

## Summary of Written and Oral Submissions

**Note: This is a draft Summary of the Written and Oral Submissions received in respect of ZONING BY-LAW AMENDMENT – 494 LISGAR STREET (ACS2017-PIE-PS-0091), prior to City Council’s consideration of the matter on 13 September 2017.**

**The final Summary will be presented to Council for approval at its meeting of 27 September 2017, in the report titled ‘SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR ITEMS SUBJECT TO BILL 73 ‘EXPLANATION REQUIREMENTS’ AT THE CITY COUNCIL MEETING OF 13 September 2017 (ACS2017-CCS-OCC-0013)’. Please refer to the ‘Bulk Consent’ section of the Council Agenda of 27 September 2017 to access this item.**

### **ZONING BY-LAW AMENDMENT – 494 LISGAR STREET (ACS2017-PIE-PS-0091)**

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 at Planning Committee: 4**
- **Number of Submissions received between 15 August and 13 September 2017: 3**
- **Primary arguments in support:**
  - Derelict properties will be replaced. Currently, there are four separate buildings on the property, three of them are on the property lines. The new building will be set back from property lines.
  - This will be the first example of low rise apartment building that is permitted along the street and the first step in an evolution of the neighbourhood.
  - This is 300 meters from a future rapid transit station, the development minimizes parking and exceeds bicycle parking requirements. The development is responding to the local context, which is also evolving.
  - This will be an improvement to parking conditions evident on the rest of the block. Currently many rear yards on the block are paved. This is an improvement because parking is underground and there is greenspace in the rear yard.
  - In order to do rear yard below-grade parking that is attached to the building, the rear yard setbacks need to be varied.

- In this zone, there are variable setbacks related to height. If, hypothetically, the fourth storey was removed, then the building would be compliant with side yard setbacks. The fourth storey in and of itself is compliant with four storey setback requirements in this zone. It's only when you put the two together that the applicant is seeking relief from zoning requirements.
- The applicants have brought the building materials more in line with the neighbourhood and made progress in addressing neighbours privacy concerns.
- The development is well-received in the neighbourhood; if the development respects the zoning parameters then it would be even more well-received and seen as "responsible intensification that respects the existing heritage character of Centertown neighbourhoods".

- **Primary concerns and arguments in opposition:**

- Concerns about zoning, this being the first infill development on this block.
- Concerns the four-storey building will change the character of the block, which currently, consists of low rise single family dwellings.
- Building mass is too large for the size of the lot.
- There is too much density, which will result in increased traffic congestion and pressure for parking.
- The building will cause loss of: sunlight, privacy, and greenspace and will have noise impacts
- The proposed roof top patio is inconsistent with the existing character of the neighbourhood and was only being considered because the developer was not allowing the proper ratio of building to greenspace.
- Questions whether the development is consistent with City policies on protecting the environment and maintaining urban greenspaces.
- Concerns about setting precedents with respect to variance and zoning parameters.
- Concerns about the impact on existing property values
- Request for mitigation measures to address negative impacts, specifically with a focus on window placement, building materials and construction.

**Effect of Submissions on Committee Decision:**

Debate        The Committee spent 38 minutes on this item

Vote:         The Committee CARRIED this item as presented

**Effect of Submissions on Council Decision:**

Council considered all written and oral submissions in making its decision, and CARRIED this item with an amendment, as follows:

**WHEREAS Report ACS2017-PIE-PS-0091 includes Details of Recommended Zoning; and**

**WHEREAS Further review of grading details has revealed that the rear portion of the parking garage protrudes 0.6 metres above grade; and**

**WHEREAS this is considered part of the building for the purposes of determining setback requirements; and**

**WHEREAS staff have reviewed this proposed change to the zoning details and determined it is appropriate as it will not negatively impact the abutting properties;**

**THEREFORE BE IT RESOLVED that Council amend Document 2 of the report by removing the second bullet point under 2. b. “The minimum rear yard setback is 8.5 metres” and replacing it with the following bullet points:**

**“- the minimum rear yard setback is 0 metres for any part of the building 0.6 metres or less in height and 8.5 metres for any part of the building above 0.6 metres.**

**- required communal amenity area may be located on the roof of that part of the building measuring less than 0.7 metres in height.”**

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