

## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 44-2021**

**Council Meeting Date: November 30, 2021**

**TO:** Mayor Weber and Members of Council  
**FROM:** Will Nywening, Senior Planner  
**RE:** Zoning By-Law Amendment Application ZO-15/2021  
Plan 540 (GB), Lots 7 and 8  
77 and 85 Ontario Street South, Grand Bend

### **RECOMMENDATION:**

**THAT** Report PL 44-2021, relating to a Zoning By-Law Amendment Application submitted by Huron Shores Investments Inc., be received; and

**THAT** Zoning By-Law Amendment Application ZO-15/2021, submitted by Huron Shores Investments Inc., requesting an amendment to Zoning By-Law 1 of 2003 to remove the H1 holding symbol from 77 and 85 Ontario St South, Grand Bend, be approved; and

**THAT** By-Law 89 of 2021 be approved.

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### **APPLICATION**

This report relates to the Zoning By-Law Amendment Application submitted by John Knifton respecting lands owned by Huron Shores Investments Inc. and Nelson Desjardine, known as 77 and 85 Ontario Street South, Grand Bend (Attachment 1). Pursuant to Section 36(4) of the *Planning Act*, the applicant seeks to amend Zoning By-Law 1 of 2003 to delete the H1 holding symbol that applies to portions of the lands.

### **COMMENTS**

In the Official Plan the subject lands are designated “Mixed Uses”. In Zoning By-Law 1 of 2003, the lands are zoned in part “Future Development (FD)”, in part “Commercial-2.11 (C2-11)”, and in part “Commercial-2 with a holding provision (C2-H1)”. The conditions for removing the H1 holding symbol are:

*Where the holding symbol H1 is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until the owner/applicant has received draft plan approval in the case of a proposed registered plan of subdivision, or provisional consent in the case of a multiple consent application, and has entered into appropriate agreements with the*

*Municipality to ensure proper and orderly development of the site, especially with the provision of full municipal services to the development.*

The conditions for removal have been met. The subject lands, in conjunction with 87, 89, and 91 Ontario St South are to be developed for a retirement home. Council approved a revised site plan agreement at its November 9, 2021 Council meeting. Provisional consent was been granted by the Committee of Adjustment (file B-20/2021) on October 27, 2021 to sever the proposed retirement home development from the balance of the lands. Removal of the H1 symbol is a condition of consent.

A draft amending by-law is included in the By-laws section of Council's agenda. The C2 Zone will apply to those areas from which the H1 holding provisions are removed. The permitted uses of the C2 Zone are appropriate for the uses proposed where the C2 Zone will apply. Those uses include a portion of the retirement home's parking area and the shared access that the retirement home will share with (over) the retained lands. The edge of the retirement home building actually encroaches on the C2 Zone marginally, but has been deemed to be within the C2-11 Zone (where a retirement home is a permitted use) through minor variance A-13/2021, granted by the Committee of Adjustment.

#### **A Note on Holding Zones:**

Amendments to remove a holding symbol follow a simpler process than other Zoning By-Law Amendments. Notification is simplified. There is no public meeting, no opportunity to appeal, and no notice of passing. The decision is effective immediately. This is because the principle of use for the land has already been established. Land use and Planning considerations have been dealt with. The outstanding items to address before development can proceed are technical or administrative.

#### **ALTERNATIVES TO CONSIDER**

None at this time.

#### **RECOMMENDED ACTIONS**

That Council:

- Receive Report PL 44-2021;
- Approve Zoning By-Law Amendment Application ZO-15/2021, submitted by Huron Shores Investments Inc.; and
- Pass By-Law 89 of 2021.

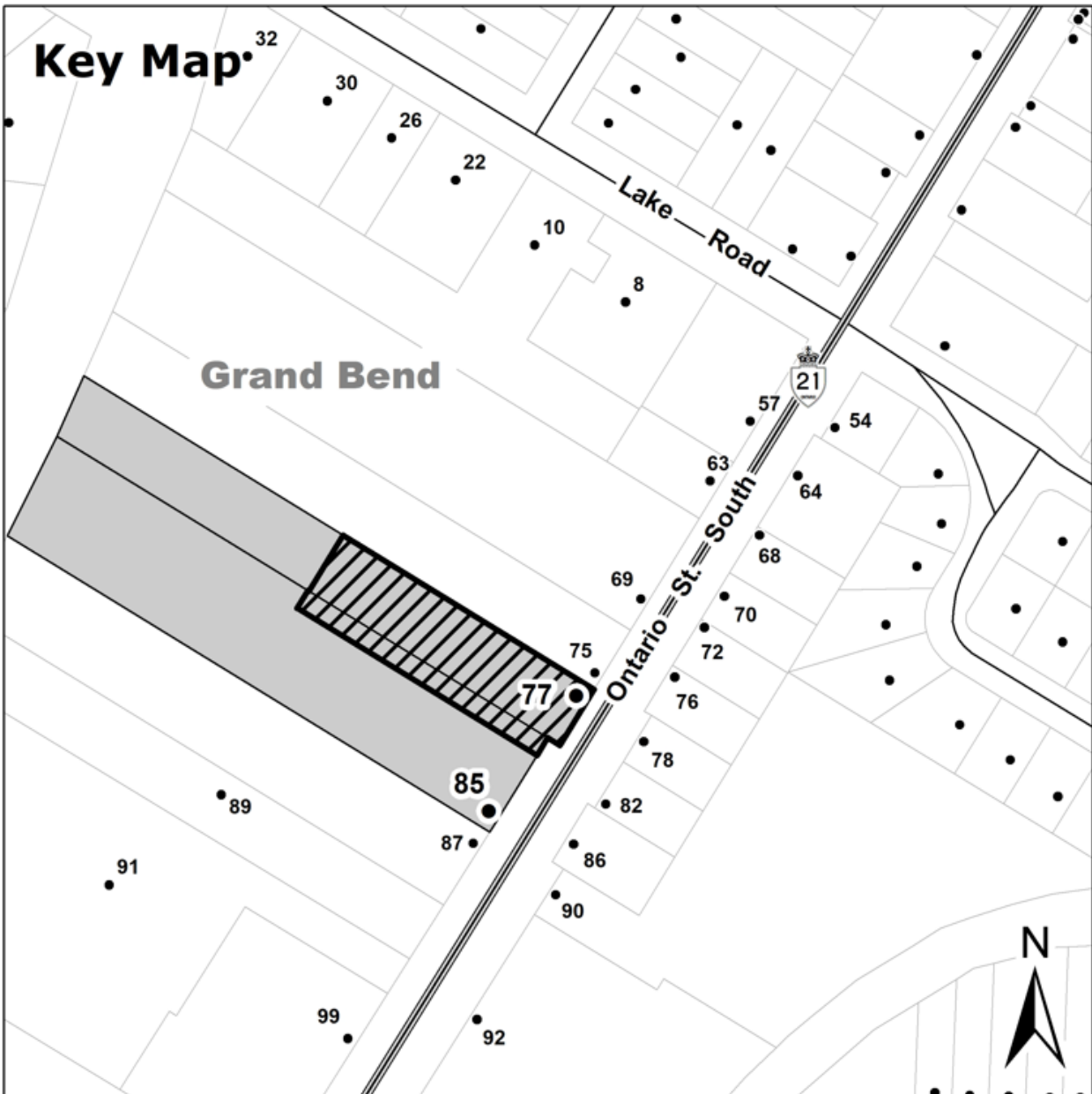
#### **FINANCIAL IMPACT**

The application fee of \$250.00 for removal of a holding symbol was received.

#### **CONSULTATION**

The applicant

## Attachment 1: Subject Lands



**Subject Lands**



**Portion to have H1 Holding Provision Removed**