

To: Mayor and Members of Tillsonburg Council

From: Heather St. Clair, Development Planner, Community Planning

Application for Zone Change ZN 7-19-04 – Landmark Homes

REPORT HIGHLIGHTS

- The application for zone change proposes to rezone a number of lots in the Oak Park Estates subdivision from 'Low Density Residential – Type 1 (R1A)' to 'Special Low Density Residential – Type 1 (R1A-sp)' to permit a reduced front yard depth of 6 m (19.68 ft), whereas 7.5 m (24.6 ft) is typically required, and to permit a reduced rear yard depth of 9 m (29.5 ft), whereas 10.5 m (34.4 ft) is typically required on lands zoned 'R1A' in the Zoning By-law.
- The requested reductions are proposed for a number of vacant lots along the southern portion of Beech Boulevard, as well as one lot on Hemlock Drive, and has been requested to allow for a slightly modified building envelope on the subject lands to accommodate certain dwelling designs of the developer. No request for an increase to lot coverage has been received.
- Planning staff are generally supportive of the requested variances as the proposed setbacks reductions can be considered minor, and will facilitate residential development on the subject lands, which is consistent with the policy direction of the Provincial Policy Statement and the County Official Plan.

DISCUSSION

Background

<u>OWNER:</u>	Landmark Homes Inc. Akhtar Syed 130 Guelph Avenue, Cambridge ON, N3C 1A4
<u>APPLICANT:</u>	Trevali Homes Ltd. 35 Harvard Road, P.O. Box 21009, Guelph ON, N1G 3A0
<u>AGENT:</u>	GSP Group Inc. Valerie Schmidt 201-72 Victoria Street South, Kitchener ON, N2G 4Y9

LOCATION:

The subject lands are described as Lots 4-15, 17-26 & Lot 77 Plan 41M-144 and Lots 40 & 41 Plan 41M-143 in the Town of Tillsonburg. The subject properties have frontage on Beech Boulevard, south of William Street, with one lot located on the northeast corner of Hemlock Drive and Beech Boulevard. The subject lands are municipally known as 82, 84, 92, 94, 96-112, 114-115 & 117 Beech Boulevard and 34 Hemlock Drive in the Town of 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 1 Zone (R1A)

Proposed Zoning: Special Low Density Residential – Type 1 Zone (R1A-sp)

PROPOSAL:

The application for zone change proposes to rezone the subject lands from 'Low Density Residential – Type 1 Zone (R1A)' to 'Special Low Density Residential – Type 1 Zone (R1A-sp)' to permit a reduced front yard depth of 6 m (19.68 ft), whereas 7.5 m (24.6 ft) is required, and to permit a rear yard depth of 9 m (29.53 ft), whereas 10.5 m (34.4 ft) is required in the Town Zoning By-law.

The applicant has requested the above-noted reductions from the Town Zoning By-law to facilitate the construction of one single detached dwelling per lot, and has indicated that the proposed reductions have been requested to accommodate the proposed dwelling designs on the subject lands while not limiting the ability of future purchasers to construct covered porches, decks and patios in the future.

The subject lands are comprised of 25 vacant lots within the Oak Park Estates subdivision, which was registered in 1994. Surrounding land uses are mainly comprised of vacant residential lands to the south and east, with existing single detached dwellings to the north and agricultural lands to the west, located in the Township of South-West Oxford.

Plate 1, Location Map with Zoning, shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, 2015 Aerial Map, provides an aerial view of the vacant subject property.

Plate 3, Applicant's Sketch, shows the lots that are subject to this application. Note that Block 122 on the submitted applicant's sketch is not subject to this application.

Application Review

PROVINCIAL POLICY STATEMENT:

The 2014 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 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and their vitality and regeneration shall be promoted.

Section 1.1.3.3 of the PPS states that Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.4.3 of the PPS states that Planning authorities shall provide for an appropriate mix of housing types and densities to meet projected requirements of current and future residents by permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents and permitting and facilitating all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3.

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 County of 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 1 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') for lots created prior to the passing of the Zoning By-law. The 'R1A' zone also permits a maximum lot coverage of 35% 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 seeking to reduce the rear yard depth from 10.5 m (34.4 ft) to 9 m (29.52 ft), and to reduce the minimum required front yard depth from 7.5 m (24.6 ft) to 6 m (19.68 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 35% lot area.

AGENCY COMMENTS:

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

The Tillsonburg Building Services Department has commented that they are not in support of the proposed reduction to the front yard setback for the lots on the west side of Beech Boulevard as the proposed reduction may result in an irregular streetscape, particularly given the number of existing vacant lots yet to be developed in the immediate area that are not subject to proposed front yard reduction.

Further, this department has commented that review of the proposed dwelling plans appear to indicate that the subject lands can accommodate the proposed dwellings without the need for amendment to the front and rear yard depth provisions, particularly on the west side of Beech Boulevard, where the lots are deeper than on the east side. Based on the lot depth, this department has no concerns with approval of the applicant's request for the lots located on the east side of Beech Boulevard, but are not supportive of the reductions on the west side.

The Tillsonburg District Chamber of Commerce has indicated they have no concerns with the proposal.

PUBLIC CONSULTATION:

Notice of complete application and notice of public meeting regarding this application was circulated to surrounding property owners on April 1, 2019 and April 29, 2019. As of the writing of this report, no comments have been received from the public.

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 on the southern end of Beech Boulevard is consistent with the policies of the Provincial Policy 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 Policy 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 Town 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, and will continue to provide sufficient space for the 2 parking spaces required for single detached dwellings in the Zoning By-law. Planning staff are further of the opinion that the minor reduction proposed to the front yard depth will have minimal impact on the ability of the subject lands to provide for consistent sightlines along the streetscape of Beech Boulevard, particularly as the proposed front yard variance will apply to almost all lots fronting onto Beech Boulevard, south of Hemlock Drive, and no negative impacts from this minor deviation to sightline continuity are anticipated as a result of the front yard depth reduction.

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, staff are satisfied that the proposed 9 m (29.5 ft) rear yard depth is sufficient to accommodate for recreation and landscaped amenity space, and as the lands to the immediate west are comprised of vacant agricultural field, buffered separation and privacy measures between the private parcels represents a minimal concern for the rear yard area of the subject lands than would typically be considered with abutting residential land uses.

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. Further, it is noted that the requested relief is similar to relief commonly granted by the Town Committee of Adjustment and can be considered minor and desirable for the development of the lands

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

1. It is recommended that the Council of the Town of Tillsonburg approve the zone change application submitted by Landmark Homes (Trevalli Homes), whereby the lands described as Lots 40 & 41 Plan 41M-143 & Lots 3-15, 17-26 & 77 Plan 41M-144, known municipally as 82, 84, 92, 94, 96-112, 114-115 & 117 Beech Boulevard and 34 Hemlock Drive in the Town of Tillsonburg are to be rezoned from 'Low Density Residential – Type 1 Zone (R1A)' to 'Special Low Density Residential – Type 1 Zone (R1A-sp)' to permit a reduced front yard depth of 6 m (19.68 ft) and a reduced rear yard depth of 9 m (29.52 ft).

SIGNATURES

Authored by:

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Approved for submission:

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Senior Planner

Report Approval Details

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



David Calder - May 6, 2019 - 10:08 AM