



Planning Committee

Minutes 35

Thursday, January 14, 2021

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 27 January 2021 in Planning Committee Report 35.*

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 to 12 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 34 - December 11, 2020

CONFIRMED

Planning, Infrastructure and Economic Development

1. Framework for Adopting a Community Benefits Charge By-Law to Replace Current Section 37 Policies

ACS2021-PIE-GEN-0001

City Wide

Report Recommendations

That Planning Committee recommend Council:

1. **approve the creation of a Sponsors Group comprised of the following: the Chair of Planning, and Councillors from Wards 11 and 15 representing high intensification areas;**
2. **direct staff in the Planning, Infrastructure and Economic Development Department to consult with the Councillor Sponsor's group to develop and implement a workplan based on the draft**

proposed in Document 1; and

- 3. approve that Section 37 continues to be applied until the adoption of the new Community Benefits Charge By-law, or regulatory end date, whichever comes sooner.**

The following staff provided a presentation and/or responded to questions:

- Planning, Infrastructure and Economic Development Department:
 - ❖ Steve Willis, General Manager
 - ❖ Charmaine Forgie, Manager, Business Support Services
 - ❖ Gary Baker, Program Coordinator, Development Charges
- Innovative Client Services Department:
 - ❖ Garrett Schromm, Associate Legal Counsel

The committee heard from the following delegation

- Alex Cullen, President, Federation of Citizens Associations, spoke to the importance of ensuring established communities have a say in how this "benefit" will impact their neighbourhoods. He noted that 'community benefit' must be defined and treated differently than proposals that would be large-scale and have a more city-wide impact. He also raised concern that the Community Benefit framework may be used to accommodate greater density in order to facilitate community amenities that should be built as of right.

The following correspondence was provided to the committee coordinator between January 4 (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 January 14, 2021, a copy of which is held on file:

- Email dated January 12 from Jason Burggraaf, Executive Director, Greater Ottawa Home Builders' Association
- Email dated January 13 from Alex Cullen, President, Federation of Citizens Associations

MOTION N° PLC 2021-35/1

Moved by Vice-chair G. Gower

WHEREAS the 'Framework for adopting a Community Benefits Charge By-law to replace current Section 37 Policies' report has no implications in the rural area; and

WHEREAS the Chair of the Agriculture and Rural Affairs Committee has consented to withdraw the report from the ARAC agenda for its meeting of February 4, 2021;

THEREFORE BE IT RESOLVED that Planning Committee send its recommendations on this report directly to City Council for approval at its meeting on January 27, 2021.

CARRIED

The committee CARRIED the report recommendations as amended by Motion 35/1.

2. Zoning By-Law Amendment – 33 Maple Grove Road

ACS2021-PIE-PS-0011

Kanata South (23)

Report Recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 33 Maple Grove Road to permit two, three-storey apartment buildings, 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 following staff provided a presentation and/or responded to questions:

- ❖ Planning, Infrastructure and Economic Development Department:
 - ❖ Colette Gorni, Planner I
 - ❖ Erin O'Connell, Manager, Development Review – West
 - ❖ Doug James, Acting Director, Planning Services
- ❖ Innovative Client Services Department:
 - ❖ Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate

The committee heard from the following eight delegations:

- Jake Cole raised concerns about incompatibility of the proposal with the neighbourhood, and about perceived developer influence at the City
- Brad Hall suggested the application is disingenuous and falsely presents a proposal for two 3-storey buildings when in reality they would be two 4-storey buildings when viewed from the rear and side, due to the slope of the lot in question. He raised concerns that neither the developer nor staff have provided full or correct context of the application, the site or the surrounding area to Committee and he suggested that increased density through infill could be achieved here with less objectionable and intrusive options that do not include the requested exemptions.
- David Wice suggested the proposal is overdevelopment of the site, being too dense and tall, and represents a change in the City's definition of "low rise", having more than four units per apartment. He also raised safety and environmental concerns about the proposed stormwater management ponds and recommended the City require the applicant to install storm water sewers on Maple Grove Road if the application were approved.

- Matt Brearey, Vice-president, Katimavik-Hazeldean Community Association, indicated that the community supports redevelopment and understands City's goal to increase density, but turning a single-family home into 12 apartments is more than 8 times the intensification and seems excessive. He questioned whether the development could still be considered R4 if all the exemptions were approved, and whether this is the best use of the property with respect to its surroundings of single-family homes.
- Don Bell expressed disappointment with the way the application has been reviewed and suggested the multitude of residents' concerns about mass, height and the requested exemptions have been completely ignored by the City in favour of the developer. He questioned the integrity of the process and the impact it might have on resident's trust in the City.
- Dawn Nicholson-O'Brien asserted that the proposal is not in any way complimentary to the existing character of the neighbourhood of single-family homes and is contrary to the City's R4 Zoning Review document. She indicated the community would have no objection to a proposal for garden homes, semi-detached or single family homes, being appropriate for the neighbourhood, contrary to this proposal, which does not conform with policy, legal and other requirements, including those of the province.
- Steve Morvai suggested the developer was disingenuous about his intentions for the property and that the community will not support these multi-unit rental apartment buildings that do not fit with the community. He suggested staff have ignored his written submissions and requests to provide Committee with alternative recommendations.
- Murray Chown, Novatech (the Applicant), suggested this proposal conforms with the City's goals for intensification in existing neighbourhoods. He provided an overview of the application and explained that the two proposed apartment buildings match the building envelope permitted on the street, but they need an exemption for the number of units inside the buildings.

The following correspondence was provided to the committee coordinator between January 4 (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 January 14, 2021, a copy of which is held on file:

- Email dated January 10 from Phil Boyd
- Email dated January 12 from Blair Moxon
- Email dated January 12 from Suzanne Moxon
- Email dated January 12 from Councillor Allan Hubley, transmitting a document of community response to the October 23, 2020 submission by Novatech
- Email dated January 13 from Susan and David Wice
- Email dated January 13 from Dawn Nicholson-O'Brien and Greg O'Brien
- Email dated January 13 from Steve Morvai
- Email dated January 13 from Mike Derstroff
- Email dated January 13 from Taylor West, Novatech (presentation slides)
- Email dated January 13 from Don Bell

The following correspondence was also submitted to the Committee Coordinator prior to publication of agenda:

- Email dated August 25, 2020 from Jill and Glen Jones
- Petition documents received on September 1 and 9, 2020 containing 277 entries in opposition

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

YEAS (8): Councillors L. Dudas, T. Tierney, J. Leiper, R. Brockington, C. Kitts, S. Moffatt, Vice-Chair G. Gower, Chair J. Harder

NAYS (1): Councillor A. Hubley

3. Zoning By-Law Amendment – 1155 Joseph Cyr Street and 1082 Cyrville Road

ACS2021-PIE-PS-0009

Beacon Hill-Cyrville (11)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1155 Joseph Cyr Street and 1082 Cyrville Road to permit a six-storey mixed-use 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 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 the following individuals, was present in support and to answer questions if needed: Kersten Nitsche, Fotenn; Emilie Coyle, Fotenn; Roberto Campos, Figurr; Shellie Persi, ZW Project Management Inc. .

The committee CARRIED the report recommendations as presented.

4. Zoning By-Law Amendment – Part of 1620 Maple Grove Road

ACS2021-PIE-PS-0003

Stittsville (6)

Report Recommendations

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 1620 Maple Grove Road to permit back to-back townhouse dwellings, 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 applicant, as represented by the following individuals, was present in support and to answer questions if needed: Nico Church, Fotenn; Julie Carrara, Fotenn; Fairouz Wahab, Richcraft (owner & developer).

The committee CARRIED the report recommendations as presented.

5. Zoning By-Law Amendment – 1258 Marenger Street

ACS2021-PIE-PS-0006

Orléans (1)

Report Recommendations

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1258 Marenger Street to change the maximum density, the required landscape buffer**

and the rear yard setback, 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 applicant, as represented by the following individuals, was present in support and to answer questions if needed: Murray Chown, Novatech; Taylor West, Novatech.

Ward Councillor M. Luloff was present and provided brief comments in support.

The committee CARRIED the report recommendations as presented.

6. Zoning By-Law Amendment – 300 Miwàte Private

ACS2021-PIE-PS-0002

Somerset (14)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 300 Miwàte Private to permit a 25-storey mixed use building, as detailed in Documents 2 and 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 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.

MOTION N° PLC 2021-35/2

Moved by Vice-chair G. Gower

BE IT RESOLVED that Planning Committee defer this report to its February 11, 2021 meeting; and

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

CARRIED

The following correspondence was provided to the committee coordinator between January 4 (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 January 14, 2021, a copy of which is held on file:

- Email dated January 10 from Lindsay Lambert

7. Zoning By-Law Amendment – 243 and 245 Hinchey Avenue

ACS2021-PIE-PS-0008

Kitchissippi (15)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 243 and 245 Hinchey Avenue to permit the proposed three-storey, 16-unit low-rise 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 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 the following individual, was present in support and to answer questions if needed: Paul Robinson, PH Robinson Consulting.

The following correspondence was provided to the committee coordinator between January 4 (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 January 14, 2021, a copy of which is held on file:

- Email dated January 6 from Monique Champagne and Marc Laframboise
- Email dated January 13 from Linda Hoad, Co-chair, Planning and Zoning Committee, Hintonburg Community Association Inc.

The committee CARRIED the report recommendations as presented.

8. Zoning By-Law Amendment – 114 Isabella Street

ACS2021-PIE-PS-0012

Capital (17)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 114 Isabella Street in order to accommodate the construction of a seven-storey mixed use 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 applicant, as represented by the following individuals, was present in support and to answer questions if needed: Murray Chown, Novatech; Taylor West, Novatech.

Ward Councillor S. Menard was present and provided brief comments in support.

The committee CARRIED the report recommendations as presented.

9. Zoning By-Law Amendment – 847 Woodroffe Avenue

ACS2021-PIE-PS-0007

Bay (7)

Report Recommendations

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 847 Woodroffe Avenue to modify performance standards of the R2G Zone, 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 27 January 2021 subject to submissions received between the publication of this report and the time of Council’s decision.**

MOTION N° PLC 2021-35/3

Moved by Vice-chair G. Gower

WHEREAS staff became aware on January 12 of an error in the notification list for stakeholders in respect of today's public hearing for the proposed Zoning By-law Amendment at 847 Woodroffe Avenue; and

WHEREAS one of the affected stakeholders has indicated that he did not receive notice of this meeting until January 11 and has requested to be given the full allotted ten days of notice to prepare for participation in the public hearing;

THEREFORE BE IT RESOLVED that report ACS2021-PIE-PS-0007 be deferred to the February 11, 2021 Planning Committee meeting.

CARRIED

The following correspondence was provided to the committee coordinator between January 4 (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 January 14, 2021, a copy of which is held on file:

- Email dated January 13 from John Archibald
- Email dated January 13 from John Robertson

10. Zoning By-Law Amendment – Part of 54 Springbrook Drive

ACS2021-PIE-PS-0014

Stittsville (6)

Report Recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for part of 54 Springbrook Drive to rezone the lands from Parks and Open Space Subzone A (O1A) to Residential First Density Subzone H exception xxxx (R1H[xxxx]) to permit five residential lots, 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 applicant, as represented by the following individuals, was present in support and to answer questions if needed: Jack Stirling, The Stirling Group (agent), Bernie Ashe, Board Member, Amberwood Village Recreation Association (AVRA) (owner).

Ward Councillor G. Gower provided brief comments in support.

The committee CARRIED the report recommendations as presented.

11. Zoning By-Law Amendment – 390 and 394 Bank Street

ACS2021-PIE-PS-0013

Somerset (14)

Report Recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 390 and 394 Bank Street to permit a nine-storey mixed-use 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 applicant, as represented by the following individuals, was present in support and to answer questions if needed: Jamie Posen, Fotenn; Roland Rom Colthoff and Carsten Liesenberg, RAW Design.

The committee CARRIED the report recommendations as presented.

12. Temporary Zoning By-Law Amendment – 114 Richmond Road
ACS2021-PIE-PS-0010 Kitchissippi (15)
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Report Recommendations

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 114 Richmond Road to permit a temporary surface parking 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 January 27, 2021," subject to submissions received between the publication of this report and the time of Council's decision.**

The following correspondence was provided to the committee coordinator between January 4 (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 January 14, 2021, a copy of which is held on file:

- Email dated January 11 from Alexander Halil

The committee CARRIED the report recommendations as presented.

13. Development Charge Complaint – 1325 Johnston Road

ACS2021-PIE-BCS-0001

Gloucester-Southgate (10)

Report Recommendation

That Planning Committee recommend that Council authorize a development charge refund in the amount of \$8,919.88 but otherwise dismiss the development charge complaint in respect of 1325 Johnston Road.

Vice-chair G. Gower introduced the following motion on behalf of Councillor D. Deans, who took part in discussion in support of the motion:

Motion N° PLC 2021-35/4

That Planning Committee recommend that Council sustain the development charge complaint in respect of 1325 Johnston Road and direct that the municipal development charges paid be reimbursed.

The following staff provided a presentation and/or responded to questions:

- ❖ Richard Ashe, Manager, Permit Approvals, Planning, Infrastructure and Economic Development Department
- ❖ Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate Innovative Client Services Department

The committee heard from the complainant, Tridan Developments Limited, as represented by the following three persons: Joshua P. Moon, Partner, Perley-Robertson, Hill and McDougall LLP/s.r.l.; Dan McKenna, President/CEO, Donnelly Automotive Group; Tom Donnelly, Donnelly Automotive Group. They reiterated the position laid out in the complaint and written submissions that the development in question should be characterized as Industrial, that it is not retail automotive, and should not be subject to municipal development charges.

The following correspondence was provided to the committee coordinator between January 4 (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

January 14, 2021, a copy of which is held on file:

- Email dated January 13 from Joshua P. Moon, Partner, Perley-Robertson, Hill and McDougall LLP/s.r.l., on behalf of Tridan Developments Limited
- Email dated January 13 from Tom Donnelly, Donnelly Automotive Group

MOTION N° PLC 2021-35/4

Moved Vice-chair G. Gower (*on behalf of Councillor D. Deans*)

That Planning Committee recommend that Council sustain the development charge complaint in respect of 1325 Johnston Road and direct that the municipal development charges paid be reimbursed.

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

YEAS (7): Councillors L. Dudas, T. Tierney, C. Kitts, S. Moffatt, A. Hubley, Vice-Chair G. Gower, Chair J. Harder

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

The Committee CARRIED the report recommendations as amended by Motion N° PLC 2021-35/4 with Councillors J. Leiper and R. Brockington dissenting.

Inquiries

Councillor A. Hubley raised the following Inquiry:

“With respect to the Neighbourhood Study:

- 1) Have any tax dollars have been contributed to the study by the City of Ottawa, whether paying to use it or contributed to create it?
- 2) How are City staff, not just in Planning Services, but across the City using this report?
- 3) How do we validate the information that is included in the findings?

- 4) Can we suspend the use of the study until we can be sure that a reasonable effort is being made to validate the findings of the study?"

Adjournment

The meeting adjourned at 12:51 p.m.

Committee Coordinator

Chair

DRAFT