

To: Mayor and Members of Tillsonburg Town Council

From: Eric Gilbert, Senior Planner, Community Planning

Application for Consent B22-58-7 – The Salvation Army in Canada

REPORT HIGHLIGHTS

- The application for consent proposes to create a new residential infill lot in the central area of Tillsonburg.
- The proposed lot to be severed will have an area of 1,384.3 m² (0.34 ac), with 30.48 m (100 ft) of frontage on Concession Street West.
- Planning staff are recommending that the application not be approved, as the proposed lot to be severed is excessively large for a single detached dwelling, and the proposal may compromise the development potential of the lot to be severed and lot to be retained for future residential development.

DISCUSSION

Background

OWNERS: The Governing Council of the Salvation Army in Canada
2 Overlea Boulevard, Toronto ON M4H 1P4

LOCATION:

The subject lands are described as Part of Lot 7, Concession 11 (Dereham) in the Town of Tillsonburg. The lands are located on the north side of Concession Street West, between Quarter Town Line and Victoria Street, and are municipally known as 110 Concession Street West.

COUNTY OF OXFORD OFFICIAL PLAN:

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

TILLSONBURG ZONING BY-LAW NO. 3295:

Existing Zoning: Minor Institutional Zone (IN1)

EXISTING USE OF SUBJECT PROPERTY:

Lot to be Severed –vacant

Lot to be Retained – place of worship

SERVICES: Lot to be Severed: municipal sanitary sewer & water (on Concession St W)
Lot to be Retained: municipal sanitary sewer & water (on Concession St W)

ACCESS: Lot to be Severed: paved, municipal street (Concession St W)
Lot to be Retained: paved, municipal street (Concession St W & Northview Drive)

PROPOSAL:

	<u>Severed Lot</u>	<u>Retained Lot</u>
Area	1384.3 m ² (0.34 ac)	1.67 ha (4.1 ac)
Frontage	30.48 m (100 ft)	71.41 m (234 ft)
Depth	45.42 m (149 ft)	170 m (557.7 ft)

The purpose of the Application for Consent is to create a new vacant residential lot. The lot to be severed will have a lot area of approximately 1384.3 m² (0.34 ac), with frontage on Concession Street West. The lot to be retained will have an area of 1.67 ha (4.1 ac), with frontage on Concession Street West and Northview Drive, and contains an existing place of worship.

Surrounding land uses consist of a number of dwelling types, including single detached dwellings, duplexes, triplexes, and apartment dwellings. Institutional uses are located to the north and west.

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

Plate 2, 2020 Aerial Map, provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicant's Sketch, provides the dimensions of the lands to be severed.

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 lands are located within the 'Low Density Residential' designation according to the Town of Tillsonburg Residential Density Plan, 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, street-fronting townhouses and other, similar forms of 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.

The policies of Section 8.2.4.1 (Infill Housing) also apply to this proposal. Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the land supply designated residential and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Districts.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the same street. In order that street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the County Land Division Committee and Town Council will ensure that the proposal is consistent with the street frontage, setbacks, lot area and spacing of existing development within a two block area on the same street.

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

- the location of vehicular access points, the effect of traffic generated by the proposal on the public road system, pedestrian and vehicular safety and surrounding properties is assessed and found to be acceptable;
- existing municipal services and community facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- the effect of proposed development on environmental resources or the effects of environmental constraints on the proposed development will be addressed and mitigated in accordance with Section 3.2;
- compliance of the proposed development with the provisions of the Zoning By-Law of the Town and other municipal by-laws; and
- consideration of the potential effect of the development on natural and heritage resources and their settings.

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 Official Plan.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject lands are zoned 'Minor Institutional Zone (IN1)' according to the Town's Zoning By-law. The IN1 zone permits a cemetery, community centre, daycare centre, fire, police or ambulance station, home occupation, nursery school, nursing home containing less than 20 beds, parking lot, place of worship, public library, public use, public or private school, and single detached dwelling which is accessory to a permitted non-residential use.

A standalone single detached dwelling is not a permitted use within the IN1 Zone; it must be accessory to a permitted non-residential use.

Residential properties surrounding the subject property are zoned 'Low Density Residential Type 1 Zone (R1)'. The provisions of the R1 Zone require a minimum lot area of 480 m² (5,166.8 ft²), minimum lot frontage of 15 m (49.2 ft), and minimum lot depth of 32 m (105 ft). The proposed lot to be severed is double the minimum lot size for a R1 lot as it is proposed to have a lot area of 1384.3 m² (0.34 ac) and lot frontage of 30.48 m (100 ft).

AGENCY COMMENTS:

The Town of Tillsonburg Engineering Department provided the following comments:

- Two sets of water and sanitary services were provided to the front property line of the proposed lot to be severed through the reconstruction of this area that was completed in 2013;
- There is an existing 0.3 m reserve in front of the lot to be severed that will need to be dedicated to the road allowance.

The Town of Tillsonburg Building Department indicated that cash in lieu of parkland will be payable if approved, and property is required to be rezoned to permit a residential use.

The Oxford County Public Works Department provided the following comments:

- Based on information provided on County GIS, two water and sanitary services were installed to property line for the lot to be severed.
- Connection fees shall be made payable to the County at time of connection.

Town of Tillsonburg Fire & Rescue Services, Town of Tillsonburg Development Commissioner, Bell Canada and Canada Post indicated that they have no objections or concerns regarding the application.

PUBLIC CONSULTATION:

Notice of the consent was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act on November 21, 2022. At the time of writing this report, no comments or concerns were received from the public.

Planning Analysis

The application for consent proposes to create a new vacant residential infill lot in Tillsonburg, while retaining vacant residential land and an existing place of worship.

The lands to be severed are suitable for residential purposes, however, Planning staff are of the opinion that the size of the proposed lot to be severed is excessive and does not represent an efficient use of land and municipal infrastructure in a fully serviced settlement area. In this regard, it is not consistent with the policies of the PPS in section 1.1.3.1.

Although the lot frontage and lot area of the proposed lot to be severed is consistent with the lot frontage and area of other lots along Concession Street West in the vicinity, it is noted that many of these lots were developed in the period of 1959-1972 on private services in the former Township of Dereham and were annexed into the Town of Tillsonburg in 1961. These lots are

considered to be oversized by current standards and do not represent an efficient use of land or municipal services. Although the proposed residential use of the lands to be severed has not been identified by the applicant, if the lands were used for a single detached dwelling the resulting residential density of the proposed lot to be severed is 7 units per hectare (3 units/ac), less than the minimum residential density of 15 units per hectare (6 units/ac) as required by the policies related to the Low Density Residential designation. Adjacent and surrounding residential properties are zoned 'Low Density Residential Type 1 Zone (R1)'. The lot to be severed has twice the required lot frontage and has 2.8 times the required minimum lot area for an R1 zoned lot.

The applicant has indicated that the lot to be severed will be used for residential purposes, but has not identified the type of residential use proposed. As a single detached dwelling or standalone residential use is not permitted in the IN1 zone, a zone change would be required to permit the single detached dwelling or any other residential use.

Additionally, the lot to be retained also includes frontage and additional development opportunities on Northview Drive to the north. The available vacant lands west of the place of worship are approximately 0.46 ha (1.13 ac); these lands are sufficiently large that they could potentially accommodate a multi-residential development. Planning staff are of the opinion that the proposed lot to be severed is excessively large for a single detached dwelling, the subject lands represent an underutilized site that could accommodate some form of multi-residential development to provide additional housing types and density in Town. Planning staff are of the opinion that the severance as proposed could preclude the orderly development of the lot to be severed or retained for potential multi-residential purposes.

In light of the foregoing, it is the opinion of this Office that the proposed application for consent is not consistent with the policies of the PPS and does not maintain the intend of the Official Plan respecting efficient use of land and municipal services within a serviced urban area, as the lot to be severed is excessively large and could preclude the efficient development of the lands. As such, Planning staff recommend that the application not be approved.

RECOMMENDATION

The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town does not support the application for consent as the proposed lot to be severed is excessive and does not represent an efficient use of land or municipal services within a fully serviced settlement area.

SIGNATURES

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Director