

To: Chair and Members of Oxford County Land Division Committee

From: Heather St. Clair, Senior Development Planner, Community Planning

Applications for Consent and Easement B26-25-6 and B26-026-6 – King Street Suites Inc.

REPORT HIGHLIGHTS

- The purpose of the applications for consent is to facilitate a residential lot addition that will have the effect of providing driveway access and parcel frontage for an existing land-locked parcel in the Town of Ingersoll.
- Once consolidated, it is proposed that two semi-detached dwelling units with one basement apartment would be established (for a total of three dwelling units). An application for zone change has been received to rezone the lot to be severed and enlarged to a 'Special Residential Type 2 Zone (R2-sp)' to permit the proposed development and to permit a reduction to the required lot frontage from 18 m (59 ft) to 6 m (19.6 ft).
- An easement has been requested over the lot to be severed in favour of the retained lands to allow for continued driveway access for the retained lands. An additional easement has been requested on the retained lands in favour of the lot to be enlarged for additional driveway access.
- Planning staff are recommending approval of the applications as they are generally consistent with the Provincial Planning Statement and maintain the intent and purpose of the Official Plan as it pertains to consents for residential infill purposes.

DISCUSSION

Background

OWNER: King Street Suites Inc. (Rodney Lava)
260 Bell Street, Ingersoll ON, N5C 2P3

SOLICITOR: Derek Truelove
35 Perry Street, Woodstock ON, N4S 3C4

LOCATION:

The subject lands are described as Part Lots 4D, 5D, Block 43, Plan 279 in the Town of Ingersoll. The subject lands are located on the north side of King Street East, lying between Mill Street and Carroll Street and are municipally known as 63-65 King Street East, Ingersoll.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "I-1" Town of Ingersoll Land Use Plan

Entrepreneurial District

INGERSOLL ZONING BY-LAW NO. 04-4160:

EXISTING:

Lot to be Severed:	'Special Entrepreneurial Zone (EC-1)'
Lot to be Retained:	'Special Residential Type 3 Zone (R3-18) and 'Special Entrepreneurial Zone (EC-1)'
Lot to be Enlarged:	'Residential Type 2 Zone (R2)'

PROPOSED:

Lot to be Severed and Enlarged:	'Special Residential Type 2 Zone (R2-sp)'
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SERVICES:

Lot to be Severed and Enlarged:	Proposed municipal water and municipal sanitary sewer
Lot to be Retained:	Existing municipal water and municipal sanitary sewer

ROAD ACCESS:

Lot to be Severed:	Paved, municipal road (King Street East)
Lot to be Retained:	Paved, municipal road (King Street East)
Lot to be Enlarged:	No current road access

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>	<u>Lot to be Enlarged</u>
Area	288.7 m ² (3,107.6 ft ²)	649.1 m ² (6,987 ft ²)	599 m ² (6,447.7 ft ²)
Frontage	6.2 m (20.3 ft)	21.4 m (70.2 ft)	nil
Average Depth	45.8 m (150.5 ft)	43.4 m (142.3 ft)	25.9 m (84.9 ft)

The purpose of the applications for consent is to facilitate a residential lot addition that will provide road frontage to an existing land-locked parcel in the Town of Ingersoll. It is proposed that the lot to be enlarged will be developed for two semi-detached dwelling units with one basement apartment, for a total of three new dwelling units on the lot to be enlarged. An easement has been requested over the severed lands, in favour of the retained lands to allow for continued driveway

access. An additional easement has been requested over the rear portion of the retained lands in favour of the lots to be enlarged/severed to allow for additional driveway access.

The lot to be severed contains the existing driveway and parking access for the retained lands, which contain an existing apartment building, while the lot to be enlarged is currently vacant. Surrounding land uses consist of low density residential uses to the south, north and east, and a range of commercial and residential uses to the west, within the downtown core of Ingersoll.

Plate 1a, Location Map with Existing Zoning, identifies the location of the subject lands as well as the proposed configuration of severed and retained lots, together with the lot to be enlarged, and the existing zoning in the immediate vicinity.

Plate 1b, Location Map with Existing Zoning and Proposed Easements, identifies the approximate area proposed for the easements in relation to the lots to be severed, retained and enlarged.

Plate 2, Subject Lands with 2025 Aerial Photo, provides an aerial view of the subject lands as of the spring of 2025, with the proposed lots to be severed, retained and enlarged identified.

Plate 3a, Applicant's Sketch B26-25-6 – Lot to be Severed, provides the location and dimensions of the severed and retained lands, as provided by the applicant.

Plate 3b, Applicant's Sketch B26-25-6 – Easement Area on Severed Lot, provides the location and dimensions of the proposed easement on the lot to be severed, in favour of the lot to be retained, as provided by the applicant.

Plate 3c, Applicant's Sketch B26-26-6 – Easement Area on Retained Lot, provides the location and dimensions of the proposed easement on the lot to be retained, in favour of the lots to be severed/enlarged, as provided by the applicant.

Plate 3d, Applicant's Sketch B26-26-6 – Lot to be Enlarged, illustrates the future development of the enlarged lot, as provided by the applicant.

Application Review

2024 PROVINCIAL PLANNING STATEMENT (PPS)

In respect of the exercise of any authority that affects a planning matter, Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with the policy statements issued under the Act. The following outlines the key PPS policies that have been considered, but is not intended to be an exhaustive list.

Section 2.2 provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the immediate area by:

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
- b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas. Land use patterns within settlement areas should be based on densities and a mix of land uses which;

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight-supportive.

OFFICIAL PLAN

The subject lands are located within the 'Entrepreneurial District' in the Official Plan. As a 'sub-district' of the 'Central Area', it is a strategic initiative of the Official Plan to increase the residential population living within and in the vicinity of the 'Central Area' by supporting residential intensification measures within this area, as set out in the policies associated with the land use designation that applies.

The boundary of the 'Entrepreneurial District' represents the area proposed for a range of commercial and business development opportunities through the conversion of existing residential dwellings and new development or redevelopment. Within this district the continuation of residential uses is also anticipated. It is intended that development in this district will result in a mix of land uses.

Town Council may give consideration to the development of new low, medium and high density residential uses, businesses, professional and administrative offices and minor institutional uses in the 'Entrepreneurial District' if they are satisfied that the existing building is not of any architectural significance to merit renovation. Some uses are considered, by their nature and potential effect on the residential character of the area, not to be appropriate uses in the 'Entrepreneurial District' such as retail uses, uses that cause environmental concern and uses which require large loading areas or outside storage. These uses shall be prohibited in the 'Entrepreneurial District'

Within the 'Entrepreneurial District', low density residential development shall be in accordance with the policies of Section 9.2.4. Low density residential areas include those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single detached dwellings, semi-detached dwellings, duplex and converted dwellings, quadraplexes, townhouses and low-density cluster development.

Section 9.2.4.1 – Infill Housing addresses residential infill and the Official Plan defines infill housing as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the residential land supply, as well as

municipal servicing infrastructure, infill housing will be supported in Low Density Residential Areas.

Infill development may involve the construction of a residential dwelling unit behind a building facing a street and residential development on lots with minimum street frontage. Backyard infill may involve the development of existing lots of record and the creation of new lots by consent. When considering infill development for backyard infill lots, the Land Division Committee shall be guided by the following criteria:

- the nature of the proposed residential development will be evaluated having regard for the type of housing found in the surrounding residential area;
- for proposals involving more than two dwelling units, the exterior design 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 both buildings and parking areas in relation to the size, configuration and topography of the lot is such that effect on shadowing, view and privacy of adjacent yards is minimal;
- direct vehicular access to a public street will be required and driveways will have sufficient width to allow efficient vehicular use and turning of both private and emergency vehicles and to provide for snow storage;
- proposed multiple unit use is consistent with the multiple unit requirements for the 'Low Density Residential' areas.

In addition to the specific infill policies identified, the following policies will apply to all infill proposals:

- existing municipal services and public facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- adequate off-street parking and outdoor amenity areas will be provided;
- the location of vehicular access points, the likely impact of traffic generated by the proposal on public streets and potential traffic impacts are acceptable;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features;
- the effect of the proposed development on environmental resources and environmental constraints are addressed and mitigated in accordance with Section 3.2;
- consideration of the potential effect of the development on natural and heritage resources and their settings; and
- compliance of the proposed development with the provisions of the Town's Zoning By-law.

ZONING BY-LAW

The lot to be severed and the westerly portion of the lot to be retained are currently zoned 'Special Entrepreneurial Zone (EC-1)' in the Town of Ingersoll Zoning By-law. The 'EC-1' zone permits a wide range of residential uses including single detached dwellings, semi-detached dwellings, duplex dwellings, street fronting townhouses and additional residential units (ARUs). The special provisions that apply to the 'EC-1' zone include an automobile service station and a retail store as permitted uses.

The remainder of the lot to be retained is zoned 'Residential Type 3 Zone (R3-18)'. The 'R3-18' zone permits a street fronting townhouse and a street fronting townhouse containing two units.

This site-specific by-law requires a minimum lot area of 288.3 m (3,102.9 ft²) and permits a 0 m front yard depth.

The lot to be enlarged is zoned as 'Residential Type 2 Zone (R2)' in the Town's Zoning By-law. The 'R2' zone permits the development of a single detached dwelling, a semi-detached dwelling and a duplex as well as an additional residential unit (ARU) in accordance with the provisions of Section 5.35.2. As per this section, ARUs are only permitted in single detached dwellings, semi-detached dwellings and street fronting townhouses. The 'R2' zone requires a minimum lot area of 270 m² (2,906.3 ft²) per unit for the development of a semi-detached dwelling unit and 540 m² (5,812.37 ft²) for the development of a duplex dwelling unit and in both cases 18 m (59.1 ft) of frontage is required (9 m per unit for a semi-detached dwelling). In this instance it is proposed that the lot to be severed and enlarged (once consolidated) will be approximately 888 m² (9,558.6 ft²) in size with approximately 6.2 m (20.4 ft) of frontage on King Street East.

A semi-detached dwelling is defined to mean a building divided vertically by a party wall, as defined in the Ontario Building Code, into two side by side street facing dwelling units above grade, each of which has a direct street faceting entrance from the outside.

AGENCY COMMENTS

The applications for consent were circulated to those agencies considered to have an interest in the proposal.

Enbridge Gas has commented that it is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. Any service relocation required due to a severance would be at the cost of the property owner.

The County of Oxford Public Works Department has commented that if approved, a condition of severance shall be that the owner agrees to satisfy all requirements, financial and otherwise of the County, regarding the installation of water and sanitary services. Each property, being the retained and the severed/enlarged parcels, must be serviced with water and sanitary independently and any/all services crossing the proposed property line must be disconnected to the satisfaction of the County Public Works Department.

The Town of Ingersoll Building Department has commented that if approved, a grading plan is required, showing overland stormwater management and necessary swales for the existing and proposed lots and a separate site servicing plan for water and sanitary services is required for both the severed and retained lots. A separate survey for both the retained and severed/enlarged parcels will also be required.

The Town of Ingersoll Engineering Department has commented that as a condition of approval, the application should provide a lot grading and drainage plan, as well as a servicing plan for review by Town Staff, prepared by a qualified professional engineer. The plan must detail the grading and servicing for the enlarged/severed lot and must ensure that all surface runoff is fully contained, does not negatively impact on adjoining property, is directed away from existing and future buildings and is directed to an adequate stormwater outlet. The plan shall also address the following:

- consideration should be given to the existing retaining wall, including any required modifications or structural considerations resulting from the proposed development;
- identify the proposed snow storage area;

- provide the pavement structure for the 6.0 m (19.6 ft) wide asphalt access land required to support fire department apparatus, including labeling of any required fire routing;
- provide the proximity/distance from the proposed building to the nearest fire hydrant, and;
- identify waster/recycling location for pick-up.

Southwestern Public Health has indicated they have no comments regarding the proposal.

PUBLIC CONSULTATION

Public notice regarding the applications were provided to surrounding property owners in accordance with the requirements of the *Planning Act* on July 23, 2026. As of the date of this report, no concerns or objections have been received from the public.

Planning Analysis

The applications for consent and easements have been requested to facilitate a lot addition to provide road frontage for an existing land-locked parcel for future residential development consisting of two semi-detached dwelling units with one basement dwelling unit. The associated easements have been requested to facilitate driveway access for both the severed/enlarged parcel and the continued driveway access for the retained lands.

Planning staff have reviewed the proposal and are generally satisfied that it is consistent with the intensification, redevelopment and housing policies of the Provincial Planning Statement as the proposed development is considered to be an efficient use of land and municipal infrastructure. Further, given that the proposal will facilitate the development of an underutilized parcel within a settlement area, staff are of the opinion that the application promotes intensification, which is in-keeping with the direction of the PPS.

With respect to the relevant Official Plan policies for the 'Entrepreneurial District', staff note that these policies do permit new residential development in accordance with the policies of Section 9.2.4 – Low Density Residential Areas. These policies permit the development of low-rise, low density housing forms and permit backyard residential infill development, which involves the construction of a residential dwelling unit behind a building facing a street with minimal street frontage, which is the case in this instance. In this instance the proposal involves severing an existing driveway to provide road frontage to an existing land-locked parcel to facilitate backyard infill development.

Planning staff are satisfied that the proposal meets the policy criteria for backyard infill development as the proposed semi-detached dwelling units, together with the proposed basement apartment will not be out of character with surrounding residential uses in the area with respect to height, bulk and scale, particularly in consideration of the existing townhouse dwelling units and apartment buildings along King Street East and the proposed development is not anticipated to have adverse impact on surrounding land uses with respect to shadowing and privacy. Further, with the consolidation of the lot to be severed, the lot to be enlarged will have direct vehicular access to a public street (King Street East) and the proposed 6 m (19.6 ft) frontage will be sufficiently wide enough to provide two-way ingress/egress for the lot to be enlarged and continued driveway and parking access for the retained lands. Based on this, staff are satisfied that the requested lot addition and easement in favour of the retained lands can be considered appropriated. A second easement has been requested on the retained lands, in favour of the lot to be enlarged/severed to provide additional driveway access to the parking area on the enlarged/severed lands. Staff are satisfied that this can also be considered appropriate as it will

not be used for parking but rather access to the parking area on the enlarged lot and will not impede the existing driveway arrangement for the retained lands. This will ensure that adequate off-street parking is provided and maintained for the enlarged/severed and retained lands.

Staff are also satisfied that there will be sufficient municipal services and public facilities to accommodate the proposal and that as per the conditions requested by the Town, stormwater run-off will be appropriately addressed prior to final approval of the consent. Based on this, staff are of the opinion that the proposal generally satisfies the policies respecting backyard infill development in the Official Plan for lands designated 'Entrepreneurial District'.

The lot to be enlarged is zoned as 'Residential Type 2 Zone (R2)' in the Town of Ingersoll Zoning By-law. The applicant has indicated their intention to develop two semi-detached dwelling units, with one dwelling unit in the basement of one of the proposed semi-detached dwelling units, for a total of three units on the lot to be enlarged. Based on the definition of a semi-detached dwelling unit in the Town's Zoning By-law, a special provision will be required to permit the proposed semi-detached dwelling unit without a direct street facing entrance.

The Town of Ingersoll Zoning By-law would require two parking spaces for each of the proposed semi-detached dwelling units, as well as one additional space for a basement dwelling unit, provided it complies with the additional residential dwelling unit provisions, for a total of five parking spaces. Based on the site sketch submitted by the applicants, this would be accommodated in an attached garage and parking area in front of the proposed dwellings.

The applicants are also requesting a reduction to the frontage for the lot to be severed/enlarged from 18 m (59 ft) (being 9 m (29.5 ft) per semi-detached dwelling unit), to 6 m (19.6 ft). The purpose of the lot frontage provision is to ensure that parcels are sufficiently wide enough to provide adequate space for an appropriate building envelope, as well as off-street parking, private amenity space and lot grading and drainage. Planning staff are satisfied that in this instance the proposed reduction to lot frontage can be considered appropriate as the proposal will result in an irregular shaped lot that will provide for sufficient lot area in the rear to accommodate the proposed dwelling units and off-street parking and private amenity area. Further, the applicant will be required to demonstrate adequate lot grading and drainage as a condition of approval. Based on this, staff are satisfied that the proposed lot configuration and reduction to frontage can be considered appropriate and staff are recommending that as a condition of consent the lots to be severed and enlarged be rezoned to a special 'R2' zoning to address the above considerations.

The lot to be retained will continue to be zoned 'EC-1' and 'R3-18'. Both the 'EC-1' and the 'R3-18' zone permit street fronting townhouses and will continue to comply with this zoning and staff are satisfied that approval of the requested easements will allow for continued driveway access for the retained lands with minimal impact to the current driveway access situation.

Comments received from various agencies indicated no objections to the proposed development. Oxford County Public Works indicated that the owner will be required to connect to municipal water and sanitary services for the lot to be severed and will be responsible for the costs of servicing connections to the subject lands. Comments received from the Town Building Department and Engineering Department did indicate that grading and servicing plans, as well as a survey are to be completed as a condition of consent.

Overall, Planning staff are of the opinion that the proposed severance is a form of backyard infill and intensification that is consistent with the policy direction of the Provincial Planning Statement and the Official Plan, and can be supported from a planning perspective, subject to the recommended conditions.

RECOMMENDATIONS

Whereas the applications for consent are consistent with the 2024 Provincial Planning Statement and comply with the policies of the County of Oxford Official Plan, we are of the opinion that the applications are acceptable from a planning perspective, and should be granted, subject to the following conditions:

B26-25-6

1. The lots to be severed and enlarged be rezoned, to the satisfaction of the Town of Ingersoll.
2. The parcel to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) and (5) of the Planning Act, RSO. 1990, as amended, and be reflected on the certificate.
3. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all requirements, financial and otherwise, of the County of Oxford regarding the installation of water and sanitary services have been met, to the satisfaction of the County of Oxford Public Works Department. Both properties must be served with water and sanitary services independently, and if any services cross the proposed property line, they shall be disconnected to the satisfaction of the County of Oxford Public Works Department.
4. If required, the Owner shall submit a grading and servicing plan, prepared by a Professional Engineer or Ontario Land Surveyor, to satisfaction of the Town of Ingersoll. The said grading plan shall demonstrate that all surface water is fully contained, does not negatively impact any adjoining property, is directed away from any existing or proposed structures and is directed to an adequate stormwater outlet.
5. If required, the Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Ingersoll, regarding the installation of services and drainage facilities.
6. If required, the Owner shall provide survey plans for both the lot to be severed and the lot to be retained, prepared by an Ontario Land Surveyor, confirming the dimensions of the proposed lots, to the satisfaction of the Town of Ingersoll Building Department.
7. If required, the Owner shall provide confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the Town of Ingersoll.
8. A draft copy of the reference plan and shared easement agreement be provided to the Town of Ingersoll and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of a certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the agreement and the said agreement shall be registered on title.

9. If required, the owner shall enter into a severance agreement with the Town of Ingersoll, and the Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.

B25-26-6

1. A draft copy of the reference plan and shared easement agreement be provided to the Town of Ingersoll and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of a certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the agreement and the said agreement shall be registered on title.

SIGNATURES

Authored by: *"Original Signed by"* Heather St. Clair, MCIP, RPP
Senior Development Planner

Approved for submission: *"Original Signed by"* Eric Gilbert, MCIP, RPP
Manager of Development Planning