



**Monteith ♦ Brown**  
planning consultants

# Planning Justification Report

**Proposed Multi-Unit Residential Re-Development**  
**6320 Lakeshore Road, Municipality of Lambton Shores**  
Official Plan & Zoning By-law Amendment

Prepared for:  
Lekker Homes

April 2022

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# PLANNING JUSTIFICATION REPORT

## Proposed Official Plan & Zoning By-law Amendment

Proposed Residential Redevelopment

6320 Lakeshore Road  
Lambton Shores, Ontario  
N0N 1J1

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Prepared for:

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# 1. INTRODUCTION

## 1.1 Purpose

**Monteith Brown Planning Consultants (“MBPC”)** on behalf of our client, Lekker Homes (c/o Rogeruurma), is pleased to submit applications to amend the Municipality of Lambton Shores Official Plan and Zoning By-law No. 1 of 2003, as they apply to 6320 Lakeshore Road (“the subject lands”), which are under our client’s ownership.

The purpose of these applications is to permit residential redevelopment on the subject lands through the conversion of the existing vacant commercial building on the property to a seven-unit multiple dwelling. The building formerly housed a farmer’s market, restaurant, and convenience store with gas bar. The building has been vacant for years (our client has informed us that the property was on the market for ten years prior to his purchase) and the gas pumps and underground storage tank were removed from the property in 2015.

The intent of this report is to analyze the land use planning merits of the proposed Official Plan and Zoning By-law Amendments to determine the appropriateness of the proposed development. The proposal will be analyzed within the context of the surrounding community and the relevant planning documents, including the Provincial Policy Statement, the Lambton County Official Plan, the Municipality of Lambton Shores Official Plan, and the Municipality of Lambton Shores Zoning By-law No. 1 of 2003.

## 1.2 Site Description

The subject lands are located on the northern corner of the intersection of Lakeshore Road (County Road 7) and Vance Drive at the edge of a low-density residential cluster of homes along Vance Drive (see Figure 1). The property has an area of approximately 1.38 ha (3.4 ac) with approximately 79 metres of frontage on Lakeshore Road and approximately 132.8 metres of frontage on Vance Drive, and can be accessed from either road via existing driveways (one from each road). Driveway access to Lakeshore Road has been blocked with large rocks, as shown on Figure 2, below. The site contains an L-shaped building with a footprint of approximately 694 m<sup>2</sup> (7,470 square feet) and a height of approximately 8.3 metres, located on the eastern half of the property. The building was constructed in 1985 and has been vacant for many years, but formerly housed a farmer's market, restaurant, and variety store with a gas bar located to the south of the building. The gas station use ceased some time before October 2015, as the underground fuel storage was removed from the property at that time. The subject lands are connected to the municipal water system, and the private septic bed is located at the northern corner of the site. The western half of the property is vacant and undeveloped.

Our client has informed us that this property has been listed for sale for **ten years** but has not found a buyer interested in commercial development on the site, despite its location along County Road 7 and proximity to existing residential communities.

Figure 1 – Aerial Photo of the Subject Lands



Source: Lambton County GIS, 2021

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Figure 2 – View of the Subject Lands, Looking West from Lakeshore Road



Source: Google Streetview, 2018

### 1.3 Land Use Context

The property is directly adjacent to cropped farmland to the north, Lakeshore Road to the east, Vance Drive to the south, and a lot with a single detached dwelling to the west (see Figure 3, below).

Figure 3 – Land-Use Context



Source: Lambton County GIS, 2021

The subject lands are located at the eastern edge of a low-density residential cluster extending from Lake Huron to Lakeshore Road, which consists of a mix of single-detached dwellings and undeveloped residential lots fronting onto Vance Drive. At the Pre-Consultation Meeting, the County planner noted that many of the lots in this cluster were purchased for the purpose of building “retirement” homes at a future date. More development is starting to occur in this area as people build these homes, or sell the lots to another party if their plans have changed as they approach retirement. The subject lands themselves have remained vacant as residential development continues.

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The lands surrounding the residential cluster are predominantly used for agricultural field crop production. Based on our review of aerial mapping, a livestock facility for swine appears to be located approximately 405 metres to the northeast of the subject lands, as shown on Figure 3. The distance between the livestock facility and the existing single-detached dwelling directly to the west of the subject lands is also approximately 405 metres. As Minimum Distance Separation ('MDS') setbacks are **not** required for proposed land use changes within approved settlement areas, *"as it is generally understood that the long-term use of the land is intended to be for non-agricultural purposes"* (MDS Implementation Guideline #36).

The small community of Gustin Grove is located to the north of the subject lands along the shores of Lake Huron. The land-use mix in Gustin Grove appears to consist solely of low-density residential uses, as the Official Plan and Zoning By-law Schedules do not identify any properties designated or zoned for non-residential uses in this area.

A number of seasonal recreation properties and camps are located along the shore of Lake Huron further to the north and south of the subject lands, including Orchard View Park (a seasonal RV/trailer park approximately 2.1 km to the south of the property), Forest Cliff Camp (a summer camp approximately 2.76 km to the south of the subject lands), and Lambton Centre Summer Camp (approximately 1.9 km to the north of the subject lands).

Finally, the subject lands are located within a reasonable driving distance of several small communities and urban centres: an 11-minute drive to Forest (8.9 km), a 12-minute drive (16.5 km) to Port Franks, a 23-minute drive (30.8 km) to Grand Bend, and an approximately half-hour drive (45 km) to downtown Sarnia.

### 1.4 Pre-Application Consultation

A Request for a Pre-Consultation Meeting was submitted to the Municipality of Lambton Shores on September 16, 2021, and a virtual Pre-Consultation Meeting was held with Municipal staff on September 23, 2021. MBPC's notes from the meeting are enclosed in Appendix 1 of this report, and a summary description of the conversation is provided below.

MBPC identified that the existing building on the subject lands, which formerly housed a farmer's market, restaurant, variety store and gas bar has sat vacant for many years, and our client is interested in pursuing planning approvals to allow for the adaptive re-use of the building for multi-unit residential purposes. All units are proposed to be rented and marketing is anticipated to be directed to retirees currently living in the surrounding agricultural area, as well as snowbirds who spend winters in the southern United States and only live in Canada during the summers. The client noted that this property has been listed for sale for **ten years** but did not find a buyer interested in commercial development on the site.

Staff identified that Official Plan and Zoning By-law Amendments would be required to permit the proposed development, followed by Site Plan Approval. It was confirmed that if the client requires a Draft Plan of Condominium, that application could be filed at a later date. A Planning Justification Report, Conceptual Site Plan, and Building Elevation drawings were identified as requirements for a complete Official Plan and Zoning By-law Amendment application, with servicing and stormwater issues to be addressed through Site Plan Approval. Matters such as the Record of Site Condition will be addressed through the Building Permit process.

Staff identified that the Planning Justification Report submitted with the applications would need to address the following matters:

- Justification for locating an apartment (or multi-residential) building at the edge of a residential cluster;
- Justification for the conversion of commercial lands to residential (a formal market study will not be required); and
- Summary discussion of residential construction permit uptake information in the region and throughout the Province, to justify the need for additional residential dwellings and the loss of commercial lands.

These matters are addressed in the following sections of this report.

## 2. DEVELOPMENT PROPOSAL

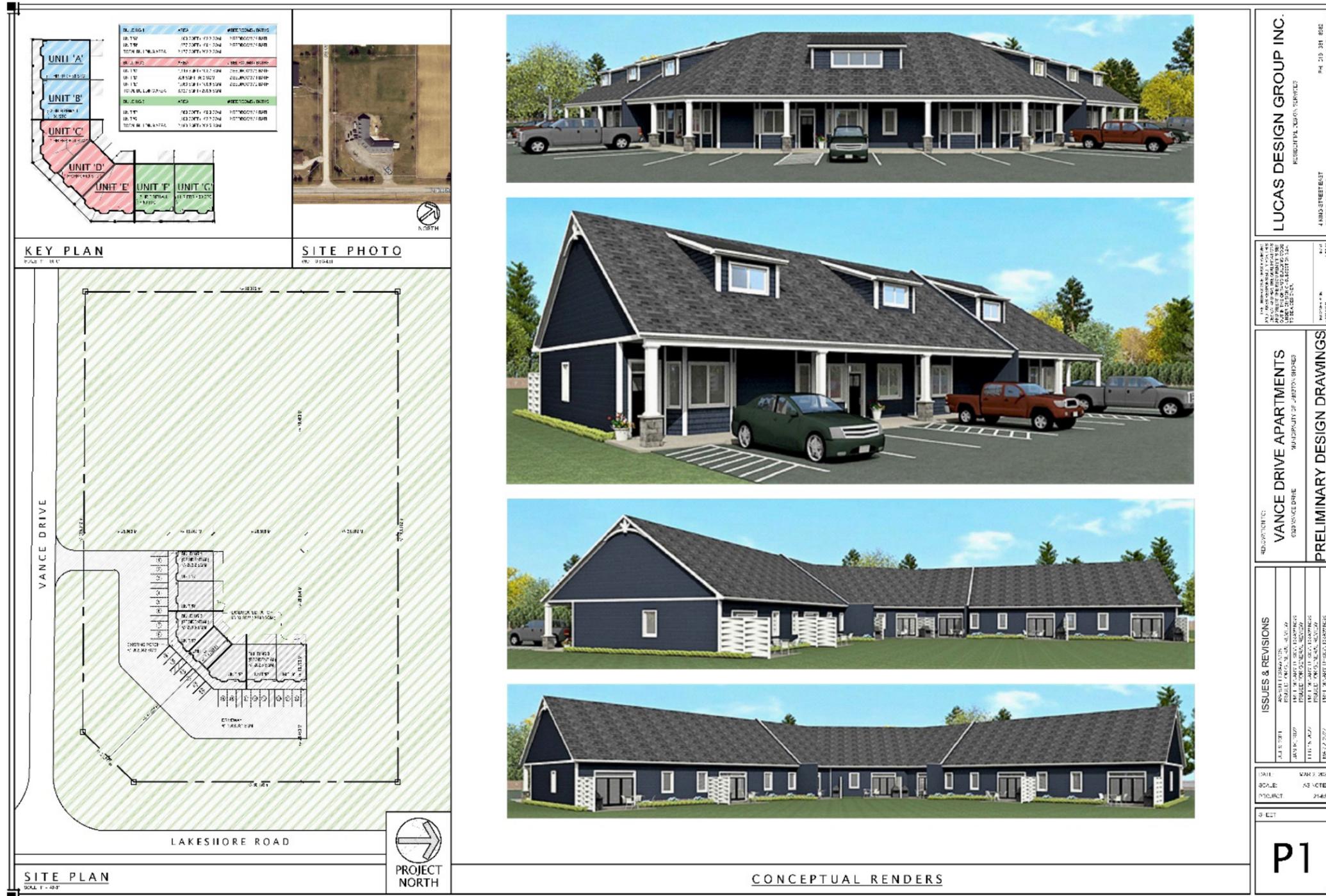
Lekker Homes is proposing to renovate and revitalize the existing building on the subject lands, transforming the one-storey building from a vacant former commercial plaza and gas station into a craftsman-style ground-oriented multi-unit rental building. The building's seven units will be re-designed with the needs of downsizing seniors and snowbirds in mind, particularly those who may wish to sell their family homes but remain in their community near family and friends to maintain their existing social networks. To permit the proposed building conversion, our client is filing applications for Official Plan and Zoning By-law Amendments, with a Site Plan Application to follow at a later date.

The dwelling units will be street-oriented, facing towards Vance Drive and Lakeshore Road with at least two parking spaces for each dwelling unit provided directly in front of the building (22 spaces in total, where 1.5 spaces are required per multiple dwelling unit under the Municipality of Lambton Shores Zoning By-law). A small backyard and outdoor amenity area/patio with privacy screening will be provided for each unit within the inside of the "L" building shape, to be accessed via glass sliding doors (see Figure 4). The backyards will open onto a common green space area, looking out onto the adjacent agricultural fields. Each unit will contain two bedrooms and two bathrooms (with the exception of Unit 'D', which will have one bathroom) in an approximately 100 m<sup>2</sup> (1,000 square foot) area. Floor plans for all proposed dwelling units are enclosed with this application under separate cover, and the floor plans for units 'A', 'B', and 'C' are also shown in Figure 5.

The existing green space on the northwest side of the property will provide for separation and buffering between the adjacent single-detached dwelling and the proposed multi-unit building. This area is **not** proposed to be developed, as the septic bed for the existing building is located here, measuring approximately 57 metres by 55 metres, including the mantle on all four sides. The septic system information is on file with the County of Lambton Building Services Department, and will be addressed in detail through the Site Plan and Building Permit processes. Based on preliminary calculations from the County Building Services Department, each bedroom will equate to a flow of 550 L/day. The County estimated that eight dwelling units with two bedrooms each will produce flows of 8,800 L/day which is **less** than the 10,000 L/day threshold where Provincial-level approvals are required (instead, the system can be evaluated and approved at the County level). The proposed development will only include **seven** two-bedroom dwelling units, as such, the flows will be less than the County's estimated 8,800 L/day. Correspondence from the County Building Official is provided for reference in Appendix 2 of this report.

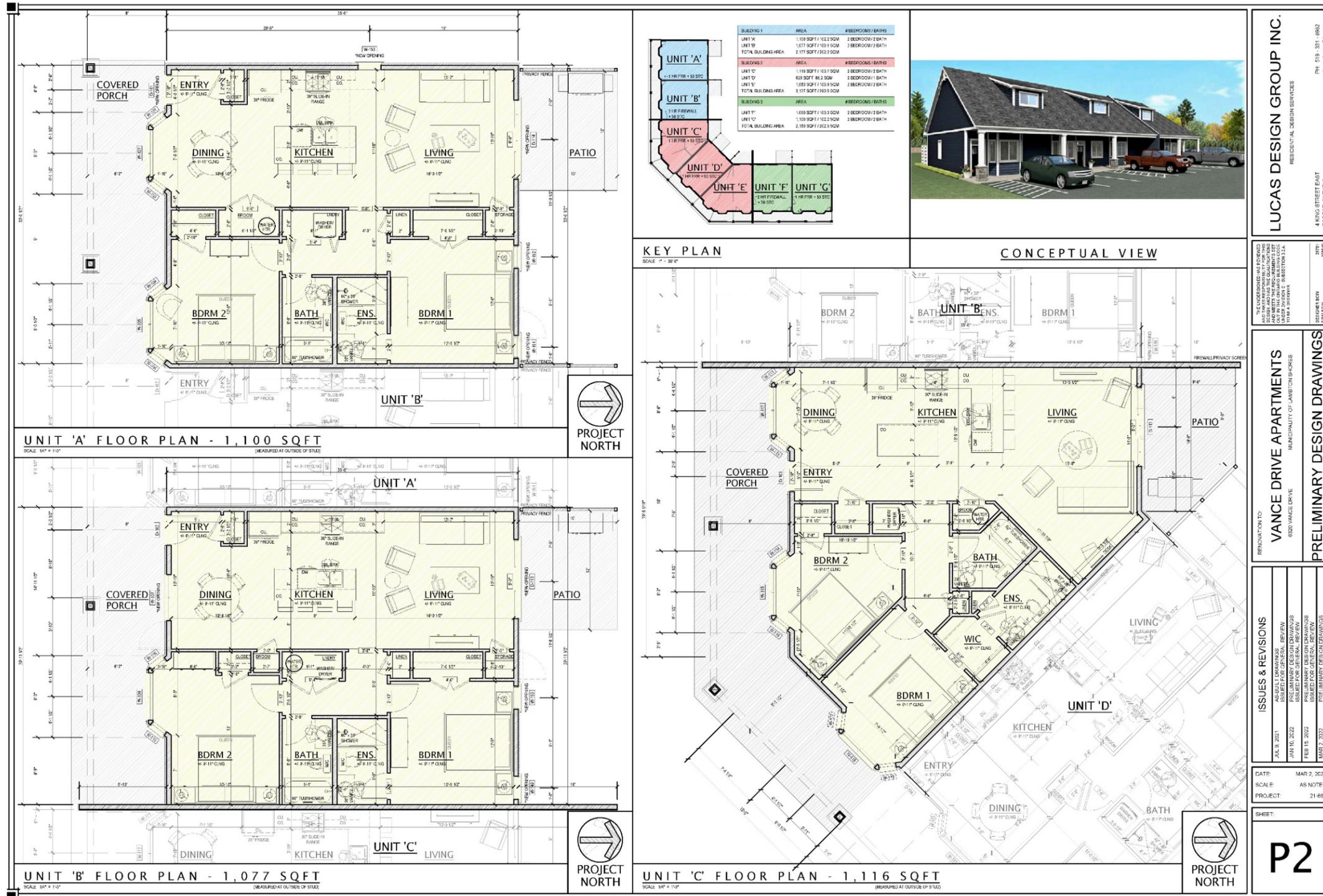
The existing access onto Vance Drive will be **retained**, and the existing access to Lakeshore Road (County Road 7) is proposed to be **removed** to prevent vehicles from accessing Lakeshore Road directly. Traffic will instead be routed from the subject lands to Vance Drive, accessing County Road 7 through the established intersection to the south. Our client plans to pave the retained access driveway and the parking lot in front of the building, with this change in conditions addressed through Site Plan approval.

Figure 4 – Preliminary Design Drawings



Source: Lucas Design Group, 2022

Figure 5 - Floor Plans for Units 'A', 'B', and 'C'



Source: Lucas Design Group Inc., 2022

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The proposed development will serve to provide increased housing choice in a municipality where the housing mix is predominantly comprised of owner-occupied single-detached dwellings, as illustrated in Tables 1 and 2 below.<sup>1</sup> As of 2016, single-detached dwellings comprised approximately 84.7% of the private dwellings in Lambton Shores, and approximately 83.17% of households lived in owner-occupied dwellings, with approximately 16.83% of dwellings renter-occupied. (Percentages may not add to 100% due to rounding by Statistics Canada. Detailed information on Household Characteristics from the 2021 Census of Population had not yet been released at the time this report was written.)

**Table 1 – Household and Dwelling Characteristics, Municipality of Lambton Shores**

	Number	Percentage
Total – Occupied private dwellings by structural type of dwelling – 100% data	4,780	100%
Single-detached house	4,050	84.7%
Apartment in a building that has five or more storeys	10	0.2%
Other attached dwelling <sup>2</sup>	660	13.8%

Source: Statistics Canada, 2016 Census of Population

**Table 2 – Household Characteristics, Municipality of Lambton Shores**

	Number	Percentage
Total – Private households by tenure – 25% sample data	4,785	100%
Owner-occupied	3,980	83.17%
Renter-occupied	805	16.83%
Band housing	0	0%

Source: Statistics Canada, 2016 Census of Population

The proposed development will make a positive contribution to the rental supply market in Lambton Shores, replacing a derelict vacant commercial storefront with a significant investment in the property to convert the building to seven newly designed dwelling units. Although the proposed development does **not** represent a form of subsidized housing, the proposal also addresses concerns raised recently in the ‘Lambton County Housing and Homelessness Plan (2020-2024)’ regarding the balance of housing supply and demand in the community, as: “economic growth has contributed to a boost in rental and ownership housing demand, higher rents and purchase prices, and tightened demand-supply conditions” (p. 7). The Plan also notes that despite an estimated supply gap of 3,545 affordable rental units in Lambton County, only 4.6% of new housing construction taking place in the County from 2014 to 2018 was intended for the rental market (p. 10). This trend has continued over the past few years, as building permit data from the Municipality of Lambton Shores (discussed further below in Section 3.3 of this report) identifies that just 15 permits for new multi-unit dwellings were taken out between 2019 and 2021, generally comprising between 2% to 3% of the year’s building activity. The proposed development will contribute to an increase in the supply of **attainable** rental housing and a wider range of housing choices in Lambton County in accordance with the Provincial Policy Statement.

<sup>1</sup> Statistics Canada. 2017. Lambton Shores, MU [Census subdivision], Ontario and Lambton, CTY [Census division], Ontario (table). Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29, 2017. <https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/index.cfm?Lang=E> (accessed March 15, 2022).

<sup>2</sup> The category 'Other attached-dwelling' is a subtotal of the following categories: semi-detached house, row house, apartment or flat in a duplex, apartment in a building that has fewer than five storeys and other single-attached house.

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Overall, the proposed development is an appropriate re-use for a vacant building at a prominent intersection in the Municipality, as it will introduce a moderate increase in density at the edge of the residential area while considering and responding to the existing land-use context and established planning framework.

## 3. BACKGROUND AND TECHNICAL STUDIES

### 3.1 Servicing Comments

On September 23, 2021, the Municipality provided details of servicing requirements for the private septic system and information indicating that it is anticipated that the existing septic system would meet the daily septic design flows for the proposed seven residential units. It is anticipated that the sanitary servicing capacity and demand water capacity demand will be evaluated at the Site Plan Approval stage and building permit stage, not through the proposed Zoning By-law Amendment. The email response from the Municipality's Manager of Building Services is enclosed in Appendix 2 of this report.

### 3.2 Site Remediation Report

In 2015, LAW Environmental Consultants was retained by a previous property owner to decommission and remediate the former gas station that existed on the site. This process consisted of excavation and removal of the fuel tanks, soil screening, segregation of materials, and soil sample analysis. It was recommended through that study that a portion of the site be excavated and soil materials removed and disposed of at a Licensed Receiver Site as a precautionary measure even though the soil samples met MOE standards for use as fill. The report determined that, based on the results of the soil sample analysis, no further remedial actions were deemed necessary and the excavation was backfilled with 'clean' material.

A full copy of this report has been included in Appendix 3 of this report. A Record of Site Condition will be provided with the building permit application.

### 3.3 Proposed Conversion of Commercial Lands

At the Pre-Consultation Meeting in September 2021, municipal staff requested that the Planning Justification Report include a summary discussion of residential construction permit uptake information in the region and throughout the Province to justify the need for additional residential dwellings and the conversion of the subject lands from a commercial to residential land use. This section provides an overview of residential and commercial building permit data from the Municipality of Lambton Shores, Lambton County, and the Province of Ontario as a whole from 2019 to 2021, as well as an examination of recent trends in construction in the context of the housing affordability crisis and the shortfall between supply and demand of residential dwelling units throughout the Province.

#### Previous Commercial Development Opportunities & Proximity to Commercial Lands in Established Settlement Areas

Prior to discussing municipal, County, and Provincial building permit data analysis, it should be emphasized once again that the subject lands have been **vacant** for many years prior to the filing of this application, and our client has informed us that the property was on the market for **ten years** before it was purchased. Throughout the past decade, there would have been many opportunities for a business seeking commercial space to purchase or lease the property. Although the subject lands are located directly adjacent to County Road 7 (Lakeshore Road), a major north-south road connecting lakeshore residents and businesses in Lambton County to the City of Sarnia, it appears that even a gas station was not a feasible business in this location. The gas pumps and underground storage tanks were removed from the property in 2015, perhaps in an attempt to make the property more attractive to a potential buyer concerned about the risk of possible environmental contamination.

The Municipality of Lambton Shores Official Plan policies greatly **limit** the type and size of commercial development that can be located within the 'Highway Commercial' designation, which in turn limits opportunities for businesses to co-locate on the subject lands and draw additional consumer traffic to the site. In contrast, residents of the enclave to the northwest of the property are well-served by a wide range of commercial businesses in several small communities and urban centres within a short drive of the subject lands, including but not limited to Forest (an 11-minute drive, or 8.9 km), Port Franks (a 12-minute drive, or 16.5 km), Grand Bend (23-minute drive, or 30.8 km), and downtown Sarnia (a 30-minute, or 45 km drive). The Local OP policies regarding 'Highway Commercial' land uses are discussed further in Section 4.4 of this report, below.

**Municipal, County, and Provincial Building Permit Data, 2019 - 2021**

**Municipality of Lambton Shores**

The Municipality of Lambton Shores building permit data from 2019 to 2021 shows a sharp increase in residential building activity over the past year, particularly for single-detached dwellings. (The full dataset is provided in Appendix 4.)

The Municipality issued a total of 372 building permits in 2021, 30% (112) of which were for new single-detached dwelling construction (see Table 3, below). Just 2.6% of permits (10) were for new multi-unit residential construction. Meanwhile, commercial building activity in the Municipality has remained relatively flat over the past three years, with only 40 building permits for commercial development (encompassing new development, additions, and alterations/renovations) issued between 2019 and 2021.

The contrast between commercial and residential building permit uptake for new construction **and** additions, alterations, and renovations as a share of total building permit activity is shown in Figure 6, below.

**Table 3 – Building Permit Data, Municipality of Lambton Shores (2019 - 2021)**

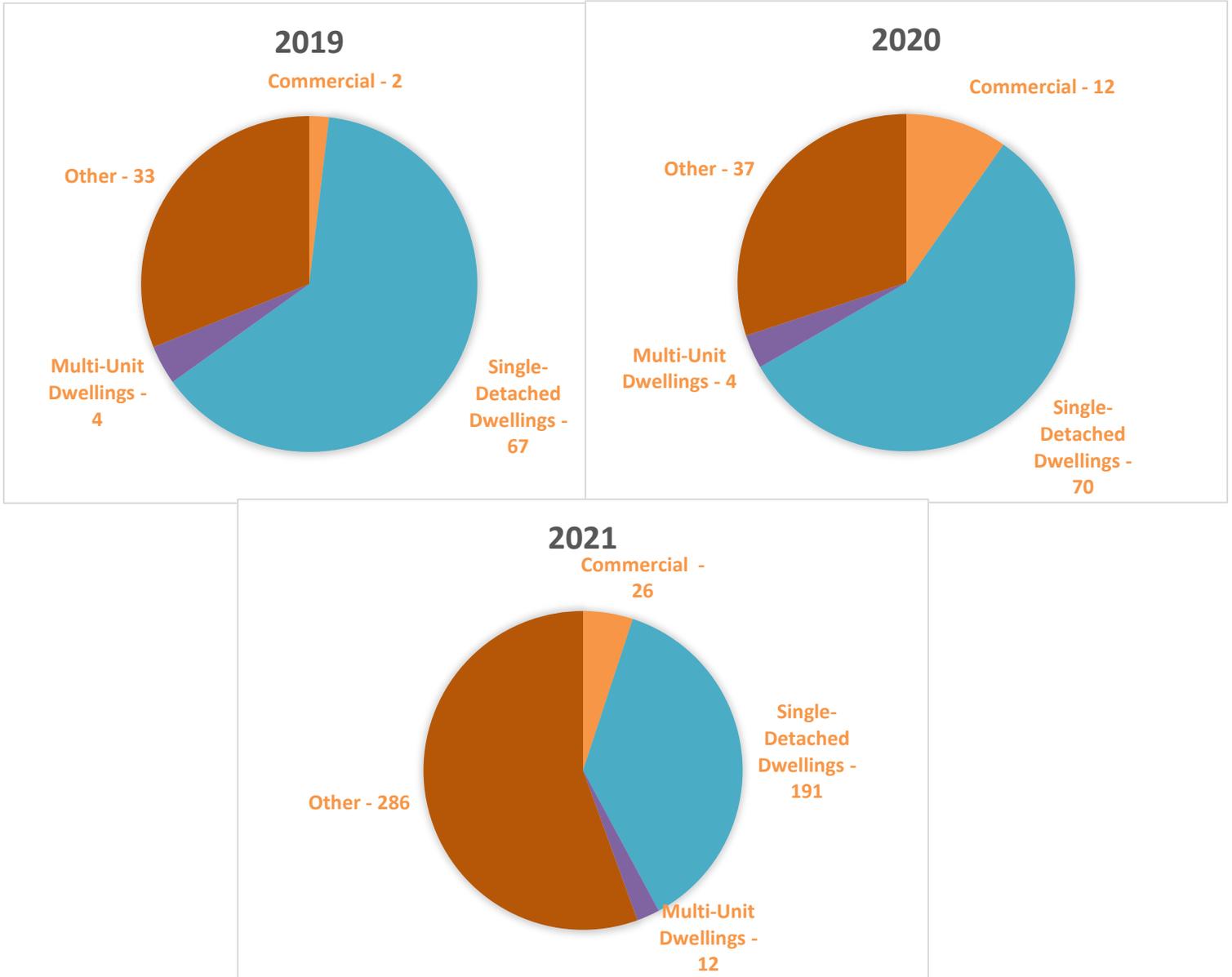
Type of Permit	2019		2020		2021	
	#	% of Total	#	% of Total	#	% of Total
Total Number of Permits	106		123		372	
Commercial - New	0	0%	6	5%	2	1%
Commercial - Addition or Alteration/ Renovation	2	2%	6	5%	24	6%
Single-Detached Dwellings – New	36	34%	51	41%	112	30%
Single-Detached Dwellings – Addition or Alteration/ Renovation	31	29%	19	15%	79	21%
Multi-Unit Dwellings – New	2	2%	3	2%	10	3%
Multi-Unit Dwellings – Addition or Alteration/ Renovation	2	2%	1	1%	2	1%
Other Permit Types	33	31%	37	30%	143	38%

Source: Municipality of Lambton Shores, 2022

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Figure 6 – Building Permit Data – Municipality of Lambton Shores, 2019 - 2021



Source: Municipality of Lambton Shores, 2022

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### Lambton County

Building permits for single-detached residential construction were also issued at a far higher rate than building permits for multi-unit or commercial development in Lambton County from 2019 to 2021. In March 2022, the Lambton County Building Services Department provided MBPC with a summary of new residential and commercial permits issues between 2019 and 2021 for the municipalities under their jurisdiction: the Municipality of Brooke-Alvinston, the Township of Dawn-Euphemia, the Township of Enniskillen, the Village of Oil Springs, the Town of Petrolia, the Town of Plympton-Wyoming, the Village of Point Edwards, the Township of St. Clair, and the Township of Warwick. (The Municipality of Lambton Shores and the City of Sarnia are responsible for issuing their own building permits; a summary of building permit activity in the Municipality of Lambton Shores is provided above.) This information is summarized in Table 4 and Figure 7 below, and the full data tables provided by the County are included in Appendix 5 of this report.

New commercial building permit activity has declined slightly over the past three years, with only 6 building permits issued in the nine municipalities listed above. Meanwhile, the increasing number of new single-detached residential building permits issued in 2021 generated headlines in local media, with the Chief Building Official commenting that she expected strong new housing number to continue into 2022 and 2023 due to the number of subdivision projects seeking planning approvals.<sup>3</sup> Fifteen building permits were issued for new multi-unit residential development in 2021, but still comprise a fraction of construction activity in the County, compared to new residential development (see Figure 7, below for a visual comparison).

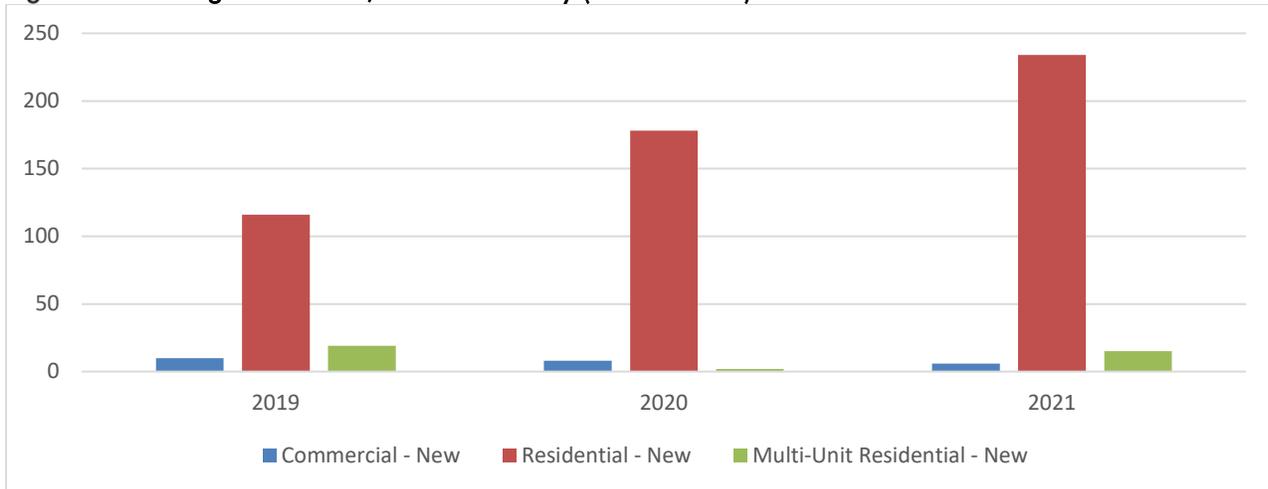
Table 4 – Building Permit Data, Lambton County (2019 – 2021)

Type of Permit	2019	2020	2021
Commercial - New	10	8	6
Residential – New	166	178	234
Multi-Unit Residential – New	19	2	15

Source: Lambton County Building Services Department, 2022

<sup>3</sup> Morden, P. (2021, August 19). "Home building permits issued by Lambton County well ahead of last year". *The Sarnia Observer*, <https://www.theobserver.ca/news/local-news/home-building-permits-issued-by-lambton-county-well-ahead-of-last-year>

Figure 7 Building Permit Data, Lambton County (2019 – 2021)



Source: Lambton County Building Services Department, 2022

### Province of Ontario

At the Provincial level, commercial building activity as a proportion of total building permit activity fell by 4% between 2019 and 2021.<sup>4</sup> In terms of absolute numbers, the total number of commercial building permits issued per year fell by almost 4,000 in this time period as the number of residential building permits rose by almost 13,000 for single-detached dwellings, and over 8,000 for multiple dwellings (see Table 5). Figure 8 shows how the share of commercial building permits in Ontario has shrunk and the share of multiple-dwelling permits has increased between 2019 and 2021, while single-detached dwellings continue to comprise almost two-thirds of total building permit activity.

Table 5 – Ontario Building Permits, 2019 - 2021

Type of Permit	2019		2020		2021	
	Number	% of Total	Number	% of Total	Number	% of Total
Total Number of Permits	136,916		132,469		153,061	
Single Dwelling Building	80,902	59%	81,826	62%	93,743	61%
Multiple-Dwelling Building	25,255	18%	26,509	20%	33,337	22%
Industrial	8,097	6%	6,937	5%	7,424	5%
Commercial	18,632	14%	13,959	11%	14,897	10%
Institutional/Governmental	4,030	3%	3,238	2%	3,660	2%

Source: Statistics Canada. Table 34-10-0066-01 Building permits, by type of structure and type of work

DOI: <https://doi.org/10.25318/3410006601-eng>

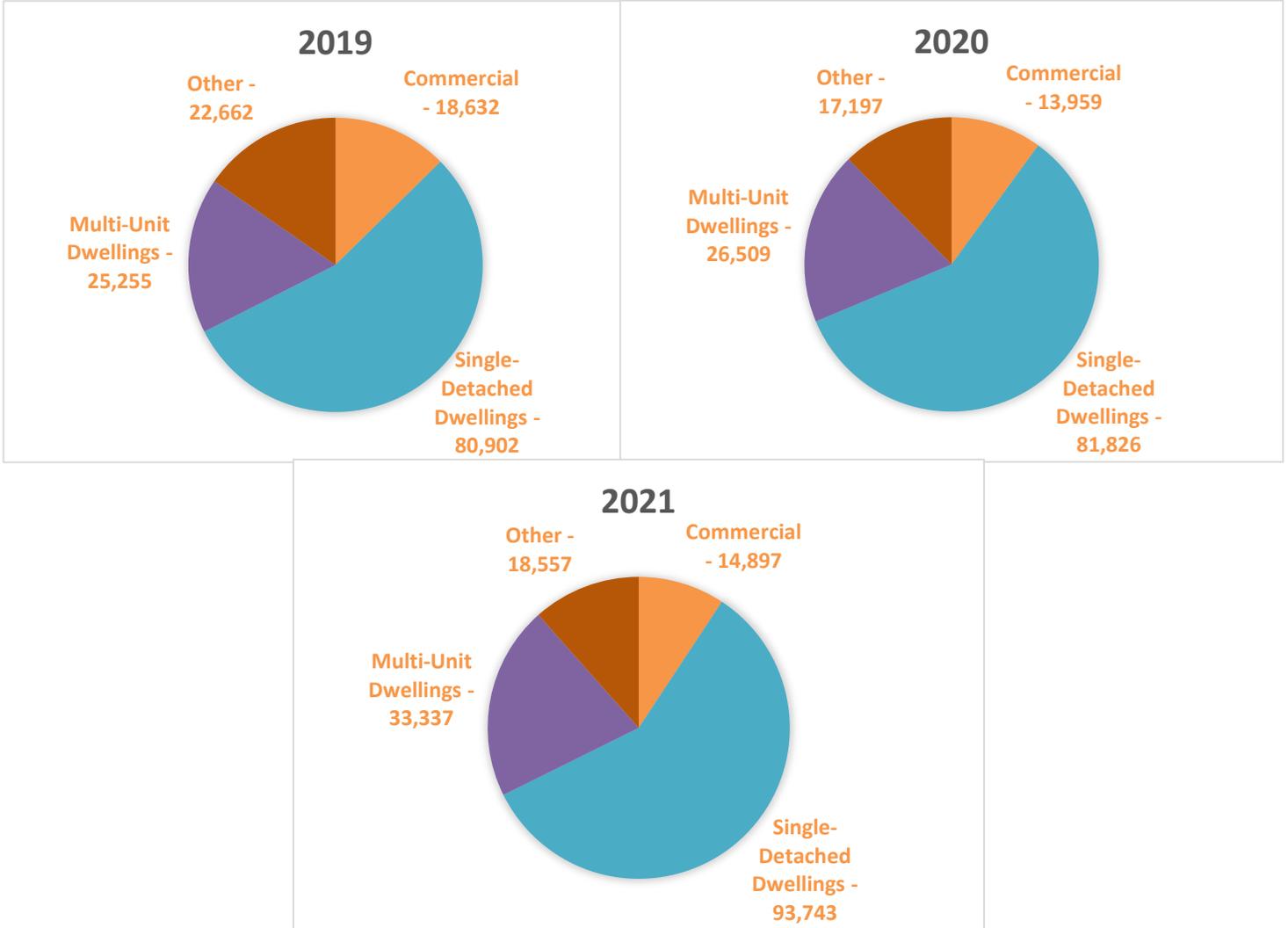
Overall, these statistics show that there has been an overall **stagnation and decline** in commercial building activity in recent years at the local, County, and Provincial level, which has contributed to our client’s decision to propose a conversion of the subject lands from a ‘Highway Commercial’ use to a ‘Residential’ use.

<sup>4</sup> Statistics Canada. Table 34-10-0066-01 Building permits, by type of structure and type of work DOI: <https://doi.org/10.25318/3410006601-eng>

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Figure 8 – Ontario Building Permit Data, 2019 – 2021



Source: Statistics Canada, 2022

### Ontario's Housing Crisis

The decline in commercial building activity and the increase in residential building permit activity should be considered in the context of Ontario's housing supply crisis. The increase in residential building permit activity has **not** kept pace with the growing demands for housing in Ontario, as demonstrated by several recent reports from the Province and think-tanks that have shone a spotlight on the Provincial housing crisis.<sup>5</sup>

In October 2021, the Smart Prosperity Institute ('SPI') released a report entitled *Baby Needs a New Home: Projecting Ontario's Growing Number of Families and Their Housing Needs*. This report is intended to inform planners and policy makers of the high levels of population growth and housing demand projected to occur over the next ten years, so that policymakers can plan "for an adequate supply of family-friendly, climate-friendly housing, in or near the communities in which people work, to attract and retain talent, to provide available and attainable housing and a high quality of life for all Ontarians, and to ensure employers have access to the local labour they need to build a stronger, cleaner economy" (SPI, p. iii). The projection focuses on the type of homes Ontarians will want in the future, where they want to live, and how many units need to be built to satisfy projected demand (SPI, p. 38). *Baby Needs a New Home* projects a need for an additional **one million new homes in Ontario over the next ten years** (200,000 high-rise apartment units and 715,000 low- and medium-density units) to address the growing supply gap between the number of households being formed across Ontario, and the number of housing units that are constructed each year (SPI, p. iii, p. 10). This projection does not account for any potential supply gap that existed before 2016, so SPI states that "policymakers should treat our one million households in the next ten years as a floor, rather than a target" (p. 31).

In December 2021, the Province created a new Housing Affordability Task Force ('HATF') to identify additional measures to increase housing affordability in Ontario. Their report, which was released in February 2022, identifies that spiraling house prices over the past decade have led to a housing crisis in the province. The HATF is urging Ontario "to set a bold goal of adding **1.5 million homes over the next 10 years** and update planning guidance to make this a priority" to address the existing supply shortage, along with policy recommendations to modernize the municipal planning process and cut red tape to allow more housing to be built faster. The HATF's housing construction target of 1.5 million new homes is far higher than the ambitious goal of one million new homes set out in *Baby Needs a New Home*. In March 2022, the Province tabled legislation to increase the supply of housing, and the Minister of Municipal Affairs and Housing has stated the government's commitment to implementing the task force recommendations.<sup>6</sup>

Based on the high-demand projection for housing (particularly low- and medium-density housing) put forward in *Baby Needs a New Home*, and the proposed supply goals put forward in the HATF report, it is our professional opinion that the proposed Official Plan and Zoning By-law Amendments are appropriate and will help address the growing demand for new homes.

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<sup>5</sup> Ontario Housing Affordability Task Force. (2022, February 8). *Report of the Ontario Housing Affordability Task Force*. <https://files.ontario.ca/mmah-housing-affordability-task-force-report-en-2022-02-07-v2.pdf>

<sup>6</sup> Jackson, H. (2022, March 30). "Ontario introduces new legislation to increase housing supply in province". *Global News*. <https://globalnews.ca/news/8721314/ontario-housing-supply-market-bill/>

### Residential Housing Supply in Lambton County

The housing supply crisis is not just a Greater Toronto Area or urban phenomenon. In March 2021, real-estate firm REMAX highlighted the recent spike in rural and small-town housing costs in the Sarnia-Lambton real estate market, which they attributed to people choosing to move out of urban centres as COVID-19 pandemic restrictions made working from home (in a less-expensive location) a more feasible option.<sup>7</sup> A recent report from the Canadian Real Estate Association and the Sarnia-Lambton Real Estate Board indicates that this trend has held through 2022, as housing inventory levels in the region are “unsustainable” and “[have] created the tightest market conditions in our region’s history”.<sup>8</sup> With 64 units on the market at the end of February 2022, the supply inventory reached its lowest point in over thirty years, while average home prices have risen 13.3% from February 2021.

The proposed redevelopment of a vacant commercial property will assist in increasing the supply of housing within the community, particularly for retirees and “snowbirds” who wish to downsize but remain in the community, with the option to live in warmer climates through the winter without worrying about property maintenance.

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<sup>7</sup> REMAX. (March 21, 2021). “Strong Growth in the Sarnia-Lambton Housing Market.” <https://blog.remax.ca/ontario-real-estate-strong-growth-in-the-sarnia-lambton-housing-market/>

<sup>8</sup> Canadian Real Estate Association (2022). “Sarnia-Lambton Real Estate Board – lack of supply impacts February MLS home sales in Sarnia-Lambton.” <https://creastats.crea.ca/board/sarn>

## 4. PLANNING FRAMEWORK AND ANALYSIS

The following section will provide an overview and analysis of the existing planning framework, identify the key policies and by-laws that relate to the subject lands, and discuss the Zoning By-law Amendment required to permit the proposed development.

### 4.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. Any decision by a planning authority that requires approval under the Planning Act “shall be consistent with” policy statements issued under the Act. The PPS is intended “to be read in its entirety”, and decision makers must balance a range of policy directives when deciding whether or not a planning proposal is consistent with the PPS, rather than prioritizing one set of policies over another (PPS, Part III).

The proposed development is consistent with Provincial policy directives regarding healthy, liveable, and safe communities and development within settlement areas, as the proposed multi-unit infill development contributes to the provision of a range and mix of residential types within the surrounding community, on a lot that is underutilized as a commercial property (Policies 1.1.1 a) and b)).

The subject lands are located within a settlement area, and the proposed development makes efficient use of the existing building, existing private septic system, and municipal water services available (Policies 1.1.3.1, 1.1.3.2, 1.1.3.4).

The property is currently designated ‘Highway Commercial’ on Schedule ‘A-5’ of the Municipality of Lambton Shores Official Plan, which are **not** classified as “employment” lands in the Official Plan. As a singular property where a limited range of uses intended to serve the commercial needs of communities, surrounding agricultural areas, the travelling public, and tourists are permitted, the subject lands would not be considered an “employment area” under the Provincial Policy Statement either, so the proposed conversion of the property to a residential use would not contradict Policy 1.3 of the PPS. For reference, an “employment area” is defined as “those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities” (Part 6). Manufacturing, warehousing, and offices are not permitted within the ‘Highway Commercial’ designation.

The PPS provides direction “to provide for an appropriate range and mix of housing options and densities” by facilitating residential intensification and redevelopment of underutilized areas within previously developed areas and promoting densities for new development that efficiently uses land, resources, and infrastructure (Policies 1.4.1, 1.4.3). The proposal is consistent with these policies, as the proposed development would introduce a new compact form of housing to the area, while also making use of an existing derelict vacant commercial building that can be serviced with municipal water and the existing septic system (Policy 1.4.3).

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The proposed development will be on partial services (municipal water services and a private septic system), in accordance with Policies 1.6.6.1 and 1.6.6.5. Municipal sewage services are not available in this location, and the proposed development will utilize the **existing** septic system on the property, for which there is a permit on file with the County (Policy 1.6.6.5). Planning for stormwater management will be integrated into the Site Plan Approval process following the approval of the Zoning By-law Amendment application (Policy 1.6.6.7).

There are no natural heritage features or natural hazard areas identified under the County and local Official Plans on the subject property or adjacent lands (Policies 2.1.1, 3.1.1).

In light of the above analysis, the proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement.

## 4.2 St. Clair Region Conservation Authority

The subject lands are located within the jurisdiction of the St. Clair Region Conservation Authority, but are not regulated under Section 28 of the Conservation Authorities Act, as shown on Figure 9, below.

Figure 9 - Aerial Photograph Showing the SCRCA Regulated Area Over the Subject Lands



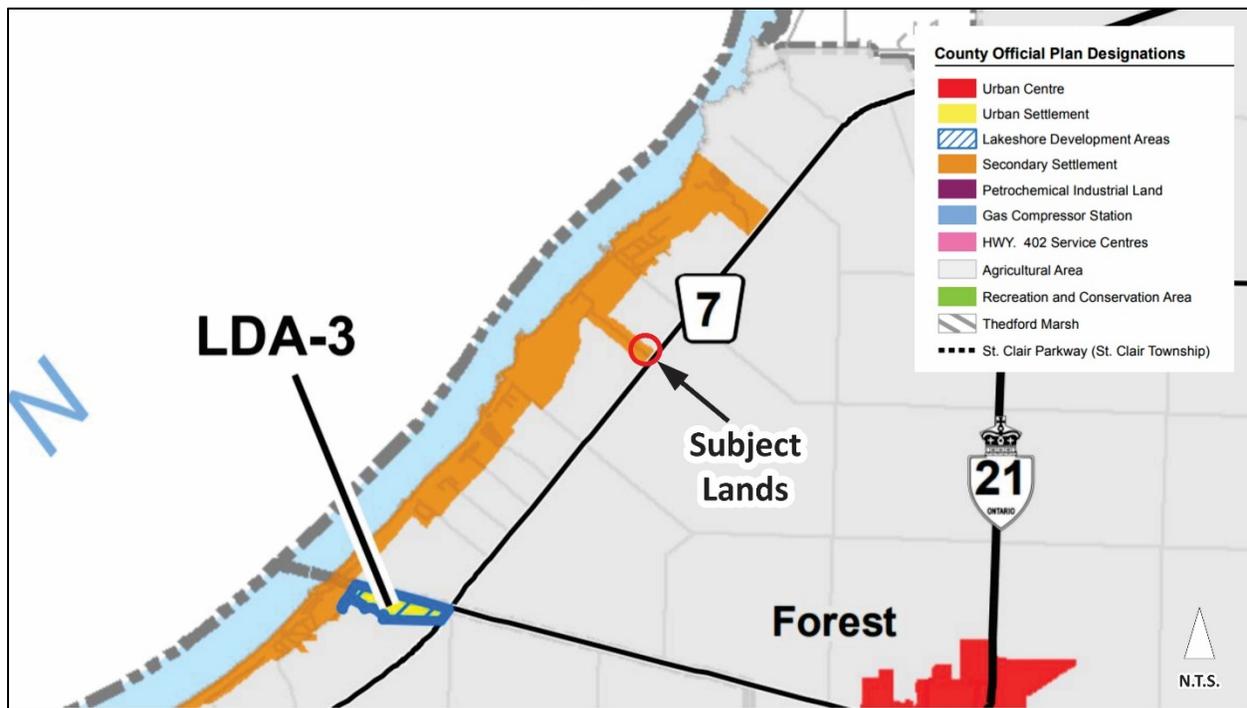
Source: SCRCA, 2021

### 4.3 Lambton County Official Plan

Land-use planning in Lambton County is organized within a two-tier system. The Lambton County Official Plan provides the general policy framework to guide decision-making on land-use planning and development matters in the County, with more specific policies implemented at the municipal level through local official plans, such as the Municipality of Lambton Shores Official Plan (s.s. 1.1).

The subject lands are designated as ‘Secondary Settlement Area’ on ‘Map 1 – Growth Strategy of the Lambton County Official Plan (‘County OP’), an area that includes the neighbouring residential properties to the west fronting onto Vance Drive, and the residential dwellings along the lakeshore (see Figure 10, below). Settlement areas are organized into a three-level hierarchy in the County OP, with ‘Secondary Settlements’ falling below ‘Urban Centres’ (such as the neighbouring Forest) and ‘Urban Settlements’ such as Arkona and Thedford (s.s. 3.2.1). Development within ‘Secondary Settlements’ is limited to infilling and minor rounding-out of existing development on municipal water and private septic systems where public sewer systems are not available, subject to the servicing conditions of the County OP (s.s. 3.2.4, 3.3.2).

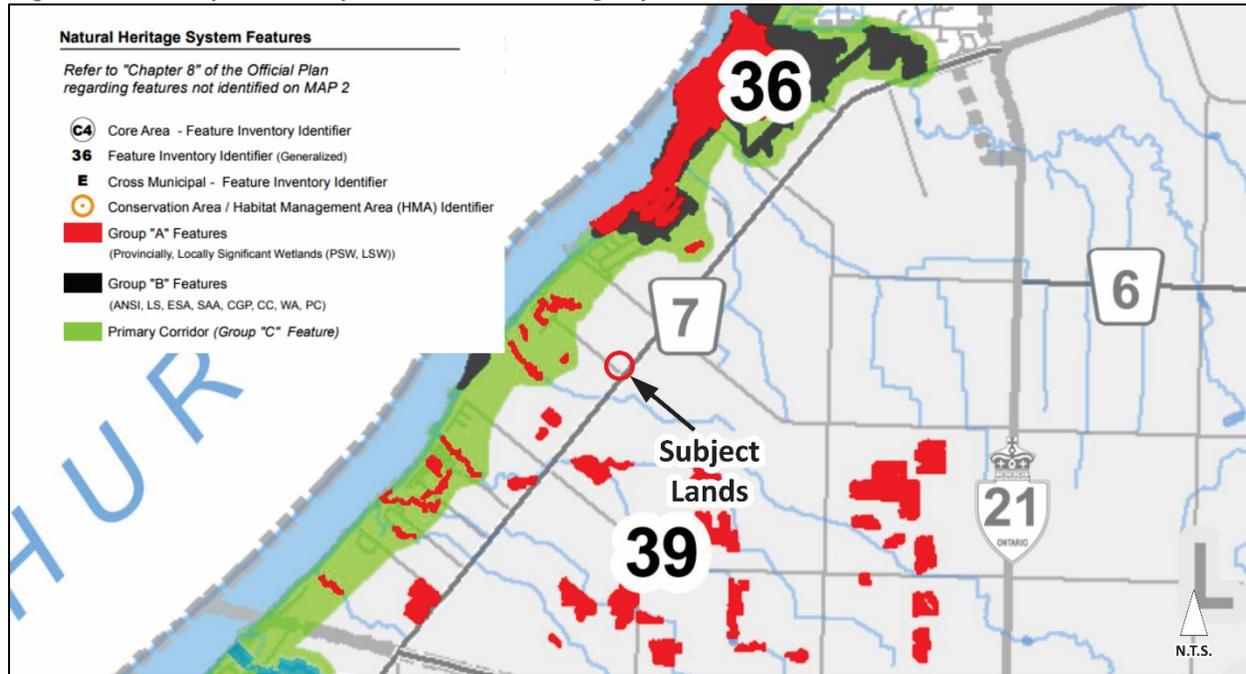
Figure 10 - Excerpt from Map ‘1’ – Growth Strategy of the Lambton County OP



Source: Lambton County OP, 2021

Map '2' – Natural Heritage System of the County Official Plan does not identify any natural heritage features on the subject lands or adjacent properties (see Figure 11, below).

Figure 11 - Excerpt from Map '2' – Natural Heritage System



Source: Lambton County OP, 2021

In general, patterns of development within Lambton County "will be established so as to minimize disruption to existing and planned residential uses, protect the physical character and vitality of established neighbourhoods and communities, and to conserve cultural and natural heritage features and resources" (s.s. 2.1.5). Permitted uses and policies for development within each settlement area will be provided through local official plans, however this plan does provide general guidance for different types of development (s.s. 3.3.1). For example, the subject lands are designated as 'Highway Commercial' on Schedule 'A5' (West Bosanquet) of the Municipality of Lambton Shores Official Plan ('Local OP'), and the County OP includes a number of policies written with the goal of protecting, improving, and revitalizing "existing mainstreets and commercial areas in Centres and Settlements throughout the County" (s.s. 3.4). The County OP prioritizes the health of traditional mainstreets, downtown Sarnia, and other commercial hubs in Sarnia, but acknowledges that highway commercial lands have shifted away from their original intended uses, and in some cases are in decline:

*"The role of existing highway commercial areas has traditionally been to serve the traveling public. In recent years, this role has changed to include a greater emphasis on uses that serve the local community. Where this changing role has led to a decline of commercial businesses, reuse of these areas should be planned to encourage a broader range of compatible uses that will serve nearby residents, and to ensure the continued viability of these commercial areas. While a limited amount of retail activity may be considered, these areas are not intended to accommodate uses that are more*

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*appropriately located on mainstreets or within downtowns and high order commercial areas. The extension of highway commercial designations will generally be discouraged.” (s.s. 3.4.8).*

A detailed examination of, and justification for, the proposed Official Plan Amendment is provided in Section 4.4 of this report, informed by the analysis of building permit data and real estate trends in Section 3.3 of this report. In brief, the subject lands are an example of a highway commercial property that has faced a significant decline over the past decade. The existing building has sat vacant for many years, and while the County OP acknowledges that re-use of declining highway commercial lands should be “*planned to encourage a broader range of compatible uses that will serve nearby residents, and to ensure the continued viability of these commercial areas*”, County OP, Local OP, and Zoning By-law policies and provisions limit the type of commercial uses that can be established on this property (s.s. 3.4.8). Rather than allowing the existing building to fall into further disrepair and become a blight on the community and the travelling public, our client is proposing to invest in a new residential use on the property that makes a positive contribution to the rental supply market in Lambton Shores, as noted in Section 2 of this report.

The County OP directs municipalities to consider the housing policies of Sections 2.3 and 2.4 of the Official Plan, particularly s.s. 2.3.9 and 2.3.12, “*when determining the types and designs of housing that are promoted and permitted in local official plans and zoning regulations*” (s.s. 3.3.6). The proposed development is consistent with the direction of the ‘Housing’ policies of the Official Plan, particularly policies encouraging “*the construction of an adequate supply of dwelling units to meet the needs of the local housing market*” (s.s. 2.3.2). The County Official Plan also directs local municipal official plans to “*include provisions that allow for a range and mix of housing forms, types, sizes and tenures to meet local and County housing needs*” and states that “*local municipal zoning provisions will be flexible enough to permit a broad range of housing forms, types, sizes and tenures, including accessory apartments where feasible*” (s.s. 2.3.4, 2.3.5). As a form of residential intensification and infill, the proposed development will contribute towards the County’s goal that “*20% of the new housing units in the County be provided **through intensification and redevelopment***”, [emphasis added] which include the conversion of existing buildings for residential purposes and the redevelopment of sites not previously used for residential purposes (s.s. 2.3.12). The County OP also encourages the adaptive re-use of older existing building stock as a form of sustainable development, to reduce construction debris waste (s.s. 2.8.5). The proposed development will provide seven rental dwelling units for the community within an existing building that is consistent with the low-rise character of the surrounding residential area, and will contribute towards addressing the supply gap of rental units in Lambton County, as identified in the County of Lambton Housing and Homelessness Plan (p. 10).

The County OP anticipation of a potential “*future housing surplus*” and possible “*decline in the demand for new dwelling units towards the end of the planning period*” (2031) has not been borne out by recent development, population, and real estate trends in Lambton County and the Municipality of Lambton Shores (s.s. 2.3.7, 2.3.9). The recent release of Population and Dwelling Counts from Statistics Canada show that the County population has only increased 1.2% between 2016 and 2021, but this aggregated statistic does not necessarily reflect population growth trends within individual municipalities.<sup>9</sup> For example, the

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<sup>9</sup> Statistics Canada. 2022. (table). Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 9, 2022.  
<https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/index.cfm?Lang=E> (accessed March 29, 2022).

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Municipality of Lambton Shores population increased **11.7%** between 2016 and 2021, far exceeding the growth rate of the County as a whole.<sup>10</sup> Meanwhile, housing inventory levels in the Sarnia-Lambton region reached historic lows in February 2022, while the number of residential building permits issued in both Lambton County and the Municipality of Lambton Shores over the past three years has spiked, pointing to a high demand for residential dwellings.<sup>11</sup> The County OP does acknowledge that demand for new housing units has continued despite population trends, and points to the decline in household size as a major contributing factor (s. 3). The proposed development is ideally suited to serve one- to two-person households, particularly seniors and empty-nesters in the baby boom generation looking to downsize from single-detached dwellings (s. 3).

The property was formerly used as a gas station, but the fuel tanks and surrounding soils were removed from the site several years ago, and the area was backfilled with clean material. A Record of Site Condition will be provided at the building permit stage, consistent with the County OP policies on the redevelopment of potentially-contaminated sites to a "more sensitive use" (s.s. 3.10.3). The proposed re-development of the property for residential use is consistent with s.s. 3.10.10 of the County OP, which encourages the re-purposing of potentially-contaminated sites for new uses, "where compatible with neighbouring land uses, character, function, and built form". The proposed development is consistent with neighbouring land uses, as subject lands are located the intersection of a local and County Road at the edge of a residential area. No new buildings are proposed, as the existing building will be renovated and revitalized instead. The existing green space on the northwest side of the property will also provide for separation and buffering between the adjacent single-detached dwelling and the proposed development.

Finally, the proposed development will be serviced by public water and an existing private septic system on the property, which complies with the conditions of s.s. 3.2.6:

*a) development must be limited to infilling, minor rounding out of existing development; or to address failed individual on-site sewage services in existing development;*

The property is located within an established settlement area, and the proposed development will facilitate the re-use and revitalization of an **existing** building on an underutilized parcel of land in a designated settlement area. No new private septic systems are proposed to be created; the existing building will instead utilize the existing system, which is anticipated to meet the daily septic design flow demands for the proposed seven residential units. Sanitary servicing capacity and water capacity demands will be evaluated at the Site Plan Approval stage and building permit stage of development, not through the proposed Zoning By-law Amendment.

*b) site conditions must be suitable for the long-term provision of such services with no negative impacts;*

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<sup>10</sup> Statistics Canada. 2022. (table). Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 9, 2022.

<https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/index.cfm?Lang=E> (accessed March 29, 2022).

<sup>11</sup> Canadian Real Estate Association (2022). "Sarnia-Lambton Real Estate Board – lack of supply impacts February MLS home sales in Sarnia-Lambton." <https://creastats.crea.ca/board/sarn>

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There is an existing septic system permit on file with the County for this property, demonstrating that site conditions are suitable for the long-term provision of this service. A soils analysis or hydrogeological study has not been listed as a requirement for a complete application (s.s. 3.2.7).

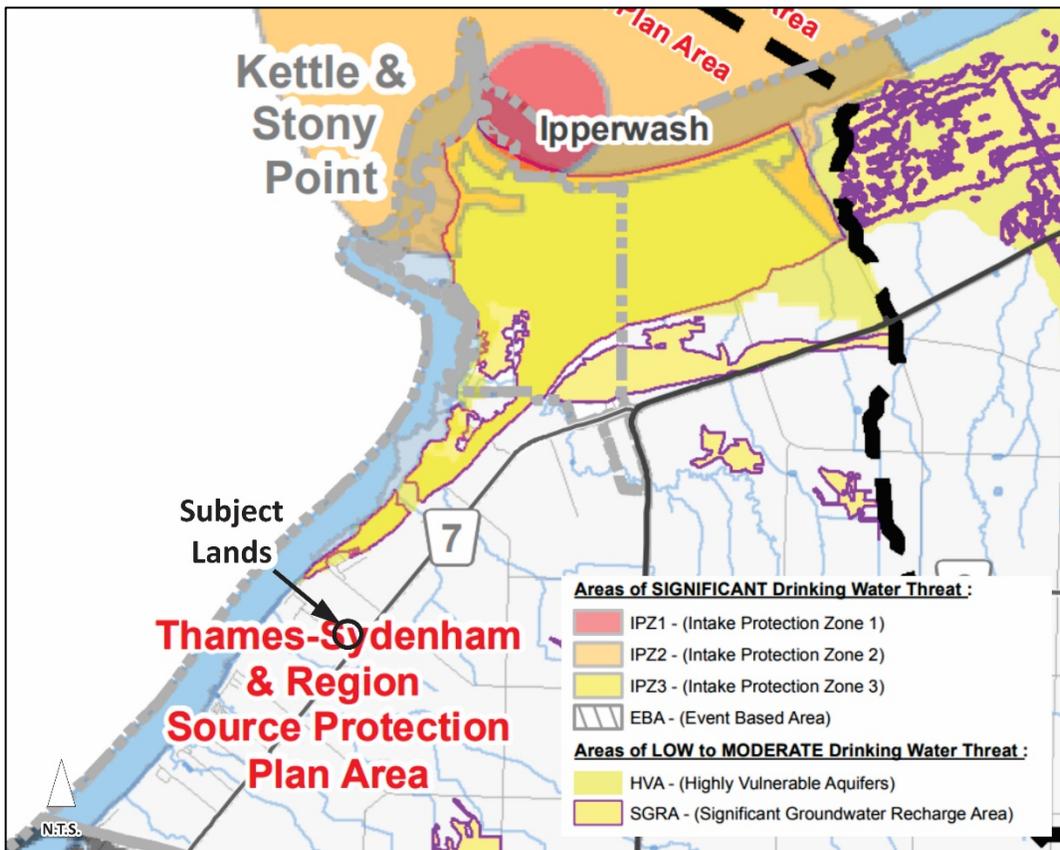
c) *development must be consistent with natural heritage goals;*

The proposed development is consistent with the natural heritage goals of the County OP, as there are no Natural Heritage Features on or adjacent to the subject lands, as identified on Map 2 (see Figure 11, above).

d) *designated groundwater and surface vulnerable areas must be protected, and where possible restored and/or improved; and*

The subject lands are not located within a groundwater protection area, as identified on Appendix Map 'A' – Source Protection Plans (see Figure 12, below).

Figure 12 - Excerpt from Appendix Map 'A', Lambton County Official Plan



Source: Lambton County Official Plan, 2021

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e) *municipal sanitary sewage services are not practical or feasible.*

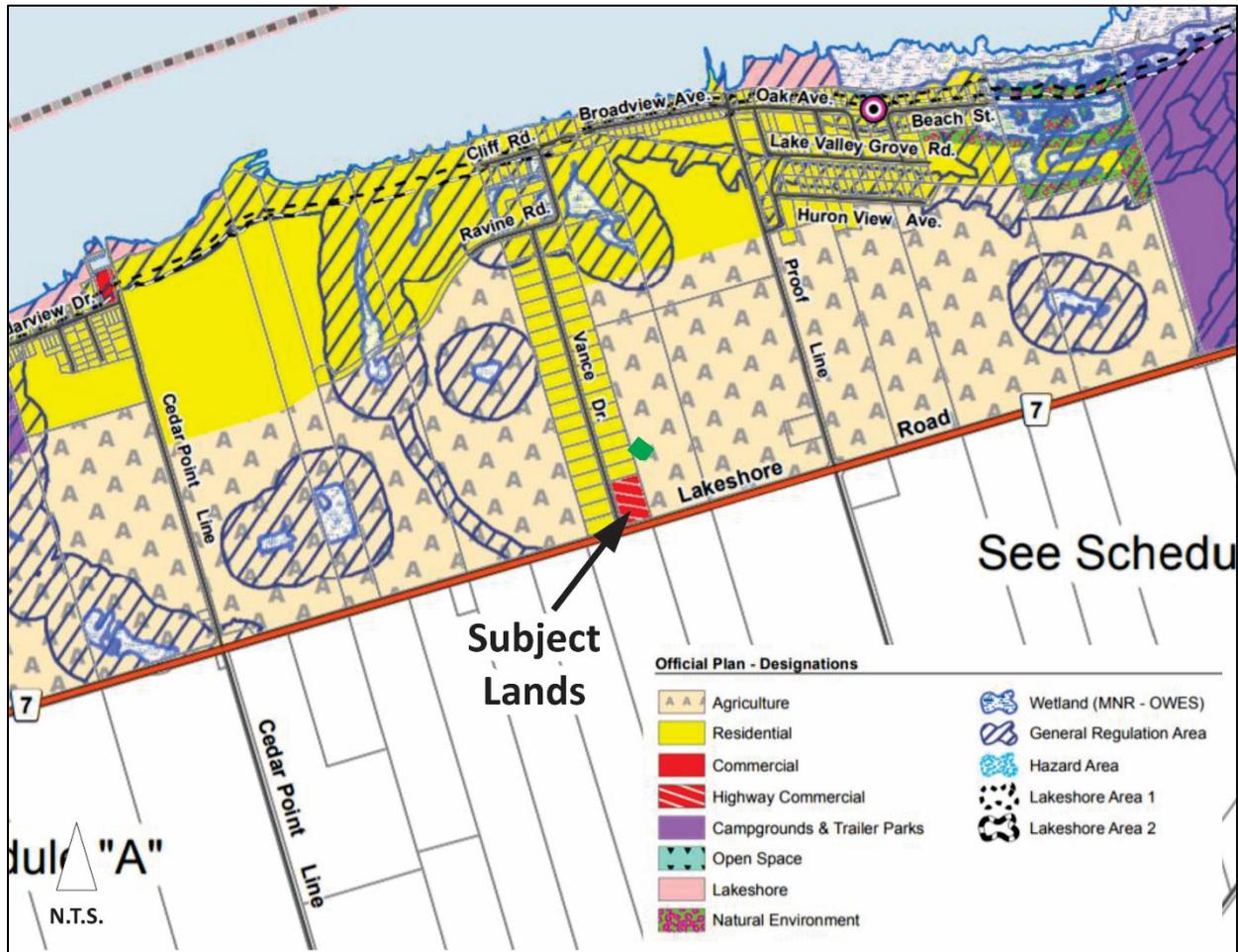
Municipal sanitary sewage services are not practical in this location. The subject lands, along with the residential dwellings fronting onto Vance Drive to the west, have been designed to be serviced by individual private septic systems.

In light of the above, the proposed development conforms to the general intent and purpose of the Lambton County Official Plan and policies regarding development in Secondary Settlement Areas. As specific land-use designations are established through the Local OP, no amendment to the County OP is required to permit the proposed development.

### 4.4 Municipality of Lambton Shores Official Plan

The subject lands are designated 'Highway Commercial' on Schedule 'A5' (West Bosanquet) of the Municipality of Lambton Shores Official Plan ('Local OP') (see Figure 13, below). The 'West Bosanquet Lakeshore Community' and Planning Area is located along the shore of Lake Huron, to the west of Lakeshore Road, and is made up of small clusters of residential communities which "were originally developed as seasonal cottage sites, but evolved during the 1960s and 70s to become more permanent home sites" (s.s. 1.2.8). The area is serviced by municipal water and private septic systems, with development restricted to "minor infilling on existing lots and very limited new lot creation" (s.s. 1.2.8).

Figure 13 - Excerpt from Schedule 'A5' (West Bosanquet), Municipality of Lambton Shores Official Plan



Source: Municipality of Lambton Shores Official Plan, 2015

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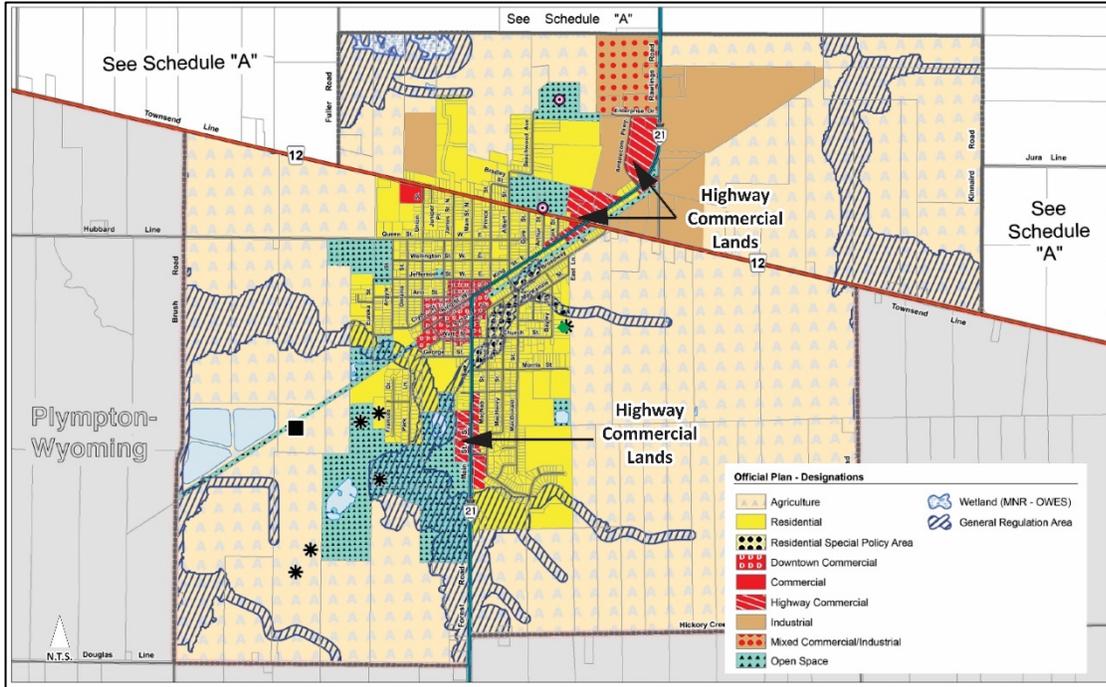
The 'Highway Commercial' designation permits a range of commercial uses that require large amounts of land and off-street parking, and are intended to serve the commercial needs of communities, surrounding agricultural areas, the travelling public, and tourists (s.s. 6.4.1). Permitted uses include, but are not limited to, automobile-related uses; marine and recreational vehicle sales and service establishments; farm implement sales; restaurants; antique stores and flea markets; motels, cabins, and tourist-related accommodations; **existing** residential uses; kennels; and commercial recreation uses (s.s. 6.4.1). In the effort to protect and prioritize downtown commercial areas, the existing policy framework constrains commercial development on the subject lands (s.s. 6.4). It is anticipated that most 'Highway Commercial' properties will develop as single-use establishments (s.s. 6.4). Existing retail stores, personal service shops, merchandise service shops, offices, and financial institutions will continue to be permitted, but new uses of this type **must** be located downtown and will only be considered for this designation *"if the Downtown areas are healthy and vibrant and 90% of the available floor space in the downtown is occupied"* (s.s. 6.4.1). The establishment of retail stores, personal service shops, merchandise service shops, offices, and financial institutions with floor areas of less than 500 m<sup>2</sup> are **not permitted** in the 'Highway Commercial' designation, in order to protect downtown commercial areas (s.s. 6.4.2). Overall, the Local OP directs most future commercial development towards Forest, Grand Bend, Arkona, and Thedford (the main settlement areas), with minor infilling in existing commercial areas occurring in West Bosanquet (s. 6, s.s. 6.2.2.5).

The other 'Highway Commercial' lands in the Municipality of Lambton Shores are located at the outer edges of the Forest and Arkona settlement areas (as shown on Schedules 'A6' and 'A8', see Figures 14 and 15, below). Forest and Arkona are both fully-serviced communities where large-scale growth and intensification are permitted (s.s. 1.2.1, 1.2.4). 'Highway Commercial' lands are intended to develop as single-use establishments, but multiple properties are designated as 'Highway Commercial' in each community, which allows for the formation of "commercial hubs" in close proximity to residential neighbourhoods (i.e., their customer base) (s.s. 6.4). By contrast, the subject lands are the sole 'Highway Commercial' property in West Bosanquet, and have not attracted much interest as a commercial property for the ten years in which the property was for sale.

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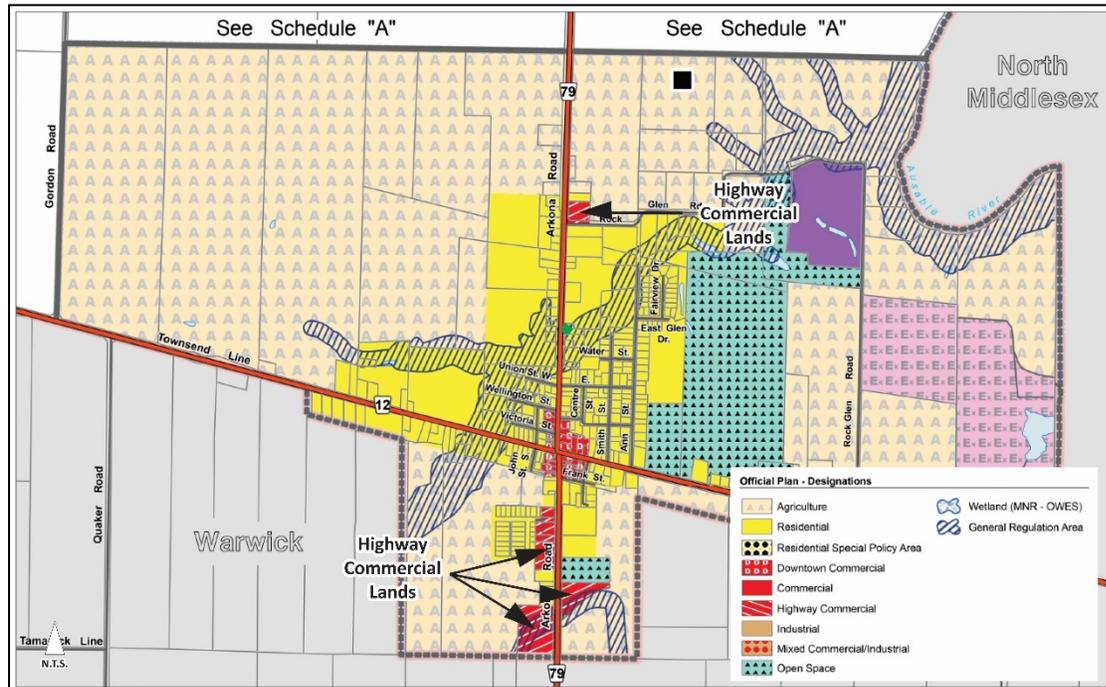
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Figure 14 - Schedule 'A6' (Forest), Municipality of Lambton Shores Official Plan



Source: Municipality of Lambton Shores Official Plan

Figure 15– Schedule 'A8' (Arkona), Municipality of Lambton Shores Official Plan



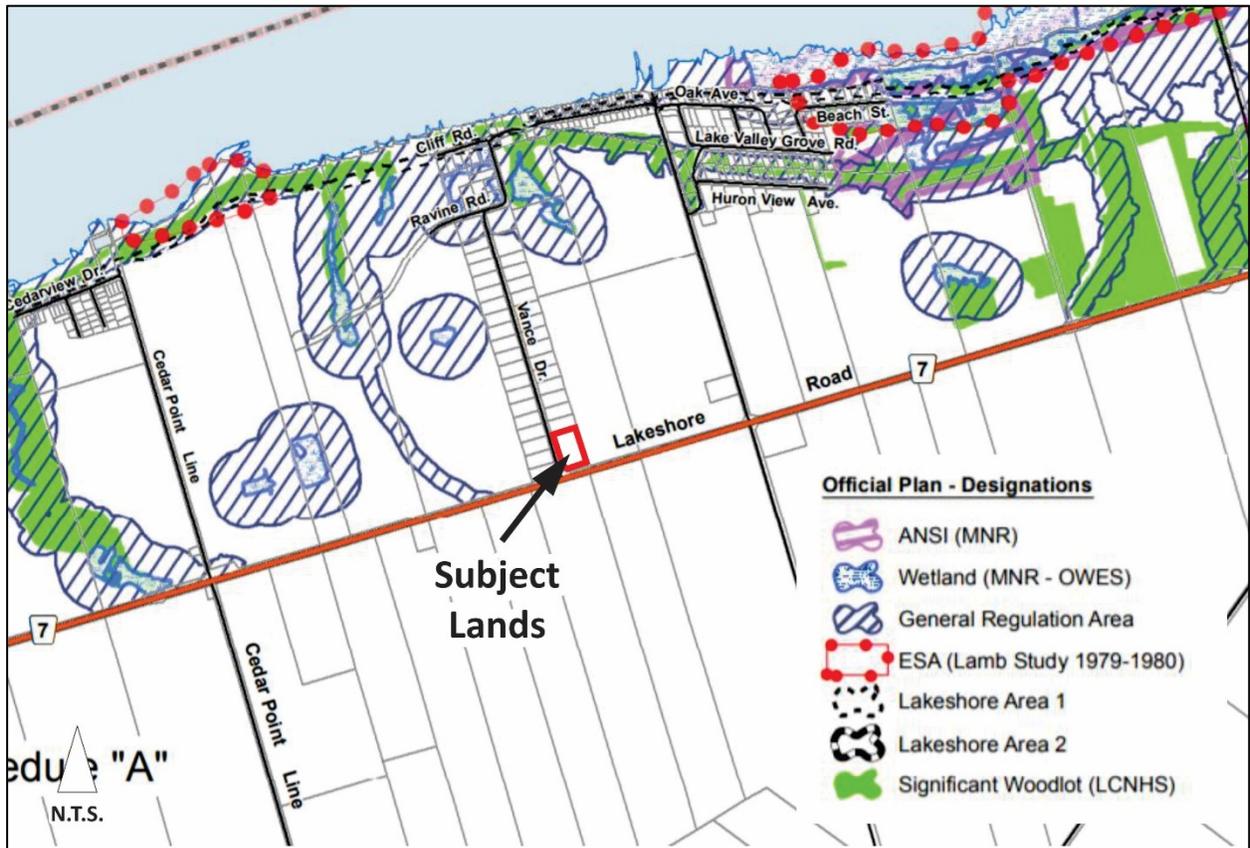
Source: Municipality of Lambton Shores Official Plan

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There are no natural heritage features designated on the subject lands, as shown on Schedule 'A5' – Natural Heritage of the Lambton Shores Official Plan (see Figure 16, below).

Figure 16 - Excerpt from Schedule 'A5' – Natural Heritage (West Bosanquet), Municipality of Lambton Shores Official Plan



Source: Municipality of Lambton Shores Official Plan, 2015

## Proposed Official Plan Amendment

The subject lands are proposed to be re-designated **FROM 'Highway Commercial' TO 'Residential'** to permit the conversion of the existing building on-site into a seven-unit multiple dwelling building, which will provide rental housing for the community and revitalize an abandoned property located at a prominent intersection at the edge of an existing settlement area. The 'Residential' designation permits low-density and medium-density development, consisting of single and semi-detached dwellings, modular homes, duplexes and triplexes, townhouses, cluster houses, and low-rise multiple dwellings (apartment buildings) (s.s. 5.3). The existing building was previously used as a gas station, farmer's market, variety store, and restaurant, but these uses ceased some time prior to 2015, and the building has remained vacant ever since. Our client has identified a unique opportunity to convert an existing building into multi-unit rental housing within an established settlement area, filling a niche in a housing market that is predominantly comprised of owner-occupied and single-detached dwellings.<sup>12</sup>

The proposed development and required Official Plan Amendment are consistent with the general goals and objectives of the Local OP, namely: the focus on growth in existing settlement areas and intensification/redevelopment over greenfield development; directing development away from hazard lands; and promoting attractive and functional site and building design sensitive to the scale and character of surrounding land uses (s.s. 2.2). The proposed adaptive re-use of an existing building on an existing lot is also consistent with the growth policies of the Local OP, which direct that development in the West Bosanquet area is restricted to minor infilling on existing lots and minor lot creation only (s.s. 2.3.3). The proposed development requires the re-designation of a vacant 'Highway Commercial' property to 'Residential', but does not require the expansion of a settlement area (s.s. 2.3.3).

Land allocation for residential development in the Local OP is based on population and land requirement projections prepared in 2015, prior to the changes in migration, settlement patterns, and housing market trends brought about as a result of the COVID-19 pandemic. As remote work became more common, many Canadians chose to leave large urban cities for smaller communities and less expensive housing, which has increased the demand for and cost of housing in communities such as Lambton Shores.<sup>13</sup> The Local OP identified that the Municipality of Lambton Shores had a surplus of residential land, based on an anticipated addition of 61 dwelling units to the municipality per year (s.s. 2.3.2). However, the number of building permits issued by the Municipality for new single-detached dwellings has surpassed this projection: 36 permits were issued in 2019, and 112 permits were issued in 2021, a 211% increase. As mentioned in Section 4.3 of this report, the Municipality of Lambton Shores population increased 11.7% between 2016 and 2021, with a greater share of private dwellings occupied "by usual residents" (68.2% in 2016, vs. 73.5% in 2021).<sup>14</sup>

<sup>12</sup> Statistics Canada. 2017. Lambton Shores, MU [Census subdivision], Ontario and Lambton, CTY [Census division], Ontario (table). Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29, 2017. <https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/index.cfm?Lang=E> (accessed March 15, 2022).

<sup>13</sup> CBC News. (2022, January 13). More people leaving Toronto, Montreal for smaller pastures as pandemic hastens urban exodus. CBC News. <https://www.cbc.ca/news/canada/urban-exodus-canada-toronto-montreal-covid-19-1.6313911#:~:text=More%20than%2064%2C000%20people%20left%20Toronto%20for%20other%20parts%20of,6%2C600%20moving%20out%20of%20province.>

<sup>14</sup> Statistics Canada. 2022. (table). Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 9, 2022. <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/index.cfm?Lang=E> (accessed March 29, 2022).

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Commercial building activity in the Municipality has remained relatively flat, with only 40 building permits for commercial development (encompassing new development, additions, and alterations/renovations) issued between 2019 and 2021 (see Section 3.3. of this report). In light of these trends, is our professional opinion that the proposed conversion of the subject lands from 'Highway Commercial' to 'Residential' represents good planning. There are many other 'Highway Commercial' properties in the Municipality located within higher-tier settlement areas in proximity to a wider customer base; the subject lands have been for sale for ten years and the existing building has been vacant since at least 2016; no new expansion to a settlement area is being proposed; and the proposed development will address the shortfall of multi-unit rental housing in the Municipality. The proposed Official Plan Amendment will allow our client to transform a vacant building at the edge of a low-density residential community into an attractive multi-unit residential development (s.s. 5.1, 5.3).

The proposed development is consistent with the Local OP policies for the 'Residential' designation, as the proposed development will be compatible with the scale, density, and character of surrounding land uses (s.s. 5.4). The existing building has co-existed with neighbouring residential uses since 1985, and no new buildings are proposed to be constructed on the property. The proposed changes to the site will represent a net **improvement** to existing conditions, as the parking lot is proposed to be paved, landscaping will be regularly maintained, and the building exterior will be updated and renovated. Low-density development at a maximum density of 20 units per Ha and medium-density development such as townhouses and cluster houses at a maximum density of 40 units per Ha are permitted within the 'Residential' designation. (s.s. 5.3). The proposed building form would be categorized as "medium-density", but the proposed density of approximately 5 units per Ha is compatible with adjacent low-density development on private septic services. No adverse impacts to surrounding land uses are expected (s.s. 5.4). Traffic to and from the proposed development will only travel along Vance Drive for a few metres before turning left or right onto Lakeshore Road, and the proposed development will not have a significant impact on the operations of nearby livestock barns in the Agricultural Area, as existing residential properties are located just as close (or closer) to existing livestock barns (s.s. 5.4). Further, Minimum Distance Separation ('MDS') setbacks are **not** required for proposed land use changes within approved settlement areas, *"as it is generally understood that the long-term use of the land is intended to be for non-agricultural purposes"* (MDS Implementation Guideline #36).

The subject lands are located at the intersection of an 'Arterial Road' (County Road 7, or Lakeshore Road) and a 'Local Road' (Vance Drive), as described in Section 13 of the Local OP. New access points to Arterial Roads are discouraged where there is suitable access to a local road, so the proposed development will utilize the existing access from Vance Drive and close the existing access to Lakeshore Road (s.s. 13.2.3).

While municipal sewage services are the preferred form of servicing for new development (and required in urban areas), individual on-site sewage services may be permitted in areas where municipal sewage services are not available and where private communal services are not practical (s.s.13.3). In this case, the proposed development will utilize an **existing** private septic system on lands located within the settlement area, and will be serviced by the municipal water system (s.s. 13.3). Stormwater management controls on the subject lands will be addressed through the Site Plan Agreement process (s.s. 13.4.2).

## PLANNING JUSTIFICATION REPORT

6320 Lakeshore Road  
Lambton Shores, Ontario

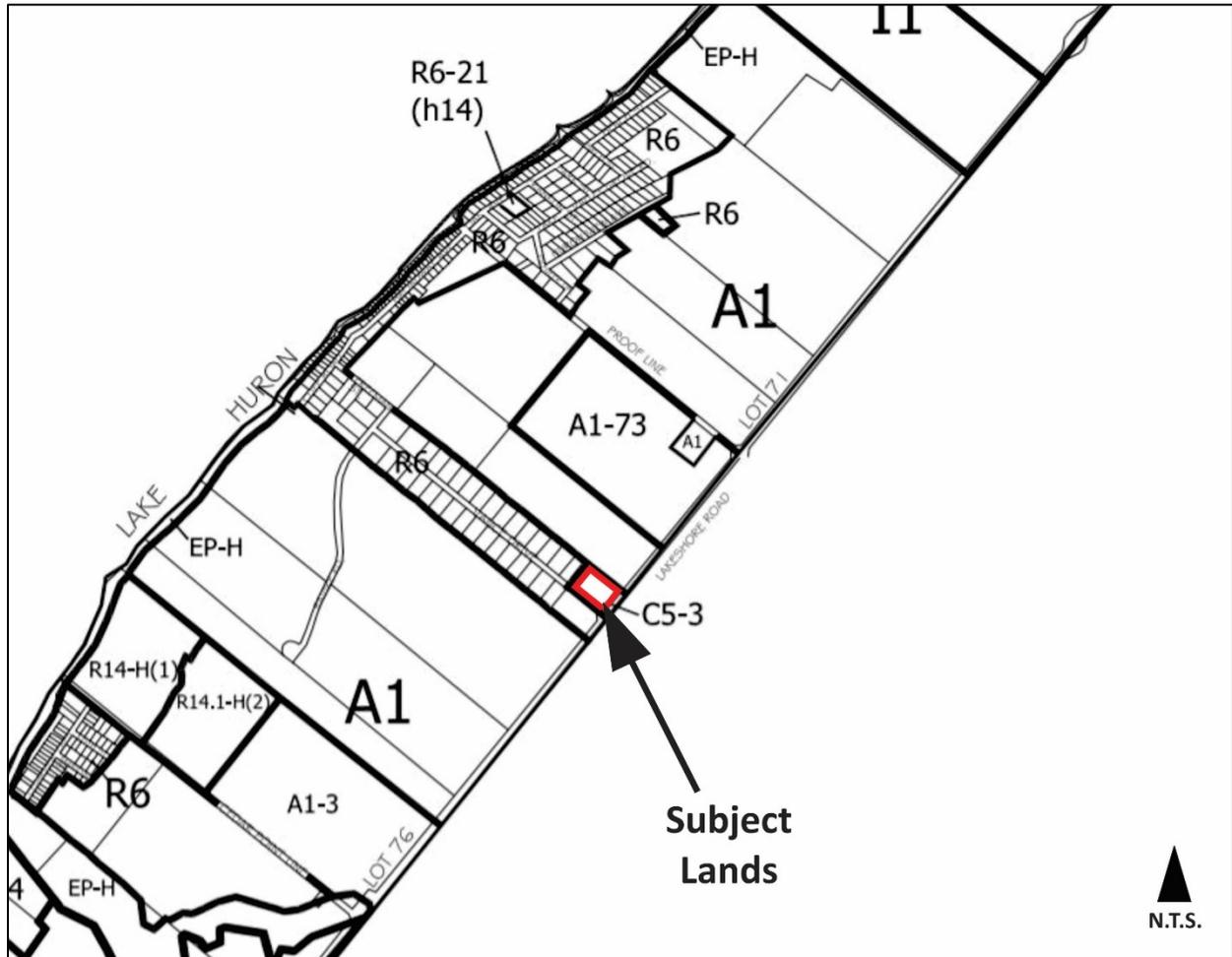
In light of the above analysis, the proposed Official Plan Amendment **conforms** to the general intent and purpose of the Municipality of Lambton Shores Official Plan.

### 4.5 Municipality of Lambton Shores Zoning By-law No. 1 of 2003

Schedule 'A-1' of the Municipality of Lambton Shores Zoning By-law No. 1 of 2003 zones the lands as 'Commercial 5 – Exception 3' (C5-3) (see Figure 17, below). The existing zone has been overlaid over an aerial photo of the property and surrounding area in Figure 18, below.

The 'C5' parent zone permits the following limited range of commercial uses: local retail store, personal service store, restaurant, retail store, office, bank, and one accessory dwelling unit (s.s. 24.1). The site-specific 'C5-3' zone specifically permits a tavern and gas bar (s.s. 24.3 c)). No stand-alone residential uses are currently permitted, so a Zoning By-law Amendment is required to permit the proposed development.

Figure 17 - Excerpt from the Municipality of Lambton Shores Schedule 'A-5' (West Bosanquet) of Zoning By-law No. 1 of 2003



Source: Municipality of Lambton Shores Zoning By-law No. 1 of 2003

PLANNING JUSTIFICATION REPORT

6320 Lakeshore Road  
Lambton Shores, Ontario

Figure 18 – Excerpt from Lambton County Aerial Mapping, Showing Municipality of Lambton Shores Zoning



Source: Lambton County Online GIS, 2021

**Proposed Zoning By-law Amendment**

The subject lands are proposed to be rezoned **FROM 'C5-3' TO 'Residential 3' ('R3')** to permit the conversion of the existing commercial building into a 'multiple dwelling' with seven units. The 'Residential 3' ('R3') zone permits a wider range of dwelling types than the 'R1' and 'R2' zones, including converted, triplex, street townhouse, stacked townhouse, townhouse, and multiple dwellings, as well as Group Homes (Type 1), home occupations, and bed and breakfasts (s.s. 9.1). The proposed development conforms to the Zoning By-law definition of a 'multiple dwelling': "a Building on a Lot used or designed as a residence and containing four (4) or more Dwelling Units all of which have access from a common corridor or hallway and/or an independent entrance from the outside" (s. 2). No special provisions are required, as the proposed development conforms with all applicable site regulations for the 'R3' zone, as identified in Table 6, below.

**Table 6 – 'R3' Zone Regulations**

<b>9.2 Site Regulation</b>	<b>Required</b>	<b>Subject Lands</b>
a) Minimum Lot Area iv) Multiple Dwelling	300 m <sup>2</sup> per dwelling unit =2,400 m <sup>2</sup>	14,000 m <sup>2</sup>
b) Minimum Lot Frontage iv) Multiple Dwelling	30m	79m
c) Minimum Front Yard Setback iv) Multiple Dwelling	6m	28m
d) Minimum Interior Side Yard Setback (if attached garage)	Not applicable	Not applicable
e) Minimum Interior Side Yard Setback (if no attached garage) iv) Multiple Dwelling	10m and 0m where attached to another multiple dwelling unit	27m and 0m where attached to another municipal dwelling unit
f) Minimum Exterior Side Yard Setback iv) Multiple Dwelling	7m	25m
g) Minimum Rear Yard Setback iv) Multiple Dwelling	10m	77m
h) Maximum Lot Coverage iv) Multiple Dwelling	40%	5%
i) Maximum Building Height	11m	8.3m
j) Minimum Landscaped Open Space	30%	74%

The subject lands abut an 'R6' zone, not an 'R1' or 'R2' zone, so a planting strip is not required adjacent to and inside the 'R3' boundary as per s.s. 9.3 a) of the Zoning By-law.

The General Provisions of the Zoning By-law require a minimum of 1.5 parking spaces to be provided per dwelling unit (s.s. 3.29.1). A total of 22 parking spaces (or 3.14 spaces per unit) are proposed to be provided in front of the existing building, exceeding the requirements of the Zoning By-law. All parking spaces will conform to the front yard and exterior side yard setback requirements of the 'R3' zone, as required by s.s. 3.29.6 of the Zoning By-law. Our client is planning to pave the parking lot as required by s.s. 3.29.8 a) of the Zoning By-law, a matter that will be addressed through Site Plan Approval.

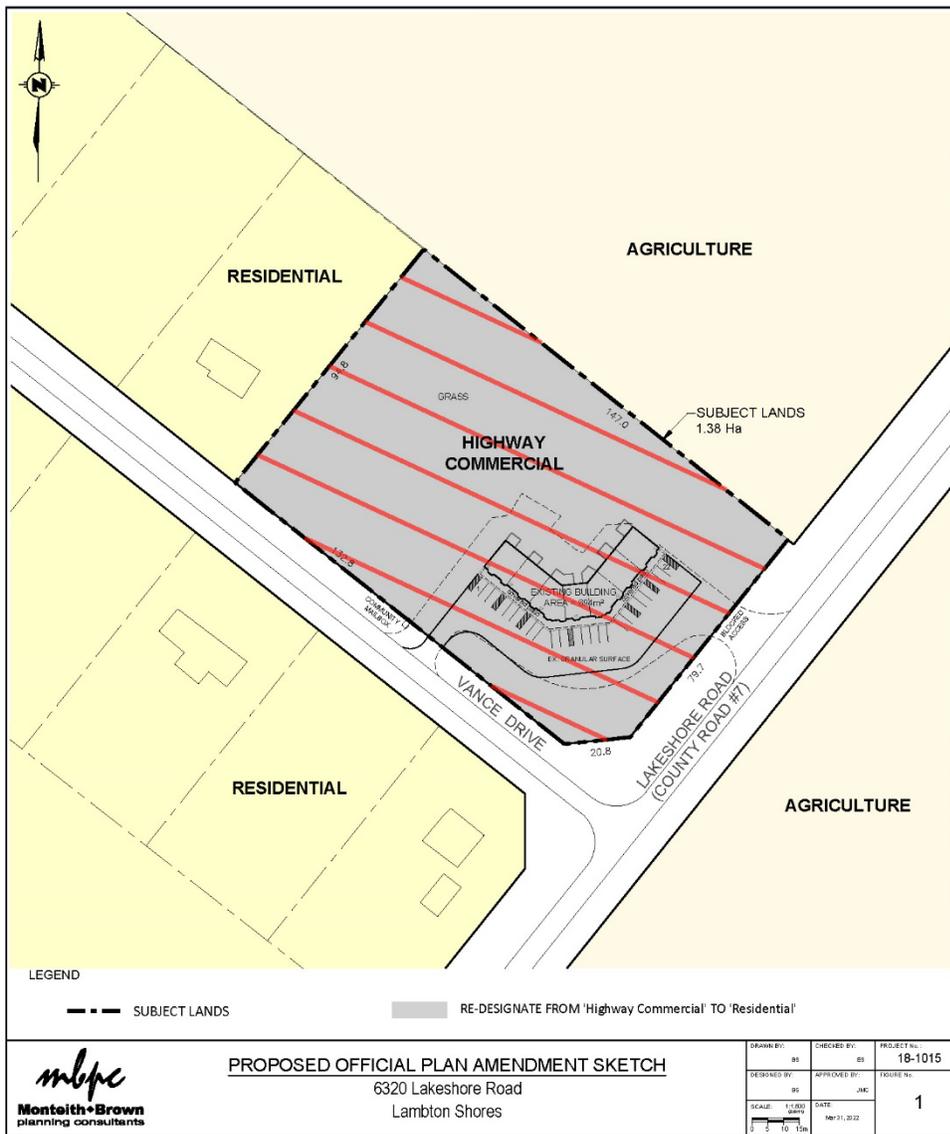
In summary, the proposed Zoning By-law Amendment maintains the general intent and purpose of the Municipality of Lambton Shores Zoning By-law No. 1 of 2003.

## 5. PROPOSED PLANNING APPROVALS

### 5.1 Official Plan Amendment

The subject lands are proposed to be re-designated FROM 'Highway Commercial' TO 'Residential' on Schedule 'A5' of the Municipality of Lambton Shores Official Plan, to permit the adaptive re-use of the existing building as a seven-unit multiple dwelling (see Figure 19, below).

Figure 19 - Proposed Official Plan Amendment Sketch



Source: MBPC, 2022

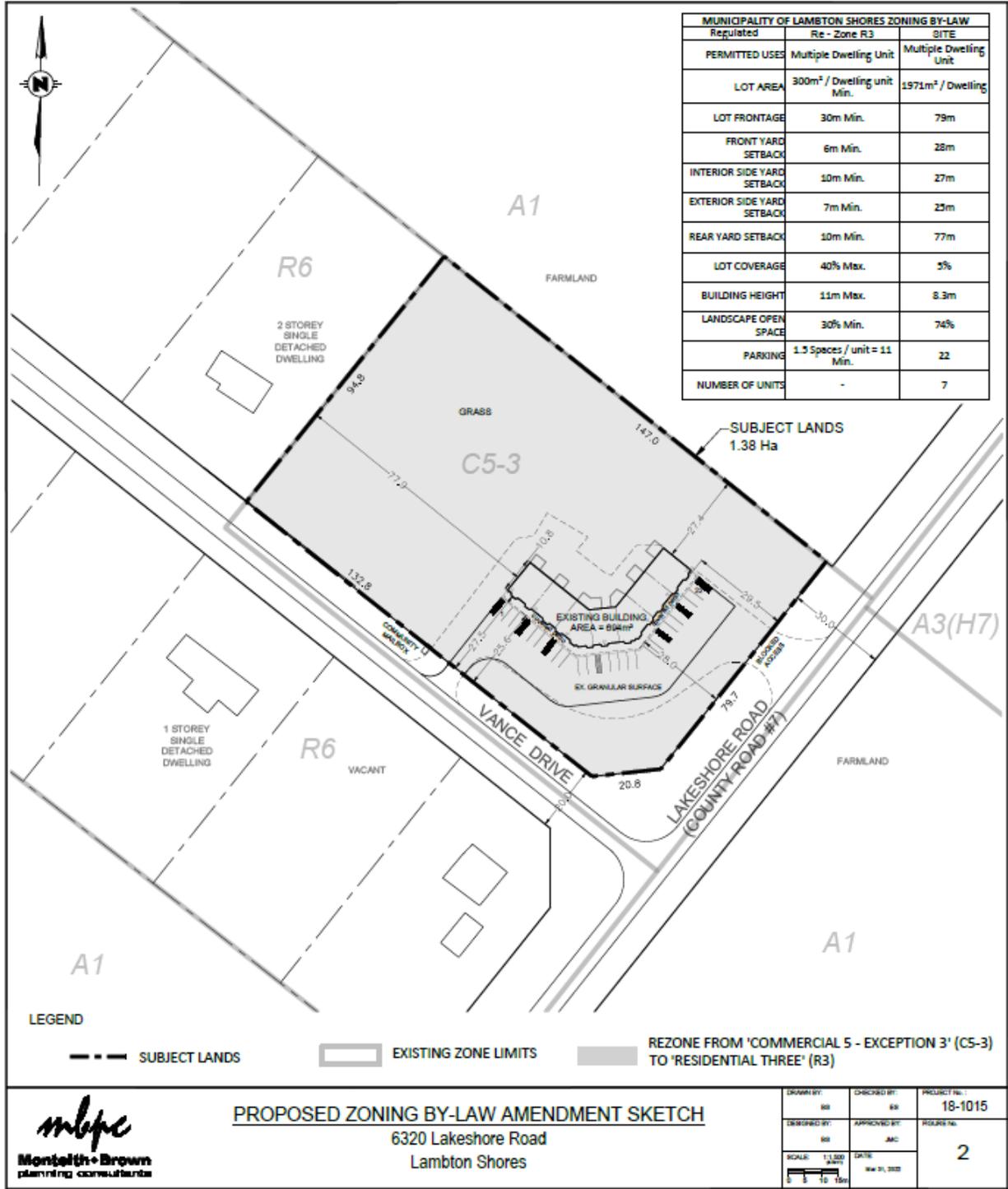
## **5.2 Zoning By-law Amendment**

The subject lands are proposed to be re-zoned FROM 'Commercial 5 – Exception 3' TO 'Residential 3' ('R3') to permit the re-use of the existing building as a seven-unit multiple dwelling (see Figure 20, on the next page). No site-specific provisions are required.

# PLANNING JUSTIFICATION REPORT

6320 Lakeshore Road  
Lambton Shores, Ontario

Figure 20 - Zoning By-law Amendment Sketch



Source: MBPC, 2022

## 6. CONCLUSION

Based on the above analysis, the proposed Official Plan and Zoning By-law Amendment applications are consistent with the Provincial Policy Statement, conform to the Lambton County Official Plan, and maintain the general intent and purpose of the Municipality of Lambton Shores Official Plan and the Municipality of Lambton Shores Zoning By-law No. 1 of 2003.

The following materials have been submitted to the Municipality of Lambton Shores along with this report in support of the Official Plan and Zoning By-law Amendment applications:

- One (1) copy of an Official Plan Amendment Application form;
- One (1) copy of a Zoning By-law Amendment Application form;
- One (1) copy of an Official Plan Amendment Sketch;
- One (1) copy of a Zoning By-law Amendment Sketch;
- One (1) copy of the Authorization as Agent form; and
- One (1) copy of a conceptual site plan, building elevations, and floor plans (Lucas Design Group Inc., 2022).

The application fees will be submitted directly to the Municipality under separate cover by our client.

We trust that the enclosed information is satisfactory to address the submission requirements and look forward to working with staff to advance the applications. If you have any questions regarding this matter or require any additional information, please do not hesitate to contact me.

Respectfully Submitted,

### MONTEITH BROWN PLANNING CONSULTANTS



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Jay McGuffin, MCIP, RPP  
Vice President, Principal Planner  
jmcguffin@mbpc.ca

JMc:hs

**PLANNING JUSTIFICATION REPORT**

6320 Lakeshore Road  
Lambton Shores, Ontario

**Appendix 1**    **Pre-Consultation Meeting Notes**

# Pre-Consultation Meeting Notes

---

Client: Lekker Homes (c/o Roger Buurma)

File #: 18-1015

Date: September 23, 2021

Place / Time: Zoom, 11 AM

Attendees: Corrine Nauta (Manager of Building Services, County of Lambton)  
Will Nywening (Planner, Municipality of Lambton Shores)  
Nick Verhoeven (Engineering Specialist, Municipality of Lambton Shores)  
Roger Buurma (Lekker Homes)  
Hannah Shirliff (Planner, MBPC)  
Jay McGuffin (Vice-President and Principal Planner, MBPC)

**Reference: Pre-Consultation – Proposed Conversion of Existing Commercial Building to Multi-Unit Residential**  
6320 Lakeshore Road, Municipality of Lambton Shores

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The purpose of this meeting was to review the Request for Pre-Consultation letter and development proposal for 6320 Lakeshore Road (“the subject lands”) submitted by MBPC on behalf of their client, Lekker Homes (c/o Roger Buurma) on September 16, 2021.

Hannah began the meeting by providing a brief outline of our client’s proposal, which is to convert the existing commercial building on-site into an eight-unit apartment building. The building formerly housed a gas bar, farmer’s market, and variety store, and restaurant, but has sat vacant for several years. The gas pumps and tanks were removed at least six years ago. Roger confirmed that the apartment units would be rented out, and he would act as the landlord.

Will identified that an Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval would be required to permit the proposed development, along with a Draft Plan of Condominium application. Jay noted that if a Condominium application was necessary, it could be filed at a later date, and there would be a negligible difference re: taxation.

Will identified certain matters that would need to be addressed in the Planning Justification Report, such as the location of the subject lands (the lack of proximity to services and amenities) as well as the fact that this the only commercially-designated and zoned property in the area. Will noted his concerns about what happens in five to ten years if the residential development doesn’t work, and the implications for the community in regards to the loss of commercial space. Jay raised the point that the subject lands have sat vacant for years and commercial development has not worked here, and Roger concurred, and noted that the property has been for sale for 10 years. Jay also noted that the Province is in a housing crisis, and this development will add eight units to the community. Will agreed that a formal market study would not be required as part of a complete submission, but this matter will need to be addressed and justified in the report. It was suggested that the report should include a summary/discussion of residential construction permit uptakes in the region and throughout the Province.

Will noted that people purchased lots in this residential cluster for retirement, and are now building on these lots, or selling them as they realize they no longer wish to retire in this location. Jay noted that the converted building could serve as a retirement residence for people currently living in the agricultural community, including snowbirds.

Corrine confirmed that septic flows would need to stay under 10,000 L/day to ensure that Lambton County can approve the proposed development. There is a septic permit on file with the County, and Corrine was not aware of anything that would indicate past failure of the system. However, a septic engineer or installer

**Pre-Consultation Meeting Notes**

September 23, 2021

Page 2 of 2

will be required for the design. For the building permit application, Roger will need to retain an engineer and architect.

Will confirmed that the Municipality is happy with the current brownfield assessment, but Corrine identified that Roger will need a Record of Site Condition for building code requirements.

Will also recommended that Roger and MBPC touch base with the County, as Lakeshore is a County Road. Roger confirmed that he would be fine with only having an entrance to the property off of Vance Drive. (Currently there are two access points to the property, although the one to/from Lakeshore Road is blocked off.)

Nick identified that the Municipality would ask for a calculation of water needs at Site Plan Approval. If the footprint of the building is the same and there are no other changes, a SWM assessment would not be required. However, Roger indicated that he does plan to pave the parking lot, which would represent a change in conditions.

Will suggested that Roger provide a preliminary/conceptual site plan with the Official Plan and Zoning By-law Amendment applications, showing his vision for the property, the improvements he is planning to make, and how the building will be divided into different units. Conceptual elevations would also be helpful, to show the design palette, and what the building will look like from the road.

In summary, the following items are required for a complete Official Plan and Zoning By-law Amendment Application:

- Planning Justification Report, including a justification for converting a commercial parcel to residential, and
- Preliminary/conceptual site plan and building elevations

The foregoing is considered to be a true and accurate record of all items discussed. If you identify any errors or omissions, please contact the author immediately for revision.

**MONTEITH BROWN PLANNING CONSULTANTS LTD.**



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Jay McGuffin, MCIP, RPP  
Vice-President/Principal Planner

JMC:hs

**PLANNING JUSTIFICATION REPORT**

6320 Lakeshore Road  
Lambton Shores, Ontario

**Appendix 2**    **Septic System Correspondence**

## Hannah Surgenor

---

**From:** Corrine Nauta <Corrine.Nauta@county-lambton.on.ca>  
**Sent:** Thursday, September 23, 2021 4:11 PM  
**To:** 'Roger Buurma'; Hannah Shirtliff; Jay McGuffin  
**Subject:** Septic Details - 6320 Lakeshore Road.  
**Attachments:** 20210923155759982.pdf

Ok, so attached is OBC information and Septic Installation Information (p.s. you will have include septic location on site plan)

Each bedroom will equate to 550 L/day.

So for example, if you construct 8 units with 2 bedrooms each -  $8 \times 2(550) = 8800$  L/day (so less than 10,000L/ day)

You have 1200L extra - so you might be able to sneak in a couple of units with 3 bedrooms.

Tank Size is  $x2 =$  so 17,600L required - existing is 27,900L - so ok there  
Bed Size is also adequate.

Hope this helps.

**Corrine Nauta. Dipl. M.A., Dipl. M.M.  
Chief Building Official  
Manager, Building Services  
The Corporation of the County of Lambton  
789 Broadway Street, Box 3000  
Wyoming, ON N0N 1T0**

**Office: 519-845-5420 x5352  
Toll Free:1-866-324-6912  
Fax: 519-845-3817  
Email:corrine.nauta@county-lambton.on.ca**

-----Original Message-----

From: Ricoh Printer  
Sent: Thursday, September 23, 2021 3:58 PM  
To: Corrine Nauta  
Subject: Message from "RNP002673E911DC"

This E-mail was sent from "RNP002673E911DC" (MP C4504ex).

Scan Date: 09.23.2021 15:57:59 (-0400)  
Queries to: ricoh@county-lambton.on.ca

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P please don't print this e-mail unless you really need to.

**8.2.1.3. Sewage System Design Flows**

- (1) For *residential occupancies*, the total daily design *sanitary sewage* flow shall be at least the value in Column 2 as determined from Table 8.2.1.3.A. (See Appendix A.)
- (2) For all other *occupancies*, the total daily design *sanitary sewage* flow shall be at least the value in Column 2 as determined from Table 8.2.1.3.B. (See Appendix A.)
- (3) Where a *building* contains more than one establishment, the total daily design *sanitary sewage* flow shall be the sum of the total daily design *sanitary sewage* flow for each establishment.
- (4) Where an *occupancy* is not listed in Table 8.2.1.3.B., the highest of metered flow data from at least 3 similar establishments shall be acceptable for determining the total daily design *sanitary sewage* flow.

**Table 8.2.1.3.A.**  
**Residential Occupancy**  
Forming Part of Sentence 8.2.1.3.(1)

<i>Residential Occupancy</i>	Volume, litres
Apartments, Condominiums, Other Multi-family Dwellings - per person <sup>(1)</sup>	275
Boarding Houses	
(a) Per person,	
(i). with meals and laundry facilities, or,	200
(ii) without meal or laundry facilities, and	150
(b) Per non-resident staff per 8 hour shift	40
Boarding School - per person	300
Dwellings	
(a) 1 bedroom dwelling	750
(b) 2 bedroom dwelling	1 100
(c) 3 bedroom dwelling	1 600
(d) 4 bedroom dwelling	2 000
(e) 5 bedroom dwelling	2 500
(f) Additional flow for <sup>(2)</sup>	
(i) each bedroom over 5,	500
(ii) (A) each 10 m <sup>2</sup> (or part of it) over 200 m <sup>2</sup> up to 400 m <sup>2</sup> <sup>(3)</sup> , (B) each 10 m <sup>2</sup> (or part of it) over 400 m <sup>2</sup> up to 600 m <sup>2</sup> <sup>(3)</sup> , and (C) each 10 m <sup>2</sup> (or part of it) over 600 m <sup>2</sup> <sup>(3)</sup> , or	100
(iii) each fixture unit over 20 fixture units	75
(iii) each fixture unit over 20 fixture units	50
Hotels and Motels (excluding bars and restaurants)	
(a) Regular, per room	250
(b) Resort hotel, cottage, per person	500
(c) Self service laundry, add per machine	2 500
Work Camp/Construction Camp, semi-permanent per worker	250
Column 1	2

**Notes to Table 8.2.1.3.A.:**

- (1) The *occupant load* shall be calculated using Subsection 3.1.17.
- (2) Where multiple calculations of *sanitary sewage* volume is permitted, the calculation resulting in the highest flow shall be used in determining the design daily *sanitary sewage* flow.
- (3) Total finished area, excluding the area of the finished *basement*.

Table 3.1.17.1.  
Occupant Load  
Forming Part of Article 3.1.17.1.

Type of Use of <i>Building or Floor Area or Part of Floor Area</i>	Area per Person, m <sup>2</sup>
Assembly uses space with fixed seats space with non-fixed seats stages for theatrical performances space with non-fixed seats and tables standing space stadia and grandstands bowling alleys, pool and billiard rooms classrooms school shops and vocational rooms reading or writing rooms or lounges dining, alcoholic beverage and cafeteria space laboratories in schools exhibition halls other than those classified in Group E	See Clause (1)(a) 0.75 0.75 0.95 0.40 0.60 9.30 1.85 9.30 1.85 1.10 4.60 2.80
Care, care and treatment or detention uses B-1 : detention quarters B-2 : treatment and sleeping room areas B-3 : sleeping room areas (See also Article 3.7.1.3.)	11.60 10.00 10.00
Residential uses dwelling units dormitories	See Clause (1)(b) 4.60
Business and personal services uses personal service shops offices	4.60 9.30
Mercantile uses basements and first storeys second storeys having a principal entrance from a pedestrian thoroughfare or a parking area dining, alcoholic beverage and cafeteria space other storeys	3.70 3.70 1.10 5.60
Industrial uses manufacturing or process rooms storage garages storage spaces (warehouse) aircraft hangars	4.60 46.00 28.00 46.00
Other uses cleaning and repair of goods kitchens storage public corridors intended for occupancies in addition to pedestrian travel	4.60 9.30 46.00 3.70
Column 1	2

## 3.1.16. Fabrics

### 3.1.16.1. Fabric Awnings, Canopies and Marquees

- (1) Fabrics used as part of an awning, *canopy* or *marquee* that is located within or attached to a *building* of any type of construction shall conform to CAN/ULC-S109, "Flame Tests of Flame-Resistant Fabrics and Films".

## 3.1.17. Occupant Load

### 3.1.17.1. Occupant Load Determination

- (1) The *occupant load* of a *floor area* or part of a *floor area*, or of a *building* or part of a *building* not having a *floor area*, shall be based on,
- (a) the number of seats in an *assembly occupancy* having fixed seats,
  - (b) two persons per sleeping room or sleeping area in a *dwelling unit* or *suite*, or
  - (c) the number of persons,
    - (i) for which the area is designed, or
    - (ii) determined from Table 3.1.17.1. for *occupancies* other than those described in Clauses (a) and (b).
- (2) If a *floor area* or part of it has been designed for an *occupant load* other than that determined from Table 3.1.17.1., a permanent sign indicating that *occupant load* shall be posted in a conspicuous location.
- (3) For the purposes of this Article, *mezzanines*, tiers and balconies shall be regarded as part of the *floor area*.
- (4) If a room or group of rooms is intended for different *occupancies* at different times, the value to be used from Table 3.1.17.1. shall be the value that gives the greatest number of persons for the *occupancies* concerned.
- (5) Except as provided by Sentence (6) or (7), in dining, alcoholic beverage and cafeteria spaces the *occupant load* shall be determined from Table 3.1.17.1.
- (6) The *occupant load* in Sentence (5) is permitted to be the number of persons for which the space is designed.
- (7) The *occupant load* in Sentence (6) shall be not more than that determined by using an area of 0.6 m<sup>2</sup> per person.

# BUILDING PERMIT FOR SEWAGE SYSTEM

(REQUIRED BEFORE BUILDING PERMIT FOR ASSOCIATED STRUCTURE CAN BE ISSUED)

DATE: JUNE 26, 1998 PERMIT NO.: S-055-98

NAME OF MUNICIPALITY: TOWN OF ROSANQUET

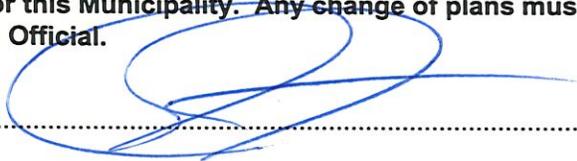
OWNER: 678315 ONTARIO INC. c/o PAUL MEYER  
MAILING ADDRESS: P.O. BOX 412 DASHWOOD, ONTARIO  
PHONE NO: 243-2028 ALTERNATE NO: 786-6500  
INSTALLER / DESIGNER: RIK ELLIOTT CONSTRUCTION  
MAILING ADDRESS: DR #1 KINCARDINE, ONTARIO  
PHONE NO: 395-5858 ALTERNATE NO: (FAX) 395-0142  
LOT LOCATION:  
LOT(S): Block B PLAN / CONCESSION: 691  
MUNICIPAL ADDRESS: 6320 LAVERGNE ROAD

PERMIT TO:  
CONSTRUCT  ALTER  REPAIR  ENLARGE  EXTEND

CLASS 4 SYSTEM  INGROUND  RAISED  PARTIALLY RAISED   
FILTER BED  AREA OF FILTER BED: \_\_\_\_\_ SIZE OF SEPTIC TANK: \_\_\_\_\_  
TRENCHES  LENGTH OF TILE: 372m SIZE OF SEPTIC TANK: 27,900L

CLASS 5 SYSTEM  HOLDING CAPACITY OF TANK: \_\_\_\_\_

CONDITIONS / REMARKS: SEE ATTACHED SCHEDULE 'A'

**\*\*\*NOTICE\*\*\***  
This permit is hereby granted on the condition that the said construction or use thereof shall conform with the Ontario Building Code and all other applicable laws and Regulations for this Municipality. Any change of plans must be noted and approved by the Chief Building Official.  
ISSUED BY: 

**IMPORTANT:**  
WHEN CONSTRUCTION OF THE SEWAGE SYSTEM HAS BEEN COMPLETED IN ACCORDANCE WITH THE CONDITIONS OF THE SEWAGE SYSTEM PERMIT, THE COUNTY INSPECTION DEPARTMENT MUST BE CONTACTED FOR FINAL INSPECTION BEFORE ANY PORTION OF THE SEWAGE SYSTEM IS COVERED. PLEASE TAKE NOTE THAT 48 HOURS ADVANCE NOTICE IS REQUIRED BEFORE AN INSPECTION MAY BE CONDUCTED.

FILE COPY  BUILDING PERMIT COPY  OWNER'S COPY

PHONE 237 3510  
FAX 237-3678

(April 16, 1998)

000-010-17541

**APPLICATION FOR A SEWAGE SYSTEM PERMIT WITHIN THE COUNTY OF LAMBTON**  
 THIS APPLICATION MUST BE COMPLETED IN INK BY THE OWNER OR AGENT (CONTRACTOR, INSTALLER / DESIGNER) - MUNICIPAL OFFICIALS WILL NOT COMPLETE THIS FORM

678315 Ontario Inc. OWNER C/O Ron Merner	INSTALLER Rick Elliott Construction
ADDRESS P.O. Box 42	ADDRESS R.R.# 1
Dashwood	Kincardine
Ontario POSTAL CODE N0M 1N0	Ontario POSTAL CODE N2Z 2X3
TEL HOME (519) 243-2028	TEL (519) 395-5858
WORK (519) 286-6500 (Site)	FAX (519) 395-0142

**PROVIDE THE FOLLOWING PROPERTY INFORMATION FOR THE PROPOSED UNDERTAKING:**

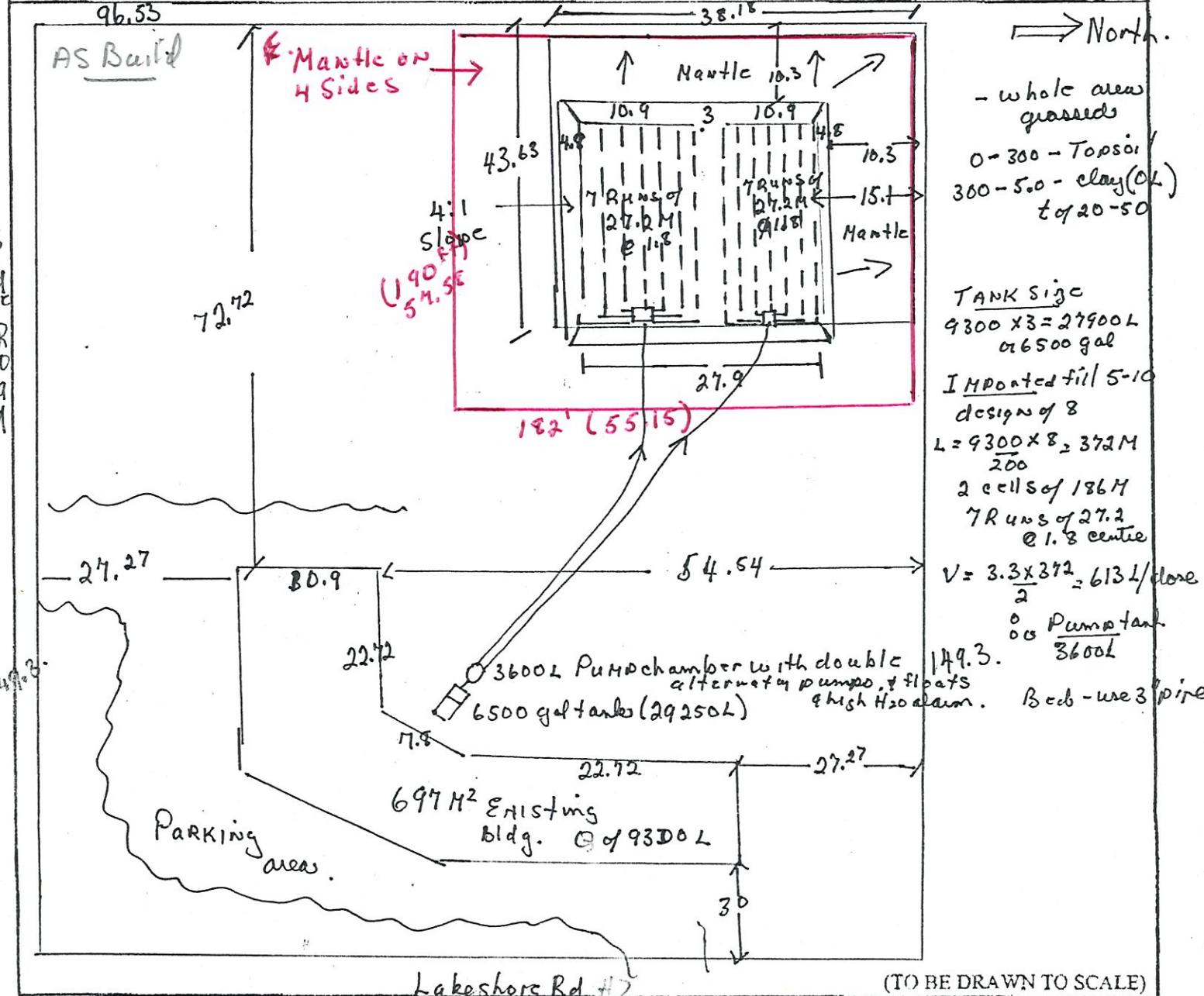
MUNICIPALITY	LOT & CONCESSION	PLAN NO.	SUBLOT#	MUNICIPAL ADDRESS (e.g. 911 Address)
Town of Eqsanquet		691	Block B	6320 Lake Shore Road RR #5 Forest, Ontario NON 1J0

LOT AREA	IS THERE AN EASEMENT OR RIGHT-OF-WAY OVER THE PROPERTY?	ROLL NUMBER
14418 m <sup>2</sup>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (IF YES, SHOW ON PLAN BELOW AND/OR ATTACH A SURVEY)	

USE OF EXISTING AND PROPOSED BUILDINGS SHOWN ON SITE PLAN BELOW AND THEIR FLOOR AREAS

1. 50 Seat Restaurant	3. Farmers Market
2. Variety Store	4.

**THIS AREA BELOW MAY BE USED FOR THE REQUIRED SITE PLAN (as referred to in Section H on the following page)**



(TO BE DRAWN TO SCALE)

**SCHEDULE "A"**

**APPLICATION NO: S-055-98**

Conditions:

- ✓ 1. Construct a fully raised Class 4 sewage system in accordance with the Ontario Building Code, as amended from time to time, and the conditions listed in the attached Sewage System Permit.
- ✓ 2. The minimum length of distribution pipe required is 372 meters (**assuming a percolation rate of 8 min/cm**). **Copies of invoices indicating the source of the imported material must be submitted to this office before a Sewage System Backfill Permit will be issued.** The system shall comprise two cells each with six, 27.4 metre runs installed as indicated in the June 22, 1998 fax submitted by Rick Elliott Construction. The design daily sewage flow shall be considered to be 9300 litres per day generated from a 50 seat restaurant, a 20 booth flea market and a variety store/gas bar.
- ✓ 3. The certified installer of the sewage system shall submit a construction report complete with "as built" drawings and a statement that the sewage system has been constructed in accordance with the conditions of this Permit and the provisions of the Ontario Building Code.
- ✓ 4. Existing on-site soil conditions of the lot shall not be altered in any way that will be detrimental to the operation of the sewage system. The vegetative ground cover may be removed from the area of the sewage system. The native topsoil must be scarified prior to the placement of any leaching bed fill.
- ✓ 5. The bottom of the absorption trenches shall be at least 0.9m above any soils with a T>50 min/cm and at least 0.9m above the high watertable.
- ✓ 6. The sewage system is not to be backfilled until inspected by the County. Porous soil shall be used to backfill the septic system.
- ✓ 7. A grease interceptor must be provided for kitchen liquid wastes. Its capacity, installation and maintenance must comply with the requirements under Section 7.4.4.3. of the Ontario Building Code.
- ✓ 8. Minimum working capacity of the septic tank(s) shall be 27,900 litres. The sewage system designer proposes to use an effluent filter. The filter must be sized, installed and maintained in accordance with the manufacturer's recommendations.
- ✓ 9. Low flow plumbing fixtures must be used throughout the plaza.
- ✓ 10. A pump chamber and pump(s) are required to dose the distribution system. The dosing volume must be set by installer/designer based on the expected daily and peak daily sewage flows. The settings may need to be altered after the true flows and peaks are determined once the businesses are in operation.

- ✓ 11. Water usage shall be metered and an alarm system installed to warn employees when a high sewage level has been reached. The system design/operation must provide for contracted servicing arrangements with a licensed hauler, equipment and facilities to enable the excess capacity to be pumped for haulage. The setting of the high level alarm should be such that ample capacity/time is provided for the sewage hauler to arrive, otherwise use of the system would have to discontinue. A sewage system procedures/contingency manual must be prepared and a copy kept on site to assist employees during an event as described above. The manual must be approved by the Chief Building Official (CBO) for the County of Lambton. The CBO must be notified of each instance when the design sewage flow has been exceeded.
12. If the actual daily sewage flow exceeds 10,000 litres/day more than once a month within any six month period, appropriate measures must be taken to reduce sewage flows. Notification of the Ministry of the Environment may be necessary as it is that Ministry which is responsible for sewage systems with daily sewage flows in excess of 10,000 litres per day.
- ✓ 13. The sewage system must be inspected and maintained on a regular basis. A Use Permit for the sewage system will not be issued by the Sewage System Inspector unless the installer certifies, in writing, that the grading of the lot and installation of the sewage system has been supervised and has been found in keeping with the conditions of this Certificate of Approval.

#### Reasons

1. The reason for conditions 1 through 13 is to ensure that the sewage system is constructed in accordance with the Ontario Building Code as amended from time to time and that it will function properly given on-site soil conditions.

**Rick Elliott Construction**RR#1 Kincardine, Ontario  
N2Z 2X3

A Division of 511414 Ontario Limited

Phone 519-395-5858  
Fax 519-395-0142

June 19, 1998

Design Report  
Class IV Sewage System

Prepared for - Ron Merner

Location - Block B Plan 691 Town of Bosanquet  
6320 Lake Shore Road  
R.R.# 5 Forest, Ontario N0N 1J0Introduction

Ron Merner has purchased property at 6320 Lake Shore Road (Block B Plan 691 Town of Bosanquet) R.R.# 5 Forest Ontario N0N 1J0. The building has been vacant since construction in the early 1980's. The owner is proposing to establish a 50 seat restaurant, gas bar/variety store and small farmers market. Rick Elliott Construction was contacted by Mr. Merner and engaged to prepare the necessary design report and drawings for a new Class IV Septic System to service the site with the proposed usage.

Existing System

Nothing was done for the existing building. It was framed and left at that stage til present.

Proposed Class IV System

Soil Conditions - An analysis of the native material prepared by Agra Environmental Services (analysis # TS98063) determined soil classification as OL - organic silt with a t of 20-50. Two test dug found 0-12" topsoil, organic silt & clay 12"-60". No evidence of high water table but likely to be at bottom of topsoil in spring.

Total Daily Sewage Flow - Existing building prepared to include:-

a) Flea Market of 2800 sq.ft. (260 sq.m.) open 3 or less days per week with no food service vendor space	60L per 45 spaces	2,640
b) 50 seat restaurant with liquor license - Not open 24 hrs per day	use 125L/seat 50 x 125	6,250
c) Variety store/gas bar with 1900 sq.ft. (176.5 sq.m.) with less than 5 people @ 75L each	5 x 75	375
	Total L/day	<u>9,265</u>

Tank Size - Using formula of total daily sewage flow x 3 would be 9300 x 3 = 27,900L (6200G). Therefore use 6500 gal. 2 comp. tank made by J.A. Porter Holdings (Lucknow) Ltd. Tank to be equipped with Zabel A1800 effluent filter in outlet baffle and installed to manufactures specifications.

(cont)

(2)

Tile Bed - Since soil classification is OL(20-50) propose to import material of t of 5-10 using t of 8.0 for design. Using formula  $L = Qt/200$  where  $Q = 9300L$  and  $t = 8.0$  total bed length is  $9300 \times 8/200 = 372m$  (1228 ft) propose to use 2 cells of 186m(614 ft.) with 7 runs of 27.2m(90 ft.) The contact area of tile bed is determined by using daily total sewage divided by loading rate of 6L/sq.m. Therefore  $9300/6 = 1550$  sq.m.(16678 sq.ft.)

#### Pump System

The proposed tile bed is longer than can be handled by a gravity system therefore a dosing system is to be provided. The proposal is to split the flow between 2 cells by alternating dosing. The maximum dose is calculated as 75% of volume of tile bed in each cell. Assuming 3" tile results in a total volume of approximately 3.3L/ft and 630 ft/cell is 2079L(462 gal.). Taking 75% of 2079L the allowable dose is 1559.2L(346.5 gal.) per dose. With a 15 minute maximum dose time the pump will be required to have a capacity of 23 imperial gals. per minute. This pumping rate fits within the pump curve of a Liberty 280 system.

The Pump Chamber size is calculated by taking allowable dose (346.5 gal.) x 1.5-2 times. The proposed size is 800 gal. or 3600L single compartment(Porter) tank with necessary risers to bring access to grade. The pump chamber to be vented and fitted with a carbon filter(as to mfg. specs) to eliminate any odors. The size of this pump chamber allows for sump, dose volume and high water alarm system.

#### Summary

It is proposed that a 6500 gal.(29250L) 2 compartment tank and 800 gal.(3600L) dosing chamber be used with a pump system to be installed which is duplex in nature with various alarms. The pumping system would have a capacity of approx. 23 imperial gals. per minute to allow the dosing of bed within 15 minutes time limit. The tile bed would be installed with 1260 ft.(380M) of tile utilizing imported material having a t of 8.0 with a mantle all the way around.

The system as proposed would service a Flea Market of 260 sq.m. with no food vendor space, a 50 seat restaurant-not open 24 hrs. per day and a variety store/gas bar with less than 5 employees.

Respectfully Submitted

*Rick Elliott*

Rick Elliott Construction  
(Div. of 511414 Ontario Ltd.)  
R.R.# 1  
Kincardine, Ontario  
N2Z 2X3  
Tel. 519-395-5858 FAX 519-395-014

#### Note

- a) as incoming water is metered should be able to verify, if required, the amount of water being used to check daily sewage flow
- b) If required an agreement with O'Brien Sanitation of Grand Bend to provide pumping, in case of a power failure, within 2 hours of being notified can be arranged.



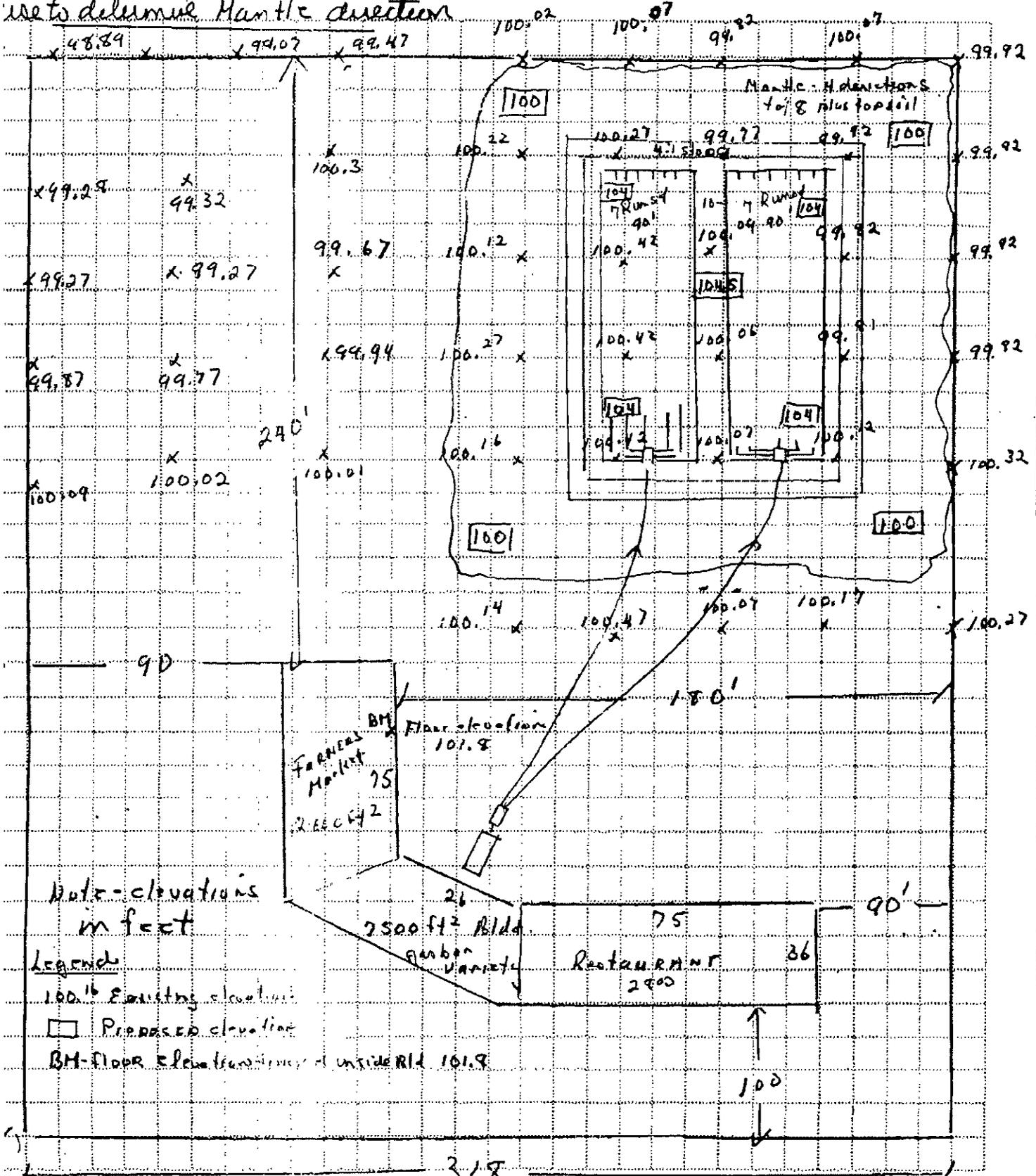


# RICK ELLIOTT CONSTRUCTION

R.R. #1, KINCARDINE, ONTARIO N2Z 2X3  
TELEPHONE (519) 395-5858 • FAX (519) 395-0142



use to determine Mantle directions



Note - elevations in feet

### Legend

- 100.16 Existing elevation
- Proposed elevation
- BM - Floor Elevation inside Rld 101.8

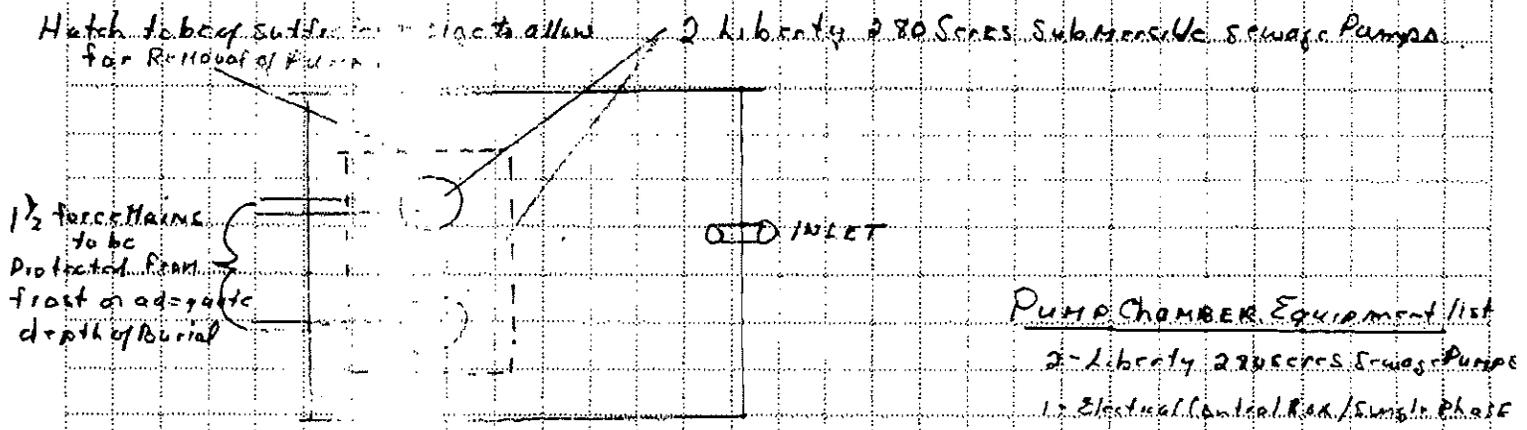
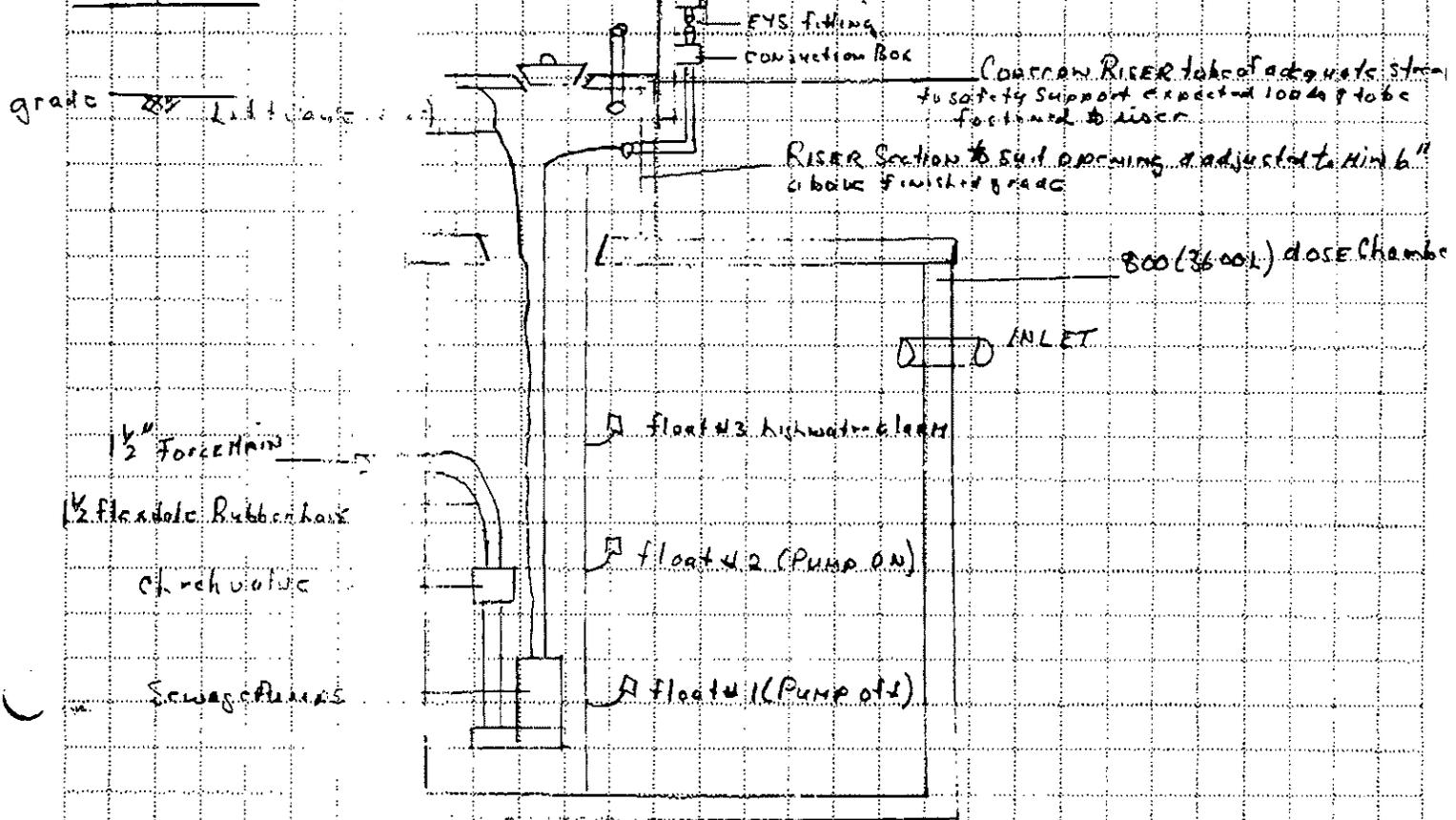
EXCAVATIONS & INSTALLATION OF SEPTIC SYSTEMS  
(INCLUDING CLASS 6 AQUAROBIC)

# RICK ELLIOTT CONSTRUCTION

R.R. #1, KINCARDINE, ONTARIO N2Z 2X3  
TELEPHONE (519) 395-5858 • FAX (519) 395-0142

Control Panel to be outside Mounted on Rise of Pump Chamber

## PUMP Chamber



- PUMP CHAMBER Equipment list
- 2- Liberty 280 series Sewage Pumps
  - 1- Electrical Control Box / Single Phase Liberty duplex outside Control Panel
  - 1- float circuitry & Manual Reset alarm timer control for 5 minute operation of pumps (alternating)
  - 2- floats
  - 2- check valves
  - Adequate length of lift pipe & associated 1/2 piping & appurtenances

EXCAVATIONS & INSTALLATION OF SEPTIC SYSTEMS  
(INCLUDING CLASS 6 AQUAROBIC)

**PLANNING JUSTIFICATION REPORT**

6320 Lakeshore Road  
Lambton Shores, Ontario

**Appendix 3**    **Site Remediation Report**

January 29, 2016

2179175 Ontario Inc.  
c/o Ali Rafi  
6320 Lakeshore Road  
Lambton Shores, ON



**Consultants Ltd.**  
15 Wellington Street N, Suite L3  
Hamilton, Ontario  
L8R 1M7  
Tel. 289-204-0770  
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[www.lawenvironmental.com](http://www.lawenvironmental.com)

**Re: UNDERGROUND STORAGE TANK DECOMMISSIONING  
AND REMEDIAL EXCAVATION  
6320 LAKESHORE ROAD, LAMBTON SHORES, ON**

### **INTRODUCTION**

LAW Consultants Ltd. (LAW) was retained by Mr. Ali Rafi of 2179175 Ontario Inc. (Client) to carry out decommissioning of one existing 35,000L petroleum underground storage tank (UST) including a remedial excavation with confirmation sampling and analysis at 6320 Lakeshore Road in Lambton Shores, ON (Site) (see Figure 1, Site Plan). This letter report provides a summary of the UST Decommissioning and Remediation which consisted of tank excavation and removal using a track mounted excavator, as well as soil screening, segregation, and confirmation sampling and analysis, all of which was carried out commencing on October 28, 2015 through to December 15, 2016.

### **OBJECTIVES**

The project objectives were to assist the Client in reducing environmental liabilities associated with the on-Site Petroleum UST. The scope of work included the following:

- Complete underground utility locates using Ontario One Call;
- Retain services of a licensed Petroleum Mechanic 2 (PM2) contractor at (as per TSSA requirements) and a backhoe operator;
- Supervise removal of the tank and associated piping with assistance from the PM2 and the backhoe operator;
- During excavation activities, perform field screening of excavated soils noting visual and olfactory observations, and conduct headspace combustible soil vapour concentration (CSVC) measurements of the soils using a RKI combustible vapour analyser to determine the presence/absence of petroleum hydrocarbons and volatile organic compounds;
- Determine the vertical and lateral extent of the remedial excavation based on field screening observations and CSVC results;



- Stockpile excavated soils in separate piles based on field screening results (suspect clean and suspect contaminated);
- Collect a composite soil sample from the suspect clean stockpile and submit for chemical analysis of Petroleum Hydrocarbons (F1-F4), BTEX, and Metals to determine whether soil meets regulatory requirements for use as Fill in the excavation;
- Collect a composite soil sample from the suspect contaminated stockpile and submit for Toxicity Characteristic Leaching Procedure (TCLP) analysis to confirm this soil can be accepted at a Licensed Landfill;
- Conduct confirmation sampling and analysis of remaining soil in the excavation floor and side walls to verify that surrounding soils being left in the ground meet regulatory criteria for the selected parameters: Petroleum Hydrocarbons (PHCs) for Fractions F1-F4 and Benzene, Toluene, Ethylbenzene, Xylenes (BTEX);
- The excavated tank is to be stored on site for eventual removal by the owner to a local salvage company;
- Backfill the Remedial Excavation using the stockpiled soil materials upon receipt of laboratory analytical results confirming that stockpiled soil, as well as, surrounding soil in sidewalls and base meet regulatory criteria for use as Fill;
- Remove the stockpiled Contaminated Soil to a Licensed Receiver Site (Waste Management Inc., Petrolia Landfill); and
- Provide a report summarizing results of the UST Decommissioning, Remedial Excavation and Confirmation Sampling and Analysis, as well as, recommendations for any further work required (if needed).

### **REGULATORY CRITERIA**

This project was completed in general accordance with current guidelines described in Ontario Regulation 153/04 as amended by 511/09. The current soil and groundwater quality standards and regulations came into effect in 2011 (Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act, April 15, 2011). The first task in applying the current regulatory criteria, O. Reg. 153, as amended, 2011, is to define the property use and determine if the Site is considered to be a sensitive Site. As documented below the Site is not considered to be an environmentally sensitive Site. Based on this information, MOE Table 3 Full Depth Generic Site Condition Standards (MOE SCS Table 3) in a Non-Potable Ground Water Condition for Industrial/Commercial/Community property use for coarse textured soils was selected as outlined in the MOE document entitled "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", dated April 15, 2011 (MOE 2011).



The following items were considered during the selection of SCS as outlined in O.Reg.153/04 (MOE,2011a):

Conditions	Evaluation
Land use	The current land use is commercial, and the proposed future land use will remain commercial. The land is not used for agricultural or 'other use' as defined by the applicable regulations
Potable or non-potable groundwater	The Site and adjacent properties within 100m are serviced by a municipal water source. The Site does not and will not serve as a raw water supply for a drinking water system.
Proximity to surface waterbody	The Site is not located within 30m of a waterbody.
Proximity to areas of natural	The Site is not considered to be within the proximity of an environmentally sensitive area.
Depth to bedrock	A property is considered a shallow soil property if one-third or more of the property consists of soil depths of 2metres below ground surface (m bgs) or less, excluding non-soil surface treatment (that is, asphalt, concrete, or aggregate)(MOE, 2011a). Site investigation has confirmed that the depth to bedrock is considered to be greater than 2m and shallow soil was not observed on one-third or more of the subject property.
pH of soil	Soil pH is expected to be within the applicable pH range of 5 to 9 pH units for surface soils (<1.5m bgs), and 5 to 11 pH units for subsurface soils (>1.5m bgs)
Soil texture	Coarse textured Silty Sand was present in the excavated area overlying medium-fine textured Silty Clay at depth

### **EXCAVATION OF TANK AND SURROUNDING SOILS**

On October 28<sup>th</sup>, 2015, LAW personnel were on-Site to direct the tank removal and remedial excavation with Jeff Cable a PM2 licensed technician (TSSA #0148939) with Dudman Fuels (Dudman), and Ernie Herrington of Herrington Excavating (Herrington) using a John Deere 160D LC, track mounted excavator. Dudman worked with Herrington to excavate and physically remove the 35,000L UST. LAW personnel provided general direction for the excavation activities, took photographs of the excavation, made field notes, collected soil samples for measuring combustible soil vapour concentrations as an indicator of potential PHCs and BTEX, and collected “worst case” confirmation soil samples from the excavation floor and side walls once the UST was removed from the excavation. A summary of the field work activities carried out on October 28<sup>th</sup>, 2015 is provided below:

- Herrington set up to dig at 8:00am on the east side of the former pump island which is located in the gravel access drive in the southeast portion of the Site (see Figure 2, UST Location Plan);
- The concrete pad at ground surface covering the top of the UST and fill pipe access covers was removed and stockpiled, followed by excavation and stockpiling of surface Fill materials (topsoil, gravel and sand) which was which was carried out to an approximated depth of 1.0 m bgs at which point the 35,000L steel UST was encountered;



- Excavation of soils surrounding the tank and adjacent to the pump island was carried out to the bottom depth of the UST where black pea gravel was encountered surrounding the tank base. As connective piping was exposed in the excavation, it was removed and stockpiled in the yard area. Dudman and LAW personnel manually shovelled sand fill materials from the top of the tank to expose the lifting lugs at the north and south end of the UST;
- Prior to the commencement of excavation activities, the UST was dip tested to confirm there were no liquids present in the tank;
- Dudman attached steel chains from the UST lugs to the excavator bucket in order for Herrington to hoist the tank from the excavation pit and place down upright in the yard alongside steel bollards in the south portion of the property;
- Inspection of the UST confirmed it was fabricated with steel and measured approximately 5.49m in length x 2.44m in diameter with two chambers having a 25,000L capacity for gasoline storage and 10,000L capacity for diesel storage, comprising a total tank capacity of 35,000L;
- Dudman disconnected all pipes and cables from the fuel pumps and removed the pumps prior to Herrington excavating the concrete pump island base and underlying fill materials;
- Any sand fill materials and pea gravel within the UST and pump island excavation that exhibited visual or olfactory evidence of potential fuel impacts (black staining or odours) were stockpiled separately in the southwest yard as “suspect contaminated”.
- Bucket samples were collected from the excavated materials and screened for combustible soil vapour concentrations (CSVC) with the RKI combustible vapour analyzer, the excavation was extended vertically and laterally into native grey silty clay until there were no obvious visual, olfactory or CSVC evidence of potential fuel impacts;
- All excavated soil materials with low indicators of PHC/BTEX impacts were stockpiled separately in the northeast yard as “suspect clean”;
- Upon completion of excavation activities, the final dimensions of the UST excavation was 9.8m x 4.9m x 3.7m deep.



### CONFIRMATION SAMPLING AND ANALYSIS

Upon completion of the UST excavation, the floor area measured approximately 48.0m<sup>2</sup>, which required the submission of 2 soil confirmation samples from the excavation floor and 3 soil confirmation samples from the excavation sidewalls (as per Table 3: “Minimum Confirmation Sampling Requirements for Excavation” appearing in Schedule E of O.Reg. 153/04, as amended) to an environmental laboratory for chemical analysis.

On October 28<sup>th</sup>, 2015, LAW personnel collected bucket samples from the final excavation floor and side walls and screened the soils for CSVC concentrations using the RKI combustible vapour analyzer. Head space concentrations as measured in the field are listed below:

<b>Table 1: CSVC Readings - UST Excavation</b>		
<b>Sample ID</b>	<b>Sample Location</b>	<b>CSVC Reading (ppm)</b>
Bucket 1	West Wall	90
Bucket 2	West Wall	120*
Bucket 3	West Wall	40
Bucket 4	West Wall	50
Bucket 5	North Wall	80
Bucket 6	North Wall	110*
Bucket 7	North Wall	30
Bucket 8	East Wall	5*
Bucket 9	East Wall	0
Bucket 10	South Wall	0
Bucket 11	South Wall	0
Bucket 12	Floor (North)	20
Bucket 13	Floor (North)	90*
Bucket 14	Floor (North)	30
Bucket 15	Floor (South)	50
Bucket 16	Floor (South)	10
Bucket 17	Floor (South)	80*

\*Highlighted readings indicate “worst case” samples submitted for laboratory analysis

Based on CVSC measurements, as summarized above, “worst case” confirmation soil samples from the excavation floor (2) and sidewalls (3) were selected for submission to final confirmatory sampling of the floors and walls was conducted and selected worst case samples were submitted to Paracel Laboratories Ltd. for select laboratory analyses of Petroleum Hydrocarbons (PHCs) (F1-F4), Benzene, Toluene, Ethylbenzene and Xylene (BTEX). In addition to the above, one composite soil sample was collected from each soil stockpile (suspect clean stockpile-HS1N and suspect contaminated stockpile-HS2S) and submitted for chemical analysis of PHCs (F1-F4), BTEX, and Metals to confirm whether this soil meets regulatory requirements for use as on-Site Fill.



**QUALITY ASSURANCE / QUALITY CONTROL**

Parcel is accredited to the ISO/IEC 17025 standard by both the Standards Council of Canada (SCC) and the Canadian Association for Environmental Analytical Laboratories (CALA). Parcel’s Quality System has been modeled after and standardized through the adoption of ISO/IEC 17025 Standard and SCC CAN-P-4D Requirements for the Competence of Testing and Calibration Laboratories. Laboratories meeting the requirements of this standard comply, for testing activities, with the relevant requirements of the ISO 9000 Series of Standards, including those of the model described in ISO 9002 when they are acting as suppliers producing test results.

All selected soil samples were placed in new clean containers provided/prepared by the analytical laboratory and included all required preservatives. Quality assurance and quality control (QA/QC) measures were maintained in the field through equipment decontamination and sampling procedures, as outlined in the MOE Guidance on Sampling and Analytical Methods, 1996.

The soil samples submitted for analysis of BTEX and PHCs (F1-F4) were each collected using a new disposable plastic syringe soil sampler then placing the sample in a 40 ml vial containing a known volume of methanol. One field duplicate was obtained for soil samples.

**LABORATORY ANALYTICAL RESULTS**

As depicted in Table 2 below, the soils collected from the Side Walls and Floor of the Excavation met the MOE SCS Table 3 – Commercial O. Reg. 153/04, as amended, 2011 Soil and Sediment Standards for BTEX and Petroleum Hydrocarbons, with the exception of the West Wall Sample where PHCs (F1) were identified at a concentration of 264 ug/g which exceed the MOE Table 3 SCS of 55 ug/g.

<b>Parameter</b>	<b>Units</b>	<b>AR1028 NWall</b>	<b>AR1028 EWall</b>	<b>AR1028 WWall</b>	<b>AR1028 NBase</b>	<b>AR1028 SBase</b>	<b>AR1028 Duplicate (SBase)</b>	<b>MOE SCS Table 3 Ind/Com/Com</b>
Benzene	ug/g	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	(0.4) 0.32
Ethylbenzene	ug/g	<0.05	<0.05	0.31	0.06	<0.05	<0.05	(19) 9.5
Toluene	ug/g	<0.05	<0.05	0.31	0.37	0.15	<0.05	(78) 68
Xylene Mixture (Total)	ug/g	<0.05	<0.05	0.41	0.44	0.21	<0.05	(30) 26
F1 PHCs (C6-C10)	ug/g	<7	<7	264	<7	<7	<7	(65) 55
F2 PHCs (C10-C16)	ug/g	<4	<4	<4	<4	<4	<4	(250) 230
F3 PHCs (C16-C34)	ug/g	<8	<8	<8	<8	<8	<8	(2,500) 1,700
F4 PHCs (C34-C50)	ug/g	<6	<6	<6	<6	<6	<6	(6,600) 3,300



Analytical results from composite samples taken from the soil stockpiles (see Table 3 below) indicated that both the stockpiled “suspect clean” soil materials (HS1N) and the stockpiled “suspect contaminated” soils (HS2S) met MOE Table 3 SCS criteria, and therefore was suitable for use as on-Site Fill material.

Parameter	Units	AR1028 HS1N	AR1028 HS2S	MOE SCS Table 3 Ind/Com/Com
Antimony	ug/g dry	ND (1.0)	ND (1.0)	(50) 40
Arsenic	ug/g dry	3.3	3.9	18
Barium	ug/g dry	21.5	39.1	670
Beryllium	ug/g dry	ND (1.0)	ND (1.0)	(10) 8
Boron	ug/g dry	8.8	12.9	120
Cadmium	ug/g dry	ND (0.5)	ND (0.5)	1.9
Chromium	ug/g dry	10.9	17.4	160
Cobalt	ug/g dry	4.3	6.3	(100) 80
Copper	ug/g dry	7.8	12.6	(300) 230
Lead	ug/g dry	5.5	6.9	120
Molybdenum	ug/g dry	ND (1.0)	ND (1.0)	40
Nickel	ug/g dry	11.6	17.6	(340) 270
Selenium	ug/g dry	ND (1.0)	ND (1.0)	5.5
Silver	ug/g dry	ND (0.5)	ND (0.5)	(50) 40
Thallium	ug/g dry	ND (1.0)	ND (1.0)	3.3
Uranium	ug/g dry	ND (1.0)	ND (1.0)	33
Vanadium	ug/g dry	16.6	23.0	86
Zinc	ug/g dry	15.7	24.7	340

Parameter	Units	AR1028 HS1N	AR1028 HS2S	MOE SCS Table 3 Ind/Com/Com
Benzene	ug/g	<0.02	0.09	(0.4) 0.32
Ethylbenzene	ug/g	<0.05	0.09	(19) 9.5
Toluene	ug/g	<0.05	1.55	(78) 68
Xylene Mixture (Total)	ug/g	<0.05	0.31	(30) 26
F1 PHCs (C6-C10)	ug/g	<7	<7	(65) 55
F2 PHCs (C10-C16)	ug/g	<4	<4	(250) 230
F3 PHCs (C16-C34)	ug/g	<8	<8	(2,500) 1,700
F4 PHCs (C34-C50)	ug/g	<6	<6	(6,600) 3,300



Based on the regulatory exceedance identified (see Table 2) in the West Wall Confirmation Sample (AR1028 WWall), it was required that additional soil materials be removed from the West Wall of the excavation and disposed as contaminated soil at a Licensed Landfill. In order to confirm Landfill acceptance of the additional contaminated soils that were to be removed from the West Wall of the excavation, the Laboratory was requested to analyze the West Wall Confirmation sample (AR1028 WWall) for Toxicity Characteristic Leaching Procedure (TCLP). Results of the TCLP analysis (see Table 4 below) indicated the contaminated soils from the west wall of the excavation met requirements for acceptance at the Licensed Receiver Site (Petrolia Landfill) operated by Waste Management Inc.

<b>Table 4: TCLP</b>				
<b>Parameters</b>	<b>Units</b>	<b>MDL</b>	<b>Reg 558 Schedule 4</b>	<b>AR1028 W Base (Wall) 1547155-01</b>
% Solids	% by Wt.	0.1		86.6
<b>EPA 1311 - TCLP Leachate Inorganics</b>				
Arsenic	mg/L	0.05	2.5 mg/L	ND (0.05)
Barium	mg/L	0.05	100 mg/L	0.43
Boron	mg/L	0.05	500 mg/L	0.26
Cadmium	mg/L	0.01	0.5 mg/L	ND (0.01)
Chromium	mg/L	0.05	5 mg/L	ND (0.05)
Lead	mg/L	0.05	5 mg/L	ND (0.05)
Selenium	mg/L	0.05	1 mg/L	ND (0.05)
Silver	mg/L	0.05	5 mg/L	ND (0.05)
Uranium	mg/L	0.05	10 mg/L	ND (0.05)
<b>EPA 1311 - TCLP Leachate Organics</b>				
Benzene	mg/L	0.005	0.5 mg/L	ND (0.005)
Carbon Tetrachloride	mg/L	0.005	0.5 mg/L	ND (0.005)
Chlorobenzene	mg/L	0.004	8 mg/L	ND (0.004)
Chloroform	mg/L	0.006	10 mg/L	ND (0.006)
1,2-Dichlorobenzene	mg/L	0.004	20 mg/L	ND (0.004)
1,4-Dichlorobenzene	mg/L	0.004	0.5 mg/L	ND (0.004)
1,2-Dichloroethane	mg/L	0.005	0.5 mg/L	ND (0.005)
1,1-Dichloroethylene	mg/L	0.006	1.4 mg/L	ND (0.006)
Methyl Ethyl Ketone (2-Butanone)	mg/L	0.30	200 mg/L	ND (0.30)
Methylene Chloride	mg/L	0.04	5 mg/L	ND (0.04)
Tetrachloroethylene	mg/L	0.005	3 mg/L	ND (0.005)
Trichloroethylene	mg/L	0.004	5 mg/L	ND (0.004)
Vinyl Chloride	mg/L	0.005	0.2 mg/L	ND (0.005)



## DISCUSSION AND CONCLUSIONS

Analytical results from the confirmation sampling necessitated additional excavation of soil from the West Wall of the Remedial Excavation and disposal at a Licensed Landfill. In addition, LAW recommended that stockpiled soil materials previously excavated from the vicinity of the west wall of the excavation (“suspect contaminated”) should also be disposed as contaminated soil at a Licensed Landfill. This measure was recommended by LAW as an added precaution, even though the composite sample from this stockpiled soil (HS2S) met MOE Table 3 SCS for use as Fill.

On December 4<sup>th</sup>, 2015, LAW personnel made arrangements with Jack Van Geel Excavating of Forest, ON to visit the subject Site with a rubber tire backhoe to excavate additional soil materials from the West Wall of the Excavation. Van Geel excavated approximately 1.5m<sup>3</sup> (4-5 buckets) of additional soil materials from the excavation west wall in the vicinity of the “AR1028 WWall” confirmation sample beneath the former pump island, and stockpiled the materials with the “suspect contaminated” soils (approximately 2.5m<sup>3</sup>) already stored on-Site. LAW personnel collected one soil sample from each bucket removed and screened the soils for CSVC concentrations using the Rkl combustible vapour analyzer. Head space concentrations as measured in the field were 0 ppm for all samples collected.

Upon completion of the excavating activity, LAW personnel collected one confirmation soil sample from the west wall of the final excavation. The collected soil confirmation sample was screened for CSVC concentrations by LAW personnel in the field using the Rkl combustible vapour analyser and measured 0 ppm.

LAW directed Van Geel to backfill the stockpiled “clean” soil materials (as verified by analytical results) into the excavation, and load all excavated scrap metal materials including connective piping, fuel pumps and metal curbing from the pump island onto a trailer for removal to a local licensed salvage yard. Upon arrival of the licensed hauler (Dallas Haul Inc.), Van Geel loaded the stockpiled “contaminated” soils (5.33 tonnes) into the trailer for trucking and disposal at Waste Management Inc.’s Landfill in Petrolia, ON.



LAW received analytical results from the West Wall confirmation soil sample on December 10<sup>th</sup>, 2015 which verified that the soil met all MOE Table 3 SCS for PHCs (F1-F4) and BTEX (see Table 5 below).

<b>Table 5: PHCs (F1-F4) + BTEX (West Wall) – December 4<sup>th</sup>, 2015</b>			
<b>Parameter</b>	<b>Units</b>	<b>AR1204 WWall</b>	<b>MOE SCS Table 3 Ind/Com/Com</b>
Benzene	ug/g	<0.02	(0.4) 0.32
Ethylbenzene	ug/g	<0.05	(19) 9.5
Toluene	ug/g	<0.05	(78) 68
Xylene Mixture (Total)	ug/g	<0.05	(30) 26
F1 PHCs (C6-C10)	ug/g	<7	(65) 55
F2 PHCs (C10-C16)	ug/g	<4	(250) 230
F3 PHCs (C16-C34)	ug/g	<8	(2,500) 1,700
F4 PHCs (C34-C50)	ug/g	<6	(6,600) 3,300

Based on these analytical results, no further actions were deemed necessary with respect to the UST decommissioning and Remedial Excavation. The excavated, empty 35,000L UST was left stored on-Site for eventual removal by the owner. Final backfilling and compaction of the excavation pit to grade with clean Fill materials will be completed by the owner in the Spring/Summer of 2016. LAW did not investigate other areas of the property, and therefore cannot comment on them.

#### **CLOSURE**

The UST Decommissioning and Remedial Excavation carried out at 6320 Lakeshore Road in Lambton Shores, ON was completed in general accordance with current guidelines described in Ontario Regulation 153/04 as amended by 511/09. The current soil and groundwater quality standards and regulations came into effect in 2011 (Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act, April 15, 2011). Based on the final analytical results from confirmation samples collected from the UST Remedial Excavation and stockpiled soil materials, LAW concludes that on-Site soils satisfy the selected MOE (2011) Table 3 SCSs for all parameters tested; therefore, no further remedial activities associated with the former on-Site UST are required at this time.



The conclusions presented in this report are professional opinions based upon historical review and information provided to LAW by the Site occupants. As such, LAW accepts no responsibility for any environmental conditions at the Site that were not apparent from the available information.

Please contact LAW if you have any questions or concerns.

Yours truly,  
LAW Consultants Ltd.

A handwritten signature in black ink, appearing to read 'Doug Bodo'.

Doug Bodo, B.Sc.(Env.)  
Environmental Consultant

A handwritten signature in black ink, appearing to read 'Ahmed Naderi'.

Ahmed Naderi, M.Eng.,P.Eng.; QP  
Principal Engineer

AN/DB

c.c.: Ali Rafi

**LIST OF FIGURES**

**Figure 1: Site Plan**

**Table 2: UST Location Plan**



**LEGEND**

**PROJECT**  
*Tank Removal*

**PROJECT NO**  
PR-15-1038

**DATE**  
January 2016

**TITLE**  
Site Map, 250 m  
Radius

**CLIENT**  
2179175 Ontario Inc  
6320 Lakeshore Rd.  
Lambton Shore, ON

**SHEET**  
FIGURE 1





**LEGEND**

**PROJECT**  
**Tank Removal**

**PROJECT NO**  
PR-15-1038

**DATE**  
September 2015

**TITLE**  
UST Location Map

**CLIENT**  
2179175 Ontario Inc  
6320 Lakeshore Rd.  
Lambton Shore, ON

**SHEET**  
FIGURE 2



**APPENDIX A**

**CERTIFICATES OF ANALYSIS**

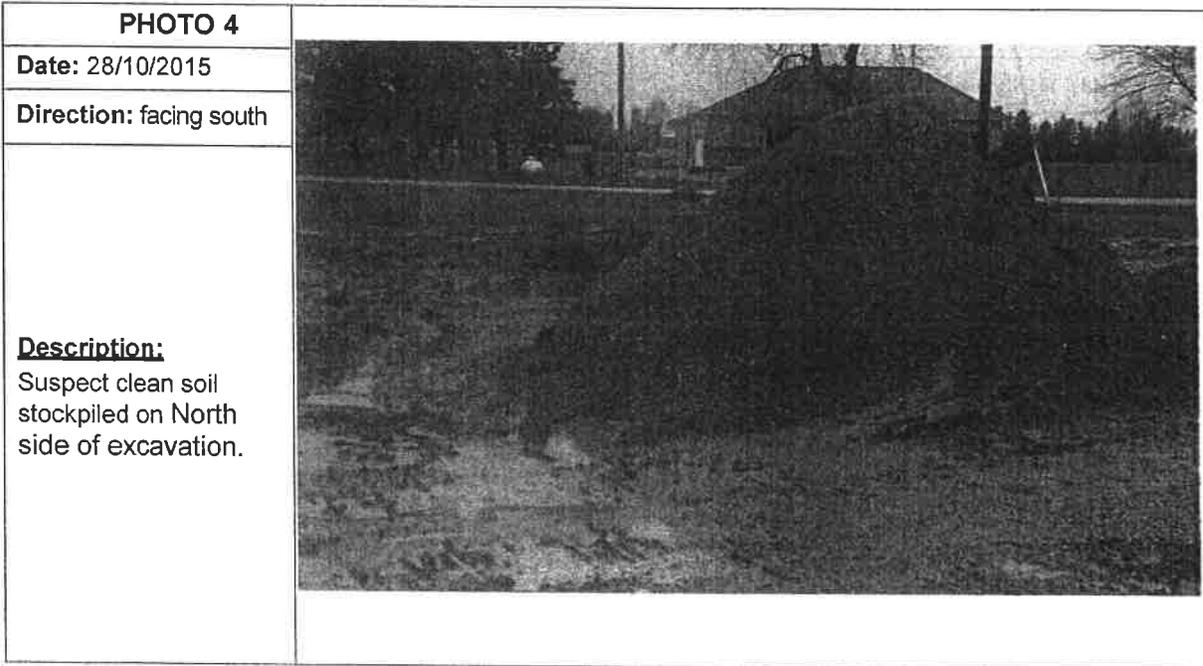
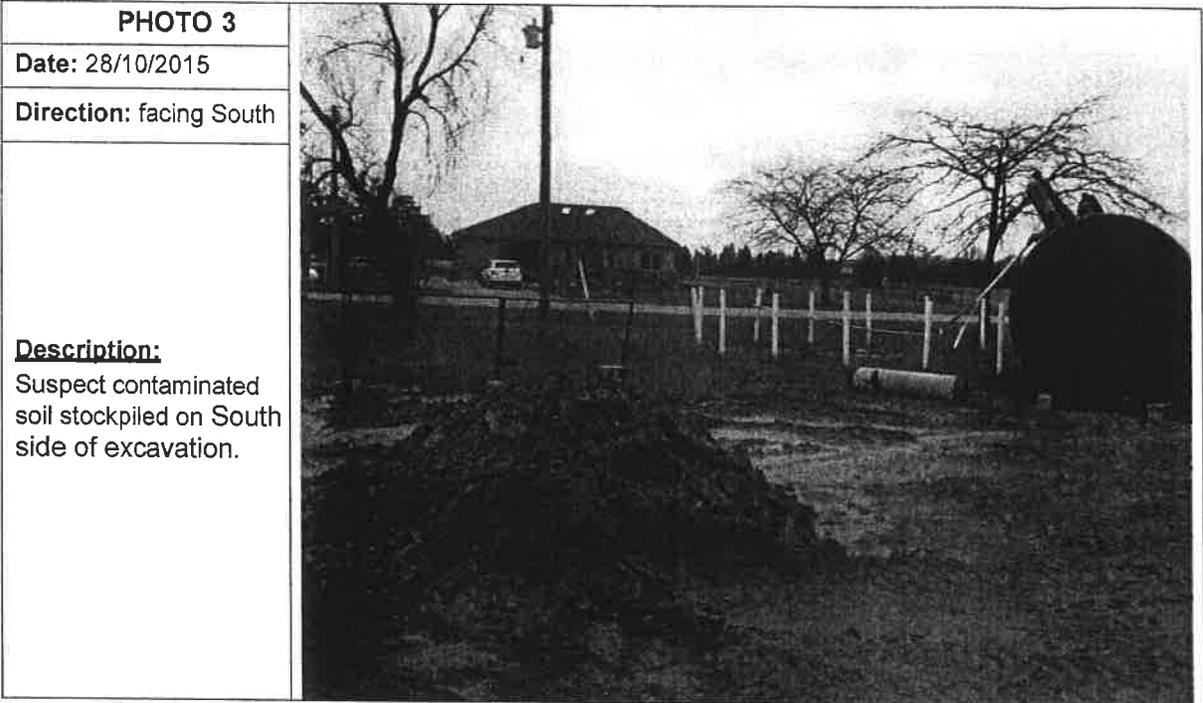
**SITE PHOTOS**

<b>PHOTO 1</b>	
<b>Date:</b> 28/10/2015	
<b>Direction:</b> facing East	
<b>Description:</b> Uncovering sand Fill from top of UST to expose lifting lugs.	

<b>PHOTO 2</b>	
<b>Date:</b> 28/10/2015	
<b>Direction:</b> facing south	
<b>Description:</b> Hauling 35,000L steel UST from excavation.	

<p><b>PHOTO 5</b></p>	
<p><b>Date:</b> 28/10/2015</p>	
<p><b>Direction:</b> facing East</p>	
<p><b>Description:</b> Excavation and removal of former pump island and connective piping.</p>	

<p><b>PHOTO 6</b></p>	
<p><b>Date:</b> 04/12/2015</p>	
<p><b>Direction:</b> facing East</p>	
<p><b>Description:</b> Backfilling of clean soil materials on-Site.</p>	





**TECHNICAL STANDARDS  
and SAFETY AUTHORITY**

14<sup>th</sup> Floor, Centre Tower  
3300 Bloor Street West  
Toronto, Ontario M8X 2X4  
Toll free 1-877-682-8772  
www.tssa.org

**FS Inspection Report**

Service Request #	1737122
Inspection Report #	5902791

Inspection Address: <b>6320 LAKESHORE RD PORT FRANKS;ON CA N0N 1J0</b>	Reference Number(s):	Inspection Completion Date <b>NOV 13, 2015</b>
	Facility Type: <b>FS Gasoline Station - Full Serve</b>	Equipment Type:
Customer Name and Address: <b>2179175 ONTARIO INC O/A GAS STATION 419 HIDDEN CREEK DR KITCHENER;ON CA N2N 3N2</b>	Task Type: <b>FS-Periodic LF Inspection</b>	The facility/equipment is inspected in accordance with Ontario's Technical Standards & Safety Act and the appropriate regulations and codes. When an Inspector's order is issued, time limits for compliance reflect the severity of the violation and serve to avoid disruption of service.

**Orders Issued To: 2179175 ONTARIO INC O/A GAS STATION and Ali Rafi**

Line	Reference and Order(s)	Compliance Date
74373 7-1	<p>Liquid Fuels Handling Code 2007, 8.3.1 Where an underground storage tank(s) has been removed permanently and the property no longer maintains any fuel storage equipment or tank systems, the owner or operator of the facility, the owner or operator of the storage tank systems, or the owner of the property on which the equipment is installed, as the case may be, shall: (a) submit an assessment report to TSSA that delineates the full extent of any petroleum product that has escaped into the environment or inside a building both on site and, where necessary and practical, off site; and (b) immediately notify the Ontario Ministry of the Environment in accordance with the Environmental Protection Act, as amended, and the Ontario Water Resources Act, as amended. This report shall be submitted electronically to: <a href="mailto:fssubmissions@tssa.org">fssubmissions@tssa.org</a> or shall be mailed to: Technical Standards and Safety Authority 3300 Bloor Street 14th Floor, Centre Tower Toronto, Ontario, M8X 2X4. NOTE: All submissions MUST be accompanied by a completed Environmental Review Services Form. If the form is incomplete the report will not be reviewed and the file will not be closed. Copies of the form are available at <a href="http://www.tssa.org/regulation/fuels/fuelsForms.asp">http://www.tssa.org/regulation/fuels/fuelsForms.asp</a>. TSSA does not consider the matter resolved and the file closed until written correspondence from the TSSA engineering department has been provided upon review of the report submission.</p> <p>You, 2179175 ONTARIO INC O/A GAS STATION and Ali Rafi, are hereby ordered to provide TSSA an assessment report, prepared by a qualified person as defined in Ontario Regulation 153/04 (as amended) of the Environmental Protection Act which delineates the full extent of all petroleum impacts to both the soil and groundwater. The report must meet the criteria as set forth in the TSSA Environmental Management Protocol for Operating Fuel Handling Sites in Ontario (TSSA EMP August 2012).</p> <p>This report shall be submitted, electronically, to - <a href="mailto:fssubmissions@tssa.org">fssubmissions@tssa.org</a> - or shall be mailed to: Technical Standards and Safety Authority 3300 Bloor Street 14th Floor, Centre Tower Toronto, Ontario, M8X 2X4</p> <p>NOTE: All submissions MUST be accompanied by a completed Environmental Review Services Form. If the form is incomplete, the report will not be reviewed and the file will not be closed.</p> <p>Copies of the form are available at <a href="http://www.tssa.org">www.tssa.org</a></p> <p><b>**We do not consider the matter resolved and the file closed until written correspondence from the TSSA engineering department has been provided upon review of the report submission.**</b></p>	FEB 12, 2016

**Task Notes**

Customer Signature & Position / Date: <i>Ali Rafi</i> <i>Munger</i>	Inspector Name: Lenders, Gerald	Inspector Contact Number: 647-789-2163
Report Received By: 2179175 ONTARIO INC O/A GAS STATION and Ali Rafi	Customer Contact Number: <a href="mailto:ali_m_rafi@hotmail.com">ali_m_rafi@hotmail.com</a> Ph: 519 576 2839	Inspector Email: <a href="mailto:glenders@tssa.org">glenders@tssa.org</a>
		Inspector Fax: 647-789-2163

As a not-for-profit regulatory authority, TSSA operates on a cost recovery basis. An Invoice will be issued for the Total Charges Incurred.  
(Note: This is not an invoice)

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**TECHNICAL STANDARDS  
and SAFETY AUTHORITY**

14<sup>th</sup> Floor, Centre Tower  
3300 Bloor Street West  
Toronto, Ontario M8X 2X4  
Toll free 1-877-682-8772  
www.tssa.org

**FS Inspection Report**

Service Request #	1737122
Inspection Report #	5902791

Inspection Address: <b>6320 LAKESHORE RD PORT FRANKS;ON CA N0N 1J0</b>	Reference Number(s):	Inspection Completion Date: <b>NOV 13, 2015</b>
	Facility Type: <b>FS Gasoline Station - Full Serve</b>	Equipment Type:
Customer Name and Address: <b>2179175 ONTARIO INC O/A GAS STATION 419 HIDDEN CREEK DR KITCHENER;ON CA N2N 3N2</b>	Task Type: <b>FS-Periodic LF Inspection</b>	<b>The facility/equipment is inspected in accordance with Ontario's Technical Standards &amp; Safety Act and the appropriate regulations and codes. When an Inspector's order is issued, time limits for compliance reflect the severity of the violation and serve to avoid disruption of service.</b>

12-Nov-2015 Periodic Inspection - attended site - no one present, facility closed, tanks, piping and dispensers have been removed. Phone conversation with Ali Rafi regarding the requirements for submittal of an Environmental report for the decommissioned site. Orders issued, see above.

\*\*\*This Inspection Report contains Inspector's Orders with a compliance date(s) and is eligible for Declaration of Compliance \*\*\*

YOU MUST EXERCISE THIS OPTION TO AVOID A FOLLOW UP INSPECTION AND THE ASSOCIATED FEES, WHICH WILL RESULT.

NOTE: ENSURE COMPLIANCE: SEE STANDARD NOTES BELOW

**Standard Notes**

This Inspection Report contains Inspector's Orders with a compliance date(s) and is eligible for Declaration of Compliance. Documented proof that the order(s) have been complied with before the compliance date must be submitted to TSSA. This documented proof shall include, but is not limited to, any of the following where applicable: Photocopies of Licenses, Certificates, Registrations, Invoices, and/or Work Orders, Photographs, and Name, Certificate number, and Signature (where applicable) of the person who has performed the corrective action.

YOU MUST EXERCISE THIS OPTION TO AVOID A FOLLOW UP INSPECTION AND THE ASSOCIATED FEES WHICH WILL RESULT

Reporting requirements are as follows:

- All Inspector's Orders (directives) appearing on the inspection report must be complied with.
- A person who has legal signing authority on behalf of the Owner or User must complete the Declaration of Compliance and submit this to TSSA via EMAIL or FAX on or before the last compliance date appearing on the inspection report.

Note: Declaration of Compliance is subject to an audit process which may result in additional inspection fees

Declaration of Compliance

I, the undersigned hereby declare that all orders on this Inspection Report have been complied with

Printed Name ALI RAFI

Title MANAGER

Signature Ali Rafi Date \_\_\_\_\_

Contact Email Address you786@hotmail.ca Contact Phone Number 519-222-7862

It is an offence to knowingly make a false statement or to furnish false information under The Act, the regulations or a minister's order, Technical Standards and Safety Act, 2000, sect. 37.

Submission

Send an EMAIL (dcreporting@tssa.org) or FAX (416-734-6242) complete with the following information

- The Service Request number from the Inspection Report as the Subject line.

Customer Signature & Position / Date: <u>Ali Rafi / Manager</u>	Inspector Name: Lenders Gerald	Inspector Contact Number: 647-789-2163
Report Received By: 2179175 ONTARIO INC O/A GAS STATION and Ali Rafi	Customer Contact Number: ali.rafi@hotmail.com Ph: 519-576-2839	Inspector Email: glenders@tssa.org
		Inspector Fax: 647-789-2163

As a not-for-profit regulatory authority, TSSA operates on a cost recovery basis. An Invoice will be issued for the Total Charges Incurred  
(Note: This is not an invoice)

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3300 Bloor Street West  
Toronto, Ontario M8X 2X4  
Toll free 1-877-682-8772  
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**FS Inspection Report**

Service Request #	1737122
Inspection Report #	5902791

Inspection Address: <b>6320 LAKESHORE RD PORT FRANKS;ON CA N0N 1J0</b>	Reference Number(s)	Inspection Completion Date <b>NOV 13, 2015</b>
	Facility Type: <b>FS Gasoline Station - Full Serve</b>	Equipment Type
Customer Name and Address: <b>2179175 ONTARIO INC O/A GAS STATION 419 HIDDEN CREEK DR KITCHENER;ON CA N2N 3N2</b>	Task Type: <b>FS-Periodic LF Inspection</b>	
	The facility/equipment is inspected in accordance with Ontario's Technical Standards & Safety Act and the appropriate regulations and codes. When an Inspector's order is issued, time limits for compliance reflect the severity of the violation and serve to avoid disruption of service.	

2. A copy of the Inspection Report with the Declaration of Compliance portion completed and attached.

For more information please contact TSSA at 416-734-3599 or email [dcreporting@tssa.org](mailto:dcreporting@tssa.org)

Every person who, (a) contravenes or fails to comply with any provision of this Act, the regulations or a Minister's order; (b) knowingly makes a false statement or furnishes false information under this Act, the regulations or a Minister's order; (c) contravenes or fails to comply with a term or condition of an authorization; (d) contravenes or fails to comply with an order or requirement of an inspector or obstructs an inspector, is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both, or, if the person is a body corporate, to a fine of not more than \$1,000,000. (Technical Standards and Safety Act, 2000, Section 37 (1))

Every person shall, (a) furnish all necessary means in his or her power to facilitate any entry, inspection, examination, test or inquiry by an inspector in the exercise of his or her powers and the carrying out of his or her duties, and, (b) pay the fees required by the designated administrative authority for an inspection, examination, test or inquiry under clause (a). (Technical Standards and Safety Act, 2000, Section 19 (1))

Customer Signature & Position / Date: <i>Ali Rafi</i> / <i>Manager</i>		Inspector Name: Lenders, Gerald	Inspector Contact Number: 647-789-2163
Report Received By: 2179175 ONTARIO INC O/A GAS STATION and Ali Rafi	Customer Contact Number: ali_m_rafi@hotmail.com Ph 519 576 2839	Inspector Email: glenders@tssa.org	Inspector Fax: 647-789-2163

As a not-for-profit regulatory authority, TSSA operates on a cost recovery basis. An Invoice will be issued for the Total Charges Incurred.  
(Note: This is not an invoice)

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Technical Standards and Safety Authority  
www.tssa.org

14th Floor - Centre Tower  
3300 Bloor Street West  
Toronto ON M8X 2X4  
Fax: 416 231 4078  
Customer Service 1 877 682 8772  
Email: tssubmissions@tssa.org

**Environmental Review Services**  
*Technical Standards and Safety Act*  
Fuels Safety Regulations

Please submit completed application and supporting documentation by mail, fax, or email (in pdf format).	<b>For Office Use Only</b>
<p>Check applicable fuel type:</p> <p><input type="checkbox"/> Fuel Oil <input checked="" type="checkbox"/> Liquid Fuels</p> <p>Property Use:</p> <p><input type="checkbox"/> Residential (Single Family Dwelling) <input checked="" type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Other</p>	

**SUBMISSION TYPE**

<input checked="" type="checkbox"/> Response to Inspectors' Orders Order No.: 743737-1 Service Request No.: 1737122	<input checked="" type="checkbox"/> Equipment Removal/Site Closure <input type="checkbox"/> Equipment Upgrade	<input type="checkbox"/> Leak <input type="checkbox"/> Spill	<input type="checkbox"/> Discovery
Description: Tank Removal and Site Closure			

**A. OWNER INFORMATION - Please check all that apply:**  Equipment  Property

Company Name: 2179175 Ontario Inc. Corporation No.:

Street No./ 911 Number, if applicable: 419 Street Name: Hidden Creek Drive

Unit/Suite: PO Box:

City/Town: Kitchener Province: Ontario Postal Code: N2N 3N2

Telephone No.: 519-222-7862 Fax No.: Cell No.:

Email: you786@hotmail.ca

Print Name of Contact Person: Ali Rafi

**B. LOCATION ADDRESS** Same as:  A Legal Description attached   
(Where appliance/equipment is or was installed/inspected. Note this must be a delivery or fire route address.)

Company Name: 2179175 Ontario Inc.

Street No./ 911 Number, if applicable: 6320 Street Name: Lakeshore Road

Unit/Suite:

City/Town: Lambron Shores Province: Ontario Postal Code: N0N 1J0

Telephone No.: 519-222-7862 Fax No.: 519-576-2839 Cell No.: 519-222-7862

Email: you786@hotmail.ca

Print Name of Contact Person: Ali Rafi

**C. TECHNICAL CONTACT** Same as:  A  B  D  
(Company TSSA should communicate with on behalf of the owner.)

Company Name:

Street No./ 911 Number, if applicable: Street Name:

Unit/Suite: PO Box:

City/Town: Province: Postal Code:

Telephone No.: Fax No.: Cell No.:

Email:

Print Name of Contact Person:



Technical  
Standards and  
Safety Authority  
www.tssa.org

14th Floor - Centre Tower  
3300 Bloor Street West  
Toronto ON M8X 2X4  
Fax: 416.231.4078  
Customer Service 1 877 682 8772  
Email: fssubmissions@tssa.org

**Environmental Review Services**  
*Technical Standards and Safety Act*  
Fuels Safety Regulations

**Location Address:** 6320 Lakeshore Road, Lambton Shores, Ontario N0N 1J0

**D. INVOICEE**

(Company who will be invoiced for engineering and inspection services.)

Company Name: 2179175 Ontario Inc

Street No./ 911 Number, if applicable: 419

Street Name: Hidden Creek Drive

Unit/Suite:

PO Box:

City/Town: Kitchener

Province: Ontario

Postal Code: N2N 3N2

Telephone No.: 519-222-7862

Fax No.: 519-576-2839

Cell No.: 519-222-7862

Email: you786@hotmail.ca

Print Name of Contact Person: Ali Rafi

Signature of Contact Person

Date form submitted (dd-mm-yyyy): 03 - February-2016

**FEES FOR ENGINEERING AND INSPECTION SERVICES**

Check box to request type of service.

- Regular Service:** 30 working days for engineering and inspection services  
**Standard Fee:** \$169.50 (13% HST included) per hour for engineering review and \$152.55 (13% HST included) for inspection services.
- Rush Engineering Service Only:** 5 to 10 working days.  
**Fee:** 2 x Standard fee for engineering review.
- Rush Engineering and Inspection Services:** 5 to 10 working days for each service.  
**Fee:** 2 x Standard fee for engineering review and inspection services.

**Legal Disclaimer** - In providing environmental review services, Technical Standards and Safety Authority makes no representations or warranties regarding the environmental state of a property, the presence or absence of contaminants at the property, or the fitness of the property or equipment for any particular use. TSSA does not authorize any party to rely on any finding, assessment or determination made during the course of an environmental review. TSSA reserves the right to make a final determination of who is the owner of a property or equipment regardless of the information provided in this form. TSSA will send invoices to the invoicee listed above for the convenience of the owner of the property or equipment; however, the owner remains responsible for the payment of any fees for environmental review services and TSSA retains the right to demand such payment from the owner instead of the invoicee at any time.

**PLANNING JUSTIFICATION REPORT**

6320 Lakeshore Road  
Lambton Shores, Ontario

**Appendix 4 Municipality of Lambton Shores Building Permit  
Information, 2019 – 2021**

Jan - Dec 2019

Permit Type	# of Permits	Project Value	Construction Type
Accessory Bldg Commercial	3	\$456,000.00	New
Accessory Bldg Residential	13	\$249,300.00	New
Agricultural	3	\$207,000.00	New
Commercial Addition	1	\$100,000.00	Addition
Commercial Alteration/Renovation	1	\$50,000.00	Alteration/Renovation
Institutional Alteration/Renovation	1	\$30,000.00	Alteration/Renovation
Pool	4	\$130,000.00	New
Residential Multi Alteration/Reno	2	\$85,700.00	Alteration/Renovation
Residential Multi New	2	\$1,690,000.00	New
Residential SDD Addition	24	\$2,123,500.00	Addition
Residential SDD Alteration /Renovation	7	\$91,598.85	Alteration/Renovation
Residential SDD New	36	\$12,624,802.36	New
Residential SDD Repair	2	\$53,896.00	Repair
Special Events Tent	1	\$3,650.00	Unknown
Residential Trailer Addition	6	\$47,916.00	Addition
<b>Total</b>	<b>106</b>	<b>\$17,943,363.21</b>	

Jan - Dec 2020

Permit Type	# of Permits	Project Value	Construction Type
Accessory Bldg Residential	12	\$519,000.00	New
Agricultural	8	\$712,000.00	New
Change of use	2	\$170,000.00	Change of Use
Commercial Addition	1	\$10,000.00	Addition
Commercial Alteration/Renovation	5	\$1,118,000.00	Alteration/Renovation
Commercial New	6	\$1,885,000.00	New
Demolition Residential	1	\$6,000.00	Demolition
Institutional Alteration/Renovation	1	\$20,000.00	Alteration/Renovation
Pool	5	\$221,000.00	New
Residential Multi Alteration/Reno	1	\$150,000.00	Alteration/Renovation
Residential Multi New	3	\$1,350,000.00	New
Residential SDD Addition	12	\$967,800.00	Addition
Residential SDD Alteration /Renovation	7	\$866,500.00	Alteration/Renovation
Residential SDD New	51	\$20,313,370.00	New
Mixed Commercial/Residential New	1	\$3,000,000.00	New
Residential Trailer Addition	6	\$61,750.89	Addition
Sign	1	\$87,000.00	New
<b>Total</b>	<b>123</b>	<b>\$31,457,420.89</b>	

Jan - Dec 2021

Permit Type	# of Permits	Project Value	Construction Type
Accessory Bldg Commercial	3	\$45,000.00	New
Accessory Bldg Institutional	1	\$10,000.00	New
Accessory Bldg Residential	52	\$2,235,500.00	New
Agricultural	20	\$9,516,721.00	New
Commercial Addition	8	\$555,000.00	Addition
Commercial Alteration/Renovation	16	\$3,074,000.00	Alteration/Renovation
Commercial New	2	\$793,000.00	New
Demolition Accessory Bldg	2	\$5,020.00	Demolition
Demolition Commercial	9	\$750,500.00	Demolition
Demolition Residential	18	\$169,900.00	Demolition
Institutional Alteration/Renovation	2	\$116,617.00	Alteration/Renovation
Pool	15	\$766,000.00	New
Residential Multi Addition	1	\$7,650.00	Addition
Residential Multi Alteration/Reno	1	\$2,000.00	Alteration/Renovation
Residential Multi New	10	\$7,210,000.00	New
Residential SDD Addition	41	\$4,457,400.00	Addition
Residential SDD Alteration /Renovation	38	\$1,721,195.00	Alteration/Renovation
Residential SDD New	112	\$50,974,773.00	New
Special Events Tent	7	\$22,215.00	Unknown
Residential New Trailer	1	\$2,000.00	Addition
Residential Trailer Addition	11	\$146,204.73	Addition
Sign	2	\$11,138.00	New
<b>Total</b>	<b>372</b>	<b>\$82,591,833.73</b>	

**PLANNING JUSTIFICATION REPORT**

6320 Lakeshore Road  
Lambton Shores, Ontario

**Appendix 5 Lambton County Building Permit Information, 2019 -  
2021**

**New Residential and Commercial Permits Issued  
2019 to 2021**

New Residential Permits	2019		2020		2021	
	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction
Municipality of Brooke-Alvinston	5	1,315,000	11	3,480,000	4	1,640,000
Township of Dawn-Euphemia	2	650,000	2	795,000	5	1,940,000
Township of Enniskillen	5	1,848,791	5	1,915,000	4	1,770,000
Village of Oil Springs	0	0	6	2,188,789	8	2,758,000
Town of Petrolia	28	8,565,000	23	7,076,000	5	1,850,000
Town of Plympton-Wyoming	39	15,678,354	72	26,530,504	117	47,333,500
Village of Point Edward	3	1,169,800	5	1,600,000	4	950,000
Township of St. Clair	76	22,018,175	43	16,639,418	83	31,014,000
Township of Warwick	8	2,180,000	11	4,244,000	4	2,770,000
<b>Totals</b>	<b>166</b>	<b>\$53,425,120</b>	<b>178</b>	<b>\$64,468,711</b>	<b>234</b>	<b>\$92,025,500</b>

New Multi-Residential	2019		2020		2021	
	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction
Municipality of Brooke-Alvinston	0	0	0	0	3	2,550,000
Township of Dawn-Euphemia	0	0	0	0	0	0
Township of Enniskillen	0	0	0	0	0	0
Village of Oil Springs	0	0	2	954,000	0	0
Town of Petrolia	1	300,000	0	0	12	12,940,000
Town of Plympton-Wyoming	15	2,195,000	0	0	0	0
Village of Point Edward	0	0	0	0	0	0
Township of St. Clair	0	0	0	0	0	0
Township of Warwick	3	505,000	0	0	0	0
<b>Totals</b>	<b>19</b>	<b>\$3,000,000</b>	<b>2</b>	<b>\$954,000</b>	<b>15</b>	<b>\$15,490,000</b>



**Building Services Department**  
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Wyoming, ON N0N 1T0

**New Residential and Commercial Permits Issued  
2019 to 2021**

New Commercial Permits	2019		2020		2021	
	# of Permits	Value of Construction	# of Permits	Value of Construction	# of Permits	Value of Construction
Municipality of Brooke-Alvinston	2	61,000	0	0	1	20,000
Township of Dawn-Euphemia	0	0	0	0	0	0
Township of Enniskillen	1	165,000	0	0	0	0
Village of Oil Springs	0	0	0	0	0	0
Town of Petrolia	0	0	4	10,051,000	2	115,000
Town of Plympton-Wyoming	0	0	0	0	1	1,500,000
Village of Point Edward	0	0	1	1,500,000	0	0
Township of St. Clair	4	378,000	0	0	2	800,000
Township of Warwick	3	540,000	3	4,700,000	0	0
<b>Totals</b>	<b>10</b>	<b>\$1,144,000</b>	<b>8</b>	<b>\$16,251,000</b>	<b>6</b>	<b>\$2,435,000</b>

*Notes on Dwelling Units Created:*

2019

Petrolia: 29 single family dwellings; 1 granny suite

Plympton-Wyoming: 39 single family dwellings; 15 townhouse units

St. Clair: 75 single family dwellings; 1 dwelling moved onto new foundation

Warwick: 8 single family dwellings; 1 duplex; 2 semi-detached units

2020

Petrolia: 23 single family dwellings; 9 apartment units

Point Edward: 3 single family dwellings; 2 semi-detached units

2021

Brooke-Alvinston: 4 single family dwellings; 13 apartment units

Petrolia: 5 single family dwellings; 50 townhouse units; 17 apartment units; renovation to convert single family dwelling to duplex creating 1 new unit

Plympton-Wyoming: 88 single family dwellings; 30 semi-detached units

Point Edward: 2 single family dwellings; 2 semi-detached units

Warwick: 4 single family dwellings; renovation convert existing retirement home to 20 apartment units



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