

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 45-2021

Council Meeting Date: November 30, 2021

TO: Mayor Weber and Members of Council
FROM: Will Nywening, Senior Planner
RE: Proposed Development Agreement
Condition of Consent Application B-17/2021
Plan 24, Lots 83 and 84

RECOMMENDATION:

THAT Report PL 45-2021, relating to a proposed Development Agreement with Simply Paradise Interior Design Inc., be received;

THAT the Development Agreement between the Corporation of the Municipality of Lambton Shores and Simply Paradise Interior Design Inc. for lands known as 12 and 14 Warwick Street, Grand Bend be approved; and

THAT By-Law 94 of 2021 to authorize the execution of a Development Agreement be approved.

SUMMARY

The owner of lands known as 12 and 14 Warwick Street in Grand Bend seeks to enter into a development agreement with the Municipality in order to fulfill a condition of consent (File B-17/2021).

BACKGROUND

The subject lands are two full lots in Plan 24 that are merged on title. Lot 84 recently had a garage removed and is now vacant. The applicant has taken out permits to bring the existing house on Lot 83 into compliance with Building Code and property line setbacks, and the permits will be completed and closed out as a condition of finalizing a severance. Both lots are fully serviced.

The applicants have obtained consent from the Committee of Adjustment to recreate the original lots, both 40 feet wide and 82 feet depth, as is typical of Plan 24. A primary concern is the control of stormwater that is increasing as a result of infill development and redevelopment in Plan 24, where there are no storm sewers. The conditions of consent included the following:

That the applicant enter into an agreement with the Municipality satisfying the Municipality respecting site access, lot grading, the collection of storm water, and the provision of storm water management facilities on the severed and retained lots.

The applicants have had an engineer prepare stormwater management reports and site plans for both Lots 83 and 84.

Lot 83 contains the existing house. The agreement requires that the applicant install an underground infiltration chamber in the rear yard to which to direct surface water. Before the new lot is created, the applicant must install the stormwater management facility or provide a security for its installation.

Lot 84 is a vacant building lot. The agreement and site plan identify a lot grading plan, permitted driveway width/location, and require installation of an underground infiltration chamber. A security for their installation is required prior to a building permit being issued on Lot 84.

The draft development agreement and a by-law to authorize its execution are included in the by-law section of Council's agenda. Staff supports the agreement as drafted, which implements a condition of consent required by the Committee of Adjustment.

ALTERNATIVES TO CONSIDER

None at this time.

RECOMMENDED ACTIONS

That Council:

- Receive Report PL 45-2021;
- Approve the proposed development agreement; and
- Pass the by-law to authorize the execution of the development agreement.

FINANCIAL IMPACT

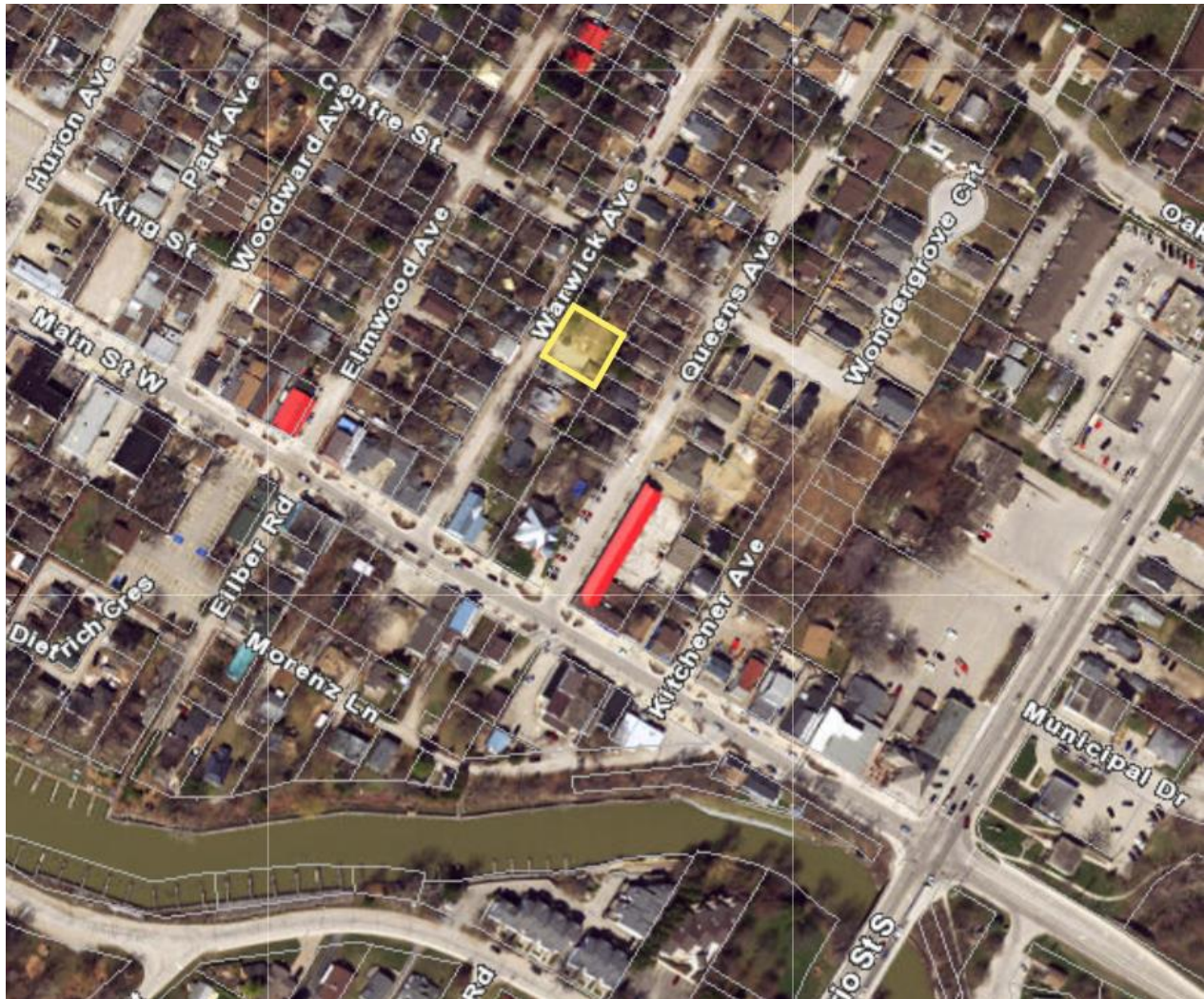
The owner paid a severance application fee of \$675.00.

Under the agreement the owner will pay an administration fee of \$500.00 and parkland dedication fee of \$1000.00. A \$10,000 security for installation of the stormwater infiltration system will be required for each lot.

CONSULTATION

- Nick Verhoeven, Engineering Specialist, Municipality of Lambton Shores, reviewed the Storm water management report.
- The owner obtained an engineering consultant to create the proposed stormwater management system and has reviewed and signed the draft agreement.

Attachment 1 – Subject Lands



Subject Lands