

To: Mayor and Members of Tillsonburg Council

From: Eric Gilbert, Senior Planner, Community Planning

Application for Zone Change ZN 7-22-02 – Arimas Real Estate Investors Inc.

REPORT HIGHLIGHTS

- The application for Zone Change proposes to rezone the subject property from 'Low Density Residential Type 1 Zone (R1)' to 'Low Density Residential Type 2 Zone (R2)' to facilitate the conversion of the existing single detached dwelling to a duplex dwelling.
- Agency circulation resulted in no concerns with the proposed development.
- Planning staff are recommending that the application be supported, as it is consistent with the policies of the Provincial Policy Statement and complies with the relevant policies of the Official Plan respecting intensification and development within Low Density Residential Areas.

DISCUSSION

Background

OWNER: Arimas Real Estate Investors Inc
368 Broadway, Tillsonburg ON N4G 3S5

LOCATION:

The subject property is described as Part Lots 604 & 605, Plan 500, in the Town of Tillsonburg. The lands are located on the east side of Broadway, between John Street and Sanders Street, and are municipally known as 368 Broadway in Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

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

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

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

Proposed Zoning: Low Density Residential Type 2 Zone (R2)

PROPOSAL:

The application for Zone Change proposes to rezone the lands to 'Low Density Residential Type 2 Zone (R2)' to facilitate the conversion of an existing single detached dwelling to a duplex.

The subject lands have an approximate area of 1135 m² (0.28 ac) and contain an existing single detached dwelling, with an approximate floor area of 155 m² (1,668 ft²). The proposed additional unit will be created in the basement of the dwelling.

Surrounding land uses include low density residential uses fronting on Broadway, with a multiple unit dwelling to the south on John Street, and a medium density affordable housing development to the north, fronting on Sanders Street.

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.

Plates 3a & 3b, Proposed Floor Plan, depicts the existing and proposed floor plan for the proposed duplex dwelling.

Plate 4, Proposed Parking, illustrates how the required 4 parking spaces will be provided on the subject property, as provided by the applicant.

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.

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.

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.

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.

Section 8.2.4.1.1 of the Official Plan provides that when considering proposals for street-oriented infilling, 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 with street frontage, setbacks and spacing of existing development within a two-block area on the same street;
- The proposal complies with Section 8.2.4.1.4 (Infilling Policies).

As per Section 8.2.4.1.4, when considering all infill proposals, Town Council must be satisfied that vehicular access points are acceptable, municipal services can adequately accommodate the proposal and stormwater is adequately controlled. Further, the Council must also ensure that any desirable vegetation is retained where possible and the impact on environmental constraints is mitigated, the proposal complies with the Zoning By-Law and impacts to heritage resources are considered.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Low Density Residential Type 1 Zone (R1)', according to the Town of Tillsonburg Zoning By-law. The R1 zone permits a single detached dwelling, a home occupation, and accessory uses thereto.

The applicant is proposing to rezone the subject property to 'Low Density Residential Type 2 Zone (R2)' to permit the construction of a second dwelling unit in the basement of the existing dwelling.

Based on the site sketch provided by the applicant, it appears that the development will comply with the relevant provisions of the R2 Zone. The applicant has provided a parking plan (Plate 4) showing how the required 4 parking spaces can be provided onsite.

AGENCY COMMENTS:

Town of Tillsonburg Building Services provided the following comments:

- If approved a building permit along with compensating construction will be required to separate the units as per the requirements of the Ontario Building Code.
- The proposed sketch will not comply with the requirements related to existing and will need to be reviewed and designed by a qualified consultant for building permit application purposes.

Oxford County Public Works Department indicated that the property will only be permitted one water and sanitary service. If required, plumbing for the new unit shall be serviced / extended internally from existing plumbing. All water flow to the property shall pass through one County meter and the owner of the property will be billed accordingly.

Tillsonburg District Chamber of Commerce indicated that they support the application, noting multi-unit dwellings are needed in Town, the lot appears large enough to support a duplex, and there are other duplexes in the area. The parking for the duplex should be reviewed.

The Downtown Tillsonburg BIA indicated that they have no objection to the application.

PUBLIC CONSULTATION:

Notice of complete application and notice of public meeting regarding this application were circulated to surrounding property owners within 120 m (400') on two occasions May 26, 2022 and June 13, 2022, in accordance with the requirements of the Planning Act. As of the preparation of this report, no comments or concerns from the public were received.

Planning Analysis

The application for Zone Change proposes to rezone the lands to 'Low Density Residential Type 2 Zone (R2)' to facilitate the development of an additional dwelling unit, in the form of a duplex, on the subject lands.

The proposal is consistent with the PPS direction to provide for an appropriate diversity of housing types and densities to meet the needs of current and future residents. If approved, the additional dwelling unit will provide an additional housing rental supply for the current and future residents of the Town and represents an efficient use of existing municipal infrastructure. The proposal is consistent with the Planning Act and PPS direction to permit and facilitate all forms of residential intensification and redevelopment, including additional units.

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

The proposed development is considered to be a form of street-oriented infill development. In Low Density Residential Areas, infill development may be permitted subject to meeting the Official Plan criteria as set out in Sections 8.2.4.1.1 & 8.2.4.1.4.

Considering the size of the existing property and surrounding residential uses it is opinion of Planning staff that the proposal conforms to the policies of the Official Plan pertaining to Low Density Residential areas and infill development within the Town of Tillsonburg. The Low Density Residential designation is intended to support a variety of low-rise, low density housing forms including duplexes and converted dwellings. The proposed duplex will be suitable and complementary to abutting properties, and the multiple unit residential uses that exist in the surrounding area.

The proposal appears to comply with the provisions of the R2 Zone, and the applicant has provided a sketch demonstrating that the required 4 parking spaces can be provided by accommodating 3 on the curved driveway, and 1 within the attached garage.

In light of the foregoing, it is the opinion of this Office that the application for zone change is consistent with the policies of the Provincial Policy Statement 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 Arimas Real Estate Investors Inc, whereby the lands described Part Lots 604 & 605, Plan 500, in the Town of Tillsonburg known municipally as 368 Broadway are to be rezoned from 'Low Density Residential Type 1 Zone (R1)' to 'Low Density Residential Type 2 Zone (R2)' to facilitate the development of a duplex on the subject lands.

SIGNATURES

Authored by: *'original signed by'*

Eric Gilbert, MCIP RPP
Senior Planner

Approved for submission: *'original signed by'*

Gordon K. Hough, RPP
Director