

To: Mayor and Members of City of Woodstock Council

From: Justin Miller, Development Planner, Community Planning

Application for Consent B23-10-8 – Tamjidi

REPORT HIGHLIGHTS

- The purpose of the application for consent is to create a residential lot for a future plan of subdivision and retain a parcel containing an existing single-detached dwelling.
- Planning staff are recommending approval of the application subject to conditions as it is consistent with the Provincial Policy Statement and maintains the intent and purpose of the Official Plan.

DISCUSSION

Background

APPLICANT/OWNER: Andrea and Omid Tamjidi
745188 Oxford Road 17, Woodstock ON N4S 7W2

APPLICANT: 2796247 Ontario Limited
64 Lakeview Drive, Woodstock ON N4T 0A5

AGENT: White Coad LLP c/o Gord Klein
408 Dundas Street, Woodstock ON

LOCATION:

The subject lands are described as Part Lot 5, Concession 13, Part 2, 41R-9789, in the City of Woodstock. The lands are located on the south side of Oxford Road 17 between Queenston Boulevard and Arthur Parker Avenue, and are municipally known as 745188 Oxford Road 17.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "W-1"	City of Woodstock Land Use Plan	Future Urban Growth and Agricultural Reserve
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WOODSTOCK ZONING BY-LAW NO. 8626-10:

Zoning: Special Residential Zone 1 (R1-13)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	2,285 m ² (24,596.3 ft ²)	1,1963 m ² (12,874 ft ²)
Frontage	18 m (59 ft)	24.8 m (81.4 ft)
Depth	24.7 m (81 ft)	48.3 m (158.5 ft)

The purpose of the application for consent is to create a residential building lot for a future plan of subdivision and retain a lot containing a single detached dwelling. The subject property currently contains a single detached dwelling and accessory structures which will be retained on the lot to be retained if the subject applications are approved. The applicant has also submitted Official Plan amendment, Zoning Bylaw amendment and plan of subdivision applications for the subject lands.

Surrounding land uses in the immediate vicinity consist predominantly of single detached dwellings with agricultural lands to the north.

Plate 1, Existing Zoning & Location Map, shows the location of the subject lands 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 dimensions of the lots to be severed and retained.

Application Review

2020 PROVINCIAL POLICY STATEMENT:

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3 directs that settlement areas shall be the focus of growth and development. Furthermore, land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land, resources, existing infrastructure and public service facilities. A range of uses and opportunities for intensification and redevelopment should also be promoted where it can be accommodated in settlement areas.

Further, Section 1.4.3 directs that planning authorities shall provide for an appropriate mix of housing options and densities to meet projected market-based and affordable housing needs 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 residential intensification and redevelopment and all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;
- 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 uses land, resources, infrastructure and public service facilities, and support the use of active transportation and transit 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 property is designated 'Future Urban Growth' and 'Agricultural Reserve' in the Official Plan.

The Agricultural Reserve designation is intended to protect lands for long-term use for agriculture. This designation appears to be a remnant from prior to the inclusion of the lands into the City of Woodstock, and only exists on a small portion of wooded lands on the southern end of the subject lands.

The Future Urban Growth designation is intended to identify lands which are capable of being fully serviced by the County and City with centralized water and waste water supply facilities required to accommodate urban level development. Future Urban Growth lands are intended to be developed as orderly and logical extensions of the City. The subject lands have specifically been identified to be developed for residential purposes.

The applicant has also submitted applications for Official Plan amendment, Zoning By-law amendment and a plan of subdivision. The applicant intends to re-designate the subject lands to "Low Density Residential" within the Official Plan. Low density residential areas include those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single detached dwellings, semi-detached dwellings, duplex, converted dwellings, quadraplexes, townhouses and low-density cluster development. In these districts, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

The policies of Section 7.2.4.1 (Infill Housing) will apply to this proposal. Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the land supply designated residential and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Areas.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the same street. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the City and the County Land Division Committee will ensure that the proposal is consistent with street frontage, lot area, setbacks and spacing of existing development within a two block area on the same street.

In addition to the specific infill policies identified, the following policies will apply to all infill proposals:

- existing municipal services and public facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- adequate off-street parking and outdoor amenity areas will be provided;
- the location of vehicular access points, the likely impact of traffic generated by the proposal on public streets and potential traffic impacts are acceptable;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features;
- the effect of the proposed development on environmental resources and environmental constraints are addressed and mitigated in accordance with Section 3.2;
- consideration of the potential effect of the development on natural and heritage resources and their settings; and
- compliance of the proposed development with the provisions of the City's Zoning By-law.

CITY OF WOODSTOCK ZONING BY-LAW:

The subject lands are zoned 'Residential Zone 1 (R1-13)' according to the City's Zoning By-law. The R1 zone permits single detached dwellings.

The special provisions of the R1-13 zone establish alternative zone provisions to the R1 Zone, primarily to ensure that adequate space is provided where lots are not serviced by public sanitary services and/or public water supply.

Agency Comments

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

1. Our understanding is that the severed lot will be further subdivided to create 4 lots that will front the extension of Leslie St. (two lots on each side of the street, by way of a future draft plan of subdivision application) after the above noted severance application is approved and completed. The intent of this application is not to create one large, severed lot for the purposes of constructing one building, so measures should be put in place to prevent this from happening. Options we discussed:
 - a. Including a condition of severance to re-zone the severed lot from R1-13 to an appropriate zone that prevents development until Leslie Street has been extended through the subject lands.
 - b. There is currently a 1-foot reserve at the end of Leslie St. (Block 10, 41M-370) which the City would not agree to release and dedicate as Leslie St. until after the draft plan of subdivision application was approved and the M-plan/Subdivision Agreement registered.
 - c. We could include a paragraph in the Severance Agreement to indicate that building permits will not be available for the severed lot until the plan of subdivision was registered.
2. Municipal services are available on Leslie St. and can be extended to adequately service the future 4 lots on the proposed severed lot.
3. If approved, please include the following conditions:

- a. The owner shall 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 easements created. Any proposed easements shall be reviewed by the City.
- b. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City regarding the installation of services and drainage facilities.
- c. The Owner will be required to enter into a severance agreement for the severed parcel with the City of Woodstock. The agreement will be registered on first title by the owner.
- d. The Owner shall remove all existing structures on the severed and retained parcels to the satisfaction of the City of Woodstock Building Department.
- e. The Owner shall submit a recent survey prepared by an OLS to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
- f. A condition to satisfy the concerns noted in comment #1 above.

The City of Woodstock Parks Department provided the following comments:

There are a number of existing trees that will need to be compensated for if they are removed. Parks requires compensation at a rate of 3:1 or \$450 cash in lieu per tree owed.

The County of Oxford Public Works has provided the following comments:

- All properties must be serviced (water/sanitary) independently, and any/all services crossing the proposed property line be disconnected to the satisfaction of the County of Oxford Public Works Department. Water/sanitary servicing is available on Leslie Street and the applicant will be required to connect to the services for the new lots.
- 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 water & sanitary sewer services, to the satisfaction of the County.

Public Consultation

Notice of the proposal was provided to the public and surrounding property owners on June 23, in accordance with the requirements of the Planning Act. At the time of writing this report, no comments or concerns have been received from the public.

Planning Analysis

The purpose of the subject application is to create a residential building lot for a future plan of subdivision and retain a lot containing a single-detached dwelling.

As a condition of consent, the severed lands will need to be appropriately rezoned to prevent development prior to the creation of the Leslie Street extension through the subject lands. A Holding provision is recommended for the subject lands to ensure the completion of the plan of subdivision and Leslie Street extension. The absence of a Holding provision (or other appropriate zoning) may result in a Building permit being issued that limits the ability of Leslie Street to be extended, potentially sterilizing anticipated future residential development within the area between Edinburgh Drive and Huntingford Trail. For Council's information, the North Woodstock Secondary Plan identifies a future Leslie Street as bisecting the severed lands from Edinburgh Drive and serving the rear of the existing properties on Oxford Road 17 to 745206 Oxford Road 17.

Provided the retained lands are appropriately zoned to prevent development without the extension of Leslie Street, both the lots to be severed and retained are considered to be appropriate in accordance with the infill policies of the Official Plan. Through the upcoming zoning bylaw amendment, the applicants are requesting that the retained lands be zoned R2. The proposed R2 Zone, which permits single-detached, semi-attached and duplex dwellings, is considered a form of low density residential development and is compatible with the surrounding uses.

In light of the foregoing, Planning staff are satisfied that the proposal is consistent with the policies of the Provincial Policy Statement and meets the general intent and purpose of the County Official Plan with respect to development in the Future Urban Growth designation provided the retained lands are appropriately zoned to prevent development until the other applications on the subject lands, previously described in this report, are approved.

RECOMMENDATIONS

It is recommended that Woodstock Council advise the Land Division Committee that the City supports the proposal to sever the subject property, subject to the following conditions:

1. The owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto. The Agreement will be registered on title by the owner, to the satisfaction of the City of Woodstock.
2. 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.
3. The owner shall satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
4. The owner shall submit a recent survey to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
5. The retained lands be appropriately zoned to prevent development until Leslie Street has been extended and/or a plan of subdivision for the severed lands has been approved by Oxford County.
6. That no development take place on the severed lands until a draft plan of subdivision is approved for the severed lands.
7. The owner remove all structures on the severed lands to the satisfaction of the City of Woodstock Building Department.
8. 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* 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

May 3, 2023



Legend

Notes



0 51 102 Meters

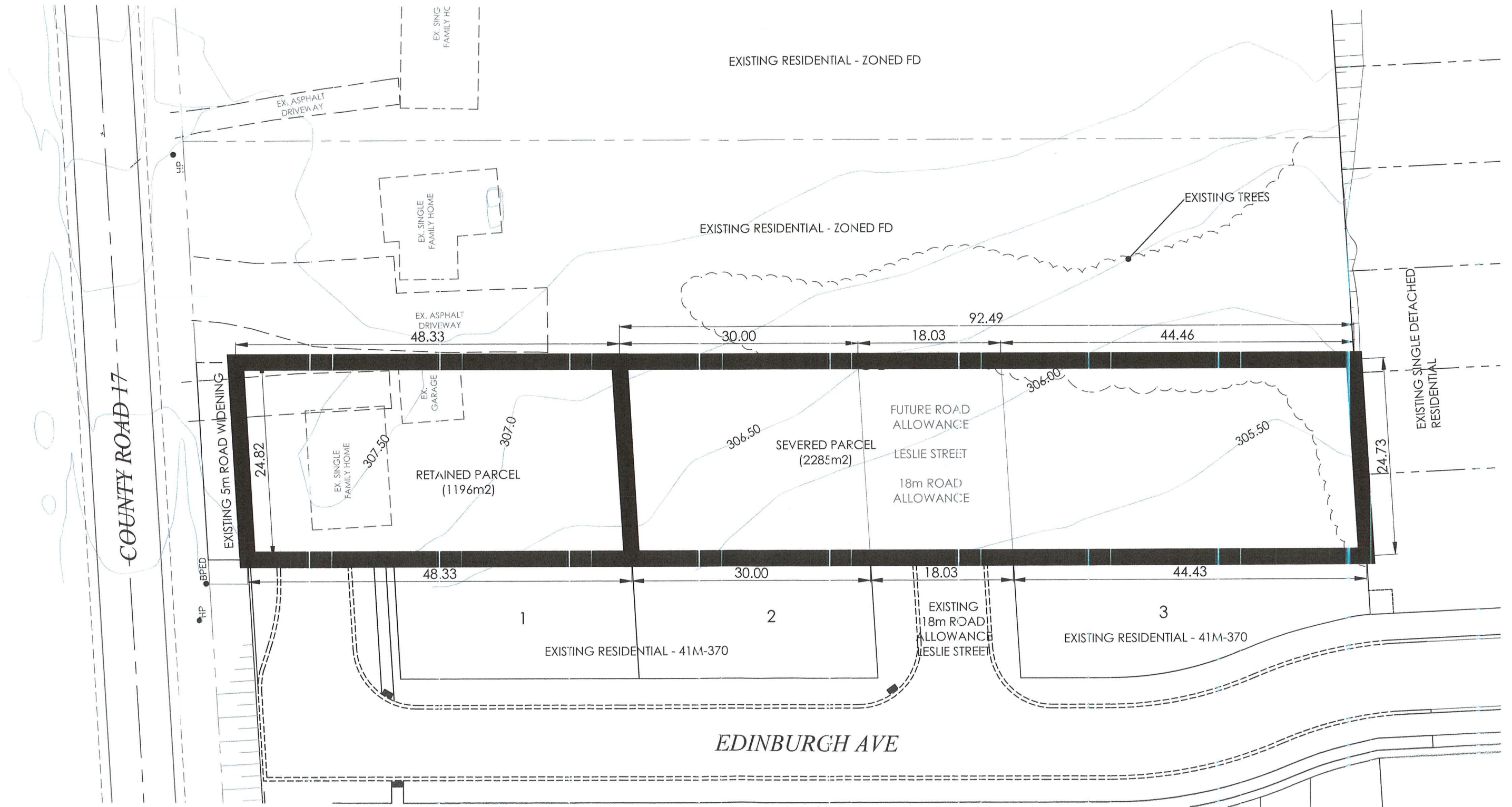


NAD_1983_UTM_Zone_17N



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SEVERANCE SKETCH