



Planning Committee

Minutes 34

Friday, December 11, 2020

9:30 AM

Electronic Participation

This Meeting was held through electronic participation in accordance with Section 238 of the *Municipal Act, 2001* as amended by Bill 197, the *COVID-19 Economic Recovery Act, 2020*.

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- 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 January 27, 2021 in Planning Committee Report 34.*

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

Statement Pursuant to the *Planning Act*

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 2, 3 and 4 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 33 - November 26, 2020

CONFIRMED

Planning, Infrastructure and Economic Development

1. Parkland Dedication By-Law Waiver – Zibi Ontario Development, 3 and 4 Booth Street
ACS2020-PIE-PS-0038 Somerset (14)
-

Report recommendations

That Planning Committee recommend Council:

1. **approve a waiver to By-law 2009-095 - Parkland Dedication By-law for the Zibi Ontario Development at 3 and 4 Booth Street;**
2. **the waiver to be approved shall not apply to an increase in development potential beyond what the zoning on the subject**

lands would permit as of the day the waiver is granted by Council.

Chair Harder advised that Steve Willis, General Manager, Planning, Infrastructure and Economic Development department (PIED), had indicated prior to this meeting that he would like to declare a personal conflict on this file and recuse himself from discussion. Doug James, Acting Director, Planning Services, PIED, was present to field any discussion in his place.

The applicant, as represented by Paul Black, Fotenn, and Rodney Wilts, Theia Partners, was present in support and to answer questions if needed.

Planning Committee CARRIED the report recommendations as presented.

2. Zoning By-Law Amendment – 250 and 252 Hinchey Avenue

ACS2020-PIE-PS-0081

Kitchissippi (15)

Report recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 250 and 252 Hinchey Avenue to permit a three storey 16-unit apartment 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 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 January 27, 2021”, subject to submissions received between the publication of this report and the time of Council’s decision.**

The committee heard two delegations on this matter, as follows:

- Linda Hoad, co-chair, Zoning Committee, Hintonburg Community

Association (HCA)¹, was disappointed the proposal has not been adapted to recognize and respect the consistency of the streetscape in this particular area and worried it would set a precedent for similar infill and disruption of the existing streetscape. The HCA would like to see, as a condition of application approval, modification to the design of the building to make it read as two distinct buildings occupying two lots. The HCA also has concerns about parking, given parking is no longer required in new R4 zones and given neighbouring developments that have little or no parking. They request that the City review and implement some form of on-street permit parking and accessory parking (e.g. permitting private rental of existing driveways), beginning in 2021.

- The applicant, as represented by Jennifer Murray, Terrain Development Consulting², and Ryan Koolwine, Project 1 Studio Inc., provided site context and a brief overview of the proposal, noting that the development is very responsive to the character of the neighbourhood and more appropriate for the site than the two side-by-side long semi-detached structures they have approval to build, and is more in keeping with the City's goals to introduce intensification into these low-rise stable neighbourhoods. The purpose of the requested Zoning By-law Amendment is to allow 16 units to be built in the one building that will occupy two lots, as R4 zoning would allow an 8-unit building on each of the separate lots but does not contemplate a larger / combined lot.

In addition to the submissions previously noted, the following correspondence was provided to the committee coordinator between December 1 (the date the report was published to the City's website with the agenda for this meeting) and the time the matter was considered on December 11, 2020, a copy of which is held on file:

- Email dated December 10 from Jeanna Chan and Jeff Morton

The following Planning, Infrastructure and Economic Development department staff responded to questions: Steve Gauthier, Planner II; Doug

¹ Written submission on file

² Slides on file

James, Acting Director, Planning Services.

The committee CARRIED the report recommendations as presented.

3. Zoning By-Law Amendment – 1642 Merivale Road

ACS2020-PIE-PS-0108

College (8)

Report recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1642 Merivale Road to permit a seven storey apartment building and a single-storey restaurant, as detailed in Document 3.**
2. **That Planning Committee approve the Consultation Details Section of this report to 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 27 January 2021,” subject to submissions received between the publication of this report and the time of Council’s decision.**

The applicant, as represented by Bria Aird and Paul Black, Fotenn, was present in support and to answer questions if needed.

Adjacent ward Councillor K. Egli was present and provided comments.

The following correspondence was provided to the committee coordinator between December 1 (the date the report was published to the City’s website with the agenda for this meeting) and the time the matter was considered on December 11, 2020, a copy of which is held on file:

- Email dated December 2 from Shantel Xiaochao Qian

- Email dated December 4 from Lee Farnworth
- Email dated December 6 from Baoli (Nancy) Chen
- Email dated December 7 from Greg Elliott, President, Crestview Meadowlands Community Association
- Email dated December 8 from Jean & Eric Mulligan
- Email dated December 9 from Mitchell House, Tanglewood-Hillsdale Community Association, Environmental Affairs Committee
- Email dated December 10 from email sender 'Tanya Chayadetbumrung' (unsigned)

The committee CARRIED the report recommendations as presented.

At a later point in the meeting, Chair Harder indicated she had been contacted by Councillor Chiarelli (ward councillor for this item), who wanted to provide comments on the report but was unable to join this meeting due to technical difficulties, and as such, he provided written comments. The committee approved the following motion:

Motion N^o PLC 2020-34/1

Moved by Chair J. Harder

That the Committee Coordinator be directed to modify the 'ward councillor's comment' section of the report 'Zoning By-Law Amendment – 1642 Merivale Road', prior to Council's consideration of the report on January 27, 2021, to include written comments submitted by Councillor Chiarelli on December 11, 2020.

CARRIED

4. Zoning By-Law Amendment – 284 King Edward Avenue

ACS2020-PIE-PS-0112

Rideau-Vanier (12)

Report recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 284 King Edward Avenue to change the zoning from Institutional to Traditional Mainstreet, 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 January 27, 2021,” subject to submissions received between the publication of this report and the time of Council’s decision.**

The committee heard two delegations on this matter, as follows:

- Sharon Odell (also representing Stephen Cousins and Christine Hanson) raised questions and concerns about: the risk of complete or partial demolition of a valued heritage resource; the intent and possible impacts of the requested Zoning By-law Amendment; setting a potential development precedent in the ByWard Market; the appropriateness of approving a Zoning By-law Amendment based on financial merit and not the benefit of the community; the justification for the request when there are other potential lots for development in the area.
- The applicant, as presented by Révérend Gordon L. Belyea and Révérend Guy Pierre-Canel, Église évangélique baptiste d’Ottawa, and John Moser, GBA Group, indicated the church can no longer serve the needs of its congregation and must find a new location in Ottawa; the request to change zoning to Traditional Mainstreet, which is consistent with the Provincial Policy Statement and the objectives and policies of

the City's Official Plan, reflects the existing zoning on the site to the south of the property and will provide a wider range of permitted uses and hopefully attract a wider spectrum of potential buyers, and the possibility of consolidation with the property adjacent to it or to the west of it; a place of worship would remain a permitted use with this zoning. In terms of concerns relating to heritage, they noted the church is listed on the Heritage Register, that there is no immediate threat to the church as there are no immediate plans to redevelop the site given the Church does not have a new location yet, and that designation should take place in conjunction with any future redevelopment proposal.

The following correspondence was provided to the committee coordinator between December 1 (the date the report was published to the City's website with the agenda for this meeting) and the time the matter was considered on December 11, 2020, a copy of which is held on file:

- Email dated December 8 from Norman Moyer, President, Lowertown Community Association

The following staff responded to questions: MacKenzie Kimm, Planner III, Planning, Infrastructure and Economic Development Department; Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate, Innovative Client Services Department.

Ward Councillor M. Fleury was present and took part in discussion.

Motion N^o PLC 2020-34/2

Moved by Councillor J. Leiper

That this zoning by-law amendment application report be deferred until such time as the designation report has been brought forward to and considered by the Built Heritage Sub-committee, Planning Committee and Council.

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

YEAS (2): Councillors L. Dudas, J. Leiper

NAYS (7): Councillors T. Tierney, R. Brockington, C. Kitts, S. Moffatt, A. Hubley, Vice-Chair G. Gower, Chair J. Harder

The committee CARRIED the report recommendations as presented with Councillor J. Leiper dissenting.

5. New Zoning By-Law Proposed Workplan

ACS2020-PIE-EDP-0035

City Wide

Report recommendations

That Planning recommend Council approve:

- 1. the work plan for a new Comprehensive Zoning By-law, replacing By-law 2008-250, with the final draft of the new Zoning By-law to be before Council for consideration by Q4 2024; and**
- 2. that a “Major Changes (Big Moves & Quick Hits)” Report be submitted following adoption of the new Official Plan in Q4 2021 that will:**
 - a. outline staff’s findings and recommendations on the form and structure of the proposed new Comprehensive Zoning By-law;**
 - b. describe the general nature and scope of changes to the zoning regime that will need to be incorporated into the new Zoning By-law to meet the needs of the council-approved Growth Management Plan and new Official Plan policy directions;**
 - c. lay out the course of work and budget requirements for subsequent phases of the New Comprehensive Zoning By-law project, including any necessary amendments to the work plan;**
 - d. identify any opportunities for amendments to Zoning By-law 2008-250 ("Quick Hits") that may practically be undertaken in the immediate or short term to better**

implement critical Official Plan directions while the full Comprehensive Zoning By-law is being developed, including amendments to respond to development pressures or major policy initiatives such as Inclusionary Zoning; and

- 3. the establishment of a Council Sponsor Group to support and advocate for the new Zoning By-law project as described in this report.**
- 4. that the Joint Committee of Planning Committee and Agriculture and Rural Affairs Committee be delegated the authority to hold any statutory public meeting required for the consideration leading to the enactment of the comprehensive zoning by-law.**

The committee heard three delegations on this matter, as follows:

- Robert Brinker, Vice President, Federation of Citizens' Associations (FCA) (Ottawa) / Chair, FCA Planning and Zoning Committee, asked that the FCA be included in the early stages of the drafting of the new Zoning By-law, together with the industry, suggesting this early engagement, including the Big Moves and Quick Hits, is essential for the acceptance of the By-law. He also suggested the development of a 3D based application to assist with planning applications should be a priority and that the requirement to share a 3D model will become a standard practice and will save time for every participant.
- Murray Chown, Greater Ottawa Home Builders' Association, encouraged staff to look at every opportunity to accelerate this process. Recognizing the industry will be dependent on the new by-law in order to help the city realize the goals set out by Council when it adopted the Growth Management Strategy in May, and to start to move towards a greater level of development through intensification, he indicated it is critical that the industry be a partner with staff as they move forward with the drafting of the by-law. He recommended staff bring forward a test zoning for one or two neighbourhoods in January 2022 to explore the notion of the new form-based zoning approach, to be confident that it will work prior to its adoption for use in the entire city.

- Rosaline Hill, Rosaline J. Hill Architect Inc., and co-founder of Walkable Ottawa, suggested it is critically important and responsible to model this new form-based zoning approach on paper prior to real-life testing or adoption, to get a better understanding of given by-law proposed, the construction economies, the Building Code, market demand, what housing will actually be built and where, what types of housing and for what demographics. She recommended the workplan be revised to incorporate modeling, which could be done within a year, with adequate community consultation, including a test area for specific neighbourhood zoning for a regenerating neighbourhood with defined development elements, before being able to apply that zoning across an entire regenerating area. She suggested that community consultation that involves modelling is a much more efficient and receptive process. She also noted the importance of involving the Committee of Adjustment (CoA) in that kind of test to know what would happen when that kind of zoning ends up at the CoA and how often projects would end up there.

The following correspondence was provided to the committee coordinator between December 1 (the date the report was published to the City's website with the agenda for this meeting) and the time the matter was considered on December 11, 2020, a copy of which is held on file:

- Email dated December 7 from Jason Burggraaf, Executive Director, Greater Ottawa Home Builders' Association

The following staff responded to questions: David Wise, Program Manager, Zoning & Intensification, Planning, Infrastructure and Economic Development Department; Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate, Innovative Client Services Department.

The committee CARRIED the report recommendations as presented.

6. Amendments to the Permanent Signs on Private Property By-law 2016–326

ACS2020-PIE-BCS-0002

City Wide

Report recommendations

That Planning Committee recommend Council:

1. **approve amendments to the Permanent Signs on Private Property By-law 2016-326, as detailed in Document 1; and**
2. **delegate authority to the Chief Building Official and Legal Services to finalize and make minor changes to the form of the amendments to the By-law in Document 1, to give effect to the intent of Council.**

CARRIED

Additional Item

- Motion - Demolition Control for 181, 183, and 187 Holland Avenue

Motion N⁰ PLC 2020-34/3

Moved by Councillor J. Leiper

That the Rules of Procedure be suspended to consider the following Motion, in respect of Demolition Control for 181, 183, and 187 Holland Avenue, in order that the property owner may address these issues as soon as possible.

CARRIED

Motion N⁰ PLC 2020-34/4

Moved by Councillor J. Leiper

WHEREAS the buildings on the parcels of land known as 181, 183, and 187

Holland Avenue are considered to be in a state of disrepair; and

WHEREAS there are concerns related to the structural state of the buildings; and

WHEREAS due to the buildings' condition the Owner is being fined for property standards violations; and

WHEREAS there is currently no building permit application for replacement buildings; and

WHEREAS the Owner intends to develop the properties once they have acquired the necessary funds;

THEREFORE BE IT RESOLVED that Planning Committee recommend that Council approve demolition control for the existing buildings on the property subject to the following conditions;

1. the landscaping of the property shall be finalized in accordance with conditions established by the General Manager of Planning, Infrastructure and Economic Development;
2. the registered Owner agrees that, to the discretion of the General Manager, Planning, Infrastructure and Economic Development Department, a replacement building must be substantially completed within five years from the date of this approval and in default thereof, the City Clerk shall enter on the collector's roll the sum of \$5,000 for each of the two residential dwellings to be demolished;
3. the registered Owner shall enter into an Agreement with the City of Ottawa to include the foregoing conditions and pay all costs associated with the registration of said Agreement; at such time as a building permit is issued to redevelop the site and the replacement building is in place, the Agreement will become null and void and will be released upon request of the Owner; the Owner shall pay all costs associated with the release of the Agreement;
4. the registered Owner agrees that a demolition permit will not be issued, and the buildings cannot be demolished until such time that the Agreement referenced herein has been executed and registered on title;
5. this approval is considered null and void if the Agreement is not executed

within one month of Council's approval.

CARRIED

Adjournment

The meeting was adjourned at 12:00 PM

Committee Coordinator

Chair