

To: Mayor and Members of Town of Tillsonburg Council

From: Amy Hartley, Development Planner, Community Planning

Application for Zone Change ZN 7-26-04 – Community Living Tillsonburg

REPORT HIGHLIGHTS

- The application for Zone Change is requesting site-specific provisions to permit a residential dwelling unit in the lower portion of a non-residential building.
- Additional site-specific provisions have been requested to reduce the number of parking spaces required from 7 to 5 spaces (including 1 accessible space) and to permit no amenity area for the dwelling unit where 40 m² (430 ft²) is required.
- Planning staff are recommending that the application be supported, as it is consistent with the policies of the Provincial Planning Statement and complies with the relevant policies of the Official Plan respecting accessory residential uses in the Central Business District.

DISCUSSION

BACKGROUND

OWNERS: Community Living Tillsonburg (c/o Cheryl Conick)
96 Tillson Avenue, Tillsonburg, ON N4G 3A1

LOCATION:

The subject lands are described as Part of Lot 1139, Plan 500, being Part 1, 41R-4492, in the Town of Tillsonburg. The subject lands are located on the south side of Brock Street East, lying between Harvey Street and Tillson Avenue, and are municipally known as 51 Brock Street East, Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

| | | |
|----------------|--------------------------------------|---------------------------|
| Schedule “T-1” | Town of Tillsonburg Land Use Plan | Central Business District |
|----------------|--------------------------------------|---------------------------|

TOWN OF TILLSONBURG ZONING BY-LAW 3295:

Existing Zoning: ‘Central Commercial Zone (CC)’

Proposed Zoning: ‘Special Central Commercial Zone (CC-sp)’

PROPOSAL:

The purpose of the proposed zone change is to rezone the subject lands to a 'Special Central Commercial Zone (CC-sp)' to include site-specific provisions to permit a residential dwelling unit in the lower portion of a non-residential building. The applicant has also requested site-specific provisions to reduce the required parking from seven (7) spaces to five (5) spaces, including 1 accessible parking space; and to not require amenity area for a residential dwelling unit where 40 m² (430 ft²) is required.

The application was originally submitted and circulated to request a parking reduction, however, based on review of the zoning by-law, changes of use within existing buildings in the Central Commercial Zone (CC) do not require additional parking to be provided.

The subject lands are approximately 630.1 m² (6,782.3 ft²) in area and contain a one storey commercial building with a walkout basement. Surrounding land uses include commercial uses along Brock St East, Harvey Street and Broadway, low density residential uses are located to the southeast of the subject lands as well as a woodlot to the east.

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) with Existing Zoning, 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 general site area as provided by the applicant including site photos providing by the applicant identifying the parking and rear access for the dwelling unit.

APPLICATION REVIEW

2024 PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement is a policy statement issued under Section 3 of the Planning Act that applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024. The following outlines the key PPS policies that have been considered but 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.

OFFICIAL PLAN

The subject lands are designated 'Central Business District' according to the Land Use Plan for the Town of Tillsonburg, as contained in the Official Plan.

It is intended that the Central Business District will remain as the most functionally diverse area of the Town and will serve as the primary business, cultural and administrative centre. The commercial core of the Central Area will also remain a viable regional retail shopping district capable of meeting the day to day and specialty needs of residents in the Town as well as southern Oxford County and portions of Norfolk and Elgin Counties. It is envisioned that the Central Area will increasingly serve as a people place and will have increased day and night activity through the introduction of residential development within and near the Central Area.

To maintain the commercial core of the Town, a full range of retail uses will be permitted in the Central Business District. Where feasible, new commercial development should be located in the Central Area to complement the existing commercial structure of the downtown. The full range of commercial, office, administrative, cultural, entertainment, recreation, institutional and open space uses are permitted within the Central Area. Residential units on levels above the grade level are permitted within any of the non-residential uses.

Section 8.3.2.2.3- Residential Function, identifies that a strategic objective is to increase the residential population living within and in the vicinity of the Central Area. To support this objective, Town Council shall permit Medium and High Density Residential development within the Central Business District without requiring a commercial component and subject to satisfying the policies of Sections 8.2.5 and 8.2.6. Town Council shall also support the creation of new residential units within commercial and institutional buildings within the Central Area through the development of appropriate zoning standards.

ZONING BY-LAW

The subject property is currently zoned "Central Commercial Zone (CC)", according to the Town of Tillsonburg Zoning By-law.

Permitted uses within the 'Central Commercial Zone (CC)' include a wide range of residential, commercial, and business uses. The CC Zone permits a residential dwelling unit within the upper portion of a non-residential building.

Where a non-residential building contains a residential dwelling unit, the Town's Zoning By-law requires 40 m² (430 ft²) of amenity area per dwelling unit be provided. The applicant is requesting site-specific provisions to require no amenity area be provided for the residential unit.

Section 5.24.5 contains a provision where no additional parking spaces shall be required for any change of use within an existing building in the 'CC' Zone; as such, no additional parking is required for the proposed residential unit.

AGENCY COMMENTS

Canada Post, Long Point Region Conservation Authority (LPRCA) and Oxford County Public Works had no concerns with the subject application.

Town of Tillsonburg Development Commissioner provide support for the application and noted that "the current high cost of housing can make providing residential units for care prohibitively expensive and this solution, which converts Class B basement office space to residential is a economic and feasible way to provide additional housing for Community Living Tillsonburg, which is a non-profit focused on meeting community needs. From an economic perspective, this reduces the size of the commercial unit, which may be more feasible for small businesses thereby opening up potential lease opportunities for space that has been underutilized for a number of years."

Tillsonburg BIA indicated that they were not supportive of the proposal due to the lack of amenity area for the proposed residential unit.

PUBLIC CONSULTATION

Notice of complete application and notice of public meeting regarding this application were circulated to surrounding property owners on April 22, 2026, and June 8, 2026 in accordance with the requirements of the Planning Act. At the time of writing this report, no concerns have been received.

Planning Analysis

The application for zone change is proposing site specific provisions to permit a residential dwelling unit within the lower portion of a non-residential building. The applicant has also requested specific provisions to reduce the required parking space from 7 to 5 (including one accessible space) and to not require any amenity area for the residential unit, however, as noted the parking reduction is no longer required.

The proposed development of the subject lands will provide more housing choice for the residents of Tillsonburg within the Central Area and is considered to be an efficient use of the lands, municipal services and infrastructure. It is the opinion of the Office that the subject application is consistent with the policies of the PPS for providing broader mixed uses to support a modern economy and achieving complete communities.

The policies outlined in the Official Plan respecting residential units within the Central Area are intended to ensure that residential uses at grade do not detract from the commercial function of the Central Area. Further, it is the objective of the residential function of the Central Area to increase the residential population living within the area and Council should support the creation of new residential units within commercial and institutional buildings. It is staff's opinion that the

proposed residential unit within the bottom portion of the existing non-residential building will not detract from the commercial aspect of the building as a whole as the residential unit will not be visible from the street, utilizes a separate entrance and will not impact the use of the at-grade unit for commercial purposes and increases the residential population within the Central Area.

As noted, Section 5.24.5 contains an exception for existing buildings within the 'CC' Zone, where changes of use do not require additional parking spaces. The requested parking reduction is no longer required, and the existing parking is considered sufficient. The subject lands currently contain 5 parking spaces, and two municipal parking lots are within close proximity of the subject property.

With respect to the amenity area, it is noted that there is an area of landscaped space at the rear of the property, however, due to the grade of this area, it cannot be counted as amenity space. Amenity area may also be a patio, balcony, swimming pools or recreation areas. Based on the photos of the rear of the building provided by the applicant it appears there is some area that could be utilized as amenity area. Further, being located in the Central Area, the subject lands have access to other recreation and amenity spaces within walking distance of the subject lands.

In light of the foregoing, this Office is satisfied that the applicant's proposal to utilize the bottom portion of a non-residential building for a residential dwelling unit is consistent with the PPS and maintains the general intent and purpose of the Official Plan.

RECOMMENDATIONS

It is recommended that the Council of the Town of Tillsonburg approve the zone change application submitted by Community Living Tillsonburg whereby the lands described Part of Lot 1139, Plan 500, in the Town of Tillsonburg known municipally as 51 Brock Street East are to be rezoned from 'Central Commercial Zone (CC)' to 'Special Central Commercial Zone (CC-sp)' to facilitate a residential dwelling unit in the lower portion of a non-residential building with reduced parking spaces and reduced amenity area.

SIGNATURES

Authored by: *'Original Signed by'*

Amy Hartley
Development Planner

Approved for submission: *'Original Signed by'*

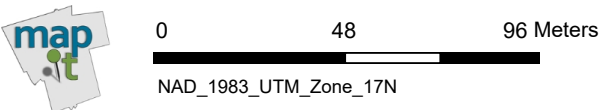
Eric Gilbert, MCIP, RPP
Manager of Development Planning



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

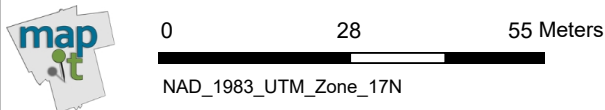
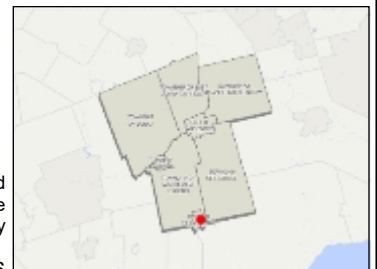
April 21, 2026



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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June 13, 2026



51 Brock St E

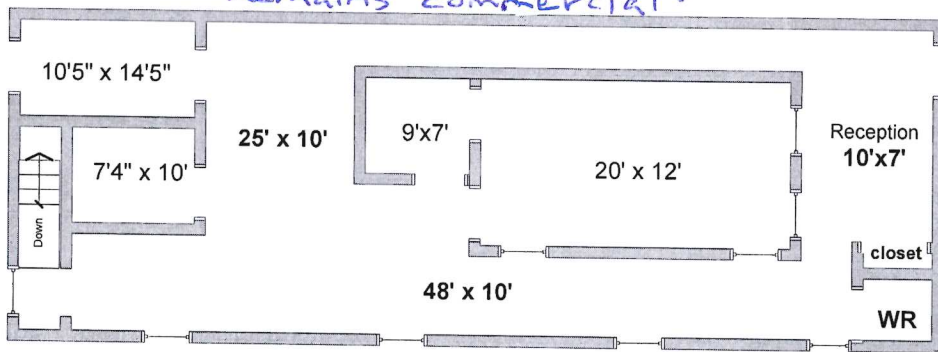
Imagery flown March 7th May...

51 Brock St.



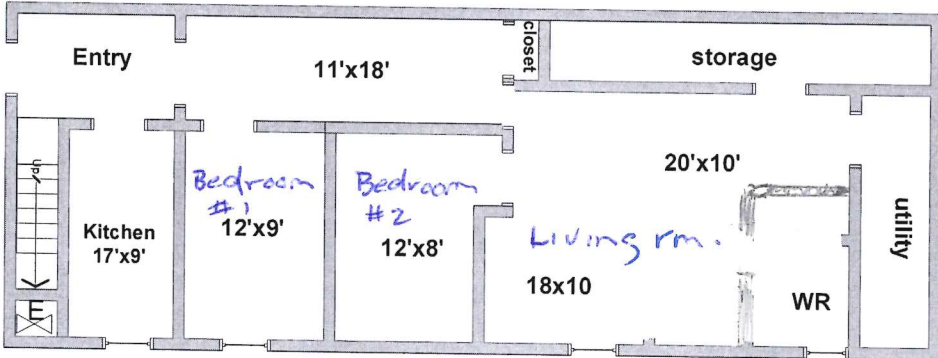
Main Floor

Remains commercial.



Back Parking

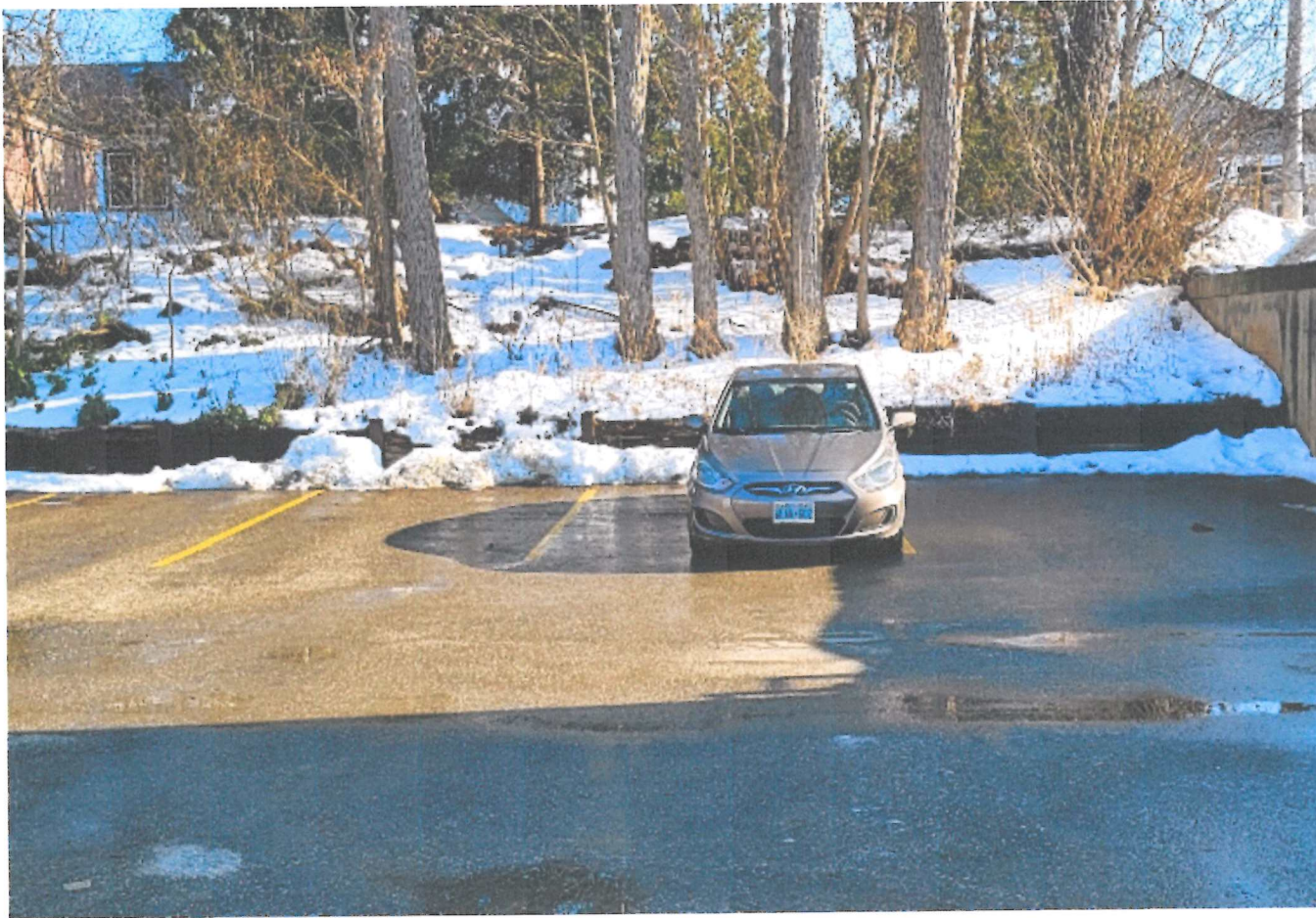
Basement



Brock St. East



Lower apartment entrance.



Rear yard. 4 to 6 parking spots.
Green space from retaining wall to lot line approx 14'

COMMUNITY LIVING
Tillsonburg

51 Brock St. East

