

The Corporation of the Town of Tillsonburg

Council Planning Meeting

MINUTES



Monday, May 17, 2021
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, Director of Corporate Services/Clerk
Eric Gilbert, Senior Planner
Amelia Jaggard, Deputy Clerk

Regrets: Carlos Reyes, Director of Operations and Development

1. **Call to Order**

The meeting was called to order at 4:30 p.m.

2. **Adoption of Agenda**

Resolution # 2021-236

Moved By: Councillor Esseltine

Seconded By: Councillor Luciani

THAT the Agenda as prepared for the Council Planning meeting of May 17, 2021, be approved.

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

Resolution # 2021-237

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT the minutes of the Council Planning meeting held on April 19, 2021, be approved.

Carried

5. Public Meetings

Resolution # 2021-238

Moved By: Councillor Parker

Seconded By: Councillor Luciani

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

Carried

**5.1 Application for Minor Variance Supplementary Report A05-21
(Wrenmark Limited)**

Eric Gilbert, Senior Planner, Oxford County, appeared before Council to provide an overview of the application. This application was deferred from the April 19, 2021 Council Planning meeting. Public notice was recirculated. Staff recommend approval of the application.

Opportunity was provided for comments and questions from Council.

It was asked what the purpose is of the 12.5 meter distance requirement between multiple unit dwellings on one lot. Staff noted this was included when the policy was approved in 2008. This relief has been granted as recently as January 2021. Staff suggested this is a requirement that the Town could consider removing in a future housekeeping update.

Staff confirmed that if this application is not approved the owner can build a different design with eight units.

The agents, Pablo Willis and Matt May, were in attendance to provide support for the application.

Mr. Willis indicated the agents offered to meet with individuals who wished to discuss their concerns. Mr. Willis noted that the land is private property and that there has been illegal parking happening. If the application is not approved the owner intends to build eight unit townhouses; this design will require more trees to be removed and will leave less greenspace. This design will also result in higher rental costs compared to the ten unit design included in this application. Mr. Willis shared the site plans for the proposed design and the alternate design should the application not be approved.

Mr. Willis confirmed the proposed ten unit design includes two bedroom units that are approximately 998 square feet. The amount of parking is the same for both the eight unit design and the ten unit design.

No members of the public appeared before Council in support of the application.

Kristopher Witta, 21 Wren Court, Tillsonburg, appeared before Council in opposition to the application. Mr. Witta indicated the owner did send a letter to himself and others offering an opportunity to present any feedback to the owners regarding the development. Mr. Witta indicated himself and other residents of Wren Court, are opposed to a building being built and noted concerns regarding loss of greenspace, road safety and emergency vehicle access. Mr. Witta's wife Marcia, appeared before Council in opposition to the application.

Deputy Mayor Beres joined the meeting at 5:17 p.m.

Maggie Westlake, 15 Wren Court, Tillsonburg, appeared before Council in opposition to the application. Ms. Westlake noted her concerns regarding road safety and potential loss of greenspace.

Doug Shwaluk, 11 Wren Court, Tillsonburg, appeared before Council in opposition to the application. Mr. Shwaluk noted his concerns regarding emergency vehicle access and road safety.

No other members of the public appeared in opposition to the application.

Staff confirmed the Rolling Meadows development met the 5% parkland dedication requirement.

Staff confirmed the subject lands were severed in 1970 when the other lots within the Rolling Meadows development were created. Staff shared the site plan for the Rolling Meadows development.

Staff to confirm if there are plans for sidewalks at Wren Court.

Resolution # 2021-239

Moved By: Councillor Luciani

Seconded By: Councillor Esseltine

THAT the Committee of Adjustment approve Application File A05/21 submitted by Wrenmark Limited, for lands described as Lot 135, Plan M-16, Town of Tillsonburg, as it relates to:

1. Relief from Section 9.2 - RM Zone Provisions – Exterior Side Yard, to reduce the minimum required exterior side yard width from 7.5 m (24.6 ft) to 6.42 m (21 ft);
2. Relief from Section 5.24.3 - Table 5.24.3 - Location and Setback Requirements for Parking Areas, to permit parking in the front yard and exterior side yard, in lieu of the rear yard or interior side yard, to facilitate the construction of two 2-storey multiple unit dwellings;
3. Relief from Section 9.2.1- Distance Between Multiple Unit Dwellings on One Lot, to reduce the minimum distance between the exterior walls of two multiple unit dwellings from 12.5 m (41 ft) to 3.6 m (11.8 ft).

Councillor Rosehart called for a recorded vote.

Councillor Rosehart - No

Deputy Mayor Beres - No

Councillor Esseltine - No

Councillor Gilvesy - No

Councillor Luciani - No

Mayor Molnar - No

Councillor Parker - No

Defeated.

5.2 Application for Minor Variance A09-21 (2385667 Ontario Limited)

Eric Gilbert, Senior Planner, Oxford County, appeared before Council to provide an overview of the application. Staff recommend approval of the application.

Opportunity was provided for comments and questions from Council.

Staff noted the requested relief only applies to northeast corner of lot.

Staff confirmed the Town's Zoning By-Law requires two parking spaces per dwelling and sets the depth requirement.

Negar Javaherian, agent, was in attendance to provide support for the application.

No members of the public appeared before Council either in support of or opposition to the application.

Resolution # 2021-240

Moved By: Councillor Parker

Seconded By: Councillor Gilvesy

THAT the Committee of Adjustment approve Application File A09-21, submitted by 2385667 Ontario Limited, for lands described as Lot 42, Draft Plan SB 18-02-7, Town of Tillsonburg, as it relates to:

1. Relief of Section 7.2, R2 Zone Provisions – Front Yard, Minimum Depth, to decrease the minimum required front yard depth from 6.0 m (19.7 ft) to 4.39 m (14.4 ft), to facilitate the construction of a single detached dwelling.

Subject to the following conditions:

- a) The applicant shall obtain a building permit for the proposed single detached dwelling within one year of the date of the Committee's Decision.
- b) That the proposed relief shall only apply upon registration of Draft Plan of Subdivision SB 18-02-7.

Carried

5.3 Application for Minor Variance A10-21 (E & E McLaughlin Limited)

Eric Gilbert, Senior Planner, Oxford County, appeared before Council to provide an overview of the application. Staff recommend approval of the application.

Opportunity was provided for comments and questions from Council.

The applicant was not in attendance.

No members of the public appeared before Council either in support of or opposition to the application.

Resolution # 2021-241

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT the Committee of Adjustment approve Application File A10-21, submitted by E & E McLaughlin Limited, for lands described as Lot 2, Plan 41M-205, Town of Tillsonburg, as it relates to:

1. Relief from Table 7.2 – R2 Zone Provisions, to reduce the minimum required lot depth from 30 m (98.4 ft) to 26.5 m (86.9 ft), to facilitate the construction of a future single detached dwelling.

Subject to the applicant obtaining a building permit for the proposed single detached dwelling within one year of the date of the Committee's Decision.

Carried

5.4 Application for Minor Variance A11-21 (Dalm Construction Limited)

Eric Gilbert, Senior Planner, Oxford County, appeared before Council to provide an overview of the application. Staff recommend approval of the application.

Opportunity was provided for comments and questions from Council.

Hayden Diamond, Dalm Construction Limited, was in attendance to provide support for the application.

No members of the public appeared before Council either in support of or opposition to the application.

Resolution # 2021-242

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Committee of Adjustment approve Application File A11-21, submitted by Dalm Construction Limited, for lands described as Lot 1, Plan 41M-218, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 - R1 Zone Provisions, to increase the maximum permitted lot coverage from 35% to 38%, to facilitate the construction of a single detached dwelling on the subject lands.

Subject to the applicants obtaining a building permit for the proposed single detached dwelling within one year of the date of the Committee's Decision.

Carried

Resolution # 2021-243

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 6:18 p.m.

Carried

6. Planning Reports

6.1 Application for Consent and Minor Variance B21-07-7; A21-02-7 (Andrew Leliveld and Meagan Nicolson)

Eric Gilbert, Senior Planner, Oxford County, appeared before Council to provide an overview of the application.

Opportunity was provided for comments and questions from Council.

Resolution # 2021-244

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council advise the Oxford County Land Division Committee that the Town supports Minor Variance Application A21-02-7 submitted by Andrew Leliveld and Meagan Nicolson for lands described as Lot 9, Plan 500, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 7.2, Table 7.2 – R2 Zone Provisions, to reduce the minimum lot depth from 30 m (98.4 ft) to 22.8 m (74.8 ft) for the lots to be severed and retained;
2. Relief from Section 7.2, Table 7.2 – R2 Zone Provisions, to reduce the minimum required rear yard depth from 7.5 m (24.6 ft) to 5.0 m (16.4 ft) for the lot to be retained;

AND FURTHER THAT Council advise the Oxford County Land Division Committee that the Town supports the proposal to sever the subject property, subject to the conditions contained in Oxford County Staff Report CP 2021-141.

Carried

7. New Business

8. Motions/Notice of Motions

9. By-Laws

10. Confirm Proceedings By-law

Resolution # 2021-245

Moved By: Councillor Parker

Seconded By: Councillor Luciani

THAT By-Law 2021-056, to Confirm the Proceedings of the Council Planning meeting held on May 17, 2021, 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

11. Adjournment

Resolution # 2021-246

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT the Council Planning meeting of May 17, 2021 be adjourned at 6:23 p.m.

Carried