

## Summary of Written and Oral Submissions

### Zoning Changes to Regulate Residential Development in the Urban Area Inside the Greenbelt

Note: This is a draft Summary of the Written and Oral Submissions received in respect of Zoning Changes to Regulate Residential Development in the Urban Area Inside the Greenbelt (ACS2020-PIE-EDP-0033), prior to City Council's consideration of the matter on October 14, 2020.

The final Summary will be presented to Council for approval at its meeting of October 28, 2020, 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 October 14, 2020'. Please refer to the 'Bulk Consent' section of the Council Agenda of October 28, 2020 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.

*Note: Report ACS2020-PIE-EDP-0033, as considered here, was a replacement for Report ACS2020-PIE-EDP-0001, deferred from the Planning Committee meetings of May 14, June 25 and August 27, 2020. The Minutes of those meetings indicate the oral and written submissions that were received in respect of report ACS2020-PIE-EDP-0001.*

#### Number of delegations/submissions

Number of delegations at Committee: 4

Number of written submissions received by Planning Committee between September 14 (the date the report was published to the City's website with the agenda for this meeting) and September 24, 2020 (committee meeting date): 4

#### Primary concerns, by individual

##### **Robert Brinker, Chair, Federation of Citizens' Associations (FCA), Planning & Zoning Committee** (oral submission)

- neighbourhoods matter for all FCA Members and community associations; communities have a vested interest in future development and changes that will affect their neighbourhoods; various members have raised concerns about the impacts of year-long discussions with City staff and with the subjective impression of eroding standards throughout the discussion papers
- the current by-law prohibits rear yard balcony projections on lots less than 30 m in

depth; staff acknowledged that the original intent was the standard 100 ft lot and that there was a conversion error from imperial measurements to metric, but despite the original intent, staff opinion changed to allow reduced width projections of 1.2m to be permitted on all lots 30.5m or less; the motion tabled by Councillor Leiper (at this Planning Committee meeting) to prohibit them on lots less than 23.5 m is the right direction but it's not enough; Juliette or recessed balconies would be a better option to preserve much needed area for greenspace

- they appreciate the landscape first approach for front yards with the requirement for soft landscaping
- they appreciate staff efforts in undertaking the ongoing consultation

**Andy Church, Queensway Terrace North (QTN) Community Association** (oral submission)

- the proposed changes are the bare minimum needed to ensure good balance between intensification needs across the city and 'paving over paradise'
- as a community, QTN has firsthand negative experiences with the current approach to infill in Ottawa; they have seen some lots turned into parking lots, which pretty much destroys the streetscape; significant loss of greenspace and tree canopy, which ultimately means more rain runoff that contributes to expensive sewer upgrades; with lack of space, people are pushing more snow into the streets, and several streets in QTN don't have sidewalks so there is congestion with buses going by and snow in the streets
- they understand the need for intensification but how it's unfolding means QTN is feeding stronger opposition and a lack of confidence in the City to get this right
- with more presence in the community (during the current pandemic), more residents are taking notice of projects going to Committee of Adjustment now, so they urge approval of these proposed amendments to give the community some hope during what are pretty stressful times and with so much construction in the community
- the proposed changes are one step more towards smart intensification
- the notion of mapping out landscape first is hugely key; if a lot is partitioned and a site plan can't deliver the necessary landscape minimums, they hope it would get sent back for revisions instead of being pushed along with slight variances
- on top of the proposed changes, the City must more consistently apply and enforce all of its provisions
- changes are also needed in the planning process to respect and give greater weight to the character of individual neighbourhoods; the City can work with residents and

community associations to see soft infrastructure that is essential to the wellbeing of people in more densely populated areas; the community has seen building permits granted for projects that don't fit zoning rules and variances are easily approved by the Committee without considering the cumulative impacts, which then become precedents for creating more of the same footprint that was supposed to be an exception; the cumulative impact is loss of character of a street through a series of individual decisions so QTN hopes the upcoming Official Plan will include broader approaches to smart intensification that give greater weight to the character of individual neighbourhoods in the planning process

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

- front-facing garages: GOHBA objects to the proposed prohibition on front facing garages or carports except when they are demonstrated to be the dominant character on the street in a Streetscape Character Analysis; this simply does not recognize the evolution in the market since these neighbourhoods were developed; there is strong market demand for parking to be provided in garages, and more specifically in attached garages
  - ❖ GOHBA members can provide numerous examples of properties that have been difficult to sell because they have not provided parking - and more specifically a garage
  - ❖ they are unaware of strong reactions from community associations or residents to infill projects that have provided an attached garage where a driveway is permitted and it is their understanding that community associations and residents strongly support on-site parking, and have serious concerns about forcing new homeowners or tenants to park on the street
  - ❖ attached garages have become the norm for all low-rise development for a number of reasons:
    - they provide convenient storage space for garbage and recycling that must be moved to the curb on garbage and recycling days
    - they provide secure parking for vehicles to prevent vandalism and theft
    - they provide all year access to a vehicle without stepping outside which is becoming increasingly important as our population ages
- parking in driveways: the amendment does not provide for parking in a legally permitted driveway, where that driveway does not lead to a permitted parking space; this is an appropriate parking solution that would not require a garage, carport or long driveway to rear yard parking; they are unaware of any opposition from community

associations or residents to providing onsite parking for infill projects and, in fact, this is often the most controversial aspect of infill projects

- “travelled rear yard lane”: they feel strongly that the reference must instead be to an “open and maintained lane”; it is inappropriate to force parking to have access to a rear yard land that is not open and maintained by the City
- permitted projections in interior side yards: they continue to have concerns that the by-law does not properly accommodate interior side yard entrances to secondary dwelling units or low-rise apartment buildings
- minimum lot width for long semis: the draft zoning amendment will increase the minimum lot width for long semis in the Mature Neighbourhoods from 1.5m to 3.0m.; staff acknowledged this could be an issue for service laterals and severances, and it was agreed to strike a working group with Development Review and infrastructure approvals to resolve this issue

**Carol Brascoupe and Laura Urrechaga, Co-chairs, Planning and Zoning Committee, Old Ottawa South Community Association (OSCA) (written submission)**

- the current report is a substitution for Staff report ACS2020-PIE-EDP-0001 dated April 22, 2020 and presented to Planning Committee on May 14, 2020; while the previous report and the associated Document 1 had found support in their community, the current proposal contains changes that are contrary to the earlier proposal, some of which are likely detrimental to communities and are not supported by OSCA
  - ❖ walkways: the May Zoning Bylaw proposal allowed walkways to traverse the minimum required front yard soft landscape but did not allow walkways to be counted toward the minimum required aggregated front yard soft landscaped area, but the current proposal alters the text to allow for walkways traversing the front yard soft landscaped area to be counted toward the required percentage of aggregated soft landscaping; including walkways in the calculated area required for soft landscaping decreases the effective soft landscaped area; OSCA supports requiring that all of the minimum required aggregate soft landscaped area be softly landscaped as per staff’s earlier Zoning Bylaw proposal; additionally, the earlier Zoning Bylaw proposal defined the term walkway but it has been eliminated in the current report, and OSCA suggests that walkway, a term integral to the proposed Zoning Bylaw and prevalent in the text, be defined, as was the previous case, despite staff’s current determination that a definition is not required
  - ❖ driveway widths: Staff’s May Zoning Bylaw proposal prohibited individual

driveways on lots widths under 7 m, allowing only shared driveways on these narrow lots, whereas the current proposal would now allow individual driveways on lots widths greater than 6 m; prohibiting individual driveways would potentially support additional soft landscaping, including urban trees, on narrow lots and allow for greater on-site filtration; OSCA supports the earlier Zoning By-law proposal prohibiting individual driveways on lots less than 7 m in width

- ❖ rear yard balcony projections: as proposed, balconies will now be allowed to project 1.2 m into the required rear yard on all lots within Area A of Schedule 342, contrary to the current bylaw, which prohibits all balcony projections on lots with depths of 30 m or less, and contrary to the May Zoning Bylaw Amendment proposal, which sought to further restrict rear yard balcony projections, prohibiting these on all lots 30.5 m or less in depth; although the current proposal provides for partial screening of the sides of some balconies, this would only apply in (defined) limited circumstances; OSCA supports the provision of balcony areas for the benefit of residents and suggests these be accommodated within permitted building envelopes to better balance privacy imperatives, particularly in the urban core; OSCA therefore supports staff's earlier Zoning Bylaw proposal prohibiting rear yard balcony projections on all lots 30.5 m or less in depth

## Primary reasons for support, by individual

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

- appreciated the productive discussions that had taken place between staff, GOHBA and the FCA since deferral of the item on May 14, and staff's efforts to address concerns and simplify the language in the report
- while GOHBA continues to have some concerns with the details in the By-law as presented, as does the FCA, they are prepared to live with this amendment in this form, and see how it plays out over next couple of years, recognizing that staff have committed to continued collaboration and monitoring of the effects of these changes to determine whether further adjustments may be required
- GOHBA looks forward to the preparation of a new Zoning By-law after the adoption of the new Official Plan

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

- they sincerely appreciate the effort of City staff to work on these amendments with them and other stakeholders since this item was deferred at Planning Committee on

May 14, 2020; progress has been made on a number of provisions of the draft amendment to simplify and clarify language and address many of the issues they raised at the time, but they have some on-going concerns with some of the proposed provisions; despite these concerns, GOHBA members are prepared to see how the by-law functions over the next little while and have these issues be considered through a monitoring process for a future omnibus amendment (*concerns outlined in the 'concerns' section, above*)

- they are looking forward to working with staff on the new comprehensive zoning by-law following adoption of the new Official Plan

**Lynne Bankier, Co-chair, Champlain Park Community Association** (oral submission and written submission with Heather Pearl, Co-chair)

- referenced extensive consultations they have been part of and appreciated the opportunities
- supports the intent of the proposed changes and provisions as they pertain to the Champlain Park community's lot fabric, as they address some previously identified issues
- agrees with the FCA's comments with respect to rear yard balcony projections; while reducing balcony projections to 1.2 m is still a benefit for most of Champlain Park's residents when compared to the previous allowance, they are concerned about the impact on residents and on plantable greenspace, of allowing rear yard balconies where lots are shallower; Juliette balconies are an attractive, viable alternative in these cases; they support Councillor Leiper's proposal for smaller lots
- Champlain Park has directly experienced many of the same problems as Queensway Terrace North, especially on the R2 side, where subdivision of 100x50 ft lots to build semis has been happening at a great rate
- supportive of refining the definitions to address front "facade" as distinct from "front wall" and adding a new regulation that the garage must be set back 0.6 m. from the principal entranceway, as they have experienced the design issues with the current rule that this is intended to correct, where garages come closer to front lot lines than the main entranceway
- the provisions respond to the climate emergency by helping make residential neighbourhoods more resilient to climate change and they integrate with and support requirements in the Urban Tree Conservation By-law, including that the location of trees be noted on most development review applications and applications for minor variances
- the current recommendation for minimum area for aggregated soft landscaping will

address many of the issues that Champlain Park has seen where front yards, especially on its most intensified street, have a very short depth of right of way and have had huge loss of tree canopy; it will provide opportunities for garden and soft landscaping, permeability and snow storage, etc.; if properly enforced, it will help to mitigate what they have experienced as a frequent failure to implement and enforce landscaping provisions

- definition of soft landscaping as principally organic materials, plantings, plus accessory ground cover, excluding non-organic including artificial grass, and enforcement of such, is equally important to prevent front yards being dominated by hard surfaces and to allow street trees to thrive
- supports the specific guidance to be provided to the Committee of Adjustment on minor variance review; it is a community concern as to whether the By-law will be well implemented or fail in this regard; since it may be difficult for residents to locate documents that define the Intents of Bylaws it would be very useful if a separate, accessible contents list could be maintained that indicates where this information is stored in the City files

**Effect of Submissions on Planning Committee Decision:** Debate: The Committee spent one hour in consideration of the item.

Vote: The committee considered all submissions in making its decision and carried the report recommendations with the following amendments:

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council to amend Document 1 (Section 65, Table 65, row (6)) to read:

(b) In the R1, R2, R3 and R4 Zones within Area A of Schedule 342:

(i) 6) (a) applies, and

(ii) On a lot with a depth of between 23.5m and 30.5m, where the rear lot line abuts an R1, R2, R3 or R4 zone, the maximum projection is:

(1) 2 m at or below the first floor and;

(2) 1.2 m above the first floor.

(iii) Where a lot has a depth of 23.5m or less, the maximum projection is 0m;

(iv) In all other cases, the maximum projection is 2 m.

(v) Where a deck or balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line.

AND BE IT FURTHER RESOLVED that there be no further notice pursuant to

Subsection 34 (17) of the *Planning Act*.

## **Ottawa City Council**

Number of additional written submissions received by Council between September 24 (Planning Committee consideration date) and October 14, 2020 (Council consideration date): 0

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

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