

To: Mayor and Members of City of Woodstock Council

From: Laurel Davies Snyder, Development Planner, Community Planning

Application for Consent B24-93-8 – 2079993 Ontario Inc.

REPORT HIGHLIGHTS

- The intent of the application for consent is to sever the vacant commercial lot (zoned ‘Special Shopping Centre Commercial Zone (C2-7)’) from the vacant residential lot (zoned ‘Special Residential Zone 3 (R3-14)’).
- Planning staff are recommending approval of the application as it is consistent with the Provincial Planning Statement and maintains the intent and purpose of the Official Plan respecting lot creation in serviced settlement areas.

DISCUSSION

Background

OWNER: 208993 Ontario Inc. c/o Ernst & Young Inc.
100 Adelaide Street W, Toronto ON M5H 0B3

APPLICANT: Andrea Sinclair, MHBC Planning
540 Bingemans Centre Drive, Suite 200, Kitchener, ON N1S 2L6

AGENT: Mark Willis-O’Connor, Chaitons LLP
5000 Yonge Street, North York, ON N2B 3X9

LOCATION:

The subject lands are described as Part Lot 14, Conc. 1 (Blandford), Part Lot 41, Plan 41M-316, Part 10 of 41R-9600 in the City of Woodstock. The lands front on the south side of Devonshire Avenue, east side of Cardinal Drive, and north side of Dunkirk Avenue, and are known municipally as 1370 Devonshire Avenue and 1501 Dunkirk Avenue.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “W-1”	City of Woodstock Land Use Plan	Neighbourhood Shopping Centre Residential
Schedule “W-2”	City of Woodstock Residential Density Plan	Low Density Residential

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: 'Special Shopping Centre Commercial Zone (C2-7)' (lot to be severed)
'Special Residential Zone 3 (R3-14)' (lot to be retained)

SERVICES: municipal sanitary sewer and water

ROAD ACCESS: paved, County Road (Devonshire Avenue)
paved, local streets (Cardinal Drive, Dunkirk Avenue)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	2.33 ha (5.76 ac)	370 m ² (3,982.65 ft ²)
Frontage	212.7 m (697.83 ft)	4.76 m (15.62 ft)
Average Depth (approx.)	92.7 m (304.13 ft)	32.5 m (106.63 ft)

The intent of the application for consent is to sever the 2.33 ha (5.76 ac) vacant commercial lot from the residential lot containing a semi-detached dwelling on the lot to be retained.

It is proposed that the lot to be severed will have frontage and access on Devonshire Avenue. The lot to be retained has frontage and access on Dunkirk Avenue.

Surrounding land uses include an institutional facility and park to the north (Ecole Secondaire Catholique Notre-Dame, Woodall Woods Park (containing a woodland), an institutional use to the east (Holy Trinity Parish), residential uses to the south, and residential uses and vacant land to the west.

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 lot to be retained, as provided by the applicant.

Application Review

2024 PROVINCIAL PLANNING STATEMENT (PPS)

The 2024 Provincial Planning 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, Introduction, states that Ontario is a vast, fast-growing province that is home to many urban, rural and northern communities distinguished by different populations, economic activity, pace of growth, and physical and natural conditions. This section also states that a prosperous Ontario will see the building of more homes for all Ontarians, and Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Furthermore, 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 2.1, Planning for People and Homes, directs that planning authorities should support complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

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.

Section 2.8.1, Supporting a Modern Economy, 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 lot to be severed is located within the 'Neighbourhood Shopping Centre' designation according to the City of Woodstock Land Use Plan, as contained in the Official Plan. Section 7.3.3.1, Shopping Area Hierarchy, establishes that Neighbourhood Shopping Areas are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents.

Neighbourhood Shopping Areas will generally have between 1,858 and 4,645 square metres (20,000 to 50,000 square feet) of gross leasable commercial floor area. Uses permitted in Neighbourhood Shopping Areas include gas bars, financial institutions, convenience commercial uses, grocery stores, day care facilities, medical and dental clinics and offices, personal services, restaurants, video rental outlets, small scale service oriented offices for real estate, insurance, travel and similar services, drug stores and pharmacies, photographic finishing outlets, hardware stores and retail stores catering to personal and household needs.

The lot to be retained is located within the 'Low Density Residential' designation according to the City of Woodstock Residential Plan, as contained in the Official Plan. Section 7.2.4, Low Density Residential Districts, establishes that these lands that 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 and duplex dwellings, additional residential units and converted dwellings, street fronting townhouses, quadraplexes, low density cluster development and low rise apartments. It is intended that that there will be a mixing and integration of different forms of housing to achieve a low overall density of use within these areas. It is not intended however that the full range of housing will be permitted in every individual neighbourhood or development and City Council may choose to restrict the range of uses permitted in a particular location through the Zoning By-law.

CITY OF WOODSTOCK ZONING BY-LAW

The lot to be severed is zoned 'Special Shopping Centre Commercial Zone (C2-7)', and the lot to be retained is zoned 'Special Residential Zone 3 (R3-14)' according to the City's Zoning By-law.

The 'C2-7' zone permits a range of non-residential uses set out in Section 12.3.7.3. The 'C2-7' zone also permits a dwelling unit in the second storey of a non-residential building.

The 'R3-14' zone permits a range of residential uses set out in Section 7.1 and Section 8.1, including a semi-detached dwelling.

The proposed severed and retained parcels appear to meet the relevant zoning provisions set out in Sections 12.2 and 8.3.14 respectively and specifically, with respect to lot area, lot frontage, and lot depth.

AGENCY COMMENTS

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

- The retained lot is not vacant, a semi-detached dwelling house is constructed on Parts 9 and 10 Lot 41. A building location survey on file indicates the existing semi-detached dwelling is in compliance with the yard setbacks for the R3-14 zone.

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

- If approved, conditions of severance include:
 - 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 easements created. Any proposed easements shall be reviewed by the City of Woodstock.
 - The Owner submits a recent survey prepared by an OLS to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.

- The Owner agrees to satisfy all requirements, financial and otherwise, of the City, regarding the installation of services and drainage facilities, to the satisfaction of the City.
- The Owner shall obtain a letter from the City advising the Secretary-Treasurer of the Land Division Committee that all requirements of the City have been complied with.

The Oxford County Public Works Department indicated that they reviewed the application and do not have any comments at this time.

PUBLIC CONSULTATION

The Notice of Public Meeting regarding the application for Consent was provided to surrounding property owners in accordance with the requirements of the Planning Act on February 4, 2025. At the time of writing this report, Staff had not received any comments from the public regarding the application.

Planning Analysis

The intent of the application for consent is to sever the 2.33 ha (5.76 ac) vacant commercial lot from the residential lot containing a semi-detached dwelling. The lot to be retained was included as part of a part lot control exemption by-law, however the lands were sold after the by-law expired and as such, the lands are considered to remain legally merged with the lot to be severed.

With respect to the PPS, the proposal is consistent with the policies regarding supporting complete communities by accommodating a range and mix of land uses and housing options. The application is considered an efficient use of land and municipal infrastructure within a serviced settlement area. The proposal is also consistent with economic development policies that support providing a diversified economic base and a vacant site for commercial investment and employment.

With respect to the relevant Official Plan policies for Low Density Residential Areas and Neighbourhood Shopping Areas, staff are of the opinion that the proposal is consistent with the intent of these areas. Neighbourhood Shopping Areas are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents, and Low Density Residential Districts are intended to provide for variety of low-rise, low density housing forms including semi-detached dwellings. This area of the city (i.e. along Devonshire Avenue), is characterized by a mix of land uses and 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 development of commercial uses on the lot to be severed will be subject to site plan approval.

It is the opinion of this Office that the Application for Consent is consistent with policies of the PPS and maintains the intent of the Official Plan, and that the application be given favourable consideration.

RECOMMENDATIONS

That Woodstock Council advise the Land Division Committee that the City supports the proposal to sever the subject lands, subject to the following conditions:

- 1. The Owner must provide 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.

2. The Owner shall satisfy all requirements, financial and otherwise, of the City of Woodstock regarding the installation of services and drainage facilities.
3. The Owner shall submit a recent survey prepared by an OLS to confirm lot sizes to the satisfaction of the City of Woodstock.
4. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.

SIGNATURES

Authored by:

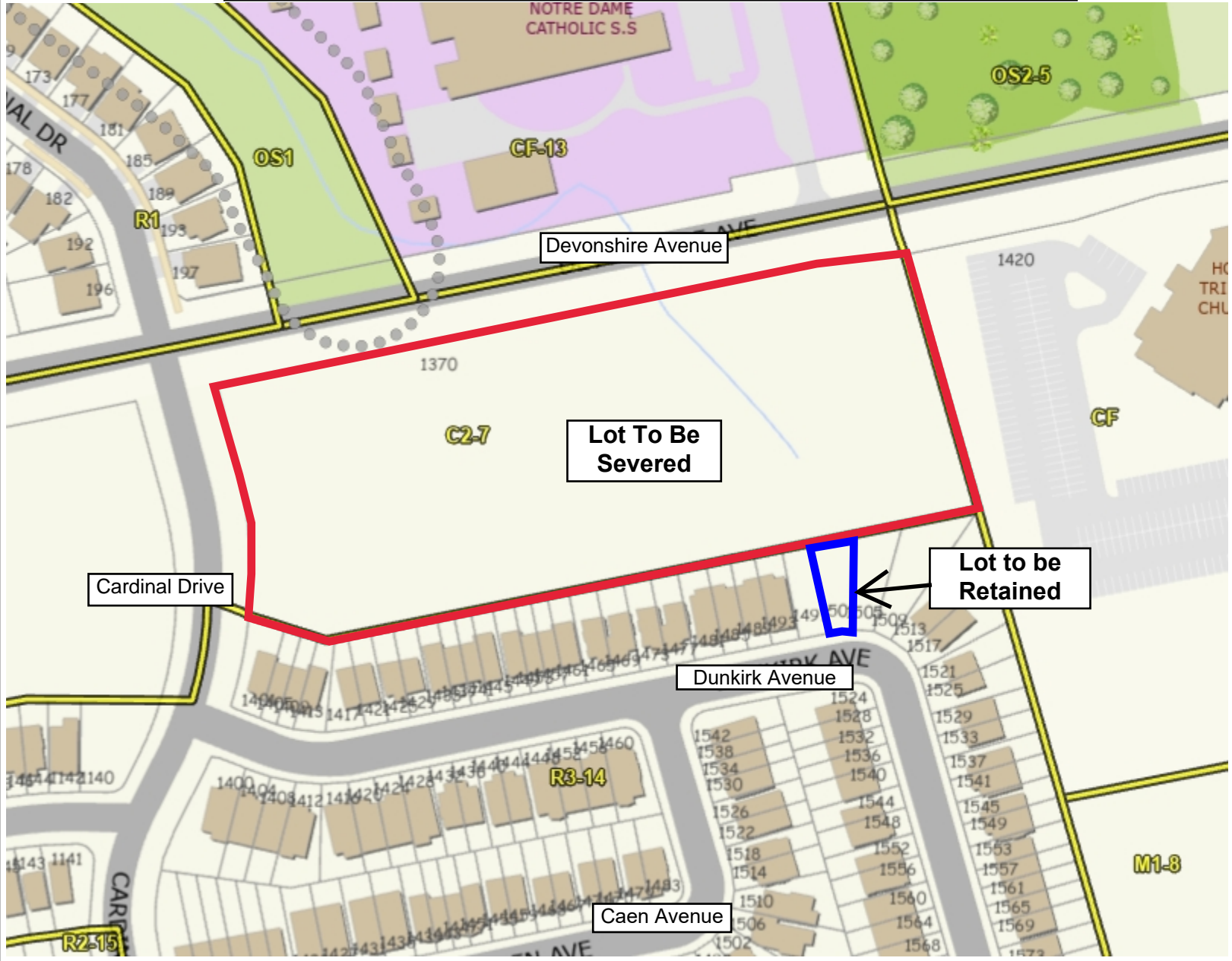
“Original Signed by”

Laurel Davies Snyder, MCIP, RPP
Development Planner

Approved for submission:

“Original Signed by”

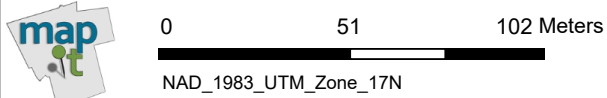
Eric Gilbert, MCIP, RPP
Manager of Development Planning



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



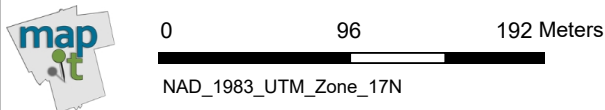
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- Regulation Limit
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Notes



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February 9, 2025

