

**PLANNING COMMITTEE
REPORT 66A
11 JULY 2018**

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**COMITÉ DE L'URBANISME
RAPPORT 66A
LE 11 JUILLET 2018**

**EXTRACT OF DRAFT MINUTES 66
PLANNING COMMITTEE
26 JUNE 2018**

**EXTRAIT DE L'ÉBAUCHE
DU PROCÈS-VERBAL 66
COMITÉ DE L'URBANISME
LE 26 JUIN 2018**

ZONING BY-LAW AMENDMENT – 443 AND 447 KENT STREET AND 423-425
MCLEOD STREET

ACS2018-PIE-PS-0076

SOMERSET (14)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 443 and 447 Kent Street and 423 and 425 McLeod Street to permit a four-storey residential building, as detailed in Document 2.**
- 2. The Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 11 July 2018," subject to submissions received between the publication of this report and the time of Council's decision.**

Note: this item was considered concurrently with the associated heritage application report - Application for Demolition and New Construction at 443 and 447 Kent Street, and Alteration at 423-425 McLeod Street, Properties Located in the Centretown Heritage Conservation District, Designated under Part V of the Ontario Heritage Act (ACS2018-PIE-RHU-0015). The Minutes of both items are therefore combined, as follows.

The Built Heritage Sub-Committee (BHSC) considered this report at its meeting of 18 June 2018 and CARRIED the report recommendations with an amendment to receive the revised Site Plan, Elevations and Renderings, submitted by Robertson Martin Architects on June 15, 2018, as replacements for Documents 4, 6 and 7 of the report, as noted above and now reflected in the staff report. The Sub-committee heard delegations and received written correspondence on this matter, as noted in their Minutes.

Planning Committee heard three delegations:

- *Guy Lacroix (for himself and Lucy Castell), neighbour to the concerned property, questioned whether the developer would take measures to protect his foundation during excavation. He also raised concerns about sloping and drainage, and about preservation of the shared tree
- Jack Hanna, Centretown Citizens Community Association, accompanied by Mindy Sichel, spoke in support of the proposal and appreciated the conversations during the process.
- Rod Lahey, Roderick Lahey Architect Inc. (for the applicant) responded to questions, noting that issues regarding foundation concerns and water flow will be addressed as the project moves forward, and measures will be taken to consider preservation of the shared tree.

[Individuals / groups marked with an asterisk above provided written comments; all submissions are held on file with the City Clerk.]*

The following staff of the Planning, Infrastructure and Economic Development department responded to questions: Doug James, Manager, Development Review – Central.

Ward Councillor Catherine McKenney was present and took part in discussion.

The report recommendations relating to the heritage application report for 443 and 447 Kent Street and 423-425 McLeod Street (ACS2018-PIE-RHU-0015), as amended by the Built Heritage Sub-committee and set out in full below, were put to committee.

That Planning Committee recommend that Council:

- 1. receive the revised Site Plan, Elevations and Renderings, submitted by Robertson Martin Architects on June 15, 2018, as replacements for Documents 4, 6 and 7 of the report, respectively, and which amend the report by changing “0.9m” to “1.6m”;**
- 2. approve the application to alter the building at 423-425 McLeod Street according to plans submitted by Robertson Martin Architects, revised on June 15, 2018;**
- 3. approve the demolition of 443 and 447 Kent Street according to plans submitted by Robertson Martin Architects, revised on June 15, 2018;**

4. approve the application to construct a new building at 443 and 447 Kent Street according to plans submitted by Robertson Martin Architects, revised on June 15, 2018;
5. delegate authority for minor design changes to the General Manager, Planning, Infrastructure and Economic Development;
6. issue the heritage permit with a two-year expiry date from the date of issuance.

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on December 31, 2018.)

(Note: Approval to alter this property under the *Ontario Heritage Act* must not be construed to meet the requirements for the issuance of a building permit.)

CARRIED

The committee then considered the following technical amendment relating to the zoning report for 443 and 447 Kent Street and 423-425 McLeod Street.

Motion N° PLC 66/1

Moved by Councillor A. Hubley

WHEREAS Report ACS2018-PIE-PS-0076 recommends the approval of an amendment to the Zoning By-law to permit a four-storey residential building at 443 and 447 Kent Street and 423 and 425 McLeod Street; and

WHEREAS the lands are being rezoned from TM14 H(17) and R4S[479] to R4S[XXX1] and the community wishes to have an increased corner side yard setback for the new portion of the building; and

WHEREAS the increased corner side setback will result in a reconfiguration of the building footprint and site layout in terms of amenity area and parking.

THEREFORE BE IT RESOLVED that Planning Committee recommend Council approve an amendment to Document 2 – Details of Recommended Zoning as follows:

- a) **by adding the text, “TM14 H(17) and” before the text “R4S[479]” in item 1;**

- b) by replacing the text “corner side yard setback: 0.9 m” with the text “corner side yard setback: 1.6 m” in item 2 b;
- c) by adding the following text to item 2 b, “The minimum corner side yard setback for the building existing on the date of the passing of this by-law is 0m”;
- d) by deleting “northern interior lot line: 0 m” in item 2 b;
- e) by replacing the text “minimum required residential parking space: 6” with the text “minimum required residential parking space: 4” in item 2 b;
- f) by replacing the text “minimum at grade communal amenity area: 77.4 m2, with a 32m2 area abutting the interior side lot line” with the text “minimum at grade communal amenity does not have to be located in a rear yard nor abut a rear lot line, with at least one aggregated area of a minimum of 39m2 and the total amenity area required is 85 metres squared” in item 2 b; and,
- g) by adding the text, twenty-one percent of the lot area must be provided as landscaped area for a lot containing an apartment building, low-rise.

AND BE IT FURTHER RESOLVED THAT, pursuant to the *Planning Act*, subsection 34(17), no further notice be given.

CARRIED

The report recommendations relating to the zoning report for 443 and 447 Kent Street and 423-425 McLeod Street (ACS2018-PIE-PS-0076), as amended by Motion 66/1 and set out in full below, were put to committee:

1. **That Planning Committee recommend Council approve:**
 - a. **an amendment to Zoning By-law 2008-250 for 443 and 447 Kent Street and 423 and 425 McLeod Street to permit a four-storey residential building, as detailed in Document 2, with the following amendments:**
 - i. **by adding the text, “TM14 H(17) and” before the text “R4S[479]” in item 1;**
 - ii. **by replacing the text “corner side yard setback: 0.9 m” with the text “corner side yard setback: 1.6 m” in item 2 b;**

- iii. by adding the following text to item 2 b, “The minimum corner side yard setback for the building existing on the date of the passing of this by-law is 0m”;
 - iv. by deleting “northern interior lot line: 0 m” in item 2 b;
 - v. by replacing the text “minimum required residential parking space: 6” with the text “minimum required residential parking space: 4” in item 2 b;
 - vi. by replacing the text “minimum at grade communal amenity area: 77.4 m², with a 32m² area abutting the interior side lot line” with the text “minimum at grade communal amenity does not have to be located in a rear yard nor abut a rear lot line, with at least one aggregated area of a minimum of 39m² and the total amenity area required is 85 metres squared” in item 2 b; and,
 - vii. by adding the text, twenty-one percent of the lot area must be provided as landscaped area for a lot containing an apartment building, low-rise.;
 - b. that, pursuant to the *Planning Act*, subsection 34(17), no further notice be given.
2. The Planning Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to Bill 73 ‘Explanation Requirements’ at the City Council Meeting of 11 July 2018,” subject to submissions received between the publication of this report and the time of Council’s decision.

CARRIED