

REPORT TO COUNTY COUNCIL

Supplementary Report Application for Official Plan Amendment OP 22-19-7 – Lindprop Corp.

To: Warden and Members of County Council

From: Director of Community Planning

RECOMMENDATIONS

1. That Oxford County Council approve Application OP 22-19-7, submitted by Lindprop Corporation for lands described a Part of Lots 4 & 5, Concession 10 (Dereham) in the Town of Tillsonburg, to re-designate a portion of the subject lands from Open Space to Medium Density Residential to allow for an enlarged medium density residential development block within a draft plan of subdivision;
2. Any further, that Council approve the attached Amendment No. 322 to the County of Oxford Official Plan;
3. And further, that the necessary By-law to approve Amendment No. 322 be raised.

REPORT HIGHLIGHTS

- The purpose of the Official Plan Amendment is to redesignate a portion of the subject lands from 'Open Space' to 'Medium Density Residential' to facilitate the development of a medium density block in the northeast portion of a previously approved draft plan of subdivision (SB 22-07-7).
- The application was deferred at the October 9, 2024 County Council meeting to address concerns relating to emergency access during a flood event of the single access road to the multi-residential development.
- The applicant has redesigned the size and elevation of the watercourse crossing and access road and has reduced the amount of water expected to be on the road during a flood event. Town and County emergency services staff have confirmed that they have no concerns with safe access, as a result of the modifications.

- Accordingly, planning staff consider the proposal to be consistent with the relevant policies of the Provincial Planning Statement, supports the strategic initiatives and objectives of the Official Plan respecting residential development and the protection of natural features and natural hazards 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




Notice of complete application was provided to surrounding property owners on February 23, 2023, and notice of public meeting was issued on March 13, 2023 and August 26, 2024 in accordance with the requirements of the Planning Act. At the time of writing this report, no comments have been received from the public.

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 support the following strategic goals:

Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
Promoting community vitality	Enhancing environmental sustainability	Fostering progressive government
<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

Background

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

Agent: Alex Muirhead, P. Eng, CJDLC 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:

Schedule “T-1”	Tillsonburg Land Use Plan	Open Space
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Proposed

Schedule “T-1”	Tillsonburg Land Use Plan	Residential and Open Space
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Schedule “T-2”	Tillsonburg Residential Density Plan	Medium Density Residential
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Proposal

As previously detailed in report [CP 2024-300](#), the proposed Official Plan Amendment (OPA) proposes to amend Official Plan Schedules “T-1”- Town of Tillsonburg Land Use Plan and “T-2,” Town of Tillsonburg Residential Density Plan, to re-designate a portion of one block within the proposed plan of subdivision from Open Space to Residential and Medium Density Residential.

The proposed development would consist of a medium density block consisting of 30 townhouses, fronting on a private condominium road. The private condominium road would be the sole access to the units, as the lands are bounded by a CPR right of way to the east, woodlands to the north, and woodlands, wetlands and the watercourse to the west.

The applicant had provided a Development Flood Assessment Study to determine the expected flooding of the access road during a flood event. During the regulatory flood event (100 year storm), the study assessed that the road would be inundated with 30 cm of water, but during a regional storm event, the flooding could be 55 cm of water on the road.

County Council considered the previous staff report CP 2024-300 at their October 9, 2024 meeting and raised concerns with respect to the potential for road flooding and safe access to the site for emergency services during a regional flooding event, such as Hurricane Hazel. As such, County Council decided to defer the application at that meeting to allow these concerns to be addressed before final consideration.

In response to the concerns expressed, the applicant’s consulting engineers revised the design of the private access road and the culvert that will convey the flows from the watercourse. The alterations to the originally proposed road surface and crossing are such that the road profile is flatter directly above the new culvert. To accommodate the additional design flows from the larger regional storm event, the box culvert crossing was modified to have an opening 4.5 m wide and 1.8 m high. The wider culvert will accommodate more flow through the opening, reducing the volume that overtops the crest of the access road during the regional storm event. For the 100 year flood, the access road will remain dry.

The revised Flooding Assessment Report concluded that the revised design has the effect of keeping flood depths over the access road to below 0.3 m during peak times of flooding for the Hurricane Hazel regional storm event and Provincial criteria for access/egress are met for the revised design.

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, [Location of Proposed Amendments](#), provides the layout of the proposed draft plan of subdivision.

Plate 4, [Development Flood Assessment Study Addendum](#) outlines the findings of the revised culvert and road design, and depicts the predicted flooding associated with the regulatory storm and regional storm.

Comments

Agency Comments

The Town of Tillsonburg Engineering Services Department indicated that they do not have any concerns with the revised private road or culvert design.

Oxford County Paramedic Services indicated that they have no concerns with the revised design. It has been confirmed with our ambulance vendor that ambulances can traverse up to 50 cm of water.

Town of Tillsonburg Fire and Rescue Services indicated that they have no concerns with the proposed road or culvert design, or access during a flooding event.

Ontario Provincial Police (Oxford Detachment) – indicated that they have no concerns with the revised design or access during a flooding event.

Planning Analysis

Based on flood modelling completed by a Water Resources / Coastal Engineer, the revised road design and wider culvert are able to convey more flows and the resulting level of flooding on the private access road to the development has been reduced from 0.55 m to 0.3 m during the Regional Storm Event (Hurricane Hazel). During the LPRCA's regulatory storm event (1:100 year storm), the access road will remain dry. The addendum to the flood assessment study is included as Plate 4 to this report.

Planning staff circulated the revised flooding assessment report to emergency services, including Oxford County Paramedic Services, Town of Tillsonburg Fire and Rescue Services, and Town of Tillsonburg Engineering Department who indicated they had no concerns with the expected level of flooding during the Regional Storm Event. The LPRCA indicated that their requirements respecting safe access during their Regulatory 1:100 Year Storm Event have been satisfied and the development will require further permits from the LPRCA to proceed. Further, the development of this multi-residential block, including the design of the access road and all servicing, will be reviewed through the site plan approval process to the satisfaction of the Town and County to ensure that the recommendations of the technical studies, including the flood assessment study, geotechnical investigations, noise and vibration assessments and environmental impact studies are appropriately implemented.

CONCLUSIONS

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

SIGNATURES

Report Author:

Original signed by _____
Eric Gilbert, RPP, MCIP
Manager of Development Planning

Departmental Approval:

Original signed by _____
Paul Michiels
Director of Community Planning

Approved for submission:

Original signed by _____
Benjamin R. Addley
Chief Administrative Officer

ATTACHMENTS

- Attachment 1 - Plate 1, Location Map and Existing Zoning
- Attachment 2 - Plate 2, 2020 Aerial Map
- Attachment 3 - Plate 3, Location of Proposed Amendments
- Attachment 4 – Plate 4, Development Flood Assessment Study Addendum
- Attachment 5 - Official Plan Amendment No. 322