

Committee of Adjustment Meeting Minutes

Date: May 15, 2023
Time: 6:00 PM
Location: Council Chambers

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

Sunayana Katikapalli, Acting Secretary Treasurer
Eric Gilbert, Senior Planner
Craig Wallace, Chief Building Official

Members Absent: Michelle Woodrow

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.

1. **Declaration of Conflict of Interest**

2. **Approval of Minutes**

2.a **March 13, 2023 - Regular Meeting Minutes**

Moved by P. Rigby

Seconded by G. Yearsley

That the minutes of the March 13, 2023, Committee of Adjustment meeting be adopted.

Carried.

3. **Business Arising from Minutes**

4. **Correspondence**

5. **Applications for Minor Variance**

5.a **MV 09-23 Application for Minor Variance - Padda Development Group Ltd. - 555 Mill Street**

Relief from Section 14, Table 14.2 – Zone Provisions, to increase the maximum height of a building from 11 m (36.1 ft) to 20.2 m (66.3 ft); and

Relief from Section 14, Table 14.2 – Zone Provisions, to decrease the minimum required landscaped open space from 30% to 21% to facilitate the construction of a multi-building commercial development.

The subject property is described as Lot 5, Plan 1614, in the City of Woodstock. The property is located on the northeast corner of Highway 401 and Mill Street and is municipally known as 555 Mill Street.

Mr. E. Gilbert stated that the applicant is proposing relief from the above noted provisions of the City's Zoning By-law to facilitate the construction of a multi-use commercial development on the subject lands, including a gas station, convenience store, restaurants, car wash and hotel. Relief from the maximum building height provision is proposed to permit a five-storey hotel on the southeast portion of the subject lands.

The property comprises an area of approximately 2.86 ha (7 ac) and is currently vacant.

It is the opinion of this Office that the relief requested by the applicant to permit a multi-use commercial development including eating establishments, a carwash, a convenience store and a hotel can be considered minor and desirable for the development of the lands.

The proposed relief can be considered minor as the proposed increased maximum height is not anticipated to have a negative impact on surrounding developments and is compatible with existing and planned development in this area. Further, the proposed reduction in minimum landscaped open space appears to be compatible and consistent with similar uses in the area, and is further mitigated by large grassed setbacks from Highway 401.

Staff are also of the opinion that the proposed relief will facilitate a form of development that is desirable for the area. The proposed commercial uses are supported by Official Plan policies and represent a significant redevelopment of a longstanding vacant property. Further, it is not anticipated that the proposed development will have a negative impact on the surrounding neighbourhood.

In light of the foregoing, it is the opinion of this Office that the requested relief is minor and desirable for the development of the subject property, and in keeping with the general intent and purpose of the Official Plan and City Zoning By-law. As such, it is the opinion of Planning staff that the requested relief can be given favourable consideration.

P. Rigby asked when correspondence to MTO was sent. E. Gilbert responded that it had been sent over two weeks ago, and further that MTO's concerns needed to be addressed before the City issues a building permit. P. Rigby asked if they had discussions with MTO. E. Gilberts responded that he believed so, but also noted that we are unlikely to hear back because of the short turnaround. C.

Wallace added that they had been in communication for the past six months. With regards to previous establishments, he stated that MTO had approved it as it was.

M. Roberts noted that a hotel is not permitted under that zoning. He also asked if a minor variance would be required for the height requirement. E. Gilbert responded that past hotels have been under that height but moving forward it would be reviewed as part of a housekeeping update.

P. Rigby asked where the TA was and what was happening there, adding that there are speculations about condo development. E. Gilbert responded that there was commercial development planned and that the applicant was working with MTO. P. Rigby inquired about the type of commercial development. C. Wallace stated that it was a very vague plan at this point in time.

Moved by M. Roberts

Seconded by J. Pember

That the City of Woodstock Committee of Adjustment **approve** Application File MV-09-23, submitted by Padda Development Group Ltd. for lands described as Lot 5, Plan 1614, in the City of Woodstock and municipally known as 553 Highland Drive, as it relates to:

1. Relief from Section 14, Table 14.2 – Zone Provisions, to increase the maximum height of a building from 11 m (36.1 ft) to 20.2 m (66.3 ft); and
2. Relief from Section 14, Table 14.2 – Zone Provisions, to decrease the minimum required landscaped open space from 30% to 21% to facilitate the construction of a multi-building commercial development.

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 a minor variance from the provisions of the City of Woodstock's Zoning By-law in that the increased building height and reduced landscaped open space will not have a negative impact on neighbouring properties;

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 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 generally in keeping with the permitted uses in the C4 zone; and

The relief maintains the intent and purpose of the Official Plan as the multi-commercial use is a form of development contemplated by the Service Commercial policies of the Official Plan.

Carried.

6. Adjournment

Moved by B. Sutherland

Seconded by P. Rigby

That the meeting adjourn at 6:13 p.m.

Carried.