

To: Mayor and Members of Town of Tillsonburg Council

From: Amy Hartley, Development Planner, Community Planning

Applications for Official Plan Amendment and Zone Change OP 25-15-7 and ZN 7-25-12 – Michael Perovich

REPORT HIGHLIGHTS

- The application for Official Plan Amendment proposes to redesignate a portion of the subject lands from 'Open Space' to 'Low Density Residential' to facilitate a future severance of two (2) residential lots and facilitate the creation of two residential infill lots.
- The application for Zone Change proposes to rezone a portion of the subject lands from 'Special Passive Use Open Space Zone (OS1-3)' to 'Low Density Residential Type 1 (R1)' and 'Special Passive Use Open Space Zone (OS1-sp)' to permit the construction of single detached dwellings.
- Planning staff are recommending that the application be supported, as it is generally consistent with the policies of the Provincial Planning Statement and maintains the intent and purpose of the Official Plan with respect to infill development on underutilized lands within a settlement area.

DISCUSSION

BACKGROUND

OWNERS: Michael Perovich
50 Clearview Drive, Tillsonburg, ON N4G 4G8

AGENT: Civic Planning Solutions (c/o David Roe)
61 Trailview Drive, Tillsonburg, ON N4G 0C6

LOCATION:

The subject lands are described as Part of Lot 1606, Plan 500, being Part 1 on Plan 41R-1737 in the Town of Tillsonburg. The subject lands are located on the west side of Young Street lying south of Highway 3 and are municipally known as 93 Young Street, Town of Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

Schedule 'T-1'	Town of Tillsonburg Land Use Plan	'Open Space'
Schedule 'T-2'	Town of Tillsonburg Residential Density Plan	'Open Space'

Proposed:

Schedule 'T-1'	Town of Tillsonburg Land Use Plan	'Open Space' 'Residential'
Schedule 'T-2'	Town of Tillsonburg Residential Density Plan	'Low Density Residential'

TOWN OF TILLSONBURG ZONING BY-LAW 3295:

Existing Zoning:	'Special Passive Use Open Space Zone (OS1-3)'
Proposed Zoning:	'Low Density Residential Type 1 Zone (R1)' and 'Special Passive Use Open Space Zone (OS1-sp)'

PROPOSAL:

The applications for Official Plan Amendment and Zone Change propose to redesignate a portion of the subject lands from Open Space to Low Density Residential to permit a future severance of two (2) residential lots. The proposed zone change will rezone the subject lands from 'Special Passive Use Open Space Zone (OS1-3)' to 'Low Density Residential Type 1 Zone (R1)' and 'Special Passive Use Open Space Zone (OS1-sp)' to permit the development of single detached dwellings on the subject property.

The area proposed to be redesignated is approximately 0.48 ha (1.2 ac) in size, the entirety of the subject lands is approximately 4.45 ha (11 ac) in size with frontage onto Young Street.

It is noted that the property is within an area regulated by Long Point Conservation Authority (LPRCA) containing erosion hazards. A Slope Stability Assessment has been prepared and submitted in support of the applications.

Surrounding land uses include draft approved low density development to the north on Young Street, a woodlot located to the west of the subject lands, service commercial uses to the east, railway right of way to the south and the boundary between Oxford/Tillsonburg and Norfolk County to the south.

Plate 1 – Location Map and Existing Zoning illustrates 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 lands.

Plate 3, Official Plan Designation, depicts the Official Plan Designations applying to the site.

Plate 4 – Applicant's Sketch, provides the dimensions of the subject lands and outlines the proposed lots to be severed.

APPLICATION REVIEW

2024 PROVINCIAL PLANNING STATEMENT

The 2024 Provincial Planning 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. The following outlines the key PPS policies that have been considered but is not intended to be an exhaustive list.

Section 2.2 of the PPS 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 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 2.2.1- Housing 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 regional market 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.

Section 2.3.1 of the PPS indicates that settlement areas shall be the focus of growth and development and 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.

Section 2.3.1.3 also directs that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritize planning and investment in infrastructure and public service facilities.

Section 4.1 of the PPS speaks to Natural Heritage, indicating that areas containing significant natural heritage shall be protected for the long term and the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

OFFICIAL PLAN

The subject lands are designated 'Open Space' according to the Town of Tillsonburg Land Use Plan, as contained within the Oxford County Official Plan.

Open Space areas within Settlement areas include lands identified as being regulatory flood plan areas, public lands, pathways and linkages between natural heritage features. In this instance, the open space designation reflects the historical use of the lands and surrounding natural heritage and hazard features.

Low Density Residential Areas are those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single-detached dwellings, semi-detached, duplex or converted dwellings, quadraplexes, townhouses and low density cluster development. In 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. It is not intended that the full range of housing will be permitted in every individual neighbourhood or development.

The policies of Section 8.2.4.1 (Infill Housing) also apply to this proposal. Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the land supply designated residential and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Districts.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the same street. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the County Land Division Committee and Town Council will ensure that:

- the proposal is consistent with the street frontage, setbacks, lot area and spacing of existing development within a two block area on the same street; and,
- for proposals involving more than two dwelling units, the exterior design in terms of height, bulk, scale and layout of the proposed building is consistent with present land uses in the area.

In addition to the specific infill policies identified, the following policies will apply to all infill proposals:

- the location of vehicular access points, the effect of traffic generated by the proposal on the public road system, pedestrian and vehicular safety and surrounding properties is assessed and found to be acceptable;
- existing municipal services and community facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- the effect of proposed development on environmental resources or the effects of environmental constraints on the proposed development will be addressed and mitigated in accordance with Section 3.2;
- compliance of the proposed development with the provisions of the Zoning By-Law of the Town and other municipal by-laws; and,
- consideration of the potential effect of the development on natural and heritage resources and their settings.

ZONING BY-LAW

The subject lands are currently zoned 'Special Passive Use Open Space Zone (OS1-3)' according to the Town's Zoning By-law. Permitted uses within the OS1-3 zone include a single detached dwelling, home occupation and a public use. Site specific provisions limit the number of single detached dwelling to one (1) and specifies setback requirements from a railway property and Highway 3.

The applicant is proposing to rezone the subject property to 'Low Density Residential Type 1 Zone (R1)' to facilitate the construction of single detached dwellings. Permitted uses within the R1 zone include a single detached dwelling and accessory uses thereto, an additional residential unit, and a home occupation.

Additionally, a portion of the lands to be redesignated will be zoned 'Special Passive Use Open Space Zone (OS1-sp)' based on the recommendations of the Slope Stability Assessment. The special provisions will recognize the reduced lot area, frontage and depth of the OS1 zoned portion.

Based on the proposed reference plan submitted with the applications, the provisions of the R1 zone respecting minimum lot area, lot frontage and lot depth will be satisfied.

Section 5.16 of the Zoning By-law provides that where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of the By-law for the zone where such portion of the lot is located. However, for the purposes of determining minimum lot area and minimum lot frontage, the entire lot shall be considered, with the exception of any areas covered by an environmental protection overlay or located within a flood plain.

As per Section 5.19 of the Town's Zoning By-law, no building or structure shall be erected unless the land is serviced by municipal services (municipal water, sanitary sewers, drainage systems and improved streets) and must meet the municipal standards in effect and have adequate capacity.

AGENCY COMMENTS

Tillsonburg Engineering Department and Tillsonburg Hydro had no concerns with the proposal. Canada Post indicated that mail delivery will be via the existing community mailbox.

Long Point Region Conservation Authority (LPRCA) indicated that the natural hazard begins at the top of the slopes, and that the portion of the lands proposed for rezoning should exclude areas subject to natural hazards.

Ontario Ministry of Transportation (MTO) indicated no concerns with the proposal, but noted the following:

- the proponents should be aware that permits are required from the Ministry of Transportation before any grading or construction work can begin; and
- Advise the proponents to visit <https://www.hcms.mto.gov.on.ca/> for information on the MTO permit application process and to apply for MTO permits

Oxford County Public Works had no concerns with the subject application but noted requirements for municipal service extensions when the severance applications are considered.

PUBLIC CONSULTATION

Notice of complete application regarding this proposal was provided to the public and surrounding neighbours on October 14, 2025, and notice of public meeting was issued on November 10, 2025, in accordance with the requirements of the Planning Act. As of the date of this report no comments have been received.

Planning Analysis

The subject applications for Official Plan Amendment and Zone Change propose to redesignate and rezone a portion of the subject lands for the purpose of a future severance of two (2) residential lots.

Supporting Studies

Slope Assessment Report

The requirement for the Slope Assessment Report was triggered by the identification of an erosion hazard within the area proposed for redevelopment. The Slope Assessment was submitted to LPRCA for review and was found to be acceptable for identifying the location of the slope and the area to be excluded from development. The area that is proposed to be redesignated and rezoned for residential purposes is wholly contained within the area identified as having a stable slope by the slope assessment report.

Provincial Planning Statement (PPS) 2024

It is the opinion of staff that the proposal is consistent with the relevant policies of the Provincial Planning Statement. The proposed development is considered to be a form of infilling and represents an efficient use of lands, municipal services and infrastructure within a designated settlement area. The proposal does not impact any natural heritage features and has demonstrated that the lands proposed for residential use do not contain natural hazards.

Official Plan

The proposed re-designation of the subject lands from Open Space to Low Density Residential is considered appropriate as the current designation reflects the historical use of the lands. The proposed re-designation is supported by technical studies and will create an infilling opportunity that is considered an efficient use of underutilized lands and facilitate development that will be similar to and compatible with surrounding low density residential uses.

The proposal is generally in keeping with the policies of the Low Density Residential designation. The proposed use is permitted in the Low Density Residential designation, and the proposed development is generally considered to be in accordance with the infill policies of the Official Plan. The subject lands are located within an area that is adjacent to a recently draft approved plan of subdivision (SB22-04-7) consisting of seven low density residential lots as well as the existing dwelling on the subject lands. The surrounding area has a lower urban form with fewer public amenities, parks, schools or public serving commercial uses, there are no higher density developments within the area. The proposed area for infill development is the last area for residential development due to required MTO and railway setbacks and natural heritage features in the vicinity and as such, the proposed redevelopment of the existing lands for two lots is appropriate.

While the proposed lots are larger than the abutting draft approved lots, there is opportunity for intensification of these lots for the purposes of Additional Residential Units (ARUs). The subject lands will be of sufficient size to provide adequate space for setbacks, stormwater run-off, parking and vehicular ingress and egress. The proposal is not expected to negatively impact any of the woodlands to the northwest, and the area to be re-designated and rezoned encompasses the existing cleared area and excludes the top of slope identified by LPRCA. As such, it is the opinion of staff that the application conforms to the policies of the Official Plan respecting infill development.

Municipal water and wastewater services will be required to be extended along Young Street to serve the proposed lots. The applicant has not requested relief from Section 5.19 of the Town's Zoning By-law, as such, municipal services will be required to be extended to the subject lands

prior to issuance of a building permit. Through future severance applications, this requirement will be included as a condition of approval.

Town of Tillsonburg Zoning By-law

The requested zoning amendment will facilitate the construction of two single detached dwellings if the Land Division Committee grants a future severance of the lands, the subject lands will meet the provisions of the R1 zone with respect to lot frontage, lot depth and lot area. The use of the lands for a single detached dwelling will be consistent with other residential properties in the immediate vicinity.

Further, the subject lands will contain a portion of lands zoned OS1 (6 m area at the rear of the proposed parcels) in order to implement the recommendations of the Slope Stability Assessment. As Section 5.16 would consider the 'R1' zoned portion and the 'OS1-sp' portion as separate lots except for the purposes of minimum lot area and lot frontage; the applicants have requested relief from Section 5.16 in order to have the required rear yard setback determined from the proposed rear property line, rather than the rear extent of the 'R1' zoned portion. As the area proposed to be zoned 'OS1-sp' will be 6 m (19.6 ft) and the required rear yard setback is 12 m (39.3 ft), staff are satisfied that future residential development will be located outside of the identified natural hazard area if relief of Section 5.16 is granted.

In light of the foregoing, Planning staff are satisfied that the proposed development is consistent with the policies of the Provincial Planning Statement and is in-keeping with the strategic initiatives and objectives contained in the Official Plan. As such, staff are satisfied that the applications can be given favourable consideration.

RECOMMENDATIONS

That the Council of the Town of Tillsonburg advise County Council that the Town supports the application to amend the Official Plan (File No. OP 25-15-7), submitted by Michael Perovich for lands legally described as Part of Lot 1606, Plan 500, being Part 1, 41R-1737, in the Town of Tillsonburg to facilitate the creation of two residential infill lots on the subject lands;

That the Council of the Town of Tillsonburg approve in principle the zone change application (File No. ZN 7-25-12) submitted by Michael Perovich for lands legally described as Part of Lot 1606, Plan 500, being Part 1, 41R-1737, in the Town of Tillsonburg, to rezone the lands to 'Low Density Residential Type 1 (R1)' and 'Special Passive Use Open Space Zone (OS1-sp)' to facilitate two single detached dwellings.

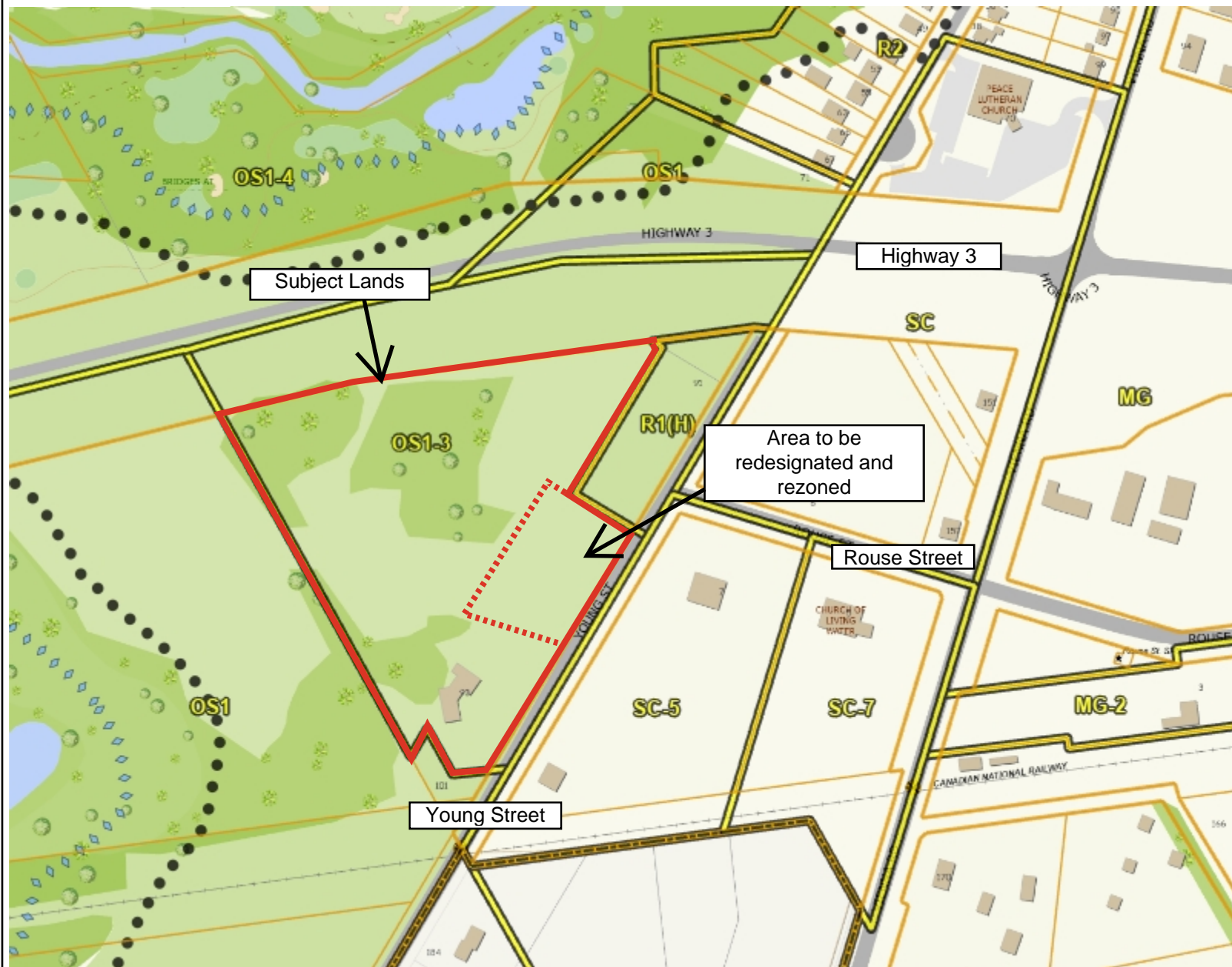
SIGNATURES

Authored by: *Original signed by*

Amy Hartley
Development Planner

Approved for submission: *Original signed by*

Eric Gilbert, MCIP, RPP
Manager of Development Planning



Legend

- Parcel Lines**
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Zoning Floodlines**
- Regulation Limit**
 - 100 Year Flood Line
 - 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)**

Notes



0 96 192 Meters
NAD_1983_UTM_Zone_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

October 8, 2025

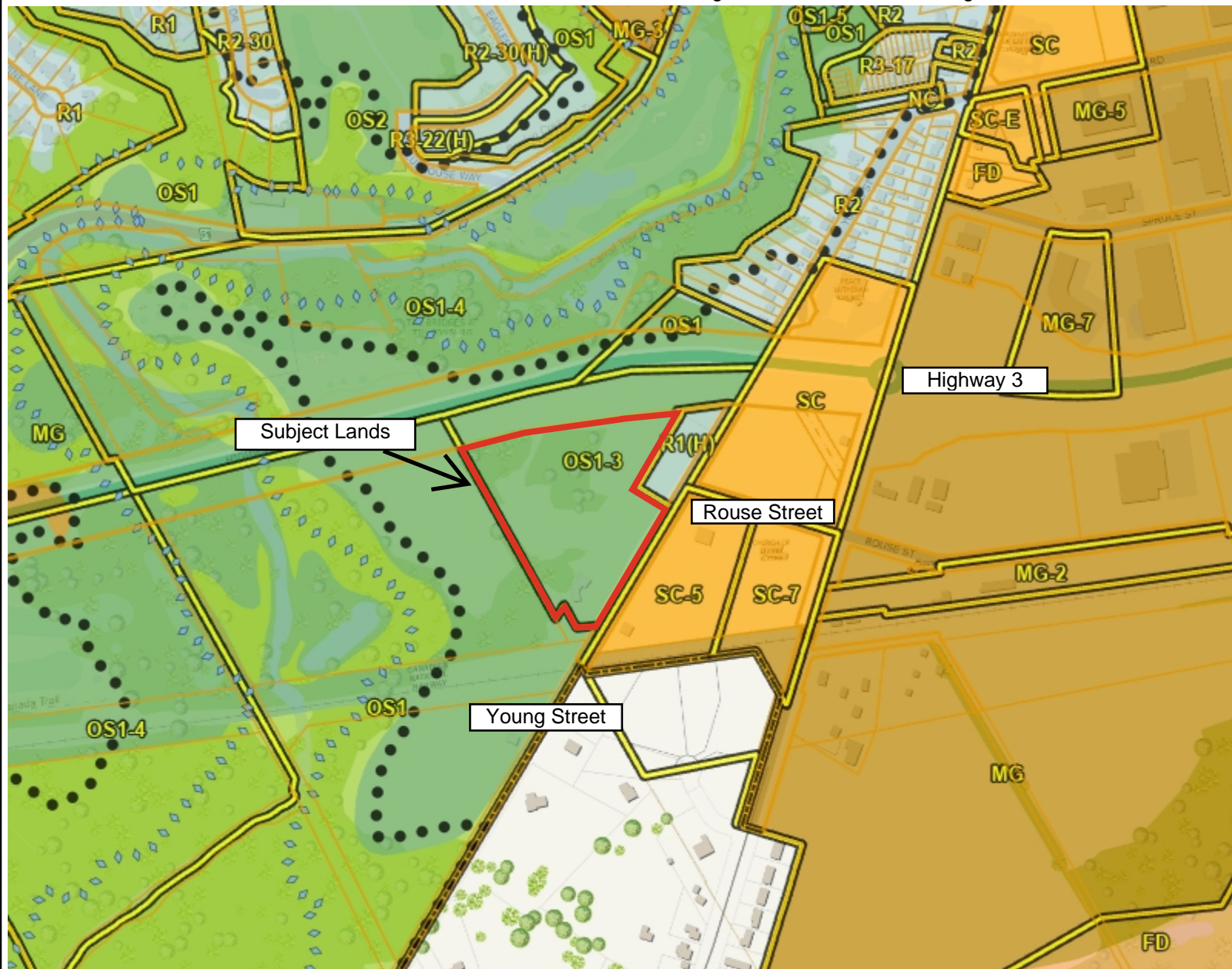


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Notes





Legend

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- Land Use Zoning (Displays 1:16000 to 1:500)**
 - 100 Metre Buffer Ingersoll
- Site Specific Policy Areas**
- Village Land Use Designation**
 - Village Core
 - Service Commercial
 - Low Density Residential
 - Medium Density Residential
 - Industrial
 - Minor Institutional
 - Major Institutional
 - Future Urban Growth
 - Open Space
 - Environmental Protection
 - School
- Requiring Secondary Planning (See Sec. 4.2.2.4)**
- Land Use Designation**
 - Residential
 - Residential Reserve
 - Central Business District
 - Entrepreneurial District

Notes



Plate 4: Applicant's Sketch

File Nos.: OP25-15-7 and ZN7-25-12 (Perovich)

Part Lot 1606, Plan 500, Part 1, 41R-1737; 93 Young Street, Town of Tillsonburg

