



Staff Report

Report To: Council Meeting
From: Robert Brown, Planner
Date: 2024-09-04
Subject: Severance Application E70-24 – Comment to Elgin County – Recommendation Report – (Planning Report 2024-28)

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding consent application File E70-24 – Comments to the County of Elgin (Planning Report 2024-28);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for severance application E70-24, 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 E70-24, as Elgin County is the planning approval authority for severances.

The purpose of the application is to facilitate the splitting of an existing lot, containing a semi-detached dwelling, into two individual freehold lots for each dwelling unit. The subject property is located on the east side of Fourth St, just south of Powell St. The lot was developed in 1989 with a semi-detached dwelling that has been used as a rental property. The owners are now looking to subdivide the dwelling and provide each individual unit for sale.

Background:

Below is background information, in a summary chart:

| | |
|--------------------------|---|
| Application | E70-24 |
| Owner | Elgin House to Home Inc. |
| Applicant | Matthew Fordyce |
| Legal Description | Pt. Lot 4, Block P, Plan 165, Pt 1, RP 11R 2694 |
| Civic Address | 207 Fourth St. |

| | |
|---------------------------|---|
| Entrance Access | Fourth St. (each lot has existing access) |
| Water Supply | Municipal water service |
| Sanitary Service | Municipal sanitary service |
| Existing Land Area | 772.32 m ² (8,313.52 ft ²) |

Figure One below depicts the existing parcel outlined in blue.



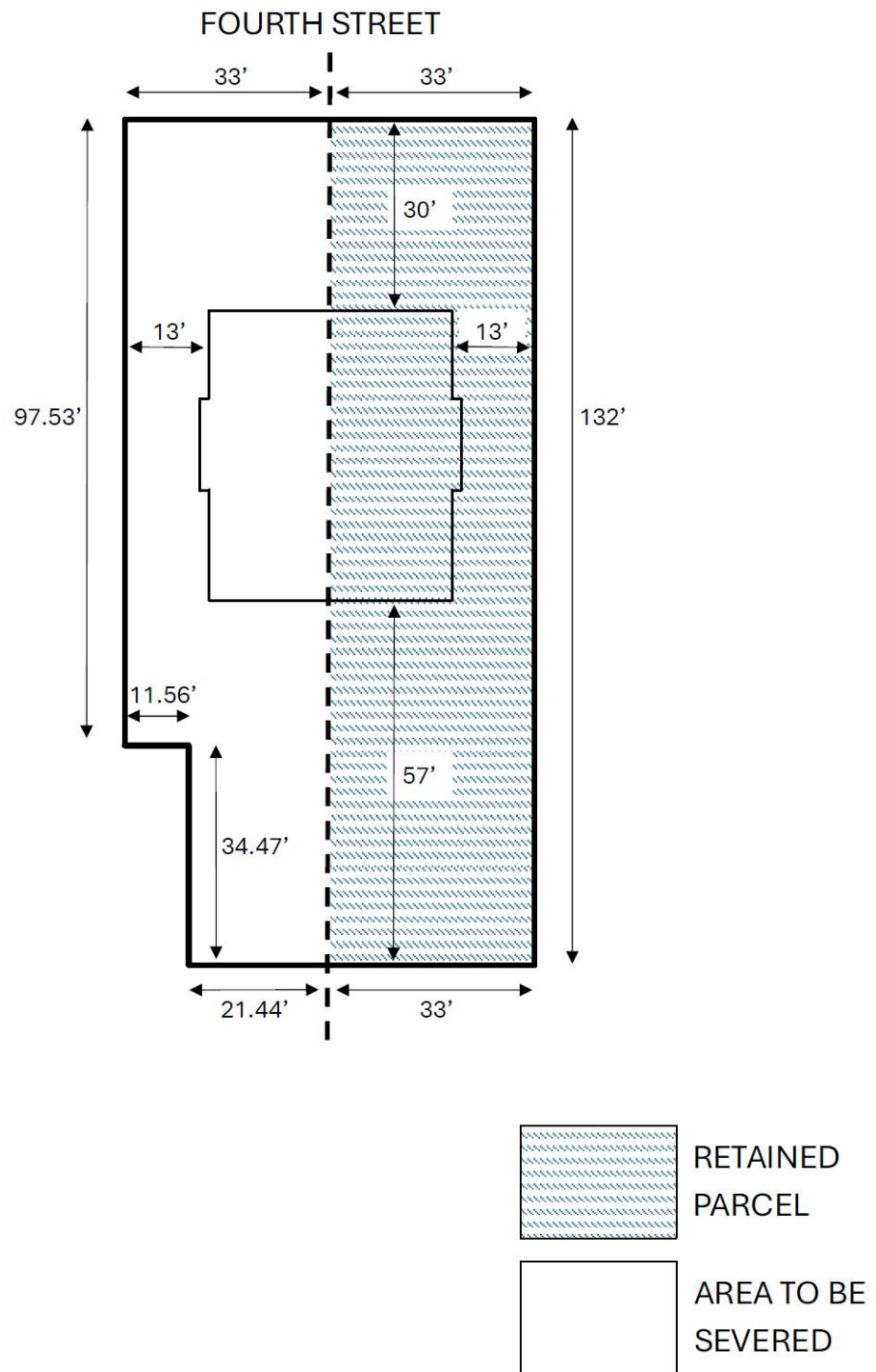
The Public Hearing is scheduled for September 25, 2024, at the Elgin County Land Division Committee Meeting.

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

| Application | Severed Parcel | | | Retained Parcel | | |
|---------------|---------------------|----------------------|---|---------------------|----------------------|--|
| | Frontage | Depth | Area | Frontage | Depth | Area |
| E70-23 | 10.05 m (33 ft.) | 40.23 m (132 ft.) | 367.65 m ² (3,957.5 ft ²) | 10.05 m (33 ft.) | 40.23 m (132 ft.) | 404.67 m ² 4,356 ft ² |

FIGURE TWO

207 FOURTH ST - PROPOSED SEVERANCE



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 Rodney settlement area and raises no issues of Provincial significance. The proposal is consistent with PPS.

CEOP:

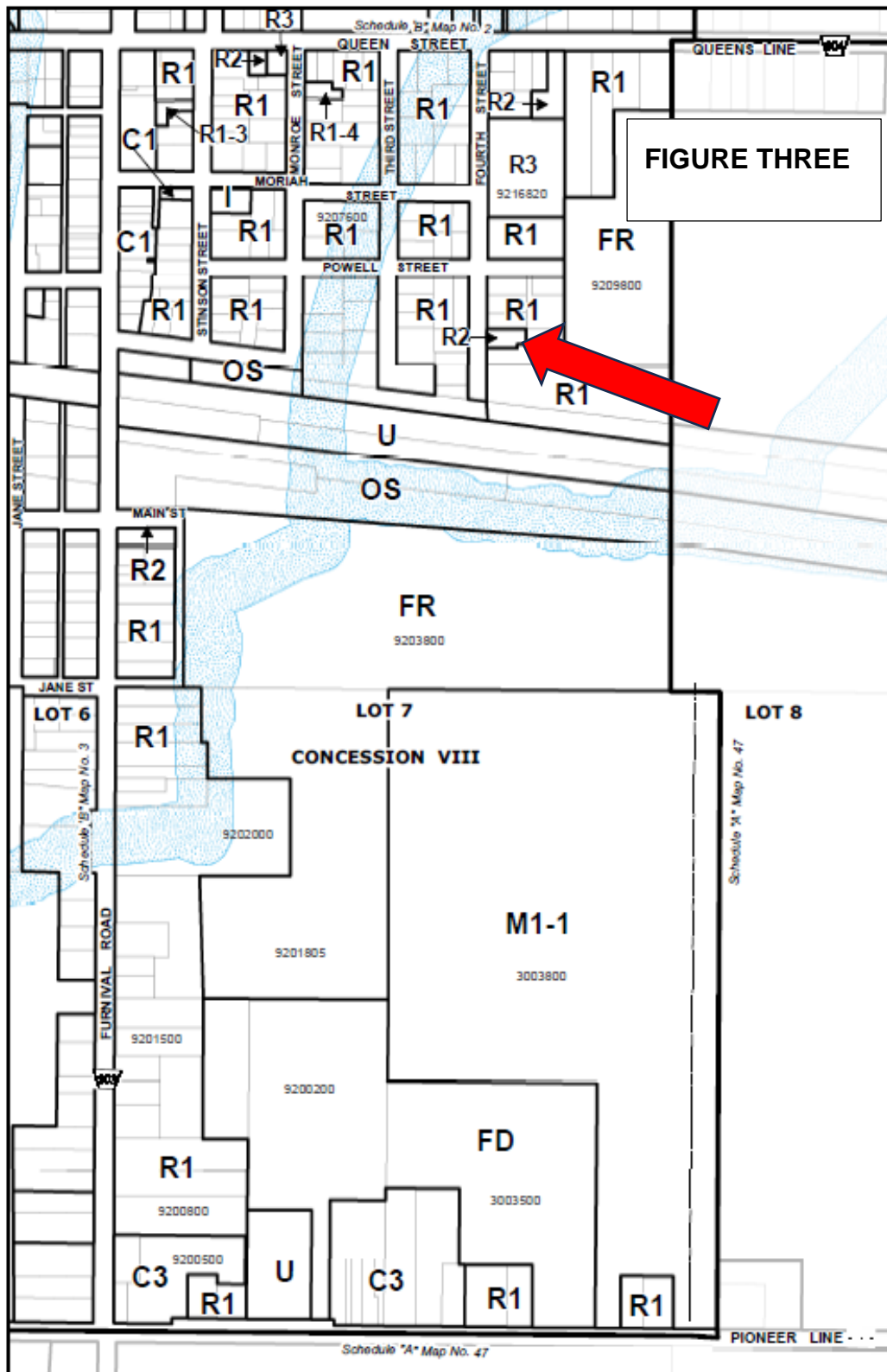
The subject lands are within the Tier One Settlement Area of Rodney on Schedule 'A' Land Use in the CEOP. New lot creation is subject to Section E.1.2.3.1. The proposed lot creation has been reviewed in the context of items a) through m) of the applicable section. The proposed lot creation raises no 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 'C' 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 the lot frontage of the severed and retained parcels will require a minor variance to recognize the slight reduction. Therefore, this proposal conforms to the OP subject to addressing the zoning deficiency noted above.

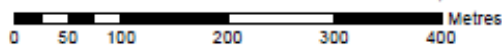
Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):

The subject lands are zoned Residential Second Density (R2), on Schedule B, Map 4 of the ZBL as depicted in Figure Three. All of the regulations for the severed and retained parcel will be in compliance with the R2 zone with the exception of the required lot frontage. Each lot will have a frontage of 10.05 m where the by-law requires 10.5 m. As such, subject to approval of the necessary minor variance, the proposed lots will conform with the West Elgin Zoning By-law.



Municipality of WEST ELGIN:
RODNEY and AREA

SCALE 1:5,000



Municipality of West Elgin Zoning By-Law



Schedule "B"

Map No. 4

Interdepartmental Comments:

The severance application was circulated to municipal staff for comment. Feedback provided included the following:

Each lot will need to confirm separate servicing.

Comment: The applicant has indicated that each unit has separate service connections.

Addressing will need to be adjusted.

Comment: Since the abutting lot to north is 209 and 205 is to the south the Municipality will have to utilize 207 and 207A as the addressing option.

Confirmation will have to be provided that the demising wall between the units was constructed in accordance with Building Code requirements (fire separation) for each unit to be considered a complainant semi-detached unit.

Comment: The original building permit was provided and an engineer's letter was also included to confirming the code compliance of the fire separation between the two units.

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, subject to the required minor variance; 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.

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 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. |

Respectfully submitted 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: | Severance Application E70-24 - Comment to Elgin County - Recommendation Report - 2024-28-Planning.docx |
| Attachments: | - Planning Report 2024-28 - Appendix One - West Elgin Conditions E70-24.pdf |
| Final Approval Date: | Sep 6, 2024 |

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

Terri Towstiuć