



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: G. Beggs, Director of Planning & Development

Department: Planning & Development

Date of Report: October 10, 2024

Report Number: PD-33-2024

Subject: Statutory Public Meeting for the Howard Bouffard Secondary Plan

Recommendation

That the report of the Director of Planning and Development dated October 10, 2024 (PD-33-2024) and corresponding presentation by the Planning Partnership regarding the Draft Howard Bouffard Secondary Plan and Implementing Zoning By-law be received;

And that, Council receive the public, stakeholder, and agency feedback regarding the Official Plan Amendments, Draft Howard Bouffard Secondary Plan and Implementing Zoning By-law, and direct Administration to summarize the feedback and how it has been addressed in a report back to Council when the Official Plan Amendments, Secondary Plan and Zoning By-law are brought back for adoption.

Report

Under the *Planning Act*, before an Official Plan Amendment (Secondary Plan), or Zoning By-law Amendment is brought to Council for adoption, a statutory public meeting is required. The purpose of this report is to provide background information regarding the Howard Bouffard Secondary Plan draft documents. The purpose of the public meeting is to provide an opportunity for members of the public, landowners, agencies and stakeholders to bring comments forward regarding issues or concerns identified in the draft documents. Comments and representations received at the public meeting will provide valuable feedback when it comes to finalizing the Secondary Plan.

Following the public meeting, all submissions received will be reviewed and considered in the context of the overall Secondary Plan project. The comments received at the public meeting will be summarized in a subsequent report back to Council, which will explain how each comment received has been addressed.

The Secondary Plan package of documents was published on the Town's website on August 30th, 2024 (www.lasalle.ca/HBSP). The material was prepared using a coordinated and comprehensive approach to address the importance of future land use, transportation, servicing, urban design, natural heritage and recreational needs. Most importantly, the documents deal with certain area-specific issues in LaSalle related to stormwater management and wastewater treatment plant capacity constraints.

The material includes several important and interrelated elements, both statutory under the *Planning Act* and non-statutory elements intended to assist the Town in effectively managing and implementing the Secondary Plan. The key difference is that statutory elements under the *Planning Act* are to be formally adopted and approved and are subject to appeal to the Ontario Land Tribunal (OLT). Non-statutory elements are adopted by the municipality through a Council resolution and are not appealable to the OLT.

The following provides a summary explanation of the documents being contemplated for consideration.

1. **Howard Bouffard Secondary Text and Maps (Statutory)** in the form of an Official Plan Amendment. Within this document, there are also a series of town-wide Official Plan Amendments being requested described in further detail below.

The intent of the Howard Bouffard Secondary Plan is to utilize, to the greatest extent possible the policy framework within the current Official Plan. The Secondary Plan anticipates long-term growth of up to a maximum of 29,000 people and jobs combined. This population is linked to the existing agreement with the City of Windsor to receive and treat wastewater from the Town. More specifically, the Secondary Plan:

- Implements the Town's work related to stormwater management reflecting the work completed as part of the Howard Bouffard Master Drainage Study and includes detailed policies to ensure appropriate implementation;
- Implements the updated Natural Heritage System, as defined by LGL Limited, and includes detailed policies to ensure appropriate protection as well as flexibility to refine the system based on science-based evidence to do so; and
- Implements the Town's Master Transportation Plan and confirms that the proposed road network is sufficient to accommodate projected growth in Howard Bouffard.

2. **Additional Official Plan Amendments Requests (Statutory)**

Town-Wide Official Plan Amendment Requests

- **Item 1** – Implements the new legislative framework affecting the use of Site Plan Control. This will require a subsequent update to the Town's Site Plan Control By-law.
- **Item 2** – Implements a new opportunity for Council to delegate certain authority to staff, which would require an amendment to the Delegation of Authority By-law.
- **Item 3** – Proposes an adjustment to Section 4.5 f) of the Official Plan to require non-residential development as part of proposed development within the Mixed-Use Corridor Designation. The intent is that the implementing Zoning By-law will establish the minimum percentage of at-grade gross floor area to be used for non-residential purposes.

Official Plan Amendment Requests to Implement the Secondary Plan

- **Item 4** – Facilitates amendments to identified Official Plan Schedules to wipe out existing information on those schedules, and to refer to the new schedules that are part of the Secondary Plan.
 - **Item 5** – Introduces the new Schedules that reflect the Secondary Plan for Howard Bouffard.
 - **Item 6** – Introduces a new Chapter 5.3 which forms the text of the Howard Bouffard Secondary Plan.
3. **A Draft Zoning By-law Amendment and Map (Statutory)**. As part of this process, the opportunity to have a property hard-zoned is being proposed, in keeping with the Secondary Plan. The proposed zoning amendment is based on Schedule F1 of the Secondary Plan and is further informed by Appendix 2: Concept Plan of the Secondary Plan. The following approach was taken when preparing the Draft By-law:
- the Draft By-law recognizes, where possible, existing zoning currently in place, that has been previously approved by the Town;
 - The Draft By-law then looks at all of the lands within Howard Bouffard that are within the Deferred Urban (DU) zone and applies - essentially pre-zones - an appropriate zone category, generally based on the Concept Plan that is included as Appendix 2 to the Secondary Plan;

- All lands that are being pre-zoned out of the Deferred Urban (DU) zone category are subject to a Hold (H) Provision with the requirement to prepare appropriate technical studies and achieve an allocation of wastewater plant capacity allocation in accordance with the Wastewater Plant Capacity Allocation Protocol. More detail regarding the intent of the Protocol and how it is to be used is addressed further within the report;
- A key part of the use of the Hold (H) Provision is that this function be delegated to staff, as an approach to streamlining the development approval process. However, Council will continue to make decisions related to draft plans of subdivision, zoning and official plan amendments, which will continue to come before Council for consideration; and
- It is anticipated that some of the landowners may not be in favour of the zone categories that have been provided in the Draft By-law. Should this be the case, lands can be removed from pre-zoning permission and will revert back to the Deferred Urban (DU) zone category. Those landowners would then have the opportunity to make an application for a Zoning By-law Amendment that better aligns with their development aspirations. Those applications would be subject to the typical process for the Town's consideration of any request for rezoning.

In addition, the Draft By-law includes the following specific items:

1. Mapping changes to the maps within the Town's Zoning By-law, implementing changes from the Deferred Urban (DU) zone category to another zone category, with the inclusion of the Hold (H) Provision;
2. Implements new wording related to the requirements for the removal of the Holding Provision;
3. Provides permission for stormwater management facilities to be permitted use within any zone, except the Floodway (F) Zone;
4. Provides for the expansion of the list of permitted uses within the Mixed-Use One (MU1) and Mixed-Use Two (MU2) Zone;
5. Provides for the requirement of 60% of the at-grade Gross Floor Area to be comprised of non-residential land uses within the Mixed-Use One (MU1) Zone; and
6. Provides for the requirement of 25% of the at-grade Gross Floor Area to be comprised of non-residential land uses within the Mixed-Use Two (MU2) Zone.

4. **A Wastewater Capacity Allocation Protocol (Non-Statutory)** is a document adopted by way of a by-law under the authority of the *Municipal Act*, that provides the municipality with a framework and criteria for assigning sanitary capacity to properties, with a system to assign additional capacity to those property owners who request above and beyond their assigned allocation.

The Town of LaSalle has an agreement with the City of Windsor to receive and treat wastewater from the Town to the Lou Romano Water Reclamation Plant. The agreement with the City of Windsor authorizes a maximum amount of capacity to be issued to the Town of LaSalle, creating an upset capacity limit. The Town is responsible for allocating wastewater plant capacity, considering the capacity limitations and restrictions codified within the agreement between the City of Windsor and the Town of LaSalle. The Wastewater Plant Capacity Allocation Protocol has been developed to optimize the sanitary capacity of the Town. As wastewater capacity constraints are anticipated in the long-term, the protocol has been developed to:

- Ensure that the remaining uncommitted reserve capacity in the plant is planned for and allocated sustainably and transparently; and
- To provide fairness and predictability to the process of capacity allocation, clarifying to the public and development community how a finite resource will be managed to ensure the greatest benefit to the Town.

Following publication of the draft Wastewater Plant Capacity Allocation Protocol to the Town's website, Administration recognized the need to modify some of the assumptions and population numbers used to develop the information. These additional findings will be used to inform the available amount of future treatment capacity, which will ultimately result in additional available density to be allocated. Following the statutory public meeting, Administration in consultation with the Planning Partnership, will be updating the protocol to reflect the new information.

5. **Howard Bouffard Urban Design Guidelines (Non-Statutory)** which provide guidance on both the development of the public and private realm improvements outlining expectations for new development.
6. **A Terms of Reference Document for Technical Studies (Non-Statutory)** which provides advanced scoping of supporting studies that need to accompany Planning Act Applications for future development.
7. **A Summary Matrix (Non-Statutory)** that outlines all the written comments received to date as part of early consultation on the project (landowner, agency, stakeholders, residents, etc.) with a response on how each comment has been considered and addressed in the preparation of the Draft Secondary Plan.

8. **Natural Heritage Assessment Report (Non-Statutory)** completed by LGL Limited which highlights the science and policy analysis used to develop and put forward the Natural Heritage System being recommended within the Howard Bouffard Secondary Plan.

Consultation, Engagement & Notification

Throughout the Howard Bouffard Secondary Plan project, numerous opportunities for public and stakeholder consultation and engagement have occurred. Early in the process, a special project website was developed by Administration to share and publish information regarding the project, outline the objectives associated with the Secondary Plan and document updates to the project along the way. This proved very useful in helping to consolidate information and messaging out to the public. The following table summarizes the key consultation events and stakeholder engagement efforts undertaken.

Event	Details	Outcome
Large Landowner Consultation Discussions July 2023 – November 2023	Over 30 meetings were held with the development community following project initiation through to the development of the Emerging Preferred Plan.	Development intentions and aspirations were discussed in the context of the Secondary Plan exercise. This provided the opportunity to answer questions about the Secondary Plan process, proposed changes, and future implementation.
PlaceSpeak Discussion Forum September 2023	An online forum was launched using the Town’s civic engagement platform to obtain feedback related to Options 1, 2 and 3 proposed.	The consultation resulted in 2,137 views, 72 comments received, and 118 connections made allowing additional residents to follow the project.
Howard Bouffard Secondary Plan Public Workshop January 2024 (Afternoon/Evening)	The consultant team in partnership with Administration hosted a public workshop at the Town Hall for members of the public to become engaged in the development of the Secondary Plan. The workshop included a presentation followed by group table discussions.	Both afternoon and evening workshop sessions were offered to members of the community. A total of 28 residents attended the events and contributed to the discussion.
Discussions with the County of Essex	A series of meetings at various stages in the project took place between County Planning and the municipality regarding the project, specifically related to the	Various updates were provided to County Planning as the Secondary Plan progressed through the various stages. More detailed

Event	Details	Outcome
	connections between the proposed Secondary Plan and the County’s Official Plan and Official Plan Update.	conversation regarding the development of the Natural Heritage System was offered.
Discussions with the Essex Region Conservation Authority (ERCA)	A series of meetings at various stages in the project took place between ERCA and the municipality, specifically related to future drainage and flood inundation.	The municipality worked in partnership with ERCA to develop the proposed Secondary Plan policies related to stormwater management and the future implementation of the Howard Bouffard Master Drainage Study solution.
Discussions with Greater Essex County District School Board and Windsor-Essex Catholic District School Board	A series of meetings at various stages in the project took place between the municipality and the local School Boards. Growth projection information was shared with the School Boards to conduct their needs assessment and required analysis.	Based on information from the local School Boards, the Secondary Plan incorporates various school sites given the feedback resulting from the consultation undertaken.

First Nations Consultation

In an effort to provide and exchange information regarding the objectives of the Secondary Plan with First Nations, information was initially uploaded to the Nations Connect Portal as a way to engage and connect with both Caldwell First Nations and Chippewa of the Thames First Nations. From there, a series of meetings were held between Administration, LGL Limited and members of those First Nations groups. The overall consultation objectives were to foster and strengthen relationships, share ideas and exchange desired goals and objectives regarding the project. Consultation with these groups will continue as we move closer to formal adoption of the Secondary Plan.

Public Notification

In accordance with the *Planning Act*, a notice of this statutory public meeting was published in both the Windsor Star and LaSalle Post in advance of the meeting. A copy of the public notification that was circulated is attached to this report. Notice of the meeting was further advertised through our social media channels and posted on electronic signage displays at both the Vollmer Recreation Centre and the Civic Centre. Administration also compiled a mass mailing of the notice to all property owners within the Howard Bouffard Secondary Plan Area, resulting in a total of 1,030 property owners having been notified by mail of the public meeting. While this is not a requirement under the legislation, it was deemed to be an appropriate measure for a project of this

magnitude and a responsible way to keep the residents of LaSalle informed about their property and the planning horizons for the broader community. The public notification was also circulated to all key agencies and stakeholders in accordance with the requirements under the *Planning Act*.

Once the documents were published to the Town's website, a separate electronic form was created allowing the option for those reviewing the material to provide comments electronically via an electronic form submission, as well as register as a delegate to attend the meeting. The comments received to date using this form, as well as those comments emailed directly to Town Planning Staff, have been attached to this report as Appendix A. As of the date of drafting this report, a total of nine individuals formally registered to attend the public meeting.

Lastly, a detailed phone and email log was prepared to document the number of calls and emails received regarding this project. In summary, as of the date of drafting this report, Administration received a total of ten calls and email inquiries regarding the project. Most calls and inquiries were property-specific with property owners looking for more information regarding what the proposed Secondary Plan designation meant for the future development of their property.

Next Steps

Following Council receipt of this report, the project team will gather all input received from the public, agencies, landowners and stakeholders, and make any revisions to the draft documents that are necessary. A summary matrix of all comments received will be prepared by the project team and presented to Council at a subsequent meeting when the documents are brought back for Council adoption.

Financial Implications

N/A

Prepared By:



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Link to Strategic Goals

1. Enhancing organizational excellence - No
2. Strengthen the community's engagement with the Town - Yes
3. Grow and diversify the local economy - Yes

- 4. Build on our high-quality of life - Yes
- 5. Sustaining strong public services and infrastructure - Yes

Report Approval Details

Document Title:	Draft Howard Bouffard Secondary Plan .docx
Attachments:	- Notice of Statutory Public Meeting for HBSP.pdf - Appendix A.pdf
Final Approval Date:	Oct 17, 2024

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



Chief Administrative Officer

Joe Milicia