

To: Warden and Members of County Council

From: Director of Community Planning

Application for Draft Plan of Subdivision SB 10-08-8 – 1212949 Ontario Inc.

RECOMMENDATIONS

1. That Oxford County Council grant draft approval to a proposed industrial/business park subdivision, File No. SB 10-08-8, submitted by 1212949 Ontario Inc., as shown on Plate 3 of Report No. CP 2023-74 and comprising Part Lot 13, Concession 2 (Blandford), in the City of Woodstock showing 3 blocks for business park development, 2 blocks for stormwater management purposes, 1 block for open space/environmental protection, a sanitary pumping station block, blocks for road widening and 0.3 m (1.0 ft) reserves and a block for the extension of Springbank Avenue, subject to the conditions attached to this report as Schedule “A” being met prior to final approval.

REPORT HIGHLIGHTS

- The application for draft plan approval proposes to facilitate the development of a plan of subdivision for industrial/business park use, comprising three blocks for industrial/business park development, blocks for stormwater management, open space and environmental protection and a future sanitary pumping station, one block for the extension of Springbank Avenue, and a number of blocks for road widening and 0.3 m (1 ft) reserves.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement and generally maintains the intent and purpose of the Official Plan, and can be supported from a planning perspective, subject to the recommendations and conditions of draft approval included in this report.

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 public meeting regarding this proposal was provided to surrounding property owners on January 30, 2023 and a public meeting was held by the City of Woodstock on February 13, 2023, followed by consideration by Woodstock Council on February 16, 2023. As of the date that this report was completed, no comments or concerns had been received from the public.

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: 1212949 Ontario Inc. c/o Drago Vuckovic
 922 Dundas Street East, Unit A-4,
 Mississauga ON, L4Y 2B8

Agent: Ruth Victor and Associates
 1243 Valleybrook Drive, Oakville ON, L6H 4Y1

Location:

The subject lands are described as Part Lot 13, Concession 2 (Blandford), in the City of Woodstock. The lands are located at the southwest corner of Oxford Road 4 and Lansdowne Avenue (formerly Township Road 3).

County of Oxford Official Plan:

Schedule "W-1"

City of Woodstock
 Land Use Plan

Business Park
 Environmental Protection

City of Woodstock Zoning By-law 8626-10:

Existing Zoning: Future Development Zone (FD)

Proposed Zoning: Prestige Industrial Zone (M1) with special provisions to permit an expanded range of uses on the lands

Proposal:

The City of Woodstock and County of Oxford have received applications for draft plan of subdivision and zone change on the subject lands.

The application for draft plan of subdivision approval proposes to facilitate the development of an industrial plan of subdivision comprised of three blocks for industrial/business park development, blocks for stormwater management and a future sanitary pumping station, one block for the extension of Springbank Avenue and a number of blocks for road widening and 0.3 m (1 ft) reserves.

The zoning amendment proposes to change the zoning of the lands from 'Future Development Zone (D)' to 'Prestige Industrial Zone (M1)' to permit business park-type uses and also proposes to include the following additional uses:

- an eat-in restaurant;
- a medical and dental office/clinic;
- a financial institution;
- a commercial recreational facility;
- a trade school, conference facility, assembly hall and catering facility;
- a facility primarily used by fraternal lodges, service clubs, trade unions, community cultural organizations and similar groups; and
- a warehouse outlet.

The applicant has submitted a number of studies in support of the proposal, as follows:

- Functional Servicing Report;
- Environmental Impact Study;
- Stormwater Management Report;
- Traffic Impact Study;
- Geotechnical Investigation Report;
- Soils Report

The subject lands comprise an area of approximately 40 ha (99 acres) and are presently vacant of buildings and structures. Several buildings, including a dwelling and farm structures, have been removed from the property. Surrounding lands are largely comprised of lands planned for industrial and business park development to the south, east and west.

The lands to the north are in the Township of Blandford-Blenheim and are owned by the Upper Thames River Conservation Authority.

The lands are bordered by Oxford Road 4 to the east and Lansdowne Avenue (formerly Township Road 3) to the north. The Lampman-Lock Drain traverses the property from the southeast to the northwest.

Plate 1, Location Map with Existing Zoning, indicates the location of the subject lands 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, Draft Plan of Subdivision, provides the layout of the proposed draft plan of subdivision.

Comments

2020 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions shall be consistent with all policy statements issued under the Act.

Section 1.1.2 of the PPS states that sufficient lands shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years.

Section 1.1.3 further states that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

Section 1.1.3.1 directs that Settlement Areas will be the focus of growth and development and further, Section 1.1.3.2 indicates that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- efficiently use land and resources;
- are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- minimize negative impacts to air quality and climate change, and promote energy efficiency;
- prepare for the impacts of a climate change;
- support active transportation;
- are transit-supportive, where transit is planned, exists or may be developed; and
- are freight-supportive.

Further, Section 1.3.2.1 directs that planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

Section 1.3.2.6 states that planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations. Further, Section 1.3.2.7 states that planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in section 1.1.2.

In regard to the Environmental Protection designation associated with the Lampman-Lock Drain that traverses the subject lands, Section 2.1 [NATURAL HERITAGE] directs that natural features shall be protected for the long term and that the 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.

Sections 2.1.4 and 2.1.5 direct that development and site alteration shall not be permitted in significant wetlands and will only be permitted within other significant features where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Section 2.1.8 of the PPS directs that development shall not be permitted on lands adjacent to significant natural heritage features unless it has been demonstrated that there will be no negative impacts.

Section 3.1 [NATURAL HAZARDS] states:

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
- c) hazardous sites.

Section 3.1.2 directs that development and site alteration shall not be permitted within:

- a) the dynamic beach hazard;
- b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
- d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

Official Plan

The subject lands are primarily designated 'Business Park' according to the Land Use Plan for the City of Woodstock, as contained in the Official Plan. Lands associated with the Lampman-Lock Drain are designated Environmental Protection.

Lands designated as Business Park are generally intended to accommodate a range of low intensity industrial, technological, office and business support uses within a comprehensively planned business park setting.

Uses within the Business Park designation will generally be characterized by free-standing, low profile buildings on individual lots in a planned subdivision. Business Parks will have the highest development standards of all industrial designations.

Permitted uses within the Business Park designation generally include light industrial uses that involve assembly, fabrication, distribution, packaging, storage and manufacturing or printing within wholly enclosed buildings, business support services, technological industries and office uses. Showroom, retail, wholesale and sales uses operating in association and ancillary to the permitted uses set out above may be permitted in buildings in the Business Park designation provided that such space does not exceed 50% of the gross leasable area of the permitted use. Day care facilities solely for employees of a permitted use in the Business Park will be permitted within the industrial or office building.

Uses permitted within the Business Park designation will comply with the Environmental Resource Protection policies and Environmental Constraints policies of Section 3.2.

In addition to the primary uses permitted above, the following ancillary uses may be permitted within the Business Park designation:

- uses which primarily serve employees of the Business Park and the general public in the immediate area such as eat-in restaurants, medical or dental offices and clinics, day care facilities, financial institutions and commercial recreational facilities;
- trade schools, conference facilities, assembly halls and catering facilities;
- hotels or motels;
- 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 by the general public;
- police, fire or ambulance depots; and
- wholesale or warehouse outlets as defined by the Zoning By-law.

Ancillary uses will be subject to the following evaluation criteria:

- they are located on an arterial or collector road;
- they are located at the periphery of the Business Park;
- the proposed uses are compatible with existing and proposed uses in the surrounding area; and

- where a development is proposing facilities designed to accommodate a variety of separate uses, such as an industrial mall facility, no more than 50% of the total gross floor area of the development will be utilized for ancillary uses permitted in the Business Park designation.

The subject lands are within an area commonly known as the East Woodstock Secondary Plan Study Area (EWSP) and are subject to a number of specific policies that were incorporated into the Official Plan via Official Plan Amendment No. 113 in 2008. These specific policies direct that hotels or motels are not permitted and that municipal recreation facilities may be permitted within the EWSP area.

Further, notwithstanding the policies for Business Parks outlined above, development within the Business Park designation adjacent to residential uses will be buffered from the industrial uses through requirements for setbacks, landscape strips, screening and other measures. In addition, parking lot lighting and signage will be directed away from residential uses and the design of the building roof will screen mechanical equipment from public view and adjacent residential properties.

Development adjacent to a Provincially Significant Wetland shall be in accordance with the policy contained in Section 3.2.4.2.1 – Significant Wetlands and Section 3.2.6 – Environmental Impact Studies (EIS). Where an EIS or other appropriate study is required, such study shall be prepared in consultation with the Conservation Authority having jurisdiction and shall be approved by County Council and/or City Council.

New development and/or site alteration within and on lands within 50 metres (165 feet) of a woodlot or other significant environmental feature will require the preparation of an EIS in accordance with Section 3.2.6 which demonstrates that development will not negatively affect the natural features or ecological functions of the area.

In accordance with Section 3.2.8.1 of the Official Plan, where new or revised flood plain mapping has been approved by the Conservation Authority having jurisdiction, the extent of the flood plain may be modified without amendment to the Plan. Where the extent of the flood plain is reduced, the abutting land use designation shall apply.

The policies of the Official Plan also direct that Environmental Protection Areas include natural heritage features such as significant wetlands, significant habitat of endangered or threatened species, significant valleylands, significant woodlands, and significant life science areas of natural and scientific interest. Permitted uses within Environmental Protection Areas include passive recreational uses, minor additions to existing buildings, established agricultural activities on existing cleared areas, and other limited environmental uses. Development may be permitted in lands adjacent to an Environmental Protection Area provided an Environmental Impact Study is completed and demonstrates the potential development will not result in any loss of wetland functions, subsequent demand for future development which will negatively impact on existing wetland functions, conflict with existing site-specific wetland management practices, and result in no loss of contiguous wetland area.

Zoning By-law

The subject lands are currently zoned 'Future Development Zone (FD)' according to the City of Woodstock Zoning By-law. The applicant proposes to rezone the lands to 'Prestige Industrial Zone (M1)', with additional site-specific uses that are identified in the Official Plan for Business Park Areas. The details regarding the proposed zoning of the lands are contained in the 'Proposal' section of this report.

Agency Comments

The City of Woodstock Engineering Department (Development Division) and the City of Woodstock Parks Department provided conditions of draft approval regarding this proposal which are attached to this report for Council's consideration.

The Downtown Woodstock BIA has indicated that the BIA objects to including a financial institution as a permitted use on the subject lands and further, that any warehouse outlet that is permitted that includes a retail component should include a restriction requiring the said retail component to meet a minimum gross floor area requirement of 325 m² (3,500 ft²), similar to the retail use limits imposed on other commercial areas outside of the City's downtown (e.g. the Regional Commercial Node).

Enbridge Gas requested that a condition of draft approval be requiring the owner to provide Enbridge (Union Gas) any easements and/or agreements required by Enbridge Gas for the provision of gas services for the project, in a form satisfactory to Enbridge.

Canada Post has indicated that the owner will be required to meet the standard conditions regarding the identification of Community Mailbox locations and the installation of concrete pads for this purpose. The full text of Canada Post's comments are attached to this report for Council's consideration.

The County Public Works Department comments and conditions of draft approval are attached to this report for Council's consideration.

The Upper Thames River Conservation Authority has indicated that the Authority has reviewed the background reports provided in support of this proposal and are satisfied that they have sufficient information to support the development concept. The UTRCA's comments and recommended conditions of draft approval are attached for Council's consideration.

City of Woodstock Council

City of Woodstock Council recommended support of the proposed draft plan of subdivision, and approved the proposed zoning by-law amendment 'in principle', at the City's regular meeting of Council on February 16, 2023.

Planning Analysis

The subject lands were designated for 'Business Park' use by OPA 113 in 2008, which implemented the East Woodstock Secondary Plan. The applicant proposes to amend the City's Zoning By-law to facilitate the development of an industrial draft plan of subdivision, as described previously in this report.

The proposed development of the lands for industrial/business park subdivision purposes is consistent with the relevant policies of the Provincial Policy Statement (PPS) with respect to promoting economic development and competitiveness. Further, the proposal is considered to be an efficient use of existing, industrially-designated lands within a settlement area and the lands can be adequately serviced.

The applicant submitted a number of studies in support of the proposal, including an Environmental Impact Study (EIS), a Functional Servicing Report (FSR), a Traffic Study and a Soils Report, all of which have been reviewed by the appropriate agencies, and it has been demonstrated to the satisfaction of those agencies (City Engineering, County Public Works, Upper Thames River Conservation Authority) that the lands can be adequately serviced via municipal water and sanitary sewers and that development is feasible in consideration of natural features and natural hazards that are present on the lands.

Regarding traffic, the subject lands are located with direct access to Oxford Road 4 (to the immediate east) and Lansdowne Avenue (north). City Engineering and County Public Works have indicated that while the Traffic Impact Study submitted by the applicant adequately demonstrates the feasibility of the development in the context of traffic movement, both agencies have also noted that further study and approvals are required prior to the final approval of the draft plan of subdivision. Conditions of approval to this effect have been included in this report.

Further, the draft plan includes a block to accommodate the extension of Springbank Avenue from the west, which is in-keeping with the East Woodstock Secondary Plan and servicing strategy. Springbank Avenue is identified as a collector road and is proposed to eventually link to Oxford Road 4 (an arterial road) at such time as the lands south of the subject lands are developed. City Engineering has indicated that the location of the noted road block is appropriate.

While the majority of the lands are designated Business Park, a significant portion is designated Environmental Protection (EP). These lands were specifically designated EP via OPA 113 in 2008 in accordance with the recommendations contained in the East Woodstock Secondary Plan (EWSP) study completed in support of the said OPA. The lands were identified as an area of 'Level 2 Environmental Protection' in the EWSP, which includes natural features that are considered locally significant and/or those required to be protected under the Federal Fisheries Act, among other features. In the case of the Lampman-Lock Drain, the EWSP noted that as a 'Level 2' feature, it was highly recommended for protection in the Official Plan.

The EIS submitted by the applicant (as reviewed by the UTRCA) indicates that the blocks included in the draft plan of subdivision (Blocks 2, 3 and 4) appear to be sized to include setbacks from the Lampman-Lock Drain and associated vegetative communities (identified in the EIS) to protect these features from development. Council will note that a significant portion of the lands are required to accommodate stormwater management facilities (Blocks 2 and 4), while Block 3

largely comprises lands that are within UTRCA regulation limits. In light of the foregoing, Planning staff are of the opinion that the noted blocks should be zoned Open Space and/or Environmental Protection to ensure that the storm facilities are appropriately recognized and that the features associated with the drain are protected in accordance with the findings of the EIS.

Regarding the zoning of Blocks 1, 5 and 6, the applicant has proposed that these lands be zoned 'Prestige Industrial Zone (M1)' to permit business park-type uses, and also proposes special provisions to include a number of additional uses as outlined in the 'Proposal' section of this report.

While the additional uses that are proposed by the applicant in this regard are identified as being permitted in the Business Park designation, they are clearly recognized as being ancillary uses in relation to the primary use of the lands for Business Park purposes. As such, it is the opinion of this office that the said uses should not be permitted 'as of right' in the amending zoning by-law, but could be included as uses permitted within the 'M1' Zone subject to an "H" holding provision. The holding provision could be removed from the lands at such time as it is demonstrated, to the satisfaction of the City, that the area has sufficiently developed for 'primary' business park purposes as to warrant ancillary development envisioned by the Official Plan. For Council's information, City Council has approved the proposed zoning on an 'in principle' basis in accordance with the recommendations of staff in this regard.

Conclusions

In light of the foregoing, Planning staff are satisfied that the proposed development is consistent with the policies of the PPS and is in keeping with the intent and purpose the Official Plan, and appropriately implements the secondary plan recently approved through OPA 239. As such, staff are satisfied that the application can be given favourable consideration.

The previously noted agency comments have been addressed in the recommended conditions of draft approval, where appropriate and are provided for Council's consideration.

SIGNATURES

Departmental Approval:

Original Signed By

Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Original Signed By

Benjamin R. Addley
Interim Chief Administrative Officer

ATTACHMENTS

- Attachment 1 - Plate 1, Location Map with Existing Zoning
- Attachment 2 - Plate 2, Aerial Map (2020)
- Attachment 3 - Plate 3, Proposed Draft Plan of Subdivision
- Attachment 4 - Agency Comments
- Attachment 5 - Conditions of Draft Approval