



## Staff Report

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**Report To:** Council Meeting  
**From:** Robert Brown, Planner  
**Date:** 2024-03-06  
**Subject:** Zoning By-law Amendment Application 1-2024 – Recommendation Report (Planning Report 2024-08)

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding the removal of the H-Holding symbol from properties located on the south side of Gray Line, being part of Part of Lot 11, Concession 14, Parts 1 and 2, RP 11R 9430, known as 23577 and 23667 Gray Line.

That Council for the Municipality of West Elgin consider the By-law to remove the H-Holding symbol for the lands located at 23577 and 23667 Gray Line as presented in the By-law portion of the Council agenda for March 14, 2024.

### **Purpose:**

The proposed amendment to the Zoning By-law is for lands legally known as Part of Lot 11, Concession 14, Parts 1 & 2, RP 11R 9430 and known as 23577 & 23667 Gray Line. The proposed by-law will remove the Holding (H) symbol from the Lakeshore Residential (LR) zoning to allow the lands to be used for residential purposes.

### **Background:**

The subject lands consist of two lots that are currently zoned Lakeshore Residential – Holding (LR-H) on Map 77, Schedule “A” of the West Elgin Zoning By-law 2015-36 and permits residential uses subject to removal of the H- Holding Symbol.

The lands to which the ‘H’ symbol applies consist of two existing vacant lots with frontage on Gray Line. (See Figure One) The applicants would like to proceed with potential construction of a dwelling on the lots and have requested removal of the H-Holding symbol. The H-Holding symbol is included on the zoning of many of the vacant lands along Lake Erie. The purpose of this is to ensure that there is adequate room to accommodate construction while also providing the necessary setback from the lake bluff and confirm that there is either municipal or private water service available. The subject properties do not have access to municipal water as such they are required to demonstrate that a private water source can be established.

### **Financial Implications:**

The applicable fee for H removal has been collected as part of the application process. There is an anticipated increase in assessment once development occurs on the subject lands.



### **Policies/Legislation:**

The zoning is consistent with Provincial, County and local policy as it relates to lands along the Lake Erie shore that are subject to erosion hazards. The properties have adequate depth to support development while providing the necessary setback from the 100 year erosion line. Based on recent well drilling in the area and confirmation from a qualified well driller (Appendix A) there is adequate evidence that a potable water supply can be provided on the subject lots.

There are no new considerations as a result of the H removal. With approval of the proposed amendment the development can move forward once plans are prepared and necessary permitting in place.

**Alignment with Strategic Priorities:**

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
<input type="checkbox"/> To improve West Elgin’s infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input checked="" type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input type="checkbox"/> To enhance communication with residents.

**Circulation Of The Application:**

A notice of intention was circulated to the neighboring property owners within 120 meters of the subject lands on March 1, 2024. Removal of the H-Holding is not subject to the standard public notice nor is there an appeal process for objections.

**Municipal Department / Agency Comments:**

The zoning by-law amendment (H-Removal) application was circulated to municipal staff for comment. No concerns were raised. The LTVCA was consulted by the applicant and provided confirmation from the Authority regarding adequate setbacks from the lake bluff. (See Appendix A)

**Public Comments:**

At the time of writing no comments have been received.

**Summary/Conclusion:**

Therefore, it is Planning Staff’s opinion that the proposed Zoning By-law Amendment is consistent with the PPS, conforms to the CEOP and conforms to the OP; and recommends that the request for Zoning By-law Amendment be approved removing the H – Holding symbol.

Respectfully submitted by,



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

## Report Approval Details

Document Title:	Zoning By-law Amendment Application D 14 1-2024 - Recommendation Report - 2024-08-Planning.docx
Attachments:	- Appendix A - LTVCA - Water Confirmation.pdf - 2024-21 - D14 1-2024 - Ratajczak.pdf
Final Approval Date:	Mar 6, 2024

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

Terri Towstiuć