



# Statutory Public Meeting: ZBA24.007 – Study to review Limiting Office Uses and the Introduction of New Uses on Main Street between Albert Street and Park Drive

To submit written or verbal comments please email  
[developmenthelp@townofws.ca](mailto:developmenthelp@townofws.ca)

**Development  
Services Commission**

Presented By  
**Brandon Slopack**

September 25, 2024



# Town File Information and Statutory Notice Dates

## Confirmation of Complete Application

### **Town Development Planner:**

Brandon Slopock, Senior Planner

### **Zoning By-law Amendment:**

Town File No.: ZBA24.007

## Notice of Complete Application and Public Meeting

- *Mail:* August 16, 2024
  - To all Property Owners with frontage along Main Street between Park Drive and Albert Street
- *Agencies:* August 16, 2024
- *Posted on Town Website:* August 22, 2024
- *Posted in YorkRegion.com:* August 22, 2024

# Subject Area

## Site Location:

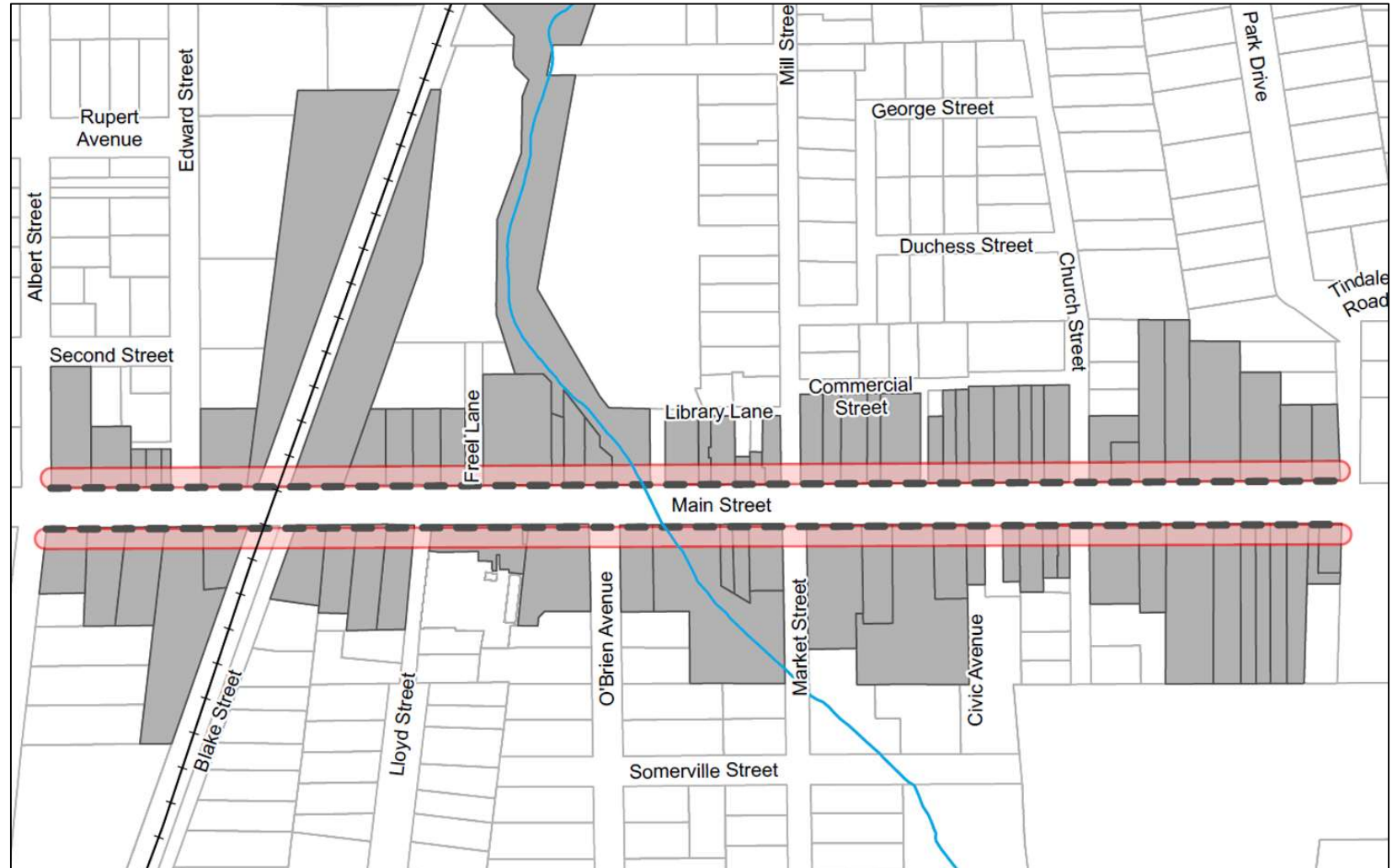
- Main Street between Albert Street and Park Drive

## Site Statistics:

- 79 individual properties (accounting for 96 at-grade units)

## Breakdown of Present Uses:

- 28 Office Uses
  - 15 Business Office
  - 13 Medical Office
- 18 Restaurants
- 16 Retail Uses
- 14 Services
- 14 Vacant Units
- 6 Other Uses

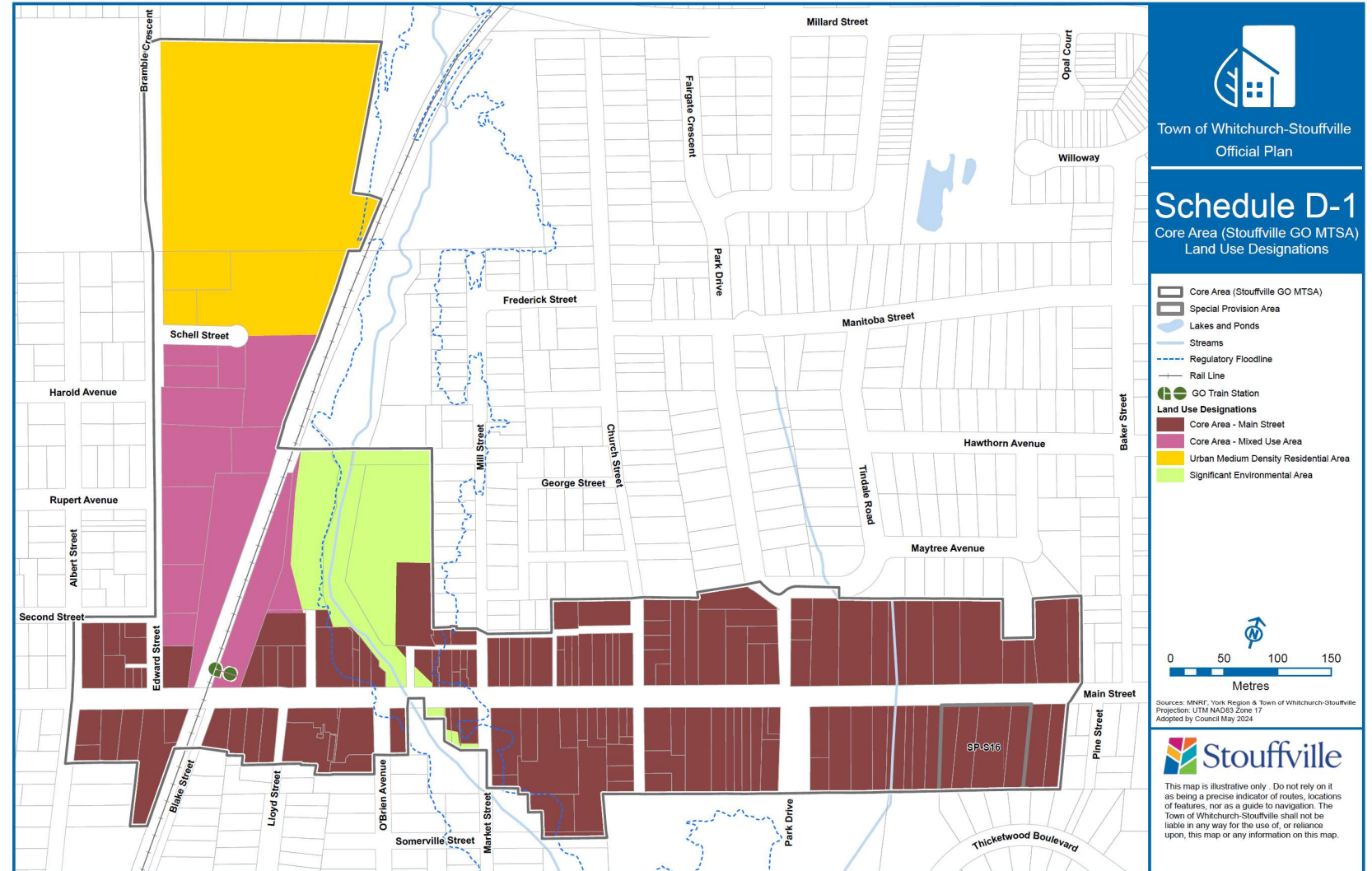




# Official Plan Designation (Stouffville Secondary Plan)

## CORE AREA – MAIN STREET

The Core Area – Main Street designation permits a broad mix of uses, including mid-rise buildings in the form of apartments and mixed use buildings, restaurants, retail and personal service commercial uses, personal services uses, professional and medical offices, financial establishments, recreation and entertainment uses, and institutional and cultural use.



# Zoning

## Commercial Residential Mixed – Community Core Area (CM1)

The CM1 zone permits the below uses:

- Animal Grooming Centre
- Apartment Building
- Assembly Hall
- Business Services
- Club
- Combined Live Work Use
- Connected Live Work Use
- Commercial Recreation Use
- Commercial School
- Convenience Store
- Day Care Centre
- Dry Cleaning Establishment
- Dwelling Above a Commercial Use
- Financial Institution
- Fitness and Recreation Facilities
- Funeral Home
- Group Home
- Hotel
- Library
- Long Term Care Facility
- **Office**
- Park
- Personal Service Establishment
- Place of Amusement
- Place of Worship
- Restaurant
- Retail Store
- School
- Senior Citizens Home
- Service Establishment
- Studio
- Veterinary Clinic

# Proposed Amendments – Office Use Limitation

## Council Member Motion June 5, 2024

*“Staff be directed to research and study options for prohibiting office use in the first storey or at grade of a commercial or mixed use building located within 10 metres of the public right-of-way, abutting Main Street within the area between Albert Street and Park Drive”.*

### **Objective**

To encourage desirable pedestrian-oriented uses at grade that elicit people to actively explore, live, shop, work and play along downtown Main Street.

### **Vision**

Downtown Main Street becomes a vibrant and animated commercial destination.





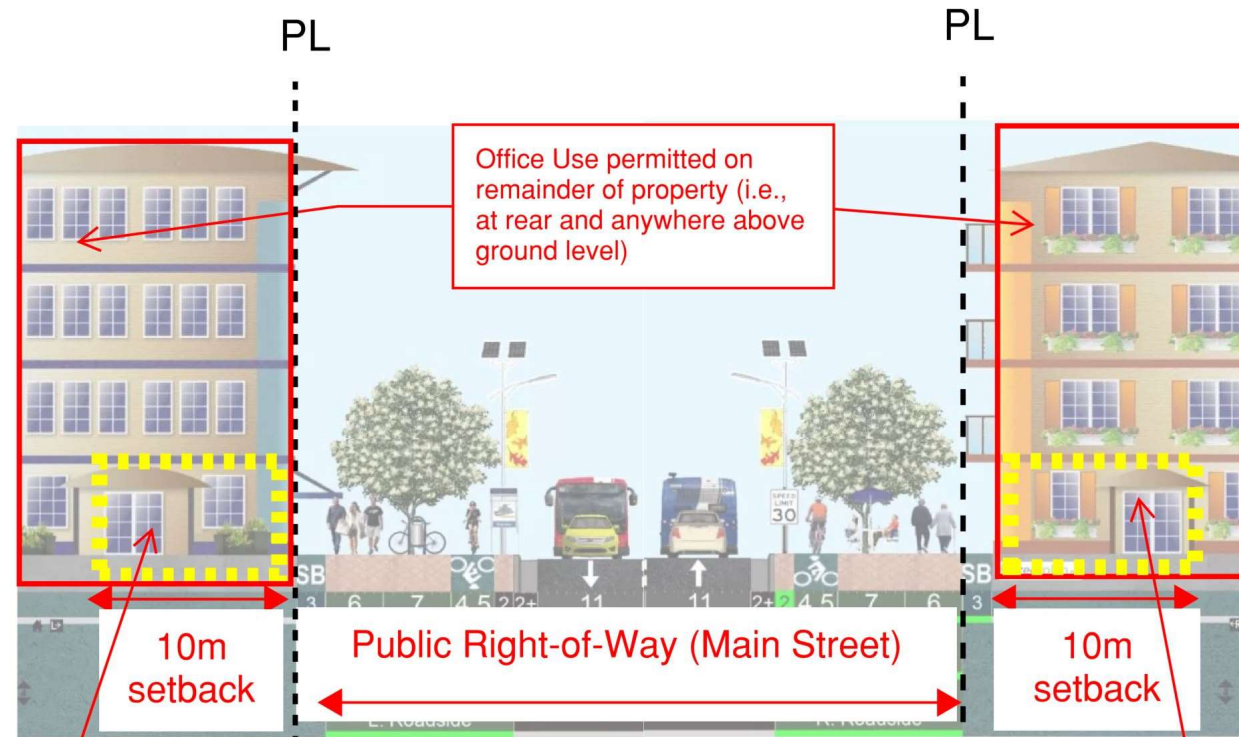
# Proposed Changes – Office Use Limitation

## Draft Office Use Limitation Provision

“New ‘Office Uses’ shall be prohibited within the ground floor of a building fronting onto Main Street, within the area located between Albert Street and Park Drive along Main Street as follows:

- i. 10 metres set back from the front wall of the main building or structure and shall have a clearly defined separation of uses.
- ii. \*Medical Office use will be exempt from this prohibition.”

*\* Direction on inclusion of Medical Office use required by Council*



Office Use NOT permitted in the first storey of a building located within 10 metres of the streetline abutting Main Street.

In this scenario the building has a zero metre setback from the street line, so the 10 metre setback measured from the street line is the same as the setback measured from the front wall of the building.

Note that existing Office Uses permissions would remain until use ceases to exist.

Office Use NOT permitted in the first storey of a building located within 10 metres of the streetline abutting Main Street.

In this scenario the building is setback from the street line so the 10 metre setback is to be measured from the front wall of the building.

Note that existing Office Uses permissions would remain until use ceases to exist.

# Proposed Changes – Office Use Limitation

## Definitions

**Office Use:** *a building or part of a building designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the same site, the administration of an industry. Offices shall not include retail sales, industrial uses, financial institutions, places of amusement or places of assembly.*

- Examples of 'Office Uses' may include but are not limited to real estate, insurance, wealth management, accounting, law, and travel agency (when servicing as the principal use on the property).

**Medical Office:** *a premise, office or part of an office designed, intended, or used for the practice of medicine by a medical practitioner and/or drugless practitioner, and may include medical laboratories and ancillary pharmacies and shall not include unrelated retail sales. (2020-060-ZO)*

- Examples of 'Medical Office' uses may include but are not limited to health and wellness service clinics with varied practitioners, dentistry, chiropractic, physiotherapy, ultrasound and x-ray services (when servicing as the principal use on the property).

'Medical Office' is considered a subcategory of the 'Office Use' definition.

Under the present scope of this project the use limitation would apply to both new 'Office Uses' and 'Medical Office.'



# Proposed Changes – Office Use Limitation

## Explanation of Legal Non-Conforming Use

MAINTAINING THE OFFICE USE PERMISSION: Legally existing businesses that continue a principal 'Office Use' function will maintain the property's 'Office Use' permission. If an existing business functioning as a Real Estate Office sells/leases the building to another 'Office Use' such as Insurance Office this would represent continuity of the 'Office Use' permission and the property would maintain the 'Office Use' permission.

LOSING THE OFFICE USE PERMISSION: The Office Use permission would be lost upon a 'change of use' or 'ceasing' of the Office Use, for example if the Real Estate Office converts to a Restaurant or if the Office Use ceases to exist.

REQUESTING A NEW OFFICE USE PERMISSION (IF APPROVED): If the proposed amendment is approved, should a property owner desire a 'new' 'Office Use permission' within the restricted area, they would need to make the appropriate Planning Act Application to request the use permission and be granted approval by the approval body.

# Proposed Changes – Other Changes Being Explored

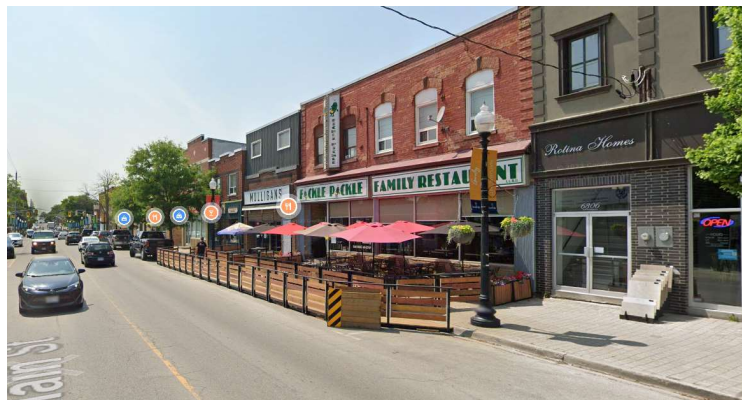
## New Pedestrian Oriented Use Permissions

1. Experiential Uses with option for associated restaurant and/or retail (i.e., include but not limited to board game café, axe throwing, escape room, etc.).
2. Craft Your Own Operation (i.e., include but not limited make your painting, pottery, furniture, food or beverage, etc.).
3. Craft Brewery or Craft Cidery with option for associated restaurant and/or retail.
4. Art Gallery.
5. Museum.
6. Take-out Restaurant (Restaurant use is permitted but Take-out Restaurant permission is missing and needed to accommodate and allow restaurants with constrained or limited seating to conform to the Zoning By-law).
7. Pop-up Shop and/or Market (i.e., retail uses with more than one vendor).
8. Small scale quick service and concession style take-out food (i.e., ice cream/gelato, bubble tea, coffee, baked goods, poutine, etc.)
9. 'Co-Location of Uses' (i.e., allow combination of synergistic uses such as an activity combined with retail and/or restaurant uses)
10. SURVEY – Please participate in the survey and suggest desired uses.



# Proposed Changes – Other Changes Being Explored

## Permit Encroachment to More Easily Allow Streetscape Animation from Businesses





# Proposed Changes – Other Changes Being Explored

## Provide Parking Relief to Incentivize Desired Uses

1. Cash-In-Lieu of Parking Fee Reduction – Presently between \$5,389 and \$8,084 per space.
2. Further Reducing Area or Use Parking Requirements – Presently 60% area parking space reduction.
3. Parking Relief for Small Gross Floor Area Foot Traffic Oriented Uses – Require no parking requirements for desired uses under a certain square footage
4. Grandfather Existing Parking when Changing between Permitted Uses – Allow a change from one permitted use to another within the confines of any existing building, need not provide additional parking.
  - This has been applied in different variations in Unionville, Newmarket, Aurora and Milton.
5. Evaluate Existing On-Street Parking and Free Parking Lots Supply Usage to Determine Capacity and Resilience to Support Parking Requirement Reduction Now and in the Future.

# Town Departments

## **Economic Development:**

There is a significant opportunity to improve the vibrancy of Stouffville's Historic Downtown. It is the unique "Mom and Pop" restaurants, bakeries, ice cream shops and specialty retail stores that drive foot traffic to Historic Downtowns.

## **Policy Planning:**

Limiting 'Office Uses' on the ground floor is the general intent of the Official Plan. High activity uses that animate the streetscape, such as commercial, retail and restaurant uses should be on the ground floor, while office uses should be accommodated above, as they are not considered high activity uses that animate the street.

# Town Departments

## Development Planning

- Confirmation whether the scope of the Council Motion limitation is intended to include 'medical office uses.'
- Supplemental zoning changes to add new uses and to encourage desired uses with parking relief and mechanisms to animate the streetscape animation should be included to incentivize and support desired occupancies.
- Survey feedback provided from residents and property owners to further identify what uses and changes are desired by the community.
- Main Street Reconstruction is an opportunity to design the desired right-of-way cross section that lends itself to the Town objective of an active and animated Main Street with a strong sense of place.
- Civic Square Expansion will help make downtown Main Street a destination which should in turn serve as an incentive for pedestrian-oriented businesses.



# Public Comments

## **Office Change is Too Restrictive**

- Staff have corresponded with 10 business owners, property owners and representatives.
  - To date 7 business owners have expressed opposition.

## **Eviction Concern**

- Existing 'Office Uses' will be evicted if approved.
  - Staff Note: All legally existing 'Office Uses' will maintain the permission until the use ceases.

## **Clarity on Office Use definition**

- Clarity on the scope and what 'specific' businesses are captured under the Office Use definition versus other definitions such as 'Personal Service Establishment,' 'Business Services,' 'Service Establishment,' etc.
- Concern if 'Medical Office' uses are 'presently' included in the scope of 'Office Use.'

# Public Comments

## **Clarity How Office Restriction Area is Measured**

- Residents want clarity on how and where the 10 metres distance measured from the public right-of-way.

## **Why is Happening Now?**

- Residents are seeking clarity as why change is being proposed now and what does it solve?

## **Why are Other Uses Not Included?**

- Residents are questioning why 'Office Uses' are being targeted but other uses are not also included in this prohibition.

## **Foot Traffic Disagreement**

- Businesses believe Office Uses and Medical Offices uses do generate foot traffic and further to this their staff and patrons frequent/support local retail and restaurants during the day.

# Public Comments

## **Result in Weekday Ghost Town**

- Residents believe if Offices Uses are eliminated the downtown may become a ghost town during the week and only be occupied in evening and weekends.

## **Not all Existing Buildings are Conducive to Other Uses**

- Not all existing Office Use buildings are conducive to become retail or restaurants.

## **Risk in Changing Use / Losing Office Use Permission**

- If approved, it becomes riskier to try changing use from Office should new use not succeed.

## **May Increase Vacancies**

- Believe this may result in more building vacancies.

## **May Impact Property Value and Increase Difficulty to Lease**

- Residents believe loss of use permission may impact property value and make units more challenging to lease.



# Thank you!

To submit written or verbal comments please email [developmenthelp@townofws.ca](mailto:developmenthelp@townofws.ca)

To participate in the survey please visit <https://www.cometogetherws.ca/>

This conclude the Presentation by Brandon Slopach, Senior Planner in the Development Services Commission at the Town of Whitchurch-Stouffville