



## Report to Committee of the Whole

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**From:** Diana Morris, Senior Planner

**Date:** May 27, 2025

**Subject:** Draft Plan of Subdivision 34T-MA23001, Township of Malahide 9270 Rogers Road

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### **Recommendation(s):**

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THAT the Council of the Corporation of the County of Elgin grants draft plan approval to Draft Plan of Subdivision 34T-MA23001, Township of Malahide 9270 Rogers Road, by Strik, Baldinelli, Moniz Ltd on behalf of Peter and Anita Wiebe, dated November 18, 2024; and

THAT staff be directed to provide notice of decision subject to the conditions of final approval in accordance with the requirements of the Planning Act.

### **Introduction:**

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This report will provide County Council with information required to consider granting approval to the above noted draft plan of subdivision, in accordance with Section 51 of the *Planning Act*, the Council of the County of Elgin, as “Approval Authority,” is required to make a decision which gives approval or refusal for a proposed draft plan of subdivision.

### **Background and Discussion:**

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The County of Elgin received a draft plan of subdivision for the above noted subject lands, located in the ‘suburban’ area of the Township of Malahide, east side of Rogers Road, as shown in **Appendix A- Location Map**. The subject lands directly abut institutional and residential uses to the north and are approximately 200m south of Highway 3. Low density residential uses are located to the west and south of the subject property.

The subject lands consist of a total area of approximately 3.4ha (8.4ac), an approximate frontage of 167m (547.9ft) of frontage along Rogers Road. Lands are currently vacant.

The owners are proposing to develop the subject lands as an infill residential subdivision which includes the creation of eleven (11) rural residential lots that will have vehicular access a new roadway which will intersect with Rogers Road to the west and terminate into a temporary turning circle at the eastern end of the subject lands.

The **Draft Plan of Subdivision** is shown in **Appendix B** of this report.

The subject lands are within the '*Agricultural Area*' within the County of Elgin Official Plan(s) (2015 & 2024) as shown on Schedule 'A'- Land Use and County Structure Plan, respectively, and also found in **Appendix C** of this report.

As stated in Section C2.2 of the County of Elgin Official Plan, it is recognized that certain lands outside of the settlement areas have been designated for non-agricultural development by the lower tier Official Plans and these lands are deemed to not be within the prime agricultural area and are instead subject to the relevant policies of the lower tier Official Plan.

The Township of Malahide Official Plan designates the lands as '*Suburban Area*' on Schedule 'A1'- Land Use Plan, also found in **Appendix D** of this report. New development is directed to these areas to allow for infill and growth in areas adjacent to built-up areas. The suburban designation permits a range of non-agricultural uses and new development shall generally consist of commercial, industrial and institutional uses. Residential uses may be permitted on a case-by-case basis where there area already existing residential uses and will not cause land use conflicts. The proposed infill development will not result in any land use conflicts as existing low density residential uses (single-detached dwellings) are evident to the south, west and northeast

The subject lands are zoned 'Small Lot Agricultural- Holding (A4-H-1) as shown on Schedule A, Map G4 of the Township of Malahide Zoning By-law 18-22. In order to proceed with the proposed development, a Zoning By-law Amendment is required to rezone the lands to 'Rural Residential- Site Specific' (RR-9-H-1) and 'Open Space' (OS). The H-1 holding provision prohibits the development on the property until a subdivision agreement has been registered on the lands.

The proposed Zoning By-law Amendment was passed by By-law No.25-30 by Township Council on May 1, 2025, and can be found in **Appendix E**.

The subject application proceeded through the standard application process including the preparation, review, and acceptance of a number of technical studies and reports, and the technical circulation to statutory review agencies. The Notice of the application was circulated to property owners as regulated by the Planning Act. One written comment was received from a member of the public seeking clarification on the development specifically in relation to road access and servicing. No concerns were raised.

On May 1, 2025, Township of Malahide Council provided a resolution of support for the Draft Plan of Subdivision, subject to the County of Elgin's approval.

County staff have had the opportunity to review the subject application under the requirements of the Planning Act, the Provincial Planning Statement, the County Official Plan, and the Township of Malahide Official Plan and are satisfied that the application meets all relevant requirements.

Further, a series of conditions to the draft approval have been prepared to accompany the approval, as attached in Appendix F, should County Council deem it appropriate to approve, including conditions from: the Township of Malahide, Enbridge, Bell and Canada Post.

#### **Financial Implications:**

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There are no direct financial impacts to the County with respect to approval of this application.

#### **Advancement of Strategic Plan:**

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Planning for and facilitating residential growth within Elgin County.

#### **Local Municipal Partner Impact:**

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This decision will directly impact the Township of Malahide.

#### **Communication Requirements:**

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Notice of the decision will be sent to all parties that requested notification, to the local Township and to any other person/body prescribed under the *Planning Act*.

#### **Conclusion:**

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Based on the above analysis it is recommended that County Council grant draft plan approval to application No. 34T-MA23001, subject to the conditions in **Appendix F**, as the application:

- Is consistent with the Provincial Planning Statement;
- Conforms to the County of Elgin Official Plan and Township of Malahide Official Plan;
- Conforms to the Township of Malahide Zoning By-law (18-22), as amended and approved by By-law 25-30, and;
- Constitutes good land use planning.

All of which is Respectfully Submitted

Approved for Submission

Diana Morris, RPP, MCIP  
Senior Planner

Blaine Parkin  
Chief Administrative Officer/Clerk

Mat Vaughan, RPP, MCIP  
Director of Planning and Development

**Attachments:**

Appendix A- Location Map

Appendix B- Draft Plan of Subdivision

Appendix C- Elgin County Official Plan Map(s)

Appendix D- Township of Malahide Official Plan Map

Appendix E- Approved By-law No. 25-30 (Township of Malahide)