

To: Mayor and Members of Tillsonburg Council

From: Eric Gilbert, Senior Planner, Community Planning

Applications for Redline Amendment to Draft Plan of Subdivision & Zone Change 32T-07006 & ZN 7-21-05 – Performance Communities Realty Inc. & Lindprop Corporation

REPORT HIGHLIGHTS

- The purpose of the redline amendment to the Draft Plan of Subdivision and zone change applications is to facilitate the development of 71 single detached dwellings, 45 lots for 202 street fronting townhouse dwellings, one stormwater management block, two park blocks and two pedestrian walkway blocks, served by 5 new local streets.
- A number of special zoning provisions are requested to permit single detached dwellings and street fronting townhouse dwellings with site-specific development provisions.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement and maintains the intent and purpose of the Official Plan and can be supported from a planning perspective.

DISCUSSION

Background

OWNERS: Performance Communities Realty Inc & Lindprop Corporation
1 Barrie Boulevard, St Thomas ON N5P 4B9

AGENT: Will Hayhoe, Performance Communities Realty Inc
1 Barrie Boulevard, St Thomas ON N5P 4B9

LOCATION:

The subject lands are described as Part Lot 5, Concession 10 (Dereham), Parts 1-6 of 41R-10049 in the Town of Tillsonburg. The lands are located on the north side of North Street East, between Huntley Avenue and Tillson Avenue, and are known municipally as 78 & 84 North Street East, Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

Schedule 'T-1'	Town of Tillsonburg Land Use Plan	Residential
Schedule 'T-2'	Town of Tillsonburg Residential Density Plan	Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW 3295

Existing Zoning: Future Development Zone (FD)

Proposed Zoning: Special Low Density Residential Type 1A Holding Zone (R1A-26 (H))
Special Low Density Residential Type 2 Holding Zone (R2-25 (H))
Special Low Density Residential Type 3 Holding Zone (R3-20 (H))
Passive Use Open Space Zone (OS1)
Active Use Open Space Zone (OS2)

PROPOSAL:

The application for redline amendment to the existing draft plan of subdivision approval will modify the existing draft approved plan of subdivision to facilitate the development of 71 single detached dwellings, 45 lots for 202 street fronting townhouse dwellings, one stormwater management block, two park blocks and two pedestrian walkway blocks, served by 5 new local streets.

The Zone Change application proposes to rezone the lands from 'Future Development Zone (FD)' to 'Special Low Density Residential Type 1A Holding Zone (R1A-26 (H)), Special Low Density Residential Type 2 Holding Zone (R2-25 (H)), Special Low Density Residential Type 3 Holding Zone (R3-20 (H)), Passive Use Open Space Zone (OS1), and Active Use Open Space Zone (OS2) to facilitate the amended draft plan of subdivision.

For Council's information, a previous draft plan of subdivision was approved for these lands by the Town and County in 2007, consisting of 142 lots for single detached dwellings, 17 lots for 34 semi-detached dwellings, 1 commercial block, 3 greenway blocks, 3 walkway blocks and 1 parkland block. The draft plan approval was extended in 2010, 2013, 2016, 2018 and 2020, and has a lapsing date of October 22, 2021. The zoning was never finalized for the proposed draft plan of subdivision.

The original proponent, Lindprop Corporation, severed a portion of the draft approved plan of subdivision generally encompassing the lands west of Braun Avenue, subject to a condition that a severance agreement be registered on title of the property. The severance agreement requires the applicant to obtain a redline revision to the draft plan to reflect that the approved draft plan now has two owners.

The subject lands comprise approximately 16.25 ha (40.2 ac), are currently vacant and are in agricultural production. Surrounding uses include existing low density residential uses to the south and west, with a municipal drain and proposed park to the north and the Ontario Southland Railway line to the north and east.

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, provides an aerial view of the subject property.

Plate 3, 2015 Aerial Map with Existing Draft Approved Plan, provides the layout of the existing draft approved plan of subdivision.

Plate 4, Proposed Draft Plan of Subdivision, provides the layout of the proposed amended 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.

OFFICIAL PLAN

The subject lands are designated 'Low 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, quadraplexes, 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 proposed development has a net residential density of 29.6 units / ha (11.8 units/ac).

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 applicant is proposing to rezone the proposed single detached dwelling lots that do not abut existing residential properties to ‘Special Low Density Residential Type 2 (R2-25)’ 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%.

For a street-fronting townhouse, the ‘R3’ zone requires a minimum lot area of 240 m² (2,583.3 ft²) for an interior unit and 330 m² (3,552 ft²) for an end unit, a frontage of 8 m (26.2 ft) for an interior unit and 11 m (36 ft) for an end unit, a minimum lot depth of 30 m (98.4 ft), front yard depth of 6 m (19.9 ft), rear yard depth of 7.5 m (24.6 ft), interior side yard width of 3 m (9.8 ft) for an end unit, 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%.

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.

A number of site specific provisions are required to facilitate the proposed development, as summarized below:

Single-Detached Dwelling – R1A-26 (Lots 1, 2, 5-14)		
Provision	Required	Proposed
Lot Coverage, max	37%	45%

Single-Detached Dwelling – R2-25		
Provision	Required	Proposed
Lot Coverage, max	40 %	55%
Exterior Side Yard, min	6.0 m (19.7 ft)	4.5 m (14.76 ft)
Interior Side Yard, min	3.0 m (9.8 ft) & 1.2 m (3.9 ft)	1.2 m (3.9 ft)
Rear Yard, min	7.5 m (24.6 ft)	6.0 m (24.6 ft)
Permitted Encroachment for Covered Deck	1.5 m (4.9 ft)	3.0 m (9.8 ft)
Street- Fronting Townhouse Dwelling – R3-20		
Provision	Required	Proposed
Lot Area for Interior Unit, min	240 m ² (2,583.3 ft ²)	190 m ² (2,045 ft ²)
Lot Area for End Unit, min	330 m ² (3,552 ft ²)	235 m ² (2,529 ft ²)
Lot Frontage for Interior Unit, min	8 m (26.2 ft)	6 m (19.69 ft)
Lot Frontage for End Unit, min	11 m (36 ft)	7.6 m (24.9 ft)
Lot Coverage, max	40%	55%
Exterior Side Yard, min	6.0 m (19.7 ft)	4.5 m (14.76 ft)
Interior Side Yard, min	3.0 m (9.8 ft)	1.2 m (3.9 ft)
Permitted Encroachment for Covered Deck	1.5 m (4.9 ft)	3.0 m (9.8 ft)
Special provision for street- fronting townhouse dwelling corner lots, to define the front lot line as the shorter of the two street lines to ensure the interior lots comply with the minimum lot frontage requirements when part lot control exemption is sought.		

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:

- Recommend that Lot 1 be zoned R1A to be consistent with the remainder of existing properties fronting onto North Street East.
- For streetscape/building alignment along North Street East, it is recommended that Lot 1 has a minimum exterior side yard width of 7.5 m from the North Street East street line.

The Town of Tillsonburg Engineering Services Department provided the following comments:

- The subject property contains the Paget 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.
- Martin Street to be widened to 22 m width within park section.
- 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 Paget 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 Director of Recreation, Culture and Parks provided the following comments:

- The Developer shall retain, at their cost, a Certified Landscape Architect to work jointly with the Town to develop a plan for the Subdivision and parkland block.
- 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 required for all lots adjacent to Stormwater Management Block 120
- Chainlink Fencing required for both sides of pedestrian walkways (Blocks 119 & 123)
- Chainlink Fencing required for both sides of proposed walking trail / storm water management Block 118
- Chainlink Fencing required for the perimeter of the proposed Park Block 117 (for existing residential properties adjacent to park block and Lots 91-95)

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:

- Blocks 121 & 122 shall be dedicated to the County of Oxford as road widening blocks.
- 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.

Enbridge Gas requested that the Owner/developer provide the necessary easements and/or agreements required by Enbridge 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.

PUBLIC CONSULTATION

Notice of complete application was provided to surrounding neighbours on May 18, 2021, and notice of public meeting was sent on June 7, 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 application for draft plan of subdivision approval and zone change proposes to amend an existing draft approved plan of subdivision to facilitate the development of 71 single detached dwellings, 45 lots for 202 street fronting townhouse dwellings, one stormwater management block, two park blocks and two pedestrian walkway blocks, served by 5 new local streets.

It is the opinion of staff that the proposal is consistent with the relevant policies of the Provincial Policy Statement. The proposed development is considered to be a form of infilling that promotes a mix of housing types and represents an efficient use of lands, municipal services and infrastructure within a designated settlement area, which is consistent with Sections 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.4.3 of the PPS.

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

Planning staff are of the opinion that the revised draft plan is an improvement from the original draft plan approved in 2007, as the proposed redline amendments will offer increased opportunities for active transportation and connectivity to trail networks within the Town and a greater mix and choice of housing forms for current and future residents of the Town.

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 29 units per hectare, in keeping with the density target, being 15 to 30 units per hectare. In addition, the proposed draft plan provides a range of lot sizes and a mix of housing type that are integrated throughout the development, which is in keeping with low density residential policies.

Staff are satisfied that the requested zoning provisions to provide for increased lot coverage, increased building footprint and reduced exterior side yard widths for corner lots for the proposed single detached dwellings within the development are generally appropriate. The applicant will be required to demonstrate that the proposed stormwater management pond can accommodate additional run-off resulting from the increased dwelling footprints. The increased permitted projection into the required rear yard depth for covered porches is similar to other recent requests received and approved in Town.

The requested zoning provisions for the street-fronting townhouse blocks will provide for increased building envelopes and will reflect other recent townhouse developments in the Town. The reduced exterior side yard width is not expected to impact traffic sightlines or safety as the lots will front on local streets. The reduced minimum lot area, lot frontage, interior side yard and increased lot coverage are reflective of the four unit street-fronting townhouse block design and appropriate private amenity space will remain available, and the proposed relief can be considered appropriate to facilitate the development of 4 unit townhouse blocks. The reduced lot frontage, lot area and interior side yard width will still allow for 2 parking spaces to be provided for each unit (1 in the driveway and one within the private attached garage). The development will be reviewed by Building staff for zoning compliance at the time of building permit submission. These requested provisions will facilitate the future creation of separate conveyable lots, which will be completed in an anticipated subsequent application for exemption from Part Lot Control.

Due to the length of time that has elapsed since the original draft plan approval in 2007, and the dual ownership of the lands within the draft approved plan of subdivision, it is recommended that the conditions of draft approval be updated to reflect current practices respecting the allocation of water and wastewater treatment capacity, current practices respecting parkland development, Town efforts to increase tree canopy cover, requirements from Canada Post for community mailboxes, and an updated lapsing date of two years to provide sufficient time to work toward registration of the proposed plan of subdivision.

In light of the foregoing, Planning staff are satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement and meets the relevant policies contained in 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. That Council of the Town of Tillsonburg approve in principle the zone change application (File No. ZN 7-21-05) submitted by Performance Communities Realty Inc & Lindprop Corporation, for lands legally described as Lot 5, Concession 10 (Dereham), Parts 1-6 of 41R-10049 in the Town of Tillsonburg, to rezone the lands Special Low Density Residential Type 1A Holding Zone, Special Low Density Residential Type 2 Holding Zone, Special Low Density Residential Type 3 Holding Zone, Passive Use Open Space Zone, & Active Use Open Space Zone to facilitate the proposed draft plan of subdivision;
2. And further, the Council of the Town of Tillsonburg advise County Council that the Town supports the application for redline amendments to draft plan of subdivision, File No. 32T-07006, submitted by Performance Communities Realty Inc & Lindprop Corporation, for lands legally described as Lot 5, Concession 10 (Dereham), Parts 1-6 of 41R-10049, consisting of 71 single detached dwellings, 45 lots for 202 street fronting townhouse dwellings, one stormwater management block, two park blocks and two pedestrian walkway blocks, served by 5 new local streets, subject to the following conditions of draft approval:
 1. This approval applies to the draft plan of subdivision submitted by Performance Communities Realty Inc & Lindprop Corporation. (32T-07006) and prepared by CJDLC Consulting Engineers, as shown on Plate 3 of Report No. CP 2021-203 and comprising Part Lot 5, Concession 10 (Dereham), Parts 1-6 of 41R-10049 in the Town of Tillsonburg, showing 71 single detached dwellings, 45 lots for 202 street fronting townhouse dwellings, one stormwater management block, two park blocks and two pedestrian walkway blocks, served by 5 new local streets.
 2. The Owners shall enter into a subdivision agreement with the Town of Tillsonburg and County of Oxford.
 3. The Owners agree in writing, to install fencing as may be required by the Town, to the satisfaction of the Town of Tillsonburg.
 4. The Owners agree 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 owners to carry out or cause to be carried out any necessary works in accordance with the approved plans and reports, to the satisfaction of the Town of Tillsonburg.

8. The subdivision agreement shall contain provisions requiring the Owners 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 Owners shall retain a Landscape Architect to prepare a landscape plan for the plan of subdivision, to the satisfaction of the Town of Tillsonburg.
10. Prior to the approval of the final plan by the County, the section of the Paget Municipal Drain that transverses the property shall be abandoned or relocated, to the satisfaction of the Town of Tillsonburg.
11. 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 Owners, to the satisfaction of the Town of Tillsonburg.
12. Prior to the approval of the final plan by the County, the Owners 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.
13. 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.
14. The Owners agree 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.
15. 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.
16. The Owners agree 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.
17. Prior to the approval of the final plan by the County, the Owners 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.
18. The Owners agree in writing, that a 0.3 m (1 ft) reserve along North Street East adjacent to Lot 2 shall be conveyed to the County as required, free of all costs and encumbrances, to the satisfaction of County of Oxford Public Works.
19. The Owners agree in writing, that a road widening along North Street East 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.

20. The Owners agree in writing, that 3 m (9.8 ft) x 3 m (9.8 ft) daylighting triangles along North Street East shall be conveyed to the County as required for lots abutting 'Braun Avenue', free of all costs and encumbrances, to the satisfaction of County of Oxford Public Works.
21. The Owners agree in writing, to the satisfaction of the County, through the subdivision agreement, that all agreements of purchase and sale for lots 1 & 2 abutting North Street East shall have appropriate disclosure and warning clauses to inform future owners and residents and the outdoor amenity areas for lots abutting North Street East may experience noise levels that exceed the Ministry of Environment, Conservation and Park's NPC-300 Noise Guidelines.
22. Prior to the approval of the final plan by the County, the Owners 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.
23. Prior to the approval of the final plan by the County, the Owners shall agree in writing, to satisfy the requirements of Enbridge Gas that the Owner/developer provide Enbridge Gas with the necessary easements and/or Enbridge Gas.
24. Prior to the approval of the final plan by the County, the Owners 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.
25. 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 13 (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.
26. Prior to the approval of the final plan by the County, the Owners shall secure clearance from the County of Oxford Public Works Department that Conditions 14 to 21 (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.
27. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by Canada Post Corporation that Condition 22 has been met to the satisfaction of Canada Post. The clearance letter shall include a brief statement detailing how this condition has been satisfied.
28. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by Enbridge Gas that Condition 23 has been met to the satisfaction of Enbridge Gas. The clearance letter shall include a brief statement detailing how this condition has been satisfied.
29. Prior to the approval of the final plan by the County, the County of Oxford shall be advised by LPRCA that Condition 24 has been met to the satisfaction of LPRCA. 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 Owners 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.
31. This plan of subdivision shall be registered by October 22, 2023, 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