
Zoning By-Law Amendment - 30-48 Chamberlain Avenue

ACS2021-PIE-PS-0076

Capital (17)

Report recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 30-48 Chamberlain Avenue to permit a 16 storey mixed-use development, as detailed in Document 2;
2. That the implementing Zoning By-law does not proceed to Council until such time as an 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 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 21, 2021" subject to submissions received between the publication of this report and the time of Council's decision.

The committee heard eight delegations on this matter.

- the Rosebery Residents as represented by the following four individuals:
 - Rina Cerrato and/or David Schwartz
 - Todd Saunders
 - Andrea Redway
 - Kristi Ross, Kristi M. Ross, Barrister & Solicitor

Their primary objections to the proposal were in respect of the proposed building

height and its impacts on neighbouring residents. They contended the proposal does not conform to existing Zoning, Official Plan policies and the City's Urban Design Guidelines for High-rise Buildings, and is not in keeping with the recommendations for mid-rise development in the City's draft Height and Character Study for this area. Their concerns included inadequate setbacks, lack of transition and shadowing.

- Ian Charlebois supported the proposal and suggested it is in keeping with the City's goals on intensification and housing, is a good design and is in an area that can support it.
- Andrea Chandler objected to the proposal and raised concerns about increased safety risks for pedestrians and cyclists. She also contended the proposal does not meet the City's goals around affordable housing.
- Carolyn Mackenzie objected to the proposal as one that ignores the City's Urban Design Guidelines for High-rise Buildings as well as the Bank Street Height and Character Study and she raised concerns about how the failure to respect years of policy planning and consultation will impact residents' confidence in future planning.
- The applicant, as represented by Kersten Nitsche, FoTenn, and Barry Hobin, Hobin Architecture, provided site context, an overview of the proposed development and its design and mitigation measures for identified issues. They identified how it conforms to existing policies and contended that a 16-storey would be less intrusive on the neighbouring properties than a mid-rise tower.

The following correspondence was provided to the committee coordinator between June 31 (the date the report was originally published to the City's website with the agenda for this meeting) and the time the matter was considered on July 8, 2021, a copy of which is held on file:

- Email dated July 4 from Carla and Mike McCloskey
- Email dated July 4 from Janine and Jason Anderson
- Email dated July 4 from Laurin Williams
- Email dated July 4 from Wendy Denley & Isabelle Roy

- Email dated July 4 from Bev and Jack MacRae
- Email dated July 4 from Brien Whalen
- Email dated July 5 from Natasha Jamieson
- Email dated July 5 from Linda Butcher and Wayne Cole
- Email dated July 6 from Judy Wilson
- Email dated July 6 from Rina Cerrato and David Schwartz
- Email dated July 6 from Todd Saunders and Lesley Kathnelson
- Email dated July 6 from Kalapi Roy (and, on behalf of Chitra Roy)
- Email dated July 6 from Justin (email sender 'Justin Tang')
- Email dated July 6 from Carrie Alyman and Allen Carpenter
- Email dated July 6 from Arnold Polentz
- Email dated July 6 from Leslie McDermott
- Email dated July 7 from Andrea Redway
- Email dated July 7 from Avra Gibbs Lamey
- Email dated July 7 from Ian Charlebois
- Email dated July 7 from Dan Moloughney
- Email dated July 7 from Kristi Ross, Kristi M. Ross, Barrister & Solicitor, on behalf of the "Rosebery Residents"
- Presentation slides, Rosebery Residents
- Presentation slides, FoTenn
- Presentation slides, Hobin Architecture
- Email dated July 7 from Connie Boynton
- Email dated July 7 from Taylor Hunter, Senior Vice President, Inside Edge Properties, Authorized Representative of Your Credit Union, the owner of 14

Chamberlain Avenue

- Email dated July 7 from Marcello Cianciaruso and Carla Bonora

Ward Councillor S. Menard was present and took part in discussion. He also provided a presentation, a copy of which is held on file.

The following staff responded to questions:

- Planning, Infrastructure and Economic Development Department: Doug James, Manager, Development Review - Central; Steve Gauthier, Planner II; Don Herweyer, Director, Economic Development and Long Range Planning; Peter Giles, Planner II.
- Innovative Client Services Department: Tim Marc, Senior Legal Counsel-Planning, Development & Real Estate

The committee CARRIED the report recommendations on a division of 6 yeas and 3 nays, as follows:

YEAS (6): Councillors J. Cloutier, L. Dudas, A. Hubley, S. Moffatt, J. Sudds,
Acting Chair G. Gower

NAYS (3): Councillors C. Kitts, J. Leiper, T. Tierney