

To: Mayor and Members of Tillsonburg Council

From: Heather St. Clair, Development Planner, Community Planning

Application for Zone Change ZN 7-19-13 – Daryll and Nicole Clause

REPORT HIGHLIGHTS

- The application for zone change proposes to rezone the subject property to ‘Special Low Density Residential Type 3 Zone (R3-sp)’ to permit a range of residential dwelling types, including a single detached dwelling, a duplex, a triplex or a multiple-unit dwelling (to a maximum of 4 units).
- The applicant has also requested a site specific reduction to the minimum required lot area and parking provisions of the Town Zoning By-law to facilitate the range of possible dwelling types on the subject lands (with parking in the front), and has indicated that the preferred development is a multiple-unit dwelling, consisting of 3 or 4 units, which would be marketed towards senior citizens.
- Planning staff are recommending approval of the application as it is generally consistent with the policies of the Provincial Policy Statement respecting the provision of a range and mix of housing types and densities, and maintains the intent and purpose of the Official Plan respecting low density residential uses.

DISCUSSION

Background

OWNERS: Daryll and Nicole Clause
32 North Street East, Tillsonburg ON, N4G 1B3

LOCATION:

The subject property is described as Lot 3, Plan M-16, Town of Tillsonburg. The lands are located on the east side of Woodcock Drive, lying between North Street East and Owl Drive and are municipally known as 4 Woodcock Drive, Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “T-1”	Town of Tillsonburg Land Use Plan	Residential
Schedule “T-2”	Town of Tillsonburg Residential Density Plan	Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

Existing Zoning: Low Density Residential Type 1 Zone (R1)

Proposed Zoning: Special Low Density Residential Type 3 Zone (R3-sp)

PROPOSAL:

The purpose of the application for zone change is to permit a range of dwelling types on the subject lands, consisting of a single detached dwelling, duplex dwelling, triplex dwelling and multiple-unit dwelling (to a maximum of 4 units). The applicant has also requested a reduction to the required minimum lot area for a multiple-unit dwelling and has indicated that parking will be provided in the front of the proposed dwelling. A site sketch indicating how 4 units (and required parking) can be accommodated on the subject lands has been submitted, as well as a concept sketch of what a 4 unit multiple-unit dwelling would look like on the subject lands.

The subject lands are located on the east side of Woodcock Drive, and are approximately 1,184.7 m² (12,752.4 ft²) in size, with approximately 20.5 m (67.25 ft) of frontage on Woodcock Drive and 51 m (167.3 ft) of depth. The subject lands are currently vacant and surrounding land uses consist of a variety of single detached dwellings along North Street East, to the east and west, and Woodcock Drive to the north, as well as recently constructed multiple-unit dwellings to the northwest (on Wren Court) and existing service commercial uses to the south.

Plate 1, Location Map with Existing Zoning, shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, 2015 Aerial Map, provides an aerial view of the vacant subject lands.

Plate 3a, Applicant's Sketch, shows the proposed site plan, with approximate dimensions and parking layout.

Plate 3b, Applicant's Concept Sketch, shows a potential concept for the proposed 4 unit multiple-unit dwelling.

Application Review

PROVINCIAL POLICY STATEMENT:

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions shall be consistent with all policy statements issued under the Act.

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and their vitality and regeneration shall be promoted.

Section 1.1.3.3 of the PPS states that Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.4.3 of the PPS states that Planning Authorities shall provide for an appropriate mix of housing types and densities to meet projected requirements of current and future residents by permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents and permitting and facilitating all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3.

OFFICIAL PLAN:

The subject lands are designated 'Residential' and 'Low Density Residential' according to the Land Use Plan and Residential Density Plan for the Town of Tillsonburg, as contained in the County's Official Plan. Low density residential districts are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms including both executive and smaller single-detached dwellings, semi-detached, duplex and converted dwellings, street-fronting townhouses and other, similar development. Within areas designated Low Density Residential, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

The policies of Section 8.2 (Town of Tillsonburg Housing Development and Residential Areas) promote the accommodation of present and future demand for housing in Tillsonburg through the efficient use of vacant residentially-designated lands, underutilized parcels in built-up areas and existing housing stock in all neighbourhoods. The policies also encourage a variety of housing type, tenure, cost and location that meets the changing needs of all types of households.

The policies of Section 8.2.2.2 (Tenure Mix) provides that Town Council shall encourage the creation of housing opportunities that may result in a mix of tenure forms, such as ownership, rental and cooperative, throughout the Town. Such encouragement will include the provision of opportunities for the development of a variety of housing forms in newly developing areas and by permitting sensitive infilling and accessory apartments in built-up areas.

The policies of Section 8.2.2.5 (Residential Intensification and Redevelopment) provides that residential intensification is permitted in appropriate locations within the Residential and Central Areas of the Town, subject to complying with the policies of the associated land use designations pertaining to the density, form and scale of residential development being proposed. It is not intended that residential intensification will occur uniformly through the Town. The location, form, and intensity of residential intensification will be determined by the policies of the various land use designations, with the intention of permitting smaller scale developments, such as individual infill lots, in areas designated as Low Density Residential.

Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the designated residential land and municipal servicing infrastructure, infill housing will be supported in Low Density Residential areas.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development of both sides of the street. In order that street oriented infill projects are sensitive to the continuity of the existing residential streetscape, Council shall ensure that;

- The proposal is consistent with street frontage, setbacks and spacing of existing development within a two-block area on the same street;

- For proposals involving more than two dwelling units, the exterior design in terms of height, bulk, scale and layout of the proposed building is consistent with present land uses in the area;
- The location of vehicular access points, the likely impact of traffic generated by the proposal on Town streets, pedestrian safety, and surrounding properties is acceptable;
- Existing municipal services and public facilities will be adequate to accommodate the proposed infill project;
- Stormwater runoff will be adequately controlled and will not negatively affect adjacent properties;
- Adequate off-street parking and outdoor amenity areas will be provided;
- The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- The effect of the proposed development on environmental resources;
- Consideration of the potential effect of the development on natural and heritage resources and their settings;
- Compliance of the proposed development with the provisions of the Town Zoning By-Law and other municipal By-Laws.

Street oriented infill proposals may be subject to site plan control.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Low Density Residential Type 1 Zone (R1)', according to the Town of Tillsonburg Zoning By-law, which permits the development of single detached dwellings.

The applicants are proposing to rezone the subject property to 'Special Low Density Residential Type 3 Zone (R3-sp)'. The 'R3' zone permits a converted dwelling containing not more than 4 dwelling units, an existing single detached, a semi-detached or duplex dwelling, a multiple-unit dwelling containing not more than 4 dwelling units, and a street fronting townhouse dwelling.

A multiple-unit dwelling is defined in the Zoning By-Law as a dwelling consisting of 3 or more dwelling units, which are horizontally or vertically attached, which may be entered from an independent entrance directly from the outside or from an internal common space or an access balcony and in which 50% or more of dwelling units have direct access to grade or a roof terrace. A multiple unit dwelling includes a triplex, a fourplex, a sixplex and a townhouse, but does not include a street fronting townhouse or apartment dwelling.

The 'R3' zone requires a minimum lot area of 330 m² (3,552 ft²) per dwelling unit, lot frontage of 20 m (65.5 ft), lot depth of 30 m (98.4 ft), rear yard depth of 10.5 m (34.4 ft), and interior side yard of 4.5 m (14.8 ft) on one side and 3 m (9.8 ft) on the narrow side. Maximum lot coverage is 40% of lot area, and required amenity area is 48 m² (516.7 ft²) per dwelling unit. The applicant has requested a reduction to the minimum lot area requirement to facilitate the construction of a 4 unit multiple-unit dwelling, which given the existing lot area of the subject lands, being 1,184.7 m² (12,752.4 ft²), would result in approximately 296.1 m² (3,188.1 ft²) per unit.

Each dwelling unit requires 1.5 parking spaces, and parking areas are only permitted in the rear yard for a multiple-unit dwelling in a R3 Zone. Section 5.24.7.1.3 provides that within a residential zone, a maximum of 50% of either the area of the front yard or lot frontage, or the area or width of the exterior side yard, may be occupied by a driveway or parking area.

AGENCY COMMENTS:

The application was circulated to various public agencies considered to have an interest in the proposal.

The Town of Tillsonburg Building Department has commented that barrier free parking will need to be provided and cannot be arranged in a tandem layout on the subject lands and the development of a proposed 4 unit multiple-unit dwelling will be subject to site plan control. This department has further commented that the proposal will also be subject to confirmation of adequate servicing.

The Tillsonburg Manager of Water and Wastewater has commented that at site plan stage, the applicants will be required to confirm that the existing water service will be sufficient to service the proposal.

The Tillsonburg District Chamber of Commerce has commented that they have no issue with the proposed development and that multiple-unit residential development at a smaller scale would be beneficial in the community to provide flexibility and affordability, as well as rental options.

The Town of Tillsonburg Fire Chief has indicated they have no concerns with the proposal.

PUBLIC CONSULTATION:

Notice of complete application was circulated to surrounding property owners on November 7, 2019 and notice of public meeting regarding this application was circulated on November 25, 2019. To date, no written comments have been received from the public.

Planning Analysis

The proposed zone change application has been requested to allow for a variety of dwelling types on the subject lands, including a single detached dwelling, a duplex dwelling, a triplex and a multiple-unit dwelling, consisting of 4 dwelling units. It is the intent of the applicants to increase the marketability of the subject lands by allowing for a range of dwelling options, but it is noted that a 3 or 4 unit multiple-unit dwelling is the preferred form of development for the applicants.

Planning staff have reviewed the applicant's request and are of the opinion that the proposal is consistent with the PPS and Official Plan direction to provide for an appropriate variety of housing types and densities to meet the needs of current and future residents. If approved, the multiple-unit dwelling will provide additional housing options and tenures, and will increase rental supply in the Town. Further, staff are of the opinion that the proposal represents an efficient use of existing municipal infrastructure.

Planning staff are also satisfied that the proposal conforms to the street oriented infill policies of the Official Plan. Based on the concept plan submitted by the applicants, the multiple-unit dwelling will be constructed as a low rise residential dwelling, and will be of an appropriate scale and building form, in keeping with the character of the existing residential development in the surrounding area, and the lot is sufficiently deep that the required front and rear yard depths will be maintained. The applicant has also provided a preliminary site plan sketch to demonstrate how parking could be accommodated in the front yard of the subject lands, which will comply with the off-street parking criteria outlined in the Official Plan and meet the minimum parking requirements provided in the Zoning By-law, while having minimal impact on vehicle and

pedestrian safety or the existing traffic flow in the immediate area. It is noted however, that relief from the parking provisions of the Zoning By-law has been requested to facilitate parking in front of the proposed dwelling, which will be further in keeping with the characteristic of existing residential development in the immediate area.

To facilitate the possibility of a 4 unit multiple-unit dwelling, the applicants have requested a reduction to the minimum required lot area, which at 330 m² (3,552 ft²) would require a minimum lot area of 1,320 m² (14,208.8 ft²), whereas the subject lands are currently 1,184.7 m² (12,752 ft²) in size. It is the intent of the minimum lot area provision to ensure that sufficient space is maintained on private property to accommodate for sufficient lot grading and drainage, as well as private parking and amenity space, suitable for the proposed number of units.

Planning staff are satisfied that a reduction to this minimum lot area, which will result in approximately 296.17 m² (3,188 ft²) per unit, can be considered acceptable in this instance. Staff note that the subject lands have sufficient lot depth to accommodate rear yard amenity space and on-site drainage, as well as the necessary parking at the front of the proposed dwelling. Future relief of the zoning by-law may be required depending on the proposed design and location of the dwelling and parking areas. Further, it is noted that any concerns regarding servicing will be addressed through the Town's site plan approval process, which will also review such issues as lot grading, landscaping, building design, and parking and aisle width in greater detail, should the applicants choose to develop the lands for the proposed 4 unit multiple-unit dwelling, to the satisfaction of the Town.

In light of the foregoing, it is Planning staff's opinion that the requested rezoning to permit a range of low density residential dwelling options on the subject lands, and to reduce the minimum required lot area for a potential 4 unit multiple-unit dwelling can be considered appropriate from a planning perspective and can be given favourable consideration.

RECOMMENDATION

- 1. It is recommended that the Council of the Town of Tillsonburg approve the zone change application submitted by Daryll and Nicole Clause, whereby the lands described as Lot 3, M-16, Town of Tillsonburg, known municipally as 4 Woodcock Drive are to be rezoned from 'Low Density Residential Type 1 Zone (R1)' to 'Special Low Density Residential Type 3 Zone (R3-15)' to allow for a range of dwelling types, including a single detached dwelling, a duplex dwelling, a triplex dwelling and a multiple-unit dwelling, consisting of 4 dwelling units and requiring a minimum lot area of 1,184.7 m² (12,752 ft²).**

SIGNATURES

Authored by:

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Approved for submission:

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Senior Planner

Report Approval Details

Document Title:	7-19-13_Rpt.docx
Attachments:	- 4 Woodcock Plate 1.pdf - 4 Woodcock Plate 2.pdf - Plate 3.pdf - 7-19-13_appl-20191106.pdf
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This report and all of its attachments were approved and signed as outlined below:



Ron Shaw - Dec 2, 2019 - 8:45 AM