



Staff Report

Report To: Council Meeting
From: Robert Brown, Planner
Date: 2025-01-29
Subject: Severance Application E9-25 – Comment to Elgin County – Recommendation Report (Planning Report 2025-04)

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding consent application File E9-25 – Comments to the County of Elgin (Planning Report 2025-04);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for severance application E9-25, 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 E9-25, as Elgin County is the planning approval authority for severances.

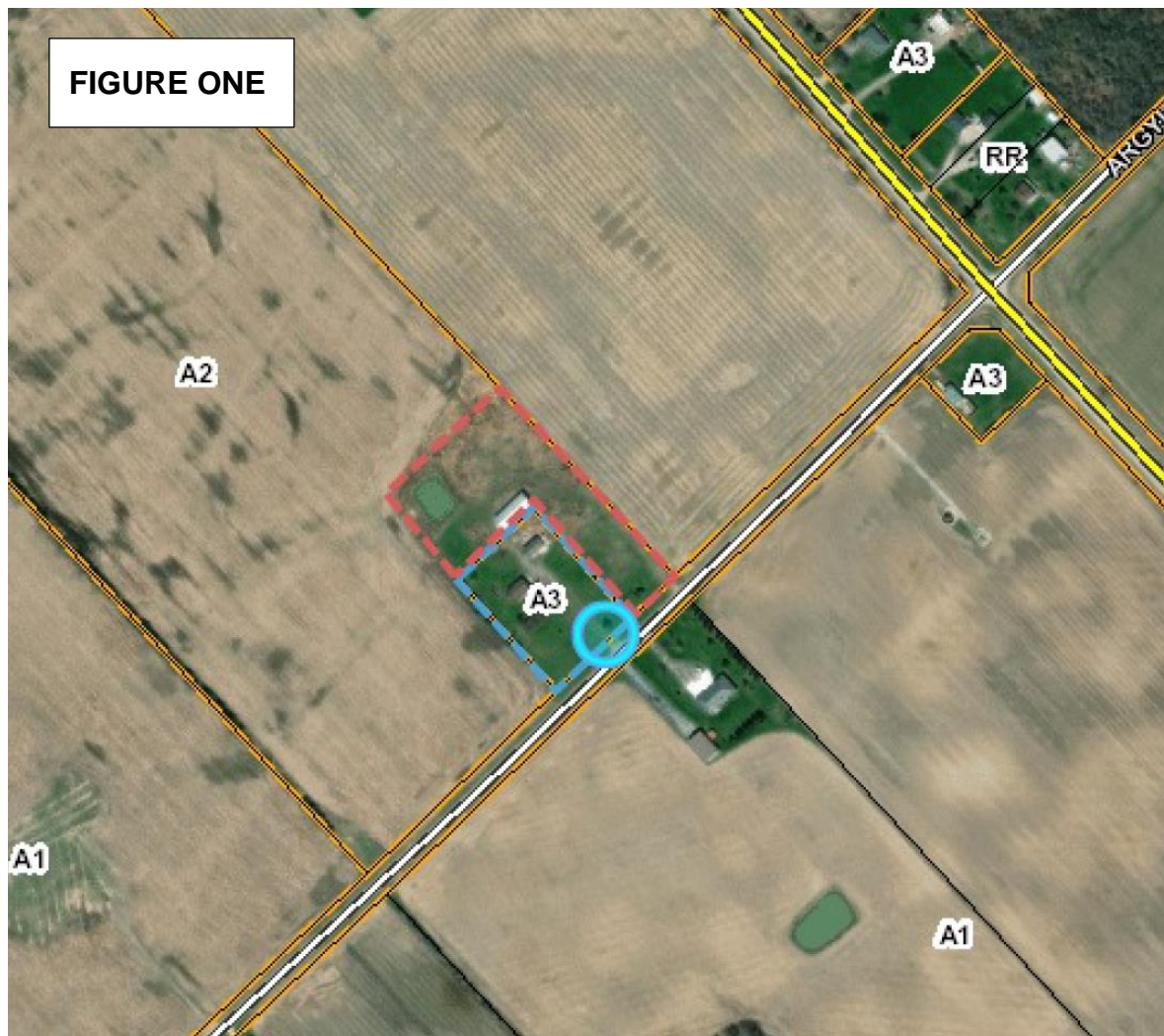
The purpose of the application is to facilitate the severance and conveyance of lands as a lot addition from an abutting farm parcel to an existing rural residential property at 25130 Argyle Line. (See Figure One)

The subject lands are 19.83 ha (49 ac.) in area with approximately 234 m of frontage along Argyle Line. The property contains an area that is approximately 1.21 ha (3 ac.) in size with an existing outbuilding and pond that is not actively farmed, nor has it been for many years. The property owner has submitted an application for consent to the County of Elgin Land Division Committee to sever and convey the non-farmed L-shaped portion of the subject property as a lot addition to an adjacent rural residential lot. Once completed the receiving lot and lot addition will have a combined area of 2 ha (4.94 ac.). A zoning amendment will be necessary as a condition of the consent to rezone the lot addition to the same A3 as the receiving lot. The retained parcel is zoned Agriculture (A2). There are no zoning issues raised for the retained lands as a result of the proposed lot addition severance.

Background:

Below is background information, in a summary chart:

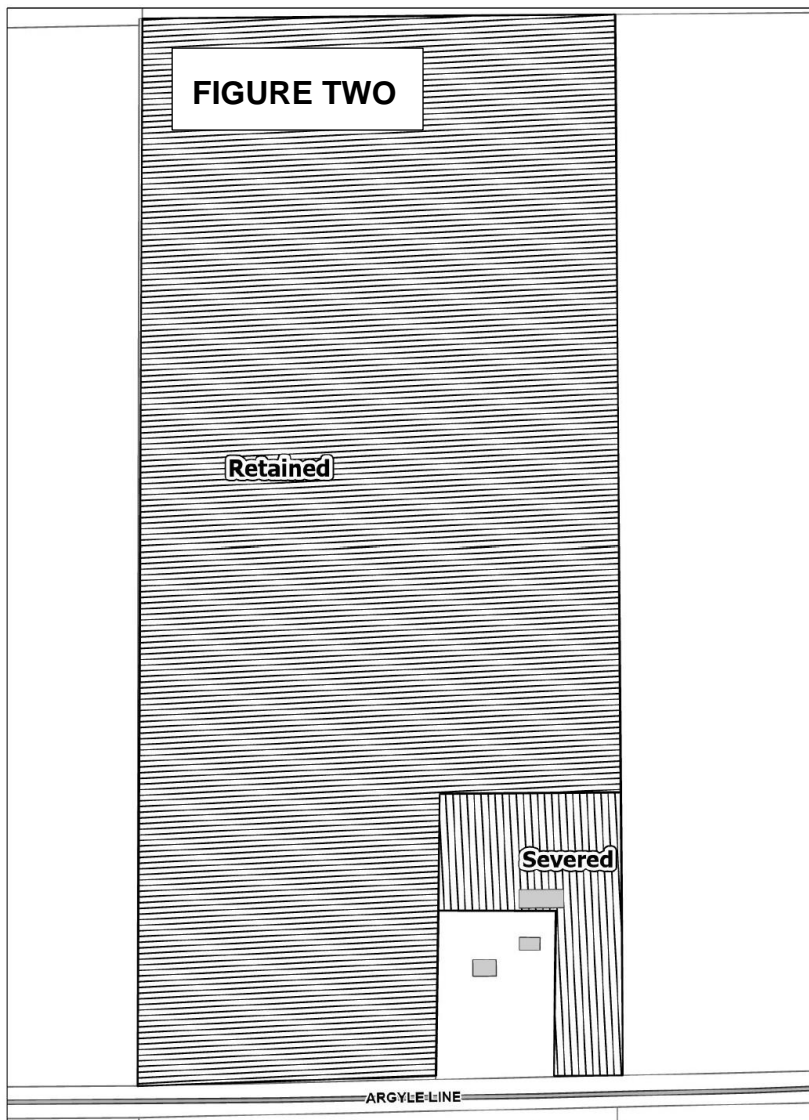
Application	E9-25
Owner/Applicant	Jesse Buis
Legal Description	Pt. Lot 21, Concession 3 ED
Civic Address	No address
Entrance Access	Existing access from Argyle
Water Supply	Lot addition lands to be serviced from receiving lot
Septic System	Lot addition lands to be serviced from receiving lot
Existing Land Area	21.04 ha (52 ac.)



The Public Hearing is scheduled for February 26, 2025, 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
E9-25	37 m (121.4 ft.)	180 m (590.5 ft.)	1.21 ha (3 ac.)	234 m (767.7 ft.)	678 m (2,224.4 ft.)	19.83 ha (48.99 ac.)








Location Map

Subject Site: 25130 Argyle Line
 File Number: E 9-25
 Owner: Jesse Buis
 CA: Lower Thames Valley Conservation Authority
 Created By: PC
 Date: 1/15/2025
 Municipality of West Elgin



Legend

-  Subject Site
-  Land to be Leased
-  Retained
-  Elgin Road Network
-  Buildings



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 addition may result in some 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 Planning 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 (2024):

The proposed lot addition is within the Agricultural designation as such the following section would be applicable:

Section 4.3.3 item 2) Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

Comment: The lands that are proposed for severance have not been actively farmed for many years and actually used for a variety of outdoor storage purposes that have likely impacted the viability of returning the lands to productive use. The neighbouring landowner has potential use for both the lands and the existing outbuilding making it well suited as a lot addition and more likely to be maintained as part of the receiving lot once consolidated.

CEOP:

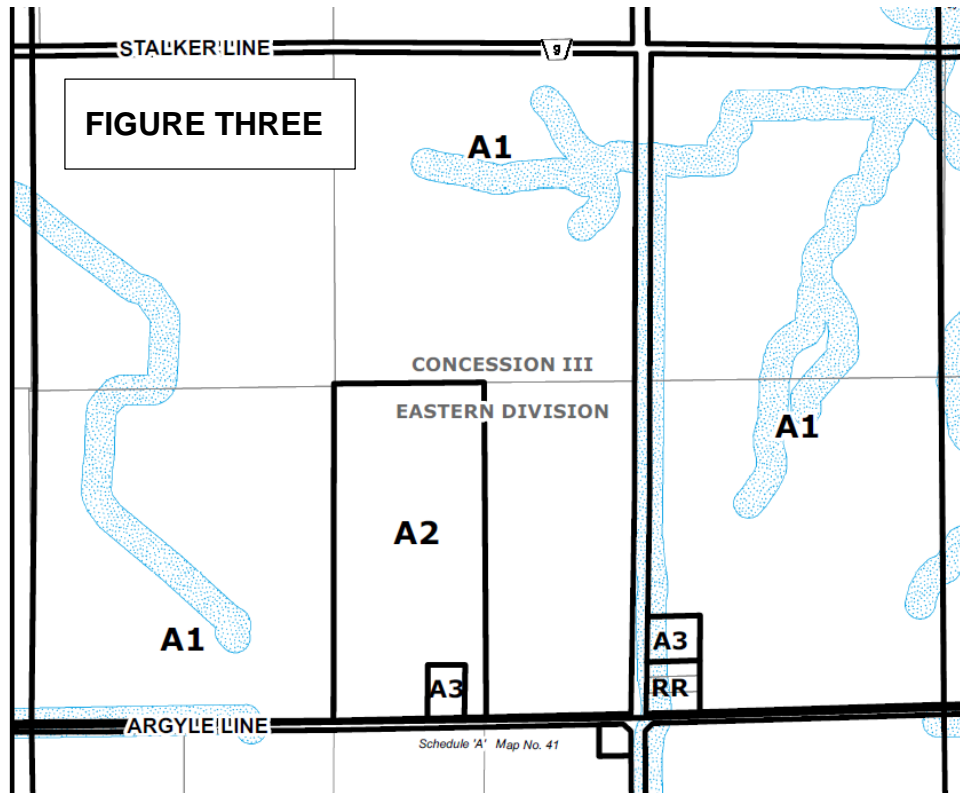
The subject lands are within the Agricultural Area on Schedule 'A' Land Use in the CEOP. Boundary adjustments are subject to Section E.1.2.3.2. which notes that a consent may be permitted for the purpose of modifying lot boundaries, provided no new building lot is created. The proposed lot addition lands will be consolidated with the receiving lot at 25130 Argyle Line, no new lot will result as such the application is in conformity with the CEOP.

WEOP:

The subject lands are designated as Agricultural Area, as shown on General Land Use Schedule '4' of the WEOP. The proposed lot addition would be subject to Section 11.21.4 e) which would "allow minor lot adjustments which do not result in the creation of a new lot." As noted, the lands to be severed will be required to be consolidated with the receiving lot as a condition of the consent application approval. Therefore, this proposal conforms to the OP.

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

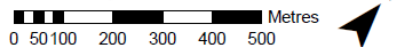
The subject farm and proposed lot addition lands are zoned Agricultural (A2) Zone, on Schedule A, Map 31 of the ZBL (Figure Three). The removal of the lands from the farm does not result in any zoning issues for the retained lands. The severed lands will require rezoning to match the zoning of the receiving lot which is zoned Restricted Agricultural (A3) Zone. This is included as a condition of approval. As such, subject to approval of the necessary zoning amendment, the proposed lot addition will conform with the West Elgin Zoning By-law.



Municipality of WEST ELGIN: RURAL AREA

Schedule "A"

SCALE 1:10,000



Map No. 31

Municipality of West Elgin Zoning By-Law

Interdepartmental Comments:

The severance applications were circulated to municipal staff for comment. The following comments were received:

Drainage:

- No drainage reapportionment is required.

Infrastructure:

- An entrance permit will be needed to the retained farm parcel to formalize the existing access point.
- The retained parcel is not currently addressed. A new civic address will be required.
- No concerns for utilities

Building Dept:

- No concerns

No other comments or concerns were received from Administration.

Summary:

Therefore, it is Planning Staff's opinion that the proposed lot addition, is consistent with the PPS, conforms to the CEOP and conforms to the OP, complies with the ZBL (subject to rezoning); 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. (Appendix One)

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,



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