



Planning Committee

Minutes

Meeting #: 69
Date: Thursday, September 8, 2022
Time: 9:30 am
Location: Electronic Participation

Present: Co-chair Glen Gower, Co-chair Scott Moffatt, Councillor Riley Brockington, Councillor Jean Cloutier, Councillor Cathy Curry, Councillor Laura Dudas, Councillor Catherine Kitts, Councillor Jeff Leiper, Councillor Tim Tierney, Ex officio: Councillor Eli El-Chantiry

Absent: Councillor Allan Hubley, Councillor Shawn Menard

1. Notices and meeting information for meeting participants and the public
Notices and meeting information are attached to the agenda and minutes, including: availability of simultaneous interpretation and accessibility accommodations; *in camera* meeting procedures; information items not subject to discussion; personal information disclaimer for correspondents and public speakers; notices regarding minutes; and remote participation details.
Accessible formats and communication supports are available, upon request.
Except where otherwise indicated, reports requiring Council consideration will be presented to Council on September 21, 2022 in Planning Committee Report 67.
The deadline to register by phone to speak, or submit written comments or visual presentations is 4 pm on September 7, and the deadline to register to speak by email is 8:30 am on September 8.
This draft Minutes document contains a summary of the disposition of items and actions taken at the meeting. This document does not include all of the text that will be included in the final Minutes, such as the record of written and oral submissions. Recorded votes and dissents contained in

this draft Minutes document are draft until the Minutes of the meeting are confirmed by the Committee. The final draft Minutes will be published with the agenda for the next regular Committee meeting and, once confirmed, will replace this document.

The Chair read the following statement at the outset of the meeting pursuant to the *Planning Act*:

This is a public meeting to consider the proposed Comprehensive Official Plan and Zoning By-law Amendments listed as Item(s) 4.1, 5.2, 5.3, 5.4 and 5.5 on today's Agenda.

For the items just mentioned, only those who make oral submissions today or written submissions before the amendments are adopted may appeal the matter to the Ontario Land Tribunal. In addition, the applicant may appeal the matter to the Ontario Land Tribunal if Council does not adopt an amendment within 90 days of receipt of the application for a Zoning By-law Amendment and 120 days for an Official Plan Amendment.

To submit written comments on these amendments, prior to their consideration by City Council on September 21, please email or call the Committee or Council Coordinator.

2. Declarations of Interest

No Declarations of Interest were filed.

3. Confirmation of Minutes

3.1 PLC Minutes 68 – Thursday, August 25, 2022

The minutes were not considered, and will be re-submitted to the Planning Committee meeting of September 22, 2022.

4. Postponements and Deferrals

4.1 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

4.2 Development Charge Complaint - 1354, 1376 Carling Avenue

File No. ACS2022-PIE-BCS-0002 - River (Ward 16)

Deferred from the Planning Committee meeting of August 25, 2022.

Report recommendation

That Planning Committee recommend that Council dismiss the development charge complaint in respect of 1354, 1376 Carling Avenue.

Motion No. PLC 2022-69/2

Moved by Co-chair S. Moffatt

BE IT RESOLVED THAT the item 4.2 of Planning Committee's agenda 69 be deferred to the September 22 Planning Committee meeting.

Carried

5. Planning, Real Estate and Economic Development Department

5.1 Official Plan and Zoning By-Law Amendment – 1071 Ambleside Drive

File No. ACS2022-PIE-PS-0095 - Bay (Ward 7)

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

- Sharon Moon and Hower Clark letter dated November 14, 2021, opposed
- Robert Szabo email dated August 26, 2022, opposed
- Joan Scott emails dated August 30, 2022 and September 7, 2022, opposed
- Philip Bird letter dated September 2, 2022, opposed
- Vivian Leclerc email dated September 5, 2022, opposed
- Alan Seymour email dated September 6, 2022, opposed
- C. McClymont email dated September 6, 2022, opposed

Report recommendations

1. **That Planning Committee Recommend Council**
 - a. **Approve an amendment to the Cleary and New Orchard Area Site-Specific Policies in the Official Plan Volume 2b by adding a new policy permitting building heights of up to 32 storeys, specific to the site at 1071 Ambleside Drive, as detailed in Document 2a.**
 - b. **Approve an amendment to Zoning By-law 2008-250 for part of 1071 Ambleside Drive to permit a residential development with heights up to 32 storeys, as detailed in Documents 3 and 4.**
 - c. **Direct staff to incorporate an amendment to the Sherbourne and New Orchard Secondary Plan in the New Official Plan Volume 2a, as detailed in Document 2b, as part of the new Official Plan being considered for approval by the Ministry of Municipal Affairs and Housing.**
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 September 21,” subject to submissions received between the publication of this report and the time of Council’s decision.

Motion No. PLC 2022-69/3

Moved by Co-chair S. Moffatt

WHEREAS in accordance with the *Planning Act* and the City of Ottawa Official Plan – public notification of Official Plan and Zoning By-law Amendments is required for statutory public meetings; and

WHEREAS proper notice needs to be provided at least 10 days prior the statutory public meeting;

WHEREAS staff have identified that certain email addresses did not receive notification of the item on the agenda pursuant to the Act and City policy; and

THEREFORE BE RESOLVED that, with respect to report ACS2022-PIE-PS-0095, Planning Committee defer the report until the September 22, 2022 Planning Committee.

THEREFORE BE IT FURTHER RESOLVED that further notice pursuant to Section 34 (17) of the *Planning Act* be provided.

Carried

5.2 Zoning By-law Amendment - 70 and 74 Nicholas Street

File No. ACS2022-PIE-PS-0118 - Rideau-Vanier (Ward 12)

** Items 5.2 and 5.3 were considered concurrently.*

The Applicant, as represented by Aaron Cameron, The Cadillac Fairview Corporation Limited, was present in support, and available to answer questions. The Applicant advised that they did not need to address the Committee if the item carried.

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

- Hilary R. Burke email dated August 31, 2022, opposed
- Heather Bryson email dated September 3, 2022, with comments

- Donna Griffiths email dated September 6, 2022, with comments

The Committee carried the report recommendations as presented with the following direction to staff:

Direction to Staff

Councillor M. Fleury

That Planning Committee requests that in respect of the site plan approval for the 70 Nicholas site that staff consider

- To ensure this development at 70 and 74 Nicholas which presents important pedestrian access at all frontages including Daly, Nicholas, MacKenzie Bridge and within the Rideau Centre be fully achieved as per the applicant's submitted designs.
- that the proposed design and Right of Way along Nicholas Street safe-guards the future bi-directional cycling track design needs. This important segment along Nicholas will connect the East-West bikeway on Laurier East and the built bi-directional lane on Rideau. We must ensure the needs of this future cycling connection is protected in the final application and design.

Report recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 70 and 74 Nicholas Street, as shown in Document 1, to create a new exception and to remove the subject property from the Heritage Overlay, to permit the construction of a 21-storey, mixed-use building incorporating the City Registry Office, a designated heritage 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 21 September 2022" subject to submissions received between the publication of this report and the time of Council's decision.**

Carried as amended

Amendment:

Motion No. PLC 2022-69/4

Moved by Co-chair S. Moffatt

WHEREAS report ACS2022-PIE-PS-0118 recommends Council approve a Zoning By-law amendment for 70 and 74 Nicholas Street to create a new exception and to remove the subject property from the Heritage Overlay in order , to permit the construction of a 21-storey, mixed-use building incorporating the City Registry Office, a designated heritage building; and

WHEREAS City staff identified errors in Document 2 – Details of Recommended Zoning.

THEREFORE BE IT RESOLVED that Document 2 for report ACS2022-PIE-PS-0118 be replaced with the enclosed revised Document 2 – Details of Recommended Zoning.

Carried

5.3 Application to alter 70 Nicholas Street, a property designated under Part IV of the Ontario Heritage Act

File No. ACS2022-PIE-RHU-0029 - Rideau-Vanier (Ward 12)

The statutory 90-day timeline for consideration of this application under the Ontario Heritage Act will expire on September 21, 2022.

Report recommendations

That Planning Committee recommend that Council:

- 1. Approve the application to alter the City Registry Office, 70 Nicholas Street, according to the drawings prepared by Zeidler Architecture, dated April 29, 2022 and attached as Document 6, conditional upon:**
 - a. The applicant identifying opportunities to enhance the proposed landscaping and public realm in consultation with Heritage Planning, Development Review, and Urban Design staff prior to Site Plan Control Approval. This may include reducing the hardscaping around the City Registry**

Office building and establishing a connection to the arts district through lighting and public art;

- 2. Delegate the authority for minor design changes to the General Manager, Planning, Real Estate and Economic Development Department; and**
- 3. Approve the issuance of the heritage permit with a two-year expiry date from the date of issuance unless otherwise extended by Council.**

Carried

5.4 Zoning By-law Amendment - 1649 Montreal Road and 741 Blair Road

File No. ACS2022-PIE-PS-0100 - Beacon Hill-Cyrville (Ward 11)

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

- Jane Brammer, Rothwell Heights Property Owners' Association spoke in support of the staff recommendation, and feel that the applicants position of 26 storeys is inappropriate in scale and massing. Also expressed concern with insufficient lot depth for appropriate transition from the height of the tower to abutting nearby residential properties.
- The Applicant/Owner as represented by Miguel Tremblay, Fotenn provided an overview of the Application and responded to questions from Committee.

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

- Pascal Bastien email received September 1, 2022, in support of the report recommendations
- Mary Hayes and Jeff Howes email received September 6, 2022, in support of the report recommendations
- Jane Brammer, Rothwell Heights Property Owners' Association letter received September 7, 2022, in support of the report recommendations

Following discussion on this item, the Committee carried the report recommendations as presented.

Report recommendations

1. **That Planning Committee recommend Council refuse an amendment to Zoning By-law 2008-250 for 1649 Montreal Road and 741 Blair Road, as shown in Document 1, to permit a 26-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 September 21, 2022,” subject to submissions received between the publication of this report and the time of Council’s decision.**

Carried

5.5 Zoning By-law Amendment – 2254, 2262, 2270 Braeside Avenue, and 2345 Alta Vista Drive

File No. ACS2022-PIE-PS-0109 - Alta Vista (Ward 18)

Kelby Lodoen Unseth, 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 Nadia de Santi (WSP) and Jim Colizza provided an overview of the Application and responded to questions from Committee.

The following staff were also present and responded to questions:

- PRED: Lily Xu, Manager, Planning Services

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

- Cathy Munroe spoke in support of the application on behalf of the Church of St .Thomas, co-owner of the property noting she has worked extensively with the Ellwood Host Board and project team ensuring concerns were addressed through community consultation.
- Janice Horton spoke in support of the application noting it is an exciting project and very positive for the neighbourhood.
- Peter Hume spoke in support for the application however expressed concern with the removal of a mature tree to be replaced with a driveway and encourages the applicant to do better to protect mature tree canopy.

Following discussion on this item, the Committee carried the report recommendations as presented with the following direction to staff:

Direction to Staff

Councillor J. Cloutier

That staff explore/consider in a diligent and fruitful way, at Site Plan, all the ways that no healthy City tree be removed for the simple sake of a laneway.

Report recommendations

1. **That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2254, 2262, 2270 Braeside Avenue, and 2345 Alta Vista Drive, as shown in Document 1, to permit the construction of a 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 September 21, 2022," subject to submissions received between the publication of this report and the time of Council's decision.**

5.6 Orléans Corridor Secondary Plan

File No. ACS2022-PIE-EDP-0024 - Orléans (Ward 1), Innes (Ward 2)

Robin van de Lande, Planner III, and Peter Giles, Planner III, 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 following staff from PRED were also present and responded to questions:

- Nick Stow, Program Manager, Economic Development Services
- David Wise, Director, Economic Development and Long Range Planning

The following speakers addressed the Committee:

- Tony Provenzano spoke to the importance of 10th Line being included in the Secondary Plan as a station of the future and the Economic Development needs to be reinforced and supported.
- Denise Ménard expressed concern with the proposed third expropriation of their family farm land and of rezoning the land from Development Reserve (DR) to Environmentally Protected (EP).
- Marc Poirier spoke to a slide presentation (held on file with the Office of the City Clerk) that touched on an agreement to purchase land from the previous speaker however it is dependent on the decision made regarding the Secondary Plan.
- Murray Chown, Novatech, on behalf of the Myers Group noted general concerns regarding the requirement for non-residential uses on the ground floor abutting all publicly accessible spaces, privately-owned public spaces and cost sharing for Parkland and new public street.

- Brian Casagrande, Fotenn, on behalf of 154775 Canada Ltd, stated that approval of the new Official Plan should happen before considering approval of the Secondary Plan. Outlined clients concerns related to projected 10th Line Station location and maximum building heights.

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

- Roberto Aburto (Gowling WLG), on behalf of 3930149 Canada Inc., letter dated August 5, 2022, opposed
- Roberto Aburto (Gowling WLG), on behalf of Capital City Church Propertoes, letter dated September 2, 2022, with comments
- Fotenn, on behalf of 154775 Canada Inc., letter dated September 7, 2022, opposed
- Fotenn, on behalf of Antilia Homes, letter dated September 7, 2022, opposed
- Fotenn, on behalf of Brigil, letter dated September 7, 2022, opposed
- Fotenn, on behalf of Choice Properties and Loblaw, letter dated September 7, 2022, opposed
- Fotenn, on behalf of Effort Trust, letter dated September 7, 2022, opposed
- Fotenn, on behalf of Primaris REIT, letter dated September 7, 2022, opposed
- Fotenn, on behalf of the Owners of 1754 St. Joseph Boulevard, letter dated September 7, 2022, opposed
- Nicole Ouellette letter received September 7, 2022, opposed
- Robert Guibord email received September 7, 2022, opposed
- Wood Bull LLP, on behalf of Forum Asset Management, letter dated September 7, 2022, with comments

Following discussion on this item, the Committee CARRIED the report recommendations as amended by the following motions:

Report recommendations

That Planning Committee recommend that Council:

- 1. Authorize the adoption of an amendment to the new Official Plan, as detailed in Document 1, into Volume 2A – Urban Secondary Plans, upon the coming into force of the new Official Plan.**
- 2. Authorize the adoption of an amendment to the new Official Plan to incorporate changes to Schedule C16 of Volume 1 of the new Official Plan for Road Right-of-Way Protection Requirements for Youville Drive and Belcourt Boulevard between St. Joseph Boulevard and Toulouse Crescent as detailed in Document 1, upon the coming into force of the new Official Plan.**
- 3. Authorize the adoption of an amendment to the new Official Plan to repeal Area-Specific Policy no. 27 from Volume 2C of the new Official Plan for the property at 8600 Jeanne d’Arc Boulevard North, upon the coming into force of the new Official Plan.**
- 4. Repeal the St. Joseph Boulevard Corridor Study Community Design Plan effective upon the Official Plan Amendment set forth in Document 1 coming into force.**
- 5. Approve the concept plan for St Joseph Boulevard as a complete street as shown in Document 6;**
- 6. The 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 September 21, 2022,” subject to submissions received between the publication of this report and the time of Council’s decision.**

Carried as amended

Amendment:

Motion No. PLC 2022-69/5

Moved by Co-chair S. Moffatt

WHEREAS the proposed secondary plans, as written, includes a policy on marine clay; and

WHEREAS, the new Official Plan sufficiently addresses when technical studies are required in relation to sensitive marine clays, slope stability and retrogressive slope failure.

THEREFORE BE IT RESOLVED that, with respect to report ACS2022-PIE-EDP-0024, Planning Committee amend Document 1, Section 4.15, as contained on page 20, by approving the following:

- 1. deleting the word ‘Policies’ from the title of the section;**
- 2. in paragraph 2, by replacing the word ‘and’ immediately following the words “address sensitive marine clay” with a comma;**
- 3. in paragraph 2 by adding the words “and retrogressive slope failures” immediately following the words “slope stability”;**
and
- 4. delete policy 1, as contained at the end of Section 4.15, in its entirety.**

Carried

Amendment:

Motion No. PLC 2022-69/6

Moved by Co-chair S. Moffatt

WHEREAS the Station Core designation in the Orléans Corridor Secondary Plan is intended to be the focal point for services and amenities in the vicinity of O-Train stations; and

WHEREAS the intent of Section 5.1(5) is to provide for active ground-oriented frontages along streets, through residential, retail or a mix of complementary uses; and

WHEREAS Section 5.1(5) includes a test that introduces unnecessary complexity that does not contribute to the desired outcome;

THEREFORE BE IT RESOLVED that, with respect to report ACS2022-PIE-EDP-0024, Planning Committee amend Document 1, Section 5.1(5) by approving the following:

1. delete the second sentence in Section 5.1 policy (5).

Carried

Amendment:

Motion No. PLC 2022-69/7

Moved by Co-chair S. Moffatt

WHEREAS an error has been identified in the Orléans Secondary Plan that has resulted in a number of residential properties along the Jeanne d'Arc corridor as incorrectly subject to a maximum height schedule;

THEREFORE BE IT RESOLVED that, with respect to report ACS2022-PIE-EDP-0024, Planning Committee replace Document 3 – Schedule B - Orleans Corridor Maximum Building Heights, with the attached schedule dated September 8, 2022.

Carried

Amendment:

Motion No. PLC 2022-69/8

Moved by L. Dudas

WHEREAS the Orleans Corridor Secondary Plan seeks to modernize and intensify residential and commercial development along St. Joseph Boulevard in line with the new Official Plan; and

WHEREAS many of the properties along St. Joseph Boulevard abut existing predominately two storey established neighbourhoods; and

WHEREAS intensification must fit with and respect the existing character of established neighbourhoods;

AND WHEREAS policy 4.6.6 of the New Official Plan directs development to provide transitions between low, medium and high-rise development in order to allow for sensitive integration of new development and policy 4.6.6(1) directs the new zoning by-law to include transition requirements;

THEREFORE BE IT RESOLVED that the Planning Department be directed to seek transition requirements consistent with New Official Plan policies and applicable design guidelines when reviewing any application of a mid or high-rise building on St. Joseph prior to passage of the new Zoning By-law, and that the New Zoning By-law include a review of transition requirements between the neighbourhood designation and mid/high-rise development on St. Joseph.

Carried

6. Finance Services Department

6.1 Treasurer's Report on 2021 Growth-Related Revenues

File No. ACS2022-FSD-FSP-0014 - City-wide

Report recommendation

That the Planning Committee recommend that Council receive this report for information.

Received

7. In Camera Items

There were no *in camera* items.

8. Motions of Which Notice has been Previously Given

8.1 Councillor L. Dudas - Motion – Stepbacks within the Innes Road Zoning Review Area

File No. ACS2022-OCC-PLC-0009 - Innes (Ward 2)

Report recommendations

That the Planning Committee recommend Council approve that staff be directed:

1. **to investigate amending the Zoning By-law in the next Omnibus Amendment so that setbacks within the Innes Road Zoning Review Area (Document 1) are applied to both the rear and side yards where development abuts low-rise residential zones (properties subject to an active planning application will be exempt from these changes);**
2. **to re-examine the appropriateness of the AM11 Subzone within the Innes Road Zoning Review Area as part of the New Zoning By-law Project, as concerns related to building height and compatibility with the surrounding community remain.**

Carried

9. Notices of Motions (For Consideration at Subsequent Meeting)

There were no Notices of Motion.

10. Inquiries

There were no Inquiries.

11. Other Business

There was no other business.

12. Adjournment

Next Meeting

Thursday, September 22, 2022.

The meeting adjourned at 11:51 am.

Original signed by K. Crozier,
Committee Coordinator

Original signed by Councillors G.
Gower, Chair and S. Moffatt, Chair