

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 34-2024

Council Meeting Date: December 3, 2024

TO: Mayor Cook and Members of Council
FROM: Will Nywening, Senior Planner
RE: Site Plan Approval SP-07/2024 – 9 Tattersall Lane, Grand Bend – Rice Development Company Inc (Agent: McCann Redi-Mix)

RECOMMENDATION:

THAT Report PL 34-2024, relating to a Site Plan Approval Application, submitted by McCann Redi-Mix, respecting 9 Tattersall Lane, Grand Bend, be received;

THAT By-Law 93 of 2024 being a by-law to authorize the execution of a site plan agreement with McCann Developments Inc. be approved.

SUMMARY

This report relates to a request by McCann Redi-Mix to enter into a site plan agreement with the Municipality with respect to property known as 9 Tattersall Lane, Grand Bend, for construction of a 70 unit apartment building with basement level parking. This would revise the agreement Council previously authorized the Chief Administrative Officer to execute with the applicants for a 64 unit apartment building.

BACKGROUND

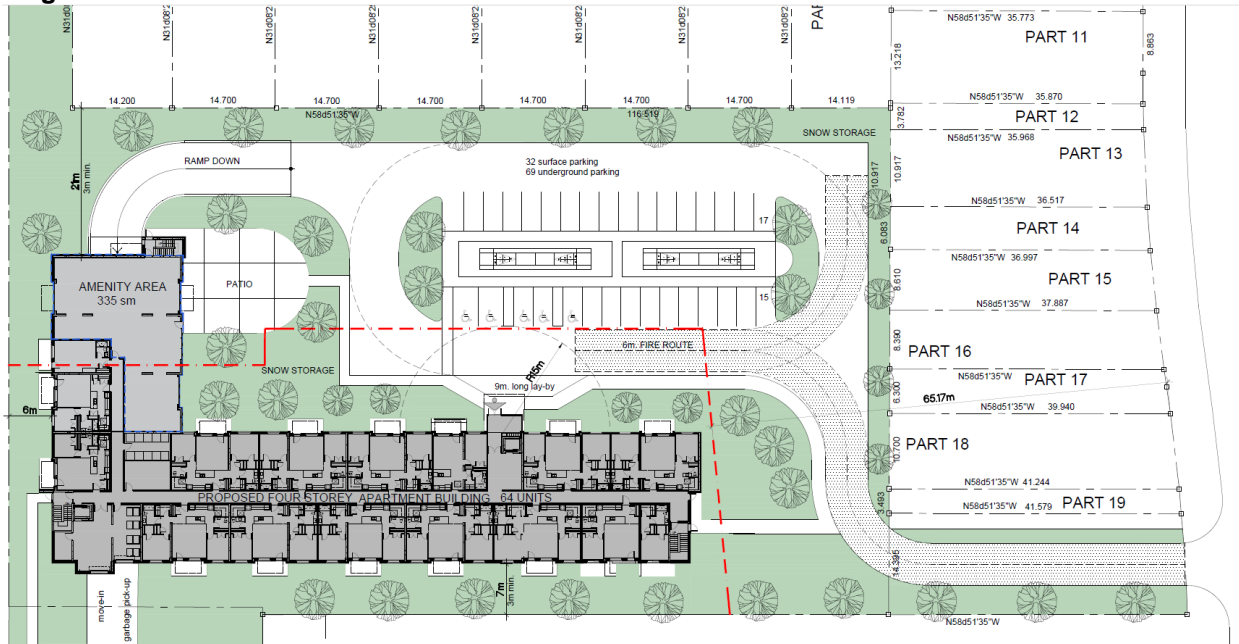
Previous Approval: At its October 1, 2024 Council meeting, Council approved a site plan agreement for the development of this property for a 64 unit apartment building (resolution 24-1001-08). As Staff recommended a number of minor revisions should be made to the site plan drawings prior to its execution, Council authorized the CAO to finalize and execute the site plan agreement. Report PL 27-2024, attached for Council's reference, outlined the proposed development and relevant planning matters and highlighted key aspects of the draft site plan agreement. (Note that report incorrectly identified the property address as 11 Tattersall Lane and the number of apartments as 69.)

Change in Ownership: At that time, the applicant submitted had an agreement of purchase and sale and submitted the site plan application as agent of the property owner. The applicant now owns the lands in the name of McCann Developments Inc.

Revised Proposal: The applicant decided to seek minor variances that would allow an additional 6 apartments, for a total of 70 apartment units. The original site plan for 64 units

and the revised site plan for 70 units are shown below. The site plans are identical except that the west setback has been increased from 6m to 7.5m and the east wing has been extended to add 6 apartments (2 per floor). The portion of the building that is within the 65m setback is only 3 storeys. The building maintains a 12.8m setback from the east property line whereas the minimum required setback is 3m. The number of parking spaces has been increased from 101 to 109 (additional basement parking).

Original Site Plan:



Revised Site Plan:



Minor Variances Granted: The minor variances were heard and granted by the Committee of Adjustment on November 27, 2024. The applicant is waiting for the appeal period to expire and the variances to take effect.

The property is zoned “Residential-13 (R13) Zone”. Section 19.2 a) of the R13 Zone provisions permits a density of 70 units per hectare if the apartment building maintains a 65m setback from Tattersall Lane and 50 units per hectare otherwise. This would be a maximum of 72 or 52 units on this 1.04 ha site. Section 19.2 g) permits a height of 15m / 4 storeys subject to the same condition, 10m otherwise. The minor variance that was granted permits the development to have 70 units (67.3 units/ha) and 4 storeys despite a 52.7m (rather than 65m) setback from Tattersall Lane. Report COA 20-2024 to the Committee of Adjustment (attached for Council’s reference) provides a more detailed analysis of and rationale for the minor variance request.

DISCUSSION

Previous Staff Reports: Reports PL 27-2024 and COA 20-2024 are attached to the agenda and provide details and summarize planning matters for the site plan previously approved by Council and the minor variances granted by the Committee of Adjustment.

Proposed Development: The west lot line setback has been increased from 6m to 7.5m and a three storey addition has been added to the east wing, adding another 6 apartments (2 per floor) and additional underground parking. In all other respects, the proposed development has not changed from what Council approved October 1, 2024. The site plan, floor plans, civil drawings, and photometric plan have all been updated and are attached to the draft agreement in the by-laws section of Council’s agenda.

Draft Site Plan Agreement: a draft Site Plan Agreement to which the applicant is agreeable, is attached to the by-laws section of Council’s agenda. It is identical to the site plan agreement approved by Council on October 1, 2024 with the following exceptions:

1. Section 4 a – deals with sanitary allocation. Servicing capacity exists, but this provision was revised to require the applicant update their estimated servicing needs so that Municipality knows exactly how much capacity is available to allocate to other developments.
2. Section 4 j – the provision was added to require that the minor variance granted by the Committee of Adjustment come into full force (e.g. that the appeal period lapses without appeal) or that the plans be modified back to what was originally approved.
3. Section 4 k – this provision requires the inclusion of an internal community mail box and was added to address Canada Post comments (attached) received through the minor variance circulation.
4. Schedule “B” was updated with the revised site plan drawings.

Planning Opinion: the drafted agreement represents minor changes to the agreement previously approved by Council, which have obtained the required minor variances from the Committee of Adjustment. It is Staff’s opinion that public and municipal concerns are addressed. Staff recommends Council authorize the execution of the site plan agreement as presented in the by-laws section of Council’s agenda.

ALTERNATIVES TO CONSIDER

None at this time.

RECOMMENDED ACTIONS

That Council receive Report PL 34-2024 and pass the by-law authorizing the execution of the site plan agreement as presented.

FINANCIAL IMPACT

The applicant has paid the Municipality a \$2,000.00 application fee.

The Site Plan Agreement requires the Owner to provide the Municipality only the standard security deposits;

- an engineering review deposit of \$4,000.00;
- a legal fee deposit of \$1,000.00; and
- a security deposit equal to the value of any works being done on the municipal road allowances.

CONSULTATION

The Applicant and their Agent
Stephen McAuley, Chief Administrative Officer
Nick Verhoeven and Sam Shannon, Public Works Department



Subject Lands