

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the July 18, 2024 COTW Meeting

E.1.a.a 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street: Rezoning Application No. 00810 and associated Development Permit with Variances Application No. 000614 and Heritage Alteration Permit Application No. 00251 (Downtown)

Moved and Seconded:

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated July 4, 2024 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street.
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council.
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute an 2.38 m wide statutory right of way along Niagara Street for highway purposes to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. Ensure that the TAP relocation lead time, is 12 months for all tenants and that the relocation and right of first refusal plan minimizes sudden rental increases and accounts for the needs of vulnerable residents, to the satisfaction of the Director of Planning.
6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit with Variance Application

That Council, after giving notice, consider the following motion:

“1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 000614 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street, in accordance with plans submitted to the Planning department and date stamped by Planning on May 21, 2024, subject to:

a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:

- i. increase the maximum height from 18.50m to 23.10m
- ii. increase the maximum site coverage from 40% to 53%
- iii. reduce the minimum open site space from 50% to 41%
- iv. reduce the Battery Street setback from 10.00m to 6.00m for the triplex
- v. reduce the Battery Street setback from 10.00m to 6.50m for the building and 5.00m for the balcony of the assisted living facility
- vi. reduce the Niagara Street setback from 4.00m to 2.50m for the port cochere of the assisted living facility
- vii. reduce the internal east setback from 6.00m to 5.00m for the balcony of the assisted living facility
- viii. reduce the internal south setback from 6.00m to 4.70m for the balcony of the assisted living facility
- ix. locate an accessory building in the side yard instead of the rear yard
- x. increase the maximum height of an accessory building from 3.50m to 3.70m.

2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

Heritage Alteration Permit Application

That Council, consider the following motion:

“1. That Council authorize the issuance of the Heritage Alteration Permit No. 00251 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street in accordance with plans submitted to the Planning department and date stamped by Planning on May 21, 2024

(the "Plans"), subject to the proposed development meeting all City zoning bylaw requirements.

2. That the Heritage Alteration Permit, if issued, lapses two years from the date of this resolution."

OPPOSED (1): Councillor Coleman

CARRIED (8 to 1)