



Planning Committee

Minutes 25

Thursday, June 11, 2020

9:30 am

Electronic Participation

This Meeting was held through Electronic Participation in accordance with Bill 187, the Municipal Emergency Act, and an Order in Council of March 28, 2020, which amended the Emergency Management and Civil Protection Act and prohibits organized public events of more than five people.

- 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 June 24, 2020 in Planning Committee Report 25.*

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

Absent: Councillor R. Chiarelli

Statement Pursuant to the *Planning Act* for Matters Submitted post January 1, 2007

The Chair read a statement required under the *Planning Act* explaining that this was a public meeting to consider the proposed Comprehensive Official Plan and Zoning By-

law Amendments listed as Items 1 and 2 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 or over the phone, by contacting the Committee or Council Coordinator, prior to the amendment being adopted by City Council. The Chair noted that applicants could appeal the matter to the Local Planning Appeal Tribunal if Council did not adopt an amendment within 90 days of receipt of an application for Zoning and 120 days for an Official Plan Amendment.

Declarations of Interest

There were no declarations of interest

Confirmation of Minutes

- Minutes 24 - 28 May 2020
- Minutes 3 - Special Joint Meeting of the Planning Committee and Agriculture and Rural Affairs Committee - May 11, 12 and 19, 2020

CONFIRMED

Postponements and Deferrals

1. Zoning By-Law Amendment – 3484 and 3490 Innes Road

ACS2020-PIE-PS-0006

Innes (2)

Deferred from the Planning Committee meeting of May 14, 2020

Report recommendations

1. **That Planning Committee recommend Council refuse an amendment to Zoning By-law 2008-250 for 3484 and 3490 Innes Road to permit multiple mid- to high-rise apartment buildings of**

nine, 12 and 16 storeys, as detailed in Documents 5 and 6.

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 Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the Planning Act 'Explanation Requirements' at the City Council Meeting of June 24, 2020", subject to submissions received between the publication of this report and the time of Council's decision.**

Planning Committee, May 14, 2020

Motion No PLC 2020-23/1

Moved by Vice-chair G. Gower

WHEREAS the rezoning for the above address was to be considered at a meeting of Planning Committee on May 14, 2020 to be held using Zoom; and

WHEREAS in the days immediately prior to May 14, 2020 over 300 written submissions were received, some including a statement that the submitter also wished to make oral submissions to Committee; and

WHEREAS to utilize Zoom, it is necessary to identify whom amongst the over 300 submissions wish to make oral submissions and for staff from the Office of the City Clerk to provide them with further information for doing so;

THEREFORE BE IT RESOLVED that the consideration of the rezoning for 3484 and 3490 Innes be deferred to the Planning Committee meeting of June 11, 2020.

DEFERRAL CARRIED

Planning Committee, June 11, 2020

The committee heard 12 delegations on this item, as follows:

- Tom Lockett¹ spoke in support of the proposal as a good opportunity for intensification and for economic boom in Orleans. He refuted arguments about extra traffic congestion, noting existing problems are caused by traffic lights, not cars. He also suggested that many signatories of a circulating petition against the development signed on false assumption about lack of parking.
- Jun Zhang^{*2} spoke in opposition to the proposal, citing concerns about impacts of the high-rise-high density development on existing townhomes and low-rise buildings, and especially nearby seniors' homes, and concerns about public health and safety in light of the current pandemic.
- Gilbert Latreille^{*3} spoke in support of the proposal, suggesting that tax revenues and Development Charges from the development will help pay for municipal services and programs related to growth, could create jobs and have positive economic spinoff effects on the community. He also felt that Innes Road could accommodate any additional vehicles from tenants of the development.
- Brian Micallef suggested the scale of the proposal does not fit the area or land use policies, does not contribute to the streetscape, and does not represent thoughtful and careful intensification. He also noted the development would not be in a walkable area, with no LRT in proximity, and is the opposite of the City's "15-Minute" neighbourhoods goal.
- Denise Frigon, President, Orleans Village and Area Community Group^{*4}, and also representing personally, spoke in opposition to the proposal. She spoke to a community petition with a large number of signatories opposed to the project, due to concerns about traffic, infrastructure, building height and density, and impact on quality of life and on privacy. She suggested a development of this magnitude would be better situated where there are amenities and transportation options to accommodate it. She raised concerns about setting a development precedent for increased density and mass in the area.

¹ Submission on file

² Submission on file

³ Submission on file

⁴ Submission on file

- Linda Qing Lin⁵ raised concerns about potential impacts of the proposed development on the existing community, noting the excessive height and density compared to the adjacent residential neighbourhood, and noting the lack of proximity to transit and amenities.
- Susan Davies⁶ supported refusal of the application, suggesting the development would have long-term implications across the City and for the Official Plan. She cited an incomplete public consultation / community engagement process and lack of a vision supported by master planning. She suggested there are insufficient amenities and LRT in the area to support this type of density.
- Siyamak Sasani supported refusal of the application, suggesting it disregards the City's goals for walkable 15-Minute neighbourhood and proximity to LRT. He also noted a lack of community engagement on the part of the developer.
- Tammy Lynch, Director of New Development, Chapel Hill South Community Association (CHSCA), suggested there had been a lack of forethought on this proposal, given the lack of area infrastructure. She suggested Innes is already over-capacity and that existing roads will be significantly impacted without new infrastructure, particularly if many tenants of the development will be commuters. She raised concerns about lack of proximity to LRT, and also about insufficient parking, and the impact of the proposed height on the look of neighbourhood.
- Dave Janega opposed the application, suggesting it does not fit with current zoning, and has much greater massing and density with no transitioning to existing homes. He felt the proposal does not fit in with urban design guidelines and will set a precedent if allowed. He suggested it is disingenuous of the developer to have filed an appeal with the Local Planning Appeal Tribunal before community consultation or City consideration of the report had completed.

⁵ Submission on file

⁶ Submission on file

- Miguel Tremblay, Fotenn (applicant)^{*7} asked Committee to refer the application back to staff to review it per applicable policies. He suggested there were inconsistencies in staff report. He raised concerns about staff's position on the application of Arterial Main Street designation. He noted that, at the time the application was submitted, it met the current policies supporting nine storeys along arterial main streets, provided they're serviced by transit, and that there's a transition, and he noted the staff report fails to mention they approved the transportation report. He also indicated the buildings would have generous setbacks that allow for comfortable transition.
- Michael Polowin, Gowling WLG (representing owner, Canadian Rental Development Services) ^{*8} expanded on Mr. Tremblay's comments about inaccuracies in the staff report and how the Official Plan policies around Arterial Main (AM) Street designation were applied in review of this application. He spoke to a hearing of a settlement by the Local Planning Appeal Tribunal (LPAT) on May 22, in respect of Official Plan Amendment 150 regarding building heights, design and intensification provisions, at which it was decided that a maximum building height of 25 metres would be created in the AM zone. He noted this application was submitted on May 21, 2019 and that the City had not requested at the May 22 LPAT hearing that the decision be effective as of the date of the oral decision, and that, as such, the application must be judged on the basis of the absence of building heights in the Official Plan. He also referenced a Transportation Impact Study that was conducted and submitted to staff on March 24, 2020, which did not raise any traffic concerns, but which is not acknowledged in the staff report.

Annex A of these Minutes lists the correspondence provided to the committee coordinator between April 27 (the date the report was published to the City's website with the agenda for the May 14 Planning Committee meeting) and the time it was considered on June 11, a copy of which is held on file. Other submissions may have been provided after the meeting adjourned and would have been provided to all Members of Council prior to its consideration of the report on June 24, 2020.

⁷ Submission on file

⁸ Submission on file

The following staff responded to questions:

- Planning, Infrastructure and Economic Development department:
 - ❖ Michael Boughton, Planner
 - ❖ Doug James, Director, Planning Services
- Innovative Client Services department:
 - ❖ Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate

The Committee CARRIED the report recommendations on a division of 8 yeas and 1 nay and, as follows:

YEAS (8): Councillors L. Dudas, T. Tierney, R. Brockington S. Moffatt, A. Hubley, E. El-Chantiry (ex-officio), Vice-chair G. Gower, Chair J. Harder

NAYS (1): Councillor J. Leiper

Planning, Infrastructure and Economic Development

2. Zoning By-Law Amendment – Part of 3285 Borrisokane Road
ACS2020-PIE-PS-0019 Barrhaven (3)
-

Report recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 3285 Borrisokane Road to permit 45 rear lane townhouses, eight detached dwellings and to modify the minimum lot area and minimum rear yard setback for one lot, 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 Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of June 24, 2020,” subject to submissions received between the publication of this report and the time of Council’s decision.

The committee heard one delegation, as follows:

- Frank Cairo, Caivan Communities (applicant)⁹ provided context on the application, noting there had been some misinformation about the proposal and potential flood plain impacts in Barrhaven. He indicated the Cut/Fill works approved as part of the S.28 Permit have been completed to the satisfaction of the Rideau Valley Conservation Authority; no reductions in 1/100 year flow rates have been utilized in Cut/Fill modelling; significant environmental benefits will result from the riparian restoration of the Jock River Corridor; and, significant open space improvements and amenities will be delivered at no cost to the city.

The following correspondence was provided to the committee coordinator between June 1 (the date the report was published to the City’s website with the agenda for this meeting) and the time it was considered on June 11, a copy of which is held on file:

- Email dated June 10 from Faith Blacquiere

Lily Xu, Manager, Development Review – South, Planning, Infrastructure and Economic Development department, responded to questions on the report.

The Committee CARRIED the report recommendations as presented on a division of 7 yeas and 2 nays and, as follows:

YEAS (7): Councillors L. Dudas, T. Tierney, S. Moffatt, A. Hubley, E. El-Chantiry (ex officio), Vice-chair G. Gower, Chair J. Harder

NAYS (2): Councillors J. Leiper, R. Brockington

⁹ Submission on file

Additional item

Motion N° PLC 2020-25/1

Moved by Vice-chair Gower

WHEREAS report ACS2020-PIE-RHU-0013 (Designation of 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*), was considered by the Built Heritage Sub-committee (BHSC) at its meeting on June 9, 2020; and

WHEREAS the BHSC's Terms of Reference allow the Sub-committee to consider and make recommendations directly to Council on approval of a staff recommendation for Part IV designations where there are no associated *Planning Act* applications; and

WHEREAS the BHSC defeated the staff recommendation; and

WHEREAS the 60-day notice period required under the *Ontario Heritage Act* expires on June 27, 2020;

THEREFORE BE IT RESOLVED that, in accordance with the BHSC Terms of Reference and in order to give timely consideration so as to meet the 60-day timeline required under the *Ontario Heritage Act*, the Planning Committee approve the addition of report ACS2020-PIE-RHU-0013 to the agenda for consideration by the Committee at this meeting, pursuant to Section 89(3) of the Procedure By-Law; and

BE IT FURTHER RESOLVED that the Planning Committee consider the staff recommendation, as follows:

That Planning Committee recommend that Council not proceed with the issuance of a Notice of Intention to Designate 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*.

CARRIED on a division of 9 yeas and 0 nays and, as follows:

YEAS (9): Councillors, L. Dudas, T. Tierney, J. Leiper, R. Brockington
S. Moffatt, A. Hubley, E. El-Chantiry (ex officio), Vice-chair
G. Gower, Chair J. Harder

NAYS (0):

DRAFT

3. Designation of 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*

ACS2020-PIE-RHU-0013

Capital (17)

REPORT RECOMMENDATION

That the Built Heritage Sub-Committee recommend that Council not proceed with the issuance of a Notice of Intention to Designate 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*.

The Built Heritage Sub-committee (BHSC) considered this report at its meeting on June 9, 2020. The Sub-committee heard delegations and received correspondence as noted in the Minutes of that meeting. The BHSC rejected the staff recommendation on a division of 6 nays and 1 yea. The Sub-committee did not advance any counter recommendation.

Planning Committee heard eight delegations on the matter, as follows:

- Anna Cuylits¹⁰ suggested that the existing building meets the criteria for designation. She provided background information on the community's efforts to get the heritage overlay established in 2013 and to protect against 'Hobinesque Built Form' architecture in the area.
- Laura Urrechaga, Ottawa South Community Association*¹¹ described the existing house, noting it is one of the oldest homes of this type in the area and is a valuable heritage resource that meets the criteria for designation
- Joy Morrow*¹² suggested the house, along with the others along this ceremonial route within the heritage overlay, contributes to heritage of the area, should be protected from demolition and designated
- Susan Brousseau spoke to the history of community interest in the property and suggested it should be designated, noting there is no need to demolish the existing house as there is sufficient room at the back of the property to expand
- Mark Thompson Brandt, Sr Conservation Architect & Urbanist, MTBA

¹⁰ Submission on file

¹¹ Submission on file

¹² Submission on file

Associates Inc.*¹³, reiterated points made by previous in support of designation and provided additional background on the architectural and contextual value of the house. He also noted that the heritage overlay and heritage registrar are ineffective in protecting certain properties like this.

- Shane Currey, property owner*¹⁴, provided background on his decision to replace the existing house with a single-family home for himself, noting that the City had not previously indicated any desire or plan to designate the house, and that he would not have purchased the property for redevelopment if that had been the case. He indicated that designation of the house would impede his right to build and improve the property.
- John Stewart, Commonwealth Historic Resource Management*¹⁵, spoke in support of the staff recommendation to not proceed with notice of intent to designate the house, indicating it is a 'pattern book' example of architecture in the Edwardian Classicism style, of which there are far better examples, in better condition, throughout the city. He referenced previous independent and City assessments of the property, and a decision by the Local Planning Appeal Tribunal to allow a variance in the heritage overlay, prior to this fourth assessment by City staff that the property is not a strong candidate for designation. He noted his client, Mr. Currey, has diligently followed the City's development process and should be permitted to proceed with the proposal, which has no adverse impact, is in keeping with existing zoning and will contribute to the heritage overlay.
- Barry Hobin, Hobin Architecture Inc.*¹⁶, raised concerns about due process, heritage, and role of architecture as this plays out. He noted that the previous property owner could have built two semi-detached houses on the property but did not proceed once the heritage overlay came into existence. He suggested it is unfortunate to be at this stage, with proposals fully vetted, to deal with designation aspects, when there have been no interventions or plans for designation up to this point.

In addition to that previously noted, and to that provided to the BHSC, the

¹³ Submission on file

¹⁴ Submission on file

¹⁵ Submission on file

¹⁶ Submission on file

following correspondence was provided to the committee coordinator between June 9 (the date the report was considered by the BHSC) and the time it was considered on June 11, a copy of which is held on file:

- Email dated June 10 from Michael Lynch
- Email dated June 10 from Matthew Semple & Tara Nigam
- Email dated June 10 from Nigel R. Harris
- Email dated June 10 from Dr. Eva Tomiak
- Email dated June 10 from Gerry and Barb Leduc
- Email dated June 10 from Dorothy Rogers

The following staff responded to questions:

- Planning, Infrastructure and Economic Development department:
 - ❖ Lesley Collins, Program Manager, Heritage Planning
 - ❖ Court Curry, Manager, Right-of-Way, Heritage & Urban Design Services
- Innovative Client Services department:
 - ❖ Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate

Motion N° PLC 2020-25/2

Moved by Councillor R. Brockington (on behalf of Councillor S. Menard)

WHEREAS the Old Ottawa South and the Glebe communities have identified that the conservation of buildings along the Rideau Canal World Heritage Site is a priority; and

WHEREAS the Heritage Overlay applies to the properties situated on Colonel By Drive between Bank Street and Bronson Avenue; and

WHEREAS the Heritage Overlay applies to the properties situated on Queen Elizabeth Driveway between Broadway Avenue and Bronson Avenue; and

WHEREAS 25 properties in these areas were listed on the City of Ottawa Heritage Register as properties of cultural heritage value or interest as part of the Heritage Inventory Project.

THEREFORE BE IT RESOLVED that staff in Heritage Planning explore options for enhanced heritage protection for the areas covered by the Heritage Overlay on both Colonel By Drive and Queen Elizabeth Driveway;

AND BE IT FURTHER RESOLVED that the timing of this work be listed as part of the Planning Infrastructure and Economic Development Departmental 2021 workplan report which is to be considered by BHSC in Q1 2021.

CARRIED

The Committee considered the staff recommendation, as follows:

That Planning Committee recommend that Council not proceed with the issuance of a Notice of Intention to Designate 860 Colonel By Drive under Part IV of the *Ontario Heritage Act*.

CARRIED on a division of 8 yeas and 0 nays and, as follows:

YEAS Councillors L. Dudas, T. Tierney, J. Leiper, S. Moffatt, A. Hubley,
(8): E. El-Chantiry (ex officio), Vice-chair G. Gower, Chair J. Harder

NAYS
(0):

Adjournment

The meeting was adjourned at 2:17 pm.

Committee Coordinator

Chair