

To: Mayor and Members of Tillsonburg Town Council

From: Laurel Davies Snyder, Development Planner, Community Planning

Application for Consent B22-58-7 & B23-15-7 – The Salvation Army in Canada

REPORT HIGHLIGHTS

- The applications for consent propose to create two (2) new residential infill lots in the central area of Tillsonburg.
- The proposed lots to be severed will each have an area of approximately 692 m² (7,450 ft²), with 15.24 m (50 ft) of frontage on Concession Street West.
- Planning staff recommend that the applications be approved as they are consistent with the policies of the Provincial Policy Statement (PPS) and maintain the intent and purpose of the Official Plan respecting residential intensification and development within Low Density Residential Areas.

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:

Lots to be Severed – vacant

Lot to be Retained – place of worship

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

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

PROPOSAL:

The purpose of the applications for consent is to create two new vacant residential infill lots and retain one lot for the existing institutional use (place of worship). The approximate dimensions of the lots to be severed and the lot to be retained are summarized below:

	<u>Severed Lot 1</u>	<u>Severed Lot 2</u>	<u>Retained Lot</u>
Lot Area	692.2m ² (7,450 ft ²)	692.2 m ² (7,450 ft ²)	1.67 ha (4.1 ac)
Lot Frontage	15.24 m (50 ft)	15.24 m (50 ft)	71.41 m (234 ft)
Lot Depth (average)	45.42 m (149 ft)	45.42 m (149 ft)	170 m (557.7 ft)

The properties in the immediate area of the proposed lots were developed from the late 1950s to the early 1970s, and are considered to be very large residential lots by today's standards. These lots contain predominantly single detached dwellings of various sizes. Two institutional uses (places of worship) are located on Concession Street within the vicinity of the proposed lots, including The Salvation Army Tillsonburg Corps (110 Concession Street West) and Crosspoint Community Church (150 Concession Street West).

For Council's information, the applicant previously applied for consent in 2022 to create one new vacant residential lot at this location. The proposed lot to be severed was approximately 1,385 m² (0.34 ac) in area with 30.48 m (100 ft) frontage on Concession Street West. While the frontage and area of the proposed lot to be severed was consistent with the lot fabric (size and orientation of the lots) in the immediate area along Concession Street West, as mentioned above, this size of lot is considered oversized by current standards, and does not represent an efficient use of land or municipal services. As the original proposal was considered inconsistent with the policies of the PPS and not in-keeping with the intent of the Official Plan respecting efficient use of land and municipal services within a serviced urban area, Planning staff did not recommend support. Tillsonburg Council considered the previous application for consent in December 2022 and adopted a resolution supporting the proposal.

The application was deferred by the County Land Division Committee on January 26, 2023 until such time as the applicant provided additional information and details regarding the future development of the lot to be severed. The applicant subsequently amended the proposal to sever two vacant residential infill lots (instead of one).

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 and the configuration of the lands to be retained, 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 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and cost-effective development patterns and standards to minimize 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 for active transportation;
- efficient use land and resources; and,
- 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- and specifically section 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 residentially-designated land supply, 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; such dwelling must be accessory to a permitted non-residential use.

Residential properties surrounding the subject lands are zoned 'Low Density Residential Type 1 Zone (R1)'. The provisions of the R1 Zone require a minimum lot area of 480 m² (5166.8 ft²), minimum lot frontage of 15 m (49.2 ft), and minimum lot depth of 32 m (105 ft). The proposed dimensions of each of the two lots to be severed have been detailed previously. For comparison purposes, each lot to be severed comprises an area approximately 36% greater than required by the R1 Zone, and the lot depth is 34% greater.

AGENCY COMMENTS:

Enbridge Gas

- Should the proposed severance impact services/service lines, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the Attachment Centre at 1-866-772-1045.

Oxford County Public Works Department:

- Water and sanitary services already exist up to the property line for each of the proposed lots.
- The owner shall agree to satisfy all requirements, financial and otherwise, of the County, regarding the installation of water and sanitary sewer services, to the satisfaction of the County. To this regard, each of the lots to be severed must be independently serviced (water/sanitary), and if any/all services crossing the proposed property line should be

disconnected, it is done so to the satisfaction of the County of Oxford Public Works Department.

- The owner shall agree to connect to the water and sanitary services following Oxford County Design Guidelines at the time of Building Permit - which will be inspected by Oxford County - and pay any and all outstanding fees regarding the same.

Town of Tillsonburg Building Department

- If approved, cash-in-lieu of parkland will be payable.
- A Lot Grading Plan is required at time of building.
- Rezoning of the severed properties is required to permit residential uses.

Town of Tillsonburg Economic Development & Marketing

- No questions or concerns. This severance is appropriate for these particular lands.

Town of Tillsonburg Engineering Department

- A Road Occupancy Permit and/or Encroachment Permit is required for any work being done and/or equipment parked in the Town of Tillsonburg's right-of-way, and, a representative of the Developer's Consultant is to be on-site if/when any work is being done in the Town's right-of-way.
- Once the lands have been severed, a Grading Plan including servicing is to be provided.
- An Oxford County Connection Application to be provided to the Town of Tillsonburg Engineering Department prior to any construction on the severed lots.

PUBLIC CONSULTATION:

Notice of the Application for Consent was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act on May 25, 2023. At the time of writing this report, no comments or concerns had been received from the public.

Planning Analysis

Provincial Policy Statement (PPS)

Approving the requested severance will result in the addition of two new residential lots in the Town of Tillsonburg, providing the opportunity to intensify an existing settlement area. The lands to be severed are suitable for residential purposes, and the size of the proposed lots to be severed represent an efficient use of land and municipal infrastructure in a fully serviced Settlement Area. In this regard, the proposal is consistent with the policies of the PPS in Section 1.1.3.1.

The lot frontages, lot depths, and lot areas of the proposed lots to be severed are compatible with the lot frontage and area of other lots along Concession Street West in the vicinity. As mentioned earlier in this report, many of these lots were developed in the late 1950s to early 1970s on private services in the former Township of Dereham, and were annexed into the Town of Tillsonburg. The majority of these lots are oversized and do not represent an efficient use of land or municipal services by current standards.

Official Plan

The proposal is consistent with Low Density Residential Areas and Infill Housing policies in the Official Plan.

The Low Density Residential designation is intended to accommodate a mix and integration of different housing types while achieving an overall low density. Although specific residential use(s) of the lands to be severed have not been identified by the applicant, Planning staff are of the opinion that as the proposed vacant lots are within an existing settlement area and part of an underutilized parcel, they provide opportunity to increase the supply of housing through intensification, and specifically, through Street Oriented Infill residential development.

Planning Staff are of the opinion that the proposed two new infill lots are of sufficient size to accommodate new residential development compatible with surrounding low density residential uses with respect to lot area, lot frontage and lot depth, and orientation to Concession Street West. Furthermore, the proposed lots will adequately provide for the criteria contained in Section 8.2.4.1.4 which directs Town Council and the County Land Division Committee to ensure that any proposed residential infill is consistent with street frontage, setbacks, and spacing of existing development within a two-block area on the same street, and will facilitate development that maintains the general form and function of the existing neighbourhood.

Zoning By-law

The applicant has indicated that the lots to be severed will be used for residential purposes, but has not identified the type(s) of residential use(s) anticipated. As neither single detached dwellings nor standalone residential uses are permitted in the IN1 zone, a zone change is required to permit any residential uses on the severed properties.

In light of the foregoing, it is the opinion of this Office that the proposed applications for consent are consistent with policies of the PPS, and maintain the intent of the Official Plan respecting efficient use of land and municipal services within a serviced urban area, and by providing infill housing opportunities for the Town of Tillsonburg. As such, Planning staff recommend that the application be approved.

RECOMMENDATION

The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town supports the Applications for Consent B22-58-7 and B23-15-7 to sever the property submitted by The Governing Council of the Salvation Army East, for lands described as Part of Lot 7, Concession 11 (Dereham) in the Town of Tillsonburg, subject to the following conditions:

B22-58-7

- 1. The lot to be severed be appropriately zoned.**
- 2. The owners shall provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot**

traverse the adjoining lots and any conflicts must be re-directed or an easement must be created. Any proposed easements shall be reviewed by the Town of Tillsonburg and Tillsonburg Hydro Inc. Any service relocation required due to a severance would be at the cost of the property owner.

3. The owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.
4. The owners shall submit an updated survey to confirm lot sizes to the satisfaction of the Town of Tillsonburg.
5. The owners shall submit a lot grading plan to the satisfaction of the Town of Tillsonburg as part of the Building Permit process.
6. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Tillsonburg, regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg.
7. The owner shall agree to satisfy all requirements, financial and otherwise, of the County, regarding the installation of water and sanitary sewer services, to the satisfaction of the County. To this regard, the lot to be severed must be independently serviced (water/sanitary), and if any/all services crossing the proposed property line should be disconnected, it is done to the satisfaction of the County of Oxford Public Works Department.
8. The owner shall agree to connect to the water and sanitary services following Oxford County Design Guidelines at the time of Building Permit, which will be inspected by Oxford County, and pay any and all outstanding fees regarding the same.
9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.

B23-15-7

1. The lots to be severed be appropriately zoned.
2. The owners shall provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement must be created. Any proposed easements shall be reviewed by the Town of Tillsonburg and Tillsonburg Hydro Inc. Any service relocation required due to a severance would be at the cost of the property owner.
3. The owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.
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9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.

SIGNATURES

Authored by: *"Original Signed By"* Laurel Davies Snyder, RPP, MCIP
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