

## **Summary of Written and Oral Submissions**

### **Zoning By-law Amendment – 178 Nepean Street and 219 and 223 Bank Street (ACS2024-PDB-PS-0004)**

In addition to those outlined in the Consultation Details section of the report, the following outlines the written and oral submissions received between the publication of the report and prior to City Council's consideration:

#### **Number of delegations/submissions**

Number of delegations at Committee: 22

Number of written submissions received by Planning and Housing Committee between November 25 (the date the report was published to the City's website with the agenda for this meeting) and December 3, 2024 (the deadline for written submissions, being 4 pm the business day before the committee meeting date): 1

#### **Summary of written submissions**

Written submissions are held on file with the City Clerk and available from the Committee Coordinator upon request:

- Email dated November 27, 2024 from Jonas Graham

#### **Summary of oral submissions**

The Applicant/Owner as represented by Lisa Della Rosa, Fotenn, Ryan Denyer and Rowland Gordon, Smart Living Properties and Mahshad Madahi, NEUF Architects provided an overview of the Application and responded to questions from Committee.

The Committee heard from the following delegations:

1. Seema Shafei noted current rent-controlled units will be replaced with micro-units with no rent control, negatively changing this area. There are serious gaps in the legal protections for tenants.
2. Ben Emond is a resident on the block and noted the lack of consideration for the people that will be affected by this proposal. The Committee is focused on the planning process, but it gives the developer permissions for the destruction of homes which will result in residents becoming homeless.
3. Sloane Mulligan highlighted similar Smart Living Properties developments that displaced tenants using intimidation resulting in illegal renovations. Units were no longer affordable for the people they were built for.

4. Sylvie Seguin spoke to how this application will negatively impact her living situation and encouraged the Committee to not approve the development application.
5. Andy Crosby recommended this proposal get rejected for moral, ethical and technical reasons. The City is in an evictions crisis, affordable housing crisis and is in a homelessness and housing emergency, noting the proposal is not consistent with existing City policies.
6. Sneha Sumanth\* spoke to how this proposal worsens housing insecurity in Ottawa, instead of alleviating it. The dysfunctional housing system is accelerating the homelessness crisis. Although the application increases housing supply, it fails to meet the City's stated goals of intensification and is a poor and inadequate application of the City's intensification principals.
7. Manuel Cua touched on the homeless crisis in the City, loss of heritage buildings and appropriate development.
8. Eric Roberts encouraged the committee to vote against the proposal noting rents would triple, sweeping families into poverty and homelessness, which would then offload costs onto the city.
9. Megan Smallwood spoke to the real and tangible impact this proposal will have on the current residents with the threat of displacement and homelessness, encouraging members to vote against the application.
10. John Bergeron has been a resident on this block for over 40 years, noting this proposal is a demoviction. Smart Living Properties does not care about the property, or the residents that will be displaced.
11. Julie Ivanoff\* highlighted the small size of the proposed units which would not allow for a good quality of life, as well, the units are not affordable, accessible, or equitable and lacks a range of housing options.
12. Michelle Liu approval of this application will forcibly remove people from their homes. This block is a functional hub for artist and writers, filmmakers, and cultural workers. This is a unique and irreplaceable local cultural asset.
13. Jacob Hendren noted the lack of reliable transit to orient the development. Tenants that will be displaced by this proposal will end up reliant on Ubers or will have to buy cars and pay for parking.
14. Dr. Villia Jefremovas spoke to cultural diversity, noting this plan is a monoculture of affluent professionals who changed the face of the neighbourhood. Intensification is

important but it should reflect the diversity of the City. The loss of an artist's hub is problematic because it removes their space to create.

15. Andrew Braithwaite spoke to how this development affects students and how Smart Living Properties operates unethically and creates precarious living situations for students.
16. Shivangi Misra touched on the housing affordability crisis and the unjustness of Smart Living Properties asking the City to facilitate the displacement of residents in a series of violations of human rights.
17. Ethan Mitchell spoke specifically to the public consultation aspect of the report, noting comments were received in opposition of mass eviction and displacement of tenants, lack of affordable housing and rent controlled units. The proposal does not meet the needs of the people.
18. Josh Hawley suggested an investigation should be launched into all housing affairs the City is involved in. The report is clearly lacking and noted the only comments submitted that were in support of the application were very short, not providing a lot of context.
19. Marina Gomá noted the application will displace more people and worsen the housing crisis. Smart Living Properties do not respect the poor and working class.
20. Mark Jones acknowledged the building requires upgrades, but what Smart Living is proposing is inappropriate. The proposal does nothing to help the housing situation.
21. Leslie Reid spoke about the artists that live and work in this space. It is a significant historic and cultural hub. The concerns of the artists were dismissed and shown ignorance. It is not just a studio space, or a student space, it is a community space.
22. Amanda Vo spoke about how this proposal will affect her parents as they will endure emotional and financial stress from being displaced from their home of 35 years.

## Effect of Submissions on Planning and Housing Committee

**Decision:** Debate: The Committee spent approximately 3 hours and 30 minutes consideration of the item.

**Vote:** The committee considered all submissions in making its decision and the Committee carried Motion No. PHC 2024-39-01 below, which referred the following to Council for consideration on December 11, 2024:

- Zoning By-law Amendment – 178 Nepean Street and 219 and 223 Bank Street (ACS2024-PDB-PS-0004)
- Application for alteration and for new construction at 219-223 Bank Street, and 178 Nepean Street, properties designated under Part V of the Ontario Heritage Act as part of the Centretown Heritage Conservation District (ACS2024-PDB-RHU-0081)
- Motion – Councillor A. Troster - Memorandum of Understanding (MOU)

**Motion No. PHC 2024-39-01**

Moved by A. Troster

**WHEREAS there are clear and unresolved issues with this application that are still under negotiation between the City and the Applicant;**

**BE IT RESOLVED THAT this matter be referred to the subsequent council meeting, December 11, 2024.**

**Carried**

## **Ottawa City Council**

Pursuant to the *Procedure By-law*, members of the public may not make oral submissions to Council.

Number of additional written submissions received by Council between December 3rd after 4 pm (deadline for written submissions to Planning and Housing Committee) and December 11, 2024 (Council consideration date): 0

### **Effect of Submissions on Council Decision:**

Council considered all submissions in making its decision and carried the report recommendations as follows:

The Leiper/Dudas Motion was introduced for both reports listed on the Agenda as 30.5 and 31.1 was Carried with Councillors A. Troster and M. Carr dissenting on the first "Therefore be it resolved" and Councillor Plante dissenting on the motion.

Councillor L. Johnson, had a Declaration of interest on the item.

Councillor L. Johnson did not participate in discussion or vote on item.

**Committee recommendation(s)**

**That Council consider the matter.**

Motion No. **2024 - 48-19**

Moved by J. Leiper

Seconded by L. Dudas

**WHEREAS the Owner is engaged in a redevelopment process for the multi-residential properties located at 178 Nepean and 219 and 223 Bank St; and**

**WHEREAS the attached MOU commitments are being established between the Owner and the existing residents; and**

**WHEREAS the Landlord and Tenant Board exercises jurisdiction under the Residential Tenancies Act, 2006 to hear and decide applications respecting residential tenancies; and**

**WHEREAS the tenants and landlord have a hearing scheduled in March 2025 with the Board; and**

**WHEREAS the City does not have legal authority over the financial exchange between the landlord and tenants;**

**WHEREAS the Owner agrees with the MOU as it reflects the landlord's offered agreement with the existing tenants;**

**WHEREAS the MOU, attached to this motion, has been executed by the Owner.**

**THEREFORE BE IT RESOLVED that Council approve an amendment to Zoning By-law 2008-250 for 178 Nepean Street and 219 and 223 Bank Street, as shown in Document 1 to the report from Planning and Housing Committee, ACS2024-PDB-PS-0004 , to permit a nine-storey mixed-use building, as detailed in Document 2 to the report.**

**AND BE IT FURTHER RESOLVED that the implementing by-law for the Zoning By-law Amendment be added to the list of by-laws to be enacted at this December 11, 2024 meeting of Council.**

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

**AND BE IT FURTHER RESOLVED that Council authorize the Interim General Manager, Planning, Development, Building Services to execute**

**the Memorandum of Understanding following the by-law being in full force and effect.**

**AND BE IT FURTHER RESOLVED that Council:**

- 1. Approve the application for alteration and new construction at 219-223 Bank Street and 178 Nepean Street according to plans by Neuf Architects dated September 26, 2024, conditional upon:**
  - a. Documentation of the existing buildings and depositing the records at the City of Ottawa archives;**
  - b. The applicant providing a shoring plan prior to the issuance of the building permit;**
  - c. The implementation of the conservation measures outlined in Section 7 of the Conservation Plan attached as Document 9 to the report, ACS2024-PDB-RHU-0081, and further detailed in the Masonry Façade Restoration Plan attached as Document 10 to the report and the Façade Rehabilitation and Conservation Conditions attached as Document 11 to the report;**
  - d. The applicant providing a Letter of Credit in an amount to be determined through consultation between the applicant and City staff to ensure the protection, conservation and restoration of the façades;**
  - e. The applicant submitting reports monitoring the condition of the historic structure from a professional engineer with heritage experience, to the satisfaction of Heritage Planning and Building Code Services;**
  - f. The applicant providing samples of all final exterior materials for approval by Heritage Staff prior to the issuance of the building permit;**
  - g. The size of any required mechanical projections on the roof of the proposed building be minimized in size and height in order to minimize impact on the historic streetscape;**
  - h. The applicant providing a copy of the building permit plans to heritage staff at the time of the submission of the building permit application. The submission shall clearly identify any changes from the approved heritage permit and include a list and explanation of proposed changes.**

2. **Delegate authority for minor design changes, details related to structural monitoring frequency and final conservation approach to the Program Manager, Heritage Planning Branch, Planning, Development and Building Services.**
3. **Approve the issuance of the heritage permit with a three-year expiry date from the issuance unless otherwise extended.**

**Carried**