

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

**From: Director of Community Planning**

## **Application for Draft Plan of Subdivision Approval SB 21-07-7 – Lindprop Corp. & Performance Communities Realty Inc.**

### **RECOMMENDATION**

---

1. That Oxford County Council grant draft approval to a proposed residential plan of subdivision, submitted by Lindprop Corp. & Performance Communities Realty Inc. (SB 21-07-7) prepared by CJDLC Consulting Engineers, for lands described as Part of Lot 4 and 5, Concession 10 (Dereham), in the Town of Tillsonburg, subject to the conditions attached to this report as Schedule “A” being met prior to final approval.

### **REPORT HIGHLIGHTS**

---

- The purpose of the application for draft plan of subdivision approval (and zone change) is to facilitate the development of 16 blocks for future residential development, three stormwater management blocks, and a parkland block, served by 6 new local streets.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement and maintains the intent and purpose of the Official Plan, 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 impacts 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 originally provided to surrounding property owners on August 16, 2021 and notice of public meeting was issued on October 18, 2021. At the time of writing this report, no comments from the public have been received.

## Strategic Plan (2020-2022)

					
<b>WORKS WELL TOGETHER</b>	<b>WELL CONNECTED</b>	<b>SHAPES THE FUTURE</b>	<b>INFORMS &amp; ENGAGES</b>	<b>PERFORMS &amp; DELIVERS</b>	<b>POSITIVE IMPACT</b>
		3.ii			

## DISCUSSION

---

### Background

**Owners:** Lindprop Corporation  
Performance Communities Realty Inc.

**Agent:** Peter Penner, P. Eng, CJDLC Consulting Engineers  
261 Broadway, Tillsonburg ON N4G 4H8

### Location:

The subject lands are described as Part Lots 4 & 5, Concession 10 (Dereham), in the Town of Tillsonburg. The lands are located on the north side of North Street East, between Huntley Avenue and Tillson Avenue, and are known municipally as 112 North Street East, Tillsonburg.

### County of Oxford Official Plan:

Schedule 'T-1'	Town of Tillsonburg Land Use Plan	Residential & Open Space
Schedule 'T-2'	Town of Tillsonburg Residential Density Plan	Low & Medium Density Residential

### Town of Tillsonburg Zoning By-law 3295:

Existing Zoning: Future Development Zone (FD)

Proposed Zoning:	Special Low Density Residential Type 3 Holding Zone (R3-sp (H)) Passive Use Open Space Zone (OS1) Active Use Open Space Zone (OS2)
Recommended Zoning:	Special Low Density Residential Type 3 Holding Zone (R3-sp (H)) Medium Density Residential Holding Zone (RM (H)) Passive Use Open Space Zone (OS1) Active Use Open Space Zone (OS2)

### **Proposal:**

The application for draft plan of subdivision approval proposes to create 16 blocks for future residential development, 3 storm water management blocks, and a park block, served by 6 new local streets.

An accompanying site-specific zoning amendment proposes to include provisions related to reductions in rear yard depths, interior and exterior side yard widths, reduced lot frontage for townhouse units, and increased lot coverage, and are detailed under the 'Zoning' section of this report.

The subject lands comprise approximately 14.48 ha (35.8 ac) and are currently vacant. Surrounding uses include existing low density residential uses to the south and west, with a previous subdivision phase (Northcrest Estates Phase 2) currently underway immediately adjacent to the site.

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.

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

### **Comments**

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

The policies of Section 1.1 of the PPS state that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential uses, including an appropriate affordable and market-based range, to meet long-term needs. 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. Within settlement areas, sufficient land shall be made available through intensification and redevelopment.

Section 1.1.3 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be

based on densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities.

Section 1.1.3.3 further states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.4.3 directs that planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by, among other matters, establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and permitting and facilitating all forms of residential intensification and redevelopment and all forms of housing required to meet the social, health and well-being requirements of current and future residents. Further, the PPS supports the development of new housing in locations where appropriate levels of infrastructure and public service facilities are or will be available and promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation.

Section 1.4.3 also supports the establishment of 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.

Section 1.6.6.2 also states that intensification and redevelopment within settlement areas on existing municipal sewage and water services should be promoted, wherever feasible.

### **Official Plan**

The subject lands are predominantly designated 'Low Density Residential'. The southeastern portion of the site is designated 'Medium Density Residential', according to the Town of Tillsonburg Land Use Plan and Residential Density Plan.

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.

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, quadraplexes, 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). The proposed development has a net residential density of approximately 29.9 units/ha (12 units/ac).

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.

Section 8.6.2.3 of the Official Plan provides that Town Council will acquire lands for use as parkland or leisure through conditions of draft approval of plan of subdivision. Land conveyed to the Town as part of the required parkland dedication will be expected to meet minimum standards for drainage, grading, landscaping, fencing and shape in accordance with the intended function and will be located in appropriate locations.

### Zoning By-law

The subject lands are currently zoned 'Future Development Zone (FD)' according to the Town's Zoning By-law. The 'Future Development Zone (FD)' permits a farm, existing buildings and structures, and a seasonal fruit and vegetable outlet.

The applicant is proposing to rezone the residential blocks to 'Special Low Density Residential Type 3 Zone (R3-sp)' which would permit single detached dwellings, semi-detached dwellings, or street fronting townhouse dwellings. At this time, the unit types have not been determined. The proposed provisions are the same as the provisions recently approved for Northcrest Estates Phase 2, immediately south and west of the subject lands. The relief that is sought includes:

1. To reduce the minimum lot frontage for an interior townhouse unit from 8 m (26.2 ft) to 6 m (19.69 ft);
2. To reduce the minimum lot frontage for an end townhouse unit from 11 m (36 ft) to 7.6 m (24.9 ft);

3. To reduce the minimum lot area for an interior townhouse unit from 240 m<sup>2</sup> (2,583.3 ft<sup>2</sup>) to 190 m<sup>2</sup> (2045 ft<sup>2</sup>);
4. To reduce the minimum lot area for an end unit townhouse unit from 330 m<sup>2</sup> (3,552 ft<sup>2</sup>) to 235 m<sup>2</sup> (2529 ft<sup>2</sup>);
5. To reduce the minimum rear yard depth for a single detached or semi-detached dwelling from 7.5 m (24.6 ft) to 6 m (19.69 ft);
6. To reduce the minimum exterior side yard width from 6 m (19.7 ft) to 4.5 m (14.76 ft);
7. To reduce the minimum interior side yard width from 3 m (9.8 ft) to 1.2 m (3.9 ft);
8. To increase the maximum lot coverage requirement from 40% to 55%.

### Agency Comments

This application has been reviewed by a number of public agencies. The following comments were received.

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

- With respect to Section 5.24.1.7.3 of the Town Zoning By-Law, it is recommended that the maximum driveway width be increased to 65%.

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

- All side yards abutting streets need to follow Town and County standards for daylight triangles; Braun Avenue is a collector road.
- Block 17 shall be 10 m wide.
- Daylighting triangles to be confirmed for proposed round about.

The Town of Tillsonburg Director of Recreation, Culture and Parks indicated that a Landscape Architect will need to be retained by the applicant at their cost to develop Landscape Plans for the park and the subdivision. One tree per lot is required, and fencing shall be included in appropriate locations determined by the Town.

Oxford County Public Works have provided draft plan conditions, included as an attachment to this report, and have commented that the most recent Traffic Impact Study was completed in support of the North Street ESR (2013). The developer will need to update the Traffic Impact Study as part of this phase to address additional traffic on North Street.

Per previous correspondence, future phases of this development are contingent on looping the water system to the west (Bobolink Drive). The developer should be aware that future phases which include medium density blocks may not proceed until this looping has been completed.

The Town Development Commissioner indicated support of this proposed plan of subdivision, which helps meet increased market demand for housing and will result in increased residential growth for the community.

The Long Point Region Conservation Authority indicated that the submitted design for the SWM pond meets LPRCA policy and can be constructed as part of phase 1. The grading plan should be submitted before beginning phase 2 to confirm overland routing routes.

Enbridge Gas has requested that as a condition of final approval, that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

#### **Town of Tillsonburg Council**

Town of Tillsonburg Council recommended support of the proposed draft plan of subdivision, and approved the proposed zoning by-law amendment 'in principle', at the Town Council meeting of November 1, 2021.

### **Planning Analysis**

The purpose of the applications for draft plan of subdivision approval (and accompanying zone change) is to facilitate the development of 16 blocks for future residential development, three stormwater management blocks, and a park, served by 6 new local streets.

#### **Provincial Policy Statement**

As the proposed draft plan of subdivision is located within a designated settlement area and will be serviced by municipal water and wastewater facilities, the development represents an efficient use of municipal services and lands within a designated settlement boundary. The proposal also provides for a mix of housing types and densities in Tillsonburg which is considered to be compatible with existing and planned low and medium density residential development in the area. As such, Planning staff are of the opinion that the proposed development is consistent with the relevant policies of the PPS respecting residential development in settlement areas.

#### **Official Plan Amendment & Subdivision**

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, transportation networks and integration with surrounding developments, staff note that the required studies and reports have been received and reviewed through this Office and other required reports can be satisfactorily addressed through the inclusion of appropriate conditions of draft approval.

Although the exact mix of residential units is not known at this time, there is a potential for up to 244 residential units within the 16 residential blocks that are proposed. Based on this, the proposed draft plan has a net residential density of approximately 29 units per hectare, in keeping with the density target, being 15 to 30 units per hectare. The proposal is in keeping with the Plan of Subdivision policies of Section 10.3.3, and the policies of the Low Density Residential designation. In addition, the proposed draft plan provides a range of lot sizes and a mix of housing type that are integrated throughout the development, which is in keeping with low density residential policies.



Town staff have indicated that, for this development, the Town prefers a park block be dedicated adjacent to the parkland block for Northcrest Phase 2, and the existing park at the corner of Tanager Drive and Bobolink. This parkland block is approximately 1.43 ha and is shown as Block 20 on the proposed draft plan.

The proposed subdivision design will connect to existing planned roads within the adjacent Northcrest Estates Phase 2 development, and the primary access will be via the collector road (Braun Avenue) from North Street East. The proposed layout also ensures that future streets can be accommodated for a planned collector road directly to Highway 19 through 2 properties to the west, as identified in a secondary and servicing plan created for this area in 2005. The proposed roads will facilitate an additional future phase of the subdivision that represents the balance of the property.

Within the proposed draft plan, Block 16 at the southeastern corner of the development and the abutting lands to the east and northeast are currently designated Medium Density Residential. As no application was submitted to modify this designation, and to ensure an appropriate mix of housing types and densities, Planning staff recommend this block be zoned for Medium Density Residential use. It would appear that the size and configuration of Block 16 is sufficiently large to provide some flexibility for future Medium Density Residential development.

As indicated, the applicant has not determined exact location and mix of dwelling types and has instead proposed residential blocks that would later be subdivided through applications for exemption to part lot control. The dwelling types and locations will be required to be determined before detailed engineering and servicing drawings are submitted to the Town and County for review and approval.

### Zoning

Staff are satisfied that the requested zoning provisions to provide for increased lot coverage, increased building footprint and reduced exterior side yard widths for corner lots for the proposed single detached dwellings within the development are generally appropriate. The applicant will be required to demonstrate that the proposed stormwater management pond can accommodate additional run-off resulting from the increased dwelling footprints. The increased permitted projection into the required rear yard depth for covered porches is similar to other recent requests received and approved in Town.

The requested zoning provisions for the street-fronting townhouse blocks will provide for increased building envelopes and will reflect other recent townhouse developments in the Town, including the adjacent residential development (Northcrest Estates Phase 2). The reduced exterior side yard width is not expected to impact traffic sightlines or safety as the lots will front on local streets. 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 4 unit 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 development will be reviewed by Building staff for zoning compliance at the time of building permit submission. These requested provisions will facilitate the future creation of separate conveyable lots, which will be completed in an anticipated subsequent application for exemption from Part Lot Control.

## 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 maintains the intent and purpose of the Official Plan. As such, staff are satisfied that the application 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'

Michael Duben, B.A., LL.B.  
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