

REPORT RECOMMENDATION:

That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to revise the zoning of 131, 135 and 137 Holland Avenue, shown in Document 1 and zoned GM [1590] F(3.86) S245, by amending Exception [1590] to remove "bank", "catering establishment", "place of assembly", "recreational and athletic facility" and "restaurant" from the list of prohibited uses, to add "school" to the list of permitted uses; and to change the minimum number of required parking spaces for non-residential uses to zero, as detailed in Document 2.

The following had originally requested to speak to this matter as indicated below:

- Mr. Ying Hum (in opposition), and;
- Mr. Miguel Tremblay, FoTenn Consultants Ltd., on behalf of the applicant (in support).

Ms. Bliss Edwards, Planner, and Mr. John Smit, Manager, both with the Development Review, Urban Services Unit, PGM, were present to respond to questions, as required.

Chair Hume noted that Mr. Hum, Mr. Tremblay and staff had arrived at a resolution which involved extending the proposed zoning to include Mr. Hum's property at 139 Holland Avenue. Although all parties were in accord, Mr. Tremblay suggested that in the event of an appeal related to the property at 139 Holland Avenue, should such occur, his client's preference would be to separate the two properties. Mr. Tim Marc, Senior Legal Counsel, Corporate Development and Environmental Law Branch, City Clerk and Solicitor's Department, suggested that this could be achieved through the adoption of two different zoning bylaws.

Councillor Hobbs then put forth the following Motion to extend the provisions of the zoning to 139 Holland Avenue:

MOTION N^o PLC 47/5

Moved by Councillor K. Hobbs:

That the zoning provisions recommended for approval for 131, 135 and 137 Holland Avenue be extended to include 139 Holland Avenue, and that 139 Holland be considered a separate amendment to the zoning by-law.

CARRIED

The report recommendation was then put to Committee and was CARRIED as amended by Motion N^O PLC 47/5.

That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to revise the zoning of 131, 135 and 137 Holland Avenue, shown in Document 1 and zoned GM [1590] F(3.86) S245, by amending Exception [1590] to remove "bank", "catering establishment", "place of assembly", "recreational and athletic facility" and "restaurant" from the list of prohibited uses, to add "school" to the list of permitted uses; and to change the minimum number of required parking spaces for non-residential uses to zero, as detailed in Document 2, as amended by the following:

- 1. That the zoning provisions recommended for approval for 131, 135 and 137 Holland Avenue be extended to include 139 Holland Avenue, and that 139 Holland be considered a separate amendment to the zoning by-law.**

And that there be no further notice pursuant to Section 34 (17) of the Planning Act.

CARRIED as amended