

To: Mayor and Members of City of Woodstock Council

From: Justin Miller, Development Planner, Community Planning

Application for Zone Change

ZN 8-23-05 – R.W. Bonn Ltd.

REPORT HIGHLIGHTS

- The application for zone change is required to amend the Special Transitional Industrial Zone (M4-3) provisions that apply to the subject lands to permit a business/professional office as an additional permitted use.
- Planning staff are recommending that the application not be supported as the proposal is not consistent with the Provincial Policy Statement and does not maintain the intent and purpose of the Official Plan.

DISCUSSION

Background

APPLICANT/OWNER: RW Bonn Ltd. c/o Ross Bonn
209/211 Main Street, Woodstock ON N4S 1T1

APPLICANT: Ashley Hamilton
662 Hayball Street, Woodstock ON N4S 4Z4

LOCATION:

The subject lands are legally described as Lots 13-16, Plan 86 and Part Block 1, Plan 85, in the City of Woodstock. The subject lands are located on the north side of Main Street, between Ingersoll Road and Main Street and are municipally known as 209 and 211 Main Street.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "W-1"	City of Woodstock Land Use Plan	Traditional Industrial and Open Space
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CITY OF WOODSTOCK ZONING BY-LAW NO. 8626-10:

Existing Zoning: Transitional Industrial Zone (M4) and
Special Transitional Industrial Zone (M4-3)

Proposed Zoning: Amended Special Transitional Industrial Zone (M4-3)

PROPOSAL:

The application for zone change proposes to rezone the subject lands from 'Transitional Industrial (M4)' and 'Special Transitional Industrial (M4-3)' to an amended 'Special Transitional Industrial (M4-3)' Zone to permit business/professional office as an additional use on the lands. Specifically, the applicant is proposing to permit the continued operation of The WOMB (World of My Baby), which the applicant describes as a wholeness centre that provides whole health services, education, fitness and supporting products, naturopathy, osteopathy, massage therapy, craniosacral therapy, pelvic health physiotherapy, counselling and coaching, breast feeding support, chiropractic care, yoga, prenatal education and workshops and doula support. The use is presently operating within an existing building on the subject lands, occupying approximately 278 m² (3,000 ft²) of floor area.

The subject lands are approximately 3,451 m² (37,146.2 ft²) in area and contains an existing building, including office space which was previously operated as a health club. Adjacent land uses include industrial and commercial uses to the east, west and south, residential lands to the southwest and open space associated with a tributary of the Thames River to the north. The majority of the subject lands are also regulated by the Upper Thames River Conservation Authority.

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

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

Plate 3, Applicant's Sketch, illustrates the layout of the proposed use, as submitted by the applicant.

Application Review

2020 Provincial Policy Statement (PPS)

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.

The policies of Section 1.1.1 state 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;
- avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- ensuring the necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- promoting development and land use patterns that conserve biodiversity; and
- preparing for the regional and local impacts of a changing climate.

The policies of Section 1.1.3.1 states that settlement areas shall be the focus of growth and development and further, Section 1.3.1 of the PPS directs that planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional uses 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 take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by 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 compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
- e) ensuring the necessary infrastructure is provided to support current and projected needs.

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.

OFFICIAL PLAN

The subject property is located within the Traditional Industrial and Open Space designations according to the Land Use Plan for the City of Woodstock, as contained in the Official Plan.

Traditional Industrial areas are lands consisting of existing industrial uses and are planned for a full range of industrial activities. Permitted uses include assembling, manufacturing, fabricating, processing, repair and recycling activities, environmental industries, warehousing, distribution, indoor and outdoor storage facilities, construction uses, utilities, transportation and storage uses and research and technological service industries.

In addition to the permitted uses, a number of ancillary uses may also be permitted, including service commercial uses (restaurants, service stations, gas bars, repair garages and businesses which directly and primarily provide services to industries or employees of the industries), uses with similar requirements to industries (utilities, public works yards, contractors' yards and police, fire or ambulance depots), recreational facilities, and minor institutional uses (churches, lodges, service clubs, trade unions and community cultural organizations).

In order to maintain the viability of Traditional Industrial Areas, City Council will exercise strict control over the amount of non-industrial activity permitted in such designations and will require that ancillary uses be located at or near the periphery of the industrial designation on arterial or collector roads.

In order to utilize existing industrial buildings within established industrial areas, City Council, through site specific zoning, may permit additional uses located on arterial, collector or minor collector roads, including limited service commercial uses that are directly supportive of and primarily serving business and industry (ATMs, education or training facilities or commercial schools, equipment sales, rental and service, computer or electronics processing services, photocopying, blueprinting, courier services) and limited commercial uses serving the broader public which are complementary to the principal industrial function (warehouse outlet, commercial storage units, catering food services, veterinary clinics or automobile supply store).

The Open Space designation consists of lands used for a variety of public and vacant uses, and is often used to identify parklands, recreational areas and environmental protection and naturally hazardous lands. In this case, the Open Space designation reflects potentially flood prone areas in association with a tributary to the Thames River and the area regulated by the Upper Thames River Conservation Authority.

CITY OF WOODSTOCK ZONING BY-LAW:

The subject property is zoned Transitional Industrial Zone (M4) and Special Transitional Industrial Zone (M4-3) in the City of Woodstock Zoning By-law. The M4 Zone permits a wide variety of light industrial uses and a limited number of commercial and institutional uses that are complementary to industrial uses. In addition to the uses permitted in the M4 Zone, the M4-3 Zone specifically permits a health club with a maximum gross floor area of 200 m² (2,152.8 ft²).

Agency Comments

The City of Woodstock Engineering Department – Building Division has provided the following comments:

We have reviewed the application for zone change to rezone the subject lands from Transitional Industrial Zone (M4) and Special Transitional Industrial Zone (M4-3) to Amended Special Transitional Industrial Zone (M4-3) to permit a business/professional office as an additional permitted use, within an existing tenant space approximately 278 m² (3,000 ft²) in size.

We have no concerns with the application. The site is providing adequate, and the required number of parking spaces are being provided. The site has split zoning of M4 and M4-3. We assume the rezoning process will address this issue and have one zone on the site.

Oxford County Public Works, City of Woodstock Engineering Division, Canada Post and Upper Thames River Conservation Authority have all indicated that they have no objection to the proposal.

Public Consultation

Notice of Complete Application and Notice of Public Meeting 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, no comments have been received from the public.

Planning Analysis

The Provincial Policy Statement (PPS) directs that planning authorities shall plan for, protect and preserve employment areas for current and future uses. Planning staff are of the opinion that the conversion of the subject lands from industrial to a professional office use is not complimentary to the industrial designation and the maintenance of industrial uses in the area.

The subject lands are designated Traditional Industrial in the Official Plan, which is intended to accommodate a range of industrial land uses. It is the intent of the Official Plan policies to preserve and protect lands designated Industrial for such land uses in an effort to maintain these important economic and employment areas within the City.

Planning staff are of the opinion that the proposed zoning amendment is not consistent with the Official Plan policies to protect industrial lands for industrial uses. Further, the proposed use does not fall within the types of uses permitted within Traditional Industrial areas, including permitted ancillary uses and additional uses that may be considered within existing industrial buildings, which, outside of permitted industrial uses, are generally limited to service commercial uses, industrial-similar uses, recreational facilities, minor institutional uses, emergency services depots, equipment sales and service uses or uses which are complementary to the principal industrial function. Specifically, staff are of the opinion that the use of the subject lands for professional office use does not maintain the intent of the Official Plan to maintain a supply of industrial land uses, and that the proposed offices would be better suited to a business park or commercial area.

While some non-industrial uses may be considered within the Industrial designation, they are only permitted if they are supportive of the industrial uses within the area or have characteristics similar to industrial uses. Given that the use subject to this application are generally for women's health, and not intended to be supportive of existing industrial uses in the area, Planning staff are of the opinion that the proposed zone change is not in-keeping with the direction of the Official Plan.

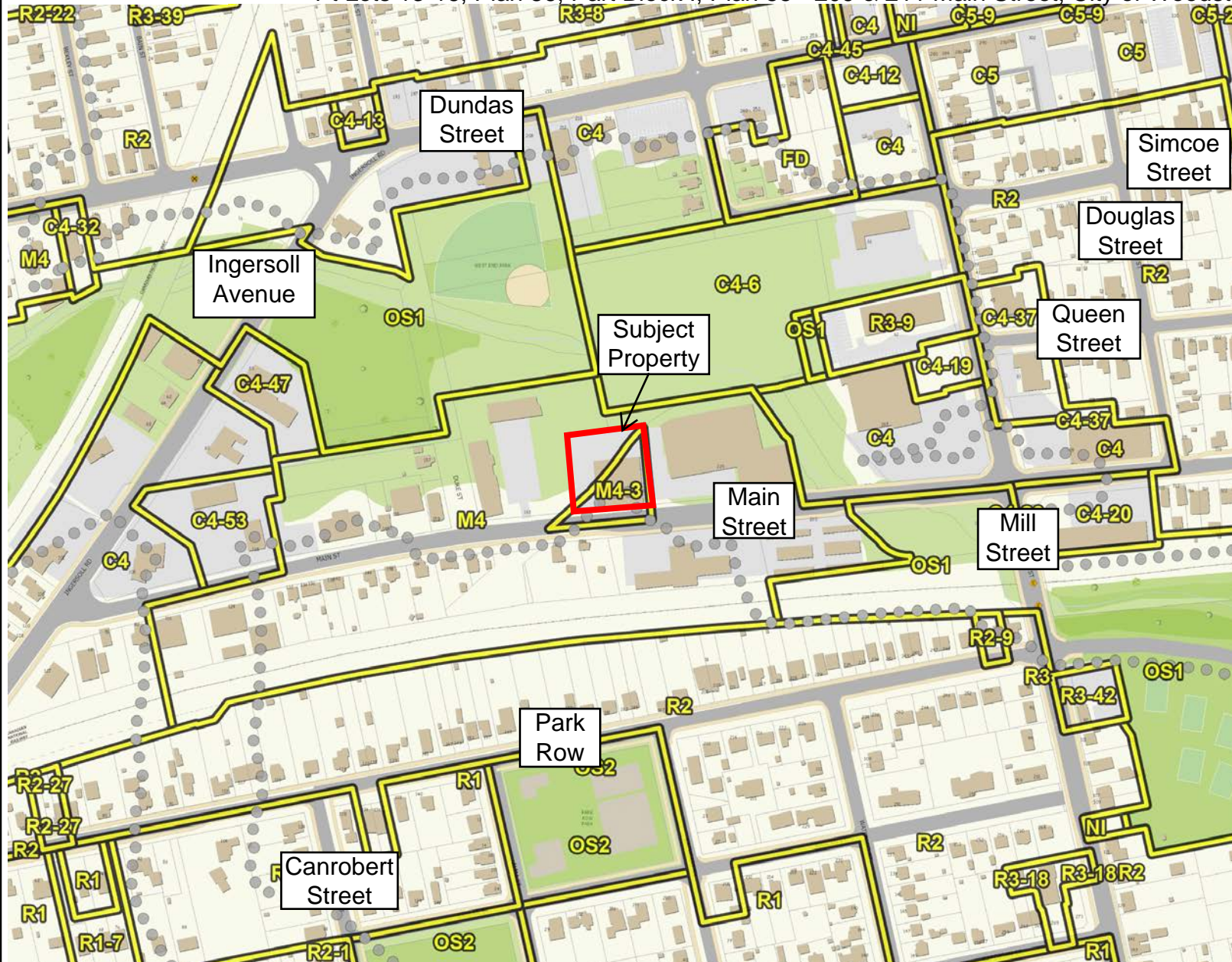
In light of the foregoing, Planning staff are of the opinion that the application to amend the M4-3 Zone to include the uses described in the proposal section of this report is not consistent with the Provincial Policy Statement and does not maintain the intent and purpose of the Official Plan with respect to the Traditional Industrial designation. As such, staff do not recommend support of the application.

RECOMMENDATIONS

It is recommended that the City of Woodstock Council not approve the zone change application submitted by RW Bonn Ltd., for the lands described as Lots 13-16, Plan 86 and Part Block 1, Plan 85, in the City of Woodstock, to be rezoned from 'Transitional Industrial (M4)' and Special Transitional Industrial (M4-3) to an amended 'Special Transitional Industrial (M4-3)' to add professional office uses to the permitted uses.

SIGNATURES

Authored by:	<i>Original signed by</i>	Justin Miller Development Planner
Approved for submission by:	<i>Original signed by</i>	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



0 102 205 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

April 25, 2023



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 26 51 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

April 25, 2023

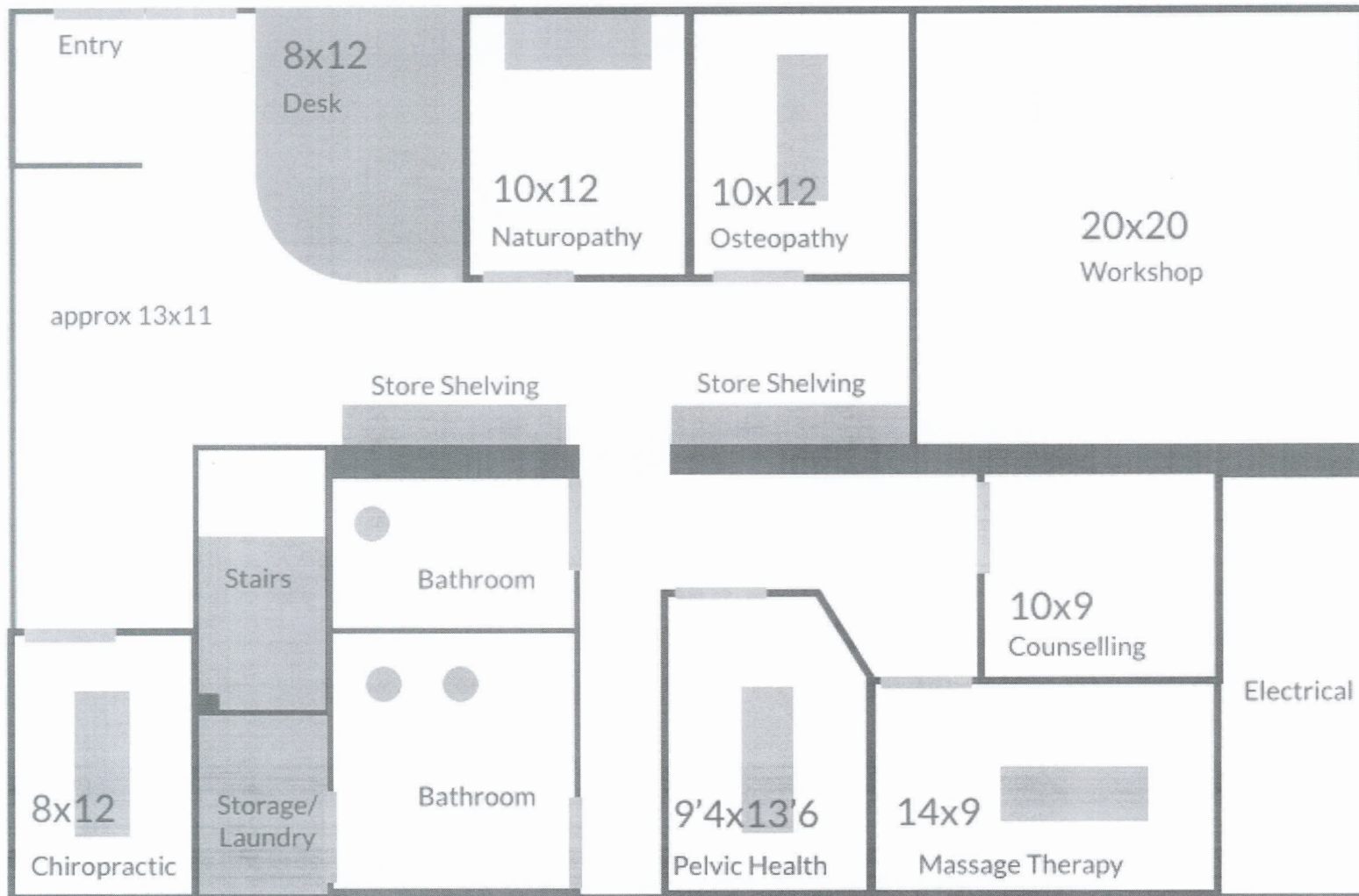


Plate 3: Applicant's Sketch

File No.: ZN 8-23-05: R.W. Bonn Limited

Pt Lots 13-16, Plan 86, Part Block I, Plan 55- 209 & 211 Main Street, City of Woodstock

SITE CHARACTERISTICS & ZONING

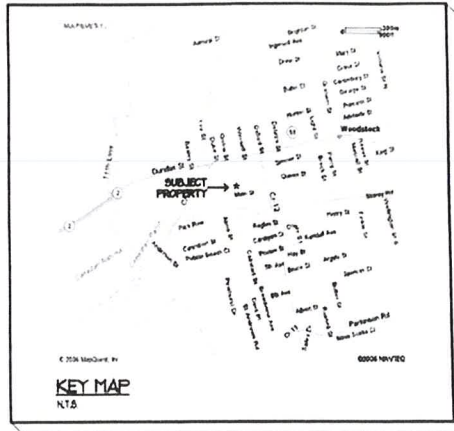
USE: LIGHT INDUSTRIAL (I2)

ZONING: EXISTING INDUSTRIAL (I2)

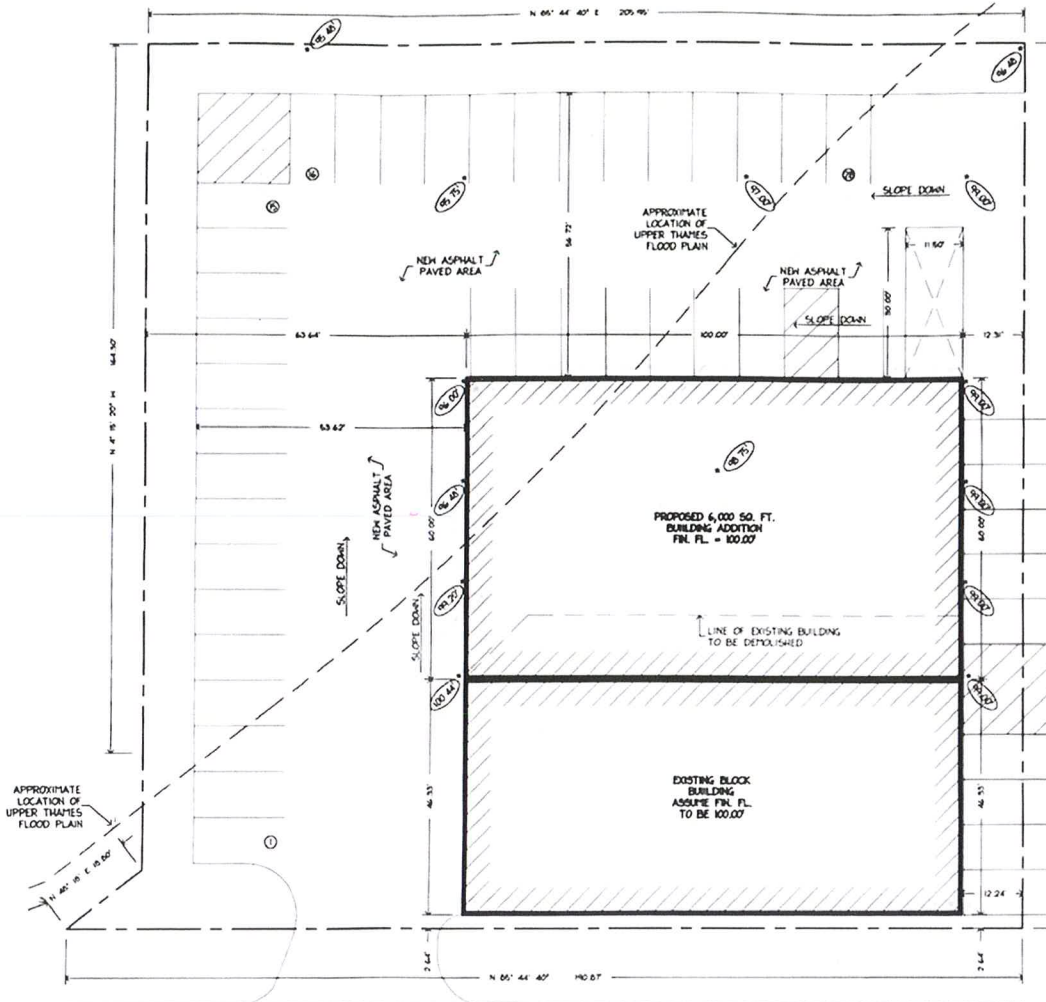
	REQUIRED	AS PROPOSED
FRONTAGE	30m (98.43')	30.0m (98.43')
AREA	N/A	0.23 HECTARES (0.56 ACRES)
DEPTH	30m (98.43')	53.5m (175.67')
COVERAGE	MAX 30%	43.00%
FRONT YARD	6m (19.69')	0.80m (2.62') EXISTING
REAR YARD	N/A	N/A
EXT. SIDE YARD	6m (19.69')	N/A
INT. SIDE YARD	N/A	N/A
LANDSCAPED OPEN SPACE	5% MIN	EXCEEDS MIN. REQ.
BUILDING HEIGHT	8m	5.8m (19.3')

PARKING REQUIREMENTS:
 1 SPACE PER 100 SQ. M. GROSS FLOOR AREA (FITNESS CLUB)
 100.00 SQ. M. = 1.07 SPACES
 1 SPACE PER 100 SQ. M. GROSS FLOOR AREA (REMANDEUR OF BUILDING)
 100.00 SQ. M. = 1.07 SPACES
 TOTAL PARKING REQUIRED = 2.14 SPACES

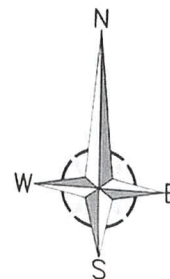
PARKING AREA SETTINGS:
 STREET LINE: 4.5m (14.78')
 INT. SIDE LOT LINE: 3m (9.84')
 REAR LOT LINE: 3m (9.84')
 MAIN BUILDING: 3m (9.84')



NOTE:
 FINISHED FLOOR OF THE BUILDING
 IS ABOVE THE UPPER THAMES FLOOD
 PLAIN LEVEL OF 281.9m



MAIN STREET



SITE PLAN
 1/16" = 1'-0"

GENERAL NOTES:

- THE SUBCONTRACTOR ACCEPTS ALL RESPONSIBILITY FOR ANY CHANGES TO THE CONSTRUCTION FROM THAT SHOWN ON THE DRAWINGS WITH OUT THE EXPRESSED APPROVAL OF THE DESIGNER OR ENGINEER.
- THE SUBCONTRACTOR IS RESPONSIBLE FOR CHECKING, VERIFYING AND COORDINATING ALL LEVELS, DIMENSIONS, CLEARANCES AND ARRANGEMENT OF CONSTRUCTION. HE/SHE SHALL REPORT ALL DISCREPANCIES TO THE DESIGNER AND ENGINEER AND OBTAIN CLARIFICATION PRIOR TO COMMENCEMENT OF WORK.
- ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF JAMES A. VANCE CONSTRUCTION AND MUST BE RETURNED UPON REQUEST.
- DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.

• [Symbol] PROPOSED NEW GRADES
 • [Symbol] EXISTING GRADES

NO.	DATE	REVISION

CLIENT:
MAIN STREET WAREHOUSE

JAMES A.
 VANCE CONSTRUCTION INC.
 GENERAL CONTRACTORS
 P.O. BOX 267
 163 MAIN STREET
 WOODSTOCK, ONTARIO
 N4S 7X6
 www.vanceconstruction.ca

PROJECT:

6,000 SQ. FT.
 BUILDING ADDITION

DRAWING TITLE:

SITE PLAN

DATE:
 MARCH 13, 2006
 FILE NAME:
 Site Plan.dwg
 DRAWN BY:
 M. REISSNER
 SCALE:
 1/16" = 1'-0"

A=1

BY-LAW NUMBER _____

A By-Law to amend Zoning By-Law Number 8626-10 as amended.

WHEREAS the Municipal Council of the Corporation of the City of Woodstock deems it advisable to amend By-Law Number 8626-10, as amended.

THEREFORE, the Municipal Council of the Corporation of the City of Woodstock enacts as follows:

1. That Schedule "A" to By-Law Number 8626-10, as amended, is hereby amended by changing to 'M4-3' the zone symbol of the lands so designated 'M4-3' on Schedule "A" attached hereto.
2. That Section 20.3 to By-law Number 8626-10, as amended, is hereby amended by replacing the following subsection.

“20.3.3 M4-3 209 AND 211 MAIN STREET (KEY MAP 60)

20.3.3.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any M4-3 Zone *use any lot, or erect, alter or use any building or structure* for any purpose except the following:

All uses *permitted* in Section 20.1 of this By-law;
A health club;
A maternal-focused health office.

20.3.3.2 Notwithstanding the provisions of this By-Law to the contrary, no person shall within any M4-3 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

20.3.3.2.1 Gross Floor Area for a Health Club and/or Maternal-Focused Health Office:

Maximum 278 square metres

20.3.3.2.2 Permitted uses within a Maternal-Focused Health Office:

- naturopathy;
- osteopathy;
- massage therapy;
- craniosacral therapy;
- pelvic health therapy;
- physiotherapy;
- counselling and coaching;
- breast-feeding support;
- chiropractic care;
- yoga;
- prenatal education and workshops;
- doula and midwife support; and
- fitness and supporting product sales related to the above-noted uses.

20.3.3.3 That all of the provisions of the M4 Zone in Section 20.2 to this By-Law, as amended, shall apply, and further, that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.”

3. This By-law comes into force in accordance with Section 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this 10th day of August, 2023.

READ a third time and finally passed this 10th day of August, 2023.

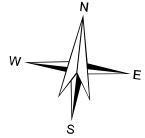
Mayor – Jerry Acchione

Clerk – Amelia Humphries

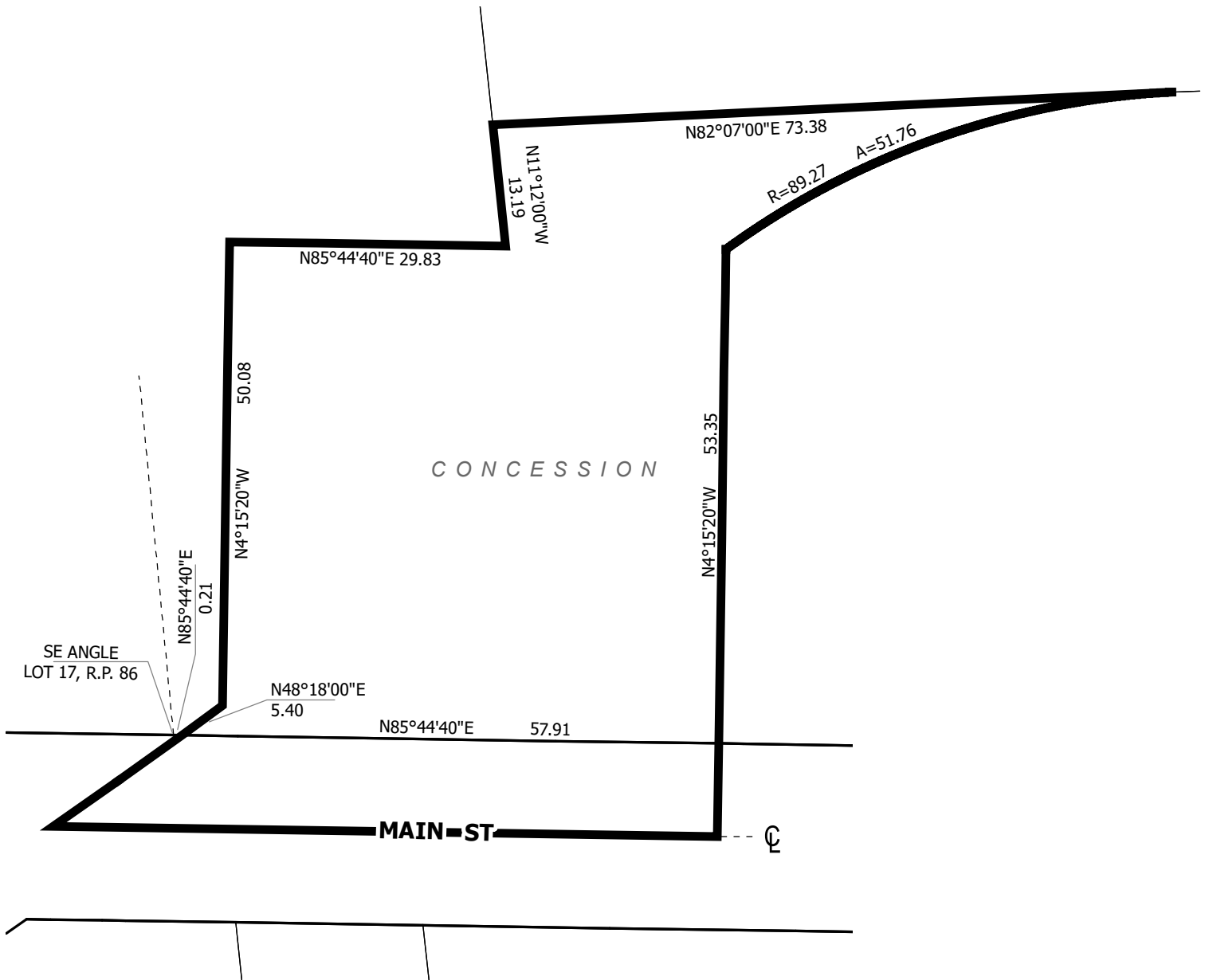
SCHEDULE "A"

TO BY-LAW No. _____

PART LOTS 13, 14 & 16, PLAN 86
AND PART BLOCKS I & J, PART GIVENS ST & PART QUEEN ST, PLAN 55
CITY OF WOODSTOCK



METRES
6 3 0 6 12 18



AREA OF ZONE CHANGE TO M4-3

NOTE: ALL DIMENSIONS IN METRES



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THIS IS SCHEDULE "A"

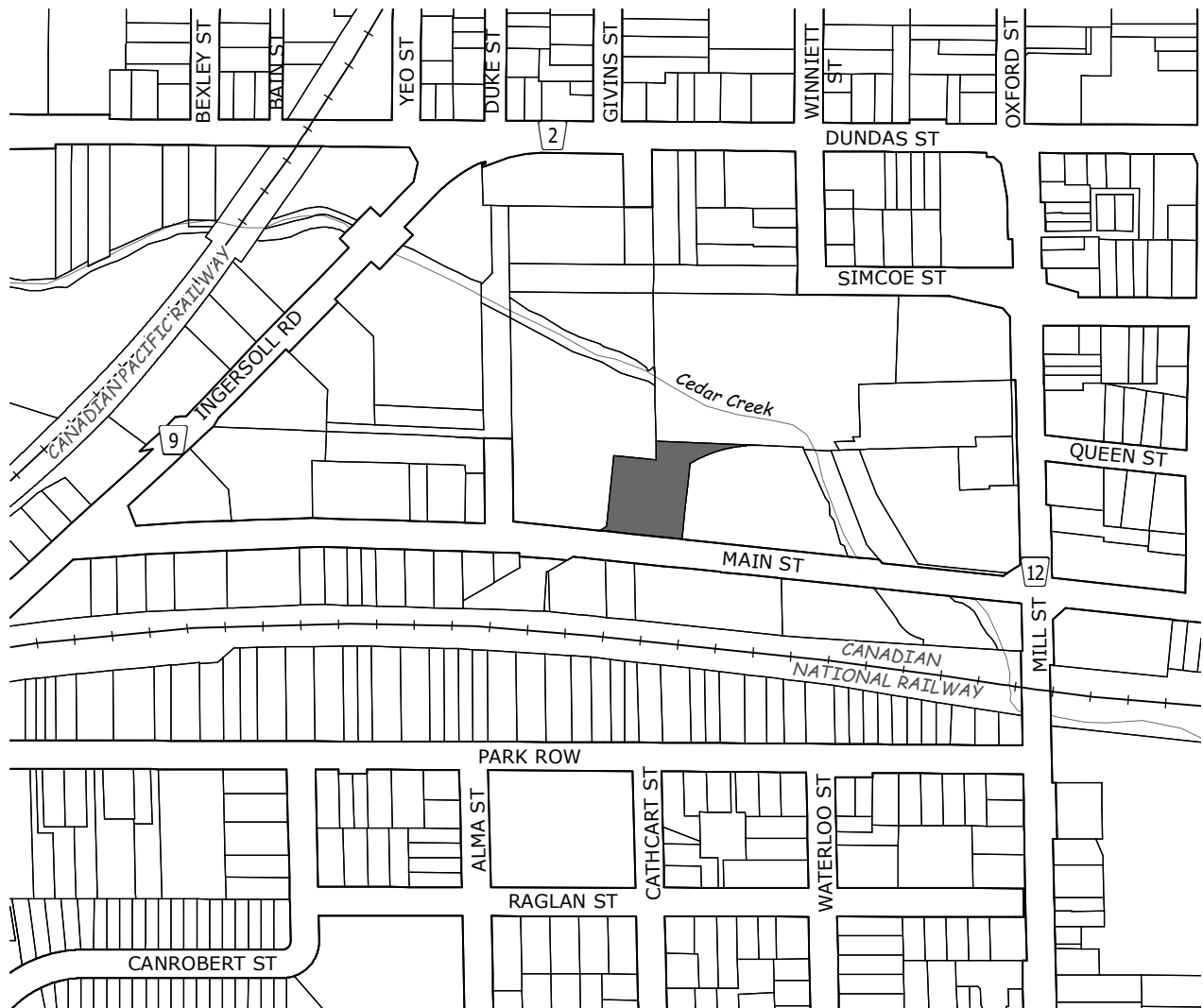
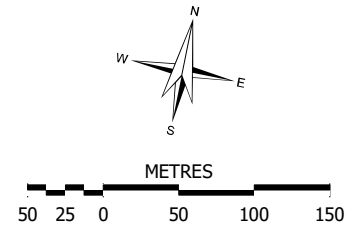
TO BY-LAW No. _____, PASSED

THE _____ DAY OF _____, 2023

MAYOR

CLERK

KEY MAP



 LANDS TO WHICH BYLAW _____ APPLIES