

## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 09-2025**

**Council Meeting Date: March 18, 2025**

**TO:** Mayor Cook and Members of Council

**FROM:** Ken Bulgin, Planner

**RE:** Temporary Use Agreement – 8651 Goosemarsh Line - Kevin Kwarciak and Ryan Martin

### **RECOMMENDATION:**

**THAT** Report PL 09-2025 relating to a request to temporarily have two dwellings on a property be received;

**THAT** the request by Kevin Kwarciak and Ryan Martin, to permit the occupancy of an existing dwelling during the construction of a new single detached dwelling on lands known as 8651 Goosemarsh Line, Lambton Shores, be approved; and

**THAT** By-Law 20 of 2025 to authorize execution of an agreement with Kevin Kwarciak and Ryan Martin be approved.

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### **SUMMARY**

This report relates to a request by Kevin Kwarciak and Ryan Martin for special permission to retain and occupy an existing house on lands known as 8651 Goosemarsh Line, Lambton Shores, during the construction of a new dwelling on the lands (Attachment 1- 3).

### **COMMENTS**

The subject lands are a 120-acre farm parcel designated “Agricultural” in the Lambton Shores Official Plan and zoned the standard “Agriculture-2 (A2) Zone” and “Agricultural-2 Exception 1 (A2-1) Zone” in Zoning By-law 1 of 2003. The permitted uses of the A2 Zone permit “one farm dwelling”.

Portions of the property are part of a General Regulation Area regulated by the Ausable Bayfield Conservation Authority (ABCA).

The applicants intend to construct a home on the subject lands and have submitted a building permit application. The proposed dwelling can comply with all aspects of the Zoning By-law except that there is an existing house on the property and the A2 Zone permits only one.

The only special permission the property owner requires is to temporarily have two dwellings so that they may occupy the existing house during the construction of the new house.

Planning Staff has no concerns with accommodating this request, provided there is an agreement in place for the eventual removal of the existing house, so that there is no lasting non-compliance with the A2 Zone's one dwelling limit.

Staff has prepared a draft agreement, which is included in the by-laws section of Council's agenda. The property owner has reviewed the agreement and indicated they are in agreement with the terms. The agreement requires that the existing dwelling be removed within 7 months of the new dwelling receiving permission to be occupied or January 31, 2027, whichever comes first. The agreement requires a \$5,000 security and gives the Municipality the ability to enforce the existing house's removal, if the property owner does not do so themselves, and also to recoup the costs.

### **ALTERNATIVES TO CONSIDER**

None at this time.

### **RECOMMENDED ACTIONS**

That Council:

- Receive Report PL 09-2025 relating to a request to temporarily have two dwellings on a property;
- Approve the request by Kevin Kwarciak and Ryan Martin to maintain and occupy the existing house temporarily; and
- Pass the By-law 20 of 2025 authorizing the execution of the agreement.

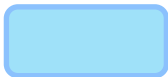
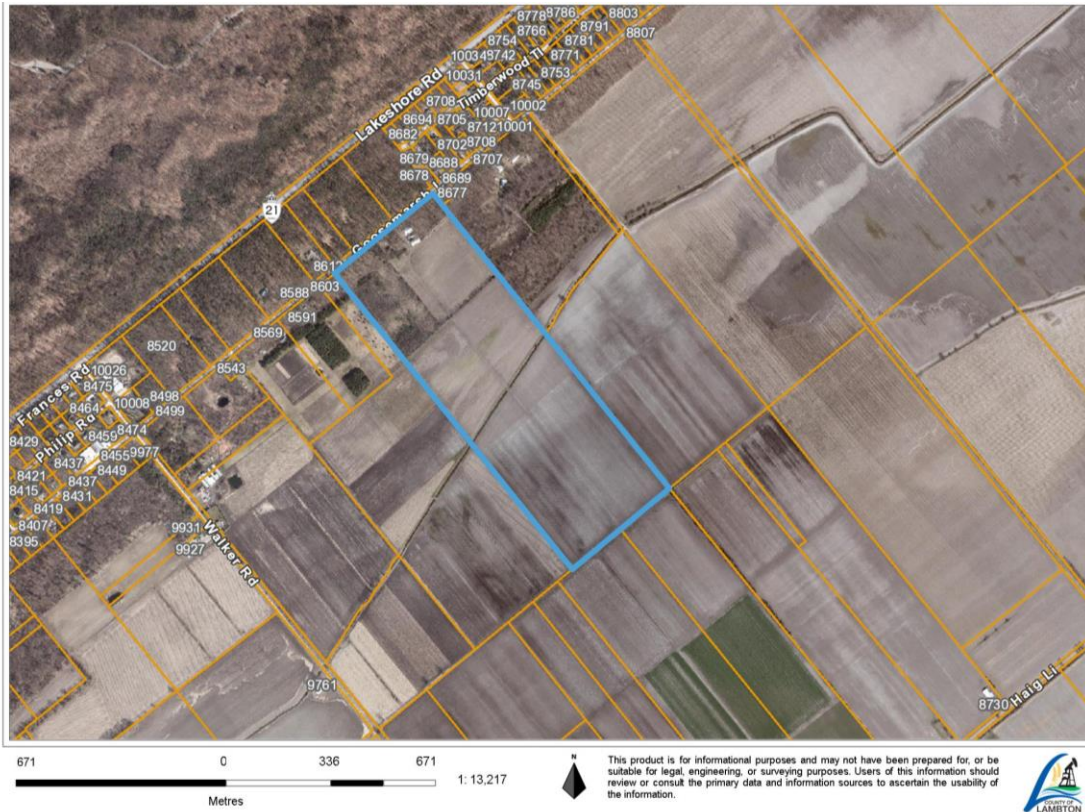
### **FINANCIAL IMPACT**

The Agreement requires a deposit of \$5,000.00 to the Municipality as a security.

### **CONSULTATION**

Lambton Shores Building Department

## ATTACHMENT 1: LOCATION MAP



**SUBJECT LANDS**

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