



**Zelinka Priamo Ltd.**

LAND USE PLANNERS

## PLANNING JUSTIFICATION REPORT

Delmart Holdings

88 King Street East & 6330-6324 Townsend Line

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Municipality of Lambton Shores  
Official Plan & Zoning By-law Amendment  
September, 2024



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## 1.0 INTRODUCTION

Zelinka Priamo Ltd., on behalf of Delmart Holdings, is pleased to submit this Planning Justification Report in support of an application to the Municipality of Lambton Shores to amend its Official Plan and Zoning By-law to permit a single-storey, multi-tenant commercial building on a portion of the lands located at 88 King Street East and 6330-6324 Townsend Line (hereinafter referred to as the “subject lands”).

The purpose of this Planning Justification Report is to evaluate the proposed Official Plan Amendment and Zoning By-law Amendment applications within the context of existing land use policies and regulations, including the 2020 Provincial Policy Statement, the 2024 Provincial Planning Statement, the County of Lambton Official Plan, the Municipality of Lambton Shores Official Plan, and the Municipality of Lambton Shores Zoning By-law.

This report concludes that the proposed Official Plan Amendment and Zoning By-law Amendment applications to permit the proposed development are appropriate and desirable for the following reasons:

- The proposed Official Plan Amendment and Zoning By-law Amendment are generally consistent with the policies of the 2020 Provincial Policy Statement and the proposed 2024 Provincial Planning Statement;
- The proposed Official Plan Amendment and Zoning By-law Amendment generally maintain the purpose and intent of both participating Official Plans;
- The proposed Official Plan Amendment and Zoning By-law Amendment will make efficient use of underutilized lands within an established built-up area of the Municipality that are planned for development;
- The proposed development provides a well-functioning site design and built form that is compatible with, and complimentary to, the surrounding land uses; and,
- The proposed development provides an appropriate site layout for the lands.

## 2.0 SUBJECT LANDS

The subject lands are located at the northwest corner of King Street East and Townsend Line (Figure 1). The subject lands are comprised of three irregularly-shaped parcels, with a total lot area of approximately 2.0ha (4.6ac); a total lot frontage of approximately 93.8m along King Street East and 101.6m along Townsend Line; and, a total lot depth of approximately 170.0m. The subject lands abut vacant lands to the north; King Street East to the east; Townsend Line to the south; and, low-density residential and open space uses to the west.

The easterly portion of the subject lands are currently occupied by a single-storey commercial building, being the Forest Foodland, with associated surface parking and landscaped areas. The westerly portion of the subject lands are primarily vacant, with the exception of an existing detached accessory building. See Images 1-4 of the subject lands.

Existing vehicular access is provided via two all-moves driveways from both King Street East (referred to as 'Driveway A' throughout this report) and Townsend Line ('Driveway B'), leading to the existing surface parking area. The portion of King Street East fronting the subject lands consists of two lanes with right and left turning lanes, and pedestrian sidewalks located on the westerly side of the right-of-way, adjacent to the subject lands. The portion of Townsend Line fronting the subject lands is similar, consisting of two lanes with pedestrian sidewalks located on the northerly side of the right-of-way, adjacent to the subject lands.

The subject lands are designated "*Urban Centre*" in the County of Lambton Official Plan; are designated "*Highway Commercial*" in the Municipality of Lambton Shores Official Plan; and, are zoned "*Commercial (C2)*" in the Municipality of Lambton Shores Zoning By-law. The subject lands are not located within the St. Clair Region Conservation Authority regulated area.



**Project No.:** DCH/LSH/24-01

**Date:** AUGUST 2024

**Scale:** NTS



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**FIGURE 1 - LOCATION**

*image retrieved from Lambton County GIS, 2020*

**FOREST FOODLAND OPA/ZBA**

88 KING STREET E / 6330 TOWNSEND LINE

PT. LOT 36 & 37

CONCESSION SOUTH BOUNDARY

GEO. TOWNSHIP OF BOSANQUET

MUNICIPALITY OF LAMBTON SHORES

COUNTY OF LAMBTON

**Image 1 – Subject lands, from King Street East**



**Image 2 – Subject lands, from King Street East**



**Image 3 – Subject lands, from the King Street East and Townsend Line intersection**



**Image 4 – Subject lands, from Townsend Line**



### 3.0 SURROUNDING LAND USE CONTEXT

The subject lands are generally surrounded by commercial and residential land uses. The land uses within a 400m and 800m radii of the subject lands, representing an approximate 5-minute and 10-minute walking distance respectively, are shown in Figure 2.

The existing land uses within an approximately 400m, 5-minute walk radius of the subject lands are as follows:

**North:** Vacant lands, designated for future industrial and residential uses, are located north of the subject lands, as well as the Shores Recreation Centre. Beyond this, land uses transition to mixed-use commercial industrial and open space land uses. A new K-12 school is being considered on the adjacent lands to the north; however, no formal planning applications had been submitted at the time of writing this report. It is our understanding that the proposed vehicle access for the new school would be from Townsend Line, abutting the subject lands to the west.

**East:** Low-density residential uses in the form of single detached dwellings, small-scale commercial uses in the form of single-story stand-alone buildings (Dairy Queen, Subway), and a mix of commercial and industrial uses (Forest Veterinary Clinic, Wellington Builders, M&R Industrial Services Limited) are located east of the subject lands.

**South:** Low-density residential uses, in the form of single detached dwellings, and small-scale commercial uses in the form of single-story stand-alone buildings are the primary land uses south of the subject lands along King Street East. Beyond this are vacant lands designated for agricultural use.

**West:** Low-density residential and open space uses are located west of the subject lands, and include Coultis Park and the Forest Curling Club.

Lands within an 800m, 10-minute walk radius are similar to those described above, generally comprising of small-scale commercial uses fronting King Street East, with low-density residential uses along the periphery. The land use transitions to agricultural uses beyond the residential neighbourhoods.





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**FIGURE 2 - SPATIAL ANALYSIS**

*image retrieved from Google Earth, 2024*

**FOREST FOODLAND OPA/ZBA**

88 KING STREET E / 6330 TOWNSEND LINE

PT. LOT 36 & 37

CONCESSION SOUTH BOUNDARY

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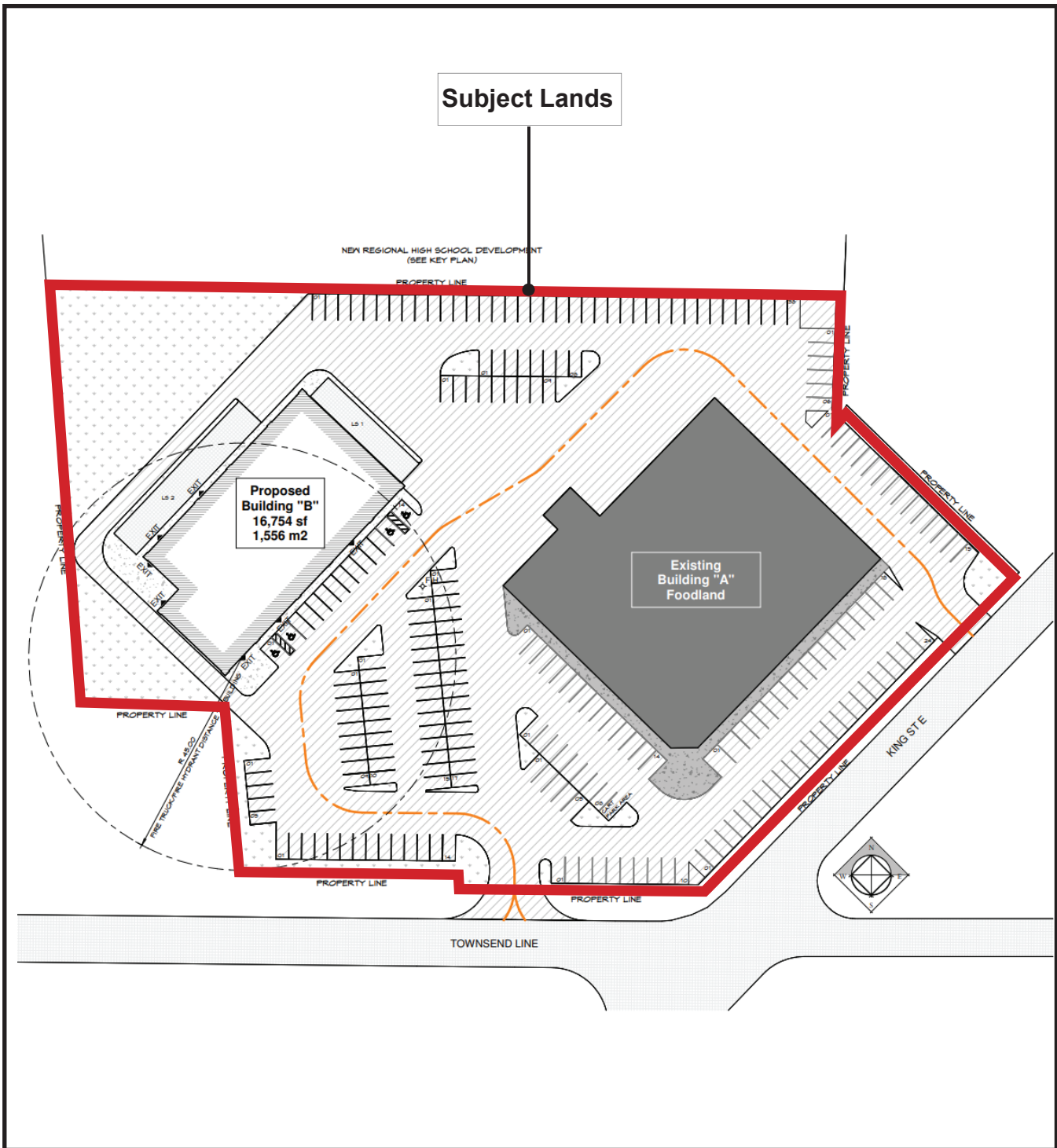
## 4.0 PROPOSED DEVELOPMENT

The proposed development consists of the development of the westerly underutilized portion of the subject lands for a single-storey, multi-unit commercial building. The existing detached accessory building is to be demolished.

The proposed commercial building will have a floor area of approximately 1,486.5m<sup>2</sup> and will be oriented to address King Street East (Figure 3).

The proposed building is anticipated to comprise of three (3) commercial units. Two of the units are anticipated to comprise of retail tenants, with the third unit anticipated to comprise of a restaurant with accessory drive-thru facility. Vehicular access for the drive-thru is denoted on Figure 4.

The existing surface parking is proposed to be expanded to accommodate additional vehicular parking anticipated from the proposed development. A total of 239 parking spaces, including 6 barrier-free spaces, will be provided for the entire subject lands. The proposed development will be primarily accessed from the existing driveway from Townsend Line.



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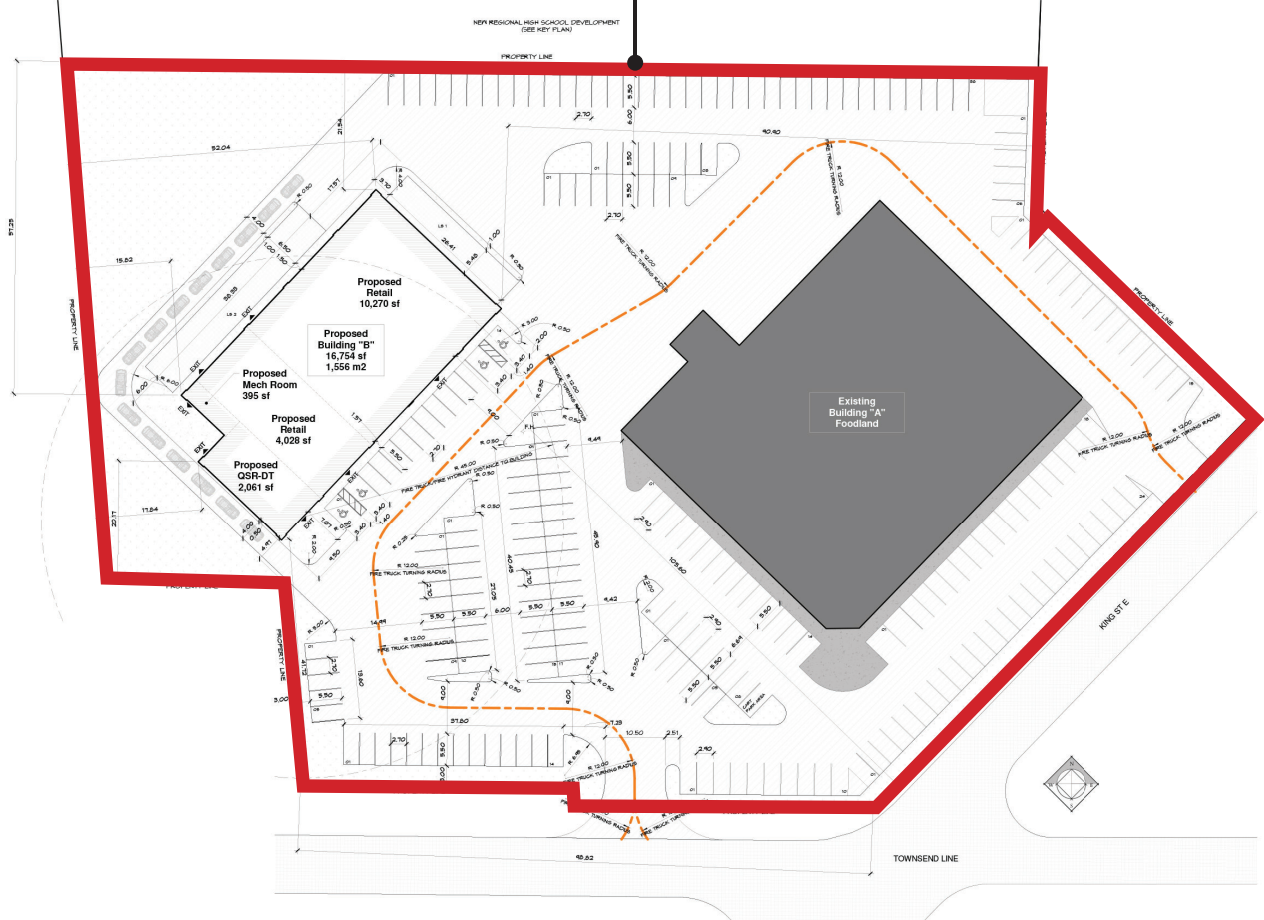


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**FIGURE 3 - CONCEPTUAL SITE PLAN**  
*image retrieved from L360 Architecture, 2024*

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 88 KING STREET E / 6330 TOWNSEND LINE  
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 COUNTY OF LAMBTON

# Subject Lands



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**FIGURE 4 - CONCEPTUAL SITE PLAN**  
*image retrieved from L360 Architecture, 2024*

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## 5.0 PROPOSED APPLICATIONS

Retail stores of the unit sizes contemplated are not permitted on the subject lands under the current Official Plan and Zoning By-law regulations. As such, Official Plan Amendment and Zoning By-law Amendment applications are required to facilitate the development.

### 5.1 Official Plan Amendment

The subject lands are designated “*Highway Commercial*” according to Schedule ‘A6’ of the Municipality of Lambton Shores Official Plan. Existing retail stores are permitted in the *Highway Commercial* land use designation. New retail stores may be permitted in the *Highway Commercial* land use designation subject to the downtown Forest area being over 90% occupied. However, the current Official Plan policies state that no new retail stores with less than 500m<sup>2</sup> of floor area are permitted in the *Highway Commercial* area.

An Official Plan Amendment in the form of a special policy that permits new retail stores on the subject lands, including retail stores under 500m<sup>2</sup> of floor area on the subject lands is required.

### 5.2 Zoning By-law Amendment

The subject lands are currently zoned “*Commercial (C2)*” in the Municipality of Lambton Shores Zoning By-law. The proposed Zoning By-law Amendment application seeks to re-zone the subject lands to a site-specific, special regulation “*Commercial (C2( ))*” zone, with site-specific provisions as follows:

- “*Retail Store*” to be included as an additional permitted use; and,
- That privacy fencing be provided rather than a planting strip.

At this time, no other special regulations have been identified as necessary; however, it is acknowledged that additional special regulations may be identified through the planning review process.

## 6.0 POLICY ANALYSIS

The following sections of this report provide analysis on the proposed development and associated Official Plan Amendment and Zoning By-law Amendment applications with respect to applicable policy and regulatory documents.

### 6.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient development and protection of natural resources. All planning applications, including Official Plan Amendment and Zoning By-law Amendment applications, are required to be consistent with these policies. The proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the PPS for the following reasons:

- The proposed development promotes efficient development by expanding the range of permitted uses on the subject lands, providing an opportunity for intensification on underutilized lands within a settlement area, being within the built-up area of the Municipality of Lambton Shores (1.1.1a, 1.1.3.1, 1.1.3.2a, 1.6.7.4);
- There is sufficient existing infrastructure capacity to service the subject lands through full municipal services, avoiding the need for unjustified and uneconomical expansion (1.1.3.2b, 1.6.6.2);
- The subject lands are serviced by pedestrian sidewalks via the King Street East and Townsend Line rights-of-way, supporting the use of active transportation (1.1.3.2e);
- The existing zoning on the subject lands provides for appropriate regulations, including lot requirements, building setbacks, lot coverage, and parking that are established as appropriate for the subject lands. There are no anticipated risks to public health and safety from the proposed application (1.1.3.4);
- The proposed development does not result in any negative impact to significant built or cultural heritage resources (2.6.1); and,
- The proposed amendments provide an opportunity to establish a broader mix of uses on the subject lands to meet long-term employment needs (1.3.1a).

Given the above, the proposed development and associated Official Plan Amendment and Zoning By-Law Amendment applications are generally consistent with the policies of the 2020 Provincial Policy Statement.

## 6.2 Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS, 2024) is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. The PPS, 2024 provides municipalities with the tools and flexibility they need to build more homes. It enables municipalities to:

- Plan for and support development, and increase the housing supply across the Province;
- Align development with infrastructure to build a strong and competitive economy that is investment-ready;
- Foster the long-term viability of rural areas;
- Protect agricultural lands, the environment, public health and safety.

While the PPS, 2024 will not take effect until October 20<sup>th</sup>, 2024, the intent of the policy document in regards to this application has been taken into consideration. The proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the PPS, 2024 for the following reasons:

- The proposed development makes efficient use of underutilized land that will make use of existing municipal infrastructure and servicing (2.3.1.2, 3.6.2);
- The proposed retail store and drive-thru restaurant uses, in combination with the existing grocery store use, provide for an appropriate mix and range of employment uses on the subject lands (2.8.1.1); and,
- The proposed development is a compatible form of development within the existing neighbourhood (2.8.1.1).

## 6.3 County of Lambton Official Plan

The Lambton County Official Plan establishes the framework necessary to assist local municipalities in the preparation of plans and policies which reflect local needs and circumstances, in a manner that satisfies the Planning Act requirements regarding the Provincial Policy Statement. The subject lands are designated “*Urban Centre*” according to “Map 1 – Growth Strategy” in the Plan (Figure 5), which contemplates the proposed development. The following table contains a policy analysis detailing how the proposed development conforms with the plan:

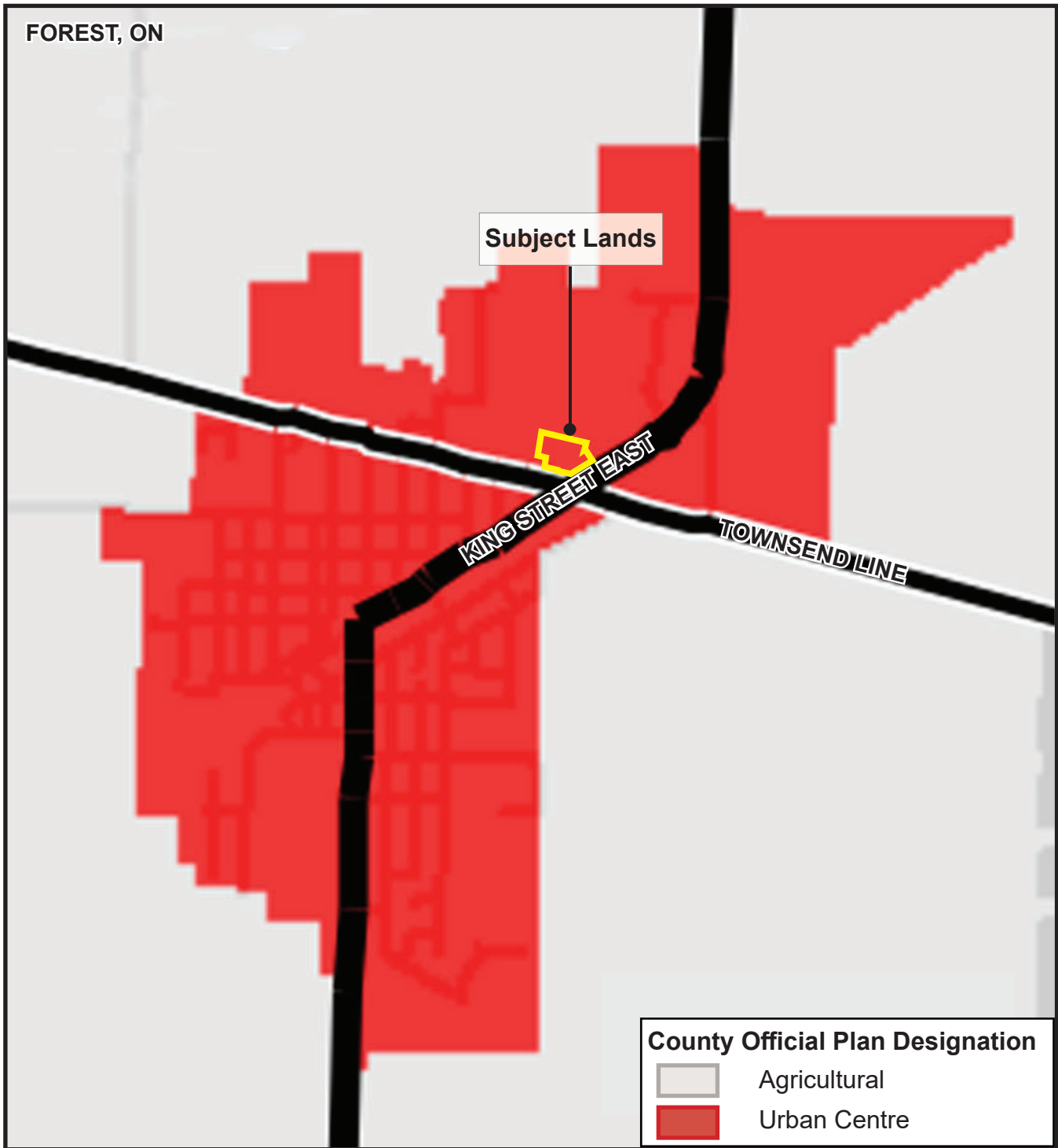
<b>County of Lambton Official Plan Policy Analysis Table</b>	
<b><i>Policy</i></b>	<b><i>Response</i></b>
<p><b><u>2.1.4 Improving Quality of Life</u></b> This Plan promotes a built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.</p>	<p>Development on the subject lands provides an opportunity to improve and enhance the existing public realm condition and better integrate the lands into the surrounding urban fabric.</p> <p>From a built-form perspective, the subject lands are contextually appropriate in terms of size and location for expanded commercial development, given the surrounding context of residential and commercial uses. The proposed development is generally consistent with the established zoning regulations which regulate this form of development.</p>
<p><b><u>2.1.5 Improving Quality of Life</u></b> Patterns of development will be established so as to minimize disruption to existing and planned residential uses, protect the physical character and vitality of established neighbourhoods and communities, and to conserve cultural and natural heritage features and resources.</p>	<p>The proposed expansion of commercial development on the subject lands is not anticipated to result in disruption to the established neighbourhood. Commercial and retail uses, as existing and proposed, are generally considered to be compatible forms of development adjacent to low-density residential uses.</p>
<p><b><u>2.1.6 Improving Quality of Life</u></b> New development will be located to ensure the maximum use of existing and future public facilities and services, including education, recreation, health care, social services, cultural activities, and physical infrastructure. Areas designated as focuses for residential development should be contiguous to existing centres and contain a range of commercial and community services.</p>	<p>The proposed development encourages intensification of underutilized lands and takes advantage of existing physical infrastructure and services.</p>
<p><b><u>2.1.7 Improving Quality of Life</u></b> Growth will be managed so as to provide communities with a range of opportunities for work and recreation, and a choice of housing. A diverse range of activities, based on the needs of the community, including learning, health, arts, cultural, spiritual, and recreational activities are promoted by this Plan.</p>	<p>The proposed development seeks an expanded range of uses, providing a range of opportunities for work.</p>
<p><b><u>3.2.2 Growth Strategy</u></b> Urban Centres contain a wide variety of residential, institutional, commercial, and industrial lands uses and cultural nodes including major public service facilities and a variety of major employers. This category of settlement offers residents most daily necessities and many other services. The travelling public, tourists, and/or residents of other settlements and surrounding agricultural areas</p>	<p>The proposed development will utilize existing municipal services, as confirmed by the Functional Servicing Report prepared by MIG Engineering.</p>



<p>regularly rely on the settlement to obtain the necessities and services provided. Development within Urban Centres will occur on full municipal services [...].</p>	
<p><b><u>3.2.11 Growth Strategy</u></b>                  Development in Urban Centres, Urban and Secondary Settlements, and the Agricultural Area will promote an efficient and compact land use pattern to minimize land consumption, control infrastructure costs, and limit non-farm growth pressure in Agricultural Areas.</p>	<p>The proposed development is an efficient way to develop the subject lands by providing commercial development on an underutilized parcel of land within an <i>Urban Centre</i> and within an established built-up area.</p>
<p><b><u>3.4.8 Mainstreets and Commercial Areas</u></b>                  The role of existing highway commercial areas has traditionally been to serve the traveling public. In recent years, this role has changed to include a greater emphasis on uses that serve the local community. Where this changing role has led to a decline of commercial businesses, reuse of these areas should be planned to encourage a broader range of compatible uses that will serve nearby residents, and to ensure the continued viability of these commercial areas. While a limited amount of retail activity may be considered, these areas are not intended to accommodate uses that are more appropriately located on mainstreets or within downtowns and high order commercial areas. The extension of highway commercial designations will generally be discouraged.</p>	<p>The proposed development is not anticipated to have a significant adverse impact on the planned function of existing mainstreet and downtown commercial areas, including downtown Forest, as confirmed by the Retail Market Demand and Impact Assessment prepared by Tate Research.</p> <p>The Assessment confirms a retail commercial occupancy rate of 91.7%, and at the time of reporting, there are no vacant units in downtown Forest which would be appropriate for the proposed uses on the subject lands. As such, the proposal to expand the range of retail uses on the subject lands is appropriate and the viability of the downtown area in Forest is maintained.</p>

The proposed development represents an appropriate and efficient form of retail commercial infill and is generally consistent with the policies and the intent of the County of Lambton Official Plan. The proposed development is consistent with the planned function to direct new growth towards “*Urban Centre*” land use designation areas, such as the subject lands.

FOREST, ON



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**FIGURE 5 - LAMBTON COUNTY OFFICIAL PLAN**

*image retrieved from Lambton County Official Plan (Schedule A6), 2017*

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COUNTY OF LAMBTON

## 6.4 Municipality of Lambton Shores Official Plan

The Municipality of Lambton Shores Official Plan includes goals, objectives, and policies to guide growth and development in Lambton Shores to 2035. Reflecting sustainable community planning and design principles, the Official Plan’s policies also consider the effects of development on Lambton Shores’ cultural resources, social, economic, and natural environments and the quality of life for its residents.

The subject lands are designated “*Highway Commercial*” according to “Schedule ‘A6’ – Forest” of the Municipality of Lambton Shores Official Plan (Figure 6). The Town of Forest is described in the Official Plan as being a dynamic rural community of approximately 3,000 residents and serves as a major institutional and commercial centre for the surrounding area. The town has a diverse and thriving economy largely driven by its core area business sector, plus a growing commercial sector along the Highway 21 (King Street East) corridor.

The *Highway Commercial* areas cater to the commercial needs of residents from the community and surrounding agricultural areas, and the travelling public and tourists. Uses of this type require more land and off-street parking and are not suitable in downtown areas. Typically consisting of single-purpose establishments, these areas are generally oriented toward car use rather than to pedestrian traffic.

The table below contains a policy analysis detailing how the proposed development conforms with the Municipality of Lambton Shores Official Plan.

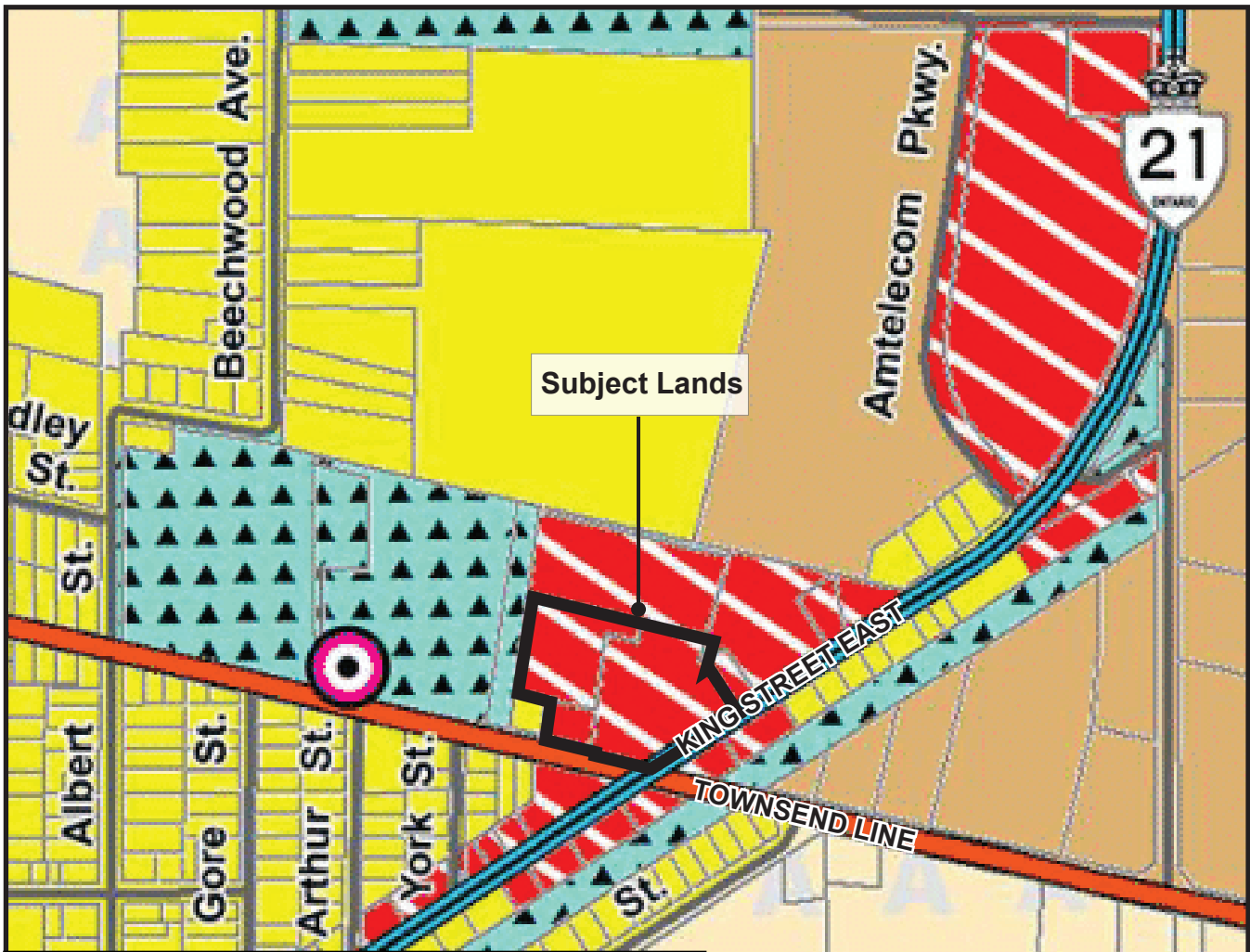
<b>Municipality of Lambton Shores Official Plan Policy Analysis Table</b>	
<i>Policy</i>	<i>Response</i>
<p><b><u>6.4.1 Highway Commercial Permitted Uses</u></b> Permitted uses in ‘Highway Commercial’ areas include:</p> <ul style="list-style-type: none"> <li>• Existing retail stores, personal service shops, merchandise service shops, offices and financial institutions. New uses of this type must be located downtown and will only be considered in the highway commercial designation if the Downtown areas are healthy and vibrant and 90 % of the available floor space in the downtown is occupied.</li> <li>• [...] Restaurants and drive-in restaurants.</li> </ul>	<p>The existing <i>Highway Commercial</i> policies contemplate new retail uses, subject to ensuring that the planned function of the downtown is maintained.</p> <p>The Retail Market Demand and Impact Assessment report, submitted as part of this application, confirms the downtown Forest area has an occupancy rate of over 90%.</p> <p>The proposed drive-thru restaurant use is permitted under the existing Official Plan policies.</p>
<p><b><u>6.4.2 Highway Commercial Policies</u></b></p> <ul style="list-style-type: none"> <li>• No new retail stores, personal service shops, merchandise service shops, offices and financial institutions with less than 500 m<sup>2</sup> of floor area are permitted in the Highway Commercial area. To ensure a healthy and vibrant downtown all uses of this type will be directed to downtowns and will not be permitted to locate in a highway</li> </ul>	<p>The proposed development and associated Planning Act applications conform to these policies for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed development consists of a 1,490m<sup>2</sup> multi-tenant commercial space, comprising of a 939m<sup>2</sup> retail store, a 371m<sup>2</sup> retail store, and a 185m<sup>2</sup> restaurant with drive-thru facility. An inventory of retail</li> </ul>

<p>commercial area until 90% of the floor space in the downtown is occupied.</p> <ul style="list-style-type: none"> <li>• Highway Commercial areas in Forest will not be expanded until vacancy rates in the downtown increase to 90% occupancy.</li> <li>• Major new uses require a market analysis showing that the use is economically viable over the long-term and will have no adverse impacts on existing commercial areas and uses, especially the downtown. The analysis must be prepared by a properly qualified individual and will be peer reviewed at the request of Lambton Shores at no cost to the Municipality.</li> <li>• Shared access points are encouraged to minimize the number of driveways;</li> <li>• Access points will be designed to be safe for pedestrian and vehicular traffic;             <ul style="list-style-type: none"> <li>○ Curb and gutter is required with designated access and egress points instead of continuous access; and</li> <li>○ On-site parking and loading facilities are required for all uses.</li> </ul> </li> <li>• Although Highway Commercial areas are oriented toward car traffic, pedestrian walkways, crosswalks and traffic calming measures will be required to encourage a pedestrian and bike friendly environment as encouraged by the Community Design Plans and the Recreation and Leisure Master Plan.</li> <li>• A minimum of 15% of the site shall be landscaped and consist of appropriately managed naturalized areas, using native plants. Existing trees and hedgerows will be preserved, where possible. Preference will be given to using hedgerows as natural lot dividers, instead of fencing.</li> <li>• When new commercial development is proposed adjacent to lands designated or</li> </ul>	<p>commercial space within downtown Forest, conducted by Tate Research in March, 2024 confirms an occupancy rate of 91.7%.</p> <ul style="list-style-type: none"> <li>• The Retail Market Demand report includes an economic viability review and impact assessment which concludes that the Municipality of Lambton Shores is anticipating population growth and a related increase in demand for commercial floor space. The proposed development can meet a portion of this demand, and the forecasted growth will contribute to the economic viability of the proposed development. Given the forecasted growth, the proposed retail uses are considered to be economically viable, and there is enough differentiation in terms of location, merchandise mix, size, and price points between the existing businesses located in downtown Forest and the proposed development that no significant adverse impacts are anticipated.</li> <li>• The proposed development utilizes the existing access points on the subject lands, to avoid the need for additional driveways off of King Street East and Townsend Line. The Transportation Impact Study prepared by Paradigm Transportation Solutions for the proposed development supports this approach.</li> <li>• Appropriate pedestrian infrastructure is provided adjacent to the subject lands via the existing King Street East and Townsend Line rights-of-ways.</li> <li>• The proposed development provides an appropriate level of landscaped open space. Specific plantings and landscape details will be further refined through a future Site Plan Approval application.</li> <li>• The proposed development abuts existing low-density residential uses to the</li> </ul>
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<p>used for residential uses, the following measures will be required during the development approvals process:</p> <ul style="list-style-type: none"> <li>○ screening or buffering of the access driveway, parking and service areas to reduce noise, light or visual impacts; and</li> <li>○ light standards and external lighting fixtures will be located and designed to direct lighting away from adjoining residential uses. Signs must avoid conflicts with traffic and contribute, not detract, from the general amenity of the area;</li> </ul> <ul style="list-style-type: none"> <li>● Council may require a Sustainability Plan, as outlined in Section 15.1.5 of the Official Plan for redevelopment and development subject to Subdivision or Site Plan approval. The Municipality will work with developers to promote sustainability in their developments.</li> </ul>	<p>southwest. Border fencing is proposed in lieu of a planting strip to provide a greater level of instant and robust privacy and increased screening from noise, light, and visual impacts. Technical elements, such as light standards, signage, and sustainability elements will be evaluated through a future Site Plan Approval application.</p>
<p><b><u>6.4.3 Urban Design Guidelines for Highway Commercial Areas</u></b></p> <p>The following general urban design guidelines apply to development in “Highway Commercial” areas. Noncompliance with these provisions does not require an amendment to this section, however, Council will use these policies to evaluate new highway commercial development.</p> <ul style="list-style-type: none"> <li>● A building must be a “good neighbour” and address the street it faces and be designed to enliven and bring character to the street. The façade facing the street should have windows and “communicate” with the street. The concept behind this provision is to encourage buildings that enhance a street and connect with the community. A blank wall does neither.</li> <li>● Front yard setbacks should be kept to a minimum (6 to 9 metres), with planting and pedestrian walkways to ensure the building is oriented to the street. Corners should be reinforced with plantings.</li> <li>● Parking should be located to the side or rear of the building to ensure that parking</li> </ul>	<ul style="list-style-type: none"> <li>● The existing development on the subject lands is oriented to address King Street East. The proposed development will be set back from the street, but will be oriented to be visible from the street. Due to the proposed development being a multi-tenant building, there will be several access points facing the street, with the façade material being primarily glazing.</li> <li>● The front yard setback has been established by the existing building on the subject lands.</li> <li>● The majority of parking on the subject lands is located to the side or to the rear of the existing commercial building. The proposed building is positioned to the rear of the existing parking area, to accommodate efficient circulation of emergency vehicles and to provide spatial separation between the proposed drive-thru and existing parking area.</li> </ul>

<p>is not the predominant feature in views from the road.</p> <ul style="list-style-type: none"><li>• Shielded lighting should be considered to conserve energy and minimize light pollution of the night time sky.</li><li>• Access driveways, parking and loading areas must be paved with asphalt concrete or paving stone. Permeable materials are required for on-site walkways, driveways, parking and loading areas.</li><li>• Material and building details should reflect the nature and character of the community.</li></ul>	<ul style="list-style-type: none"><li>• It is anticipated that the lighting strategy will be further refined through the future Site Plan Approval process.</li><li>• The existing access driveways, parking, and loading areas are paved with asphalt concrete. The proposed expansion of the parking area will utilize similar materials.</li><li>• The proposed development is anticipated to utilize high-quality building materials typical for this type of commercial development.</li></ul>
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The proposed development represents an appropriate and compatible form of commercial intensification at an appropriate location, is consistent with the planned function of the 'Highway Commercial' land use designation, and is generally in conformity with the policies and intent of the Municipality of Lambton Shores Official Plan as they relate to maintaining the viability of downtown Forest. The proposed special policy to permit retail stores of the size proposed on the subject lands is appropriate and desirable.



**Official Plan - Designations**

	Agriculture		Wetland (MNR - OWES)
	Residential		General Regulation Area
	Residential Special Policy Area		
	Downtown Commercial		
	Commercial		
	Highway Commercial		
	Industrial		
	Mixed Commercial/Industrial		
	Open Space		

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**Scale:** NTS

**FIGURE 6 - LAMBTON SHORES OFFICIAL PLAN**  
*image retrieved from Lambton Shores Official Plan (Schedule A-8), 2015*

**FOREST FOODLAND OPA/ZBA**  
 88 KING STREET E / 6330 TOWNSEND LINE  
 PT. LOT 36 & 37  
 CONCESSION SOUTH BOUNDARY  
 GEO. TOWNSHIP OF BOSANQUET  
 MUNICIPALITY OF LAMBTON SHORES  
 COUNTY OF LAMBTON

 **Zelinka Priamo Ltd.**  
 LAND USE PLANNERS  
 318 Wellington Road, London, ON, N6C 4P4  
 TEL (519) 474-7137 Email: zp@zpplan.com

## 6.5 Municipality of Lambton Shores Zoning By-law

The subject lands are zoned “Commercial (C2)” according to ‘Schedule “A-8” (Forest)’ in the Municipality of Lambton Shores Zoning By-law (Figure 7). The C2 zone permits a wide range of uses, including, but not limited to, parking lot, restaurant, restaurant drive-in, restaurant drive through service facility, restaurant fast food, and retail food store. The existing retail food store use and the proposed restaurant drive through service facility use are permitted under the current regulations. However, the proposed retail store use is not listed as a permitted use on the subject lands. It is noted that retail stores are permitted in the C2 zone, but only in Grand Bend.

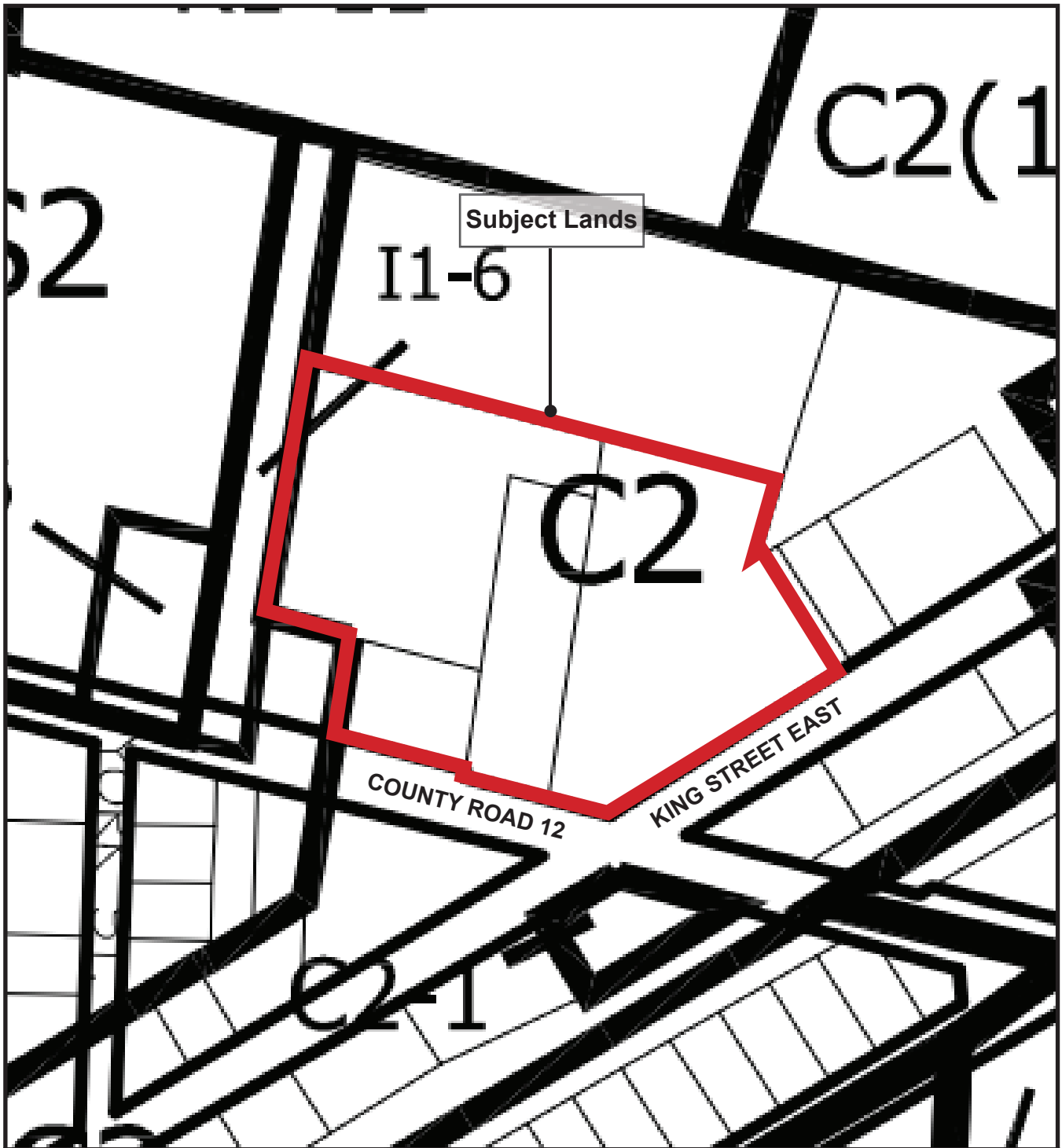
Table 1 below provides a breakdown of the regulations for the C2 zone, site-specific C2( ) zone, as well as a comparison to the built form regulations exhibited in the concept plan. Site-specific development standards are to be confirmed and refined subject to a review of the application by municipal staff through the approvals process.

**Table 1 – Zoning Statistics**

	<b>Existing Regulations</b>	<b>Proposed Regulations</b>	<b>Concept Plan</b>
	<b>C2</b>	<b>C2( )</b>	
<b>Permitted Uses</b>	Restaurant Drive Through Service Facility, Retail Food Store	Restaurant Drive Through Service Facility, Retail Food Store, <b>Retail Store*</b>	Restaurant Drive Through Service Facility, Retail Food Store, <b>Retail Store</b>
<b>Lot Area (min.)</b>	700m <sup>2</sup>	700m <sup>2</sup>	20,282.15m <sup>2</sup>
<b>Lot Frontage (min.)</b>	20.0m	20.0m	98.82m
<b>Front Yard Setback (min.)</b>	6.0m	6.0m	22.8m (King St E) 30.3m (Townsend Line)
<b>Interior Side Yard Setback (E – min.)</b>	4.5m	4.5m	15.2m
<b>Interior Side Yard Setback (W – min.)</b>	4.5m	4.5m	6.7m
<b>Exterior Side Yard Setback (min.)</b>	6.0m	6.0m	N/A
<b>Rear Yard Setback (min.)</b>	4.5m	4.5m	21.5m
<b>Building Height (max.)</b>	11.0m	11.0m	<11.0m
<b>Lot Coverage (max.)</b>	50.0%	50.0%	22.3%
<b>Landscaped Open Space (min.)</b>	10.0%	10.0%	16.6%
<b>Planting Strip Width (min.)</b>	3.0m	<b>Fencing to be provided*</b>	<b>Fencing to be provided</b>
<b>Planting Strip Height (min.)</b>	1.0m	<b>Fencing to be provided *</b>	<b>Fencing to be provided</b>
<b>Vehicular Parking (min.)</b>	1 space per 28m <sup>2</sup> of gross floor area	162 spaces	239 spaces
<b>Barrier-Free Parking (min.)</b>	N/A	N/A	6 spaces
<b>Loading Space (min.)</b>	2	2	2

*\*Denotes special regulation.*





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**FIGURE 7 - LAMBTON SHORES ZONING BY-LAW**

*image retrieved from Lambton Shores Zoning By-law (Schedule A-8), 2003*

**FOREST FOODLAND OPA/ZBA**

88 KING STREET E / 6330 TOWNSEND LINE

PT. LOT 36 & 37

CONCESSION SOUTH BOUNDARY

GEO. TOWNSHIP OF BOSANQUET

MUNICIPALITY OF LAMBTON SHORES

COUNTY OF LAMBTON

The regulations proposed for the C2(□) zone are standard, save and except for the specific regulation relating to the planting strip and retail store use.

In lieu of the required planting strip, it is proposed that high-quality fencing be installed to provide a greater and instant, robust level of privacy to the abutting single detached dwelling. Fencing provides a greater level of protection from noise and light sources, as well as providing a visible buffer between the single detached dwelling and proposed commercial development.

No other site-specific regulations, including lot requirements, yard setbacks, or parking reductions, are proposed. No undue unacceptable adverse impacts on adjacent lands are anticipated as a result of the proposed Zoning By-law Amendment. As such, and as noted throughout this report, the proposed Zoning By-law Amendment to permit an expanded range of uses on the subject lands is considered appropriate.

## 7.0 ADDITIONAL CONSIDERATIONS

The proposed development and associated Official Plan Amendment and Zoning By-law Amendment applications are supported by the following technical studies.

### 7.1 Retail Market Demand and Impact Assessment

Tate Research was retained to undertake market research and analysis to address the requirements of the Municipality of Lambton Shores, as they relate to retail market demand and impact. Section 6.4 of the Municipality of Lambton Shores Official Plan states that:

*Highway Commercial areas in Forest will not be expanded until vacancy rates in the downtown increase to 90% occupancy.*

*Major new uses require a market analysis showing that the use is economically viable over the long-term and will have no adverse impacts on existing commercial areas and uses, especially the downtown. The analysis must be prepared by a properly qualified individual and will be peer reviewed at the request of Lambton Shores at no cost to the Municipality.*

The report summarizes the development proposal, the requirements of the Municipality, inventory of competitive space, analysis of vacant units, economic viability review, and impact assessment.

The retail commercial inventory undertaken by Tate Research indicates an occupancy rate of 91.7%, and further, that there are no vacant units in downtown Forest that are considered appropriate for the proposed uses on the subject lands. The conclusions of the report are as follows:

- Additional retail commercial space is warranted in Lambton Shores;
- The subject lands can meet a portion of the demand for retail commercial space;
- The proposed development is forecast to be economically viable; and,
- The proposed development is forecast to have no adverse impacts on the planned function of existing commercial areas, including downtown Forest.

### 7.2 Archaeological Assessment

TMHC was retained to carry out a Stage 2 archaeological assessment for the proposed development. All work met provincial standards and one archaeological location was documented during the assessment. The conclusion with respect to the archaeological location and the project area are that the findspot does not have further CHVI under the current provincial standards, does not meet provincial criteria for Stage 3 assessment, and no further work is recommended. As such, the project area is considered free of archaeological concern.

### 7.3 Functional Servicing Report

MIG Engineering was retained to prepare a Functional Servicing Report in support of the proposed development. The report provides a general overview of the servicing strategy for the subject lands to support the proposed development, and concludes that the proposed development is fully serviceable from the existing municipal infrastructure on Townsend Line.

### 7.4 Transportation Impact Study

Paradigm Transportation Solutions Ltd. was retained to conduct a Transportation Impact Study (TIS) to support the proposed development. The TIS includes an analysis of existing traffic conditions, a description of the proposed development, traffic forecasts for a five-year horizon from development completion and an assessment of traffic impacts resulting from the site development. Based on the findings of the TIS, it is recommended that the proposed development be considered for approval as proposed, with no conditions related to transportation improvements.

## 8.0 CONCLUSIONS

The proposed Official Plan Amendment and Zoning By-law Amendment applications seek to permit a multi-tenant, commercial development on an underutilized portion of an existing commercial property. The application represents an appropriate opportunity for the development of underutilized lands which have access to existing municipal services and, the location of the subject lands, being along a major arterial road in the Municipality, provides the lands with good access to the general public.

The Municipality of Lambton Shores Official Plan specifically contemplates commercial retail development on the subject lands. The Retail Market Impact Study demonstrates such development will pose no undue adverse impact on the planned function of the downtown Forest area.

Based on the above, and as detailed throughout this Planning Justification Report, the proposed Official Plan and Zoning By-law Amendments are consistent with the intent and policies as set forth in Provincial and Municipal planning documents and, as such, the proposed amendments are considered appropriate for the subject lands, represent good land use planning, and is in the public's interest.