

## THE MUNICIPALITY OF LAMBTON SHORES

**Report CL 09-2022**

**Council Meeting Date: February 22, 2022**

**TO:** Mayor Weber and Members of Council  
**FROM:** Stephanie Troyer-Boyd, Director of Corporate Services  
**RE:** Conditional Building Permit - Top Shelf Properties Inc. – 62 Main Street, Grand Bend

### **RECOMMENDATION:**

**THAT** Report CL 09-2022 regarding a Conditional Building Permit Agreement with Top Shelf Properties Inc. for 62 Main Street be received; and

**THAT** By-Law 16-2022 authorizing the execution of the Conditional Building Permit Agreement be approved.

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### **SUMMARY**

This report relates to a request by Top Shelf Properties Inc. to obtain a Conditional Building permit to construct the foundation for a new mixed commercial/residential building on lands known as 62 Main Street West in Grand Bend.

### **BACKGROUND**

Top Shelf Properties Inc. is proposing to develop a parcel of land (known as 62 Main Street) for the construction of a three storey mixed use building. It would have 324m<sup>2</sup> (3488ft<sup>2</sup>) of commercial space on the main level, a total of 20 apartment units in the second and third levels.

On November 9, 2021 the developer entered into a site plan agreement with the Municipality and would like to begin construction. The building and plumbing permits have not yet been issued pending receipt of the final design plans. The developer has requested a Conditional Building Permit to construct the foundation only. Issuance of a Conditional Building permit is permitted under Subsection 8(3) of the Building Code Act, 1992 and requires an agreement between the developer and the Municipality. A conditional permit gives permission to begin construction while a building permit is in the process of final approval. The conditional building permit agreement outlines the requirements of the developer to ensure final approval of the building permit, as well as measures to be taken to restore the building site if that final approval is denied. The municipality's Chief Building Official considers a Conditional Building Permit agreement to be acceptable in this case.

## **ALTERNATIVES TO CONSIDER**

Although not recommended, Council could deny the conditional building permit and require all documentation to be submitted for both the building and plumbing permits prior to commencement of construction.

## **RECOMMENDED ACTIONS**

That Report CL 09-2022 be received and Council approve the by-law authorizing the execution of the agreement for a Conditional Building permit.

## **FINANCIAL IMPACT**

There is no financial impact to the Municipality.

## **CONSULTATION**

Randy Lovie, Chief Building Official