



**PROPOSED AFFORDABLE
HOUSING DEVELOPMENT**

**31 EARLE STREET
TOWN OF TILLSONBURG**

**OFFICIAL PLAN & ZONING
BYLAW AMENDMENTS**

**DRAFT PLANNING
JUSTIFICATION REPORT**

CJDL
Consulting Engineers

25004
07 April 2025

PROPOSED AFFORDABLE HOUSING DEVELOPMENT**31 EARLE STREET, TILLSONBURG****PLANNING JUSTIFICATION REPORT****TABLE OF CONTENTS**

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PROPOSED AFFORDABLE HOUSING DEVELOPMENT

31 EARLE STREET TILLSONBURG

PLANNING JUSTIFICATION REPORT

1.0 INTRODUCTION

This planning justification report reviews amendments to the County of Oxford Official Plan and the Town of Tillsonburg Zoning By-law proposed on behalf of the Town of Tillsonburg on lands currently owned by the Town of Tillsonburg located at 31 Earle Street. These approvals would permit two affordable housing developments on former institutional lands. The first development is a four-storey, 47-unit apartment dwelling on the central portion of the property. The second development is a 24-unit townhouse development on the northern portion of the property.

The proposed development requires an amendment to the Oxford County Official Plan in order to remove the lands institutional designation and public school designation on their respective schedules and redesignate the lands as an area for planned Medium Density Residential Development. The proposed development also requires a Zoning By-Law amendment in order to designate the lands a Medium Density Residential (MR) Zone. The proposed development also requires site specific Zoning By-Law Amendments in order to allow for the development to occur adjacent to an environmental protection area and to provide density bonusing in exchange for the provision of affordable housing.

A pre-consultation meeting with municipal staff occurred on March 17, 2025, to discuss the proposed applications and the related requirements for submission.

2.0 SUBJECT LANDS

The subject lands are located in the Town of Tillsonburg at the intersection of Earle Street and Cedar Street, as depicted in **Figure 1**. The subject property is located at the municipal address of 31 Earle Street, Tillsonburg and is known legally as PT LT 2-3 CON 12, LT 25-26 PL 966; PT WILLOW ST PL 966 CLOSED BY A72887, AS IN 485417; S/T A96683; TILLSONBURG. [P.I.N 00042-0063].

The property is the former site of Eliot Fairbairn Public School. The former school building and parking area still occupy the northern portion of the property, with the schoolyard located at the south portion adjacent to the woodlands. The former school building is currently being leased for use as a police training facility.

The full subject property is a total of 1.89 ha in area, and includes the former school buildings, the vacant schoolyard, and the woodlands. The subject lands, comprising of the portion of the property without the woodlands, cover a total area of 1.22 ha and have 121.3 m of frontage on Cedar Street and 86.0 m on Pine Street. Within the subject lands, the northern part of the lands containing the school building and associated parking lots cover 0.68 ha. The former schoolyard located between the parking area and the woodlands is comprised of 0.54 ha of vacant land and includes a stormwater easement. The woodlands in the southern portion of the property cover 0.67 ha.

The subject property contains woodlands which are Locally Significant Natural Heritage feature in **Schedule C-1: County of Oxford Environmental Features Plan** in the Oxford County Official Plan. The subject property is located within a Large Urban Centre designated in **Schedule C-3: County of Oxford Settlement Strategy Plan**. The property is designated as Residential, with the wooded area designated as Environmental Protection in **Schedule T-1: Town of Tillsonburg Land Use Plan**. There is no residential density assigned currently assigned in **Schedule T-2: Town of Tillsonburg Residential Density Plan**. The subject lands are designated as a Public School in **Schedule T-3: Leisure Resources and Schools Plan**. The woodlands on the property are considered 'Significant Woodlands' by the County of Oxford Woodlands Conservation By-Law No. 6607-2024.

The subject lands are Zoned Minor Institutional (IN1) in the Town of Tillsonburg Zoning By-Law No. 3295. The Environmental Protection Area is Zoned Environmental Protection 2 (EP2) in the Town of Tillsonburg Zoning By-Law No. 3295.

A map depicting the general location of the subject property is included below in **Figure 1**. The zoning of the relevant lands and the boundaries of the subject lands are depicted further below in **Figure 2**. Photos of the site and adjacent roads are depicted in **Figure 3, 4, 5, and 6**.

3.0 SURROUNDING LAND USES

The subject lands are located within the Settlement Area of the Town of Tillsonburg. The surrounding area is characterized by Low Density Residential uses (R1 and R2). These residential areas are comprised of single detached dwelling units. The subject lands are bordered to the south by lands zoned for General Industrial use (MG). There is a commercial area to the north of the subject lands along Simcoe Street. This area is designated Service Commercial (SC). There is a children's playground adjacent to the

Southeast corner of the subject lands. The subject property contains woodlands which are considered a Locally Significant Natural Heritage feature in **Schedule C-1** of the Oxford County Official Plan and an environmentally protected area (EP) in **Schedule T-1** of the Oxford County Official Plan.

The site abuts Earl Street, Cedar Street, and Pine Ave. Cedar Street is not designated a Collector or Arterial Road in **Schedule T-4: Town of Tillsonburg Transportation Network Plan** of the Oxford County Official Plan. However, Cedar Street is designated a Collector Road in **Schedule B: Road Designation Plan** in the Town of Tillsonburg Zoning By-Law No. 3295.

The zoning designations of the surrounding lands, along with the location of the adjacent play area is depicted below in **Figure 2**. Photos of the site and adjacent roads are included in **Figure 3, 4, 5, and 6**. A photo of the adjacent play area is included in **Figure 7**.

Figure 1: Location of Subject Property



Figure 2: Zoning of Subject Lands and Surrounding Land Uses





Figure 3: Subject property looking east from southwest corner of the lands.

March 13th, 2025



Figure 4: Subject lands looking west from southeast corner of the lands.

March 13th, 2025



Figure 6: Edge of subject lands looking south along Cedar Street.

March 13th, 2025



Figure 5: Edge of subject lands looking south along Pine Ave.

March 13th, 2025



Figure 7: Play area adjacent to Southeast corner of the subject lands.

March 13th, 2025

4.0 PROPOSAL

Two developments are proposed for the subject lands. Of the 71 dwelling units produced by the developments, 100% will be priced at or below the affordable level as defined by the Oxford County Official Plan **Section 1.6**, which states:

“1.6: Affordable housing means housing which would have a market price or rent that would be affordable to those households with incomes of 60 percent of median income, or lower, as reported by Statistics Canada for Oxford County, whereby:

- Affordable rental housing is a dwelling unit where monthly rental costs (excluding utilities) do not exceed 30 percent of the tenant gross monthly household income; and*
- Affordable ownership housing is a dwelling unit where monthly housing expenses (including mortgage principle, interest and property tax but excluding insurance or utilities expense) do not exceed 30 percent of gross monthly household income.”*

The first development is a 4-storey apartment containing 47 affordable dwelling units on the vacant portion of the subject lands located south of the existing vacant school building and north of the environmentally protected wooded area. A total of 75 parking spaces are proposed, including 3 accessible spaces. These parking areas are located on the side front of the proposed building. This development is within the parcel located on Earl Street, but would front onto Cedar Street and include driveway and pedestrian access onto Cedar Street. The second development is 24 affordable townhouses under condominium ownership to be developed on the site of the existing school building and parking area.

Together, the developments will contribute a total of 71 affordable dwelling units.

The developments are based on the approval of Official Plan Amendments and Zoning By-Law Amendments.

4.1 OFFICIAL PLAN AMENDMENT

The County of Oxford Official Plan does not identify the project site as a zone for planned Medium Residential development in **Schedule T-2**. An Amendment to the Oxford County Official Plan is proposed to designate the Project Site as a Medium Density Residential zone in **Schedule T-2**, further to **Section 8.2.5** of the Official Plan. There are no proposed changes to the text portion of the Plan.

The County of Oxford Official Plan identifies the site as a Public Elementary School in **Schedule T-3: Town of Tillsonburg Leisure Resources and School Facilities Plan**. As Elliot Fairbairn is no longer operating, a housekeeping Amendment is proposed to remove the Public Elementary School designation from the lands in **Schedule T-3**. The proposed Draft Official Plan Amendments are provided in **Appendix A**.

4.2 ZONING BY-LAW AMENDMENT

An Amendment to the Town of Tillsonburg Zoning By-Law No. 3295 is proposed to rezone the subject lands for residential use in the form of a Medium Density Residential development on lands currently zoned for Minor Institutional Use (IN1), further to **Section 8.5.3.4** of the County of Oxford Official Plan.

A site-specific Zoning By-Law Amendment to the Town of Tillsonburg Zoning By-Law No. 3295 applicable to the southern portion of the subject lands known as PART LT2&3 CON12, LT 25 PT 4&7 PL 966 is proposed to permit the development's location adjacent to an Environmental Protection Area, considering the provisions of the EIS further to **Section 3.2.4.2** of the County of Oxford Official Plan. This proposed amendment will also provide density bonusing in return for the development of 47 affordable apartment units. These proposed Draft Zoning By-Law Amendments are provided in **Appendix B**.

5.0 SUPPORTING STUDIES

Along with this planning justification report, studies have been conducted in support of the proposed development including the associated Proposed Official Plan Amendment and Proposed Zoning By-Law Amendments

5.1 ENVIRONMENTAL IMPACT STUDY

An Environmental Impact Study (EIS) has been prepared by Terrastory. This EIS identified that the Subject Property contains significant natural features and species. Two Special Concern species are considered to have at least a possible likelihood of occurrence within the Subject Property given their habitat associations and current distribution in southern Ontario:

- 1) Yellow-banded Bumblebee (*Bombus terricola*)
- 2) Monarch (*Danaus plexippus*)

No specific mitigation recommendations were offered in the EIS as these species are foraging habitat generalists and abundant nectaring habitat exists within the wider landscape surrounding the Subject Property.

A total of two Endangered bat species are considered to have some possibility of occurring in the wooded area on the Subject Property:

- 1) Little Brown Myotis (*Myotis lucifugus*)
- 2) Northern Myotis (*Myotis septentrionalis*)

While the results of ultrasonic acoustic monitoring failed to suggest the possible presence of a maternity roost in the vicinity of the deployed acoustic monitors, a small number of Endangered Myotis bat detections were made. On this basis, the EIS includes the recommendation that, if construction activities occur during the active bat season (i.e., April 1 and September 30), work will be restricted to daylight hours only and the use of artificial lighting will be avoided. **[additional recommendations to be determined in updated EIS]**

The contiguous wooded area containing Dry – Fresh Sugar Maple – Oak Deciduous Forest (FODM5-3) and Dry – Fresh Red Pine Naturalized Coniferous Plantation (FOCM6-2) communities within the Subject Property is designated EPA per Schedule T-1: Town of Tillsonburg Land Use Plan of the County's Official Plan and has been confirmed by the findings of the EIS as an Environmental Feature of Local Significance. Section 3.2.4.2.7 of the County's OP requires that any development or site alteration proposed within or adjacent to a Locally Significant Natural Heritage Feature must be supported by an EIS which demonstrates no negative impact on the protected feature. **Based on the results of the EIS study, through the incorporation of mitigating measures for the proposed development concept, it is expected that the Environmental Feature of Local Significance within the Subject Property will not be negatively impacted by construction of the proposed apartment building or surface parking areas.**

The EIS also included minimum standards that should be adhered to during development, in order to ensure there will be no negative impacts on surrounding natural features:

- The building design should incorporate Bird-Friendly Guidelines such as those published in City of Toronto’s “Best Practices for Bird-Friendly Glass” and “Best Practices for Effective Lighting” should be considered at detailed design.
- Any Landscape Plans prepared as part of any future development approval should incorporate species native to the local landscape.
- [additional standards to be determined in updated EIS]

In summary, the findings of the EIS support that the proposed development is appropriate and complies with relevant environmental policies, guidelines and objectives described in the Provincial Planning Statement (PPS) and the Oxford County Official Plan. The full environmental impact study is included in **Appendix C**.

5.2 TRAFFIC STUDY

A traffic study has been prepared by Paradigm (?). This traffic study identified that all intersections and roads that would see an increase in traffic due to the proposal have a suitable capacity to accommodate this increase. The traffic study found that no improvements to these roads are required. The full traffic study is included in **Appendix D**.

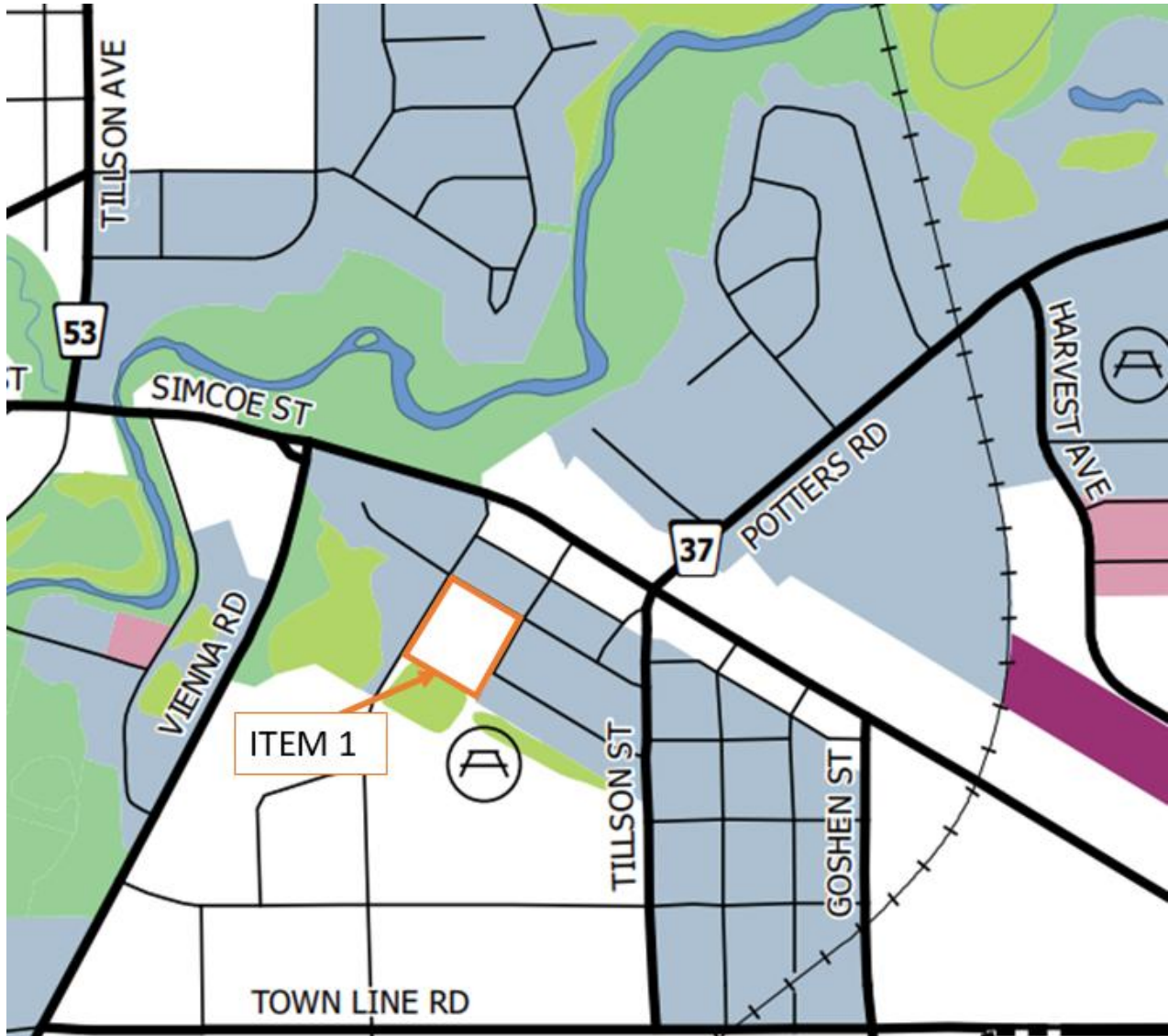
5.3 FUNCTIONAL SERVICING REPORT

A Functional Servicing report has been prepared by CJDLC Consulting Engineers which assesses the existing infrastructure and servicing capacities to identify a potential servicing scheme for the proposed development. Overall, the Functional Servicing Report found that water, wastewater, and stormwater services are available and capable of accommodating the proposed development. The full functional servicing report is included in **Appendix E**.

8.0 APPENDICES

8.1 'APPENDIX A' DRAFT OFFICIAL PLAN AMENDMENTS:







Schedule T-2: Town of Tillsonburg Residential Density Plan



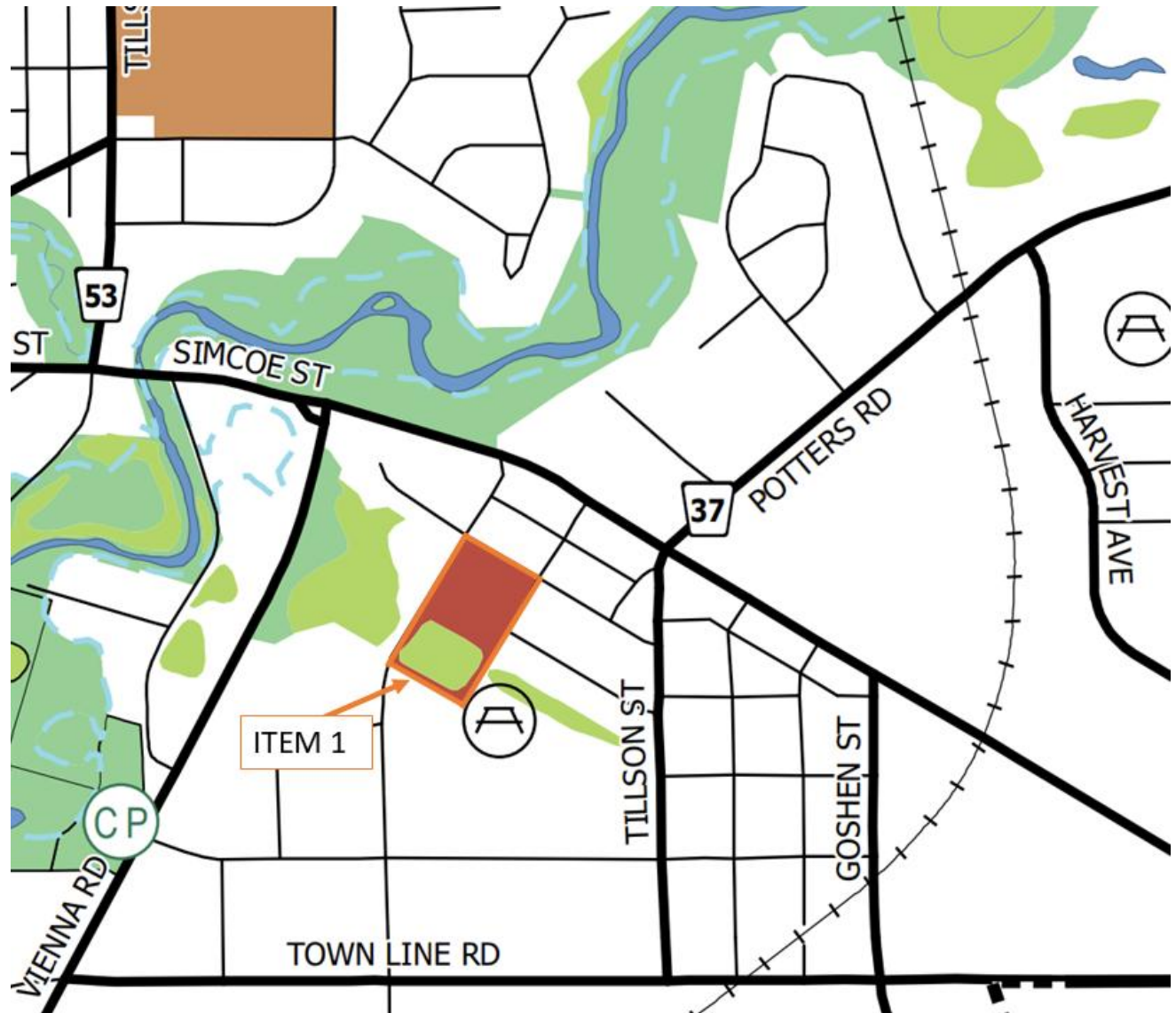
AREA OF THIS AMENDMENT

ITEM 1 – DESIGNATE MEDIUM DENSITY
RESIDENTIAL

RESIDENTIAL DENSITY PLAN LEGEND












-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  MOBILE HOME PARK
-  OPEN SPACE
-  ENVIRONMENTAL PROTECTION
-  PROPOSED PARK

Schedule T-3: Town of Tillsonburg Leisure Resources and Schools Plan



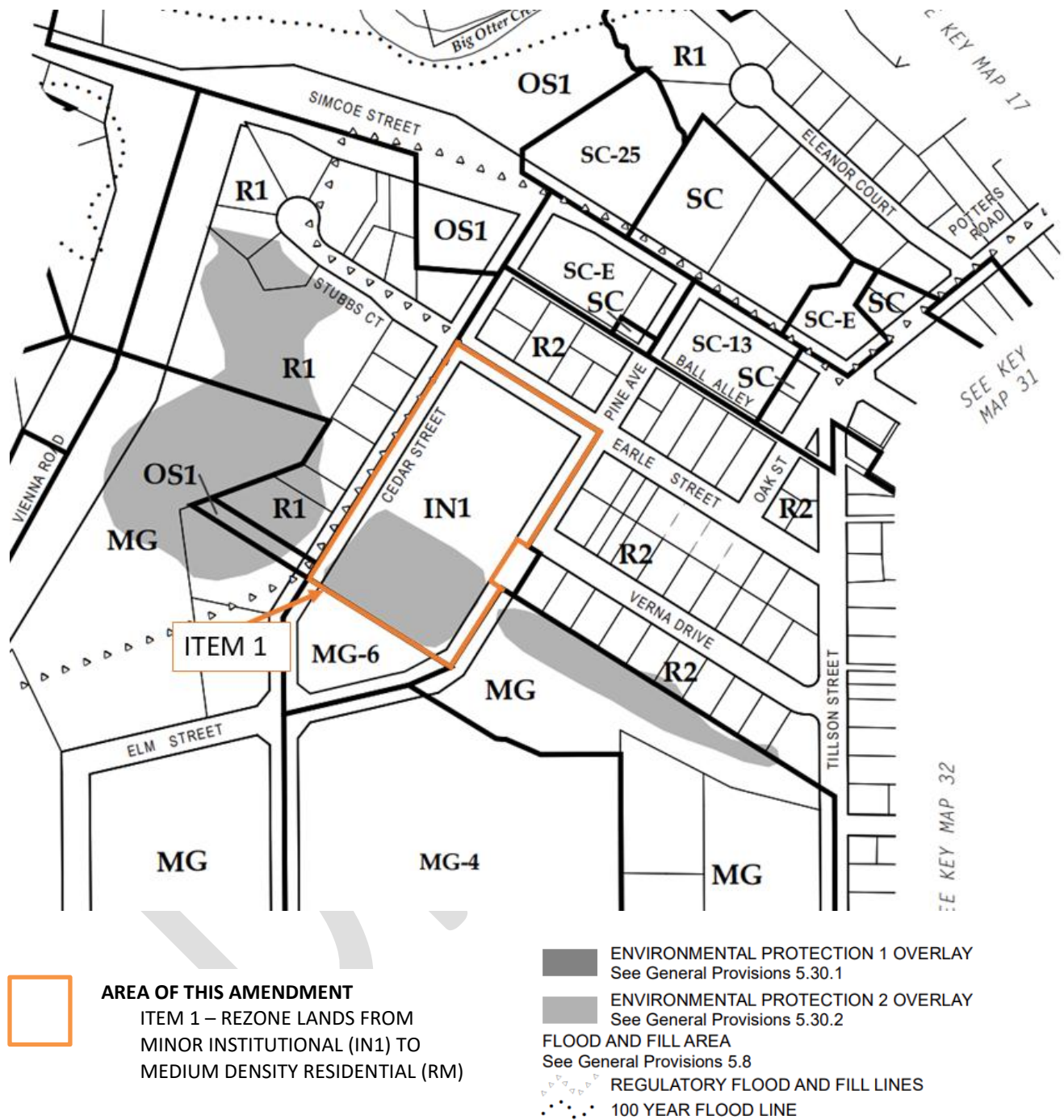
AREA OF THIS AMENDMENT
ITEM 1 – REMOVE PUBLIC
ELEMENTARY SCHOOL DESIGNATION

**LEISURE RESOURCES AND SCHOOL FACILITIES PLAN
LEGEND**

	OPEN SPACE		NEIGHBOURHOOD PARK
	ENVIRONMENTAL PROTECTION		COMMUNITY PARK
	PUBLIC ELEMENTARY SCHOOL		TOWN NATURAL PARK
	PUBLIC SECONDARY SCHOOL		PROPOSED PARK
	SEPARATE ELEMENTARY SCHOOL		PROPOSED SCHOOL
	FLOODLINE		

8.2 'APPENDIX B' DRAFT ZONING BY-LAW AMENDMENT

Item 1: Amendment to Town of Tillsonburg Zoning By-Law No. 3295



Item 2: Amendment to Town of Tillsonburg Zoning By-Law No. 3295, Section 9: Medium Density Residential Zone (RM).

Location: PART LT2&3 CON12, LT 25 PT 4-5&7-8 PL 966 (Tillsonburg).

Notwithstanding any provisions of this By-Law to the contrary, no person shall within any RM-~~X~~ Zone use any lot, or erect, alter or use any building or structure for any purpose except the following:

An affordable apartment dwelling; a home occupation, in accordance with the provisions of Section 5.13 of this By-Law.

Notwithstanding any provisions of this By-Law to the contrary, no person shall within any RM-~~X~~ Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

Lot Area Minimum: 90 m² per dwelling unit
Height of Building, Maximum: 17 m

That all the provisions of the RM Zone in Section 9.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

Item 3: Amendment to Town of Tillsonburg Zoning By-Law No. 3295, Section 9: Medium Density Residential Zone (RM).

Location: PART LT2&3 CON12, LT 25 PT 1-4&7 PL 966 (Tillsonburg).

Notwithstanding any provisions of this By-Law to the contrary, no person shall within any RM-~~X~~ zone use any lot, or erect, alter, or use any building or structure for any purpose except the following:

An affordable street-fronting townhouse dwelling; a home occupation, in accordance with the provisions of Section 5.13 of this By-Law.

For the purpose of this By-Law, a street-fronting townhouse dwelling within the RM-~~X~~ Zone may front on a private street.

That all of the provisions of the RM Zone in Section 9.2 of this By-Law, as amended, shall apply and further, that all other provisions of this By-Law, as amended, that are consistent with the provisions herein shall continue to apply mutatis mutandis.