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Zoning By-Law Amendment – 1110 Fisher Avenue

ACS2020-PIE-PS-0066

River (16)

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### Report recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1110 Fisher Avenue to permit a nine-storey 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 July 15, 2020", subject to submissions received between the publication of this report and the time of Council's decision.

The Committee heard 10 delegations on this report, as follows:

- Mary Ann Turnbull, President of J.D. Turnbull Development Inc, the landowner of 1132 Fisher Ave., and Founder and retired Director of Turnbull School<sup>1</sup> spoke to her history of involvement with zoning amendment proposals for this property. She opposed the application and indicated R5 zoning is not suitable for this location. She noted she has not received any feedback on her submissions, or those of the professionals she retained, with respect to identified traffic issues, tree loss, streetscape compatibility, density and height incompatibility, and privacy concerns.
- Ruth Dick<sup>2</sup> opposed the application and raised concerns about traffic impacts, noting the development is not transit-oriented and will lead to increased traffic

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<sup>1</sup> Submission on file

<sup>2</sup> Submission on file

conflicts with Turnbull School traffic. She also raised concerns about the impact on privacy and safety of the School's children.

- Craig Dunn, Senior School Principal and Co-Owner of Turnbull School Ltd<sup>3</sup> raised concerns that the increased vehicle traffic resulting from 62 units will lead to cut-through traffic impacting the school and neighbourhood, as well as added parking congestion, which poses safety concerns and creates adversarial relationships.
- Robert Brinker, Carlington Community Association, Chair Development and Transportation Committee<sup>4</sup>, noted that the Association supports intensification of the neighbourhood but is opposed to this application as it is out of character and incompatible to what currently exists in the area, would set a precedent for development along Fisher, and would undermine positive intensification efforts to date.
- Jon Aro<sup>5</sup> indicated the proposal is not consistent with the built form of the area, and that the report does not address concerns about impacts on neighbourhood, privacy, or traffic
- Murray Peacock<sup>6</sup> was concerned about impacts on his property, which is on the property line of the development. He worried about property damage, loss of privacy, credibility of the developer, tree loss, traffic congestion during and after construction, and safety.
- Ruby Puni<sup>7</sup>, neighbouring property owner, indicated the proposal is incompatible with the neighbourhood and does not meet policies for building in the General Urban Area, and that the staff report does not provide a valid or sufficient argument to support their recommendation for approval. She suggested the proposal would have negative impacts on neighbours and the community in terms of compatibility, traffic and safety, noise and pollution, and privacy.
- Sarah McDonald, WSP, for J.D. Turnbull Development Inc.<sup>8</sup>, spoke to traffic/transportation impacts on the neighbourhood resulting from an additional 62 units at this location, adding increased risk of conflict between vehicles, bikes and

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<sup>3</sup> Submission on file

<sup>4</sup> Submission on file

<sup>5</sup> Submission on file

<sup>6</sup> Submission on file

<sup>7</sup> Submission on file

<sup>8</sup> Submission on file

pedestrians.

- Nadia De Santi, WSP, for J.D. Turnbull Development Inc.<sup>9</sup>, suggested the proposal is inconsistent with provincial and municipal policies and guidelines, is unbeneficial and incompatible with the community, and will result in numerous adverse impacts.
- Miguel Tremblay, Fotenn<sup>10</sup> (applicant), provided context on the site, including that Fisher is an arterial street in a transit priority corridor, has a major cycling route, is in proximity to commercial and employment corridors, and adjacent to the Experimental Farm. He indicated the proposal meets criteria identified by the settlement of OPA 150 for additional height and density in this area, and that it complies with provincial and municipal policy, demonstrating how the building will transition to existing development, noting the smaller than allowed footprint and the separation between buildings.

In addition to that previously noted, the following correspondence was provided to the committee coordinator between June 15 (the date the report was published to the City's website with the agenda) and the time it was considered on June 25, a copy of which is held on file:

- Email dated August 20, 2019 from Councillor R. Brockington's office, for distribution in respect of this item, transmitting a document entitled 'Neighbourhood Petition regarding 1110 Fisher Avenue', containing 48 signatures'
- Email dated June 9 from Emilia Ordolis
- Email dated June 15 from Gerald Thompson
- Email dated June 16 from Heather (email sender 'Heather Douglas')
- Email dated June 18 from Kelly Hoop
- Email dated June 18 from Janet Mason
- Email dated June 19 from Sasha Kearney and Jonah Veenendaal
- Email dated June 19 from Catherine Butts
- Email dated June 19 from Sarah Porter and Ryan Dill

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<sup>9</sup> Submission on file

<sup>10</sup> Submission on file

- Email dated June 22 from Rosanne Iland
- Email dated June 22 from Robert Crout, past President, Carlington Community Association
- Email dated June 22 from Davey Slimmon
- Email dated June 23 transmitting letter from Andrew Boyd, IFS Associates, Urban Forestry and Forest Management Consulting, retained by J.D. Turnbull Development Inc.

The following staff of the Planning, Infrastructure and Economic Development department responded to questions:

- Doug James, Director, Planning Services
- Lily Xu, Manager, Development Review – South
- Kelby Lodoen Unseth, Planner II

The Committee CARRIED the report recommendations as presented on a division of 5 yeas and 3 nays and, as follows:

YEAS (5): Councillors T. Tierney, S. Moffatt, A. Hubley, Vice-chair G. Gower, Chair J. Harder

NAYS (3): Councillors L. Dudas, J. Leiper, R. Brockington