

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

**From: Marc Davidson, Senior Development Planner, Community Planning**

## **Application for Zone Change**

### **ZN 7-24-16 – Trevalli Homes Limited**

#### **REPORT HIGHLIGHTS**

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- The application for Zone Change proposes to rezone the subject properties from ‘Low Density Residential Type 1A Zone (R1A)’ to ‘Special Low Density Residential Type 1A Zone (R1A-23)’ to reduce the minimum front yard setback from 7.5 metres (24.6 feet) to 6.0 metres (19.7 feet) and to reduce the minimum rear yard setback from 10.5 metres (34.4 feet) to 9.0 metres (29.5 feet).
- Planning staff are recommending support of the application, as it is consistent with the policies of the Provincial Planning Statement and complies with the relevant policies of the Official Plan respecting intensification and development within Low Density Residential Areas.

#### **DISCUSSION**

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##### **Background**

OWNER: Trevalli Homes Limited (c/o David Guardiero)  
35 Harvard Road, Guelph ON N1G 3A0

AGENT: GSP Group Inc. (c/o Valerie Schmidt)  
72 Victoria Street South, Suite 201, Kitchener ON N2G 4Y9

LOCATION:

The subject properties are described as Lots 27, 53 and Lots 64-76 inclusive, Plan 41M-144, in the Town of Tillsonburg. The lands are located on the north and south side of Hemlock Drive in the vicinity of the intersection of Hemlock Drive and Walnut Drive, and are municipally known as 6,8,10,12,14,16,18,20,22,23,24,26,28,30,43 Hemlock Drive and 20 Walnut Drive, Tillsonburg.

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 1A Zone (R1A)

Proposed Zoning: Special Low Density Residential Type 1A Zone (R1A-23)

PROPOSAL:

The purpose of this application is to rezone the subject property from 'Low Density Residential Type 1A Zone (R1A)' to 'Special Low Density Residential Type 1A Zone (R1A-23)' to permit the reduction of both the minimum front and rear yard setbacks.

The subject lands are fifteen (15) existing lots within the Oak Park subdivision. All of the existing lots are presently vacant, and the intent of this application is to reduce both the front and rear yard setbacks to facilitate the construction of single detached dwellings on each of the lots.

Surrounding uses include low density development to the north, west, and east in the form of single detached dwellings, and some vacant residential lots to the north (zoned 'R1A-23', which permits single detached dwellings with reduced front and rear yard setbacks), and an Institutional use to the south east in the form of a place of worship (zoned 'Minor Institutional Zone (IN1)').

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.

Plate 3, Applicant's Sketch, depicts the proposed floor plan for the converted dwelling.

## **Application Review**

### 2024 PROVINCIAL PLANNING STATEMENT (PPS):

The Provincial Planning Statement is a policy statement issued under Section 3 of the Planning Act that came into effect on October 20, 2024. The PPS applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

Section 1, Introduction, states that a prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.

Section 2.2 provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the immediate area by:

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
- b) permitting and facilitating:
  1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

Section 2.3.1, General Policies for Settlement Areas, directs that Settlement Areas shall be the focus of growth and development. Further, land use patterns within Settlement Areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and,
- e) are freight supportive.

OFFICIAL PLAN:

The subject lands are designated 'Residential' and 'Low Density Residential' according to the Land Use Plan and Residential Density Plan for the Town of Tillsonburg, as contained in the Oxford Official 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 both executive and smaller single-detached dwellings, semi-detached, duplex and converted dwellings, street-fronting townhouses and other, similar development. Within areas designated Low Density Residential, 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 (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 property is currently zoned "Low Density Residential – Type 1A Zone (R1A)", according to the Town of Tillsonburg Zoning By-law. Permitted uses within the 'R1A' zone include a single detached dwelling.

The 'R1A' zone requires a minimum rear yard depth of 10.5 m (34.4 ft) and a minimum front yard depth of 7.5 m (24.6 feet) for lots created prior to the passing of the Zoning By-law. The 'R1A' zone also permits a maximum lot coverage of 37% for all buildings and structures and requires a minimum interior side yard width of 3 m (9.8 ft) on one side and 1.2 m (3.8 ft) on the other where an attached garage is not present.

The applicant is proposing to reduce the rear yard depth from 10.5 m (34.4 ft) to 9 m (29.5 ft), and to reduce the minimum required front yard depth from 7.5 m (24.6 ft) to 6 m (19.7 ft) to permit future buyers the opportunity to construct a covered, private amenity space in the form of covered decks, porches and/or patios, while accommodating the preferred dwelling design of the applicant. No request has been received from the applicant for an increase to the permitted lot coverage allowance of 37% lot area.

The proposed zoning category matches approvals for other lands in the immediate vicinity that were granted in September 2021 by Tillsonburg Council. Staff is recommending that the previously approved special zoning category be continued on the subject lands.

AGENCY COMMENTS:

The application was circulated to various public agencies considered to have an interest in the proposal.

The Tillsonburg Building Services Department, Oxford County Public Works Department, Town Engineering Services Department, Long Point Region Conservation Authority, the Ministry of Environment, Conservation and Parks, Southwestern Public Health, and Tillsonburg Hydro Inc. indicated they have no concerns with the proposal.

Town of Tillsonburg Building Services provided the following comments:

- Suggest that the applicant verify that the proposed zone change will not end up with lot coverage implications. If identified, it is suggested that an increase to lot coverage be added to this application request for consideration. *In conversation with the Agent, it was determined that the existing lot coverage would be satisfactory and further relief to the by-law was not required.*

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 January 10, 2025, and January 27, 2025, respectively, in accordance with the requirements of the Planning Act.

Correspondence from a neighbouring resident were received, asking whether the proposed rezoning would allow for Townhouses on Hemlock and Walnut. The present R1A zoning would permit an additional residential unit, a group home, a home occupation, a public use and a single detached dwelling. This information has been provided to the concerned resident.

**Planning Analysis**

It is the opinion of this Office that the proposed zoning amendment to reduce the front and rear yard depth requirements for a number of lots fronting on Hemlock Drive and Walnut Drive is consistent with the policies of the Provincial Planning Statement and Official Plan and can therefore be supported from a planning perspective.

The proposal, which will facilitate the construction of one single detached dwelling per lot is consistent with the Provincial Planning Statement direction to provide for an appropriate diversity of housing types and densities to meet the needs of current and future residents.

The proposal is also consistent with the permitted uses and forms of development contemplated in the Low Density Residential designation of the County Official Plan.

With respect to the Tillsonburg Zoning By-law, the purpose of the minimum front yard depth is to ensure that dwellings are situated an appropriate distance from the street, and to ensure that there is adequate space for the provision of private parking within the driveway on site. This provision also assists in ensuring that a uniform sight line is maintained along residential streets.

Planning staff are satisfied that a reduction to the required front yard depth of 1.5 m (4.9 ft) will continue to ensure sufficient setback between the public right of way and private development will continue to provide space for the 2 parking spaces required by the Zoning By-law for single detached dwellings. Planning staff are further of the opinion that the minor reduction proposed to the front yard depth will be consistent with existing lots located on lands to the north situated on Sycamore Drive.

With respect to the required rear yard depth, it is the intent of the Zoning By-law to ensure that single detached dwellings maintain adequate rear yard setback to provide a buffer between neighbouring properties for privacy purposes, while maintaining sufficient space for recreation and amenity areas, and proper area for drainage.

Planning staff are satisfied that the proposed rear yard depth reduction can be considered appropriate. Notwithstanding the proposed dwelling design can be accommodated in the allotted building envelope provided for dwellings in the 'R1A' zone, this office is of the opinion that the reduced rear yard depth will aid in providing additional flexibility for larger covered decks and patios for the proposed dwellings, which are common for similar types of development found in the area, and will assist in providing shaded, alternative amenity areas on the subject lands.

Further, it is not anticipated that the proposed reduction to the minimum front and rear yard depth requirements will have a negative impact on lot grading or drainage. A detailed lot grading plan for each dwelling will be reviewed as part of the building permit process to ensure the proposal will have no negative impacts on neighbouring properties or the overall drainage plan for the subdivision and the applicant has not requested an increase to the maximum lot coverage provision of the By-law.

Based on the foregoing, it is the opinion of this office that the proposed zoning by-law amendment to reduce the required front and rear yard depth provisions for a number of lots in the Oak Park Estates subdivision is appropriate from a planning perspective and can be given favourable consideration.

## RECOMMENDATION

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1. It is recommended that the Council of the Town of Tillsonburg approve the zone change application submitted by Trevalli Homes Limited, whereby the lands described as Lots 27, 53 and Lots 64-76, Plan 41M-144, known municipally as 6,8,10,12,14,16,18,20,22,23,24,26,28,30,43 Hemlock Drive and 20 Walnut Drive in the Town of Tillsonburg are to be rezoned from 'Low Density Residential – Type 1A Zone (R1A)' to 'Special Low Density Residential Type 1A Zone (R1A-23)' to permit a reduced minimum front yard depth of 6 m (19.7 ft) and a reduced minimum rear yard depth of 9 m (29.5 ft).

## SIGNATURES

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**Authored by:**

*Original signed by*

Marc Davidson  
Senior Development Planner

**Approved for submission:**

*Original signed by*

Eric Gilbert, RPP, MCIP  
Manager of Development Planning