Planning Justification Report

97 North Street West
Tillsonburg, County of Oxford

Southside Construction Management Limited

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1.0 INTRODUCTION

1.1 INTRODUCTION

Zelinka Priamo Ltd. has prepared the following land use planning analysis in order to evaluate a proposed residential plan of subdivision, by way of amendments to the Oxford County Official Plan, and Town of Tillsonburg Zoning By-law. This report reviews the proposal within the context of the Provincial Policy Statement, the Oxford County Official Plan, and the Town of Tillsonburg Zoning By-law, as well as sound planning practice.

1.2 DESCRIPTION OF SUBJECT LANDS

The subject lands are located within the northwest area of the Tillsonburg settlement area. The subject lands are generally rectangular in shape and have a site area of approximately 13.44 hectares (33.21 acres), and have frontage along North Street West of approximately 485.0m (1,590 ft) and along Quarter Town Line of 246.0m (807 ft) (Figure 1). The subject lands are bounded by the former Canadian National Railway along the south property line. The physical rail line no longer exists, and the lands are used as an informal
walking trail. The rail corridor is still under CN ownership. They are legally described as part of Lot 8, Concession 11, formerly Township of Dereham, now the Municipality of the Town of Tillsonburg.

The subject lands are currently vacant of structures and used for agricultural purposes (cash crop). They are generally flat in topography with no existing natural vegetation. The subject lands surround a single detached dwelling that fronts onto North Street West; this is a separate property and does not makeup part of the subject lands nor subject to the proposed applications.

1.3 SURROUNDING LAND USES/EXISTING CONDITIONS

![Figure 2: Subject Lands and Surrounding Area](image)

The subject lands are within a designated urban area of the Town of Tillsonburg and are at the edge of the existing urban fabric. The surrounding land uses include agriculture to the west, low density residential to the north, east, and parkland and low density residential to the south (Figure 2). Single institutional uses (place of worship, and schools) are interspersed through the low density residential areas surrounding the subject lands. The
larger area surrounding the subject lands is primarily agricultural to the west, and low density residential to the north, east, and south. There are limited commercial uses along Broadway (Highway 19) further east of the subject lands.

1.4 PROPOSED DEVELOPMENT

The proposal for the subject lands is to create 103 single detached lots, with two multi-family blocks, one parkland block, a stormwater management block, and two road widening dedications. The proposed multi-family blocks are proposed to address the North Street West and Quarter Town Line intersection and front along the Quarter Town Line streetscape. The proposed parkland and stormwater management blocks are proposed along the former rail corridor and will provide the potential to tie into a large parkland system along the corridor and the existing parkland on the south side of the rail corridor (Tillsonburg Soccer).

The proposed road network consists of two access to North Street West opposite existing road connection on the north side (Woodland Crescent, and Brad Avenue). A single access is proposed to Quarter Town Line opposite the existing Park Place connection. A new local road, Street ‘B’, creates a crescent internal to the subject lands, and a new cul-de-sac rounds out the proposed local road system. No private driveway connections are proposed to either North Street West or Quarter Town Line. The proposed multi-family blocks will be accessed from the internal road network, and the proposed single detached lots will be back lotted onto North Street West where applicable.

The lands are proposed to be zoned using similar residential zones and regulations as the lands to the north of the subject lands. Some special provisions for a reduce exterior side yard setback are proposed as well. The multi-family block will be zoned consistent with similar developments in the Town of Tillsonburg, and a similar reduction to exterior side yard setbacks as the single detached lots. The parkland block, and stormwater management block will be zoned accordingly based on similar uses to the south of the subject lands. Please see the ‘Zoning By-law Application’ section of this report for additional information on the proposed zoning.

1.5 OXFORD COUNTY OFFICIAL PLAN

Under the current County of Oxford Official Plan the subject lands are designated “Residential”, on Land Use Schedule T-1 “Town of Tillsonburg Land Use Plan” (Figure 3).
Surrounding land uses are ‘Residential’ to the north, east, and south. The lands to the west are outside of the Town of Tillsonburg settlement boundary, and are designated as ‘Agricultural Reserve’ on Land Use Schedule S-1 “Township of South West Oxford Land Use Plan”.

Schedule T-2 of the County of Oxford Official Plan, “Town of Tillsonburg Residential Density Plan”, identifies the subject lands as ‘Low Density Residential’ (LDR), and ‘Medium Density Residential’ (MDR)(Figure 4). The MDR area is along the Quarter Town Line Frontage, between the rail corridor and North Street West. The MDR block has a depth of approximately 180m into the subject lands. The balance of the subject lands are designated as LDR.
Figure 4: Town of Tillsonburg Official Plan - Residential Density

Schedule T-4 of the County of Oxford Official Plan, “Town of Tillsonburg Transportation Network Plan”, designates both North Street West, and Quarter Town Line as ‘Arterial Road’, and the North Street West, and Quarter Town Line intersection is identified for ‘intersection improvement’, and the rail corridor crossing at the south end of the subject lands is designated for ‘railway crossing improvement’.

The proposed residential uses (single detached dwellings, and multi-family) are permitted within the Residential designation as primary uses. The proposed layout of the subdivision is generally consistent with the residential density layout; however, a portion of the MDR lands are proposed for LDR development. As such an Official Plan Amendment is required to re-designate a portion of the MDR lands to LDR to implement the proposed development.
1.6 TOWN OF TILLSONBURG ZONING BY-LAW

The subject lands are currently zoned Future Development (FD) (Figure 5). The surrounding area is predominately zoned for Low Density residential uses to the north, east, and south. The agricultural lands to the west are zoned for agricultural uses. The institutional uses throughout the surrounding neighbourhoods are zoned appropriately. The proposed development of single detached dwellings and multi-family are not permitted under the current zoning, and the parkland block and stormwater block as need to be zoned appropriately. A Zoning By-law Amendment to facilitate the proposed development.

![Figure 5: Town of Tillsonburg Zoning By-law](image)

The proposed development is consistent with the existing zones in the surrounding built-up areas to the north, east, and south. A Zoning By-law Amendment is requested to amend the existing Future Development (FD) zone to implement appropriate Residential (R2 & RM) and Open Space (OS) zones. Site specific provisions are proposed for the exterior side yard setbacks.
2.0 PROPOSED APPLICATIONS

2.1 OFFICIAL PLAN AMENDMENT

The proposed Official Plan Amendment (OPA) seeks to re-designate a portion of the Medium Density Residential lands to Low Density Residential to permit the development of single detached dwellings (Figure 6).

Figure 6: Proposed Official Plan Amendment to Schedule T-2 - Residential Density Plan

The OPA is to Schedule T-2 – Residential Density Plan; there are no proposed changes to the text portion of either the Low Density Residential or Medium Density Residential policies.

2.2 ZONING BY-LAW AMENDMENT

The proposed Zoning By-law Amendment is to rezone the subject lands from the existing Future Development zone (FD) to the Residential (R2-__) zone, Residential (RM-__) zone, and Open Space (OS2) zone. The proposed residential zones are consistent with similar uses within the surrounding area. The proposed RM zone provides for additional flexibility in permitted uses, including cluster and street townhouses and low-rise apartments.
proposed special provisions are also consistent with previous approvals granted to similar developments. The proposed special provisions are as follows:

Single Detached Dwelling:
- Exterior Side Yard (Arterial) – 6.0 metres
- Exterior Side Yard (Local) – 3.0 metres

Multi-family Blocks:
- Exterior Side Yard (Arterial) – 6.0 metres
- Exterior Side Yard (Local) – 3.0 metres

The proposed residential zone is consistent with the existing zoning on the lands immediately east of the subject lands.

The proposed Open Space zone will facilitate the development of public parkland and stormwater management block combination. No special provisions are proposed for those blocks at this time.

2.3 PLAN OF SUBDIVISION

The proposal for the subject lands is to create 103 single detached lots, with two multi-family blocks, one parkland block, a stormwater management block, and two road widening dedications. The proposed multi-family blocks are proposed to address the North Street West and Quarter Town Line intersection and front along the Quarter Town Line streetscape. The proposed parkland and stormwater management blocks are proposed along the former rail corridor and will provide the potential to tie into a large parkland system along the corridor and the existing parkland on the south side of the rail corridor (Tillsonburg Soccer). The parkland dedication represents a 7% land area contribution, in addition to the SWM pond block, which is above the minimum requirement of 5%.

The proposed road network consists of two access to North Street West opposite existing road connection on the north side (Woodland Crescent, and Brad Avenue). A single access is proposed to Quarter Town Line opposite the existing Park Place connection. A new local road, Street ‘B’, creates a crescent internal to the subject lands, and a new cul-du-sac rounds out the proposed local road system. No private driveway connections are proposed to either North Street West or Quarter Town Line. The proposed multi-family
blocks will be accessed from the internal road network, and the proposed single detached lots will be back lotted onto North Street West where applicable.

Figure 7: Plan of Subdivision of Subject Lands

3.0 PLANNING ANALYSIS

3.1 PLANNING ACT, RSO 1990

In considering a draft plan of subdivision, the Planning Act states that regard shall be had for the items in Section 51(24). The proposed draft plan of subdivision addresses the items as follows:

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

- The proposed development is consistent with the policies of the Provincial Policy Statement and is consistent with matters of provincial interest as demonstrated in Section 3.2 of this report.

(b) whether the proposed subdivision is premature or in the public interest;

- The Town of Tillsonburg Area continues to experience a steady residential growth rate, with a growing demand for alternative forms of housing. Additionally, the subject lands are designated for residential uses in the County OP, and are
planned for residential development. It has been demonstrated that sufficient servicing capacity exists for the proposed development. As such, the proposed subdivision is not premature, and is in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

- The proposed draft plan of subdivision is consistent with the Oxford County Official Plan. The proposed lot and block layout is consistent with the existing surrounding communities, and is consistent with planned residential densities as outlined in the OP. The proposed road layout is consistent with adjacent subdivisions, utilising crescents and culs-du-sac for efficient internal circulation.

(d) the suitability of the land for the purposes for which it is to be subdivided;

- There are no significant constraints that would prevent the proposed development on the subject lands. The subject lands are within the settlement area boundary and are surrounding to the north, east, and south by existing built-up areas. This development will fill a gap in the residential fabric of northwest Tillsonburg.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

- Access to the proposed subdivision is from North Street West (2 accesses) and Quarter Town Line (1 access), existing roadways. The proposed widths and grades of roads in the subdivision are according to Municipal standards.

(f) the dimensions and shapes of the proposed lots;

- The proposed lot layout is appropriate for the subdivision of the subject lands.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

- The lands are proposed to be developed for single detached dwellings, and multi-family uses, consistent with dwellings and developments in the surrounding neighbourhoods with similar zoning restrictions.

(h) conservation of natural resources and flood control;
A stormwater management facility will be constructed to ensure storm flows from the subject lands match predevelopment conditions.

(i) the adequacy of utilities and municipal services;

- Existing municipal services exist and are available and adequate for the proposed subdivision. Services will be extended where necessary to service the proposed subdivision.

(j) the adequacy of school sites;

- The subject lands are proximate to Public, and Catholic schools to serve the future population.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

- A small parkland block is proposed adjacent the rail corridor to provide public outdoor amenity features. The park block will be adjacent the SWM facility providing a feature that future trail and pathways can utilise. This block combination is also adjacent the rail corridor that is currently used as an informal walking trail, and further connects to the south to the Tillsonburg Soccer fields.

(l) the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

- The plan creates direct and efficient vehicle connections to the arterial street system. Energy saving construction materials will be utilized where possible in the construction process.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4).

- Single detached dwellings are not subject to site plan control; however, the multi-family blocks will be subject to Site Plan Control once a full development proposal for those blocks are determined.
3.2 PROVINCIAL POLICY STATEMENT 2020

The Provincial Policy Statement 2020 (PPS), issued under the authority of Section 3 of the Planning Act “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient, cost efficient development and the protection of resources. Development applications are required to be consistent with these policies.

Applicable PPS policies include: 1.1.2, 1.1.3.1, 1.1.3.2, 1.3.3.6, under 1.1.3 Settlement Areas; 1.4.1a) and b) under 1.4 Housing; 1.5 Public Spaces, Recreation, Parks, Trails and Open Space; 1.6.6 Sewage, Water and Stormwater; 1.6.8.3 Transportation Systems; 2.2 Water; and 2.6 Cultural Heritage and Archaeology.

Policy 1.1.2 in the PPS requires that sufficient lands be made available to accommodate an appropriate range and mix of uses including residential development and public service facilities to meet projected needs in Settlement Areas through intensification and redevelopment and if necessary designated growth areas.

Policy 1.1.3.1 identifies Settlement Areas as the focus of growth and development and the promotion of their vitality and regeneration shall be promoted.

Policy 1.1.3.2 requires land use patterns in Settlement Areas to be based on densities and a mix of land uses that efficiently use land, are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available, minimize negative impacts on air and water, consider climate change and are transit and freight supportive.

Policy 1.1.3.6 encourages new development in designated growth areas to occur adjacent to the existing built-up area.

Policy 1.4.1a) requires accommodation at all times for residential growth for a minimum of 15 years through residential intensification and redevelopment and if necessary lands which are designated and available for residential development.

Policy 1.4.1b) requires that land with servicing capacity is sufficient to provide at least 3 years supply of residential units through lands suitably zoned to facilitate intensification and redevelopment and land in draft approved and registered plans.
Policy 1.5 promotes the planning of public spaces to, among other matters, foster social interaction and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation including facilities, parklands, public spaces and open space areas.

Policy 1.6.6.6 requires confirmation of sufficient reserve sewage capacity and reserve water capacity.

Policies 1.6.6.7 and 2.2 require storm water best management protection practices to minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and previous surfaces.

Policy 1.6.8.3 does not permit development on lands adjacent to existing transportation corridors that is not compatible with or cannot be mitigated to minimize negative impacts on and from the corridor.

Policy 2.6 Cultural Heritage and Archaeology requires conservation of significant built heritage resources and significant cultural heritage landscapes and promotes conserving archaeological resources.

The proposed residential development is in a designated and available growth area in the County Official Plan (Policies 1.1.2, 1.1.3.1) and are serviced by full municipal sewer and water services (Policy 1.6.6.6). The form and density of the proposed development is comparable to the existing fully serviced built out residential development in the surrounding community. The proposed single detached dwelling and multi-family forms and densities are consistent with the anticipated forms and densities of residential development in the surrounding area (Policy 1.1.3.2). The proposal is surrounded by existing low density communities and this development will fill a gap in the residential area along Quarter Town Line within the built-up area (Policy 1.1.3.6). These lands are part of the land supply (in the regional market area) which is intended to accommodate residential growth for a minimum of 10 years in the Town of Tillsonburg (Policy 1.4.1a). The proposed amendment adds to the supply of lands zoned for residential use (Policy 1.4.1b). Walkways promote pedestrian and biking movements and link the development to the Stormwater Management Facility, and public parkland, and the rail corridor trail (Policy 1.5). The Preliminary Servicing report demonstrates that there is reserve sewer capacity in
the existing sewage treatment plant and there is reserve water capacity for the subject lands (Policy 1.6.6.6). The Preliminary Stormwater Management Report proposes that storm sewers and the wet pond Stormwater facility will be designed in general accordance with the Master Servicing Plan and Ministry of Environment and Climate Change design manual guidelines, documents which promote best management practices. Stormwater flow rates will be restricted to pre-development levels (Policies 1.6.6.7 and 2.2). The proposed park block has been identified as a high potential for archaeological finds. The conveyance of the park block will protect any potential finds from development (Policy 2.6).

Based on the above, the proposed Draft Plan of Subdivision and Zoning By-Law Amendment are consistent with the relevant policies in the Provincial Policy Statement 2020.

3.3 OXFORD COUNTY OFFICIAL PLAN

The subject lands are in the Residential designation. The Residential designation is intended for the full range of dwelling types from detached homes to apartment dwellings. The Residential designation is further broken down into Low, Medium, and High Density areas. The subject lands are within low and medium density areas, with the medium density directed towards the Quarter Town Line frontage, and the North Street intersection. According to Section 8.2.3.1 residential development shall:

- Ensure orderly residential development throughout the Town by:
  - directing the expansion of residential development into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints and in a form which can be integrated with established land use patterns;
  - ensuring that approvals for residential development are consistent with servicing capabilities and providing for the efficient allocation of municipal services to ensure that the expansion of services does not occur prematurely.

The proposed development is located within the existing built-up area of Tillsonburg, with existing low density neighbourhoods to the north, east, and south. The subject lands have adequate municipal services available without the need to extend them. The subject
lands are currently farmed and do not present limited constraints for development. A small portion is identified as high potential for archaeological resources. This area is proposed for parkland development which will protect the lands from future development. The subject lands are located against the Tillsonburg Municipal Boundary, with existing development to the north, east, and south; this piece of land fills the gap within the existing residential community.

- Ensure that the built form, massing and profile of new housing is well integrated and compatible with existing housing and that a compatible transition between lands of different residential densities and between residential and non-residential land uses is achieved.

The proposed dwellings will be consistent with the newer built form to the south, opposite the rail corridor. The dwellings will be 1-2 storeys in height and be consistent with the older built form on the north side of North Street West.

- Facilitate the provision of conveniently and appropriately located neighbourhood serving uses and supportive amenities which enhance the quality of the residential environment in Residential Areas.

### 3.3.1 Low Density Residential Policies

Residential development within the Low Density Residential Area designation shall be developed in the accordance with the policies of Section 8.2.4 of the OP. The following policies are applicable to the proposed development:

- 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, semi-detached, duplex, converted dwellings, quadraplexes, townhouses, and low density cluster development.

- The maximum net residential density for an individual development in the Low Density Residential area is 30 units per hectare (12 units per acre) and no building shall exceed three stories in height at street elevation.

- New Low Density Residential development will have a minimum residential density of 15 units per hectare (6 units per acre) throughout the Town.

The proposed development within the LDR area will be comprised of 103 single detached lots. Based on the land area this will provide a residential density of approximately 15.1
units per hectare, which is within the permitted range. The proposed dwelling heights will comply with the regulations of the R2 zone.

The Official Plan does not provide criteria for establishing new LDR areas within the Residential Density Plan. The proposed OPA seeks to re-designate a portion of the MDR lands to LDR. The portion is to the rear of the MDR area, and the retained MDR lands would still provide full frontage along Quarter Town Line, consistent with the location criteria for MDR lands. The proposed LDR lands would facilitate a desired type of housing (single detached) within the area, while maintaining a significant portion of the subject lands for future MDR development within the two proposed blocks. The proposed OPA would locate the LDR lands towards the internal portion of the subdivision, away from the arterial roadways. The proposed OPA would also encourage the retained MDR blocks to focus development towards the street frontages, and provide a suitable land use transition to the internal LDR lands.

3.3.2 **Medium Density Residential Policies**

Residential development within the Medium Density Residential Area designation shall be developed in the accordance with the policies of Section 8.2.5 of the OP. The following policies are applicable to the proposed development:

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

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

The proposed development creates two multi-family blocks oriented towards the North Street West and Quarter Town Line intersection, and along the Quarter Town Line frontage. The ultimate development for these blocks has not been determined, but the provided plan conceptually show cluster townhouse forms. The proposed plans show a potential of 65 townhouse units. This would result in a density of 36 units per hectare which is within the permitted range for medium density development. The conceptual townhouses are
shown to be oriented towards the public streets provided a strong street edge. Please note, that while the provided plan shows townhouse development, the final form of development for the MDR blocks will be determined at the Site Plan Approval stage.

Based on the above analysis the proposed development is consistent with the policies of the Oxford County Official Plan.

### 3.4 TOWN OF TILLSONBURG ZONING BY-LAW

The proposed special provisions to reduce the exterior side yard setbacks along arterial and local roadways, will site the built form closer to the public ROW, and public spaces creating a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment. The reduced setback will provide for street-oriented development that is pedestrian-friendly.

### 4.0 SUMMARY

The proposed Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment are consistent with the Provincial Policy Statement and in conformity with the intent of the Oxford County Official Plan. The Plan of Subdivision appropriately addresses the considerations of the Planning Act 51(24).

The proposed development takes advantage of underutilized lands at the edge of the built-up urban area of the Tillsonburg. The proposed residential uses support the existing residential community surrounding the subject lands to the north, east, and south. The proposed development is a logical extension of the existing residential area, minimizing land consumption and ensuring the efficient use of existing municipal services and limiting unnecessary extensions of services.

The proposed parkland and stormwater blocks will provide additional community services to the immediate neighbourhood.

The proposed OPA and ZBA implement the planned function of the subject lands through appropriate low and medium density residential designations and zones. The proposed zoning provides for a variety of uses (multi-family blocks) on the subject lands and special provisions regarding side yard setbacks will allow for better utilization of building lots.
The proposed development is in keeping with character of the existing adjacent community development and creates no adverse land use impacts. The proposed plan of Subdivision, and ZBA represent sound land use planning and are in the public interest.