To: Mayor and Members of Tillsonburg Council
From: Eric Gilbert, Senior Planner, Community Planning

Applications for Official Plan Amendment, Draft Plan of Subdivision & Zone Change
OP20-18-7, SB20-06-7 & ZN 7-20-16 – Southside Construction Management Limited

REPORT HIGHLIGHTS

- The purpose of the Official Plan amendment, Draft Plan of Subdivision and zone change applications is to facilitate the creation of 103 lots for single detached dwellings, and 2 blocks for future medium density residential development, in a new residential plan of subdivision.

- A number of special zoning provisions are requested to permit reduced exterior side yard widths for single detached dwellings and future medium density development.

- The proposal is consistent with the relevant policies of the Provincial Policy Statement and is in-keeping with the strategic initiatives and objectives of the Official Plan and can be supported from a planning perspective.

DISCUSSION

Background

OWNER: Southside Construction Management Limited
75 Blackfriars Street, London ON N6H 1K8

AGENT: Casey Kulchycki MCIP RPP, Zelinka Priamo Limited
318 Wellington Road, London ON N6C 4P4

LOCATION:
The subject lands are described as Lot 11, Concession 8 (Dereham), in the Town of Tillsonburg. The lands are located on the southwest corner of the intersection of North Street West and Quarter Town Line, and are known municipally as 97 North Street West, Tillsonburg.
COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

Schedule ‘T-1’  Town of Tillsonburg Residential Land Use Plan
Schedule ‘T-2’  Town of Tillsonburg Residential Density Plan  Medium & Low Density Residential

Proposed:

Schedule ‘T-1’  Town of Tillsonburg Residential Land Use Plan
Schedule ‘T-2’  Town of Tillsonburg Residential Density Plan  Amended Medium & Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW 3295

Existing Zoning:  Future Development Zone (FD)
Proposed Zoning:  Special Low Density Residential Type 2 Holding Zone (R2-24 (H))
Special Medium Density Residential Holding Zone (RM-sp (H))
Passive Use Open Space Zone (OS1)

PROPOSAL:

The application for Official Plan Amendment proposes to redesignate a portion of the existing Medium Density residential designation to Low Density Residential to facilitate a proposed cul-de-sac with 16 single detached dwellings.

The application for Draft Plan of Subdivision will facilitate the creation of 103 lots for single-detached dwellings, two medium density residential blocks, a stormwater management block, and a proposed parkland block served by 4 new local streets in a new draft plan of subdivision.

The Zone Change application proposes to rezone the lands from ‘Future Development Zone (FD)’ to ‘Special Low Density Residential Type 2 Holding Zone (R2-24 (H))’, ‘Special Medium Density Residential Holding Zone (RM-sp H)’, and ‘Passive Use Open Space Zone (OS1)’ to facilitate the above noted Draft Plan of Subdivision.

Within the proposed zoning, the applicant intends to reduce the minimum required exterior side yard width for lots abutting an arterial road (North Street & Quarter Town Line) from 7.5 m (24.6 ft) to 6 m (19.69 ft), and to reduce the minimum required exterior side yard width for lots abutting local streets from 6 m (19.69 ft) to 3 m (9.8 ft). This relief has been requested for the R2 & RM zones.
The applicant has provided the following studies in support of the applications:

- Planning Justification Report, 97 North Street West, Revised November 2020, Zelinka Priamo Ltd
- Geotechnical Investigation & Hydrogeological Assessment, September 4, 2020, LDS Consultants Inc
- Preliminary Servicing Report, Westwinds Subdivision, September 2020, Development Engineering Limited
- Draft Plan of Subdivision, November 2, 2020, Development Engineering Limited
- Stage 1 & 2 Archaeological Assessment, November 2005, Timmins Martelle Heritage Consultants Inc
- Stage 3 Archaeological Assessment, May 2006, Timmins Martelle Heritage Consultants Inc
- Stage 3 Boundary Investigation, May 2019, Timmins Martelle Heritage Consultants Inc
- Stage 4 Archaeological Assessment, August 2006, Timmins Martelle Heritage Consultants Inc
- Burial Report, August 2020, Timmins Martelle Heritage Consultants Inc
- Partial Stage 4 Mitigation, February 2020, Timmins Martelle Heritage Consultants Inc.
- Traffic Impact Study, August 2020, Pardigm Transportation Solutions Limited

For Council’s information, a previous draft plan of subdivision was approved for these lands by the Town and County in 2007, consisting of 94 lots for single detached dwellings and 8 blocks for future medium density residential development, consisting of 213 units. The draft plan of subdivision approval lapsed in 2012.

The subject lands comprise approximately 13.44 ha (33.21 ac) and are currently vacant, and in agricultural production. Surrounding uses include the Tillsonburg Minor Soccer Park to the south, existing low density residential uses to the north and east, and institutional uses to the east and south. An abandoned railway ROW owned by the County of Oxford abuts the subject lands to the north, and agricultural uses are to the west, within the Township of South-West Oxford. There is a single detached dwelling fronting on North Street West that is surrounded by the subject lands.

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

Plate 2, 2015 Aerial Map with Existing Zoning and Official Plan Designation, provides an aerial view of the subject property and surrounding area and depicts the extent of the current Official Plan designations.

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

Application Review

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.
The policies of Section 1.1 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:

- 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;
- requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; 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 also states that intensification and redevelopment within settlement areas on existing municipal sewage and water services should be promoted, wherever feasible.

Section 2.6.2 of the PPS provides that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

**OFFICIAL PLAN**

The subject lands are designated ‘Low Density Residential & Medium Density Residential’, according to the Town of Tillsonburg Land Use Plan & Residential Density Plan. 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, quadruplexes, 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 Low Density Residential development proposed has a net residential density of 15.1 units / ha (6.1 units/ac).

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.

The maximum net residential density in the Medium Density Residential Districts is 62 units per hectare (25 units/acre) and no building shall exceed four storeys in height at street elevation.

All proposals for medium density residential development shall be subject to site plan approval. When considering any specific proposal for medium density residential development, Town Council will be satisfied that the criteria of Section 8.2.5 are adequately addressed.

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 application for zone change proposes to rezone the subject lands to ‘Special Low Density Residential Type 2 Zone (R2-sp)’, ‘Special Medium Density Residential Zone (RM-sp)’ & ‘Passive Use Open Space Zone (OS1)’.

The applicant is proposing to rezone the proposed single detached dwelling lots to ‘Special Low Density Residential Type 2 (R2-sp)’ to reduce the minimum required exterior side yard width for lots abutting an arterial road (North Street) from 7.5 m (24.6 ft) to 6 m (19.69 ft), and to reduce the minimum required exterior side yard width for lots abutting local streets from 6 m (19.69 ft) to 3 m (9.8 ft).

For a single detached dwelling, the ‘R2’ zone requires a minimum lot area of 315 m² (3,390.7 ft²) for an interior lot and 450 m² (4,843.9 ft²) for a corner lot, a frontage of 10.5 m (34.4 ft) for an interior lot and 15 m (49.2 ft) for a corner lot, a minimum lot depth of 30 m (98.4 ft), front yard depth of 6 m (19.7 ft), rear yard depth of 7.5 m (24.6 ft), interior side yard width of 1.2 m (3.9 ft), exterior side yard width of 6.0 m (19.7 ft), setback of 20.5 m (67.3 ft) from the centreline of an arterial road, landscaped open space area of 30% and maximum lot coverage of 40%.

The proposed ‘Special Medium Density Residential Zone (RM-sp)’ would provide for a reduced exterior side yard for lots abutting an arterial road (North Street) from 7.5 m (24.6 ft) to 6 m (19.69 ft), and to reduce the minimum required exterior side yard width for lots abutting local streets from 6 m (19.69 ft) to 3 m (9.8 ft).

Permitted uses within the ‘Passive Use Open Space Zone (OS1)’ include a passive use park, conservation project, or a public use including stormwater management facility.

It is recommended that Holding Provisions be utilized as has been standard practice in the Town for draft plans of subdivision, to ensure that all appropriate development agreements are in place prior to the issuance of any building permits.

AGENCY COMMENTS

The applications were reviewed by a number of public agencies. The following comments were received.

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

- Provide 5’ chain link fencing as per the Town’s Pool Enclosure By-Law around Blocks 203 & 204.
- Provide 6’ board fence on the east side of Lot 69, west side of Lot 68 and south property line of 93 North Street W - consult with 93 North St W.
- In order to prevent sight line issues for Lot 68 and 69 from the proposed board fencing noted above, driveways must be designed on the west side of the lot for Lot 69 and on the east side of the lot for Lot 68.
- Provide landscape design for fencing and vegetation buffer along North Street West.
The Town of Tillsonburg Engineering Services Department provided the following comments:

- All storm sewers shall be designed to convey the 5 year storm.
- Sidewalks will be required on the west, south, and east side of Street A, west, north and east side of Street B, and along North Street West.
- The subject property contains the Bradburn Municipal Drain that traverses the property. This municipal drain will need to be abandoned and relocated at the developer's cost; all flows are required to be conveyed through new storm sewers.
- All side yards abutting streets need to follow Town and County standards for daylight triangles.
- If approved, please include the following as conditions of draft plan approval:
  a. The Owner agrees to install fencing if required by the Town.
  b. The section of the Bradburn Municipal Drain that transverses the property shall be abandoned, to the satisfaction of the Town. All pre-existing flows will be required to be conveyed through the property via storm sewers at the Owner's expense.
  c. The Owner agrees to satisfy all requirements, financial and otherwise, of the Town regarding the construction of roads, installation of services, including water, sewer, electrical distribution systems, street lights, sidewalks, and drainage facilities and other matters pertaining to the development of the subdivision in accordance with Town standards.
  d. Road allowances included in the draft plan of subdivision shall be dedicated to the Town as public highway to the satisfaction of the Town.
  e. The streets included on the draft plan of subdivision shall be named to the satisfaction of the Town.
  f. The subdivision agreement shall contain provisions indicating that prior to grading and issuance of building permits, a grading plan, servicing plan, hydro and street lighting plan, and erosion and siltation control plan, along with reports as required, be reviewed and approved by the Town, and further, the subdivision agreement shall include provisions for the owner to carry out or cause to be carried out any necessary works in accordance with the approved plans and reports.
  g. Such easements as may be required for utility or drainage purposes outside of the proposed public right-of-way shall be granted to the appropriate authority.

The Town of Tillsonburg Parks Department provided the following comments:

Due to the presence of significant archaeological resources within the proposed ‘Park Block’, RCP staff can advise that the Town will not accept ownership nor responsibility for the proposed park block. The Owner/Developer will be responsible for keeping those lands in a tidy condition and in conformity with the Town’s Property Standards & Clean Yard By-Law.

- The Developer shall retain, at their cost, a Certified Landscape Architect to work jointly with the Town to develop a plan for the Subdivision.
- Develop an overall Landscaping Plan depicting One (1) tree per lot, in accordance with Tillsonburg’s Design Guidelines. Tree Species to satisfaction of the Town.
- Chainlink Fencing between Lots 21 to 226 and Lot 39 adjacent to Stormwater Management Block 203
- Chainlink Fencing between Lot 39 adjacent to Stormwater Management Block 203
- Chainlink Fencing and Gating of Block 202 Pathway Link between Lots 38 and 39
- 2.0 metre Paved Asphalt Pathway on Block 202 to provide for maintenance access
- Road widening on Quarter Town Line as depicted as Block 206 is required.
The Town of Tillsonburg Fire and Rescue Services Department indicated that they had no concerns with the proposal.

The County Public Works Department requested that the following conditions be included:

- The Owner agrees in writing that a 0.3 meter (1 foot) reserve along the Oxford Road 20 (North Street) frontage of the subject lands will be conveyed to the County of Oxford, free of all costs and encumbrances, to the satisfaction of Oxford County Public Works

- Access to the proposed medium density block will be limited to the future Street(s) A or C. The ultimate location of the access will be subject to review and approval by Oxford County Public Works and Town at time of Site Plan Application

- The Owner shall agree to prepare, and submit for the approval of Oxford County Public Works, detailed servicing plans designed in accordance with Oxford County Design Guidelines

- The subdivision agreement shall make provision for the assumption and operation by the County of Oxford of the water and sewage system within the draft plan subject to the approval of the County of Oxford Department of Public Works

- Prior to the final approval of the subdivision plan, the Owner shall receive confirmation from the County of Oxford Department of Public Works that there is sufficient capacity in the Tillsonburg water and sanitary sewer systems to service the plan of subdivision

- The Owner agrees to provide such easements as may be required for utility or drainage purposes outside of the proposed public right-of-ways shall be granted to the appropriate authority

- The Owner agrees in writing to satisfy all the requirements, financial and otherwise, including payment of applicable development charges, of the County of Oxford regarding the installation of the water distribution system, the installation of the sanitary sewer system, and other matters pertaining to the development of the subdivision.

- Based on geotechnical findings, it appears that a Permit to Take Water will be required. Related design/construction measures shall be undertaken in accordance with requirements for high groundwater tables/Oxford County Specifications.

The Long Point Region Conservation Authority provided the following comments:

Long Point Region Conservation Authority staff have reviewed the documents submitted in support of the Official Plan Amendment, Draft Plan of Subdivision Approval, and Zoning By-Law Amendment affecting Westwinds Subdivision [as outlined previously in this report].

Conservation Authorities have been delegated responsibilities from the Minister of Natural Resources and Forestry to represent the provincial interests regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement, 2020 (PPS). The overall intent of Section 3.0 - Protecting Public Health and Safety of the PPS is to reduce the potential public cost or risk to Ontario’s residents from natural or human-made hazards.
The subject lands are not subject to any natural hazards and LPRCA can advise that the proposed development is consistent with section 3.1 of the Provincial Policy Statement, 2020. The LPRCA has no objection to the concept of site development.

General Comments:

1. The Preliminary Servicing Report states that storm sewers will be sized to a 2-year design storm. The Town of Tillsonburg design standards require storm sewers to be sized to a 5-year storm.
2. The Preliminary Servicing Report states that a ‘normal’ or 70% TSS removal is the water quality target. LPRCA staff suggest that the water quality targets should be to an ‘enhanced’ or 80% TSS removal at this development as it is located within a cold-water system.

Ontario Regulation 178/06

The subject lands are not located within any portion of the Regulated Area outlined in Ontario Regulation 178/06 and permission from the Long Point Region Conservation Authority prior to any on-site development is not required.

Union Gas requested that the Owner/developer provide the necessary easements and/or agreements required by Union Gas as a condition of draft approval.

The Town Development Commissioner indicated that they are supportive of this proposed plan of subdivision, which help meet increased market demand for housing and will result in increased residential growth for the community. The inclusion of some medium density blocks instead of being comprised of entirely low density housing is appreciated, but I would recommend that based on market demand/need, that there be at least one block of high density zoning that could accommodate an apartment building or similar higher density housing option.

The Tillsonburg District Chamber of Commerce indicated that they suggest further traffic impact studies are done in the area as the study was done in July 2020 when school is out and people are vacationing, and due to the pandemic, traffic was likely lighter than normal.

PUBLIC CONSULTATION

Notice of complete application was provided to surrounding neighbours on November 12, 2020, and notice of public meeting was sent on January 5, 2021 in accordance with the requirements of the Planning Act. At the time of writing this report, no comments or concerns had been received from the public.

Planning Analysis

The subject applications for Official Plan amendment, draft plan of subdivision approval and zone change propose to create 103 lots for single detached dwellings, 2 blocks for future medium density residential development, one block containing archeological resources, one stormwater management block served by 4 new local streets to facilitate the development of a residential plan of subdivision in the Town of Tillsonburg.

It is the opinion of staff that the proposed amendments are consistent with the relevant policies of the PPS as the proposed development is compact, cost-effective, and an efficient land use pattern that minimizes land consumption and servicing costs.
The proposed development also contributes to an overall mix of housing types to accommodate current and future residents of the regional market area. The applicant has also provided archaeological studies to demonstrate that the proposed residential development will not impact any significant archaeological resources that have been identified on the site.

The applicant proposes to re-designate a portion of the site (representing draft lots 26-47 and Street D) from ‘Medium Density Residential’ to ‘Low Density Residential’. With respect to the supply and demand for residential land, the Phase One Comprehensive Review completed by Hemson Consulting Limited (March 2020) indicates that over the 20 year planning period from 2019-2039 the Town of Tillsonburg is expected to have a potential surplus of 66 ha of vacant residential land, representing an estimated 1462 residential units. Given this, Planning staff are satisfied that the proposed re-designation is appropriate and there is sufficient supply remaining within the Town for future demand for Medium Density residential development.

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

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. The proposed draft plan has a net residential density of 15.1 units / ha (6.1 units/ac), in keeping with the density target, being 15 to 30 units per hectare. The proposed street layout and sidewalk and pedestrian connections will provide appropriate linkages to the Trans Canada Trail on Quarter Town Line and other components of the Town’s active transportation network.

The future development of the medium density blocks will be subject to site plan control, whereby issues such as access, building location, drainage, grading, landscaping, and parking requirements will be required to be addressed to the satisfaction of the Town & County. The provisions of the Medium Density Residential zone also include a maximum lot area per dwelling unit to ensure that the density targets of the Medium Density Residential designation are met.

Through the circulation process, comments were provided by Town staff respecting the proposed parkland block, indicating that due to the presence of significant archaeological resources within the proposed parkland block, and the uncertainty whether active recreational uses or future playground or recreational equipment can be constructed on the lands, that Town staff recommend that this parcel remain in the ownership of the applicant. Planning staff note that there is no obligation for the Town to accept these lands and the required parkland dedication for this development was previously provided through the Tillsonburg Minor Soccer Club lands, and no parkland dedication is required for the development proposed on the subject property.

Staff are satisfied that the requested zoning provisions to provide for reduced exterior side yard widths for corner lots within the development are generally appropriate. Town Engineering staff have indicated that adequate space remains for daylighting triangles to ensure that there are no impacts to sightlines or traffic movements. Additionally, no relief has been requested of the required 20.5 m (67.3 ft) setback from the centreline of North Street West and Quarter Town Line, which are arterial roads and as such minimal impact to these arterial roads is expected.
In light of the foregoing, Planning staff are satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement and is in-keeping with the strategic initiatives and objectives of the Official Plan. As such, Staff are satisfied that the applications can be given favourable consideration.

The previously noted agency comments have been addressed in the recommended conditions of draft approval, where appropriate, and are provided for Council's consideration.

RECOMMENDATIONS

1. The Council of the Town of Tillsonburg approve in principle the zone change application (File No. ZN 7-20-16) submitted by Southside Construction Management Inc., for lands legally described as Lot 8, Concession 11 (Dereham) in the Town of Tillsonburg, to rezone the lands Special Low Density Residential Type 2 Holding Zone, Special Medium Density Residential Holding Zone, Passive Use Open Space Zone, to facilitate the proposed draft plan of subdivision;

2. That the Council of the Town of Tillsonburg advise County Council that the Town supports the application to amend the County Official Plan (File No. OP 20-18-7), submitted by Southside Construction Management Inc., for lands legally described as Lot 8, Concession 11 (Dereham), in the Town of Tillsonburg, to redesignate a portion of the subject lands from 'Medium Density Residential' to 'Low Density Residential', to facilitate a proposed cul de sac with 16 single detached dwellings;

3. And further, the Council of the Town of Tillsonburg advise County Council that the Town supports the application for draft plan of subdivision, File No. SB 20-06-7, submitted by Southside Construction Management Inc., for lands legally described as Lot 8, Concession 11 (Dereham), in the Town of Tillsonburg, consisting of 103 lots for single-detached dwellings, two medium density residential blocks, a stormwater management block, and a proposed parkland block served by 4 new local streets, subject to the following conditions of draft approval:
   
   1. This approval applies to the draft plan of subdivision submitted by Southside Construction Management Inc. (SB 20-06-7) and prepared by Development Engineering (London) Limited, as shown on Plate 3 of Report No. CP 2021-14 and comprising Lot 8, Concession 11 (Dereham), in the Town of Tillsonburg, showing 103 lots for single-detached dwellings, two medium density residential blocks, a stormwater management block, and a proposed parkland block served by 4 new local streets, subject to the following modification:
      
      a. A 0.3 m reserve block be included for lots abutting North Street West.

   2. The Owner shall enter into a subdivision agreement with the Town of Tillsonburg and County of Oxford.

   3. The Owner agrees in writing, to install fencing as may be required by the Town, to the satisfaction of the Town of Tillsonburg.

   4. The Owner agrees in writing, to satisfy all requirements, financial and otherwise, of the Town regarding construction of roads, installation of services, including water, sewer, electrical distribution systems, sidewalks, street lights, and drainage facilities and other matters
pertaining to the development of the subdivision in accordance with the standards of the Town, to the satisfaction of the Town of Tillsonburg.

5. The road allowances included in the draft plan of subdivision shall be dedicated as public highways, to the satisfaction of the Town of Tillsonburg.

6. The streets included in the draft plan of subdivision shall be named, to the satisfaction of the Town of Tillsonburg.

7. The subdivision agreement shall contain provisions indicating that prior to grading and issuance of building permits, a grading plan, servicing plan, hydro and street lighting plan, and erosion and siltation control plan, along with reports as required, be reviewed and approved by the Town, and further, the subdivision agreement shall include provisions for the owner to carry out or cause to be carried out any necessary works in accordance with the approved plans, an reports, to the satisfaction of the Town of Tillsonburg.

8. The subdivision agreement shall contain provisions requiring the Owner to provide an overall Landscaping Plan depicting at least one (1) tree per lot, in accordance with Tillsonburg’s Design Guidelines. The Town shall approve the species of tree to be planted.

9. The subdivision agreement shall contain provisions requiring the Owner to implement all recommendations and mitigation measures from the Archaeological Investigation Report prepared by Timmins Martelle Heritage Consultants.

10. The Owner shall retain a Landscape Architect to prepare a landscape plan for the plan of subdivision, to the satisfaction of the Town of Tillsonburg.

11. Prior to the approval of the final plan by the County, the section of the Bradburn Municipal Drain that transverses the property shall be abandoned or relocated, to the satisfaction of the Town of Tillsonburg.

12. Prior to the approval of the final plan by the County, all lots/blocks shall conform to the zoning requirements of the Town’s Zoning By-law. Certification of lot areas, frontages, and depths shall be provided to the Town by an Ontario Land Surveyor retained by the Owner, to the satisfaction of the Town of Tillsonburg.

13. Prior to the approval of the final plan by the County, the Owner shall agree in writing that all phasing of the plan of subdivision will be to the satisfaction of the Town of Tillsonburg and County of Oxford.

14. Prior to the approval of the final plan by the County, such easements as may be required for utility and drainage purposes shall be granted to the appropriate authority, to the satisfaction of the Town of Tillsonburg and County of Oxford Public Works.

15. The Owner agrees in writing, to satisfy all the requirements, financial and otherwise, including payment of applicable development charges, of the County of Oxford regarding the installation of the water distribution system, the installation of the sanitary sewer system, and other matters pertaining to the development of the subdivision, to the satisfaction of County of Oxford Public Works.

16. The subdivision agreement shall make provision for the assumption and operation of the water and sewage system within the draft plan of subdivision by the County of Oxford, to the satisfaction of County of Oxford Public Works.
17. The Owner agrees in writing, to prepare and submit for approval from County of Oxford Public Works, detailed servicing plans designed in accordance with the County Design Guidelines, to the satisfaction of County of Oxford Public Works.

18. Prior to the approval of the final plan by the County, the Owner shall receive confirmation from County of Oxford Public Works that there is sufficient capacity in the Tillsonburg water and sanitary sewer systems to service the plan of subdivision, to the satisfaction of County of Oxford Public Works.

19. The Owner agrees in writing, that a 0.3 m (1 ft) reserve along North Street West shall be conveyed to the County as required, free of all costs and encumbrances, to the satisfaction of County of Oxford Public Works.

20. The Owner agrees in writing, that a road widening along North Street West shall be conveyed to the County as required, to provide a 15 m (49.2 ft) right-of-way from the centerline of the Road, free of all costs and encumbrances, to the satisfaction of County of Oxford Public Works.

21. The Owner agrees in writing, that 3 m (9.8 ft) x 3 m (9.8 ft) daylighting triangles along North Street West shall be conveyed to the County as required for lots abutting Streets ‘A’ & ‘D’, free of all costs and encumbrances, to the satisfaction of County of Oxford Public Works.

22. The Owner agrees in writing, to install fencing for lots adjacent to the North Street Road allowance as may be required by the County, to the satisfaction of the County.

23. The Owner agrees in writing, to the satisfaction of the County, through the subdivision agreement, to ensure that all agreements of purchase and sale for lots abutting North Street West shall have appropriate disclosure and warning clauses to inform future owners and residents and the outdoor amenity areas for lots abutting North Street West may experience noise levels that exceed the Ministry of Environment, Conservation and Park’s NPC-300 Noise Guidelines.

24. Prior to the approval of the final plan by the County, the Owner shall agree in writing to satisfy the requirements of Canada Post Corporation with respect to advising prospective purchasers of the method of mail delivery; the location of temporary Centralized Mail Box locations during construction; and the provision of public information regarding the proposed locations of permanent Centralized Mail Box locations, to the satisfaction of Canada Post.

25. Prior to the approval of the final plan by the County, the Owner shall agree in writing, to satisfy the requirements of Union Gas that the Owner/developer provide Union Gas Limited with the necessary easements and/or agreements required for the provisions of gas services, to the satisfaction of Union Gas Limited.

26. Prior to the approval of the final plan by the County, the Owner shall secure clearance from the Long Point Region Conservation Authority (LPRCA), indicating that final lot grading plans, soil conservation plan, and stormwater management plans have been completed to their satisfaction.

27. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by the Town of Tillsonburg that Conditions 2 to 14 (inclusive), have been met to the satisfaction of the Town. The clearance letter shall include a brief statement for each condition detailing how each has been satisfied.
28. Prior to the approval of the final plan by the County, the Owner shall secure clearance from the County of Oxford Public Works Department that Conditions 14 to 22 (inclusive), have been met to the satisfaction of County Public Works. The clearance letter shall include a brief statement for each condition detailing how each has been satisfied.

29. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by Canada Post Corporation that Condition 24 has been met to the satisfaction of Canada Post. The clearance letter shall include a brief statement detailing how this condition has been satisfied.

30. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by Union Gas that Condition 25 has been met to the satisfaction of Union Gas. The clearance letter shall include a brief statement detailing how this condition has been satisfied.

31. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by LPRCA that Condition 26 has been met to the satisfaction of LPRCA. The clearance letter shall include a brief statement detailing how this condition has been satisfied.

32. Prior to the approval of the final plan by the County, the Owner shall provide a list of all conditions of draft approval with a brief statement detailing how each condition has been satisfied, including required supporting documentation from the relevant authority, to the satisfaction of the County of Oxford.

33. This plan of subdivision shall be registered within three (3) years of the granting of draft approval, after which time this draft approval shall lapse unless an extension is authorized by the County of Oxford.

SIGNATURES

Authored by: Eric Gilbert, MCIP, RPP
Senior Planner

Approved for submission: Gordon K. Hough, RPP
Director