

**To: Mayor and Members of Tillsonburg Town Council**

**From: Laurel Davies Snyder, Development Planner, Community Planning**

## **Application for Consent B24-47-7 – Cameron and Cynthia McKnight**

### **REPORT HIGHLIGHTS**

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- The purpose of the Application for Consent is to create one new residential infill lot and to retain one residential lot containing an existing dwelling.
- Planning staff are recommending that the application be approved as it is consistent with the policies of the Provincial Policy Statement (PPS) and maintains the intent and purpose of the Official Plan respecting residential intensification and development within Low Density Residential Areas.

### **DISCUSSION**

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#### **Background**

OWNERS / APPLICANTS: Cameron and Cynthia McKnight  
55 Parkwood Drive, Tillsonburg, ON N4G 2B7

LOCATION:

The subject lands are described as Lots 31 and 32, Plan 507 in the Town of Tillsonburg. The property is located on the east side of Parkwood Drive, lying between Fairfield Crescent and Parkwood Drive and known municipally as 55 Parkwood Drive.

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

TOWN OF TILLSONBURG BY-LAW No. 3295:

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

EXISTING USE OF SUBJECT PROPERTY:

Lot to be Severed: vacant, save for a tennis court

Lot to be Retained: existing single detached dwelling (to be retained)

SERVICES:

Lot to be Retained: municipal water and municipal sanitary sewer

Lot to be Severed: proposed municipal water and municipal sanitary sewer

ACCESS:

Lot to be Retained: paved municipal road (Parkwood Drive)

Lot to be Severed: paved municipal road (Parkwood Drive)

PROPOSAL:

The purpose of the Application for Consent is to create one new residential infill lot with frontage on Parkwood Drive to facilitate the future construction of a new residential dwelling, and to retain one residential lot with frontage on Parkwood Drive which currently contains a single detached dwelling (to be retained). The approximate dimensions of the lot to be severed and the lot to be retained are provided below:

	<u>Lot to be Retained</u>	<u>Lot to be Severed</u>
Lot Area:	1,720.5 m <sup>2</sup> (18,519.3 ft <sup>2</sup> )	837.1 m <sup>2</sup> (9,010.5 ft <sup>2</sup> )
Lot Frontage:	28.8 m (94.4 ft)	18.28 m (59.97 ft)
Average Lot Depth:	49.33 m (161.84 ft)	44.42 m (145.73 ft)

The subject property has existing vehicular access to Parkwood Drive. Current land uses surrounding the subject property consist of low density residential uses in the form of single detached dwellings on a range of lot sizes to the north, south, and west. The property is adjacent to Otter Lane to the south and backs onto ravine lands owned by the Town of Tillsonburg with Big Otter Creek and Cadman Park located to the east of the subject property.

Plate 1, Location Map and Existing Zoning, 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, Applicants' Sketch, provides the dimensions of the lot to be severed and the lot to be retained, as provided by the applicants.

## **Application Review**

### PROVINCIAL POLICY STATEMENT (PPS):

Section 1.1.1 of the PPS 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 use which are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available;
- support for active transportation;
- efficiently using 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 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land, resources, existing infrastructure, and public service facilities. A range of uses and opportunities for intensification and redevelopment should also be promoted where it can be accommodated in settlement areas.

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.

Section 1.4, Housing, and specifically Subsection 1.4.3, state 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 in 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. Specifically, a minimum target of 15 percent of all new residential dwelling units are to be developed through residential intensification within built-up areas of the Town.

Residential intensification and compact urban form are 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. Intensification 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.

The policies of Section 8.2.4.1, Infill Housing, 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. 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 Land Division Committee 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 will be considered for 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 in keeping with the overall objectives of the Official Plan.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Low Density Residential Type 1 Zone (R1)' in the Town's Zoning By-law. Permitted uses in the 'R1' Zone include an additional residential unit (ARU), a group home, a home occupation, a public use, and a single detached dwelling.

For single detached dwellings, the provisions of the 'R1' zone relevant to this application include:

- Minimum Lot Area of 480 m<sup>2</sup> (5,166.9 ft<sup>2</sup>) or 608 m<sup>2</sup> (6,544.7 ft<sup>2</sup>) in the case of a corner lot;
- Minimum Lot Frontage of 15 m (49.2 ft) or 19 m (62.3 ft) in the case of a corner lot; and,
- Minimum Lot Depth of 32 m (105 ft).

The minimum lot area, lot frontage and lot depth provisions of the Town's Zoning By-Law are intended to ensure that lots are sufficiently large enough to provide an adequately sized building envelope and ensure that adequate area is provided for safe access/egress, parking, landscaping, drainage, and private amenity space.

With respect to the lot to be retained and the lot to be severed, it appears that the minimum lot frontage, minimum lot area, and minimum lot depth provisions of the 'R1' Zone for single detached dwellings will be met.

AGENCY COMMENTS:

Oxford County Public Works commented that if the application is approved, a condition of severance shall be that the owners 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 that regard, both properties must be serviced (water/sanitary) independently, and

any/all services crossing the proposed property line should be disconnected to the satisfaction of the County of Oxford Public Works Department.

Town of Tillsonburg Engineering Department commented that:

- The Owner shall covenant and agree 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. Any work being done in the Town's right-of-way will require an Encroachment Permit and full time inspection by the Owner's consultant for the entire duration of any works being completed in the Town's right-of way. The Owners shall agree to submit a sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town of Tillsonburg Development Guidelines and Design Criteria.
- The Owners shall submit a Lot Grading Plan and Site Servicing Plan for both the proposed severed and retained lots to the satisfaction of the Town of Tillsonburg Engineering Services Department.
- The Owners shall submit a Surveyors Real Property Report to confirm lot sizes and building setbacks to the satisfaction of the Town.

Town of Tillsonburg Building Services Department commented that conditions of severance should include servicing, and a proposed site plan/grading plan. The required parkland dedication appears to have been provided at the time of the registration of Subdivision Plan 507.

Tillsonburg Economic Development and Marketing indicated that they do not have any questions or concerns and that this appears to be an appropriate severance.

Long Point Region Conservation Authority (LPRCA) commented that:

- The subject property contains slopes associated with the valley of Big Otter Creek and a satisfactory slope stability assessment was completed in 2023 which determined the location of the stable slope and the erosion hazard setback for the property.
- The application is subject to the subjections of Section 3.1 of the Provincial Policy Statement (PPS) that generally directs development to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.
- A permit is required from the LPRCA office prior to any development activities taking place on the property.

Tillsonburg Hydro indicated that they do not have any comments regarding the severance, and, that a completed Electrical Planning Form must be submitted with a request for new electrical service for the proposed lot to be severed.

Canada Post indicated that mail delivery for the lot to be severed will be via an existing community mailbox.

The Thames Valley District School Board (TVDSB) and Enbridge Gas indicated that they do not have any concerns regarding the application.

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. 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 proposed severance will result in the creation of one new residential infill lot in the Town of Tillsonburg, providing the opportunity for intensification within a serviced settlement area. This is consistent with the policies of the PPS in Section 1.1.1 regarding accommodating an appropriate range and mix of residential housing to meet long-term needs, and promoting cost-effective development that minimizes land consumption and servicing costs. Staff are of the opinion that the new residential lot resulting from the severance is suitable for residential purposes and the applicant has demonstrated that the ravine slope is stable and a suitable building envelope is present for a single detached dwelling. More specifically, the size and configuration of the proposed lot to be created represents an efficient use of land and municipal infrastructure. In this regard, the proposal is consistent with the policies of the PPS in Section 1.1.3.1 that support Settlement Areas as the focus of growth, the effective use of existing infrastructure, and efficiently using land and resources.

Official Plan

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

The subject lands are located within an area primarily characterized by residential land uses (predominantly single detached dwellings) on a range of lot sizes. The lot to be retained and lot to be severed meet the relevant provisions of the 'R1' zone in the Zoning By-law, and Staff is of the opinion that both lots will be of sufficient size to provide safe vehicular ingress and egress, adequate space for required off-street parking, drainage, stormwater management and amenity space.

Regarding the street-oriented infill policies contained in Section 8.2.4.1.1, Planning staff considered the two-block area between Arbour Lane and Parkwood Drive on Parkwood Drive. The overall area is characterized by single detached dwellings on a range of lot sizes. Staff are of the opinion that the lot to be retained and lot to be severed are consistent and compatible with residential lot sizes within the defined area, and both lots will provide adequate lot area and building envelopes for residential development.

The Low Density Residential designation is intended to accommodate a mix and integration of different housing types while achieving an overall low density. Planning staff are of the opinion that as the proposed lot to be severed is within an existing fully serviced settlement area and part of what is today considered an oversized residential lot in a fully serviced settlement area, it provides a logical opportunity to increase the supply of housing through appropriate intensification. Planning staff are of the opinion that the proposed new lot is of sufficient size to accommodate new residential development and is considered to be compatible with surrounding residential uses with respect to lot area, lot frontage, and lot depth, orientation to Parkwood Drive, and the overall form and function of the surrounding neighbourhood land uses.

It is the opinion of Planning staff that the application conforms to the relevant policies of the Official Plan regarding Low Density Residential areas and Street Oriented Infill (intensification).

### Zoning By-law

Based on the information provided by the applicants, the lot to be severed and the lot to be retained comply with the provisions of the 'R1' Zone. Staff are of the opinion that the proposed lot to be severed and proposed lot to be retained would both be of sufficient size to provide adequately sized building envelopes with adequate area for parking, landscaping, drainage, and private amenity space. Staff note that due to the slopes associated with property and the proximity to Big Otter Creek, a permit from the LPRCA is required prior to development.

With respect to the requirement for parkland dedication for the proposed consent, it is noted that the subject lands are currently comprised of 2 lots from Plan 507, registered in 1952. The subdivision plan included a Block for parkland purposes that was transferred to the Town. As the proposed infill severance would create 1 additional lot that was originally included in Plan 507, it is staff's opinion that the original parkland dedication remains applicable and no additional dedication is required.

It is the opinion of this Office that the Application for Consent is consistent with policies of the PPS, maintains the intent of the Official Plan respecting efficient use of land and municipal services within a fully serviced urban area, and provides an infill housing opportunity for the Town of Tillsonburg. As such, Planning staff recommend that the applications be given favourable consideration.

## **RECOMMENDATIONS**

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**The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town supports the Application for Consent B24-47-7 submitted by Cameron and Cynthia McKnight for lands described as Lots 31 and 32, Plan 507 in the Town of Tillsonburg, subject to the following conditions:**

- 1. The Owners 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 including payment of all outstanding fees regarding the same. To this regard, the lot to be retained and the lot to be severed must be independently serviced (water/sanitary), and any/all services crossing the proposed property line must be disconnected to the satisfaction of the County of Oxford Public Works Department.**
- 2. The Owner(s) shall covenant and agree 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. Any work being done in the Town's right-of-way will require an Encroachment Permit and full time inspection by the Owner(s) consultant for the entire duration of any works being completed in the Town's right-of way. The Owner(s) shall agree to submit a sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town of Tillsonburg Development Guidelines and Design Criteria.**



