

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 04-2025

Council Meeting Date: February 25, 2025

TO: Mayor Cook and Members of Council

FROM: Will Nywening, Senior Planner

RE: Subdivision File 38T91003 (Widder Estates) – 319 Main St, Thedford –
Widder Station Golf & Country Club Inc. (Agent: Allen Stubbs)

RECOMMENDATION:

THAT Report PL 04-2025 regarding a request by Allen Stubbs regarding County Subdivision File 38T91003 (Widder Estates), be received;

THAT the County of Lambton approval authority be advised that the Council of the Municipality of Lambton Shores has no objection to the request from Allen Stubbs that County subdivision file 38T91003 (Widder Estates) be deemed not to have lapsed; and

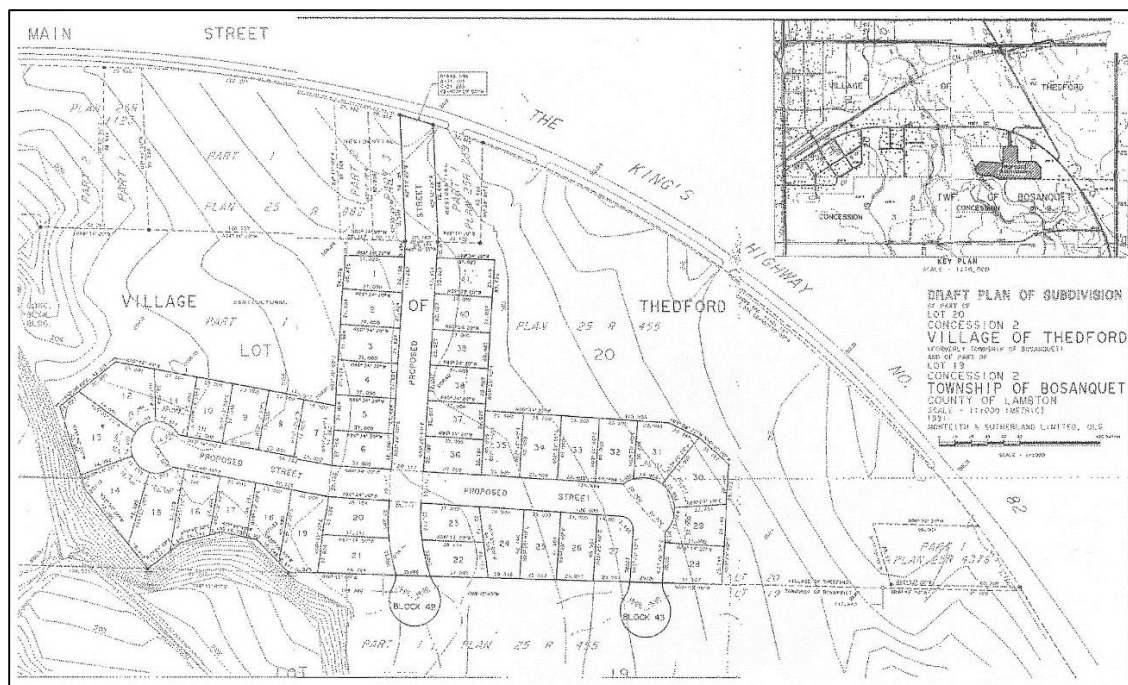
THAT the County of Lambton approval authority be advised that the Council of the Municipality of Lambton Shores has no objection to the anticipated request from Allen Stubbs for a “red-line revision” of County subdivision file 38T91003 (Widder Estates) for the purpose of increasing the number of lots to approximately 55 within approximately the same footprint.

SUMMARY

This report relates to a request by Widder Station Golf & Country Club Inc. to the County of Lambton to deem draft approved subdivision file 38T91003 (319 Main St, Thedford) not to have lapsed. It also relates to an anticipated request for “red-line revisions” to the draft approved plan of subdivision. In this respect, the County approval authority seeks the Municipality’s direction in respect to these requests.

BACKGROUND

The subject lands were originally granted draft approval for a plan of subdivision on October 14, 1997. The draft approved plan includes 41 lots intended for single detached dwellings (see draft plan on next page). This approval preceded amalgamation, when the County of Lambton was the approval authority for plans of subdivision. This is why this is a County file even though Lambton Shores now approves its own subdivisions. The conditions of draft approval are attached for Council’s reference.



Draft approval has been extended multiple times. The last extension was granted by the County with Lambton Shores Council's endorsement on August 24, 2020, extending the lapsing date to October 12, 2023. Report PL 23-2020 was produced for Council at that time and is attached for Council's reference.

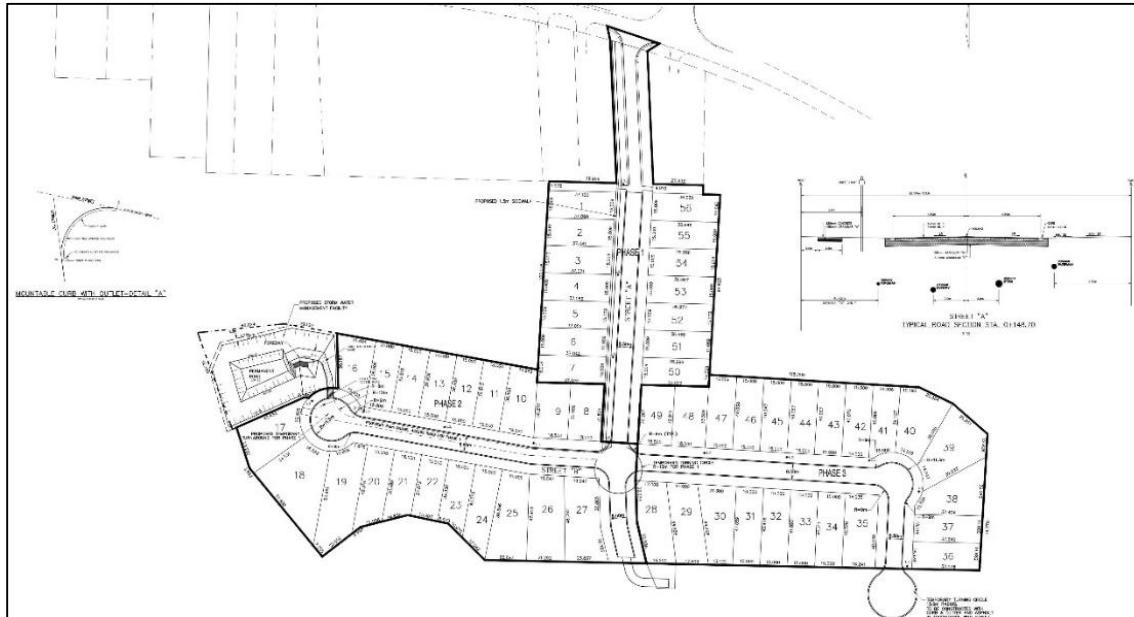
On May 16, 2023, Council passed zoning by-law amendment By-Law 41 of 2023 to rezone the proposed subdivision to a site-specific Residential 1 (R1) Zone to permit 45% lot coverage. Report PL 10-2023 was produced for Council in relation to the zoning amendment and is attached for Council's reference.

In late 2024 it was realized that the October 12, 2023 lapsing date had passed without the owner requesting an extension. The draft approval for this plan of subdivision has lapsed. However, the Province recently amended the *Planning Act* to add the following section, which permits an approval authority to deem a plan of subdivision not to have lapsed:

- (33.1) *If an approval of a plan of subdivision lapses before an extension is given, the approval authority may deem the approval not to have lapsed unless,*
- (a) *five or more years have passed since the approval lapsed;*
 - (b) *the approval has previously been deemed not to have lapsed under this subsection; or*
 - (c) *an agreement had been entered into for the sale of the land by a description in accordance with the draft approved plan of subdivision.*

The proponent has formally requested the County of Lambton approval authority to deem the subdivision not to have lapsed. Subdivision file 38T91003 meets the eligibility criteria such that the County could grant this request.

Further, staff anticipates that the proponent will make a formal request to the County approval authority for “red-line revisions” to the draft approved plan to increase the number of lots. The image below shows a 56 lot concept that was presented to Council when the proponent applied for a rezoning. Staff expects the formal request for “red-line revisions” to be very similar to the image below, when it is received.



DISCUSSION

For both the request to reactivate the lapsed draft approval and the anticipated request for “red-line revisions”, the County approval authority does not wish to proceed without the Municipality’s endorsement. Staff has no objection on either account and recommends Council give its endorsement to both items.

Deeming the subdivision not to have lapsed would reactivate it with a new lapsing date, as if the draft approval had never lapsed. Staff has no objection to doing so. Nothing has substantially changed since the draft approval was extended in 2020. This development is not holding up other developments because servicing capacity constraints. The conditions of approval require that the proponent enter into a subdivision agreement with the Municipality by which the Municipality can ensure matters of municipal and public interest are addressed, including adequate stormwater management and servicing. Discussions between the proponent and Staff have been ongoing to sort out servicing, access, and stormwater outlet issues and to finalize a subdivision agreement.

Staff also has no concerns with the anticipated request for “red-line revisions” to decrease lot frontages and increase the total number of lots. This concept was already presented

to Council in 2023 as it was assumed that the draft approval would be modified in this way when the zoning was amended to permit 45% lot coverage. All of Staff's recent discussions with the proponent with respect to developing subdivision plans and a subdivision agreement have assumed the increased number of lots. The revised layout will occupy almost exactly the same footprint as the original draft approved plan. The subdivision agreement and the subdivision infrastructure design will account for the increased number of lots and 45% lot coverage.

ALTERNATIVES TO CONSIDER

None at this time.

RECOMMENDED ACTIONS

That Council receive Report PL 04-2025 and advise the County that the Municipality has no objection to the County deeming subdivision file 38T91003 not to have lapsed nor to the anticipated request for "red-line revisions" to increase the number of lots to approximately 55 within generally the same development footprint.

FINANCIAL IMPACT

There is no direct financial impact.

CONSULTATION

County of Lambton Development Services Department
Nick Verhoeven, Director of Public Works