



Planning Committee

MINUTES 43

Tuesday, 23 October 2012, 9:30 a.m.

Champlain Room, 110 Laurier Avenue West

Present: Councillor P. Hume (Chair)
Councillor J. Harder (Vice-Chair)
Councillors S. Blais, R. Bloess, R. Chiarelli, K. Hobbs, A. Hubley,
B. Monette, and S. Qadri

Regrets: Councillor M. Taylor

DECLARATIONS OF INTEREST

No declarations of interest were filed.

CONFIRMATION OF MINUTES

Minutes 42 of the Planning Committee meeting of 9 October 2012.

CONFIRMED

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- Note:**
- 1. Except where otherwise indicated, reports requiring Council consideration will be presented to Council on 14 November 2012 in Planning Committee Report 39A.**
 - 2. Copies of all correspondence, presentations and related reference material received and marked with an asterisk (*) are held on file with the City Clerk.**

**STATEMENT REQUIRED FOR *PLANNING ACT*
FOR MATTERS SUBMITTED POST JANUARY 1, 2007**

The Chair read a statement required under the *Planning Act*, which advised anyone intending to appeal the proposed Comprehensive Zoning By-law and Official Plan Amendments listed as Items 4 and 6 on the agenda that they must either voice their objections at the public meeting or submit comments in writing prior to the Amendments being adopted by City Council on 14 November 2012, failing which, the Ontario Municipal Board (OMB) might dismiss all or part of the appeals. In addition, it was noted that applicants could appeal these matters to the OMB if Council did not adopt amendments within 120 days for Zoning, or 180 days for an Official Plan Amendment, of receipt of the applications.

COMMUNICATIONS

- Chair's Memo - Summary of Attendance at American Planning Association Conference, 14-17 April 2012, Los Angeles, California

**ADVISORY COMMITTEE
OTTAWA BUILT HERITAGE ADVISORY COMMITTEE**

1. APPLICATION TO DEMOLISH 273 SUSSEX AND 275-279 SUSSEX,
TWO BUILDINGS DESIGNATED UNDER PART V OF THE ONTARIO
HERITAGE ACT AND LOCATED IN THE LOWERTOWN WEST
HERITAGE CONSERVATION DISTRICT
ACS2012-PAI-PGM-0217 RIDEAU-VANIER (12)

OBHAC RECOMMENDATION:

That Planning Committee recommend that Council refuse the application to demolish the buildings located at 273 and 275-279 Sussex Drive.

The Committee received a PowerPoint slide presentation overview (held on file with the City Clerk), which encompassed both reports pertaining to the demolition of the subject properties, from Mr. John Smit, Manager, Development Review, Urban Services Branch, Planning and Growth Management (PGM). Mr. Doug James, Planner, Development Review, Urban Services Branch, PGM, was also present to respond to questions pertaining to the related agenda item pertaining to Demolition Control for the same properties.

Following the presentation, the Committee heard from the following public delegations, speaking to the issue of supporting a recommendation from the Ottawa Built Heritage Advisory Committee to *refuse* the application to demolish

the subject properties (in opposition to the original report recommendation). Each speaker, in turn, spoke to the heritage value of retaining the properties as representational examples of early 20th century Lowertown community housing, with some speakers offering alternative solutions that might allow the structures to be preserved:

- Mr. Marc Aubin*, President, Lowertown Community Association (LCA);
- Ms. Leslie Maitland*, President, Heritage Ottawa;
- Ms. Liz Mackenzie*, Co-Chair, LCA Heritage Committee
- M. Jacques Faucher*, Lowertown Historian (and former resident of 275-277-279 Sussex Avenue);
- M. Louis Patry*, Vice-Chair, Société franco-ontarienne du patrimoine et de l'histoire d'Orléans;
- Ms. Donna Kearns, Lowertown heritage building homeowner, and;
- Mr. Chris Bradshaw.

The following individual had been registered to speak in advance of the meeting, but was not in attendance:

- Mr. David Jeanes (Transport Action Canada).

Written correspondence was also received from the following, asking that the Committee refuse the application to demolish the subject properties for many of the reasons given above:

- M. Mathieu Dupont*
- Ms. Janet McGee*
- Ms. Joan Mason*
- Ms. Marie De Beaumont*
- Ms. Sylvie Grenier*
- Ms. Tanya Barbeau*

*[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]*

The following individual was present in support of the original report recommendation (to demolish the subject buildings), and to answer questions:

- Mr. Richard Daigneault, National Capital Commission.

Committee discussions centred on whether there was a true need to demolish the subject properties; whether alternative considerations had been entertained to either move the buildings or to provide alternate cycling routes, as the widening of Sussex Drive for a cycling route was deemed to be one of the key factors necessitating demolition, and; the value of maintaining the properties as

one of the few remaining neighbourhood examples of early 20th century Lowertown community heritage residences. Councillors Fleury (the Ward Councillor) and Clark were also in attendance. At the conclusion of discussions, the OBHAC recommendation was put before Committee and was CARRIED on a division of nine “Yeas” to zero “Nays”:

Yeas (9): Councillors S. Blais, R. Bloess, R. Chiarelli, K. Hobbs, A. Hubley, B. Monette, S. Qadri, J. Harder and P. Hume

Nays (0)

That Planning Committee recommend that Council refuse the application to demolish the buildings located at 273 and 275-279 Sussex Drive.

CARRIED

As the above recommendation “CARRIED”, the Chair ruled the agenda item pertaining to Demolition Control for the same subject properties to be redundant.

The above item was forwarded to Council for its consideration on 24 October 2012 in Planning Committee Report to Council No. 39.

**PLANNING AND INFRASTRUCTURE
PLANNING AND GROWTH MANAGEMENT**

2. DEMOLITION CONTROL - 273, 275-279 SUSSEX DRIVE
ACS2012-PAI-PGM-0234 RIDEAU-VANIER (12)

REPORT RECOMMENDATION:

That the Planning Committee recommend Council approve the demolition of 273 and 275-279 Sussex Drive subject to the conditions contained in Document 3.

RULED REDUNDANT by the the Chair, by the carriage of the recommendation for the preceding item.

3. DEMOLITION CONTROL - 518 ROCHESTER STREET
ACS2012-PAI-PGM-0229 SOMERSET (14)

REPORT RECOMMENDATIONS:

That Planning Committee recommend Council approve that 518 Rochester Street be exempted from the requirements of the Demolition Control By-law subject to the following conditions:

1. Until the time of construction of the replacement building, the Owner shall be responsible for the installation, to City standards and at no cost to the City, of sod within the City boulevard along the public street frontage of 514, 516, 518, 530 and 532 Rochester Street (including the exterior side lot line of 532 Rochester Street, abutting Pamilla Street);
2. The Owner provides the City with a certified cheque or bank draft for the securities associated with the above works;
3. A replacement building for the property shall be substantially commenced within three years from the issuance of a demolition permit and in default thereof, the City Clerk and Solicitor shall enter on the collectors roll the sum of \$10,000.00 for each dwelling unit contained in the residential properties demolished;
4. The Owner enters into an agreement with the City including the foregoing conditions and pays all the costs associated with the registration of the said agreement;
5. At such time as a building permit is issued to redevelop the site and the replacement building is in place, the above noted agreement will become null and void and will be released upon request by the Owner, and the Owner shall pay all costs associated with the registration of the release from this agreement, and;
6. The approval of this application is null and void if the provisions of Condition 4 above have not been fulfilled within six months of the date of this approval.

CARRIED

Mr. Miguel Tremblay, FoTenn Consultants, was present in support of the report recommendation, but did not speak.

4. ZONING - 905 TAYLOR CREEK DRIVE
ACS2012-PAI-PGM-0231

ORLÉANS (1)

REPORT RECOMMENDATION:

That the Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to amend the zoning of 905 Taylor Creek Drive to permit a funeral home, including a crematorium, a visitation centre and a

place of worship, and to remove Automobile Service Station, Convenience Store, Car Wash and Gas Bar as permitted uses as detailed in Document 2.

CARRIED

Written correspondence was received from the following, in opposition to the report recommendation:

- Mr. Jules Winstan*

[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]

Mr. Carl Furney, Applicant Coordinator, IBI Group, was present in support of the report recommendation, but did not speak.

5. AMENDMENT TO THE DELEGATED AUTHORITY BY-LAW 2012-109
TO ENABLE PROVISIONS OF THE GUARANTEED APPLICATIONS
TIMELINE INITIATIVE
ACS2012-PAI-PGM-0226 CITY WIDE

REPORT RECOMMENDATION:

That Planning Committee recommend Council approve By-law #XXXX-XXX, A By-law to Amend Delegated Authority By-law 2012-109 as detailed in Document 1.

CARRIED

6. TRANSIT ORIENTED DEVELOPMENT PLANS, OFFICIAL PLAN
AMENDMENT AND ZONING BY-LAW AMENDMENT FOR TRAIN, ST.
LAURENT AND CYRVILLE AREAS
ACS2012-PAI-PGM-0183 BEACON HILL – CYRVILLE (11)
RIDEAU-ROCKCLIFFE (13), ALTA VISTA (18)

REPORT RECOMMENDATIONS:

That Planning Committee recommend Council:

1. **Approve the Transit Oriented Development Plans for Train, St. Laurent and Cyrville areas (distributed separately and on file with the City Clerk – Document 12), and as shown in Document 1;**

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2. **Approve Amendment No. XX to the Official Plan, as detailed in Document 2, to implement the Transit Oriented Development Plans;**
 3. **Approve an amendment to Zoning By-law 2008-250 as shown on the maps in Documents 3 to 8, and as detailed in Document 9; and**
 4. **Approve that staff bring forward for consideration as part of the annual Capital Budget process requests for funding in years 2015 to 2017 to undertake design and implementation of cycling and pedestrian facilities as detailed in Document 12.**

The Committee received a detailed PowerPoint slide presentation overview of the report (held on file with the City Clerk) from Ms. Cheryl Brouillard, Planner, Community Planning and Urban Design Unit, Policy Development and Urban Design Branch, PGM. Messrs. Dana Collings, Program Manager, also within the same unit and Branch, PGM, and Gary Baker, Program Coordinator, Development Charges, Business Support and Evaluation Unit, Business Services Branch, PGM, were also present to respond to questions.

Committee discussions encompassed matters dealing with:

- the burial of overhead wires as part of infrastructure works during construction phases;
- committing to pre-approved funding for specific uses;
- eligibility for infrastructure funding from development charges;
- cycling connections, and;
- asking that staff consider overlapping issues for future updates to the City's Official Plan, Transportation Master Plan, Infrastructure Master Plan.

Mr. John Moser, General Manager, PGM, explained that the wording of the recommendations had been carefully chosen, and was not meant to speak to a pre-commitment of funds for specific works, but a request was made to remove the reference to "*as detailed in Document 12.*" for Recommendation 4, to provide a greater level of comfort.

The Committee heard from the following public delegations, speaking to various issues including limits on FSI (Floor Space Index) and height; zoning rationale; traffic volumes and cycling safety issues; clarification regarding the continuation of uses allowed under existing zoning; concerns with phased development; continued pedestrian accessibility and an emphasis on liveable communities.

- Mr. Fred Cogan (seeking points of clarification);
- Ms. Sheila Perry*, on behalf of the Overbrook Community Association (expressing overall support, but suggesting caution in certain areas);

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- Ms. Julie Carrara, FoTenn Consultants on behalf of Morguard Investments (St. Laurent Centre lands), and Colonnade Developments (250 and 280 Tremblay Road and 550 Belfast Road) (in support);
 - Mr. Marty Koshman (in support, indicating he did not need to speak);
 - Ms. Pam Whyte, Delcan, on behalf of Canadian Tire Corporation (Coventry Road lands) (in opposition, but indicating a desire to work with staff to resolve certain minor issues), and;
 - Ms. Lola Causyn (in support).

Written correspondence was also received from the following, requesting refusal of the applications, instead requesting that they be dealt with as a part of the Official Plan and Comprehensive Zoning By-law reviews:

- Ms. Faith Blacquiere*.

[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]

Mr. Dan Paquette, Paquette Planning Associates, was present in support of the report recommendation, but did not speak.

Councillor Harder then introduced the following:

MOTION NO. PLC 43/1

Moved by Councillor J. Harder:

That Recommendation 4 be amended to remove the reference to “as detailed in Document 12.”

CARRIED

Staff also requested that Committee consider the following staff-initiated Motion for approval, to amend certain zoning provisions for certain properties in the Train and Cyrville TOD areas:

MOTION NO. PLC 43/2

Moved by Councillor J. Harder:

- 1. That Document 3 be amended to change Map 1 for the following properties:**
 - a. 250 Tremblay Road be rezoned from MC7 F(3.5) to TD3 with a site specific exception zone;**
 - b. 550 Belfast be rezoned from IG3[263] to TD2 with a site specific exception zone;**

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- c. 330 Coventry Road be rezoned from TD3[aaaa] to TD2[aaaa]**
- 2. That Document 7 be amended to change Map 5 for the following property:**
- a. 1250 Cyrville Road, (city-owned property on both sides of Cyrville Road) from MC F(2.0) H(48) and MC[1353] H(48) to TD3**
- 3. That Document 9 – Details of Recommended Zoning, Item 1.dd. be replaced with the following:**
- “For the properties being rezoned as shown on Documents 3, 5 and 7 of this report, the TD Zone and its corresponding subzone only applies when a new permitted use, accommodated in a new building, is introduced to the site. Uses that legally exist or have an approval through site plan as of the date of passing of the By-law or are identified under “Additional Land Uses Permitted” are permitted to remain and expand using the TD Zone and provisions outlined in Tables 1, 2 and 3 below as long as they do not exceed the maximum building heights and floor area ratios noted in Tables 1, 2 and 3 below. When the building heights and floor area ratios are exceeded the development must proceed based on the full TD zone regulations. Uses that are permitted in the TD Zone may be introduced to an existing building without triggering the regulations outlined in the TD Zone. Once the TD Zone has been triggered, the exceptions outlined in the chart below no longer apply.”**
- 4. That there be no further notice pursuant to Section 34 (17) of the Planning Act.**

CARRIED

Discussions having concluded, the report recommendations were put before Committee and were CARRIED as amended by Motions Nos. PLC 43/1 and PLC 43/2.

That Planning Committee recommend Council:

- 1. Approve the Transit Oriented Development Plans for Train, St. Laurent and Cyrville areas (distributed separately and on file with the City Clerk – Document 12), and as shown in Document 1;**
- 2. Approve Amendment No. XX to the Official Plan, as detailed in Document 2, to implement the Transit Oriented Development Plans;**
- 3. Approve an amendment to Zoning By-law 2008-250 as shown on the maps in Documents 3 to 8, and as detailed in Document 9; and**

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4. Approve that staff bring forward for consideration as part of the annual Capital Budget process requests for funding in years 2015 to 2017 to undertake design and implementation of cycling and pedestrian facilities;
 5. That Document 3 be amended to change Map 1 for the following properties:
 - a. 250 Tremblay Road be rezoned from MC7 F(3.5) to TD3 with a site specific exception zone;
 - b. 550 Belfast be rezoned from IG3[263] to TD2 with a site specific exception zone;
 - c. 330 Coventry Road be rezoned from TD3[aaaa] to TD2[aaaa];
 6. That Document 7 be amended to change Map 5 for the following property:
 - a. 1250 Cyrville Road, (city-owned property on both sides of Cyrville Road) from MC F(2.0) H(48) and MC[1353] H(48) to TD3;
 7. That Document 9 – Details of Recommended Zoning, Item 1.dd. be replaced with the following:

“For the properties being rezoned as shown on Documents 3, 5 and 7 of this report, the TD Zone and its corresponding subzone only applies when a new permitted use, accommodated in a new building, is introduced to the site. Uses that legally exist or have an approval through site plan as of the date of passing of the By-law or are identified under “Additional Land Uses Permitted” are permitted to remain and expand using the TD Zone and provisions outlined in Tables 1, 2 and 3 below as long as they do not exceed the maximum building heights and floor area ratios noted in Tables 1, 2 and 3 below. When the building heights and floor area ratios are exceeded the development must proceed based on the full TD zone regulations. Uses that are permitted in the TD Zone may be introduced to an existing building without triggering the regulations outlined in the TD Zone. Once the TD Zone has been triggered, the exceptions outlined in the chart below no longer apply.”, and;
 8. That there be no further notice pursuant to Section 34 (17) of the Planning Act.

CARRIED as amended

Councillor Blais also submitted the following, originally proposed as a Motion during discussions (noted earlier, above), and amended to be taken as a Direction to Staff, to form part of a suite of works on updates to the City's Official Plan and related Master Plans:

Direction to Staff:

That staff investigate, as part of its ongoing work on the Official Plan update, the feasibility of burying all overhead wires within all *Transit Oriented Development Plan* areas as part of any infrastructure investments, to include possible areas of funding for same, i.e., special area levies on development areas; and report back as part of the Official Plan update.

7. REVIEW OF THE POOL ENCLOSURE BY- LAW, 2001-259
ACS2012-PAI-PGM-0114 CITY-WIDE

REPORT RECOMMENDATIONS:

That the Planning Committee recommend that Council:

- 1. Repeal the By-law of the City of Ottawa Respecting the Enclosure for Privately Owned Outdoor Pools, By-law 2001-259; and replace it with a new By-law, substantially in the form of Document 1; and**
- 2. Direct staff to bring forward a report in January 2013, including timeframes and resource requirements, on a proposed public awareness and education campaign on pool safety and Pool Enclosure By-law requirements.**

The Chair informed that Ms. Arlene Grégoire, the City's Chief Building Official, will be speaking to a Coroner's Inquest between the time of the present meeting and after the time that this item would normally proceed to Council. Hence, Ms. Grégoire requested that Planning Committee and the Agriculture and Rural Affairs Committee, in due course, approve the recommendations contained within the report, but that the Committees' respective endorsements not proceed to Council until after the conclusion of the inquest so that any issues arising from the inquest could be brought forward to Council for that body's consideration.

Clarification was sought regarding grandfathering provisions for residences with existing fencing, following which, the following was moved, to clarify the reporting schedule for this item:

MOTION NO. PLC 43/3

Moved by Councillor J. Harder:

That the Planning Committee forward its recommendations to the Agriculture and Rural Affairs Committee (ARAC), and request that ARAC not forward both Committees' respective recommendations to Council until after the conclusion of the Coroner's Inquest, so that any issues arising from the inquest can be brought forward to Council for that body's consideration.

CARRIED

That the Planning Committee:

1. Recommend Council repeal the By-law of the City of Ottawa Respecting the Enclosure for Privately Owned Outdoor Pools, By-law 2001-259; and replace it with a new By-law, substantially in the form of Document 1;
2. Recommend Council direct staff to bring forward a report in January 2013, including timeframes and resource requirements, on a proposed public awareness and education campaign on pool safety and Pool Enclosure By-law requirements, and;
3. **Forward its recommendations to the Agriculture and Rural Affairs Committee (ARAC), and request that ARAC not forward both Committees' respective recommendations to Council until after the conclusion of the Coroner's Inquest, so that any issues arising from the inquest can be brought forward to Council for that body's consideration.**

CARRIED as amended

Mr. Randy McMullan, Pool and Hot Tub Council of Canada, had registered in advance to address this item, but did not speak.

Written correspondence was also received from the following, in support of the report recommendations:

- Ms. Agnes Warda*, on behalf of the Glens Community Association.

[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]

**ADDITIONAL COUNCILLOR'S ITEM
COUNCILLOR J. HARDER (ON BEHALF OF COUNCILLOR D. HOLMES)**

8. SITE PLAN - SECTION 37 BENEFITS
ACS2012-CMR-PLC-0023 CITY-WIDE

Councillor D. Holmes asked that the Planning Committee consider waiving the Rules of Procedure to consider the Motion noted below, regarding Section 37 benefits, and requested that, if Committee were in accord, a member of the Committee move it on her behalf. Vice-Chair Harder offered to do so.

MOTION NO. PLC 43/4

Moved by Councillor J. Harder:

That the Planning Committee approve the addition of this item for consideration by the Committee at today's meeting, pursuant to Section 84(3) of the Procedure By-Law (being By-Law No. 2006-462).

CARRIED

MOTION NO. PLC 43/5

Moved by Councillor J. Harder:

Whereas Council on 28 March 2012 approved guidelines for the imposition of a requirement for Community Benefits pursuant to the Planning Act, section 37;

And Whereas pursuant to these guidelines, the determination of the Community Benefits to be provided is to be led, for the City, by the Ward Councillor, taking into account the rights of the developer as the applicant and following consultation with community associations and residents;

And Whereas, prior to the implementation of the section 37 guidelines, monies for similar objectives have been collected through conditions upon site plan approval;

Therefore Be It Resolved that where amounts have been collected through the site plan approval process for analogous purposes to section 37, subject to any conditions in the site plan agreement or securement of other funding if such is required, the amounts may be

disbursed by the Treasurer upon the written direction of the Ward Councillor.

CARRIED

ADJOURNMENT

The Committee meeting was adjourned at 12:50 p.m.

Original signed by
C. Zwierzchowski

Committee Coordinator

Original signed by
Councillor P. Hume

Chair