

## Committee of Adjustment Meeting Minutes

Date: August 12, 2024  
Time: 6:00 PM  
Location: Council Chambers

Members Present: Howard Pye, Chair  
Bob Sutherland  
Glen Yearsley  
Peter Rigby  
Matthew Roberts  
Jim Reid  
Jay Pember

Sunayana Katikapalli, Secretary Treasurer  
Lorraine Neal, Deputy Chief Building Official  
Justin Miller, Development Planner

This meeting was held in person in accordance with section 238 (3.3) of the Municipal Act, 2001 as amended, and section 16.6.24 of the City of Woodstock Procedure by-law.

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1. **Declaration of Conflict of Interest**
2. **Approval of Minutes**
- 2.a **July 8, 2024 - Regular Meeting Minutes**

Moved by Peter Rigby  
Seconded by Jim Reid

That the minutes of the July 8, 2024, Committee of Adjustment meeting be adopted.

**Carried**

3. **Business Arising from Minutes**
4. **Correspondence**
5. **Applications for Minor Variance**
- 5.a **MV-15-24 - YEDA Thames Inc. - 749 Khalsa Drive**

The subject lands are described as Block 197, Plan 41M374, in the City of Woodstock. The lands are located on the south side of Oxford Road 17 and north side of Khalsa Drive, and are municipally known as 749 Khalsa Drive.

The applicant is proposing relief from the above-noted provisions of the City's Zoning By-law to permit a reduced minimum number of parking spaces required at the subject property. The applicant has indicated that the relief is required to support the development of two six storey apartment buildings with 103 dwelling units per building on the subject lands. Previously, a site specific zone was provided to the subject lands (R4-11) based on a fewer number of dwelling units (186) in the proposed buildings (2); the applicants are seeking to increase the number of dwelling units to 206, requiring a reduction in the required parking standards.

The subject property is approximately 4.47 acres (1.81 ha) in area and is currently vacant.

It is the opinion of this office that the proposed relief to reduce the minimum required number of parking spaces from 289 parking spaces to 279 parking spaces can be considered minor and desirable for the development of the subject property. A majority of the units 54% will be one bedroom units (likely utilizing fewer parking spots), and a remainder of the units will be two bedroom units. The proposed variance allows for appropriate use of the subject lands to facilitate a high density residential development that is considered compatible with the surrounding lands, and will provide an increased number of dwelling units.

Staff are of the opinion that the proposed number of parking spaces can be considered a minor deviation from the requirement of the Zoning By-law.

It is the opinion of this office that the requested relief maintains the general intent and purpose of the Official Plan and the City of Woodstock's Zoning By-law and can be given favourable consideration.

Discussion:

M. Roberts asked when the site specific zone was approved by Council. J. Miller responded that it was sometime within the last two years.

Agent of the applicant, Taylor Whitney, of 318 Wellington Rd., was present to speak to the application. She was supportive of the staff report, and asked for a third relief that is not in the recommendation provided in the agenda, i.e., relief from section 5.4.1.9 Visitor Parking Aisle Dimensions, to decrease the minimum parking aisle width from 6.7 m (22 ft) to 6.5 m (21.3 ft). She indicated that if the Committee does not support this request, the applicant would still move forward with the recommendation provided in the agenda.

Moved by Peter Rigby  
Seconded by Jay Pember

That the City of Woodstock Committee of Adjustment approve Application File MV 15-24, submitted by YEDA Thames Inc. for lands described as Block 197, Plan 41M374 in the City of Woodstock as it relates to:

1. Relief from Section 9.3.11.2.3 Parking: Minimum 1.4 spaces/dwelling unit, to decrease the minimum required number of spaces from 289 parking spaces to 279 parking spaces.
2. Relief from Section 5.4.2.4 Visitor Parking for Residential Units, to decrease the minimum number of visitor spaces from 29 parking spaces to 26 parking spaces.

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

The proposed relief are deemed to be minor variances from the provisions of the City of Woodstock Zoning By-law;

The proposed relief is desirable for the appropriate development and use of the land, building or structure;

The proposed relief maintains the general intent and purpose of the City of Woodstock Zoning By-law; and

The relief is in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

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

### **Defeated**

Moved by Jay Pember  
Seconded by Matthew Roberts

That the City of Woodstock Committee of Adjustment approve Application File MV 15-24, submitted by YEDA Thames Inc. for lands described as Block 197, Plan 41M374 in the City of Woodstock as it relates to:

1. Relief from Section 9.3.11.2.3 Parking: Minimum 1.4 spaces/dwelling unit, to decrease the minimum required number of spaces from 289 parking spaces to 279 parking spaces.
2. Relief from Section 5.4.2.4 Visitor Parking for Residential Units, to decrease the minimum number of visitor spaces from 29 parking spaces to 26 parking spaces.
3. Relief from Section 5.4.1.9 Visitor Parking Aisle Dimensions, to decrease the minimum parking aisle width from 6.7 m (22 ft) to 6.5 m (21.3 ft).

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

The proposed relief are deemed to be minor variances from the provisions of the City of Woodstock Zoning By-law;

The proposed relief is desirable for the appropriate development and use of the land, building or structure;

The proposed relief maintains the general intent and purpose of the City of Woodstock Zoning By-law; and

The relief is in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

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

### **Carried**

#### 5.b MV-16-24 - Chloe & Carl Senior - 73 Lyndale Crescent

The subject lands are described as Lot 327, Plan 827, in the City of Woodstock. The lands are located on the East side of Lyndale Crescent and is municipally known as 73 Lyndale Crescent.

The applicants propose to obtain relief from the above-noted provisions of the City's Zoning By-law to facilitate the construction of an accessory structure on the subject property. The structure is proposed to have a maximum building height of approximately 6m (19.68ft) and an approximate area of 54.6m<sup>2</sup> (588 ft<sup>2</sup>).

The subject property comprises approximately 538.34m<sup>2</sup> (0.13 ac) in area and currently contains an existing single detached dwelling (109.25m<sup>2</sup> (1,176ft<sup>2</sup>)) and a shed with an area of 6.7m<sup>2</sup> (72.25ft<sup>2</sup>). The applicants are proposing relief of lot coverage to construct a new accessory building while retaining the existing shed, bringing the total area of accessory structures on the subject land to 61.3m<sup>2</sup> (659.8ft<sup>2</sup>).

It is the opinion of this Office that the owners' request can be considered minor and desirable for the development of the subject property.

Staff are satisfied that approval of the applicant's request will maintain the purpose and intent of the Official Plan and the City Zoning By-law and that approval of the proposal will not create an undesirable precedent. The slightly larger than permitted accessory building is not expected to have any negative impacts on surrounding property owners as the subject property is sufficiently large to accommodate the proposed accessory structure and still have sufficient space in the rear yard for amenity purposes, drainage and stormwater management. No comments of concern were received from the neighbours.

As such, staff are satisfied that the application can be given favourable consideration.

Discussion:

Applicant, Carl Senior, of 73 Lyndale Cres., spoke to the application and was present to answer any questions.

Mark Burke, 310 Finkle St., was present to speak in favour of the application.

S. Katikapalli stated that the correspondence provided by Russell Cridland prior to the meeting was rescinded earlier in the day after he noted his misunderstanding of the application and after a conversation with the applicant. R. Cridland indicated that he no longer had concerns with the application and was now supportive of it.

Moved by Jim Reid

Seconded by Bob Sutherland

That the City of Woodstock Committee of Adjustment **approve** Application File MV 16-24, submitted by Carl & Chloe Senior for lands described as Lot 327, Plan 827 in the City of Woodstock as it relates to:

1. Relief from Section 5.1.1.1. Table 1 – Regulations for Accessory Buildings, Uses and Structures;

i. to increase the maximum permitted size from 10% of lot area or 53.834 m<sup>2</sup> (579.46 ft<sup>2</sup>) to 11.4% of lot area or 61.34 m<sup>2</sup> (660.26 ft<sup>2</sup>)

Subject to the condition that the installation and maintenance of eavestroughs and downspouts on the new building located to the satisfaction of the Building Department.

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

The proposed relief is deemed to be a minor variance from the provisions of the City of Woodstock Zoning By- law;

The proposed relief is desirable for the appropriate development and use of the land, building or structure;

The proposed relief maintains the general intent and purpose of the City of Woodstock Zoning By- law; and

The relief is in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

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

### **Carried**

#### 5.c MV-17-24 - 1967113 Ontario Inc. - 303 - 305 Simcoe Street

The subject property is described as Part Lot 16, N/S Simcoe Street, 17 N/S Simcoe Street Plan 26 as in 332325; S/T & T/W Row as in 332325, located on the north side of Simcoe Street lying between Douglas Street and Mill Street, municipally known as 303-305 Simcoe Street, in the City of Woodstock.

The applicant is proposing relief from the above-noted provision of the City's Zoning By-law to facilitate the construction of a semi-detached dwelling on the subject lands.

The property has an area of approximately 687.35 m<sup>2</sup> (7,398.57 ft<sup>2</sup>) and is currently vacant.

It is the opinion of this Office that the requested and identified relief can be considered minor and desirable for the development of the subject property.

The proposed relief can be considered minor in nature as staff are satisfied that sufficient area can be provided on the property to accommodate the required parking, landscaping, drainage, servicing and amenity space.

The proposed relief can also be considered desirable as it will facilitate the construction of a semi-detached dwelling, which is in keeping with the existing residential development in the surrounding area, consisting of single detached, semi-detached and multiple-unit developments.

In light of the foregoing, it is the opinion of this Office that the requested relief is in keeping with the general intent and purpose of the Official Plan and the City Zoning By-law and can be given favourable consideration.

#### Discussion:

H. Pye inquired about how a swale functioned. L. Neal provided H. Pye with an explanation.

Applicant, Osman Dogan, of 19 Riddell St., spoke to the application and was present to answer any questions.

John Hammond, of 301 Simcoe St., spoke in favour of the application. He appreciated being able to have a personal driveway as opposed to a shared one. He spoke about his interaction with an individual who had provided opposing correspondence. He indicated that when he spoke to her, she had misunderstood the application and, to his knowledge, was no longer opposed to it.

H. Pye inquired about water on the property. J. Hammond responded that water had never been an issue.

J. Reid explained that with new buildings, there may be a requirement for a sump pump.

Moved by Matthew Roberts  
Seconded by Peter Rigby

That the City of Woodstock Committee of Adjustment **approve** Application File MV 17-24, submitted by 1967113 Ontario Inc., for lands described as Part Lot 16, N/S Simcoe Street, 17 N/S Simcoe Street Plan 26 as in 332325; S/T & T/W Row as in 332325, City of Woodstock, municipally known as 303-305 Simcoe Street, as it relates to:

1. Relief from Section 7.2 Table 7.2 – Zone Provisions, to decrease the minimum lot frontage from 18.0 m (59 ft) to 16.4 m (53.8 ft) to facilitate the construction of a semidetached dwelling on the subject lands; and
2. Relief from Section 5.4.4.1 Table 7 – Yards Where Parking Areas Are Permitted, to increase the maximum percentage of a front yard or exterior side yard that may be used for a parking area from 50% to 60% to facilitate the construction of a semi-detached dwelling on the subject lands.

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

The proposed relief are minor variances from the provisions of the City's Zoning By-law in that the reduced lot frontage and area will not impact the ability of the property to provide adequate area for parking, amenity space, landscaping, servicing and drainage;

The proposed relief is desirable for the use of the land as the said relief will allow for development that is permitted by the Zoning By-law, the use is compatible with surrounding uses and is complimentary to the existing development in the area;

The proposed relief maintains the general intent and purpose of the City's Zoning By-law as the development is in keeping with the permitted uses and zone provisions of the R2 zone; and

The relief maintains the intent and purpose of the Official Plan as a semi-detached dwelling is a form of development contemplated within the Low Density Residential designation.

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

**Carried**

## 6. **Adjournment**

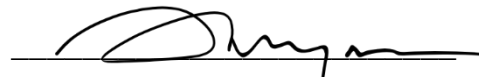
Moved by Jim Reid  
Seconded by Bob Sutherland

That the meeting adjourn at 6:35 p.m.

**Carried**

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Chair– Howard Pye



Secretary-Treasurer – Sunayana Katikapalli