



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

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

**Department:** Development & Strategic Initiatives

**Date of Report:** July 28, 2020

**Report Number:** DS-26-2020

**Attachments:** Figures 1 to 5

**Subject:** Application: Rezoning Application

Our File Nos: Z-07-2019

Applicant & Registered Owner: SD Development Corp (Wyoming Residences)

Agent/Planner: Tracey Pillon-Abbs

Location: The lands affected by this application comprise approximately 1 hectare of land located along the south side of Wyoming Street, at the southwest corner of Wyoming and Ellis Streets

---

### **Recommendation**

That the report of the Director of Development & Strategic Initiatives, dated July 20, 2020 (DS-26-2020) regarding a request that has been submitted by SD Developments Corp, for the lands located on the southwest corner of Wyoming and Ellis Streets BE RECEIVED; and that COUNCIL APPROVE THE APPLICANT'S REZONING APPLICATION AND ADOPT the draft zoning by-law amendment which rezones this one (1) hectare site from a "C4(h)" to a "R5-10" zone.

## 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 1 hectare of land located along the south side of Wyoming Street, at the southwest corner of Wyoming and Ellis Streets, from a Town Centre Commercial Holding Zone – “C4(h)” to a Residential Five (R5-10) Zone – “R5-10”.

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 two 3 storey apartment style residential buildings, with a total of 80 dwelling units. As part of this multi-unit residential development, new parking garages would be built for 40 units, and an additional 80 at-grade surface parking spaces are being provided. A conceptual elevation drawing for the proposed new 3 storey buildings has also been provided by the Applicant, and is included as Figure 5.

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.

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 80 new apartment dwelling units located in 2 new residential buildings with a height that would not exceed 3 storeys.

A consent application will be submitted to the Town to legally separate this site from the remainder of the Applicant's landholdings, which have already been developed and are being used for retail commercial purposes.

Prior to the issuance of any building permit at this location, the Applicant will also be submitting a site plan control application to the Town for review and approval purposes.

A copy of the draft zoning by-law amendment for the subject lands are included as part of this Council agenda.

#### 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 2020 Provincial Policy Statement.

In this particular instance, the subject property is designated "LaSalle Town Centre 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."

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 2020 Provincial Policy Statement includes a number of inter-related policies that provide direction to all Planning Authorities, including policies which:

- require municipalities to provide for an appropriate mix of housing options and densities to meet the projected requirements of current and future residents for both market-based and affordable housing units;
- 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, no correspondence has been received with respect to this Planning Act application.

## 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 policies contained in the Town of LaSalle's and the County of Essex's approved Official Plans, and is consistent with the applicable policies as set out in the Provincial Policy Statement;
- b) It will result in a new multi-unit residential development that will broaden the range of housing choices available, in a location that has the necessary services and amenities nearby, and is located within walking distance of two existing transit routes that enables residents to also easily travel to locations outside of the Town Centre and to nearby communities;
- c) The proposed new 3 storey apartment buildings will add 80 new rental units to the Town's existing rental housing supply – a very positive addition to the Town of LaSalle;
- d) All required services exist at this location, including the required municipal sanitary, storm and water services to accommodate the two new multi-storey buildings. The Applicant will be required to implement on-site storm water management at this location, to be designed and constructed by the Applicant to the satisfaction of the Town Engineer;
- e) LaSalle Transit services this site, with transit stops conveniently located at the corner of Ellis and Delmar. In addition, the South Windsor 7 route is also within walking distance of this site, with stops located along Malden Road and also along Todd Lane;
- f) Ellis Street is a designated collector road, and is intended to carry larger volumes of traffic -- including traffic from intersecting local streets such Wyoming – to/from Todd Lane, to Malden Road and to Normandy Street. A traffic engineering analysis was recently completed by Dillon Consulting 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;
- g) A daylight corner easement will be required, as shown on the Applicant's conceptual site plan to ensure proper sight lines are maintained along both Ellis and Wyoming Streets;
- h) Sidewalks exists along both Ellis Street and Wyoming Street. An in-boulevard asphalt trail is also located along the north side of Wyoming – providing for safe and convenient pedestrian movements to/from nearby stores, restaurants, services, the Town Library and Seniors Centre, and the neighbourhood school;
- i) An Endangered Species assessment was completed for this site in 2019. It concluded that the development of this property as proposed will not contravene the provisions of the Endangered Species Act, and can proceed. During construction, the Applicant will be required to follow the prescribed MNRF approved protocols for species at risk – and these

requirements will be incorporated as part of the site plan control agreement for this new development;

- j) A Noise Study was undertaken by a qualified acoustical engineering firm retained by the Applicant. This study concluded that the noise impacts from nearby commercial buildings can be mitigated to meet applicable MOECP Guidelines, through the use of appropriate building materials, the installation of central air conditioning within all new apartment units, and with the inclusion of warning clauses;
- k) The Applicant's conceptual site plan (Figure 4) and conceptual elevation drawings (Figure 5) have incorporated design features to maximize land use compatibility:
  - by orienting the buildings to the street edge, and limiting the height of the new buildings to a maximum of 3 storeys;
  - by placing one storey accessory garage structures along the southerly lot line -- additional landscaping and fencing will also be installed along the westerly lot line;
- l) It should be noted that the Applicant will be required to submit a consent application and a site plan control application 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 be prepared, executed and registered on title before any construction can begin. Details regarding site servicing, construction traffic, fencing, lighting, internal and external pedestrian access/walkways, on-site refuse disposal, etc., will be part of those detailed drawings and will be reviewed and approved by the Town as part of the site plan control application.

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

Respectfully,

## Consultations

Town Engineering and Public Works

## 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
	Build on our high-quality of life

## 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:	SD Development Corp, Wyoming and Ellis Rezoning Application.docx
Attachments:	- Attachments for SD Development Staff Report, July 2020.pdf
Final Approval Date:	Jul 21, 2020

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



Chief Administrative Officer

Joe Milicia