

**To:** Warden and Members of County Council

**From:** Director of Community Planning

## **Application for Official Plan Amendment OP 21-21-6 – Sifton Properties Ltd.**

### **RECOMMENDATIONS**

---

1. That Oxford County Council approve Application No. OP 21-21-6, submitted by Sifton Properties Ltd. for lands described as Part Block 66, Registered Plan 41M-309, Town of Ingersoll to amend the site specific Highway Service Commercial Area designation to facilitate the development of a place of worship on the subject lands;
2. And further, that Council approve the attached Amendment No. 274 to the County of Oxford Official Plan;
3. And further, that the necessary by-law to approve Amendment No. 274 be raised.

### **REPORT HIGHLIGHTS**

---

- The intent of the Official Plan Amendment is to amend the site specific Highway Service Commercial Area policies that apply to this site to facilitate the development of a place of worship on the subject lands
- 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**

This 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 December 17, 2021 and notice of public meeting was issued on February 22, 2022. At the time of writing this report, one item of correspondence was submitted in support of the proposed development. This correspondence has been included as an attachment to this report for Council's consideration.

**Strategic Plan (2020-2022)**

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

**DISCUSSION**

---

**Background**

**Owner:** Sifton Properties Ltd. c/o Maureen Zunti  
 1295 Riverbend Road, Suite 300  
 London, ON N6K 0G2

**Location:**

The subject lands are located on the northwest corner of Clarke Road E. and Hollingshead Road and are described as Part Block 66, Registered Plan 41M-309, in the Town of Ingersoll.

**County of Oxford Official Plan:**

Existing:

Schedule "I-1"	Town of Ingersoll Land Use Plan	Highway Service Commercial (with special policies – Section 9.3.3.4.5)
----------------	------------------------------------	--

Proposed:

Schedule "I-1"	Town of Ingersoll Land Use Plan	Highway Service Commercial (with amended special policies)
----------------	------------------------------------	--

**Town of Ingersoll Zoning By-law 04-4160:**

Existing Zoning:	'Special Highway Commercial Zone (HC-10)'
Proposed Zoning:	'Amended Special Highway Commercial Zone (HC-10)'

**Proposal:**

The purpose of the Official Plan Amendment and Zone Change is to amend the special Highway Service Commercial policies that apply to the subject lands, and rezone the lands to facilitate the construction of an approximately 372 m<sup>2</sup> (4,000 ft<sup>2</sup>) place of worship on the subject lands, with 42 parking spaces and 5 accessible spaces.

The parcel to be developed is approximately 0.3 ha (0.74 ac.) in area and is currently vacant.

Surrounding land uses include existing and planned residential uses to the north, planned neighborhood commercial uses to the east, existing and planned industrial uses to the south and existing institutional uses to the west as well as a woodlot (owned by the Town) to the northwest.

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

Plate 2, Air Photo (2020), provides an aerial view of the subject lands as of spring, 2020.

Plate 3, Applicant's Sketch, shows the location of the proposed place of worship, parking and access, as provided by the applicant.

**Comments**

**2020 Provincial Policy Statement**

The Provincial Policy Statement (PPS) 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 minimize unnecessary public expenditures.

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and further, Section 1.3.3.2 directs that 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 advisable, and avoid the need for their unjustified and/or uneconomical expansion.

Section 1.3.2.3 also notes that employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

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, mix of use and densities that allow for the efficient use of land, infrastructure and public service facilities.

### Official Plan

The subject property is located within the 'Highway Service Commercial Area' designation according to the Official Plan. Highway Service Commercial areas are those that provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within the Central Area because of their requirements for large lot area, access or exposure requirements or due to compatibility conflicts with residential development. Generally, Highway Service Commercial uses cater to vehicular traffic and single purpose shopping trips where customers are typically generated from passing traffic or a wide ranging market area.

Uses permitted within the Highway Service Commercial designation include hotels, motels, automotive sales and service, furniture and appliance sales and service, farm implement sales, business services, convenience commercial uses, retail food stores, recreation and entertainment uses, gas bars, car wash facilities, retail sales of automotive supplies, automated teller machines and kiosks, tourism information outlets or kiosks, restaurants and fast food outlets, uses which require large areas for on-site storage of goods or vehicles and other types of commercial uses that offer service to the travelling public, business and industry.

As noted, site specific policies apply to the subject lands (as well as the commercial lands on the immediate east side of Hollingshead Road). Specifically, Section 9.3.3.4.5 deals with both commercial blocks collectively and includes the following:

- the maximum gross leasable commercial floor area for development shall be 13,006 m<sup>2</sup> (140,000 ft<sup>2</sup>);
- the maximum gross leasable commercial floor area for an automotive and households supply retail store shall be 4,645 m<sup>2</sup> (50,000 ft<sup>2</sup>);
- the maximum gross leasable commercial floor area for a food store is 1,710 m<sup>2</sup> (18,400 ft<sup>2</sup>) by year 2012, with an additional 1,542 m<sup>2</sup> (16,600 ft<sup>2</sup>) occurring by year 2014, which shall be reflected in the implementing zoning by-law and implemented through site plan approval;
- the maximum gross leasable commercial floor area for non-food related retail is 3,716 m<sup>2</sup> (40,000 ft<sup>2</sup>). The inclusion of a drug store may be considered as part of the non-food related retail allocation in the future without a requirement for an Official Plan amendment, subject to the submission of a market impact analysis prepared by a qualified consultant and peer reviewed to the satisfaction of the Town of Ingersoll;

- the maximum gross leasable commercial floor area for service commercial space is 1,394 m<sup>2</sup> (15,000 ft<sup>2</sup>);
- the following uses will not be permitted on the subject site:
  - beer stores
  - liquor stores
  - banks
  - professional offices
  - nursing homes
  - schools
  - retirement homes
  - day-care centres
- the inclusion of noise sensitive land uses may be reviewed in the future without a requirement for an Official Plan amendment, subject to the submission of a detailed noise study prepared by a qualified engineering consultant and peer reviewed to the satisfaction of the Town of Ingersoll; and
- the minimum gross leasable commercial floor area of 325 m<sup>2</sup> (3,500 ft<sup>2</sup>) floor area (per store) shall apply, with the exception of 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>) of floor space (total cap), which could be comprised of smaller stores.

General policies are contained in Section 9.3 [ECONOMIC DEVELOPMENT AND EMPLOYMENT LANDS] that direct that a sufficient supply of non-contaminated and appropriately located commercial lands are to be maintained, relative to available land supplies, to meet the anticipated short and long-term needs prior to the consideration of a proposal to redesignate service commercial lands for any other purpose.

With respect to compatibility with adjacent land uses relative to the existing and planned uses, (and in particular neighbouring industrial uses), the objective of the policies in the Official Plan are to prevent and minimize the encroachment of noise sensitive land use upon industrial land uses, and vice versa. Further, noise sensitive land uses and industrial land uses are considered to be incompatible. Consequently, the Official Plan incorporates provincial criteria regarding noise level objectives and may require studies addressing the measurement, analysis and mitigation of noise or vibration effects prior to, or as a condition of development.

### Zoning By-law

The subject lands are currently zoned 'Special Highway Commercial Zone (HC-10)' in the Town's Zoning By-law. The HC-10 zone permits a number of commercial uses intended to take the form of a shopping centre including, but not limited to an automotive and household supplies retail store, a convenience store, an eating establishment, a fitness club or health club, a home improvement supply store, a retail store, a supermarket/food store and a veterinary clinic.

Additional provisions apply in the HC-10 zone in the form of restrictions on the amount of Gross Leasable Commercial Floor Area that may be built for certain commercial uses, prior to and after January 1, 2014 that implement the size restrictions detailed in Section 9.3.3.4.5 of the Official Plan.

### Agency Comments

The Town of Ingersoll Engineer & Director of Operations advised that drainage from this site will be directed to the storm water pond that was constructed as a part of Phase – I Sifton Estate Development and will be reviewed through the site plan review process. The proposed entrance from Hollingshead Road is supportable while the proposed entrance from the Clarke Road is not given its location relative to the Hollingshead Road/Clarke Road intersection.

The Ministry of Transportation (MTO), County of Oxford Public Works Department, Town of Ingersoll Building Department, Town of Ingersoll Fire Department, Enbridge Gas, Bell Canada, and Canada Post indicated that they had no objections or concerns with the subject application.

### Town of Ingersoll Council

Town of Ingersoll Council recommended support of the proposed Official Plan amendment and approved the proposed zoning by-law amendment ‘in principle’, at the Town’s regular meeting of April 11, 2022.

## Planning Analysis

The Town and County have received applications to amend the Official Plan and the Town’s Zoning By-law to facilitate the development of a place of worship on land currently designated and zoned for service commercial purposes.

While the proposed use is clearly institutional in nature, the owners are proposing to amend the existing service commercial policies and highway commercial zoning to permit a place of worship as opposed to re-designating and rezoning the subject lands for institutional purposes as a means of providing more flexibility to redevelop these lands for commercial purposes over time.

Planning staff are of the opinion that the proposed use of the subject lands is consistent with the Provincial Policy Statement. The development of the lands for an institutional use promotes an appropriate land use mix and the efficient use of land and infrastructure within a settlement area. Further, in light of the existing and planned residential uses to the north and existing and planned industrial uses to the south the proposed use assists in addressing Section 1.3.2.3 whereby a transition between non-employment areas and employment lands is being provided.

The policies of the Official Plan direct that prior to considering any proposal to redesignate service commercial lands for other use, Town and County Councils must be assured that the Town has adequate supply of service commercial lands relative to expected growth.

Based on the most recent land supply estimates (Hemson Phase 1 Comprehensive Review, March 2020), Ingersoll’s gross developable supply of service commercial lands is approximately 18 ha (44.5 ac.). In light of the size of the site to be developed through this proposal (approximately 0.3 ha or 0.74 ac.), it is Planning staff’s opinion that the proposal will have minimal impact on the overall supply of vacant service commercial lands within the Town of Ingersoll.

In regard to the Official Plan policies that seek to minimize the encroachment of noise sensitive land uses on industrial land development, Planning staff have reviewed the Ministry of the Environment and Climate Change (MOECC) Environmental Noise Guidelines, Document (NPC-

300), which is a guideline for land use planning authorities that aids in minimizing the potential conflict between proposed noise sensitive land uses and sources of noise emissions.

In particular, Section A5 of the guidelines defines a noise sensitive institutional purpose building as:

“a building used for an institutional purpose, including an educational facility, a day nursery, a hospital, a health care facility, a shelter for emergency housing, a community centre, a place of worship and a detention centre. A place of worship located in commercially or industrially zoned lands is not considered a noise sensitive institutional purpose building.”

Accordingly, in light of the fact that a proposed place of worship is to be located within existing commercially zoned lands, the Province’s noise guidelines do not consider the use as a noise sensitive use and as such, will have no impact on the operations of existing and/or planning employment uses in the vicinity of the site.

As part of the past planning exercise that established the service commercial policies and zoning on the subject lands (as well as the commercial lands to the east), a number of noise sensitive uses were not permitted as of right (as noted previously) due to the presence of the industrial uses to the south. These prohibited uses included nursing homes, schools, retirement homes and day-care centres. A place of worship was not included on this list of prohibited uses.

Based on the conceptual site plan provided by the applicant in support of the development, the proposed use is considered to be compatible with surrounding uses. The lands to the northwest and west of the subject lands include a woodlot(owned by the Town) and an elementary school and recreational field. Lands to the east are designated for future service commercial purposes. The lands to the immediate north, along Hollingshead Road, are designated for multi-unit residential use, however, staff are satisfied that the subject lands are of sufficient size to allow for the placement of the building and provide sufficient parking in a manner that is not anticipated to impact on the logical development of the multi-unit residential block to the north.

The proposed development will have direct access to Hollingshead Road, which is supported by the Town’s Engineering Department, while access to the lands from Clarke Road is not supported. Further, neither the Town’s Engineering Department or County Public Works Department indicated any concern regarding traffic or the need for road improvements to facilitate the proposed use and it is the opinion of Planning staff that the nature and scale of the proposed use on the lands will not have any significant impacts on traffic movement in the area beyond what would be expected for any commercial development permitted by the current zoning.

Staff are also of the opinion that the proposed use will be adequately served by utilities, sewer and water facilities and the proposed re-designation of the lands will have no impact on natural features or natural constraints in the vicinity of the subject lands.

## **Conclusions**

In light of the foregoing, Planning staff are satisfied that the proposed Official Plan amendment is consistent with the policies of the PPS and supports the strategic initiatives and objectives of the Official Plan, and can be given favourable consideration.

## **SIGNATURES**

---

### **Report Author:**

---

Ron Versteegen, MCIP, RPP  
Senior Planner

### **Departmental Approval:**

---

Gordon K. Hough, RPP  
Director of Community Planning

### **Approved for submission:**

---

Michael Duben, B.A., LL.B.  
Chief Administrative Officer

## **ATTACHMENTS**

---

Attachment 1 - Plate 1, Existing Zoning & Location Map  
Attachment 2 - Plate 2, Air Photo (2020)  
Attachment 3 - Plate 3, Applicant's Sketch  
Attachment 4 - Correspondence Received  
Attachment 5 - Official Plan Amendment No. 274