

REPORT TO COUNTY COUNCIL

Application for Official Plan Amendment OP 23-01-6 – Town of Ingersoll

To: Warden and Members of County Council

From: Director of Community Planning

RECOMMENDATIONS

1. That Oxford County Council approve Application OP 23-01-6, initiated by the Town of Ingersoll, to amend the policies of the Official Plan to incorporate provisions respecting additional residential units within the Town of Ingersoll, in accordance with provincial direction;
2. And further, that Council approve amendment No. 315 to the County of Oxford Official Plan and the necessary by-law be raised.

REPORT HIGHLIGHTS

- The proposed Official Plan Amendment would amend the policies of the Official Plan to facilitate additional residential units (ARUs) in the Low Density Residential Designation and Entrepreneurial Districts within the Town of Ingersoll where residential uses are already permitted, subject to meeting various criteria.
- Planning staff recommend that the application be approved to implement the changes introduced to the Planning Act through Bill 23 and Bill 97, and to provide an additional housing choice and opportunity for current and future residents in Ingersoll.

IMPLEMENTATION POINTS

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

The Town of Ingersoll has initiated an amendment to the Official Plan to implement policies to facilitate the development of additional residential units (ARUs).

A drop-in Open House was held on December 14, 2023, for members of the public to ask questions regarding ARUs. Thirteen people attended the session. There were several questions seeking clarification of the Planning Act requirements and the proposed regulations. Concerns that were raised focused on the requirement for a parking space to be provided and whether the provision of parking and other requirements would restrict properties from being eligible for additional units and/or impact the affordability of units.

Notice of Complete Application was published in the Oxford Review on March 2, 2023 and Notice of Public Meeting was published in the Oxford Review on March 7, 2024.

The Council of the Town of Ingersoll held public meetings on March 4, 2024 and April 8, 2024. Ingersoll Town Council recommended support of the Official Plan amendment at their meeting of April 8, 2024 and approved amendments to the Town's Zoning By-law, 'in-principle'.

As of the date of writing the report, Planning staff have received one email regarding the proposal. The email primarily comprised questions for clarification, but also appeared to indicate that the requirement for parking for each ARUs should be eliminated, particularly in the central area of the Town, to increase the number of lots that would be eligible for an ARU, decrease car usage, and improve the affordability of ARUs.

2023-2026 STRATEGIC PLAN

Oxford County Council approved the [2023-2026 Strategic Plan](#) on September 13, 2023. The Plan outlines 39 goals across three strategic pillars that advance Council's vision of "Working together for a healthy, vibrant, and sustainable future." These pillars are: (1) *Promoting community vitality*, (2) *Enhancing environmental sustainability*, and (3) *Fostering progressive government*.

The recommendations in this report support the following strategic goals.

Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
Promoting community vitality	Enhancing environmental sustainability	Fostering progressive government
<p>Goal 1.1 – 100% Housed</p> <p>Goal 1.2 – Sustainable infrastructure and development</p> <p>Goal 1.3 – Community health, safety and well-being</p> <p>Goal 1.4 – Connected people and places</p>	<p>Goal 2.2 – Preserve and enhance our natural environment</p>	<p>Goal 3.2 – Collaborate with our partners and communities</p> <p>Goal 3.4 – Financial sustainability</p>

See: [Oxford County 2023-2026 Strategic Plan](#)

DISCUSSION

Background

Applicant: Town of Ingersoll
130 Oxford Street (2nd Floor), Ingersoll ON N5C 2V5

Location:

The proposed Official Plan Amendment would apply broadly to all lands within the Town of Ingersoll.

County of Oxford Official Plan:

The proposed amendments to the Official Plan will modify the policies for Low Density Residential areas and the Entrepreneurial District designation to facilitate Additional Residential Units.

Town of Ingersoll Zoning By-Law 04-4160:

The proposed amendments to the Town’s Zoning By-Law will amend the following sections of the Zoning by-law:

- Section 4 – Definitions – to add a definition of an ARU and Principal Dwelling, and amend the definitions of Converted Dwelling and Dwelling Unit Area;
- Section 5 – to add new General Provisions respecting ARUs and Converted Dwellings; and,

- Sections 6.1, 7.1, 8.1, and 11.1 – to add ARUs as a permitted use in various zones that permit residential uses.

Proposal:

Applications to amend the Official Plan and the Town of Ingersoll Zoning By-law have been initiated to facilitate the development of additional residential units (ARUs) throughout the Town of Ingersoll.

The Planning Act, as amended, requires municipalities to permit two ARUs on ‘any parcel of urban residential land’ (meaning a parcel of land within an area of settlement on which a residential use, other than an ancillary residential use, is permitted by by-law and that is served by municipal water and wastewater services) that contains a single detached, semi-detached or row house dwelling.

The Planning Act requires that up to two ARUs may be located within the principal dwelling on a lot, or one ARU could be located within the principal dwelling and/or one ARU within a detached accessory building.

The general intent of the proposed amendment to the Official Plan policies is to ensure consistency with the current Provincial direction on ARUs, while also establishing appropriate review criteria to inform and support the development of appropriate zoning provisions for the Town. The proposed approach will also allow the Town to utilize other local implementation measures, such as licensing, servicing standards, and property standards, where deemed to be appropriate.

Comments

2020 Provincial Policy Statement

The policies of Section 1.1 of the Provincial Policy Statement direct that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for the planning period. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

The 2020 amendments to the PPS introduced a number of new and updated policies intended to increase the supply and mix of housing, including:

- Requiring that a range of housing options and densities be planned for in order to meet projected housing demand;
- Added references to the terms ‘affordable’ and ‘market-based’ in the policies pertaining to the determination of housing need;
- Requiring that planning decisions be aligned with local housing and homelessness plans; and,
- Adding specific references to the term ‘additional residential units’ in the housing policies.

The term ‘additional residential units’ is specifically referenced in two sections of the PPS (Sections 1.1 and 1.4). However, the following policies are the most relevant in terms of providing direction on Provincial expectations:

Section 1.4 – Housing, which 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 permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3.

The PPS does not include a definition of Additional Residential Unit, but includes reference to the term within the definitions of ‘Housing Options’ and ‘Residential Intensification’.

The above noted PPS policies generally require that municipalities provide for a range and mix of housing options and densities to meet projected need in appropriate locations by permitting and facilitating all types of residential intensification, including additional residential units. However, this direction also needs to be balanced with various other PPS policies pertaining to such matters as the protection of prime agricultural areas and other natural resources, land use compatibility, consideration of natural and man-made hazards, ensuring development is appropriately serviced, and directing growth and development to settlement areas.

Official Plan

The policies of the Official Plan that are specifically related to Ingersoll do not currently contain policies that specifically address the current Provincial direction with respect to ARUs. However, the Plan does contain policies that permit Town Council to zone areas or properties to permit single detached, semi-detached and townhouse dwellings to be converted into two residential units and to be converted into more than two units, if a number of criteria can be met, including:

- that the area is characterized by a mixture of dwelling types;
- lot sizes are generally sufficient to accommodate the required parking without detracting from the visual character of the area; and
- the existing dwellings are generally of sufficient size to accommodate the creation of additional dwelling units.

The policies further state that the Zoning By-law may limit the number of units that may be contained in a converted dwelling and specify minimum lot or dwelling size requirements for conversion. To maintain the external character of the dwelling, the Zoning By-law may also limit the extent of structural changes or additions that may be permitted. In addition, the policies state that converted dwellings with more than two dwelling units may be subject to site plan control.

The Plan also contains policies with respect to rear yard infilling in residential areas which allow for various forms of residential development in a rear yard including, but not limited to, the construction of a residential structure behind a building facing a street, the conversion of secondary structures for residential purposes and establishment of a granny flat or garden suite.

A number of criteria are provided for evaluating such forms of development, including:

- the nature of the proposed development will be evaluated having regard to the type of housing found in the surrounding residential neighbourhood;
- the exterior layout in terms of height, bulk, scale and layout of the proposed building is consistent with the present land uses in the area;
- the siting of any buildings and parking areas in relation to the size, configuration and topography of the lot is such that the effect on light, view and privacy of adjacent yards is minimal;
- direct vehicular access to a public street is required and driveways will have sufficient width to allow efficient vehicular use and turning of both private and emergency vehicles and to provide snow storage; and
- such development may be subject to site plan control.

These existing Official Plan policies currently allow Town Council to zone properties or areas to allow for the establishment of an additional residential unit in a single detached, semi-detached or townhouse dwelling and/or in an ancillary structure on a residential property, in a similar manner to the current Provincial direction on ARUs.

These policies provide the general framework for the incorporation of specific ARU policies into the Official Plan. However, they require further review and amendment to ensure they clearly reflect current Provincial direction on ARUs, including ensuring they specifically reference the term Additional Residential Units and direct that the Area Municipalities must establish Zoning to authorize the use of ARUs in accordance with the applicable Planning Act requirements and Official Plan policies.

Agency Comments

The applications and draft amendments were circulated to agencies for comment on February 7, 2023 and recirculated to Town staff and County Public Works on January 17, 2024.

Upper Thames River Conservation Authority (UTRCA), Town of Ingersoll Engineering and Town of Ingersoll Building Services staff have indicated that they have no comments or concerns with the proposed policies and zoning provisions.

County of Oxford Public Works has indicated that they have no comments or concerns provided that a Form F060 for confirming adequate municipal water and wastewater servicing is submitted and signed off by County Public Works prior to the issuance of a Building Permit for an ARU. This requirement has been included in the proposed zoning provisions and would require Building Services to advise applicants of this requirement.

Planning Analysis

As indicated, the purpose of the application for Official Plan amendment is to broadly permit ARUs in low density residential areas throughout the Town of Ingersoll, in-keeping with the recent legislative changes that have been enacted by the Provincial government.

The proposed amendments are consistent with the Provincial Policy Statement's direction to promote intensification within existing building stock, efficiently use land and resources, provide for an appropriate range and mix of housing types and densities to meet the requirements of current and future residents of the Town by permitting additional units.

The proposed amendments to the Official Plan would predominantly affect the Low Density Residential policies for the Town of Ingersoll as contained in Section 9.2, with some minor amendments to Section 9.3 also proposed to provide references to ARUs in the policies for the Entrepreneurial District. The key elements of the proposed policy amendments include:

- referencing the term 'additional residential units (ARUs)' as a permitted use throughout the relevant Low Density Residential, infill and intensification policies;
- requiring that the Town's Zoning By-law establish specific zoning provisions that must be met to allow ARUs to be established on a lot;
- establishing that ARUs are permitted in single detached, semi-detached and street townhouse dwellings where the Town is satisfied that various development review criteria can be met, such as:
 - maximum of two ARUs per lot (i.e. two ARUs within the principal dwelling or one ARU within the principal dwelling and one in a detached accessory building on the same property);
 - ARUs are to be clearly secondary and subordinate to the principal dwelling and limited in size to maintain affordability and minimize potential impacts on infrastructure and public service facilities;
 - the principal dwelling must have direct, individual vehicular access to a public street;
 - dwellings and lots are large enough to accommodate the ARU and provide for adequate parking, landscaping, and outdoor amenity areas;
 - the existing infrastructure and public service facilities servicing the area are adequate to accommodate the establishment of ARUs;
 - ARUs are not permitted where a lot or dwelling already contains other accessory residential units/uses (e.g. boarding/lodging house, garden suite, converted dwelling unit, bed and breakfast); and,
 - potential impacts on environmental and/or heritage resources and any environmental constraints (e.g. natural or man-made hazards, noise, vibration, emissions, etc.) can be adequately addressed.
- an ARU cannot be severed from the lot containing the principal dwelling; and,
- the Town may consider the use of other supplementary tools and measures to assist in ensuring ARUs are appropriately regulated, including registration and/or licensing, parking regulations, new/updated property standards by-laws, etc.

The proposed Official Plan Amendment can be considered appropriate as it will facilitate permissions for two ARUs per lot (excluding the principal dwelling) within a single detached dwelling, semi-detached dwelling, or townhouse dwelling (or a structure accessory thereto), subject to a number of review criteria to ensure that the ARUs remain appropriately sized, front on public streets and are not located in areas that are subject to natural hazards or servicing constraints.

CONCLUSIONS

Planning staff are of the opinion that the proposed Official Plan Amendment attached to and described in this report is appropriate, complies with and implements the Provincial direction respecting ARUs and Planning staff recommend that County Council approve the proposed revisions to the Official Plan policies that implement Provincial direction regarding ARUs.

SIGNATURES

Report author:

Original signed by _____

Heather St. Clair, MCIP, RPP
Senior Planner

Departmental approval:

Original signed by _____

Gordon K. Hough, RPP
Director

Approved for submission:

Original signed by _____

Benjamin R. Addley
Chief Administrative Officer

ATTACHMENTS

Attachment 1 – Proposed Policy Changes (track change version)
Attachment 2 – Official Plan Amendment No. 315