



# MUNICIPALITY OF West Elgin

## Staff Report

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**Report To:** Council Meeting  
**From:** Robert Brown, Planner  
**Date:** 2023-11-15  
**Subject:** Severance Application E81-23 – Comments to Elgin County – Recommendation Report (Planning Report 2023-51)

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding consent application File E81-23 – Comments to the County of Elgin (Planning Report 2023-51);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for severance application E81-23, subject to the Lower-Tier Municipal conditions in Appendix One of this report;

And further that West Elgin Council direct Administration to provide this report as Municipal comments to the County of Elgin.

### **Purpose:**

The purpose of this report is to provide Council with recommendations related to authorizing municipal comments to the County of Elgin regarding County of Elgin Severance Application E81-23, as Elgin County is the planning approval authority for severances.

The purpose of the application is to facilitate the re-establishment of a lot on the south side of Pioneer Line, between Wellington St. and Catherine Road as shown in Figure One. The lands were originally two separate holdings, however have merged over time as a result of being under the same ownership.

### **Background:**

Below is background information, in a summary chart:

<b>Application</b>	E81-23
<b>Owner/Applicant</b>	Helen Okolisan
<b>Legal Description</b>	Pt. Lot 17, Concession 9, Pt. 35, Plan 119, Part Pt. 2, Pts. 4, 5 & 7, RP 11R 2721 & Pt. 3, RP 11R2900
<b>Civic Address</b>	24953 Pioneer Line
<b>Entrance Access</b>	Severed – Pioneer / Retained – Maple St.
<b>Water Supply</b>	Municipal water service

<b>Sanitary Service</b>	Private on-site individual septic system
<b>Existing Land Area</b>	1.53 ha (3.78 ac.)

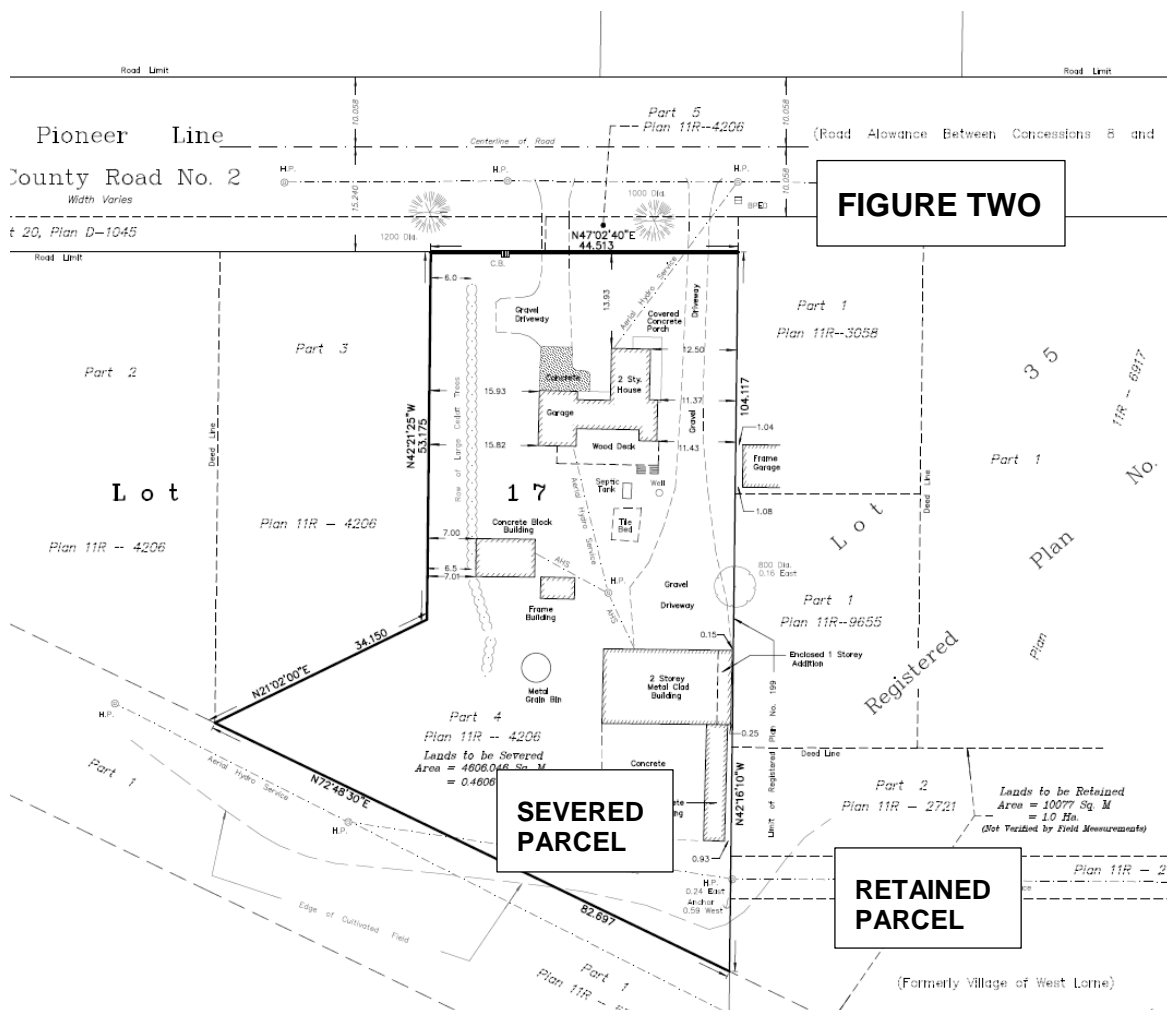
Figure One below depicts the existing parcel and the proposed lot creation. The red outline is the proposed new lot fronting on Pioneer Line. The blue outline is the retained parcel with access and frontage from the end of Maple St.



The Public Hearing is scheduled for December 13, 2023, at the Elgin County Land Division Committee Meeting.

Figure Two and the below chart show the details from the survey sketch prepared as part of the application for severance.

<b>Application</b>	<b>Severed Parcel</b>			<b>Retained Parcel</b>		
	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>
<b>E81-23</b>	44.513 m (146 ft)	114.12 m (341.6 ft)	0.46 ha (1.14 ac.)	16.46 m (54 ft)	irregular	1.0 ha +/- 2.0 (2.47 ac.)



### **Financial Implications:**

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. The proposed lot creation will have a minimal impact on assessment value.

### **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 do 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.

With regard to this proposal involving severance, the Planning Authority is the County of Elgin Land Division Committee, wherein the Municipality provides agency comments to the County of Elgin as part of their decision-making process.

**PPS:**

The proposed lot creation is within the West Lorne settlement area and raises no issues of Provincial significance. The proposal is consistent with PPS.

**CEOP:**

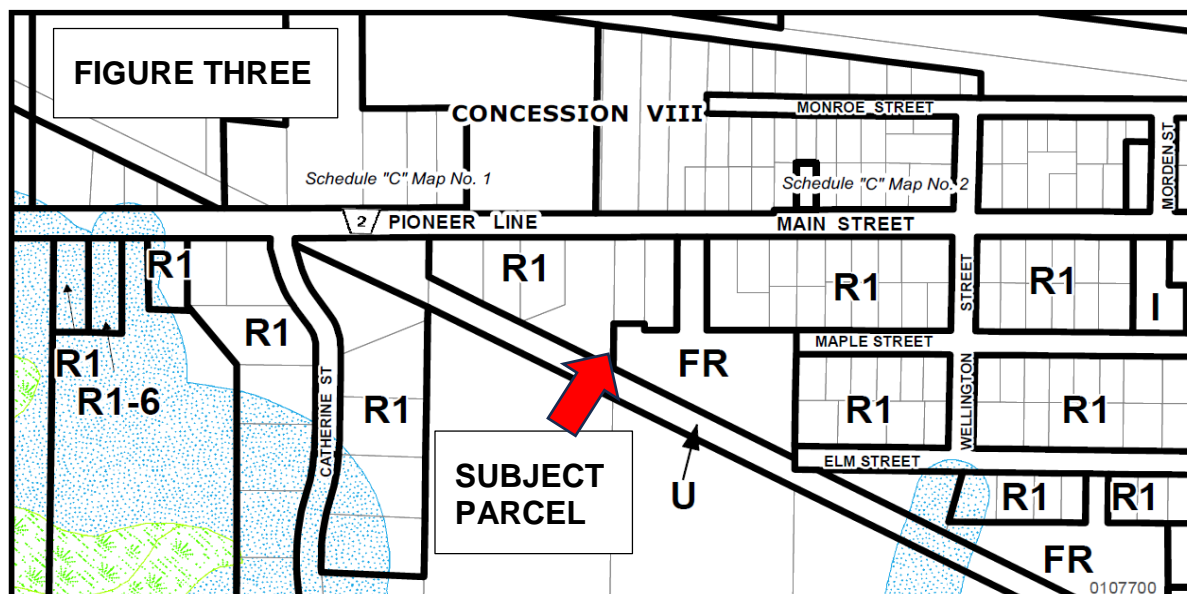
The subject lands are within the Tier One Settlement Area of West Lorne on Schedule 'A' Land Use in the CEOP. New lot creation is subject to Section E.1.2.3.1. The proposed lot creation has been reviewed in the context of items a) through m) of the applicable section. The proposed lot creation raises no issues of concern and as such is in conformity with the CEOP.

**OP:**

The subject lands are designated as Residential Area, as shown on the Land Use & Transportation Plan Schedule 'D' of the OP. The proposed lot creation is via consent and as such subject to Section 10.4. The proposed lot is generally in conformity with the provisions of this section however an existing outbuilding along the east lot line will require a minor variance to recognize the existing side yard setback. The retained lands do have frontage at the end of Maple St. however are within the Future Residential zone which has no regulations applicable to the lot creation. Therefore, this proposal conforms to the OP subject to addressing the zoning deficiency on the severed parcel.

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

The subject lands are zoned Residential First Density (R1), while the retained lands are zoned Future Residential (FR), both on Schedule C, Map 5 of the ZBL as depicted in Figure Three. The severed parcel contains an existing outbuilding that is located along the east lot line that will not comply with the side yard setback for a detached accessory structure as such a minor variance will be required to recognize the exiting setback. All other regulations for the severed parcel will be in compliance with the R1 zone. As there are no regulations applicable to the FR zone on the retained lands there are no zoning issues. As such, subject to approval of the necessary minor variance on the severed parcel, the proposed lots will conform with the West Elgin Zoning By-law.



**Interdepartmental Comments:**

The severance application was circulated to municipal staff for comment. It was noted that a septic inspection is necessary for the severed parcel. This has been completed and approved. Access to the retained parcel was also reviewed as there is an existing easement over the retained parcel at the end of Maple St to afford access to a lot that was created many years earlier. The title records were reviewed and there continues to be enough width at the end of Maple St. for it to be extended in the event that the remnant lands develop in the future. As such municipal staff agreed with the severance moving forward as proposed. At the time of submission of this report, no other comments or concerns were received from Administration.

**Summary:**

It is the Planner's opinion that the proposed lot creation consent, is consistent with the PPS, conforms to the CEOP and conforms to the OP, complies with the ZBL; and that Council recommends to the County of Elgin that the consent be approved, subject to the lower-tier municipal conditions listed in this report.

The County of Elgin, as the Planning Approval Authority, will have to review the application accordingly against the planning documents (PPS, CEOP, OP and ZBL) and obtain comments from the other agencies and members of the public through the public consultation process, as part of their decision-making on the planning application.

Prepared by:



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

**Report Approval Details**

Document Title:	Severance Application E81-23 - Comments to Elgin County - Recommendation Report - 2023-51-Planning.docx
Attachments:	- Planning Report 2023-51 - Appendix One - West Elgin Conditions E81-23.pdf
Final Approval Date:	Nov 20, 2023

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

Terri Towstiuc