

**To: Mayor and Members of City of Woodstock Council**

**From: Justin Miller, Development Planner, Community Planning**

## **Application for Zone Change ZN8-24-07 – County of Oxford**

### **REPORT HIGHLIGHTS**

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- The zone change application proposes to rezone the subject lands from ‘Central Commercial Zone (C5)’ to ‘Special Central Commercial Zone (C5-sp)’ to permit an eight-storey apartment dwelling house with 36 dwelling units, parking on the first and second storeys, no commercial component and 32 parking spaces.
- Planning staff are recommending deferral of the application: through the review process, it was determined that an Official Plan amendment is also required.

### **DISCUSSION**

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#### **Background**

APPLICANT/OWNER:

County of Oxford c/o Rebecca Smith  
21 Reeve Street, Woodstock ON N4S 7Y3

LOCATION:

The subject lands are described as Part Lot 1, w/s Light Street, Plan 10, in the City of Woodstock. The lands are located on the north side of Dundas Street, between Vansittart Avenue and Light Street and are municipally known as 385 & 387 Dundas Street.

COUNTY OF OXFORD OFFICIAL PLAN:

|                |  |                           |
|----------------|--|---------------------------|
| Schedule “W-1” | City of Woodstock Land Use Plan            | Central Area              |
| Schedule “W-2” | City of Woodstock Residential Density Plan | Central Business District |

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

|                  |   |
|------------------|---|
| Existing Zoning: | Central Commercial Zone (C5)            |
| Proposed Zoning: | Special Central Commercial Zone (C5-sp) |

PROPOSAL:

The applicant proposes to rezone the subject lands from 'Central Commercial Zone (C5)' to 'Special Central Commercial Zone (C5-sp)' to permit an eight-storey apartment dwelling house with 36 dwelling units. The applicant is proposing parking on the first and second storeys, no commercial component and 32 parking spaces where a minimum of 18 parking spaces are required in the General Provisions of the Zoning By-law.

The subject lands comprise approximately 941.8 m<sup>2</sup> (10,137.8 ft<sup>2</sup>) and comprise lands that previously contained the Capitol Theatre and an existing multi-use building that will be demolished. Surrounding uses are predominantly commercial with accessory residential units in the upper level.

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

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

Plate 3, Applicant's Sketch provides the building location, elevations and proposed layout.

Plate 4, Downtown Woodstock BIA Letter providing concerns regarding the lack of commercial use in the proposal.

## **Application Review**

### 2020 Provincial Policy Statement

The 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.

The policies of Section 1.1 state 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 state that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Further, 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 1.1.3.6 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 Housing, specifically ss. 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.

### Official Plan

The subject lands are currently designated 'Central Business District' according to the Land Use Plan for the City of Woodstock in the County Official Plan. The Central Business District in Woodstock is intended to be the most intensive, functionally diverse and dominant business, cultural and administrative centre in the County and the full range of commercial, entertainment, recreation, institutional and open space and accessory residential uses are permitted.

Within the Central Business District, medium and high density residential development is generally permitted without the requirement to provide a commercial component. However, free-standing residential development is not permitted on lands having frontage on Dundas Street between Vansittart and Beale Street. Section 7.2.7 of the Official Plan further deals with the High Density Residential policies in stating that the height and density limitations applicable to the various forms of development shall be determined on the basis of the nature, character and scale of adjacent land uses. The net residential densities will not normally exceed 150 units/ha (60 units/ac).

Further, the subject lands are located within the Pedestrian Prominent Area of the Central Business District; this area is intended to be the most vibrant commercial and pedestrian oriented area of the Central Business District. Although Official Plan policies allow for residential development without the requirement to provide a commercial component in many areas of the Central Business District, a commercial component is required by the Official Plan policies for the Pedestrian Prominent Area. The current proposal does not include a commercial component and an official plan amendment is required to support the proposal.

### Zoning By-law

An apartment dwelling house is a permitted use in the 'C5' zone. The applicant proposes to rezone the subject lands from 'C5' to 'C5-sp' to include special provisions to remove the requirement for commercial on the first storey of the building and to permit a maximum of 8 storeys where 6 are permitted in the Zoning By-law.

The Zoning By-law requires properties along this portion of Dundas Street to have commercial spaces on the first floor of any structure; this provision is intended to ensure that the Central Business District is characterized by local commercial uses with a consistent façade of storefronts.

The purpose of the parking provisions of the By-law are to ensure that adequate off-street parking is provided for customers and residents of the downtown area, while recognizing that patrons of the downtown do not have to rely on vehicles to travel throughout the downtown and that additional parking may be provided by public facilities.

The Zoning By-law permits an apartment in the C5 Zone to be 8 storeys, except along a specific section of Dundas Street where the maximum height is 6 storeys. This exception was established to create a consistent and compatible streetscape in the downtown core.

### Agency Comments

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

1. Relief is not required for parking. The site is in Schedule E and the parking space requirement is one space per unit (36 units x 0.5 = 18 spaces). The site is providing 32 spaces.
2. Visitor parking spaces are exempt.
3. As noted above, the special provisions shall permit an 8 storey apartment dwelling house with 36 dwelling units that includes parking on the main floor.
4. The site is subject to site plan approval.
5. The proposal is considered a change to a more sensitive land use and requires the Record of Site Condition according to the RSC provisions under the Environmental Protection Act before a building permit can be issued.
6. Currently under the C5 zone provisions, relief is required to increase the building height to 8 storeys from 6 storeys. It should be noted the 8 storey does not fill the entire site, a podium is proposed and the upper 6 stories are projected in to create roof top patios on the 2<sup>nd</sup> floor roof. Relief is also required to permit the parking of vehicles on the main floor.

The City of Woodstock Engineering Department (Development Division) indicated that a detailed engineering review will be completed at the time of site plan approval.

The County Public Works Department has indicated that they have no comments regarding the zone change application; however, will provide further comments during the site plan control process.

The Downtown Woodstock BIA has provided a letter outlining concerns with no commercial use proposed. This letter has been attached as Plate 4.

### Public Consultation

Notice of the zone change was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act. At the time of writing this report one individual has emailed other staff and Council members but has not provided any direct input to planning staff.

## **Planning Analysis**

The purpose of the application is to rezone the subject lands to facilitate the development of an eight-storey 36-unit apartment dwelling house with parking on the first and second storeys. The

proposed structure will be a mix of affordable and market rent dwelling units. A special provision is requested to remove the requirement for commercial on the first storey of the building and to permit 8 storeys where a maximum of 6 storeys is permitted in this area of Dundas Street.

Through the review process, staff have identified that an official plan amendment is also required to permit the proposed structure without a commercial component.

In light of the foregoing, Planning staff recommend deferral of the proposed zoning amendment until an official plan amendment has also been considered for the proposal.

## **RECOMMENDATIONS**

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It recommended that the Council of the City of Woodstock defer the application for lands described as Part Lot 1, w/s Light Street, Plan 10 in the City of Woodstock, to rezone the subject property from 'Central Commercial Zone (C5)' to 'Special Central Commercial Zone (C5-sp)' to facilitate the development of an eight-storey 36-unit residential apartment dwelling house on the subject lands to allow the applicant to apply for the required official plan amendment.

## **SIGNATURES**

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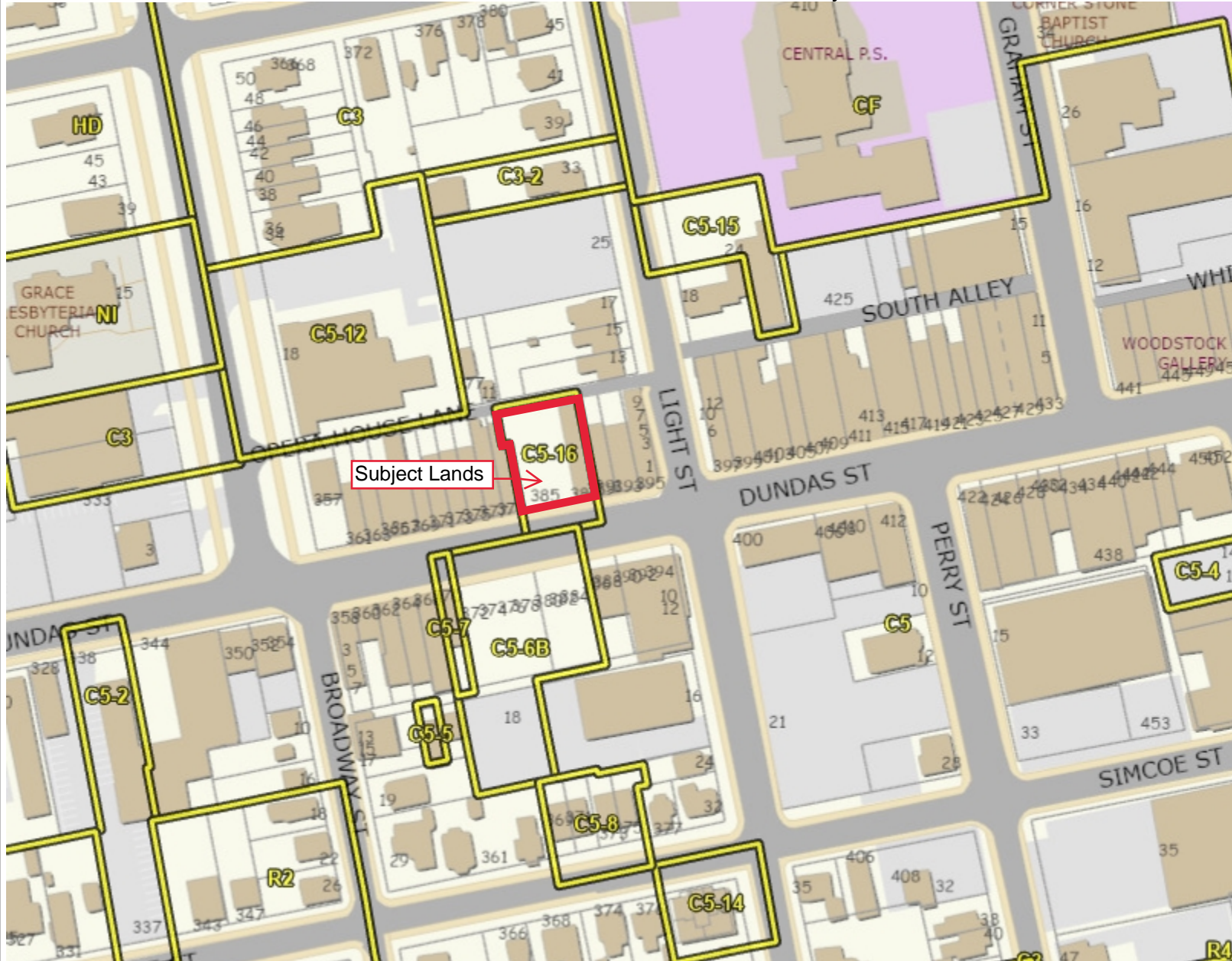
**Authored by:**

*"original signed by"*

Justin Miller  
Development Planner

**Approved for submission:** *"original signed by"*

Gordon K. Hough, RPP  
Director



**Legend**

- Zoning Floodlines
- Regulation Limit
- ♦♦ 100 Year Flood Line
- ▲ 30 Metre Setback
- ♦♦ Conservation Authority Regulation Limit
- ♦♦ Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**



0 51 102 Meters

NAD\_1983\_UTM\_Zone\_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

March 15, 2024



**Legend**

- Parcel Lines
- Property Boundary
  - Assessment Boundary
  - Unit
  - Road
  - Municipal Boundary

**Notes**



0 13 26 Meters

NAD\_1983\_UTM\_Zone\_17N



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March 15, 2024







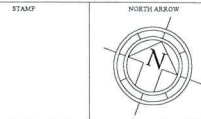






① TYPICAL FLOOR PLAN 4TH - 8TH  
3/16" = 1'-0"

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ISSUED FOR

- COORDINATION
- CLIENT REVIEW - PROGRESS
- FEEBIL PRICING
- BUILDING PERMIT
- TENDER
- CONSTRUCTION

DATE: 2024-02-23

CONCEPTUAL

REV. BY DESCRIPTION DATE REVISIONS

| REV. | BY | DESCRIPTION   | DATE       |
|------|----|---------------|------------|
| 1    |    | CLIENT REVIEW | 2024-02-23 |
| 1    |    | CLIENT REVIEW | 2024-02-19 |

REV. BY DESCRIPTION DATE

**SPH ENGINEERING INC.**  
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www.spheng.com

CLIENT

OXFORD COUNTY

PROJECT

381 TO 387 DUNDAS  
WOODSTOCK, ON

DRAWING

TYPICAL FLOOR  
PLAN 4TH - 8TH

| SCALE            | DRAWN                 | CHECKED       |
|------------------|-----------------------|---------------|
| AS NOTED         | RA                    | CK            |
| DATE: 2024-02-23 | PROJECT NUMBER: 23401 | DRAWING: A104 |











Plate 4: Downtown Woodstock BIA Letter

File No.: ZN 8-24-07: County of Oxford

Plan 10, Lot 1 - 385 and 387 Dundas Street, City of Woodstock



Downtown Woodstock BIA  
476 Peel Street, 3rd Floor  
Woodstock, ON N4S 1K1  
Telephone (519) 537-5721

April 2, 2024

Justin Miller, Development Planner  
Community Planning  
County of Oxford  
21 Reeve St  
Woodstock, ON N4S 7Y3

RE: County of Oxford – File ZN8-24-07, Lot 1, Plan 10, 385-387 Dundas Street

Dear Mr. Miller,

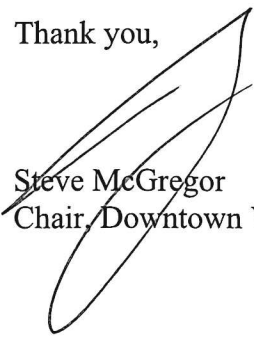
Please accept the following information pertaining to this application.

It is not the intent of the Downtown Woodstock BIA Board of Directors to speak against this project. We are supportive of increased density in downtown Woodstock and find the design is appropriate for the neighbourhood.

The concern is the lack of ground floor commercial space. We respect the design having the look and feel of ground floor commercial but understand that lack of ground floor commercial is in contradiction to the zoning requirements.

We support this development but do caution that this could set a precedent for future developments in downtown Woodstock. As well, the lack of commercial component should be inclusive of larger-scale developments, such as this. If a commercial component is possible in this development, it should be considered.

Thank you,



Steve McGregor  
Chair, Downtown Woodstock BIA