

## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 04-2022**

**Council Meeting Date: April 5, 2022**

**TO:** Mayor Weber and Members of Council  
**FROM:** Will Nywening, Senior Planner  
**RE:** Site Plan Approval Application SP-01/2022  
Plan 9, Lot 30 and West Part Lot 31 (GB)  
20 Main Street, Grand Bend

### **RECOMMENDATION:**

**THAT** Report PL 04-2022 being a report respecting a Site Plan Application for a change of use and payment of cash-in-lieu of parking requirements on lands known as 20 Main Street, Grand Bend, be received; and

**THAT** the Site Plan Agreement between the Corporation of the Municipality of Lambton Shores and Devcor Capital Inc. be approved; and

**THAT** By-Law 23 of 2022 be approved to execute a Site Plan Agreement between the Corporation of the Municipality of Lambton Shores and Devcor Capital Inc. for lands known as 20 Main Street, Grand Bend.

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### **SUMMARY**

This report relates to a request by Devcor Capital Inc. to obtain site plan approval for a change of use on lands known as 20 Main Street in Grand Bend and pay cash-in-lieu of parking requirements. In this respect the Applicant is proposing to renovate a portion of the main floor commercial space within the existing building at 20 Main St, Grand Bend to create 6 hotel suites.

### **BACKGROUND**

Planning Documents: The subject property is designated "Downtown Commercial" in the Lambton Shores Official Plan. The corresponding Zone designation in By-law 1 of 2003 is the "Commercial-10 (C10) Zone". The C10 Zone permits typical downtown commercial uses including retail stores and hotels. The existing and proposed uses of the building conform to the Official Plan and Zoning.

Proposed Change of Use: The existing building has a main floor commercial area of 619m<sup>2</sup>. The second floor includes a total of 6 hotel suites, each with one bed. The

applicant proposes to create another 6 hotel suites on the main floor (a total of 10 additional beds). After the proposed renovations, the building would have a total of 12 hotel suites (a total of 16 beds) and a main floor commercial area to 407m<sup>2</sup>.

Parking: The Zoning By-law requires 1 parking space per 37m<sup>2</sup> of ground floor area for a retail store use and 1 parking space per bed for a hotel use. For a change of use, the Zoning By-law does not require that the lands make up for any pre-existing deficit in parking requirements. It only requires parking be provided for the increase, if any, in parking needs.

The site currently has a deficit of 7 parking spaces. 16 parking spaces are provided on the property, whereas 23 spaces are required: 17 for the retail store use (619m<sup>2</sup> x 1 space/37m<sup>2</sup>) plus 6 for the hotel use (1 space per bed). Note that 3 of the existing parking spaces were created in 2021 through the demolition of a shed and reconfiguration of the parking area. This satisfied the increase in parking needs created when the existing 6 hotel suites were created through a second floor renovation.

The proposed addition of 6 hotel suites would increase parking requirements to 27 spaces: 11 for the retail store area (407m<sup>2</sup> x 1 space/37m<sup>2</sup>) plus 16 for the hotel use (1 space per bed). This would increase the deficit from 7 to 11 spaces, a change of 4, and the Zoning By-law requires that the owner provide the 4 space increase.

As the site is unable to provide the additional 4 parking spaces, the applicant seeks permission to pay cash-in-lieu. The Municipality recently changed its cash-in-lieu of parking rates for Grand Bend to \$13,000 per parking space. This would equal a total cash-in-lieu payment of \$52,000.

Staff supports accepting cash-in-lieu in this case. The 16 parking spaces that are provided, meet all the needs of the hotel (overnight) patrons. The existing 7 space deficit and the 4 cash-in-lieu spaces represents the retail store parking needs of the building. The property is within reasonable proximity to Municipal parking. 62 Main St is a mixed use building (commercial and residential) under construction. Council accepted cash-in-lieu of parking on the retail store portion of that building's parking needs.

The parking requirements of the 407m<sup>2</sup> commercial floor area portion of the building were calculated at the default retail store rate of 1 space per 37m<sup>2</sup> of ground floor area. The Zoning provisions would prohibit any use of that space that requires parking at a more intense rate. For example, restaurants require 1 parking space per 4m<sup>2</sup> of seating area.

Services: The proposed change of use results in a slight increase in projected sanitary sewage flows. Public Works Staff has reviewed the estimated flows and finds them acceptable.

Draft Site Plan Agreement: Staff has prepared a Site Plan Agreement and authorizing by-law for Council's consideration which are attached to the By-laws section of the agenda. The agreement is based on the standard site plan agreement, modified to reflect the specific circumstances of this development. Unique and notable requirements include:

- Acceptance of a \$52,000 cash-in-lieu of parking payment (4 parking spaces at the established Grand Bend rate of \$13,000 per space) and an explanation of how the 4 space requirement was calculated (Section 4 a).
- A requirement to prioritize the 16 spaces that are provided on site for patrons of the hotel use (Section 4 b).
- An acknowledgement that the parking requirements for the 407m<sup>2</sup> commercial floor area were based on the retail store rate (1 space/37m<sup>2</sup> of ground floor area) and that any use of that portion of the building for a use with more intense parking needs is prohibited without further approval from the Municipality (Section 4c).

Summary: The proposed change of use does not result in or require any exterior site alterations. The purpose of the site plan agreement is to recognize the existing site and parking layout and serve as a vehicle for the acceptance of cash-in-lieu of parking requirements. Staff has no objection to Council's approval of the site plan agreement as drafted. Staff is satisfied that the proposed development complies with applicable policies and regulations and addresses Municipal and public concerns subject to the provisions contained in the draft site plan agreement. This includes a cash-in-lieu of parking payment of \$52,000.00 for 4 parking spaces.

### **ALTERNATIVES TO CONSIDER**

None at this time.

### **RECOMMENDED ACTIONS**

That Council, receive Report PL 04-2022, approve the draft site plan agreement, and approve a By-law to authorize the execution of the site plan agreement.

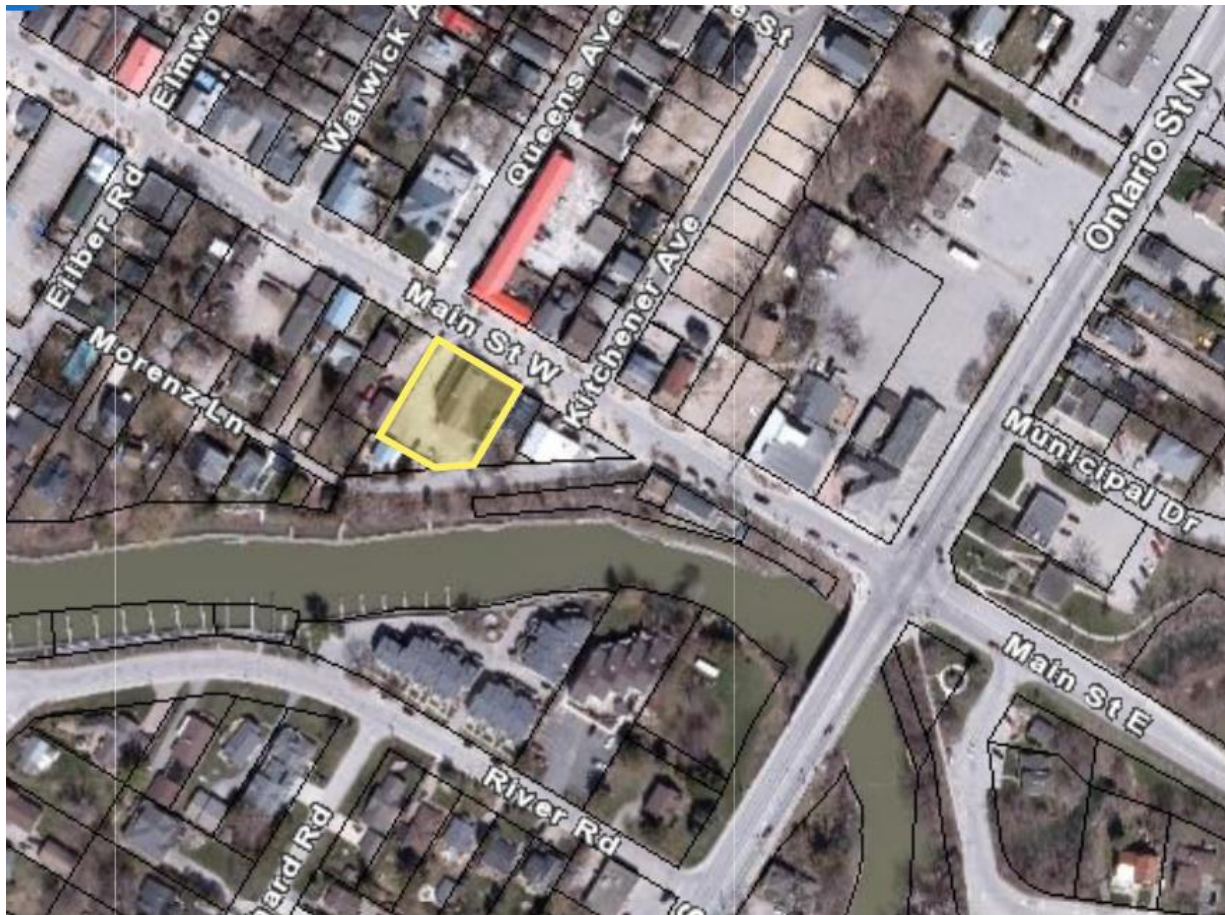
### **FINANCIAL IMPACT**

The Developer has paid a Site Plan Application fee of \$1,000.00. The agreement requires a legal deposit of \$1000.00 and a cash-in-lieu of parking fee of \$52,000.00.

### **CONSULTATION**

Brian Johnson, Johnson Engineering Consultants, for Applicant  
 John Rizakos, solicitor and signing authority, for Applicant  
 Steve McAuley, CAO, Municipality of Lambton Shores  
 Nick Verhoeven, Director of Public Works, Municipality of Lambton Shores

## Attachment 1 – Subject Lands



**Subject Lands**