

THE MUNICIPALITY OF LAMBTON SHORES

Report COA 06-2025

Committee Meeting Date: March 26, 2025

TO: Chair Robinson and Members of the Committee of Adjustment

FROM: Ken Bulgin, Planner

RE: Consent Application B-06/2025 – Plan 6 Lot 13 - 34 Alberta Street, Grand Bend – Shawn Hennessy

RECOMMENDATION:

THAT Consent Application B-06/2024, requesting permission to sever a lot from the lands known as 34 Alberta Street, Grand Bend, having approximately 10.185 m (33.41 ft) frontage and 629.05 m² (6,771.04 ft²) lot area containing a partially constructed semi-detached dwelling, leaving a retained parcel with approximately 10.211 m (33.5 ft) frontage and 639.25 m² (6,880.82 ft²) lot area, containing a partially constructed semi-detached dwelling, be approved, subject to the following condition(s):

1. That the Owner submit to the Municipality an electronic copy of a reference plan showing the severed lot or submit a written description which is acceptable to the County of Lambton Registrar;
2. That any municipal taxes and local improvements including interest and penalties thereon that may be owing and payable with respect to the lands be paid to date;
3. That the applicant pay the Municipality's fee to stamp the deed;
4. That the applicant install an independent connection to municipal water, storm, and sanitary sewer mains for the severed lot;
5. That the applicable road authority be satisfied that the resultant parcel has suitable, independent road access, or the applicant install or upgrade entrances as required by the road authority;
6. That the applicant pay to the Municipality a \$1000 cash-in-lieu of parkland dedication on the severed lot;
7. That all conditions be fulfilled and the certificate of consent required by Section 53(42) of the *Planning Act* be obtained within two years of the notice of decision of this consent.

SUMMARY

An application for consent (severance) has been submitted for a property located at 34 Alberta Street, Grand Bend. The purpose of the application is to sever the parcel into

two lots with the severed lot having 10.185 m (33.41 ft) frontage and 629.05 m² (6,771.04 ft²) lot area, leaving a retained parcel with approximately 10.211 m (33.5 ft) frontage and 639.25 m² (6,880.82 ft²) lot area. The property presently contains a partially constructed semi-detached dwelling.

BACKGROUND

The subject lands are situated on the east side of Alberta Street approximately 430 m south of River Road, known municipally as 34 Alberta Road, Grand Bend (see Attachment 1). The property is irregular in shape, has a lot frontage of 20.396 m (66.92 ft) on Alberta Street, and a total lot size of 1,268.3 m² (13,651.87 ft²).

The property is located in a low-density residential area made up predominantly of single detached dwellings.

Previously a single detached dwelling had existed on the subject lands. The single detached was removed by the applicant and a building permit obtained (#2024-0210) to construct a semi-detached dwelling.

The property is currently occupied by a partially constructed semi-detached dwelling. The remainder of the lands contain grassed areas and evergreen shrubs along the southern and eastern lot lines.

Provincial Policy Statement, 2024

The Provincial Policy Statement (PPS) focuses growth and development within Urban and Rural Settlement Areas and encourages residential intensification to respond to current and future housing needs.

The definition for “intensification” under Section 8 of the PPS: means development of a property, site or area at a higher density than currently exists through:

- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;

Lambton County Official Plan

The subject property is designated as “Urban Centre” in the Lambton County Official Plan.

The Lambton County Official Plan reflects the housing policies of the PPS under Section 2.3. Specifically, Section 2.3.12 states:

“Local municipalities are encouraged to provide opportunities for the intensification of housing. Techniques may include permitting second units in existing dwellings or detached accessory buildings, encouraging the creation of infill lots, directing housing to vacant lots in existing residential areas,...”

Lambton Shores Official Plan

The subject property is designated as “Residential” in the Municipality of Lambton Shores Official Plan.

Zoning By-law

The subject lands are Zoned “Residential-1 (R1)” under the Lambton Shores Zoning By-law. As-of-right permitted uses in the R1 Zone include single detached, semi-detached, and duplex dwellings.

Regulated Area

A portion of the subject lands along the western property line may be part of a General Regulation Area overseen by the Ausable Bayfield Conservation Authority (ABCA) under Ontario Regulation 147/06 and associated with proximity to the Old Ausable Channel located west of the property. The ABCA regulates development on lands located within a Regulated Area.

COMMENTS

Proposed Development

The applicant is proposing to sever a residential lot having a frontage of 10.185 m (33.41 ft) and lot area of 629.05 m² (6,771.04 ft²). The retained parcel would have a frontage of 10.211 m (33.5 ft) and a lot area of 639.25 m² (6,880.82 ft²).

The applicant has indicated that the purpose of the severance is to allow each dwelling unit of a partially constructed semi-detached dwelling to be sold separately (see Attachment 2 & 3).

Zoning Provisions

The proposed retained and severed parcels meet all Site Regulations in Section 7.2 (R1 Zone) of Zoning By-law.

Conservation Authority Regulations

As part of the Building Permit process, the ABCA provided comment the Lambton Shores Building Department that the location of the building was outside of the Area of Regulation and as a result the Conservation Authority did not have concern with the proposed structure. No comments have been received from the ABCA so far with respect to the proposed severance.

Services

The subject lot is serviced by municipal water and sanitary sewer along Alberta Road. As a condition of consent the owner will be responsible for the installation of independent connections to municipal water and sanitary sewer mains for the severed lot.

Access

There is a single access from Alberta Street that currently services the property. The proposed remnant lot would maintain vehicular entry to the property using the existing access located toward the southern edge of the property. The proposed severed lot would require a separate access from Alberta Street. As a municipal road all access to the road is overseen by the Municipality of Lambton Shores. If not already received, the applicant would be required to obtain permission, as a condition of consent, to allow a new entrance for access to the severed lot from Alberta Street.

Planning Opinion

The requested severance would create a new residential lot (infill) within an established neighbourhood. The retained and severed lots would meet all Site Regulations for the R1 Zone. In permitting the severance, it would help to address the need for more housing in the community through the addition of a new lot and the construction of a semi-detached dwelling.

Staff are of the opinion that the requested severance is an appropriate use of the land.

Department and Agency Comments

The application has been circulated to various departments and agencies, and notice sent to adjacent property owners. No comments have been received as of March 18, 2025. Any comments received prior to the March 26, 2025 Committee of Adjustment meeting shall be presented at the meeting.

RECOMMENDATION

It is Staff's opinion that the proposed severance complies with applicable policies, is compatible with existing development, and represents good planning. Staff has no objection to the application for consent, subject to the recommended conditions.



INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING SMARTNET NETWORK AND ARE RETIEVED TO LAM-2000 (1 DEG WEST LONGITUDE) AND ARE REFERRED TO LAM-2000 EPOCH 2000. COORDINATE VALUES ARE TO A HORIZONTAL ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF DMSI 216/70.

POINT ID	NORTHING	EASTING
A	4789871.55	438188.13
B	4789866.52	438301.13
C	4789867.24	438308.09

COORDINATES CANNOT BE RELIED UPON TO RE-ESTABLISH OWNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A CONVERSION FACTOR OF 0.99996.

FOR BEARING COMPARISONS, A ROTATION OF THIRTY-ONE CLOCKWISE CAN BE APPLIED TO MATCH BEARINGS ON (P/L#2)

LOT 12
PIN 43443-001

LOT 13
PIN 43443-002

LOT 14
PIN 43443-010

LOT 24
PIN 43443-020

ALBERTA STREET
(B/L#14)
NAD83-2011
EPOCH 2000
SOUTH-BOUNDARY
OF LOT 14-220

REGISTERED

METRIC: DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084

PLAN 25R -
RECEIVED AND DEPOSITED

SCHEDULE

PART	LOT	PLAN	FILE NO.
1	Part of Lot 13	6	Part of PIN 43443-002
2	Part of Lot 13	6	Part of PIN 43443-002

THIS PLAN COMPRISES ALL OF PIN 43443-020

PLAN OF SURVEY OF ALL OF LOT 13 REGISTERED PLAN No. 6 VILLAGE OF GRAND BEND MUNICIPALITY OF LAMBTON SHORES COUNTY OF LAMBTON SCALE: 1:300

NOTES AND LEGEND

BEARING HEREON ARE USED USE NAD83-2011 CHART FOR DETAILS

- DENOTES MONUMENTATION FOUND
- DENOTES MONUMENTATION PLANTED
- O DENOTES IRON PIPE SET BY ORIGINAL MONUMENTATION ON REGISTERED PLAN No. 6
- SBR DENOTES 2.5cm x 10cm STANDARD IRON BAR
- SBR DENOTES 2.5cm x 10cm SHORT STANDARD IRON BAR
- ASH DENOTES ALUMINUM SHED & WAREHOUSE, O.L.S.
- 1527 DENOTES 15' CLARKLEY L.I., O.L.S.
- ODU DENOTES OTHER UNKNOWN
- PI DENOTES MEASUREMENT PLAN No. 6
- F2 DENOTES A PLAN BY (1527) PLAN 2-CA-128-B
- ALL PINS ARE SUPPLIED 1.75 UNLESS NOTED (S)

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SERVICES ACT, THE SUBDIVISION ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 13TH DAY OF DECEMBER, 2024.

JANUARY 21, 2025

[Signature]
D.A. CULBERT
ONTARIO LAND SURVEYOR
NUMBER 01-00784

THIS PLAN OF SURVEY RELATES TO ROLS PLAN SUBMISSION FORM NUMBER 01-00784

D. CULBERT LTD.
ONTARIO LAND SURVEYOR
GOSHEN, ONTARIO PHONE: 519-524-5321

ONTARIO DCL LAND SURVEYOR

PLAN FILE NO. 01-00784-013
2-6Z-2615

ATTACHMENT 3: SITE PLAN (GIS)

