

## REPORT TO COUNTY COUNCIL

# Application for Official Plan Amendment OP 23-14-7 – Southside Construction Management Ltd.

**To:** Warden and Members of County Council

**From:** Director of Community Planning

## RECOMMENDATIONS

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1. That Oxford County Council approve Application OP 23-14-7, submitted by Southside Construction Management Ltd. for lands described as Block 38, Plan 41M-392, in the Town of Tillsonburg, to redesignate the subject lands from ‘Medium Density Residential’ to ‘High Density Residential’;
2. And further, that Council approve the attached Amendment No. 318 to the County of Oxford Official Plan;
3. And further, that the necessary By-law to approve Amendment No. 318 be raised.

## REPORT HIGHLIGHTS

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- The purpose of the Official Plan Amendment is to redesignate the subject lands from Medium Density Residential to High Density Residential to facilitate the development of an apartment dwelling containing up to 105 new residential units, a 4-unit townhouse block, and a 6-unit townhouse block, for a total of up to 115 new residential units.
- 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

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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

Notice of Complete Application and Notice of Public Meeting regarding the applications for Official Plan Amendment and Zoning By-law Amendment were provided to surrounding property owners in accordance with the requirements of the Planning Act on March 13, 2024, and May 29, 2024, respectively.

At the June 12, 2024, Public Meeting, the Town of Tillsonburg Council deferred the application to provide an opportunity for the applicant to review the setbacks and relocate the apartment building in response to feedback received. Following receipt of a revised proposal, a subsequent notice of public meeting was provided to surrounding property owners in accordance with the requirements of the Planning Act on July 29, 2024. Comments and concerns received from the public are included as Attachment 5 to this report.




## 2023-2026 STRATEGIC PLAN

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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 support the following strategic goals:

### Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
<b>Promoting community vitality</b>	<b>Enhancing environmental sustainability</b>	<b>Fostering progressive government</b>
<p>Goal 1.1 – 100% Housed</p> <p>Goal 1.2 – Sustainable infrastructure and development</p> <p>Goal 1.3 – Community health, safety and well-being</p>		

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

## DISCUSSION

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### Background

Owner: Southside Construction Management  
75 Blackfriars Street, London, ON N6H 1K8

Agent: Zelinka Priamo (c/o Casey Kulchycki)  
318 Wellington Road, London, ON N6C 4P4

#### Location:

The subject lands are identified as Block 38, Plan 41M-392, Town of Tillsonburg. The lands are located on southwest corner of North Street West and Quarter Town Line and are municipally known as 97 North Street West, Tillsonburg.

#### County of Oxford Official Plan:

##### Existing:

Schedule "T-1"	Tillsonburg Land Use Plan	Residential
Schedule "T-2"	Tillsonburg Residential Density Plan	Medium Density Residential

##### Proposed

Schedule "T-2"	Tillsonburg Residential Density Plan	High Density Residential
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#### Town of Tillsonburg Zoning By-Law No. 3295:

Existing Zoning: 'Special Medium Density Residential Zone (RM-8)'

Proposed Zoning: 'Special High Density Residential Zone (RH-sp)'

### Proposal

The County of Oxford and the Town of Tillsonburg have received applications for an Official Plan Amendment and Zoning By-law Amendment to facilitate the development of one 6-storey apartment dwelling containing up to 105 new residential units, a 4-unit townhouse block, and a 6-unit townhouse block for a total of up to 115 new residential units.

The applicant proposes to redesignate the subject lands from Medium Density Residential to High Density Residential which would allow for a residential density on the entire site of approximately 91 units/ha (36.8 units per acre).

The applicant further proposes to rezone the subject lands from 'Special Medium Density Residential Zone (RM-8)' to 'Special High Density Residential Zone (RH-sp)' with special provisions to include a 'Multiple Unit Dwelling' as an additional permitted use, to allow for the two

Multiple Unit Dwellings (i.e. townhouse blocks), and to provide for a reduced exterior side yard width and rear yard depth for the multiple unit dwellings. Town of Tillsonburg Council approved the zoning change 'in principle' at their August 12, 2024 meeting.

The subject lands are vacant and comprise an area of approximately 1.27 ha (3.14 ac). The lands are a block within an approved Plan of Subdivision (File No. SB 20-06-07), located at the intersection of North Street West and Quarter Town Line, and near the western boundary between the Town of Tillsonburg and the Township of South-West Oxford. The land uses immediately adjacent to the subject lands include residential and institutional uses. Specifically, land uses to the north and east consist of predominantly single detached dwellings and the institutional use is a place of worship (Tillsonburg Alliance Church) located on the east side of Quarter Town Line and south of Park Place. The lands to the south and west of the subject lands are being developed for single detached and semi-detached dwellings. Tillsonburg's main commercial corridor (Broadway) is located three blocks east of the subject lands.

A Servicing Brief, Transportation Impact Study, Planning Justification Report, and Proposed Building Shadow Study were submitted in support of the proposed development. The Applicant submitted a Revised Shadow Study, Revised Site Plan, and Renderings in support of the revised application.

Plate 1 – Location Map with Existing Zoning shows the location of the subject property and the current zoning of the subject property and in the immediate vicinity.

Plate 2 – 2020 Aerial Map shows an aerial view of the subject lands and surrounding properties.

Plate 3 – Applicant's Sketch – Revised Site Plan illustrates the proposed development as submitted by the Applicant.

Plate 4 - Applicant's Sketch – Renderings illustrate the proposed development as submitted by the Applicant.

## **Comments**

### **Provincial Policy Statement (2020)**

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 1.1.3.4 directs that appropriate development standards shall be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.4, Housing, and specifically Subsection 1.4.3 states that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents;
- Permitting and facilitating all types of residential intensification, including additional residential units and redevelopment, in accordance with policy 1.3.3.3;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed; and,
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

### Official Plan

The subject lands are currently designated Medium Density Residential according to the Residential Density Plan for the Town of Tillsonburg.

Generally, Medium Density Residential Areas (MDR) are those lands that are primarily developed or planned for low to medium profile multiple unit development that exceeds densities established for Low Density areas. Residential uses within the MDR designation include townhouses, medium density cluster development, converted dwellings and low-rise apartments. The maximum net residential density in the MDR area is 62 units per hectare (25 units/acre) and no building shall exceed four storeys in height at street elevation.

To facilitate the development of the proposed mid-rise apartment dwelling and allow for a residential density on the subject lands of approximately 91 units per hectare (36.8 units per acre) and a building height of six storeys, the applicant proposes to redesignate the subject lands from Medium Density Residential to High Density Residential.

As per Section 8.2.6, High Density Residential areas are primarily developed or planned for a limited range of intensive large-scale, multiple unit forms of residential development. This designation is typically applied in site-specific manner and in locations where high density, high-rise development can result in the preservation of features of the natural environment, efficient use of land, act as community landmarks or reference points, and/or support the viability and functionality of the Central Area.

The height and density limitations for development applicable in the High Density Residential Area shall be determined based on the nature, character, and scale of adjacent land uses. Height and density limitations will be specified in the Zoning By-law and may vary from location to location. Current policies of the Official Plan generally limit the maximum density of new high density development to 111 units/ha (45 units/acre), and under no circumstances will development within a High Density Residential area be less than 63 units per hectare (26 units per acre).

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

- sites which abut arterial, or collector roads will have direct access to the arterial or collector road;
- on vacant or under-utilized sites adjacent to development which is already built at medium or high densities;
- close to shopping, recreation, cultural and community facilities;
- within or near the periphery of the Central Area in accordance with the policies of Section 8.3.4.

Section 8.2.6 also directs that any lands proposed for High Density Residential development not identified on Schedule T-2 will require an amendment to the Official Plan, and when considering proposals to designate lands for High Density Residential development, Town and County Councils will be guided by site specific criteria, including:

- the size, configuration and topography of the site is such that there is sufficient flexibility for site design to mitigate adverse effects on the amenities and character of any adjacent residential development through adequate setbacks, buffering and screening;
- the development results in a gradual transition from low profile residential buildings to higher profile residential buildings and vice versa;
- the location of vehicular access points and the likely effects of traffic generated by the proposal on public streets have been assessed and are 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;
- adequate off-street parking and outdoor amenity areas can be provided;
- 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.

To achieve a consistent approach to the positioning of buildings, parking and landscaped areas, Site Plan Control will be used. Site Plan Control will also be used to address compatibility with adjacent residential uses and, where appropriate, to provide for pedestrian integration between residential land uses. A number of site design criteria will be evaluated prior to the approval of site plans including but not limited to access and internal traffic, parking, landscaping, lighting, servicing, drainage, barrier-free design, signage, buffering, and integration with adjacent residential uses.

### Agency Comments

Town of Tillsonburg Building Services Department commented that the development is subject to Site Plan Approval.

Town of Tillsonburg Engineering Services Department staff reviewed the Official Plan Amendment and Zone Change applications and indicated that they do not have comments at this time. Comments will be provided during the Site Plan Application process.

Town of Tillsonburg Water/Wastewater Operations commented that the new water service(s) should be off the high pressure (pump) main to service the building height.

Oxford County Public Works staff indicated that they do not have comments at this time. Comments will be provided during the Site Plan Application process. It was noted that the proposed increased density will necessitate an updated Functional Servicing Report for the draft plan of subdivision.

### Town of Tillsonburg Council

At the June 12, 2024 Council meeting, the Town of Tillsonburg Council deferred the applications to request that the applicant potentially relocate the apartment building on the subject lands to address public concerns and feedback received regarding the location of the proposed apartment building. In response to this direction of Council and to address items raised at the public meeting, the applicant submitted a revised proposal that relocated the proposed apartment building further from the intersection of North Street West and Quarter Town Line, in compliance with 'High Density Residential (RH)' zoning provisions.

At the Town's Council meeting of August 12, 2024, Tillsonburg Council recommended support of the proposed Official Plan Amendment and approved the revised Zoning By-law Amendment 'in principle'.

### Planning Analysis

The subject lands are currently designated for Medium Density Residential (MDR) use. The application proposes to designate the lands from MDR to High Density Residential (HDR) use to facilitate a proposed high density residential development on an existing vacant parcel in the Town of Tillsonburg.

Planning staff are of the opinion that the proposal is consistent with and supports the relevant policies of the Provincial Policy Statement (PPS). Specifically, the proposed development is compact and an efficient use of municipal infrastructure, services, and lands within a designated settlement area. In addition, as the proposed development consists of an apartment dwelling and multi-unit dwellings, this will contribute to the overall mix of housing types available to accommodate current and future residents in Tillsonburg and the broader market area, and will provide additional market-based rental housing options in the area.

As illustrated in Attachment 3, the proposed applications for Official Plan Amendment and Zone Change will provide an opportunity for increased density on a vacant site to facilitate new housing opportunities in the form of one apartment dwelling and two townhouse blocks, comprising up to

115 new residential units. The proposed apartment dwelling will be in the northeast corner of the subject lands and front on North Street West. One multi-unit dwelling with six townhouse units is proposed to the west of the apartment building, with the rear of the dwellings facing North Street West. The second multi-unit dwelling with four townhouse units is proposed to be located interior to the subject lands, south of the proposed six-unit townhouse dwelling.

It is also the opinion of Planning staff that the proposal is consistent with the policies in Section 8.2.6 of the Official Plan which provide guidance for development of lands proposed for HDR use. The size of the site can suitably accommodate a substantial number of new residential units, and the scope, form, and density of the proposed residential development will result in an efficient and responsible use of vacant land and resources that will help support, and is proximal to, the nearby Broadway commercial corridor and community facilities (Tillsonburg Soccer Park, Trans Canada Trail).

Staff are of the opinion that, as per the policies in Section 8.5.2.1 of the Official Plan, the location of the subject lands is suitable for high density residential development. The site is located at the intersection of two arterial roads (Quarter Town Line and North Street West) in an area of residential and institutional land uses and located three blocks west the Town of Tillsonburg's main commercial corridor (Broadway). Staff are of the opinion that the arterial roads provide for adequate separation between the proposed development and adjacent existing residential uses.

Vehicular access to the subject lands is proposed via two entrances from Westwinds Gate, which is south of the subject lands, to connect the parking area for the apartment dwelling to the public road network and provide access to the townhouse dwellings. Pedestrian accesses are provided to public sidewalks located north and east of the subject lands. A future sidewalk on the south side of North Street West will be part of the development of the subject lands. Sidewalks currently exist on both sides of Quarter Town Line and on the north side of North Street West.

Staff are also of the opinion that the proposed concept for the subject lands, illustrated in Attachment 4, adequately considers compatibility with adjacent uses and is appropriate for the area. In response to concerns identified by Town Council and the public, the applicant submitted a revised proposal which resulted in a revised location for the proposed apartment building that complied with the required front yard depth and exterior side yard width, providing opportunity for landscaping to enhance compatibility with the surrounding uses, enhance the pedestrian environment, and assist with limiting the visual impact of the proposed apartment building. The revised grading design also allows for the building to be constructed below street grade so it would appear to be 4.5-5 storeys in height from North Street and Quarter Town Line instead of 6 storeys.

The applicant provided a Revised Shadow Study in support of the revised proposal to demonstrate the expected solar shadow impact on abutting residential areas relative to the proposed apartment building. No significant shadowing impacts are anticipated, and Planning staff can support the findings of the Revised Shadow Study as submitted by the applicant, as the shadowing appears to be in-keeping with that considered acceptable for this type of development.

The site is of a suitable size and configuration to accommodate and support the proposed density without significantly compromising the functionality of the site and the ability to provide parking and amenity space to meet the needs of the uses. Furthermore, the proposal has been considered with a view to vehicular traffic and access, site design, and compatibility with surrounding uses.



The proposed site plan incorporates required amenity space and off-site parking. Parking for the apartment dwelling is proposed to be located to the south of the building. Each of the proposed townhouse dwellings will be provided with a private driveway and garage.

As Site Plan Control is required for a residential development of this scale, detailed matters including, but not limited to lot grading, access, stormwater management, landscaping, fire route(s), and servicing will be addressed through the site plan approval process, to the satisfaction of the Town of Tillsonburg and County of Oxford.

## **CONCLUSIONS**

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Planning staff are of the opinion that the proposal is consistent with the policies of the Provincial Policy Statement and supports the strategic initiatives and objectives of the Official Plan with respect to accommodating present and future demand for housing in Tillsonburg and the designation of additional sites for high density residential development. As such, staff are satisfied that the applications can be given favourable consideration.

## **SIGNATURES**

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### **Report Author:**

Original Signed By

Laurel Davies Snyder, RPP, MCIP  
Development Planner

### **Departmental Approval:**

Original Signed By

Eric Gilbert, RPP, MCIP  
Manager of Development Planning

### **Approved for submission:**

Original Signed By

Benjamin R. Addley  
Chief Administrative Officer

## ATTACHMENTS

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- Attachment 1 - Plate 1, Location Map with Existing Zoning
- Attachment 2 - Plate 2, 2020 Aerial Map
- Attachment 3 - Plate 3, Applicant's Sketch - Site Plan (Revised)
- Attachment 4 - Plate 4, Applicant's Sketch - Renderings
- Attachment 5 - Public Comments
- Attachment 6 - Official Plan Amendment No. 318