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Date	January 16, 2024
To	Council – January 24, 2024
From	Heather James, Manager of Planning and Development
Report No.	PLAN 03-24
Report Title	Planning Evaluation Report: Application for Consent to Sever No. E13-24

Recommendation

That Council of the Town of Aylmer receive Report PLAN 03-24 regarding Planning Evaluation Report: Application for Consent to Sever No. E13-24, and;

That the Application for Consent to Sever No. E13-24 relating to the property legally described as North ½ of Lot 11 and Lot 12 S/S Warren Plan 74, and known municipally as 36 Victoria Street North, be supported in principle with the recommended conditions for reasons set out in this report, and;

That this report be forwarded to the Land Division Committee for its review and consideration.

Purpose

The purpose of this Application for Consent is to sever the subject lands into two residential parcels for low density residential use.

Background

Application	E13-24
Associated Applications	None

Owners	Gerhard Blatz
Agent	Not Applicable
Legal Description	Lot 13 Plan 290

Frontage: Proposed Severed Parcel "A"	20.17 m (66.18 ft.)
Frontage: Proposed Retained Parcel "B"	20.17 m (66.18 ft.)
Depth: Proposed Severed Parcel	20.17 m (66.18 ft.)
Depth: Proposed Retained Parcel	20.17 m (66.18 ft.)
Area: Proposed Severed Parcel	406.83 m ² (4,379.07 ft. ²)
Area: Proposed Retained Parcel	406.83 m ² (4,379.07 ft. ²)
Buildings and/or structures: Proposed Severed Parcel	Proposed detached dwelling; existing accessory building to be removed
Buildings and/or structures: Proposed Retained Parcel	Single detached dwelling with attached garage
Services: Proposed Severed Parcel	Full municipal services
Services: Proposed Retained Parcel	Full Municipal services
Surrounding Land Uses: Proposed Severed Parcel	Low density residential
Surrounding Land Uses: Proposed Retained Parcel	Low density residential

Figure One below depicts an aerial photo of the subject lands taken in 2020.

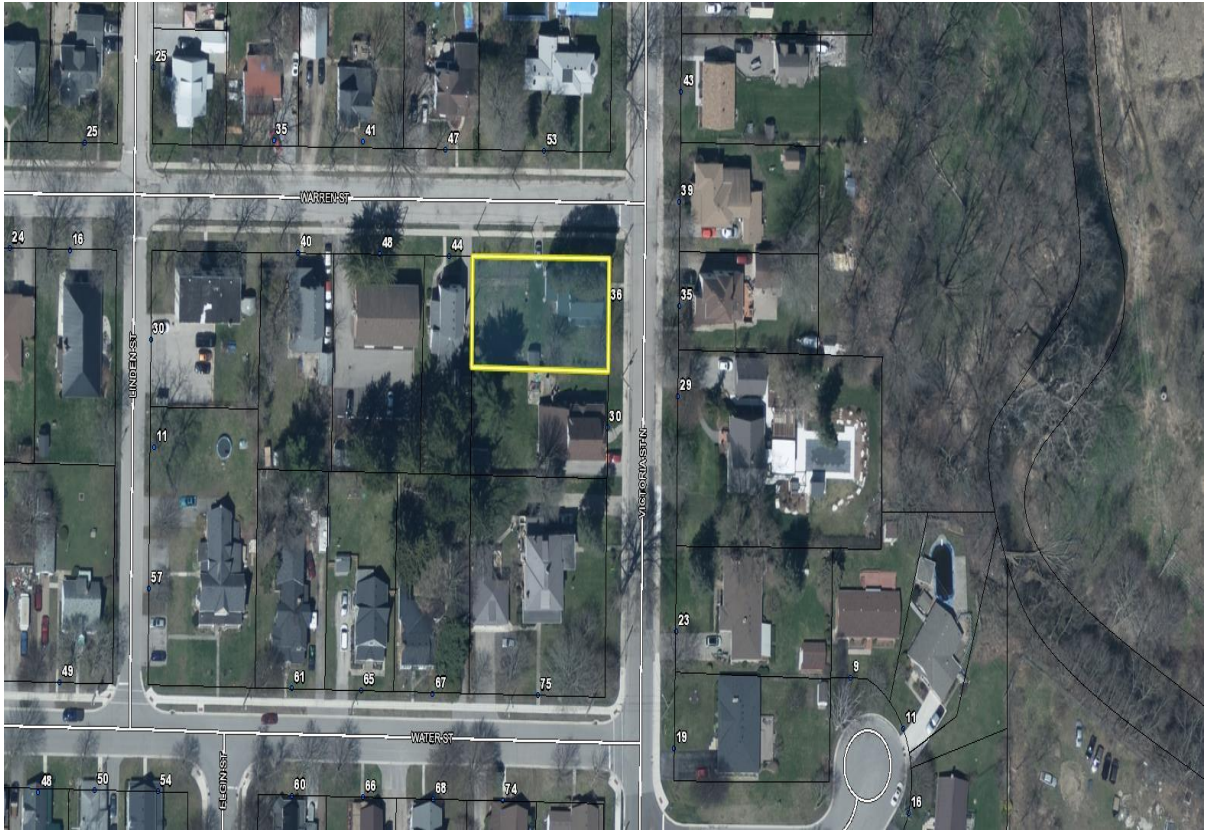
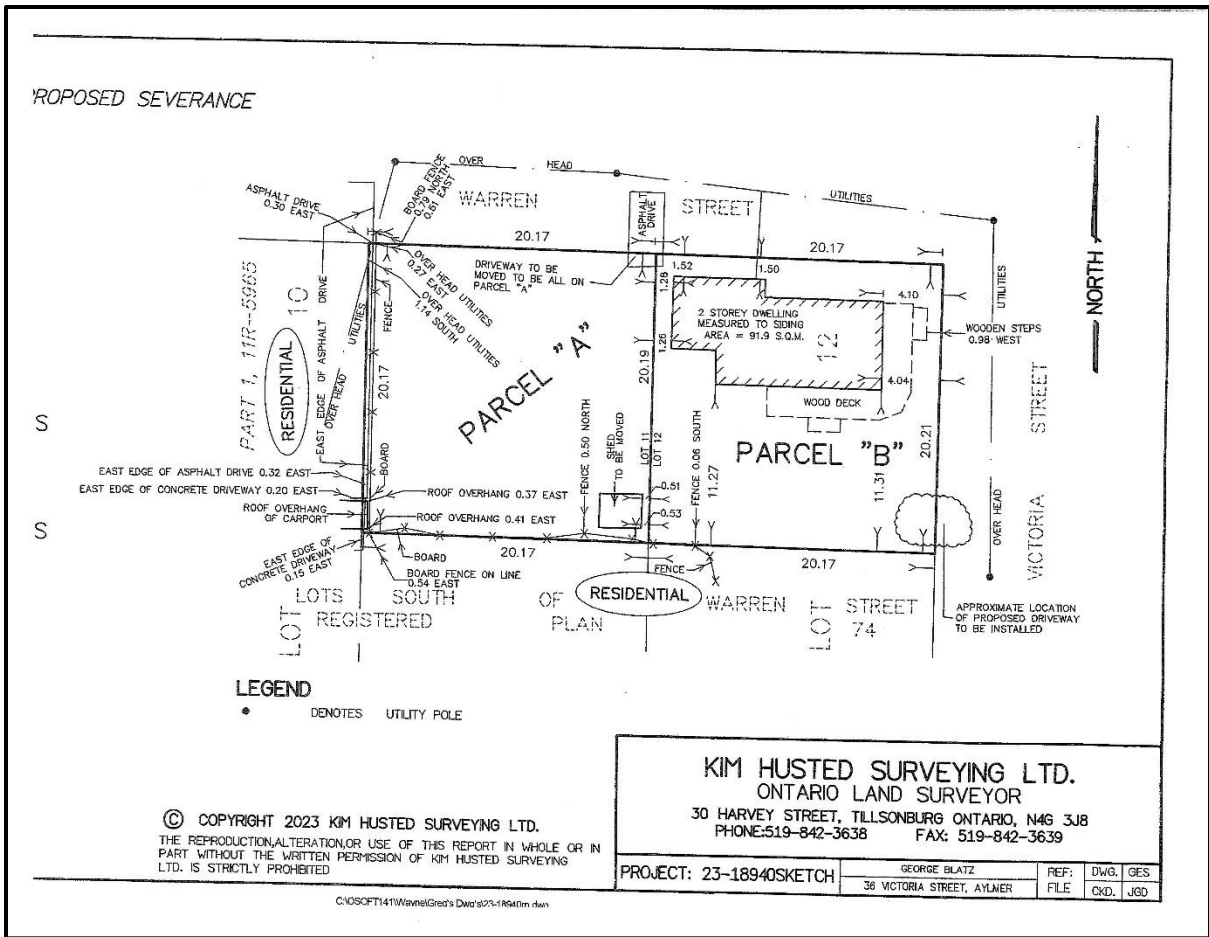


Figure Two below depicts the proposed severance.



Planning Evaluation and Analysis

Provincial Policy Statement, 2020 (PPS, 2020)

The PPS, 2020 includes direction on housing and stipulates in Section 1.4.3 that planning authorities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating the development of all types of housing options and residential intensification where appropriate.

The proposal is for residential lot creation which provides for residential intensification.

The proposed Application for Consent to Sever is consistent with the PPS.

County of Elgin Official Plan

The Town of Aylmer is designated as a Tier 1 Settlement Area within the County's Official Plan. The intent of the settlement areas designation is to function as the center for a range of uses and opportunities, and where most of the expected population growth shall occur. Low density residential uses are permitted.

New lot creation policies of the County of Elgin Official Plan contained under Section E1.2.3.1, has 13 criteria listed and would appear to be achieved with this proposal, as it will be fully serviced, will not affect drainage patterns in the area, and a road occupancy permit can be obtained for the proposed severed parcel through Warren Street, which is a municipal street.

The proposed Application for Consent to Sever conforms to the County of Elgin Official Plan.

Town of Aylmer Official Plan

The subject lands are designated Low Density Residential in the Town's Official Plan. The Low-Density Residential designation supports the development of single detached, semi-detached, duplex, converted dwelling types.

Section 4.2.2(3) states an objective of this Plan is to promote intensification and redevelopment of vacant and underutilized lands in existing residential areas. Redevelopment proposals will, to the satisfaction of Council, ensure that the residential character of the area will be maintained or enhanced and not present a burden to existing facilities and services.

This proposed consent to sever is appropriate for the lands as the property has a long-standing low density residential use. The proposed severed parcel is located within an area of solely low-density residential uses. The residential character of the area will be maintained. The balance of the lands will continue to be used for low-density residential use.

Section 5.1.2 of the Town's Official Plan provides policy direction for land severances and includes evaluation criteria; the proposed Application for Consent to Sever meets the criteria.

Therefore, the proposed Application for Consent to Sever conforms to the Town of Aylmer Official Plan.

Town of Aylmer Zoning By-Law No. 57-99

The subject lands are zoned Residential Type 2 (R2) within the Town's Zoning By-law. The R2 Zone permits low density residential use such as single detached dwelling and existing duplex, converted or semi-detached dwelling and additional residential units (up to a total of three units).

The proposed severed and retained parcels will meet all R2 Zone regulations.

Therefore, the proposed Application for Consent to Sever complies with the Town of Aylmer Zoning Bylaw No. 57-99.

Other Issues/Matters

None.

Consultation

The application was circulated internally to Town staff. The following comments were submitted:

Director of Infrastructure

- *'The owner is required to connect the proposed lot to municipal services. No cross connections are allowed between two properties. There is an existing 100mm cast iron watermain, and 200mm asbestos cement sanitary main on Warren Street. There is no storm sewer present on Warren Street. There is a 300mm storm sewer on Victoria Street.*
- *A Road Occupancy Permit will be required for servicing works in the ROW and any driveway cuts required.*
- *A lot grading plan is required for the proposed lot.*
- *The existing shed located on Parcel 'A' shall be removed or relocated to Parcel 'B' and placed a minimum of 0.6m from any property line.*
- *A separate driveway shall be provided for both Parcel 'A' and Parcel 'B'.'*

Comment: The comments submitted by the Director of Infrastructure have been provided to the owner and are included as conditions of severance.

No other comments were received by Town staff.

Financial Impact

Not applicable.

Strategic Priorities

This report supports the goals and objectives set out in [Council's Strategic Pillars](#). The goals it supports include: Pillar One – Dynamic, Inclusive Community and Pillar Two – Planning for the Future.

Conclusion

Planning staff have reviewed the application against the PPS 2020, applicable County of Elgin and Town of Aylmer Official Plan policies, and the Town's Zoning By-law. Based on this review, it is recommended that Council offer support in principle for the application to the Land Division Committee, subject to the Committee's standard conditions, in addition to the following recommended conditions of approval:

1. That the Owner meets all requirements, financial and otherwise of the Town, to the satisfaction of the Town of Aylmer.
2. That the Owner has removed the accessory building on the proposed severed parcel, to the satisfaction of the Town of Aylmer.
3. That the Owner makes payment of cash-in-lieu for parkland purposes in accordance with Town of Aylmer By-law No. 01-22, to the satisfaction of the Town of Aylmer.
4. That the Owner provides confirmation of the location of any existing overhead or underground services installed to the proposed severed and retained parcels. Services cannot traverse the adjoining lots and any conflicts must be re-directed at the cost of the owner, to the satisfaction of the Town of Aylmer.
5. That the proposed severed parcel be individually connected to the municipal water supply and sanitary sewer with all costs, including applicable fees and charges, to be borne by the Owner, to the satisfaction of the Town of Aylmer.
6. That the Owner has a lot grading plan for the proposed severed parcel, prepared by a professional engineer, which includes connection to a legal and adequate outlet, to the satisfaction of the Town of Aylmer.
7. That the Owner has applied for and been issued a road occupancy permit from the Town of Aylmer for a new entrance for both the proposed severed and retained parcels and for servicing works in the Town's right-of-way and that all works associated with the road occupancy permit have been completed, to the satisfaction of the Town of Aylmer.
8. That a draft reference plan, illustrating the proposed severed parcel be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Application for Consent E13-24, and that this plan be approved by the Town of Aylmer prior to being deposited at the Land Registry Office.
9. That municipal addressing be assigned to the proposed severed parcel by the Town of Aylmer and that confirmation of municipal addressing be provided to Elgin County.
10. That an electronic version of the reference plan be submitted to the satisfaction of the Town of Aylmer.

11. That the Town of Aylmer advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Aylmer have been complied with.

Respectfully submitted,

Heather James
Manager of Planning and Development

Reviewed by Terry Koning, Director of Infrastructure
Reviewed by Andy Grozelle, Chief Administrative Officer

Appendix

Attachments

1. Attachment A: None.

Follow Up

In adopting this report, what follow up action is required?

By-law

Agreement(s)/document(s) to be signed by Mayor and/or Clerk

Social media/Website update or communication

Other communication – Specify:

Applicable severance documents to be forwarded to the Secretary-Treasurer for the County of Elgin Land Division Committee prior to the public meeting.