

To: Mayor and Members of Town of Tillsonburg Council

From: Amy Hartley, Development Planner, Community Planning

Application for Zone Change

ZN 7-26-06 – 1917043 Ontario Inc.

REPORT HIGHLIGHTS

- The application for zone change proposes to amend the 'Special Service Commercial Zone (SP-19)' to include additional permitted uses for a business or professional office, monument sales establishment, a pharmacy or drugstore (up to 465 m²), a retail store and a studio and to permit a storage container within the interior side yard or rear yard with a setback of 0.15 m (0.5 ft) from the property lines.
- Planning staff are recommending that the application be partially supported to permit the requested additional uses of a studio, monument sales establishment, and a drugstore up to 140 m² (1,506 ft²) as these portions of the requested amendment are generally consistent with the policies of the Provincial Planning Statement and maintain the intent and purpose of the Official Plan respecting service commercial uses.

DISCUSSION

BACKGROUND

OWNERS: 1917043 Ontario Inc.
6 Morning Glory Drive, Tillsonburg Ontario N4G 5S8

APPLICANT: Dr. Gary Nelles
6 Morning Glory Drive, Tillsonburg Ontario N4G 5S8

LOCATION:

The subject lands are described as Part of Lot 34, Plan 551, as in 341892. The lands are located on the southwest corner of Broadway and Carolina Street, and are municipally known as 519 Broadway, Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	'Service Commercial' with site specific policies in 8.3.3.4.5 to permit a medical centre
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TILLSONBURG ZONING BY-LAW 3295:

Existing Zoning: 'Special Service Commercial Zone (SC-19)'

Proposed Zoning: Amended 'Special Service Commercial Zone (SC-19)'

PROPOSAL:

The application for zone change proposes to amend the 'Special Service Commercial Zone (SC-19)' zoning provisions to include additional uses and to permit a storage container within the interior side yard or rear yard with a setback of 0.15 m (0.5 ft) from the property lines on the subject lands. The intent of the requested additional uses is to attract a wider range of tenants to occupy one of the vacant units in the existing commercial building.

The proposed additional uses include a business or professional office, medical centre, monument sales establishment, pharmacy, or drugstore (up to 465 m²), a retail store, and studio. The applicant is proposing to place a storage container on the subject lands for the storage of maintenance equipment.

The subject lands currently contain an existing commercial building approximately 465 m² (4,575 ft²) in size. The existing building contains two (2) units, a portion of which is used as an optometrist office which is proposed to remain.

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

Plate 2, Aerial Map (2025), provides an aerial view of the subject lands and surrounding uses as existing in the Spring of 2025.

Plate 3, Applicant's Sketch, identifies the land effected by the application as provided by the applicants.

APPLICATION REVIEW

2024 PROVINCIAL PLANNING STATEMENT

In respect of the exercise of any authority that affects a planning matter, Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with the policy statements issued under the Act. The following outlines the key PPS policies that have been considered, but it is not intended to be an exhaustive list.

Chapter 1, Introduction, states that a prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.

Chapter 2 focuses on fostering sustainable, inclusive and competitive communities by ensuring well planned growth that meets the needs of current and future populations. Section 2.1 establishes the importance of maintaining sufficient land for housing and employment growth,

supporting diverse land uses, and creating complete communities that are accessible and equitable.

Section 2.3.1, General Policies for Settlement Areas, directs that Settlement Areas shall be the focus of growth and development. Further, 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 2.8.1 Supporting a Modern Economy, outlines that Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs. It also encourages intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.

Chapter 3 Infrastructure and Facilities, establishes that infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.

Section 3.1 outlines that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
- b) leverage the capacity of development proponents, where appropriate; and
- c) are available to meet current and projected needs.

Section 3.6 Sewage, Water and Stormwater, notes that planning for sewage and water services shall accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services.

OFFICIAL PLAN

The subject property is designated Service Commercial as per Schedule T-1, Land Use Plan for the Town of Tillsonburg, as contained in the Official Plan. In 2014, County Council passed Amendment Number 187 which established a site-specific policy in Section 8.3.3.4.5 for the subject property to allow a medical centre as a permitted use in addition to other uses currently permitted within the broader Service Commercial land use designation.

Section 8.3.3 establishes that areas designated Service Commercial are intended for a broad range of commercial uses that, for the most part, are not suited to locations within the Central Area because of requirements for site area, access, or exposure, or, due to compatibility conflicts with residential development.

New uses permitted within the Service Commercial Area include hotels, motels, conference facilities, automotive sales and services, furniture warehouses, personal services, convenience commercial uses, gas bars, car wash facilities, fast food outlets, retail food stores, and uses which require large areas for on-site storage of goods.

In addition, sites with existing buildings and established commercial uses are permitted within this designation. It is not the intent of this policy to restrict existing commercial uses from expanding or changing uses within the context of the functional zoning category in the Town of Tillsonburg.

Scale-related requirements in the Service Commercial designation generally range from 3,500 square feet to 50,000 square feet. Uses of less than 3,500 square feet will be encouraged to be located in the Central Area.

Uses in the Service Commercial designation will generally be located with direct access or access via a service road to arterial and collector roads. Appropriate setbacks will be applied through the Zoning By-law to provide for the development of sites large enough to accommodate free-standing buildings and on-site parking.

Section 8.3.2 in the Official Plan states the vision for the Central Area and the strategic approach for how to manage growth of the Central Area in accordance with the desired vision. The Central Area Vision, in Section 8.3.2.1 of the Official Plan, intends that the Central Area of the Town of Tillsonburg to remain as the most functionally diverse area of the Town, and that it will serve as the primary business, cultural, and administrative centre. The Central Area will be a multi-functional core with complementary sub-areas which will increase the functional diversity of uses and activities in the core, which in turn, will increase the number of people living and working in the Central Area over the long term. It is intended that the retail function of the Central Area is to be promoted by continuing to permit a full range of uses in the commercial core, operationalized through the Zoning By-Law, thereby limiting the type, size, and scale of retail uses which are permitted outside the commercial core.

Section 8.3.2.2.1 establishes that the Central Area will be the priority location for shopping area facilities and other uses that serve the primary trade area. New commercial development should, where feasible, be in the Central Area to complement the existing commercial structure of the Central Area.

With respect to office and business/professional uses, Section 8.3.2.2.2 of the Official Plan directs that a strategic initiative of the Town is to ensure that the primary employment function of the Central Area is maintained. This is facilitated by the identification of the Entrepreneurial District, which permits the conversion of residences for offices, business, health care and personal services, and limiting the type, size and scale of major office, cultural and public administrative buildings outside the Central Area through the Zoning By-law.

In accordance with Section 8.3.3.1, new or expanding retail developments outside of the Central Area requiring a planning approval will be subject to planning and market impact studies which show to the satisfaction of the County and the Town of Tillsonburg, that the type and size of proposed facilities are warranted, that no suitable Central Area locations are available for such facilities, and that the planned function of Tillsonburg's Central Area will not be significantly prejudiced or impacted.

ZONING BY-LAW

The subject lands are currently zoned 'Special Service Commercial Zone (SC-19)' according to the Town's Zoning By-law. The 'SC-19' zone permits a variety of service commercial uses, as well as a medical centre. A medical centre permits a pharmacy accessory to and directly associated with the centre, the accessory sale and display of drugs and other medical related products shall not exceed 55 m² (592 ft²). Further the 'SC-19' zone permits an interior side yard

width of 4.5 m (14.8 ft), a rear yard depth of 2 m (6.6 ft) and required setbacks for the loading zone.

A retail pharmacy or drug store is not specifically recognized as a permitted use in the Central Commercial Zone contained in the Town's Zoning By-Law. Within the Central Commercial Zone, a drug store is considered to be a type of 'retail store'. Retail stores are only permitted as-of-right in the CC Zone and are not generally permitted in either the Service Commercial Zone or Neighbourhood Commercial Zone.

A studio use is permitted within the Central Commercial Zone (CC). A studio is defined in the Town Zoning By-law as 'a building or part thereof used as the workplace of a sculptor, photographer, wood carver, craftsman or artist or for the instruction of art, music, dancing, languages or similar disciplines and may include the retail of related goods or items produced on site in small quantity or to special order.'

A business or professional office is permitted within the Central Commercial Zone (CC) and the Entrepreneurial Zone (EC). Both a business or professional office and a monument sales establishment are permitted within the Service Commercial Existing Zone (SC-E). The 'SC-E' Zone is intended to recognize existing long-standing commercial plazas that contained business or professional offices at the time of approval of the Town's Zoning By-law in 2008.

Section 5.2 of the Town's Zoning By-law permits cargo containers for accessory storage uses within a Commercial or Industrial Zone and may only be located in the rear yard and comply with the rear yard depth provisions and the requirements for accessory buildings in Table 5.1.1.4.

An accessory building is permitted within the Service Commercial zone and must comply with the yard requirements set out in the 'SC' zone. Within the rear yard a 12 m (39.4 ft) depth is required, the interior side yard width must be 9 m (29.5 ft) from the accessory building to the property lines.

AGENCY COMMENTS

Canada Post and Oxford County Public Works had no concerns with the subject application.

Town of Tillsonburg Engineering Services indicated they do not support permitting a storage shed or cargo container within the proposed grassed areas. These areas contain grassed swales and a catch basin that form part of the site's approved stormwater management system. In addition to providing drainage and temporary stormwater storage for the subject property during significant rainfall events, this system also accommodates rear yard surface drainage from the Allen Street properties that share a common property line with the subject lands. Engineering Services has concerns that permitting structures or storage containers within these areas could interfere with the intended drainage function of the stormwater management system and may negatively impact drainage conditions on the neighbouring properties. Should the application be approved, an amendment to the approved site plan would be required to demonstrate how drainage and stormwater management will be appropriately accommodated.

PUBLIC CONSULTATION

Notice of the Application was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act on May 7, 2026, and June 8, 2026, respectively. At the time of writing this report, no comments had been received.

Planning Analysis

The application for Zone Change proposes to add site-specific permitted uses not currently permitted with Service Commercial zone. The requested additional uses include, a business or professional office, a monument sales establishment, a pharmacy/drug store up to 465 m² (5,005.2 ft²), a retail store, and a studio. Additionally, the applicant has requested special provisions to place a cargo container or accessory building within the rear and interior yard side yards of the subject lands to store yard maintenance equipment.

It is Planning staff's opinion that the entirety of the proposed zone change request cannot be supported. However, the requested additional use of a studio, a monument sales establishment and drug store within a limited floor space of 140 m² (1,506 ft²) can be supported from a Planning perspective.

The policy framework for employment areas in Tillsonburg as contained in the Official Plan is designed to ensure that the Central Area of the Town, encompassing the Central Business District and the Entrepreneurial District, remains as the most functionally diverse area of the Town and will serve as the primary business, cultural, and administrative centre within the Town. Supporting elements of the policy framework include Official Plan policies directing business, professional, retail and other uses to the Central Area first, and limiting the proliferation of these uses elsewhere in the Town.

It is clear that the Official Plan's strategic goal is to provide a range of locations for new or expanded retail facilities within the Central Area, wherever possible and practical. New commercial development should, wherever feasible, be located in the Central Area to complement the existing commercial structure of the Central Area.

In this particular instance, planning staff do not believe that the addition of a business or professional office, and a retail store as a permitted use at the subject lands maintains the general intent and purpose of the Official Plan and would detract from the viability and health of the downtown commercial core.

Service Commercial areas are not intended to accommodate a broad range of commercial uses that are typically characteristic of the Central Area location and will not directly compete with the Central Area. The applicant has not provided sufficient justification or Market Impact Study to support the additional requested uses outside of the Central Area. Planning staff note that if there are no available sites within the Central Business District, the Official Plan policies facilitate the conversion of lands in the Entrepreneurial District to office uses. Should these types of tenants be looking for space, they should be directed towards the Central Area or Entrepreneurial District.

The requested studio, monument sales establishment and a drug store could be considered a minor expansion or change of use within an existing commercial building and is still in line with the context of the functional zone category, however staff are recommending that the drug store use be limited to the size of the vacant portion of the existing building at 140 m² (1,506 ft²). The applicant has noted that the proposed studio would be for personal use as a woodworking studio with potential classes and a maker's space for others to utilize the space and would not serve a major commercial function.

While a business or professional office use are recognized in the Service Commercial Existing Zone (SC-E), it is not intended that these recognized existing uses shall be used as justification to permit these uses within new or developing service commercial areas and sites. There is strong policy direction in the Official Plan to direct business/professional offices to the Central Area first,

and to only permit them outside of the Central Area when compelling justification is provided that they cannot be reasonably located in the Central Area. No justification has been provided in this regard.

Planning staff are supportive off the request to include a monument sales establishment as a permitted use as it can reasonably be expected to have constraints that would preclude a suitable location in the Central Area as the use typically requires more building area for loading and unloading, storage and display of monuments than a typical storefront or location in the Central Area would provide.

It is Planning staff's opinion that with the size restriction on floor space, and in view of the primary function of a drug store as a specialized neighbourhood-serving type of retail but not 'comparative shopping retail', the existing plaza is an appropriate location for such a use, particularly when considered as a support service to the existing medical centre in the same plaza. Drug stores can also be considered to provide a neighbourhood / service commercial function and in many communities are located in neighbourhood or community plaza as well as in the downtown core. The intent of the Service Commercial policies will not be jeopardized with the addition of this use.

It is recommended that the proposed drug store use be defined in the site-specific zoning by-law to ensure that the retail aspect of the drug store does not exceed the pharmaceutical intent as it is not intended that the drug store use permit general retail which should be directed to the Central Area first. A proposed definition is below:

For the purposes of this By-Law, a drug store means a pharmacy for the sale of prescription and non-prescription medicines and medical and health care products, having a maximum floor area not to exceed 140 m² (1,506 ft²).

With respect to the request to facilitate the placement of a cargo container or accessory building within the rear and interior side yard of the subject lands, staff are not supportive of this request. The requested reduction to the required interior side yard width and rear yard depth are not considered minor and will have an impact on the approved drainage patterns of the subject lands. As noted by the Town Engineering Services, the location in which the structure is proposed is located directly on top of drainage swales which form part of stormwater management system for the property. As such, staff are not recommending that this portion of applicant's request be supported.

RECOMMENDATIONS

It is recommended that Council of the Town of Tillsonburg approve-in-part the zone change application submitted by 1917043 Ontario Inc., whereby lands described as Part of Lot 34, Plan 551, as in 341892, in the Town of Tillsonburg, known municipally as 519 Broadway to amend the existing 'Special Service Commercial Zone (SC-19)' to include additional permitted uses of a studio, monument sales establishment and drugstore up to 140 m² (1,506 ft²).

SIGNATURES

Authored by: Original Signed By

Amy Hartley
Development Planner

Approved for submission: Original Signed By

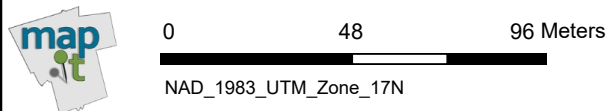
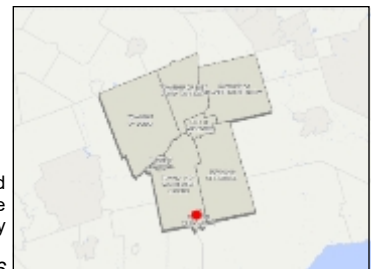
Eric Gilbert, MCIP, RPP
Manager of Development Planning



Legend

- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - Assessment Boundary
 - Road
 - Unit
- 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



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

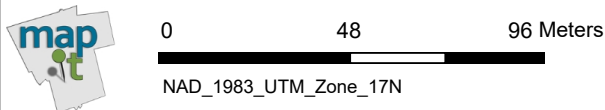
May 7, 2026



Legend

- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - - - Assessment Boundary
 - Road
 - Unit
- 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



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