

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 04-2024

Council Meeting Date: February 27, 2024

TO: Mayor Cook and Members of Council

FROM: Will Nywening, Senior Planner

RE: Site Plan Application – 5 Argyle St, Forest – Gold Leaf Properties Inc.

RECOMMENDATION:

THAT Report PL 04-2024, relating to a Site Plan Application submitted by Gold Leaf Properties Inc., be received;

THAT By-Law 16 of 2024 being a by-law to authorize the execution of a site plan agreement with Gold Leaf Properties Inc. be approved.

SUMMARY

This report relates to a request by Gold Leaf Properties Inc. to enter into a site plan agreement with the Municipality with respect to property known as 5 Argyle St (address recently assigned), Forest, for construction of a total of 19 townhouse units.

BACKGROUND

The property, located at the southeast corner of Argyle and Clyde Streets in Forest, has been assigned the address 5 Argyle St. The property is designated Urban Centre in the Lambton County Official Plan and Residential in the Lambton Shores Official Plan. The Lambton Shores Official Plan contains a number of policies stating the importance of improving the connectivity of the trails system in the Municipality, particularly within Forest along the former railway and Hickory Creek.

Respecting Zoning By-Law 1 of 2003, Council passed By-law 04 of 2024 on January 16, 2024 for the purpose of rezoning the subject lands to permit this townhouse development. That zoning by-law amendment is now in full force and effect. The lot has a split zoning. The southwest corner, regulated by the St Clair Region Conservation Authority adjacent the creek, is zoned “Environmental Protection – Hazard (EP-H)”. The main portion of the property is “Exception 8 to the Residential-3 (R3-8) Zone”, which permits townhouses with site-specific zone provisions. Portions of the R3-8 Zone adjacent to the EP-H Zone are subject to the Holding-20 (H20) provision reflecting the fact these portions of the lot are not going to have a Record of Site Conditions registered against them.

DISCUSSION

Staff provided Report PL 03-2024 in relation to the zoning amendment application. That report describes the new zoning provisions and proposed project, includes an analysis of relevant planning issues, and is attached again to this agenda as background. Also attached to Council's agenda are the applicant's Planning Justification Report and Architectural Renderings of the proposed townhouses.

Draft Agreement: Staff has produced a site plan agreement to which the owner is agreeable, as indicated by signature. It is included in the by-law section of Council's agenda and includes additional site plan, civil drawings, and landscaping plans with higher resolution for examining the plans in higher detail. The agreement is based on the Municipality's standard site plan agreement template and addresses matters of Municipal and public interest. Staff would like to highlight several aspects of the agreement and development:

- The owner will make improvements to Argyle St between their new driveway and the Clyde Street intersection by widening the surface, installing a curb, and installing a sidewalk (section 4 a of the draft agreement).
- Building permits will be conditional upon the owner filing a Record of Site Conditions for the portion of the property proposed for residential use (s. 4 b).
- The portion of the property where a RSC is not proposed to be filed may not be used for residential use, but is instead to be naturalized (s. 4 c and j).
- Any excess fill is to be disposed of off-site according to applicable standards and regulations (s. 4 d).
- The owner will convey road widenings to the Municipality on both Argyle and Clyde Streets (s. 4 e).
- The owner has agreed to convey an easement to the municipality for a walking trail along the top of bank of Hickory Creek, providing a connection between the trail on the former railway and Argyle St (via the property to the east of the subject lands, which is owned by the Municipality). The approximate route is shown in Schedule "C" of the draft agreement. The easement is in lieu of the owner providing cash-in-lieu of parkland dedication. The owner is not installing a trail, only providing the easement. Future trail installation, maintenance, and liability will be the Municipality's responsibility (s. 4 e, f, g, h, and i).

Recommendation: Staff has worked with the owner to develop site plan drawings and an agreement that, in staff's opinion, addresses public and Municipal concerns. Staff has no objection to Council authorizing the execution of the site plan agreement as drafted. An authorizing by-law and the draft agreement and its schedules are included in the by-law section of Council's agenda.

ALTERNATIVES TO CONSIDER

None at this time.

RECOMMENDED ACTIONS

That Council receive Report PL 04-2024 and authorize the execution of the site plan agreement as drafted.

FINANCIAL IMPACT

The applicant has paid the Municipality a \$2000 application fee for site plan approval.

CONSULTATION

The applicant and their agents
Lane Chevalier, Ministry of Environment, Conservation and Parks
James Marshall, Fire Chief
Randy Lovie, Chief Building Official
Nick Verhoeven and Sam Shannon, Public Works Department
Ashley Farr, Director of Community Services
Steve McAuley, CAO