



MUNICIPALITY OF
West Elgin

Staff Report

Report To: Council Meeting
From: Robert Brown, Planner
Date: 2022-12-20
Subject: Zoning By-law Amendment Application D14 12-2022 - Gray Line Recommendation Report 2023-01

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 12-2022 – Gray Line Recommendation Report (Planning Report 2023-01);

That West Elgin Council approve the rezoning of the severed parcel (lot addition) from Lakeshore Residential Special Use Regulation 1 – Holding 7 (LR-1-H-7) to Recreation Vehicle Park (RVP);

That West Elgin Council approve an amendment to the existing zoning of the retained parcel to recognize the reduced lot frontage of 12 m, and

Further that West Elgin Council consider the by-law to amend the Zoning By-law, as presented in the by-law portion of the January 26, 2023, Council Agenda.

Purpose:

The purpose of the Zoning By-law Amendment is to address conditions of Consent Application E60-22, to 1) rezone lot addition lands to be conveyed to the abutting recreational vehicle park, and 2) to amend the zoning on the retained parcel to address a further reduction in the remaining lot frontage. The lot addition lands will be rezoned from Lakeshore Residential Special Use Regulation 1, Holding 7 (LR-1-H-7) Zone to Recreational Vehicle Park (RVP) Zone. The retained parcel will remain within the LR-1-H-7 but will be amended to recognize the further reduction in the lot frontage resulting from the lot addition.

Background:

Below is background information, in a summary chart:

Application	D 14 12-2022 (condition of E60-2022)
Owners	Lou Nitra & Clayton Jones Morley
Applicant	Hickory Grove Campers Association
Legal Description	Part Lot of 4, Concession 14 & Part 1, RP 11R 10300
Entrance Access	Gray Line
Lot Addition	6,578 m ² to be conveyed and rezoned to RVP
Retained Parcel	87,700 m ² to be rezoned to recognize reduced lot frontage

Figure One below, shows the location of the subject property (outlined in red) and receiving lot to the west (outlined in blue).



Figure Two shows the survey sketch prepared as part of the application for severance. The severed portion has received provisional approval to be transferred as a lot addition to the abutting campgrounds to the west to address existing encroachments onto the subject property. These are the lands to be rezoned to Recreational Vehicle Park, (RVP) to match that of the receiving lot.

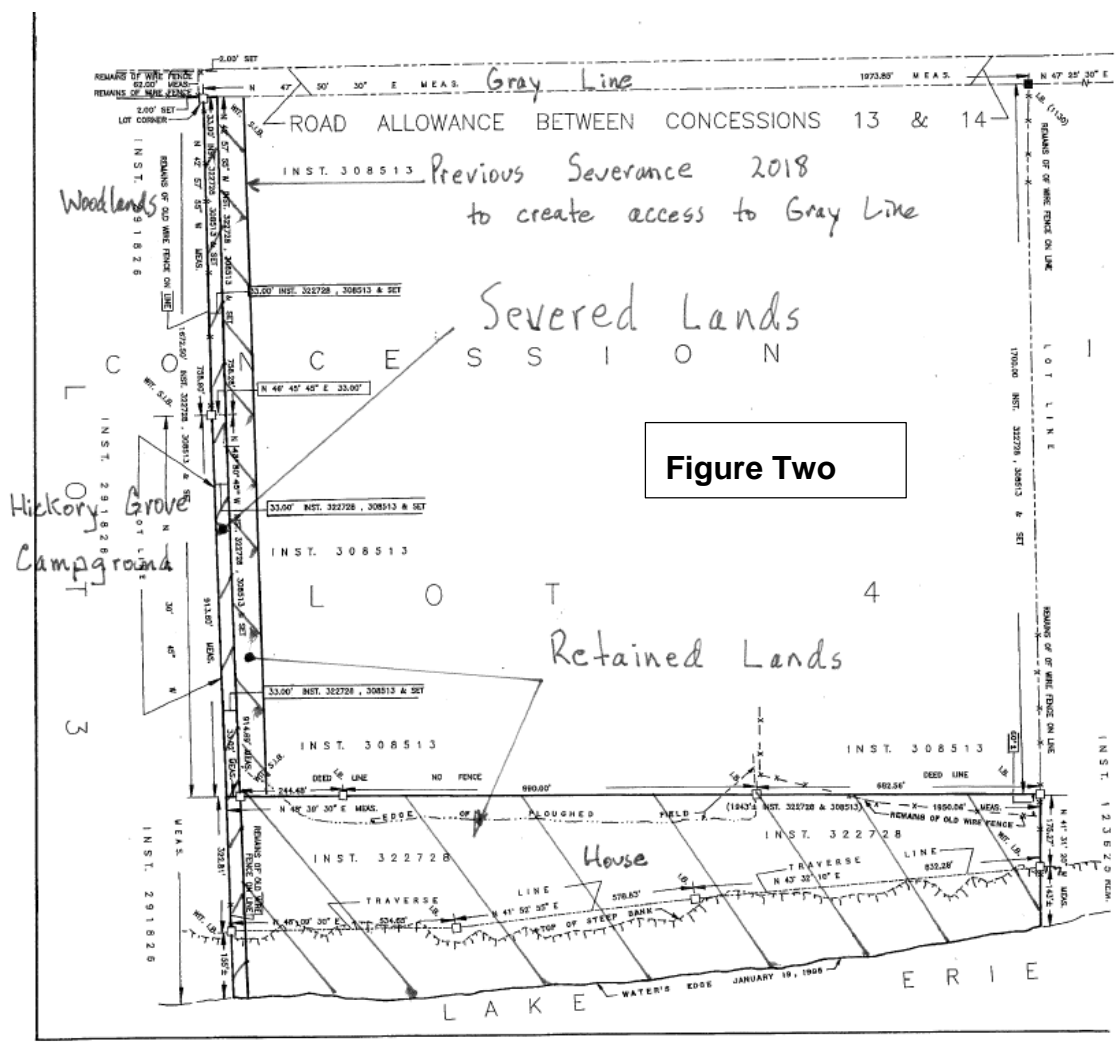


Figure Two

Financial Implications:

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. The reconfiguration may result in a minimal change in assessment.

Policies/Legislation:

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) and does not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.

PPS:

The lot line adjustment raised no issue of Provincial significance. The proposed zoning is a housekeeping matter. Development ability on the properties in question will remain subject to the same requirements including any limitation due to proximity to the bluffs along Lake Erie. The proposal is consistent with PPS.

CEOP:

The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP. The County has acknowledged the discrepancy between the County and West Elgin Official Plans. The intent is for the County to address this as part of the five year review process. Section E1.2.3.4 outlines that consents are permitted for legal or technical reasons including minor boundary adjustments which do not result in the creation of new lots. The Land Division Committee approved the lot addition subject to rezoning of the lot addition lands and retained lands. The proposed zoning amendment conforms with the policies of the County Official Plan.

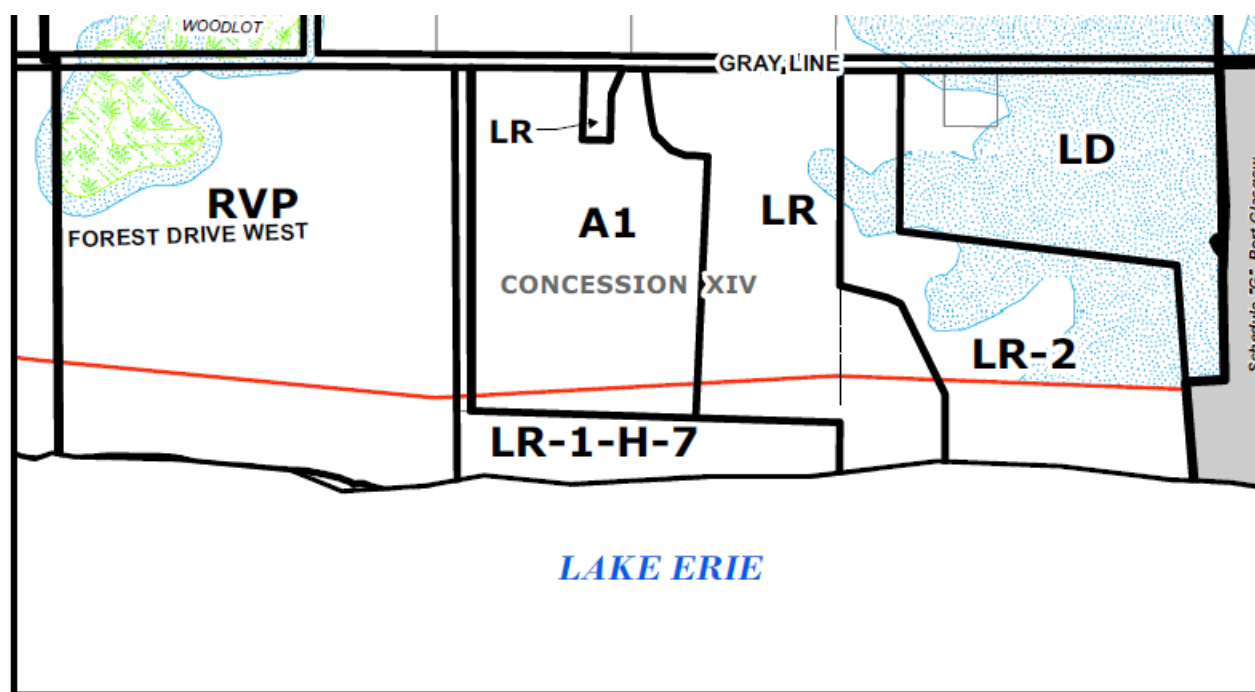
WEOP:

The subject lands are designated as Lakeshore Area, as shown on Rural Area Land Use and Transportation Schedule 'E' of the OP. The use of the properties in question will not change and will continue to conform with the Lakeshore Area policies of the OP. Therefore, this proposal conforms to the OP.

Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):

The subject lands are zoned Lakeshore Residential Special Use Regulation 1 – Holding 7 (LR-1-H-7) on Schedule "A" Map 75 of the ZBL as depicted in Figure Three.

Figure Three



Municipality of WEST ELGIN: RURAL AREA

Schedule "A"

SCALE 1:10,000

0 50 100 200 300 400 500 Metres

Municipality of West Elgin Zoning By-Law



Map No. 75

The permitted use within the Lakeshore Residential Special Use Regulation (LR-1) are limited to a seasonal dwelling with site-specific regulations recognizing its location. The H-7 is a holding symbol which requires the establishment of permanent access and frontage and determination if the seasonal dwelling has been constructed in compliance with the Ontario Building Code. The access and driveway have been completed, the compliance item with OBC remains outstanding. The LR-1-H-7 zoning will remain in place but will be amended to recognize the reduction in lot frontage.

The receiving lot is zoned Recreational Vehicle Park (RVP). While it is not specifically required that any parcel of land is within a single zone it does provide clarity of use if the lot addition lands are rezoned to match that of the receiving lot so there is no confusion on what regulations are applicable to the affected property. As such the lot addition lands will be rezoned to Recreational Vehicle Park (RVP).

Interdepartmental Comments:

The zoning application was circulated to municipal staff for comment. Items specific to the consent application were addressed as conditions at the Land Division Committee. The zoning application on its own raised no issue.

External agencies are also circulated for comment. At the time of writing West Elgin has not received any feedback on the application.

Public Comment:

As required by the Planning Act all landowners within 120 m of the subject parcel were circulated. At the time of writing of this report no comments have been received.

Summary:

The proposed zoning amendment is consistent with the PPS, conforms to both the CEOP and West Elgin OP, and addresses the application condition(s) of consent included in the provisional approval decision of the Land Division Committee for the County of Elgin.

Prepared by:

A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal flourish extending to the right.

Robert Brown, H. Ba, MCIP, RPP
Planner
Municipality of West Elgin

Report Approval Details

Document Title:	Zoning By-law Amendment Application D14 12-2022 - Gray Line Recommendation Report 2023-01
Attachments:	- 2023-xx - D14 12-2022 Hickory Grove Campers Association.pdf
Final Approval Date:	January 26, 2023

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott

Report Approval Details

Document Title:	Zoning By-law Amendment Application D-14 12-2022 - Recommendation Report - 2023-01-Planning.docx
Attachments:	- 2023-xx - ZBLA - D14 12-2022 Gray Line - DRAFT.pdf
Final Approval Date:	Jan 13, 2023

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott