

1. **Appeal with respect to Official Plan Amendment and Zoning By-law Amendment - 1186, 1188, and 1194 Wellington Street West**

Appel concernant la modification du Plan officiel et la modification du Règlement de zonage — 1186, 1188 et 1194, rue Wellington Ouest

Committee recommendation, as amended

That Council instruct Legal Services to oppose the approval of the zoning and official plan amendments sought in the appeal in respect of 1186, 1188 and 1194 Wellington West.

Recommandation du Comité, telle que modifiée

Que le Conseil ordonne aux Services juridiques de s'opposer à l'approbation des modifications du zonage et du Plan officiel demandées dans l'appel concernant le 1186, le 1188 et le 1194, rue Wellington Ouest.

Documentation/Documentation

1. Report from the City Solicitor, Innovative Client Services, Office of the City Solicitor, dated August 29, 2022 (ACS2022-ICS-LEG-0005)

Rapport du avocat général, Services novateurs pour la clientèle, Bureau de l'avocat général, daté le 29 août 2022 (ACS2022-ICS-LEG-0005)

2. Extract of draft Minutes, Planning Committee, September 8, 2022

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 8 septembre 2022

Appeal with respect to Official Plan Amendment and Zoning By-law
Amendment - 1186, 1188, and 1194 Wellington Street West

File No. ACS2022-ICS-LEG-0005 - Kitchissippi (15)

Deferred from the Planning Committee meeting of May 12, 2022.

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

- Paul Black, Fotenn

Following discussion on this item, the Committee refused the report recommendations and CARRIED Motion No. PLC 2022-69/1, with Councillor R. Brockington dissenting.

Report recommendations

That Planning Committee recommend that Council:

1. **Subject to recommendation 2, endorse the position recommended by the Planning, Real Estate and Economic Development Department in Report ACS2022-PIE-PS-0044;**
2. **That the details of the zoning (Document 3 in Report ACS2022-PIE-PS-0044) be in accordance with Document 2 to this report;**
3. **Instruct Legal Services to seek a resolution to the appeals concerning the zoning and official plan amendment applications in respect of 1186, 1188 and 1194 Wellington West in accordance with this report.**

Motion No. PLC 2022-69/1

Moved by J. Leiper

WHEREAS Planning Committee considered the Official Plan Amendment and Zoning By-law Amendments for 1186-1194 Wellington Street West at the May 12th public meeting; and

WHEREAS members of the Committee expressed concerns around the proposed height and consultation with the Ward Councillor, leading to a motion for deferral of the application; and

WHEREAS the applicants appealed the deferral in late May on the basis it had not provided a decision within the statutory timelines; and

WHEREAS the Official Plan supports mid-rise buildings heights on Traditional Mainstreets, such as Wellington Street West; and

WHEREAS the Wellington Street West Secondary Plan envisions a maximum building height of six (6) storeys generally, and in cases where identified by specific area policies in the plan, a maximum building height of nine (9) storeys; and

WHEREAS the proposed development is seeking a building height of 16 (sixteen) storeys, and does not meet the intent of the policies of the Official Plan or the Wellington Street West Secondary Plan.

THEREFORE BE IT RESOLVED that Planning Committee amend the report to replace the recommendations with the following:

1. That Planning Committee recommend that Council instruct Legal Services to oppose the approval of the zoning and official plan amendments sought in the appeal in respect of 1186, 1188 and 1194 Wellington West.

AND BE IT FURTHER RESOLVED that Legal Services staff be directed to work with the Ward Councillor's office to prepare a written explanation for the decision to oppose the zoning and official plan amendments for adoption by Council prior to the Council meeting of September 21, 2022.

Carried