



MUNICIPALITY OF West Elgin

Staff Report

Report To: Council Meeting
From: Robert Brown, Planner
Date: 2022-08-31
Subject: Severance Report

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding the consent application File E65-22 – Comments to Elgin (Planning Report 2022-035);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for severance application, File E65-22, subject to the Lower-Tier Municipal conditions in Appendix Two of this report;

And further that West Elgin Council directs 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 E65-22, as Elgin County is the planning approval authority for severances.

The purpose of the application is to facilitate the severance of a portion of the lands located within the settlement area of Rodney.

Background:

Below is background information from the application, in a summary chart:

Application	E65-22
Owner/Applicant	Donald Francis Ciparis
Legal Description	Pt. Lots 7 & 8 Concession 7, Lots 20 & 21 & Pt. of Lot 25 Plan 202 & Pt. 1, RP 11R 1513
Civic Address	22576 Queens Line
Entrance Access	22576 Queens Line
Water Supply	Severed Parcel – Municipal water available Retained Parcel – Connected to municipal water
Sewage Supply	Severed Parcel – Municipal sanitary sewage service available

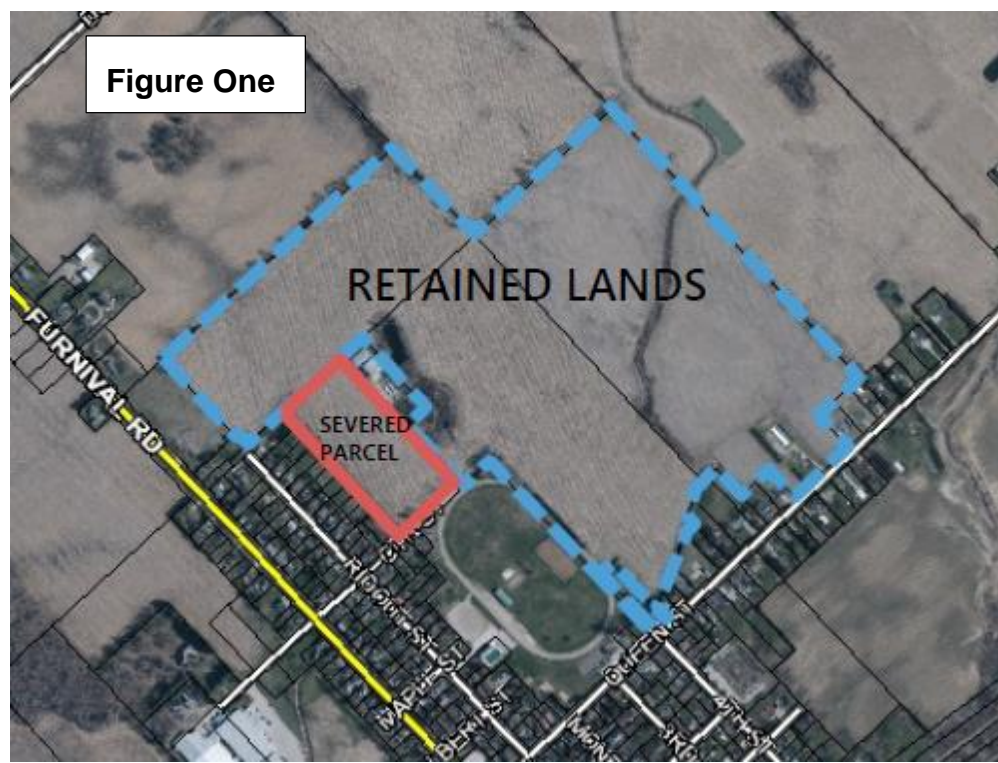
	Retained Parcel – Private Septic system
Existing Land Area	46.1 ha (114 ac)
Buildings and/or Structures	Severed Parcel – vacant Retained Parcel – Single detached dwelling and outbuildings

Below is the detailed dimensions and land areas of the application, in a chart:

Application	Severed Parcel			Retained Lands		
	Frontage	Depth	Area	Frontage	Depth	Area
E51-22	122.59 m (402.2ft)	275.44 m (903.7 ft)	3.38 ha (8.34 ac)	121.27 m (397.86 ft)	Irregular	42.76 ha (105.6 ac)

The Public Hearing is scheduled for September 28, 2022, at the Elgin County Land Division Committee Meeting.

Figure One below, depicts the existing parcel of the Ciparis Lands.



The severed and retained parcels for E65-22 are shown in a draft survey sketch, attached to this report as Appendix One for reference purposes.

Financial Implications:

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. Typically, cash-in-lieu of parkland is required due to the creation of a

new lot in a settlement area however since the lands are being severed from the larger property for the purpose of future development the park land fees can be collected at that time.

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 does 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 severances, 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:

Lot creation is permitted within the Settlement Areas in accordance with Section 1.1 of the PPS.

The proposal is consistent with the PPS.

CEOP:

The subject lands are designated Tier I Settlement Areas and Agricultural Area on Schedule 'A' Land Use (Figure Two) in the CEOP. The proposed severed parcel and a portion of the retained lands are within the Tier I Settlement Area with the remaining retained lands within the Agricultural Area. Detailed land use designations are provided within the OP.

New lot creation policies of the CEOP contained under Section E1.2.3.1, have several criteria and can be achieved through an eventual plan of subdivision detailing all requirements.

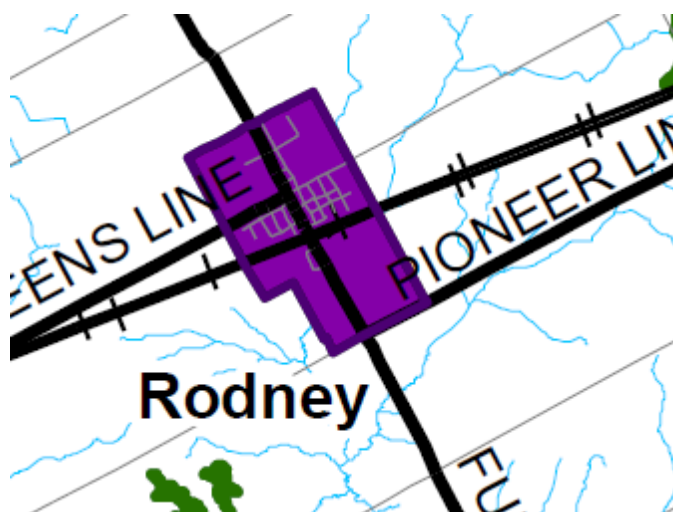


Figure Two

Therefore, this proposal will conform to the CEOP.

OP:

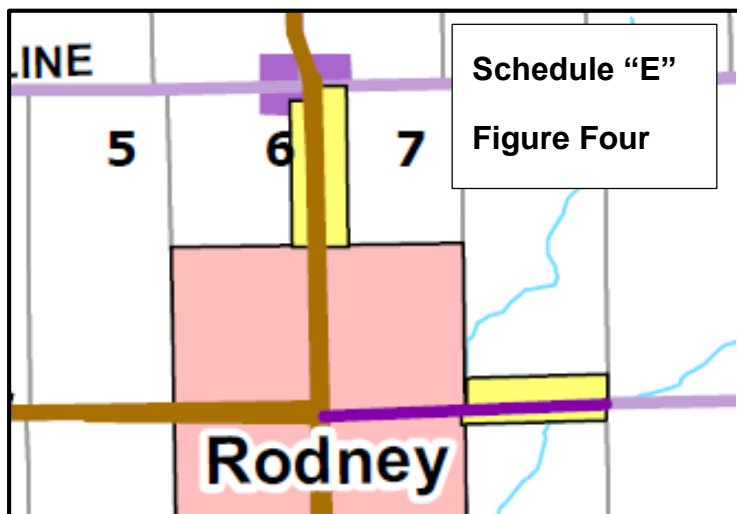
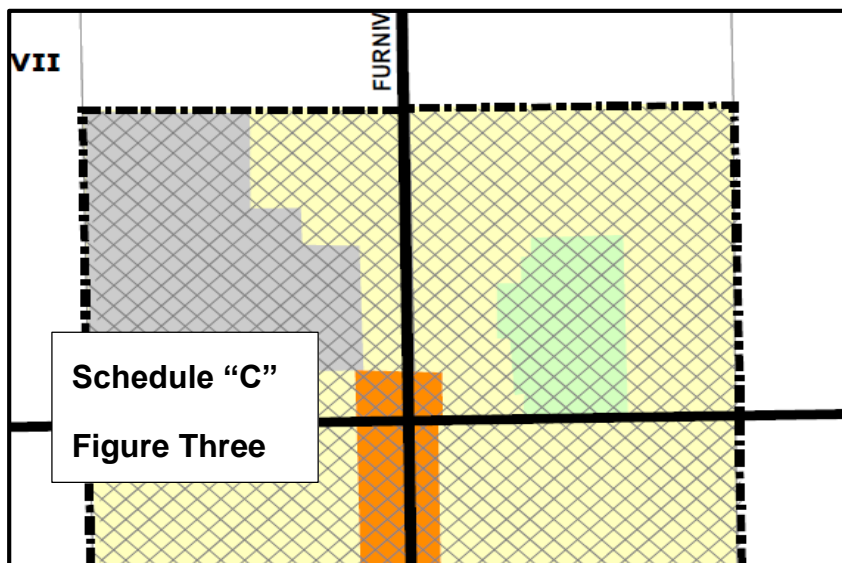
The proposed severed parcel is designated as Residential on the Village of Rodney Land Use and Transportation Plan Schedule 'C' of the OP, as shown on Figure Three, in yellow.

The proposed severed parcel is within the Urban Area, as shown on Rural Area Land Use & Transportation Plan Schedule 'E' of the OP, as shown in Figure Four, in pink. The retained lands are mostly within the Agricultural designation however there are some of the lands within the residential designation and within the settlement area boundary.

The Residential designation permits a variety of residential uses, with single detached dwellings being the predominant dwelling type.

Lot creation policies under Section 10.4.1 of the OP, allow for severance (consent) applications. The proposed severance application meets the policy of Section 10.4.1.

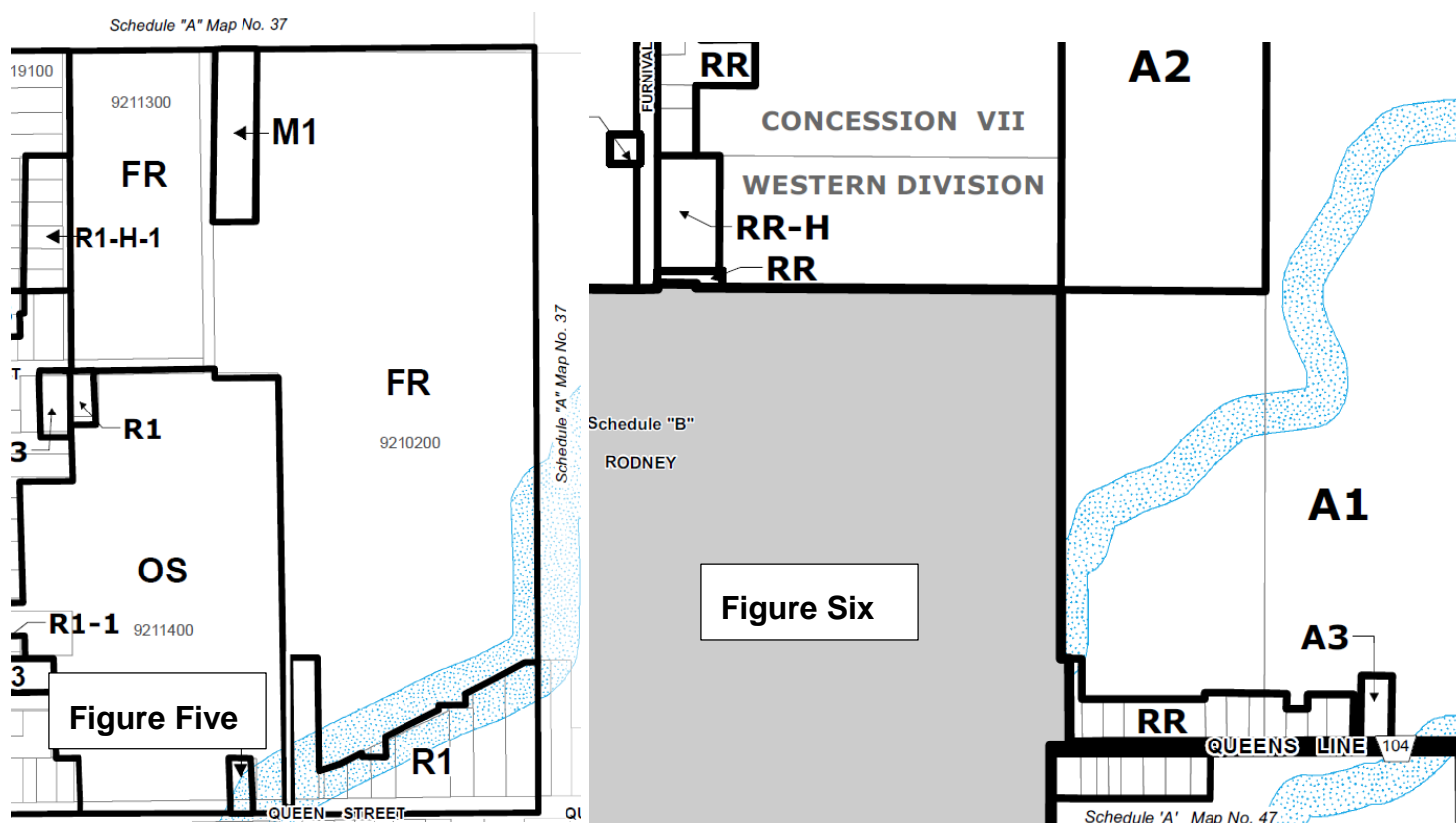
Therefore, this proposal conforms to the OP.



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

The proposed severed parcel is zoned Future Residential Zone (FR) on Schedule B, Map 2 (Figure Five) of the ZBL. The proposed retained parcel is zoned both Future Residential Zone (FR) on Schedule B, Map 2 and Agricultural Zone (A1) and Rural Residential (RR) on Schedule A, Map 37 (Figure Six) of the ZBL.

The FR Zone will only permit the continuation of the existing agricultural use, excluding any livestock. Once a development plan is prepared a zoning amendment would be necessary to permit eventual development of the lands for residential use. The severance doesn't impact any zoning requirements at present as there is no change in use or lands located in one of the three zones. Therefore, the proposal would comply with the ZBL.



Interdepartmental Comments:

The severance application was circulated to municipal staff for comment. The only comment that was raised was to note that the severed parcel does contain a future road allowance which has not yet been conveyed to the Municipality. The road allowance abuts the rear of existing lots fronting on Ridout St. and will provide access to a number of existing lots which have not yet developed as they have not frontage. It is anticipated that the future road allowance will be conveyed as a requirement of any future development of the severed parcel.

At the time of submission of this report, no other comments or concerns were received from Administration.

Summary:

Therefore, it is Planning Staff'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; 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.

Prepared by:

A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal line extending to the right.

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

Report Approval Details

Document Title:	Severance Application E65-22 - Comments to Elgin County - 2022-35-Planning.docx
Attachments:	<ul style="list-style-type: none">- Plannning Report 2022-35 Appendix One - Detail.pdf- Planning Report 2022-35 Appendix Two - Comments to the County of Elgin.pdf
Final Approval Date:	Sep 7, 2022

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

Jana Nethercott