

REPORT TO COUNTY COUNCIL

Application for Official Plan Amendment OP 22-21-4 – 2141632 Ontario Inc. (The Oxford Hills)

To: Warden and Members of County Council

From: Director of Community Planning

RECOMMENDATIONS

1. That Oxford County Council approve the application for Official Plan Amendment, File No. OP 22-21-4, submitted by 2141632 Ontario Inc. (The Oxford Hills) for the lands legally described as Pt. Lot 8 & 9, Conc. 4, (Dereham) Township of South-West Oxford to apply a site-specific Agricultural policy to the subject property as to facilitate the development of up to twenty-four (24) single-room cottages and one (1) building for overnight staff accommodations, accessory to the existing recreation uses.
2. And further, that Council approve the attached Amendment No. 313 to the County of Oxford Official Plan, and that the necessary By-law to Approve Amendment No. 313 be raised.

REPORT HIGHLIGHTS

- The application for Official Plan Amendment proposes to include a site-specific development policy to permit accessory overnight accommodations on an existing Recreationally zoned property within the Agricultural Reserve.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement and supports the strategic initiatives and objectives of the Official Plan and can be supported from a planning perspective.

IMPLEMENTATION POINTS

The recommendations contained in this report will be implemented in accordance with the strategic initiatives, objectives and policies of the Official Plan.

Financial Impact

Consideration of this application will have no financial impacts beyond what has been approved in the current year’s budget.

Communications

Notice of complete application and notice of public meeting regarding this proposal was provided to surrounding property owners in accordance with the requirements of the Planning Act on January 4, 2023 and January 31, 2024, respectively. As of the date of the writing of this report, no comments have been received.




The decision of Council will be communicated to the applicant and any other parties that have expressed interest in the proposal.

2023-2026 STRATEGIC PLAN

Oxford County Council approved the **2023-2026 Strategic Plan** on September 13, 2023. The Plan outlines 39 goals across three strategic pillars that advance Council’s vision of “Working together for a healthy, vibrant, and sustainable future.” These pillars are: (1) *Promoting community vitality*, (2) *Enhancing environmental sustainability*, and (3) *Fostering progressive government*.

The recommendations in this report supports the following strategic goals.

Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
Promoting community vitality	Enhancing environmental sustainability	Fostering progressive government
Goal 1.2 – Sustainable infrastructure and development		

See: [Oxford County 2023-2026 Strategic Plan](#)

DISCUSSION

Background

Owner: 2141632 Ontario Inc. (The Oxford Hills)
324183 Mount Elgin Road,
Mount Elgin, ON N0J 1N0

Location:

The subject lands are described as Part Lot 8 & 9, Conc. 4, (Dereham), in the Township of South-West Oxford. The lands are located on Mount Elgin Road, immediately northeast of the Village of Mount Elgin, and are municipally known as 324183 Mount Elgin Road in South-West Oxford.

County of Oxford Official Plan:

Existing:

Schedule 'S-1'

Township of South-West Oxford Land Use Plan 'Agricultural Reserve'

Proposed

Schedule 'S-1'

Township of South-West Oxford Land Use Plan 'Agricultural Reserve' with a site-specific policy to permit overnight accommodations accessory to the existing recreational facility.

Township of South-West Oxford Zoning By-law 25-98:

Existing Zoning: 'Recreation (REC) Zone'

Proposed Zoning: 'Special Recreation Zone (REC-sp)'

Proposal

The Township of South-West Oxford and the County of Oxford have received applications to amend the Official Plan and the Township's Zoning By-law to facilitate the development of overnight accommodations associated with the existing golf course and wedding venue/spa that operates on the subject lands. Specifically, the proposed Official Plan amendment will add site-specific policies to allow for the noted accommodations in the form of single-room cottage units (24 proposed) and a building for staff accommodation.

The subject lands are currently operated as the Oxford Hills Golf Course, an 18-hole course with accessory recreational uses and facilities, including a spa, pools and restaurant/banquet room. In addition to golf, the use hosts weddings and other large events/gatherings. The proposed building for staff accommodation comprises a footprint of approximately 223 m² (2,403 ft²), while each of the single-room 'cottage' units are proposed at approximately 58 m² (624 ft²). The subject property appears to provide the required number of parking spaces, and, pending approval of the Official Plan and Zoning By-law applications, will be subject to site plan approval from the Township of South-West Oxford. The net result of the proposal will be generally as shown on Plate 3.

The Zoning By-law amendment proposes to amend the existing 'Recreation (REC) Zone' affecting the subject lands and place it into a site-specific 'REC-sp' zone that will continue to recognize the existing golf and wedding venue/spa use and clearly identify the proposed overnight accommodations accessory to these facilities.

The subject property is approximately 48 ha (119 ac) in area. The banquet hall/restaurant on the lands was constructed in 2021 and has a gross floor area of approximately 1,858 m² (20,000 ft²). The site is also occupied by a maintenance building comprising approximately 2,400 ft² and an existing spa building of approximately 112 m² (1,205 ft²) in floor area.

Surrounding land uses in the immediate vicinity consist mainly of low-density residential development to the west (along Mount Elgin Road) with a variety of, a commercial, industrial and institutional uses along nearby Plank Line and Agricultural uses to the immediate north, east and south. The Village of Mount Elgin is located immediately west of the subject property.

Plate 1, Location Map & Existing Zoning, identifies the location of the subject lands, as well as the zoning in the surrounding area.

Plate 2, Aerial Map (2020), provides an aerial image of the subject lands and the surrounding area.

Plate 3, Applicant's Sketch, shows the proposed 'cottage' accommodation buildings, the building for staff accommodations and shows the approximate configuration of area to be redesignated and rezoned.

Comments

2020 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions shall be consistent with all policy statements issued under the Act.

Section 2.3 of the PPS directs that prime agricultural areas shall be protected for long term agricultural use. In prime agricultural areas, permitted uses and activities include agricultural uses, agriculture-related uses and on-farm diversified uses.

Section 2.3.6 directs that planning authorities may only permit non-agricultural uses in prime agricultural areas for the extraction of mineral resources and limited non-residential uses, provided that all of the following are demonstrated:

- the land does not comprise a specialty crop area;
- the proposed use complies with the minimum distance separation formulae;
- there is an identified need within the planning horizon provided for additional land to accommodate the proposed use; and
- alternative locations have been evaluated and there are no reasonable alternative locations which avoid prime agricultural areas; and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Impacts from new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

Official Plan

The subject lands are located within the Agricultural Reserve designation according to the Township of South-West Oxford Land Use Plan, as contained in the Official Plan. The policies of the Agricultural Reserve designation permit a wide range of farming uses together with accessory residential uses required for the farm and farm buildings and structures necessary to the farming operation. Agricultural-related uses and secondary uses, such as home occupations, are also permitted, in accordance with relevant review criteria.

Section 3.1.1 of the Official Plan directs that the goal of the Agricultural Reserve policies is to ensure prime agricultural lands are preserved for food and fibre production by avoiding the fragmentation of the land base, by minimizing conflict between agricultural and non-agricultural uses and by supporting the needs of the agricultural community by permitting land uses which are complimentary to and supportive of agriculture. The on-going goal of the Agricultural Reserve designation is to minimize conflicts between farm operations and commercial, industrial and residential developments.

In addition to the foregoing, OPA No. 269 was adopted by County Council on May 25, 2022 and received Provincial approval on February 2, 2024. OPA 269 provides an updated framework for assessing non-agricultural uses in the Agricultural Reserve.

As per Section 3.1.5.6 of OPA 269, in order to maintain the agricultural land resource for agricultural use and ensure that new non-agricultural uses develop on an appropriate level of services and are directed to settlements to support their planned service and/or employment functions, new non-agricultural uses that are not specifically addressed elsewhere in Section 3.1.5, including commercial, industrial (not including aggregate industrial), institutional, and recreational uses, will not be permitted within the Agricultural Reserve designation, except in according with the policies of 3.1.7.

For the purposes of this section, existing non-agricultural uses shall include the following:

- Recreational uses located in the County's Prime Agricultural Areas that are recognized by existing zoning as of January 14, 2009, will be considered as existing non-agricultural uses. However, where an existing recreational use has ceased operation and the site is

suitable for restoration to agricultural use, the Area Council shall consider rezoning the site to agriculture as part of their next comprehensive Zoning By-Law update.

- With the exception of campgrounds and/or seasonal trailer parks, Area Councils may permit minor expansion or minor change to the existing use, and the Land Division Committee may consider the granting of consents, to permit the minor expansion of the existing use, or the minor adjustment of existing lot boundaries (excluding lot creation) without amendment to this Plan, subject to policies of Section 3.1.5.6.1.

Section 3.1.5.6.1, Development Criteria for Minor Expansion or Minor Change of an Existing Non-Agricultural Use states that all applications for minor expansion or minor change of an existing non-agricultural use shall satisfy the following criteria:

- Existing or proposed individual on-site water services and individual on-site sewage services are demonstrated to be adequate to serve the proposed development and shall be in accordance with applicable policies of Section 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.
- The proposed development shall be appropriately designed, buffered and/or separated from nearby residential and other sensitive land uses to prevent or mitigate adverse impacts from noise, dust, vibration, traffic, lighting, visual intrusion, and other potential off-site impacts and minimize risk to public health and safety.
- Further, impacts from any proposed change in use or expansion on surrounding agricultural operations and lands shall be avoided, or mitigated to the extent feasible. Any proposed change in use shall be similar to, or more compatible with surrounding agricultural operations, than the existing use. Any proposed change in use or expansion shall comply with MDS I, or not further reduce an existing insufficient MDS I setback or increase the potential for odour complaints.
- The site-specific zoning provisions and site plan approval required for the proposed expansion or change in use shall incorporate any restrictions or requirements that may be necessary to implement this policy.
- Proposals shall be accompanied by a detailed site plan showing the location of buildings and structures, septic beds, areas for parking, storage and landscaping, lot grading and drainage, points of access, and any other information deemed to be relevant to review the proposal.
- Proposals shall be subject to site plan approval to address site design and land use compatibility related considerations.

Zoning By-law

The subject lands are currently zoned 'Recreation Zone (REC)' according to the Township's Zoning By-law. The 'REC' zone permits a golf course, a recreation or athletic facility or club, an outdoor commercial recreation facility, a park and a sportsfield. The applicant proposes to rezone the lands to 'Special Recreation Zone (REC-sp)' to better recognize the activities which currently

occur on the subject lands – i.e. a wedding venue, a spa, a restaurant, as well as the proposed accessory overnight accommodations.

The “REC” zone requires a lot area of 3,700 m² (39,828 ft²) and a minimum frontage of 30 m (98.4 ft) where full municipal services are not available. Residential uses are also provided a maximum height of 11 m (36.1 ft) and require parking and accessory buildings, etc. to be in accordance with the provisions of Section 6 of the Zoning By-law.

The proposed site-specific zoning will ensure that the list of permitted uses is refined to include a limited number of uses, including those which currently exist (as well as the accessory overnight accommodation) pending approval of the applications outlined in this report. The permitted uses in the proposed ‘REC-sp’ zone will be as follows:

- A golf course;
- A spa;
- A restaurant;
- A special event facility;
- Accessory overnight accommodations;
- A park;
- A recreation or athletic facility or club; and,
- A sportsfield

Staff note that the detailed development of the lands will be subject to an application for site plan approval, which will consider matters such as parking, fire route, lighting, landscaping, screening, building facades, grading and will be determined and reviewed by both the Township and the County through the site plan approval process. Further, a cap on cumulative total gross floor area will be implemented through the site-specific zoning to ensure the proposed accessory overnight accommodation remains ancillary to the other predominant recreational uses (i.e. the golf course).

Agency Comments

Ministry of Environment, Conservation and Parks provided an amended Environmental Compliance Approval (ECA) in October 2023, confirming the appropriateness of the overnight accommodation use based on the existing capacity of the private septic system, which was installed in 2022. The Ministry has signed off on the system’s ability to have a total occupancy of 332, between the restaurant, assembly hall and hotel/accommodation uses.

Oxford County Public Works advised that they have no comments with respect to the subject applications.

Township of South-West Oxford Works Department has indicated that a more comprehensive review of the overall site design and layout will be conducted as part of the future site plan application.

Township Fire Chief has commented that the fire route will need to be reviewed at the time of site plan approval, and the fire suppression system will need to be shown to the satisfaction of the Township.

Township Chief Building Official have no objections to the subject applications and have indicated that further comment will be provided at the time of the site plan application.

Township of South-West Oxford Council

Township of South-West Oxford Council recommended support of the proposed Official Plan amendment and approved the proposed Zoning By-law amendment 'in principle', at the Township's regular meeting of Council on February 20, 2024.

Planning Analysis

As noted previously in this report, the subject lands are presently occupied by a long-standing golf course use, together with restaurant, spa and an event facility (wedding venue) that have been permitted on the lands as accessory to the golf course. The applicant has proposed to add additional facilities for the purpose of housing staff and to provide for overnight accommodations for guests of the event facility and spa. Specifically, the staff accommodations are proposed to comprise a single building of approximately 223 m² (2,400 ft²) and 24 small, cottage-style uses for overnight guests.

Regarding the PPS, the subject lands do not comprise a specialty crop area and existing (and proposed expanded) use would appear to comply with minimum distance separation requirements. Further, as the lands have historically been utilized for golf course purposes and have been zoned accordingly, there would appear to be no conflict with using the lands for the purposes noted above and similarly, considering alternative locations would not appear to be necessary in this instance.

Further, the applicant's proposal has been considered with a view to Section 3.1.5.6.1, Development Criteria for Minor Expansion or Minor Change of an Existing Non-Agricultural Use, as contained in the recently approved OPA 269. With respect to the suitability of on-site water and sewage services, the Ministry of Environment, Conservation and Parks (MECP) issued an amended Environmental Compliance Approval (ECA) order in October of 2023 which confirms the availability of capacity of the private services to accommodate the whole of the development. Further, while a number of details will need to be confirmed through a future site plan application, the general nature of the proposed development is appropriate for the surrounding area, and staff note that comments relating to proposed grading, lighting, drainage and overall servicing can be confirmed through the site plan process.

Upon review of the initial site plan drawing in the context of the policy framework, as per the recently approved OPA 269, staff note that the OP provides direction for the expansion of existing non-agricultural uses, and places emphasis on the importance of ensuring compatibility with the surrounding area as well as implementing site-specific measures through both local zoning and site plan processes. Staff are of the opinion that the objectives of the 'Non-Agricultural Uses in the Agricultural Reserve' policy framework, and the criteria for permitting expansions to such uses, can be used to assess the appropriateness of the proposed development, which, based on both the existing operation, and capacity of the existing private servicing, and the surrounding area, is considered to be appropriate from a land use standpoint.

Further, staff are of the opinion that the development appears to be appropriately designed, buffered and/or separated from nearby residential and other sensitive land uses to prevent or mitigate adverse impacts from noise, dust, vibration, traffic, lighting, visual intrusion, and other potential off-site impacts and minimize risk to public health and safety.

The subject property is located in proximity to the Village of Mount Elgin, benefits from being in relatively close proximity to major highways (i.e. Plank Line, Highway 401) and is proposing to establish itself as a tourist destination to attract recreational users (golf and spa opportunities) as well as a wedding/event venue. The applicant has indicated that the applications will facilitate a development which will provide additional tourism opportunities to the area and that the proposal to include a building for staff accommodations will help to both attract and retain seasonal staff who would be employed by the Oxford Hills.

Staff are generally satisfied that the proposed accessory accommodation buildings will have limited impact on the existing property and its ability to provide for sufficient parking and would not appear to have any negative impacts from a traffic standpoint. Further, it is not anticipated that the proposed development would have any negative impacts on the surrounding area as the accommodation buildings are buffered at approximately 200 m (656 ft) from the nearest property line, are small in scale (at 58 m² or 624 ft² each) and are generally clustered together on the golf course site for ease of servicing, rather than being scattered throughout. Further, staff note that the site plan process can be utilized to ensure that appropriate screening and buffering be incorporated into the plan to assist in limiting impacts on abutting properties (e.g. fencing, hedges, etc.), if required.

While staff are of the opinion that the use of the lands as described above is appropriate, staff are also of the opinion that the scale of the use has grown beyond what would reasonably be considered a minor expansion of the overall facility. The original development of the lands as a golf course and accessory restaurant and clubhouse facilities commonly associated with such use has expanded recently to include an event facility/spa that, together with the proposed accommodations described in this report, suggests that the scale of the overall use is growing less similar to, and less compatible with surrounding agricultural operations. It is the opinion of staff that the proposed amendment to the Official Plan will be useful in setting out in policy the scale of the use and those components of the lands that are clearly intended to be accessory to the principal operation of the lands as a golf course and event facility.

The proposed zoning of the lands, as identified in the 'Zoning By-law' Section of this report, will ensure the existing uses (i.e. golf course, spa and wedding venue/event facility) are recognized and that the overnight accommodations will be included as accessory to the principal uses. The property appears to meet all of the provisions required for the 'REC' zone and no special provisions are being proposed at this time with respect to lot area, frontage or setbacks from property lines.

With respect to the existing uses on the subject property (i.e. golf course, spa and wedding venue) it is understood that other than the golf course, these additional uses were permitted by the Township as accessory to the golf course. To more accurately reflect the scale and nature of the permitted uses, it is proposed that the site-specific 'REC' zone will specify these existing uses and will add accessory staff and overnight accommodations to reflect the request made in the applications outlined herein.

Further, staff are of the opinion that the proposed introduction of an accessory overnight accommodation use, for both guests of the golf course/spa, as well as employees, represents an appropriate expansion of the existing recreational uses in this instance, and would not appear to impair the ability of the subject lands to provide adequate on-site parking, landscaped open space and adequate servicing of the development.

CONCLUSIONS

In light of the foregoing, it is the opinion of this Office that the application for Official Plan Amendment (OPA) is consistent with the policies of the PPS and generally supports the strategic initiatives and objectives of the Official Plan. As such, staff are satisfied that the application can be given favourable consideration.

SIGNATURES

Report Author:

Original Signed By _____

Spencer McDonald, MCIP, RPP
Development 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 & Existing Zoning
Attachment 2 - Plate 2, Aerial Map (2020)
Attachment 3 - Plate 3, Applicant's Sketch
Attachment 4 – Official Plan Amendment No. 313