

To: Mayor and Members of Tillsonburg Council

From: Laurel Davies Snyder, Development Planner, Community Planning

Application for Zone Change ZN 7-24-12 – Trevalli Homes

REPORT HIGHLIGHTS

- The application for zone change proposes to remove the holding provision from 19 residential lots within the Oak Park Estates residential subdivision. The appropriate servicing works and development agreements have been completed. Removal of the holding provision will allow for the issuance of building permits.
- Planning staff are recommending approval of the application, as sufficient water and wastewater capacity is available for the development, and all necessary development agreements have been completed.

DISCUSSION

Background

OWNERS: Trevalli Homes (c/o David Guardiero)
35 Harvard Road, PO box 21009, Guelph, ON N1G 3A0

AGENT: CJDLEngineering (c/o Stephen Cornwell)
261 Broadway, PO Box 460, Tillsonburg, ON N4G 4H8

LOCATION:

The subject lands are described as Lot 27, Lot 53, Lots 59-62, 64-76, Plan 41M-144, Town of Tillsonburg. The lands are located on the north and south side of Hemlock Drive, west of William Street and east of Beech Boulevard, and known municipally as 3, 5-10, 14, 16, 18 20, 22, 23, 24, 26, 28, 30 Hemlock Drive and 20 Walnut 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 ZONING BY-LAW NO. 3295:

Existing Zoning: Low Density Residential Type 1 Holding Zone (R1A (H))

Proposed Zoning: Low Density Residential Type 1 Zone (R1A)

PROPOSAL:

The purpose of the zone change application is to remove the holding provision from the subject lands to allow for future residential development in the form of 19 single detached dwellings.

Surrounding land uses includes a place of worship to the south (zoned 'Minor Institutional Zone (IN1)'), low density development to the north, west, and east in the form of single detached dwellings (zoned 'Low Density Residential Type 1 Zone (R1 and R1A)'), and vacant residential lots to the south (zoned 'R1-23' and 'R1A(H)', which permits single detached dwellings.)

Plate 1, Location Map with 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 the existing zoning in the immediate vicinity.

Plate 3, Applicant's Sketch, depicts the lands from which the Holding provision will be removed, as submitted by the Applicant.

Application Review

2020 PROVINCIAL POLICY STATEMENT (PPS):

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 provides 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; accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs; and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

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 a mix of land uses which efficiently use land, resources, infrastructure, and public service facilities.

Section 1.4 – Housing - directs 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, among other matters, facilitating all forms of housing to meet social, health and well-being requirements of current and future residents and promoting

densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities.

OFFICIAL PLAN:

The subject lands are designated Low Density Residential according to the Town of Tillsonburg Residential Density Plan. 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 dwellings, semi-detached, duplex or converted dwellings, quadraplexes, townhouses, and low density cluster development.

The policies of Section 8.2 (Town of Tillsonburg Housing Development and Residential Areas) promote the accommodation of 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.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject lands are currently zoned 'Low Density Residential Type 1 Holding Zone (R1A (H)) according to the Town of Tillsonburg Zoning By-law. The 'R1A' zone permits an additional residential unit (ARU), a group home, a home occupation, a public use, and a single detached dwelling.

The intent of a holding provision is to ensure that all appropriate development agreements are in place, required easements have been provided, and payment for servicing has been received in advance of issuing building permits.

Section 36 of the Planning Act governs the use of holding provisions. Holding provisions are typically used to ensure that technical or administrative matters are addressed prior to the intended use of a property being permitted to proceed. Removal of holding provision does not require public notice or circulation of the application, and the only right to appeal lies with the owner/applicant.

AGENCY COMMENTS:

The application was circulated to various public agencies considered to have an interest in the proposal and all comments received are summarized below.

The Tillsonburg Building Services Department, Tillsonburg Engineering Services Department, and Oxford County Public Works indicated that they have no concerns with the request to remove the Holding provision from the lands.

Planning Analysis

It is the opinion of this Office that the proposed Zoning By-law Amendment application is consistent with the policies of the Provincial Policy Statement and maintains the intent and purpose of the Official Plan and can therefore be supported from a planning perspective. Oxford County Public Works and Town of Tillsonburg Building Services and Town of Tillsonburg Engineering staff have indicated that they have no objection to the removal of the holding provision.

