

REPORT TO COUNTY COUNCIL

Application for Official Plan Amendment OP 23-09-8 – City of Woodstock

To: Warden and Members of County Council

From: Director of Community Planning

RECOMMENDATIONS

1. That Oxford County Council approve Application No. OP 23-09-8, initiated by the City of Woodstock, to amend the policies of the Low Density Residential District to broaden the permissions for ARUs within the City of Woodstock, in accordance with Provincial direction;
2. And further, that Council approve Amendment No. 307 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 Low Density Residential Areas to provide additional opportunities for ARUs to be developed within the City of Woodstock.
- 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 of the City.

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 impact beyond what has been approved in the current year's budget.

Communications

The City of Woodstock has initiated an amendment to the Official Plan to implement policies to facilitate the development of ARUs more broadly throughout the City.

Notice of complete application and notice of public meeting were published in the Oxford Review and Woodstock Sentinel Review newspapers on September 29, 2023 in accordance with the requirements of the Planning Act.

For Council’s information, the City of Woodstock held a public meeting to consider the proposed Official Plan Amendment on October 16, 2023 and City Council recommended support of the amendment and approved amendments to the City’s Zoning By-law ‘in-principle’ at their meeting of October 19, 2023.

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 supports the following strategic goals.

Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
<p>Promoting community vitality</p>	<p>Enhancing environmental sustainability</p>	<p>Fostering progressive government</p>
<p>Goal 1.1 – 100% Housed Goal 1.2 – Sustainable infrastructure and development Goal 1.3 – Community health, safety and well-being 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 Goal 3.4 – Financial sustainability</p>

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

DISCUSSION

Background

Applicant: City of Woodstock
500 Dundas Street, Woodstock, ON N4S 0A7

Location:

The proposed Official Plan Amendment would apply broadly to all lands within the City of Woodstock.

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 respecting Additional Residential Units.

City of Woodstock Zoning By-Law 8626-10:

The proposed amendments to the City's Zoning By-Law will amend Section 5.2.8 of the Zoning By-Law respecting the provisions for ARUs, and further, would amend Section 6.1 (R1), 8.1 (R3), 10.1 (HD) and 13.1.1 (C3) to permit an ARU as a permitted use.

Proposal:

Applications to amend the Official Plan and City Zoning By-Law have been initiated to expand the permissions for Additional Residential Units (ARUs) throughout the City of Woodstock.

Woodstock City Council initiated amendments to the Official Plan and the City Zoning By-law in 2020 which came into effect in 2021 respecting Additional Residential Units. The amendments introduced Official Plan policies permitting additional residential units in areas designated Low Density Residential and Entrepreneurial District in the City and permitted ARUs in the R2 zone (and the C3 Zone).

Since that time, the Planning Act has been amended through Bills 97, 109 and Bill 23 to more broadly permit ARUs in serviced settlement areas, such as the City of the Woodstock. As such, it is appropriate to revise the Official Plan policies and zoning provisions to reflect the legislative changes and to facilitate the development of ARUs to provide additional housing choices and housing supply for residents of the City.

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.

Section 1.1.1 states 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, and accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

The policies of Section 1.1.3 direct that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Section 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The policies of Section 1.1.3.5 state that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas based on local conditions.

Further, Section 1.4.3 directs that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements 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 required to meet the social, health 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 Official Plan contains policies respecting ARUs in Low Density Residential Areas in Section 7.2.4.3. The development of additional residential units within the Low Density Residential Districts shall be encouraged, where appropriate, with the goal/objective of increasing the range and availability of affordable housing options while maintaining the low density residential character of the housing and neighbourhoods comprising such districts.

The general intent is to allow for the establishment of such units in existing and newly developing residential areas, subject to complying with applicable zone provisions and development standards, where the City has deemed it to be appropriate based on such considerations as the location, nature and character of existing development, existing level of services and presence of natural hazards and/or other constraints.

To this end, City Council shall establish appropriate zones and zoning provisions to permit the establishment of an additional residential unit in a single detached, semi-detached or row townhouse dwelling and/or a structure ancillary to such dwellings where they are satisfied that the following criteria can be addressed:

- A maximum of two additional residential units are permitted on a lot, consisting of two units in the principal dwelling or one in a principal dwelling and one in a structure ancillary to the principal dwelling;
- An additional residential unit shall generally not be permitted on a lot that contains a boarding or lodging house, garden suite, converted dwelling unit, group home, mobile home/park model trailer, bed and breakfast establishment, or other similar use;
- The additional residential unit(s) shall be clearly secondary and subordinate to the principal dwelling and limited in size to maintain affordability and minimize potential impacts on neighbourhood character and on infrastructure and public service facilities;
- The gross floor area of the additional residential unit(s) shall not total greater than 50% of the gross floor area of the principal dwelling. The City may establish lower maximum floor area limits and/or floor area caps in zoning, if deemed appropriate.
- Existing dwellings and lots are of sufficient size to accommodate the creation of additional residential unit(s) and to provide for adequate parking, landscaping and outdoor amenity areas, without detracting from the visual character of the lot or area;
- Any new or expanded structures and/or exterior alterations (e.g. new parking areas, doors, windows, stairways, decks) to accommodate an additional residential unit will maintain the general built form and architectural character of the principal dwelling and the surrounding residential neighbourhood;
- The principal dwelling must have direct, individual vehicular access to a public street. New additional driveways will generally not be permitted;
- To the extent feasible, existing trees and other desirable vegetation are preserved to assist in maintaining the character of the lot and area;
- The existing infrastructure and public service facilities serving the area are adequate to accommodate the establishment of additional residential unit(s);
- Stormwater run-off will be adequately controlled and will not negatively affect adjacent properties;
- Any potential increase in on-street parking demand can be adequately accommodated and/or managed;
- Land use compatibility concerns (e.g. due to proximity to industrial areas or on major facilities) will not be created or intensified;
- The potential effects on environmental and/or heritage resources, and the avoidance or mitigation of environmental constraints can be addressed in accordance with the policies of Section 3.2.;
- All other municipal requirements (e.g. servicing, emergency access, bylaws, standards, etc.) can be adequately addressed.

The following additional criteria shall apply to the establishment of an additional residential unit in a structure ancillary to a single detached, semi-detached or row townhouse dwelling:

- The ancillary structure must be located in a rear or interior side yard;
- The siting, design and orientation of the ancillary structure/dwelling unit, parking area and outdoor amenity area (s) will allow for optimal privacy for the occupants of the additional residential unit, principal dwelling and abutting residential properties and minimize potential visual and shadowing impacts on adjacent residential yards;
- Landscaping, privacy screening, fencing and other appropriate measures may also be required to minimize potential visual and privacy impacts on abutting residential properties; and
- All other municipal requirements (e.g. servicing, emergency access, bylaws, standards, etc.) can be adequately addressed.

Additional residential units must be located on the same lot as the principal dwelling and may not be severed from such lot or converted into a separately transferable unit through plan of condominium.

The City's Zoning By-law shall establish the specific zoning provisions that must be met for an additional residential unit to be established on a lot. These zoning provisions will address the policy requirements of this subsection and any other matters deemed necessary by the City including, but not limited to, lot frontage and area; type of unit permitted; unit size and location; building height; location and setbacks; landscaping and amenity areas; parking and access, etc.

To assist in maintaining the built form character of the principal dwelling and surrounding residential area, and minimizing potential impacts on abutting residential properties, the Zoning By-law may also limit the location and extent of structural additions, alterations and/or features (e.g. building additions, doorways, windows, stairways, decks, etc.) that are permitted.

The zoning provisions for additional residential units will be implemented through a comprehensive, City initiated amendment to the Zoning By-law, or through the proposed zoning for new residential subdivisions. Site specific amendments to the Zoning By-law to permit the establishment of an additional residential unit will generally not be permitted.

Where deemed necessary and/or appropriate, the City may implement other supplementary tools and measures to assist with tracking and regulating additional residential units including, but not limited to, registration and/or licensing requirements, design guidelines, property standards by-laws, etc.

[Agency Comments](#)

The City of Woodstock Engineering Department (Development Division) has provided the following comments:

- The Building Department receives many inquiries daily respecting the establishment of ARUs throughout the City.
- It is noted that a building permit is required for the works required to create an ARU, and all work must comply with the Ontario Building Code.

- Building staff support the reduced minimum lot area for ARUs in detached ancillary structures.

Oxford County Public Works has reviewed these applications and has the following comments:

1. Each application for a Building Permit to establish an ARU within in a settlement serviced by County water or sewage systems must be circulated to the County to confirm capacity. A formal process, forms, templates, etc. should be developed in consultation with the Area Municipalities. This process should occur prior to an application for Building Permit being deemed complete and the City may amend their 'Building By-law' or equivalent document to incorporate this process.
2. The County Allocation Protocol, which forms an internal protocol/agreement between Public Works, Community Planning and Area Municipalities, should be amended to address ARUs and other infill development (e.g., to include the process described above and establish unit caps for specific systems).

Planning Analysis

As indicated, the purpose of the application for Official Plan amendment is to more broadly permit ARUs in low density residential areas throughout the City, 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 City by permitting additional units.

The proposed Official Plan Amendment can be considered appropriate as it will broadly permit 2 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 not subject to natural hazards or servicing constraints. The existing policies, while remaining largely appropriate, have been amended to increase the number of permitted units from 2 to 3, and to expand the areas and zones where ARUs are permitted to include all areas that contain a single detached, semi-detached or townhouse dwelling.

The City of Woodstock approved the accompanying zoning amendment (ZN 8-23-15) 'in-principle' to update Section 5.2.8 of the Zoning By-Law to introduce the following changes:

- Number of ARUs per lot - increase this to two ARUs per lot, either two in the principal dwelling or one in the principal dwelling and one within an accessory building.
- Increase the maximum ARU size to 50% of gross floor area of the principal dwelling, to a max of 100 m². The ARU may occupy the whole of a basement of an existing dwelling.
- Reduce the minimum required lot area for an ARU in an accessory building from 1000 m² to 540 m² (the minimum lot size for a corner lot in the R1 zone).

- An ARU would also be permitted within a single detached dwelling, semi-detached dwelling or townhouse dwelling in a R1, R2, R3, C3 or HD zone;
- Provide for an increased permitted parking area for an ARU, to a maximum of 65% of lot frontage.

Together, the proposed changes to the Official Plan and the City Zoning By-Law will provide greater housing variety, choice, and supply for current and future residents of the City.

CONCLUSIONS

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 _____
Eric Gilbert, MCIP, RPP
Manager of Development Planning

Departmental approval:

Original signed by _____
Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Original signed by _____
Benjamin R. Addley
Chief Administrative Officer

ATTACHMENTS

Attachment 1 - Official Plan Changes
Attachment 2 - OPA 307