

8.0

Town of Tillsonburg Land Use Policies

**8.2 Housing Development and Residential Areas**

**8.2.1 Strategic Approach**

In keeping with the Mission Statement and Goals as set out in the Municipal Planning Strategy, and to provide present and future residents of Tillsonburg with a choice of adequate and affordable housing which meets their needs, it is the strategic aim of Town Council to:

ACCOMMODATE  
HOUSING  
DEMANDS

Accommodate 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.

FACILITATE  
CHOICE

Facilitate 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.

COMPATIBLE  
DEVELOPMENT

Ensure that new housing is of a human scale and is sensitive to and improves the existing physical character of the area, using the criteria established in the Official Plan to guide new *development*.

INCREASE SUPPLY  
OF AFFORDABLE  
HOUSING

Increase 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

COOPERATIVE  
EFFORTS

Promote and facilitate 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.

CONSERVATION  
AND RENEWAL

Encourage the renewal and conservation of existing housing stock by promoting the maintenance and rehabilitation of existing housing stock and by controlling demolition or conversion to non-residential uses.

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### SPECIAL NEEDS

Facilitate a choice of special needs housing by encouraging and permitting the integration of such housing for people with special needs in all residential areas.

### ACCESSIBILITY

Ensure that housing and residential *development* is designed in such a way that convenient and safe access can be attained via a variety of modes. Emphasis will be placed on increasing opportunities for non-auto transportation including pedestrians and cycles. Barriers to accessibility for those persons with disabilities or special needs are to be removed and ease of access facilitated.

### EFFICIENT LAND USE PATTERNS

Promote the concepts of compact urban form and *intensification* as means of maximizing the use of existing services, promoting energy efficiency and protecting agricultural lands and natural areas. This plan sets out minimum density requirements for residential *development* and establishes minimum *residential intensification* targets which are to be considered prior to approving new residential *development* within *designated growth areas*.

### **8.2.2 Housing Development**

#### **8.2.2.1 Affordability**

### OBJECTIVES

#### AFFORDABLE HOUSING

To ensure that adequate *affordable housing* for low and moderate income households and those with special needs is available in the Town.

#### ADEQUATE DISTRIBUTION

To ensure the adequate distribution of *affordable housing* throughout the Town.

### POLICIES

#### AFFORDABLE HOUSING DEVELOPMENT

Opportunities for the development of housing types to meet the needs of low and moderate income households will be provided by:

#### AFFORDABLE HOUSING

- facilitating the creation of new dwelling units through *development* and particularly through *residential intensification*;
- designating sufficient lands on a Town-wide basis for multiple unit accommodation to meet projected housing needs;
- establishing a minimum target of 20 percent as the proportion of all housing within the County which is to be *affordable housing*;

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- monitoring benchmarks for affordability and achievement of the affordability target on an annual basis and at the time of a 5 year review of this Plan.

In addition to these objectives of the Plan, Town Council:

- may secure options to purchase land and/or dwelling units; and
- may establish joint ventures between the Town or other housing agencies

for the *development of affordable housing* units.

### RESIDENTIAL INTENSIFICATION

Shall ensure that opportunities exist to increase the variety and affordability of dwelling types in the built-up portion of the Town by permitting appropriate forms of *residential intensification*

### 10 YEAR SUPPLY OF SERVICED LAND

In keeping with the Provincial Policy Statement on housing the Town will, within its legislative powers maintain the ability to accommodate residential growth for a minimum of 10-years through *residential intensification* and urban growth lands designated for residential development and will establish a long term servicing plan for the provision of services for all vacant residential lands.

### HOLDING PROVISION

May utilize the holding (H) symbol provisions of the Planning Act to secure commitments to the construction, distribution, and timely delivery of *affordable housing*, as set out in Chapter 10, Implementation Measures.

### REDUCED STANDARDS

May consider the use of reduced municipal *infrastructure* requirements and lot standards on a site or area specific basis, to facilitate the delivery of *affordable housing* while still meeting the overall objectives of the Plan.

### 3 YEAR SUPPLY

In keeping with the Provincial Policy Statement, the Town will, within its legislative powers, endeavour to maintain land with servicing capacity sufficient to provide at least a 3-year supply of residential units through *intensification* and/or in registered and draft approved plans of subdivision.

### DISTRIBUTION OF SOCIAL HOUSING

Town Council shall encourage the provision of a distribution of social housing integrated throughout the Town, and where feasible, may assist social housing providers to locate or acquire new social housing sites.

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### ASSISTANCE TO OTHER GROUPS

Town Council shall, where feasible, provide assistance to interest groups, special needs groups, volunteer sector groups, the public and the private sector to provide *affordable housing*. Such assistance may include technical assistance, programme information, partnership arrangements, leasing of land and other measures that are appropriate.

### ACQUISITION

Town Council may continue to acquire property for the purpose of developing *affordable housing*.

### DENSITY BONUS

Town Council, under the increased density provisions of the Planning Act may provide increases in height and/or density of *development* in return for *affordable housing* as set out in Chapter 10, Implementation Measures.

### TOWN LAND DISPOSAL

Town Council, in the disposition of Town lands suitable for residential *development*, may give first priority to proponents for social or *affordable housing*.

#### 8.2.2.2 Tenure Mix

### OBJECTIVES

#### TENURE

To promote a range of tenure forms throughout the Town consistent with the demand.

#### SUPPLY

To maintain an appropriate supply of *affordable* rental and ownership housing in the Town of Tillsonburg while recognizing that this housing needs to be suitably maintained and adequate for habitation.

### POLICIES

#### NEIGHBOURHOOD MIX

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.

#### RENTAL HOUSING CONVERSION

Rental housing conversion refers to any change in the tenure status of an existing residential building from rental to ownership in accordance with the Tenant Protection Act. Existing rental residential buildings include buildings that are either totally occupied, partially occupied, or unoccupied and approved as rental buildings.

#### CONVERSION POLICIES

When reviewing a proposal for permission to convert a rental residential building to ownership tenure, Town Council will be guided by the following criteria before approving such applications:

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### VACANCY RATE

The vacancy rate for similar unit types which are available at a similar level of rent, as determined by the Canada Mortgage and Housing Corporation (CMHC) or by a supplementary vacancy rate survey conducted by the County of Oxford Community and Strategic Planning Office, is 3% or greater. The vacancy rate will be defined as the average of the latest two vacancy surveys conducted in the Town by either CMHC and/or the County of Oxford Community and Strategic Planning Office.

### AFFORDABILITY

Whether the proposal will add to the *affordable housing* stock and the proportion of similarly priced ownership housing in the housing market. The affordability of ownership housing will be determined by using local income data, a 10% down payment, the current mortgage interest rate, and a 30% gross annual household income allocation for housing.

### IMPACT ON TENANTS

The impact of the conversion on tenants and the potential for displacement and the measures proposed to minimize hardship for existing tenants.

### SITE PLAN CONTROL

That the proposal complies with all residential *development* standards, the property maintenance and occupancy standards by-law and design standards. In this regard proposals to convert rental residential buildings to ownership tenure may be subject to site plan control to ensure that consistent standards are established for both new *development* and conversion throughout the Town.

### BUILDING AND FIRE CODES

That the proposal complies with the Ontario Building and Fire Codes or is proposed to be upgraded in accordance with such standards or requirements. The Town may require a building condition report to be submitted by a qualified professional engineer for this purpose.

### CONVERSION PERMITTED

Notwithstanding the above, the Town Council may approve an application to convert rental housing to ownership tenure where it can be demonstrated that:

### ESSENTIAL RETROFITTING

Essential retrofitting is immediately required to provide safe, healthful and affordable housing and where it is demonstrated to the satisfaction of the Town Council that income received from rent, including rent increases permitted under Provincial legislation, is not capable of supporting the work required. The Town Council may require applicants to submit certified financial statements in this regard.

### HERITAGE BUILDING

The building proposed for conversion is designated as a heritage property under the provisions of the Ontario Heritage Act.

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### 8.2.2.3 Conservation and Renewal

OBJECTIVES	To ensure that the existing housing stock is maintained in a condition which ensures its usefulness in meeting future housing needs.
ENSURE MAINTENANCE	
CONTROL DEMOLITION/ CONVERSION	To ensure that the existing supply of housing is not eroded through unnecessary demolition or conversion to non-residential uses, except as permitted by Section 8.2.3.3.
POLICIES	
MAINTENANCE AND REHABILITATION	Town Council shall ensure the maintenance and rehabilitation of the existing housing stock through enforcement of the property maintenance and occupancy standards by-law. This shall not preclude the demolition of existing housing which has deteriorated to the point where it represents a safety or fire hazard.
ROLE OF PROPERTY STANDARDS	Town Council shall monitor the regulations of the property maintenance and occupancy standards by-law to ensure its effectiveness.
REHABILITATION PROGRAMMES	Town Council may administer residential rehabilitation programmes offered by senior levels of government.
HOUSING STOCK PROTECTION	Town Council, when reviewing and approving <i>development</i> applications and permits, requiring the demolition of existing housing, will review the adequacy of the supply of replacement units available or proposed to be available to offset the loss of housing units through conversion or demolition.

OMB Referral No. 8

### 8.2.2.4 Special Needs Housing

OBJECTIVE	To facilitate the integration of special needs housing facilities for people with unique housing needs in appropriate locations throughout the Town.
FACILITATE SPECIAL NEEDS HOUSING	
POLICIES	
SPECIAL NEEDS HOUSING IN RESIDENTIAL AREAS	Town Council shall encourage the provision of and permit housing for people with special needs to be located in all areas where residential uses are permitted.
SIZE AND LOCATION	The location of various sizes of special needs housing will be determined by residential densities in the Town, with the intention of permitting smaller sized facilities in areas of Low Residential Density and directing larger sized facilities to areas of Medium and High Residential Density and appropriate Employment and/or Community Facilities Areas.

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### GROUP HOMES, HOSTELS, TEMPORARY SHELTERS AND EMERGENCY SHELTERS

Town Council shall implement through the Zoning By-law regulations permitting group homes, hostels, temporary shelters, emergency shelters and other similar forms of special needs housing in specific Low and Medium Density Residential and Central Commercial zones as of right.

### REVIEW CRITERIA

When reviewing any proposal to rezone lands for the purpose of establishing, through new construction or conversion of existing structures, a group home, hostel, temporary shelter, emergency shelter or other similar form of special needs housing, Town Council shall be satisfied:

#### TRAFFIC

That traffic generated from the facility can be adequately accommodated by the road network and will not have a significant impact on adjacent residential areas.

#### DESIGN

The facility shall be of a design which maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding neighbourhood.

#### ZONING CONFORMITY

The land, buildings or structures for the proposed facility shall conform to the provisions of the Zoning By-law. Parking requirements will be established on the basis of floor area and shall ensure that the on-site parking supply meets the needs of residents, support staff and visitors.

### ROOMING, BOARDING AND LODGING HOUSES

Town Council shall implement through the Zoning By-law regulations permitting rooming, boarding and lodging houses within the Central Area and in specific residential zones adjacent to the Central Area as of right:

- specifically rooming, boarding and lodging houses with an occupant load of between 4 to 8 persons shall be permitted in all Residential Areas but only in zones permitting multiple dwellings;
- rooming, boarding and lodging houses with an occupant load of more than 8 persons shall be permitted in Medium and High Density Residential areas;
- rooming, boarding and lodging houses may be subject to site plan control.

End Referral No. 8

### 8.2.2.5 Residential Intensification and Redevelopment

### OBJECTIVE

#### PROMOTE RESIDENTIAL INTENSIFICATION

To promote *residential intensification* in appropriate locations to make more efficient use of existing land, *infrastructure* and *public services*.

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### POLICIES

#### WHERE PERMITTED

*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.

#### SIZE AND LOCATION

It is not intended that *residential intensification* will occur uniformly throughout the Town. The location, form and intensity of *residential intensification* will be determined by the policies of the various land use designations, with the intention of permitting smaller scale developments, such as individual infill lots in areas designated as Low Density Residential and directing larger scale projects to areas designated as Medium and High Density Residential and the Central Area.

#### INTENSIFICATION AND REDEVELOPMENT TARGET

A minimum target of 15 percent shall be established as the proportion of all new residential dwelling units to be developed through *residential intensification* within built-up areas of the Town.

#### APPLICATION OF INTENSIFICATION TARGET

Prior to, or concurrent with, the approval of new residential *development* in *designated growth areas*, County and/or Area Council shall be satisfied that the minimum *residential intensification* target has been achieved and that approval of such *development* will not negatively affect the ability of the Town to achieve such target in the future.

#### MONITORING

The minimum *residential intensification* target is to be monitored by the County on an annual basis, with progress toward the target evaluated as part of each 5 year review of this plan.

#### REDUCED STANDARDS

*Residential intensification* and compact urban form shall be facilitated through appropriate zoning standards and Town Council may consider the use of reduced municipal *infrastructure* requirements and lot standards on a site or area specific basis, provided that such standards are still in keeping with the overall objectives of the Plan.



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### **8.2.3 Residential Areas**

**DESCRIPTION** Residential Areas are those lands primarily designated for housing purposes which may also include other land uses which are integral to and supportive of a residential environment. Within the Residential Area housing will include the full range of dwelling types from detached homes to apartment dwellings including special needs housing. In order to provide opportunities for the *development* of a broad range of dwelling types, to facilitate the efficient use of residentially designated land and to provide for compatibility between housing of different residential densities, three categories of residential land use are identified. Areas designated for Low Density Residential, Medium Density Residential and High Density Residential on Schedule T-2 are differentiated according to function, permitted uses, location criteria, density and scale of *development*.

#### **8.2.3.1 Objectives for All Residential Designations**

**LAND SUPPLY** Provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period, through *residential intensification* and, if necessary, *designated growth areas*.

**VARIETY AND MIX** Support the provision of a choice of dwelling types according to location, size, cost, tenure, design, and accessibility and designate lands for a range of densities and structural types throughout the Town to satisfy a broad range of housing requirements.

**SPECIAL NEEDS** Support the *development* of residential facilities that meet the housing needs of persons requiring special care.

**ORDERLY DEVELOPMENT** Ensure orderly residential *development* throughout the Town by:

- directing the expansion of residential *development* into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints and in a form which can be integrated with established land use patterns;
- ensuring that approvals for residential *development* are consistent with servicing capabilities and providing for the efficient allocation of municipal services to ensure that the expansion of services does not occur prematurely.

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### EFFICIENT USE

Facilitate the efficient use of the existing housing stock, underutilized residential parcels and vacant land designated residential to accommodate the future demand for housing and to reduce energy consumption, efficiently utilize municipal services and maximize public open space opportunities.

### COMPATIBILITY

Ensure that the built form, massing and profile of new housing is well integrated and compatible with existing housing and that a compatible transition between lands of different residential densities and between residential and non-residential land uses is achieved.

### HERITAGE

Support the maintenance and preservation of buildings considered by Town Council to be architecturally and/or historically significant to the community.

### NEIGHBOURHOOD SERVING USES AND AMENITIES

Facilitate the provision of conveniently and appropriately located neighbourhood serving uses and supportive amenities which enhance the quality of the residential environment in Residential Areas.

### INTENSIFICATION AND REDEVELOPMENT

Support *residential intensification* in appropriate locations taking into consideration *public services* and *infrastructure* and environmental features and development constraints and ensure the *residential intensification* target of Section 8.2.2.5, is achieved prior to, or concurrent with, the approval of new residential *development* in *designated growth areas*.

### 8.2.3.2 Residential Development Policies

#### RESIDENTIAL DEVELOPMENT PLAN

To assist in achieving the land use objectives for Residential Area designations as identified in Section 8.2.3.1, Residential Areas of Low, Medium and High Density and Mobile Home Park are identified on the Residential Density Plan, Schedule T-2.

#### AREA OF EXISTING RESIDENTIAL DEVELOPMENT

Within existing built-up areas of residential *development*, it is anticipated that further residential *development* will largely occur through *residential intensification* consistent with the policies of the Low, Medium and High Density Residential areas as applicable and in conformity with Schedule T-2. Neighbourhood Serving and Non-Residential Uses will be established in accordance with the policies of Sections 8.2.3.3 and 8.2.3.4.

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### MOBILE HOME PARK

For the purposes of this Plan, mobile homes are considered to be transportable factory-built, single family dwelling units, suitable for occupancy. The lands designated as Mobile Home Park on Schedule T-2 shall be used for mobile homes and amenity areas such as parks and playgrounds. Redevelopment of this site shall be for low density residential *development*, consistent with the policies in Section 8.2.4. It is intended that further *development* or expansion of mobile home parks in the Town of Tillsonburg shall require an amendment to this Plan.

### AREAS OF NEW RESIDENTIAL DEVELOPMENT

Within new residential areas, *development* is to be in keeping with the following policies for Low, Medium and High Density Residential *development* as well as the policies as outlined in Sections 8.6 and 8.2.7.

### 8.2.3.3 Neighbourhood Serving Uses in Residential Areas

#### DESCRIPTION

Town Council will support the provision of services and amenities that enhance the quality of the residential environment within lands designated as Residential Area on Schedule T-1 by permitting neighbourhood serving uses to be established. Neighbourhood serving uses include land uses such as schools, churches, libraries, parks, community centres, day care facilities, convenience shopping facilities and community support services which primarily serve a local residential neighbourhood by providing everyday goods and services or fulfilling cultural and social needs.

#### EVALUATION CRITERIA

In addition to the specific policies as outlined in Sections 8.3, 8.5 and 8.6, the following factors will be used to evaluate the acceptability of *development* proposals for neighbourhood serving uses:

- demonstration that such uses will contribute in a positive way to providing a sense of community by facilitating interaction among residents, by increasing the personal security of residents and by supplying everyday needs;
- such uses will generally be clustered in association with other community-oriented land uses, such as open spaces, pedestrian linkages, or leisure facilities in order to provide a focal point for the area or will be located such that they serve as intervening land uses between residential and non-residential *development*;
- the presence or provision of pathways or sidewalks which facilitate pedestrian access to these uses;

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- those uses with the potential to generate significant amounts of traffic and parking, originating from points external to the affected residential area, are located on either major collector or arterial roadways to minimize the disturbance that is created on local streets;
- demonstration that screening, buffering, physical separation or other design measures can be utilized to reduce any adverse effects generated by the use on adjacent residential uses. Such effects may include noise, lighting, fumes, parking and outdoor storage;
- it can be demonstrated that such uses complement adjacent residential uses, provide a needed service to the area, and are better located in the Residential Area designation than in other areas as designated in the Plan.

### GREATER RESTRICTIONS

Town Council may choose to restrict the location and the range of Neighbourhood Serving Uses permitted through the Zoning By-law.

### ACCESSORY RESIDENTIAL USES

Residential units accessory to a neighbourhood serving use are permitted except where the neighbourhood serving use functions as an intervening land use between residential and non-residential development.

### COMMERCIAL USES

Commercial uses serving the Residential Area, such as variety stores and other convenience-type facilities shall be limited to a maximum total floor area of 372 square metres (4,000 square feet) *gross leasable commercial floor area*.

### METHADONE AMENDMENT No. 179

Notwithstanding any other policy or provision contained in this subsection, Neighbourhood Serving Uses shall not include a methadone clinic or methadone dispensary.

#### **8.2.3.4 Non-Residential Uses in Residential Areas**

### GENERAL POLICY FOR NON- RESIDENTIAL USES

In addition to permitting neighbourhood serving uses as outlined in Section 8.2.3.3, Town Council may permit 'limited' non-residential uses, such as health care offices and clinics, small-scale nursing and rest homes with less than 20 beds, retirement homes and recreational uses which may serve the wider community, in the Residential Area designation provided that:

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### EVALUATION CRITERIA

- those uses with the potential to generate significant amounts of traffic or parking originating from points external to the affected residential area will be located at the periphery of existing concentrations of residential *development* on a collector or arterial road;
- the proposed use can be considered to be compatible with existing residential uses through appropriate screening, buffering, physical separation or other design measures to mitigate noise, lighting, fumes, parking and outdoor storage;
- the proposed use is compatible with any other existing or designated non-residential use in the area;
- the proposed use is of a small scale and will not adversely affect the availability of residential land supplies to meet anticipated housing demand;
- such uses are limited in number and density and will not form concentrations of non-residential *development* in the Residential Area.

### METHADONE AMENDMENT No. 179

Notwithstanding any other policy or provision contained in this subsection, Non-Residential Uses in Residential Areas shall not include a methadone clinic or methadone dispensary.

#### **8.2.3.5 Home Occupations in the Residential Areas**

### EVALUATION CRITERIA

Within the Residential Areas designation an existing dwelling unit or accessory structure may be used for the purpose of a home occupation provided that:

- such home occupation is a business activity which is clearly secondary to the residential use of the property;
- the home occupation is carried on within the existing residential dwelling or accessory structure by a resident;
- the home occupation does not generate noise, odour, traffic or visual impacts that may have an adverse effect on adjacent properties or dwelling units.

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### ZONING RESTRICTIONS

The Zoning By-law may contain regulations to limit the kinds of activities to be allowed as home occupations according to the type of dwelling unit and will establish standards relating to matters such as the scale of use, extensions to buildings, parking facilities, number of employees, exterior storage or display of goods, signage and other evidence of the business activity from outside the property, residential dwelling or accessory structure.

### **8.2.4 Low Density Residential Areas**

### DESCRIPTION

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, semi-detached, duplex, additional residential units, 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 however that the full range of housing will be permitted in every individual neighbourhood or *development* and Town Council may choose to restrict the range of uses permitted in a particular location through the Zoning By-law. Low Density Residential areas are identified on Schedule T-2.

### DENSITY

The maximum *net residential density* for an individual *development* in the Low Density Residential area is 30 units per hectare (12 units per acre) and no building shall exceed three stories in height at street elevation.

Within areas of new Low Density Residential *development*, the minimum overall *net residential density* shall be 15 units per hectare (6 units per acre) throughout the Town. Individual *development* proposals may be approved at lower *net residential densities* provided that opportunities are available to achieve the minimum overall density requirement through *development* elsewhere in the Low Density Residential areas. To achieve this target, Town and County Council will support a variety of lot sizes and configurations, the development of low rise multiple units and may consider narrower road widths and private roads within multiple unit condominium developments in areas of new Low Density Residential *development*.

### CRITERIA FOR MULTIPLE UNITS

Multiple unit dwellings such as townhouse and cluster *development* in Low Density Residential areas will generally be restricted to the following areas:

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- sites which abut arterial or collector roads or are situated such that traffic impacts from the site create a minimum disturbance on local streets;
- sites where the topography or other natural features would be best preserved by fewer buildings;
- sites which are close to shopping, recreation, cultural and community facilities.

Notwithstanding the above criteria, ~~S~~street-oriented multiples such as street townhouses, quadraplexes and converted dwellings may be permitted on local streets.

### 8.2.4.1 Infill Housing

For the purposes of this Plan, infill housing is defined as the placement of new residential *development* into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the designated residential land and municipal servicing *infrastructure*, infill housing will be supported in Low Density Residential areas. The County Land Division Committee and Town Council will be guided by the following policies when considering proposals for infill *development* in Low Density Residential areas.

#### 8.2.4.1.1 Street Oriented Infill

EVALUATION  
CRITERIA

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 street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the Town Council and the County Land Division Committee will ensure that:

- the proposal is consistent compatible with street frontage, setbacks and spacing of existing *development* within a two-block area on the same street;
- for proposals involving more than two dwelling units, the exterior design in terms of height, bulk, scale and layout of the proposed building is consistent with present land uses in the area and
- the proposal complies with Section 8.2.4.1.4.

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### 8.2.4.1.2 Backyard Infill

In Low Density Residential areas, backyard infill *development* may involve ~~the construction of a residential structure behind a building facing a street, the conversion of a secondary structure for residential purposes, new~~ residential *development* on lots with minimal street frontage (e.g. flag shaped lots), on small vacant remnant parcels of land which cannot be integrated into a plan of subdivision, or on under-utilized or obsolete industrial, commercial or institutional sites.

Backyard infill may involve the *development* of existing lots on record, the creation of new lots by consent. Additional residential units and ~~or the development of a garden suite or granny flat. Garden suites and granny flats~~ may also be permitted ~~as backyard to the rear of an existing dwelling on a lot in accordance with the policies of Section 8.2.4.3 and infill development subject to the criteria of this Section and the policies of~~ Section 10.3.9 respectively.

#### EVALUATION CRITERIA

When considering such proposals, the County Land Division Committee and Town Council will be guided by Section 8.2.4.1.4 and the following criteria:

- the nature of the proposed residential *development* will be evaluated having regard to the type of housing found in the surrounding residential neighbourhood;
- for proposals involving more than two dwelling units, the exterior design in terms of height, bulk, scale and layout of the proposed building is consistent with present land uses in the area;
- the siting of both buildings and parking areas in relation to the size, configuration and topography of the lot is such that effect on light, view and privacy of adjacent backyards is minimal;
- direct vehicular access to a public street will be required and driveways will have sufficient width to allow efficient vehicular use and turning of both private and emergency vehicles and to provide for snow storage;
- proposed multiple unit use is consistent with the multiple unit requirements for Low Density Residential areas.



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### 8.2.4.1.3 Infill Subdivisions

In addition to the policies of Sections 8.2.4.1.4 and 10.3.3, where infill *development* is proposed on vacant or underutilized sites within established residential areas by plan of subdivision, Town Council and County Council will ensure that:

- the nature of the proposed residential *development* will be evaluated having regard to the type of housing found in the surrounding residential neighbourhood;
- any new residential lots with direct exposure to an established residential street will be consistent with the size of lots within a two block area on the same street and new residential *development* will maintain setbacks and spacing between dwellings consistent with the established built pattern;
- measures will be incorporated into the subdivision design to buffer and screen existing residential uses from the new *development*;
- proposed multiple unit *developments* will comply with the multiple unit requirements for Low Density Residential areas.

### 8.2.4.1.4 All Infill Proposals

In addition to the infill criteria listed in this Section, the following criteria will apply to all infill proposals:

- the location of vehicular access points, the likely impact of traffic generated by the proposal on Town streets and potential traffic impacts on pedestrian and vehicular safety and surrounding properties is acceptable;
- existing municipal services and public facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- adequate off-street parking and outdoor amenity areas will be provided;
- the extent to which the proposed *development* provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;

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- the effect of the proposed development on environmental resources and the effects of environmental constraints on the proposed *development* will be addressed and mitigated in accordance with Section 3.2.;
- consideration of the potential effect of the *development* on natural and *heritage resources* and their settings;
- compliance of the proposed *development* with the provisions of the Zoning By-Law of the Town and other municipal by-laws.

### SITE PLAN CONTROL

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

### EXISTING NON-RESIDENTIAL USES

#### **8.2.4.2 Redevelopment or Conversion of Non-Residential Buildings**

Existing non-residential uses in Low Density Residential Areas which do not meet the criteria of this Plan will be considered legal non-conforming uses in accordance with Section 10.3.5.

### EVALUATION CRITERIA

Conversions of non-residential buildings to residential use will be subject to the following policies:

### LOW DENSITY 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.

### USES

The range of residential unit types permitted in a particular location by the policies pertaining to Low Density Residential area may be expanded, without amendment to this Plan, by Town Council, where a non-residential building is being converted to residential use through an amendment to the Zoning By-law.

### BULK, SCALE OF DEVELOPMENT

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.

### BROWNFIELDS

Redevelopment proposals within a designated Community Improvement Project Area as identified on schedule T-5 will satisfy the requirements of Section 10.4, as appropriate.

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LANDSCAPING	Landscaping, privacy screening or other appropriate measures will be incorporated into the <i>development</i> to provide an adequate buffer to minimize impacts and to maintain the low density character of the surrounding residential area.
TRAFFIC	Vehicular traffic generated from the redevelopment will create minimal impact on local streets.
MUNICIPAL SERVICES	Existing municipal services and community facilities will be adequate to accommodate the <i>development</i> and its residents.
PARKING	Adequate off-street parking and outdoor amenity areas will be provided.
HERITAGE	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.
ENVIRONMENT	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.

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### 8.2.4.3 ***Additional Residential Units and Converted Dwellings***

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#### DEFINITION

Additional Residential Unit (ARU) means a separate, self-contained dwelling unit located within a single detached, semi-detached dwelling or street townhouse dwelling, or within a detached building ancillary to such dwelling, and which is located on the same lot as, and is clearly subordinate to the principal dwelling.

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#### ADDITIONAL RESIDENTIAL UNITS

The development of *additional residential units* within the *Low Density Residential Districts*, shall be encouraged, where appropriate, with the goal/objective of increasing the range and availability of affordable *housing options* while maintaining the low density residential character of the housing and neighbourhoods comprising such districts.

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The general intent is to allow for the establishment of such units in existing and newly developing residential areas, subject to complying with applicable zone provisions and development standards, where the City has deemed it to be appropriate based on such considerations as the location, nature and character of existing development, existing level of services and presence of natural hazards and/or other constraints.

To this end, Town Council shall establish appropriate ~~may zones areas~~ and zoning provisions to permit the establishment of an *additional residential unit* in a single detached, semi-detached ~~and~~ townhouse dwellings and/or a structure ancillary to such a dwelling ~~to be converted into two residential units~~ where they are satisfied that the following criteria can be addressed:-

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- a maximum of two *additional residential units* are permitted on a lot, consisting of one in the principal dwelling and/or one in a structure ancillary to the principal dwelling;
- an *additional residential unit* shall not generally be permitted on a lot that contains a boarding/lodging house, garden suite, converted dwelling unit, group home, mobile home/park model trailer, bed and breakfast establishment, or other similar use;
- the *additional residential unit(s)* shall be clearly secondary and subordinate to the principal dwelling and limited in size to maintain affordability and minimize potential impacts on neighbourhood character and on *infrastructure* and *public service facilities*;
- the gross floor area of the *additional residential unit(s)* shall not total greater than 50% of the gross floor area of the principal dwelling. The Town may establish lower maximum floor area limits and/or floor area caps in zoning, if deemed appropriate;
- existing dwellings and lots are of sufficient size to accommodate the creation of *additional residential unit(s)* and to provide for adequate

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parking, landscaping and outdoor amenity areas, without detracting from the visual character of the lot or area;

- any new/expanded structures and/or exterior alterations (e.g. new parking areas, doors, windows, stairways, decks) to accommodate an additional residential unit will maintain the general built form and architectural character of the principal dwelling and the surrounding residential neighbourhood;
- the principal dwelling must have direct, individual vehicular access to a public street. New additional driveways will not generally be permitted;
- there is adequate access from the front lot line or parking area to each additional residential unit for both occupant use and emergency response purposes;
- to the extent feasible, existing trees and other desirable vegetation are preserved to help maintain the character of the lot and area;
- the existing infrastructure and public service facilities serving the area are adequate to accommodate the establishment of additional residential units;
- stormwater run-off will be adequately controlled and will not negatively affect adjacent properties;
- any potential increase in on-street parking demand can be adequately accommodated and/or managed;
- land use compatibility concerns (e.g. due to proximity to industrial areas or major facilities) will not be created or intensified; and
- the potential effects on environmental and/or heritage resources and the avoidance or mitigation of environmental constraints can be addressed in accordance with the policies of Section 3.2.
- all other municipal requirements (e.g. servicing, emergency access, by-laws, standards etc.) can be adequately addressed

ADDITIONAL  
RESIDENTIAL  
UNITS IN AN  
ANCILLARY  
BUILDING

The following additional criteria shall apply to the establishment of an additional residential unit in a structure ancillary to a single detached, semi-detached or row townhouse dwelling:

- the ancillary structure must be located in a rear or interior side yard;
- the siting, design and orientation of the ancillary structure/dwelling unit, parking area and outdoor amenity area(s) will allow for optimal privacy for the occupants of the additional residential unit, principal dwelling and abutting residential properties and minimize potential visual and shadowing impacts on adjacent residential yards;
- landscaping, privacy screening, fencing, and other appropriate measures may also be required to minimize potential visual and privacy impacts on abutting residential properties; and

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all other municipal requirements (e.g. servicing, emergency access, by-laws, standards etc.) can be adequately addressed.

### SEVERANCE

Additional residential units must be located on the same lot as the principal dwelling and may not be severed from such lot, or converted into a separately transferable unit through plan of condominium.

### ZONING

The Town's Zoning By-Law shall establish the specific zoning provisions that must be met for an additional residential unit to be established on a lot. These zoning provisions will address the policy requirements of this subsection and any other matters deemed necessary by the Town including, but not limited to: lot frontage and area; type of unit permitted; unit size and location; building height, location and setbacks; landscaping and amenity areas; parking and access etc.

To assist in maintaining the built form character of the principal dwelling and surrounding residential area and minimizing potential impacts on abutting residential properties, the Zoning By-Law may also limit the location and extent of structural additions, alterations and/or features (e.g. building additions, doorways, windows, stairways, decks etc.) that are permitted.

The zoning provisions for additional residential units will be implemented through a comprehensive, City initiated amendment to the Zoning By-law, or through the proposed zoning for new residential subdivisions. Site specific amendments to the Zoning By-law to permit the establishment of an additional residential unit(s) will not generally be permitted.

### SITE PLAN CONTROL

The establishment of an additional residential unit in a structure ancillary to a single detached, semi-detached or townhouse dwelling may be subject to site plan control.

### OTHER TOOLS AND MEASURES

Where deemed necessary and/or appropriate, the Town may implement other supplementary tools and measures to assist with tracking and regulating additional residential units including, but not limited to, registration and/or licensing requirements, design guidelines, property standards by-laws, etc.

Within Low Density Residential areas, Town Council may zone areas to permit detached, semi-detached and townhouse dwellings to be converted into two residential units.

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### CRITERIA FOR MORE THAN TWO UNITS CONVERTED DWELLINGS

In addition Town Council may zone areas within the Town to permit the conversion of a principal dwellings for more than two up to four dwelling units per building. Areas may be zoned to permit converted dwellings with up to four units on the basis in accordance with ~~of~~ the following criteria:

- the area is characterized by a mixture of residential dwelling types including detached, semi detached, townhouse and existing converted dwellings;
- lot sizes are generally sufficient to accommodate the required off-street parking without detracting from the visual character of the area;
- existing dwelling units satisfy the dwelling size requirements specified in the Zoning By-law to accommodate the creation of additional dwelling units.

### NO FURTHER CONVERSION

Where an additional residential unit has been established within a principal dwelling, the conversion of the said dwelling to include additional units will generally not be permitted.

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### ZONING

The Zoning By-law may limit the number of units that may be contained in a converted dwelling and specify minimum lot or dwelling size requirements for conversion. To maintain the external character of the dwelling the Zoning By-law may also limit the extent of structural additions or changes that would be permitted.

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### SITE PLAN CONTROL

Any Such converted dwellings with up to four units may be subject to site plan control.

### SITE DESIGN POLICIES

When considering a specific proposal for multiple unit *development* in the Low Density Residential area, Town Council will be satisfied that the policies of Section 8.2.7 are adequately addressed.

#### **8.2.4.4 Specific Development Policies**

In specified areas, the nature, scale, location and design criteria may be varied to meet specific policy objectives or to accommodate the unique characteristics of the area. Low Density Residential areas where specific policies apply, in addition to the relevant policies of this section, are identified as follows:

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### 8.2.4.4.1 Lands Adjacent to the Easterly Boundary of Tillsonburg

Lands designated Low Density Residential adjacent to the easterly boundary of the Town of Tillsonburg at the end of Bond, Baker and Lindsay Streets as shown on Schedule T-2 are subject to *development* constraints due to the presence of a fertilizer plant abutting the property to the north. In reviewing *development* proposals for this property or establishing zoning standards, Town Council shall ensure appropriate measures are undertaken to provide adequate buffering and landscaping for *development* within 150 metres (500 feet) of the plant.

### **8.2.5 Medium Density Residential Areas**

#### DESCRIPTION

Medium Density Residential areas are those lands that are primarily developed or planned for low to medium profile multiple unit *development* that exceeds densities established for Low Density areas. Residential uses within Medium Density Residential areas include townhouses, medium density cluster *development*, converted dwellings and low-rise apartments. In these areas it is intended that there will be a mixing and integration of different forms of housing to achieve an overall medium density. To help achieve a variety of forms of housing, Town Council may choose to restrict the range of uses permitted on individual sites through the Zoning By-law. Medium Density Residential areas are identified on Schedule T-2.

#### DENSITY

The maximum *net residential density* in the Medium Density Residential area is 62 units per hectare (25 units per acre) and no building shall exceed four stories in height at street elevation.

Within areas of new Medium Density Residential *development*, the minimum *net residential density* shall be 31 units per hectare (13 units per acre).

#### DENSITY BONUS

Town Council, in accordance with the density bonus policies of Chapter 10 may allow an increase in the height or density of *development* from the limit otherwise permitted by the Zoning By-law in return for the provision of certain facilities or design features.

#### LOCATION CRITERIA FOR FURTHER DESIGNATION

In addition to areas predominantly composed of existing or planned Medium Density Residential *development* as identified on Schedule T-2, any further designations will be consistent with the following location criteria:



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- sites which abut arterial or collector roads or which are situated such that movements from the site do not flow through any adjoining Low Density Residential area;
- sites which are close to shopping, recreation, cultural and community facilities;
- sites which are adjacent to commercial areas, Community Facilities or High or Medium Density Residential areas.

### SITE SPECIFIC EVALUATION CRITERIA

Any lands proposed for Medium Density Residential *development* not identified on Schedule T-2 will require an amendment to the Official Plan. In addition to the location policies identified, when considering proposals to designate lands for Medium Density Residential *development*, Town Council and County Council will be guided by the following site specific criteria:

- the size, configuration and topography of the site is such that there is sufficient flexibility in site design to mitigate adverse effects on the amenities and character of any adjacent Low Density Residential area through adequate buffering and screening;
- the location of vehicular access points and the likely effects of traffic generated by the proposal on Town streets has been assessed and is acceptable;
- adequate hard service capacity including water distribution, sanitary and storm sewers, power and gas distribution facilities is or will be available to accommodate the proposed *development*;
- off-street parking and outdoor amenity areas can be provided;
- the effect of the proposed development on environmental resources or the effect of environmental constraints on the proposed *development* will be addresses and mitigated as outlined in Section 3.2.

### EXISTING LOW DENSITY RESIDENTIAL USES

Existing Low Density Residential uses in a Medium Density Residential area may be recognized as permitted uses in the Zoning By-law.

Notwithstanding any such recognition, within Medium Density Residential areas characterized by existing low density residential land uses, the creation of new lots may be restricted to avoid increased land fragmentation and to facilitate land assembly for redevelopment in accordance with this designation.

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### CONVERTED DWELLINGS

Converted dwellings will be permitted to be established or to intensify in accordance with the density criteria of the Medium Density Residential areas and in keeping with the provisions of the Zoning By-law.

### CRITERIA FOR REDEVELOPMENT

#### **8.2.5.1 Redevelopment and Conversion of Non-Residential Buildings**

Existing non-residential uses in Medium Density Residential areas which do not meet the criteria of this Plan for such uses will be considered legal non-conforming uses in accordance with Section 10.3.5. Such uses are intended for redevelopment and reuse for medium density residential purposes consistent with the following policies:

#### LAND USE COMPATIBILITY

Any new buildings or additions 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. Redevelopment will be in keeping with the height, density and use policies of the Medium Density Residential areas.

#### HISTORICAL BUILDINGS

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 Medium Density Residential areas in accordance with the density bonus policies of Section 10, Implementation Measures.

#### BROWNFIELDS

Redevelopment proposals within a designated Community Improvement Project Area as identified on schedule T-5 will satisfy the requirements of Section 10.4, as appropriate.

#### ENVIRONMENTAL POLICIES

The effects 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.

#### SITE PLAN CONTROL

All proposals for Medium Density Residential *development* or redevelopment, including conversions, shall be subject to site plan control.

#### SITE DESIGN POLICIES

When considering a specific proposal for Medium Density Residential *development*, Town Council will be satisfied that the policies of Section 8.2.7 are adequately addressed.

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### REMOVAL OF DESIGNATION

Prior to considering any proposal to redesignate any Medium Density Residential areas identified on Schedule T-2 for any other purpose, Town Council and County Council will be assured that the Town has adequate Medium Density Residential land supplies relative to expected growth. In general, proposals to redesignate lands identified for Medium Density Residential for Low Density Residential purposes will be discouraged.

### 8.2.5.2 Specific Development Policies

In specified Medium Density Residential areas of the Town, the nature, scale, location and design criteria may be varied to meet specific policy objectives or to accommodate the unique characteristics of the area. Medium Density Residential areas where specific policies apply, in addition to the relevant policies of this section, are identified as follows:

#### 8.2.5.2.1 North of First Street Between Queen Street and King Street to the Railway

Notwithstanding any policies of this Section to the contrary, the area designated as Medium Density Residential on Schedule T-2 will be restricted to a maximum of two (2) storeys in height. Residential uses will be sufficiently setback from the railway line adjacent to the designations and from industrial uses to the north of Fourth Street in order to provide a safe and acoustically acceptable living environment for residents. *Development* will be consistent with the policies of Sections 3.2.8.3 and 3.2.8.4. Lands immediately adjacent to the railway line and commercial areas shall be reserved for outdoor amenity areas and parking accessory to townhouse or apartment type dwellings. The Zoning By-Law will establish limits to height, density and building setbacks to achieve these objectives.

### ACCESS

Access to Medium Density Residential uses will be provided by local streets with direct access to either Concession Street or Tillson Avenue. For apartments and townhouse dwellings, driveways and parking areas shall be required to be designed to provide for manoeuvrability of emergency vehicles between residential *development* and adjacent commercial *development*, as well as for pedestrian circulation and direct pedestrian access to adjacent commercial uses.

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### SITE PLANNING

Within the Medium Density Residential areas, site plan control will be used to address the positioning of buildings and parking and landscaped areas to ensure a high quality residential *development* is achieved and that new *development* is compatible with existing residential *development*. Site plan control will also be used to ensure compatibility with adjacent commercial uses, as well as with light industrial uses north of Fourth Street. Specifically, and as a minimum, the following criteria will be required to be satisfied through site design prior to the approval of site plans:

- site plans will provide for pedestrian access, where appropriate, to adjacent commercial uses and to local streets. Site plans will also provide for the integration of driveways and/or parking areas such that emergency vehicles can manoeuvre between adjacent residential and commercial sites;
- residential buildings will be oriented such that the majority of the living spaces are directed away from the adjacent railway lines, adjacent commercial uses and nearby industrial uses;
- residential lands adjacent to railway lines and commercial areas shall be reserved for amenity areas and parking. Where amenity areas are proposed adjacent to a railway line, on-site safety measures such as berming and fencing will be required. Lands adjacent to a railway line will also require substantial landscaping;
- residential uses will be buffered from adjacent commercial uses through the requirements for setbacks, landscaped strips, screening and other measures;
- substantial landscaping will be required adjacent to local roads and the interface between residential and commercial land uses and between low density and medium density *development*. Landscaping will also be integrated within parking areas.

#### 8.2.5.2.2 Block 21, Registered Plan 41M-169

Notwithstanding the minimum net residential density requirements of the Medium Density designation, a 0.35 ha (0.86 ha) parcel, being Block 21, Plan 41M-169 in the Town of Tillsonburg, may be developed for a minimum of 5 residential dwelling units, due to the development constraints imposed by the slope hazards and existing easement affecting the parcel.

AMENDMENT No. 80

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### **8.2.6 High Density Residential Areas**

#### DESCRIPTION

High Density Residential areas are those lands primarily developed or planned for a limited range of intensive large-scale, multiple unit forms of residential *development* as shown on Schedule T-2. This designation shall be applied in a localized and site-specific manner in locations where high density high-rise *development* can:

- result in the preservation of features of the natural environment which may otherwise be compromised with more dispersed low rise *development*, or
- result in the efficient use of land which may be difficult to develop at a lower residential density due to the presence of environmental constraints and the costs of mitigating such constraints, or
- constitute community landmarks or reference points, or
- support the viability and functionality of the Central Area.

#### HEIGHT AND DENSITY

The height and density limitations applicable to the various forms of *development* allowed in the High Density Residential area shall be determined on the basis of the nature, character and scale of adjacent land uses. Height and density limitations will be specified in the Zoning By-law and may vary from location to location. Unless there are specific site or area characteristics which favour higher limits, *net residential densities* will normally not exceed 111 units per hectare (45 units per acre). Under no circumstance will *development* within a High Density Residential area be less than 63 units per hectare (26 units per acre) *net residential density* without amendment to this Plan.

Lower height and/or density limits than permitted by this Plan may be warranted for specific areas on the basis of the following criteria:

- sanitary sewage, water or storm drainage constraints;
- the limitations related to municipal fire protection;
- *development* constraints related to topographic features;
- protection of significant or scenic views or vistas;
- to minimize the effect of *development* and required parking on significant natural features;

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- where adjacent low profile residential land uses may be adversely affected in terms of sunlight, traffic or privacy.

### DENSITY BONUS

Town Council, in accordance with the density bonus policies of Chapter 10 may allow an increase in the height or density of *development* from the limit otherwise permitted by the Zoning By-law in return for the provision of certain facilities or design features.

### LOCATION CRITERIA FOR FURTHER DESIGNATION

In addition to areas predominantly composed of existing or planned High Density Residential *development* as identified on Schedule T-2, any further designations will be consistent with the following location criteria:

- sites which abut arterial or collector roads will have direct access to the arterial or collector road;
- on vacant or under-utilized sites adjacent to *development* which is already built at medium or high densities;
- close to shopping, recreation, cultural and community facilities;
- within or near the periphery of the Central Area in accordance with the policies of Section 8.3.4.

High Density Residential *development* will generally be discouraged adjacent to Low Density Residential *development* except where such low density *development* is proposed for redevelopment to higher density land uses or where considerable separation between the low density area and the proposed high density *development* exists.

### SITE SPECIFIC EVALUATION CRITERIA

Any lands proposed for High Density Residential *development* not identified on Schedule T-2 will require an amendment to the Official Plan. In addition to the location policies identified, when considering proposals to designate lands for High Density Residential *development*, Town and County Councils will be guided by the following site specific criteria:

- the size, configuration and topography of the site is such that there is sufficient flexibility for site design to mitigate adverse effects on the amenities and character of any adjacent residential *development* through adequate setbacks, buffering and screening;
- the *development* results in a gradual transition from low profile residential buildings to higher profile residential buildings and vice versa;

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- the location of vehicular access points and the likely effects of traffic generated by the proposal on public streets have been assessed and are acceptable;
- adequate hard service capacity including water distribution, sanitary and storm sewers, power and gas distribution facilities is or will be available to accommodate the proposed *development*;
- adequate off-street parking and outdoor amenity areas can be provided;
- the effect of the proposed development on environmental resources or the effect of environmental constraints on the proposed *development* will be addressed and mitigated as outlined in Section 3.2.

### EXISTING RESIDENTIAL USES

Existing low and medium density residential uses in a High Density Residential area may be recognized as permitted uses in the Zoning By-law.

Notwithstanding any such recognition, within High Density Residential areas characterized by existing low and/or medium density residential land uses, the creation of new lots may be restricted to avoid increased land fragmentation and to facilitate land assembly for redevelopment in accordance with this designation.

### CONVERTED DWELLINGS

Converted dwellings will be permitted to be established or to intensify in accordance with the density criteria of the High Density Residential area and in keeping with the provisions of the Zoning By-law.

### CRITERIA FOR REDEVELOPMENT

#### **8.2.6.1 Redevelopment and Conversion of Non-Residential Buildings**

Existing non-residential uses in High Density Residential areas which do not meet the criteria of this Plan for such uses will be considered legal non-conforming uses in accordance with Section 10.3.5. Such uses are intended for redevelopment and re-use for High Density Residential purposes consistent with the following policies:

### LAND USE COMPATIBILITY

Any new buildings or additions will respect the height, bulk, scale and setbacks of adjacent residential uses and shall not adversely effect adjacent residential uses in terms of light, views, privacy or traffic. Redevelopment will be in keeping with the height, density and land use policies of the High Density Residential areas.

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HISTORICAL BUILDINGS	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 High Density Residential areas in accordance with the bonus zoning provisions of Chapter 10.
BROWNFIELDS	Redevelopment proposals within a designated Community Improvement Project Area as identified on schedule T-5 will satisfy the requirements of Section 10.4, as appropriate.
ENVIRONMENTAL POLICIES	The effects of the proposed development on environmental resources and the effects of any environmental constraints will be addressed and mitigated in accordance with Section 3.2.
SITE PLAN CONTROL	All proposals for High Density Residential <i>development</i> and redevelopment, including conversions, shall be subject to site plan control.
SITE DESIGN POLICIES	When considering a specific proposal for High Density Residential <i>development</i> , Town Council will be satisfied that the policies of Section 8.2.7 are adequately addressed.
REMOVAL OF DESIGNATION	Prior to considering any proposal to redesignate any High Density Residential areas identified on Schedule T-2 for any other purposes, Town Council and County Council will be assured that the Town has adequate High Density Residential land supplies relative to expected growth. In general, proposals to redesignate lands identified for High Density Residential for a residential use of a lower intensity will be discouraged.

### 8.2.6.2 Specific Development Policies

In specified High Density Residential areas of the Town, the nature, scale, location and design criteria may be varied to meet specific policy objectives or to accommodate the unique characteristics of the area. High Density Residential areas where specific policies apply, in addition to the policies of this section, are identified as follows:



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### 8.2.6.2.1 Bridge Street From Tillson Avenue to Lisgar Avenue

In order to take advantage of the wide range of social and commercial services available in the Central Area and to promote the re-use and/or redevelopment of the large existing residential structures, redevelopment in the High Density Residential designations fronting onto Bridge Street, as identified on Schedule T-2, will be permitted to a maximum *net residential density* of 150 units per hectare (61 units per acre).

### **8.2.7 Site Design Policies for Multiple Unit Residential Development**

#### PURPOSE

In order to ensure that multiple unit residential *development* provides a high quality of life for residents, that consistent design standards are applied to proposals for multiple unit residential *development* and redevelopment and that a vision is articulated of those elements which, when applied in conjunction with one another, result in positive *development*, the following objectives and design criteria will be considered for all multiple unit *development* in every designation and be applied where feasible.

#### **8.2.7.1 Buildings**

##### VARIATIONS IN BUILDING AND ROOF LINE

New multiple unit buildings, especially townhouse dwellings, should avoid long linear orientations, where feasible, by staggering sections of the building and by providing periodic breaks in the building line at appropriate intervals. Periodic variations in roof line for individual units will also be encouraged for townhouse dwellings.

##### PRIVACY/ SHADOWING

Multiple unit dwellings and amenity areas will be sufficiently separated from each other and from parking areas to ensure privacy and to avoid prolonged periods of shadowing especially during winter months. Where a multiple unit residential dwelling abuts lower density residential *development*, where feasible, the building will be sited to minimize visual intrusion onto neighbouring properties.

##### ENERGY EFFICIENCY

Multiple unit residential dwellings will be generally situated such that a majority of dwelling units will benefit from passive solar orientation.

##### BARRIER-FREE DESIGN

A portion of all townhouse dwellings in each *development* will provide barrier-free access to persons with mobility limitations. All apartment buildings will have at least one entranceway which provides barrier-free access.

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### TOPOGRAPHIC CONSIDERATIONS

Where a site is characterized by topographic variations, the *development* will be designed as much as possible to fit the contour of the land. In order to provide *development* which is at a human scale, higher profile buildings within the *development* will generally be situated at lower elevations.

### 8.2.7.2 Driveways and Parking Areas

#### NUMBER AND LOCATION OF PARKING AREAS

Communal parking areas will generally be developed with a number of small parking lots oriented toward individual residential complexes within a *development*. Parking lots should generally be not more than 45 metres (150 feet) from the units they are intended to serve. Where significant numbers of communal parking spaces are situated beyond this distance, drop-off facilities close to building entrances should be provided.

Individual parking areas located in front of dwelling units will provide adequate space for vehicles and snow storage.

#### ACCESS/ INTEGRATION

Where possible, more than one access will be provided to a multiple unit residential *development* and all parking areas will be accessible from each access point for emergency vehicles. Where multiple unit residential *developments* abut one another, the integration of driveways and/or parking areas to allow emergency or maintenance vehicles to manoeuvre between sites will be considered as part of the design.

#### PARTIAL SCREENING OF PARKING AREAS

Partial screening of surface parking lots may be provided through the use of low fences, walls, and landscape elements while still recognizing the need for orientation and safety. Surface parking lots may be screened from the public street through a combination of location, berming and landscaping.

#### DRIVEWAY WIDTH

Driveways will have sufficient width to allow efficient vehicular use including turning movements for both private and emergency vehicles.

#### SHADING OF PARKING AREAS

Landscaping will be promoted within and *contiguous* to parking areas to improve the visual effect and micro-climate of such areas.

#### TANDEM PARKING

Communal tandem parking facilities may be accepted for multiple unit residential *developments* where more than one space is required for each unit or where storage areas for boats and trailers is necessary, as a means of reducing paved parking areas.

#### VISITOR PARKING

Separate and distinct visitor parking areas will be provided.

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### 8.2.7.3 Pedestrian Activity

#### PEDESTRIAN FACILITIES

A separate and distinct pedestrian system will be provided to allow for pedestrian movement into, within and out of the *development* and links with communal open space, play areas, parking lots, adjacent public open space and adjacent pedestrian systems in multiple residential *development*.

#### SIDEWALK SETBACK

Sidewalks will be adequately set back from the public and internal road and driveway network to allow snow ploughing and will be adequately drained.

#### BARRIER-FREE DESIGN

The on-site pedestrian system will provide continuous barrier-free movement throughout the site as much as possible by incorporating features such as curb cuts, railings, rest areas and by minimizing slopes.

#### WIDTH OF PEDESTRIAN SYSTEM

The on-site pedestrian system should be wide enough to allow two persons to move in a side-by-side fashion.

#### PEDESTRIAN PRIORITY

Where the pedestrian system crosses driveways and parking areas, visual priority will be provided to the pedestrian system through the use of crosswalks or the continuation of the walkway material across the driveway or parking area.

### 8.2.7.4 Landscaping

#### RETENTION OF VEGETATION

Existing vegetation on a property undergoing *development* will be retained and incorporated into site plans as much as is practicable and especially in circumstances where:

- the existing vegetation functions as part of a larger vegetated area on abutting properties;
- the existing vegetation will contribute to shading, screening and noise attenuation on site or for adjacent properties.

#### PLANT SPECIES SUITABILITY

To ensure the suitability of plant species to be incorporated into site design over the long term, a predominance of native plant species suitable for the site's soil, drainage and shade conditions of the site will be specified. Plants which are tolerant to disease, drought conditions and urban pollution will comprise a substantial percentage of plant material installed at any site.

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### SEASONAL VARIETY

Ensure that plant materials provide for seasonal variation in form, colour and texture by using a variety of species such as evergreens, trees which retain their fruit or foliage in the winter, and trees with interesting texture, shape and/or colour.

### LOCATIONAL PRIORITIES

A substantial percentage of the landscaped open space required on a property will be planted with a variety of suitable trees, shrubs and ground covers. Particular emphasis will be given:

- to soften or screen buildings from a public road;
- to screen adjacent buildings;
- to screen and shade areas within and *contiguous* to parking areas;
- to provide shelter from wind, snow and other elements in proximity to building entranceways;
- to areas adjacent pedestrian systems and play areas to direct pedestrian movement and to provide for user comfort;
- to screen unsightly elements such as garbage and recycling enclosures, storage areas and hydro transformers;
- to provide for privacy of individual outdoor living areas;
- to screen blank walls;
- to define the boundaries and edges of communal open space and activity areas;
- to highlight driveways and other entranceways into the *development*.

### RELATIONSHIP TO UTILITIES AND SERVICES

Plant material selection and landscaping design will ensure that plant material will not interfere with hydro, sewage, water, drainage or other services within the *development*, on adjacent road allowances or adjacent properties.

#### **8.2.7.5 Play/Recreational Opportunities**

### PROVISION OF PLAY SPACE

Clustered, grade oriented units or low rise apartments will generally be required to provide adequate designated space for play activity suitable for pre-school children. Large *developments*, with more than 20 units, will generally provide recreational areas for both pre-school and school aged children.

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### PROVISION OF COMMUNAL OPEN SPACE

High rise *development* will be required to provide passive and active communal open space, such as resting areas, communal gardens and grassed areas, for residents and visitors.

### PLAY SPACE DESIGN CRITERIA

Play space for pre-school children will be situated within the *development* in a fashion whereby surveillance of the play area is possible from a substantial number of units. The play area will be physically demarcated through grade change, see-through fencing or surface treatment, will be substantially set back from driveways and parking areas, will be landscaped to provide shading and will generally include enhancements such as play equipment and seating amenities.

Play space for school aged children will be of sufficient size and will generally provide enhancements for small-scale recreation activities such as playground equipment, may include both hard and soft surfaces, and will be situated to avoid conflicts with residential units and parking areas. The play space will be demarcated through landscaping measures.

### 8.2.7.6 Utilities and Operational Facilities

### GARBAGE/ RECYCLING FACILITIES

Garbage storage facilities will be provided within the building, within a maintenance building or within a screened enclosure. Such facilities will be conveniently situated for users and will minimize heavy truck movements within the site. Where feasible, communal composting and recycling facilities will be provided.

### UTILITY METERS

Utility metres will be situated in a location acceptable to the Public Utilities Commission which is easily accessible but protected from the public for safety.

### MAINTENANCE CORRIDORS

Where private outdoor amenity areas are proposed adjacent to a lot line, and where such amenity areas may be enclosed, adequate space will be provided adjacent to the amenity area to provide access without movement through the dwelling or adjacent private outdoor amenity areas. Access through a garage will be considered acceptable.

### DRAINAGE

Adequate on-site drainage will be provided.

### FIRE HYDRANTS

Required fire hydrants will be shown on site plans, will be in a location acceptable to the Fire Chief, and landscaping of the site will be designed to maintain fire hydrant visibility.

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### 8.2.7.7 Safety/Comfort

#### LIGHTING

Sufficient lighting to Illuminating Engineering Society (I.E.S.) Standards of parking areas, driveways, pedestrian areas and building entranceways will be provided to facilitate vehicular and pedestrian movement, and for safety and security. Undesirable effects of lighting on residential units and on adjacent uses will be minimized through measures such as directed lighting, the use of shades, diffusers and tinted covers.

#### SIGNAGE

Adequate signage will be provided within the *development* to indicate areas of no parking and emergency vehicle routes. Locational signs may be required near entrance driveways to indicate individual buildings in the *development* and visitor parking areas. Signage, both on standards and on the ground, will be readable both during the day and night through techniques such as size, colour, surface treatment or illumination.

#### TRAFFIC SPEED

Driveways and parking areas will be designed and/or will incorporate elements which will establish traffic speeds to maximize pedestrian safety.

#### OUTDOOR LIVING AREAS

Where outdoor living areas either at grade or in the form of balconies or terraces are provided, these areas will be of sufficient size and shape to maximize their usefulness. In particular, long narrow outdoor living areas will be discouraged.

Grade oriented outdoor living areas should have the boundaries demarcated by fencing and/or landscape elements and these areas should be screened from adjacent units. A hard surface area will generally be provided immediately adjacent to the dwelling unit. Such areas will generally be oriented away from noise sources generated by major roads or nearby land uses and sufficiently set back from parking areas within the *development*. Where this cannot be accomplished, adequate buffering in the form of fencing, berming and landscaping should be provided to ensure an acceptable comfort level for occupants.

#### ENVIRONMENTAL CONSTRAINTS

Where a *development* is effected by environmental factors such as noise, vibration or other constraint identified in Section 3.2 and mitigation measures are required to ensure the safety and comfort of occupants, such mitigation features will be incorporated into site plans.

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### *EMERGENCY ACCESS*

When required, emergency access routes will be identified on site plans. Where emergency access routes are identified, signage to prohibit parking or stopping will be required and will incorporate features to impede vehicular traffic except in times of emergency.

DRAFT FOR DISCUSSION