



## Staff Report

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**Report To: Council Meeting**

**From: Robert Brown, Planner**

**Date: 2022-12-21**

**Subject: Zoning By-law Amendment Application D-14 13-2022 – Recommendation Report, 242 Furnival Road – 2023-02 - Planning**

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 13 2022 – 242 Furnival Road Recommendation Report (Planning Report 2023-02);

That West Elgin Council approve the zoning amendment for the subject parcel at 242 Furnival Road to permit a ground floor residential unit utilizing up to 60% of the ground floor space and located at the rear of the existing building;

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 consider amendment of the existing Village Core (C1) Zone to permit conversion of a portion of the ground floor of the existing building for residential purposes. The existing C1 zoning will be amended to include a special use regulation permitting residential on the ground floor at the rear of the building.

### **Background:**

Below is background information, in a summary chart:

<b>Application</b>	D 14 13-2022
<b>Owner/Applicant</b>	509692 Ontario Ltd.
<b>Legal Description</b>	Part Lot 1, Blk B, Plan 67
<b>Civic Address</b>	242 Furnival Road
<b>Lot Area</b>	390.71 sq. m (4,205.7 sq. ft.)
<b>Frontage</b>	10.8 m (35 ft.)

Figure One below, shows the location of the subject property (outlined in blue).

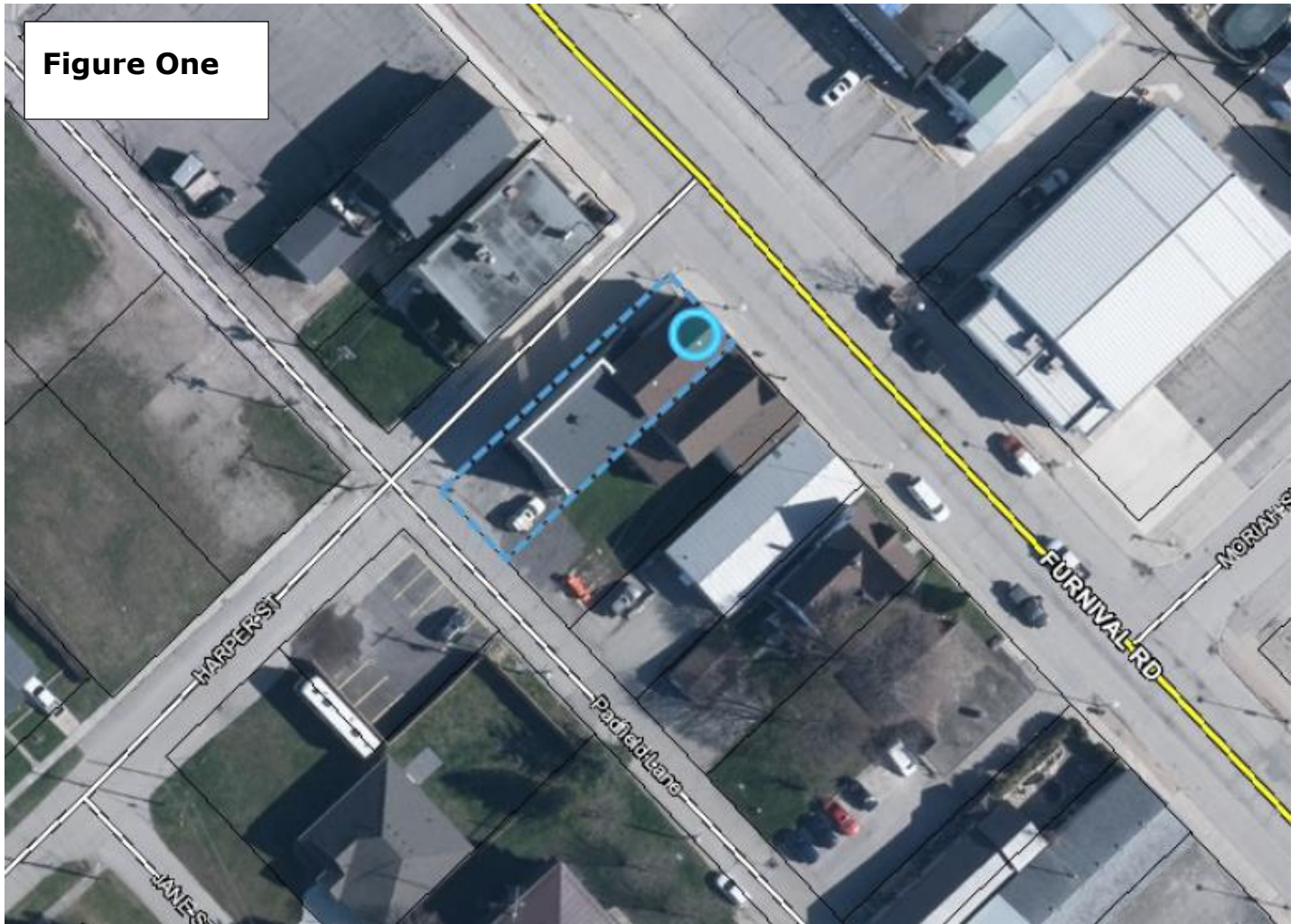
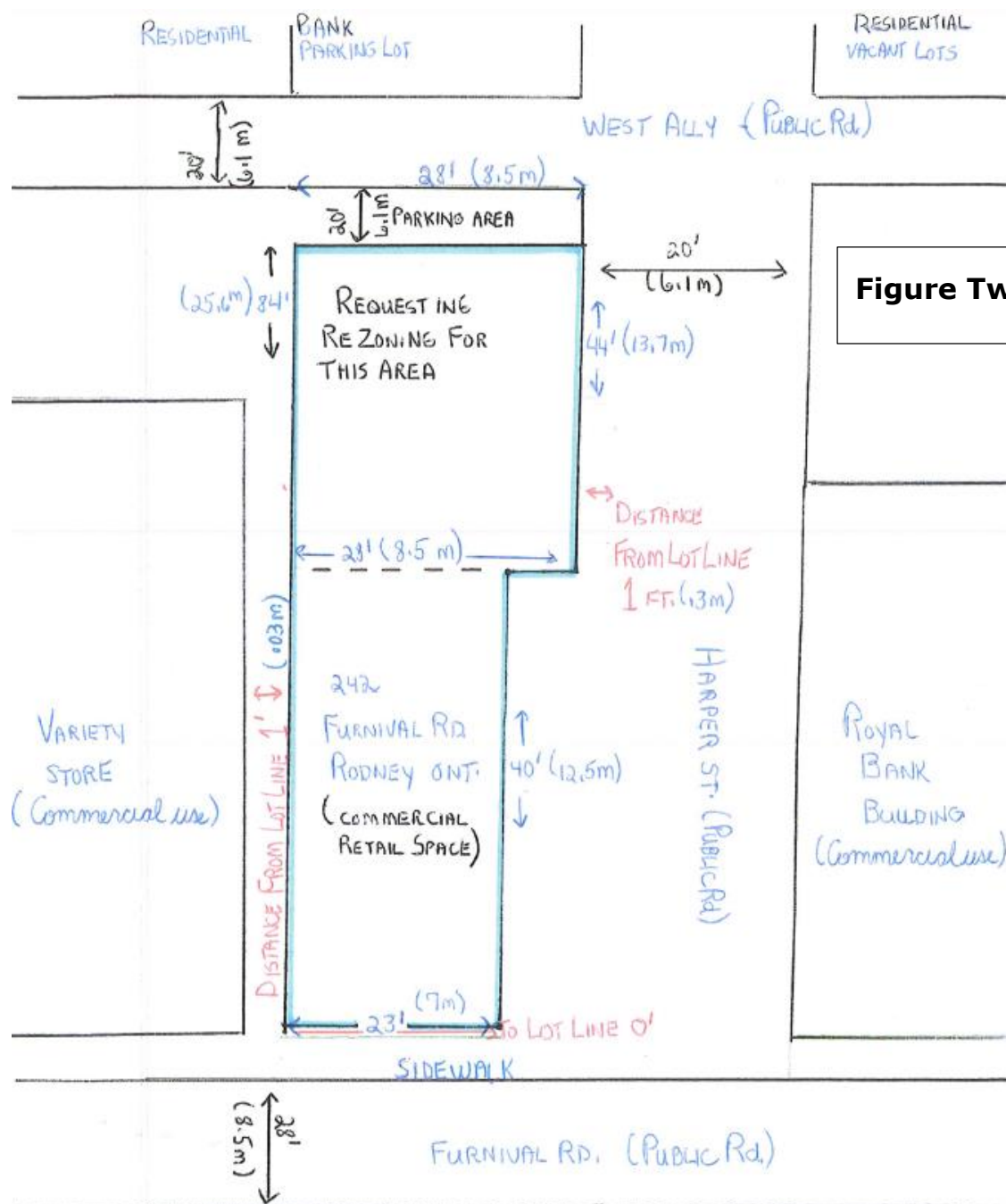


Figure Two outlines the configuration on the lot and the proposed location of the residential space on the ground floor.



**Financial Implications:**

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. The rezoning and subsequent partial change of use 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:**

Provincial Policy encourages the reuse and redevelopment of existing building stock to support a variety of uses including the growing need for housing. The proposed zoning will provide an additional dwelling unit within the downtown core while continuing to also maintain available commercial space. The proposal is consistent with PPS.

**CEOP:**

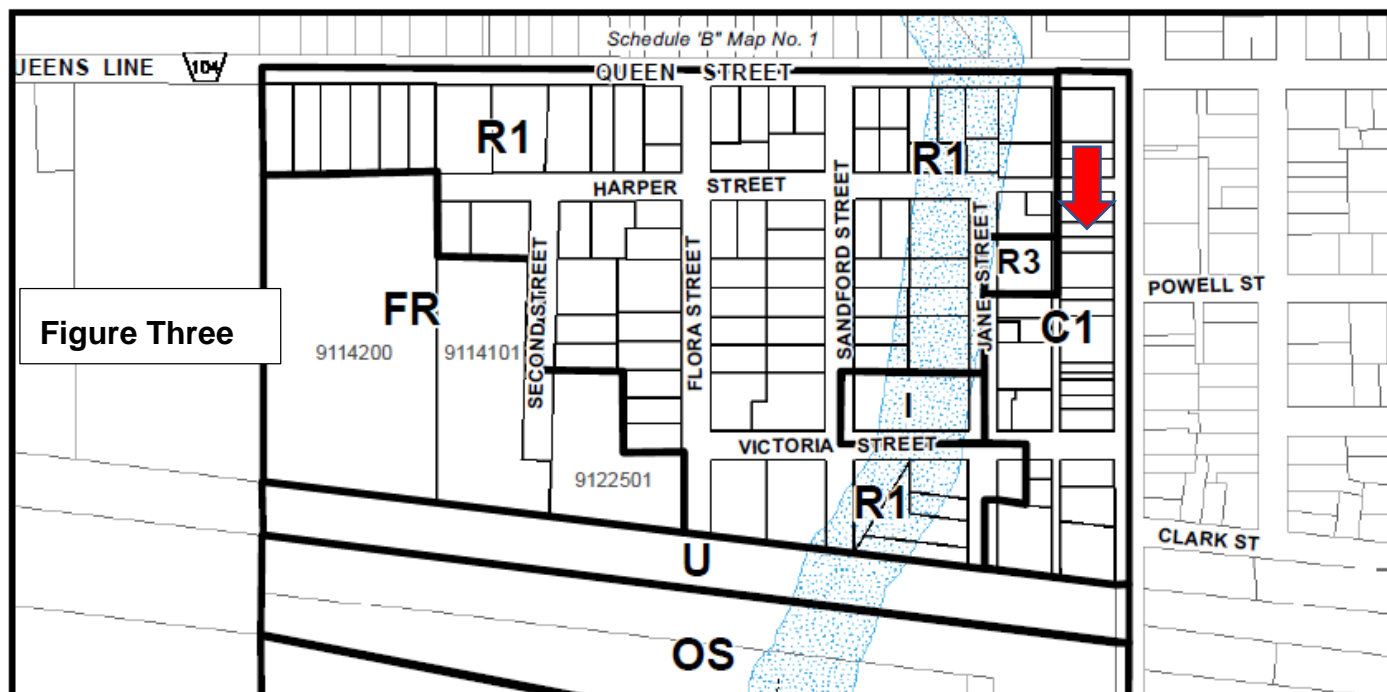
The subject lands are within the Tier One Settlement Area of Rodney on Schedule 'A' Land Use in the CEOP. Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. There are a range of urban and rural settlement areas in Elgin County where there is a concentration of development and mix of permitted land uses including a variety of housing types, commercial and employment uses, institutional uses, community and recreational facilities, and open space. The proposed zoning amendment conforms with the policies of the County Official Plan.

**WEOP:**

The subject lands are designated as Downtown Core, as shown on the Village of Rodney Land Use and Transportation Schedule 'C' of the Official Plan. Mixed use commercial residential is permitted within the Downtown Core designation. Residential uses are primarily anticipated on the second floor of commercial buildings so as not to remove the commercial character of the street front. In the case of the requested zoning the proposed residential, while on the ground floor, will be limited to the rear portion of the building thus maintaining commercial space and not impacting the commercial character of the streetscape. Therefore, this proposal maintains the spirit of the Downtown Core designation.

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

The subject lands are zoned Village Core (C1) Zone on Schedule “B” Map 3 of the ZBL as depicted in Figure Three.



The permitted uses within the Village Core (C1) Zone do permit dwelling units within a main building but limited to above the first storey. The proposed amendment would permit a ground floor dwelling unit but will limit it to a percentage of the ground floor and to the rear of the building.

### Interdepartmental Comments:

The zoning application was circulated to municipal staff for comment.

### Building Dept Comment:

If the requested zoning is approved a building permit will be required for the conversion of the proposed ground floor space to residential. The purpose of the permit is to ensure that all conversion works are done in accordance with the Ontario Building Code.

No other departments had applicable comment on the proposed zoning amendment application.

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

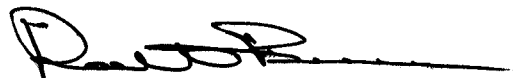
### Public Comment:

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:**

To proposed zoning amendment is consistent with the PPS, conforms to both the CEOP and West Elgin OP and will provide an additional housing opportunity in the downtown area.

Prepared by:



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

**Report Approval Details**

Document Title:	Zoning By-law Amendment Application D-14 13-2022 – Recommendation Report, 242 Furnival Road – 2023-02 - Planning
Attachments:	- 2023-xx - D14 13-2022 509692 Ontario Ltd.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 13-2022 - Recommendation Report - 2023-02-Planning.docx
Attachments:	- 2023-xx - ZBLA - D14 13-2022 Furnival Rd - DRAFT.pdf
Final Approval Date:	Jan 13, 2023

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

Jana Nethercott