



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

**To:** Mayor and Members of Council

**Prepared by:** A. Burgess, RPP, MCIP - Supervisor of Planning and Development Services

**Department:** Development & Strategic Initiatives

**Date of Report:** August 12, 2020

**Report Number:** DS-29-2020

**Attachments:** Figures 1, 2, 3 & 4

**Subject:** Application: Rezoning and Site Plan Control Applications  
Our File Nos: Z-02-2020 & SPC-01-2020  
Applicant & Registered Owner: 6150 Malden Inc. (Randy Saccuci)  
Agent: Dan McCulloch (Rosati) Planner : Melanie Muir (Dillon)  
Location: The lands affected by this application comprise approximately 4,200 square metres of land located on the east side of Malden Road, south of Omira Street, municipally known as 6150 Malden Road

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### **Recommendation**

That the report of the Supervisor of Planning & Development Services, dated August 12, 2020 (DS-29-2020) regarding a request that has been submitted by 6150 Malden Inc., for the land located on the east side of Malden Road, south of Omira Street, BE RECEIVED; and that comments and concerns of Council and the public be RECIEVED and that a final staff report be prepared with recommendations and be submitted to Council at a subsequent Council meeting.

## Report

### INTRODUCTION AND NATURE OF THE SUBJECT APPLICATION:

This report is intended to provide members of Council with information regarding a rezoning and site plan control application that has been submitted to the Town, requesting approval to rezone approximately 4,200 square metres of land located on the east side of Malden Road, south of Omira Street, municipally known as 6150 Malden Road, from a Neighbourhood Commercial Zone – “C1” and Neighbourhood Commercial (C1-1) Zone - “C1-1” to a Site Specific Commercial Zone.

Figure 1 depicts the location of the subject lands.

Figure 2 identifies the existing Zoning By-law zone categories that apply to the subject lands and to lands in the surrounding area.

Figure 3 is the Applicant’s conceptual site plan, depicting a mixed use building containing approximately 700 square metres of ground floor area to be used for retail, office, restaurant and other service commercial purposes. In addition, a total of 24 new residential apartment type dwelling units are being proposed as part of the 4 storey building with a total of 73 parking spaces. A conceptual elevation drawing for the proposed new 4 storey building has also been provided by the Applicant, and is included as Figure 4.

### 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.

The subject property is designated " Mixed Use Corridor" in the Town of LaSalle's approved Official Plan. Section 4.5 of the LaSalle Official Plan contains the Town’s land use policies for properties located within the “Mixed Use Corridor Designation”, and read as follows:

#### **“4.5 Mixed Use Corridor Designation**

##### ***Intent***

- a) The Mixed Use Corridor Designation functions as the connective spine of the Town as well as destinations for the surrounding neighbourhoods. The Mixed Use Corridor Designation provides a significant opportunity for creating

vibrant, pedestrian and transit oriented places through investment in infrastructure, with particular attention to urban design and the creation of safe and inviting places for people.

- b) Areas that are designated Mixed Use Corridor Designation will typically include an array of compatible land uses including retail and service commercial uses, mid-rise and high-rise residential uses, as well as institutional and community uses. These Mixed Use Corridors are expected to provide people-oriented employment and to accommodate higher density/intensity development, while maintaining a broad mix of land uses that support investment in transit and the achievement of complete communities.

### ***Permitted Uses***

- c) Buildings and sites throughout the Mixed Use Corridor Designation are 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. Uses in stand-alone buildings are also permitted, unless specified otherwise within the policies of this Plan or the implementing Zoning By-law. Permitted uses on lands designated as Mixed Use Corridor Designation may include:
  - i) Retail, service commercial uses and restaurants of all types and scales, including 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, administrative and institutional office uses, medical clinics, labs and other similar uses;
  - iv) Apartment style Mid-Rise and High-Rise residential uses, including communal housing, which may include special needs housing, housing for seniors, and residential care facilities;
  - v) Institutional uses, cultural, recreational and entertainment facilities, community facilities, parks and green spaces;
  - vi) Parking facilities at-grade and/or in structure; and,
  - vii) Public uses and public and private utilities.

- d) The range of permitted land uses within the Mixed Use Corridor Designation shall be further refined through the implementing Zoning By-law. The Zoning By-law may, for specific sites within the Mixed Use Corridor Designation, not permit all of the uses listed herein.

***Development Policies***

- e) Development in the Mixed Use Corridor Designation shall generally be part of a comprehensively planned site, where a grouping of permitted uses 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 Mixed Use Corridor Designation.
- f) Apartment style residential uses shall be in stand-alone buildings, or in upper storeys of a mixed-use building/development. They may be located on individual sites, or form part of a larger, comprehensively planned site.
- h) Within the Mixed Use Corridor Designation, the implementing Zoning By-law will confirm a minimum lot depth that is appropriate to accommodate the scale and mix of uses proposed, including the functional elements of the development, such as parking, loading and garbage collection/storage requirements based on a Conceptual Site Plan. The minimum depth of a development site within the Mixed Use Corridor Designation, prior to the development of a Conceptual Site Plan, shall be approximately 45 metres.
- i) When considering an application for a development within the Mixed Use Corridor Designation, the following shall be considered:
- i) Adverse impacts are 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 buffering and/or transitions in height and density to adjacent properties are implemented, where necessary;
  - iv) 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;
- v) On-site amenity space is provided in keeping with the intended use of the site;
  - vi) Streetscape patterns, including block lengths, setbacks and building separations are designed to support and encourage walking, cycling and other forms of active transportation; and,
  - vii) Utility, infrastructure and transportation system capacity exists or will be made available to serve the proposed development and there are no undue adverse impacts on the Town's sewer, water, stormwater management and transportation systems.
- j) Adequate parking, loading and garbage collection/storage facilities for all permitted land uses shall be provided on the site. Front yard parking will generally not be permitted. Parking and servicing areas shall be located at the rear or side of the building.
  - k) When considering an application for a development within the Mixed Use Corridor 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.
  - j) All development within the Mixed Use Corridor Designation shall be subject to Site Plan Approval."

Malden Road is designated as an "Arterial Road" in the Town's Official Plan. Subsection 6.5.3(ii) sets out the planned function for arterial roads, and reads as follows:

- "ii) Arterial Roads provide for high volumes of both passenger and commercial traffic for inter-urban travel at moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Arterial Roads shall be within 26.2 to 30.5 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 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.

## Zoning

The Applicant intends to construct a mixed use building on this site, in keeping with the land use policies for properties that are designated "Mixed Use Corridor".

The Applicant is requesting approval to rezone this property from the Neighbourhood Commercial Zone – "C1" and Neighbourhood Commercial (C1-1) Zone - "C1-1" to a site-specific Commercial zone, which will permit:

- a new 4 storey mixed use commercial/residential building;
- new commercial units totaling approximately 700 square metres located on the ground floor area to be used for retail, office, restaurant and other service commercial purposes;
- a total of 24 new residential apartment type dwelling units to be constructed on the second, third and fourth floor;
- a total of 73 on-site parking spaces.

It should be noted that the Town is in the process of preparing a new Comprehensive Zoning By-law to implement all of the new land use designations that are contained within the Town's new Official Plan document. In the interim, Town Staff have provided the Applicant's consultant with regulations that are being written for the Mixed Use Corridor on Laurier Parkway in order to guide the preparation of the site plan to ensure conformity with the Council adopted and approved land use policies.

Town Staff are recommending that the site-specific zoning by-law amendment for this site incorporate the following language/provisions:

1. Schedule "C", Map 07, of By-law 5050, as amended, is hereby further amended by changing the zone classification on those lands depicted on Schedule "A" attached hereto and forming part of this by-law from a Neighbourhood Commercial Zone – "C1" and Neighbourhood Commercial (C1-1) Zone - "C1-1" to a General Commercial (C2-13) Zone – "C2-13";
2. Section 12, General Commercial Zone (C2) Zone Regulations, of By-law No. 5050, as amended, is hereby further amended by adding a new subsection 12.3.13 to read as follows:

**"12.3.13 - DEFINED AREA C2-13** as shown on map 07, Schedule "C" of this By-law:

**a) Permitted Uses**

- i. One mixed use residential/commercial building with a maximum of 700 square metres of retail, office, restaurant and personal service commercial floor area on the ground floor, and a maximum of 24 apartment type dwelling units located on the second, third and fourth floor;
- ii. Uses accessory to the forgoing uses in accordance with subsection 5.20 of this by-law.

**b) Zone Provisions**

- |  |             |
|--|-------------|
| i. Minimum Lot Area  | 0.4 hectare |
| ii. Minimum Lot Frontage   | 60 metres   |
| iii. Maximum Lot Coverage  | 25 percent  |
| iv. Minimum Landscaped Open Space  | 5 percent   |
| v. Maximum Height of Main Building   | 16 metres   |
| vi. Minimum Front Yard Depth   | Nil         |
| vii. Minimum Side Yard Depth   | 18 metres   |
| viii. Minimum Exterior Side Yard Depth   | Nil         |
| ix. Minimum Rear Yard Depth  | 55 metres   |
| x. Minimum Number of Required Parking Spaces   | 73          |
| xi. Notwithstanding any other provisions of this by-law to the contrary, all buffers strips shall be a width as shown on the approved site plan. |             |

A subsequent report with comments and recommendations will be prepared and presented to Council, following the receipt of public, Council and all stakeholders input.

## **Consultations**

Planning & Engineering

## **Financial Implications**

N/A

## **Prepared By:**



Supervisor, Planning and Development

Allen Burgess, MCIP, RPP

**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**

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

**Notifications**

<b>Name</b>	<b>Address</b>	<b>Email</b>

**Report Approval Details**

Document Title:	6150 Malden Road - DS-29-2020.docx
Attachments:	- FIG1.pdf - FIG2.pdf - FIG3.pdf - FIG4.pdf
Final Approval Date:	Aug 17, 2020

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