

To: Mayor and Members of Tillsonburg Council

From: Eric Gilbert, Senior Planner, Community Planning

Application for Zone Change

ZN 7-21-13 – Town of Tillsonburg Non-Profit Housing Corporation

REPORT HIGHLIGHTS

- The application for Zone Change proposes to rezone the subject property 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 18 apartment dwelling units, through the re-use of the existing vacant building and a proposed addition.
- 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 provision of affordable housing within the Town of Tillsonburg.

DISCUSSION

Background

OWNER/ APPLICANT

Town of Tillsonburg Non-Profit Housing Corporation
P.O. Box 203, Tillsonburg ON N4G 4H5

LOCATION:

The subject property is described as Lots 688, 690, Part Lots 687, 689, & 715, Plan 500, in the Town of Tillsonburg. The lands are located on the west side of Victoria Street, between Ann Street and Concession Street West, and are municipally known as 31 Victoria Street.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Residential & Environmental Protection
Schedule "T-2"	Town of Tillsonburg Residential Density Plan	Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

Existing Zoning: Minor Institutional Zone (IN1), within the LPRCA Regulation Limit

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

PROPOSAL:

The application for Zone Change proposes to rezone the subject lands to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the development of a multiple unit dwelling consisting of 18 dwelling units through the re-use of the existing vacant building and a proposed 1,115 m² (12,000 ft²) addition to the existing building.

The subject property has a lot area of 6,339 m² (1.6 ac) and contains an existing building with an approximate area of 475 m² (5,113 ft²) that was formerly used as a place of worship. The area west of the building consists of ravine lands and is wooded, and the remaining area of the site is a paved parking area with landscaped planting strips and fencing along the boundary of adjacent properties.

In response to a call for proposals for affordable housing projects, Town of Tillsonburg Non-Profit Housing proposes to re-use the existing building and construct an addition to create 18 dwelling units, predominantly geared for seniors. A January 2021 Canadian Mortgage and Housing Corporation (CMHC) report estimated the average monthly market rent in Tillsonburg to be \$678 for a bachelor apartment, \$846 for an one bedroom apartment, and \$992 for a two bedroom apartment.

Surrounding land uses include low density residential uses to the north, south and east, with ravine lands and institutional uses (Glendale High School) to the west.

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

Plate 2, 2020 Aerial Map, provides an aerial view of the subject property.

Plate 3, Applicant's 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;
- Permitting and facilitating all types of residential intensification, including additional residential units and redevelopment, in accordance with policy 1.3.3.3;
- 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. The existing ravine area that is proposed to remain undeveloped is designated Environmental Protection in the Official Plan.

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.

Policies contained within Section 8.2.2.5 – Residential Intensification and Redevelopment, promote residential intensification in appropriate locations to make more efficient use of existing land, infrastructure, and public services. Residential intensification is permitted in appropriate locations within the Residential and Central Areas of the Town, subject to complying with the policies of the associated land use designations pertaining to the density, form and scale of residential development being proposed.

Low density residential districts are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms including both executive and smaller single-detached dwellings, semi-detached, duplex and converted dwellings, townhouses and other, similar development. Within these areas, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

Residential net density for lands designated Low Density Residential is between 15-30 units per hectare (6-12 units per acre) and no building shall exceed three storeys in height at street elevation. To achieve this target, a variety of lot sizes and configurations will be supported, as well as the development of low rise, multiple units and Council may consider narrower road widths and private roads within multiple unit condominium developments. The density proposed for this development is 26 units per hectare (10.1 units per acre), which is within the parameters as set out in the Low Density Residential designation.

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

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 'Minor Institutional Zone (IN1)', according to the Town of Tillsonburg Zoning By-law. The IN1 zone permits a place of worship and accessory uses thereto.

The applicant is proposing to rezone the subject property to 'Special Low Density Type 3 Zone (R3-sp)' to facilitate the development of a single storey multiple unit dwelling, consisting of 18 apartment units.

A multiple unit dwelling is defined as a dwelling consisting of three or more dwelling units, which are horizontally and/or vertically attached, which may be entered from an independent entrance directly from the outside or from an internal common space or an access balcony and in which 50% or more of dwelling units have direct access to grade or a roof terrace. A multiple unit dwelling includes a triplex, a fourplex, a sixplex and a townhouse, but shall not include a street fronting townhouse or apartment dwelling. The proposed building is not considered an apartment dwelling, as the proposed building is only one storey in height.

The proposal requires relief of Section 8.2 to permit 18 units within the multiple unit dwelling rather than the maximum 4 units that are permitted.

The purpose of the maximum number of dwellings per building provision of the Zoning By-Law is to ensure that the density of the development is appropriate, and there is sufficient space for parking, amenity areas, access, and a suitable building envelope to ensure the development will function appropriately.

Section 5.24.2.1 of the Zoning By-Law requires 1.5 parking spaces per dwelling unit, or 27 parking spaces for the 18 proposed apartment dwellings, including 2 accessible parking spaces. 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. The applicant's proposal appears to satisfy the parking requirements of the By-law.

AGENCY COMMENTS:

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

Town of Tillsonburg Building Services indicated that as the proposed layout of the addition has not been provided, zoning compliance cannot be determined. Future relief may be required if the addition does not comply with the zoning provisions. The project will be subject to site plan control.

Oxford County Public Works Department indicated that they had no comments on the zoning by-law amendment. As part of the future site plan submission, the applicant should note the following:

- The existing servicing laterals may be undersized for the proposed development and should be reviewed.
- The applicant should prepare a Functional Servicing Report which outlines the development's proposed water (average day, maximum day, fire flows) and wastewater generation (avg day, peak hour) including rationale.
- A private hydrant may be required due to the location of existing hydrants and the setback of the building. Applicant is required to review this.

Town of Tillsonburg Engineering Services Department indicated that matters such as lot grading, servicing, drainage, and stormwater management will be addressed at the site plan stage.

Town of Tillsonburg Fire and Rescue Services and Director of Recreation, Culture and Parks indicated they have no comments or concerns.

Town Development Commissioner provided the following comments:

The addition of 18 residential units of Affordable Housing will help address the current shortage of this type of housing in the community. While the proposed use is for a higher density than the surrounding uses, there are a number of reasons that are supportive of this rezoning. These include the location of the property just north of a major arterial (Concession St), the proximity to the downtown, Lake Lisgar, community/seniors' centre, all of which are within walking distance of this location, the natural ravine to the rear and sides of the property, which acts as a natural buffer, and the institutional use to the rear.

Other considerations include the lack of supply of virtually any type of residential parcels in the Town of Tillsonburg. Considering other type uses that could potentially try to re-use this property, the proposed re-use for an Affordable Housing, seniors complex, seems desirable.

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 September 16, 2021 & October 6, 2021, respectively.

One letter of concern from an adjacent property owner was received, expressing concerns with the irregular property boundaries of the subject property. The letter is included as an attachment to this report for Council's consideration.

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 development of a multiple unit dwelling, consisting of 18 dwelling units.

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. Additionally, staff are of the opinion that this proposal will assist in providing a mix of housing types and tenures for current and future residents of the Town.

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 Official Plan recognizes the importance of increasing the supply of affordable housing within Tillsonburg and directs that the Town may consider the use of reduced municipal infrastructure requirements and lot standards on a site-specific basis to facilitate the delivery of affordable housing provided that the use of such measure continues to meet the overall objectives of the Plan.

The subject lands comprise approximately 6,339 m² (1.6 ac) and the applicant's proposal is to develop 18 residential units on the site by converting the existing building on the subject lands and the construction of an addition to the existing building. As such, the proposal constitutes a net residential density of 26 units per hectare (10.1 units per acre) which is within the maximum permitted density of the Low Density Residential designation of 30 units/ha (12 units/ac).

The proposed conversion of the existing building formerly used as a place of worship 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, is located very close to an arterial road (Concession St. W), and will make use of the existing entrance and parking areas of the former place of worship.

The Town Engineering Services Department did not require a traffic analysis or study as the overall impact of the 18 residential dwelling units on surrounding transportation network is not anticipated to exceed that experienced as a result of the peak parking demand of the former institutional use of the lands. Negative impacts on Victoria Street are expected to be minimal from the anticipated parking demand of the proposed development as the expected tenants do not have more than one vehicle and the property is in close proximity to Concession Street West, an arterial road.

No further development of the site is expected that would impact lot grading, drainage, parking areas or stormwater management. The entire site is within the Long Point Region Conservation Authority's Regulation limit, but the proposed redevelopment will only occur on the existing parking area; no impact or encroachment into the western limit or ravine area is proposed. The current appearance of the site is not expected to significantly change as a result of the residential conversion of the former institutional building and the proposed one storey addition. The development will also be subject to site plan approval, where matters such as servicing, parking, access, lot grading and drainage are required to be addressed to the satisfaction of the Town and County.

The provisions of the R3 zone permit one multiple unit dwelling consisting of 4 dwelling units, Planning staff are of the opinion that relief of this provision to permit 18 units is appropriate in this instance due to the size and shape of the subject lands. The proposed development will remain one storey in height and will remain compatible with surrounding residential development due to the location of the existing building and the fencing and landscaping that is present along adjacent property lines to the north, south, and east. The site is large enough to accommodate all required parking, and will remain within the permitted density parameters as set out in the Low Density Residential Designation.

In light of the foregoing, this Office is satisfied that the applicant's proposal to rezone the subject lands to facilitate the development of a multiple unit dwelling containing 18 units is consistent with the PPS and maintains the general intent and purpose of the Official Plan.

RECOMMENDATION

It is recommended that the Council of the Town of Tillsonburg approve the zone change application submitted by Town of Tillsonburg Non-Profit Housing Corporation, whereby the lands described as Lots 688, 690, Part Lots 687, 689, & 715, Plan 500, known municipally as 31 Victoria Street are to be rezoned from 'Minor Institutional Zone (IN1)' to 'Special Low Density Residential Type 3 Zone (R3-sp)' to facilitate the development of an affordable housing project consisting of 18 dwelling units.

SIGNATURES

Authored by:

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Approved for submission:

Gordon K. Hough, RPP
Director