



MUNICIPALITY OF
West Elgin

Staff Report

Report To: Council Meeting

From: Robert Brown, Planner

Date: 2023-01-03

**Subject: Zoning By-law Amendment Application D14 14-2022 – 22100 Downie Line
Recommendation Report 2023-03**

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 14 2022 – 22100 Downie Line Recommendation Report (Planning Report 2023-03);

That West Elgin Council approve the rezoning of the severed parcel (lot addition) from General Agricultural (A1) Zone to Highway Commercial, (C3) Zone;

That West Elgin Council approve an amendment to the existing zoning of the retained parcel to recognize the reduction in lot area, and

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 E75-22, to 1) rezone the lot addition lands to be conveyed to the abutting commercial property, and 2) to amend the zoning on the retained parcel to address the minor reduction in the existing lot area. The lot addition lands will be rezoned from General Agricultural (A1) Zone to Highway Commercial (C3) Zone. The retained parcel will remain within the General Agricultural (A1) Zone but will be amended with a special regulation to recognize the further reduction in lot area resulting from the lot addition.

Background:

Below is background information, in a summary chart:

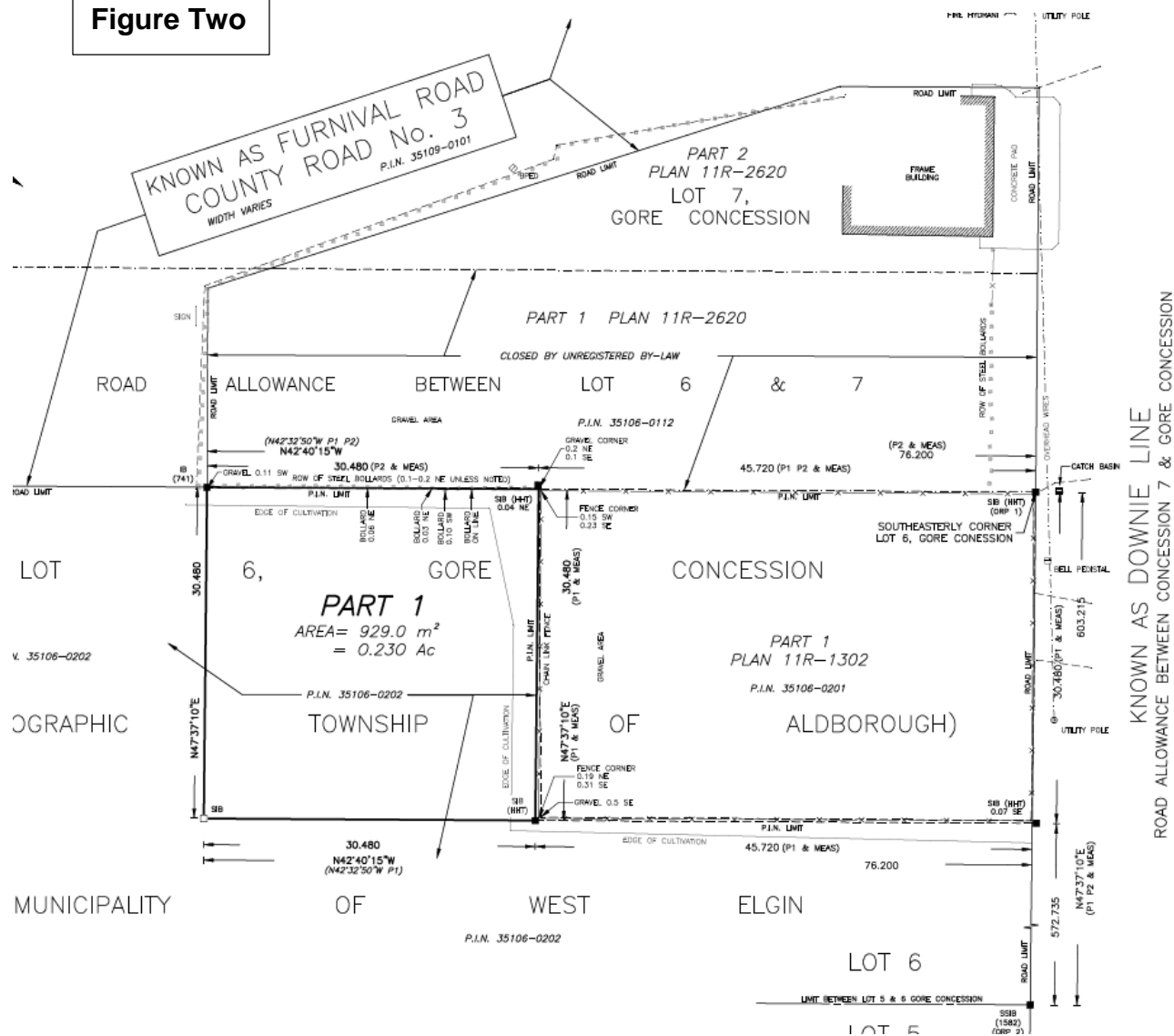
Application	D 14 14-2022 (condition of E75-2022)
Owners	Petrus & Ida Fleuren
Applicant	In The Hunt Trailers Inc (Chris Liddy)
Legal Description	Part Lot 6, Concession Gore
Entrance Access	Downie Line and Furnival Rd
Lot Addition	929 m ² to be conveyed and rezoned to C3
Retained Parcel	19.4 ha to be rezoned to recognize the reduced lot area

Figure One below, shows the location of the lot addition lands (outlined in red), the receiving lot (outlined in green) and the retained farm parcel (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 commercial property.

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:

Provincial Policy recognizes that existing businesses located within the agricultural designation may need to expand but subject to minimizing any loss of agricultural lands and not creating a negative impact on the ongoing operations of surrounding agricultural lands. The proposed zoning allows for the lot addition lands to be used for additional outdoor storage and display area for the existing business. The lot addition itself represents a minor boundary adjustment. The existing business has been in this location for some time and has not impacted existing agricultural uses nor will it impact ongoing use of the surrounding agricultural lands. The proposal is consistent with PPS.

CEOP:

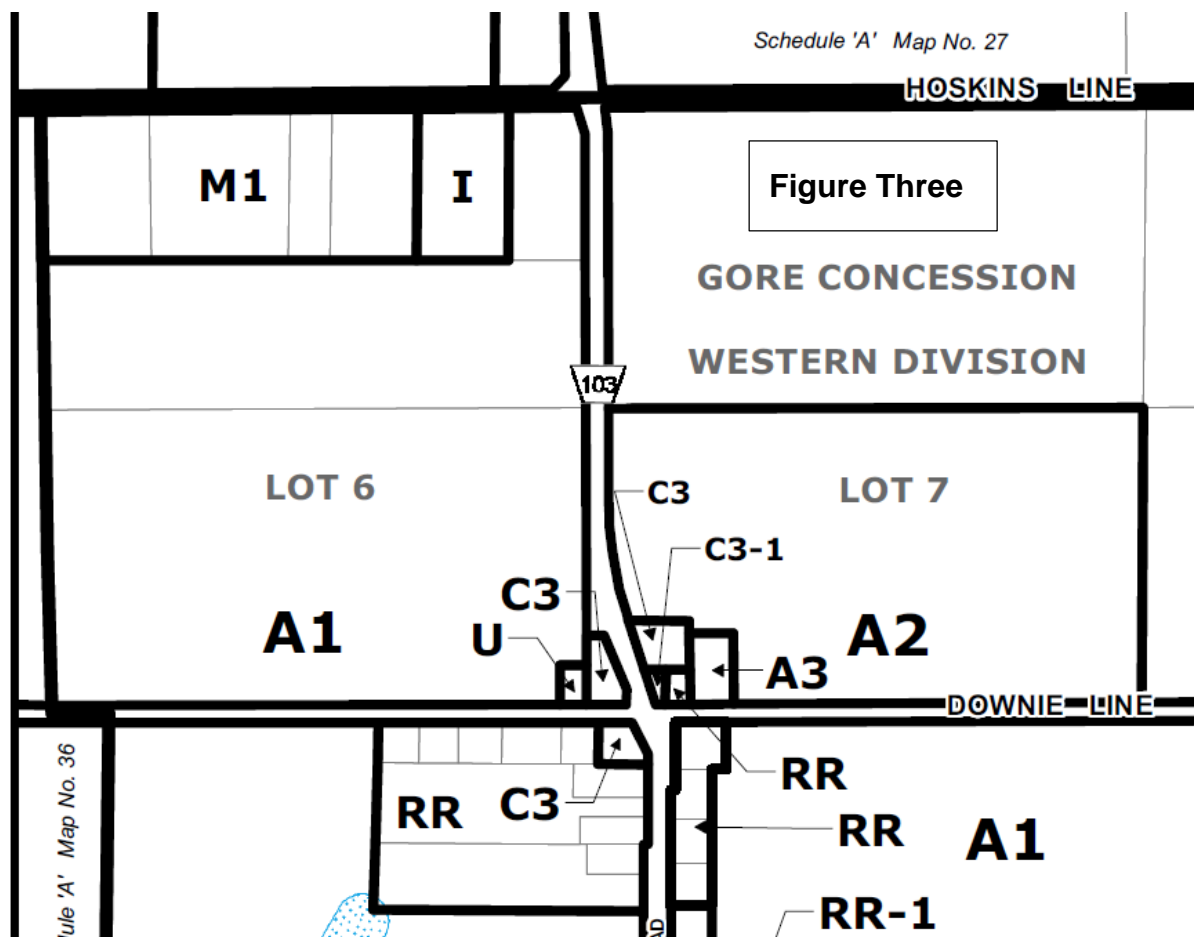
The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP. Section E1.2.3.4 outlines that consents are permitted for legal or technical reasons including minor boundary adjustments which do not result in the creation of new lots. The Land Division Committee approved the 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 majority of the subject lands are designated as Agricultural, as shown on the Rural Area Land Use and Transportation Schedule 'E' of the OP. The lot addition portion, to be rezoned, is located in the southeast corner of the subject parcel and appears to be located within a small area designated Industrial at the intersection of Furnival Road and Downie Line. Therefore, this proposal conforms to the OP.

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

The subject lands are zoned General Agricultural, (A1) Zone on Schedule "A" Map 37 of the ZBL while the receiving lot is zoned Highway Commercial (C3) Zone as depicted in Figure Three. The proposed amendment will rezone the lot addition lands to match that of the receiving lot. The retained parcel will be placed within a Special Regulation under the General Agricultural (A1) Zone to recognize the minor reduction in lot area resulting from the lot addition.



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:

To proposed zoning amendment is consistent with the PPS, conforms to both the CEOP and West Elgin OP, and addresses the application conditions 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 14-2022 – 22100 Downie Line Recommendation Report 2023-03
Attachments:	- 2023-xx - D14 14-2022 22100 Downie Line.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 14-2022 - Recommendation Report - 2023-03-Planning.docx
Attachments:	- 2023-xx - ZBLA - D14 14-2022 Downie Line - DRAFT.pdf
Final Approval Date:	Jan 12, 2023

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

Jana Nethercott