

Zoning By-Law Amendment – 1950 Scott Street, 312 and 314 Clifton Road

ACS2019-PIE-PS-0069

Kitchissippi (15)

Referred back to Planning Committee by City Council at its meeting of September 11, 2019

Report Recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1950 Scott Street, 312 and 314 Clifton Road to permit a high-rise apartment building, as detailed in Document 2;
2. that the implementing Zoning By-law not proceed to Council until such time as the agreement under Section 37 of the *Planning Act* is executed; and
3. 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 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 October 9, 2019," subject to submissions received between the publication of this report and the time of Council's decision.

Report ACS2019-PIE-PS-0069 was initially considered by Planning Committee on August 22, 2019 and was subsequently submitted to Council for consideration at its meeting of September 11, 2019. In light of some community concerns about improper notification, Council referred the report back to the Planning Committee for consideration (at its meeting of September 26), by way of the following motion:

WHEREAS the report ACS2019-PIE-PS-0069, Zoning By-law Amendment – 1950 Scott Street, 312 and 314 Clifton Road was considered by Planning Committee on August 22, 2019 and recommended for approval by Council on September 11, 2019; and

WHEREAS Members of the public on the notification list may not have received the notice; and

WHEREAS given the concern regarding notification, Planning Services recommends that the item be referred back to Committee;

THEREFORE BE IT RESOLVED that report ACS2019-PIE-PS-0069, Zoning By-law Amendment – 1950 Scott Street, 312 and 314 Clifton Road be referred back to Planning Committee and placed on the September 26, 2019 agenda.

Planning Committee, September 26, 2019

Doug James, Manager, Development Review – Central, Planning, Infrastructure and Economic Development Department (PIED) and Andrew McCreight, Planner, PIED, responded to questions.

The committee heard two delegations, as follows:

- Cecilia Alperin expressed strong objections to the proposed development of the properties listed in this report. She suggested that intensification should be done in a careful manner, with a carefully thought-out Community Design Plan to help create safe and attractive streets, balance the needs between pedestrians and motorized vehicles and increase economic vitality and resiliency. She worried the proposed development will have an adverse impact on the amenities immediately adjacent to the site, and noted there will be increased traffic volume. She indicated she would like to see the principles of the Westboro Community Design Plan respected, and asked that the committee refuse this application until the outdated Westboro Secondary Plan has been revised.
- Brian Casagrande, Fotenn Consultants Inc. (applicant), was present to answer questions if needed and requested that his comments submitted at the Planning Committee meeting of August 22, 2019, as noted in the Minutes of that meeting, be resubmitted.

Mark Baker, Parsons Inc. (for the applicant), was also present to answer

transportation related questions if needed.

The following correspondence was provided to the acting committee coordinator for the Planning Committee between September 16 (the date the report was published to the City's website with the agenda) and the time it was considered on September 26, a copy of which is held on file:

- Email dated September 17 from Eileen Pike
- Email dated September 19 from Barry Lifeso

Motion N°. PLC 2019 13/1

Moved by Councillor J. Leiper

WHEREAS Report ACS2019-PIE-PS-0069, Zoning By-law Amendment – 1950 Scott Street, 312 and 314 Clifton Road seeks to rezone the subject lands and;

WHEREAS Recommendation 2 indicates “that the implementing Zoning By-law not proceed to Council until such time as the agreement under Section 37 of the *Planning Act* is executed”; and

WHEREAS the applicant has control over the property only through a Purchase and Sale Agreement with final sale contingent on the Zoning By-law amendment being in effect; and

WHEREAS the current property Owner will not sign the Section 37 Agreement;

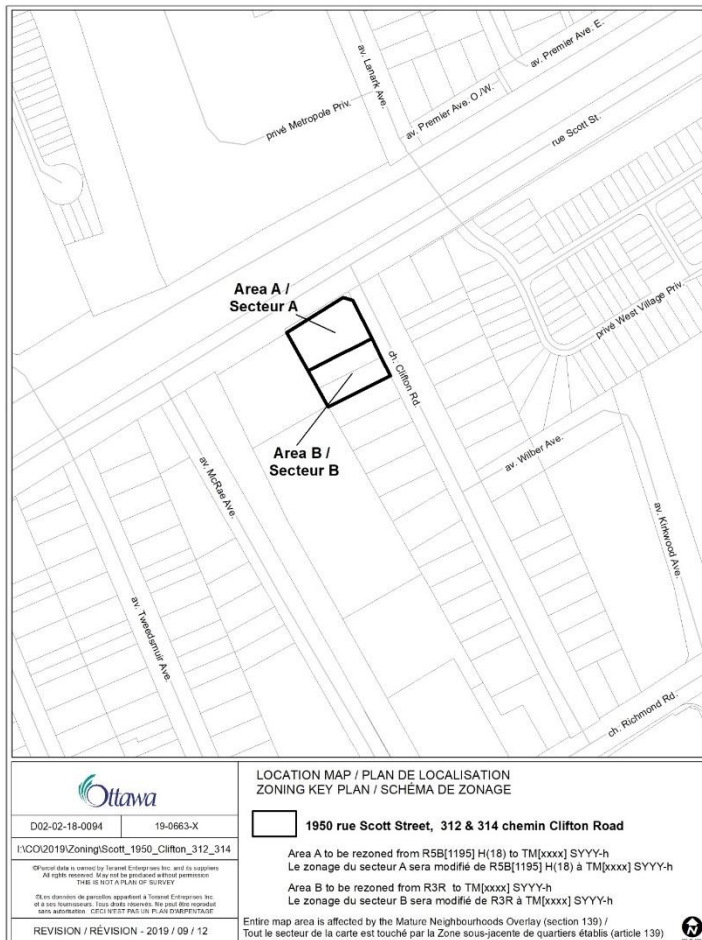
THEREFORE BE IT RESOLVED that in order for the applicant to be able to sign the required Section 37 Agreement, report Recommendation 2, which indicates that the implementing By-law not proceed to Council until such time as the Section 37 agreement is executed, be deleted;

AND BE IT FURTHER RESOLVED that the details of recommended zoning (Document 2) be amended to include the following provision applicable to the new exception [xxxx]:

- **“A holding symbol is placed on the property and that holding symbol may only be removed once the Section 37 Agreement, or similar development agreement, has been executed, which must occur prior to Site Plan Control approval”;**

AND BE IT FURTHER RESOLVED that Document 1 – Location Map be replaced with the attached location map to include the “h” suffix in the zone code to represent a holding symbol;

AND BE IT FURTHER RESOLVED that pursuant to the *Planning Act*, subsection 34(17) no further notice be given.



CARRIED

Discussions and questions having concluded, the Committee CARRIED the report recommendations as amended by Motion 13/1, with Councillor J. Leiper dissenting.