

**To: David Creery, Chief Administrative Officer**

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

**Re: Zoning By-Law Amendment Appeal – OP 24-01-8 & ZN 8-24-01 – 329  
Buller Street**

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### **AIM**

To advise Council of an appeal received in connection with proposed Zone Change OP 24-01-8 and ZN 8-24-01.

### **BACKGROUND**

At the regular meeting of Woodstock City Council held on April 18, 2024, Council considered Zone Change OP 24-01-8 and ZN 8-24-01. The subject lands are described as Plan 250, Lots 5,10-13, 41R1122 Parts 1-4, in the City of Woodstock. The lands are located on the north side of Buller Street between Delatre Street and Vansittart Avenue and are municipally known as 329 Buller Street.

Applications have been received to amend the Official Plan and the City's Zoning By-law to permit the development of an eight unit multiple-attached dwelling. The subject lands currently contain an existing brick dwelling and three detached structures. The Official Plan amendment proposes to redesignate the subject lands from 'Low Density Residential' to 'Medium Density Residential' to facilitate the proposed increase in residential density on the site.

The zone change application proposes to rezone the subject lands from 'Residential Type 2 Zone (R2)' to 'Special Residential Type 3 Zone (R3-sp)'. The proposed zoning will facilitate the proposed 8 unit dwelling building, recognize the existing lot frontage of 17 m (55.8 ft) and will permit a 2 m (6.6 ft) side yard adjacent to the public alley on the west side of the subject lands.

The subject lands comprise an approximate area of 1,334 m<sup>2</sup> (0.33 ac) and contain a building (circ. 1880) that is identified as a single detached dwelling, and three additional structures that are accessed from the private lane. The existing building is proposed to be replaced by a new 2 storey structure with an architectural style that is sympathetic to surrounding built forms.

Surrounding land uses include existing low density residential development consisting primarily of single detached dwellings and converted dwellings.

City Council adopted the following resolution:

*“That Woodstock City Council advise County Council that the City **does not support** the application to amend the Official Plan (File No. OP 24-01-8), submitted by Rouse, Rouse and Rouse, for lands legally described as Plan 250, Lots 5,10-13, 41R1122 Parts 1-4, City of Woodstock, to re-designate the subject lands to Medium Density Residential to facilitate the development of an 8 unit multiple-attached dwelling building on the subject lands, as it is not in keeping with the character of the neighbourhood;*

*And further that Woodstock City Council **does not approve** the zone change application (File No. ZN 8-24-01) submitted by Rouse, Rouse and Rouse for lands legally described as Plan 250, Lots 5,10-13, 41R1122 Parts 1-4, in the City of Woodstock, to rezone the lands to ‘Special Residential Zone 3 (R3-sp)’ to facilitate an 8 unit multiple-attached dwelling building with reduced lot frontage and reduced westerly side yard width.”*

## **COMMENTS**

The applicant has filed an appeal of the decision to refuse to amend the zoning by-law. The deadline to file an appeal is 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 Zone Change OP 24-01-8 and ZN 8-24-01.

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: David Creery, Chief Administrative Officer*