

To: Warden and Members of County Council

From: Director of Community Planning

Application for Draft Plan of Condominium and Exemption from Draft Plan Approval CD 21-03-7 – 2563557 Ontario Inc.

RECOMMENDATIONS

1. That Oxford County Council grant draft approval to a proposed draft plan of condominium submitted by 2563557 Ontario Inc, (File No. CD 21-03-7), prepared by CJD L Consulting Engineers and Kim Husted Surveying Inc, dated September 16, 2021, for lands described as Blocks 21, 22, 23, 24, Daffodil Drive and Daisy Court, Plan 41M-155, save and except Parts 1 & 2 of 41R-10168, in the Town of Tillsonburg;
2. And further, that Oxford County Council approve the application for exemption from the draft plan of condominium approval process submitted by 2563557 Ontario Inc, (File No. CD 21-03-7), prepared by CJD L Consulting Engineers and Kim Husted Surveying Inc, dated September 16, 2021, for lands described as Blocks 21, 22, 23, 24, Daffodil Drive and Daisy Court, Plan 41M-155, save and except Parts 1 & 2 of 41R-10168, in the Town of Tillsonburg.

REPORT HIGHLIGHTS

- The purpose of this report is to consider the approval of a draft plan of condominium and exemption from the draft approval process to facilitate condominium ownership of a residential development consisting of 104 townhouse dwelling units, with a commercial block including 4 units.
- No concerns were raised as a result of agency circulation.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the County Official Plan and complies with the provisions of the Town's Zoning By-law.

Implementation Points

The application will be implemented in accordance with the relevant 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 draft budget.

Communications

There are no public notice requirements for this application under the *Condominium Act*.

Strategic Plan (2020-2022)

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| WORKS WELL TOGETHER | WELL CONNECTED | SHAPES THE FUTURE | INFORMS & ENGAGES | PERFORMS & DELIVERS | POSITIVE IMPACT |
| | | 3.ii. | | | |

DISCUSSION

Background

Owner: 2563557 Ontario Inc.
 183 Tillson Avenue, Tillsonburg ON N4G 3B1

Location:

The subject lands are legally described as Blocks 21, 22, 23, 24, Plan M-155, Daisy Court & Daffodil Drive, in the Town of Tillsonburg. The subject lands are located on the west side of Quarter Town Line, south of Southridge Road, and north of Trillium Drive, and are municipally known as 361 Quarter Town Line, Tillsonburg.

County of Oxford Official Plan:

Existing:

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

Town of Tillsonburg Zoning By-Law 3295:

Existing Zoning: 'Special Medium Density Residential Zone (RM-7)'

Proposal:

An application has been received for approval of a plan of condominium and exemption from the draft approval process. The application will facilitate condominium ownership of the development of a phased condominium consisting of 104 townhouses (76 stacked townhouses and 28 street fronting townhouses), and a 2 storey commercial plaza with an approximate gross floor area of 1,168 m² (12,580 ft²).

For Council's information, a zone change application (ZN 7-20-17) was approved by Town Council in January 2021 for the purpose of facilitating the proposed development. Subsequent to this, the owner obtained site plan approval for the development from the Town in March 2021 (TSPC 7-201). The approved site plan includes the 104 townhouses and a 2 storey commercial plaza, with access from Quarter Town Line and Trillium Drive.

The exemption from draft plan approval of condominium process can only occur if site plan approval has been granted, and all requirements of the Town and County have been met.

The subject property is approximately 2.1 ha (5.2 ac) and contains a number of townhouse blocks currently under construction.

Surrounding land uses include low density residential uses consisting of single detached dwellings to the south and north, townhouses to the west, a medium density townhouse development to the east, with Southridge Public School and parkland to the north.

Plate 1 – Existing Zoning & Location Map, depicts the location of the property and the current zoning in place.

Plate 2 – Approved Site Plan, is a copy of the approved site plan for the proposed development.

Plate 3 – Proposed Draft Plan of Condominium, depicts the proposed condominium.

Comments

2020 Provincial Policy Statement

Section 1.1.1 of the PPS directs that healthy, liveable, and safe communities are sustained, in part, by accommodating an appropriate range and mix of residential (including additional units, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

According to Section 1.1.3.1 (Settlement Areas), settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Further, land use patterns within settlement areas shall be based on densities and a mix of land uses, which efficiently use land and resources, and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, as well as a range of uses and opportunities for intensification and redevelopment.

The policies of Section 1.1.3.6 state that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Further, Section 1.4 (Housing) directs 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, among other matters, permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents; promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities; 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 property is designated Medium Density Residential as per Schedule T-2, Residential Density Plan for the Town of Tillsonburg, as contained in the County Official Plan.

The Official Plan directs that Medium Density Residential Areas are those lands that are primarily developed or planned for low to medium profile multiple unit development that exceeds densities established for Low Density Residential areas. Residential uses within the Medium Density Residential areas include townhouses, medium density cluster development, converted dwellings and low-rise apartments.

The maximum net residential density in the Medium Density Residential area is 62 units per hectare (25 units per acre) and no building shall exceed four stories in height at street elevation. Within areas of new Medium Density Residential development, the minimum net residential density shall be 31 units per hectare (13 units per acre).

Any new buildings or additions will respect the height, bulk, scale and setbacks of adjacent residential uses and shall not adversely impact adjacent residential uses in terms of light, views, privacy or traffic.

When considering a specific proposal for Medium Density Residential development, Town Council will be satisfied that the policies of Section 8.2.7 are adequately addressed. The review criteria contained within Section 8.2.7 include consideration of driveways and parking areas, pedestrian activity, landscaping, play/recreational opportunities, utilities and operational facilities, and safety and comfort.

Zoning By-Law

The subject property is currently zoned 'Special Medium Density Residential Zone (RM-7)', according to the Town of Tillsonburg Zoning By-law. The RM-7 zone permits a multiple unit dwelling, street-fronting townhouse dwelling, subject to a number of special provisions related to front yard depth, rear yard depth, interior side yard widths, and maximum building height. The RM-7 Zone also permits a number of commercial uses within the proposed 2 storey commercial plaza.

The approved site plan complies with all of the provisions of the Zoning By-law, including the special provisions noted above, as well as provisions related to required landscaped open space, maximum permitted lot coverage and required amenity area.

Agency Comments

This application was circulated to a number of agencies considered to have an interest in the proposal. No concerns or objections were raised by any of the responding agencies.

Town of Tillsonburg Council

Town of Tillsonburg Council recommended support of the proposed draft approval for the plan of condominium and exemption from the draft plan of condominium approval process at their regular meeting of December 13, 2021.

Planning Analysis

Applications for condominium approval are typically dealt with in one of two ways, in accordance with the Condominium Act. The first method generally involves a process similar to an application for draft plan of subdivision where, after appropriate circulation, a proposal receives 'draft' approval which is contingent on the applicant satisfying a number of conditions prior to final approval and registration.

The second process is where the approval of the condominium is exempt from the draft or 'conditional' approval stage and proceeds directly to final approval. The exemption process is intended to apply to proposals that have previously undergone a complete evaluation (i.e. zoning and/or Official Plan amendments, site plan approval) and no further conditions of approval are required by the municipality for the development to proceed.

As noted, the proposed development was subject to a zoning amendment that was approved by Town Council in January 2021. The development received site plan approval from the Town in March 2021, and is subject to the conditions of the development agreement that was entered into with the Town of Tillsonburg as part of the site plan approval process. In light of this, staff are of the opinion that the requested exemption can be considered appropriate.

As the proposal supports the creation of an alternative form of housing to meet the long term needs of current and future residents in a designated Settlement Area, Planning staff are of the opinion that the proposal is consistent with the policies of the PPS.

The proposal complies with the policies contained within Section 8.2.2.2 that encourage the creation of housing opportunities that may result in a mix of tenure forms, such as ownership, rental, and cooperative, throughout the Town. The proposal is also consistent with the policy direction within Section 8.2.2.5 that promotes residential intensification in appropriate locations to make more efficient use of existing land, infrastructure, and public services.

Based on a review of the draft plan of condominium, it would appear that the proposed development will meet the relevant provisions of the 'RM-4' Zone.

Conclusions

In light of the foregoing, Planning staff are of the opinion that the proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the County Official Plan, and complies with the provisions of the Town's Zoning By-law. As such, the application for draft plan of condominium and exemption from the draft approval process can be supported from a planning perspective.

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

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| Attachment 1: | Plate 1 – Existing Zoning & Location Map |
| Attachment 2: | Plate 2 – Approved Site Plan |
| Attachment 3: | Plate 3 – Proposed Draft Plan of Condominium |