

## Summary of Written and Oral Submissions

### Zoning By-law Amendment – Westboro Infill Study (Interim Control By-law) Area

Note: This is a draft Summary of the Written and Oral Submissions received in respect of Zoning By-law Amendment – Westboro Infill Study (Interim Control By-law) Area (ACS2021-PIE-EDP-0007), prior to City Council’s consideration of the matter on February 24, 2021.

The final Summary will be presented to Council for approval at its meeting of March 10, 2021, in the report titled ‘Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of February 24, 2021’. Please refer to the ‘Bulk Consent’ section of the Council Agenda of March 10, 2021 to access this item.

In addition to those outlined in the Consultation Details section of the report, the following outlines the written and oral submissions received between the publication of the report and prior to City Council’s consideration:

#### Number of delegations/submissions

Number of delegations at Committee: 4

Number of written submissions received by Planning Committee between February 1 (the date the report was published to the City’s website with the agenda for this meeting) and February 11, 2021 (committee meeting date): 12

#### Primary concerns, by individual

##### **Murray Chown, Greater Ottawa Home Builders’ Association** (oral submission)

- the increase in interior side yard setbacks from the typical 1.2 m in this area now to 1.5 m significantly impacts the buildable area on a property, which has potential impact on size or number of units that could be developed; one of the focus areas of the new OP going forward is to ensure we’re accommodating large units through intensification in these neighbourhoods
- with respect to controls in the rear yard, the homebuilders think that was dealt with reasonably well through Infill II, so they are not sure it is necessary to go to the lengths being recommended for buffers for rear-yards and minimal landscaped areas, but they will wait to see how that plays out because until they actually start to work with a new Zoning By-law, they are not sure how much of a challenge this will be
- with respect to parking, in wards with significant levels of redevelopment in

intensification, parking continues to be one of the biggest issues with every single development or infill application in those wards

- even though the Zoning By-law doesn't require parking for a development of less than 12 units, the future occupants (owners or tenants) are always looking for parking, and the community and neighbours are always concerned about pressures to on-street parking
- staff have indicated the approach here is to deal with everything else first and then provide a parking space if you still have room on the property for one, but GOHBA would like the City to take a more flexible approach for this, and to that end, their letter sets out a number of options to explore, and even more opportunities to provide parking on a site-by-site basis
- specifically, they would like to encourage the possibility to allow for surface parking spaces, whether front or rear yard, on an interim basis or as a transitional use of the lands while we evolve to a point where we're closer to being automotive-free; those surface parking spaces could, over time, be landscaped or planted with trees

**Jason Burggraaf, Executive Director, Greater Ottawa Home Builders' Association (GOHBA)** (written submission)

- Integrating Small "c" Commercial: GOHBA welcomes the addition of neighbourhood commercial to Churchill Avenue, but feels there is a lost opportunity to expand the ability of small "c" commercial to increase the complete and walkable aspects of Westboro; in addition to Churchill Avenue, consideration should be given to permitting neighbourhood commercial on Byron, Clare and Dovercourt west of Churchill; buildings providing for commercial space should be allowed up to three additional stories above the ground floor in recognition that the commercial level will be at grade, rather than being elevated above grade as a residential building would be, which would mean only a half floor height difference between adjacent buildings if one had commercial and one didn't
- Setbacks & Building Depth: GOHBA Members do not believe it is necessary to impose a 1.5m interior side yard setback for all building types, and that necessary infrastructure can be accommodated with a 1.2m setback except in the case of low-rise apartments, which need a 1.5m setback on one side in order to accommodate movement of garbage bins if they are stored in the rear yard; GOHBA believes that rear yard setbacks were sufficiently addressed in Infill 2, and that it is completely unnecessary to impose new provisions with respect to rear yards
- Parking as a transitional use of land: whenever considering parking, it should be from

a blank slate that asks “If parking is appropriate for a certain housing typology, where does it go?” rather than worry about how parking has been considered in the past or under the current zoning; the City is trying to encourage reduction in the use of the automobile, and greater use of alternative modes of transportation, including transit (and light rail) but residents and neighbours are concerned about the provision of adequate parking in new developments; to achieve a balance between these conflicting perspectives, the City should approach parking as an interim use of land as people slowly shift away from predominate automobile use to other modes of transportation for the majority of their commuting, GOHBA offers the following options for consideration:

- allow surface parking, whether located in a rear yard or in a front yard as an alternative to attached garages; surface parking increases the opportunity to have lively facades facing the street and can be replaced over time with soft landscaping and trees
- encourage parkades with retail on the main floor and parking on higher floors, where the façade disguises use (which is well-used downtown); above ground structures can be converted to different uses at an appropriate point in the future
- encourage buildings to provide underground parking for tenants and the public
- develop policies and programs that support small community or neighbourhood parking lots
- allow off-site parking a short distance away for a designated cluster of homes, which would provide the City with the dense housing typology it desires, and the parking lot could be developed at a later date

**Charles Ficner** (oral submission, images held on file)

- this is an existing community, not a new community, a community in which there are many houses and many people want to live here and have invested in living here
- 15% of single-family homes are already gone because there has been intensification on a significant scale, which has already put massive pressure on the community to change dramatically, as the highly valuable lots get torn down and redeveloped and neighbouring streets intensified
- the Provincial Policy Statement (PPS) provides guidance as to how things should be happening in existing communities compared to new ones; it stated there should be increased density where it can be accommodated, taking into account existing building stock; there is no recognition here of existing building stock and it’s an attempt at a blanket level to see what can be squeezed into an area

- this proposal, which has been rejected by all the community representatives who were part of the working group or community associations, is not reflecting what can be accommodated
- on Churchill Avenue it is also proposed to prohibit development of new detached or semi-detached dwellings along the street; this is an attack on peoples' right to own their property and is a dramatic change that stipulates what you must (not can) build on your own property; peoples' ability to control their property is decreased
- when this land was originally granted by the Crown it was an absolute purchase, granted, sold, conveyed and assured to those forever with their control;
- the province's *Conveyancing Act* says that persons are entitled to the quiet enjoyment and the freedom from encumbrances; this proposal would attack that freedom from encumbrances by putting a massive encumbrance on those properties, which goes way too far in terms of denying community people their right, and it won't stop at this community
- the role of Council is to represent the public and consider wellbeing of the city; the public rejects this and is not represented

**Eric Milligan** (oral submission and written submission with Shirley Milligan)

- area residents accept and understand the need for intensification to increase the housing stock to meet projected population growth and agree that focused intensification in the inner urban areas makes sense; they do not agree that the proposed zoning changes in this report are necessary
- there are some good new requirements that do attempt to respond to concerns of Westboro residents, but the rezoning provisions go too far in authorizing what will be massive increases in intensification in a neighbourhood that is not equipped to deal with that degree of change
- the provisions will radically transform Westboro into something unrecognizable; residents do not believe or accept that this degree of change and disruption, focused on Westboro, is necessary to achieve the City's global objectives of increasing the housing stock to accommodate projected population growth, and are not convinced that the protective measures aimed at responding to concerns of Westboro residents will be sufficient to preserve the unique, and highly valued, character of our neighbourhood
- instead of a lot with a single-family home, lots could now be severed into two with triplexes, even up to eight units, and this could occur on two or three lots in the same block, with impacts on traffic, parking, garbage storage, snow management, physical

infrastructure and mature trees; this cumulative effect is causing residents stress; the impacts of maximum allowable intensification on corner lots, on the transition areas, and on the major streets (Churchill and Byron) would compound the problems, making the situation even worse

- if, as City Planners expect, the rezoning approach proposed for Westboro is eventually extended as the model for rezoning in all the other inner urban areas of the City that are targeted as the focus for intensification, the result would be far more consequential and the risks to all the targeted neighbourhoods far greater
- the provisions may unleash a massive, largely uncontrolled, and overwhelming push by developers to demolish existing homes, cut down more mature trees, and fill the properties with larger structures that stretch intensification to the maximum amount allowed, because the community has already seen developers try to do exactly that under the existing rules; the community fears that because they have been told that the economics of infill development will dictate that in order to maximize their profit, developers will need to cram as many dwelling units as possible into the properties they have purchased and, as the supply of available infill properties diminishes over time, the cost to developers of acquiring the properties will increase and they will need to build to the maximum allowable level of intensification in order to have their projects make economic sense
- these proposals won't enable a gentle or moderated approach to intensification in Westboro and they do not strike the right balance between the legitimate need to intensify and the obligation to mitigate potential harm to the neighbourhood
- the Committee should reject the proposal direct staff to scale back the degree of intensification that would result and to prepare a detailed, multi-faceted urban planning analysis of the potential impacts that would result under different planning scenarios; in absence of information about the need for intensification at this level and the consequences it will unleash the City should let the Interim Control Bylaw and the moratorium on triplexes expire and give the community, through the Westboro Community Association, six months to work with the City on more reasonable zoning provisions for the neighbourhood, and in the interim, to work constructively with any developers who are willing to pursue intensification that respects the unique characteristics of the neighbourhood

**Gary Ludington, Westboro Community Association** (oral and written submission)

- the impact of these changes on the rest of the urban community could be detrimental to the fabric of all neighbourhoods
- the WCA had already indicated, during the Interim Control By-law discussions, that

they could not support the proposed zoning changes except for the addition of townhouses, as the changes would destroy the character of the neighbourhood and make it essentially disappear

- this plan is a source of deep concern in the corridors where the heaviest intensification is to occur, there is no limit to the number of units, while on the corner lots where one residential street intersects another, the transition areas allow up to eight units; there was mention of long semis, meaning if a typical family lot is severed into two, there could be 16 units, and there is no indication where the parking would go
- the Official Plan is supposed to set out high level policies and aspirations and protect neighbourhoods and the Zoning By-law sets out how those aspirations are to be interpreted within individual neighbourhoods or collections of neighbourhoods; an overlay that was applied to the urban area at the time of amalgamation promoted homogenization and was disastrous to communities, and later, the Mature Neighbourhoods Overlay was developed to correct the abuses that resulted from this one-size-fits-all overlay; that Mature Neighbourhoods Overlay recognizes the fact that preservation of greenspace and trees is necessary and community character is as deeply meaningful to those who live or aspire to live in the community
- lots have been severed to build new homes where as many as 17 trees have been eliminated and the community couldn't stop that
- the provisions on average front yard setback and rear yard setback was based on lot depths and limits on driveway widths speak to community character and context, but it not clear where are all of the cars are going to park, as there may or may not be a driveway, so in all likelihood developers will go to Committee of Adjustment to seek minor variances
- the intended reduction in building footprints and driveways speaks to the need for room in every neighbourhood for greenspace and trees; the tree canopy in Westboro has been decimated over the past 6 or so years and it will be a long time before it returns, if at all
- the WCA appreciates the work done by the City and ward Councillor to try to standardize infill in the neighbourhood, but the proposed changes do not reflect the WCA's input and they ask this report be set aside until new zoning can be better guided by a new Official Plan

### **C. Robitaille** (written submission)

- while residents have had the opportunity to comment on this City initiated plan, it appears comments made by many homeowners have been selectively addressed

and some stated concerns are missing from this proposal; the proposal should not be approved until the nature and degree of all changes to the neighbourhood resulting from zoning changes are identified and addressed, specifically:

- the change in zoning represents an opening to rapid and exponential growth of both the numbers of buildings and people; mitigating the strain on the social-fabric of the neighbourhood – one of the defining features of Westboro – is not addressed in the proposal
  - the proposed zoning for Churchill Ave. allowing for an open-ended number of dwelling units creates the possibility for rooming houses and while providing no means for community/services/infrastructure planning; the expected number of people has not been indicated
  - the reduction to rear and front setbacks further reduces green space in the neighbourhood and severely limits the possibility of planting shade trees; while there are promises to protect the urban canopy, experience with intensification to date tells us that mature trees that are in the way of the building process, or unfortunately situated where a new structure is planned, will be removed, and if replaced, it is often with smaller trees that do not provide shade
  - the inclusion of commercial zoning on Churchill will have spill-over adverse effects (increased traffic and parking, noise, garbage storage, etc.) on Edison and Highcroft Ave. neighbours that have not been addressed
- this study was initiated prior to the pandemic; as a result of the pandemic measures, many more people are working from home and therefore not commuting to jobs downtown or in other areas, a change to work patterns that may continue in some form even after restrictions are lifted; as such, the following considerations should be addressed:
    - changes to work location (i.e. working remotely) and resulting commuting patterns that may remain after all pandemic restrictions are lifted and how these new patterns influence the necessity for housing in the city, in proximity to public transportation, or within walkable distance to a worksite
    - whether the anticipated population growth of Ottawa has changed with the possibility that more people will continue to work remotely and therefore will not be required to reside in the city of their employment
    - how potential changes to anticipated population growth change in Ottawa could impact anticipated housing needs in this area of Westboro and how/if this is reflected in the rezoning proposal
    - how/if this proposal reflects the need for access to open space and/or

greenspace during times of lockdown

- how many new housing units will be built if the zoning proposal is approved

**Charles Bradley and Jane Bradley** (written submission)

- this proposal should be paused until all affected residents can be advised and the long-term effects of the pandemic are known
  - it is not appropriate for the rezoning of Westboro to proceed during the pandemic and the current lockdown, just as it is not appropriate to conduct community consultation by Zoom, as hosted by the local Councillor in October 2020
  - unless all affected property owners have been contacted by city staff, it is reasonable to assume they may not be aware of the zoning changes/implications hidden in notions of “streetscape” and “walkability.”, and it is the City’s mandate to notify taxpayers in writing before adopting any rezoning
  - if the pandemic is a reason to shut down the local economy, it is a good reason to at least ensure all residents are directly advised;
- the rezoning recommended by this study is not a balanced approach to intensification; it is an overreach of the mandate that led to the infill study in 2018 and it will cause irreversible harm to the community by giving blanket approval under zoning amendments rather than allowing residents equal access to a public process via the Committee of Adjustment; instead of fitting in, new builds will dominate, and Westboro will lose its long-celebrated character of old and new
- Westboro starts at Hilson (not Tweedsmuir) on the east, to Golden on the west, and includes areas north of Richmond Road to Scott and south to Carling, and this area has borne the brunt of significant intensification for years; while there are currently tens of thousands of “units” approved for development or under construction in Westboro, this rezoning proposal will further “sacrifice” 5 blocks on Churchill and 4 blocks on Byron and the inner streets and corner properties to benefit developers
- as Westboro property owners since 1987 and affected by the rezoning, they have determined in correspondence with the City Councillor that Byron was included in the infill study because it was zoned R3R, not because there were any concerns related to the triplex/fourplex issue in 2018; they have also learned that Dovercourt (west of Churchill) has now been excluded from the list of “major streets” following the public consultation in November 2020 and they request that Byron be excluded as well
- providing more units does not ensure affordable units; no developer builds units without profit, and more to the point, the City has neglected to provide or renew



affordable housing stock for many years

**Douglas Raby** (written submission)

- Council should stay/defer the vote and direct staff to update available information and provide detailed direct information to the landowners; as the registered landowner of a property to be rezoned, he received no direct communication
- Council should reject Zone A and Zone C amendments and request Staff to address the following concerns:
  - Zone A includes an increase in building height without providing mitigation measures to adjoining rear properties, which impacts sunlight and privacy of the adjoining rear lots, contrary to the City's guidelines and intentions
  - Zone A developments should have a requirement of a sun study and privacy review, to determine impacts of shadowing and overlooking of adjoining properties
  - Churchill runs North – South and the impact of increased height based on roadway orientation results in a long wall effect impacting shadowing over an excessive area
  - rear and side yard set backs are not properly addressed for the new permitted uses and the combination will result in abuse by developers
  - townhouse dwellings should have a height restriction less than 14.5 meters; the wording of the changes would permit the development of a continuous 14.5m townhouse structure with lot widths of 6m, with no requirements for breaks in the structure
  - buildings with heights greater than the 10.5m should be only permitted on lots with sufficient size to support the vertical massing such that stepping and mitigation measures can be included in the design; as written, only structures with 8 stacked dwellings require a 15m lot
  - greater restrictions are required for 6m townhouse lots and 10m lots to mitigate massing impacts
  - the requirements are ambiguous with respect to rear yard setbacks and softscaping for Zone A
  - it is unclear why, if this motion is passed, there should be different height and rear setback and rear landscaping requirements for Zone A and the portion of Zone C that directly adjoins Zone A with a rear property line, such as the western side of Highcroft Avenue

- the properties along Churchill should not be granted more protection in terms of building heights and rear setbacks from their rear neighbours along Highcroft
- the properties on the eastern side of Highcroft Avenue have a natural buffer from the western side in terms of shadowing and overlooking; any increase in height on the western side is buffered by front yard setbacks and street width
- this bylaw in effect renders his house any many houses in this neighbourhood worthless and their value will be established solely based on land value, which will result in landowners refraining from improving their properties and minimizing maintenance cost until time of sale when the it will be a “teardown”, thus negatively impacting the neighbor; if Council is in support of this resolution, it should consider modifying the requirements for the portion of Zone C backing on Zone A to permit a stepped 4 storey structure with the same height restrictions of Zone A and reduced rear yard setbacks and landscaping requirements (similar to Zone A)
- If Council is in support of this resolution, it should direct staff to re-engage the community with respect to the Byron, Highcroft, Anthlone and Kirkwood Avenues Integrated Road, Sewer and Watermain Replacement project, which had a Public Information Session in December 2020, as this proposal impacts what would be good design and practice; the proposed design in terms of traffic safety and traffic calming does not provide a design consistent with the permitted development and , in fact, it limits the ability to properly develop the west side of Highcroft Avenue in accordance with the attached proposed zoning amendments

**John Davies** (written submission)

- report page 13 “Proposed Designations and Permitted Uses”, paragraph 3, “...it is also proposed to prohibit the development of new detached or semi-detached dwellings along this street...”
  - this proposal forcefully ensures the development of rental and/or condominium units only along Churchill Ave.
  - this prevents the re-development of the property by the existing home owners in alignment with established practices, i.e. converting a single detached property into semi-detached for resale
  - as the existing properties were already zoned for detached/semi-detached, any pre-existing properties that were purchased for the possible investment intent of eventual re-development from detached to semi-detached, is now prevented by the City; this could be viewed as changing the procurement rules after the properties were sold (this would apply to any and all properties sold in the months/years before this change was proposed)

- this could lead to a constitutional challenge at the federal level by home owners vs the City of Ottawa
- this does not apply to the line “..existing detached and semi-detached dwellings will remain permitted.”, that sentence as written, is interpreted as existing dwellings can remain as is, but cannot be redeveloped
- as there are several redevelopments within the affected area (as submitted to the Ottawa Committee of Adjustment and distributed by email from Councillor Leiper) on an annual basis to support home owner redevelopment from old detached to new build detached and/or detached to redeveloped semidetached, that shows that existing use cases to support the constitutional use of the properties has already been established
- report Page 19 “Permitted Building Heights”:
  - the wording should be modified to be clear that it is allowing for housing development of 2.5 storey dwellings as paragraph 4 states “...allowing for additional floorspace to be provided within the pitched roof at the top storey...”
  - the wording used is misleading to the residents as it does not present a clear depiction of the use of the properties, which the configuration clearly allows developers to create higher use / multi-unit dwellings (i.e. the top storey with the sloped roof can now be used for a bachelor sized apartment; this is not clearly identifiable to the residents who are reading this proposal and could be viewed a misleading by the City of Ottawa
- report Page 22 “Parking”, paragraph 1, “...*the desire for parking should only be considered when all other needs of a new development are met with all adverse impacts appropriately addressed on-site.*”:
  - the City of Ottawa is proposing for more multi-unit dwelling not only along Byron and Churchill Ave, but for the entire documented streets in this proposal, while also removing the requirement for parking; there is no indication where those multi-unit individuals/families park their cars
    - with increased development, that reduces on-street parking space
    - there is no light-rail within the identified boundaries to support a “no vehicle parking required” methodology to the impacted areas; that limited planning can only apply to areas that run along the mass transit LRT line, such as Scott St & the west end of Richmond Rd.
    - the impacted side streets included in the documented boundary of this

proposal are narrow two-way streets, which do not support bi-directional flow when street parking is in use; this is visible today and can be presented to a tribunal, to show that if the City of Ottawa removes the requirement for onsite residential parking, that will displace the residents' vehicles onto the various streets, therefore creating congestion and safety risk to the various residents within the impacted areas

- all it would take is one vehicular accident resulting in death of a child due to the increased side-street parking congestion, to lead to law suits against the City of Ottawa, for purposefully removing requirements for development properties, thereby creating an unsafe living condition
- the parking requirements currently established, i.e. "one unit = one parking space", must remain as is in order to reduce potential street congestion and prevent possible legal action against the City of Ottawa which the tax payers would have to cover
- the enforcement of "landscaping first" is a supported and needed change for the Westboro area; the City of Ottawa and the Committee of Adjustment has failed for years to ensure a green and environmental re-development process, not only within the Westboro area, but within the entirety of the City of Ottawa land boundaries; a case could be made that the City of Ottawa has provided false and misleading environmental advocacy, while not enforcing mature tree protection and green space development as new semi-detached and multi-unit dwellings have been deployed within the past 5+ years.

**Jean McKibbon** (written submission)

- in 2018 the residents of Westboro fought against the impact of infill development that was, with the support of City staff, threatening to radically change the physical and social fabric of their neighbourhood, and at that time the Interim Control Bylaw was introduced; however, after Planning Staff spent two years studying the intensification options and impact of overintensification, staff still do not get it as far as intensification is concerned and the ward Councillor is also now against the community and voting changes in the zoning
- if Planning wants triplexes they could allow the triplexes like the two buildings on Byron and Ravenhill, to the east of the Highland Park Lawn Bowling site, which are three storeys but look like a single home and can house three families
- the rezoning and transition area lots will all have a negative effect on the neighbourhood for years to come; the triplexes that have been built in this area are ugly, do not fit into the character of the neighbourhood, do not provide enough

parking, so streets are lined with cars (and no matter people will always own cars); staff should do more to listen to residents and visit this neighbourhood

- staff have listened to some concerns of the residents, such as the protection of mature trees (and hopefully younger trees that will take the mature trees' place), preserving green space in the rear yard, restrictions on rear yard parking and height limitations, which would have significant negative effects on the neighbourhood, but the revision of zoning in Westboro should not take place until it is studied and until there is an understanding and union with the residents
- everyone who has visited this area in the past loved the character of the neighbourhood but they would not with these changes

**Kathleen Hudson** (written submission)

- this study was done in response to the triplex ban; there was overwhelming public response to the amount of over-intensification in this neighbourhood, as demonstrated in public Town Hall meetings and the report on "Westboro what we heard"
- the neighbourhood has seen examples of how developers were not complying with current zoning, Building Code and Ministry of Labour practices; the Committee of Adjustment frequently approved variances after the fact; there has been a 'build now, ask forgiveness later' approach with developers reassuring the neighbourhood when a lot was severed, that two single family homes were going to be built, only to switch their application to build long semis or triplexes, and then triplexes became fourplexes; there were reassurances that these premises would not be used as Air B&B rentals; repeatedly developers have not lived up to their word
- they have lived on Churchill Avenue more than 30 years; it is a long residential street with some historic and century homes and buildings and some low rise apartment buildings; it was formerly Main Street of Westboro Village, a long tree-lined street; that street and the surrounding area is geared for families, with several schools, daycares and the Dovercourt community centre nearby, but the new luxury infill units are geared toward singles with roommates or couples, driving families and seniors out of the neighbourhood
- the current zoning on Churchill Ave. limits building heights to 10.7 meters (3.5 stories) for a single-family home; a change in the zoning to 4 storeys will not be compatible to the streetscape, as this is a predominately residential 2-storey neighborhood with a few low-rise apartment buildings; a change to 4 storeys will create huge privacy issues; developers had a problem adhering to the allowed height limit when building a 3-storey triplex and even at 4 storeys, they will continue to push the limits with variance and zoning requests

- they object to the clause that does not limit the number of dwellings per unit and could permit rooming houses; with regard to Churchill Ave., it is not clear why it is necessary to prohibit the development of new detached or semi-detached dwellings on this street, this will change the demographic of the neighbourhood and drive families out to the suburb and contribute to the urban sprawl
- in 2014 both the storm and sanitary sewers were replaced on Churchill Ave., at a cost of over \$4M dollars; this proposed level of intensification was not planned for at that time; by changing the setback to 4.5 metres from 6 metres the front and rear yard setback from 4.5 meters to 3 meters will result in loss of green space and will only intensify the current flooding problems that occur when or if a triplex is built; for example, 505 Churchill was a family home with one bathroom and is now 2 triplexes with a total of 22 bathrooms; since the triplexes have been built and reduced the green space, huge pools of water are found year round; cars, trucks and buses hydroplane through the puddles during summer storms; the City's plan promises in Section 2.3.2, Policy 2, that it will "promote intensification and infill where sufficient water and sewer capacity is available or can be provided to support the magnitude of the resulting growth."
- with respect to rezoning Churchill Avenue to Commercial, most of this sector of Churchill Ave. is located less than a 15 minute walk away from Richmond Road; Westboro merchants are struggling and there are dozens of vacant retail spaces there; there is a primary school K-6 and several facilities along this stretch offering daycare and after school programs; there could be serious safety implications for the school children, pedestrians and cyclists
- with respect to bedrock and blasting, Churchill Ave. at Byron sits on the Gloucester Fault and much of the neighborhood sits directly on bedrock; many of the new developments are built directly on this bedrock due to the high cost, potential damage and disruption to the surrounding properties
- no traffic studies for Churchill Ave have been done since 2012, when over 10,000 cars per day were recorded; since that time there has been intensive construction of duplexes, triplexes and apartment/condo buildings in the neighbourhood; no traffic studies are available within the past 14 years for Byron Ave.; as per City of Ottawa Official Plan Section 4.3 (Walking, Cycling, Transit Road and Parking Lots), to meet the target of Pedestrian Level of Service, either a daily reduction in traffic to less than 3000 vehicles' a day or a speed limit reduction to 30 km/hour is required; reducing the speed limit would be preferable to ensure the safety of all the students who regularly use and cross Churchill Ave. to attend the many schools in the neighbourhood; due to the pandemic, no new traffic studies can be conducted until life returns to normal

- Churchill Ave. has very limited parking that is only available on one side of the side street; when the triplexes at 505 and 507 Churchill were built, they were allotted one space per unit, however, each of the couples has an additional car that is parked on the street, and one of the 3 bedroom units each roommate has their own car, resulting in much of the street parking on the block already used by this triplex development; the developer stated that, with the units being close to Westboro station (1.1 kilometres) and easy access to cycle paths, they only needed one space per unit, but then proceeded to tell prospective renters that street parking was available; Amazon, UPS, Uber and Canada Post frequently block the sidewalk and bicycle path, endangering pedestrians, or trespassing on neighbouring properties when delivering to these properties, and sometimes they just block the street; there must be adequate parking provided in order not to block the fire route and emergency services
- common practice with these new developments is the developer clear cuts the entire lot, sometimes with no attempt to get a tree permit, or damage to tree branches and trunks with their excavator, as well as damage to neighbours' mature heritage trees and property; landscaping done by these developers is often just laying sod or pouring river rock and they make no effort to replace the trees; that is not real green space; reducing yard setbacks to 4.5 metres on Churchill will result in no real replacement of the tree canopy
- hundreds of Westboro residents have attended standing-room-only public meetings to provide input on infill and hundreds more have attended Committee of Adjustment meetings; some have attended LPAT meetings to object to specific projects; over 360 "stop over-intensification" signs were purchased to display residents' displeasure with the intensification plans that were without community support; the community is not against intensification but wants to see fair intensification throughout the Ottawa region

**Michael M. Nowlan** (written submission)

- on particularly deep lots it is proposed to set a maximum building depth from the front lot line, to ensure that new construction is not significantly larger in depth and overall size compared to the existing context, but the maximum proposed depth is not clear
- in order to ensure less ambiguity for the Committee of Adjustment, it would be useful to provide more concrete language and reduce the use of subjective terms; for instance, in the following example "*With this in mind, where a variance is sought to allow an increased maximum building depth, it needs to be demonstrated that such is representative of the existing context of at least a significant portion of buildings within the same block, and would not represent an anomaly compared to the existing*

*building sizes and locations*”; ambiguous terms such as “significant” will result in conflict and unmanaged expectations from developers and residents alike

- although supportive of infill within the study area, the same principles should be applied to all inner neighbourhoods; if applied to all inner neighbourhoods, the benefits and pains of growth can be shared; time is of the essence as inner neighbourhoods are increasingly being redeveloped; if redeveloped with low density dwellings, economics will dictate that it won't be worthwhile to develop until many years in the future; this is particularly important for neighbourhoods that will be particularly well-served by new OTrain service

**Ross Hudson** (written submission)

- the City is committed to intensification and residents of Westboro have, for the most part, shown that they are willing to accept that; the City also has a goal of increasing affordable housing, but the recommendations in this report would subject Westboro to over-intensification, and will not improve the availability of affordable housing; if implemented, it will, over time, completely destroy the character of this neighbourhood, and not for the better
- over time, there have seen huge changes in the stores and services along Richmond Road; the neighbourhood subject to this Amendment already had some architecturally unique houses when they moved in, and some new ones have been added; it's a great area to walk around, but most of the streets do not have sidewalks; they have seen a considerable amount of construction in the neighbourhood while living there and with bedrock approximately 0.5 metres down, every construction project involves hammering of rock for weeks at a time, making tolerance of inconvenience a must
- this area is currently, and has historically been, an area of single family homes; prices in the real estate market are evidence that this area is regarded as a desirable neighbourhood to live but developers have recognized that desirability and are willing to outbid individuals when properties go up for sale, only to demolish the existing home, even though that home may be in excellent condition, and perfectly habitable; prior to the Interim Control Bylaw, the zoning allowed them to build a triplex on the property but many have chosen to build single detached homes or duplexes, and the units that are built are luxury or high-end, the opposite of affordable, to offset the purchase price and still make a profit
- the report notes that the current minimum width for R3R zone is 12 metres, but the predominant lot width in the area is 10 metres; 505 and 507 Churchill are also examples of why 10 metre wide lots are not large enough to accommodate a triplex;



these units only work because they share a common driveway, which is perhaps the reason 12 metres was originally specified

- while the desire to have a common zoning along the entire street (Churchill) is understandable, they are not happy that 4-storey apartment buildings will be allowed and suggest that if they are allowed, it should be specified that the minimum lot width be 20 metres; they strongly object to the proposal that the development of new detached or semi-detached homes be prohibited on Churchill; 10 metre lots are too small for triplexes, and developers have inflated land values, so if an individual buyer is willing to compete with developers in the free market, and build a new detached house, they should be allowed to build whatever they want as long as it complies with the zoning
- the report falsely states that corner lots have “fewer direct neighbours”, but in fact, a corner lot still has two direct neighbours, they are just on perpendicular streets; the document proposes that 6-unit apartment buildings on every corner would “frame” blocks on local streets, but this would be out-and-out ugliness; the thought of a rectangular block on every corner is repulsive; this would be overintensification that the residents of Westboro do not deserve
- in general, much of the requirements for setbacks (front, rear and side), landscaping, permeable driveway material, facades and building height accommodations for pitched roofs are very good and, overall, the requirements set out in this document are quite detailed, but their experience has been that developers will always push the envelope so they recommend that the bylaw include specific limitations for application for variances to the Committee of Adjustment

## Primary reasons for support, by individual

### **Murray Chown, Greater Ottawa Home Builders' Association (GOHBA) (oral submission)**

- thanked staff for their efforts and collaboration with the industry for the two-year (+) exercise leading to these recommendations, which reflect the workings of the inner committee
- GOHBA entered into this exercise with the full understanding that what would come out of it would end up being a test case for where we might be headed on zoning under the new Official Plan, which is intended to regulate development more on the basis of form rather than typology (how big is the box and what does it look like rather than what's inside it), and GOHBA supports that direction here and going forward

**Jason Burggraaf, Executive Director, Greater Ottawa Home Builders' Association (GOHBA)** (written submission)

- In general GOHBA is supportive of the amendments, and commend staff on their consultative efforts; GOHBA is dedicated to working with City staff and community associations on infill zoning to enhance and densify existing neighbourhoods
- Form-Based Zoning: GOHBA welcomes the different and innovative thinking and approach to heights, density and zoning; GOHBA members are supportive of the proposed increases in height on major streets and corner lots; GOHBA is supportive of the recommendations adding apartments as permitted use on Churchill, Byron, corner lots and transition streets; GOHBA is supportive of the prohibition of new single- and semi-detached housing forms on Churchill Avenue
- Sloped Roofs: GOHBA appreciates staff's proposal for dormers to increase the useable space on a floor with a sloped roof
- Soft Landscaped Buffers: GOHBA appreciates staff's modification to the required soft landscaped buffer of 3m for Areas A and B and 4.5m for Areas C and D that will allow flexibility for the accessory buildings such as detached garages or coach houses
- Setbacks & Building Depth: GOHBA appreciates staff's proposal that buildings containing more than six dwelling units would have relief from the proposed maximum building depth restrictions; this is an important provision to increasing density

**Michael M. Nowlan** (written submission)

- generally supportive of the recommendation and particularly appreciates the sections on:
  - imposing requirements with respect to soft landscaped area within rear yards, in the form of a softly landscaped buffer abutting the rear lot line; depending on context, this will result in a requirement of a buffer that is either at least 3 metres (Areas A and B) or at least 4.5 metres (Areas C and D) in width
  - permitted building heights within the study area are proposed to be based on context, and to be consistent regardless of the type of dwelling proposed, such that there is certainty over the permitted and expected built form
  - "Guidance for Committee of Adjustment Applications"; clear guidance can manage expectations, reduce conflict and reduce the need for burdensome and costly zoning and committee of adjustment administration; it will be necessary, at a minimum, for a proponent to demonstrate that a lot width or area reduction will not result in an overall built form or design that does not properly manage its impacts on-site; the proposed requirements for rear yard landscaping buffers

apply this same “landscaping first” principle to rear yards, with the intent of ensuring space is available for rear yard landscaping including supporting area for existing or new trees; staff note that the direction from Council in reference to the Infill zoning amendments is that this principle should not only apply to front yards, but rear yards as well

**Effect of Submissions on Planning Committee Decision:** Debate: The Committee spent 1 hour and 10 minutes in consideration of the item.

Vote: The committee considered all submissions in making its decision and carried the report recommendations as amended as follows:

THEREFORE BE IT RESOLVED that Document 2 - Details of Recommended Zoning of Report ACS2021-PIE-EDP-0007 be amended by adding the following provision:

“Amend Section 9 - Transitions of By-law 2008-250 by adding a new subsection with provisions similar in intent to the following:

(X)

(a) No provisions of amending by-law 2021-XXX act to prevent the issuance of a building permit for a development located in Area A of Schedule YYY of Zoning By-law 2008-250 for which a completed application for Site Plan Control, Committee of Adjustment approval, Zoning Amendment or Building Permit was received or a decision was rendered by the Ontario Local Planning Appeal Tribunal Board by the City on or after October 9, 2018 and before the date of passing of this By-law and such applications may be processed under the provisions in place prior to this amendment.

(b) This subsection is repealed one year after the passing of this by-law.”

AND BE IT FURTHER RESOLVED that no further notice be given pursuant to subsection 34 (17) of the *Planning Act*.

## Ottawa City Council

Number of additional written submissions received by Council between February 11 (Planning Committee consideration date) and February 24, 2021 (Council consideration date): 2

### Primary concerns, by individual

#### Paul Goodkey

- the proposed corner lots at grade amenity space and height provisions do not represent good planning; these corner lot provisions should be thoroughly reviewed, vetted and appropriately amended before receiving Council approval, or, at the very least, Council should direct staff to closely review the corner lot provisions and report their findings within a maximum of a one month timeframe
- provided a detailed submission outlining how:
  - inappropriate Rear Yards / “Interior Yard” provisions for properties on corner lots in the proposed new R4UA subzones will lead to loss of greenspace and tree canopy
  - inappropriate building heights on corner lots within the interior areas of the neighbourhood(s) will lead to negative impacts of sun shading and severe overlook / privacy issues on the adjacent interior lot(s) semi-private rear yards
  - there are discrepancies in the report and proposed exceptions to the proposed height restrictions that for building heights on corner lots in the new R4UA subzone and interior lots in the new R3R subzone that do not accurately reflect the intent of these provisions

#### Marnie Beaubien

- the City should hold off on the proposal for multi-units on corner lots; this would impose massive changes on the neighbourhood on top of the intensification that has already happened or is in the works and will have terrible impacts on quality of life for neighbouring properties; the expected acceleration of development should be reduced into Phases to learn what might be required to make ongoing intensification more successful
  - the physical infrastructure for this significant development is not in place
  - development is disruptive in the inner core of the city with impacts on neighbourhoods from demolition and construction; it is constant, invasive

and takes a long time

- given that intensification will happen, demand more from the developers - make the neighbourhood ready for climate change and pandemics; this study should be a front runner on building for climate change and there should be requirements for each application for foliage, rainwater, space and energy efficient houses
- developers need to treat the neighbourhood with respect, perhaps through a Code of Conduct and guidelines, done with bylaws, including policies on clean-up, attention to trees, parking, housing design and variety
- the smaller lot sizes proposed in this plan is a good thing and should remove a lot of unnecessary applications for variances for small lots sizes; however, people lived in small homes with big families for years and thrived; if the city wants intensification and community, it should say no to the developers' demands for more structural space and keep the side, rear and front setbacks; these houses could be innovative, efficient, an opportunity for young families to build community in Westboro, not designed to give the developers a gold mine

#### **Effect of Submissions on Council Decision:**

Council considered all submissions in making its decision and carried the report recommendations with the amendments proposed by the Planning Committee.