



Planning Committee

Minutes 1

Thursday, 24 January 2019

9:30 am

Champlain Room, 110 Laurier Avenue W.

- Notes:
1. *Please note that these Minutes are to be considered DRAFT until confirmed by Committee.*
 2. *Underlining indicates a new or amended recommendation approved by Committee.*
 3. *Except where otherwise indicated, reports requiring Council consideration will be presented to Council on Wednesday, January 30, 2019 in Planning Committee Report 1.*

Present: Chair: Councillor J. Harder
Vice-Chair: Councillor T. Tierney
Councillors: L. Dudas, G. Gower, R. Chiarelli, J. Leiper, S. Blais,
S. Moffatt, A. Hubley

STATEMENT PURSUANT TO THE *PLANNING ACT* FOR MATTERS SUBMITTED POST JANUARY 1, 2007

Chair Harder read a statement required under the *Planning Act* explaining that this was a public meeting to consider the proposed Official Plan and Zoning By-law Amendments listed as Agenda Items 1 to 5 on today's agenda.

She advised anyone intending to appeal the proposed amendment to the Local Planning Appeal Tribunal that they must either voice their objections at the meeting or submit comments in writing prior to the amendment being adopted by City Council. The

Chair noted that applicants could appeal this matter to the Local Planning Appeal Tribunal if Council did not adopt an amendment within 150 days of receipt of an application for Zoning and 210 days for an Official Plan Amendment.

A comment sheet was available at the door for anyone wishing to submit written comments on these items.

DECLARATIONS OF INTEREST

There were no declarations of interest

CONFIRMATION OF MINUTES

Minutes 72 - November 20, 2018

CONFIRMED

Prior to consideration of the agenda, Vice-chair Tierney moved the following motion to add an item for discussion at today's meeting.

Motion N° PLC 2019 1/1

Moved by Vice-chair T. Tierney

That the Planning Committee approve the addition of the following Item to the agenda for consideration by the Committee at this meeting, pursuant to Section 89(3) of the Procedure By-Law, in order to give timely consideration to this matter as there has not been a committee meeting since November and the applicant would like to apply to the Committee of Adjustment as soon as possible:

- **Motion Council Resolution regarding Section 45 of the *Planning Act*, in respect of 168 Daly Avenue.**

CARRIED

The item was considered after all other business was concluded and is set out as item 7, under 'Additional Item', below.

PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

1. Zoning By-Law Amendment – 180 Island Park Drive

ACS2019-PIE-PS-0004

Kitchissippi (15)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 180 Island Park Drive to permit an office use in the development of a new two storey embassy building, as detailed in Document 2.**
2. **That 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 January 30, 2019” subject to submissions received between the publication of this report and the time of Council’s decision.**

Jean-Charles Renaud, Planner, and Doug James, Manager, Development Review – Central, both of the Planning, Infrastructure and Economic Development department, responded to questions. Tim Marc, Senior Legal Counsel, Planning, Development and Real Estate, Office of the City Clerk and Solicitor, also responded to questions.

The committee heard five delegations:

- Paul Forster, Vice-president, Island Park Community Association¹, opposed the application and provided the following arguments: the proposed office use is not compatible with the residential uses in the

¹ Written submission provided; a copy is held on file with the City Clerk

neighbourhood; the impact of the rezoning is significant; rezoning reverses 100 years of policy (including City policies and covenants enforced by the National Capital Commission; rezoning will set a dangerous precedent; rezoning is unnecessary.

- Heather Mitchell, Westboro Community Association², provided the following arguments in opposition to the application: spot zoning in this residential neighbourhood should not be permitted and will set a precedent for future requests in this and other residential neighbourhoods; the proposal is not compatible with the character of the area and will impact the scenic and historic residential parkway; if the Embassy cannot operate as it wishes within the current zoning it should relocate to an appropriately zoned area that would permit this office use; an office building that resembles a house is still not a residence and is not acceptable for the area.
- Heather Pearl, Co-chair, Champlain Park Community Association³, did not take issue regarding the owners' current legal non-conforming rights to operate an Embassy and Diplomatic Premises but opposed the rezoning request on the following premise: the policies in the Official Plan do not support changing the By-law; the change does not meet the intent of the By-law; the proposed By-law provisions do not afford protection from the perhaps unintended consequences; the impact of allowing this Zoning By-law Amendment Proposal will be significant for Island Park Drive and all of Ottawa's residential areas; non-conforming rights should cease when the current building ceases to be.
- Bruce Enstone opposed the application, noting that the Government of Thailand would have been subject to conditions of purchase with respect to existing residential zoning when they purchased the existing property and the rezoning request should not be approved to corrupt what already exists.
- Peter Boos opposed the application, noting the Thai Embassy is currently permitted to operate as an embassy with some office use and could continue to do so. He questioned what protections would be in place in

² Written submission provided; a copy is held on file with the City Clerk

³ Written submission provided; a copy is held on file with the City Clerk

granting the rezoning request to prevent it from being used for other non-residential purposes (by the current and potential future owners).

In addition to the submissions previously noted, the committee received the following correspondence between January 14 (the date the report was published to the City's website) and the time it was considered on January 24, a copy of which is held on file:

- Email dated January 11 from the McAlea Family
- Email dated January 11 from Mary Little and Michel Piche
- Email dated January 13 from Mary Ellen Kot
- Email dated January 14 from Alan & Lillian Smith
- Email dated January 14 from David and Susan Davidson
- Email dated January 15 from Jim Blattman
- Email dated January 17 from Professor Paul Forster
- Email dated January 17 from Isla Paterson
- Letter dated January 15 from Mari Wellman, Co-president, Westboro Beach Community Association
- Email dated January 19 from Edward Ellis
- Email dated January 20 from Paul and Elizabeth McCormick
- Email dated January 20 from Tara Hennessy
- Letter dated January 21 from Heather Mitchell, Westboro Community Association
- Email dated January 21 from Patricia Wiebe
- Email dated January 21 from Roland Dorsay
- Email dated January 23 from Ella Forbes-Chilibeck
- Email dated January 23 from Carey Roeske

- Email dated January 23 from Dr. Lise Paquet
- Letter dated January 19 from Cathy Shaw and James Wagner, Co-Presidents, Island Park Community Association
- Email dated January 23 from Heather Pearl, Co-chair, Champlain Park Community Association
- Email dated January 23 from Linda Gama-Pinto, President, Heron Park Community Association
- Email dated January 24 from Jocelyne Woolhouse
- Email dated January 24 from Sheila Perry, President, Federation of Citizens' Associations Ottawa(FCA).

Planning Committee considered the report recommendations, as follows:

Report recommendations:

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 180 Island Park Drive to permit an office use in the development of a new two storey embassy building, as detailed in Document 2.**
- 2. That 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 January 30, 2019" subject to submissions received between the publication of this report and the time of Council's decision.**

LOST on a division of 2 yeas and 7 nays, as follows:

YEAS (2): Councillors S. Moffatt, A. Hubley

NAYS (7): Councillors L. Dudas, G. Gower, R. Chiarelli, J. Leiper, S. Blais, Vice-chair T. Tierney, Chair J. Harder

Mr. Marc advised the committee that, having voted against the staff recommendation, if committee was not prepared to prepare and consider the required motion indicating the reason for refusal, the report could advance to Council on January 30, 2019 with no committee recommendation, whereupon Council would need to consider such a motion. The Chair agreed with this approach.

2. Zoning By-Law Amendment – 2983 and 3053 Navan Road

ACS2019-PIE-PS-0001

Innes (2)

Report Recommendations

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2983 and 3053 Navan Road to permit residential and non-residential mixed uses, including a gas bar and a car wash, to allow a shopping centre development subject to site-specific yard provisions and the application of a holding zone, as shown in Document 1 and detailed in Document 3.**
- 2. That 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 January 30, 2019," subject to submissions received between the publication of this report and the time of Council's decision.**

Committee heard one delegation:

- Kim Moscoe, Catholic Women's League, opposed the application, citing concerns about tree loss, gas bar investors and operations, unnecessary development for the area, and environmental impact.

Paul Black, Fotenn Consultants (applicant), was present in support and to

answer questions if needed.

Planning Committee CARRIED the report recommendations as presented.

3. Zoning By-Law Amendment – 5035, 5045 and 5055 Innovation Drive

ACS2019-PIE-PS-0003

Kanata North (4)

Report Recommendations

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5035, 5045 and 5055 Innovation Drive to permit an animal care establishment and animal hospital, as detailed in Document 2.**
- 2. That 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 January 30, 2019,” subject to submissions received between the publication of this report and the time of Council’s decision.**

Murray Chown, Novatech, was present in support, on behalf of the applicant, and to answer questions if needed.

Planning Committee CARRIED the report recommendations as presented.

4. Zoning By-Law Amendment – 575 Dealership Drive

ACS2019-PIE-PS-0008

Barrhaven (3)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 575 Dealership Drive to permit an automobile body shop, automobile dealership and an automobile rental establishment as detailed in Document 2.**
2. **That 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 January 30, 2019,” subject to submissions received between the publication of this report and the time of Council’s decision.**

Dan Paquette, Paquette Planning Associates Ltd. (applicant), was present in support and to answer questions if needed.

Planning Committee CARRIED the report recommendations as presented.

5. O-Train Network Development Zone of Influence

ACS2019-PIE-EDP-0004

City Wide

Report Recommendations

1. **That Planning Committee recommend that Council approve and adopt the Official Plan Amendment for the O-Train Network Development Zone of Influence as outlined in this report and in**

Document 2.

2. That 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 January 30, 2019," subject to submissions received between the publication of this report and the time of Council's decision.

CARRIED

OFFICE OF THE CITY CLERK AND SOLICITOR

LEGISLATIVE SERVICES

6. Planning Committee Terms of Reference

ACS2019-CCS-GEN-0001

City Wide

Report Recommendation

That the Planning Committee recommend Council approve its Terms of Reference, as outlined in this report and attached as Document 1.

Motion N° PLC 2019 1/2

Moved by Vice-chair T. Tierney

WHEREAS, in approving its 2018-2022 Council Governance Review, Council approved that the revised Terms of Reference for Standing Committees, Sub-Committees and the Transit Commission be submitted in draft form to the respective Committees/Commission at their first meeting in 2019 for consideration and recommendation to Council for approval;

and

WHEREAS the Planning Committee is to consider its revised draft Terms of Reference at this meeting, for recommendation to City Council on January 30, 2019; and

WHEREAS, as part of its Governance Review, Council approved changes to the Built Heritage Sub-committee (BHSC) reporting relationship; and

WHEREAS the BHSC will consider its revised draft Terms of Reference at its meeting on February 11, 2019, to be considered in turn by Planning Committee on February 14 and City Council on February 27; and

WHEREAS the Planning Committee Terms of Reference speak to the reporting relationship with the BHSC and indicate how heritage matters are processed by the committees; and

WHEREAS it is not yet known whether the BHSC will approve its Terms of Reference as presented or make amendments, which might in turn need to be reflected in the Planning Committee Terms of Reference; and

WHEREAS it would be prudent to postpone consideration of the Planning Committee revised draft Terms of Reference to its February 14 meeting, so that they may be considered simultaneously with those of the BHSC and rise to Council at the same time, on February 27; and

WHEREAS there are no other substantive changes to the Planning Committee revised draft Terms of Reference that would prevent the committee from operating as it previously has in the interim period;

THEREFORE BE IT RESOLVED that Planning Committee defer consideration of its draft revised Terms of Reference (report ACS2019-CCS-GEN-0001) until the draft revised Built Heritage Sub-committee's Terms of Reference have been submitted to Planning Committee for consideration, currently expected for the February 14 Planning Committee meeting.

DEFERRAL CARRIED

INFORMATION PREVIOUSLY DISTRIBUTED

The following item was distributed for information prior to the meeting:

A. Inclusionary Zoning

ACS2019-PIE-EDP-0002

City Wide

NOTICES OF MOTIONS (FOR CONSIDERATION AT A SUBSEQUENT MEETING)

Councillor J. Leiper put forward the following Notice of Motion, on behalf of Councillor T. Kavanagh, for consideration at the February 14, 2019 Planning Committee meeting.

WHEREAS the Site Plan application at 975 Woodroffe Avenue was approved for 8 townhouse units; and

WHEREAS the number of bedrooms has increased beyond what anyone in the community could have anticipated during the approval phase; and

WHEREAS this intensity creates community concerns related to parking, garbage, traffic and noise; and

WHEREAS there are concerns that this intensity will further increase if this development operates as a rooming house;

THEREFORE BE IT RESOLVED THAT staff initiate a rezoning for 975 Woodroffe Avenue to remove 'Rooming House' as a permitted use on this site.

ADDITIONAL ITEM

7. Motion - Council Resolution regarding Section 45 of the *Planning Act*, in respect of 168 Daly Avenue

Rideau-Vanier (12)

Having approved the addition of the item to the agenda, Committee considered the following motion:

Motion N° PLC 2019 1/3

Moved by Vice-chair T. Tierney

WHEREAS report ACS2018-PIE-PS-0002 (Zoning By-law Amendment – 168 Daly Avenue), was approved by Council January 31, 2018 to permit an office limited to an embassy; and

WHEREAS the owners would like to undertake renovations including but not limited to porch construction that would necessitate the need for minor variances to Zoning By-law 2008-250; and

WHEREAS the proposed porch construction is consistent with the applicable guidelines within the Heritage Conservation District, and represents good heritage conservation practices; and

WHEREAS Section 45 (1.3) of the *Planning Act* does not permit an application for minor variance before the second anniversary of the initial zoning amendment (January 31, 2020); and

WHEREAS Section 45 (1.3) of the *Planning Act* permits Council to declare by resolution that such an application would be permitted;

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council that an application to the Committee of Adjustment be permitted in respect of the property at 168 Daly Avenue for minor variances associated with proposed renovations.

CARRIED

Eugen Mihaescu, Robertson Martin Architects, was present in support and to answer questions if needed.

OTHER BUSINESS

The Chair advised Committee that Steve Willis, General Manager of Planning, Infrastructure and Economic Development, would be emailing members a copy of his draft response letter to the Province with respect consultation on Increasing Housing Supply in Ontario. Members were advised to provide their comments to Mr. Willis prior to the January 30 Council meeting.

ADJOURNMENT

The meeting was adjourned at 10:42 am.

Committee Coordinator

Chair