

September 21, 2023

SBM-20-3300

Municipality of West Elgin  
22413 Hoskins Line  
Rodney, On N0L 2C0

**Attn: Robert Brown, Planner**

**RE: Zoning By-Law Amendment Proposal Summary - Creek's Edge Subdivision  
West Lorne, ON**

Dear Mr. Brown:

Strik, Baldinelli, Moniz Ltd. (SBM) has been retained by Marsh Land Developments to prepare and submit a Zoning By-Law Amendment Application for lands legally described as Lot 18 Concession 9 in the Geographic Township of Aldborough in the Municipality of West Elgin, County of Elgin (herein referred to as the "Subject Lands"). The subject lands are located north of Marsh Line and east of Graham Road, within the Settlement Area Boundary of West Lorne. The following sections outline the development intentions for the site and the required zoning by-law amendment (ZBA) application to facilitate the desired built form on the site.

## 1. Application Information

**Key Contact (Agent):**

Sandra Congdon, CPT  
  
Strik, Baldinelli, Moniz Ltd.  
**P:** 519.471.6667 X 197  
**E:** [scongdon@sbmltd.ca](mailto:scongdon@sbmltd.ca)

**Applicant/Proponent:**

Marsh Line Developments

**Site Description**

Lot 18 Concession 9 in the Former Twp. of Aldborough,  
Now in the Municipality of West Elgin, in the County of Elgin

**Site area:** 6.71ha/16.58ac  
**Site frontage:** 320.15m (Marsh Line)

## 2. Site Description

The subject lands are located within the defined settlement area of the community of West Lorne. Located on the north side of Marsh Line, the site has a frontage of  $\pm 320\text{m}$  and a total area of 6.71 ha (See **Figure 1**). The subject lands are generally flat and currently used for agricultural production. The subject land consists of cultivated lands except for a narrow buffer of brush/vegetated area associated with the natural heritage area to the north and the Wilton Municipal Drain which bisects the property. (See **Figure 2**)



**Figure 1.** Context Map, Subject Lands (Elgin Mapping)



**Figure 2.** Street view of the Subject Lands (Google: June 2023)

### 3. Summary of Proposal

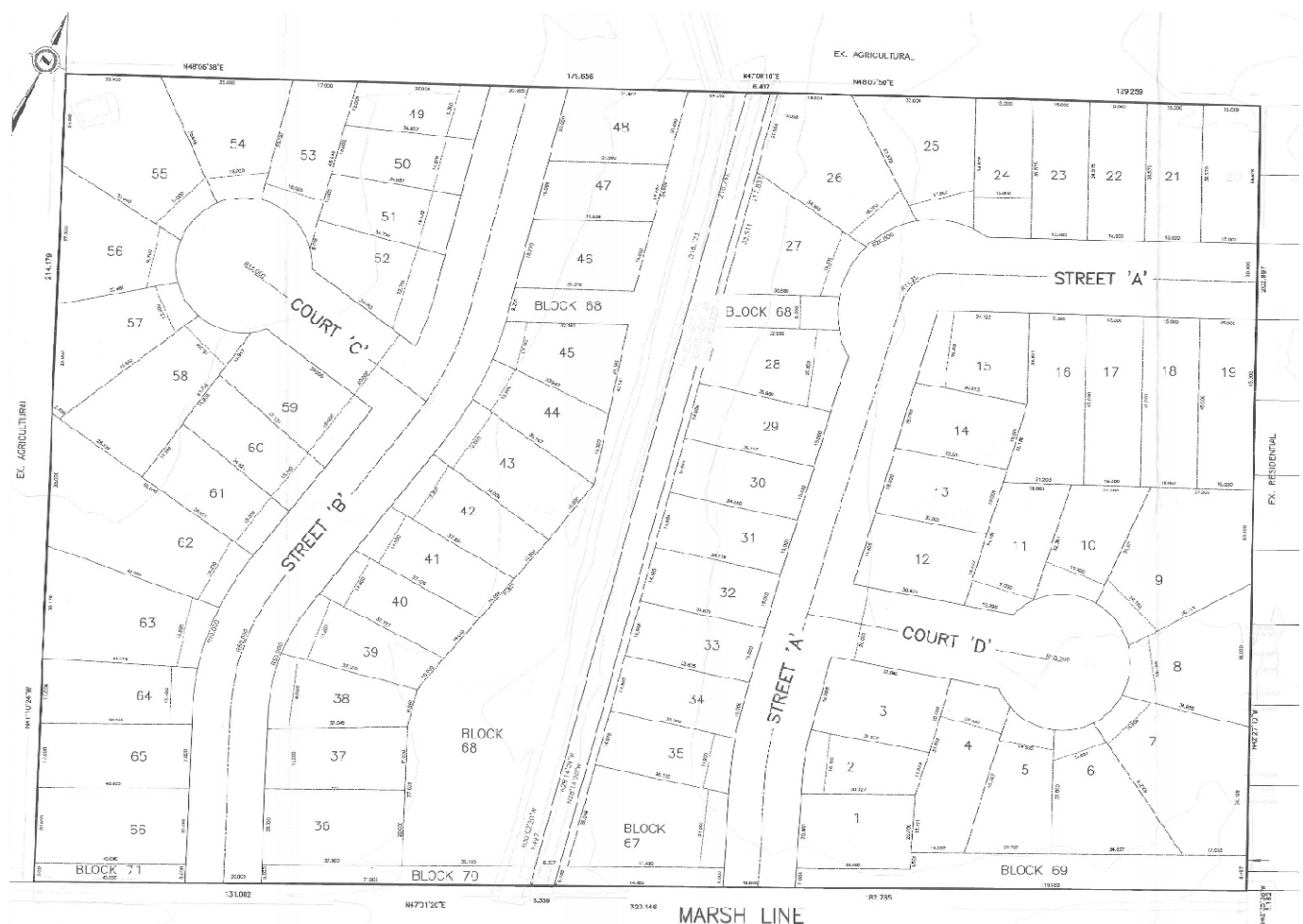
The subject lands are currently under the approval of the draft plan of Subdivision 34T-89007 (dated September 1989). A recent application (34T-WE89007) had provided redline revisions to the to the approved draft plan of subdivision as required to accommodate necessary changes through the detailed engineering design process. These redlines maintained the overall lotting pattern of the 1989 plan. Staff recommended to Council (September 12, 2023) that the revised draft plan be granted approval. The development will create 66 single detached residential lots, public roadways, and associated storm water management facilities (See **Figure 3**).

In support of the residential development and to better align with the revisions to the Draft Plan of Subdivision, the applicant is seeking approval for a Zoning By-law Amendment (ZBA) from its current “Residential First Density” with “Holding Provision 1” (R1-H-1) zoning to “Residential First Density” (R1-XX) with site specific conditions and Open Space (OS) zoning. The requested site specific conditions of the R1 zone are in support of a built form that is in line with current development standards, market demand, and appropriate for the development area.

### 4. Services and Infrastructure

The subject lands are located within the settlement area of the community of West Lorne and have access to full municipal services via Marsh Line. A stormwater management facility (Bock 68) is also centrally located to the Draft Plan area, offering both quality and quantity controls prior to discharging to the Wilton Municipal Drain.





**Figure 3. (Revised) Draft Plan of Subdivision 34T-89007 (June 2023)**

## 5. Planning Framework

The following Official Plan policies are applicable to the subject lands:

- County of Elgin Official Plan:
  - Schedule 'A' Land Use – Teir 1 Settlement Area
- Municipality of West Elgin Official Plan:
  - Schedule 'D' Land Use and Transportation Plan – Residential, Service Area B
  - Schedule 'E' Land Use and Transportation Plan – Urban Area

The proposed development is in conformity with the Official Plan policies of both the Municipality of West Elgin and the County of Elgin, particularly with regard to fully serviced residential development within the settlement area.



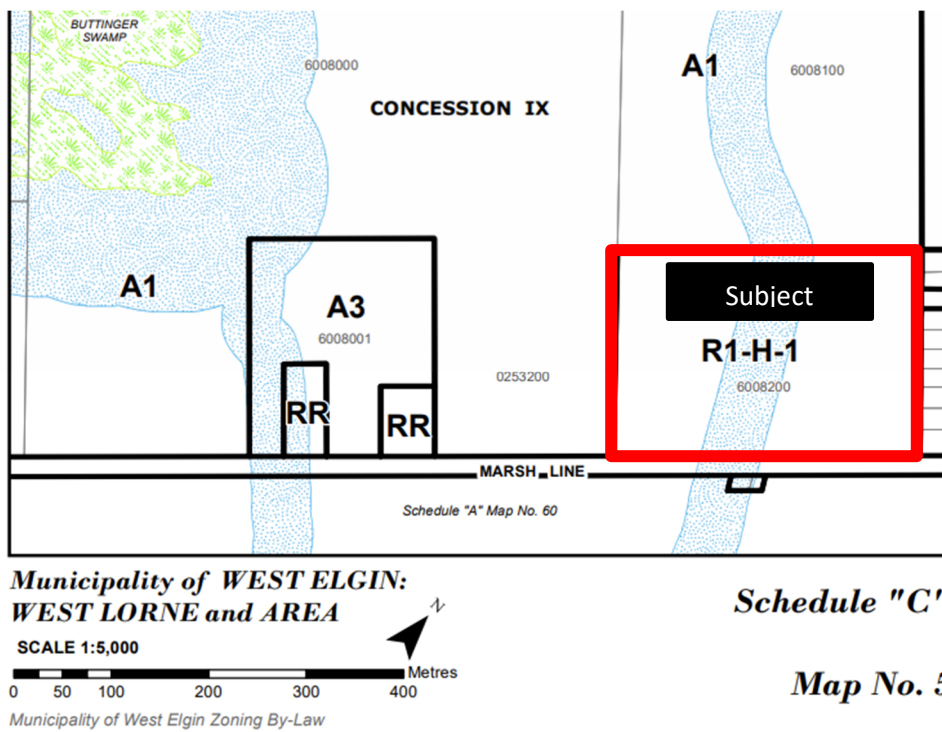


Figure 4. Schedule 'C' Map 5 Zoning By-Law – West Lorne Area



Figure 5. Proposed Amendment to Schedule "C", Map 5, of the Zoning Bylaw

### Proposed Zoning By-law Amendment

As per the Municipality of West Elgin Zoning By-Law, Schedule 'C' Map 5, the subject lands are currently zoned R1-H-1 (See **Figure 4**). It is the request of the applicant that the lands be rezoned "Residential First Density" (R1-XX) with site specific conditions and Open Space (OS) (See **Figure 5**).

Removal of the holding provision (H-1) is contingent on the owner entering into a development agreement with the municipality ensuring fulfillment of development obligations and responsibilities. The development agreement is currently under review and as such the holding provision will be removed as part of the rezoning process.

The draft plan of subdivision contains multiple blocks intended for storm water management facilities (Blocks 67, 69-71) and one block that contains the existing Wilton Municipal Drain (Block 68). It is the intent of the applicant to rezone these lands "Open Space" (OS). All provision of the Open Space Zone, as outlined in Section 25 of Zoning By-law 2015-36, can be achieved and no site-specific provisions are requested.

Below, is a comparative analysis of the standard R1 zone (ZB 2015-36) and the requested site-specific conditions.

**Table 1.** Zoning Chart – R1-XX Zone

Item	Regulation	R1 Zoning	Proposed R1-XX	Compliance
1	Lot Area (m <sup>2</sup> ) Min.	600	440.0*	NO*
2	Permitted Use	Home Occupation Single Unit Dwelling	Home Occupation Single Unit Dwelling	Yes
3	Lot Frontage (m) Min. a) Corner Lot b) Interior Lot	18.0 15.0	18.0 12.8*	Yes No*
4	Front Yard (m) Min.	7.5	6.0*	NO*
5	Side Yard (m) Min. a) Single Unit Dwelling b) Single Unit Dwelling without attached garage. c) Single Unit Dwelling Corner Lot	a) 1.5 m + 0.5m for each additional or partial storey above the first b) 1.5 m + 0.5 m for each additional or partial storey above the first on one side and 4.5 m on the other side c) 7.5 m on the side abutting a street and 1.5 m + 0.5m for each additional or	a) 1.2* b) 1.2m on one side and 4.0m on the other side * c) 1.2m on the interior side yard and 4.0m on the exterior side yard *	NO*

		partial storey above the first on the other side		
6	Rear Yard (m) Min.	7.5	7.5	Yes
7	Setback from a Municipal Drain (m) Min. (Section 4.12(b))	15 metre setbacks from the top-of-bank of a municipal drain having a width of 4.5 metres or more from top-of-bank to top-of-bank.	15.0	Yes
8	Height (m) Max.	10.5	<10.5	Yes
9	Lot Coverage (%) Max.	30.0	<b>40.0</b>	<b>NO*</b>
10	Dwelling Units / Lot	1	1	Yes
11	Municipal Services	No dwelling shall be erected or used that is not connected to the municipal water supply system and the municipal sanitary sewage system.		Yes
12	Parking	1 Space per Unit	1 Space per Unit	Yes

\* Zoning Deficiency

As outline above in Table 1, the applicant is requesting relief from Section 8 Residential First Density (R1) Zone, Table 8-1 to create the following site-specific conditions:

1. That the minimum lot area be permitted to 440.0m<sup>2</sup>, whereas 600.0m<sup>2</sup> is required.
2. That the minimum lot frontage be permitted to be 12.8m on an interior lot, whereas 15.0m is required.
3. That the minimum front yard setback be 6.0m, whereas 7.5m is required.
4. That the minimum side yard setback be permitted as follows:
  - a. Single Unit Dwelling: 1.2m
  - b. Single Unit Dwelling without attached garage: 1.2m on one side and 4.0m on the other side.
  - c. Single Unit Dwelling Corner Lot: 1.2m on the interior side yard and 4.0m on the exterior side yard.
5. That the maximum lot coverage be 40.0 %, whereas only 30.0 % is currently permitted.

As stated earlier, the original draft plan of subdivision was approved in 1989 but never developed. A change in ownership has brought new life to the project. Over the last 34 years, development standards have evolved, recent revisions to the draft plan of subdivision are reflective of this. The recent redlines to the plan made minor modifications to elements like road width, bringing a section of Street A from 19m to 20m to accommodate engineering requirements, and changing the former Lot 36 into Block 67 to provide stormwater management.



Block 68 was changed from parkland to a stormwater management block as well. However, the overall lotting and road pattern from the 1989 Draft Plan has been maintained.

Elements of the requested site-specific conditions, like lot frontage and lot area, are reflective of the original subdivision design. While other site-specific conditions requested such as reductions to the required front and side yards and an increase in the allowable lot coverage are reflective of current development standards and the desired built form proposed within the development.

## 6. Closing

This Planning Justification Brief has been submitted as part of a complete application package to amend the current Zoning of the subject lands. The proposal allows for the logical development of the subject lands within the parameters of the approved plan of subdivision. The proposed development is compatible and sensitive to the surrounding residential uses and maintains connections for future development opportunities.

Thank you for your consideration and we look forward to working with the Municipality in the next steps of the Zoning By-Law Amendment application process. Feel free to contact the undersigned should you require any further information, or verification of the submitted materials.

Respectfully submitted,

**Strik, Baldinelli, Moniz Ltd.**

Planning • Civil • Structural • Mechanical • Electrical



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cc. Aldo Caranci and Jim Bujouves, Marsh Line Developments  
Ben Hyland and Nick Dyjach, SBM Ltd.

Encl. Appendix A: Draft Plan of Subdivision  
Appendix B: Subdivision Plan and Zoning Chart  
Appendix C: Proposed Zoning Map