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January 25, 2022

JEC File # 20210004

**Attention: Members of Council**

The Municipality of Lambton Shores  
7883 Amtelecom Parkway  
Forest ON N0N 1J0

Dear Council:

**Re: 20 Main St. W, Grand Bend, ON – transfer of parking “credit” from 1 Main St W**

A landowner that wishes to develop land within the municipality is required to provide a certain number of parking spaces according to the Zoning Bylaw which is based upon the occupancy use on the property.

If the landowner cannot provide the required number of parking spaces, it is the municipality's practice to permit the landowner to purchase “credit” for the number of parking spaces required by the Zoning Bylaw that are not being provided.

For an existing property that is applying for a change of use that would require more parking spaces by the Zoning Bylaw, it is solely the additional parking required due to the change of use that must be provided or “credit” purchased (ie existing uses are considered to have been dealt with previously, either by purchasing “credits” or by the situation existing prior to a Zoning Bylaw change that would trigger the need for additional parking). This process is fair and logical since it accommodates the reality that the Zoning Bylaw may change over time and doesn't force existing properties to provide additional parking spaces due to a change in the Zoning Bylaw.

This is the status of 20 Main St W for which the owner would like to renovate and convert about 2/3 of the main floor from retail (previously the “Tender Spot”) into a restaurant which would require approximately 30 additional parking spaces.

However, when a landowner reduces the required number of parking spaces for a property, there is no process to allow for a parking “credit” to be applied to the property. In essence, the municipality is penalizing its landowners.

When the Colonial property at 1 Main St W was purchased, we confirmed with Will Nywening, Senior Planner for Lambton Shores, that the Zoning Bylaw requirements for the uses at that time were 285 spaces (for all the uses on the property including the Beer Store). It was also confirmed that the number of spaces provided on the property that met the size and positioning requirements of the Zoning Bylaw was 189 spaces.

Building permits were obtained in June 2021 to change the uses of portions of the Colonial and the Gables from restaurant or pub, to hotel which reduced the total number of parking spaces required by the Zoning Bylaw to 82.



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Further development on the property is anticipated in the near future, and a hotel and/or a restaurant has been discussed. Those additional uses on the property would trigger the need for additional parking spaces by the Zoning Bylaw. We would expect, like other properties in the Township, that additional parking spaces would be limited to the number required by the Zoning Bylaw that is more than the existing number (at the time of the property purchase in 2021).

Further development on the property has been postponed until the details of the road widening transfer to the Township have been processed (the landowner has recently received details about this from the Township) and an updated Site Plan Agreement can be pursued.

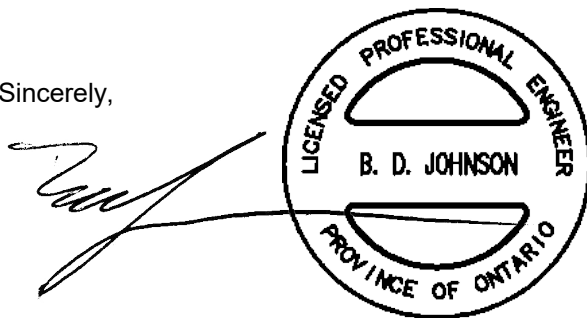
The landowner has invested heavily in Grand Bend in the past year by buying and upgrading several properties including the new Chuck's Roadhouse, the upgraded Colonial hotel, and the second floor of 20 Main St W.

We request that the Council confirm that the number of parking spaces considered to be provided at 1 Main St W be 285 spaces despite fewer physical spaces being provided. This is the normal concept applied to existing properties in Lambton Shores.

Also, instead of the landowner having "extra" parking spaces at 1 Main St W and having to purchase parking "credits" at 20 Main St W, we request that Council approve the reduction of the recorded spaces being provided at 1 Main St W to offset the additional number of spaces required at 20 Main St W by the change of occupancy from store to restaurant (approximately 30 spaces according to initial discussion with Will Nywening, Senior Planner for Lambton Shores. This concept is possible because both properties are currently owned by the same landowner.

Pending Council approval, having the above recorded by Council minutes should remove the need to have the Site Plan Agreement for 1 Main St W record that 1 Main St W is to provide physical parking spaces for 20 Main St W as has been discussed with Will Nywening, Senior Planner for Lambton Shores. Avoiding notes on both properties simplifies future transactions that may result in multiple companies being involved in owning the two properties as well as operating the multiple businesses on those properties.

Sincerely,

A circular seal for a Licensed Professional Engineer in the Province of Ontario. The outer ring contains the text "LICENSED PROFESSIONAL ENGINEER" at the top and "PROVINCE OF ONTARIO" at the bottom. The center of the seal contains the name "B. D. JOHNSON". To the left of the seal is a handwritten signature in black ink.

Brian Johnson, P. Eng.