



MUNICIPALITY OF **West Elgin**

Staff Report

Report To: Council Meeting
From: Heather James, Planner
Date: 2020-11-26
Subject: Zoning By-law Amendment Report 12098 Blacks Road

Recommendation:

That West Elgin Council hereby receives the report from Heather James regarding the application to amend the Zoning By-law for 12098 Blacks Road, File No. D14 06-2020; and,

That West Elgin Council consider the by-law to amend the Zoning By-law, subject to the conditions on the By-law, as presented in the By-law of the agenda.

Purpose:

The purpose of the Zoning By-law Amendment application is to amend the Farm Industrial (M2) Zone of the Municipality of West Elgin Comprehensive Zoning By-law 2015-36 to facilitate the severance of existing agricultural-related uses with no side yard width and no rear yard depth when abutting a site-specific M2 Zone. The owner is The Andersons Canada Ltd. c/o Dave Wellington, and the application was submitted by the agent, IBI Group c/o John Ariens.

The subject lands are situated on the east side of Blacks Road, in the former Township of Aldborough. The lands are legally described as Concession 8, Part of Lot 1, in the geographic Township of Aldborough, and known municipally as 12098 Blacks Road.

County of Elgin Land Division Committee conditionally approved the associated severance application (File No. E 20/20) on October 28, 2020 and no appeals were received.

Background:

The proposed severed parcel (identified as Parcel B on the attached Key Map) will have an area of 6.229 ha (15.39 ac.), a frontage of 279.85 m (918.14 ft.) along the east side of Blacks Road and an irregular depth of 305.995 m (1,003.92 ft.) and is used for agricultural industrial use. The proposed severed parcel contains one (1) fertilizer barn, one (1) metal shed, one (1) metal barn, ten (10) tanks and one (1) weigh scale and is serviced by private water well and private septic system. The proposed severed parcel has an existing entrance on to Blacks Road.

The proposed retained parcel #1 (identified as Parcel A on the attached Key Map) will have an area of 4.94 ha (12.21 ac.), a frontage of 117.38 m (385.1 ft.) along the east side of Blacks Road and an irregular depth of 305.995 m (1,003.92 ft.). The proposed retained parcel #1 contains six (6) steel silos and four (4) concrete silos used for grain storage, two (2) buildings associated with grain storage, two (2) weight scales and with no services and is used for agricultural commercial/industrial use. The proposed retained parcel #1 has an existing entrance on to Blacks Road.

The proposed retained parcel #2 (identified as Parcel C on the attached Key Map) will have an area of 15.374 ha (37.99 ac.), a frontage of 501.3 m (1,644.69 ft.) and a depth of 305.995 m (1,003.92 ft.). The proposed retained parcel #2 is vacant with no services and is used for agricultural (cash crop) use. The proposed retained parcel #2 has no entrance.

Agricultural and non-farm residential uses surround the subject lands. A woodlot is in the southern portion of the lands.

The severance application was circulated to municipal staff for comment. One comment was received from municipal staff:

Manager of Operations and Community Services

'The southerly parcel consisting 15.37 hectares (which is being retained) would not have direct access to Blacks Road. Can the proponent verify whether a new entrance will be installed for this parcel or whether access will continue to be granted through the severed parcel. I would assume the latter as there is still agricultural lands on the 4.95 and 6.23 ha parcels (both of which have a proper road entrance).'

Comment: Access for the proposed retained parcel #2 will continue to be granted through the proposed severed parcel #1, therefore, no new entrance is required.

Financial Implications:

None.

Policies/Legislation:

Provincial Policy Statement, County of Elgin Official Plan and Municipality of West Elgin Official Plan

Consistency with the Provincial Policy Statement 2020 and conformity with the County of Elgin Official plan and the Municipality of West Elgin Official Plan were determined in the consent application.

This application is consistent with the Provincial Policy Statements 2020 and conforms to the County of Elgin Official Plan and the Municipality of West Elgin Official Plan, in particular with the requirement to rezone the severed parcel, retained parcel #1 and a portion of the retained parcel #2.

Municipality of West Elgin Comprehensive Zoning By-law 2015-36

The subject lands are zoned Farm Industrial (M2) and General Agricultural (A1) with a portion of the proposed retained parcel #1 and a portion of the proposed retained parcel #2 subject to Lower Thames Valley Conservation Authority Regulated Area on Map 45 of the Municipality of West Elgin Zoning By-law No. 2015-36.

The proposed severed parcel, retained parcel #1 and a portion of the retained parcel #2 (those lands currently zoned M2) will be rezoned from Farm Industrial (M2) Zone to Site-Specific Farm Industrial (M2-3) Zone to permit no side yard width and no rear yard depth for any building or structure from an interior side lot line or a rear lot line where the abutting property is zoned M2-3. The remainder of the lands will remain zoned General Agricultural (A1) Zone. In the submitted planning justification report, the agent states they have used a similar approach when developing

large multi ownership commercial big box plazas and campus style business parks. In effect, interior lot lines (side and rear) within the M2 Zone are deemed not to apply for zoning setback purposes.

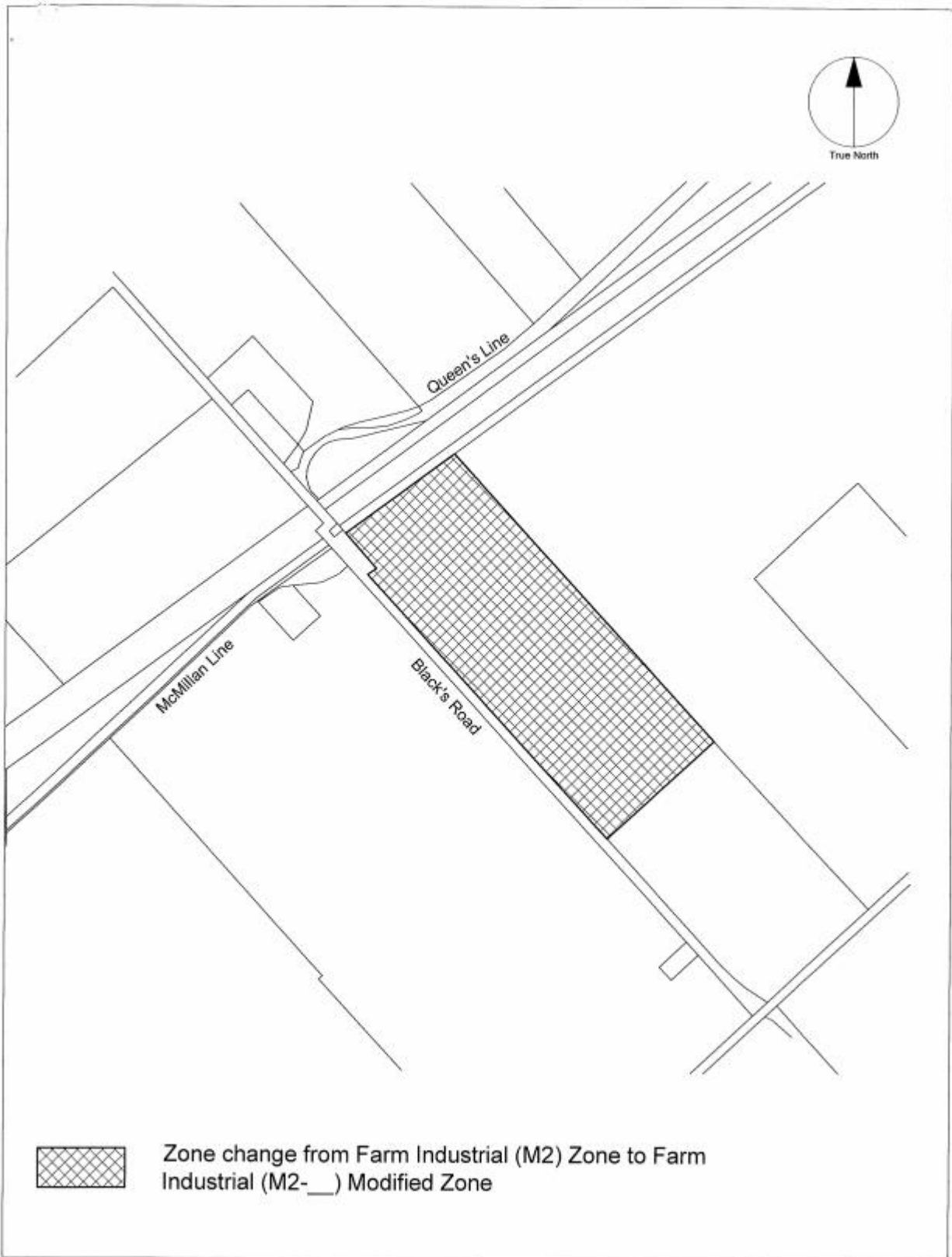
Related Documents:

County of Elgin Land Division Committee severance file no. E 20/20.

Key Map



Sketch



Report Approval Details

Document Title:	Zoning By-law Amendment Report 12098 Blacks Road - 2020-34-Planning.docx
Attachments:	- 2020-xx - ZBA - 12098 Blacks Road.docx - 12098 Blacks Road.pdf
Final Approval Date:	Nov 24, 2020

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

Jana Nethercott