

To: Warden and Members of County Council

From: Director of Community Planning

Applications for Official Plan Amendment and Plan of Subdivision OP 22-19-7; SB 22-07-7 - Lindprop Corp.

RECOMMENDATIONS

1. That Oxford County Council approve Application OP 22-19-7, submitted by Lindprop Corp., for lands legally described as Part of Lots 4 & 5, Concession 10 (Dereham) and Blocks 18-21, Plan 41M-148, in the Town of Tillsonburg, to re-designate portions of the subject lands Low Density Residential, Medium Density Residential, and Open Space to facilitate a proposed draft plan of subdivision;
2. And further, that Council approve the attached Amendment No. 294 to the County of Oxford Official Plan and that the necessary by-law to approve Amendment No. 294 be raised;
3. And further, that Oxford County Council grant draft approval to a proposed residential subdivision, File No. SB 22-07-7, submitted by Lindprop Corporation Inc, for lands legally described as Part of Lots 4 & 5, Concession 10 (Dereham), in the Town of Tillsonburg, consisting of 15 blocks for low density residential development (consisting of single detached dwellings, semi-detached dwellings or townhouse dwellings), 1 block for future medium density residential development, 4 open space blocks, served by 5 new local streets and the extension of Martin Street, Braun Avenue, and Mallard Avenue, subject to the conditions attached to this report as Attachment 4 being met prior to final approval.

REPORT HIGHLIGHTS

- The proposed Official Plan Amendment will amend the extent of the Open Space designation to coincide with the findings of the Environmental Impact Study prepared for the development, and to facilitate a medium density residential block in the northeast portion of the subject property.
- The proposed draft plan of subdivision consists of 15 blocks for low density residential development (consisting of single detached dwellings, semi-detached dwellings and/or townhouse dwellings), 1 block for future medium density residential development, 4 open space blocks, served by 5 new local streets and the extension of Martin Street, Braun Avenue, and Mallard Avenue.

- The proposal is generally consistent with the relevant policies of the Provincial Policy Statement and supports the strategic initiatives and objectives of the Official Plan respecting residential development and the protection of natural features, and can be supported from a planning perspective.

Implementation Points

This application will be implemented in accordance with the relevant objectives, strategic initiatives and policies contained in the Official Plan.







Financial Impact

The approval of this application will have no financial impact beyond what has been approved in the current year's budget.

Communications

In accordance with the requirements of the Planning Act, notice of complete application regarding this proposal was provided to surrounding property owners on February 23, 2023, and notice of public meeting was issued on March 13, 2023. At the time of writing this report, no comments have been received from the public.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.ii			

DISCUSSION

Background

Owner: Lindprop Corp.
7681 Highway 27, Unit 16, Woodbridge ON L4L 4M5

Agent: Peter Penner, CJD Consulting Engineers
261 Broadway, Tillsonburg ON N4G 4H8

Location:

The subject lands are described as Part of Lots 4 & 5, Concession 10 (Dereham), in the Town of Tillsonburg. A small portion of the subject property is located within the Township of South-West Oxford. The lands are located on the north side of North Street East and west of the CPR Railway, and are municipally known as 112 North Street East, Tillsonburg

County of Oxford Official Plan:

Existing Designation:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Residential Open Space
Schedule "T-2"	Town of Tillsonburg Residential Density Plan	Low Density Residential Medium Density Residential

Proposed Designations:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Residential Open Space
Schedule "T-2"	Town of Tillsonburg Residential Density Plan	Low Density Residential Medium Density Residential

Town of Tillsonburg Zoning By-law 3295:

Existing Zoning:	Future Development Zone (FD)
Proposed Zoning:	Special Low Density Residential Type 3 Zone (R3-sp) Special Medium Density Residential Zone (RM-sp) Special Active Use Open Space Zone (OS2-sp)
Recommended Zoning:	Special Low Density Residential Type 3 Zone (R3-sp) Special Medium Density Residential Zone (RM-sp) Passive Use Open Space Zone (OS1) General Agricultural Zone (A2)

Proposal:

The proposed Official Plan Amendment (OPA) proposes to amend Official Plan Schedule "T-2," Town of Tillsonburg Residential Density Plan, to alter the extent of the existing Low and Medium Density Residential designations in the southeast portion of the lands, and to amend Official Plan Schedule "T-1," Town of Tillsonburg Land Use Plan, to re-designate one block within the proposed plan of subdivision from Open Space to Residential and Medium Density Residential. The proposed changes to Schedule 'T-1' would also amend the extent of the Open Space designation

to reflect the findings of the Environmental Impact Study that was prepared and peer reviewed for the proposed development.

The application for Draft Plan of Subdivision will facilitate the creation of 15 blocks for low density residential development (consisting of single detached dwellings, semi-detached dwellings and/or townhouse dwellings), 1 block for future medium density residential development, 4 open space blocks, served by 5 new local streets and the extension of Martin Street, Braun Avenue, and Mallard Avenue.

The Zone Change application proposes to rezone the lands from 'Future Development Zone (FD)' to 'Special Low Density Residential Type 3 Zone (R3-sp)', 'Special Medium Density Residential Zone (RM-sp)' and 'Special Active Use Open Space Zone (OS2-sp)' to facilitate the above noted Draft Plan of Subdivision. Site specific zoning provisions have been requested, and further details are included in the 'Zoning' section of this report. The current 'General Agricultural Zone (A2)' zoning of the portion of the lands within the Township of South-West Oxford is proposed to remain unchanged.

A functional servicing report, planning justification report, Archeological Assessment Report, Environmental Impact Study, Transportation Impact Study, and Geotechnical and Slope Stability Report, and Noise and Vibration Feasibility Study were submitted in support of the applications.

The subject lands comprise approximately 28.7 ha (70.9 ac) and have been used historically for agricultural purposes. No buildings or structures are present on the property. Surrounding uses include residential uses to the south and west, lands planned for residential uses to the east, and agricultural uses in the Township of South-West Oxford to the north.

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

Plate 2, 2020 Aerial Map, provides an aerial view of the subject property and surrounding area.

Plate 3, Proposed Draft Plan of Subdivision, provides the layout of the proposed draft plan of subdivision.

Comments

2020 Provincial Policy Statement

Section 1.1.1 of the Provincial Policy Statement (PPS) directs that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment, institutional, recreation, park and open space, and other uses to meet long-term needs.

Section 1.1.2 of the PPS directs that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines.

Section 1.4.1 sets out policies which are intended to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. To accommodate this, planning authorities shall maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and if necessary, lands which are designated and available for residential development.

Section 1.7.1 directs that long-term economic prosperity should be supported by, among other measures, encouraging residential uses to respond to dynamic market-based needs and providing necessary housing supply and range of housing options for a diverse workforce, optimizing the long-term availability and use of land, resources, infrastructure and public service facilities.

The PPS also contains policies which direct that natural features and areas shall be protected for the long term. Section 2.1.2 directs that 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. Section 2.1.5 directs that development and site alteration shall not be permitted in significant woodlands and significant wildlife habitat.

The overall intent of Section 3.0 - Protecting Public Health and Safety of the PPS is to reduce the potential public cost or risk to current and future residents from natural or human-made hazards. As such, "development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new, or aggravate existing hazards."

Section 3.1 of the Provincial Policy Statement provides that development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards. Section 3.1.2 provides that development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Official Plan

The subject lands are currently designated 'Low Density Residential', 'Medium Density Residential' and 'Open Space', as per Schedules T-1 & T-2 of the 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 single-detached dwellings, semi-detached, duplex or converted dwellings, quadrplexes, 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 maximum net residential density in the Low Density Residential Designation is 30 units/ha (12 units/ac) and the minimum net residential density is 15 units/ha (6 units/ac). If the maximum number of units proposed (315) in the 15 low density residential blocks are developed, this would result in a net residential density of 29.9 units/ha (11.9 units/ac).

Medium Density Residential areas are those lands that are primarily developed or planned for low profile multiple unit development that exceed densities established in Low Density Residential Districts. Residential uses within Medium Density Residential areas include townhouses, cluster houses, converted dwellings, and apartment buildings.

The maximum net residential density in the Medium Density Residential area is 62 units per hectare (25 units per acre) and no building shall exceed four stories in height at street elevation. Within areas of new Medium Density Residential development, the minimum net residential density shall be 31 units per hectare (13 units per acre). The proposed medium density block would have a net residential density of approximately 43.9 units per hectare (17.8 units per acre).

In addition to areas predominantly composed of existing or planned Medium Density Residential development as identified on Schedule T-2, any further designations will be consistent with the following location criteria:

- Sites which abut arterial or collector roads or which are situated such that movements from the site do not flow through any adjoining Low Density Residential area;
- Sites which are close to shopping, recreation, cultural and community facilities;
- Sites which are adjacent to commercial areas, Community Facilities or High or Medium Density Residential Areas.

Any lands proposed for Medium Density Residential development not identified on Schedule "T-2" will require an amendment to the Official Plan. In addition to the location policies identified, when considering proposals to designate lands for Medium Density Residential development, Town Council and County Council will be guided by the following site specific criteria:

- the size, configuration and topography of the site is such that there is sufficient flexibility in site design to mitigate adverse effects on the amenities and character of any adjacent Low Density Residential area through adequate buffering and screening;
- the location of vehicular access points and the likely effects of traffic generated by the proposal on Town streets has been assessed and is acceptable;
- adequate hard service capacity including water distribution, sanitary and storm sewers, power and gas distribution facilities is or will be available to accommodate the proposed development;
- off-street parking and outdoor amenity areas can be provided; and
- the effect of the proposed development on environmental resources or the effect of environmental constraints on the proposed development will be addressed and mitigated as outlined in Section 3.2.

The subject lands contain significant woodlands and valleylands. Section 3.2 of the Official Plan requires that where site alteration is occurring within or 50 m adjacent to Significant Valleylands or Significant Woodlands, that an Environmental Impact Study be prepared.

New permitted uses, or expansions/enlargements to existing uses, buildings, or structures within or adjacent to a Natural Heritage designation that requires a Planning Act approval may be permitted if it can be demonstrated through an Environmental Impact Study (EIS), prepared to the satisfaction of the Municipality in accordance with the policies contained in Section 3.2 of this Plan, that there will be no negative impacts to the natural heritage features and/or their ecological functions.

The policies of Section 10.3.3 (Plans of Subdivision and Condominium) provide that County and Town Council will evaluate applications for a plan of subdivision on the basis of the requirements of the Planning Act, as well as criteria including, but not limited to, the following:

- Conformity with the Official Plan;
- The availability of community services such as roads, water, storm and sanitary sewers, waste disposal, recyclable collection, public utilities, fire and police protection, parks, schools and other community facilities;
- The accommodation of Environmental Resources and the mitigation of environmental and human-made constraints;
- The reduction of any negative effects on surrounding land uses, transportation networks or significant natural features;
- The design of the plan can be integrated into adjacent developments, and;
- The design of the plan is to be compatible with the natural features and topography of the site, and proposals for extensive cut and fill will be discouraged.

As a condition of draft plan approval, County Council will require an applicant to satisfy conditions prior to final approval and registration of the plan. The applicant will be required to meet the conditions of the draft approval within the specified time period, failing which, draft plan approval may lapse. Additionally, to provide for the fulfillment of these conditions, and for the installation of services according to municipal standards, County Council shall require the applicant to enter into a subdivision agreement with the area municipality and, where necessary, the County, prior to final approval of the plan.

Zoning By-law

The subject lands are currently zoned 'Future Development Zone (FD)' in the Town Zoning By-Law, and the small portion of the subject lands within the Township of South-West Oxford are zoned 'General Agricultural Zone (A2)'. The Zone Change application proposes to rezone the lands to 'Special Low Density Residential Type 3 Zone (R3-sp)', 'Special Medium Density Residential Zone (RM-sp)' and 'Special Active Use Open Space Zone (OS2-sp)' to facilitate the proposed Draft Plan of Subdivision.

The requested zoning provisions would permit single detached dwellings, semi-detached dwellings and additional residential units with increased lot coverage, reduced exterior side yard and interior side yard widths, reduced rear yard depths, and increased permitted projection for uncovered and covered decks and porches.

The requested zoning provisions for townhouse units include reductions to minimum lot area and frontage for interior, end and corner townhouse units, reduced front yard depth and exterior side yard width for main buildings, increased lot coverage, increased driveway width, and increased permitted projections for uncovered and covered decks and porches.

The requested zoning provisions for the proposed medium density block would reduce the front yard and rear yard depth, reduce the minimum interior side yard width, reduce the minimum setback between multiple dwellings on one lot, allow multiple unit dwellings to front on a private street, and increase the maximum building height.

It is also requested that an additional residential unit be permitted on single detached dwelling lots under the proposed R3-sp zoning, provided that one additional parking space is provided for the ARU.

Planning staff recommend that the proposed 'Special Active Use Open Space Zone (OS2-sp)' which is proposed for the rear yards that are adjacent to the open space blocks be rezoned to 'Passive Use Open Space (OS1)', which does not permit any buildings or structures, as recommended by the peer review of the EIS. The applicant's proposal to permit structures such as decks and pools within the OS2-sp zone subject to providing an arborist report to the satisfaction of the Town is deemed by Town staff to be unworkable as the Town does not have the resources on staff to review arborist reports.

It is recommended that Holding Provisions be utilized (as has been standard practice in the Town for draft plans of subdivision) to ensure that all appropriate development agreements are in place prior to the issuance of any building permits.

[Agency Comments](#)

The Town of Tillsonburg Engineering Services Department provided the following comments:

- 0.3 m reserve must be provided in Block 7 to prevent access from the proposed condominium block;
- 0.3 m reserve must be provided where Street 'H' ends and meets up with SWOX;
- Paget municipal drain must be abandoned once the storm water infrastructure is present;
- Completion of the SWM pond in Lindprop Phase 1 (SB 21-07-7) is required prior to any development occurring within this draft plan;
- Streets I, C and Mallard should all have a 22.0m right of way;
- Detailed SWMP may need to be revised as the SWMP provided in Lindprop Phase 1 contemplated a 65% impervious surface, including a typical driveway. With the new proposal and request of wider driveways from 50% to 80% that represent more impervious surface.

If approved, please include the following as conditions of draft plan approval:

- a. The Owner agrees to satisfy all requirements, financial and otherwise, of the Town regarding the construction of roads, installation of services, including water, sewer, electrical distribution systems, street lights, sidewalks, and drainage facilities and other matters pertaining to the development of the subdivision in accordance with Town standards.
- b. The subdivision agreement shall contain provisions indicating that prior to grading and issuance of building permits, a grading plan, servicing plan, hydro and street lighting plan, and erosion and siltation control plan, along with reports as required, be reviewed and approved by the Town, and further, the subdivision agreement shall include provisions for the owner to carry out or cause to be carried out any necessary works in accordance with the approved plans and reports.
- c. Such easements as may be required for utility or drainage purposes outside of the public right-of-way shall be granted to the appropriate authority.

The Town of Tillsonburg Recreation, Culture and Parks Department indicated that the proposed parkland to be dedicated, shown as Block 18 in the proposed draft plan is not acceptable. These lands were identified in the EIS as wetlands and environmentally sensitive lands that have limited potential for park purposes.

The applicant shall provide an alternate location for parkland dedication, in proximity to the proposed Medium Density Blocks on the eastern portion of the site.

Town of Tillsonburg Building and By-Law Services provided the following comments:

- The applicant's suggested OS2-sp zoning, which would permit an accessory structure within the recommended buffer area identified in the EIS subject to an arborist report is not feasible. Building staff do not have the expertise, and Town staff do not have the expertise or capacity to review arborist reports or arrange for them to be sent for peer review or for review to other 3rd parties. It is recommended that the zoning of these buffer areas be OS1 so that it is clear to future homeowners that no structures are permitted in these areas as per the submitted EIS.

The Oxford County Public Works Department provided the following comments:

- Final watermain sizing of the proposed water distribution system within the development will be determined during detailed design to ensure domestic and fire flows will be provided throughout the subdivision.
- The owner shall be aware that the proposed Phase 2 will not advance unless an adequate watermain loop is installed to ensure security of supply.
- The County is currently in the process of completing a revised Water Master Plan. Results from this updated master plan in reference to this development will need to be reviewed once the results/recommendations are available.

Requested conditions of approval from Oxford County Public Works Department have been included, as appropriate, in the recommended conditions of approval.

Long Point Region Conservation Authority provided the following comments:

Staff can advise that blocks 1-15 are consistent with section 3.1 of the Provincial Policy Statement, 2020. LPCRA staff have no objections to the concept of the application.

LPRCA staff have concerns regarding the proposed Official Plan Amendment, Zoning By-law Amendment and development in the north-east corner of the property. From the submitted application, there is not enough information to determine if the habitable dwellings would be subject to natural hazards or have safe access.

- To clarify, the proposed Official Plan Amendment, zone change and development regarding Block 16, (within block 20 in the north east corner) may be subject to natural hazards. Please see the attached map for clarification of the area of concern. Staff require additional information relating to the development and access in the north-east corner of the property to adequately review against the applicable section 3.1 policies of the PPS.

LPRCA have reviewed the stormwater management design using the 2003 MECP Stormwater Management Planning and Design Manual, MTO Drainage Manual, LID Stormwater Management Manual, the sustainable technologies STEP website <https://sustainabletechnologies.ca/>, and the Municipal SWM guidelines.

Staff have the following comments with regard to Stormwater Management:

- Road ponding is limited to 0.3m during major storm events. This is satisfactory.
- More details are anticipated for Area E2C in regard to its separate storm water system prior to approval of setbacks. The proposed development may be affected by the proposed roadway over the riverine. The construction of a roadway over the watercourse may have an effect on the floodplain upstream.
- The major flow system drains to the storm water pond, but its method of conveyance was not mentioned. The post development storm tributaries drawing illustrates the major flow will travel by road and enters the lots via maintenance trails. Please provide justification for how these walkways will be able to accommodate major flow.
- Storm water pond design should refer to the geotechnical recommendations when designing and constructing.
- Cross sections provided in the geotechnical report do not consistently reference the most concerning slopes. The setbacks should be adjusted to reflect the most severe slopes (i.e. the ravine finger between cross section C&D). The proposed phase 2 development location (in the north east corner) should be determined using the updated geotechnical setbacks.
- The utilization of the treatment train approach is suggested to improve run off water quality into the vulnerable aquifer region.

The subject property is partially within the regulated area under Ontario Regulation 178/06. Any development within the regulated area requires a permit prior to development. This includes any grading or outlet structures.

The Thames Valley District School Board indicated that the subject property and proposed Draft Plan of Subdivision is currently located within the attendance area boundaries of South Ridge Public School (Elementary – Junior Kindergarten to Grade 8) and Glendale High School (Secondary – Grade 9 to Grade 12). South Ridge Public School is operating at capacity and enrolment is expected to increase.

TVDSB requests that the following clause be included as a condition of draft plan approval for the proposed development:

“The Owner shall inform all purchasers of residential lots by including a condition in all purchase and sale and/or lease agreements stating that the construction of additional public school accommodations is dependent on funding approval from the Ontario Ministry of Education. Therefore, the subject community may be designated as a “holding zone” by the Thames Valley District School Board and pupils may be assigned to existing schools as deemed necessary by the Board.”

The Board regularly reviews accommodation conditions across all elementary and secondary schools and will provide updated comments as necessary. We would appreciate it if you could please keep us updated regarding this application.

Town of Tillsonburg Council

Town of Tillsonburg Council considered the applications for Official Plan Amendment, draft plan of subdivision approval, and application for zone change at their regular meeting of March 27, 2023. Town Council adopted resolutions supporting the proposed Official Plan Amendment and draft plan of subdivision, and approved the proposed zoning amendment in principle.

Planning Analysis

The subject applications for Official Plan amendment, draft plan of subdivision approval will facilitate the development of a residential plan of subdivision in the Town of Tillsonburg.

It is the opinion of staff that the proposal is consistent with the relevant policies of the Provincial Policy Statement. The proposed development is considered to be a form of infilling that promotes a mix of housing types and represents an efficient use of lands, municipal services and infrastructure within a designated settlement area, which is consistent with Sections 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.4.3 of the PPS. The development also contributes to housing types and densities required to meet the projected requirements of current and future residents of the Town and the broader regional market area.

With respect to the development of the Medium Density Block identified as Block 16 on the proposed draft plan, planning staff are of the opinion that it is premature to re-designate this block prior to confirmation being received from the Long Point Region Conservation Authority that the access and egress to the block is appropriate, and the natural hazards impacting the have been satisfactorily addressed. As this block has only one access that must traverse the existing watercourse, Planning staff recommend that the re-designation of this portion of the proposed subdivision plan be deferred until such time that confirmation is received that the challenges relating to natural hazards can be satisfactorily addressed.

Transportation Impact Study

The applicant submitted a Transportation Impact Study (TIS) prepared by Paradigm Transportation Solutions. The study evaluated the impacts on the transportation network that could potentially result from the development of the subject lands and adjacent developments. The study indicates that the intersections within the study area currently operate within acceptable levels of service, but notes that in 2027 background traffic conditions the eastbound shared through/ left-turn movement at the intersection of Broadway and North Street.

In 2027, with total traffic conditions, the westbound left-turn movement at the intersection of Broadway and North Street is forecast to operate with 95th percentile queues exceeding the available storage during the AM peak hour.

The study recommended the following intersection improvements:

- Broadway and North Street: The westbound left-turn movement is forecast to operate with 95th percentile queues exceeding the available storage of 40 metres during the AM peak hour. These queues can be accommodated within the existing two-way centre left-turn lane on North Street.
- North Street and Coulthard Street/Braun Avenue: The southbound left-turn movement is forecast to operate with LOS E and a v/c ratio of 0.47 during the PM peak hour. The low v/c ratio indicates the delay is likely due to the high volumes of through traffic on North Street which limits the number of available gaps for side street traffic.

Based on the findings and conclusions of the study, it is anticipated that the proposed development can be accommodated within the Town's existing street and road network, with the required additional storage being able to be accommodated within the existing streets. A condition of approval has been included to ensure that the recommendations of the study are appropriately implemented, prior to final approval.

Noise and Vibration Feasibility Study

A Noise and Vibration feasibility study was submitted in support of the proposed development due to the presence of the railway corridor to the east, and transportation noises from North Street East. The study concluded that the noise levels for dwellings near North Street could exceed the applicable noise limits; for these dwellings windows and the building envelope will need to be designed to provide acoustic mitigation.

The study also identified that a berm, or combination berm and noise barrier will be required to be erected on the subject property, parallel to the railway ROW. The study also recommended a minimum setback of 40 m between the railway right of way and the residential building foundation to ensure that vibration from the railway is within appropriate limits. This setback could be reduced subject to further review and analysis once the building design and foundation type have been determined. It is expected that this 40 m setback to building foundations can be accommodated for Block 16, and will be confirmed through the site plan approval process.

The study also recommended the use of standard warning clauses to be included in the subdivision agreement to provide appropriate disclosure and notice to future owners and purchasers.

Environmental Impact Study

An Environmental Impact Study was submitted in support of the application for draft plan approval, as the subject lands contain significant woodlands, valleylands, and fish habitat.

The EIS reviewed the 0.08 ha of wetland and 2.29 ha of upland vegetation that is proposed for removal. The removals in the northwest corner of the subject property will facilitate the construction of a planned collector road to the proposed residential subdivision to the west, and farther west to Broadway, as per Schedule T-4 of the Official Plan.

The EIS included the 53 specific recommendations and mitigation measures to ensure there is a net environmental gain as required by the Official Plan, some of the recommendations include:

- Requirement for additional plantings and buffer areas;
- Requirement for tree protection fencing to be installed prior to any construction commencing;
- Requirement for fish passage and terrestrial wildlife movements, including measures to avoid inadvertent harm to fish near the private water crossing;
- Requirement for erosion and sedimentation controls for pre and post construction near the proposed stormwater outlet;
- Preparation of a detailed planting plan with appropriate native species in recommended areas;
- Preparation of detailed plans for walkways and trails, to ensure there is no negative impact to existing woodland and natural features;
- Tree protection plan to be submitted with the detailed lot grading plan, depicting size, species and condition of trees to be removed and trees to be protected;
- Monitoring of restoration areas/ plantings for two years after planting to ensure they have survived;
- Inclusion of chain link fencing along rear lot lines adjacent to natural heritage features;
- Preparation of lighting plan to minimize light trespass and avoid overlighting;
- Development of an educational homeowner brochure for lots backing onto the Natural Heritage feature and hedgerows.

The peer review of the EIS recommended that further review and work be required for the portion of Block 16, north of the watercourse crossing, as the buffer in this area is only proposed to be 2 m and to provide more justification why other options in the mitigation sequence (avoid, minimize, mitigate) were not addressed.

A condition of draft approval has been included to require that all recommendations and mitigation measures identified in the EIS be appropriately implemented, to the satisfaction of the Town of Tillsonburg and, where appropriate, the County of Oxford.

Functional Servicing Report

In support of the subject applications, the applicant submitted a Functional Servicing Report prepared by CJDLC Consulting Engineers Limited. The report states that development of the subject property as an urban residential subdivision with full municipal and utility services is achievable, and that supporting municipal infrastructure in the Town of Tillsonburg is available to accommodate the expected growth.

Watermains are currently located to the south of the property on Braun Avenue, North Street East, and Mallard Street. There are three proposed connection points to the existing municipal watermain network to serve the proposed development, and four potential watermain connection points for future development adjacent to the site. The existing watermain infrastructure may not accommodate the required fire flows for the development as proposed and the applicant has acknowledged the upgrades to the Fairview Booster Pumping Station, installation of a secondary outlet feed from the Fairview Booster Pumping Station, upsizing of the watermain from Bobolink Drive and Woodstock Drive, and expanding the existing boosted pressure zone is all required prior to the full build-out of the subject lands.

Sanitary servicing is achievable and will occur through three proposed connections to the existing sanitary sewer network on Braun Avenue, Martin Street, and Mallard Street, which will convey flows to North Street East and ultimately the recently constructed Sanitary Pumping Station on North Street. All sanitary sewer servicing internal to the development will convey flows by gravity to their respective sanitary outlets.

Municipal storm sewers will be required to service the proposed residential development. Under post-development conditions, stormwater management for the majority of the site is proposed to be accommodated by one stormwater management wet pond that is included in the previous phase of the subdivision (SB 21-07-7). The wet pond is proposed to provide enhanced quality control and full quantity control up to the 100-year design storm. A detailed stormwater management report and modelling will be submitted with the detailed engineering design for the draft plan of subdivision.

Official Plan Amendment and Draft Plan of Subdivision

The proposed Official Plan Amendment will re-designate Block 16 of the Proposed Draft Plan of subdivision from Low Density Residential and Open Space to Medium Density Residential, to facilitate a future medium density townhouse development. It is proposed that the dwelling types included in this block are multiple unit dwellings, in the form of townhouses or stacked townhouses. As this block includes a private road, it is expected that it will be subject to a future draft plan of condominium application, providing for a different form of ownership and tenure than the freehold residential development that is predominant in the area.

A preliminary site plan shows 222 units within the proposed medium density block, which would represent a net residential density of approximately 43.9 units per hectare, consistent with the permitted density of 30-62 units per hectare.

In response to the Official Plan policy criteria for new medium density areas, planning staff note that the proposed Medium Density Block abuts a proposed collector road (Mallard Street) which is being designed with a 22.0 metre right-of-way.

The proposed Medium Density block is reasonably close to shopping, recreation and cultural uses. Public trail linkages proposed through the draft plan of subdivision will provide a direct active transportation link for residents to the Trans Canada Trail and other neighbourhood parks in the vicinity. Shopping, including a food store, is located west of the subject lands. Other community serving uses including a fitness centre, gas station and religious institution are also located nearby. The block is expected to be adequately serviced from the new infrastructure in the proposed plan of subdivision, and is sufficiently large to provide required parking and amenity areas. No parking relief has been requested for the proposed medium density block.

Planning staff are of the opinion that the policies respecting the designation of additional Medium Density Residential Areas have been generally addressed, with the exception of safe access and appropriate environmental mitigation regarding that portion of the block that is north of the watercourse. Long Point Region Conservation Authority staff have indicated that further detail and study is required to ensure that the proposed crossing of the watercourse will provide safe access and egress to the residential units proposed for this lands. Additionally, the peer review of the submitted EIS identified concerns with the proposed 2 m buffer to area. In light of this, Planning staff recommend that the portion of the lands proposed to be re-designated to Medium Density Residential north of the watercourse be deferred until it is demonstrated that the single access is safe, will accommodate access during a flooding event, and details can be provided to substantiate the reduced setbacks to natural features in this area.

Planning staff recommend that at this time, the proposed re-designation only apply to lands south of the proposed watercourse crossing.

Other portions of lands to be re-designated to Open Space include the environmentally sensitive areas identified through the EIS, existing drainage channels and SWM ponds.

With regard to the policies of Section 10.3 of the Official Plan (Plans of Subdivision and Condominium) which require the developer to address a series of standard review criteria concerning the adequacy of servicing, environmental impacts, cultural resources, transportation networks and integration with surrounding developments, staff note that the required studies and reports have been received and reviewed through this Office and the recommendations of these reports can be satisfactorily addressed through the inclusion of appropriate conditions of draft approval.

Within the low density residential area a mix of dwelling types is proposed including single detached dwellings, semi-detached dwellings and street fronting townhouse dwellings. Depending on the eventual unit types, the net residential density of the low density residential area could be 29.9 units per hectare, less than the maximum residential density of 30 units per hectare. Planning staff are of the opinion that proposal is generally in-keeping with the Plan of Subdivision policies of Section 10.3.3, and the policies of the Low Density Residential designation as the plan of subdivision will provide for a range of lot sizes and a mix of housing types that are integrated throughout the development, which is in keeping with low density residential policies. It is recommended that the zoning for the subdivision include holding provisions to ensure that once detailed engineering design drawings are prepared that identify the number and type of units, that Town and Planning staff have an opportunity to review the density of the proposed development to ensure it is within the permitted range of density in the Official Plan.

With respect to parkland and parkland dedication, the lands originally proposed for parkland by the applicant are noted to be mostly wooded, containing wetland, and were identified in the EIS as being environmentally sensitive. Town staff have indicated that these lands are not acceptable for parkland dedication purposes as the lands are not suitable for park or active recreational use. The applicant has been working with Town staff to determine an appropriate location for a park and a location in the southeast corner of the lands have been agreed upon. It is recommended that the existing Medium Density designation in this area be changed to Open Space, to reflect the proposed use.

Proposed Zoning

The requested zoning provisions for street-fronting townhouses will provide for increased building envelopes and smaller townhouse blocks and will reflect other recent townhouse developments in the Town, including townhouses in Northcrest Phase 2 and Northcrest Phase 1. The reduced exterior side yard width is not expected to impact traffic sightlines or safety as the corner lots will have appropriate daylighting triangles to preserve sightlines. The reduced minimum lot area, lot frontage, interior side yard and increased lot coverage are reflective of the four unit street-fronting townhouse block design and appropriate private amenity space will remain available, and the proposed relief can be considered appropriate to facilitate the development of freehold townhouse blocks. The reduced lot frontage, lot area and interior side yard width will continue to allow for 2 parking spaces to be provided for each unit (1 in the driveway and one within the private attached garage). The proposed increased driveway width will ensure that each townhouse unit, particularly the interior units have driveways sufficiently wide to accommodate two vehicles, and the occupants do not need to rely on the attached garage for parking purposes.

The requested zoning provisions for the single detached dwellings and semi-detached dwellings would provide for increased lot coverages, reduced exterior side yard widths, reduced interior side yard widths, reduced rear yard depths, and increased permitted projections for uncovered and covered decks can be considered appropriate as the overall engineering design for the development will account for the increased lot coverages and the SWM facility will be designed to accommodate the proposed lot coverages.

No impacts to the planned road network are expected from the reduced exterior side yard widths as the site triangle requirements will continue to be respected. The reduced rear yard depths will continue to provide for appropriate outdoor amenity space, and the increased permitted projections for decks will provide for covered amenity space as appropriate.

With respect to the proposed zoning request for the medium density blocks, Planning staff consider most of the requested provisions generally appropriate for the lands south of the watercourse. The requested reductions to the minimum distance between buildings can be considered appropriate as the spatial separation provisions of the Ontario Building Code more appropriately regulate the required separation between buildings, and the development of these blocks will be subject to site plan approval, where matters such as lot grading, servicing, access, parking, landscaping, and other matters are required to be addressed to the satisfaction of the Town and, where appropriate, the County. The proposed reductions to the minimum front and rear yard depths can be considered generally appropriate as the units will have direct access to a future private street, and units that are adjacent to other residential development will provide

6 m for amenity space and privacy purposes. The proposal will provide the required parking as per the current parking standards.

It is recommended that the zoning for the northern portion of proposed block 16, north of the watercourse remain zoned 'Future Development Zone (FD)' at this time to allow the applicant to provide additional information and details to satisfy concerns about safe access and egress and to provide additional justification for the reduced buffer to natural areas, and to address the concerns raised by the Peer Review of the EIS about the proposed development in this area.

Conclusions

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

SIGNATURES

Report Author:

Original Signed By _____
Eric Gilbert, MCIP, RPP
Senior Planner

Departmental Approval:

Original Signed By _____
Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Original Signed By _____
Benjamin R. Addley
Chief Administrative Officer

ATTACHMENTS

Attachment 1 - Plate 1, Location Map with Existing Zoning
Attachment 2 - Plate 2, 2020 Aerial Map
Attachment 3 - Plate 3, Proposed Draft Plan of Subdivision
Attachment 4 - Conditions of Draft Approval
Attachment 5 - Official Plan Amendment No. 294