

# The Corporation of the Town of Tillsonburg

## Council Planning Meeting

### AGENDA



Monday, November 16, 2020

4:30 PM

Electronic Meeting

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**1. Call to Order**

**2. Adoption of Agenda**

Proposed Resolution #1

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the Agenda as prepared for the Council Planning meeting of Monday, November 16, 2020

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

**4. Adoption of Council Planning Minutes of Previous Meeting**

Proposed Resolution #2

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the Minutes of the Council Planning meeting held on Monday, October 19, 2020, be approved.

**5. Public Meetings**

Proposed Resolution #3

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance at \_\_\_\_ p.m.

**5.1. Application for Minor Variance A 12-20 (Bruder)**

Proposed Resolution #4

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the Committee of Adjustment approve Application File A12-20, submitted by Mark Bruder & Sarah Chanda-Bruder, for lands described as Lot 27, Plan M137, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required rear yard depth from 12 m (39.3 ft) to 6.94 m (22.7 ft) to facilitate the constructed of a covered porch on the subject lands.

Subject to the following conditions:

- i. That the relief shall only comply to the construction of a covered porch addition to an existing single detached dwelling in the manner as depicted in Plate 3 of Report CP 2020-312.
- ii. The Owners shall obtain a building permit for the proposed covered porch within one year of the date of the Committee's Decision;
- iii. The Owners shall provide an updated building location survey.

Proposed Resolution #5

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council move out of the Committee of Adjustment and move back into regular Council session at \_\_\_\_ p.m.

**5.2. Applications for Official Plan Amendment and Zone Change OP 20-15-7 and ZN 7-20-13 (Town of Tillsonburg)**

Proposed Resolution #6

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council advise County Council that the Town supports the application for Official Plan Amendment, File No. OP 20-15-7, submitted by the Town of Tillsonburg, for lands legally described as Part Block D, Plan M-53, in the Town of Tillsonburg, to re-designate the subject lands from Open Space to Low Density Residential;

AND THAT Council approve in principle the zone change application (File No. ZN 7-20-13) submitted by the Town of Tillsonburg, for lands legally described as Part Block D, Plan M-53, in the Town of Tillsonburg, to rezone the lands from Passive Use Open Space Zone to Low Density Residential Type 1 Zone to facilitate the development of a single detached dwelling on the subject lands.

**5.3. Application for Zone Change ZN 7-20-15 (Dyer and Nadeau)**

Proposed Resolution #7

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council approve-in-principle the zone change application submitted by Dave Dyer & Amy Nadeau, whereby the lands described Lot 574, Plan 500, in the Town of Tillsonburg known municipally as 1 Hardy Avenue are to be rezoned from 'Low Density Residential Type 1 Zone (R1)' to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the development of a multiple unit dwelling consisting of 3 dwelling units.

**6. Planning Reports**

**7. Closed Session**

Proposed Resolution #8

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council move into Closed Session at \_\_\_\_ p.m. to consider personal matters about identifiable individuals, including Town employees.

**7.1. Adoption of Agenda**

**7.2. Disclosures of Pecuniary Interest and the General Nature Thereof**

**7.3. Adoption of Closed Session Council Minutes**

**7.4. Reports**

7.4.1. 239 (2) (b) personal matters about identifiable individuals, including municipal or local board employees;

**7.5. Back to Open Session**

**8. New Business**

**9. Motions/Notice of Motions**

**10. By-Laws**

**11. Confirm Proceedings By-law**

Proposed Resolution #9

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT By-Law 2020-107, to Confirm the Proceedings of the Council Planning meeting held on November 16, 2020, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**12. Adjournment**

Proposed Resolution #10

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the Council Planning meeting of Monday, November 16, 2020 be adjourned at \_\_\_\_ p.m.



# The Corporation of the Town of Tillsonburg

## Council Planning Meeting

### MINUTES



Monday, October 19, 2020  
4:30 PM  
Electronic Meeting

ATTENDANCE: Mayor Molnar  
Deputy Mayor Beres  
Councillor Esseltine  
Councillor Gilvesy  
Councillor Luciani  
Councillor Parker  
Councillor Rosehart

Staff: Kyle Pratt, Chief Administrative Officer  
Michelle Smibert, Town Clerk  
Carlos Reyes, Director of Operations  
Amelia Jaggard, Deputy Clerk

- 
1. **Call to Order**
  2. **Adoption of Agenda**

The Clerk received a request from Abe and Deborah Klassen, applicants of application B 20-46-7, to speak as a delegation to agenda item 6.1.

**Resolution # 2020-461**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT the Agenda as prepared for the Council meeting of Monday, October 19, 2020, with the addition of a delegation from the Applicant of application B20-46-7, being considered during item 6.1, be adopted.

**Carried**

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

No disclosures of pecuniary interest were declared.

**4. Adoption of Council Planning Minutes of Previous Meeting**

**5. Public Meetings**

**Resolution # 2020-462**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance at 4:32 p.m.

**5.1 Application for Minor Variance A 10-20 (Pickersgill)**

The Senior Planner provided a review of the application. The applicant proposes to construct a sun room on top of the deck. Variances were previously granted for the construction of the dwelling. Planning staff have reviewed the application and are supportive of approval.

**Resolution # 2020-463**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Esseltine

THAT the Committee of Adjustment approve Application File A10-20, submitted by Mike & Dianne Pickersgill, for lands described as Lot 1, Part Lot 2, Plan M147, Part 1 of 41R-6720, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required rear yard depth from 12 m (39.3 ft) to 11.40 m (37.4 ft).
2. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required exterior side yard width from 6.7 m (22 ft) to 6.5 m (21.4 ft) to facilitate the construction of a sunroom addition on the subject lands.

Subject to the Owners obtaining a building permit for the proposed sunroom addition within one year of the date of the Committee's Decision.

**Carried**

## **5.2 Application for Minor Variance A 11-20 (Saude)**

The Senior Planner provided an overview of the application. The owners would like to erect a pergola over an existing deck. There isn't an expected impact on the lot and/or grading.

Councillor Esseltine asked about the aerial map as it did not have the house on the lot. The Senior Planner noted that the aerial photography was done in 2015 before the house was constructed.

### **Resolution # 2020-464**

**Moved By:** Councillor Esseltine

**Seconded By:** Councillor Parker

THAT the Committee of Adjustment approve Application File A11-20, submitted by Catarina Saude, for lands described as Lot 70, Plan 41M-143, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 5.37.1, Table 5.37.1 - Permitted Projections into Required Yards, to increase the permitted projection for a covered deck / pergola into the required rear yard from 1.5 m (4.92 ft) to 3.66 m (12 ft).

Subject to the Owner obtaining a building permit for the proposed pergola within one year of the date of the Committee's Decision.

**Carried**

### **Resolution # 2020-465**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 4:43 p.m.

**Carried**

## **5.3 Application for Zone Change ZN 7-20-09 (E & E McLaughlin Ltd.)**

The Senior Planner provided an overview of the application. Staff feels that the relief being sought is appropriate for the lands and buildings.

Mr. Gilvesy, consultant for the indicated his support for the application.

**Resolution # 2020-466**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

THAT Council approve the zone change application, File No. ZN 7-20-09, as submitted by E & E McLaughlin Limited, for lands described as Lot 2, Plan 41M-205 & Parts 3 & 6 of 41R-7549, in the Town of Tillsonburg, to rezone the subject lands to provide for a reduced front yard depth and reduced rear yard depth for proposed single detached dwellings.

**Carried**

#### **5.4 Application for Zone Change ZN 7-20-11 (Singh)**

The Senior Planner provided an overview of the application to permit 7 dwelling units. The Senior Planner noted the policies that support a range and density of housing types. The proposal will be subject to site plan control. There has been some correspondence received regarding concerns about the building type, traffic and access to this development. Staff recommends approval of this application.

Councillor Gilvesy asked about the lack of comments received from the Fire Department and asked about the Fire Code. The Senior Planner noted that all codes are required to met when the buildings are constructed. Councillor Gilvesy asked about the laneway and capacity for full services. The Planner noted that services are reviewed at site plan and if there isn't capacity then the developer would have to pay for any upgrades.

Councillor Esseltine asked about the exterior of the building and the planner noted that the applicants is hoping to keep the existing exterior.

Mayor Molnar asked if the circulation of the application extended to Allen Street and the Senior Planner noted that it did include persons on Allen Street.

Sarah Lang, architect for the applicant indicated the exterior of the building the same. They would like to have four units on the main floor entering from grade while the remaining units will be located in the basement. She noted that they want to be sensitive to the neighbours and the applicant has been involved in other successful projects like this one. Councillor Gilvesy asked about market rate and if these units will be long term and

the architect provided an affirmative response. She confirmed that all of the units have private facilities. Councillor Luciani noted the two accesses and asked if the adjoining property owners would still have access to their backyard and the architect noted that the applicant would work with the neighbours with this matter.

Dianne Clark, circulated neighbour, noted that the notices should be received by the neighbours before signs are erected on the subject property. When they purchased their home, the church authorities confirmed they had this access to their backyard. The church is a fairly quiet property. Dianne noted concern for lack of water with the construction of this development. She asked that the applicant look for alternative locations for this development.

**Resolution # 2020-467**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Council approve the zone change application submitted by Amarjit Singh, whereby the lands described Part Lot 77, Plan 500, Lots 17 & 18, Plan 551, Part 1 of 41R-1273, in the Town of Tillsonburg known municipally as 14 Glendale Drive are to be rezoned from Minor Institutional Zone (IN1) to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the development of a multiple unit dwelling consisting of 7 dwelling units.

**Carried**

## **6. Planning Reports**

### **6.1 Application for Consent B20-46-7 (Klassen)**

The Senior Planner provided an overview of the application. The severed lot fronts on a road that is not yet built. By-law allows the Town to obtain funds from the owner to pay the developer who will be constructing the roadway. Since there are currently no services and an improved street, the staff recommendation is that the application not be approved as it is premature. If Council would like to approve the application then it is suggested that a severance agreement be a condition of approval.

Councillor Esseltine asked the Planner who owns the lots that are not owned by the Subdivider and enquired if these people knew of the by-law/financial arrangement when they purchased their lot? The Senior

Planner noted that Town/County staff would have relayed this information upon any enquiries. Councillor Gilvesy asked what harm would there be by allowing the severance and the Planner noted that as the application stands, it does not meet the intent of the Official Plan and Zoning By-Law.

Deborah Klassen, applicant, feels that the application is a money grab as they paid the fees and they understand that they need to wait until the services are in place. The lot is just too big for the applicants and she indicated they didn't hear anything about policies/by-law until last week.

**Resolution # 2020-468**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Gilvesy

THAT Council advise Oxford County Land Division Committee that it supports the proposal to sever the subject property subject to the condition of the applicant entering into a severance agreement with the Town.

**Carried**

**7. New Business**

**8. Motions/Notice of Motions**

**9. By-Laws**

**9.1 By-Law 2020-100, to amend Zoning By-Law Number 3295, as amended (ZN 7-20-09)**

**9.2 By-Law 2020-101, to amend Zoning By-Law Number 3295, as amended (ZN 7-20-11)**

**Resolution # 2020-469**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Esseltine

THAT By-Law 2020-100 to amend Zoning By-Law Number 3295, as amended (ZN 7-20-09); and

By-Law 2020-101 to amend Zoning By-Law Number 3295, as amended (ZN 7-20-11), be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**Carried**

**10. Confirm Proceedings By-law**

**Resolution # 2020-470**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

THAT By-Law 2020-099, to Confirm the Proceedings of the Council Meeting held on October 19, 2020, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**11. Adjournment**

**Resolution # 2020-471**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

THAT the Council Meeting of Monday, October 19, 2020 be adjourned at 6:00 p.m.



*Growing stronger together*

**Community Planning**

P. O. Box 1614, 21 Reeve Street

Woodstock Ontario N4S 7Y3

Phone: 519-539-9800 • Fax: 519-421-4712

Web site: [www.oxfordcounty.ca](http://www.oxfordcounty.ca)

Our File: **A12-20**

**APPLICATION FOR MINOR VARIANCE**

**TO:** Town of Tillsonburg Committee of Adjustment  
**MEETING:** November 16, 2020  
**REPORT NUMBER:** 2020-312

**OWNERS/ APPLICANTS:** Mark Bruder & Sarah Chanda-Bruder  
 2 Eden Place, Tillsonburg ON N4G 5M7

**AGENT:** Nick Ash  
 11 Adams Avenue, Tillsonburg ON N4G 4X3

**REQUESTED VARIANCE:**

1. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required rear yard depth from 12 m (39.3 ft) to 6.94 m (22.7 ft) to facilitate the construction of a covered porch addition at the rear of an existing single detached dwelling.

**LOCATION:**

The subject property is described as Lot 27, Plan M137, in the Town of Tillsonburg. The property is located on the northwest corner of the intersection of Eden Place and Andover Avenue, and is municipally known as 2 Eden Place.

**BACKGROUND INFORMATION:**

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:

Low Density Residential Type 1 Zone (R1)

SURROUNDING USES:

Predominately low density residential uses, consisting of single detached dwellings and an institutional use (elementary school) and open space to the west.



**COMMENTS:****(a) Purpose of the Application:**

The applicant is requesting relief from the above-noted section of the Town Zoning By-law to facilitate the construction of a covered porch addition to the rear of an existing single detached dwelling. The proposed covered porch will have an area of 33 m<sup>2</sup> (355 ft<sup>2</sup>).

The subject property is approximately 827.7 m<sup>2</sup> (8,909 ft<sup>2</sup>) in size, with frontage on Eden Place and Andover Avenue. The subject lands contain an existing single detached dwelling (circ. 2000).

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

Plate 2, 2015 Aerial Map provides an aerial view of the subject lands (as they existed in 2015).

Plate 3, Applicants' Sketch, shows the location, size and setbacks of the existing single detached dwelling and the proposed covered porch addition.

**(b) Agency Comments:**

The application was circulated to a number of public agencies.

The Town Building Department indicated that if approved, the applicants will require an updated building location survey.

The Town Engineering Services Department, Town Fire Chief and Oxford County Public Works Department indicated that they have no concerns with the application.

**(c) Public Consultation:**

Public Notice was provided to surrounding property owners on November 2, 2020 in accordance with the requirements of the Planning Act. As of the writing of this report, no comments or concerns had been received from the public.

**(d) Intent and Purpose of the Official Plan:**

The subject lands are designated 'Low Density Residential' according to the Official Plan. Within the 'Low Density Residential' designation, permitted land uses primarily consist of low density housing forms including single detached dwellings, semi-detached dwellings, duplexes and street fronting town houses as well as accessory uses thereto.

The use of the lands for a single detached dwelling and proposed covered porch is permitted in the Low Density Residential designation.

**(e) Intent and Purpose of the Zoning By-law:**

The subject property is zoned 'Low Density Residential Type 1 Zone (R1)' in the Town Zoning By-law, which permits a single detached dwelling and accessory uses.

The R1 Zone requires a minimum rear yard depth of 12 m (39.4 ft). Due to the irregular rear lot line, the proposed covered porch will have a minimum rear yard depth of 6.94 m (22.7 ft) at the northeastern corner of the covered porch.

The purpose of the required rear yard depth provision is to ensure that adequate amenity space remains for the occupants of the dwelling, and that any drainage swales or easements can be accommodated.

Planning staff consider the proposed relief to be in keeping with the Zoning By-Law as in this instance, although the requested rear yard depth is 6.94 m (22.7 ft), this setback increases as the rear lot line is irregularly shaped. Sufficient space will remain for amenity purposes, to accommodate any drainage swales, and for privacy purposes. For this reasons, Planning staff consider the relief to be in-keeping with the general intent of the Zoning By-Law.

(f) Desirable Development/Use:

It is the opinion of this Office that the applicants' request can be considered minor and desirable for the development of the subject property. As the proposed relief is not anticipated to impact the ability of the property to provide adequate amenity space, or negatively impact drainage or overall subdivision stormwater management design, the requested relief can be considered minor. Further, Staff are satisfied that the proposed relief will add covered outdoor amenity area to the residential dwelling on the subject lands without creating an undesirable precedent for similarly zoned lands in the area.

In light of the foregoing, it is the opinion of this Office that the requested relief is in keeping with the general intent and purpose of the Official Plan and Town Zoning By-law and can be given favourable consideration, and in conclusion, staff are of the opinion that this proposal is minor in nature and satisfies the four tests for minor variance as set out in Section 45(1) of the Planning Act and can be supported from a Planning perspective.

**RECOMMENDATION:**

That the Town of Tillsonburg Committee of Adjustment **approve** Application File A12-20, submitted by Mark Bruder & Sarah Chanda-Bruder, for lands described as Lot 27, Plan M137, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 - R1 Zone Provisions, to reduce the minimum required rear yard depth from 12 m (39.3 ft) to 6.94 m (22.7 ft) to facilitate the constructed of a covered porch on the subject lands.

Subject to the following conditions:

- i. That the relief shall only comply to the construction of a covered porch addition to an existing single detached dwelling in the manner as depicted in Plate 3 of Report CP 2020-312.
- ii. The Owners shall obtain a building permit for the proposed covered porch within one year of the date of the Committee's Decision;
- iii. The Owners shall provide an updated building location survey.

As the proposed variance is:

- (i) deemed to be a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) desirable for the appropriate development or use of the land;
- (iii) in-keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295; and
- (iv) in-keeping with the general intent and purpose of the Official Plan.

Authored by:

Eric Gilbert, MCIP, RPP  
Senior Planner

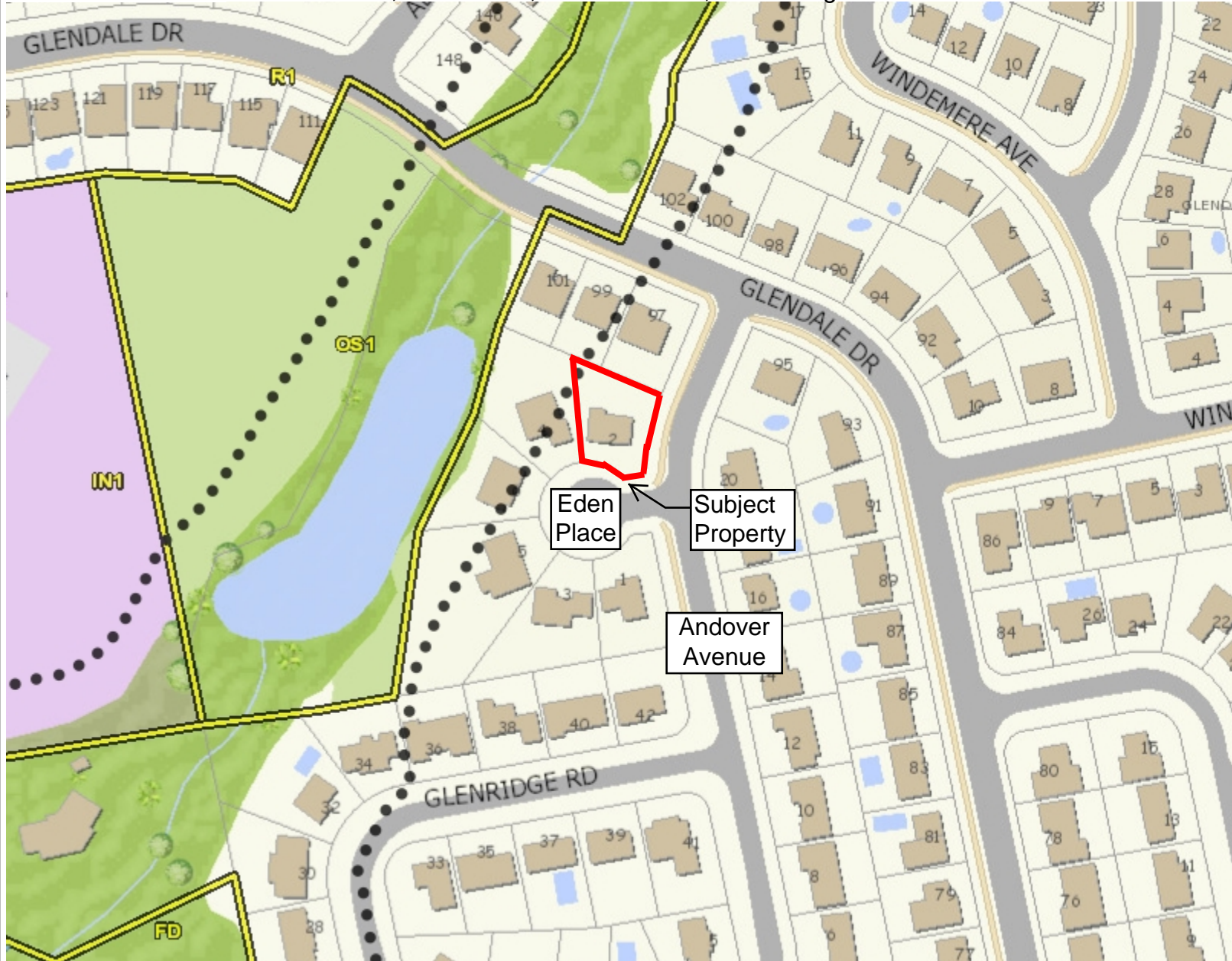
Approved for submission by:

Gordon K. Hough, RPP  
Director

Plate 1: Location Map with Existing Zoning

File No: A12/20 - Mark Bruder & Sarah Chanda-Bruder

Lot 27, Plan M-137, - 2 Eden Place, Tillsonburg



**Legend**

- Zoning Floodlines
- Regulation Limit
- 100 Year Flood Line
- ▲ 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**



0 51 102 Meters

NAD\_1983\_UTM\_Zone\_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

October 28, 2020





### Legend

#### Zoning Floodlines Regulation Limit

- 100 Year Flood Line
- ▲ 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

### Notes



0 13 26 Meters

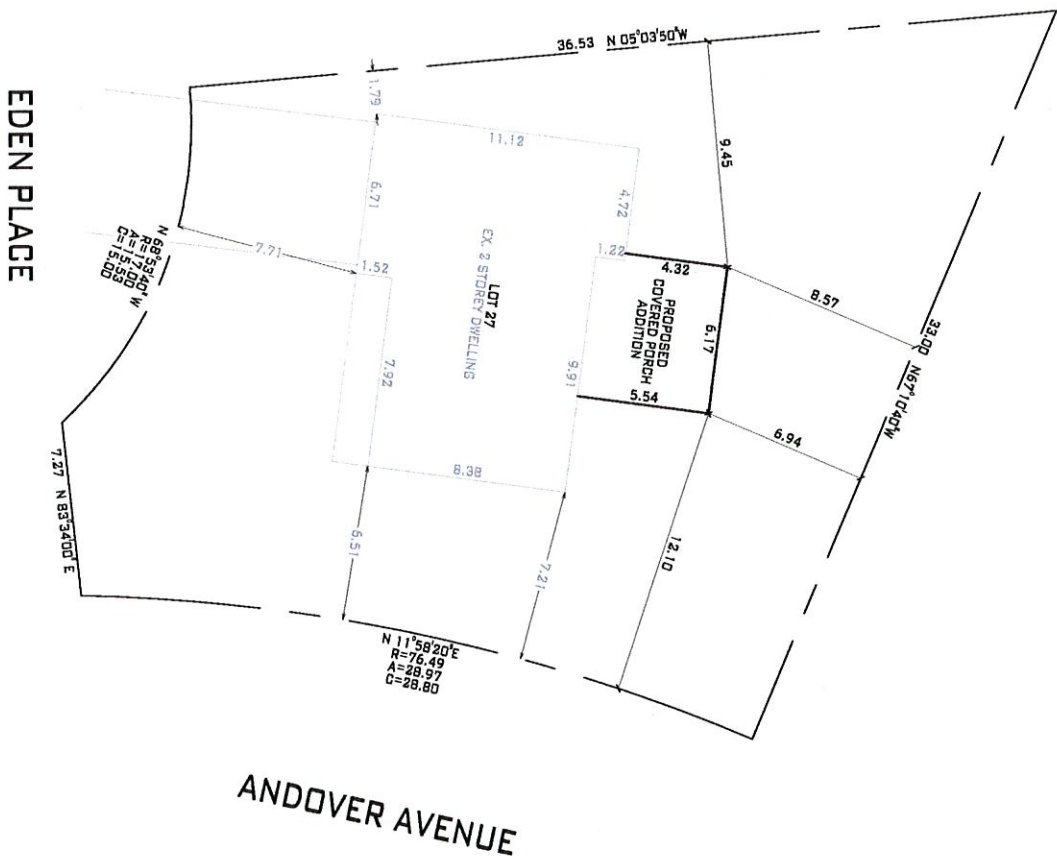
NAD\_1983\_UTM\_Zone\_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

October 28, 2020

Plate 3: Applicants' Sketch  
File No: A12/20 - Mark Bruder & Sarah Chanda-Bruder  
Lot 27, Plan M-137, - 2 Eden Place, Tillsnburg



LOT 27  
REGISTERED PLAN 41M-137  
TOWN OF TILLSNBURG  
COUNTY OF OXFORD

METRIC  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN  
BE CONVERTED TO FEET BY DIVIDING BY 0.3048

AREA OF PROPERTY  
AREA EX. HOUSE  
AREA OF COVERED PORCH ADDITION  
TOTAL LOT COVERAGE

NOTE: THIS PLAN DERIVED FROM  
SKETCH ORIGINALLY PREPARED BY  
KIM HUSTED SURVEYING LTD.  
PROJECT #99-5304



ACTUAL NORTH

**girard**  
24751 53 GUYARD INC. 100 W  
212 MAIN STREET WEST  
TILLSNBURG, ONTARIO N4G 5M7  
TEL: 1-877-977-4433  
FAX: 1-877-977-4433  
EMAIL: girard@girardinc.com

**NASH CONSTRUCTION**  
111 ADAMS AVENUE  
TILLSNBURG, ONTARIO  
TEL: 1-919-559-0833  
FAX: 1-919-559-0833  
EMAIL: nash@nashconstruction.com

**BRUDER RESIDENCE**  
TILLSNBURG, ONTARIO N4G 5M7

**SITE PLAN**

100



RECEIVED

UCI 16 2020

**For Office Use Only**

PIN#:

ROLL#:

BY:

FILE:

The undersigned hereby applied to the Committee of Adjustment for the Town of Tillsonburg under Section 44 of the Planning Act, 1990, for relief, as described in this application form By-Law No. 3295 (as amended).

| Name and Address of Owner      |                   | Name and Address of Applicant/Agent (if |                   |
|--------------------------------|-------------------|---|-------------------|
| Mark Brude                     |                   | Nick Ash                                |                   |
| 2 Eden Place Tillsonburg, Ont. |                   | 11 Adams Ave Tillsonburg, Ont           |                   |
| Postal Code:                   | Telephone Number: | Postal Code:                            | Telephone Number: |
| N4G 5M7                        | 514-983-3626      | N4G 4X3                                 | 519-550-0833      |
| Email: mbrude1494@rogers.com   |                   | Email: ashbuilt10@gmail.com             |                   |

1. Name and addresses of any mortgagees, holders of charges or other encumbrances.

2. Nature and extent of relief applied for: To be completed by the applicant. (include By-Law Section if known)

Need back property set back, changed to allow for  
proposed covered porch to be built attached to  
existing building

For office use only

3. Why is it not possible to comply with the Provision of the By-Law?

Not enough room from existing build to back property  
line. New build is more than allowed

4. Legal Description of Subject land:

Lot Number(s) 27 Plan Number or Concession M137

Part Number(s) Reference Plan Number

Street Address (if any) 2 Eden Place Tillsonburg, Ont

The lot is located on the side of the Street lying between Street and Street

## 5. Dimensions of land affected:

Frontage Refer to Survey Depth (average) \_\_\_\_\_  
 Area \_\_\_\_\_ Width of Street \_\_\_\_\_

## 6. Particulars of all buildings and structures on or proposed for the subject land: (specify ground floor area, gross floor area, number of storeys, width, length, height, etc.)

Existing: 2 Storeys,

Proposed: Covered concrete porch, 6m x 5.5m

## 7. Location of all buildings and structures on or proposed for the subject land: (specify distance from side, rear and front lot lines.) Please attach a sketch plan with measurements.

Existing: Refer to drawings

Proposed: \_\_\_\_\_

## 8. Date of acquisition of subject land: \_\_\_\_\_

## 9. Date of Construction of all buildings and structures on subject land (if known): \_\_\_\_\_

10. Existing uses of the subject property 2 Storey Dwelling

11. Existing uses of abutting properties: 2 Dwellings

## 12. Length of time the existing uses of the subject property have continued:

## 13. Municipal Services available (please check all appropriate boxes)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Water           | <input checked="" type="checkbox"/> Connected |
| <input checked="" type="checkbox"/> Sanitary Sewers | <input type="checkbox"/> Connected            |
| <input checked="" type="checkbox"/> Storm Sewers    |   |



14. Present Official Plan Provisions applying to the land: Low density Residential
15. Present Zoning by-Law provisions applying to the land: R1
16. Has the owner previously applied for relief in respect of the subject property? ☐ Yes ☒ No
- If the answer is yes, describe briefly \_\_\_\_\_
17. Is the subject property the subject of a current application for consent under Section 53 of the Planning Act, 1990? ☐ Yes ☒ No

## THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I/We Mark Bruder of the town of Tillsonburg  
In the county of oxford

DO SOLEMNLY DELCIARE THAT: All of the prescribed information contained in the is application is true and that the information contained in the documents that may accompany this application is true and I make the solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath by virtue of the Canada Evidence Act.

DECLARED before me at the Town

Of Tillsonburg in the  
County of oxford

This 19<sup>th</sup> day of October 2019

Owner(s)/Applicant

Owner(s)/Applicant

JANET PATRICIA WEAVER,  
a Commissioner, etc., Province of Ontario,  
for the Corporation of the Town of Tillsonburg.

Expires: April 22, 2023.

A Commissioner for Taking affidavits

## For Office use Only

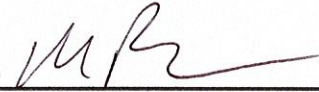
**AUTHORIZATION**

NOTE: The property owner or the authorized agent must complete the application. Where an agent is making the application, the written authorization of the owner must be completed below. If the application is being made under an agreement of purchase and sale, a copy of the agreement must be attached and will remain confidential.

**Authorization of Owner(s) for Applicant/Agent to Make the Application**

I/We, Mark & Sarah Bruder, am/are the owner(s) of the land that is the subject of this application for site plan and I/we authorize Nash Construction, to make this application on my/our behalf.

Signature of Owner(s)



Signature of Owner(s)



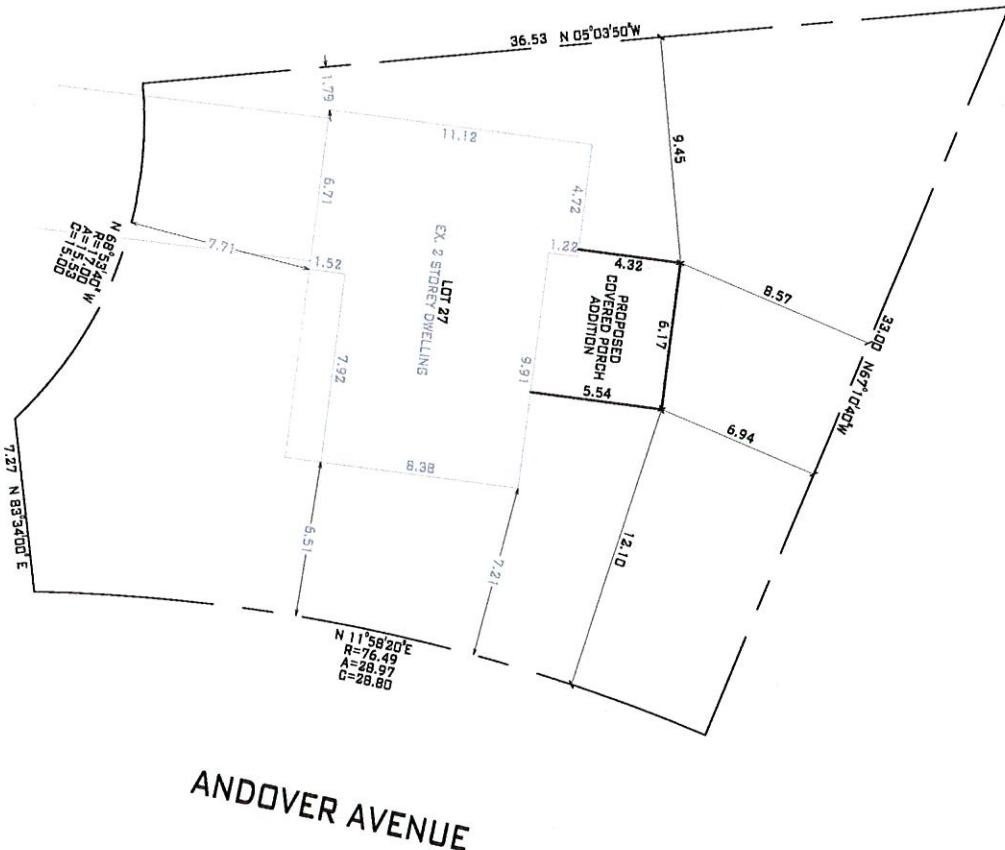
DATED

10/10/2020

**Notes:**

1. It is required that one original copy of this application and all drawings be filed at the Town's Customer Service Centre, accompanied by a fee of \$950 in cash or cheque made payable to the Town of Tillsonburg. A fee of \$1,900 will be charged if an application is required after the fact.

EDEN PLACE



LOT 27  
REGISTERED PLAN 41M-137  
TOWN OF TILSONBURG  
COUNTY OF OXFORD

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

AREA OF PROPERTY  
AREA EX. HOUSE  
AREA OF COVERED PORCH ADDITION  
TOTAL LOT COVERAGE

NOTE: THIS PLAN DERIVED FROM  
SKETCH ORIGINALLY PREPARED BY  
KIM HUSTED SURVEYING LTD.  
PROJECT #99-5304

ACTUAL NORTH



THIS PLAN WAS PREPARED BY THE SURVEYOR, AND THE PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEYED AREA. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE PLAN OR FOR ANY CONSEQUENCES ARISING THEREFROM.

| NO. | DESCRIPTION | DATE     | REMARKS     |
|-----|-------------|----------|-------------|
| 1   | REVISION 1  | 1/1/2010 | REVISION 1  |
| 2   | REVISION 2  | 1/1/2010 | REVISION 2  |
| 3   | REVISION 3  | 1/1/2010 | REVISION 3  |
| 4   | REVISION 4  | 1/1/2010 | REVISION 4  |
| 5   | REVISION 5  | 1/1/2010 | REVISION 5  |
| 6   | REVISION 6  | 1/1/2010 | REVISION 6  |
| 7   | REVISION 7  | 1/1/2010 | REVISION 7  |
| 8   | REVISION 8  | 1/1/2010 | REVISION 8  |
| 9   | REVISION 9  | 1/1/2010 | REVISION 9  |
| 10  | REVISION 10 | 1/1/2010 | REVISION 10 |

**girard**  
24751 53 GUYARD INC. 100 W  
212 MAIN STREET WEST LTD. 100 W  
ST. JOHN'S, N.B. A1B 1X2  
TEL: 515-875-4435  
FAX: 515-875-4435  
EMAIL: girard@girardinc.com

**NASH CONSTRUCTION**  
111 ADAMS AVENUE  
TILSONBURG, ONTARIO  
TEL: 519-559-0833  
FAX: 519-559-0833  
EMAIL: nash@nashconstruction.com

**BRUDER RESIDENCE**  
TILSONBURG, ONTARIO M4G 3M7

SITE PLAN

| NO. | DESCRIPTION | DATE     | REMARKS     |
|-----|-------------|----------|-------------|
| 1   | REVISION 1  | 1/1/2010 | REVISION 1  |
| 2   | REVISION 2  | 1/1/2010 | REVISION 2  |
| 3   | REVISION 3  | 1/1/2010 | REVISION 3  |
| 4   | REVISION 4  | 1/1/2010 | REVISION 4  |
| 5   | REVISION 5  | 1/1/2010 | REVISION 5  |
| 6   | REVISION 6  | 1/1/2010 | REVISION 6  |
| 7   | REVISION 7  | 1/1/2010 | REVISION 7  |
| 8   | REVISION 8  | 1/1/2010 | REVISION 8  |
| 9   | REVISION 9  | 1/1/2010 | REVISION 9  |
| 10  | REVISION 10 | 1/1/2010 | REVISION 10 |

100

Town of Tillsonburg

File # A-12/20

I am sending you this letter as I am in opposition to the application for the proposed changes to lot 27 M-137 at the address of 2 Eden place in Tillsonburg.

The proposed expansion of the pad with a roof would greatly encroach on my current property bringing it uncomfortably close to our shared fence

I feel it would be an obtrusive structure further diminishing my privacy as well as having an adverse effect on selling my home in the future.

Betty Miller Dodd

Nov 10, 2020

Betty Miller-Dodd

97 Glendale Dr

Tillsonburg On

N4G 5T6

519-842-7098





**To: Mayor and Members of Tillsonburg Council**

**From: Eric Gilbert, Senior Planner, Community Planning**

## **Applications for Official Plan Amendment & Zone Change OP 20-15-7 & ZN 7-20-13 – Town of Tillsonburg**

### **REPORT HIGHLIGHTS**

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- The intent of the Official Plan Amendment and Zone Change applications is to facilitate the development of one new residential infill lot.
- The proposed Official Plan Amendment will re-designate the subject property from 'Open Space' to 'Residential' and 'Low Density Residential'. The proposed zone change will rezone the subject property from 'Passive Use Open Space Zone (OS1)' to 'Low Density Residential Type 1 Zone (R1)'. A single detached dwelling is proposed to be constructed on the subject lands.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement and is in-keeping with the strategic directions and objectives of the Official Plan, and can be supported from a planning perspective.

### **DISCUSSION**

---

#### **Background**

OWNER / APPLICANT: Corporation of the Town of Tillsonburg  
 10 Lisgar Avenue, Tillsonburg ON, N4G 5A5

LOCATION:

The subject property is described as Part Block D, Registered Plan M-53 in the Town of Tillsonburg. The lands are located on the east side of Clear Valley Drive, between Jackson Court and Holland Gate and have a municipal address of 41 Clear Valley Drive.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

|                |  |                    |
|----------------|--|--------------------|
| Schedule 'C-3' | County of Oxford<br>Settlement Strategy Plan | Large Urban Centre |
| Schedule 'T-1' | Town of Tillsonburg<br>Land Use Plan         | Open Space         |

Proposed:

|                |   |                         |
|----------------|---|-------------------------|
| Schedule 'C-3' | County of Oxford<br>Settlement Strategy Plan    | Large Urban Centre      |
| Schedule 'T-1' | Town of Tillsonburg<br>Land Use Plan            | Residential             |
| Schedule 'T-2' | Town of Tillsonburg<br>Residential Density Plan | Low Density Residential |

TOWN OF TILLSONBURG ZONING BY-LAW 3295

Existing Zoning: Passive Use Open Space Zone (OS1)

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

PROPOSAL:

The intent of the applications for Official Plan Amendment, and zone change is to facilitate the creation of one infill lot for the construction of a single detached dwelling.

The application for Official Plan Amendment proposes to re-designate the subject lands from 'Open Space' to Low Density Residential. The application for Zone Change proposes to rezone the lands from 'Passive Use Open Space (OS1)', to 'Low Density Residential Type 1 Zone (R1)', facilitate the construction of a single detached dwelling.

The subject lands comprise approximately 2480.6 m<sup>2</sup> (0.61 ac) and are currently vacant. Surrounding land uses include single detached dwellings fronting on Clear Valley Drive, townhouses fronting on Jackson Court, and woodlands and ravine lands to the east.

The subject lands are currently owned by the Town of Tillsonburg and have been declared surplus by resolution of Town Council and offered for public sale. The intent of these applications is to ensure that the lands are eligible for a building permit for a single detached dwelling.

Plate 1, Existing Zoning and Location Map, indicates the location of the subject site and the existing zoning in the immediate vicinity.

Plate 2, 2015 Aerial Map, provides an aerial view of the subject property and surrounding area.

Plate 3, Official Plan Designation, depicts the Official Plan Designations applying to the site.

Plate 4, Applicant's Sketch, provides the layout of the subject lands.

## **Application Review**

### PROVINCIAL POLICY STATEMENT

The 2020 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 1.1.1 states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and cost-effective development patterns and standards to minimize land consumption and servicing costs. Further, according to Section 1.1.2, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.

Section 1.1.3.1 directs that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Furthermore, Section 1.1.3.2 directs that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources, existing infrastructure and public service facilities.

Section 1.1.3.3 also 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.

As per Section 1.4.1, to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment; and,
- b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

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.

Section 2.1 of the PPS directs planning authorities to protect natural features and areas for the long term. Section 2.1.5 also states that development and site alteration shall not be permitted in significant wetlands. Furthermore, Section 2.1.8 does not permit development or site alteration on lands adjacent to the aforementioned features, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

#### OFFICIAL PLAN

The subject lands are designated 'Open Space' according to the Town of Tillsonburg Land Use Plan, as contained within the Oxford County Official Plan.

Open Space areas within Settlement areas include lands identified as being regulatory flood plan areas, public lands, pathways and linkages between natural heritage features. In this instance, the open space designation reflects the original conveyance of the lands to the Town of Tillsonburg when the adjacent plan of subdivision was developed.

Low Density Residential Areas are those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single-detached dwellings, semi-detached, duplex or converted dwellings, quadraplexes, townhouses and low density cluster development. In 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. It is not intended that the full range of housing will be permitted in every individual neighbourhood or development.

The policies of Section 8.2.4.1 (Infill Housing) also apply to this proposal. 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 land supply designated residential and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Districts.

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 on both sides of the same street. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the County Land Division Committee and Town Council will ensure that:

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

In addition to the specific infill policies identified, the following policies will apply to all infill proposals:

- the location of vehicular access points, the effect of traffic generated by the proposal on the public road system, pedestrian and vehicular safety and surrounding properties is assessed and found to be acceptable;
- existing municipal services and community 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;
- 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 proposed development on environmental resources or the effects of environmental constraints on the proposed development will be addressed and mitigated in accordance with Section 3.2;
- compliance of the proposed development with the provisions of the Zoning By-Law of the Town and other municipal by-laws; and,
- consideration of the potential effect of the development on natural and heritage resources and their settings.

#### ZONING BY-LAW

The subject lands are currently zoned “Passive Use Open Space Zone (OS1)’ according to the Town’s Zoning By-law. Permitted uses within the OS1 zone include a conservation project, flood control works, picnic area, passive use park, or a public use carried out by the municipality or utility provider.

The applicant is proposing to rezone the subject property to ‘Low Density Residential Type 1 Zone (R1)’ to facilitate the construction of a single detached dwelling. Permitted uses within the R1 zone include a single detached dwelling and accessory uses thereto, and a home occupation.

Based on the proposed reference plan submitted with the applications, the provisions of the R1 zone respecting minimum lot area, lot frontage and lot depth will be satisfied.

#### AGENCY COMMENTS

The applications were reviewed by a number of public agencies. The following comments were received.

Town of Tillsonburg Building & By-Law Services, Town of Tillsonburg Engineering Services Department, Town of Tillsonburg Fire and Rescue Services Department, and Oxford County Public Works Department indicated that they have no comments or concerns with the proposal.

#### PUBLIC CONSULTATION

Notice of complete application was provided to surrounding neighbours on October 27, 2020 and notice of public meeting was sent on November 2, 2020, in accordance with the requirements of the Planning Act.

A petition was received by Town Council at their August 10<sup>th</sup> Council meeting from adjacent residents who are opposed to the sale and development of the subject lands. A copy of the petition has been included as an attachment to this report.

## **Planning Analysis**

The subject application for Official Plan amendment and zone change proposes to create a residential infill lot for the purpose of constructing a single detached dwelling.

It is the opinion of staff that the proposal is consistent with the relevant policies of the Provincial Policy Statement. The proposed development is considered to be a form of infilling and represents an efficient use of lands, municipal services and infrastructure within a designated settlement area, which is consistent with Sections 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.4.3 of the PPS.

The proposed re-designation of the subject lands from Open Space to Low Density Residential is considered appropriate as the current designation reflects the historical use of the lands, and the proposed re-designation will create an infilling opportunity that is considered an efficient use of land and facilitate development that will be similar to and compatible with surrounding low density residential uses.

The proposal is in keeping with the policies of the Low Density Residential designation. The proposed use is permitted in the Low Density Residential designation, and the proposed development is considered to be appropriate in accordance with the infill policies of the Official Plan. The subject lands are located within an area that is characterized by low density development consisting of single detached dwellings on a variety of lot sizes that are similar to what is proposed by this application and are not out of character with the residential development in the immediate area with respect to lot area, depth and frontage. The subject lands will be of sufficient size to provide adequate space for setbacks, stormwater run-off, parking and vehicular ingress and egress. The proposal is not expected to negatively impact any of the woodlands and ravine lands to the east, and the area to be re-designated and rezoned encompasses the existing cleared area. As such, it is the opinion of staff that the application conforms to the policies of the Official Plan respecting infill development.

The requested zoning amendment will facilitate the construction of a single detached dwelling, and the subject lands will meet the provisions of the R1 zone with respect to lot frontage, lot depth and lot area. The use of the lands for a single detached dwelling will be consistent with other properties in the immediate vicinity.

In light of the foregoing, Planning staff are satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement and is in-keeping with the strategic initiatives and objectives contained in the Official Plan. As such, staff are satisfied that the applications can be given favourable consideration.

## RECOMMENDATIONS

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That the Council of the Town of Tillsonburg advise County Council that the Town supports the application for Official Plan Amendment, File No. OP 20-15-7, submitted by the Town of Tillsonburg, for lands legally described as Part Block D, Plan M-53, in the Town of Tillsonburg, to re-designate the subject lands from Open Space to Low Density Residential;

And further that the Council of the Town of Tillsonburg approve in principle the zone change application (File No. ZN 7-20-13) submitted by the Town of Tillsonburg, for lands legally described as Part Block D, Plan M-53, in the Town of Tillsonburg, to rezone the lands from Passive Use Open Space Zone to Low Density Residential Type 1 Zone to facilitate the development of a single detached dwelling on the subject lands.

## SIGNATURES

---

Authored by:

Eric Gilbert, MCIP, RPP  
Senior Planner

Approved for submission:

Gordon K. Hough, RPP  
Director

## Plate 1- Existing Zoning and Location Map

File Nos. OP 20-15-7 &amp; ZN 7-20-13 (Town of Tillsonburg)

Part of Block D, Plan M-53- 41 Clear Valley Drive, Town of Tillsonburg

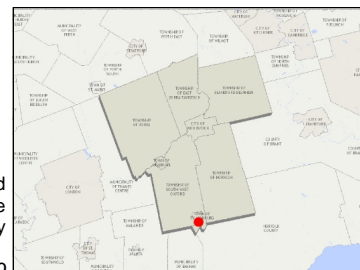


## Legend

Zoning Floodlines  
Regulation Limit

- 100 Year Flood Line
- 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

## Notes



0 51 102 Meters

NAD\_1983\_UTM\_Zone\_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

October 14, 2020

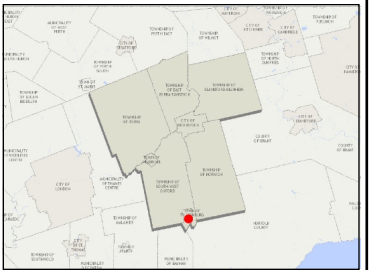




**Legend**

- Zoning Floodlines  
Regulation Limit
- ◆ 100 Year Flood Line
  - ▲ 30 Metre Setback
  - Conservation Authority Regulation Limit
  - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**



0 26 51 Meters

NAD\_1983\_UTM\_Zone\_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

October 14, 2020





## Legend

-- 100 Metre Buffer Ingersoll

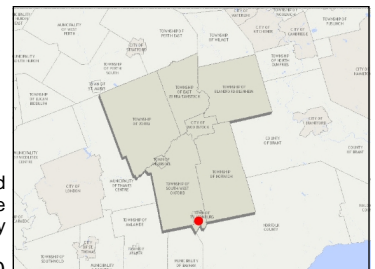
### Village Land Use Designation

- Yellow square: Village Core
- Light blue square: Service Commercial
- Medium blue square: Low Density Residential
- Dark blue square: Medium Density Residential
- Brown square: Industrial
- Dark grey square: Major Institutional
- Light grey square: Future Urban Growth
- Green square: Open Space
- Light green square: Environmental Protection
- Blue square: School
- Text: Requiring Secondary Planning (See Sec. 4.2.2.4)

### Land Use Designation

- Light blue square: Residential
- Pink square: Residential Reserve
- Yellow square: Central Business District
- Light yellow square: Entrepreneurial District
- Orange square: Neighbourhood Shopping Centre
- Dark orange square: Service Commercial
- Red square: Regional Commercial Node
- Brown square: Business Park
- Dark brown square: Traditional Industrial
- Dark grey square: Community Facility
- Green square: Open Space
- Light green square: Environmental Protection
- Light grey square: Future Urban Growth
- Orange square: Rural Buffer
- Brown square: Industrial Site Specific Policy Area
- Light yellow square: Agricultural Reserve
- Orange square: Settlement
- Brown square: County Biosolid Storage Facility
- Dark brown square: County Landfill Site
- Light brown square: Quarry Area
- Brown square: Industrial

## Notes





NORTH



| COORDINATE SCHEDULE  |             |            |
|--|-------------|------------|
| ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET WORK, UTM, ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0) |             |            |
| COORDINATE VALUES ARE TO URBAN ACCURACY AS PER SEC. 14 (2) OF O. REG. 216/10   |             |            |
| POINT  | NORTHING    | EASTING    |
| A  | 4745046.809 | 521685.432 |
| B  | 4745000.787 | 521746.854 |
| COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN  |             |            |

|   |  |
|---|--|
| I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT | <b>PLAN 41R-</b><br>RECEIVED AND DEPOSITED   |
| DATE _____  | DATE _____   |
| KIM S. HUSTED O.L.S.  | REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OXFORD (No.41) |

| PART SCHEDULE |           |      |                    |      |
|---------------|-----------|------|--------------------|------|
| PART          | BLOCK     | PLAN | P.I.N.             | AREA |
| 1             | PART OF D | M-53 | PART OF 00033-0179 |      |

PLAN OF SURVEY OF  
PART OF BLOCK D  
REGISTERED PLAN M-53  
TOWN OF TILLOSNBURG  
COUNTY OF OXFORD

SCALE - 1: 250

METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIM HUSTED SURVEYING LTD.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT
- (1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
- (2) - THIS SURVEY WAS COMPLETED ON THE

DATE \_\_\_\_\_ KIM S. HUSTED  
ONTARIO LAND SURVEYOR

NOTES

- (1) - BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS ON MONUMENTS "A" AND "B" SHOWN HEREON HAVING A GRID BEARING OF N 53° 09' 24" W (UTM, ZONE 17, NAD83 CSRS)
- (2) - TO CONVERT (P1) BEARINGS TO GRID BEARINGS:  
- ADD 00° 11' 00" TO THE NORTHWEST BEARINGS  
- SUBTRACT 00° 11' 00" FROM THE NORTHEAST BEARINGS
- (3) - DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.999583241

LEGEND

- DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET  
SIB DENOTES STANDARD IRON BAR  
IB DENOTES IRON BAR  
RIB DENOTES ROUND IRON BAR  
WIT. DENOTES WITNESS  
(P1) DENOTES REGISTERED PLAN M-53  
(P2) DENOTES DEPOSITED PLAN 41R-5096  
(1582) DENOTES KIM HUSTED SURVEYING LTD.  
(727) DENOTES J.F. WESTON O.L.S.  
(M) DENOTES MEASURED  
(S) DENOTES SET  
P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER

KIM HUSTED SURVEYING LTD.  
ONTARIO LAND SURVEYOR  
30 HARVEY STREET, TILLOSNBURG ONTARIO, N4G 3J8  
PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 20-16031 REFERENCE: FF8

DISK No. \_\_\_\_\_  
DWG. \_\_\_\_\_  
CKD. \_\_\_\_\_



AMENDMENT NUMBER 251  
TO THE COUNTY OF OXFORD OFFICIAL PLAN

The following text and schedules attached hereto, constitute  
Amendment Number 251 to the County of Oxford Official Plan.

COUNTY OF OXFORD  
BY-LAW NO. **XXXX-2020**

**BEING** a By-Law to adopt Amendment Number 251 to the County of Oxford Official Plan.

**WHEREAS**, Amendment Number 251 to the County of Oxford Official Plan has been recommended by resolution of the Council of the Town of Tillsonburg and the County of Oxford has held a public hearing and has recommended the Amendment for adoption.

**NOW THEREFORE**, the County of Oxford, pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, enacts as follows:

1. That Amendment Number 251 to the County of Oxford Official Plan, being the attached text and schedule, is hereby adopted.
2. This By-Law shall come into force and take effect on the day of the final passing thereof.

READ a first and second time this 9<sup>th</sup> day of December, 2020.

READ a third time and finally passed this 9<sup>th</sup> day of December, 2020.

\_\_\_\_\_  
LARRY G. MARTIN, WARDEN

\_\_\_\_\_  
CHLOÉ J. SENIOR, CLERK

### 1.0 PURPOSE OF THE AMENDMENT

The purpose of this amendment is to redesignate the subject lands from 'Open Space' to 'Residential' and 'Low Density Residential' to facilitate the development of a single detached dwelling on the subject lands.

### 2.0 LOCATION OF LANDS AFFECTED

This amendment applies to lands described as Part Block D, Registered Plan M-53, in the Town of Tillsonburg. The lands are located on the east side of Clear Valley Drive, between Jackson Court and Holland Gate and are municipally known as 41 Clear Valley Drive.

### 3.0 BASIS FOR THE AMENDMENT

The subject amendment has been initiated to redesignate the subject lands to 'Residential' and 'Low Density Residential' to facilitate the development of a single detached dwelling on the subject lands.

It is the opinion of Council that the proposed amendment is consistent with the relevant policies of the PPS as the proposed development is compact, cost-effective, and an efficient land use pattern that will efficiently use existing land, infrastructure, and municipal services.

The site is located on the periphery of an area that is surrounded by low density residential development to the north and west, with ravine lands to the east remaining in the 'Open Space' designation. The proposal complies with the infill policies of the Official Plan as the proposal is similar to other subject properties in the area, is sufficiently large to accommodate stormwater run-off, parking and required setbacks, and the proposal is not expected to negatively impact any of the woodlands and ravine lands to the east, as the area to be re-designated and rezoned encompasses an existing cleared area. It is the opinion of Council that the proposed development is appropriate for the area with respect to the nature, character and scale of adjacent uses.

Further, it is the opinion of Council that the subject application is consistent with the policies for Low Density Residential areas within the Town. The Low Density Residential designation permits single detached dwellings as proposed within existing low density residential areas. The proposed single detached dwelling will be a compatible form of development with the surrounding low density residential development.

In light of the foregoing, Council is satisfied that the proposal is consistent with the policies of the Provincial Policy Statement and is in-keeping with the strategic initiatives and objectives of the County Official Plan.

#### 4.0 DETAILS OF THE AMENDMENT

- 4.1 That Schedule “T-1” – Town of Tillsonburg Land Use Plan, is hereby amended by designating those lands identified as “ITEM 1” on Schedule “A” attached hereto as “Residential”.
- 4.2 That Schedule “T-2” – Town of Tillsonburg Residential Density Plan, is hereby amended by designating those lands identified as “ITEM 1” on Schedule “A” attached hereto as “Low Density Residential”.

#### 5.0 IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the implementation policies of the Official Plan.

#### 6.0 INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the interpretation policies of the Official Plan.

**THE CORPORATION OF THE TOWN OF TILLSONBURG**

**BY-LAW 2020-\_\_\_\_**

**A By-Law to amend Zoning By-Law Number 3295, as amended.**

**WHEREAS** the Municipal Council of the Corporation of the Town of Tillsonburg deems it advisable to amend By-Law Number 3295, as amended.

**THEREFORE**, the Municipal Council of the Corporation of the Town of Tillsonburg, enacts as follows:

1. That Schedule "A" to By-Law Number 3295, as amended, is hereby amended by changing to 'R1' the zone symbol of the lands so designated 'R1' on Schedule "A" attached hereto.
2. This By-Law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

**READ A FIRST AND SECOND TIME THIS 14th day of DECEMBER, 2020.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 14th day of DECEMBER, 2020.**

---

MAYOR – Stephen Molnar

---

TOWN CLERK – Michelle Smibert

PO Box 1614  
Woodstock ON N4S 7Y3  
Tel: (519) 539-9800  
Fax: (519) 421-4712  
website: www.oxfordcounty.ca

FILE No. OP 20-15-7DATE RECEIVED: Sept 25/2020**COUNTY OF OXFORD****APPLICATION FOR AN AMENDMENT  
TO THE OFFICIAL PLAN****SECTION ONE - GENERAL INFORMATION****1. Applicant:**

a) Name \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Email Address: \_\_\_\_\_

**b) Applicant's Interest in Subject Land:**

- \_\_\_\_ Registered Owner  
\_\_\_\_ Agreement of Purchase and Sale (attach copy)  
\_\_\_\_ Mortgage  
\_\_\_\_ Other (specify) \_\_\_\_\_

**2. Registered Owner: (if other than applicant)**

Name Corporation of the Town of Tilsenbury Telephone: 519.688.3009  
Address 100 Broadway Suite 204 Cell Phone: \_\_\_\_\_  
Tilsenbury ON Fax No. \_\_\_\_\_  
Postal Code: M6B 5A7 Email Address: Clerks@tilsenbury.ca

**3. Solicitor or Agent: (if any)**

Name Cephas Panschow Telephone: 519.688.5651  
Address \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Email Address: Cpanschow@tilsenbury.ca

**4. Location of Subject Land:**

Lot Number(s) \_\_\_\_\_ Concession / Plan No. M53  
Part Number(s) \_\_\_\_\_ Reference Plan No. M53  
Municipality Tilsenbury Former Municipality \_\_\_\_\_  
Street/911 Civic Address 41(?) Clear Valley Dr  
The subject land is located on the North side of the Street, lying between Holland Gate Street  
and end of the Street.

**SECTION TWO - OFFICIAL PLAN INFORMATION** (Complete sections only where applicable)

5. Purpose of requested Amendment: To redesignate the property to residential to accommodate a single family dwelling unit.

6. Is the application consistent with the Provincial Policy Statement, 2014, as amended? (see Item No. 9 in the application guide) Yes ☒ No ☐

7. Is this a request for an Amendment to a Schedule(s) of the Official Plan: \_\_\_\_\_ (yes/no) If yes, complete the following:

| SCHEDULE<br>(E.G. C-3) | TITLE | DESIGNATION OF SITE | USES PERMITTED |
|------------------------|-------|---------------------|----------------|
| <b>Existing:</b>       |       |                     |                |
|                        |       |                     |                |
|                        |       |                     |                |
|                        |       |                     |                |
| <b>Proposed:</b>       |       |                     |                |
|                        |       |                     |                |
|                        |       |                     |                |
|                        |       |                     |                |

8. Is this a request for an Amendment to the text of the Official Plan: No (yes/no) If yes, complete the following:

- a) Chapter, Section and Subsection title \_\_\_\_\_
- b) Is this section / subsection to be: Changed \_\_\_\_\_ Replaced \_\_\_\_\_ Deleted \_\_\_\_\_
- c) If changed/replaced, proposed text of Amendment \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**SECTION THREE – DESCRIPTION OF DEVELOPMENT** (If specific development is proposed, complete the following)

9. Present Use of Subject Land: Vacant land

10. Description of Existing Building(s) or Structure(s) on Subject Land: (Date of construction, present use) None

\_\_\_\_\_

\_\_\_\_\_

11. Proposed Use of Subject Land: (Description of Applicant's Proposal) Residential (Low Density)

\_\_\_\_\_

\_\_\_\_\_

12. Proposed Buildings or Structures associated with the Proposed Land Use: (include information regarding alteration to or demolition of existing buildings or structures)

1,500 to 2,000 sq Single Family Dwelling unit.

**13. For proposed Residential development, specify:**

- a) Gross or Net Density/Hectare 0.2
- b) No. of Units 1 Type of Units SFD

**14. For proposed Commercial, Industrial, Institutional or Recreational development, specify:**

- a) Gross Floor Area (by type of uses) \_\_\_\_\_
- b) Proposed Uses \_\_\_\_\_

**SECTION FOUR – SITE INFORMATION AND SERVICES****15. Dimensions of Subject Land:** (in metric units)

- a) Area 0.6 ha b) Frontage 19.955 m c) Depth 104 m irregular

**16. Access to Subject Land:**

- \_\_\_\_ Provincial Highway  
 \_\_\_\_ County Road  
☒ Municipal Road
- \_\_\_\_ Unopened Road Allowance  
 \_\_\_\_ Private Right-of-Way  
 \_\_\_\_ Other (specify) \_\_\_\_\_

**17. Adjacent Land Uses:** (Indicate nature of adjacent land uses)

Single Family Residential Area

**18. Services:**

|                            | MUNICIPAL WATER | MUNICIPAL SEWER | PRIVATE WATER | PRIVATE SEWER** |
|----------------------------|-----------------|-----------------|---------------|-----------------|
| CONNECTED (YES/NO)         | <u>No</u>       | <u>No</u>       | <u>No</u>     | <u>No</u>       |
| TYPE (INDIVIDUAL/COMMUNAL) |                 |                 |               |                 |

Municipal Storm Sewers ☒ Municipal Drain \_\_\_\_\_ (Please check one)

**\*\*Note:** If the requested amendment involves development on a privately owned and operated individual or communal septic system and more than 4500 litres per day of effluent will be produced as a result of the completed proposal, the applicant must submit a **servicing options report and a hydrogeological report.**

**SECTION FIVE - ZONING BY-LAW****19. Municipal Zoning By-Law Number:** 3295

Existing Zoning of Subject Land Open Space

**20. Has an application for Zone Change been filed?**

If yes, describe the proposed zoning of the subject land R1 Yes ☒ No \_\_\_\_\_



**SECTION SIX – OTHER INFORMATION**

21. If the subject land, or any land within 120 meters of it, is the subject of an application by the applicant for a minor variance, a consent or consent and minor variance, an amendment to the Official Plan, a zoning by-law amendment, a Minister's zoning order, or approval of a plan of subdivision or site plan, please provide the file number, the name of the approval authority considering it, the land it affects, its purpose, its status, and its effect on the requested amendment.

N/A

22. If the requested amendment proposes to alter all or any part of the boundary of a designated settlement area or proposes to establish a new settlement area, please provide the current section containing policies of the Official Plan dealing with the alteration or establishment of a designated settlement area.

N/A

23. If the requested amendment proposes to remove the subject land from an area of employment, please provide the relevant section of the Official Plan dealing with the removal of land from an area of employment.

N/A

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

**AUTHORIZATION OF OWNER(S) FOR AGENT TO MAKE THE APPLICATION**

I / We, \_\_\_\_\_  
am/are the owner(s) of the land that is the subject of this application for Official Plan amendment. I / We authorize \_\_\_\_\_, to make this application on my / our behalf.

Date \_\_\_\_\_

Signature of Owner(s) \_\_\_\_\_

Signature of Owner(s) \_\_\_\_\_

**THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS**

I / We Cephas Panschow  
 of the Town of Tillsonburg in the County of Oxford  
 (Township or Municipality) (County or Region)

**DO SOLEMNLY DECLARE THAT:**

*All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true.*

DECLARED before me at the Town  
 of Tillsonburg in the  
County of Oxford  
 this 31<sup>st</sup> day of August 2020

[Signature]  
 Owner / Applicant

[Signature]  
 Owner / Applicant

[Signature]  
 A Commissioner for Taking Affidavits **MICHELLE SMIBERT, TOWN CLERK**  
**TOWN OF TILLSONBURG**  
**COMMISSIONERS AFFIDAVITS ACT**  
**R.S.O. 1990, Chap. C.17, Sec 1(2)**

**If the decision of this application is appealed by a third party, I \_\_\_\_\_,**

(owner/applicant name – please print)

**agree to support the application, provide assistance in the preparation and presentation of the application before the Local Planning Appeal Tribunal and pay all of the County's legal costs associated with the Tribunal hearing.**

\_\_\_\_\_  
 (signature of owner/applicant)

**MFIPPA Notice of Collection & Disclosure**

The collection of personal information on this form is legally authorized under Sec.22 of the *Planning Act* and O.Reg.543/06 for the purpose of processing your planning application. Questions about this collection should be directed to the Director of Community Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).







Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec.32(e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.






## Petition to prevent the sale and development of 41 Clear Valley Drive

Dear Members of Council,


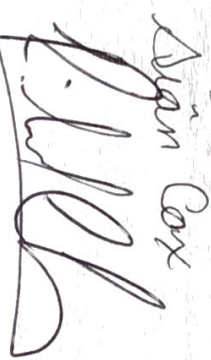



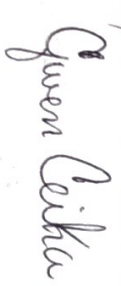

41 Clear Valley Drive is an "Open Green Space" that provides a park for the residents and the children of the neighbourhood to play in a safe manner. Many of the area residents purchased their homes in this area due to the presence of this neighbourhood park-like setting in the immediate area, and based upon representations and assurances that this dedicated parkland would not be sold for residential or other development purposes.

We, the undersigned, are concerned area residents who wish to register and express our opposition to the proposed sale and development of 41 Clear Valley Drive by the Town of Tillsonburg.

| Printed Name            | Signature   | Address                | Comments                                      |
|-------------------------|---|------------------------|---|
| Cheryl Becker           |  | 45 Clear Valley Drive. |   |
| Robert Becker           |  |                        |   |
| Ann Rohrer              |  | 38 Clear Valley Drive. | No one seems made aware of what was happening |
| MARILEE ROHRER          |  |                        |   |
| RANDY VAN HAUKE<br>BEKE |  | 40 CLEAR VALLEY        | "   |
| Linda VanHaverbeke      |  | 40 Clear Valley Dr.    |   |




| Printed Name      | Signature   | Address             | Comments  |
|-------------------|---|---------------------|---|
| Rick Ansbach      |  | 34 Deer Valley Dr   | no notification to anyone.  |
| Devon Tanasi      |   | 35 Clearvalley Dr.  | As part of my understand by my lawyer when I bought this house. They said it would never be sold. |
| Murray Finck      |    | 35 Clear Valley Dr. |   |
| Sheena Vanderkooy |    | 39 Clear Valley Dr  |   |
| Tim Vanderkooy    |    | 29 Clear Valley dr. |   |




| Printed Name                 | Signature   | Address                              | Comments   |
|------------------------------|---|--------------------------------------|--|
| LINCOLN JACKSON              |  | 93 Clear Valley Dr.<br>Tillamook, OR | Area needed for park over                                    |
| Sian Cox                     |   | 27 Clear Valley Dr.<br>"             | <del>Not</del> it<br>Leave as is.                            |
| Susie Lee                    |    | 43 Clear Valley dr.<br>"             | CAN'T SELL<br>A PARK   |
| CHRIS LEE                    |    |                                      |  |
| DONALD + DOREEN<br>1402 BURH |    | 44 CLEAR VALLEY DR.                  | WE NEED GREEN SPACE, (FOR EXHAUST) DEER, ETC.                |
| Guven Ceika                  |    | 44 Clear Valley Drive                | I was told that no one could ever build in that green space. |
| Kyle Ceika                   |    | 44 Clear Valley Drive.               |  |

| Printed Name                       | Signature      | Address                             | Comments  |
|------------------------------------|----------------|-------------------------------------|---|
| Andrew Brown                       | Andrew Brown   | 20 Clear Valley Dr                  |   |
| David Verbrugg<br>Lubbert Verbrugg | David Verbrugg | 8 Clear Valley Dr.                  | Why is there no<br>notice                       |
| Betty Burwell<br>Stana Burwell     | Betty Burwell  | 6 Clear Valley Dr<br>6 Clear Valley | Leave As is                                     |
| Terry Soeth                        | Terry Soeth    | 2 Clear Valley.                     |   |
| Kathryn Jansen<br>Jan Ritchie      | Kathryn Jansen | 21 Clear Valley                     | It's a great lot for<br>kids to play safely in. |



| Printed Name                | Signature   | Address                                | Comments  |
|-----------------------------|---|--|---|
| Kevin Harrop                |  | 36<br>Clear Valley Dr.<br>Tillsonburg. | 11  |
| Debbie Gibson               | Debbie Gibson   |  | We have lived here for 41 years. We were told this space was a free access point for participants. We were not notified about any change. |
| Peter Bottins               |    | 32 Clear Valley                        | as above - 32 years   |
| ELORAT BRADY<br>GARRY BRADY | El Brady.<br>Garry Brady  | 30 Clear Valley<br>Rd.                 | No one notified and of the change.  |
| Craig Harwood               |    | 18 clear valley                        |   |



| Printed Name    | Signature  | Address            | Comments                                |
|-----------------|--|--------------------|---|
| Ahley<br>Haines | Cathy Haines   | 17 Clear Valley    |   |
| JAMES OKE       |  | 3 Clear Valley Dr  |   |
| Jue Booth       | Jue Booth  | 39 Clear Valley Dr | <del>Told it was<br/>green space!</del> |
|                 |  |                    |   |
|                 |  |                    |   |

FILE NO: ZN 7-20-13DATE RECEIVED: Sept. 1/20

## TOWN OF TILLSONBURG

### APPLICATION FOR ZONE CHANGE

**1. Registered Owner(s):**

Name: Corporation of the Town of Tillsonburg Phone: Residence: \_\_\_\_\_  
 Address: 200 Broadway, Tillsonburg, ON Business: 519.688.3009  
 Fax: 519.842.9431  
 Postal Code: N4G 5A7 E-mail: Charles@tillsonburg.ca

Applicant (if other than registered owner):

Name: \_\_\_\_\_ Phone: Residence: \_\_\_\_\_  
 Address: \_\_\_\_\_ Business: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_ E-mail: \_\_\_\_\_

Solicitor or Agent (if any):

Name: Cephas Panschow Phone: Business: 519.688.5651  
 Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_ E-mail: C.panschow@tillsonburg.ca

All communications will be sent to those listed above. If you **do not** wish correspondence to be sent to the
☐ Owner, ☐ Applicant, or ☐ Solicitor/Agent, please specify by checking the appropriate box.

Name and address of any holders of any mortgage, charges or other encumbrances (if known):

N/A**2. Subject Land(s):****a) Location:**

Municipality Tillsonburg former municipality \_\_\_\_\_  
 Concession No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
 Registered Plan No. M53 Lot(s) \_\_\_\_\_  
 Reference Plan No. \_\_\_\_\_ Part(s) Block D  
 The proposed lot is located on the North side of Clear Valley Street, lying between  
Holland Gate Street and end of the Street.  
 Street and/or Civic Address (911#): \_\_\_\_\_

**b) Official Plan Designation:**

Existing: Open Space  
 Proposed: Residential

If the proposed designation is different than the existing designation, has an application for Official Plan Amendment been filed with the County of Oxford? ☐ No ☒ Yes



- c) **Zoning:** Present: Open Space  
Proposed: Residential
- d) **Uses:** Present: Vacant lot  
Proposed: (Include description) Single family house construction

**3. Buildings/Structures:**

For all buildings/structures, either **existing or proposed** on the subject lands, please supply the following information:

**Existing/Proposed**

Use:

Date Constructed (if known):

Floor Area:

Setbacks:

Front lot line

Side lot lines

Rear lot line

☒ None Existing

Building 1

☐ None Proposed

Building 2

Single family residenceN/A1500 - 1800 SFAs per bylawN/A

Please complete for residential, commercial/industrial or institutional uses.

|   | RESIDENTIAL | COMMERCIAL/<br>INDUSTRIAL                                     | INSTITUTIONAL   |
|---|-------------|---|---|
| <b>TYPE</b><br>Apt., semi, townhouse, retail, restaurant, church,<br>etc.               |             |   |   |
| <b># OF UNITS</b>   | <u>1</u>    |   | <b>N/A</b>  |
| <b>CONVERSION/ADDITION TO EXISTING BUILDING</b>   |             |   |   |
| Describe  |             |   |   |
| <b>TOTAL # OF UNITS/BEDS</b>  | <b>N/A</b>  | <b>N/A</b>  |   |
| <b>FLOOR AREA</b><br>by dwelling unit or by type (office, retail<br>common rooms, etc.) |             |   |   |
| <b>OTHER FACILITIES</b><br>(playground, underground parking, pool, etc.)                |             |   |   |
| <b># OF LOTS</b> (for subdivision)  |             |   | <b>N/A</b>  |
| <b>SEATING CAPACITY</b><br>(for restaurant, assembly hall, etc.)                        | <b>N/A</b>  |   |   |
| <b># OF STAFF</b>   | <b>N/A</b>  |   |   |
| <b>OPEN STORAGE REQUIRED?</b>   | <b>N/A</b>  |   | <b>N/A</b>  |
| <b>ACCESSORY RESIDENTIAL USE?</b>   | <b>N/A</b>  | If accessory residential use,<br>complete residential section | If accessory residential use,<br>complete residential section |

**4. Site Information (proposed use(s):**

Lot Frontage

Lot Depth

Lot Area

Lot Coverage

Front Yard

Rear Yard

Interior Side Yard

19.6 m102 m irregular~ 0.66 Acres0.6 - 100%

Exterior Side Yard (corner lot)

Landscaped Open Space (%)

No. of Parking Spaces

No. of Loading Spaces

Building Height

Width of Planting Strip

Driveway Width

**5. Services:** (check appropriate box)

Existing

Proposed

**Water supply** Publicly owned and operated piped water system ☐ ☒  
 Privately owned and operated individual well ☐ ☐  
 Other (specify) \_\_\_\_\_ ☐ ☐

**Sewage Disposal** Publicly owned and operated sanitary sewer system ☐ ☒  
 Privately owned and operated individual septic tank ☐ ☐  
 Other (specify) \_\_\_\_\_ ☐ ☐

**Storm Drainage** Municipal Sewers ☒ Ditches ☐  
 Municipal Drains ☒ Swales ☐

**6. Access:**

Provincial Highway ☐ Unopened Road Allowance ☐  
 County Road ☐ Right-of-Way owned by \_\_\_\_\_ ☐  
 Municipal Road maintained all year ☒ Other (specify) \_\_\_\_\_ ☐  
 Municipal Road seasonally maintained ☐

**7. General Information:**

a) Is the Subject Land the subject of regulations for flooding or fill and construction permits of the Long Point Region Conservation Authority? ☐ No ☒ Yes

If yes, has an Application been filed with the Conservation Authority? ☒ No ☐ Yes

b) Present land use(s) of adjacent properties:

c) Characteristics of subject land (check appropriate space(s) and add explanation, if necessary)

(i) Does the land contain environmental features such as wetlands, woodlots, watercourses, etc.?

☒ No

☐ Yes If yes, describe \_\_\_\_\_

(ii) Has any part of the land been formally used for any purpose other than agricultural purposes?

☐ No

☒ Yes

If yes, describe former use:

Created as part of Subdivision construction.

**8. Historical Information:**

a) Is the subject land the subject of a current Application for Consent to the Oxford County Land Division Committee or a current application for draft plan of subdivision to the County of Oxford?

☒ No

☐ Yes →

Application No. \_\_\_\_\_

b) Have the subject land(s) ever been the subject of any other application under the Planning Act, such as an application for approval of an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order amendment, consent, a minor variance, or approval of a plan of subdivision?

☐ No

☐ Unknown

☒ Yes →

File No. N/A

Status/Decision Approved for Subdivision

c) If known, the date the subject land was acquired by the owner?

1977

d) If known, the length of time that the existing uses of the subject land have continued?

Since Subdivision



**Authorization of Owner(s) for Applicant/Agent to Make the Application**

I/We, \_\_\_\_\_, am/are the owner(s) of the land that is the subject of this application for zone change and I/We authorize \_\_\_\_\_, to make this application on my/our behalf.

Date \_\_\_\_\_

Signature of Owner(s) \_\_\_\_\_

Signature of Owner(s) \_\_\_\_\_

**THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS**

I/We Cephas Panschow of the Town of Tillsonburg  
of \_\_\_\_\_ in the County of Oxford,

**DO SOLEMNLY DECLARE THAT:**

All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the Town  
of Tillsonburg in the  
County of Oxford  
this 31<sup>st</sup> day of August 2020

Owner(s)/Applicant \_\_\_\_\_

Owner(s)/Applicant \_\_\_\_\_

A Commissioner for Taking Affidavits

MICHELLE SMIBERT, TOWN CLERK  
TOWN OF TILLSONBURG  
COMMISSIONERS AFFIDAVITS ACT

R.S.O. 1990, Chap. C.17, Sec 1(2)

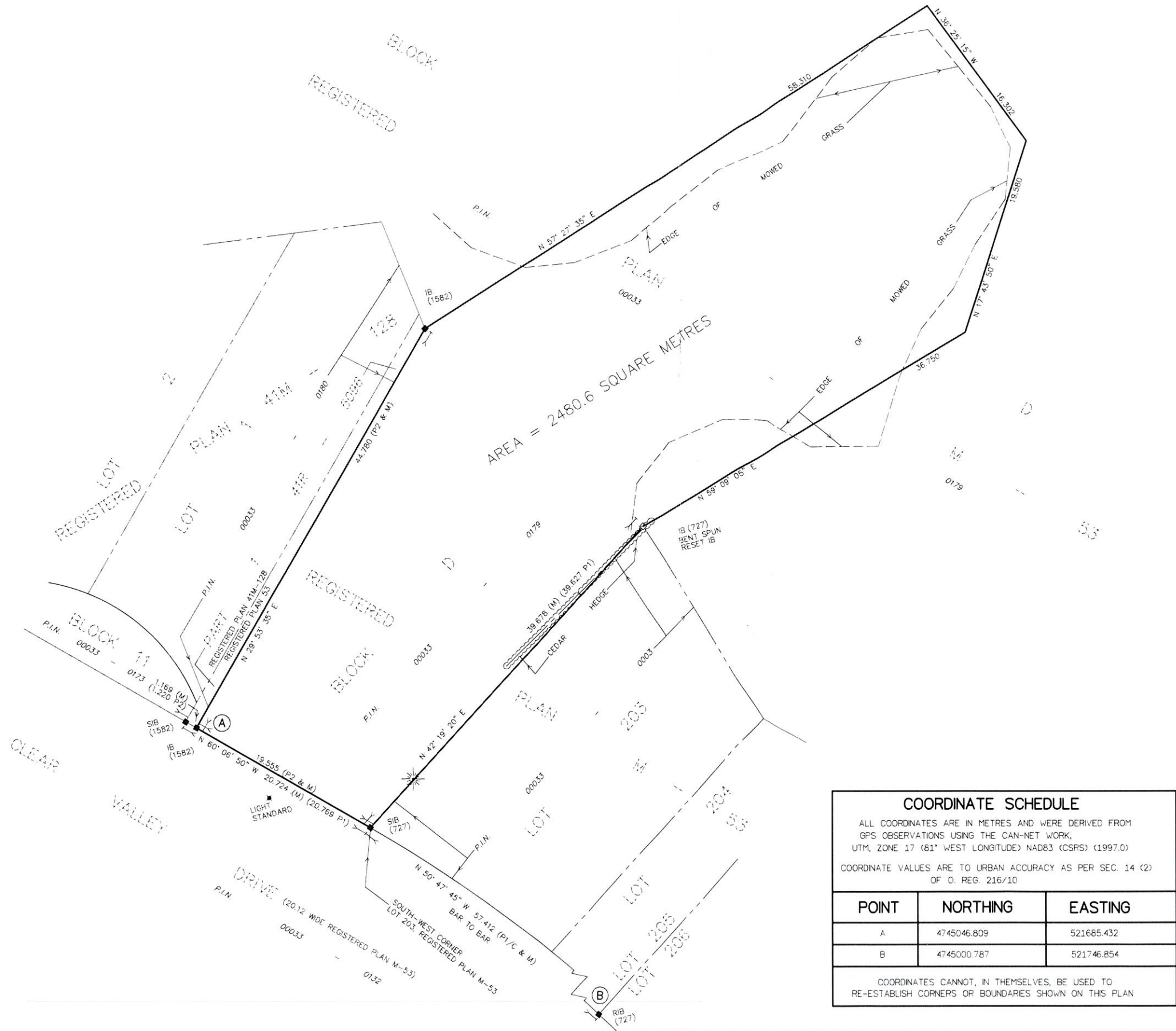
**Notes:**

1. Applications will not be considered complete until all requested information has been supplied.
2. It is required that **one original** of this application (including the sketch/site plan) be filed, accompanied by the applicable fee of **\$1,250.00** in cash or cheque, payable to the **Treasurer, Town of Tillsonburg**. A fee of \$2,500.00 will be charged if an application is required 'after the fact' (after the use has occupied the site).

**Municipal Freedom of Information and Protection of Privacy Act – Notice of Collection & Disclosure**

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|   |  |
|---|--|
| I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT | <b>PLAN 41R-</b><br>RECEIVED AND DEPOSITED   |
| DATE _____  | DATE _____   |
| KIM S. HUSTED O.L.S.  | REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OXFORD (No.41) |

| PART SCHEDULE |           |      |                    |      |
|---------------|-----------|------|--------------------|------|
| PART          | BLOCK     | PLAN | P.I.N.             | AREA |
| 1             | PART OF D | M-53 | PART OF 00033-0179 |      |

PLAN OF SURVEY OF  
PART OF BLOCK D  
REGISTERED PLAN M-53  
TOWN OF TILLOSNBURG  
COUNTY OF OXFORD

SCALE - 1: 250

METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIM HUSTED SURVEYING LTD.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT

(1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM

(2) - THIS SURVEY WAS COMPLETED ON THE \_\_\_\_\_

DATE \_\_\_\_\_ KIM S. HUSTED  
ONTARIO LAND SURVEYOR

**NOTES**

(1) - BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS ON MONUMENTS "A" AND "B" SHOWN HEREON HAVING A GRID BEARING OF N 53° 09' 24" W (UTM, ZONE 17, NAD83 CSRS)

(2) - TO CONVERT (P1) BEARINGS TO GRID BEARINGS:  
- ADD 00° 11' 00" TO THE NORTHWEST BEARINGS  
- SUBTRACT 00° 11' 00" FROM THE NORTHEAST BEARINGS

(3) - DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.999583241

| LEGEND |         |                            |
|--------|---------|----------------------------|
| ■      | DENOTES | SURVEY MONUMENT FOUND      |
| □      | DENOTES | SURVEY MONUMENT SET        |
| SIB    | DENOTES | STANDARD IRON BAR          |
| IB     | DENOTES | IRON BAR                   |
| RE     | DENOTES | ROUND IRON BAR             |
| (WIT.) | DENOTES | WITNESS                    |
| (P1)   | DENOTES | REGISTERED PLAN M-53       |
| (P2)   | DENOTES | REGISTERED PLAN 41R-5096   |
| (1582) | DENOTES | KIM HUSTED SURVEYING LTD.  |
| (727)  | DENOTES | J.F. WESTON O.L.S.         |
| (M)    | DENOTES | MEASURED                   |
| (S)    | DENOTES | SET                        |
| P.I.N. | DENOTES | PROPERTY IDENTIFIER NUMBER |

| COORDINATE SCHEDULE  |             |            |
|--|-------------|------------|
| ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET WORK, UTM, ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0) |             |            |
| COORDINATE VALUES ARE TO URBAN ACCURACY AS PER SEC. 14 (2) OF O. REG. 216/10   |             |            |
| POINT  | NORTHING    | EASTING    |
| A  | 4745046.809 | 521685.432 |
| B  | 4745000.787 | 521746.854 |
| COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN  |             |            |

|  |          |             |
|--|----------|-------------|
| <b>KIM HUSTED SURVEYING LTD.</b><br>ONTARIO LAND SURVEYOR<br>30 HARVEY STREET, TILLOSNBURG ONTARIO, N4G 3J8<br>PHONE: 519-842-3638 FAX: 519-842-3639 |          |             |
| PROJECT: 20-16031 REFERENCE: FF8   | DISK No. | DWG.<br>CKD |



**To: Mayor and Members of Tillsonburg Council**

**From: Eric Gilbert, Senior Planner, Community Planning**

## **Application for Zone Change**

### **ZN 7-20-15 – Dyer & Nadeau**

#### **REPORT HIGHLIGHTS**

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- The application for Zone Change proposes to rezone the subject property from 'Low Density Residential Type 1 Zone (R1)' to 'Special Low Density Type 3 Zone (R3-sp)' to facilitate the residential conversion of a vacant commercial space to permit a multiple unit dwelling with 3 dwelling units.

Planning staff are recommending that the application be supported, as it is consistent with the policies of the Provincial Policy Statement and complies with the relevant policies of the Official Plan respecting intensification and development within Low Density Residential Areas.

#### **DISCUSSION**

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##### **Background**

OWNERS: Dave Dyer & Amy Nadeau  
 50 Cranberry Line, Tillsonburg ON N4G 4G8

##### LOCATION:

The subject lands are legally described as Lot 574, Plan 500, in the Town of Tillsonburg. The subject lands are located on the northeast corner of the intersection of Hardy Avenue and John Street, and are municipally known as 1 Hardy Avenue, 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 proposed zone change is to rezone the subject lands from 'Low Density Residential Type 1 Zone (R1)' to 'Special Low Density Residential Type 3 Zone (R3-sp)' to permit the conversion of an existing commercial space to residential, to increase the total number of dwelling units to 3 on the subject property. Relief is also being sought to recognize the existing lot frontage and depth, and to permit a reduced lot area of 178 m<sup>2</sup> (1916 ft<sup>2</sup>) per dwelling unit.

The subject lands have an approximate area of 534.4 m<sup>2</sup> (5,752 ft<sup>2</sup>) and contain an existing building, containing two dwelling units and a former commercial use (sign business). An existing storage building in poor repair is also located on the subject lands.

Surrounding land uses include low density residential uses consisting of single detached dwellings, a medium density apartment development to the northwest, and Lake Lisgar waterpark and Memorial Park to the east.

Plate 1, Existing Zoning and Location Map, 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 subject property.

Plate 3, Applicants' Sketch, depicts the proposed location and site design of the development.

## **Application Review**

PROVINCIAL POLICY STATEMENT:

The 2020 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 1.1.1 provides that healthy liveable and safe communities are sustained by accommodating an appropriate range and mix of residential housing (including additional units, affordable housing, and housing for older persons) to meet long-term needs, and promoting cost-effective development that minimizes land consumption and servicing costs.

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. Land use patterns within settlement areas shall be based on:

- densities and mix of land uses which are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available;
- support active transportation;
- efficiently use land and resources;

- a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Section 1.1.3.4 directs that appropriate development standards shall be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Further, Section 1.4 Housing, specifically ss. 1.4.3, states that planning authorities shall provide for an appropriate range and 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 housing required to meet the social, health and well-being requirements of current and future residents;
- 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 use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in 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 property is designated Low Density Residential as per Schedule T-2, Residential Density Plan for the Town of Tillsonburg, 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 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.

Section 8.2.1 of the Official Plan (Housing Development and Residential Areas - Strategic Approach) identifies a number of strategies "to provide present and future residents of Tillsonburg with a choice of adequate and affordable housing which meets their needs".

The strategies developed to achieve this goal include:

- Accommodating the 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, with the objective of also reducing energy consumption, decreasing the financial burden of underutilized municipal services, and relieving pressure for development of natural areas and open spaces;
- Facilitating a choice of housing type, tenure, cost and location that meets the changing needs of all types of households by providing for a variety and mix of housing throughout the Town;
- Increasing the supply of affordable housing by integrating adequate housing for low and moderate income households and those with special needs throughout the Town and establish and monitor minimum affordable housing targets to ensure that the percentage of affordable housing is maintained or enhanced;

- Promoting and facilitating the provision of affordable housing through the co-operative efforts of all levels of government, the private sector and volunteer interest groups through such means as technical assistance, land conveyances, joint ventures, regulatory measures, and incentives.

The policies contained within 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.

Section 8.2.4.2 - Redevelopment or Conversion of Non-Residential Buildings, of the Official Plan provides that conversions of non-residential buildings to residential use will be subject to the following policies:

- Redevelopment including any new buildings or additions will be in keeping with the height, density, and use policies of the Low Density Residential area.
- The range of residential uses permitted in a particular location by the policies pertaining to Low Density Residential area may be expanded, without amendment to the Official Plan, by Town Council, where a non-residential use is being converted to residential use through an amendment to the Zoning By-Law.
- Any enlargements or extensions to existing buildings will respect the height, bulk, scale and setbacks of adjacent residential uses and shall not adversely impact adjacent residential uses in terms of light, views, privacy or traffic.
- Landscaping, privacy screening or other appropriate measures will be incorporated into the development to provide an adequate buffer to minimize impacts and to maintain the low density character of the surrounding residential areas.
- Vehicular traffic generated from the redevelopment will create minimal impact on local streets.
- Existing municipal services and community facilities will be adequate to accommodate the development and its residents.
- Adequate off-street parking and outdoor amenity areas will be provided.
- Conversions which result in the preservation and/or upgrading of buildings considered by Town Council to be of architectural or historical significance may be permitted to exceed the density limitations of Low Density Residential areas subject to the policies of Section 10.3.10.
- The effect of the proposed development on environmental resources and the effects of any environmental constraints on the proposed development will be addressed and mitigated in accordance with Section 3.2.

#### 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. The R1 zone permits a single detached dwelling, home occupation, and accessory uses thereto.

The applicant is proposing to rezone the subject property to 'Special Low Density Residential Type 3 Zone (R3-sp)' to permit the residential conversion of the former commercial space within the existing building. Special provisions are also sought to reduce the minimum lot area per dwelling unit from 330 m<sup>2</sup> (3,552 ft<sup>2</sup>) to 178 m<sup>2</sup> (1,916 ft<sup>2</sup>), and to recognize the existing lot frontage and depth.

The existing building on the subject lands containing 2 dwelling units and a commercial space is considered legal non-conforming with respect to the provisions of the R1 zone. The applicant proposes to extend the legal non-conforming use to convert the existing commercial space to a dwelling unit, bringing the total number of dwelling units to 3.

Provided that the existing storage building is removed, the proposed site plan submitted by the applicant appears to comply with the other provisions of the zoning by-law, including required landscaped open space, maximum permitted lot coverage, required amenity area, minimum required parking and other provisions of the R3 zone.

Section 5.24.2.1 of the Zoning By-Law requires 1.5 parking spaces per dwelling unit, or 5 parking spaces for the 3 proposed dwelling units. The 1.5 spaces per dwelling unit includes visitor parking requirements. Parking areas are required to be at least 1.5 m (5 ft) from interior lot lines.

#### AGENCY COMMENTS:

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

Town of Tillsonburg Building Services provided the following comments:

- Existing storage building on the property to the north is derelict and will have to be repaired or removed. Owner has advised that they plan to remove this building which will allow for parking.
- Provide the required parking – removal of the storage building noted above will allow the site to be developed to provide the required parking.
- Provide updated survey.
- If approved, a change of use building permit will be required for the proposed residential unit.

Oxford County Public Works Department indicated that they had no comments on the zoning by-law amendment.

Town Development Commissioner indicated that they have no concerns with the proposed rezoning. Converting the existing commercial unit to a residential unit is appropriate as it is more in keeping with the adjacent residential area than the existing commercial unit. The applicant should improve the exterior of the existing building to address long standing concerns of the neighbourhood.

#### PUBLIC CONSULTATION:

Notice of complete application and notice of public meeting regarding this application were circulated to surrounding property owners within 120 m (400') on two occasions, October 14, 2020 & November 2, 2020, in accordance with the requirements of the Planning Act.

### **Planning Analysis**

The application for Zone Change proposes to rezone the lands to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the residential conversion of a former commercial space within an existing building that currently contains 2 dwelling units. Special provisions are also sought to permit a reduced lot area per dwelling unit, and to recognize the existing lot frontage and lot depth.

The proposed development of the subject lands will provide more housing choice for the residents of Tillsonburg and is considered to be an efficient use of the lands, municipal services and infrastructure. It is the opinion of this Office that the subject application is consistent with the housing, intensification, and redevelopment policies of the PPS.

The proposal complies with the policies contained within Section 8.2.2.2 of the Official Plan that encourage the creation of housing opportunities that may result in a mix of tenure forms, such as ownership, rental, and cooperative, throughout the Town. The proposal is also consistent with the policy direction within Section 8.2.2.5 that promotes residential intensification in appropriate locations to make more efficient use of existing land, infrastructure, and public services.

The proposed conversion of the existing building formerly used for commercial purposes complies with the Low Density Residential policies as outlined in Section 8.2.4 of the Official Plan as the existing building does not exceed 3 stories, will be compatible with surrounding residential development, and will make use of the existing entrance for the former commercial space. The overall impact of the 1 additional residential dwelling unit on surrounding transportation networks is expected to be minimal. Required off-street parking will be provided once the derelict building is removed, and adequate amenity space will be available onsite and is available in the vicinity for the additional dwelling unit proposed.

In light of the foregoing, this Office is satisfied that the applicant's proposal to rezone the subject lands to facilitate the residential conversion of a legal non-conforming commercial space is consistent with the PPS and maintains the general intent and purpose of the Official Plan.

An amending by-law will be brought forward once the necessary amending by-law schedules have been prepared.

## **RECOMMENDATION**

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It is recommended that the Council of the Town of Tillsonburg approve-in-principle the zone change application submitted by Dave Dyer & Amy Nadeau, whereby the lands described Lot 574, Plan 500, in the Town of Tillsonburg known municipally as 1 Hardy Avenue are to be rezoned from 'Low Density Residential Type 1 Zone (R1)' to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the development of a multiple unit dwelling consisting of 3 dwelling units.

## **SIGNATURES**

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**Authored by:**

Eric Gilbert, MCIP RPP  
Senior Planner

**Approved for submission:**

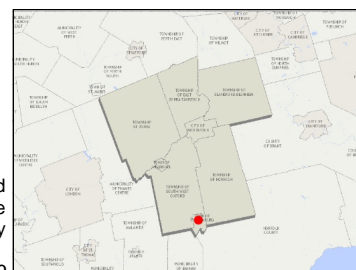
Gordon K. Hough, RPP  
Director



### Legend

- Zoning Floodlines  
Regulation Limit
- 100 Year Flood Line
  - ▲ 30 Metre Setback
  - Conservation Authority Regulation Limit
  - Regulatory Flood And Fill Lines
  - Land Use Zoning (Displays 1:16000 to 1:500)

### Notes



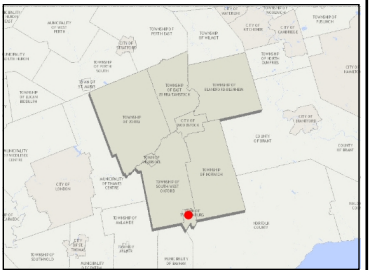




**Legend**

- Zoning Floodlines  
Regulation Limit
- 100 Year Flood Line
  - 30 Metre Setback
  - Conservation Authority Regulation Limit
  - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**



0 13 26 Meters

NAD\_1983\_UTM\_Zone\_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

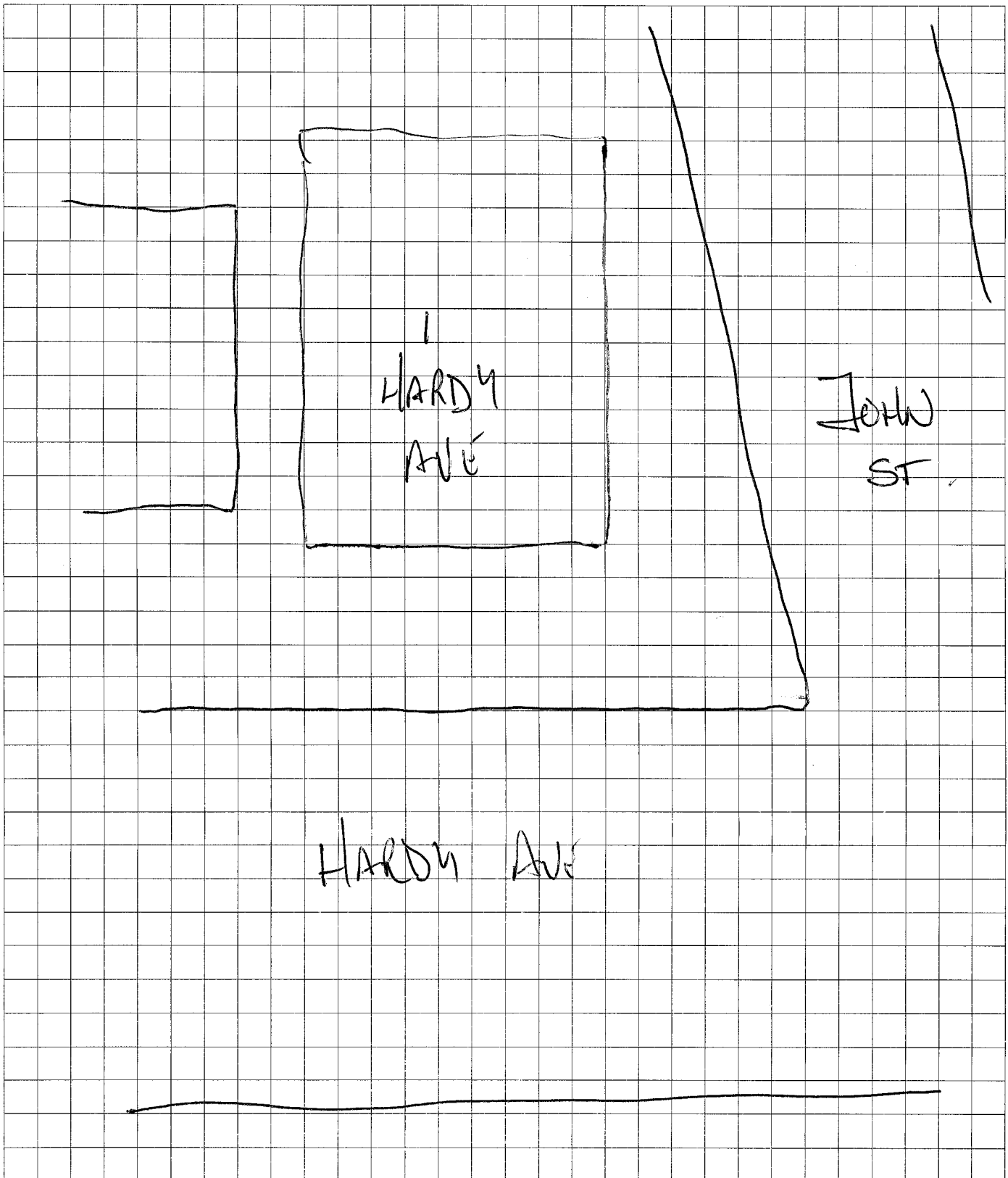
October 7, 2020

**SKETCH/SITE PLAN**

USE THIS PAGE FOR SKETCH (OR SURVEY PLAN IF AVAILABLE) AND ATTACH TO APPLICATION FORM.

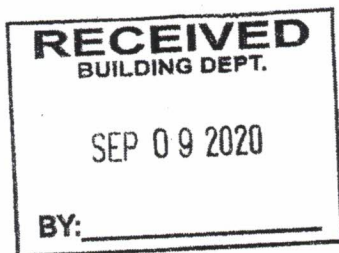
WITHOUT SKETCH OR SURVEY PLAN, THE APPLICATION WILL NOT BE PROCESSED.

SKETCH OR SURVEY PLAN MUST CONTAIN THE INFORMATION SET OUT IN ITEM 5 OF THE ZONE CHANGE APPLICATION GUIDE.



SCALE: \_\_\_\_\_





FILE NO: ZN 7-20-15  
 DATE RECEIVED: Sept 14/2020

## TOWN OF TILLSONBURG

## APPLICATION FOR ZONE CHANGE

1. Registered Owner(s): (NADEAU)  
 Name: DAVE DYER; Amy Nadeau Phone: Residence: (19 403 5789)  
 Address: 50 CRANBERRY LANE Business: \_\_\_\_\_  
 Postal Code: N4G 4G8 E-mail: DYER.11@Hornet.com Fax: \_\_\_\_\_

Applicant (if other than registered owner):

Name: \_\_\_\_\_ Phone: Residence: \_\_\_\_\_  
 Address: \_\_\_\_\_ Business: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_ E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

Solicitor or Agent (if any):

Name: \_\_\_\_\_ Phone: Business: \_\_\_\_\_  
 Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_ E-mail: \_\_\_\_\_

All communications will be sent to those listed above. If you do not wish correspondence to be sent to the

☐ Owner, ☐ Applicant, or ☐ Solicitor/Agent, please specify by checking the appropriate box.

Name and address of any holders of any mortgage, charges or other encumbrances (if known):

## 2. Subject Land(s):

## a) Location:

Municipality TILLSONBURG, 1 HARDY AVE former municipality \_\_\_\_\_  
 Concession No. 1 Lot(s) \_\_\_\_\_  
 Registered Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_  
 Reference Plan No. \_\_\_\_\_ Part(s) \_\_\_\_\_  
 The proposed lot is located on the EAST side of HARDY AVE Street, lying between  
CORNER OF HARDY AVE Street and JOHN ST. Street.  
 Street and/or Civic Address (911#): 1 HARDY AVE

## b) Official Plan Designation:

Existing: \_\_\_\_\_  
 Proposed: \_\_\_\_\_

If the proposed designation is different than the existing designation, has an application for Official Plan Amendment been filed with the County of Oxford? ☐ No ☐ Yes

- c) **Zoning:** Present: Residential / Commercial  
Proposed: Residential
- d) **Uses:** Present: Residential 2 units - Vacant Commercial Unit  
Proposed: (Include description) Convert Present use to 3 Unit Residential

### 3. Buildings/Structures:

For all buildings/structures, either **existing** or **proposed** on the subject lands, please supply the following information:

#### Existing/Proposed

Use:

Date Constructed (if known):

Floor Area:

Setbacks:

Front lot line

Side lot lines

Rear lot line

☐ None Existing

Building 1

Residential

1960's

Approx. 2200 sq. ft.

☐ None Proposed

Building 2

Please complete for residential, commercial/industrial or institutional uses.

|   | RESIDENTIAL   | COMMERCIAL/<br>INDUSTRIAL                                     | INSTITUTIONAL   |
|---|---|---|---|
| <b>TYPE</b><br>Apt., semi, townhouse, retail, restaurant, church,<br>etc.               | <u>APT.</u>   |   |   |
| <b># OF UNITS</b>   | <u>2</u>  | <u>1</u>  | <u>N/A</u>  |
| <b>CONVERSION/ADDITION TO EXISTING BUILDING</b><br>Describe                             |   |   |   |
| <b>TOTAL # OF UNITS/BEDS</b>  | <u>N/A</u>  | <u>N/A</u>  |   |
| <b>FLOOR AREA</b><br>by dwelling unit or by type (office, retail<br>common rooms, etc.) | <u>APT. 1 - 900 sq. ft.</u><br><u>APT. 2 - 1360 sq. ft.</u> |   |   |
| <b>OTHER FACILITIES</b><br>(playground, underground parking, pool, etc.)                |   |   |   |
| <b># OF LOTS</b> (for subdivision)  |   |   | <u>N/A</u>  |
| <b>SEATING CAPACITY</b><br>(for restaurant, assembly hall, etc.)                        | <u>N/A</u>  |   |   |
| <b># OF STAFF</b>   | <u>N/A</u>  |   |   |
| <b>OPEN STORAGE REQUIRED?</b>   | <u>N/A</u>  |   | <u>N/A</u>  |
| <b>ACCESSORY RESIDENTIAL USE?</b>   | <u>N/A</u>  | If accessory residential use,<br>complete residential section | If accessory residential use,<br>complete residential section |

### 4. Site Information (proposed use(s)):

|                    |       |                                 |       |
|--------------------|-------|---------------------------------|-------|
| Lot Frontage       | _____ | Exterior Side Yard (corner lot) | _____ |
| Lot Depth          | _____ | Landscaped Open Space (%)       | _____ |
| Lot Area           | _____ | No. of Parking Spaces           | _____ |
| Lot Coverage       | _____ | No. of Loading Spaces           | _____ |
| Front Yard         | _____ | Building Height                 | _____ |
| Rear Yard          | _____ | Width of Planting Strip         | _____ |
| Interior Side Yard | _____ | Driveway Width                  | _____ |

**5. Services:** (check appropriate box)

Existing

Proposed

**Water supply**

Publicly owned and operated piped water system

☐☐

Privately owned and operated individual well

☐☐

Other (specify) \_\_\_\_\_

☐☐**Sewage Disposal**

Publicly owned and operated sanitary sewer system

☐☐

Privately owned and operated individual septic tank

☐☐

Other (specify) \_\_\_\_\_

☐☐**Storm Drainage**

Municipal Sewers

☐

Ditches

☐

Municipal Drains

☐

Swales

☐**6. Access:**

Provincial Highway

☐

Unopened Road Allowance

☐

County Road

☐

Right-of-Way owned by \_\_\_\_\_

☐

Municipal Road maintained all year

☒

Other (specify) \_\_\_\_\_

☐

Municipal Road seasonally maintained

☐**7. General Information:**

- a) Is the Subject Land the subject of regulations for flooding or fill and construction permits of the Long Point Region Conservation Authority?

☒ No☐ Yes

If yes, has an Application been filed with the Conservation Authority?

☐ No☐ Yes

- b) Present land use(s) of adjacent properties:

Residential

- c) Characteristics of subject land (check appropriate space(s) and add explanation, if necessary)

- (i) Does the land contain environmental features such as wetlands, woodlots, watercourses, etc.?

☒ No☐ Yes If yes, describe \_\_\_\_\_

- (ii) Has any part of the land been formally used for any purpose other than agricultural purposes?

☐ No☐ Yes

If yes, describe former use: \_\_\_\_\_

**8. Historical Information:**

- a) Is the subject land the subject of a current Application for Consent to the Oxford County Land Division Committee or a current application for draft plan of subdivision to the County of Oxford?

☒ No☐ Yes →

Application No. \_\_\_\_\_

- b) Have the subject land(s) ever been the subject of any other application under the Planning Act, such as an application for approval of an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order amendment, consent, a minor variance, or approval of a plan of subdivision?

☐ No☐ Unknown☐ Yes →

File No. \_\_\_\_\_

Status/Decision \_\_\_\_\_

- c) If known, the date the subject land was acquired by the owner? \_\_\_\_\_

- d) If known, the length of time that the existing uses of the subject land have continued? \_\_\_\_\_



| Authorization of Owner(s) for Applicant/Agent to Make the Application |   |   |
|---|---|---|
| I/We, <u>Amy Nadeau</u>   | am/are the owner(s) of the land that is the subject of this application for zone change and I/We authorize <u>David Miller</u> , to make this application on my/our behalf. |   |
| Date <u>Oct 10/20</u>   | Signature of Owner(s) <u>[Signature]</u>  | Signature of Owner(s) <u>Amy Nadeau</u> |

| THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS  |                                   |  |
|---|-----------------------------------|--|
| I/We <u>DAVE MILLER</u>   | of the <u>Town of Tillsonburg</u> |  |
| of <u>County</u>  | in the <u>Oxford</u>              |  |
| DO SOLEMNLY DECLARE THAT:<br>All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the <u>Canada Evidence Act</u> . |                                   |  |
| DECLARED before me at the <u>Town</u>   |                                   |  |
| of <u>Tillsonburg</u>   | in the <u>County</u>              |  |
| this <u>9th</u> day of <u>September</u>   | 20 <u>20</u>                      |  |
| <u>[Signature]</u>  | Owner(s)/Applicant                |  |
| <u>[Signature]</u>  | Owner(s)/Applicant                |  |
| <p>A Commissioner for Taking Affidavits</p> <p><b>JANET PATRICIA WEAVER,</b><br/>a Commissioner, etc., Province of Ontario,<br/>for the Corporation of the Town of Tillsonburg.</p> <p>Expires: April 22, 2023.</p>   |                                   |  |

**Notes:**

- Applications will not be considered complete until all requested information has been supplied.
- It is required that **one original** of this application (including the sketch/site plan) be filed, accompanied by the applicable fee of **\$1,250.00** in cash or cheque, payable to the **Treasurer, Town of Tillsonburg**. A fee of \$2,500.00 will be charged if an application is required 'after the fact' (after the use has occupied the site).

**Municipal Freedom of Information and Protection of Privacy Act – Notice of Collection & Disclosure**

The collection of personal information on this form is legally authorized under Sec.34 of the *Planning Act* and O.Reg.545/06 for the purpose of processing your planning application. Questions about this collection should be directed to the Director of Community Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).

Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec.32(e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.



**THE CORPORATION OF THE TOWN OF TILLSONBURG**

**BY-LAW 2020-107**

**A BY-LAW to confirm the proceedings of Council at its meeting held on the 16th day of November, 2020.**

**WHEREAS** Section 5 (1) of the *Municipal Act, 2001, as amended*, provides that the powers of a municipal corporation shall be exercised by its council;

**AND WHEREAS** Section 5 (3) of the *Municipal Act, 2001, as amended*, provides that municipal powers shall be exercised by by-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Town of Tillsonburg at this meeting be confirmed and adopted by by-law;

**BE IT THEREFORE ENACTED** by the Council of the Corporation of the Town of Tillsonburg as follows:

1. All actions of the Council of The Corporation of the Town of Tillsonburg at its meeting held on November 16, 2020, with respect to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this or a separate by-law.
2. The Mayor and Clerk are authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tillsonburg referred to in the preceding section.
3. The Mayor and the Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the Town of Tillsonburg.
4. This by-law shall come into full force and effect on the day of passing.

**READ A FIRST AND SECOND TIME THIS 16th DAY OF NOVEMBER, 2020.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 16th DAY OF NOVEMBER, 2020.**

---

MAYOR – Stephen Molnar

---

TOWN CLERK – Michelle Smibert