

To: Warden and Members of County Council

From: Director of Community Planning

Application for Official Plan Amendment OP 22-08-6 – Royal King Management Corp.

RECOMMENDATIONS

1. That Oxford County Council approve Application No. OP 22-08-6, submitted by Royal King Management Corp. for the lands described as Lots 1-8, South Side of Alma Street, Lots 2-7 North Side of William Street, Block M, Plan 95 in the Town of Ingersoll, to establish a site-specific policy on the subject lands to permit the conversion of a former elementary school to an apartment building containing 20 apartment dwelling units;
2. And further, that Council approve the attached Amendment No. 301 to the County of Oxford Official Plan and that the necessary by-law to approve Amendment No. 301 be raised.

REPORT HIGHLIGHTS

- The Official Plan amendment proposes to establish a site specific policy on the subject lands, which are currently designated 'Open Space' and 'Residential', to allow for the conversion of a former elementary school to an apartment dwelling house containing 20 residential dwelling units.
- Planning staff are of the opinion that the proposal is consistent with the relevant policies of the 2020 Provincial Policy Statement and supports the strategic initiatives and objectives of the County Official Plan and can be supported from a planning perspective.

Implementation Points

The application will be implemented in accordance with the relevant objectives, strategic initiatives and policies contained in the Official Plan.







Financial Impact

The approval of this application will have no financial impacts beyond what has been approved in the current year's budget.

Communications

In accordance with the requirements of the Planning Act, notice of complete application regarding this proposal was provided to surrounding property owners on March 10, 2023 and notice of public meeting was issued on May 23, 2023. At the time of writing this report, one letter has been received (Attachment 4), stating that the proposed change in use will have a negative impact on the immediate area with respect to noise, traffic and sightlines. Additional comments were considered by Town Council at a Public Meeting hosted by the Town on June 12, 2023.

Strategic Plan (2020-2022)

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

DISCUSSION

Background

Owners: Royal King Management Corporation
Huijie Wang
27 Interlaken Way, Markham ON, L3R 5H9

Location:

The subject lands are legally described as Lots 1-8, South Side of Alma Street, Lots 2-7 North Side of William Street, Block M, Plan 95 in the Town of Ingersoll. The subject lands are located on the west side of George Street, and bordered by Alma Street to the north and William Street to the south, and are municipally known as 37 William Street.

County of Oxford Official Plan:

Schedule 'I-1'	Town of Ingersoll Land Use Plan	'Open Space' 'Residential'
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Town of Ingersoll Zoning By-law 04-4160:

Existing Zoning:	'Minor Institutional Zone (IN1)'
Proposed Zoning:	'Special Residential Type 3 Zone (R3-sp)'

Proposal

The application for Official Plan amendment proposes to establish a site-specific policy to facilitate the conversion of the former Princess Elizabeth Public School to a 20-unit apartment building to be developed in two phases, according to the applicant. A zone change has also been proposed to rezone the subject lands from 'Minor Institutional Zone (IN1)' to 'Special Residential Type 3 Zone (R3-sp)' to permit the proposed apartments and further, to permit a reduction to the required gross floor area per unit from 55 m² (592 ft²) to 48 m² (516 ft²). Based on the site sketch submitted by the applicant, the proposal includes 35 parking spaces as well as a loading space and all development is to occur within the existing structure.

The subject lands are approximately 1.11 ha (2.75 ac) in area and contain the existing building and existing parking area, the latter of which would be expanded. The subject lands also contain approximately 0.56 ha (1.38 ac) of green space which is within the area regulated by the Upper Thames River Conservation Authority due to the presence of an underground watercourse. Surrounding land uses are mainly comprised of low-density residential development, with Ingersoll District Collegiate Institute to the immediate north and residential lands on Thames Street to the west.

Plate 1, Location Map with Existing Zoning, indicates the location of the subject property as well as the existing zoning in the immediate vicinity.

Plate 2, Subject Lands 2020 Aerial Photo, provides an aerial view of the subject lands as of the spring of 2020.

Plates 3, Applicant's Sketch, shows the site plan for the development, as proposed by the applicant, as well as the proposed floor plans.

Comments

2020 Provincial Policy Statement (PPS)

The Provincial Policy Statement recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of our communities and that development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and to minimize unnecessary public expenditures.

Section 1.1.3.1 of the PPS states that settlement areas will be the focus of growth and land use patterns within settlement areas shall be based on densities and a mix of land uses which, among other matters, efficiently use land and resources and are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion.

Further, Section 1.1.3.6 directs that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have compact form and a mix of use and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.4 provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and futures residents;
- Promoting all types of residential intensification, including additional residential dwelling units and redevelopment;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public services facilities to support the use of active transportation and transit in areas where it exists or is to be developed;
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact urban form, while maintaining appropriate levels of public health and safety.

Section 3 of the PPS directs that Ontario's long-term prosperity, environmental health and social well-being depend on reducing cost or risk to residents from natural or human-made hazards and that development shall be directed away from areas of natural or human-made hazard where there is an unacceptable risk to public health or safety or of property damage. Further, development shall not create or aggravate existing hazards.

Official Plan

The subject property is designated 'Residential' and 'Open Space' in the Official Plan. It is a strategic approach of the Official Plan to accommodate the present and future demand for housing in Ingersoll through the efficient use of vacant residentially-designated lands, underutilized parcels in built-up areas and existing housing stock within all neighbourhoods, with the objective of also reducing energy consumption, decreasing the financial burden of underutilized municipal services and relieving pressure for development on natural areas and open spaces. It is further an objective of the Official Plan to facilitate a choice of housing type, tenure, cost and location that meets the changing needs of all types of households by providing a variety and mix of housing throughout the Town.

The Official Plan states that a range of tenure forms throughout the Town should also be provided consistent with demand, and an appropriate supply of affordable and rental housing should also be maintained. Council shall encourage the creation of housing opportunities that may result in a mix of tenure forms, such as ownership, rental and cooperative throughout the Town. Such encouragement will include the provision of opportunities for the development of a variety of housing forms by permitting sensitive infilling and accessory apartments in built-up areas.

The policies of Section 9.2.2.5 state that residential intensification should be promoted in appropriate locations to make more efficient use of existing land, infrastructure and public services within the Residential designation.

Residential areas are those lands which are primarily designated for housing purposes and may also include other land uses which are integral to and supportive of a residential environment. Within the Residential designation, housing will include the full range of dwelling types from detached homes to apartment dwellings in order to provide opportunities for the development of a broad range of dwelling types to facilitate the efficient use of land and to provide for compatibility between housing of different residential densities.

It is an objective for the Residential designation to provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period through intensification and to provide a variety and mix of dwelling types. Within existing built-up areas of residential development, it is anticipated that further residential development will largely occur through residential intensification consistent with the policies of the Official Plan.

The subject lands are also designated as Open Space, which is reflective of the Natural Heritage System policies contained in the Official Plan. It is an objective of the Official Plan to maintain and enhance important ecological functions such as the linking of Environmental Protection Areas, the storage and filtration of ground and surface water and soil conservation. It is also an objective of the Official Plan to recognize the role of these lands having natural constraints to development, in the conservation of the natural environment, and to provide opportunities for both active recreation and the passive enjoyment of the environment in its natural state.

The policies of the Official Plan encourage the use of the Open Space designation to incorporate pedestrian and cycling pathways into proposed and, where feasible, existing development in order to link such development to other components of the Natural Heritage System or to areas of commerce and employment.

The Open Space designation also recognizes the role of hazard, conservation and public and private recreational lands in maintaining environmental quality within the County. The priorities of this policy area are to minimize hazards to human health and safety, minimize property damage, provide linkages connecting the Natural Heritage System, and to provide opportunities for private and public recreation.

The Open Space designation applies to regulatory flood plan areas, Conservation Authority lands and other public lands, Earth Science and Areas of Natural or Scientific Interest and parks, pathways, recreation areas and stormwater management facilities. Uses permitted within the Open Space designation include active and passive recreation including hiking/cycling pathways, parks, conservation areas, sports fields, golf courses, swimming areas, arenas and other leisure areas.

Structures that are accessory or ancillary to the Open Space use such as accessory residences, a golf "pro" shop, a clubhouse or refreshment stand, swimming pools and change houses or other such structures that are integral to the recreational use of the land are also permitted. Other uses permitted in the Open Space designation include the enjoyment of the environment in its natural state and established agricultural activities on existing cleared land and the harvesting of timber, where appropriate.

As per Section 3.2.5.2, where site alteration, development or a change in the use of land is being proposed within an Open Space area, an Environmental Impact Study may be required to demonstrate that the proposed development or use will not result in a negative impact. For guidance in determining whether an Environmental Impact Study is necessary, the County of Oxford and the Town will consult with the Conservation Authority having jurisdiction.

Council may differentiate between types of Open Space uses in the Zoning By-law by establishing separate zones for active and passive Open Space uses. A passive zone may be established for uses such as pathways, greenspace areas, parks and corridors. A separate Recreational Zone may be established for the more active recreational uses, such as golf courses or an arena. The following criteria shall be satisfied prior to recommending approval of development or site alteration within the Open Space designation:

- Only proposals stating a specific use will be considered and the land area proposed for the development will be consistent with the needs of the proposed use;
- Satisfactory mitigation measures shall be identified to protect the natural hazards associated with the subject property from the proposed development;
- Satisfactory mitigation, enhancement and remediation measures shall be identified and may include vegetated buffers, retention of areas with existing native vegetation and creation of naturalized stream corridors to achieve protection and improvement of ecological features and/or functions;
- The area covered by structures shall be minimized and parking areas shall not be paved. Such facilities shall be set back from the edge of streams and located away from sites of natural vegetation;
- Proposed grading and drainage plans shall maintain existing surface water flows to areas of natural vegetation;
- On-site drainage and stormwater management facilities shall be planned and designed in accordance with the policies of Section 3.2.7.2;
- The location of and access to the proposed development shall not create a traffic hazard due to the proximity of bridges, railway crossings, curves or grading or other potential traffic hazards and shall be located on a road capable of accommodating the volume of traffic anticipated to be generated by the proposed use;
- The proposed development will be compatible with existing and planned uses within the vicinity in terms of noise, odour, dust, light and hours of operation.

Any lands designated for Open Space use may be subject to site plan control. Town Council may pass a site plan control by-law designating such lands as an area of site plan control pursuant to the Planning Act.

Town of Ingersoll Zoning By-law

The subject lands are currently zoned 'Minor Institutional Zone (IN1)' in the Town's Zoning By-law. The 'IN1' Zone permits a range of institutional land uses such as a community centre, a daycare, a long-term care facility containing less than 20 beds, a place of worship and a public or private school.

The applicant is proposing to rezone the subject lands from 'IN1' to 'Special Residential Type 3 Zone (R3-sp)' to permit the conversion of the existing structure to an apartment building containing 20 dwelling units. The 'R3' zone permits a range of residential dwelling types including apartment dwellings and would require a minimum of 35 parking spaces for the proposed use.

Based on the conceptual plans submitted by the applicant, the proposal will conform to the provisions of the 'R3' zone for an apartment dwelling, but will require a site specific provision to permit a reduction to the minimum gross floor area per dwelling unit from 55 m² (592 ft²) to 47 m² (505.9 ft²).

Agency Comments

The Upper Thames River Conservation Authority has commented that it is an objective of the Open Space designation to maintain and enhance important ecological functions such as the storage and infiltration of ground and surface water. As such, the proposed special policy within the Open Space designation shall specifically state that the residential use is only permitted within the existing building on the subject lands.

Generally the UTRCA is satisfied with the proposal and it is recommended that the applicant be required to enter into a site plan agreement to ensure flood proofing is addressed and maintained. Further, the Conservation Authority indicated that a permit from their office will be required for the change of use of the existing building and any site alterations (including any re-grading) on the subject lands.

The Town of Ingersoll Clerks Department has commented that the applicant will be required to pay cash-in-lieu of parkland, in accordance with By-law 22-5227.

The County of Oxford Public Works Department has commented the following:

- The sizing, material and slope of existing sanitary and watermain connections will need to be shown on site servicing drawings.
- The building should only have one meter (for billing). The applicant can purchase additional meters from the County/City for internal metering, however only one meter is to be read for billing purposes. All sub-meters must be downstream of the billing meter.
- The watermain and sanitary lines will need a backflow preventer installed as per County guidelines and shown on drawings.
- A Functional Servicing Report (FSR) should be included for the development's proposed water (avg day, max day, fire flows), including rationale. Further, a hydrant flow test should be completed on a nearby hydrant to confirm availability of fire flows and included within the servicing brief.
- The municipal collection of garbage and recycling will occur at the municipal curb. The collection of garbage and recycling on private property may be approved pending demonstration by the owner/developer that the finished site satisfies the requirements of the County's Entry on to Private Property for Waste Collection Service Provision Operations Policy.

The Town Director of Engineering and Chief Building Official have commented that they are satisfied with the site plan submission.

The Town of Ingersoll Fire Chief has indicated they have no comments at this time, but may provide comments as part of the site plan approval process.

Town of Ingersoll Council

At their regular meeting of July 10, 2023, the Council of the Town of Ingersoll recommended support of the proposed Official Plan amendment, and approved 'in-principle' the requested zone change application, pending the decision by Oxford County Council with respect to the requested Official Plan amendment.

Planning Analysis

Staff are generally satisfied that the proposal can be considered consistent with the policy direction of the PPS and supportive of the strategic initiatives and objectives of the Official Plan, and will not aggravate those aspects of the policy documents intended to protect public health and safety, and the prevention of property damage with respect to the existing natural hazard area on the subject lands.

Specifically, staff are of the opinion that the proposal will facilitate the creation of 20 new residential dwelling units within the Town that will aid in providing a mix and range of dwelling types and tenures to accommodate anticipated residential needs. Staff are further satisfied that the proposal will efficiently utilize existing municipal infrastructure and will provide for residential intensification in proximity to a range of existing public service facilities. Further, staff are of the opinion that given the proposed development will be wholly located within the existing structure on the property, minimal impact to the character of the existing neighbourhood will occur and the proposal will facilitate the efficient re-use of existing building stock within the community.

Much of the subject lands are located within the Upper Thames River Conservation Authority's (UTRCA) regulatory flood/fill limit due to the presence of an existing underground watercourse that traverses the western portion of the property, which is reflected by the 'Open Space' designation of the lands in the Official Plan.

The UTRCA has reviewed the application and indicated that they are generally satisfied with the proposal, but recommend that the amending site specific policy state that only residential uses shall be permitted within the existing building and that any site development (such as re-grading) shall be subject to further detailed review as part of the Town's site plan approval process. Permits from the UTRCA will be required for any such re-grading.

To this end, the applicants have provided a preliminary site plan that demonstrates that all required parking on the site can be relocated to the east of the existing building, which would be outside of regulatory flood limit. Given that the UTRCA is satisfied with the proposed change in use and no further development is proposed for the site, Planning staff are generally satisfied that the proposal is consistent with the relevant policies of the PPS and supports the objectives and strategic initiatives of the Official Plan to maintain the existing open space areas of the subject lands. The approval of the requested amendment is not anticipated to have any further impact on the existing natural features of the subject lands.

The applicants have provided a site plan and interior concept plan for the proposed development which shows the proposed dwelling layout. The applicants have requested a reduction to the minimum gross floor area per dwelling unit from 55 m² (592 ft²) to 48 m² (516 ft²) to facilitate the proposed unit arrangement, however it is noted that one dwelling unit is proposed at 47.8 m² (514.5 ft²).

This minimum floor area requirement of the Zoning By-law is intended to ensure that sufficient space is provided in individual dwelling units and represents a typical minimal standard dwelling unit size. The dwelling units proposed by the applicants are one-room 'bachelor' type apartment dwellings that range in size from 47.7 m² (513.5 ft²) to 81 m² (871.9 ft²). The concept plan submitted by the applicants also includes a number of storage rooms (including bicycle storage), work rooms, laundry facilities and a guest room. Planning staff are generally satisfied that the proposed dwelling unit size will provide for sufficient living area and will aid in providing a variety of rental options for the Town, while meeting code requirements of the Ontario Building Code and will provide for additional amenities throughout the building in the form of work rooms and laundry facilities to serve the needs of future tenants.

A number of comments of concern were received as part of the Town of Ingersoll's Public Meeting for the proposal, including concerns with respect to traffic congestion and existing property standards issues. Planning staff are generally of the opinion that the proposed conversion will not result in any additional traffic pressures beyond what would reasonably be expected from many uses currently permitted in the existing Institutional Zone and the Town Director of Engineering did not identify any concerns in this respect. Further, it is noted that any existing or future property standards issues would be addressed by way of the Town's Property Standards By-law 01-3986.

Conclusions

In light of the foregoing, Planning staff are recommending in support of the application for Official Plan amendment, as the development of the subject lands for medium density residential purposes is generally consistent with the policy direction of the Provincial Policy Statement and supports the strategic initiatives and objectives the Official Plan.

SIGNATURES

Report Author:

Original Signed By _____

Heather St. Clair, MCIP, RPP
Senior Planner

Departmental Approval:

Original Signed By _____
Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Original Signed By _____
Benjamin R. Addley
Chief Administrative Officer

ATTACHMENTS

- Attachment 1 - Plate 1, Location Map with Existing Zoning
- Attachment 2 - Plate 2, Subject Lands 2020 Aerial Photo
- Attachment 3 - Plates 3a, 3b & 3c, Applicant's Sketch
- Attachment 4 - Correspondence Received
- Attachment 5 - Official Plan Amendment No. 301