

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

**From:** Director of Community Planning

## **Application for Official Plan Amendment OP 22-04-5 – Jacob Hiebert**

### **RECOMMENDATIONS**

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1. That Oxford County Council approve Application No. OP 22-04-5, submitted by Cyril J. Demeyere Limited c/o Andrew Gilvesy on behalf of Jacob Hiebert for lands described as Part Lot 21, Conc. 1, (North Dorchester) as in 391045 lying South of 438279, Township of Zorra (Thamesford) to redesignate the subject lands from 'Low Density Residential' to 'Medium Density Residential' to facilitate the development of a residential apartment building comprising up to 3 storeys and 18 units;
2. And further, that Council approve the attached Amendment No. 278 to the County of Oxford Official Plan;
3. And further, that the necessary by-law to approve Amendment No. 278 be raised.

### **REPORT HIGHLIGHTS**

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- The intent of the Official Plan Amendment is to redesignate the subject lands from 'Low Density Residential' to 'Medium Density Residential' to facilitate the development of a 3-storey, 18-unit apartment building proposal.
- The proposal is consistent with the relevant policies of the 2020 Provincial Policy Statement and supports the strategic initiatives and objectives of the County 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 May 16, 2022 and notice of public meeting was issued on June 1, 2022. At the time of writing this report, one comment from the public has been received. This correspondence has been included as an attachment to this report for Council's consideration.

## Strategic Plan (2020-2022)

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

## DISCUSSION

### Background

**Owner:** Jacob Hiebert

**Agent:** Cyril J. Demeyere Limited c/o Andrew Gilvesy.  
 261 Broadway Street  
 P.O. Box 460, Tillsonburg, ON, N4G 4H8

### Location:

The subject lands are described as Part Lot 21, Conc. 1, (North Dorchester). The lands are located on the south side of Dundas Street West, between Stanley Street and Middleton Street, in the Village of Thamesford and are municipally known as 233 Dundas St. West, Thamesford.

### County of Oxford Official Plan:

Schedule 'C-3' Serviced Village

Schedule 'Z-2' The subject lands are currently designated 'Low Density Residential', according to the Village of Thamesford Land Use Plan and are proposed to be designated 'Medium Density Residential'

## **Township of Zorra Zoning By-law 35-99:**

Existing Zoning: 'Recreation (REC) Zone'

### **Proposal:**

The County of Oxford and the Township of Zorra have received applications for Official Plan Amendment and Zone Change to facilitate a 3-storey, 18-unit residential apartment building (6 units per floor), on Dundas Street West, in the Village of Thamesford. The proposed building comprises a building footprint of approximately 442.5 m<sup>2</sup> (4,763 ft<sup>2</sup>), and as generally shown on Plate 3 of Report No. CP 2022-276, also includes 27 parking spaces, landscaped amenity space and sidewalks surrounding the south, east and north side of the building.

The applicant proposes to rezone the lands 'Residential Type 3 Zone (R3) with site-specific provisions including reduced minimum lot area per unit from 150 m<sup>2</sup> (1,614 ft<sup>2</sup>) to 130 m<sup>2</sup> (1,400 ft<sup>2</sup>), reduced amenity space per unit from 65 m<sup>2</sup> (699 ft<sup>2</sup>) to 40 m<sup>2</sup> (430 ft<sup>2</sup>), and reduced front yard depth from the required 15.0 m (49.2 ft) to 13.5 m (44.3 ft).

The subject lands are currently vacant and were previously home to the Thamesford Lawn Bowling Club, until 2020, when the club closed and the property was sold. The subject property is approximately 0.23 ha (0.58 ac) in area.

Surrounding land uses in the immediate vicinity consist mainly of low density residential development with a variety of a commercial and institutional uses along Dundas St. to the east and west.

Plate 1, Location Map & Existing Zoning, identifies the location of the subject lands, as well as the zoning of the lands within the surrounding area.

Plate 2, Aerial Map (2020), provides an aerial image of the subject lands and the surrounding area.

Plate 3, Applicant's Sketch, shows the proposed configuration of area to be redesignated and rezoned.

Plate 4, Concept Drawing, provides a conceptual drawing as to what the proposed apartment building will look like, as submitted by the applicant.

## Comments

### 2020 Provincial Policy Statement

The policies of Section 1.1 of the PPS direct that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential uses to meet long-term needs. Within settlement areas, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs and such land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Section 1.1.3 directs 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 directs 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. Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form while avoiding or mitigating risks to public health and safety.

Section 1.4.3 of the PPS 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;
- 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;
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available;
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation; 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.

Section 1.6.6.2 of the PPS 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 located within the Village of Thamesford, which is identified as a 'Serviced Village' according to Schedule 'C-3', County of Oxford Settlement Strategy Plan, as contained in the Official Plan. The lands are designated 'Low Density Residential' according to Schedule "Z-2", Village of Thamesford Land Use Plan.

Serviced Villages are settlements characterized by a broad range of uses and activities which have been developed or are proposed for development on centralized water and wastewater facilities and new development in the Serviced Village designation shall generally be fully serviced by both water and wastewater facilities.

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.

In recognition of the importance of efficient land use and development patterns, the Section 2.1.1 of the Official Plan directs that County Council shall proactively plan, co-ordinate and stage growth and the provision of public service facilities and infrastructure to sustain financial well-being over the long-term.

Growth and development will be focused in settlements and their vitality and regeneration will be promoted. It is the intent of the Official Plan to ensure a sufficient supply of land will be provided within settlements to accommodate an appropriate range and mix of residential and non-residential growth, in accordance with the 20 year needs of the County and the Township, while accounting for opportunities to accommodate growth through intensification.

Settlements will be required to develop with land use patterns and a mix of uses and densities that efficiently use land and resources that, among other matters, are appropriate for, and efficiently use, existing or planned infrastructure and public service facilities and support active transportation and existing or planned transit.

Intensification will be promoted in appropriate locations within settlements, particularly those serviced by centralized wastewater and water supply facilities. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning so they are financially viable over their life-cycle and available to meet current and projected needs. Further, infrastructure and public service facilities shall be provided in a coordinated, efficient and cost effective manner that considers impacts from climate change.

Section 6.2.1 (Objectives for Rural Settlement Residential Designations) directs 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.

Further, Section 6.2.3 of the Official Plan directs that Medium Density Residential areas in serviced villages are those lands that are primarily developed or planned for low profile multiple unit development that exceed densities established for Low Density Areas. Residential uses within the Medium Density Residential areas include all forms of townhouse development, cluster houses, converted dwellings and low rise apartment buildings.

The maximum net residential density within Medium Density Residential designations is 50 units per hectare (20 units per acre), and the minimum net residential density is 22 units per hectare (9 units per acre).

Net residential density is defined as the number of housing units per hectare of residentially designated lands, exclusive of lands required for open space, environmentally sensitive areas, and transportation and servicing infrastructure, including stormwater management.

The Official Plan establishes that the further designation of Medium Density areas will satisfy the following locational requirements:

- sites will abut major roads, County Roads or Provincial Highways as identified on Schedules B-2, B-3, E-2, E-3, N-2, S-2, Z-2, and Z-3, or will be situated such that movements from the site do not flow through any adjoining Low Density Residential Area.
- sites will be in close proximity to community serving facilities such as schools, shopping facilities and recreational and open space areas which serve as community activity nodes.

In addition to the locational policies outlined in this section, when considering proposals to designate lands for medium density residential development, the Area Council and County Council will be guided by the following:

- the proposal will be fully serviced by centralized water supply and waste water treatment facilities and storm sewers, power and gas distribution facilities will be available to accommodate the proposed development;
- stormwater run-off from the proposal will be adequately controlled in accordance with the interim stormwater management policies of Section 3.2.7.2.1 and will not negatively affect adjacent properties;
- the size, configuration and topography of the site is such that there is sufficient flexibility in site design to mitigate adverse impacts on the amenities and character of any adjacent Low Density Residential areas through adequate buffering and screening;
- the location of vehicular access points and the likely impacts of traffic generated by the proposal on adjacent streets has been assessed and is acceptable;
- adequate off-street parking and outdoor amenity areas can be provided;
- the availability of and proximity to existing or proposed services and amenities such as schools, leisure facilities and parks to serve the new development; and
- 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.

Section 6.2.4 - Site Design Policies for Multiple Unit Residential Development in Rural Settlements, sets out policies to assist in ensuring that multiple unit residential development provides a high quality of life for residents and that design criteria be considered for all multiple unit development in rural settlements where permitted and be applied, where feasible.

### Zoning By-law

The subject lands are currently zoned 'Recreation Zone (REC)' according to the Township's Zoning By-law, reflecting the former use of the lands as a lawn bowling club. The applicant proposes to rezone the lands to 'Special Residential Type 3 (R3-sp)' which will include a number of site-specific development provisions, as follows:

1. Reduced minimum lot area from 150 m<sup>2</sup> (1,614 ft<sup>2</sup>) per unit to 130 m<sup>2</sup> (1,399 ft<sup>2</sup>) per unit;
2. Reduced minimum front yard depth from 15.0 m (49.2 ft) to 13.5 m (44.2 ft);
3. Reduced minimum amenity area per unit from 65 m<sup>2</sup> (699 ft<sup>2</sup>) to 40 m<sup>2</sup> (430 ft<sup>2</sup>) per unit.

The "R3" zone permits an apartment dwelling, a multiple unit dwelling, a boarding or lodging house, or a street fronting townhouse. For an apartment dwelling, the 'R3' zone provisions limit the height of such dwelling to 3 storeys and requires a minimum interior side yard of 3 m (9.8 ft), a minimum 30% landscaped open space, maximum 11 m (36.1 ft) or three (3) storeys in height, and establishes minimum lot area (150 m<sup>2</sup> / 1,614 ft<sup>2</sup> per unit), frontage (30 m / 98.4 ft) and a minimum gross floor area of 55 m<sup>2</sup> (592 ft<sup>2</sup>) per dwelling unit.

Staff note that the detailed development of the lands will be subject to an application for site plan approval, which will consider matters such as lighting, landscaping, screening, building facades, grading and municipal servicing and will be reviewed by both the Township and the County.

### Agency Comments

Oxford County Public Works have provided the following comments regarding the subject applications:

1. A servicing brief (FSR) should be included for the development's proposed water (avg. day, max day, fire flows), and wastewater generation (avg. day, peak hour), including rationale. Further, a hydrant flow test should be completed on a nearby hydrant to confirm availability of fire flows and included within the servicing brief.
2. Entrance dimensions to County Road 2 will need to follow the County's Entrance Guidelines, attached for the applicant's reference.
3. A 3m wide strip of the owner's property along the Dundas St. frontage is required to be conveyed to the County for future road widening purposes. At time of site plan application, please forward a draft Reference Plan and Transfer documents for review. The conveyance is required prior to issuance of a building permit.

4. The municipal collection of garbage and recycling occurs at the municipal curb. The collection of garbage and recycling on private property may be approved pending demonstration by the owner/developer that the finished site satisfies the requirements of the County's Entry on to Private Property for Waste Collection Service Provision Operations Policy.

Township of Zorra Public Works Department has indicated that a more comprehensive review of the overall site design and layout will be conducted as part of the future site plan application.

Township of Zorra Fire Chief and the Township Chief Building Official/Drainage Superintendent have no objections to the subject applications, and have indicated that further comment will be provided at the time of the site plan application.

### **Township of Zorra Council**

Township of Zorra Council recommended support of the proposed Official Plan amendment, and approved the proposed zoning by-law amendment 'in principle', at the Township's regular meeting of June 15, 2022.

### **Planning Analysis**

The proposed applications for Official Plan amendment and Zone Change have been submitted to the County and Township to facilitate the development of a 3-storey, 18 unit apartment building. The overall building footprint will be approximately 442.5 m<sup>2</sup> (4,763 ft<sup>2</sup>) in size, and generally as shown on Plate 3 of Report No. 2022-276.

As the proposed Official Plan amendment and Zone Change affects lands which are 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 an alternative housing form in Thamesford which is considered to be compatible with existing low 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.

With respect to the agency comments received as a result of circulation, staff are of the opinion that while a number of details will need to be confirmed through a future site plan application, the general nature of the proposed development is appropriate for the Village of Thamesford, and staff note that comments relating to proposed grading, lighting, drainage and overall servicing can be confirmed through the site plan process.

As previously noted, the applicant has proposed that the subject lands be redesignated from 'Low Density Residential' to a 'Medium Density Residential' (MDR) to facilitate the proposed apartment building.



Upon review of the initial site plan drawing, the Planning Justification Report and the current policy framework, staff note that while the OP does not include policy direction for 'High Density Residential' development in Serviced Villages, such development is not excluded from consideration where it can be justified on a site-specific basis. Staff are of the opinion that the objectives of the 'Medium Density Residential' (MDR) policy framework, and the criteria for the designation of new MDR areas, can be used to assess the appropriateness of the proposed development, which, based on an overall density calculation, is beyond what the MDR policies envision. Overall density of the proposed development is approximately 77 units/ha (31 units/ac), which is beyond the medium density range (22 to 50 units/ha or 9 to 20 units/ac) that is generally applied in Serviced Villages.

The Official Plan directs that any lands proposed for Medium Density development that are not currently designated for such use on the applicable land use schedules (Z-2, Land Use Plan for the Village of Thamesford, in this case) requires an amendment to the Plan and that further designations will satisfy a number of locational and site-specific criteria. The subject lands are located on a major road (Dundas Street – a County Road), as identified on Schedule Z-2.

The subject property is located in proximity to Thamesford's Village Core, is in relatively close proximity to both community and neighbourhood parks to the south and southeast, and will be fully serviced with municipal water and wastewater. Township and County staff have indicated that a functional servicing report will be required to be submitted as part of the future Site Plan application, however, there has been no indication by the relevant commenting agencies that the proposed development would not be feasible at this location.

Staff are generally satisfied that the design of the proposed building, at 3 storeys in height, with a single entrance proposed along the easterly property line will have limited impacts on the neighbouring lower density development. Further, staff note that the site plan process can be utilized to ensure that appropriate screening and buffering be incorporated into the plan to assist in limiting impacts on abutting properties (e.g. fencing, hedges, etc.).

Further, each of the apartment units will include sufficient off-street parking to meet the requirements of the Township's Zoning By-law (1.5 spaces per unit) and will have amenity areas in the form of landscaped open space and garden areas.

The requested zoning is for a special "R3" Zone which will implement a number of site specific provisions with respect to minimum lot area per unit, minimum amenity space per unit and front yard depth.

Provisions for minimum amenity area are in place to ensure that adequate space exists for the purpose of providing recreational or social activities for residents. The proposed reduction to amenity space per unit from 55 m<sup>2</sup> (592 ft<sup>2</sup>) to 30 m<sup>2</sup> (322 ft<sup>2</sup>) is considered to be appropriate due to the subject property's location being within walking distance to area parks and other nearby amenities. Further, the applicant has advised that each unit will have a balcony and a common room for residents will be provided.

With respect to the proposed reduction in the gross lot area requirement, the applicants are proposing 130 m<sup>2</sup> (1,400 ft<sup>2</sup>) per unit, rather than the typically required 150 m<sup>2</sup> (1,614 ft<sup>2</sup>). Direction provided by the Official Plan suggests that intensification shall be promoted, where appropriate, and in this instance, staff are of the opinion that the proposed reduction to the minimum lot area per unit will assist in implementing this direction. Further, staff are satisfied that the proposed reduction to the minimum lot area per unit is appropriate, and will not result in negative impacts regarding drainage and grading. The applicant has advised that, at this time, the apartment building will comprise as many as 14 two-bedroom units and 4 one-bedroom units. The units will range in size, but all will meet the minimum gross floor area requirement of per unit of 55 m<sup>2</sup> (592 ft<sup>2</sup>).

## **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 supports the strategic initiatives and objectives of the Official Plan. As such, staff are satisfied that the applications can be given favourable consideration.

## **SIGNATURES**

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### **Report Author:**

Original Signed By \_\_\_\_\_  
Spencer McDonald, MCIP, RPP  
Development 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, Location Map & Existing Zoning
Attachment 2	Plate 2, Aerial Map (2020)
Attachment 3	Plate 3, Applicant's Sketch
Attachment 4	Plate 4, Concept Drawings
Attachment 5	Correspondence Received
Attachment 6	Official Plan Amendment No. 278