

MEMORANDUM

TO: Mayor Bonnette and Members of Council

FROM: Tony Boutassis, Senior Planner – Development Review

DATE: May 14, 2019

MEMORANDUM NO.: MEM-PLS-2019-0004

RE: Local Planning Appeal Tribunal (LPAT) Appeal for 12 Church Street East (Acton)

PURPOSE OF THE MEMORANDUM:

The purpose of this memo is to advise Council that an Appeal to the Local Planning Appeal Tribunal (LPAT) has been received in objection to Council's decision to approve the site specific Zoning By-law Amendment (D14ZBA17.002) to permit 11 townhouse units on lands municipally known as 12 Church Street East in Acton; see **SCHEDULE 1 – LOCATION MAP**.

BACKGROUND AND COMMENTS:

On April 15, 2019, Council approved a site specific Zoning By-law Amendment (Report PLS-2019-0020) to permit 11, 3-storey townhouse units at 12 Church Street East in Acton; see **SCHEDULE 2 – PROPOSED SITE PLAN**. The Notice of Passing of Zoning By-law 2019-0019 was mailed out on April 17, 2019, which identified May 7, 2019, as the last date of appeal.

On May 7th the Town received an Appeal to LPAT on behalf of Jane and Hugh Hyndman, who own 38 Willow Street South, which abuts the subject site. A copy of the appeal cover letter is attached (**SCHEDULE 3 – LPAT APPEAL COVER LETTER**) which sets out the Hyndmans' reasons for appeal, which are:

- concern over the 3-storey height of the units;
- permission for balconies at the rear of the 2nd storey;
- insufficient landscaping;
- concern over unacceptable level of traffic congestion; and,
- perceived non-conformity with the Town's Official Plan.

For Council's benefit, the Hyndmans submitted a letter to the April 9, 2019, Planning, Public Works and Transportation Committee and spoke at the April 15, 2019, Council Meeting expressing similar concerns with the proposal.

The Notice of Appeal and copies of the Zoning By-law Amendment application materials have been forwarded to LPAT for receipt.

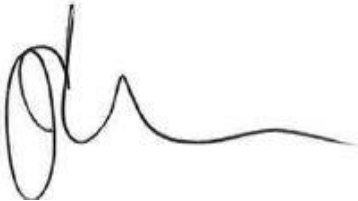
CONCLUSION:

This memo is being provided to Council for information only.

Reviewed and approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak". The signature is fluid and cursive, with the first name "Jeff" being more prominent.

Jeff Markowiak, Manager of Development Review

A handwritten signature in black ink, appearing to read "John Linhardt". The signature is stylized, with a large initial "J" and a long, sweeping underline.

John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is cursive, with the first name "Brent" being more prominent.

Brent Marshall, Chief Administrative Officer