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To: Chair and Members of the Development and Infrastructure Committee

From: Jamie Tellier, Manager of Urban Design

cc: Amber LaPointe, Committee Clerk
Blake Hurley, Assistant City Solicitor

Date: December 12, 2016

Re: Memo requesting addition to recommendation of Character Area Study zoning by-law amendments (PB-80-16)

Since the publication of report PB-80-16 in the Development & Infrastructure Committee agenda, Planning staff have considered and assessed the impact of the proposed zoning amendments on development applications that have been approved, but have not obtained building permit, and on those applications currently being processed. Approval of the zoning by-law amendments as currently presented would have, in some cases, significant impact on those applications that are currently being processed by the City, and those that have been approved but not built yet. In many cases, applicants would be required to submit new or amended architectural drawings or require new or additional minor variances.

Planning staff did not intend for the proposed zoning amendments to apply to applications that have already been submitted or have been approved but not built. Accordingly, Planning staff recommend that the proposed zoning by-law amendment be amended to include the following transition strategy for zoning implementation to report PB-80-16, Character Studies and Low Density Residential Areas, which is listed as item 3.2 on the Development and Infrastructure Committee agenda.

Staff are of the opinion that the change is minor in nature and does not impact the substance of proposed zoning amendments. As such, staff recommends that the following amendment to the draft Zoning By-law amendment be considered by Committee, and recommended to Council. If Committee was inclined to recommend the amendment to Council, subsection 34(17) of the Planning Act requires that Council shall determine whether any further notice of the amendment to the by-law is to be given. If Council determines that no further notice of the amendment is necessary, it must make such determination through a Council resolution.

The proposed amendment is as follows:

Part 1 of By-law 2020, as amended, General Conditions and Provisions, Section 2.16 Site Plan and Building Permit Applications, is amended by adding the following subclause (b)

(b) A Zoning Clearance Certificate application or Committee of Adjustment development application for lands within low density residential zones submitted prior to the enactment of By-law

2020.374 on December 19, 2016 shall be reviewed in accordance with the zoning regulations in effect at the time the application was submitted.

Therefore the complete recommendation that Staff is asking Committee to recommend to Council is as follows, with the new sections in bold:

Approve the amendments to the Official Plan, as contained in appendix A of planning and building department report PB-80-16, which relate to the implementation of the Roseland, Indian Point, and Shoreacres Character Studies; and

Approve the amendments to the Zoning By-law, as contained in appendix B of planning and building department report PB-80-16, which relate to the implementation of the Roseland, Indian Point, and Shoreacres Character Studies; and

Approve the additional amendment to the Zoning By-law, as contained in the staff memo dated December 12, 2016, which relates to the transition strategy for zoning compliance as part of the Building Permit process; and

Deem that the additional amendment to the Zoning By-law is minor in nature and that no further public notice of the additional amendment to the Zoning By-law is necessary.

If you have any questions, please contact me.

Sincerely,

Jamie Tellier
Manager of Urban Design
Planning & Building Department