

REPORT 19 - 2023

To: MAYOR AND MEMBERS OF COUNCIL

The Planning and Building Committee presents its nineteenth report for 2023 and recommends:

PDC-0080-2023

1. That City Council amend Zoning By-law 0225-2007 to R16-13 Exception (Detached Dwellings on A CEC - Road - Exception Holding Provision), RM5-61, H-RM5-62, RM5-63 (Street Townhouses – Exception Holding Provision), RM6, RM6-30, RM6-31, RM6-32, H-RM6-33, RM6-34, RM6-35, RM6-36, H-RM6-37, H-RM6-38 (Townhouses on A CEC - Road - Exception Holding Provision), RM11-3, RM11-4, RM11-5, RM11-6, H-RM11-7 (Back to Back Townhouses on A CEC - Road - Exception Holding Provision), OS1 (Open Space - Community Park), G1 (Greenlands - Natural Hazards), G2 (Greenlands - Natural Features), PB1 (Parkway Belt) for 6136, 0, 6168, 0, 0, 0, 6252, 6276, 6302, 6314, 6400, 6423, 6500 and 0 Ninth Line, in accordance with the provisions contained in the staff report dated November 22 2023 from the Commissioner of Planning and Building.
2. That the “H” holding provision is to be removed from the RM5-62 (Street Townhouses), RM6-33, RM6-37, RM6-38 (Townhouses on A CEC Road), RM11-7 (Back to Back Townhouses on A CEC Road) zoning applicable to the subject lands, by further amendment upon confirmation from applicable agencies and City Departments that matters as outlined in the report dated November 22, 2023, from the Commissioner of Planning and Building have been satisfactorily addressed.
3. That in accordance with the delegated authority under By-law 1-97, City Council acknowledges that the Commissioner of Planning and Building intends to approve the Draft Plans of Subdivision under Files T-M19003 W10 and T-M19004 W10, subject to the sets of draft conditions of approval outlined in Appendices 3 and 4 of the staff report dated November 22, 2023 from the Commissioner of Planning and Building.
4. That City Council direct the applicant to satisfy all requirements of the City and any other external agency concerned with the development.
5. That City Council's approval of the rezoning application be considered null and void, and new development applications be required unless a zoning by-law is passed within 36 months of the Council decision.

PDC-0081-2023

1. That City Council direct Legal Services, appropriate City staff and any necessary consultants to attend the Ontario Land Tribunal (OLT) hearing in opposition to the Official Plan Amendment and Rezoning applications, under File OZ/OPA 22-17 W7, in their current form, for the lands at 65-79 Agnes Street and for Legal Services to bring a report to Council should there be a potential for settlement.
2. That City Council authorize the Planning and Building Department to instruct Legal Services on requesting mediation or to otherwise enter into settlement discussions during or before the Ontario Land Tribunal hearing process.

PDC-0082-2023

That the proposed amendments to Zoning By-law 0225-2007, as detailed in Appendix 3, and other City by-laws, as detailed in the report dated November 22, 2023, from the Commissioner of Planning and Building, be approved in accordance with the following:

1. That implementing by-laws be enacted at a future City Council meeting, including by-laws that would allow seasonal outdoor patios and seasonal outdoor retail sales and displays to operate with waived fees for a period of two years until December 31, 2025.
2. That notwithstanding planning protocol, that this report regarding the proposed Zoning By law 0225-2007, be considered both the public meeting and a combined information and recommendation report.
3. That the Committee of Adjustment fees for Minor Variances related to existing seasonal outdoor patios be waived for a period of two years until December 31, 2025.
4. That the notice requirement under ss.7(2)(f) of the Noise Control By-law 0360-1979, as amended, be waived until January 1, 2026 for any person operating a seasonal or long-term outdoor patio who applies for an exemption from section 4 of the By-law as it relates to prohibited periods of time listed in Column 2, section 3 of Schedule 2 or Column 2 of Schedule 2-A.
5. The one oral submission be received.