOCK 22
PARKLAND	=	BLOCKS 16,17,21
EXISTING GAS EASEMENT	=	BLOCKS 14
EXISTING HYDRO CORRIDOR	=	BLOCK 18
STORMWATER MANAGEMENT FACILITY	=	BLOCK 20

AREAS

ATTACHED RESIDENTIAL	=	7.5 ha (18.8 acres)	= 11.4%
DETACHED RESIDENTIAL	=	22.9 ha (56.5 acres)	= 34.3%
MULTI-RESIDENTIAL	=	1.0 ha (2.5 acres)	= 1.5%
MIXED USE	=	2.1 ha (5.2 acres)	= 3.1%
FUTURE INSTITUTIONAL	=	2.8 ha (6.9 acres)	= 4.2%
PARKLAND	=	6.7 ha (16.6 acres)	= 10.0%
EXISTING GAS EASEMENT	=	0.3 ha (0.7 acres)	= 0.5%
EXISTING HYDRO CORRIDOR	=	3.1 ha (7.7 acres)	= 4.6%
STORMWATER MANAGEMENT	=	8.7 ha (21.5 acres)	= 13.0%
RIGHT OF WAY	=	11.6 ha (28.7 acres)	= 17.4%
TOTAL AREA	=	66.8 ha (165.1 acres)	

DILLON CONSULTING

NOVEMBER 25, 2019
Project No. 16-3967

AMENDED 37-T-19001

Draft Plan of Subdivision

Part of Lot 1 & 2, Conc. 6; Lot 1-4 (incl.), Part Lot 5,7,8,9 & Lot 10, 12M-353; Part of Part 7, 12R-6478; Part of Part 17, 12R-12033; and Part of Part 2 & 4, 12R-20851

FORMERLY IN THE GEOGRAPHIC TOWNSHIP OF SANDWICH WEST

NOW IN THE TOWN OF LASALLE

Scale: 1:6,000

OWNER'S CERTIFICATE
I CERTIFY THAT:
I HEREBY CONSENT TO THE FILING OF THIS PLAN FOR DRAFT APPROVAL.

DATE: NOVEMBER 25, 2019 SIGNED

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: NOVEMBER 25, 2019 SIGNED
ROY SIMONE, OLS

ADDITIONAL INFORMATION REQUIRED UNDER S. 51(17) OF THE PLANNING ACT
(a) SHOWN ON PLAN
(b) SHOWN ON PLAN
(c) SHOWN ON PLAN
(d) RESIDENTIAL
(e) SHOWN ON PLAN
(f) SHOWN ON PLAN
(g) SHOWN ON PLAN
(h) PIPED WATER TO BE INSTALLED BY DEVELOPER
(i) BROOKSTON CLAY
(j) SHOWN ON PLAN
(k) SANITARY & STORM SEWERS TO BE INSTALLED BY DEVELOPER
(l) SHOWN ON PLAN

Nov 26, 2019 - 1:59pm C:\projects\working directory\active\32mm\t0337708\163967 -Draft Plan of Subdivision.dwg