



The Corporation of the Municipality of  
**Central Elgin**

**REPORT**

**DATE:** February 20<sup>th</sup>, 2018

**REPORT:** CEP.13.18  
**CEPO FILE:** Y2-01-18

**TO:** His Worship the Mayor and Council

**PREPARED BY:** Jim McCoomb, Planner  
Central Elgin Planning Department

**SUBJECT:** Application to Amend Township of Yarmouth By-law 1998 – Estate of Charles Crevits, 5490 Stone Church Road

**ATTACHMENTS:** Draft Reference Plan

**TO COUNCIL:** February 26th, 2018

**RECOMMENDATION:**

**THAT** Report CEP.13.18 be received;

**AND THAT** direction be given by Council to prepare a site-specific draft amendment to the Zoning By-law to permit residential use and recognize the location of the existing buildings on lands located at 5490 Stone Church Road, which may be legally described as Part of Lot 4, Concession 3, geographic Township of Yarmouth, now Municipality of Central Elgin;

**AND FURTHER THAT** a date for a public meeting be established in accordance with Ontario Regulation 545/06 as amended. (**Recommended Date: March 26<sup>th</sup>, 2018 @ 7:20 p.m.**)

**ORIGIN:**

- The applicant recently applied to the Elgin County Land Division Committee (LDC) for a consent for the purposes of severing a dwelling surplus to the needs of the farm operation (LDC Application No. E96/17, see Report No. CEP.71.17 in the December 18<sup>th</sup>, 2017 Agenda).
- Through the consultation process, the applicant's agent (John Sanders) was advised that the Municipality will be seeking a condition that the severed parcel will need to be rezoned in order to permit the proposed residential use and to address a rear yard setback deficiency for the existing shed. The applicant's agent has filed this application for a zoning by-law amendment to implement the condition.

- Staff have reviewed the application and documentation provided by the applicant and are satisfied that the application is complete relative to the requirements of Subsections 34(10.1) and 34(10.2) of the Planning Act, R.S.O., 1990 as amended. In accordance with Subsection 4.1(d) of By-law 1864, the applicant has been notified that the application is considered complete.

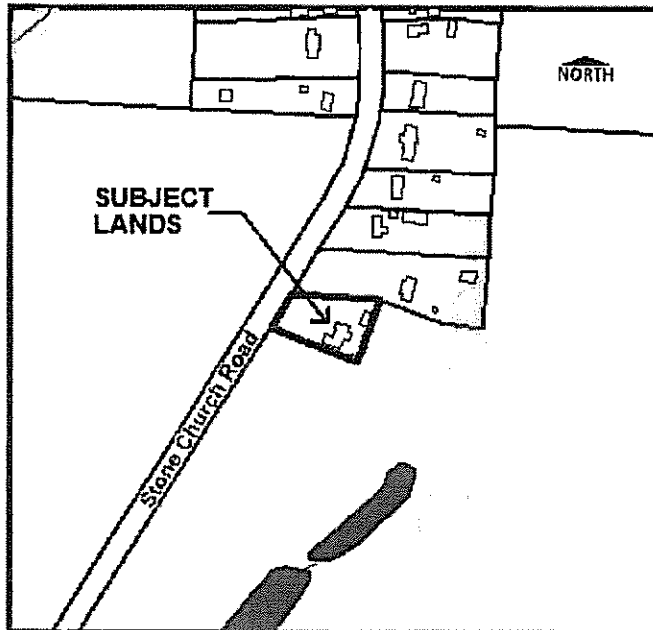
**ANALYSIS:**

**1) Location:**

The subject lands, which are located on the east side of Stone Church Road, have approximately 33 metres of frontage on Stone Church Road and are approximately 3,548.52 square metres (0.88 acres) in lot area (see Location Plan and attached draft Reference Plan). Municipally known as 5490 Stone Church Road, they may be legally described as being Part of Lot 4, Concession 3, geographic Township of Yarmouth, now Municipality of Central Elgin.

Uses surrounding the subject lands to the south, east and west are predominantly agricultural, with residential uses to the north.

Location Plan:



**2) Proposal:**

The applicant is proposing to rezone the subject lands from a proposed severance of a surplus farm dwelling (LDC Application E96/17), to permit residential use and address a deficient rear yard setback for the existing shed.

**3) Existing Policies/Regulations:**

**a) 2014 Provincial Policy Statement:**

The subject lands are within a "settlement area" as defined by the 2014 Provincial Policy Statement (PPS). Subsection 1.1.3.1 of the PPS states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

**b) County of Elgin Official Plan:**

The subject lands are within a Tier 2 Settlement Area within the County of Elgin Official Plan. The County OP states that limited development is permitted in Tier 2 Settlement Areas, to allow for infilling and rounding out of existing development.

**c) Official Plan Policies:**

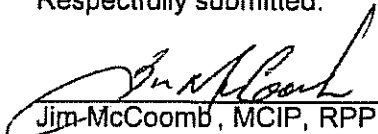
The subject lands are located within the "Residential" designation in accordance with Schedule "F" – Community of Union Land Use Plan, to the Municipality of Central Elgin Official Plan. The Residential Policies of the Plan permit a broad range of residential dwelling types and densities, subject to the policies of the plan. Lot creation through consent is permitted.

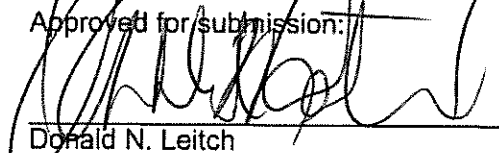
**d) Zoning By-law No. 1998:**

The subject lands are located within the Open Space Zone 2 (OS2) of the Township of Yarmouth Zoning By-law No. 1998, as amended. The OS2 zone permits farm uses, rural-residential uses existing at the time of passing of the by-law, home occupations and accessory uses.

A zoning by-law amendment is required in order to permit residential use of the existing house on the severed parcel in accordance with the condition on severance application E96/17. The OS2 zone only permits existing rural-residential use, and the severance changed the "existing" status of the house for the purposes of the By-law. The amendment will contain a site specific provision to deal with the rear yard setback to the existing shed.

Respectfully submitted:

  
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Jim McCoomb, MCIP, RPP  
Planner

Approved for submission:  
  
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Donald N. Leitch  
CAO/Clerk

