



Community and Strategic Planning

PO Box 1614, 21 Reeve Street

Woodstock ON N4S 7Y3

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Web site: www.county.oxford.on.ca

Our File: 32CDM-09001

**APPLICATION FOR CONDOMINIUM APPROVAL AND
EXEMPTION FROM DRAFT APPROVAL**

To: The Mayor and Members of
Ingersoll Town Council

MEETING DATE: April 14, 2009
REPORT NO.: 2009-97

OWNERS:

Reeves Realty Corp. &
B.W. Conn Homes Ltd.
95 Young Street
Woodstock, ON N4S 3C6

SOLICITOR:

Terry Thompson
c/o Nesbitt Coulter
432 Simcoe Street
Woodstock, ON N4S 1J8

SOLICITOR:

Baker & Benedict Surveying
Inc.
871 Dundas Street
Woodstock, ON N4S 1G8

LOCATION:

West side of John Street, between Bell Street and Victoria Street.

Lot 250, Block 81, Registered Plan 279, Town of Ingersoll.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "I-1"

Town of Ingersoll
Land Use Plan

Central Business District, with
site specific provisions

TOWN OF INGERSOLL ZONING BY-LAW 04-4160:

Existing Zoning

Special Residential Type 3 (R3-16)

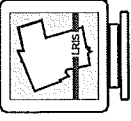
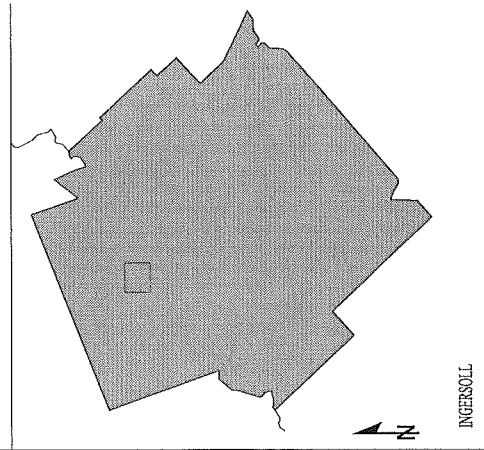
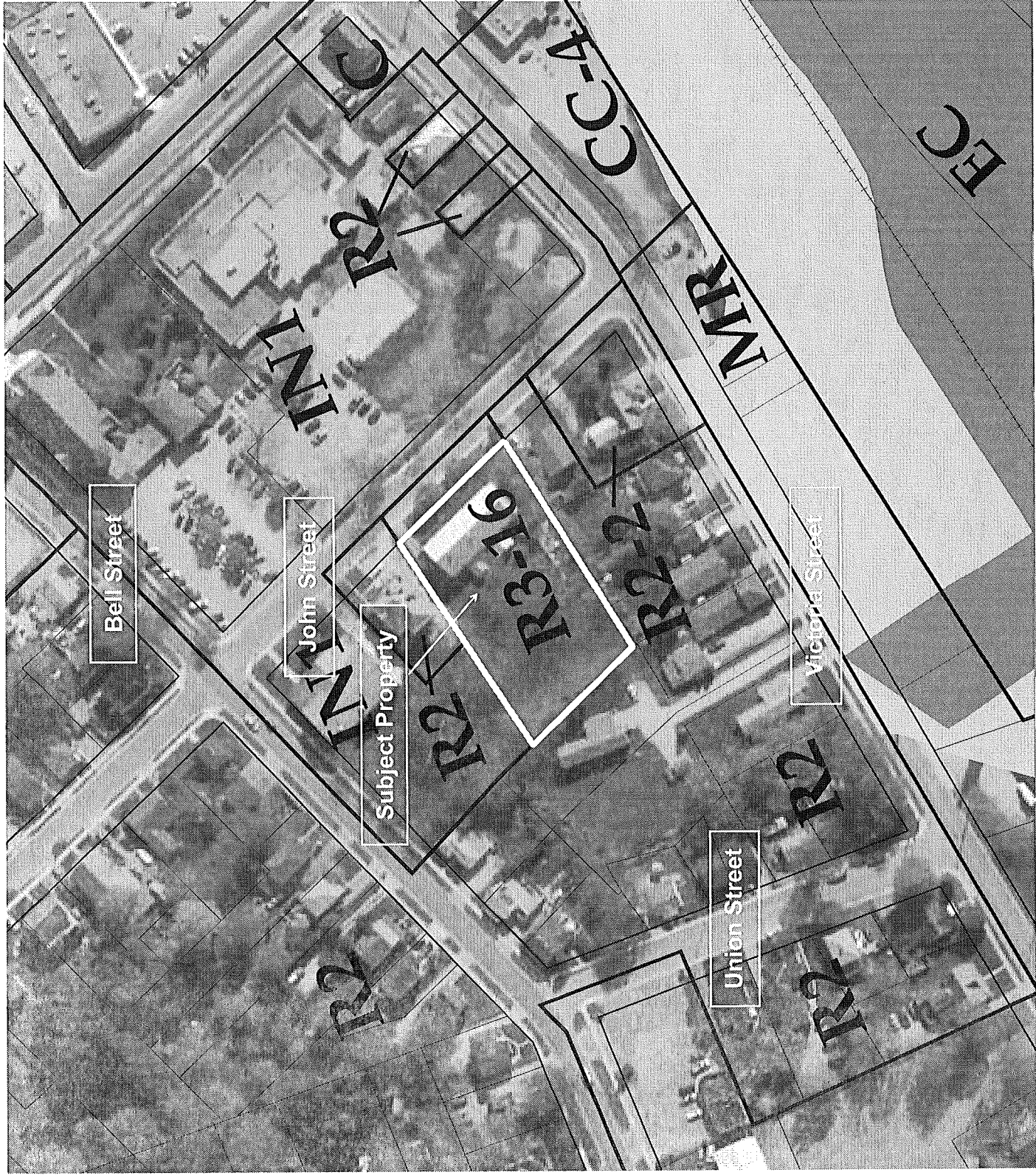
APPLICATION REVIEW:

(a) Background

Planning applications (Official Plan Amendment and Zone Change) were previously circulated in 2006 affecting the subject property. In particular, the present owner applied to amend the Official Plan to extend the limits of the Central Business District onto the subject

*c 14/April/09
Corresp. h)*

- LEGEND**
- County Orthoimagery (200
 - Zoning
 - Floodway
 - Floodfringe
 - Zoning Line
 - Municipal Limits



© 2003
 LAND RELATED INFORMATION SYSTEM
 COUNTY OF OXFORD
 CREATED ON: 04-OCT-2007

Plate 1 - Location Map
 Reeves Realty Corp. & B.W. Conn Homes Ltd., Lot 250, Block 81, Registered Plan 279
 File No.: 32CCDM-09001, Town of Ingersoll

property in order to permit two 2-storey apartment buildings to be constructed. The rezoning was also submitted to permit the same development.

The applications were considered by Ingersoll Town Council at a Public Meeting on November 6, 2006. Planning staff had prepared a report for Town Council's consideration that recommended that the Official Plan Amendment be supported and that the zoning be approved in principle. A resolution in accordance with staff's recommendations was passed by Town Council at this meeting.

Subsequent to this, County Council considered the Official Plan Amendment application at a Public Meeting on November 8, 2006 and adopted Official Plan Amendment 116 at the same meeting. Zoning By-Law No. 07-4348 to zone the property to R3-16 was passed by Town Council on March 7, 2007. No appeals to Official Plan Amendment 116 or By-Law 07-4348 were received.

The present owners then submitted a subsequent zone change application (File No.: ZON 6-07-5) in 2007 to amend the site specific zoning in order to construct 20 townhouse units on the subject property as opposed to 21 apartment units. The application was considered by Ingersoll Town Council at a Public Meeting on October 15, 2007. Planning staff had prepared a report for Town Council's consideration that recommended support and also prepared a zoning by-law. A resolution in accordance with staff's recommendations was passed by Town Council at this meeting in addition to By-Law No. 07-4384 was passed at this meeting. No appeals to By-Law No. 07-4384 were received. The subject development also obtained site plan approval from the Town of Ingersoll in 2007.

Twelve of the units have received funding from the County of Oxford through the Canada/Ontario Affordable Housing Program to support the creation of affordable housing. The balance of the units would be market rate units.

(b) Proposal

An application has been received for approval of a plan of condominium and exemption from the draft approval process. The development is comprised of 2 buildings containing 10 residential dwelling units as illustrated on the attached Plate 2. Through discussions with the applicant, 10 of the affordable units are completed and occupied while the other 10 units are nearing completion.

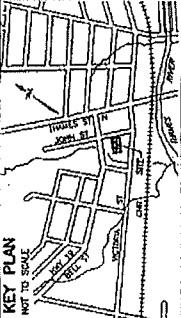
The purpose of this application is to establish condominium ownership of the new dwelling units. Under condominium ownership, the 8 market rate units can be conveyed to individual owners. Ownership of the 12 affordable units will be retained by the applicants. The patio areas adjacent to the ground floor units are also for the exclusive use of the tenants of each unit. The balance of the lands, consisting of parking areas, amenity area, access lanes and open areas are to be held in common ownership. The subject property consists of a total area of approximately 0.28 ha (0.7 ac.).

Plate 1 – Location Map shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2 – Draft Plan of Condominium illustrates the current draft plan, the relevant dimensions of the property and the location of proposed buildings on the lands.

DRAFT PLAN OF CONDOMINIUM
 OF ALL OF
 LOT 250
 BLOCK B1
 REGISTERED PLAN 279
 TOWN OF INGERSOLL
 COUNTY OF OXFORD

BAKER & BENEDICT SURVEYING INC.



OWNER'S CERTIFICATE

I HEREBY AUTHORISE BAKER & BENEDICT SURVEYING INC. TO PREPARE AND REGISTER THIS PLAN AND TO MAKE ANY NECESSARY CORRECTIONS TO THE PLAN IN THE EVENT OF A MISTAKE.

DATE: _____
 I HAVE THE AUTHORITY TO SIGN THE COMPANION*

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE DIMENSIONS OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THE RELATIONSHIP TO THE ADJACENT LANDS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PAUL J. BENEDICT, O.L.S., C.L.S.P.
 OXFORD LAND SURVEYOR

DATE: _____

- BOUNDARIES OF SECTION 34(2) OF THE PLANNING ACT, R.S.O. 1990, c. 431
- (A) SEE PLAN
 - (B) SEE PLAN
 - (C) SEE PLAN
 - (D) SEE PLAN - CONDOMINIUM TOWN-HOMES
 - (E) SEE PLAN
 - (F) SEE PLAN
 - (G) SEE PLAN
 - (H) METROPOLITAN BUILDING
 - (I) LAMB COS REC REPORT NO. 28 OF THE OXFORD SOIL SURVEY
 - (J) SEE PLAN
 - (K) FULL METROPOLITAN SERVICES
 - (L) NONE

BAKER & BENEDICT SURVEYING INC.
 OXFORD LAND SURVEYORS
 100-5100 557 HWY
 OXFORD, ONT. L6N 4R1
 PHONE: 519-837-1101
 FAX: 519-837-1102
 REGISTERED BY: P.A.B.
 DATE: 2008 JANUARY 20
 REG. NO. S-08-11091

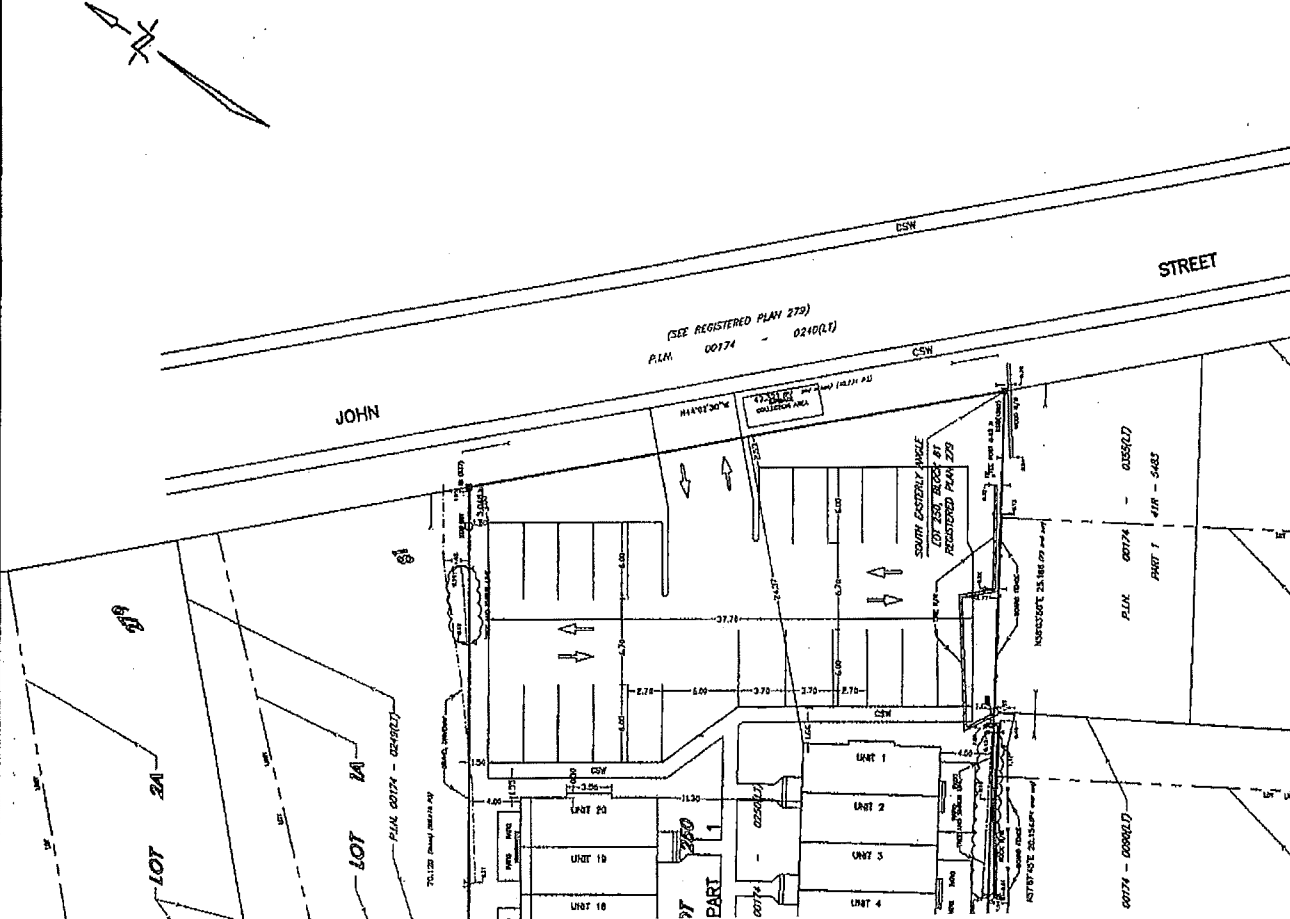
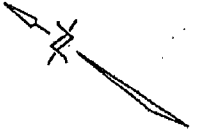


Plate 2 - Draft Plan of Condominium

METRIC
 DIMENSIONS ON THIS PLAN ARE IN METERS
 AND DIMENSIONS IN FEET ON
 DRAWING BY 03/2008

PLAN 00174 - 0256(02)
 PART 2 41/1 - 5483

PLAN 00174 - 0256(02)
 PART 1 41/1 - 5483

(c) Planning Review

Applications for condominium approval can be dealt with in one of two ways. The first method involves a process similar to subdivision approval where an applicant receives a 'draft' approval which is contingent on the applicant satisfying a number of conditions prior to final approval and registration.

The Condominium Act also permits a second process 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.

The application has been reviewed by a number of public agencies including the Town of Ingersoll Clerk/Deputy Administrator, Town of Ingersoll Chief Building Official, Town of Ingersoll Engineering Services Co-ordinator, County of Oxford Public Works Department, Erie Thames Powerlines Corporation, and the Upper Thames River Conservation Authority have indicated that they have no objections to or comments regarding the application. Additionally, Planning staff discussed the proposal with the County Manager of Social Housing, who indicated that he had no objection to the proposal.

The subject lands received site plan approval (File No.: SPA 05-07) in 2007 and are subject to the terms and conditions of a development agreement entered into with the Town of Ingersoll as part of the site plan approval process (agreement signed March, 13, 2008 and registered April 3, 2008). The development, which is nearing completion, is within the site specific net residential density provisions of the Official Plan affecting the subject property. Further, the proposed development complies with the relevant provisions of the 'R3-16' Zone, as contained in the Town of Ingersoll Zoning By-law. The current zoning was approved by Town Council specifically to facilitate the proposed townhouse development.

(d) Summary

The applicant proposes to obtain condominium approval and exemption from the draft plan approval process to permit a 20 unit townhouse development to be held in condominium ownership. The development conforms with the relevant policies of the Official Plan, is appropriately zoned and has received site plan approval (including a development agreement). As such, this Office supports the creation of a new condominium and the applicant's request for exemption from the requirements of draft plan approval.

RECOMMENDATION:

It is recommended that the Council of the Town of Ingersoll advise Oxford County Council that the Town supports the approval of application File No.: 32CDM-09001, submitted by Reeves Realty Corp. & B.W. Conn Homes Ltd., for approval of a plan of condominium relating to plans prepared by Baker & Benedict Surveying Inc., for lands described as Lot 250, Block 81, Registered Plan 279 in the Town of Ingersoll.

It is further recommended that the Council of the Town of Ingersoll advise Oxford County Council that the Town supports the approval of application File No.: 32CDM-09001, for

exemption from draft plan of condominium for lands described as Lot 250, Block 81, Registered Plan 279, in the Town of Ingersoll as all matters relating to the development have been addressed through Site Plan Approval and a registered Site Plan Agreement.

Authored by:

Approved by:

"Ron Versteegen"

"Margaret Misek-Evans"

Ron Versteegen, MCIP, RPP
Planner

Margaret Misek-Evans, MCIP, RPP
Corporate Manager

RV/rv
April 8, 2009

File: 32CDM-09001i