

To: David Creery, Chief Administrative Officer

From: Sunayana Katikapalli, Manager, Clerks Services/Deputy City Clerk

Re: Zoning By-Law Amendment Appeal – ZN 8-23-06 – 360 & 366 Mill Street

AIM

To advise Council of an appeal received in connection with proposed Zoning By-law Amendment ZN 8-23-06.

BACKGROUND

At the regular meeting of Woodstock City Council held on April 18, 2024, Council considered zone change application ZN 8-23-06. The subject property is described as Part Lot 11 and Part Lot 12, Plan 86 in the City of Woodstock. The lands front on the west side of Mill Street, between Boot Hill Road and Bower Hill Road, and are municipally known as 360 and 366 Mill Street, Woodstock.

The application proposes to rezone the subject lands from Residential Zone 1 (R1) to Residential Zone 3 (R3), with special provisions to facilitate the development of 19 townhouse units on the subject lands.

The 19 proposed townhouse units will be developed in 4 blocks of 6 units, 5 units, 5 units, and 3 units respectively. The lands comprise an existing lot located at 360 Mill Street, and abutting lands that were provisionally created through consent application B23-08-8, approved at the May 5, 2023, Oxford County Land Division Committee meeting. Currently there are two single detached dwellings present, both of which are proposed to be removed.

Surrounding land uses include single detached dwellings to the east and west, townhouses in close proximity to the east, and a church immediately to the north.

The application was deferred at the October 19, 2023, City Council meeting and Council adopted the following resolution:

“That Woodstock City Council defer the zone change application submitted by Kuldeep Brar, Jagjit Randhawa and Vansittart Company Inc., whereby the lands described as Part Lot 11 and Part Lot 12, Plan 86, known municipally as 360 and 366 Mill Street, City of Woodstock are to be rezoned from Residential Zone 1 (R1) to Special Residential Zone 3 (R3-sp) to facilitate the development of 19 unit townhouse development in order to request that the developer reduce the number of units.”

Since the October 19, 2023, meeting, Planning staff understand that the applicant's consulting engineer has met with adjacent residents and provided additional details and information about the proposed grading and retaining walls for the development, and has provided an additional six parking spaces adjacent to Block D. It is noted that the original proposal satisfied all parking requirements.

Council passed the following resolution in response to the application at the April 18, 2024, City Council meeting:

*"That Woodstock City Council **not approve** the zone change application submitted by Kuldeep Brar, Jagjit Randhawa and Vansittart Company Inc., whereby the lands described as Part Lot 11 and Part Lot 12, Plan 86, known municipally as 360 and 366 Mill Street, City of Woodstock are to be rezoned from Residential Zone 1 (R1) to Special Residential Zone 3 (R3-sp) to facilitate the development of a 19 unit townhouse development, because it is not in keeping with the neighbourhood;*

And further that any comments received from the public were reviewed and considered before the decision was made in relation to this planning matter."

COMMENTS

The applicant has filed an appeal of the decision to refuse to amend the zoning by-law. The deadline to file an appeal was May 12, 2024. The appeal must be forwarded to the Ontario Land Tribunal (OLT) within 15 days of the last day for filing the appeal, and a hearing will be conducted on the matter unless the appeal is withdrawn. The Clerk's office is required by the Tribunal to advise of Council's response to the appeal.

If Council supports its decision of April 18, 2024, legal services will be retained to represent the City. If staff are able to find professional planning services which are willing to defend Council's decision, those services will also be retained.

RECOMMENDATION

That Woodstock City Council supports the decision to refuse to amend the zoning by-law with respect to application ZN 8-23-06 – 360 & 366 Mill Street;

And further that the City Clerk be instructed to so advise the Local Planning Appeal Tribunal.

Authored by: Sunayana Katikapalli, Manager, Clerks Services/Deputy City Clerk

Approved by: Amy Humphries, Deputy Chief Administrative Officer/City Clerk

Approved by: David Creery, Chief Administrative Officer