To: Mayor and Members of Tillsonburg Council
From: Eric Gilbert, Senior Planner, Community Planning

Applications for Consent & Zone Change
B20-12-13-14-7 & ZN 7-20-02– Jacob Hiebert & John Peters

REPORT HIGHLIGHTS

- The purpose of this application is to create two new residential lots for single detached dwellings with frontage on Woodland Crescent, one new residential lot for a semi-detached dwelling on Trillium Drive, and retain lands for a semi-detached dwelling on Trillium Drive.

- An application for zone change has been received to rezone the lots to be severed via Application B20-12-7 and the retained lands from ‘Neighbourhood Commercial Zone (NC)’ to ‘Special Low Density Residential – Type 2 Zone (R2-sp)’ to allow for semi-detached dwellings with a reduced rear yard depth of 6.0 m (19.69 ft), reduced exterior side yard width of 4.5 m (14.76 ft), and maximum lot coverage of 50%.

- The application for zone change also proposes to rezone the lots to be severed via Applications B20-13-7 & B20-14-7 from ‘Neighbourhood Commercial Zone (NC)’ to ‘Special Low Density Residential – Type 2 Zone (R2-sp)’ to allow for the proposed single detached dwellings with a reduced rear yard depth of 6.0 m (19.69 ft), reduced exterior side yard width of 4.5 m (14.76 ft), and maximum lot coverage of 45%.

- Planning staff are recommending approval of the applications, as they are consistent with the Provincial Policy Statement and generally maintain the intent and purpose of the Official Plan respecting infill development within the Town of Tillsonburg.

DISCUSSION

Background

OWNERS: Jacob Hiebert & John Peters
4 Feltz Drive, Ingersoll ON, N5C 4E9

AGENT: Andrew Gilvesy, P. Eng (CJDL Consulting Engineers)
261 Broadway, Tillsonburg ON, N4G 4H8

LOCATION:
The subject lands are described as Lot 86, Plan 41M-139, in the Town of Tillsonburg. The subject property is located on the west side of Quarter Town Line, between Woodland Crescent and Trillium Drive, and is municipally known as 79 Woodland Crescent, Tillsonburg.

**COUNTY OF OXFORD OFFICIAL PLAN:**

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<th>Schedule “T-1”</th>
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<td>Town of Tillsonburg Residential Density Plan</td>
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**TILLSONBURG ZONING BY-LAW NO. 3295:**

**Existing Zoning:**

- Lands to be Severed: Neighbourhood Commercial Zone (NC)
- Lands to be Retained: Neighbourhood Commercial Zone (NC)

**Proposed Zoning:**

- Lands to be Severed (B20-13-14-7): Special Low Density Residential – Type 2 Zone (R2-sp)
- Lands to be Severed (B20-12-7): Special Low Density Residential – Type 2 Zone (R2-sp)
- Lands to be Retained: Special Low Density Residential – Type 2 Zone (R2-sp)

**SERVICES:**

- Lots to be Severed & Retained: proposed municipal water and sanitary sewers

**ACCESS:**

- Paved, municipal roads (Trillium Drive & Woodland Crescent)

**PROPOSAL:**
The applications for consent propose the creation of three new residential infill lots in the Town of Tillsonburg that will have frontage on Woodland Crescent and Trillium Drive. The proposed lot to be severed through application B20-12-7 will cover an area of approximately 692 m² (7,451.6 ft²), and will have approximately 19.15 m (62.8 ft) of frontage on Trillium Drive, and 36.15 m (118.6 ft) of frontage on Quarter Town Line. A semi-detached dwelling, consisting of 2 dwelling units is proposed to be constructed on the lot to be severed.

The proposed lot to be severed through application B20-13-7 will cover an area of approximately 609.4 m² (6,559.2 ft²), and will have approximately 16.76 m (55 ft) of frontage on Woodland Crescent. A single detached dwelling is proposed to be constructed on the lot to be severed.

The proposed lot to be severed through application B20-14-7 will cover an area of approximately 662.9 m² (7,135.2 ft²), and will have approximately 18.24 m (59.8 ft) of frontage on Woodland Crescent, and 36.35 m (119.3 ft) of frontage on Quarter Town Line. A single detached dwelling is proposed to be constructed on the lot to be severed.

The lot to be retained will have an area of approximately 573 m² (6,167 ft²), frontage of 15.85 m (52 ft) on Trillium Drive, and is proposed to contain a semi-detached dwelling consisting of two dwelling units.

An application for zone change has also been received to rezone the subject lands from ‘Neighbourhood Commercial Zone (NC)’ to ‘Special Low Density Residential – Type 2 Zone (R2-sp)’ to facilitate the proposed single detached dwellings and semi-detached dwellings with reduced rear yard depth of 6.0 m (19.69 ft), reduced exterior side yard width of 4.5 m (14.76 ft), and increased lot coverage (45% for single detached dwellings, 50% for semi-detached dwellings). Special provisions are also required to provide relief of the required setback from the Centre Line of Quarter Town Line to permit a setback of 19.6 m (64.3 ft).

The subject lands are approximately 2535.26 m² (0.63 ac) in size and surrounding land uses are comprised of a mix of existing single detached dwellings fronting on Trillium Drive, Woodland Crescent, Quarter Town Line and Langrell Avenue, as well as street fronting townhouses on the east side of Quarter Town Line. A condominium development known as Simply 360 consisting of 64 street fronting townhouse units is located to the northeast, and vacant lands zoned for medium density development are located to the north. Immediately adjacent to the subject lands to the west is a vacant municipal block that is owned by the Town of Tillsonburg.

Plate 1, Location Map with Existing Zoning, shows the location of the subject lands and the existing zoning in the immediate vicinity.
Plate 2, Proposed Lot Configuration depicts the proposed lots to be severed and lots to be retained.

Plate 3, 2015 Aerial Map, provides an aerial view of the subject lands and immediate vicinity.

Plate 4, Applicants’ Sketch, depicts the proposed configuration of the lands to be severed and retained.

**Application Review**

**PROVINCIAL POLICY STATEMENT:**

Section 1.1.3.1 of the Provincial Policy Statement (PPS) directs 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 directs that planning authorities shall identify appropriate locations 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.

Further, Section 1.4.3 of the PPS directs that planning authorities shall provide for an appropriate mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of residential intensification and redevelopment and all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and support the use of active transportation and transit areas where it exists or is to be developed; and
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form while maintaining appropriate levels of public health and safety.

**OFFICIAL PLAN:**

The subject lands are designated as Low Density Residential according to the Town of Tillsonburg Residential Density Plan, as contained in the 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, townhouses and other, similar development. Within these areas, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

Residential net density for lands designated Low Density Residential is between 15-30 units per hectare (6-12 units per acre) and no building shall exceed three storeys in height at street elevation. To achieve this target, a variety of lot sizes and configurations will be supported, as well as the development of low rise, multiple units and Council may consider narrower road widths and private roads within multiple unit condominium developments.

Multiple unit dwellings such as townhouses and cluster development in the Low Density Residential designation will generally be restricted to sites which abut arterial or collector roads or are situated such that traffic impacts from the site create a minimum disturbance on local streets.

The policies of Section 8.2.4.1 (Infill Housing) provide that in order to efficiently utilize the designated residential land and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Areas. The County Land Division Committee and Town Council will ensure that proposals for infill development are consistent with policies contained in Section 8.2.4.1.1 and 8.2.4.1.4.

Official Plan policies respecting Street Oriented Infill permit new residential housing into an established streetscape pattern only if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the street. The policies also require that the proposal is consistent with street frontage, setbacks and spacing of existing development within a two block area on the same street.

In addition, all infill proposals are subject to the following criteria:

- the location of vehicular access points, the likely impact of traffic generated by the proposal on Town streets and potential traffic impacts on pedestrian and vehicular safety and surrounding properties is acceptable;
- existing municipal services and public facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal 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 and the effects of environmental constraints on the proposed development will be addressed and mitigated;
- 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 Zoning By-Law of the Town and other municipal by-laws.

**TOWN OF TILLSONBURG ZONING BY-LAW:**
The subject lands are zoned as ‘Neighbourhood Commercial Zone (NC)’ which permits a number of neighbourhood-serving commercial uses, including a convenience store, daycare centre, dry cleaning depot, eating establishment, fitness club, personal service establishment, postal outlet, public library, or studio.

An application has been received to rezone the subject lands from ‘Neighbourhood Commercial Zone NC)’ to ‘Special Low Density Residential – Type 2 Zone (R2-sp)’ to allow for the development of the proposed semi-detached dwellings on the lot to be severed through application B20-12-7 & the retained lands, and to permit single detached dwellings on the lots to be severed by applications B20-13-7 & B20-14-7. The following special provisions have also been requested:

- Reduce the minimum required rear yard depth from 7.5 m (24.6 ft) to 6 m (19.69 ft) for single detached dwellings and semi-detached dwellings;
- Reduce the minimum required exterior side yard width from 7.5 m (24.6 ft) to 4.5 m (14.76 ft) for the lots to be severed by application B20-12-7 & B20-13-7;
- Increase the permitted lot coverage from 40% to 45% for single detached dwellings, and to permit 50% coverage for semi-detached dwellings.

For a single detached dwelling or semi-detached dwelling, the R2 Zone requires a lot area of 315 m² (3,390.7 ft²), or 450 m² (4,843.6 ft²) for a corner lot, a lot frontage of 10.5 m (34.4 ft) or 15 m (49.2 ft) for a corner lot, a lot depth of 30 m (98.4 ft), and a front yard depth of 6.0 m (19.69 ft).

The R2 zone provisions also require a minimum setback of 20.5 m (67.3 ft) from the Centreline of an Arterial Road. As Quarter Town Line is an arterial road, relief of this provision is required to permit a reduced setback of 19.6 m (64.3 ft).

Based on the sketch provided by the applicants, it appears as the lots will meet the required lot area, lot frontage, and lot depth provisions of the R2 Zone.

AGENCY COMMENTS:

The applications were circulated to various agencies considered to have an interest in the proposal.

The Town of Tillsonburg Chief Building Official has commented that the applicant may also require relief of the required 20.5 m setback from the centreline of Quarter Town Line, an arterial road. Approval of the application is to be subject to approval of water, sanitary and storm servicing. A preliminary lot grading design should also be provided. An updated survey will also be required. Additionally, the applicant needs to reach out to the Building Department for the re-addressing of the lots to be severed and retained and to provide payment for the applicable fees in the amount of $100.

The Town of Tillsonburg Engineering Services Department provided the following comments:
- preliminary lot grading plan is required for the lots to be severed and retained;
- sidewalks are required to be extended along Trillium Drive and Woodland Crescent to the existing sidewalk on Quarter Town Line;
• owner shall provide confirmation that the overall run-off coefficients (0.5 RC) for the lands to be severed and retained will be acceptable with the proposed increased lot coverage;
• owner shall confirm that proposed sightlines for the reduced exterior side yards will meet the TAC Guidelines.

The Town Director of Recreation, Culture and Parks indicated that cash-in-lieu of parkland is required for the new proposed lots.

The County of Oxford Public Works Department indicated that as a condition of severance, all financial requirements of the Oxford County Public Works Department must be complied with in respect to the provision of water and wastewater service connections for the lots to be severed. This condition can be cleared by payment for the required services.

The Town of Tillsonburg Development Commissioner provided the following comments:

While the 79 Woodland Cres property is small in size (~27,300 SF or 0.63 Acres) and may only be suitable for very small commercial developments, there is a very limited supply of any type of commercial land within the Town of Tillsonburg and including within this neighbourhood. The number of existing residential subdivisions in this quadrant of the Town plus the 60 plus unit townhouse development at 360 Quarter Town Line, the proposed redevelopment of the Daffodil Drive and Daisy Court, lands just north of this property, and the potential subdivision at the southwest corner of Quarter Town Line and North Street, suggest that there will be a need for a convenience store or similar use in this part of the Town in the near future.

The nearest convenience store is currently located at the 594 Broadway plaza, which is approximately 1 km away.

If this property is rezoned to residential, there is the potential for reduced consumer choice in the future. Hence, alternative commercial sites in this quadrant of Tillsonburg should be identified and/or secured.

Union Gas has commented that their agency does have service lines running within the area, which may or may not be affected by the proposed severance. Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the link according to the new property boundaries, which would be at the expense of the property owner.

Bell Canada, Tillsonburg Fire and Rescue Services, and the Tillsonburg and District Chamber of Commerce have commented that they have no concerns with the proposal.

PUBLIC CONSULTATION:

Notice of the applications for consent and zone change were provided to the public and surrounding property owners on April 24, 2020. Notice of public meeting for the zone change was provided on June 2, 2020 in accordance with the requirements of the Planning Act. To date, staff have spoken with 2 adjacent residents who expressed concerns with lot grading and drainage.
One letter of concern was received from an adjacent landowner requesting that the subdivision covenants respecting acceptable dwelling façade be respected.

Planning Analysis

The applications for consent propose to create 3 new lots for the development of 2 single detached dwellings and two semi-detached dwellings (consisting of 4 dwelling units) in the northwest area of the Town of Tillsonburg. An application for zoning by-law amendment has also been received to facilitate the proposed development on the lots to be severed and the lot to be retained.

Planning staff are of the opinion that the proposal is generally consistent with the Provincial Policy Statement and the County's Official Plan regarding residential intensification within a designated settlement area.

Specifically, staff are of the opinion that the proposal will facilitate an increased mix of housing types that will assist in meeting housing requirements of the regional market on lands designated for such use. Further, staff are satisfied that the proposal will also assist in utilizing existing and planned servicing infrastructure and public service facilities, while maintaining intended density targets and efficiently utilizing existing underutilized lands.

Official Plan policies respecting Street Oriented Infill permit new residential housing onto an established streetscape pattern only if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the street. The policies also require that the proposal is consistent with street frontage, setbacks and spacing of existing development within a two block area on the same street.

In this instance, development along this area of Quarter Town Line is a mix of residential densities and dwelling types. To the north is a medium density residential area consisting of primarily street fronting townhouses, and a cluster of street fronting townhouses exists on the east side of Quarter Town Line, opposite the subject lands. The spacing and setbacks of the proposed dwelling will be similar to existing development consisting of single detached dwellings in the immediate vicinity. Single detached dwellings are present to the south and west, fronting on Woodland Crescent, and the lots have frontages of 17 m (55.8 ft). Single detached dwellings are also present on Trillium Drive, although these lots are smaller and have frontages of 11 m (36 ft). It is the opinion of planning staff that the applicant's proposal to construct single detached dwellings on the proposed lots fronting on Woodland Crescent will be consistent with the existing development in the vicinity as the proposed lots have similar frontages of 18.24 m (59.7 ft) and 16.76 m (55 ft).

The proposed semi-detached dwellings fronting on Trillium Drive on the lot to be severed through application B20-12-7 and the lot to be retained will have similar frontages to the existing frontages of lots on Trillium Drive and lots on Langrell Avenue to the east. Semi-detached dwellings are a permitted use within the Low Density Residential designation, and will be of a similar scale and mass as existing development on Trillium Drive, Woodland Crescent, and the surrounding area.
Staff are of the opinion that the proposal will comply with the review criteria for infill proposals contained in the Official Plan, as adequate municipal services are present to accommodate the development, the lands will be of a sufficient size to provide for adequate off-street parking and outdoor amenity areas, and any drainage or stormwater impacts to surrounding properties will be further reviewed and subject to approval through the recommended conditions of approval, or prior to the issuance of a building permit. Appropriate conditions of approval have also been included to ensure that the location of the proposed dwelling and any driveways will not impact sightlines or intersection movements at the intersection of Trillium Drive or Woodland Crescent and Quarter Town Line.

The applicants have requested a zone change to rezone the subject lands from ‘Neighbourhood Commercial Zone (NC)’ to ‘Special Low Density Residential – Type 2 Zone (R2-sp)’ to facilitate the development of 2 single detached dwellings and 4 semi-detached dwellings. Special provisions have also been sought to permit a reduced rear yard depth of 6 m (19.69 ft), reduced exterior side yard with of 4.5 m (14.76 ft), and increased permitted lot coverage of 45% for single detached dwellings and 50% for semi-detached dwellings. Planning staff note that relief is also required for a reduced setback from the centreline of Quarter Town Line, an arterial road.

Planning staff are of the opinion that the requested zoning relief is appropriate in this instance as the reduced rear yard depths are similar to many lots within new residential subdivisions in Town, and adequate outdoor amenity space and sufficient space to accommodate any required rear yard drainage swales will remain. The reduced exterior side yard width and reduced setback to the centreline of Quarter Town Line is not expected to impact traffic safety and recommended conditions of approval will ensure that there is no impact to sightlines resulting from the reduced setback.

With respect to the requested increased lot coverage, the lands were originally intended to be developed for commercial purposes that would typically have a greater lot coverage than residential uses. Appropriate conditions of approval are recommended to ensure that the proposed lot coverage can be accommodated within local storm sewers, and that appropriate lot grading designs can be implemented to ensure there are no negative impacts to surrounding properties.

In light of the foregoing, it is the opinion of this Office that the requested zone change is appropriate and consistent with the Official Plan policies respecting low density residential development, and it is recommended that the proposed rezoning be approved-in-principle, pending the decision of the Oxford County Land Division Committee at a future meeting.

Further, Planning staff are satisfied that the consent application is consistent with the policies of the PPS and is in keeping with the County Official Plan. As such, Planning staff are satisfied that the application can be given favourable consideration, subject to the appropriate conditions, as noted below.

**RECOMMENDATIONS**

It is recommended that the Council of the Town of Tillsonburg approve-in-principle the zone change application submitted by Jacob Hiebert and John Peters, whereby the lands described as Lot 86, Plan 41M-139, in the Town of Tillsonburg, known municipally
as 79 Woodland Crescent are to be rezoned from ‘Neighbourhood Commercial Zone (NC)’ to ‘Special Low Density Residential – Type 2 Zone (R2-sp)’ to permit the development of two single detached dwellings and two semi-detached dwellings with reduced rear yard depths, increased maximum lot coverage, and reduced exterior side yard widths.

AND FURTHER, it is recommended that Tillsonburg Council advise the Land Division Committee that the Town is in favour of the proposals to sever the subject property, subject to the following conditions:

B20-12-7:

1. The lot to be severed and lot to be retained be appropriately zoned.

2. The Oxford County Public Works Department advise the Secretary-Treasurer of the Oxford County Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water and sewer services to the subject property has been complied with, to the satisfaction of the County Public Works Department.

3. The owners shall provide proof that the lots have been serviced with municipal water services, municipal sanitary sewers, and municipal storm sewers, to the satisfaction of the Town of Tillsonburg Building Department.

4. The owners shall obtain new civic addresses for the lots to be severed and retained, to the satisfaction of the Town of Tillsonburg Building Department.

5. The owners shall provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Services Department.

6. The owners shall provide confirmation that the overall run-off coefficients (for the lands to be severed and retained will be acceptable with the proposed increased lot coverage, to the satisfaction of the Town of Tillsonburg Engineering Services Department.

7. The owners shall provide confirmation that the proposed sightlines for the reduced exterior side yard will meet the TAC Guidelines, to the satisfaction of the Town of Tillsonburg Engineering Services Department.

8. The owners shall make payment for cash-in-lieu of parkland, to the satisfaction of the Town of Tillsonburg.

9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.

B20-13-7:

1. The lot to be severed and lot to be retained be appropriately zoned.
2. The Oxford County Public Works Department advise the Secretary-Treasurer of the Oxford County Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water and sewer services to the subject property has been complied with, to the satisfaction of the County Public Works Department.

3. The owners shall provide proof that the lots have been serviced with municipal water services, municipal sanitary sewers, and municipal storm sewers, to the satisfaction of the Town of Tillsonburg Building Department.

4. The owners shall obtain new civic addresses for the lots to be severed and retained, to the satisfaction of the Town of Tillsonburg Building Department.

5. The owners shall provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Services Department.

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8. The owners shall make payment for cash-in-lieu of parkland, to the satisfaction of the Town of Tillsonburg.

9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.

B20-14-7:

1. The lot to be severed and lot to be retained be appropriately zoned.

2. The Oxford County Public Works Department advise the Secretary-Treasurer of the Oxford County Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water and sewer services to the subject property has been complied with, to the satisfaction of the County Public Works Department.

3. The owners shall provide proof that the lots have been serviced with municipal water services, municipal sanitary sewers, and municipal storm sewers, to the satisfaction of the Town of Tillsonburg Building Department.

4. The owners shall obtain new civic addresses for the lots to be severed and retained, to the satisfaction of the Town of Tillsonburg Building Department.
5. The owners shall provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Services Department.

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7. The owners shall make payment for cash-in-lieu of parkland, to the satisfaction of the Town of Tillsonburg.

8. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.

SIGNATURES

Authored by: "Original Signed By" Eric Gilbert, MCIP, RPP, Senior Planner

Approved for submission: "Original Signed By" Gordon K. Hough, RPP, Director
Report Approval Details

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

**No Signature - Task assigned to Kyle Pratt was completed by delegate Michelle Smibert**

Kyle Pratt - Jun 19, 2020 - 12:50 PM