

3. **Zoning By-law Amendment - 139 and 143 Balsam Street and 20 Larch Street**
- Modification du Règlement de zonage – 139 et 143, rue Balsam et 20, rue Larch**

Committee recommendations

That Council:

1. **Approve an amendment to Zoning By-law 2008-250 for 139 and 143 Balsam Street and 20 Larch Street, as shown in Document 1, to permit a temporary parking lot use and a reduction in landscaping for temporary parking lot, as detailed in Document 4 (as amended).**
2. **Authorize an amending agreement to Demolition Control Agreement OC2342369 to allow for a temporary use parking lot as per the recommended rezoning.**

Recommandations du Comité

Que le Conseil :

1. **approuve une modification du Règlement de zonage (no 2008-250) pour les 139 et 143, rue Balsam et le 20, rue Larch, comme il est indiqué dans le document 1, afin de permettre un stationnement en utilisation temporaire et une réduction de l'aménagement paysager pour ce stationnement temporaire, comme il est expliqué dans le document 4 (dans sa version modifiée).**
2. **autorise un accord de modification de l'entente de réglementation des démolitions no OC2342369 afin de permettre l'aménagement d'un stationnement en utilisation temporaire, conformément au changement de zonage recommandé.**

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Real Estate and Economic Development, dated January 6, 2023 (ACS2023-PRE-PS-0003)

Rapport du Directeur, Services de la planification, Direction générale de la planification, des biens immobiliers et du développement économique, daté le 6 janvier 2023 (ACS2023-PRE-PS-0003)

2. Extract of draft Minutes, Planning and Housing Committee, January 18, 2023

Extrait de l'ébauche du procès-verbal du Comité de la planification et du logement, le 18 janvier 2023

Zoning - 139 and 143 Balsam Street and 20 Larch Street

File No. ACS2023-PRE-PS-0003 - Somerset (14)

L. Johnson declared a conflict on this item. (I, Councillor Laine Johnson, declare a potential, deemed indirect pecuniary interest on the following item on the Planning and Housing Committee Agenda of January 18, 2023, Zoning By-law Amendment – 139 and 143 Balsam Street and 20 Larch Street, as my father is an employee of Preston Hardware.)

Councillor L. Johnson, having declared an interest on this item, did not participate in discussions or vote on this item.

John Bernier, Planner II, Planning Services, Planning, Real Estate and Economic Development Department (PRED), presented an overview of the application and answered questions from the Committee. A copy of the slide presentation is filed with the Office of the City Clerk.

The Applicant/Owner as represented by John Moser, GBA Group, and Mario Giannetti, Preston Hardware, provided an overview of the Application and responded to questions from Committee.

The following staff were also present and responded to questions:

- PRED: Don Herweyer, General Manager, Planning, Real Estate and Economic Development; Derrick Moodie, Director, Planning Services
- Innovative Client Services Department: Christine Enta, Legal Counsel

The following speaker addressed the Committee to speak to the Application:

- Catherine Boucher, Dalhousie Community Association spoke in opposition to the report recommendations to introduce surface parking lots in residential neighbourhoods, while noting inconsistencies in the staff report.

The following written submissions were received by, and are filed with, the Office of the City Clerk, and distributed to Committee Members:

- Letter dated October 23, 2021 and January 12, 2023 from Dalhousie Community Association, opposed

Following discussion on this item, the Committee carried the report recommendations as amended by Motion No. PHC 2023-1/2.

Report Recommendations

1. **That Planning and Housing Committee recommend Council:**
 - a. **Approve an amendment to Zoning By-law 2008-250 for 139 and 143 Balsam Street and 20 Larch Street, as shown in Document 1, to permit a temporary parking lot use and a reduction in landscaping for temporary parking lot, as detailed in Document 4.**
 - b. **Authorize an amending agreement to Demolition Control Agreement OC2342369 to allow for a temporary use parking lot as per the recommended rezoning.**
2. **That Planning and Housing 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 25, 2023 subject to submissions received between the publication of this report and the time of Council’s decision.**

For (11): J. Leiper, G. Gower, R. Brockington, C. Curry, L. Dudas, T. Kavanagh, C. Kelly, C. Kitts, W. Lo, T. Tierney, and A. Troster

Conflict (1): L. Johnson

Carried as amended (11 to 0)

Amendment:

Motion No. PHC 2023-1/2

Moved by L. Dudas

THEREFORE BE IT RESOLVED THAT, with respect to report ACS2023-PRE-PS-003, Document 4 Section 2(c)(i) be amended as follows: “non-accessory parking in a principal use parking lot is limited to a temporary period of one year beginning on the date of passing of this by-law”; and

THEREFORE BE IT FURTHER RESOLVED that there be no further notice pursuant to Section 34 (17) of the *Planning Act*.

Carried