

## REPORT TO COUNTY COUNCIL

# Application for Official Plan Amendment OP 24-12-8 – 747 Pavey Street Inc. and BenGi Investment Corporation Inc.

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

**From:** Director of Community Planning

## RECOMMENDATIONS

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1. That Oxford County Council approve Application No. OP 24-12-8 submitted by 747 Pavey Street Inc. and BenGi Investment Corporation Inc., for lands described as Part of Park Lots 2 and 3, Plan 187 in the City of Woodstock, to redesignate the subject lands from Low Density Residential to Medium Density Residential;
2. And further, That Oxford County Council approve the attached Amendment No. 332 to the County of Oxford Official Plan and raise the necessary by-law to approve Amendment No. 332.

## REPORT HIGHLIGHTS

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- The Official Plan amendment is proposing to redesignate the subject property from Low Density Residential to Medium Density Residential to facilitate the development of a 52 unit apartment development.
- The proposal is consistent with the relevant policies of the 2024 Provincial Planning Statement and supports the strategic initiatives and objectives of the Official Plan and can be supported from a planning perspective.

## IMPLEMENTATION POINTS

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The 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

In accordance with the Planning Act, notice of complete application regarding this proposal was provided to surrounding property owners on October 15, 2024 and notice of public meeting was issued on December 30, 2024. During the City of Woodstock public meeting for the application, a few residents raised concerns relating to privacy, density, grading and drainage. In response to comments made at Woodstock's public meeting, the applicant's agent has requested that the City establish a minimum front yard depth of 8.5 m (27.9 ft) to the main building and 7 m (23 ft) to a porch to address neighbour concerns regarding views.




## 2023-2026 STRATEGIC PLAN

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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  |
|--|---|---|
|   |  |  |
| <b>Promoting community vitality</b>  | <b>Enhancing environmental sustainability</b>                                       | <b>Fostering progressive government</b>   |
| <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> |   |   |

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

## DISCUSSION

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### Background

**Owner:** Pavey Street Inc., c/o Zachary Janscar  
825946 Township Road 8, Innerkip, ON N0J 1 M0

BenGi Investment Corp. Inc., c/o Darrel Benbow  
846240 Township Road 9, Innerkip, ON N0J 1M0

**Agent:** Baker Planning Group c/o Caroline Baker  
PO Box 23002 Stratford, ON N5A 7V8

### Location:

The subject lands are described as Part of Park Lots 2 and 3, Plan 187 in the City of Woodstock. The lands are located on the north side of Pavey Street with some frontage on Fyfe Avenue between Fyfe Avenue and Norwich Avenue and are municipally known as 747 Pavey Street and 97 Fyfe Avenue.

### County of Oxford Official Plan:

#### Existing:

|                |   |                           |
|----------------|---|---------------------------|
| Schedule 'W-3' | City of Woodstock<br>Residential Density Plan | 'Low Density Residential' |
|----------------|---|---------------------------|

#### Proposed:

|                |   |                               |
|----------------|---|-------------------------------|
| Schedule 'W-3' | City of Woodstock<br>Residential Density Plan | ' Medium Density Residential' |
|----------------|---|-------------------------------|

### Proposal:

Applications have been received to amend the Official Plan and the City's Zoning By-law to permit the development of a 52 unit apartment development consisting of two, four storey buildings on the subject lands. The Official Plan amendment, which is the subject of this report, proposes to redesignate the subject lands from 'Low Density Residential' to 'Medium Density Residential' with special policies to facilitate the proposed increase in residential density on the site.

For background, the planning staff report to City Council reviewed the proposed development as a 'High Density Residential' designation, as originally requested by the applicant. However, after further review, planning staff are of the opinion that the location and form of the proposed development is more appropriately designated as a Medium Density Residential. The reasoning for the recommended change in designation is outlined in the Planning Analysis section of this report and will not change any of the details of the proposed development that were considered and supported by City Council, simply the way the site is designated in the Official Plan.

The associated zone change application is proposing to rezone the subject lands from 'Residential Type 1 Zone (R1)' to 'Special Residential Type 3 Zone (R3-sp)' to establish the zone and site specific provisions necessary to facilitate the proposed development.

The subject lands comprise an approximate area of 6,075 m<sup>2</sup> (65,390.76 ft<sup>2</sup>) and contain a large house that has recently been used as a veterinarian's office (747 Pavey) and a single detached dwelling (97 Fyfe). The application proposes to remove the existing structures and replace them with two apartment structures containing a maximum of 52 dwelling units and having a maximum height of four storeys.

Surrounding land uses include a variety of uses, including single-detached dwellings, a large two-storey apartment complex to the south, a large health care facility to the north (Care Partners/ Caressant Care) to the north, a secondary school to the west (College Avenue Secondary School), commercial uses to the east, and a number of parks in close proximity.

Plate 1, Location Map with Existing Zoning, indicates the location of the subject site and the existing zoning in the immediate vicinity.

Plate 2, 2020 Aerial Map, provides an aerial view of the subject property and surrounding area.

Plate 3, Applicant's Sketch, consists of a site plan illustrating the layout of the proposed development, as provided by the applicant.

## Comments

### 2024 Provincial Planning Statement

The policies of Section 2.3 of the Provincial Planning Statement directs that settlement areas shall be the focus of growth and development, and that land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support active transportation, are transit supported (as appropriate) and are freight supportive. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

### Official Plan

The subject lands are designated 'Low Density Residential', according to the City of Woodstock Residential Density Plan. The application for Official Plan amendment is proposing to redesignate the lands to high density residential to facilitate the proposed development. However, as noted in the introduction, it is the opinion of planning staff that a medium density residential designation would be more appropriate, so both sets of policies are provided below for comparison.

Areas designated for Low Density Residential use are generally intended to provide a variety of low-rise, low-density housing forms including executive and smaller single detached dwellings, semi-detached and duplex dwellings, additional residential units and converted dwellings, street

fronting townhouses and low rise apartments. In these Districts, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

The maximum net residential density for an individual development in the Low Density Residential District is 30 units per hectare (12 units per acre) and no building shall exceed three storeys in height at street elevation.

High Density Residential areas are primarily developed or planned for a limited range of large scale multiple unit forms of residential development. This designation is to be applied in a localized and site specific manner in locations where high rise development can:

- Result in the preservation of features of the natural environment which may otherwise be compromised with more dispersed low rise development, or
- Result in the efficient use of land which may be difficult to develop at a lower residential density due to the presence of environmental constraints and the costs of mitigating such constraints; or
- Constitute community land marks or reference points, or
- Support the functionality of the municipal transit system, or
- Support the viability and functionality of the Central Area.

The height and density limitation applicable to various forms of development in the High Density designation shall be determined on the basis of the nature, character and scale of adjacent land uses and are to be specified in the zoning by-law and may vary from location to location. The minimum net residential density in the High Density Residential designation is 70 units per hectare (31 units per acre) and, unless there are specific site or area characteristics which favour higher limits, the maximum net residential density is 150 units per hectare (60 units per acre).

Any further High Density Residential designations [beyond those currently in the Official Plan] will be consistent with the following location criteria:

- The site will generally have direct access to arterial and collector roads;
- On vacant or under utilized sites adjacent to development which is already built at medium or high densities;
- Close to community services and neighbourhood conveniences such as shopping plazas, institutional, recreational and open space facilities; sites which are adjacent to the Central Area, designated Shopping Centres or Community Facilities.

In addition to the requirement for compliance to the locational policies; when considering proposals to designate lands for high density residential development, City Council and County Council will be guided by the following:

- the size, configuration and topography of the site provides sufficient flexibility in site design to mitigate adverse effects on the amenities and character of any adjacent residential development through adequate setbacks, buffering and screening;
- the development results in a gradual transition from low profile residential buildings to higher profile residential buildings and vice versa;
- the location of vehicular access points and the likely effects of traffic generated by the proposal on the public road system and surrounding properties relative to pedestrian and vehicular safety is acceptable;

- adequate hard service capacity including water distribution, sanitary and storm sewers, power and gas distribution facilities is available or will be available to accommodate the proposed development;
- adequate off-street parking and outdoor amenity areas can be provided;
- the availability of, and proximity to existing or proposed services and amenities such as day care, schools, leisure facilities, shopping and parks to serve the new development;
- the effect of the proposed development on environmental resources or the effect of environmental constraints on the proposed development will be addressed and mitigated as outlined in Section 3.2.

It is noted that the above bullet list of policy criteria is essentially the same for the Medium Density Residential designation, with the exception of the criterion for gradual transitioning, so are not restated under the Medium Density Residential policy outline below.

Further, City Council may establish lower height and/or density limits than permitted in the Official Plan for specific areas based on the following criteria:

- sanitary sewage, water or storm drainage constraints;
- limitations related to municipal fire protection;
- development constraints related to topographical features;
- protection of significant or scenic views or vistas;
- to minimize the effect of development and required parking on significant features;
- where adjacent low profile residential land uses may be adversely affected in terms of sunlight, traffic or privacy.

For comparison, Medium Density Residential areas are primarily developed or planned for low profile multiple unit development that exceed densities established for Low Density Residential Districts. These districts are intended to include townhouses, converted dwellings and apartment buildings.

In these Districts, it is intended that there will be a mixing and integration of different forms of housing to achieve a medium overall density of use. The maximum net residential density in the Medium Density Residential Districts is 70 units per hectare (30 units per acre) and no building shall exceed four storeys in height at street elevation.

Any further Medium Density Residential designations [beyond those currently in the Official Plan] will be consistent with the following location criteria:

- sites which abut arterial or collector roads or sites situated in a manner which prevents traffic movements from the site from flowing through any adjoining Low Density Residential Districts;
- sites which are close to community supportive facilities such as schools; shopping plazas, institutional, recreational and open space areas;
- sites which are adjacent to the Central Area, designated Shopping Centres and Service Commercial Areas, Community Facilities, High Density Residential Districts or developed Medium Density Residential Districts.

In addition to the requirement for compliance to the locational policies; when considering proposals to designate lands for medium density residential development, City Council and County Council will be guided by the additional applicable bullet point criteria noted above under the outline of the High Density Residential policies.

### Zoning By-law

The subject lands are currently zoned 'Residential Zone 1 (R1)', and the applicant proposes to rezone the lands to 'Special Residential Type 3 Zone (R3-sp)' to facilitate the proposed 52 unit apartment dwelling development.

A number of site-specific zone provisions have been requested to facilitate the proposed multiple-attached dwelling on the lands. Site specific zone provisions have been requested to address lot area per dwelling unit, lot frontage, lot coverage, front yard depth, landscaped open space and amenity area.

### Agency Comments

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

1. The site is being reviewed with the front yard being adjacent to Pavey St and the rear yard as directly opposite the front yard.
2. A provision shall be included to establish a minimum 6 m front yard depth (to reduce any established building line provisions).
3. As noted a reduced lot area is required from 150 m<sup>2</sup> per unit to 116 m<sup>2</sup> per unit.
4. Provide a provision to permit a maximum height of 4 storeys.
5. Reduced parking is being requested – 1.25 spaces per unit inclusive of visitor parking. I have reviewed a few previous approved reduced parking requests; 749 Khalsa Dr- 206 units- 1.4 spaces per unit inclusive of visitor, R4-19 – 1.32 spaces per unit inclusive of visitor, R4-4 1.4 spaces per unit, 325 Lakeview- 1.245 spaces per unit inclusive of visitor, Drewlo at James – 306 units- 1.215 spaces per unit inclusive of visitor, R4-5 1.30 spaces per unit inclusive of visitor and Karn Road 1.25 spaces per unit plus 1 in 10 visitor.

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

We have reviewed the items submitted for the above noted application and the City of Woodstock Engineering Department has the following comments.

1. If approved, site plan approval is required where servicing, grading, SWM, lighting, landscaping, etc. will be reviewed in further detail.

City of Woodstock Parks Department has provided the following comments to be addressed during the site plan control process:

- Arborist report detailed plan required
- Landscape plan completed by an LA is required
- Tree compensation plan required
- Landscape cost estimate required for calculation of landscape securities

## City of Woodstock Council

City of Woodstock Council recommended support of the proposed Official Plan amendment and approved the proposed zoning by-law amendment 'in principle', at the City's regular Council meeting of January 16, 2025.

## Planning Analysis

The application is proposing to redesignate the subject lands from Low Density Residential to High Density Residential to permit an apartment development consisting of 52 dwelling units. The proposal intends to develop two four-storey structures with an access to Pavey Street and an access to Fyfe Avenue. As part of a complete application, the applicants have provided a functional servicing report, an arborists report, a planning justification report, a traffic impact study and a parking justification.

The subject lands do not have direct access to an arterial road, as identified in the Official Plan's criteria for designating new High Density sites. However, the site is located in close proximity to Norwich Avenue and Parkinson Road which are arterial roads (approximately 100 m from Norwich Avenue) and, it is noted that, the policy criteria for the Medium Density Residential designation indicate that proposed development will abut arterial or collector roads, or be situated in a manner that prevents traffic movement from the site through an adjoining Low Density Residential districts. In staff's opinion, the proposed development would generally comply with this criterion, as the primary access to Pavey Street provides direct access to Norwich Avenue without impacting adjoining low density residential districts. Further, the neighbourhood is not a typical low density neighbourhood, as it contains a number of existing medium density residential developments, large community facilities and institutional uses, which likely already impact typical low density residential traffic.

Further, the proposed density at 85.6 units per hectare (34.6 units per acre) and development type (four storey structures) are more similar to a Medium Density Residential development (that permit a maximum of 70 units per hectare and maximum of 4 storeys) than to High Density Residential Development (that permit a maximum of 150 units per hectare and greater than 4 storeys).

For the above noted reasons, it is the opinion of planning staff that the form of development being proposed for the site is more consistent with and appropriately characterized as Medium Density Residential. As such, planning staff are recommending that the site be designated as Medium Density Residential, with site specific policies to allow for increased density than the High Density Residential designation requested by the application.

The subject lands are immediately adjacent to institutional uses to the north and multi-unit residential uses to the south. Where the proposal is adjacent to lower density residential uses, larger setbacks have been incorporated into the design, and screenings (fences) are proposed throughout the design and will be implemented through the site plan control process. The subject lands are immediately adjacent to two large schools (College Avenue S.S. and Oliver Stephens P.S.) and are in close proximity to several City-owned parks. Further, the subject lands are within walking distance to many commercial uses to the east on Norwich Avenue.



The limited height of the proposed structures (i.e. four-storeys) will provide for a gentle transition from the surrounding single-detached dwellings and is similar in character with surrounding institutional uses and multiple-unit residential uses. A parking justification has further provided information identifying that the requested parking is adequate. The site also contains two common amenity areas to provide adequate outdoor amenity space for residents of the development.

Planning staff are also supportive of the associated zone change application which proposes to rezone the site to establish a number of site-specific R3 zone provisions to facilitate the proposed 52 unit apartment development on the site and restrict the height to four storeys. Further, the requested zoning was approved in-principle by City Council on January 16, 2025.

Therefore, planning staff are of the opinion that the proposal is consistent with the applicable policies of the Provincial Planning Statement and supports the strategic initiatives and objectives of the Official Plan. As such, staff are satisfied that the application can be given favourable consideration as a Medium Density Residential with site specific policies.

## **CONCLUSIONS**

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Planning staff are of the opinion that the proposal is consistent with the policies of the Provincial Policy Statement and supports the strategic initiatives and objectives of the Official Plan and can be supported from a planning perspective.

## **SIGNATURES**

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### **Report author:**

Original Signed By \_\_\_\_\_  
Justin Miller  
Development Planner

### **Departmental Approval:**

Original Signed By \_\_\_\_\_  
Eric Gilbert, MCIP, RPP  
Manager of Development Planning

Original Signed By \_\_\_\_\_  
Paul Michiels  
Director of Community Planning

**Approved for submission:**

Original Signed By \_\_\_\_\_  
Benjamin R. Addley  
Chief Administrative Officer

**ATTACHMENTS**

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- Attachment 1 – Plate 1, Existing Zoning & Location Map
- Attachment 2 – Plate 2, Aerial Map (2020)
- Attachment 3 – Plate 3, Applicant’s Sketches
- Attachment 4 – Official Plan Amendment, OPA 332