

To: Mayor and Members of City of Woodstock Council

From: Laurel Davies Snyder, Development Planner, Community Planning

Application for Consent and Minor Variance B24-69-8 and A24-19-8 – Oxford Business Solutions Inc.

REPORT HIGHLIGHTS

- The intent of the application for consent is to sever the subject lands to create one new vacant industrial lot and retain one lot for continued industrial use. There are no plans for development at this time.
- The application for minor variance proposes relief from Section 20.2, Table 20.2 – M4 Zone Provisions, to permit a reduced lot frontage on the lot to be retained of 12 m (39.4 ft) where 20 m (65.6 ft) is required.
- Planning staff are recommending approval of the applications as they are consistent with the Provincial Planning Statement and maintain the intent and purpose of the Official Plan.

DISCUSSION

Background

APPLICANT/OWNER: Oxford Business Solutions Inc.
313 Tecumseh Street, Woodstock, ON N4S 7W1

AGENT: Derek Truelove
35 Perry Street, Woodstock ON N4S 3C4

LOCATION:

The subject lands are described as Part Lot 22, Conc. 1 (Blandford), PARTS 1-21, OXR13A and PARTS 1-7, 18 & 19, 41R-9639 in the City of Woodstock. The lands front on the west side of Tecumseh Street, lying between Vansittart Avenue and Oxford Street, and are known municipally as 307 and 313 Tecumseh Street.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “W-1” City of Woodstock Land Use Plan Traditional Industrial

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: 'Transitional Industrial Zone (M4)'

SERVICES: municipal sanitary sewer and water

ROAD ACCESS: paved, municipal road (Tecumseh Street)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	1.36 ha (3.36 ac)	2.82 ha (6.9 ac)
Frontage	27 m (88.58 ft)	12.34 m (40.5 ft)
Average Depth (approx.)	199 m (652.9 ft)	155 m (508.5 ft)

The intent of the application for consent is to create one new 1.36 ha (3.36 ac) vacant industrial lot and retain one 2.8 ha (6.9 ac) lot for continued industrial use. The lot to be retained contains two (2) industrial buildings and a parking lot, which will be retained. The lot to be severed is vacant and there are no plans for development at this time. As illustrated in Plates 1, 2, and 3, the lot to be retained and the lot to be severed are irregular in shape. It is proposed that both lots would have frontage on Tecumseh Street and vehicular access via Tecumseh Street.

The application for minor variance proposes relief from Section 20.2, Table 20.2 – M4 Zone Provisions, to reduce the minimum required lot frontage from 20 m (65.6 ft) to 12.34 m (40.5 ft) for the lot to be retained.

Surrounding land uses include industrial uses to the south, a cemetery to the east, Burgess Park to the northwest (containing environmentally significant lands owned and regulated by the Upper Thames Conservation Authority (UTRCA) which include a Provincially Significant Wetland (PSW) and riverine flooding and erosion hazards, and a detached residential dwelling to the north.

Plate 1, Location Map with Existing Zoning, shows the location of the lot to be retained and the lot to be severed and the existing zoning in the immediate vicinity.

Plate 2, Aerial Map (2020 Air Photo), provides an aerial view of the lot to be retained and the lot to be severed and immediate vicinity.

Plate 3, Applicant's Sketch, provides the dimensions of the lot to be severed and the to to be retained, as provided by the applicant.

Application Review

2024 PROVINCIAL PLANNING STATEMENT (PPS)

Section 1, Introduction, states that a prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation

and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.

Section 2.3.1, General Policies for Settlement Areas, directs that Settlement Areas shall be the focus of growth and development. Further, land use patterns within Settlement Areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and,
- e) are freight supportive.

This section also establishes that general intensification and redevelopment to support the achievement of complete communities shall be supported.

Section 2.8, Employment, directs that economic development and competitiveness shall be supported by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) 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 consider the needs of existing and future businesses;
- c) 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;
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and,
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.

OFFICIAL PLAN

The subject property is located within the 'Traditional Industrial' designation according to the City of Woodstock Land Use Plan, as contained in the Official Plan. Section 7.3.6, Traditional Industrial Areas, establishes that these 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.

The applicant has also proposed a minor variance to the City's Zoning By-law to reduce the minimum lot area of the retained and severed parcels as detailed previously in this report.

When considering an application for minor variance to the Zoning By-law, the Committee shall consider the following:

- the objectives of the policies of the Official Plan can be met if the minor variance is granted;
- the request for variance constitutes a minor departure from the performance standards of the Zoning By-law;
- the general intent and purpose of the Zoning By-law; and,
- whether the variance is desirable for the appropriate development of the land.

In addition to the considerations outlined above, in determining whether the variance is desirable, the following shall be considered:

- whether constraints and/or restrictions to meeting the requirements of the Zoning By-law due to the physical or inherent conditions of the site are involved;
- whether alternative designs of the proposal which would be in conformity with the relevant by-law are clearly not feasible or appropriate for the site;
- the concerns of the effect on adjacent owners, residents and community in general have been considered;
- the approval of the minor variance would not create an undesirable precedent; and,
- that compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose an undue hardship on the applicant.

CITY OF WOODSTOCK ZONING BY-LAW

The subject lands are zoned 'Transitional Industrial Zone (M4)' according to the City's Zoning By-law. The 'M4' zone permits a range of uses, set out in Section 20.1.

The proposed severed and retained parcels appear to meet the relevant zoning provisions set out in Section 20.2, with the exception of the requested minor variance for a reduced lot frontage for the lot to be retained, which has been detailed previously in this report.

The minimum lot frontage provisions of the Zoning By-law are intended to ensure that lots are wide enough to provide for safe and efficient access and to accommodate an adequate building envelope that maintains sufficient setbacks and provides sufficient area for off-street parking.

AGENCY COMMENTS

The Oxford County Public Works Department provided the following comments:

- If approved, a condition of severance shall be that the owner agrees to satisfy all requirements, financial and otherwise, of the County, regarding the installation of separate water and sanitary sewer services, to the satisfaction of the County.
- No Building Permit shall be issued until separate water and wastewater services are provided for the severed lot and payment of these services has been received by the County of Oxford Public Works Department. This condition can be cleared by payment for the required services or by entering into a Severance Agreement with the area municipality. A copy of the DRAFT Severance Agreement, which addresses the above requirements, must be provided to the satisfaction of the County of Oxford Public Works department prior to clearing the condition.

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

- The retained parcel requires relief for a reduced lot frontage. Based on the lot siting, the reduced lot frontage has little impact on the site.
- The applicant should be reminded the lands are within the UTRCA Regulation Limits.

If approved, please include the following conditions in the Notice of Decision for Consent:

- The Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots, and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
- The Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock regarding the installation of services and drainage facilities.

- The Owner shall submit a recent survey prepared by an OLS to confirm lot sizes to the satisfaction of the City of Woodstock.
- If approved, a condition of severance shall be that the Owner enter into a severance agreement with the City of Woodstock for the severed lands. The severance agreement shall be registered on title by the owner as a first encumbrance.

The City of Woodstock Development Commissioner advised that they reviewed the applications and have no objections.

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

- The draft Registered Plan: looks like the rear/west (bolded lines) area of the property that is to remain with the retained lot PIN 0819 is intended to keep the new/severed lot out of the UTRCA regulation limit. I'm not sure what information the surveyor had to be able to generate those Parts, but a suggestion to ensure the most recent UTRCA mapping is used and, discussion with UTRCA staff may be useful, before finalizing the plan.
- Municipal water, sanitary, and storm sewer are available to service the proposed severed lot either on Tecumseh St. or on existing easements within the severed lot.
- The Applicant is advised that CPR owns a strip of land between Tecumseh St. right-of-way (ROW) and a significant portion of the proposed severed lot.
- Please include conditions provided by the City of Woodstock Building Division.

The Upper Thames River Conservation Authority (UTRCA) provided the following comments:

- The Applicant has proposed to locate lot lines 30 m from the mapped wetland boundary, and at the outer extent of the 30 m area of interference. The severed lot created through B24-69-8 will be outside of the regulated area, and so the UTRCA has no objections to the Consent and Minor Variance applications.
- The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

PUBLIC CONSULTATION

Notice of Public Meeting regarding the application were provided to surrounding property owners in accordance with the requirements of the Planning Act on December 19, 2024. As of the date of the writing of this report, no comments had been received.

Planning Analysis

The purpose of the application for consent is to create one new vacant industrial lot and retain one lot for continued industrial use.

With respect to the PPS, the proposal is consistent with the intensification and redevelopment policies as the application is considered an efficient use of land and municipal infrastructure within a serviced settlement area. The proposal is also consistent with the Employment policies as the application provides opportunities for a diversified economic base by providing a new vacant site for employment uses.

With respect to the relevant Official Plan policies for Traditional Industrial areas, staff are of the opinion that the proposal is consistent with the intent of these areas which are planned for the full range of industrial type activity including light, medium and heavy industrial uses. This area of

the city (i.e. along Tecumseh Street), is characterized by a variety of lot sizes; the proposed severed and retained lots are compatible with other lots and development in the area in this regard.

The lands are regulated by the UTRCA due the presence of riverine flooding and erosion hazards associated with the South Thames River, an unnamed watercourse and Provincially Significant Wetland (PSW) and its surrounding 30m area of interference on the subject and adjacent lands. The owner of the lands consulted with UTRCA staff in July 2023 to determine the feasibility and requirements for severing the property. Consistent with the UTRCA's policies, the Applicant is proposing to locate lot lines 30 m from the mapped wetland boundary and at the outer extent of the 30 m area of interference. The proposed lot to be severed created through B24-69-8 will be outside of the regulated area, and the UTRCA has no objections to the Consent and Minor Variance applications.

In consideration of the requested minor variance for a reduced lot frontage for the lot to be retained, staff have reviewed the proposal in the context of the policies contained in the Official Plan and consistent with the City of Woodstock Engineering Department (Building Division) are of the opinion that the proposed variance is appropriate. The proposed lot to be retained will be of an adequate size, provide sufficient setbacks for neighbouring properties, and provide space for off-street parking for the existing uses.

The existing lot fabric in the vicinity along Tecumseh Street is characterized by varying lot frontages, depths and areas and the proposed lot to be severed and lot to be retained will not be out of place with the characteristics of the surrounding area. Staff are satisfied that the proposed reduced lot frontage for the lot to be retained is minor and desirable for the development of the lands and maintains the intent and purpose of the Zoning By-law with respect to the provision of adequately sized building envelopes and sufficient setbacks.

Planning staff are of the opinion that the proposed severance and the requested minor variance meet the tests for minor variances as outlined in Section 45(1) of the Planning Act and can be supported.

RECOMMENDATIONS

That Woodstock Council advise the Land Division Committee that the City supports Application File A24-69-8, submitted by Oxford Business Solutions Inc., for lands described as Part Lot 22, Conc. 1 (Blandford), PARTS 1-21, OXR13A and PARTS 1-7, 18 & 19, 41R-9639 in the City of Woodstock, and known municipally as 307 and 313 Tecumseh Street as it relates to:

- **Section 20.2, Table 20.2 – M4 Zone Provisions to reduce the minimum frontage of the lands to be retained from 20 m (65.6 ft) to 12 m (39.4 ft).**

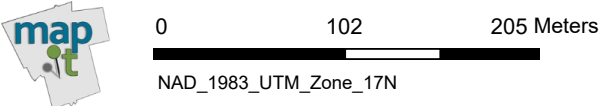
The recommended relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

- i) The relief is a minor variance from the provisions of the City's Zoning By-law.**
- ii) The relief is desirable for the use of the land.**
- iii) The relief maintains the general intent and purpose of the City's Zoning By-law.**



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



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



Legend

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Notes



0 121 242 Meters

NAD_1983_UTM_Zone_17N



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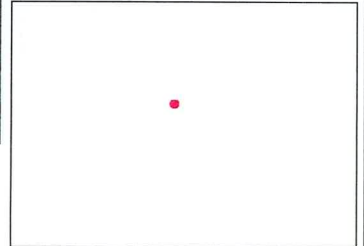
January 6, 2025



Legend

- Road Labels
- Civic Address
- PIN/ROLL Label
- Retained Lands
- Severed Lands

Notes



0 51 102 Meters

NAD_1983_UTM_Zone_17N



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July 30, 2024

Frontage for retained lands

Retained lands

010-110-072-00
00100-0819

Total: 43.13 m

43.13 m

12.34 m

Total: 12.34 m

1.6 m

Severed lands

010-110-072-00
00100-1337

27.05 m

Total: 27.05 m

010-110-113-00
00118-0220

Legend

- PIN/ROLL Label
- Parcel Lines
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary

Notes



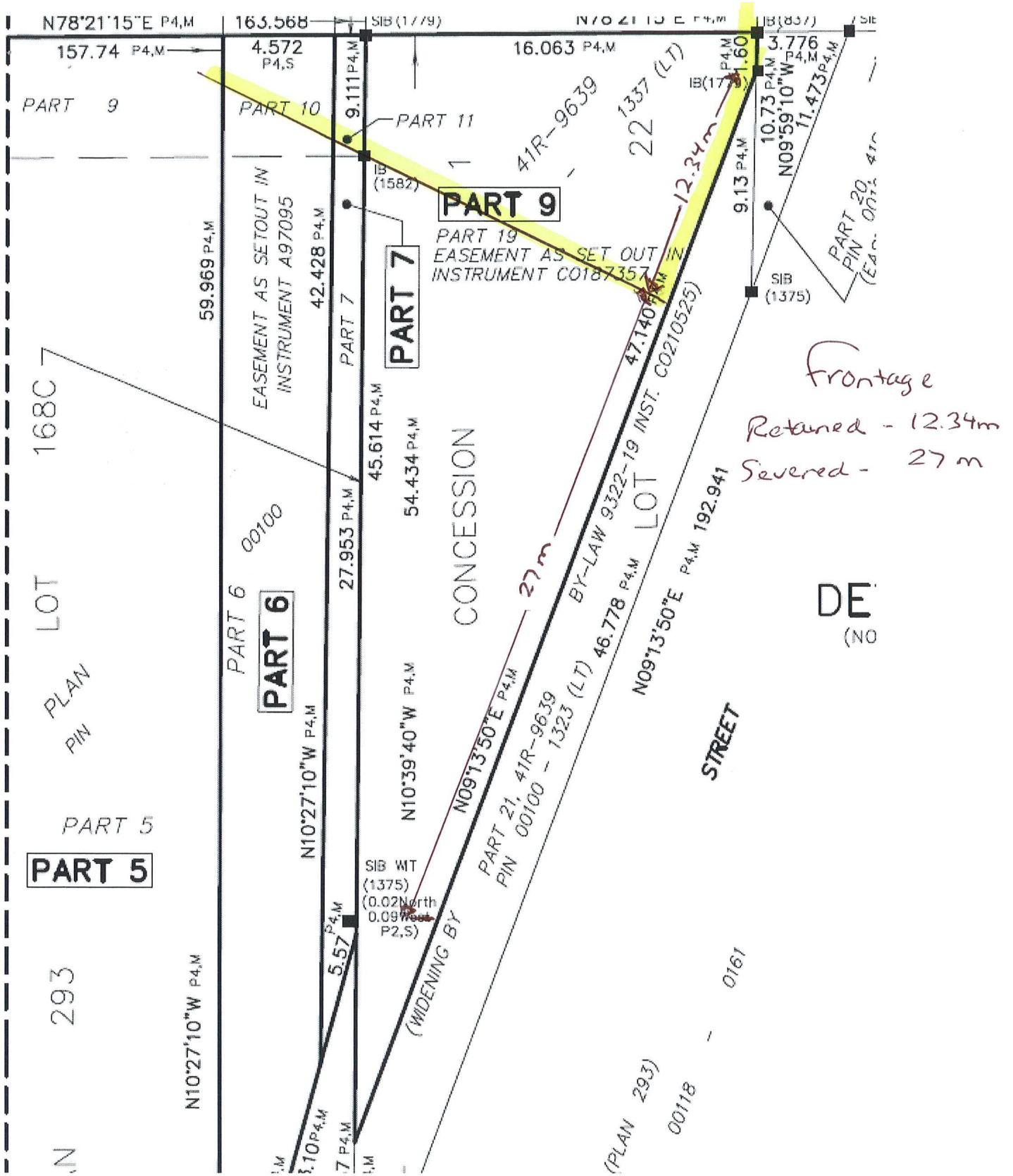
0 13 25 Meters

NAD_1983_UTM_Zone_17N



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September 23, 2024



Frontage
 Retained - 12.34m
 Severed - 27m

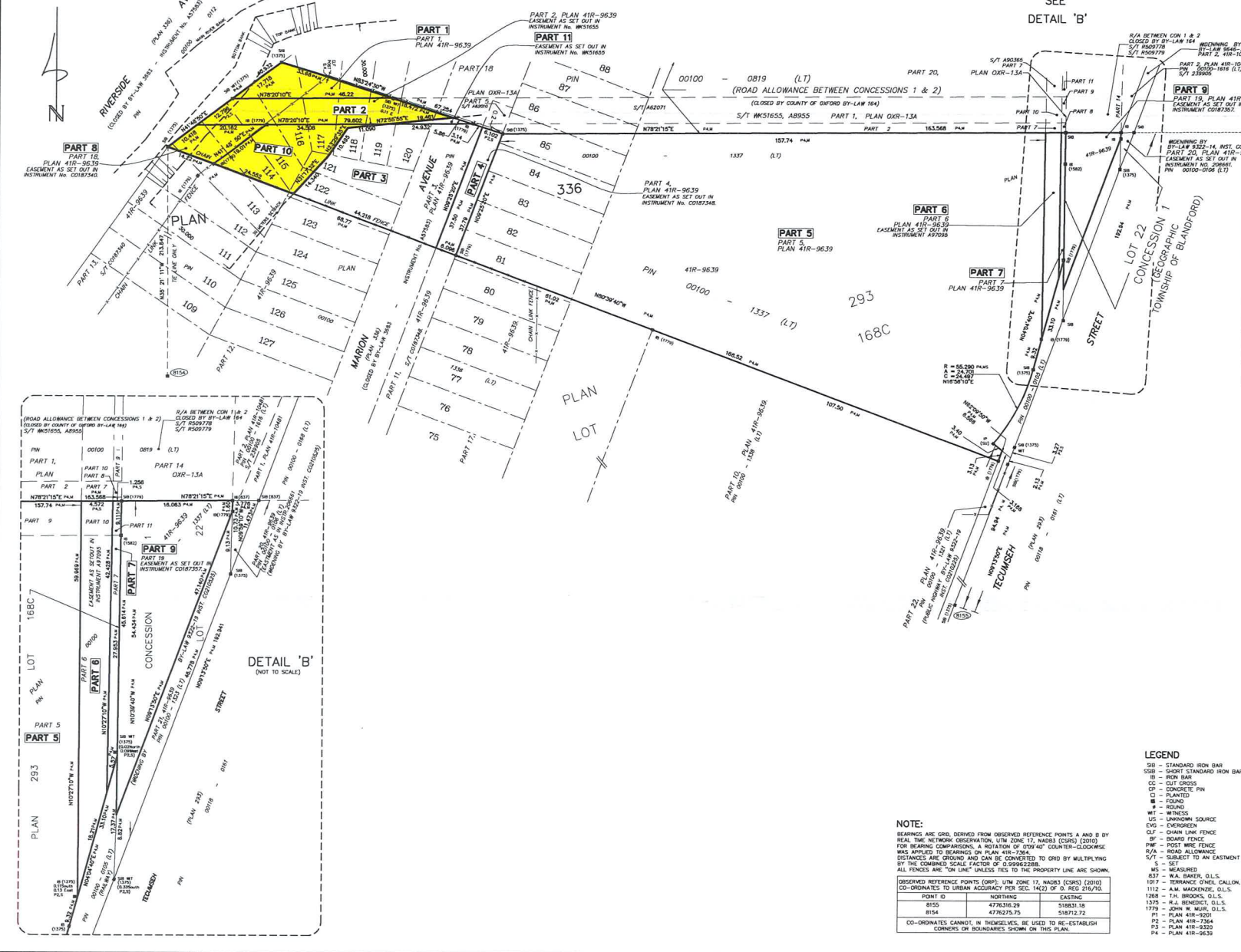
PART 5

PART 6

PART 7

PART 9

METRIC
DISTANCES AND CO-ORDINATES SHOWN ON
THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048



SEE
DETAIL 'B'

PARTS SCHEDULE				
PART	LOT	PLAN CONVESSION	PIN	AREA IN HECTARES
1	PART OF 115 TO 118 (INCLUSIVE)			0.024
2	PART OF 113 TO 120 (INCLUSIVE)			0.046
3	PART OF MARION AVENUE (CLOSED BY-LAW 1863 INSTRUMENT NO. C018348)	336		0.122
4	PART OF MARION AVENUE (CLOSED BY-LAW 1863 INSTRUMENT NO. C018348)			0.025
5	PARTS OF 81 TO 86 (INCLUSIVE)		00100-1337 (LT)	1.106
6	PART OF 186C			0.023
7	PART OF 186C	293		0.005
8	PART OF 112 TO 119 (INCLUSIVE)	336		0.018
9	PART OF 12		(UNAPPORTIONED)	0.032
10	PART OF 113 TO 116 (INCLUSIVE)			0.046
11	PART OF THE MAR 102, PART OF MARION AVENUE (CLOSED BY-LAW 1863 INSTRUMENT NO. C018348)	336		0.002

PARTS 1 TO 11 (INCLUSIVE) COMPRISE ALL OF PIN 00100-1337 (LT).
PART 2 SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. MCH555.
PART 4 SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. C018348.
PART 6 SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. A87905.
PART 8 SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. C018348.
PART 9 SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. C018357.
PART 11 SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. MCH555.

PLAN OF SURVEY
OF PART OF
LOTS 81, 85, 86,
112 to 114, (INCLUSIVE)
116 to 120, (INCLUSIVE)
122),
AND ALL OF
LOTS 82 to 84 (INCLUSIVE)
115, and 121,
AND PART OF
MARION AVENUE
(CLOSED BY-LAW 1863, INST. A87905)
PLAN 336
LOT 168C
PLAN 293
PART OF LOT 22
CONVESSION 1
(GEOGRAPHIC TOWNSHIP OF BLANDFORD)
CITY OF WOODSTOCK
COUNTY OF OXFORD
SCALE: 1:500

THE INTENDED USE OF THIS PLAN IS SHOWN IN NORTH BY 610mm IN
"NOTICE" WHICH IS PLOTTED AT A SCALE OF 1:500

ARE J. USE - ONTARIO LAND SURVEYOR
3034

- LEGEND**
- SB - STANDARD IRON BAR
 - SSB - SHORT STANDARD IRON BAR
 - IR - IRON BAR
 - CC - CUT CROSS
 - CP - CONCRETE PIN
 - PL - PLANTED
 - F - FOUND
 - R - ROUND
 - W - WITNESS
 - US - UNKNOWN SOURCE
 - EVG - GREENHORN
 - CLF - CHAIN LINK FENCE
 - RF - ROUGH FENCE
 - PWF - POST WIRE FENCE
 - R/A - ROAD ALLOWANCE
 - S/T - SUBJECT TO AN EASEMENT AS IN INSTRUMENT
 - MS - MEASURED
 - MS - M.A. SAKER, O.L.S.
 - 1017 - VERNANCE O'NEIL CALLON, O.L.S.
 - 1112 - A.M. MACKENZIE, O.L.S.
 - 1208 - I.H. BROOKS, O.L.S.
 - 1375 - R.J. BENEDICT, O.L.S.
 - 1779 - JOHN W. MUIR, O.L.S.
 - P1 - PLAN 418-9201
 - P2 - PLAN 418-7364
 - P3 - PLAN 418-9320
 - P4 - PLAN 418-9639

NOTE:

BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CGRS) (2010) FOR BEARING COMPASSING, A NOTATION OF "CW" MAY INDICATE COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 418-7364. DISTANCES ARE GRID AND CAN BE CONVERTED TO GRID BY MULTIPLYING ALL DISTANCES BY THE COMBINED SCALE FACTOR OF 0.999962368. ALL DISTANCES ARE TO BE TAKEN UNLESS THEY ARE TO THE PROPERTY LINE ARE SHOWN.

POINT ID	NORTHINGS	EASTINGS
B150	4776316.29	518831.18
B154	4776275.75	518112.72

CO-ORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 8TH DAY OF XXXX, 20XX.

DATE _____
ARE J. USE
ONTARIO LAND SURVEYOR

BROOKS LISE SURVEYING LTD.
ONTARIO LAND SURVEYORS
UNIT 1-17 WILLOWTON ST. NORTH, WOODSTOCK, ON, N4S 6P7
TEL: 519-539-8089 brooksli@brooksli.com

DRAWING: DRG CHECKING: A.J. CREW (CHIEF): JS

L10979