

To: Warden and Members of County Council

From: Director of Community Planning

Applications for Official Plan Amendment and Plan of Subdivision OP 21-16-4; SB 21-11-4 – Mount Elgin Developments Inc.

RECOMMENDATIONS

1. That Oxford County Council approve Application OP 21-16-4, , submitted by GSP Group on behalf of the owner, Mount Elgin Developments Inc (dated April 14, 2022), as amended, for lands described as Part Lots 11 & 12, Concession 5 (Dereham), Township of South-West Oxford, to expand the settlement boundary of the Village of Mount Elgin and re-designate the subject lands from ‘Agricultural Reserve’ to ‘Serviced Village’, ‘Settlement’, ‘Low Density Residential’ and ‘Open Space’;
2. And further, that Council approve the attached Amendment No. 281 to the County of Oxford Official Plan;
3. And further, that the necessary by-law to approve Amendment No. 281 be raised;
4. And further, that Oxford County Council grant draft approval to a proposed residential subdivision, File No. SB 21-11-4, as submitted by GSP Group on behalf of the owner, Mount Elgin Developments Inc (dated August 16, 2022), for lands described as Part Lots 11 & 12, Concession 5 (Dereham), Township of South-West Oxford, consisting of 166 lots for single detached dwellings, 7 blocks for 69 street fronting townhouses dwellings, 1 open space block, one park block, 3 blocks for pedestrian walkways, 2 blocks for lot additions, a block for a railway berm, and two blocks to be dedicated to the Township, served by six new local streets, subject to the conditions attached to this report as Schedule “A” being met prior to final approval.

REPORT HIGHLIGHTS

- The purpose of the Official Plan Amendment is to facilitate the expansion of the Settlement boundary of the Village of Mount Elgin, designate the lands for Serviced Village purposes and to further re-designate the subject lands from ‘Agricultural Reserve’ to ‘Settlement’, ‘Low Density Residential’ and ‘Open Space’, to enable the development of a residential plan of subdivision.

- The proposed draft plan of subdivision consists of 166 lots for single detached dwellings, 7 blocks for 69 street fronting townhouses dwellings, 1 open space block, one park block, 3 blocks for pedestrian walkways, two blocks for lot additions, a block for a railway berm, and two blocks to be dedicated to the Township, served by six new local streets.
- Planning staff recommend that the proposed Official Plan Amendment and draft plan of subdivision be supported as the Phase 1 Comprehensive Review completed by the County indicated there is a demonstrated need for additional residential lands within the Township of South-West Oxford.

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

In accordance with the requirements of the Planning Act, notice of complete application regarding this proposal was provided to surrounding property owners on November 1, 2021 and notice of public meeting was issued on three separate occasions, April 27, 2022, June 24, 2022, and August 30, 2022.







Staff have received a number comments and concerns with respect to the proposed expansion of the village, including impacts related to additional traffic, density, concerns with respect to water and wastewater servicing, concerns about the loss of agricultural land, and concerns about the retention of an existing house within the proposed draft plan of subdivision. Written comments received as of the time that this report was completed have been included as attachments to this report.

Comments have also been received from the industrial operation situated on the north side of Mount Elgin Road, opposite the proposed open space block in the draft plan. The email outlines concerns that the expanded residential subdivision may have on their operation, including the increased potential for complaints and conflicts with the rail siding on the south side of Mount Elgin Road that is used for loading, unloading and shipping.

Comments were also received from the Oxford County Federation of Agriculture, expressing concerns with the loss of farmland for residential development.

A petition has also been created, expressing concerns with the proposed density of the subdivision, the expansion of the village, traffic, heritage concerns, erosion, and environmental impacts of the proposed development. These comments have also been included as an attachment to this report.

Strategic Plan (2020-2022)

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

DISCUSSION

Background

Owner: Mount Elgin Developments Inc.
57547 Talbot Line, Tillsonburg ON N6B 3G1

Agent: GSP Group Inc. (Chris Pidgeon)
201-72 Victoria Street South, Kitchener ON N2G 4Y9

Location:

The subject lands are described as Part Lots 11 & 12, Concession 5 (Dereham), Part 1 of 41R-9336, Township of South-West Oxford, and are located on the south side of Mount Elgin Road, west of Plank Line. The lands are municipally known as 324032 and 324056 Mount Elgin Road, in and adjacent to the Village of Mount Elgin.

County of Oxford Official Plan:

Existing Designation:

Schedule "S-1"	Township of South-West Oxford Land Use Plan	'Agricultural Reserve'
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Proposed Designations:

Schedule "C-3"	County of Oxford Settlement Strategy Plan	'Serviced Village'
Schedule "S-1"	Township of South-West Oxford Land Use Plan	'Settlement'
Schedule "S-2"	Village of Mount Elgin Land Use Plan	'Low Density Residential' 'Open Space'

Township of South-West Oxford Zoning By-law No. 25-98:

Existing Zoning: 'General Agricultural Zone (A2)'
'Special General Agricultural Zone (A2-26)'

Proposed Zoning: 'Special Residential Type 1 Holding Zone (R1-sp(H))'
'Special Residential Type 3 Holding Zone (R3-sp(H))'
'Open Space Zone (OS)'

Proposal:

Applications for Official Plan Amendment, Draft Plan of Subdivision and Zone Change have been submitted to the County of Oxford and Township of South-West Oxford to facilitate the development of a residential plan of subdivision consisting of 166 lots for single detached dwellings, 7 blocks for 69 street fronting townhouse dwellings, 1 open space block, 1 park block, 2 blocks for lot additions, 2 blocks for pedestrian walkways, a block for a railway berm, and 2 blocks to be dedicated to the Township, served by 6 new local streets, connecting to Mount Elgin Road to the north and Peggy Avenue to the east.

A number of supporting studies were prepared by the applicant in support of the applications, including a planning justification report, a geotechnical investigation report, a functional servicing report, a noise and vibration study, a transportation study, and an archaeological investigation report.

The subject lands comprise approximately 23.74 ha (58.7 ac), and include a single detached dwelling (circ. 1850) that is proposed to be retained on its own lot. The single detached dwelling was recognized as having potential as a heritage resource, and the original draft plan has been revised to retain the dwelling on its own separate lot. As a result of this, additional land is proposed to be conveyed to the residential lot located to the west of the proposed road access to Mount Elgin Road, and for the proposed lot encompassing the existing dwelling that is proposed to be retained. The purpose of these lot additions is to provide additional area to ensure that appropriate lot grading can be maintained between the existing dwellings and the proposed street.

The balance of the lands are generally vacant, with woodlands in the southeast corner of the property. Surrounding land uses include existing low density residential development to the east, northeast, and southeast within the Village of Mount Elgin, industrial uses to the north (fronting

on the north side of Mount Elgin Road) and a Canadian Pacific rail line right-of-way and spur line (operated by the Ontario Southland Railway) to the west. Agricultural uses are located west of the railway right-of-way.

Plate 1, Location Map with Existing Zoning, shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, 2020 Aerial Map, provides an aerial view of the subject lands where the draft plan of subdivision is proposed.

Plate 3, Revised Draft Plan of Subdivision, provides the layout of the proposed draft plan of subdivision, including the proposed phasing plan.

Comments

2020 Provincial Policy Statement

The 2020 Provincial Policy 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 1.1 of the PPS directs that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term and avoid development patterns which would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas.

Sufficient land shall be made available to accommodate for an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines.

Section 1.1.3 of the PPS provides that settlement areas are urban and rural areas such as towns, villages and hamlets and Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land use, service levels and types of infrastructure available. The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities and it is in the interest of all communities to use land and resources wisely to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

Settlements are defined to mean urban areas and rural settlement areas within municipalities that are built-up areas where development is concentrated and which have a mix of land uses, and which have been designated in an Official Plan for development over the long-term. Settlement areas shall be the focus of growth and development and land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) Minimize negative impacts to air quality and climate change and promote energy efficiency;
- d) Prepare for the impacts of a changing climate;
- e) Support active transportation;
- f) Are transit-supportive, where transit is planned, exists or may be developed, and;
- g) Are freight supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

As per Section 1.1.3.8, a planning authority may identify a settlement area or allow for the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) Sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) The infrastructure and public service facilities which are planned for or available are suitable for the development over the long-term, are financially viable over their life cycle and protect public health and safety and the natural environment;
- c) In prime agricultural areas;
 - a. The lands do not comprise specialty crop areas;
 - b. Alternative locations have been evaluated, and there are no reasonable alternatives which avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands in the prime agricultural area;
- d) The new or expanding settlement area is in compliance with the minimum distance separation formulae; and,
- e) Impacts from the new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal. A comprehensive review for the purpose of this section is to be:

- a) Based on a review of population projections and employment projections and allocations by upper-tier municipalities and provincial plans, where applicable, which consider alternative directions for growth or development and determines how best to accommodate the development while protecting the provincial interest;
- b) Utilizes opportunities to accommodate projected growth or development through intensification and redevelopment and considers physical constraints to accommodate the proposed development within existing settlement boundaries;

- c) Is integrated with planning for infrastructure and public service facilities and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
- d) Confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
- e) Confirms sewage and water services can be provided in accordance with Section 1.6.6; and,
- f) Considers cross-jurisdictional issues.

Section 1.6 of the PPS addresses infrastructure and public service facilities and states that infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:

- a) Financially viable over their life cycle, which may be demonstrated through asset management planning; and,
- b) Available to meet current and projected needs.

Before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized and opportunities for adaptive re-use should be considered, wherever feasible.

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Planning for stormwater management shall:

- a) Be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long-term;
- b) Minimize or, where possible, prevent increase in contaminant loads;
- c) Minimize erosion and changes in water balance and prepare for the impacts of a changing climate through the effective management of stormwater;
- d) Mitigate risk to human health, safety, property and the environment,
- e) Maximize the extent of function of vegetative and pervious surfaces and
- f) Promote stormwater management practices, including stormwater attenuation and re-use, water conservation and efficiency and low impact development.

Official Plan

The subject lands are designated 'Agricultural Reserve' according to Schedule "S-1" Township of South-West Oxford Land Use Plan, as contained in the Official Plan.

The purpose of the Official Plan amendment (OPA) is to expand the boundary of the Serviced Village of Mount Elgin and designate said lands for Serviced Village purposes (Schedule “C-3”), as well as re-designate the subject lands from ‘Agricultural Reserve’ to ‘Settlement’ and ‘Low Density Residential’ on Schedules “S-1”, and “S-2”, respectively, to facilitate the development of the lands for primarily residential purposes by plan of subdivision in the Village of Mount Elgin.

According to Section 2.1.1 (Growth Management), a strategic initiative of the Official Plan is to focus growth and development towards settlements with centralized wastewater and water supply facilities, which are to be developed with land use patterns and densities that efficiently use land and existing/planned infrastructure and public service facilities, support active transportation and existing/planned transit, are freight-supportive (where applicable), minimize negative impacts to air quality and climate change, and promote energy efficiency. Prior to the establishment of settlement expansions, detailed secondary plans shall be prepared to address the location and mix of land uses, timing and staging for growth including phasing requirements to ensure achievement of intensification targets, availability and/or timing for infrastructure and public service facilities, and other land use considerations.

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.

Detailed secondary plans will be required for settlement expansions to address the timing and staging of growth, including any phasing required to ensure achievement of intensification targets, the orderly progression of development, and timely provision of infrastructure and public service facilities. In addition, secondary plans should address the location and mix of land uses, minimum and maximum development densities, infrastructure and public service facilities requirements and other land use considerations.

Further, the Official Plan provides that modifications or expansions to the boundaries of a settlement will only be considered and evaluated by the County as part of a comprehensive review, except where otherwise provided in the Plan.

Settlements will be required to develop with land use patterns and a mix of uses and densities that efficiently use land and resources, are appropriate for, and efficiently use, existing or planned infrastructure and public service facilities, support active transportation and existing or planned transit, are freight-supportive, minimize negative impacts to air quality and climate change and promote energy efficiency. Development and land use patterns that would prevent the efficient expansion of settlements in areas adjacent or in close proximity to settlements will be avoided.

Section 3.1.6 – Official Plan Amendment in the Agricultural Reserve, provides that proposals to amend the Official Plan to permit the establishment of new non-agricultural uses in the Agricultural Reserve designation or the expansion of a settlement will be considered according to the requirements outlined below. Such proposals shall prepare and submit planning and technical studies addressing these requirements and settlement expansions shall only be considered through a comprehensive review.

Compelling evidence should exist demonstrating that the proposed expansion of the settlement area is justified. In this regard the following considerations, among others, will be addressed:

- There is a demonstrated need within the planning period for additional land to be removed from agricultural production and redesignated, given the nature and capacity of undeveloped land use designations within nearby designated settlements or within other land use designations;
- The amount of land proposed for settlement expansion is justified considering population, household and labour force projections of the Township and land use density factors for the planning period of this Plan, including opportunities for intensification and redevelopment;
- Any land proposed for the settlement extension is a logical expansion of the settlement;
- The long-term suitability and feasibility of the proposed site for centralized wastewater and/or water supply facilities or private water and private septic systems is demonstrated to the satisfaction of the (formerly) Board of Health (now Southwestern Public Health).

The level of servicing planned or available for the proposed development or expansion is consistent with the servicing hierarchy established in Section 5.5.3 of the Plan for centralized wastewater and/or water supply facilities. Infrastructure and public services which are planned or available will be suitable for the development or expansion over the long-term and protect public health and safety.

To assess agricultural impacts, settlement expansions in prime agricultural areas shall demonstrate that:

- The lands do not comprise specialty crop areas;
- There are no reasonable alternatives which avoid prime agricultural areas;
- There are no reasonable alternative on lands with lesser agricultural capability or on lands less suitable for agriculture by existing or past development;
- Minimum Distance Separation I shall be satisfied;
- Impacts from the settlement expansion on nearby agricultural operations are mitigated to the extent possible.

The proposed settlement expansion shall not create traffic hazards and the road infrastructure shall be capable of accommodating the proposed expansion, in accordance with the requirements of the authority having jurisdiction over the road.

The proposal shall also be consistent with the Environmental Resource Policies and the Cultural Heritage Policies of the Official Plan and shall not conflict with the Resource Extraction Policies, and the proposal shall be acceptable with regard to the ability to achieve the Goal for Agricultural Policies in Section 3.1.1, the precedent to be established for other sites within the County and the ability to implement planned land uses in the vicinity.

Section 4.2 of the Official Plan states that in order to establish a basis for designating sufficient lands for settlement purposes, the County has adopted population, household and employment land projections for the planning period.

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 be fully serviced by both water and wastewater facilities.

Proposals to amend the Official Plan to expand the settlement boundary of a Serviced Village shall only be considered through a comprehensive review and will be evaluated in accordance with the policies of Section 3.1.6 and the following criteria:

- The review criteria of Section 3.1.6 supports the expansion, or the results of an Environmental Study Report (undertaken in accordance with the Class Environmental Assessment Act) indicate that the preferred servicing alternative is by both centralized water supply and wastewater facilities and infrastructure, or the boundary adjustment facilitates the inclusion of existing development immediately adjacent to a Serviced Village where service extensions are required; and
- The preparation of a secondary plan and servicing strategy for the expanded area, in accordance with the criteria contained in Section 4.2.2.4.1, unless such area consists of existing development.

It is proposed that the subject lands are to be redesignated from 'Agricultural Reserve' to 'Low Density Residential' to facilitate a residential subdivision. Low Density Residential areas are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms consisting of single detached, semi-detached, duplexes, converted dwellings and street townhouses. In addition to residential uses, services and amenities that enhance the quality of the residential environment and which primarily serve the local residential neighbourhoods by providing services or fulfilling cultural or social needs such as schools, day care facilities, churches and park facilities are also permitted within residential areas.

Section 3.3.3.1 of the Official Plan provides that human-made constraints may adversely affect people and property both on and offsite. Such constraints may render an area unsuitable for active use and/or may require specific studies and mitigation measures to mitigate the identified constraint to development. It is an objective to permit only those developments, in areas affected by human-made constraints, which do not endanger property or the health or safety of occupants or the public.

The County and Area Municipalities recognize that there may be noise or vibration affecting noise sensitive land uses located in proximity to industrial uses, major roads, railways and airports. The objective of this policy is to prevent or minimize the encroachment of noise sensitive land use upon industrial land use and vice versa. The development of noise sensitive land uses will not be permitted within 70 metres (230 feet) of an existing or proposed Class II industrial facility.

Notwithstanding the minimum separation distances, the County and/or Area Municipality may reduce the requirement for the minimum separation distances from industrial facilities or rail yards in areas where infilling or redevelopment for residential or mixed use is taking place, provided that a feasibility assessment is undertaken and that the appropriate attenuation measures are implemented in accordance with the Ministry of Environment, Conservation and Parks guidelines.

Where development is proposed adjacent to a railway line, County Council or the Area Council shall require safety measures to be incorporated into the site design including measures such as building setbacks, intervening berms and security fencing. The proponent shall consult with the appropriate railway regarding such safety measures prior to development approval.

Zoning By-law

The subject lands are currently zoned 'General Agricultural Zone (A2)' and 'Special General Agricultural Zone (A2-26)' according to the Township of South-West Oxford Zoning By-law. The A2 zone permits a number of agricultural uses, subject to a minimum lot area of 30 ha (74.1 ac), and the A2-26 zone permits an animal kennel, communications structure, farm (excluding the keeping of livestock), an oil or gas well, a public use, a seasonal fruit and vegetable, flower or farm produce sales outlet, a topsoil or pit extraction operation, and a wayside sand and gravel pit.

Special provisions within the A2-26 Zone require a minimum lot area of 20 ha (49.4 ac) and minimum lot frontage of 31.5 m (103.3 ft).

The applicant proposes to rezone portions of the lands to 'Special Residential Type 1 Zone (R1-sp)' to permit single detached dwellings on the lands and provide for a reduced minimum lot frontage for single detached dwellings, reduced minimum lot area for corner lots, reduced front yard depth, reduced interior side yard widths, reduced exterior side yard widths and increased maximum lot coverage.

The applicant also proposes to rezone the proposed townhouse lots within the draft plan of subdivision to 'Special Residential Type 3 Zone (R3-sp)' to permit street-fronting townhouse dwellings with reduced lot frontages for corner townhouse lots, reduced front yard depths, reduced exterior side yard widths, reduced interior side yard widths for end units, and increased lot coverage.

The proposed block encompassing the railway setback and berm (Block 178), pedestrian walkways (Blocks 176, 177), the Open Space Block encompassing the existing woodlands (Block 174), and the proposed park block (Block 175) are proposed to be zoned 'Open Space Zone (OS)'.

Agency Comments

County of Oxford Public Works provided the following comments:

- At this time, it is estimated that uncommitted capacity remains for 171 lots within the existing WWTP plant.
- Oxford County Public Works is currently undertaking a design (2022) to upgrade the existing WWTP in Mount Elgin. Construction is tentatively planned for 2023/2024. The Owner shall be made aware that sanitary connections to the wastewater collection system shall not be permitted until the Mount Elgin WWTP upgrade has been completed.
- Detailed design site servicing for this Phase of the development is to meet Oxford County Design Guidelines, including watermain and sanitary sewer sizing. Individual sewage pumps will not be permitted.

- The water system within Mount Elgin is not considered a fire-rated system. The detailed design will need to include fire-suppression systems to the satisfaction of the SWOX Fire Department (i.e. storage tanks as previously discussed). All fire suppression infrastructure will be owned / maintained by SWOX and/or the SWOX Fire Department.

Staff of the Township of South-West Oxford provided various comments with respect to servicing and emergency access and review and approval of the related details have been accounted for in revisions to the plan and/or will be included in the recommended conditions of draft plan approval.

Township staff indicated that adequate water supply for firefighting purposes is provided. The Township has identified the need for an additional entrance to Mount Elgin Road, and has indicated that the parking for each street fronting townhouse shall not be located on municipal property. The Township will require a permanent male/female washroom be installed in the Open Space block with access to the sewer and water system. Consideration should also be given to a Pedestrian Crossing at the entrance to Graydon on Plank Line for the school and residents crossing Plank Line.

Canadian Pacific Railway has indicated that the safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>. Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Enbridge Gas Limited has requested that, as a condition of final approval, the owner/developer provide the necessary easements and/or agreements required for the provisions of gas services to the proposed development.

Long Point Region Conservation Authority (LPRCA) indicated that they have no objection to the application. Comments were provided on the Functional Servicing Strategy (stormwater management and low impact development) and LPRCA review and approval will be included in the recommended conditions of draft plan approval.

The Upper Thames Region Conservation Authority indicated that the UTRCA has no concerns with the proposed subdivision and the lands do not contain any watercourses or natural features or lands regulated by the UTRCA.

The Thames Valley District School Board indicated that the proposed draft plan of subdivision is located within the attendance area boundaries of Harrisfield Public School, and Ingersoll District Collegiate Institute.

Harrisfield Public School is currently operating above its on-the-ground capacity, and due to residential growth occurring in the area, enrolment is expected to continue to increase. Based on this, TVDSB requests that the following clause be included as a condition of Draft Plan Approval for the proposed development:

“The Owner shall inform all Purchasers of residential lots by including a condition in all Purchase and Sale and/or Lease Agreements stating that the construction of additional public school accommodation is dependent upon funding approval from the Ontario Ministry of Education, therefore the subject community may be designated as a "Holding Zone" by the Thames Valley District School Board and pupils may be assigned to existing schools as deemed necessary by the Board.”

Township of South-West Oxford Council

Township of South-West Oxford Council recommended support of the proposed Official Plan amendment and draft plan of subdivision, and approved the proposed zoning by-law amendment ‘in principle’, at the Township’s regular meeting of Council on September 20, 2022.

Planning Analysis

The subject applications for Official Plan amendment, draft plan of subdivision approval and zone change propose to facilitate the development of a residential plan of subdivision as described previously in this report.

Oxford County Phase I Comprehensive Review

The PPS directs that an expansion to the settlement area should occur at the time of a comprehensive review. In this regard, the County has completed a Phase I Comprehensive Review study which was adopted by County Council in April 2020. This study provides the information necessary to address the forecasted growth and land need components of the PPS and Official Plan comprehensive review requirements. Further, the applicants have also submitted a number of reports and studies, including a Planning Justification Report (PJR), Agricultural Impact Analysis (within the PJR), and a Functional Servicing Report in support of the proposed boundary expansion.

Regarding the Phase I Comprehensive Review, this study included an analysis of the Township of South-West Oxford population, household and employment forecasts and associated land need for a 20 year planning period. However, the study also included a 30 year forecast period to ensure it would provide the information necessary to account for an increase in the planning period from 20 to 25 years which was anticipated would (and since has) come into effect as part of recent amendments to the 2020 PPS. The review indicated that the total estimated residential unit growth for the 20 year period 2019 to 2039 was 360 dwelling units, while the residential land supply in the Township (including opportunities for intensification) as of the end of 2019 was estimated to be approximately 191 residential units. The review concluded that “...it appears that the Township of South-West Oxford’s land need will slightly increase, particularly once the current planning horizon in the PPS is extended from 20 to 25 years”.

With a 25 year planning period in the PPS now in effect, it is appropriate to consider the household forecasts in the study for the 25 year planning period 2021 to 2046. These forecasts indicate that approximately 410 dwelling units are now expected to be required, which would exceed the residential land supply by 219 units, and possibly more if the land supply estimates were to be adjusted to account for residential construction that has occurred since 2019. Therefore, it appears that there is a need for additional residential land in the Township to accommodate the forecasted growth for the planning period.

Given the above assessment of the forecasted residential growth and land need from the Phase I Comprehensive Review, Planning staff are satisfied that the proposed settlement boundary adjustment would be consistent with the comprehensive review requirements related to land need.

Planning Justification

The applicant has provided an analysis of potential settlement boundary expansion options within the submitted PJR to address the comprehensive review requirements of the PPS and Official plan pertaining to the evaluation of alternative directions for accommodating growth, including how best to protect provincial interests and prime agricultural lands.

The subject lands represent an undersized agricultural parcel as they are less than the minimum lot area of 30 ha, and given their close proximity to residential uses and irregular shape due to the presence of the CPR railway ROW, their agricultural potential is limited compared to other large agricultural parcels located at the south-easterly and north-westerly boundary of Mount Elgin. Lands at the northern boundary of the Village contain woodlands that have been identified as significant woodlands in the Oxford Natural Heritage Study, and these lands are designated for industrial purposes, which can create conflicts with more sensitive residential uses as proposed through these applications.

With respect to the requirement for settlement expansions to comply with MDS and the potential impact of the proposal on existing livestock operations within the vicinity, it has been identified that there is a livestock operation (poultry) located at 323962 Mount Elgin Road, west of the subject lands. According to MDS I calculations, a setback of 421 m (1381 ft) is required from the livestock barn. The applicant is proposing a setback of 540 m (1771 ft) between the existing livestock operation and the nearest portion of the proposed expanded settlement boundary. In light of this, there does not appear to be any MDS concerns.

With respect to the review of alternative directions for growth in terms of avoiding prime agricultural lands, the majority of the lands in the Township are classified as having Class I, Class II, or Class III soil, which are considered to be 'prime agricultural area'. Given that Mount Elgin is surrounded by soils classified as Classes I - III, any expansion of the settlement boundary will result in some loss of prime agricultural land. According to the Canadian Land Inventory, the subject lands contain Class II and Class III soils. While the lands contain Class II and Class III soil, staff note that if the settlement boundary were to expand to the east that it would be expanding into Class I soil. Further, staff note that the lands do not comprise specialty crop areas, which are to be protected.

Based on the above review, areas south and west were determined to be an appropriate option for expansion, as the lands do not contain any regulated natural features and their size and location make them less suitable for normal agricultural operations typical in the Township.

Further, the proposed development would abut existing residential development within the Village, which is a compatible land use with the proposed development and represents a logical extension of the settlement from a land use and infrastructure perspective. Further, the existing abutting residential subdivision was developed with a road stub installed on Peggy Avenue facing east-west with a connection available to Plank Line.

The plan also includes an additional entrance from the north on Mount Elgin Road. In general, staff agree with the applicant's analysis and concur that expanding the boundary of Mount Elgin to the south and west is a logical extension of the existing settlement relative to other options and an appropriate direction for growth taking into consideration relevant Provincial interests.

Alternative directions for growth have been explored and evaluated and there appear to be no reasonable alternatives on lower priority agricultural lands or that avoid prime agricultural lands. Planning staff are of the opinion that the removal of approximately 23.74 ha (58.7 ac) of Class II lands for the purpose of facilitating a residential subdivision consisting of a mix of density is reasonable given the Township's current land inventory.

This analysis, when coupled with the Phase I Study related to growth projections and land need, together with the Phase 2 considerations contained in this report, satisfactorily meet the requirements of the PPS for a comprehensive review.

Official Plan and Subdivision Design

The Official Plan amendment proposes to expand the boundary of the Village of Mount Elgin and designate the subject lands 'Serviced Village' on Schedule "C-3" of the Official Plan. Further, the proposed OPA will re-designate the lands from 'Agricultural Reserve' to 'Settlement' and 'Low Density Residential' to facilitate the development of the lands for primarily residential purposes by draft plan of subdivision.

Planning staff are of the opinion that the proposal is in keeping with the policies of Section 2.1.1 (Growth Management), with respect to focusing growth and development in settlements with centralized wastewater and water supply facilities, as well as facilitating development and land use patterns and densities that efficiently use land and existing/planned infrastructure and public service facilities.

The proposal is also consistent with 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.

In support of the County's current Official Plan Review, the County of Oxford has recently undertaken a Phase I Comprehensive Review, which consisted of an analysis of County-wide and Area Municipal population, household and employment forecasts and a land need analysis. The study concluded that over the 25 year planning period there was a moderate land need for residential lands in the Township of South-West Oxford (22 ha of gross developable lands). The proposed draft plan of subdivision has a gross area of 23.74 ha. Planning staff are generally satisfied that the inclusion of these lands represents a justified and logical expansion of the Village of Mount Elgin, as the lands are currently constrained by residential development to the east, and the CP Railway to the south and west. The proposed subdivision will also make use of the existing stormwater management pond, and only a modest expansion of the existing water distribution network, wastewater collection system, and storm sewers is required to service the development.

The proposed draft plan will facilitate the development of single detached and street-fronting townhouse dwellings and will result in an overall net residential density of approximately 18.8 units per hectare (7.6 units per acre). The minimum net density for the Low Density Residential designation is 15 units per hectare (6 units per acre) and the proposal meets the minimum density requirements in the Official Plan.

The proposed draft plan of subdivision includes a park block at the northwest corner of the site, opposite an existing industrial use on the north side of Mount Elgin Road. The proposed park block will provide a buffer from the existing industrial use and the new residential uses that are proposed through these applications. The new residential lots proposed through this application will have a greater separation than existing residential development that fronts on the south side of Mount Elgin Road. A noise and vibration feasibility assessment was also provided that indicated that the dwellings near the railway will be required to include forced air ventilation, brick facades, and appropriate warning clauses to comply with MOECP Noise Guidelines. The study also recommends a detailed noise study be provided when detailed floor plans and building elevations, architectural drawings and structural drawings are available for the proposed dwellings.

With regard to the specific review criteria for the development of subdivisions (Section 10.3.3), Planning staff note that Oxford County Public Works staff have indicated that uncommitted reserve capacity for wastewater treatment in the Mount Elgin system currently exists for only 171 dwellings, less than the 244 units currently proposed for the draft plan of subdivision. Oxford County Public Works staff estimate that an expansion to the Mount Elgin wastewater treatment facility will be commissioned in 2024 and indicated that the required upgrades can proceed directly from design to construction as no amendments to the current WWTP Environmental Compliance Approval are required and no delays are anticipated.

The applicant has met with Oxford County Public Works staff and Community Planning staff and has provided phasing limits for the proposed subdivision, to ensure that the first phase, consisting of 111-113 units, can proceed within the current available capacity and can be constructed independently of the second phase, which would require the upgrades to the WWTP to be completed prior to consideration of the second phase.

Due to the limited servicing capacity available, it is recommended that conditions of draft approval be included to ensure that the proposed phasing and registration of portions of the draft plan will be in accordance with the available treatment capacity in the Mount Elgin WWTP. Township and County staff have reviewed the proposed phasing and are satisfied that 'Phase 1' can be accommodated within the current available capacity and represents a logical first phase that can appropriately function and exist independently of the proposed second phase. Proposed conditions of approval have also been included to ensure agency concerns and Township and County requirements will be satisfied prior to final approval.

Zoning By-law

The Zone Change proposes to rezone the subject lands from 'General Agricultural Zone (A2)' & 'Special General Agricultural Zone (A2-26)' to 'Special Residential Type 1 Zone (R1-sp)' and 'Special Residential Type 3 Zone (R3-sp)', and 'Open Space Zone (OS)' to permit single detached dwellings and street-fronting townhouse dwellings on the lands and provide site specific zoning provisions related to lot frontage, lot area, front yard depth, interior side yard width, exterior side yard width, and lot coverage.

Staff are satisfied that the proposed special provisions related to lot area, frontage, interior side yard and exterior side yard widths, and lot coverage are appropriate to facilitate the development of single detached and street-fronting townhouse dwellings with adequate separation from other properties/buildings, off-street parking, amenity areas, and drainage.

Planning staff recommend that the requested R1 and R3 zones include holding provisions to ensure that no building permits are issued until appropriate development agreements have been executed between the applicant, Township and County, and to ensure that water and wastewater treatment capacity is available to implement and accommodate the proposed phasing plan.

Conclusions

Planning staff are of the opinion that the proposed settlement expansion for residential purposes would appear to be warranted as per the recent Oxford County 2020 Comprehensive Review, and recommend support of the proposed Official Plan Amendment to expand the settlement boundary of the Village of Mount Elgin, and to re-designate the lands for residential uses.

Planning staff also recommend approval of the application for draft plan approval as this phase can be readily serviced and accommodated within the current available capacity within the Mount Elgin water and wastewater systems, and appropriate conditions of approval are recommended to ensure that any future phases only proceed once the required upgrades to the Mount Elgin WWTP have been completed.

SIGNATURES

Report Author:

“Original Signed By”

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“Original Signed By”

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Approved for submission:

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ATTACHMENTS

Attachment 1	Plate 1, Location Map with Existing Zoning
Attachment 2	Plate 2, 2020 Aerial Map
Attachment 3	Plate 3, Revised Draft Plan of Subdivision
Attachment 4	Public Comments
Attachment 5	Conditions of Draft Approval
Attachment 6	Official Plan Amendment No. 281