

To: Mayor and Members of Woodstock Council

From: Eric Gilbert, Manager of Development Planning, Community Planning

## Application for Draft Plan of Condominium and Exemption from Draft Plan Approval CD 23-01-8 – 2749815 Ontario Limited

### REPORT HIGHLIGHTS

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- The purpose of this report is to consider the approval of a draft plan of condominium and exemption from the draft approval process to facilitate condominium ownership of an residential development of 8 dwelling units.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the County Official Plan, and complies with the provisions of the City’s Zoning By-law.

### DISCUSSION

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#### Background

OWNER: 2749815 Ontario Limited c/o Bill McLeod  
1683 Valhalla Street, London ON N6G 0V3

LOCATION:

The subject property is described as Part Lot 12, Plan 227, Part Lot 4, West side of Yeo Street, Plan 10, and Part 1 of 41R-10169 in the City of Woodstock. The property is located on the east side of Bain Street, between Hunter Street and Dundas Street, and is municipally known as 34 Bain Street.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “W-1”	City of Woodstock Land Use Plan	Residential
Schedule “W-3”	City of Woodstock Residential Density Plan	Low Density Residential

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: Special Residential Zone 3 (R3-39)

PROPOSAL:

An application has been received for approval of a plan of condominium and exemption from the draft approval process. The application will facilitate condominium ownership of a residential development consisting of 8 dwelling units within 2 buildings.

The subject lands contain 2 buildings, both containing 4 multiple attached dwelling units. As indicated by the applicant, each unit, will be for the exclusive use of individual owners. All areas outside of the individual units including the parking area and landscaped open space will be held in common ownership. A condominium development differs from a plan of subdivision in that the roads, parks, water and sanitary sewers, as well as other 'common' features within the plan, are typically owned privately by the condominium corporation.

For Council's information, amendments to the City's Zoning By-law (ZN 8-20-21) were approved by City Council in January 2021 for the purpose of facilitating the proposed development. Subsequently, the owner obtained site plan approval from the City in August 2021 (SP 8-21-10).

The subject lands comprise approximately 2,412 m<sup>2</sup> (0.59 ac). Surrounding uses are predominantly low density residential development, with the CP Railway spur to the south and east.

Plate 1, Existing Zoning & Location Map, provides the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, Aerial Photo (2020), provides an aerial view of the subject property and surrounding area.

Plate 3, Proposed Draft Plan of Condominium, shows the location of the dwelling units and the common elements.

## **Application Review**

### 2020 Provincial Policy Statement (PPS)

Section 1.1.1 of the PPS directs that healthy, liveable, and safe communities are sustained, in part, by accommodating an appropriate range and mix of residential (including additional units, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, parks and open space, and other uses to meet long-term needs.

According to Section 1.1.3.1 (Settlement Areas), settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Further, land use patterns within settlement areas shall be based on densities and a mix of land uses, which efficiently use land and resources, and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, as well as a range of uses and opportunities for intensification and redevelopment.

The policies of Section 1.1.3.6 state that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Further, Section 1.4 (Housing) directs that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements 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 housing required to meet the social, health, and well-being requirements of current and future residents;
- 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 use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in 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 located within the 'Low Density Residential' designation according to the City of Woodstock Residential Density Plan, as contained in 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, additional residential units, 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.

Section 7.2.2.2 of the Official Plan also contains policies where City Council can encourage the creation of housing opportunities within the City that may result in a mix of tenure forms, such as ownership, rental and cooperative units.

#### ZONING BY-LAW:

The subject property is presently zoned 'Special Residential Zone 3 (R3-39)', which permits a multiple attached dwelling unit.

As previously noted, City Council approved application ZN 8-20-21 at their January 14, 2021 Council meeting, implementing the current R3-39 zoning. Site specific zoning provisions permit a maximum of 8 units and require the development to meet the provisions of the R3 zone. The existing development appears to meet the relevant R3-39 zone provisions.

AGENCY REVIEW:

A number of agencies were circulated the proposal to create condominium ownership of the development. No circulated agency expressed concerns with the proposed condominium approval.

## **Planning Analysis**

Applications for condominium approval can be dealt with in one of two ways, in accordance with the Condominium Act. The first method generally involves a process similar to an application for draft plan of subdivision where, after appropriate circulation, a proposal receives 'draft' approval which is contingent on the applicant satisfying a number of conditions prior to final approval and registration.

The second process is where the approval of the condominium is exempt from the draft or 'conditional' approval stage and proceeds directly to final approval. The exemption process is intended to apply to proposals that have previously undergone a complete evaluation (i.e. site plan approval) and no further conditions of approval are required by the municipality for the development.

As noted, amendments to the City's Zoning By-law (ZN 8-20-21) were approved by City Council in January 2021, for the purpose of facilitating the proposed development. In addition, the development received site plan approval from the City in August 2021 (SP 8-21-10), and is subject to the conditions of the development agreement that was entered into with the City of Woodstock as part of the site plan approval process. In light of this, the requested exemption can be considered appropriate.

As the proposal facilitates the creation of a form of housing conducive to meeting the long term social needs of current and future residents in a designated Settlement Area, Planning staff are of the opinion that the proposal is consistent with the policies of the PPS.

The proposal is also in keeping with the 'Low Density Residential' policies of the Official Plan, and the proposed development creates a housing opportunity that will contribute to providing a mix of tenure forms in the City, which in keeping with the policies of Section 7.2.2.2. Further, no concerns were raised with respect to compliance with residential development standards or relevant codes, and the design of the proposed development was approved by the City during the site plan process.

Based on a review of the draft plan of condominium, it would appear that the proposed development meets the relevant provisions of the 'R3-39' Zone.

In light of the foregoing, Planning staff are of the opinion that the proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the Official Plan, and complies with the provisions of the City's Zoning By-law. As such, the application for draft plan of condominium and exemption from the draft approval process can be supported from a planning perspective.

## **RECOMMENDATION**

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**That the Council of the City of Woodstock advise County Council that the City supports the application for draft approval of a proposed condominium submitted by 2749815 Ontario Limited (File No. CD 23-01-8), prepared by Brooks Lise Surveying Limited, for lands described as Part Lot 12, Plan 227, Part Lot 4, West side of Yeo Street, Plan 10, and Part 1 of 41R-10169, in the City of Woodstock.**

**And further, that the Council of the City of Woodstock advise County Council that the City supports the application for exemption from the draft plan of condominium approval process submitted by 2749815 Ontario Limited (File No. CD 23-01-8), prepared by Brooks Lise Surveying Limited, for lands described as Part Lot 12, Plan 227, Part Lot 4, West side of Yeo Street, Plan 10, and Part 1 of 41R-10169, in the City of Woodstock, as all matters relating to the development have been addressed through the Site Plan Approval process and a registered site plan agreement with the City of Woodstock.**

## **SIGNATURES**

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**Authored by:**                      *Original signed by*                      Eric Gilbert, MCIP, RPP  
Manager of Development Planning

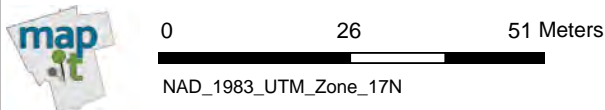
**Approved for submission:**   *Original signed by*                      Gordon K. Hough, RPP  
Director



**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**



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

November 27, 2023



Legend

Notes



0 13 26 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

November 27, 2023

PLAN OF SURVEY  
OF PART OF  
LOT 4, WEST OF YEO STREET  
REGISTERED PLAN 10  
AND PART OF  
LOT 12  
REGISTERED PLAN 227  
CITY OF WOODSTOCK  
COUNTY OF OXFORD  
SCALE 1:200  
THE INTENDED PLOT SIZE OF THIS PLAN IS 914mm IN WIDTH  
BY 610mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200  
ARIE J. LISE - ONTARIO LAND SURVEYOR  
2023

PART 1 OF 4 PARTS  
SHEET 1 OF 2 SHEETS

OXFORD STANDARD  
CONDOMINIUM PLAN No.

INDEX OF PARTS		
PART	SHEETS	DESCRIPTION
1	2	PLAN OF SURVEY OF THE CONDOMINIUM PROPERTY, THE ILLUSTRATION OF THE SERVIENT INTERESTS AND THE DESIGNATION OF UNITS ON LEVELS 1 & 2.
2	NIL	THE EXCLUSIVE USE PORTIONS OF THE CONDOMINIUM
3	?	ARCHITECTURAL PLANS
4	?	STRUCTURAL PLANS

LEVEL 1  
UNITS 1 TO 4, INCLUSIVE  
REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF OXFORD (No. 41) AT ..... O'CLOCK ON THE ..... DAY OF ..... 2023.  
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OXFORD (No. 41).

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE CONDOMINIUM ACT 1998, THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE ..... OF ..... 2023.  
3. THE DIAGRAMS OF THE UNITS SHOWN ON THIS PLAN ARE SUBSTANTIALLY ACCURATE.  
DATE ..... ARIE J. LISE  
ONTARIO LAND SURVEYOR  
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-xxxxx.

DECLARATION REGISTERED AS No.  
THIS PLAN COMPRISES ALL OF PIN 00101-0277 (LT).

**SCHEDULE OF APPURTENANT AND SERVIENT INTERESTS**  
(PURSUANT TO CLAUSES 8 (1) (G) AND (H) OF THE CONDOMINIUM ACT 1998)

	PART	PLAN	DESCRIBED IN	NOTES
TOGETHER WITH (APPURTENANT INTERESTS)	NIL	NIL	NIL	NIL
SUBJECT TO (SERVIENT INTERESTS)	NIL	NIL	NIL	NIL

**METRIC**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
**NOTE:**  
BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010)  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999564.  
OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (1997.0)  
CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG 216/10.

POINT ID	NORTHING	EASTING
A	4775191.87	518538.85
B	4775244.47	518606.26

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

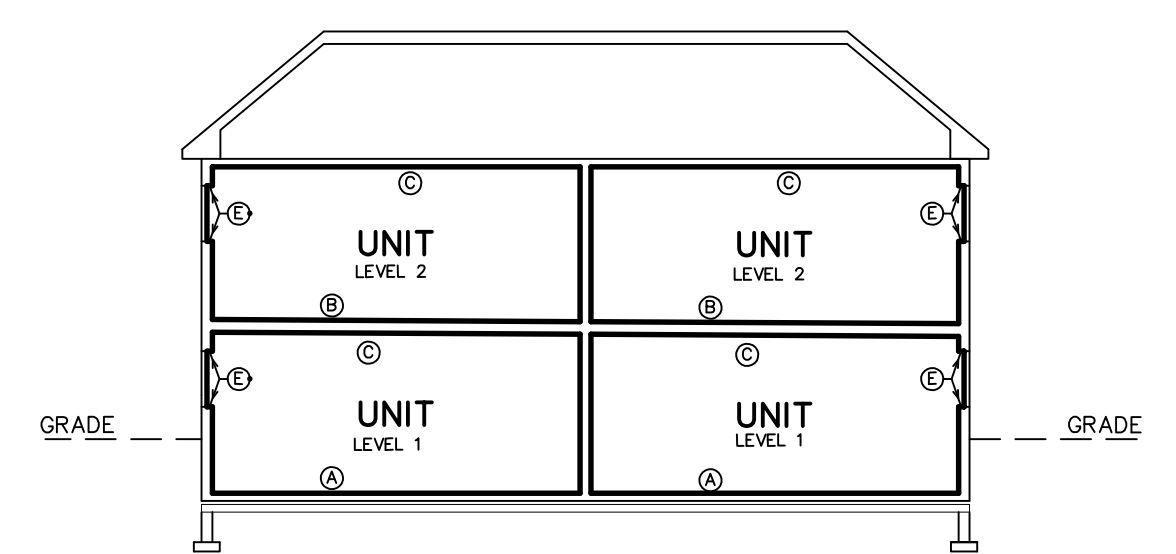
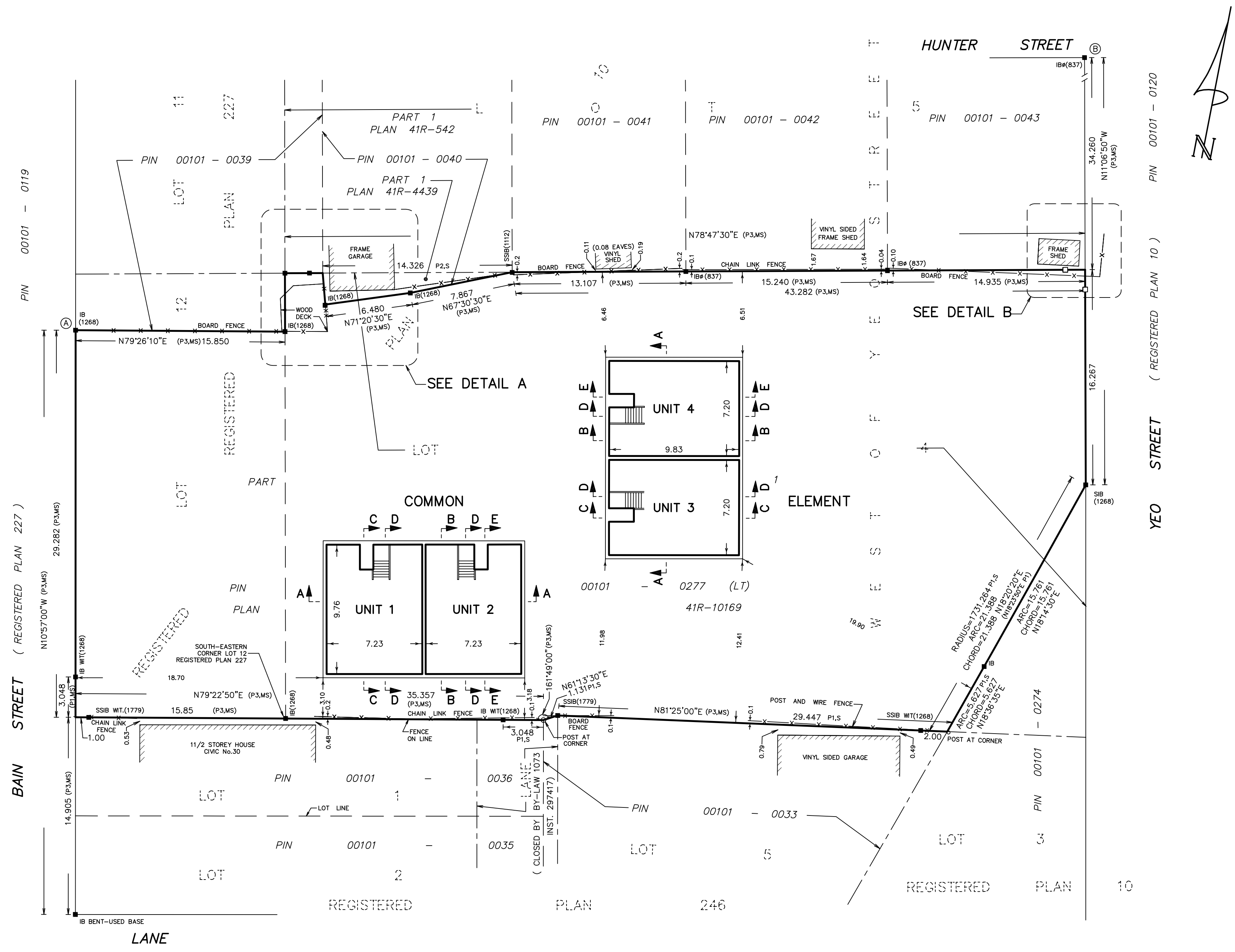
**UNIT BOUNDARY DEFINITIONS:**  
MONUMENTS CONTROLLING THE EXTENT AND LOCATION OF THE UNITS ARE THE WALLS, FLOORS, CEILINGS AND OTHER PHYSICAL FEATURES AS MORE PARTICULARLY DESCRIBED IN SCHEDULE 'C' OF THE DECLARATION.  
AREAS NOT DESIGNATED AS UNITS ARE COMMON ELEMENTS.  
A - THE UNFINISHED UPPER OR UNIT SIDE SURFACE AND PLANE OF THE CONCRETE FLOOR SLAB.  
B - THE UPPER OR UNIT SIDE SURFACE AND PLANE OF THE WOODEN SUBFLOOR.  
C - THE UPPER SURFACE AND PLANE OF THE DRYWALL IN THE CEILING SEPARATING THE UNIT FROM THE COMMON ELEMENTS AND ITS PRODUCTION.  
D - THE UPPER SURFACE AND PLANE OF THE DRYWALL UNDER THE STAIRS SEPARATING ONE UNIT FROM ANOTHER SUCH UNIT.  
E - THE UNIT SIDE SURFACE OF ALL EXTERIOR DOORS, DOOR FRAMES, WINDOWS AND WINDOW FRAMES, THE SAID DOORS AND WINDOWS BEING IN A CLOSED POSITION, AND THE UNIT SIDE SURFACE OF ALL GLASS PANELS CONTAINED HEREIN.  
F - THE BACKSIDE SURFACE AND PLANE OF THE DRYWALL.  
G - THE LOWER SURFACE AND PLANE OF THE TREAD ON THE STAIRS.  
H - THE BACKSIDE SURFACE AND PLANE OF THE RISERS.

**MUNICIPAL APPROVAL**  
PART ..... ARE HEREBY APPROVED AND PART ..... EXEMPTED UNDER SECTION 9 OF THE CONDOMINIUM ACT, 1998 AND SECTION 51 OF THE PLANNING ACT RSO 1990 (AS AMENDED) BY THE COUNTY OF OXFORD.  
THIS ..... DAY OF ..... 2023  
DIRECTOR OF COMMUNITY PLANNING  
COUNTY OF OXFORD

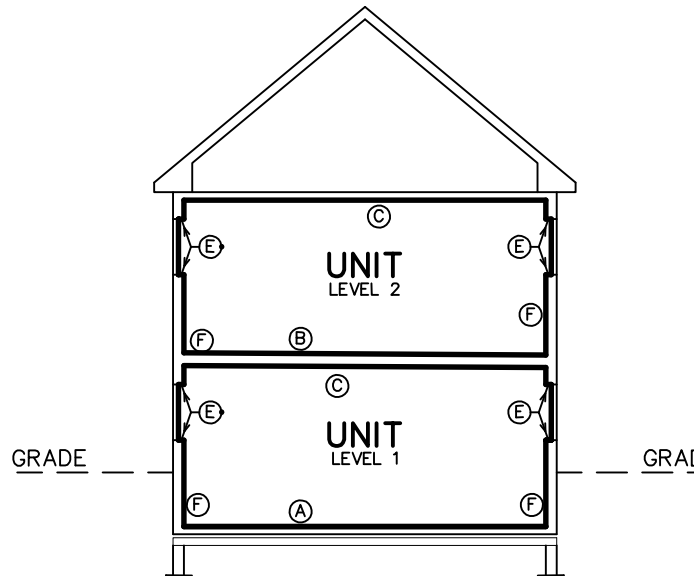
**CERTIFICATE OF DECLARANT**  
THIS IS TO CERTIFY THAT THE PROPERTY INCLUDED IN THIS PLAN HAS BEEN LAID OUT INTO UNITS AND COMMON ELEMENTS IN ACCORDANCE WITH MY INSTRUCTIONS.  
DATED AT WOODSTOCK ONTARIO.  
THIS ..... DAY OF ..... 2023.

DECLARANT:  
2749815 ONTARIO LTD.  
I HAVE THE AUTHORITY TO BIND THE CORPORATION.

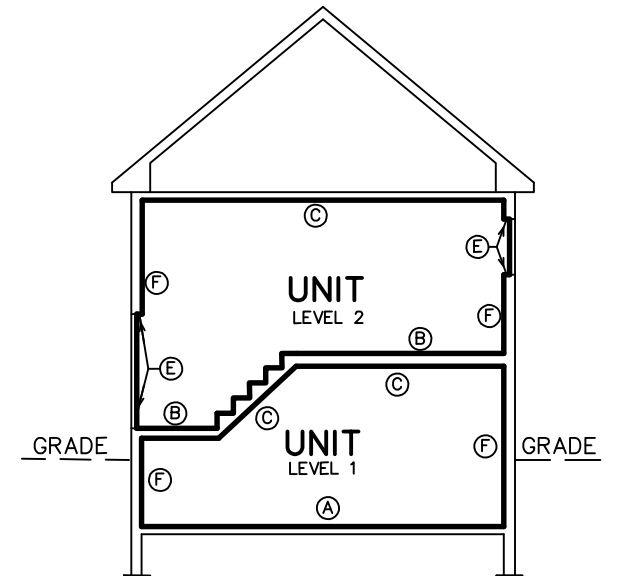
**BROOKS LISE SURVEYING LTD**  
ONTARIO LAND SURVEYORS  
UNIT 1-17 WELLINGTON ST. NORTH, WOODSTOCK, ON, N4S 6P1  
TEL: 519-539-8089 EMAIL: brookslise@bellnet.ca  
DRAWING: TW/TAS CHECKING: A.J.L. CREW CHIEF: J.S.



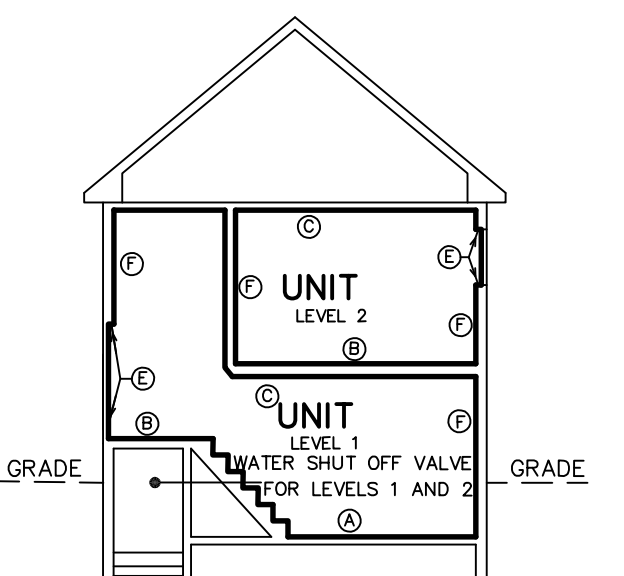
CROSS-SECTION A-A  
TO ILLUSTRATE THE RELATIONSHIP  
BETWEEN LEVELS 1 AND 2  
(NOT TO SCALE)



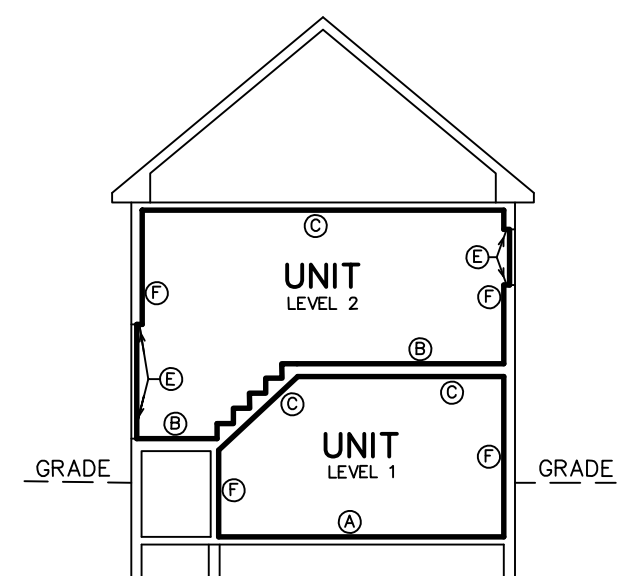
CROSS-SECTION B-B  
TO ILLUSTRATE THE RELATIONSHIP  
BETWEEN LEVELS 1 AND 2  
(NOT TO SCALE)



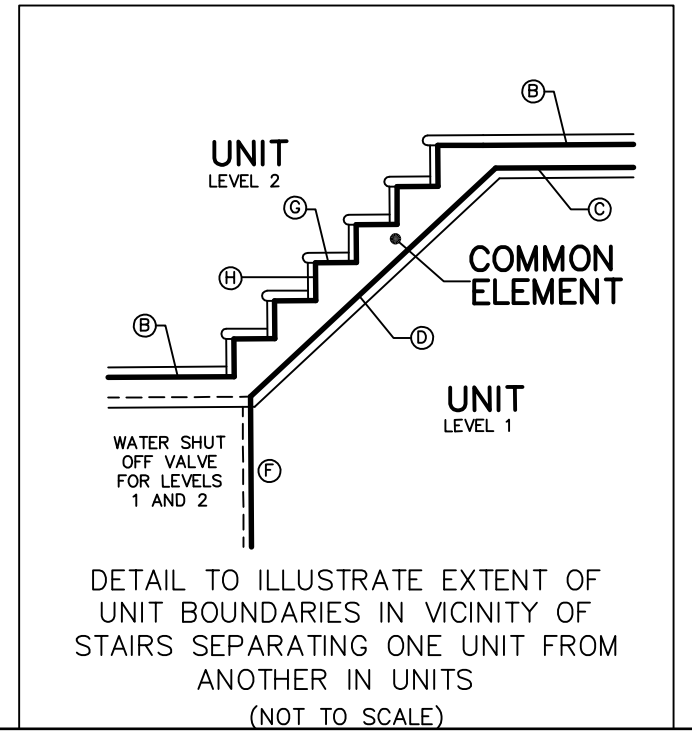
TYPICAL CROSS-SECTION C-C  
TO ILLUSTRATE THE RELATIONSHIP  
OF UNIT  
(NOT TO SCALE)



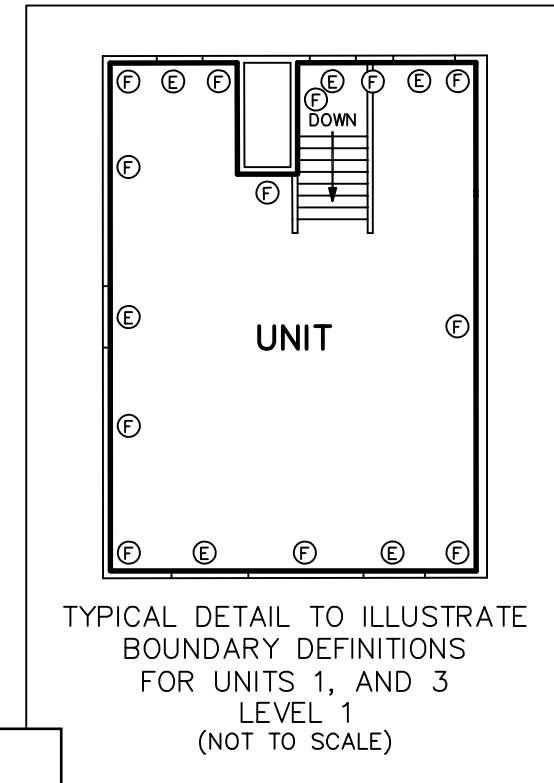
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TO ILLUSTRATE THE RELATIONSHIP  
OF UNIT  
(NOT TO SCALE)



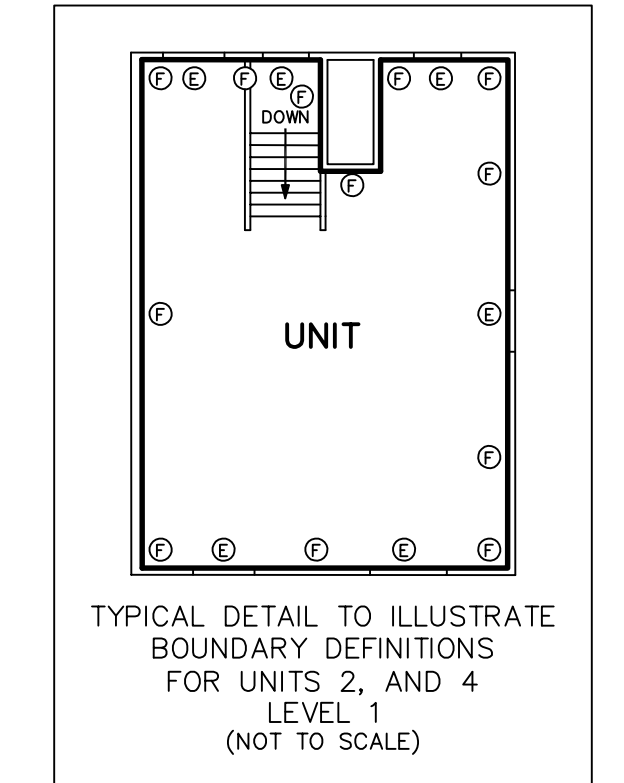
TYPICAL CROSS-SECTION E-E  
TO ILLUSTRATE THE RELATIONSHIP  
OF UNIT  
(NOT TO SCALE)



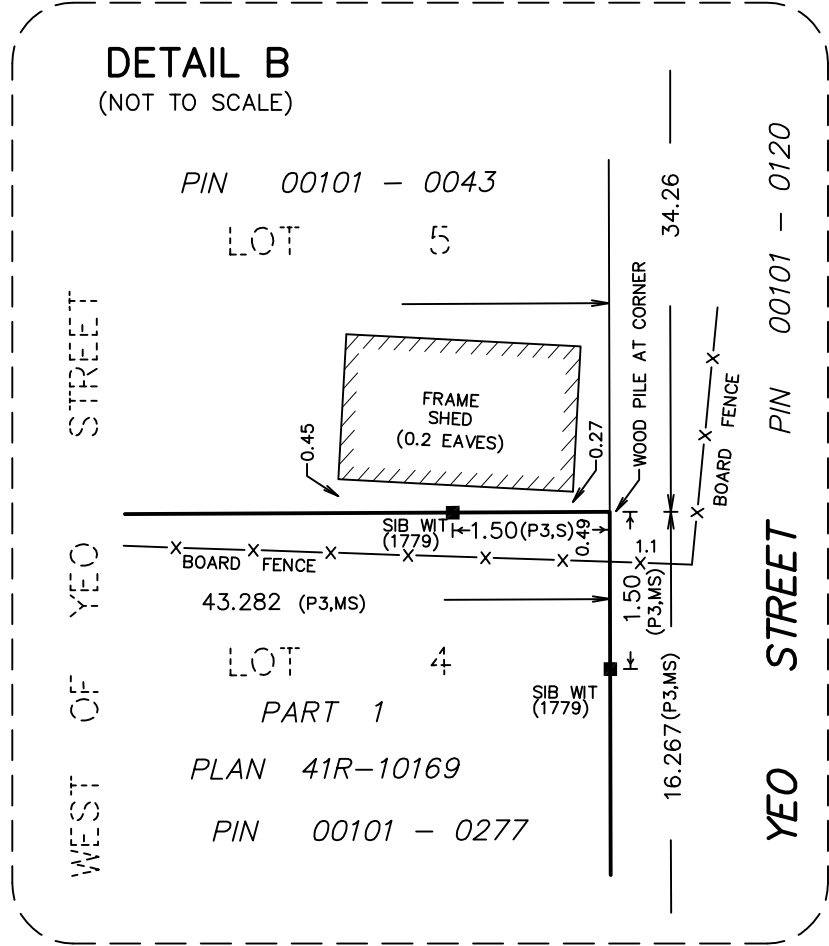
DETAIL TO ILLUSTRATE EXTENT OF  
UNIT BOUNDARIES IN VICINITY OF  
STAIRS SEPARATING ONE UNIT FROM  
ANOTHER IN UNITS  
(NOT TO SCALE)



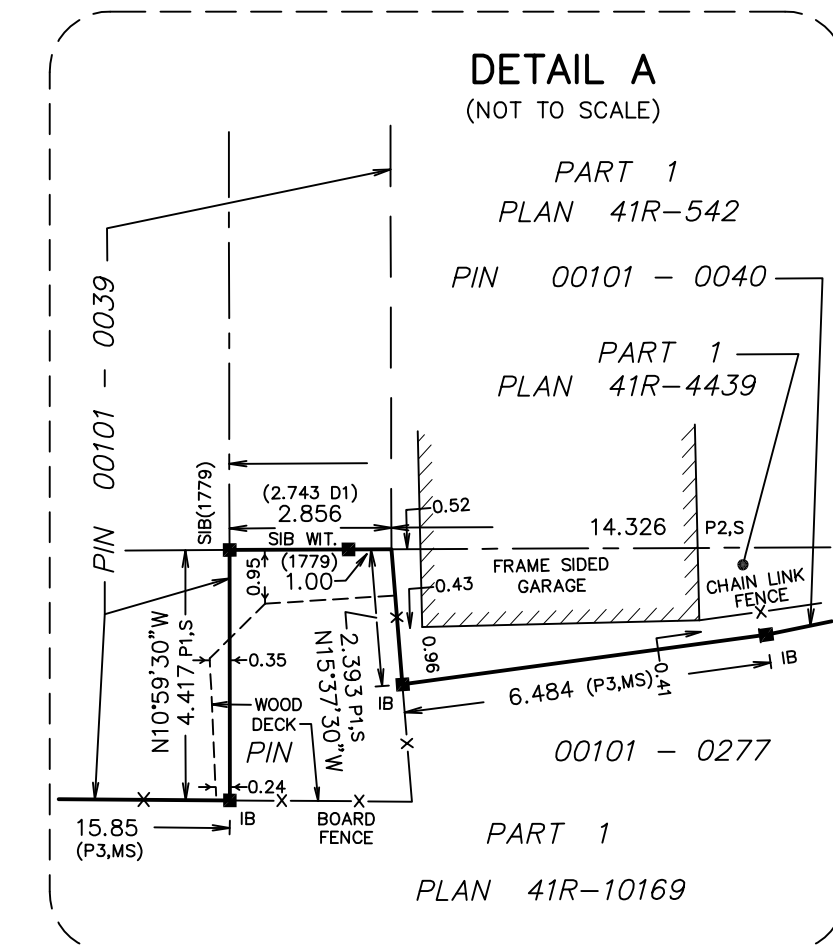
TYPICAL DETAIL TO ILLUSTRATE  
BOUNDARY DEFINITIONS  
FOR UNITS 1, AND 3  
LEVEL 1  
(NOT TO SCALE)



TYPICAL DETAIL TO ILLUSTRATE  
BOUNDARY DEFINITIONS  
FOR UNITS 2, AND 4  
LEVEL 1  
(NOT TO SCALE)



DETAIL B  
(NOT TO SCALE)



DETAIL A  
(NOT TO SCALE)

- LEGEND**
- SIB - STANDARD IRON BAR
  - SSIB - SHORT STANDARD IRON BAR
  - IB - IRON BAR
  - CC - CUT CROSS
  - CP - CONCRETE PIN
  - - PLANTED
  - - FOUND (1268) UNLESS OTHERWISE NOTED
  - - ROUND
  - WT - WITNESS
  - MS - MEASURED
  - UP - UTILITY POLE
  - S - SET
  - P1 - PLAN 41R-8245
  - P2 - PLAN 41R-4439
  - P3 - PLAN 41R-542
  - P4 - REGISTERED PLAN 246
  - P5 - REGISTERED PLAN 227
  - D1 - PIN 00101-0039 (INST. 308098)

**Plate 3: Proposed Draft Plan of Condominium**  
**File No: CD 23-01-8 - 2749815 Ontario Ltd. - 34 Bain Street, Woodstock**