

## REPORT TO COUNTY COUNCIL

# Application for Draft Plan of Subdivision SB 23-03-2 – 2825085 Ontario Inc.

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

**From:** Director of Community Planning

## RECOMMENDATION

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1. That Oxford County Council grant draft approval to the proposed plan of subdivision, Application SB 23-03-2 submitted by 2825085 Ontario Inc. for lands described as Part Lot 126, Plan 307, Parts 1 and 2, 41R-10235, Township of East Zorra-Tavistock, in the Village of Tavistock, subject to the conditions attached to this report as Attachment 6 (Schedule 'A') being met prior to final approval.

## REPORT HIGHLIGHTS

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- The Draft Plan of Subdivision Application proposes six residential blocks consisting of 34 townhouse units to be serviced by municipal water and wastewater services, in the Village of Tavistock.
- Planning staff are recommending that County Council support the proposal as it is consistent with the Provincial Planning Statement and the Official Plan with respect to medium density residential development through a residential draft plan of subdivision within a serviced settlement.

## IMPLEMENTATION POINTS

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These applications will be implemented in accordance with the relevant objectives, strategic initiatives and policies 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 public meeting was issued on October 31, 2024. As of the writing of this report, no objections or concerns have been received by members of the public.




## 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 recommendation in this report supports 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:** 2825085 Ontario Inc.  
3523 Huron Boulevard, New Hamburg, ON N4A 3C4

**Applicant:** Patterson Planning Consultants Inc.  
6095 Line 66, Monkton, ON N0K 1P0

**Location:**

The subject lands are described as Part Lot 126, Plan 307, Parts 1 & 2, 41R-10235, in the Township of East Zorra-Tavistock. The lands are located on the northwest side of Highway 59/Woodstock Street South, lying between Wilton Street and Bauer Street, in the Village of Tavistock.

**Proposal:**

The proposed draft plan of subdivision proposes a total of six residential blocks comprising of a total of 34 townhouse units to be serviced by municipal water and wastewater services. A block for stormwater management purposes is also being proposed, as is a new internal road connecting the development to Highway 59/Woodstock Street South.

An accompanying Zone Change Application has been submitted to rezone the lands from 'Development Zone (D)' to 'Special Residential Type 3 Zone (R3-sp),' 'Special Residential Type 3 Zone (R3-sp(H)),' and 'Special Open Space Zone (OS-sp).' Special provisions are being proposed to permit reduced lot frontage, lot depth, rear yard depth, front yard depth, and exterior side yard width.

The subject lands are approximately 1.2 ha (3.2 ac.) in area and currently vacant of any buildings or structures. The lands are currently zoned 'Development Zone (D)' which is meant to act as a holding zone until a development proposal has been received and considered by Township Council.

To the west of the subject lands is a public park (Optimist Park) while a multi-story apartment building is located to the east of the subject lands. To the south of the subject lands is an established residential neighbourhood consisting primarily of single detached dwellings. To the north of the subject lands are lands that contain an existing commercial operation that are currently zoned 'Development Zone (D).' Similar to the subject lands, the 'D' zoning on the lands to the north is meant to act as a holding zone until such time as a development proposal is submitted for consideration.

A Planning Justification Report, Functional Servicing Report, Archeological Assessment, and Traffic Impact Study have been submitted in support of the applications.

Plate 1, Location Map and Existing Zoning provides the location of the subject lands and the existing zoning in the immediate vicinity.

Plate 2, Aerial Photography (2020) provides an aerial view of the subject lands and surrounding uses with the existing zoning.

Plate 3, Existing Official Plan Designations illustrates the land use designations of the subject lands and surrounding area

Plate 4, Proposed Draft Plan of Subdivision illustrates the draft plan of subdivision layout and lot configurations as proposed.

Plate 5, Proposed Draft Plan of Subdivision (Proposed Zoning) illustrates the draft plan of subdivision layout and lot configurations as proposed, including the proposed zoning.

## Comments

### 2024 Provincial Planning Statement

The 2024 Provincial Planning 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 2.1 of the PPS sets out policies which are intended to provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents. 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, redevelopment and if necessary, lands which are designated and available for residential development.

The policies of Section 2.3 direct that sufficient land shall be made available to accommodate an appropriate range and mix of land uses (including residential and commercial uses) to meet projected needs for the planning period. Within settlement areas, planning authorities shall generally support intensification and redevelopment within settlement areas.

Section 2.3.1 directs that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Furthermore, land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources. A range of uses and opportunities for intensification and redevelopment should be supported where it can be accommodated in settlement areas.

Section 2.3.1 also directs that planning authorities establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

The PPS also states in Section 3.6 that municipal sewage and water systems are the preferred form of servicing for settlement areas and that intensification and redevelopment within settlement areas on existing municipal services should be promoted, wherever feasible.

With respect to planning for stormwater management, the PPS directs that development shall minimize or, where possible, prevent increases in contaminant loads, minimize changes in water balance and erosion, not increase risks to human health and safety and property damage, maximize the extent and function of vegetative and pervious surfaces and promote stormwater management best practices.

Section 4.6 of the PPS intends to ensure that Planning authorities do not permit development and site alteration on lands that may contain archaeological resources or areas of archaeological potential unless the resources have been conserved. Planning authorities are encouraged to develop and implement archaeological management plans for conserving archaeological

resources and proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.

### Official Plan

The subject lands are located within the Village of Tavistock, designated as 'Serviced Village' and 'Settlement' according to Schedule "C-3" County of Oxford Settlement Strategy Plan and Schedule "E-1" Township of East Zorra-Tavistock Land Use Plan, respectively, and further designated as 'Low Density Residential' and 'Medium Density Residential' according to Schedule "E-2" Village of Tavistock Land Use Plan. The lands where the townhomes would be developed are entirely within the 'Medium Density Residential' designation.

According to Section 2.1.1 (Growth Management), in order to manage growth, it is a strategic initiative of the Official Plan to ensure designated growth settlements are developed with efficient land use patterns and densities to minimize land consumption, to control infrastructure costs, and to limit growth pressure in rural areas. Further, Section 4.1 (Strategic Approach) states that the County shall aim to ensure existing designated land supplies and infrastructure will be efficiently utilized, including achievement of intensification targets, prior to designating new areas for growth.

Section 4.2.2.4 (Serviced Villages) directs that serviced villages are settlements characterized by a broad range of uses and activities which have been developed or are proposed for development on centralized wastewater and water supply facilities.

Section 5.5 (County Servicing Policy) directs that the strategic aim of the County is to develop a monitoring program for the calculation, reporting, and allocation of uncommitted reserve capacity for sewage and water facilities to ensure efficient use of existing servicing infrastructure. To ensure development approvals are consistent with total system capacities, new development on centralized water and/wastewater facilities will only be considered where there is adequate uncommitted reserve capacity and acceptable plant performance within both the sewage treatment and water supply systems to supply the proposed development.

Section 6.2.1 (Objectives for Rural Settlement Residential Designations) states that compact urban form and residential infilling, as well as a range of housing types, shall be promoted in all rural settlement areas where appropriate given the level of infrastructure available.

Section 6.2.3 (Medium Density Residential Areas) directs that Medium Density Residential areas in serviced villages are those lands primarily developed or planned for low profile multiple unit development that exceeds densities established for Low Density Residential areas, and further, all lands proposed for Medium Density Residential development shall be subject to Site Plan Control.

The Official Plan establishes that Medium Density Residential areas require a minimum net residential density of 22 units per hectare (9 units per acre) and a maximum net residential density of 50 units per hectare (20 units per acre).

Section 10.3.3 (Plans of Subdivision and Condominium) identifies that County Council and Area Councils 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 plan effectively accommodates environmental resources and mitigates environmental constraints in accordance with the relevant Official Plan policies;
- The plan is designed to reduce negative effects on surrounding land uses, including transportation networks and significant environmental features;
- The plan is designed to be integrated with adjacent developments; and,
- The plan is designed to be compatible with the natural features and topography of the lands, extensive areas of cut and fill will be discouraged.

The Official Plan further requires that, as a condition of draft plan approval, County Council will require the applicant to satisfy conditions prior to final approval and registration of the plan. Should the conditions not be met within the specified time period, the draft plan approval may lapse. Additionally, to provide for the fulfillment of these conditions, and for the installation of services according to municipal standards, Council shall require that the applicant enter into a subdivision agreement with the Township and, where necessary, the County, prior to final approval of the plan.

### Zoning By-law

The subject lands are currently zoned 'Development Zone (D)' according to the Township's Zoning By-law. The Zone Change Application proposes to rezone the subject lands to 'Special Residential Type 3 Zone (R3-sp),' 'Special Residential Type 3 Zone (R3-sp(H)),' with holding provisions, and 'Special Open Space Zone (OS-sp)'.

### Agency Comments

Following is a summary of the comments received through agency circulation:

The Township Engineering Consultant, K.Smart, have indicated that all initial comments have been addressed.

The Oxford County Public Works Department and the Township of East Zorra-Tavistock have provided detailed design comments that will need to be addressed as the project progresses.

The Oxford County Public Works Department has also indicated that there is currently wastewater capacity within the system available for only 25 of the proposed lots/units within the subject draft plan of subdivision application.

The Oxford County Backflow Prevention Officer has indicated that any lawn sprinkler systems installed on the property are subject to By-law No. 6544-2023 (Cross Connection and Backflow Prevention).

Enbridge has indicated that as part of any approval that a condition be provided requiring the owner/developer to provide Enbridge with the necessary easements and/or agreements for the provision of gas services for this project.

Bell Canada has indicated that as part of any approval a condition be provided requiring the owner/developer to provide the necessary easements and/or agreements to service this project.

The Upper Thames River Conservation Authority (UTRCA), the Thames Valley District School Board (TVDSB), Hydro One, Canada Post, and Southwestern Public Health have indicated that they have no comments respecting the application.

#### Township of East Zorra-Tavistock Council

Township of East Zorra-Tavistock Council recommended support of the proposed Draft Plan of Subdivision while also approving the proposed Zone Change Application 'in principle', at the Township's regular meeting of Council on November 20, 2024.

#### Planning Analysis

The proposed applications are intended to facilitate a residential development in the Village of Tavistock consisting of townhouse dwelling units, the creation of new internal road connecting to Highway 59/Woodstock Street South, and a stormwater management block.

A Planning Justification Report, Functional Servicing Report, Archeological Assessment, and Traffic Impact Study have been submitted in support of the applications.

#### Provincial Planning Statement

As the proposed draft plan of subdivision will facilitate medium density residential development, within a designated settlement area serviced by municipal water and wastewater facilities, the development represents an efficient use of lands designated for residential purposes and municipal services (water and sewer). The development also provides for alternative housing types in the Village of Tavistock, while maintaining compatibility with existing residential uses in the surrounding neighbourhood. As such, Planning staff are of the opinion that the proposed development is consistent with the relevant PPS policies respecting residential development in settlement areas.

Details of the proposed infrastructure were provided in a Functional Servicing Report, submitted in support of the applications. In light of the comments received from various agencies (i.e. Township of East Zorra-Tavistock and the County of Oxford Department of Public Works), and subject to conditions of approval to ensure review and approval of technical details, Planning staff are satisfied that infrastructure and public facilities are available to accommodate the initial phase as proposed of the development.

To ensure that development or site alteration does not impact lands containing archaeological resources, the applicant submitted a Stage 1-2 Archeological Assessment of the subject lands, which was prepared by Lincoln Environmental Consulting Corporation. No archaeological resources were identified through this assessment and no further action was deemed necessary.

#### Official Plan

As previously noted, the Official Plan establishes minimum and maximum net densities for Medium Density Residential areas of 22-50 units per hectare (9-20 units per acre). The proposed development would result in an overall net residential density of approximately 40.9 units per

hectare (16.4 units per acre) for lands designated as Medium Density Residential, consistent with minimum net residential density requirements established in the Official Plan.

With regard to the specific review criteria for plans of subdivision (Section 10.3.3), utility infrastructure is available, there are various community facilities located in the surrounding areas of the Village, and the existing road network will be extended to permit access to the site. Planning staff are of the opinion that the proposal represents an efficient use of existing services and lands designated for residential use, and the proposed townhouse dwellings will provide an alternate housing type while remaining compatible with surrounding residential uses.

To ensure compatibility from a traffic standpoint, the applicant provided a Traffic Impact Study (TIS) prepared by Paradigm Transportation Solutions Limited as part of the formal submission. The County's Public Works Department reviewed the submitted TIS and did not identify any concerns or questions with respect to the conclusions.

The County of Oxford Public Works Department has advised that sufficient municipal water and wastewater capacity is available to service 25 units of the development, but the remaining nine units would not be able to be accommodated at this time. The lands fall into the William Street Pumping Station catchment area and the planned upgrades to the facility are not anticipated to be completed until 2027. To ensure development does not proceed on Block 1 of the proposed plan (proposed to contain nine units) until such time as adequate servicing capacity is available, a 'Holding' provision will be applied that would not permit the construction of those units until confirmation of sufficient capacity has been obtained from the County. Planning staff are supportive of the use of a 'Holding' provision in this instance given that there is a targeted completion date of the approved William Street Pumping Station in the relatively near future.

#### Township Zoning By-law

The applicant is proposing to rezone the subject lands from 'Development Zone (D)' to 'Special Residential Type 3 Zone (R3-sp)' and 'Special Open Space (OS-sp)' to permit the development of 25 townhouse units over five residential blocks with reduced frontages and areas and the proposed stormwater management block. It is also proposed that holding provisions will be applied to R3-special zone for one of the residential blocks, to restrict the development of 9 townhouse units until such time as adequate servicing capacity becomes available.

## **CONCLUSIONS**

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In light of the foregoing, Planning staff are satisfied that the application is consistent with the policies of the Provincial Planning Statement and are in-keeping with the strategic initiatives and objectives of the Official Plan respecting medium density development in designated settlement areas, and further, can be supported from a planning perspective.



## SIGNATURES

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### Report author:

Original signed by \_\_\_\_\_

Dustin Robson, MCIP, RPP  
Development Planner

### Departmental approval:

Original signed by \_\_\_\_\_

Paul Michiels  
Director of Community Planning

### Approved for submission:

Original signed by \_\_\_\_\_

Benjamin R. Addley  
Chief Administrative Officer

## ATTACHMENTS

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- Attachment 1 – Plate 1, Location Map and Existing Zoning
- Attachment 2 – Plate 2, Aerial Photography (2020)
- Attachment 3 – Plate 3, Existing Official Plan Designations
- Attachment 4 – Plate 4, Proposed Draft Plan of Subdivision
- Attachment 5 – Plate 5, Proposed Draft Plan of Subdivision (Proposed Zoning)
- Attachment 6 – Conditions of Draft Approval