

To: Warden and Members of County Council

From: Director of Community Planning

Application for Official Plan Amendment OP 21-03-8 – City of Woodstock

RECOMMENDATIONS

1. That Oxford County Council approve Application No. OP 21-03-8 submitted by the City of Woodstock, for lands described as Part Lots 6 & 8, Plan 495 in the City of Woodstock, to redesignate the subject property from 'Environmental Protection' to 'Traditional Industrial' to facilitate the use of the lands for open storage associated with a permitted use;
2. And further, that Council approve the attached Amendment No. 258 to the County of Oxford Official Plan;
3. And further, that the necessary by-law to approve Amendment No. 258 be raised.

REPORT HIGHLIGHTS

- The purpose of the Official Plan Amendment is to redesignate the subject lands from Environmental Protection to Traditional Industrial to facilitate the use of the lands for open storage associated with a permitted use and the transfer of ownership from the City to the owner of the adjacent lands.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement and is in-keeping with the strategic initiatives and objectives of the Official Plan, and can be supported from a planning perspective.

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

In accordance with the requirements of the Planning Act, notice of complete application regarding this proposal was originally provided to surrounding property owners on May 12, 2021 and notice of public meeting was issued on May 25, 2021. Two letters regarding this proposal had been received at the time of writing this report and are 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: City of Woodstock
500 Dundas Street, Woodstock ON, N4S 0A7

Location:

The subject lands are legally described as Part Lots 6 & 8, Plan 495 in the City of Woodstock. The lands are located at the east end of Dufferin Street, south of the CN Railway.

County of Oxford Official Plan:

Existing:

Schedule 'W-1'	City of Woodstock Land Use Plan	Environmental Protection
Schedule 'W-3'	City of Woodstock Residential Density Plan	Environmental Protection

Schedule 'W-4'	City of Woodstock Leisure Resources & School Facilities Plan	Environmental Protection
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Proposed:

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

Existing Zoning: Passive Use Open Space Zone (OS1)

Proposed Zoning: Restricted Industrial Zone (M2)

Proposal:

The purpose of the Official Plan Amendment and associated Zone Change is to redesignate the subject lands from Environmental Protection to Traditional Industrial and to rezone the lands from 'Passive Use Open Space Zone (OS1)' to 'Restricted Industrial Zone (M2)'. The subject applications will recognize a long-standing use and facilitate the transfer of ownership from the City to the owner of the adjacent lands to the immediate west.

By way of background, the subject lands which are located within the Brick Pond Wetlands area have been used by the neighbouring property owner to the immediate west for many years for open storage, relating to their contractor's business. On January 14, 2021, City Council passed a resolution, authorizing the sale of a 0.25 ha (0.63 ac) parcel to the adjacent owner to allow the continued use of the lands for open storage. The subject applications will facilitate the use and the transfer of the lands.

The subject lands are part of a larger City-owned parkland parcel with frontage onto Dufferin Street, Springbank Avenue South and Alice Street. Surrounding uses include industrial uses to the east, a townhouse development to the south and City parkland to the north and west.

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 'Environmental Protection' according to the Land Use Plan for the City of Woodstock, as contained in the Official Plan as they are part of a larger natural area that contains a wetland and associated vegetation that is contiguous with the Brick Wetlands.

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.

The subject application proposes to redesignate the lands from Environmental Protection Area to Traditional Industrial to facilitate the use of the lands for open storage relating to the adjacent contractor's shop.

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.

Zoning By-Law

The subject lands are currently zoned 'Passive Use Open Space Zone (OS1)' according to the City's Zoning By-law, which permits a conservation project, flood control works, picnic area and a passive use park.

The application proposes to rezone the subject lands to 'Restricted Industrial Zone (M2)' to recognize the long-standing use of the lands for open storage relating to the contractor's shop on the adjacent lands.

The M2 zone permits a range of industrial type uses which includes an assembly plant, automobile service station, contractor's yard or shop, fabricating plant, lumber yard, parking lot, processing plant and a warehouse.

The open storage of goods and materials is permitted in the M2 zone, accessory to the permitted use in the main building. The M2 zone requires that open storage shall comply with the yard and setback requirements of the M2 zone, will not exceed 30% of the lot area and the area used for open storage shall be enclosed by a fence or berm designed so that the storage is not visible from the street.

Agency Comments

The applications were reviewed by a number of public agencies. The following comments were received.

The Upper Thames River Conservation Authority indicated that they are supportive of the subject applications and recommend the following:

- the open storage area not include any permanent structures;
- the type of storage shall be restricted to construction related materials (e.g. topsoil, gravel and concrete structures);
- the storage of controlled/deleterious substances, as well as the storage of salts/leachates that may potentially contaminate groundwater shall be prohibited;
- a fence is to be constructed by the new owner along the new property line to clearly define the limit of the site.

The City of Woodstock Engineering Department (Building Division), City of Woodstock Engineering Department (Development Division) and City of Woodstock Parks Department indicated that they have no comments.

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 June 17, 2021.

Planning Analysis

It is the opinion of staff that the proposed amendments to the Official Plan and Zoning By-law are consistent with the relevant policies of the PPS as the proposed use promotes an efficient use of land, available municipal services and existing infrastructure.

The subject lands are located in an area that is designated Environmental Protection Area due to the proximity of the lands to the Brick Ponds Wetlands. To satisfy the requirements of the PPS and the Official Plan relating to the protection of natural features, an EIS is generally required. In this case, the UTRCA waived the requirement for an EIS as the subject lands only include a small portion of the larger parcel that is designated Environmental Protection, the lands do not contain any of the natural feature and the proposed continued use of the lands for open storage use is not anticipated to have a negative impact on the wetland. That being said, the UTRCA provided a list of requirements that include the installation of fencing along the new property lines, the prohibition of permanent structures on the site and clear details regarding the type of materials that can be stored on the property. Planning staff recommend that these requirements be captured in a site specific policy and site specific zoning provisions that will apply to the subject lands. The establishment of site specific policies and zoning provisions will ensure the protection of the adjacent natural feature in the future.

Further to this, staff are satisfied that the subject lands can be redesignated to Traditional Industrial to permit open storage relating to the existing contractor's shop as the adjacent property to which these lands will be consolidated with, are zoned and designated for traditional industrial uses. Additionally, staff are of the opinion that the proposed applications will support a use that is compatible with the surrounding uses to the north and west as they are designated, zoned and used for similar industrial purposes.

The proposed redesignation and zone change are also considered appropriate for the subject lands as a historical use that has not had a negative impact on surrounding lands will be brought into conformity, and restrictions can be incorporated into the approval to ensure that the use will not encroach into the environmentally protected area or impact the feature.

Conclusions

In light of the foregoing, Planning staff are satisfied that the proposal is consistent with the policies of the Provincial Policy 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.

SIGNATURES

Report Author:

Andrea Hächler
Senior Planner

Departmental Approval:

Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

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 – Applicant's Sketch
Attachment 4:	Letter from Rose Charron
Attachment 5:	Letter from Joe McKinnon
Attachment 6:	Official Plan Amendment No. 258