

Community Planning

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Our File: **A4-19**

APPLICATION FOR MINOR VARIANCE

TO: Town of Tillsonburg Committee of Adjustment
MEETING: May 13, 2019
REPORT NUMBER: 2019-145

OWNER: Landmark Homes
130 Guelph Avenue, Cambridge ON, N3C 1A4

APPLICANT: Chris DeClark
15 Goshen Road, RR6 Tillsonburg ON, N4G 4G7

REQUESTED VARIANCES:

1. Relief from **Table 9.2 – Medium Density Residential Zone Provisions (RM)**, to reduce the required lot frontage from 36 m (118.1 ft) to 28 m (91.9 ft), and;
2. Relief from **Table 9.2 – Medium Density Residential Zone Provisions (RM)**, to increase the maximum lot area per dwelling unit from 320 m² (3,444.6 ft²) to 344 m² (3,702.7 ft²)

LOCATION:

The subject property is describe as Lot 131, Plan M-16 in the Town of Tillsonburg. The subject lands are located on the south side of Wren Court, lying between Broadway Street and Woodcock Drive, and are municipally known as 17 Wren Court in the Town of Tillsonburg.

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	Medium Density Residential
Schedule 'T-5'	Wellhead Protection Area Plan	100 Metre Buffer

TOWN OF TILLSONBURG ZONING BY-LAW: Medium Density Residential Zone (RM)

SURROUNDING USES: Medium density residential lands to the west, low density residential lands to the north east and south.

COMMENTS:**(a) Purpose of the Application:**

The applicant is requesting relief from the above-noted provisions of the Town Zoning By-law to facilitate the construction of a 6 unit street fronting townhouse building with attached garages. The proposed units range in size between approximately 205 m² – 214 m² (2,206.6 ft² – 2,303.4 ft²) and will be accessed by a single driveway entrance on Wren Court.

The subject property is approximately 2,063 m² (.51 ac) in size, with approximately 28 m (91.8 ft) of frontage on Wren Court. Surrounding land uses include existing medium density residential development, as well as institutional lands to the south (North Broadway Baptist Church). Similar development is proposed/underway for the lands to the immediate east and the proposal is currently under review as part of the Town's site plan approval process.

Plate 1, Location Map (with Existing Zoning and Parcel Lines), shows the location of the subject property and the zoning in the immediate vicinity.

Plate 2, Close-up of Subject Lands (2015 Air Photo), provides an aerial view of the vacant subject lands.

Plate 3, Applicant's Site Plan, shows layout and site plan for the proposed street fronting townhouse.

(b) Agency Comments:

The application was circulated to a number of public agencies. The following comments were received.

The Town Chief Building Official has indicated that they had no concerns with the proposal but that development is subject to final site plan approval.

(c) Public Consultation:

Public Notice was mailed to surrounding property owners on May 2, 2019. To date no comments of concern have been received from the public.

(d) Intent and Purpose of the Official Plan:

The subject lands are designated 'Medium Density Residential', according to the Town of Tillsonburg Residential Density Plan, in the County Official Plan.

Medium Density Residential areas are those lands that are primarily developed or planned for low to medium profile, multiple unit development that exceeds densities established for Low Density Residential areas. Residential uses within Medium Density Residential areas include townhouses, medium density cluster development, converted dwellings and low-rise apartment buildings. In these areas it is intended that there will be a mixing and integration of different forms of housing to achieve an overall medium density of housing.

Lands designated as Medium Density Residential are permitted to have a maximum net residential density of 62 units per hectare (25 units per acre) and a minimum net residential density of 31 units per hectare (13 units per acre). Net residential density is defined as the number of housing units per hectare, exclusive of lands required for open space, environmentally sensitive areas and lands required for transportation and servicing infrastructure, including stormwater management.

The proposed development involves the construction of 6 street fronting townhouse units, which is in keeping with the policy direction of the Official Plan. The subject lands are 2,063.2 m² (0.5 ac) in size with approximately 337 m² (0.08 ac) proposed for driveway and parking areas (transportation infrastructure). This results in a total net residential density of 36 units per hectare (14 units per ac), which is in keeping with the density targets for lands designated Medium Density Residential. Given this, staff are satisfied that the proposed development is in keeping with the policy direction of the Official Plan.

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

The subject property is zoned 'Medium Density Residential Zone (RM)' in the Town Zoning By-law, which permits a range of low profile, medium density development such as apartment dwellings, multiple unit dwellings, single detached dwellings, semi-detached dwellings, duplex dwellings and/or street fronting townhouses. The 'RM' zone identifies specific development standards for each type of development and provides that street fronting townhouses, which are defined to mean a dwelling consisting of three or more dwelling units that are aligned horizontally and divided vertically in whole or in part by common walls, which has a minimum area above grade of 10 m² (107.6 ft²), and each of which has an independent entrance directly from the outside and fronts onto a public street, require the following;

- minimum lot area of 150 m² (1,614.6 ft²) per unit, or 240 m² (2,583.4 ft²) for an end unit;
- maximum lot area of 320 m² (3,445 ft²) per unit;
- minimum lot frontage 5 m (16.4 ft) per unit, or 8 m (26.6 ft) for an end unit;
- minimum lot depth 30 m (98.4 ft);
- minimum front yard depth 6 m (19.7 ft);
- minimum rear yard depth of 7.5 m (24.6 ft);
- minimum interior side yard width of 3 m (9.8 ft);
- maximum lot coverage of 40% of lot area.

The applicant is proposing to construct a 6 unit, street fronting townhouse building that will have access onto Wren Court via a single driveway entrance. It is proposed that each unit will be, on average, approximately 209 m² (2,249.7 ft²) in size with an individual entrance and attached garage.

The subject lands are approximately 2,063.2 m² (22,208.1 ft²) in area, with approximately 28 m (97.8 ft) of frontage along Wren Court. The proposed 6 dwelling units would result in a density of approximately 344 m² (3,702.8 ft²) per dwelling unit, which exceeds the maximum lot area of 320 m² (3,445 ft²) per unit permitted in the Zoning By-law. The Zoning By-law also provides that the minimum lot frontage for street fronting townhouses shall be 5 m (16.4 ft) per unit, or 8 m (26.6 ft) for an end unit which, in the case of the proposed 6 unit development, would result in a minimum lot frontage requirement of 36 m (118.1 ft).

The purpose of these provisions is to ensure that adequate space exists on the subject lands to provide access, amenity space and sufficient space for appropriate grading and drainage opportunities. It is the intent of the maximum lot area provision to ensure that appropriate density targets are achieved to ensure that land and infrastructure is utilized efficiently and the lot frontage provisions assist in achieving an overall consistent parcel width for similar type development.

Planning staff are satisfied that the proposed variances are appropriate in this instance. Staff have reviewed the proposed site plan for such considerations as grading, drainage, parking and amenity space as part of the Town's site plan control process, and are satisfied that the proposed variances are acceptable and are not anticipated to have adverse impact on surrounding land uses.

(f) Desirable Development/Use:

It is the opinion of this Office that the applicant's request can be considered minor and desirable for the development of the subject property.

As the proposed relief is not anticipated to impact the ability of the property to provide adequate parking and amenity space, or negatively impact drainage, the requested relief can be considered minor. Sufficient separation will also be provided from property lines to allow for normal building maintenance and access. The applicant's request can also be considered desirable as it will facilitate the construction of a multiple unit dwelling that is consistent with the existing development in the area.

In light of the foregoing, it is the opinion of this Office that the requested relief is in keeping with the general intent and purpose of the County Official Plan and Town Zoning By-law and can be given favourable consideration.

RECOMMENDATION:

That the Town of Tillsonburg Committee of Adjustment **approve** Application File A4-19, submitted by Landmark Homes (Chris Declark), for lands described as Lot 131, Plan M-16, Town of Tillsonburg, as it relates to:

1. Relief from **Table 9.2 – Medium Density Residential Zone Provisions (RM)**, to reduce the required lot frontage from 36 m (118.1 ft) to 28 m (91.9 ft), and;
2. Relief from **Table 9.2 – Medium Density Residential Zone Provisions (RM)**, to increase the maximum lot area per dwelling unit from 320 m² (3,444.6 ft²) to 344 m² (3,702.7 ft²),

As the proposed variances are:

- (i) minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) desirable for the appropriate development or use of the land;
- (iii) in-keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295; and
- (iv) in-keeping with the general intent and purpose of the Official Plan.

Authored by:

Heather St. Clair, Development Planner

Approved for submission by:

Eric Gilbert, MCIP, RPP, Senior Planner

Report Approval Details

Document Title:	A4-19_rpt.docx
Attachments:	- Report Attachments.pdf - a04-19t_appl-20190418.pdf
Final Approval Date:	May 6, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - May 6, 2019 - 10:55 AM