



PLANNING & DEVELOPMENT

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To: Town of Goderich, Members of Goderich Committee of Adjustment
Jason Dykstra, Secretary of the Committee of Adjustment
Andrea Fisher, Director of Legislative Services / Clerk

From: Hanna Holman, Planner

Date: April 7, 2026

Re: Consent File GOD C02-2026; Minor Variance File GOD MV05-2026

Owner: Lexx Development Corporation (c/o Jon Baker)

Applicant: Baker Planning Group (c/o Caroline Baker)

Location of Subject lands:

Parcel containing the severed and retained lands:

151 Bruce Street East; (legally described as Lot 792, Part Lot 771, Registered Plan 457; Part Park Lot 7, Registered Plan 468; in the Town of Goderich).

Adjacent parcel to be enlarged:

175 Bruce Street East (legally described as Part Lot 794, Registered Plan 457, Part Park Lot 7, Registered Plan 468 in the Town of Goderich)

This report is submitted to the Committee of Adjustment public hearing on April 13, 2026.

Recommendation for Consent GOD C02-2026: It is recommended that the application for consent be **approved** subject to the following conditions:

- (1) All municipal requirements be met to the satisfaction of the Town of Goderich including servicing connections if required, cash-in-lieu of park dedication if required, property maintenance, compliance with zoning by-law provisions for structures, compliance with Section 65 of the Drainage Act, and any other requirements, financial or otherwise.
- (2) Provide to the satisfaction of the Town of Goderich:
 - a. a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
 - b. a reference plan based on the approved survey;
- (3) Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Town of Goderich.
- (4) The severed land merge on title with the abutting property to the east upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
- (5) A firm undertaking is to be provided from the solicitor acting for the parties indicating that the severed land and the abutting property to the east will be consolidated into one PIN under the Land Titles System. **Note:** In the case where a title search has been completed and it has been determined that the severed/retained lands are registered in two different systems (e.g. the Registry or Land Titles system) and a consolidation is not possible then notice will be required to be registered in both systems indicating that the

parcels have merged with one another and is considered to be one parcel with respect to Section 50 (3) or (5) of the Planning Act, RSO 1990, CP 13 as amended.

(6) Section 50(3) or (5) (whichever applies) of the Planning Act, RSO 1990, as amended, applies to any subsequent conveyance or transaction of the severed land.

(7) Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within two years, the application is valid for three years from the date of the notice of decision.

Recommendation for Minor Variance GOD MV05-2026: It is recommended that the application for minor variance be **approved** subject to the following conditions:

- (1) That the parking spaces on the proposed retained lands (as per consent application C02-2026) be constructed consistently with the site plan submitted as part of the application to the satisfaction of the Town.
- (2) The approval is valid for a period of 24 months from the Committee's decision.

PURPOSE AND BACKGROUND

Lot addition severance summary:

- **Retained:** 1,364.7 square metres in area; existing 19-unit two-storey apartment building with 14 parking spaces subject to reduce parking rate variance
- **Severed:** 1392.9 square metres in area; mostly vacant land with existing accessory buildings and parking area
- **Existing abutting lot to be enlarged:** 545.4 square metres in area; existing single-detached dwelling to be demolished
- **Resulting enlarged lot:** 1,983.3 square metres in area; proposed 24-unit four-storey apartment building with 24 parking spaces

Minor Variance request summary: Reduce the parking rate from 1 space to 0.73 spaces per dwelling unit for the existing apartment building only.

The purpose of this consent application is for a lot addition. The applicants propose to sever a portion of the lands at 151 Bruce Street East to join with the adjacent property to the east at 175 Bruce Street East as a lot enlargement. The consent is to facilitate the future construction of a four-storey apartment building with 24 dwelling units and 24 parking spaces on the proposed enlarged lot as shown in the conceptual site plan Figure 3.2. The existing single-detached dwelling at 175 Bruce Street East will be demolished.

The lands at 151 Bruce Street East are currently designated Residential in the Town's Official Plan and zoned High Density Residential (R3) in the Town's Zoning By-law. The lands at 175 Bruce Street East are currently designated Residential in the Town's Official Plan and zoned Medium Density Residential (R2) in the Town's Zoning By-law. Upon the enlargement of the lands through the consent application, the current High Density Residential (R3) zoning applicable on the 151 Bruce Street East will be applicable on the 175 Bruce Street East lands

as enabled by the Zoning By-law provisions for lot additions. The proposed new apartment building and parking are permitted by the High Density Residential (R3) zoning and as the zoning provisions are met, there are no variances are being requested for the new development.

The retained lands are the western portion of 151 Bruce Street East and include an existing 19-unit apartment building and 14 parking spaces. Section 6.13 of the Zoning By-law requires a minimum of one (1) parking space per dwelling unit. This minor variance application requested a reduced parking rate of 0.73 parking spaces per dwelling unit, with a resulting 14 parking spaces for the existing 19-unit apartment building.

Figure 1: 2020 Dated Aerial Image of Subject Lands (Blue=retained, orange=severed, yellow=adjacent lands to be enlarged)



Figure 2: Aerial View of Subject Lands and Surrounding Neighbourhood from Google Maps

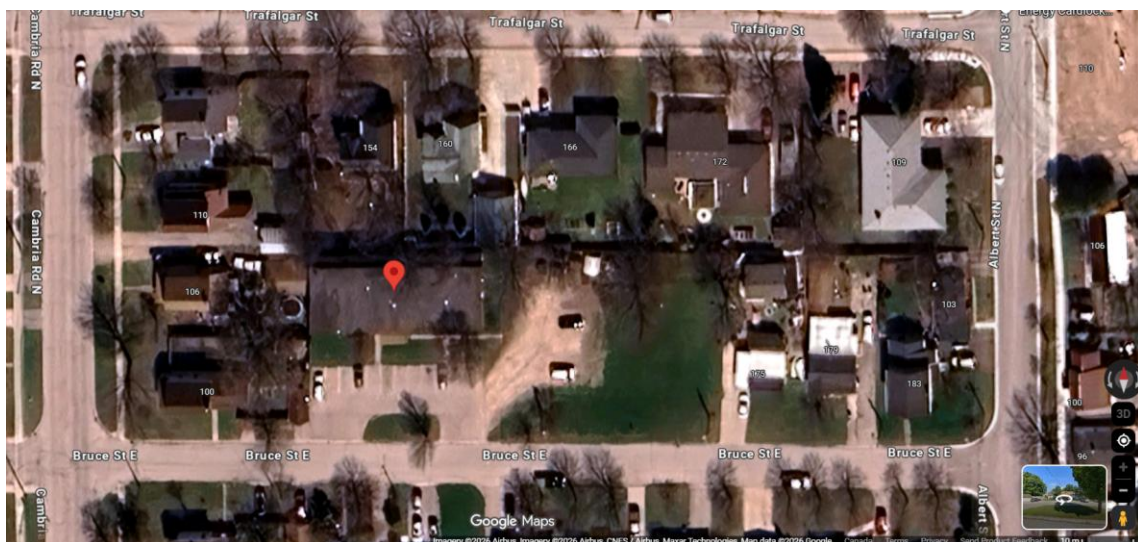


Figure 4. Site Visit Photo (looking north from Bruce Street)



Figure 4.1 Site visit photo of existing apartment and adjacent side yard



Figure 4.2 Site visit photo of existing apartment on proposed retained lands subject to parking reduction variance



Figure 4.3 Site visit photo of proposed severed lands and adjacent single-detached dwelling (to be demolished) on the lot to be enlarged at 175 Bruce Steet East

REVIEW OF CONSENT

Both the Provincial Planning Statement (PPS) and County Official Plan direct settlement areas, such as the Town of Goderich, to be the focus of growth and development, and encourage efficient development patterns for residential intensification.

The Town's Official Plan, Section 10, provides consent policies that require the following for the division of land into smaller parcels through the consent process:

- i. No undue extension of any major service is required;
- ii. All proposed parcels abut an existing, public road of construction acceptable to the Town;
- iii. The Consent does not result in extending built-up areas unduly, but permits infilling of existing built-up areas;
- iv. The parcel size is appropriate for the proposed use and conforms with the provisions of the Zoning By-Law, unless the by-law is duly amended or a variance granted. Where required, the amendment or variance will be in force prior to the finalization of the severance;
- v. Development shall not result in traffic hazards from limited site lines or curves, grades, or nearness to intersections;
- vi. Consents will not hinder or restrict the interior development of a block of land.

The above policy is met. The proposed lots (as a result of the consent) will have access to municipal servicing and have frontage along existing public roads. The consent will not result in the extension of the built-up area and is considered an infill development. No traffic related concerns have been raised from staff's review. The lot enlargement represents an efficient use of land and provides flexibility for future development as an infill development. The proposed enlarged lot and resulting retained lot both meet the minimum lot area and frontage requirements of the Zoning By-law. The severance also provides for the lot enlargement to have a sufficient depth to meet the rear yard setbacks to the building.

The severed and retained lands at 151 Bruce are currently zoned R3 (Residential High Density). The lands with the single-detached dwelling at 175 Bruce Street East is currently zoned R2 (Residential Medium Density) Upon the severance merging of the lands, the area to be enlarged at 175 Bruce Street East will automatically be incorporated into the R3 zoning as permitted by minor lot enlargements under Section 6.41 of the Goderich Zoning By-law.

The applicants have provided a conceptual site plan showing the development potential of the proposed enlarged lot which meets the Zoning By-law requirements of the R3 zone. The retained lands meet the Zoning By-law provisions except for a resulting parking deficiency in which a variance has been requested for a reduced parking rate.

REVIEW OF VARIANCE

In considering an application for minor variance, Section 45(1) of the Planning Act gives authority of granting minor relief from the provision of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the application is minor in nature, is an

appropriate use of the land, and that the development maintains the intent of the Official Plan and Zoning By-law.

The following analysis is for the proposed variance to reduce the parking rate for the existing 19-unit apartment building to 0.73 spaces per unit. The rest of the proposed development and severance meets the Zoning By-law provisions and is not subject to a variance and is therefore not evaluated under the four tests of the minor variance.

Does the variance maintain the intent and purpose of the Zoning By-Law and is the variance minor?

14 parking spaces are proposed for 19 dwelling units which is considered minor in the context of the site and existing building. The existing building footprint and unit sizes (500-650 square feet) are relatively smaller reflecting the common building style of this era. These factors limit the potential for increased occupancy of the units over the long term.

Other provisions in the Zoning By-law recognize that a reduced parking rate is appropriate in some cases, such when used in combination with bicycle parking in C4 and C5 commercial and mixed use zones. The subject lands are located within walking distance from the downtown core and is located one to two blocks away from other C4 and C5 zoned properties on the edge of downtown and along Victoria. There are existing bicycle parking facilities at the apartment building on the subject lands that are utilized, as observed in the site visit.

Further, the Zoning By-law provides for reduced parking on affordable publicly owned units. The smaller building footprint and unit sizes such as on the subject lands generally lend itself to a more attainable form of rental housing which generally has less parking demand. The purpose of the parking minimum is to provide sufficient parking for a proposed use, whilst also not over subscribing the amount of parking spaces resulting in an inefficient use of land. The variance maintains the intent and purpose of the Zoning By-law

Does the variance maintain the intent of the Official Plan and is the application desirable for the appropriate development of the land, building or structure?

The Town's Official Plan supports proposals for infilling and the efficient use of serviced land. The variance has the impact of facilitating the separation of the existing apartment building onto a separate parcel. This also facilitates the enlargement of the side yard and increased potential for an infill proposal for new housing units, which is desirable and meets the intent of the Official Plan. As there is existing front yard parking on-site the extension of the front parking area is considered appropriate.

COMMENTS RECEIVED

No concerns or objections were raised by staff or agencies. No notices are need for source water protection. Canada Post provided details on their requirements for new mailboxes. EARTH has no objections provided details on their specifications.

At the time of report submission (April 7, 2026), three written public comments in objection were received from neighbours abutting the subject lands. Additional items may be raised

before or during the public hearing. Their concerns are summarized below, however the original comments should be referenced.

- Insufficient parking; concern about spill over parking on-streets, lack of visitor spaces
- Development will hinder future road upgrades such as adding sidewalks; concern about lack of existing sideways and pedestrian safety
- Concern with building height at 4 storeys near low density residences; preference for a lower building height which would reduce the number of units and provide more parking
- Concern about light pollution, loss of privacy and overlooking adjacent properties, shadow impacts on adjacent properties, request for a sun/shadow study
- Concern about noise and light from parking lot at adjacent property to the east
- Concerns about traffic hazards, including challenges with garbage/recycling pick-up
- Concern about infrastructure and utility capacity including water pressure and sewer capacity; request for a functional servicing report
- Concerns about environmental impact, including loss of mature trees

The following staff comments are provided for context/background to the issues raised:

The proposed development will not encroach on the existing municipal road allowance and the required front yard is being met, as it is not anticipated that this development will hinder potential future upgrades to the road allowance.

Details on water/wastewater servicing, stormwater management, site lighting and buffering are addressed through the technical site plan control application process prior to building permits. The Zoning By-law requires site buffering through either a fence or planting strip.

The effect of the subject applications are limited with the variance only being applicable to the reduced parking on the retained lands, and the proposed new development meeting the R3 zoning provisions. However, the severance will have the effect of increasing the lot size and area that is zoned R3 which will increase the potential number of units and scale of development that may be facilitated.

Public inquiries asked about the history of the zoning on the lands at 151 Bruce Street, which is summarized as follows. Three previous Town of Goderich Zoning By-laws were reviewed, each of which went through multiple consolidations and amendments.

- 1972 Zoning By-law – 151 Bruce Street lands zoned R3 which permits an apartment to a maximum height of 45 feet (approx. 13.7 metres)
- 1985 replaced Zoning By-law – 151 Bruce Street lands zoned R3 which permits an apartment dwelling to a maximum height of 13.7 metres or 4 storeys when abutting R1 or R2 zoned lands.
- 2013 replaced Zoning By-law – 151 Bruce Street lands zoned R5, which permits an apartment dwelling to a maximum height of 13.7 metres or 4 storeys when abutting R1 or R2 zoned lands.
- 2023 review of Zoning By-law – 151 Bruce Street lands zoned R3, which permits an apartment to a maximum height of 13.5 metres or 4 storeys

CONCLUSION

It is recommended that consent application GOD C03-2025 be **approved** subject to fulfilling conditions, as it meets the requirements of the Planning Act, is consistent with the PPS, conforms to the County and Town Official Plans, and complies with the Town Zoning By-law except parking on the retained lands which is to be addressed by the related minor variance application.

It is also recommended that minor variance application GOD MV05-2026 be **approved** for the reduced parking rate for the existing apartment building, as the proposed variances are minor, appropriate, and maintain the intent of the Official Plan and Zoning By-law. It is recommended that this application for minor variance be approved, subject to the recommended condition that the variance be valid for a 24-month period and that the proposed parking be constructed with the site plan.

EFFECT OF PUBLIC AND AGENCY COMMENTS

Public comments were received with concerns about Insufficient parking, hinderance on future road upgrades, building height/incompatibility, light pollution, loss of privacy, shadow impacts, noise, traffic hazards, infrastructure capacity, loss of trees. The public comment was thoroughly considered but did not impact the staff recommendation to approve the variance and consent applications. Supportive agency comments were received.

If the Committee concurs with the planning report regarding the effect of public and agency comments, it is recommended that they pass a motion to that effect. Aforementioned, new comments may be raised before or during the hearing on the file.

Sincerely,



Hanna Holman, Planner, RPP MCIP