

To: Warden and Members of County Council

From: Director of Community Planning

Application for Official Plan Amendment OP 20-20-8 – Davinder Grewal, Harvarinder Sidhu & Kuldeep Singh

RECOMMENDATIONS

1. That Oxford County Council approve Application No. OP 20-20-8 submitted by Davinder Grewal, Harvarinder Sidhu & Kuldeep Singh, for lands described as Part Lots 7 & 9, Plan 491, in the City of Woodstock, to amend the special Business Park policy area adjacent to the Brick Pond Wetlands to include a small-scale truck terminal with parking for up to 16 transport trucks as a permitted use on a portion of the said lands;
2. And further, that Council approve the attached Amendment No. 257 to the County of Oxford Official Plan;
3. And further, that the necessary by-law to approve Amendment No. 257 be raised.

REPORT HIGHLIGHTS

- The purpose of the Official Plan Amendment is to redesignate a portion of the subject lands from Business Park to Traditional Industrial to permit the operation of a small-scale truck terminal.
- 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 strategic initiatives, objectives and policies of 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 requirements of the Planning Act, notice of complete application regarding this proposal was originally provided to surrounding property owners on January 28, 2021 and notice of public meeting was sent on February 23, 2021. One letter of concern had been received at the time of writing this report and is attached for Council's consideration.

Strategic Plan (2020-2022)

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

DISCUSSION

Background

Owner:

Harvarinder Sidhu, Davinder Grewal & Kuldeep Singh
40 Meadow Drive
Guelph, ON N1L 1N5

Agent:

Astrid J. Clos Planning Consultants
423 Woolwich Street, Guelph, ON N1H 3X3

Location:

The subject lands are described as Part Lots 7 & 9, Plan 491, City of Woodstock. The lands are located on the north side of Parkinson Road, between Springbank Avenue South and Beard's Lane and are municipally known as 1055 Parkinson Road.

County of Oxford Official Plan:

Existing:

Schedule 'W-1'	City of Woodstock Land Use Plan	Business Park & Environmental Protection
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Proposed:

Schedule 'W-1'	City of Woodstock Land Use Plan	Traditional Industrial & Environmental Protection
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City of Woodstock Zoning By-Law 8626-10:

Existing Zoning: Restricted Industrial Zone (M2) & Traditional Industrial Zone (M3)

Proposed Zoning: Special Restricted Industrial Zone (M2-sp) &
 Environmental Protection Zone (EP1)

Proposal:

Applications have been received by the County of Oxford and the City of Woodstock for amendments to the Official Plan and Zoning By-law to redesignate and rezone the subject lands to facilitate the development of a small-scale truck terminal. The applicant intends to construct a 1,054.8 m² (11,354 ft²) building on the subject lands with parking for 16 transport trucks and a 5-bay service garage for the business' trucks. The proposed building will also contain 350.5 m² (3,772.8 ft²) for accessory office space. The total area of the lands to be developed for the truck terminal and associated uses is 0.9 ha (2.2 ac).

The northern portion of the subject lands is designated Environmental Protection, which recognizes an existing wetland and buffer area. The designated lands are currently zoned 'Traditional Industrial Zone (M3)' according to the City's Zoning By-law. As part of the subject applications, the applicant is proposing to rezone this area to 'Environmental Protection Zone 1 (EP1)', which will implement the policies of the Official Plan and prohibit future development of this area. The total area of the lands containing the wetland and associated vegetation is 3.28 ha (8.1 ac).

For Council's information, an unauthorized tree removal took place on the subject lands in October 2019, where 120 trees were removed from the site. The applicant and their environmental consultant, Natural Resource Solutions Inc. (NRSI) have since replaced the trees at a ratio of 5:1, to the satisfaction of the City Parks Department. The details relating to the tree compensation were provided with the subject applications for staff consideration.

The applicant has also submitted an Environmental Impact Study undertaken by NRSI in support of the proposed development.

The subject lands are approximately 4.18 ha (10.3 ac) in area and are vacant. Surrounding uses include a mix of industrial type uses as well as a number of long-existing residential uses. The Brick Pond Wetlands are located to the north and northwest.

Plate 1 – Existing Zoning & Location Map indicates the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2 – Aerial Map (2015), provides an aerial view of the subject property and surrounding area.

Plate 3 – Proposed Site Plan, provides the layout of the proposed building, parking and access. The site plan also shows the extent of the natural features and the buffer.

Comments

2020 Provincial Policy Statement

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and their vitality and regeneration shall be promoted.

Section 1.3.1 of the PPS states that planning authorities shall promote economic development and competitiveness by:

- providing for an appropriate mix and range of employment, institutional uses and broader mixed uses to meet long-term needs;
- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and,
- ensuring the necessary infrastructure is provided to support current and projected needs.

The PPS also contains policies which direct that natural features and areas shall be protected for the long term. Section 2.1.2 directs that diversity and connectivity of natural features in an area and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. Section 2.1.5 directs that development and site alteration shall not be permitted in significant woodlands and significant wildlife habitat.

Official Plan

The subject lands are currently designated 'Business Park' and 'Environmental Protection' according to the County Official Plan and are located in a special policy area due to the proximity of the property to the Brick Pond Wetlands.

Permitted uses within this area include light industrial uses that involve assembly, fabrication, manufacturing, warehousing, storage or distribution within wholly enclosed buildings, freestanding office uses, wholesaling, research, education or training facilities and business support services and facilities. Showroom, retail and sales operations in association with and ancillary to the permitted uses may be permitted in buildings in this area provided that such space does not exceed 50 percent of the gross leasable area of the permitted use.

In addition to the uses permitted above, limited service commercial uses such as service and repair establishments, medical or dental clinics, automobile rental, sales or supply establishments, banks or financial institutions and commercial recreational establishments will also be permitted as will facilities used primarily by fraternal lodges, service clubs, trade unions, community cultural organizations and similar groups. Such facilities may also include meeting rooms and banquet halls utilized for the general public.

The special policies also provide development criteria relating to storm water management, protection of the wetland and surrounding natural heritage features, lighting, parking and building design.

The applicant is proposing to redesignate the subject lands from Business Park to Traditional Industrial to facilitate the proposed small scale truck terminal.

Traditional industrial areas include those lands that consist of existing industrial uses and lands which are planned for the full range of industrial type activity including light, medium and heavy industrial uses. Such uses may generate on and off site effects such as traffic, noise, vibration, fumes or visual appearance.

Permitted uses include assembling, manufacturing, fabricating, processing, repair and recycling activities, environmental industries, warehousing, distribution, indoor and outdoor storage facilities, construction uses, utilities, transportation and storage uses and research and technological service industries.

Additionally, the subject lands contain a wetland and associated vegetation that is contiguous with the Brick Pond Wetlands and are designated Environmental Protection. The Environmental Protection designation ensures the long-term protection, conservation and enhancement of these designated areas. The policies are further intended to prohibit uses incompatible with the Environmental Protection Areas and ensure that development permitted within or adjacent to these areas adheres to environmental planning principles.

The requirement for Environmental Impact Studies (EIS) within or adjacent to Environmental Protection Areas as part of the development review process, where appropriate, is to assess sensitivity of the area and its functions and ensure that possible development or site alteration activities will not detrimentally impact the area.

Zoning By-Law

The subject lands are currently zoned 'Restricted Industrial Zone (M2)' and the applicant has applied to rezone the lands to 'Special Restricted Industrial Zone (M2-sp)' to permit the proposed truck terminal.

The M2 zone permits a range of industrial uses that includes an assembly plant, automobile service station, cold storage plant, fabricating plant, lumber yard, manufacturing plant, public garage and warehouse.

The applicant is further proposing to rezone the northern lands with natural heritage features from 'General Industrial Zone (M3)' to 'Environmental Protection Zone 1 (EP1)'. The EP1 zone does not allow for any development unless already existing. The intent of this zoning is to protect the significant environmental features on the property.

Agency Comments

The City of Woodstock Engineering Department (Building Division) provided the following comments in support of the subject application.

- A road widening may be required by the County through the site plan approval process.
- The truck bays are accessed from the rear of the building.
- The truck trailer parking to the rear of the building requires a surface material to prevent the raising of dust and includes asphalt or recycled asphalt.
- Site Plan approval is required for the proposed development.

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

- Municipal sanitary sewer and watermain appear to be available on Parkinson Road. The sanitary sewer is in an easement along the front of the subject property.
- Property is within the UTRCA regulation limit.
- If approved, site plan approval will be required where servicing, grading, SWM, etc. will be reviewed in further detail. UTRCA will likely have requirements too.
- The west driveway of the neighbouring property to the east (1057 Parkinson Road) cuts across the subject property. This will be further discussed through site plan.

The City of Woodstock Parks Department has indicated that they will be scheduling an onsite meeting along with the UTRCA in the spring to inspect the stock that has been planted by the applicant. Maintenance of the new stock may be discussed and established through the site plan approval process.

The County of Oxford Public Works Department provided the following comments:

- A 3 m road widening is required.
- A 9 m wide entrance is the maximum width for a commercial property. The applicant will need to provide rationale to the County for a wider entrance.
- The encroaching entrance (from 1057 Parkinson Road) has been there for some time and the County does not have any records of an entrance permit. Public Works believes it is not the County's responsibility to address an encroachment issue on private property. Further, approval of the new entrance would require removal of existing entrances by the owner.
- A Traffic Impact Study is not required.

- Municipal servicing, etc. will be reviewed further at the time of site plan review. The applicant will be responsible for all costs associated with water and sanitary, including any outstanding connection fees.

The Upper Thames River Conservation Authority provided the following comments:

The UTRCA provided technical comments for the scoped EIS and reviewed the summary of the tree compensation planting. The UTRCA has no objection to or further comment on the submissions. We would recommend a joint site visit with City Parks staff be conducted in the spring of 2021 to ensure that the compensation planting completed is adequate and represents an overall net environmental benefit to the woodland/wetland communities found on site.

Further to this, UTRCA has no objection to the application for Official Plan Amendment and zone change. We defer to City staff to confirm that the planting work which has taken place satisfies the compensation agreement proposed by the environmental consultant. The UTRCA is encouraged by the application for zone change, which will better protect the natural features located to the immediate north of the proposed development.

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 meeting of March 18, 2021.

Planning Analysis

The subject applications propose to redesignate and rezone the subject lands to facilitate the development of a small-scale truck terminal and service garage on the subject lands. Additionally, the applicant is proposing to rezone lands on the property that contain an existing wetland and buffer area to 'Environmental Protection Zone 1 (EP1)'.

To satisfy the requirements of the PPS and the Official Plan as they relate to the protection of natural features, the applicant undertook an EIS. Although the subject property was previously cleared of vegetation, NRSI considered all significant features and wildlife habitats which had the potential to occur prior to the clearing to ensure that the unauthorized tree clearing was not rewarded with an increased development limit. NRSI indicated that if the owner implements the recommendations of the EIS, which includes a tree replacement program, installation of permanent fencing at the limit of the development, a spill response plan and sediment and erosion control, no negative impacts are anticipated as a result of the proposed development.

The applicant is proposing to redesignate the southern portion of the subject lands to Traditional Industrial to facilitate the truck terminal. The subject lands are surrounded by lands that are predominantly zoned and designated for traditional industrial type uses with the exception of industrial lands adjacent to the Brick Pond Wetlands, which are designated for Business Park type uses with special policies. The intent of site specific policies is to ensure that lighter industrial type uses are established in the area that will not have a negative impact on the natural features and to ensure compatibility between the industrial uses and the natural environment.

Traditional industrial type development generally includes heavier industrial uses that may generate on and off site effects such as traffic, noise, vibration, odour and visual appearance. Typically, truck terminals are uses that are found in traditional industrial designations based on the scale of the operations, and the noise and traffic that are generated by the use.

In this case, staff are of the opinion that the proposed Official Plan amendment to permit a truck terminal is appropriate for the subject property as the use is relatively small in scale and it is a use that is similar and compatible with the industrial uses in the area. Since the truck terminal is smaller in scale than typical truck terminals, the use is not anticipated to have a negative impact on the surrounding uses as it relates to noise, traffic and vibration. Additionally, the findings of the EIS also concluded that the proposed development of the site is not anticipated to effect the wetlands in the area with the proper implementation of the study's recommendations.

Further, the proposed use is considered to be appropriate for the subject lands as the operation will have direct access to Parkinson Road which is an arterial road under the jurisdiction of the County and designed to handle higher traffic volumes and use by heavier vehicles. Through agency circulation, County Public Works indicated that a traffic impact study was not required to facilitate the proposed truck terminal.

Planning staff are supportive of the proposed use on the subject lands, however, it is recommended that the lands be given a site specific business park designation. The designation will maintain the existing policies as they relate to the permitted uses and development criteria adjacent to the Brick Pond Wetlands in addition to permitting the proposed small-scale truck terminal. The recommended amendment will ensure that the general intent of the existing policies is maintained.

With respect to the development criteria required for the properties in the Brick Pond Wetlands area, staff are satisfied that the implementation of the EIS recommendations, as well as the comments provided through the agency circulation can be appropriately addressed through the site plan approval process.

Further, with respect to the natural features located on the northern portion of the subject property, staff are satisfied that the proposed zone change will appropriately prohibit any development or degradation of these features, protecting the wetland and surrounding vegetation in this area.

Based on the proposed site plan of the area to be developed, staff are satisfied that the proposed building and parking areas are in compliance with the relevant provisions of the 'Restricted Industrial Zone (M2)' as they relate to lot coverage, landscaped open space and yard setbacks. Further, the associated service garage and office space that are being proposed as part of the subject development are permitted uses in the M2 zone.

Conclusions

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

SIGNATURES

Report Author:

"Original Signed By"

Andrea Hächler
Senior Planner

Departmental Approval:

"Original Signed By"

Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

"Original Signed By"

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

ATTACHMENTS

Attachment 1, Plate 1, Existing Zoning & Location Map
Attachment 2, Plate 2, Aerial Map 2015
Attachment 3, Plate 3, Proposed Site Plan
Attachment 4, Letter from Neighbouring Property Owner
Attachment 5, OPA 257