

Community Planning

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Our File: **A02-26**

APPLICATION FOR MINOR VARIANCE

TO: Town of Tillsonburg Committee of Adjustment
MEETING: April 13, 2026
REPORT NUMBER: CP 2026-116

OWNER/APPLICANT: Mansha Chatrath
53 Canary Street, Tillsonburg ON N4G 0K3

VARIANCE REQUESTED:

1. Relief from **Section 5.24.1.4.1 – General Provisions – Parking Provisions – General Requirements for Parking Areas – Use of Parking Areas and Spaces**, to reduce the minimum required length for a parking space from 6 m (19.7 ft) to 5.59 m (18.34 ft).

LOCATION:

The subject lands are described as Part Lot 90, Plan 41M-378; Parts 1 & 2, in the Town of Tillsonburg. The lands are located on the south side of Canary Street, lying between Martin Street and Braun Avenue, and is municipally known as 53 Canary Street.

BACKGROUND INFORMATION:

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 Zone: ‘Special Low Density Residential Type 3 Zone (R3-20)’

SURROUNDING USES: Surrounding uses include a variety of low-density residential land uses including single-detached, and street-facing townhouse dwellings. Forested parkland is located to the northwest of the subject lands.

COMMENTS:(a) Purpose of the Application:

The applicant proposes to construct an additional residential unit (ARU) in the basement of the existing street-fronting townhouse dwelling on the subject lands. The construction of the ARU requires one additional required parking space to be located on the subject lands for a total of three required parking spaces. As one of the required parking spaces would now be within the attached garage, which requires a minimum length of 6 m, the variance is required to lower the minimum length required of this parking space in the garage, from 6 m to 5.59 m.

Plate 1, Location Map with Existing Zoning, shows the location of the subject lands and the current zoning in the immediate vicinity.

Plate 2, Aerial Map (2020), shows the location of the subject lands and surrounding properties.

Plate 3, Applicant's Sketch, illustrates the site plan of the subject property, and includes the required parking spaces. Photos of the garage are also included.

(b) Agency Comments

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

Circulated agencies, including Town of Tillsonburg Building Services, Town Development Commissioner and Oxford County Public Works had no questions or concerns.

The Town's Engineering Services Department provided a general comment indicating that granting the reduction would limit the types of vehicles that would fit in the garage, noting the average length of a sedan is about 4.8 – 5 m, which would only leave about 2 ft +/- of space to walk around behind the vehicle if the vehicle is parked right up to the wall.

Tillsonburg Hydro noted that any request for new or upgraded electrical service would need to be made with a completed Electrical Planning Form.

(c) Public Consultation

The application was circulated on March 6, 2026, in accordance with the requirements of the Planning Act. As of the writing of this report, no concerns or objections with the application have been raised.

(d) Intent and Purpose of the Official Plan:

The subject lands are designated 'Residential' according to the Town of Tillsonburg Land Use Plan and 'Low Density Residential' 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 single-detached, semi-detached, duplex, and converted dwellings, street-fronting townhouses, additional residential units 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 development of additional residential units within Low Density Residential Districts is encouraged, where appropriate, with the goal of increasing the range and availability of affordable housing options while maintaining the low-density residential character of the housing and neighbourhoods comprising such districts.

Section 8.2.4.3 notes that the general intent is to allow for the establishment of additional residential units in existing and newly developing residential areas, subject to complying with applicable zone provisions and development standards, where the City has deemed it to be appropriate based on such considerations as the location, nature and character of existing development, existing level of services and presence of natural hazards and/or other constraints.

From Section 8.2.4.3, for the establishment of an additional residential unit, the principal dwelling and lot need to be of sufficient size to accommodate the creation of the unit, and to provide for adequate off-street parking, landscaping, stormwater management, and outdoor amenity area, without detracting from the visual character of the lot or area. In addition, all additional residential units shall generally use the same driveway and parking area as the principal dwelling. Staff note that the parking area for the additional residential unit would be accommodated into the existing garage. The requested variance would ensure that there would be minimal disturbance to the streetscape and low-density character of the dwelling and area, as no alterations to the exterior of the dwelling would be needed to accommodate the required parking space for the additional residential unit. The interior required parking space would also remain larger than the two required parking spaces located on the driveway.

Based on the policy direction provided by the Official Plan, staff are of the opinion that the proposed relief to the length of the required parking space within the attached garage satisfies the policies and intent of the Official Plan.

(e) Intent and Purpose of the Zoning By-law:

The subject property is zoned 'Special Low Density Residential Type 3 Zone (R3-20)'. The 'R3-20' zone permits residential uses including a street-fronting townhouse dwelling, an additional residential unit (in accordance with the provisions of Section 5.1.4 of the Zoning By-law), a converted dwelling, and a home occupation use.

Section 5.1.4, Additional Residential Units allows for the construction of an ARU as an accessory use to a single-detached dwelling house, semi-detached dwelling house, street-fronting townhouse dwelling. Table 5.1.4 – Regulations for Additional Residential Units (ARUs) lay out the criteria for ARUs in the Town of Ingersoll, including the provisions for parking. Of note, a minimum of 1 additional parking space shall be provided per ARU (in addition to the required parking spaces of the primary dwelling) and the required ARU parking space may be a tandem space. The requested change in relief is to reduce the length of a required parking space within a garage from 6.00 m (19.7 ft) to 5.59 m (18.34 ft).

The intent and purpose of the required parking space size within a garage provision in the Zoning By-law is to ensure adequate space for vehicles which maintain functionality, safety, and accessibility. Planning note that the applicants have provided pictures of the interior of the garage, found in Plate 3. Planning staff are of the opinion that the proposal to reduce the length of the required parking space within the garage is favourable in this instance. Adequate space appears to be maintained within the garage and the proposal would allow for the required parking space of the ARU to be located within, minimizing the visual impact to the neighbourhood from an additional vehicle.

Based on the above, planning staff are satisfied that the proposed reduction in the length of the parking space within the detached garage will maintain the general intent and purpose of the Zoning By-law.

(f) Desirable Development/Use:

The Official Plan directs that the Committee of Adjustment, when considering an application for minor variance to the Zoning By-law and determining desirability, shall take into account whether constraints and/or restrictions to meeting the requirements of the Zoning By-law exist due to physical or inherent conditions and whether alternative designs of the proposal which would be in conformity with the relevant by-law are clearly not feasible. Further, the Official Plan directs that other matters should be considered, such as the concerns of the effect on adjacent owners, residents and community in general; whether the approval of the minor variance would create an undesirable precedent and whether compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose an undue hardship on the applicant.

The application for the minor variance for relief from the length of a required parking space located within an attached garage has been requested to facilitate the accommodation of an ARU within the existing street-fronting townhouse dwelling. It is of the opinion of Planning staff that the proposed relief to decrease the length of the required parking space in the garage from 6 m to 5.59 m can be considered minor and desirable for the development of the subject lands.

RECOMMENDATION:

That the Town of Tillsonburg Committee of Adjustment **approve** Application File A02-26, submitted by Mansha Chatrath for lands described as Part Lot 90, Plan 41M-378; Parts 1 & 2, municipally known as 53 Canary Street in the Town of Tillsonburg as it relates to:

1. Relief from **Section 5.24.1.4.1 – General Provisions – Parking Provisions – General Requirements for Parking Areas – Use of Parking Areas and Spaces**, to reduce the minimum required length for a parking space from 6 m (19.7 ft) to 5.59 m (18.34 ft).

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

- I. The proposed relief is a minor variance from the provisions of the Town of Tillsonburg Zoning By-law in that the reduction in the length of the required parking space in the garage would have minimal impact to the property, allowing the space to be accommodated within the existing garage;
- II. The proposed relief maintains the general intent and purpose of the Town of Tillsonburg Zoning By-law as the development would have minimal impact to the low-density character of the neighbourhood;
- III. The proposed relief is desirable for the appropriate development and use of the land as the said relief will allow for a development that is permitted by the Zoning By-law; and
- IV. The relief maintains the intent and purpose of the Official Plan as the requested relief would facilitate the development of the site for continued low density residential use.

Authored by: *original signed by*

Adam Gignac
Development Planner

Reviewed by: *original signed by*

Eric Gilbert, MCIP, RPP
Manager of Development Planning