

Special general meeting – August 27, 2019

Introduction/Welcome – Phyllis

- Explanation of what a special general meeting is according to the OOECA by-laws
- Only topic of discussion for tonight will be 10 Oblats Avenue according to rules for a special general meeting
- We do meet quorum to have the special general meeting (more than 25 members)
- Only members in good standing can vote, no more than two members from a household
- President will only vote in the event of a tie

Presentation – Jeff O’Neill, resident in Greystone development, member of OOECA planning committee

- Map of area in question – pink area on slide as the area in question, bigger than just 10 Oblats Avenue
- Overview of planning policy framework
- Official Plan (every five years), Secondary Plan (more of a “deep dive” into specific communities)
- Implementation of planning is the Zoning by-law
- Current status – Secondary Plan: maximum height of six storeys in Mixed-Use Medium Rise Area; Zoning By-law: height limit of 20 metres at 10 Oblats Avenue
- Developer’s request: 1. Amend the Official Plan to allow up to nine storeys in the Mixed-Use Medium Rise land use designation in the Old Ottawa East Secondary Plan and 2. Amend the Zoning By-law to permit a 29-metre building at 10 Oblats Avenue
- Ottawa City Council’s decision: city council voted to approve the request to amend both the Secondary Plan and Zoning By-law to allow a nine-storey (29m) building at 10 Oblats Avenue
- The OOECA has filed an appeal to the Local Planning Appeal Tribunal (LPAT) seeking to reverse council’s decision
- The changes will not come into force until either the appeal is dismissed or ruled in favour of the city/applicant

Question – Does decision affect commitment to save trees on Grand Allee which are located in the pink area?

Answer – Trees are part of the Grand Allee and it is protected by heritage designation. Some of the other pieces of property in pink area are owned by Saint Paul University.

Question – It was noted that SPU was not consulted. Have they been consulted?

Answer – They wrote a letter to planning committee supporting the OOECA’s position in opposition to this. Not certain yet if SPU will support appeal as this is going on during summer vacation (appeal decision was required by August 6) and SPU must go through a process to get approval (ie: board, board of directors, etc).

Question – At planning committee, developer said they had to go from six to nine storeys because they realized it would impact on the trees – ie: they had to back up the buildings away from the trees, so they had to go higher. Is that what they said?

Answer – Yes, but reasons they gave (trees, underground/surface parking) have never been raised with community before.

Question – Can we negotiate height on the rest of the pink area if this appeal isn't going our way?

Answer – Before LPAT, always encouraged to have mediations as part of process.

Why we are appealing/cost of appealing - Ron Rose, chair of OOECA planning committee

- Community associations are at a disadvantage – we do not have resources to fund appeals
- Some councillors even asked city staff if they had money in reserve for any potential launched by community
- We need to hire expertise to make our case – we need lawyers and planners
- Appealing two decisions by city council
- Appealing amendment of Official Plan because it is contrary to the Secondary Plan developed by our community over a decade ago
- Developer looking for extra surface parking, even though parking was to be underground
- Amendment to change Secondary Plan causes lots of confusion
- Potential impacts on Grand Allee
- Councillors commented on and considered irrelevant issues in making their decision – ie: developer's "contribution" of the pathway, comments by planning chair

Question – When Regional bought the property, they knew what they were buying.
Taxpayers also paid for costs to clean up area.

Question – Does anyone have idea what was in purchase agreement – ie: Deschalet building is supposed to be the tallest building?

Answer – Community and city worked on community design plan (CDP) but it has no "teeth" – it was incorporated into Secondary Plan to provide "protection." CDP does outline Deschalet as focal point, debate/opinion on sight lines to see it.

Question – How does new LPAT work? Authority? Procedures? What are the OOECA's chances of success with the appeal?

Answer – LPAT replaced OMB – LPAT is supposed to support communities (ie: planners on staff to help provide knowledge). Major difference between the two is that under OMB, developers could give "extenuating circumstances" (ie: yes, that's what the zoning says but...) and under LPAT, supposed to look only at Planning Act of Ontario. But government is making changes that revert back to old OMB rules. Not clear right now if we are under the rules of the old LPAT or new LPAT. It will be an uphill battle and we don't know yet if appeal has been accepted. But we need to take stand on our Secondary Plan and it's a good use of our money.

Question – South of 10 Oblats will eventually be developed so need to stand ground on this piece of property.

Fundraising - Heather Jarrett

- Goal to start is \$100 from 100 people
- Starting amount of \$5000 from OOECA is not enough
- Need to stand up for what you believe in – this a community issue
- T-shirts - \$10
- Tap into your community networks – ie: people you know in the community
- Cheques are payable to OOECA
- If we don't spend your cheque, it will be returned (ie: if appeal is not accepted)

Question – Any other recourse if appeal is not granted? And if appeal is granted, what is the next step?

Answer – If appeal not granted, can appeal to courts but only on a technical issue – ie: error in process or procedure vs on a planning issue. If appeal is granted, they have 75 days to do a case conference. Attempt at mediation session, possibly two. Actual hearing may not be until the spring.

Motion: To approve the expenditure of up to \$5000 of community association funds to be used in the appeals of By-Law 2019-257 OPA 228 (case #D01-01-19-0006) and By-Law 2019-258 (case #D02-02-18-0023), and secondly, that these funds will be expended prior to the expenditure of any other community-raised funds.

Moved by John Dance, seconded by Tom Scott

Motion approved unanimously