



Municipality of West Elgin

Agenda

Committee of Adjustment

November 14, 2024, 3:45 p.m.

Council Chambers

160 Main Street

West Lorne

Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at www.westelgin.net, when available (pending no technical difficulties).

Pages

1. Call to Order

2. Adoption of Agenda

Recommendation:

That West Elgin Committee of Adjustment hereby adopt the agenda of November 14, 2024, as presented.

3. Adoption of Minutes

1

Recommendation:

That West Elgin Committee of Adjustment hereby adopt the minutes of January 25, 2024, and February 22, 2024, Committee of Adjustment, as presented.

4. Disclosure of Pecuniary Interest

5. Purpose of Meeting

The purpose of this Public Meeting of the West Elgin Committee of Adjustment is to allow the presentation of one (1) application for Minor Variance and to allow interested members of the public an opportunity to ask questions or offer comments with regards to these applications.

Written comments must be submitted to the Secretary-Treasurer of the Committee. If any member of the public would like to be notified in writing of the Committee of Adjustment's decision on a particular application, they are to provide their name and mailing address to the Secretary-Treasurer at clerk@westelgin.net. This will also entitle you to be advised of possible Local Planning Appeals Tribunal hearings in the event the decision on an application is appealed.

Notice was sent via regular mail on November 1, 2024, to property owners within 60 m (200 ft) of the subject properties and to agencies requiring notice.

6. Minor Variance

7

Recommendation:

That West Elgin Committee of Adjustment hereby receives the report from Robert Brown, Planner, regarding Minor Variance Application D-13 2-2024 – Recommendation Report (Planning Report 2024-30).

And that West Elgin Committee of Adjustment grant Minor Variance D-13 2-2024, to obtain relief from Section 9.1, Table 9-1, Item 2b) to reduce the required lot frontage from 10.5 m to 10 m for a semi-detached dwelling unit.

6.1 Written Comments Received

6.2 Committee Comments

6.3 Public Comment

7. Adjournment

Recommendation:

That West Elgin Committee of Adjustment hereby adjourn this Public Meeting held pursuant to the *Planning Act* at ____pm.



Municipality of West Elgin

Minutes

Committee of Adjustment

January 25, 2024, 4:00 p.m.

Council Chambers

160 Main Street

West Lorne

Present: Richard Leatham
Taraesa Tellier
Michelle Navackas
Bill Denning
Ryan Statham
Robert Brown, Planner

Staff Present: Magda Badura, CAO/Treasurer
Terri Towstiuc, Recording Secretary
Lee Gosnell, Manager of Operations & Community Services

1. Call to Order

COA 2024- 01

Moved: Michelle Navackas

Seconded: Taraesa Tellier

That West Elgin Committee of Adjustment convenes at 4:03 pm to consider two applications for Minor Variance, pursuant to the *Planning Act*.

Carried

2. Adoption of the Agenda

COA 2024- 02

Moved: Bill Denning

Seconded: Ryan Statham

That West Elgin Committee of Adjustment hereby adopts the agenda for January 25, 2024, as presented.

Carried

3. Adoption of Minutes

COA 2024- 03

Moved: Michelle Navackas

Seconded: Ryan Statham

That West Elgin Committee of Adjustment hereby adopts the Minutes of December 21, 2023, as presented.

Carried

4. Disclosure of Pecuniary Interest

None.

5. Purpose of Meeting

The purpose of this Public Meeting of the West Elgin Committee of Adjustment is to allow the presentation of two (2) applications for Minor Variance and to allow interested members of the public an opportunity to ask questions or offer comments with regards to these applications.

Written comments must be submitted to the Secretary-Treasurer of the Committee.

If any member of the public would like to be notified in writing of the Committee of Adjustment's decision on a particular application, they are to provide their name and mailing address to the Secretary-Treasurer at clerk@westelgin.net. This will also entitle you to be advised of possible Local Planning Appeals Tribunal hearings in the event the decision on an application is appealed.

Notice was sent via regular mail on January 12, 2024, to property owners within 60 m (200 ft) of the subject properties and to agencies requiring notice.

6. Minor Variance D13 7-2023

COA 2024- 04

Moved: Michelle Navackas

Seconded: Taraesa Tellier

That West Elgin Council hereby receives the report from Robert Brown, Planner, regarding Minor Variance Application D-13 7-2023 – Recommendation Report (Planning Report 2024-04).

And that West Elgin Committee of Adjustment grant Minor Variance D-13 7-2023, to obtain relief from Section 10.3.3, Items c) and d) and subsection 4.29.1 f) as follows:

- i. Item c) – reduce the required front yard setback from 12 m to 9 m;
- ii. Item f) – reduce the required rear yard setback from 6 m to 5.5 m, and
- iii. Subsection 4.29.1 f) to permit the encroachment of a covered porch into a required rear yard by 2.5 m, maximum.

Carried

6.1 Written Comments Received

None Received.

6.2 Committee Comments

None Received.

No Public Comment Received.

7. Minor Variance D13 8-2023

COA 2024- 05

Moved: Michelle Navackas

Seconded: Taraesa Tellier

That West Elgin Council hereby receives the report from Robert Brown, Planner, regarding Minor Variance Application D-13 8-2023 – Recommendation Report (Planning Report 2024-01).

And that West Elgin Committee of Adjustment grant Minor Variance D-13 8-2023, to obtain relief from Section 16.1., Table 16-1, Items 3b) and 4c) and Subsection 4.18.1 as follows:

- i. Item 3b) – reduce the required side yard setback from 4.5 m to 1.1 m;
- ii. Item 4c) – reduce the required rear yard setback from 3 m to 0 m
- iii. Subsection 4.18.1 to recognize the required parking for a gas bar as being provided at the gas pumps.

Carried

7.1 Written Comments Received

None Received.

7.2 Committee Comments

None Received.

No Public Comment Received.

8. Adjournment

COA 2024- 06

Moved: Ryan Statham

Seconded: Michelle Navackas

That West Elgin Committee of Adjustment hereby closes this Public Meeting held pursuant to section 45 of the *Planning Act* at 4:21pm.

Carried

Richard Leatham, Chair

Terri Towstiuc, Secretary/Treasurer



Municipality of West Elgin

Minutes

Committee of Adjustment

February 22, 2024, 3:45 p.m.

Council Chambers

160 Main Street

West Lorne

Present: Taraesa Tellier
Michelle Navackas
Bill Denning
Ryan Statham

Regrets: Richard Leatham

Staff Present: Magda Badura, CAO/Treasurer
Terri Towstiuc, Recording Secretary/Clerk
Robert Brown, Planner

1. Call to Order

Committee of Adjustment Chair, Taraesa Tellier, called the meeting to order at 3:45 pm.

2. Purpose of Meeting

The purpose of this Public Meeting of the West Elgin Committee of Adjustment is to allow the presentation of one (1) application for Minor Variance and to allow interested members of the public an opportunity to ask questions or offer comments with regards to these applications.

Written comments must be submitted to the Secretary-Treasurer of the Committee. If any member of the public would like to be notified in writing of the Committee of Adjustment's decision on a particular application they are to provide their name and mailing address to the Secretary-Treasurer at clerk@westelgin.net. This will also entitle you to be advised of possible Local Planning Appeals Tribunal hearings in the event the decision on an application is appealed.

Notice was sent via regular mail on February 9, 2024, to property owners within 60 m (200 ft) of the subject properties and to agencies requiring notice.

3. Disclosure of Pecuniary Interest

No disclosures.

4. Minor Variance D-13 1-2024 (24953 Pioneer Line)

Moved: Michelle Navackas

Seconded: Ryan Statham

That West Elgin Committee of Adjustment hereby receives the report from Robert Brown, Planner, regarding minor variance application D-13 1-2024 – Recommendation Report 2024-07.

And that West Elgin Committee of Adjustment grant minor variance application D-13 1-2024 for relief from Section 4.1 item e) Accessory Uses, Buildings and Structures to recognize the existing setback of two outbuildings along the easterly lot line of the subject property.

Carried

4.1 Written Comments Received

None received at the Municipal Office.

4.2 Committee Comments

None received.

4.3 Public Comment

None received.

5. Adjournment

Moved: Michelle Navackas

Seconded: Bill Denning

That West Elgin Committee of Adjustment hereby closes this Public Meeting held pursuant the *Planning Act* at 3:49 pm.

Taraesa Tellier, Chair

Terri Towstiuc, Secretary/Treasurer



Staff Report

Report To: Committee of Adjustment

From: Robert Brown, Planner

Date: 2024-10-30

Subject: Minor Variance Application D-13 2-2024 – Recommendation Report (Planning Report 2024-30)

Recommendation:

That West Elgin Committee of Adjustment hereby receives the report from Robert Brown, Planner, regarding Minor Variance Application D-13 2-2024 – Recommendation Report (Planning Report 2024-30).

And that West Elgin Committee of Adjustment grant Minor Variance D-13 2-2024, to obtain relief from Section 9.1, Table 9-1, Item 2b) to reduce the required lot frontage from 10.5 m to 10 m for a semi-detached dwelling unit.

Purpose:

The subject lot is 790.6 sq. m (8,510.22 sq. ft.) in area with 20.09 m (65.9 ft.) of frontage along 4th Street. The property contains an existing semi-detached dwelling. (See Appendix A) The applicant received provisional consent approval from the County of Elgin LDC to split the dwelling into individual units (File E70-24). As a condition of approval, a minor variance is required to recognize the reduced lot frontage of each lot.

Background:

Below is background information, in a summary chart:

Application	D-13 2-2024
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 4 th St. (Figure One)
Entrance Access	4 th St. (each lot has existing access)
Water Supply	Municipal water service
Sanitary Service	Municipal sanitary service
Existing Land Area	790.6 m ² (8,510.22 ft ²)



Financial Implications:

The applicable fee was collected as outlined in the Fees and Charges By-law. There may be a minimal change in the assessed value of the subject property once the property is subdivided.

Policies/Legislation:

Provincial Policy Statement (2024)

The proposed variance does not raise any issues of Provincial significance.

County of Elgin Official Plan

There are no issues of significance raised related to the County of Elgin Official Plan. The lands are designated Tier One Settlement Area by the CEOP.

Four Tests of the Minor Variance:

Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

1. Does the variance maintain the intent and purpose of the Municipality of West Elgin Official Plan?

The subject lands are designated Residential as shown on the Land Use and Transportation Plan Schedule 'C' of the Official Plan. Lot frontage requirements are not something that are addressed directly in the Official Plan. The development on the property has been in place since 1989. The reduction in the required frontage amounts to less than 2 ft. for each lot and all other requirements will continue to comply with the applicable zoning.

As such the intent and purpose of the Official Plan is maintained.

2. Does the variance maintain the intent and purpose of the Municipality of West Elgin Zoning By-law?

The subject lands are zoned Residential Second Density (R2) Zone in the Municipality of West Elgin Zoning By-law 2015-36, Schedule "B" Map 4. The lot frontage associated with the existing semi-detached dwelling is not changing from what it was at the time the lands were developed in 1989. The requested relief simply recognizes a small reduction in the required frontage for each dwelling unit so they may be sold as individual freehold units. All other requirements for the individual units remain in compliance with the R2 Zone. With these points in mind the variance does maintain the intent and purpose of the zoning by-law.

3. Is the variance requested desirable for the appropriate and orderly development and use of the lands and buildings?

Often when semi detached dwellings are developed as a rental initially there may not be consideration of the individual lot requirements if they are subdivided in the future. In addition, as standards have changed, and policy seeks to increase density levels minimum lot frontage and lot area requirements have decreased. The proposed reduction is consistent with newer standards, particularly for semi-detached development. The variance is desirable for the appropriate and orderly development of the use, land and buildings.

4. Is the variance minor in nature?

Minor is a subjective terminology which is often based on a specific number. In the case of zoning by-laws it usually is the granting of relief to increase or decrease one or more of the applicable standards.

The reduction in the minimum lot frontage has no impact on the surrounding uses and has no impact on the ability of the individual lots to meet all of the other requirements including lot area, lot coverage and all setback requirements. As such the variance is minor in nature.

Circulation of the Application:

The application was circulated as part of the consent application with the need for the variance noted at that time. Issues related to that application were all addressed as part of that application or included as conditions. All neighboring property owners within 60 metres of the subject lands were circulated with the public notice on November 1, 2024, 13 days prior to the public hearing (minimum 10 days required). The notice was also posted on the Municipal website and signage is posted on the subject property in full view of the fronting road allowance.

Public Comments

At the time of submission of this report, no comments from the public have been received related to the Minor Variance.

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

Report Approval Details

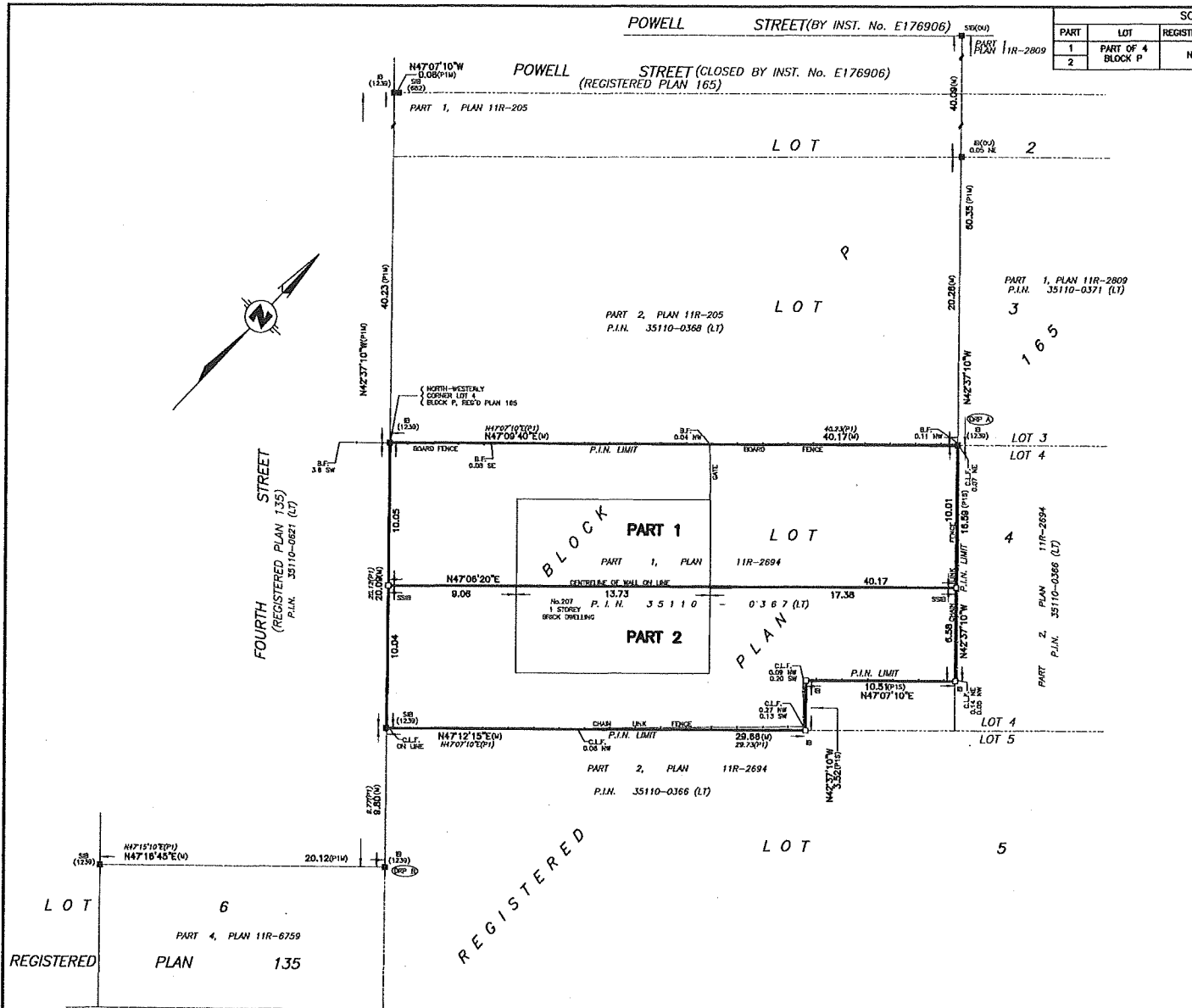
Document Title:	Minor Variance Application D-13 2-2024 - Recommendation Report - 2024-30-Planning.docx
Attachments:	- Appendix A - Survey Sketch - Fordyce.pdf
Final Approval Date:	Nov 7, 2024

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

Terri Towstiuć

POWELL STREET (BY INST. No. E176906)

SCHEDULE				
PART	LOT	REGISTERED PLAN	P.I.N.	AREA(SQ.M.)
1	PART OF 4 BLOCK P	No.185	ALL OF 35110-0367	402.9
2				367.7



PLAN OF SURVEY
OF PART OF
LOT 4, BLOCK P
REGISTERED PLAN 165

IN THE
TOWNSHIP OF WEST ELGIN
(FORMERLY THE VILLAGE OF RODNEY)
COUNTY OF ELGIN

SCALE 1:200
80 40 20 0 4 8
(SCALE IN METRES)

THE INTENDED PLOT SIZE OF THIS PLAN IS 638mm IN WIDTH BY 350mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

BENNET J. FAULHAMMER
ONTARIO LAND SURVEYOR

LEGEND:

- DENOTES SURVEY MONUMENT SET
- SURVEY MONUMENT FOUND
- SIB STANDARD IRON BAR
- IB IRON BAR
- OJ ORIGIN UNKNOWN
- ORP OBSERVED REFERENCE POINT
- WIT WITNESS
- M MEASURED
- S SET
- P.I.N. PROPERTY IDENTIFICATION NUMBER
- 682 HERBERT HARVEY TODGHAM, O.L.S.
- 1239 RALPH WILLIS BARRY, O.L.S.
- P1 PLAN 111-2694
- C.L.F. CHAIN LINK FENCE
- B.F. BOARD FENCE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
(2) THE SURVEY WAS COMPLETED ON THE ___ DAY OF ___, 2024

PRELIMINARY - NOT MONUMENTED

DATE _____ BENNET J. FAULHAMMER
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-82167.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP'S) DERIVED FROM REAL TIME NETWORK OBSERVATIONS (RTN) AND ARE REFERRED TO UTM ZONE 17 NAD83 (CSRS)(2010) COORDINATES COMPLY WITH RURAL ACCURACY PER SEC.14 (2) OF O. REG. 218/10

POINT ID	NORTHING	EASTING
ORP A	4713179.0	444450.4
ORP B	4713129.7	444441.2

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

BEARING NOTE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A & B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, CENTRAL MERIDIAN N81°00'00"W, NAD83 (CSRS)(2010.0) FOR BEARING COMPARISONS, A ROTATION OF 0°28'20" CLOCKWISE, WAS APPLIED TO THE BEARINGS FROM P1 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COVERED SCALE FACTOR OF 0.9998105.

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
CARLETON PLACE LONDON NORTH BAY
requests@callondietz.com callondietz.com

SURVEY BY: J.B.	DRAWN BY: B.L.	FILE No: 24-26693	PLAN No: X-3861
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