



## Staff Report

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**Report To:** Council Meeting  
**From:** Robert Brown, Planner  
**Date:** 2022-09-23  
**Subject:** Severance Application E72-22 – Comments to County of Elgin (Planning Report 2022-36)

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding consent application File E72-22 – Comments to the County of Elgin (Planning Report 2022-36);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for severance application, File E72-22, 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 E72-22, as Elgin County is the planning approval authority for severances.

The purpose of the application is to facilitate the creation of a new lot on the northwest side of Douglas Line, west of Furnival Road as shown in the Appendix One attachment.

### **Background:**

Below is background information, in a summary chart:

<b>Application</b>	E72-22
<b>Owner/Applicant</b>	Jeremie & Michelle Begin
<b>Legal Description</b>	Part Lot of 6, Concession 14 & Pt. Part 1, RP 11R 5823
<b>Civic Address</b>	22202 Douglas Line
<b>Entrance Access</b>	Douglas Line
<b>Water Supply</b>	Municipal water service
<b>Sewage Supply</b>	Private on-site individual septic system
<b>Existing Land Area</b>	3,995.13 sq. m (43,004.64 sq. ft.)

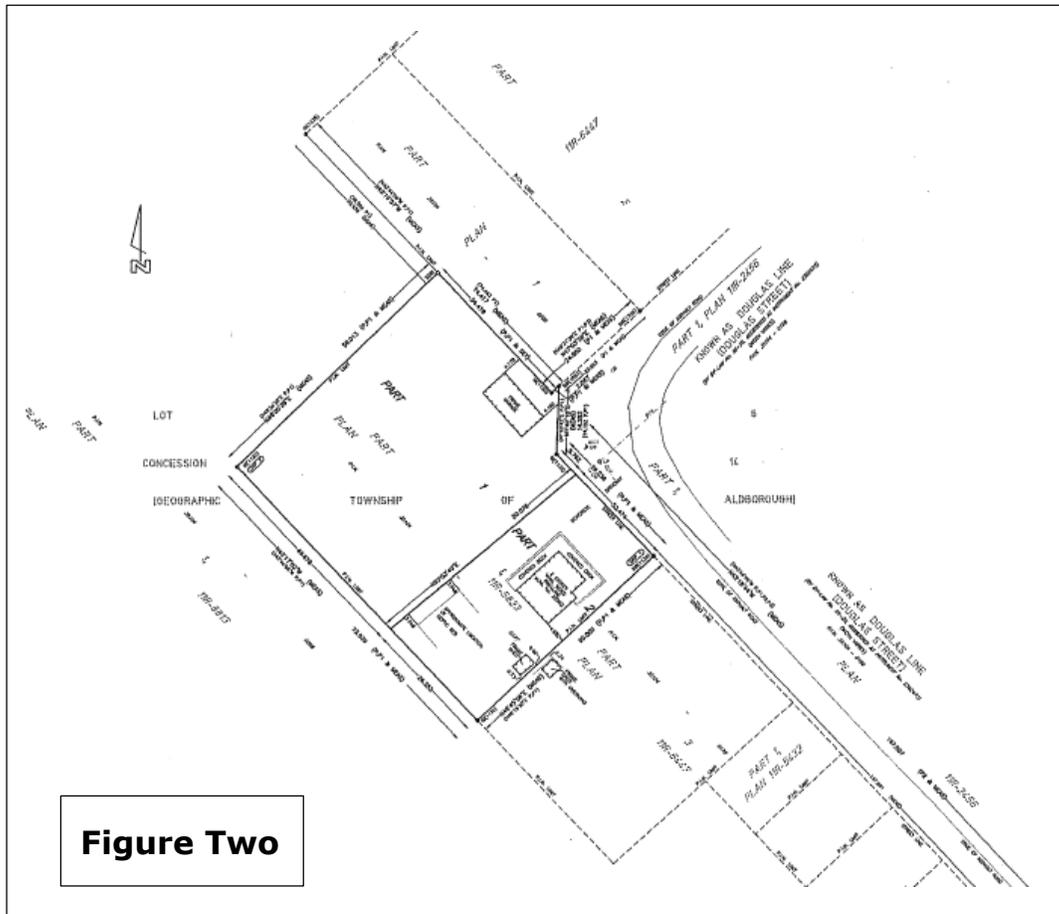
Figure One below, depicts the existing parcel and the proposed lot creation. The red outline is the proposed new lot. The blue outline is the retained and location of the existing dwelling.



The Public Hearing is scheduled for October 26, 2022, at the Elgin County Land Division Committee Meeting.

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

Application	Severed Parcel			Retained Parcel		
	Frontage	Depth	Area	Frontage	Depth	Area
<b>E72-22</b>	20.045 m (65.76 ft)	58.013 m (190.33 ft)	2,749.52m <sup>2</sup> (29,597 ft <sup>2</sup> )	23.474 m (77 ft)	50.078 m (164.29 ft)	1,245.61m <sup>2</sup> (13,408.1 ft <sup>2</sup> )



**Figure Two**

### **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 result in an increase in assessment and permit the construction of a new dwelling.

### **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:**

The existing property is partially located within the LTVCA's regulated area. Depending on the location of new development on the severed parcel a permit may be necessary. The proposed

consent is considered infilling and helps better utilize the large lot in an existing built up and partially serviced area of the municipality. The proposal is consistent with PPS.

**CEOP:**

The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP however, the County in cases where the County OP and local plan conflict in terms of designation the County defers to the local Official Plan subject to the relevant policies outlined in the West Elgin Lakeshore Area designation and Port Glasgow Secondary Plan. The current mapping differences have been noted in consultation with West Elgin and the County as part of the County Official Plan review.

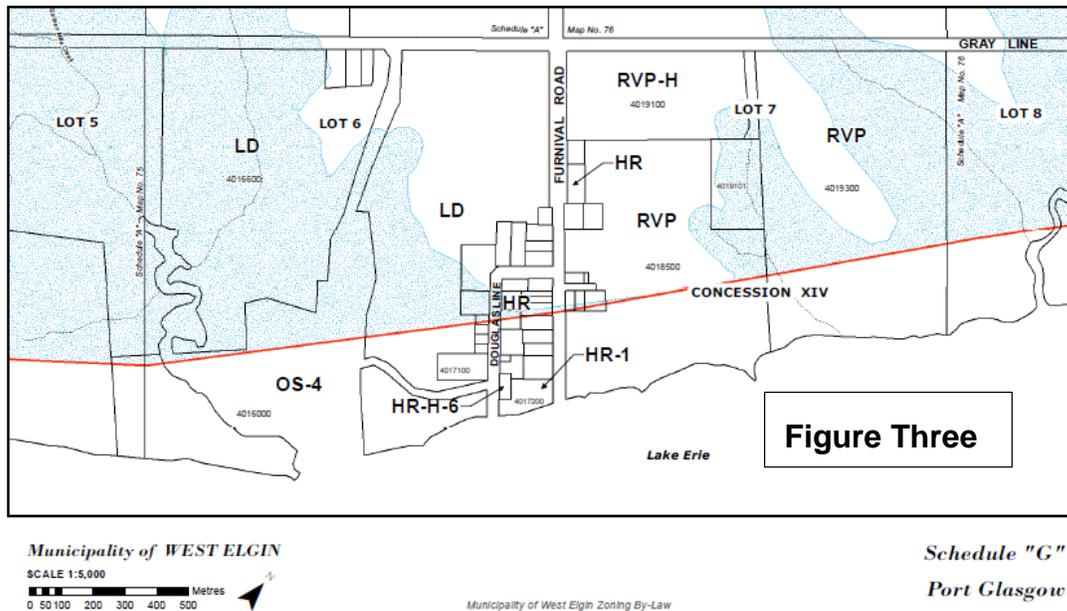
**OP:**

The subject lands are designated as Lakeshore Area, as shown on Rural Area Land Use and Transportation Schedule 'E' of the OP, and further detailed in Figure 6 and 7 the lands are also within the Port Glasgow Secondary Plan. Section 7.9 notes that, "the creation of lots in the 'Lakeshore Area' shall take place by consent or by plan of subdivision or plan of condominium in accordance with the provisions of the Planning Act and the relevant policies of this Plan including Section 10.3 and Section 10.4."

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. The lot pattern in the surrounding area is a mix of sizes and lot frontages. Both the severed and retained remain appropriate given the mix in the subject area. Therefore, this proposal conforms to the OP.

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

The subject lands are zoned Hamlet Residential (HR) on Schedule G of the ZBL as depicted in Figure Three. The severed and retained parcels will both meet the minimum required lot area based on the services available in Port Glasgow. Due to the current configuration of the lot and location of the existing dwelling it will be necessary to require a minor variance as a condition of approval. The required lot frontage is 25 m (82 ft.) however the severed parcel will have 20.045 m (65.7 ft.) and the retained will have 23.476 m (77 ft.). This will continue to permit adequate room for access and servicing and does not create any negative impact or change in the character of the area. As such, subject to approval of the necessary minor variance, the proposed lots will conform with the West Elgin Zoning By-law.



### **Interdepartmental Comments:**

The severance application was circulated to municipal staff for comment. It was noted that a new water connection will be required to the severed lands, a septic inspection is necessary for the retained parcel and a new access will be required from Douglas Line to service the severed parcel.

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; 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:

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

**Report Approval Details**

Document Title:	Severance Application E72-22 - Comments to Elgin County - 2022-36-Planning.docx
Attachments:	- Planning Report 2022-36 Appendix One - Detail.pdf - Planning Report 2022-36 Appendix Two - Comments to the County of Elgin.pdf
Final Approval Date:	October 6, 2022

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

Jana Nethercott