

**Report to  
Rapport au:**

**Council  
Conseil**

**23 August 2017 / 23 août 2017**

**Submitted on August 18, 2017  
Soumis le 18 août 2017**

**Submitted by  
Soumis par:**

**Council Coordinator / coordonnatrice du Conseil**

**Contact Person**

**Personne ressource:**

**Caitlin Salter MacDonald, Program Manager, Committee and Council Services  
and Council Coordinator/ Gestionnaire de programme, Services au Conseil  
municipal et aux comités, et coordonnatrice du Conseil  
(613) 580-2424 x 28136, caitlin.salter-macdonald@ottawa.ca**

**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2017-CCS-OCC-0012**

**SUBJECT: SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR  
ITEMS SUBJECT TO BILL 73 'EXPLANATION REQUIREMENTS' AT THE CITY  
COUNCIL MEETING OF JULY 12, 2017**

**OBJET: RÉSUMÉS DES OBSERVATIONS ORALES ET ÉCRITES DU PUBLIC  
SUR LES QUESTIONS ASSUJETTIES AUX EXIGENCES D'EXPLICATION AUX  
TERMES DE LA LOI 73 EXAMINÉS À LA RÉUNION DU CONSEIL 12 JUILLET 2017**

#### **REPORT RECOMMENDATION**

**That City Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of July 12, 2017 that are subject to the 'Explanation Requirements' of Bill 73, the *Smart Growth for Our Communities Act, 2015*, as described in this report and attached as Documents 1 to 8.**

## RECOMMANDATION DU RAPPORT

**Que le Conseil municipal approuve les résumés des observations orales et écrites du public sur les questions assujetties aux exigences d'explication aux termes de la loi 73, la *Loi de 2015 pour une croissance intelligente de nos collectivités*, qui ont été étudiées à la réunion du Conseil du 12 juillet 2017, comme les décrit le présent rapport et qui sont joints à titre des documents 1 à 8.**

## EXECUTIVE SUMMARY

This report was prepared pursuant to the process approved by City Council on November 9, 2016 to address Bill 73, the *Smart Growth for Our Communities Act, 2015*, which amended the *Planning Act* such that municipalities are required to explain the effect of public input on planning decisions.

At its meeting of July 12, 2017, City Council considered eight planning applications for which written and/or oral submissions were received after publication of the staff report:

1. Zoning By-law Amendment – 5514 Manotick Main Street and Part of 1157 Maple Avenue (ACS2017-PIE-PS-0086)
2. Housekeeping Zoning By-Law and Official Plan Amendments for the Implementation of Coach Houses – (ACS2017-PIE-PS-0058)
3. Official Plan and Zoning By-Law Amendments – 1910 St. Laurent Boulevard (ACS2017-PIE-PS-0057)
4. Zoning By-Law Amendment – 1385 Wellington Street West (ACS2017-PIE-PS-0084)
5. Zoning By-Law Amendment – 1039 Terry Fox Drive and 5331 Fernbank Road (ACS2017-PIE-PS-0031)
6. Zoning By-Law Amendment - 809 Richmond Road (ACS2017-PIE-PS-0095)
7. Official Plan Amendment – 3490 Innes Road (ACS2017-PIE-PS-0082)
8. Mer Bleue Urban Expansion Area Study: Community Design Plan and Official Plan Amendment Including a Secondary Plan (ACS2017-PIE-EDP-0023)

A 'Summary of Written and Oral Submissions' for each application is attached as a supporting document to this report. Council considered all written and oral submissions received prior to Council consideration of this matter in making its decision on this matter.

## SOMMAIRE

Le présent rapport a été préparé conformément au processus approuvé par le Conseil municipal le 9 novembre 2016 en vue de répondre aux exigences de la loi 73, la *Loi de 2015 pour une croissance intelligente de nos collectivités*, modifiant la Loi sur l'aménagement du territoire de telle sorte que les municipalités doivent expliquer les répercussions des commentaires du public sur les décisions d'urbanisme.

Lors de sa réunion du 12 juillet 2017, le Conseil municipal a examiné huit demandes d'aménagement pour lesquelles il a reçu des observations orales ou écrites suivant la publication du rapport du personnel :

1. Modification au Règlement de zonage – 5514, rue Manotick Main, et partie du 1157, avenue Maple (ACS2017-PIE-PS-0086)
2. Modifications d'ordre administratif au Règlement de zonage et au Plan officiel visant la création d'annexes résidentielles (ACS2017-PIE-PS-0058)
3. Modification au Plan officiel et au Règlement de zonage – 1910, boulevard St. Laurent (ACS2017-PIE-PS-0057)
4. Modification au Règlement de zonage – 1385, rue Wellington Ouest (ACS2017-PIE-PS-0084)
5. Modification au Règlement de zonage – 1039, promenade Terry Fox et 5331, Chemin Fernbank (ACS2017-PIE-PS-0031)
6. Modification au Règlement de zonage – 809, chemin Richmond (ACS2017-PIE-PS-0095)
7. Modification au Plan officiel – 3490, chemin Innes (ACS2017-PIE-PS-0082)
8. Étude de la zone d'expansion urbaine de Mer Bleue : Plan de conception communautaire et Modification au Plan officiel incluant un plan secondaire (ACS2017-PIE-EDP-0023)

Un « Résumé des observations orales et écrites » pour chacune des demandes est soumis en pièce jointe. Le Conseil a pris connaissance de toutes les observations orales et écrites reçues avant son examen afin d'éclairer son décision.

## BACKGROUND

Effective July 1, 2016, provisions of Bill 73, the *Smart Growth for Our Communities Act, 2015*, took effect to amend certain Subsections of the *Planning Act* such that municipalities are required explain the effect of public input on planning decisions.

Generally, the legislation requires City Council to ensure that a written Notice of its decision is given in the prescribed manner, and that this Notice contain a “brief explanation of the effect, if any, that the written and oral submissions ... had on [Council’s] decision.” Oral submissions include the public delegations that appear at Committee, and written submissions include any that were provided formally to Council between the date a report is published in the Committee agenda and the date of Council’s decision.

The legislation applies to the following Subsections of the *Planning Act*:

<b>Subsections</b>	<b>Related Matters</b>
17(23)-(23.2), 17(35)-(35.2)	Official Plan
22(6.6)-(6.8)	Official Plan
34(10.9)-(10.11), 34(18)-(18.2)	<i>Zoning By-laws</i>
45(8)-(8.2)	Committee of Adjustment
51(37)-(38.2)	Plan of Subdivision
53(17)-(18.2)	Consents

In anticipation of the legislation coming into effect, City Council, at its meeting on 22 June 2016, passed Motion No. 34/7 to adopt an interim practice to ensure the City’s compliance with these particular new Bill 73 requirements, with the intent of adopting a new process as part of the Mid-term Governance Review later that year.

On November 9, 2016, City Council considered the report titled, “2014-2018 Mid-term Governance Review” (ACS2016-CCS-GEN-0024), and approved the following revised process to ensure the City’s compliance with these particular new Bill 73 requirements:

1. Staff reports to Planning Committee and Agriculture and Rural Affairs Committee with respect to affected planning matters include the following recommendation:

That 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 City Clerk and Solicitor’s Office and submitted to Council 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 [Date of Council meeting at

which the item is considered],” subject to submissions received between the publication of this report and the time of Council’s decision”;

2. Following Council’s decision with respect to the matter, Clerk’s staff, in consultation with the relevant Committee Chair and Legal shall prepare the report titled, “Summary of Oral and Written Public Submissions for Items Subject to Bill 73 ‘Explanation Requirements’ at the City Council Meeting of [Date of Council meeting at which the item is considered].” This report would include information with respect to all items considered at the Council meeting that were subject to the relevant Bill 73 provisions. For each item included in the report, a ‘Summary of Written and Oral Submissions’ would be attached as a supporting document. Each ‘Summary of Written and Oral Submissions’ would incorporate the information above and other submissions that were received in advance of Council’s decision;
3. The above-noted report would be placed on the Bulk Consent Agenda for the next City Council meeting. As there is a requirement that Notice of decision be circulated within 15 days after a Council decision, and given that the Notice would typically be circulated before the next Council meeting, the Notice would be circulated indicating that the ‘Summary of Written and Oral Submissions’ for the matter was subject to Council approval.

This report was prepared pursuant to the process approved by City Council on November 9, 2016, and includes information with respect to all items considered at the Council meeting of November 23, 2016, that were subject to the relevant Bill 73 provisions. A ‘Summary of Written and Oral Submissions’ is attached as a supporting document for each item.

As noted above, there is a requirement that Notice of Decision be circulated within 15 days after a Council decision. Given that the Notice is typically circulated before the next Council meeting, the Notice is circulated indicating that the ‘Summary of Written and Oral Submissions’ for the matter is subject to Council approval.

## **DISCUSSION**

City Council, at its meeting of July 12, 2017, considered eight items that are subject to the Bill 73 ‘Explanation Requirements’ described above. This item is as follows:

Agriculture and Rural Affairs Committee Report 26

- Zoning By-law Amendment – 5514 Manotick Main Street and Part of 1157 Maple Avenue (ACS2017-PIE-PS-0086)

#### Planning Committee Report 47

- Housekeeping Zoning By-Law and Official Plan Amendments for the Implementation of Coach Houses - (ACS2017-PIE-PS-0058)
- Official Plan and Zoning By-Law Amendments – 1910 St. Laurent Boulevard (ACS2017-PIE-PS-0057)
- Zoning By-Law Amendment – 1385 Wellington Street West (ACS2017-PIE-PS-0084)
- Zoning By-Law Amendment – 1039 Terry Fox Drive and 5331 Fernbank Road (ACS2017-PIE-PS-0031)

#### Planning Committee Report 48

- Zoning By-Law Amendment – 809 Richmond Road (ACS2017-PIE-PS-0095)
- Official Plan Amendment – 3490 Innes Road (ACS2017-PIE-PS-0082)
- Mer Bleue Urban Expansion Area Study: Community Design Plan and Official Plan Amendment Including a Secondary Plan (ACS2017-PIE-EDP-0023)

### **RURAL IMPLICATIONS**

There are no rural implications associated with the report recommendation.

### **CONSULTATION**

The consultation undertaken with respect to the above-noted planning application is contained within the original staff report considered by Committee and Council.

### **COMMENTS BY THE WARD COUNCILLORS**

The Ward Councillor's comments were contained in the original report considered by Committee and Council.

### **ADVISORY COMMITTEE(S) COMMENTS**

This section is not applicable to this report.

### **LEGAL IMPLICATIONS**

The legal implications with respect to the planning application described in this report is contained in the original report considered by Committee and Council.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with the report recommendation.

## **FINANCIAL IMPLICATIONS**

The financial implications with respect to the planning application described in this report are contained in the original report considered by Committee and Council

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with the report recommendation.

## **TERM OF COUNCIL PRIORITIES**

This report addresses the Governance, Planning and Decision-making Term of Council Priority.

## **SUPPORTING DOCUMENTATION**

Document 1 – Summary of Written and Oral Submissions – Zoning By-law Amendment – 5514 Manotick Main Street and Part of 1157 Maple Avenue (ACS2017-PIE-PS-0086)

Document 2 - Summary of Written and Oral Submissions - Housekeeping Zoning By-Law and Official Plan Amendments for the Implementation of Coach Houses – (ACS2017-PIE-PS-0058)

Document 3 - Summary of Written and Oral Submissions - Official Plan and Zoning By-Law Amendments – 1910 St. Laurent Boulevard (ACS2017-PIE-PS-0057)

Document 4 – Summary of Written and Oral Submissions - Zoning By-Law Amendment – 1385 Wellington Street West (ACS2017-PIE-PS-0084)

Document 5 – Summary of Written and Oral Submissions - Zoning By-Law Amendment – 1039 Terry Fox Drive and 5331 Fernbank Road (ACS2017-PIE-PS-0031)

Document 6 – Summary of Written and Oral Submissions - Zoning By-Law Amendment – 809 Richmond Road (ACS2017-PIE-PS-0095)

Document 7 – Summary of Written and Oral Submissions - Official Plan Amendment – 3490 Innes Road (ACS2017-PIE-PS-0082)

Document 8 - Summary of Written and Oral Submissions - Mer Bleue Urban Expansion Area Study: Community Design Plan and Official Plan Amendment Including a Secondary Plan (ACS2017-PIE-EDP-0023)

**DISPOSITION**

This report will be placed on the Bulk Consent Agenda portion of the City Council Agenda for Council's consideration and approval at its meeting of August 23, 2017.



### Summary of Written and Oral Submissions

#### ZONING BY-LAW AMENDMENT – 5514 MANOTICK MAIN STREET AND PART OF 1157 MAPLE AVENUE (ACS2017-PIE-PS-0086)

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 Agriculture and Rural Affairs Committee: 2**
- **Number of Submissions received between 29 June and 12 July 2017: 2**
- **Primary arguments in support:**
  - This is considered the main entrance to the Village of Manotick and is significant. The proponent has consulted greatly with the community.
  - The Village Community Association is in support.
  - The proponent is working with the community on the final design.
  - Ward Councillor is in favour.

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

- The new building is anything but distinctly rural in character and style.
- Manotick Main Street is very narrow. Consideration should be given to future intersection improvements and bike lanes/routes by increasing the setbacks abutting on Manotick Main and Maple Streets.
- Currently there is no access to the building's entrance from Manotick Main going north and vehicles can't turn left onto Maple. This will encourage vehicles to take "short cuts" through the small village roads.

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

Debate: The Committee spent 20 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 as presented by the Agriculture and Rural Affairs Committee:

**That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5514 Manotick Main Street and Part of 1157 Maple Avenue from a residential zone to a village mixed use zone, to facilitate the development of a three-storey, mixed-use building, as detailed in Document 2.**

### Summary of Written and Oral Submissions

#### HOUSEKEEPING ZONING BY-LAW AND OFFICIAL PLAN AMENDMENTS FOR THE IMPLEMENTATION OF COACH HOUSES (ACS2017-PIE-PS-0058)

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.

Note: This report was considered by the Agriculture and Rural Affairs Committee (ARAC) at its meeting on 4 May 2017. The ARAC received no delegations or submissions and CARRIED the report recommendations as presented.

- **Number of Delegations at Planning Committee:** 2 (both of whom spoke at the 9 May and 27 June 2017 Planning Committee meetings)
- **Number of Submissions received between 2 May (the date the report was originally published in the committee agenda for its 9 May 2017 meeting) and 12 July 2017:** 3
- **Primary arguments in support:**
  - Not opposed to the stated intent of allowing connectivity on the ground floor of a garage to a possible Committee of Adjustment approved coach house above (and potentially below)
- **Primary concerns and arguments in opposition:**
  - The amendments proposed are not minor in nature and cannot be appealed
  - Greater public consultation should have been conducted prior to bringing forward these recommendations; an external consultant should be engaged to work with the community associations and staff to vet contentious issues before approving any amendments
  - The amendment to delete the maximum 3.2m wall height provision contradicts the Official Plan and means that one and a half stories would now be permitted as of right
  - The proposed storage loft area will be constructed and utilized as habitable living space, as of right; greater clarity should be provided regarding habitable space

- Adjacent property owners will be adversely impacted because amendments will explicitly allow consideration of two storey Coach Houses provided they contain a parking garage within footprint. Two storey coach houses will have bulk and gross floor areas significantly greater than property's principle dwelling. Resulting massing / bulk will be inappropriate and will negatively impact the adjacent properties private rear yard amenity space.
- Driveway as-of-right option. Will result in larger driveways and less permeable surfaces.
- The public was not consulted and did not provide feedback on amendments. Delegation said this was worrisome because policies and regulations cannot be appealed to the Ontario Municipal Government Board.
- Questioned the rationale behind the amendments since existing Coach House policies and provisions have not been evaluated.

**Effect of Submissions on Committee Decision:**

Debate: The Committee spent a total of 48 minutes on this item (25 minutes on 9 May and 23 minutes on 27 June).

Vote: Committee approved a technical amendment to revise Documents 1 and 2

**Effect of Submissions on Council Decision:**

Council considered all written and oral submissions in making its decision, and CARRIED this item as amended by the Planning Committee, as follows:

**AGRICULTURE AND RURAL AFFAIRS COMMITTEE RECOMMENDATIONS**

**That Council approve:**

1. the housekeeping amendments to the Official Plan dealing with Coach Houses as detailed in Document 1; and
2. the housekeeping amendments to the Zoning By-law dealing with Coach Houses as detailed in Document 2.

**PLANNING COMMITTEE RECOMMENDATIONS AS AMENDED**

**That Council approve:**

1. the housekeeping amendments to the Official Plan dealing with Coach Houses as detailed in Document 1 as amended by the following:
  - Part B of Document 1 – Official Plan Amendment is amended by replacing item (b) in section (2) with:
    - b) Section 3.1 (1) (i) is amended by replacing its second sentence with the following text: “An application to allow a height of up to two storeys through a minor variance may be considered in accordance with the considerations noted in h. above, only where the coach house contains a garage for the parking of a motor vehicle within its footprint.”;
  
2. the housekeeping amendments to the Zoning By-law dealing with Coach Houses as detailed in Document 2 as amended by the following:
  - a. replacing clause e) with the following: (e) Amend Section 142(7)(b)(ii) by replacing it with the following: “3.6 metres, except for a coach house with a flat roof which has a maximum building height of 3.2 metres”
  
  - b. adding the following clauses:
    - (i) Amend sub clause 142(7)(a)(iii) by replacing it with the following: “despite (ii), where the building containing a coach house also includes a garage containing a parking space established in accordance with Part 4 of this By-law, the building may have a maximum height of 6.1 metres.”;
  
    - (j) Amend section 142(14) by adding a new clause, (c), as follows: “when located on a property in Areas A, B or C of Schedule 1, must not be a shed style roof”;
  
3. that there be no further notice pursuant to Subsection 34 (17) of the *Planning Act*.

CARRIED

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

#### **OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS – 1910 ST. LAURENT BOULEVARD (ACS2017-PIE-PS-0057)**

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: 7**
- **Number of Submissions received between 13 June and 12 July 2017: 6**
- **Primary arguments in support:**
  - The process to develop the plan was collaborative; the applicant worked with the community to address concerns and the community was involved in developing the final proposal
  - Intensification is appropriate because of the site's proximity to transit
  - Development will include infrastructure improvements, including active transportation infrastructure, greenspace and parks
  - Support for making Othello a 'complete street'
  - Hopeful redevelopment will fix problematic intersections, add right-turn lanes and facilitate a road realignment
  - Plan includes traffic calming, updated configuration of the loading dock and associated truck access.
- **Primary concerns and arguments in opposition:**
  - Doubt was expressed that transportation-oriented development would result in less automobile traffic
  - Concern about the traffic impact on adjacent neighbourhood and streets such as Othello, Weston, Chapman, Wingate and Hamlet.
  - Concern that mall access on Othello will create cut-through traffic on local streets. Residents would prefer that the site be accessed from a collector road
  - Increase in demand for on-street parking
  - The community's concerns are not all adequately reflected in the report

- Doubts whether the concept plan would actually get constructed
- Will change the character of Elmvale Acres
- The vision for the site should be a vision for the community as a whole and not based on existing high-rises
- A construction management plan should be put in place for the duration of the proposed 20-year phased development to address associated noise and disruptions
- Increased load on the sewage storage system
- Consultation is needed before the development of Othello Avenue is decided
- Whether there are appropriate policies in the secondary plan to address parking, traffic, and building heights
- The City should be doing a better job of negotiating with the developer and protecting the needs of its residents

**Effect of Submissions on Committee Decision:**

Debate: The Committee spent 1 hour and 25 minutes on this item

Vote: The Committee approved a motion to amend Document 2 of the report to add a new policy to the Elmvale Acres Shopping Centre Secondary Plan, regarding site plan control applications.

**Effect of Submissions on Council Decision:**

Council considered all written and oral submissions in making its decision, and CARRIED this item as amended by the Planning Committee, and with a further amendment to correct Document 3 (Location Map and Zoning Key Plan), as follows:

**COMMITTEE RECOMMENDATIONS AS AMENDED:**

**That Council:**

1. **approve an amendment to Volume 1 of the Official Plan to designate 1910 St. Laurent Boulevard as Arterial Mainstreet and add to Volume 2a of the Official Plan the Elmvale Acres Shopping Centre Secondary Plan, as detailed in Document 2, as amended by adding a new policy 4 to Section 7 of the Elmvale Acres Shopping Centre Secondary Plan, as follows:**

**“4. Any application for Site Plan Control Approval will be subject to public notification and consultation including the requirement to hold a community information and comment session in accordance with the City’s Public Notification and Consultation Policy for Development Applications, in addition to any requirements of the Planning Act, as amended, and the Official Plan.”;**

- 2. repeal a portion of the Arterial Mainstreet designation in Schedule 17 of Official Plan Amendment 150 adopted pursuant to By-law 2013-400, as it applies to 1910 St. Laurent Boulevard and as shown on Schedule 1 of the proposed Official Plan Amendment in Document 2; and**
- 3. approve an amendment to Zoning By-law 2008-250 for 1910 St. Laurent Boulevard to permit a mixed use development as detailed in Document 3 – Zoning Key Plan, Document 4 – Zoning By-law Amendment Height Schedule and Document 5 – Details of Recommended Zoning.**

CARRIED as amended by the following motion:

**MOTION No. 54/3**

Moved by Councillor J. Cloutier

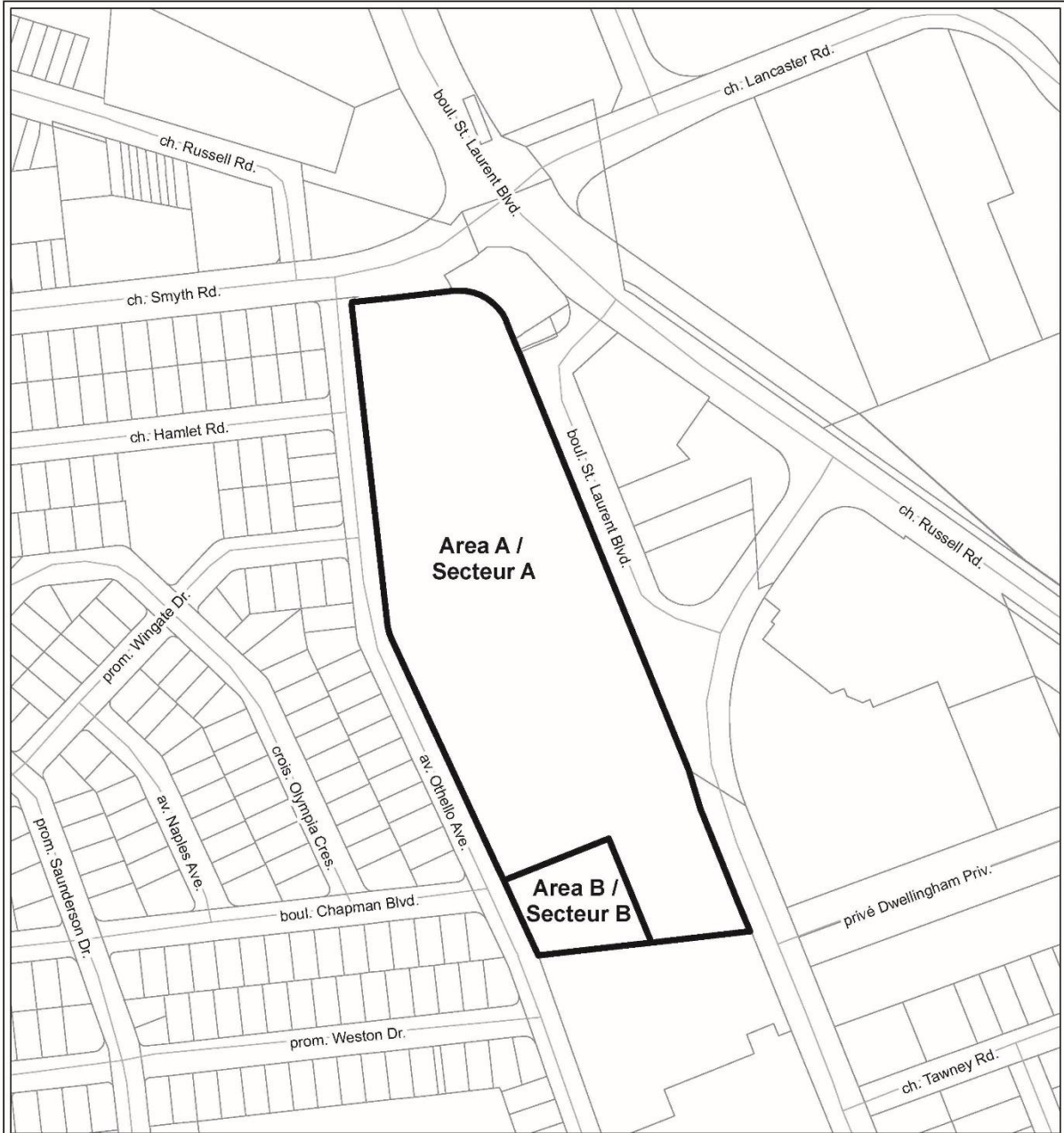
Seconded by Councillor J. Harder


**WHEREAS part of the proposed zoning is inadvertently missing from Document 3 of Report ACS2017-PIE-PS-0057;**

**BE IT RESOLVED that Document 3 of the staff report, being the Location Map and Zoning Key Plan, be replaced with the revised Location Map and Zoning Key Plan attached to this motion; and**

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





	
D02-02-15-0087	17-0689-X
I:\CO\2017\Zoning\St_Laurent_1910\...NoEx	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>	
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE.</small>	
REVISION / RÉVISION - 2017 / 07 / 06	

LOCATION MAP / PLAN DE LOCALISATION  
 ZONING KEY PLAN / SCHÉMA DE ZONAGE  
 1910 BOULEVARD ST. LAURENT BOULEVARD

Area A to be rezoned from GM F(1.0) to AM10[XXXX] S[XXX]-h  
 Area B to be rezoned from GM F(1.0) to O1[XXXX]

Secteur A devant être rezoné de GM F(1.0) à AM10[XXXX] S[XXX]-h  
 Secteur B devant être rezoné de GM F(1.0) à O1[XXXX]



CARRIED

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

#### **ZONING BY-LAW AMENDMENT – 1385 WELLINGTON STREET WEST (ACS2017-PIE-PS-0084)**

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: 11**
- **Number of Submissions received between 13 June and 12 July 2017: 15**
- **Primary arguments in support:**
  - The restaurant is a family oriented dining establishment and, as such, a family-oriented patio there would respond to a community need
  - The patio is an important component in the destination marketing and economic prosperity of the neighbourhood
  - Applicant is willing to build what is needed for noise mitigation.
  - Promotes the vibrancy of the neighbourhood
  - Supports small local business
  - The patio is small in scale and will have minimal impact because of limited seating and seasonal operation
  - There are already nearby restaurant patios but this one responds to the need for family-oriented patio options
- **Primary concerns and arguments in opposition:**
  - Health issues of a neighbouring property owner will be exacerbated by the noise of patrons from the proposed patio and Insufficient measures have been proposed by the owner to mitigate the noise and light impact on the residential neighbourhood
  - Neighbours have objected to two previous applications to the Committee of Adjustment for a patio, and an appeal to the Ontario Municipal Board, after which they assumed the issue, would not be brought forward again

- The process leading to the proposal has not been democratic and fair in respect of: the repeated consideration of the application by differing bodies and processes, lack of meaningful public consultation without pre-determined outcomes; the ability for developers to alter implementation from what is considered to be an approved plan
- How the noise impact will be addressed and enforced
- Whether a zoning by-law amendment, versus an application to the Committee of Adjustment, is the proper channel for dealing with patio applications
- Possible consequences of granting exceptions to the City's by-law
- The possibility of setting a precedent for future patio applications
- Incorrect application of policy and rationale to permit an exemption that is not compatible with the adjacent residential area
- Concerns about the number of patrons that would be permitted on the proposed patio
- The temporary exemption means that a permanent exemption could be considered in a year and residents would need to repeat this process to object
- There have been no material changes in circumstance or geography which have mitigated any of the reasons for denial cited by the Committee of Adjustment and Ontario Municipal Board in the time since those applications were first made
- Residents have been financially burdened by having to hire experts to support their repeated objections to the proposal
- There has been a history of bad behaviour in this case that seems to have been rewarded
- Lack of meaningful public consultation
- Proposed patio will be on a residential street, not a traditional main street, and is not appropriate at this location in accordance with existing by-laws and guidelines

**Effect of Submissions on Committee Decision:**

Debate: The Committee spent one hour and thirty 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 as presented.

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

#### **ZONING BY-LAW AMENDMENT – 1039 TERRY FOX DRIVE AND 5331 FERNBANK ROAD (ACS2017-PIE-PS-0031)**

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: 0**
- **Number of Submissions received between 13 June and 12 July 2017: 2**
- **Primary arguments in support:**
  - General support of the application on condition the park would not move.
- **Primary concerns and arguments in opposition:**
  - Zoning change would allow a broader range of businesses to occupy the land, including 'odour emitting' business, which would negatively impact neighbours
  - Request an exception be made to ensure that no restaurant (of any kind), gas bar or any odour emitting business be allowed to be built in area C.

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

Debate: The Committee spent five 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 as presented.

### Summary of Written and Oral Submissions

#### ZONING BY-LAW AMENDMENT – 809 RICHMOND ROAD (ACS2017-PIE-PS-0095)

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: 5**
- **Number of Submissions received between 4 and 12 July 2017: 8**
- **Primary arguments in support:**
  - Broad agreement with the principle that higher heights and more density are both required and appropriate in this area
  - Grateful to see that developer has made accommodations and additional shadowing studies to ensure shadowing is minimised
  - The height and design of the proposed 5-storey podium is compatible with and sensitive to the area
- **Primary concerns and arguments in opposition:**
  - Proposal is not compatible with the existing Secondary Plan / community vision
  - Discontent with both the process and the results of the planning exercise for this proposal
  - The building will impose shadowing on neighbouring Woodroffe North and River Parkway daycare
  - A 19-storey building is tolerable but a 24-storey is not appropriate for the scale and character of the neighbourhood
  - A 24-storey building will create a 'wall' and block natural flow down to the river
  - Lack of active frontage with public spaces proposed
  - Will result in increased traffic and waste management issues, which also poses safety concerns
  - Lack of proper and transparent public consultation when proposed height was increased from previously stated 19 stories to 24

- The maximum building heights and densities for the area should be reverted back to what was proposed and mutually agreed upon at the Working Group meeting of April 20, 2017 regarding the Cleary and New Orchard Planning Study
- Approval could set a precedent for extensively high LRT development along the strip
- Approval of this application will make it increasingly difficult to ensure “a sensitively developed new traditional mainstreet” is respected
- Concerns about future planning and how to meet city planning/LRT intensification goals while adding to the quality of city life, public space in Carlingwood
- Development in this area will have a significant impact on the quality of life of nearby neighbourhoods, as well as on the traffic patterns along Richmond Road, Byron Avenue and neighbouring streets

**Effect of Submissions on Committee Decision:**

Debate: The Committee spent one hour and forty-five 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 as presented.

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

#### **OFFICIAL PLAN AMENDMENT – 3490 INNES ROAD (ACS2017-PIE-PS-0082)**

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:** 0
- **Number of Submissions received between 4 and 12 July 2017:** 1
- **Primary arguments in support:** none received
- **Primary concerns and arguments in opposition:**
  - There will only be one road entering and exiting the subdivision, which will consist of approximately 700 residences, and as a consequence there will be significant traffic delays
  - The City's Fire Services require a secondary, public roadway access into all subdivision developments of 100 dwelling units or more; once a subdivision's development phase exceeds that threshold, then no further building permits should be issued until such time as the secondary access roadway is constructed and is deemed passable for emergency vehicles

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

Debate: The Committee CARRIED this item as presented without discussion

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 as presented.



### Summary of Written and Oral Submissions

#### **MER BLEUE URBAN EXPANSION AREA STUDY: COMMUNITY DESIGN PLAN AND OFFICIAL PLAN AMENDMENT INCLUDING A SECONDARY PLAN (ACS2017-PIE-EDP-0023)**

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: 0**
- **Number of Submissions received between 4 and 12 July 2017: 3**
- **Primary arguments in support:**
  - Bell Canada is supportive of the policy permitting public utilities/infrastructure in all land use categories (section 3.4 of the Community Design Plan)
  - Bell Canada is supportive of the intent to coordinate utility expansions with utility providers (section 5.5. of the Community Design Plan)
  - Bell Canada is generally supportive of the policies and intent of Section 6.5 – Site Design and Built Form Guidelines with respect to designing and integrating utilities elements and equipment into their setting but prefers the term “where feasible” in policies that address screening of infrastructure, rather than “where possible”, as this recognizes that it is not always possible or appropriate to screen all utility structures
  - Bell Canada has developed an Urban Design Manual that provides context on the issues associated with burying and screening utilities and wishes to discuss these techniques with the City during the design stage to achieve the City's goal of minimizing visual impacts on the public realm while balancing Bell's needs for a robust and easily maintained telecommunications system.
- **Primary concerns and arguments in opposition:**
  - Various errors and omissions in the staff report should be corrected before the item is considered by Committee and Council. These relate, but are not limited, to:
    - Revisions required to the Official Plan Amendment documents

- Revisions required to Supporting Document numbers and titles throughout the report
- Improper delegation of authority for the studies which are to support the Community Design Plan
- Missing, incorrect and / or incomplete background information in the staff report

**Effect of Submissions on Committee Decision:**

Debate: The Committee spent three minutes on this item

Vote: Committee CARRIED a motion to amend the report by adding in the missing Financial Implications comment and correcting supporting documentation references

**Effect of Submissions on Council Decision:**

Council considered all written and oral submissions in making its decision, and CARRIED this item as amended by Planning Committee.