

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

**From: Director of Community Planning**

## Application for Official Plan Amendment OP 21-09-8 – 2653009 Ontario Inc.

### RECOMMENDATIONS

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1. That Oxford County Council **not approve** the application to amend the Official Plan (File No. OP 21-09-8), submitted by 2653009 Ontario Inc., for lands legally described as Parts 2-5, Block 12, Plan 34, in the City of Woodstock, to redesignate the subject lands from 'Entrepreneurial District' to 'Entrepreneurial District' with special policies that would permit a residential density of 178 units/ha and a maximum height for an apartment building of 6 storeys on the said lands, as the proposal is not consistent with the Provincial Policy Statement and does not support the strategic initiatives and objectives of the Official Plan.

### REPORT HIGHLIGHTS

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- The intent of the Official Plan Amendment is to redesignate the subject lands from 'Entrepreneurial District' to 'Entrepreneurial District' with special policies that would permit a residential density of 178 units per hectare (70 units per acre) and a maximum apartment building height of 6 storeys.
- Planning staff are of the opinion that the applications are not consistent with the policies of the Provincial Policy Statement and do not support the strategic initiatives and objectives of the Official Plan.

### Implementation Points

The recommendation contained in this report requires no implementation measures. However, if approved by Council, 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 Planning Act, notice of complete application regarding this proposal was originally provided to surrounding property owners on August 16, 2021 and a notice of public meeting was issued on November 16, 2021. Additional notices of public meeting were issued on March 30, 2022 and May 19, 2022.

The original submission proposed an 8-storey building with 56 residential units. City Council considered this proposal on December 9, 2021. A number of letters regarding the initial submission were received from neighbouring property owners and have been attached for Council’s consideration. Concerns raised by the neighbouring property owners were generally related to the overall height of the building, compatibility with the surrounding dwellings, shadowing, traffic, parking, garbage and snow removal and sightlines. In light of comments received from City Council, the applicant requested a deferral.

The applicant submitted a revised proposal on February 18, 2022. Three letters were received in light of the most recent proposal and have been attached for Council’s consideration.

## Strategic Plan (2020-2022)

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

## DISCUSSION

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### Background

**Owner:** 2653009 Ontario Inc. c/o Ram Gawri  
2260 Bovaird Drive East Unit 104, Brampton ON, L6R 3J5

**Agent:** SPH Engineering Inc. c/o Corby Kirwin  
1-65 Springbank Avenue N., Woodstock ON, N4S 8V8

### Location:

The subject lands are described as Parts 2-5, Block 12, Plan 34, in the City of Woodstock. The lands are located on the north side of Main Street, from Wellington Street South to Reeve Street and are municipally known as 80 Wellington Street South, 503, 507 & 515 Main Street and 89 Reeve Street.

### **County of Oxford Official Plan:**

#### Existing:

Schedule “W-1”	City of Woodstock Land Use Plan	Central Area
Schedule “W-2”	City of Woodstock Central Area Development	Entrepreneurial District

#### Proposed:

Schedule “W-2”	City of Woodstock Central Area Development	Entrepreneurial District with site specific policies
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### **City of Woodstock Zoning By-Law:**

Existing Zoning:	Entrepreneurial District Zone (C3)
Requested Zoning:	Special Residential Zone 4 (R4-sp)

### **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 6-storey apartment building with a total of 50 residential units. The application for Official Plan amendment proposes to redesignate the lands to include site specific policies that permit a residential density of 178 units/ha (70 units/ac) and a maximum height of 6 storeys for an apartment dwelling house.

The application for zone change proposes to rezone the subject lands from ‘Entrepreneurial District Zone (C3)’ to ‘Special Residential Zone 4 (R4-sp)’ to facilitate the proposed apartment building. Site specific zoning are proposed to address deficiencies relating to lot area, lot frontage, rear yard depth, interior and exterior side yard width and landscaped open space. The proposed zoning provisions are detailed in the ‘Zoning By-law’ section of this report.

Parking is being proposed at street level, including the ground floor of the building. Access to the proposed development will be by way of an ‘ingress only’ access from Wellington Street and an ingress/egress access to Reeve Street.

For Council’s information, the subject applications were originally considered by City Council in December, 2021. At that time, the applicant was proposing an 8-storey apartment building with 56 residential units. City Council deferred the applications at the applicant’s request to allow the development proposal to be further considered and modified. The current proposal was resubmitted in February 2022 and considered by City Council on April 21, 2022. The applications did not receive Council support.

The subject lands are approximately 2,973.3 m<sup>2</sup> (32,005.8 ft<sup>2</sup>) in area and contain 2 single detached dwellings with accessory structures, which the applicant has indicated will be removed. Surrounding uses include a mix of low and medium density residential development with the CN Railway to the south and the City's downtown core to the north.

The applicant submitted a Design Brief, Planning Justification Report, Shadow Study and Noise Impact Study in support of the original proposal. No updated reports were submitted with the revised development proposal.

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

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

Plate 3, Proposed Site Plan, provides the layout of the proposed 6 storey building, parking and access.

Plate 4, Proposed Building Elevations, provides the building elevations for the proposed 6 storey apartment building.

## **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.

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.

The policies of Section 1.1.3.6 state that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Further, Section 1.4.3 states 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.

Section 1.7.1 states that long-term economic prosperity should be supported by:

- Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- Maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- Encouraging a sense of place, by promoting well-designed built form and cultural planning and by conserving features that help define character.

#### Official Plan

The subject lands are designated 'Entrepreneurial District' according to the City of Woodstock Central Area Development Plan, as contained in the Official Plan.

According to Section 7.3.2.3.2, the Entrepreneurial District is intended to accommodate a range of residential uses as well as smaller scale commercial, business and institutional uses. It is intended that permitted non-residential uses will be accommodated primarily through the conversion of existing residential dwellings and re-use or redevelopment of non-residential buildings.

Permitted uses in the Entrepreneurial District designation include residential uses (such as single detached dwellings, semi-detached dwellings, townhouses and low-rise apartments), commercial uses, including office conversions, personal services, business supply and services, repair and service shops for small appliances, as well as business uses including cottage industries, fabrication and assembly uses, and indoor storage within wholly enclosed buildings.

In accordance with the policies of Section 7.3.2.3.2, the following shall apply to new development in the Entrepreneurial District.

- Low and medium density residential development shall be in accordance with the Entrepreneurial District policies and the applicable policies of Sections 7.2.4 (Low Density Residential Districts) and 7.2.5 (Medium Density Residential Districts).
- Existing municipal services shall be adequate to accommodate the development.

- New development or redevelopment in the Entrepreneurial District designation will comply with the Environmental Resource Protection policies.
- Adequate off-street parking shall be provided.

The policies also provide design criteria which is intended to ensure that new development and redevelopment within the Entrepreneurial District is attractive, complements existing development, promotes a pedestrian environment and also provides a pedestrian connection to the Central Business District.

The policies further state that new buildings will range in height from 2 to 4 storeys and be consistent with the applicable design principles of the Woodstock Central Area Design Study. New buildings will also be designed to reflect the existing streetscape patterns in the immediate area to be consistent with the heights, massing and setbacks from the street, and the location of on-site parking to the rear or side of buildings.

According to the policies of Section 7.2.4 for Low Density Residential Districts, such lands are primarily developed or planned for a variety of low-rise, low density housing forms including both executive and smaller single detached dwellings, semi-detached, duplex and converted dwellings, street fronting townhouses, quadraplexes, low density cluster development and low rise apartments. The maximum net residential density for an individual development is 30 units per hectare (12 units per acre) and no building shall exceed three storeys in height at street elevation.

According to the policies of Section 7.2.5 for Medium Density Residential Districts, such lands are primarily developed or planned for low profile multiple unit development that includes townhouses, cluster houses, converted dwellings and apartment buildings. The maximum net residential density is 70 units per hectare (30 units per acre) and no building shall exceed four storeys in height at street elevation.

Section 7.2.6 regarding High Density Residential Districts, directs that such lands are to be primarily developed or planned for a limited range of large scale, multiple unit forms of residential development. The height and density limitations applicable to the various forms of development allowed in High Density Residential Districts shall be determined on the basis of the nature, character and scale of the adjacent land uses. Height and density limitations will be specified in the Zoning By-law and may vary from location to location. Unless there are specific site or area characteristics which favour higher limits, residential densities will normally not exceed 150 units per hectare (60 units per acre).

### Zoning By-law

The subject lands are currently zoned 'Entrepreneurial District Zone (C3)', according to the City's Zoning By-law.

The 'C3' zone permits a range of residential and commercial uses, including a duplex, converted dwelling house, semi-detached dwelling house, street row dwelling house, multiple attached dwelling house and an apartment dwelling house with a maximum height of 3 storeys.

The applicant is proposing to rezone the subject lands to ‘Special Residential Zone 4 (R4-sp)’ to facilitate the proposed apartment building.

The R4 zone permits apartment dwelling houses with a maximum height of 8 storeys.

The applicant is requesting site specific zoning to address the following provisions on the subject property:

Zoning Provision	Required	Proposed
Lot Area	65 m <sup>2</sup> /unit	57.6 m <sup>2</sup> /unit
Lot Frontage	30 m	28.9 m
Rear Yard Depth	10 m	9.6 m
Interior Side Yard Width	15 m	6 m
Exterior Side Yard Width	15 m	1.5 m
Landscape Open Space	35%	32%

### Agency Comments

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

- Relief is required to reduce the lot area per unit. The minimum required lot area is 50 units x 65 m<sup>2</sup> (699.6 ft<sup>2</sup>) = 3,250 m<sup>2</sup> (34,983.8 ft<sup>2</sup>). According to the zoning chart, the proposed lot area is 2,884.5 m<sup>2</sup> (31,049.5 ft<sup>2</sup>).
- Relief is required to reduce the lot frontage. We have established the front yard to be adjacent to Reeve Street. The zoning chart indicates the frontage to be 28.9 m (94.8 ft).
- Relief is required to reduce the rear yard depth. The rear yard is adjacent to Wellington Street South, which is 9.61 m (31.5 ft). We suggest rounding down to 9.0 m (29.5 ft).
- Relief is required for the reduced interior side yard width. The zoning chart indicates a width of 6.1 m (20 ft). The drawing shows a dimension to the stair portion of the building to be 5.995 m (19.6 ft). The applicant should confirm the relief and we should round down to 5.5 m (18 ft). Approximately 75% of the building adjacent to the interior side yard does comply with the required 15 m (49.2 ft) setback.
- The exterior yard is adjacent to Main Street. Relief is required to reduce the yard from 15 m (49.2 ft) to 1.5 m (4.9 ft), as indicated on the drawing. Please note there are balconies that project from the building face and Table 2 of the general provisions will permit these projections as outlined on the drawings for the exterior side yard. The applicant should confirm the projection required in the exterior side yard.
- Relief is required to reduce the landscape open space requirements from 35% to 32%.
- The parking requirement is 50 dwelling units x 1 space per unit = 50 spaces. Visitor parking is 1 in 10 so the requirement is 5 spaces, total parking space requirement is 55 spaces. The plan indicates a total of 57 spaces.
- The applicant should review the size requirements of parking stalls within the building. See schedule C-2, the city’s standard is where a fence, building or wall impairs the ability to open the vehicle’s door, the stall width shall be 3 m (9.8 ft).

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

- It appears that the footprint has not changed significantly from the previous proposal and the building height has been reduced from 8 storeys to 6 storeys. Therefore, we do not believe that a revised Noise Study or Shadow Study is justified at this time.
- If approved, site plan approval will be required where servicing, grading, SWM, landscaping, traffic sight lines, etc. will be reviewed in further detail. It is also noted that land for the purposes of road widening and daylight triangles shall be conveyed to the City (specifically Parts 2, 3 and 9, 41R-10187) as part of the site plan approval process.
- The Noise Study recommends:
  - That a qualified acoustical consultant certify that the required noise control measures have been incorporated into the building design plans prior to issuance of a building permit.
  - That a qualified acoustical consultant certify that the approved noise control measures have been properly installed prior to the issuance of occupancy.
  - Noise warning clauses be included in all offers and agreements of purchase and sale or lease.

The City of Woodstock Parks Department provided the following comments:

- The proposed plan is not providing the minimum requirement for landscaped open space.
- There are a number of mature trees located on the site. Every effort possible should be made to retain these trees.
- At time of site plan, Parks will require the following:
  - Tree inventory completed by an ISA certified arborist;
  - Tree preservation plan;
  - Compensation for proposed removals and a landscape plan completed by a landscape architect following the City's Landscape Guidelines.

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

- County Public Works has no concern regarding the Official Plan amendment and zone change.
- Public Works will review the site plan and provide more detailed comments through the site plan approval process.
- Public Works will require a Functional Servicing Report which includes water demands/sanitary generation (including fire flows per FUS) as part of the site plan application.

#### City of Woodstock Council

City of Woodstock Council did not recommend support of the proposed Official Plan amendment and declined to approve the proposed zoning by-law amendment, at the City Council's regular meeting of April 21, 2022.



## Planning Analysis

The applicant proposes to redesignate the subject lands to increase the maximum density and building height permitted on the site to facilitate the development of a 6-storey apartment building with 50 residential units.

Additionally, the applicant requires a zone change to permit the 6-storey apartment building and to address deficiencies relating to a number of provisions that have been detailed previously in this report.

It is the opinion of staff that while the proposed development is a form of infilling that promotes intensification and enhances the mix of housing types available within Woodstock, the form of development does not adequately consider or reflect the local conditions as per PPS policy, and is not considered appropriate for the area as the intent of the City's Central Area is to direct higher density development to the Central Business District. The policies of the Entrepreneurial District generally provide for residential development of lower densities, such as duplexes, semi-detached and other multi-unit dwellings, and low rise apartment buildings.

Further, Planning staff are of the opinion that the scale and massing of the development is better suited for the Central Business District where high density development with increased heights are promoted. The City block that the subject lands are located within contain single detached dwellings and duplexes that do not exceed 2 storeys in height and while the block is in proximity to the Central Business District, the immediate area abutting the lands is not in transition to densities higher than those envisioned for the Entrepreneurial District.

As previously indicated, the subject lands are located within the Entrepreneurial District, where low and medium density residential development is permitted. The maximum net residential density for medium density development is 70 units per hectare (30 units per acre) and no building shall exceed four storeys in height at street elevation. The subject development is proposing a 6-storey building with 50 units, which will have an overall density of 178 units per hectare (70 units per acre). This density exceeds the maximum density for high density residential districts of 150 units per hectare (60 units per acre). As such, it is the opinion of staff that the overall height and density of the proposal are not consistent with the intent of the Entrepreneurial District policies and does not support the objectives and strategic initiatives of the Official Plan with respect to development in the City's Central Area.

Further, staff are of the opinion that the overall height of the building is not in keeping with the low and medium density development permitted in this area, nor is it compatible with the existing size, scale and character of existing development in this neighbourhood. As previously indicated, the surrounding residential uses in the immediate area include single detached dwellings and converted dwellings which do not exceed 2 storeys. The introduction of a 6-storey apartment building would significantly alter the character of the area and although the shadow study findings from the 'original' 8 storey proposal indicated that the development would not exceed the industry standards of more than 50% of a property being shadowed for longer than 4 hours in the winter months, properties will experience shadowing that was not anticipated for this area based on the current policy direction for the Entrepreneurial District.

The subject lands are identified in the Woodstock Central Area Design Study as part of the Civic Central Area. Recommendations from this study were incorporated into the City's Central Area policies through OPA 198 in July 2016. The study states that a new gateway building should be constructed at the intersection of Wellington and Main Streets (this site) to create a sense of arrival to the downtown from the south end of the City. The study further states that lands within the Entrepreneurial District may accommodate buildings up to 4 storeys. Therefore staff are of the opinion that a development intended to be a gateway building does not suggest that a 6-storey building should be established in this location.

While the applicant revised the development proposal from the original submission to reduce the height of the building and the density of the development, Planning staff are of the opinion that the proposed use remains a significant departure from the policies of the Entrepreneurial District. As noted in the 'Official Plan' section of this report, the Entrepreneurial District is intended to accommodate a range of low and medium density residential uses, together with limited commercial use such as office conversions, personal services, business supply/services, repair service shops and other limited scale business uses that do not require outdoor storage. The policies of the Entrepreneurial District clearly distinguish areas so designated from the Central Business District (CBD) with respect to the intensity and scale of development.

The amended proposal reduces the height and density of the development from the original submission, however, staff remain of the opinion that the scale and massing of the development is better suited to the CBD where high density development with increased building heights are promoted. As noted previously in this report, the area in which this development is proposed is within a block that contains primarily low density dwellings that generally do not exceed two storeys and while the block is in proximity to the CBD, the immediate area abutting the subject lands is not in transition to densities higher than those envisioned for the Entrepreneurial District.

While Planning staff are not in a position to support this proposal within the current policy framework, staff did recommend to City Council that if the City is of the opinion that this area would benefit from policies that would support higher intensity development (i.e. expansion of the CBD), direction could be provided to staff to undertake a review of the Central Area to determine appropriate boundaries for the Central Business District and Entrepreneurial District as well as suitable densities and heights.

## **Conclusions**

In light of the foregoing, Planning staff are of the opinion that the proposal is not consistent with the policies of the Provincial Policy Statement and does not support the strategic initiatives and objectives of the Official Plan. As such, staff are recommending that Council not support the subject applications.

## SIGNATURES

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### Report Author:

Original Signed By \_\_\_\_\_  
Andrea Hächler  
Senior Planner

### Departmental Approval:

Original Signed By \_\_\_\_\_  
Gordon K. Hough  
Director of Community Planning

### Approved for submission:

Original Signed By \_\_\_\_\_  
Michael Duben, B.A., LL.B.  
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, Proposed Site Plan
- Attachment 4 – Plate 4, Proposed Building Elevations
- Attachment 5 – Letters from Neighbouring Property Owners (Original Application Submission)
- Attachment 6 – Letters from Neighbouring Property Owners (Amended Application Submission)