

To: Warden and Members of County Council

From: Director of Community Planning

Application for Draft Plan of Condominium and Exemption from Draft Plan Approval CD 22-02-6 – Reeves Land Corporation

RECOMMENDATIONS

1. That Oxford County grant draft plan approval to a proposed condominium submitted by Reeves Land Corporation (File No. CD 22-02-6), prepared by Brooks Lise Surveying Limited, dated July 13, 2023, for lands described as Block 85, Registered Plan 41M-342, in the Town of Ingersoll;
2. And further, that Oxford County Council approve the application for exemption from the draft plan of condominium approval process submitted by Reeves Land Corporation (File No. CD 22-02-6), prepared by Brooks Lise Surveying Limited, dated July 13, 2023, for lands described as Block 85, Registered Plan 41M-342, in the Town of Ingersoll.

REPORT HIGHLIGHTS

- The purpose of this report is to consider the approval of a draft plan of condominium and exemption from the draft approval process to facilitate condominium ownership of 38 townhouse units on separately conveyable lots that are accessed via a private road.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the Official Plan, and complies with the provisions of the Town of Ingersoll Zoning By-law.

Implementation Points

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







Financial Impact

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

Communications

There are no public notice requirements for this application under the *Condominium Act*.

Strategic Plan (2020-2022)

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

DISCUSSION

Background

Owner: Reeves Land Corporation
95 Young Street, Woodstock, ON N4S 3L6

Solicitor: Nesbitt Coulter LLP c/o Derek Truelove
35 Perry Street, Woodstock, ON N4S 3C4

Proposal

An application has been received for approval of a plan of condominium and exemption from the draft approval process to facilitate the development of 38 townhouse units via a Vacant Land Condominium (VLC). Each lot within the VLC will have access to an internal private lane which, in turn, will provide direct access to Cash Crescent.

A VLC is similar to a plan of subdivision in that the intent of the proposal is to divide land into separate ‘parcels’ which may be freely conveyed (identified as ‘units’ on the proposed condominium plan). Each unit within the condominium carries with it the ownership rights similar to a lot in a plan of subdivision and the plan of condominium may include communal facilities, the expense of which is shared by the unit holders.

A condominium development differs from a plan of subdivision in that the roads and parks and other 'common' features within the plan are typically owned privately by the condominium corporation. Further, services such as water and sanitary sewers are often held in private ownership by the corporation. In the case of this proposed development, the ownership and operation of the water distribution system and sanitary sewer system will be assumed by the County of Oxford through an easement granted by the owner. The internal road, visitor parking spaces, amenity space and woodlot will be common elements within the proposed development.

For Council's information, a zone change (By-law 22-5229) was approved by Town Council in October, 2022 for the purpose of enabling the proposed condominium development. Subsequent to this, in November, 2022, the owner obtained site plan approval from the Town for the project (File No. SP 6-22-01).

Further, Block 85, being the lands on which the development will occur, was established through the approval and development of the residential subdivision (File No. SB 17-02-5) that was supported by Town Council in September, 2017 and approved by County Council in October, 2017.

The subject property is approximately 1.94 ha (4.8 ac.) in area and is currently vacant of buildings and structures.

Surrounding land uses include existing and planned single detached residential development to the north, a planned Town park to the east, Samnah Business Park to the west and Ingersoll Golf Club to the east and south. Highway 401 borders the lands to the south.

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

Plate 2, Air Photo (2020), provides an aerial view of the subject property and surrounding area in greater detail as of the spring of 2020.

Plate 3, Draft Plan of Vacant Land Condominium, shows the location of the proposed lots as well the proposed common areas (internal road, visitor parking, and amenity space).

Plate 4, Approved Site Plan, illustrates the site plan approved by the Town in November, 2022.

Comments

2020 Provincial Policy Statement (PPS)

Section 1.1.1 of the PPS directs that healthy, liveable and safe communities are sustained by:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;

- avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; and,
- promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

The policies of Section 1.1.3.1 direct that settlement areas shall be the focus of growth and development. Further, according to Section 1.1.3.2, land use patterns in settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources, are appropriate for, and efficiently use, infrastructure and public service facilities.

Further, Section 1.4.3 states 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:

- 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 housing options required to meet the social, health, economic 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 to support current and projected needs;
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; 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.

Official Plan

The subject property is designated Medium Density Residential as per Schedule I-2, Residential Density Plan for the Town of Ingersoll, as contained in the Official Plan.

The policies contained within Section 9.2.2.2 [TENURE MIX], provides that Town 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 in newly developing areas and by permitting sensitive infilling and accessory apartments in built-up areas.

Medium density residential districts 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. Within these areas, it is intended that there will be a mixing and integration of different forms of housing to achieve an overall medium density.

The Open Space designation applies to the woodlands on the subject lands that are also identified as being significant as per the Oxford Natural Heritage System Study (ONHSS). In this regard, the entirety of development is to take place outside of the woodlands and further, the woodlands are to be commonly owned by the owners within the condominium development.

Zoning By-law

The subject property is zoned 'Special Residential Type 3 Zone (R3-30)' according to the Town's Zoning By-Law. The R3-30 zone permits a range of medium density residential uses including a multiple unit dwelling.

For the purpose of the R3-30 zoning, the subject lands are considered to be a single lot, notwithstanding that a plan of condominium will create individual 'parcels' where the dwellings will be constructed, and the frontage of the subject lands is the entire frontage along Cash Crescent.

In this case, the proposed plan appears to be consistent with the approved site plan and the Town Building Department has determined that the proposal meets the relevant provisions of the R3-30 zone in the Zoning By-law.

Agency Comments

A number of agencies were circulated the proposal to create condominium ownership of the development. None of the responding agencies indicated any concerns regarding this application.

Town of Ingersoll Council

Town of Ingersoll Council recommended support of the proposed draft approval of the plan of condominium and exemption from the draft plan of condominium approval process at their regular meeting of August 14, 2023.

Planning Analysis

Applications for condominium approval are typically dealt with in one of two ways, in accordance with the Condominium Act. The first method generally involves a process similar to an application for draft plan of subdivision where, after appropriate circulation, a proposal receives 'draft' approval which is contingent on the applicant satisfying a number of conditions prior to final approval and registration.

The second process is where the approval of the condominium is exempt from the draft or 'conditional' approval stage and proceeds directly to final approval. The exemption process is intended to apply to proposals that have previously undergone a complete evaluation (i.e. site plan approval) and no further conditions of approval are required by the municipality for the development.

As noted above, the development will occur on a block within a registered plan of subdivision. Further, the proposed development was subject to a zone change that was approved by Town Council in October, 2022 and subsequently received site plan approval from the Town in November, 2022, including a site plan agreement. In light of the above, the requested exemption can be considered appropriate.

As the proposal will facilitate the creation of a form of housing desirable to meet the long term social needs of current and future residents in a designated Settlement Area, Planning staff are of the opinion that the proposal is consistent with the policies of the PPS.

The proposal is also in keeping with the 'Medium Density Residential' policies of the Official Plan, and the proposed development will create a housing opportunity that will contribute to providing a mix of tenure forms within the Town, which in keeping with the policies of Section 9.2.2.2. Further, no concerns were raised with respect to compliance with residential development standards or relevant codes, and the design of the proposed development was approved by the Town during the site plan review process. As noted, the woodlands on the subject lands are identified as being significant as per the Oxford Natural Heritage System Study (ONHSS). That said, all development will take place outside of the woodlands and the woodlands will be commonly owned by the landowners within the proposed condominium development.

Based on a review of the draft plan of condominium, it would appear that the proposed development will meet the relevant provisions of the 'R3-30' zone.

Conclusions

In light of the foregoing, Planning staff are of the opinion that the proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the Official Plan, and complies with the provisions of the Town's Zoning By-law. As such, the application for draft plan of condominium and exemption from the draft approval process can be supported from a planning perspective.

SIGNATURES

Report Author:

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Departmental Approval:

Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Benjamin R. Addley
Chief Administrative Officer

ATTACHMENTS

- Attachment 1 - Plate 1, Location & Existing Zoning Map
- Attachment 2 - Plate 2, Air Photo (2020)
- Attachment 3 - Plate 3, Draft Plan of Vacant Land Condominium
- Attachment 4 - Plate 4, Approved Site Plan