

Summary of Written and Oral Submissions

Zoning By-law Amendment – General Zoning Provisions (Parking and Secondary Dwelling Units)

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:

Planning Committee

Number of delegations/submissions

Number of delegations at Committee: 7

Number of written submissions received by Planning Committee between June 14 (the date the report was published to the City's website with the agenda for this meeting) and June 24, 2021 (committee meeting date): 1

Primary concerns, by individual

Van Sheppard (oral and written submission)

- raised concerns about the proposed changes to Secondary Dwelling Units (SDUs)
 - Re: report text about *Planning Act* regulations on size limits:
 - ❖ there are no *Planning Act* regulations on size limits for any units; this is not an accurate statement in the best of cases and is outright misinformation in the worst of cases
 - ❖ there is no reason to tie the size of an SDU (contained within the allowed structure on a residential lot) to the size of a coach house (contained in a separate structure on a residential lot)
 - ❖ SDU size is already regulated such that the principal unit is 50% larger than the largest allowable SDU; the exception to this 50% delta in size is the basement of a bungalow, and this exception remains in the current bylaw
 - Re: proposed limit to number of bedrooms similar to coach houses:
 - ❖ the coach house bylaw (142) does not limit the number of bedrooms that a coach house can contain
- tTwo-bedroom units are not family friendly; by definition, SDUs are constructed in low density neighbourhoods and are attractive units for families, however even the smallest families are looking for a 3-bedroom unit, and often a 4-bedroom unit

- ❖ there is no reason to tie SDUs to coach houses; one is contained within the already regulated size of the principal unit and the other is an additional structure on a residential lot above and beyond the allowable size of the principal unit
- ❖ under existing bylaw, the principal unit must be 50% larger than the SDU
- Re: exclusion of garages or carports from relevant floor area calculations:
 - ❖ the new bylaw doesn't limit size of SDU as a function of the overall size of the main structure, so these exclusions aren't relevant
- Re: proposed removal of prohibition on separate front-facing entrances:
 - ❖ no issue personally, but the requirement that an SDU does not change the streetscape character along the road on which it is located, 2(a), has been removed in the new bylaw and it is surprising this wasn't caught and commented on by community groups in the public consultations
- Re: removal of redundant parking provisions for SDUs:
 - ❖ agrees that the parking regulations aren't changed materially by the new bylaw
- issues that will come from adopting the new SDU bylaw:
 - ❖ all reference to Oversized Dwelling Units and how they impact a collocated SDU have been removed; these changes were made in 2018 and are now being excluded from the bylaw, allowing an SDU to be constructed in conjunction with an oversized dwelling unit of any size; under the proposed bylaw, an SDU can be added to a building with an existing 8-bedroom Oversized Dwelling Unit
 - ❖ unclear why there is a desire to align SDU size with coach house size; coach houses are being added to an existing lot and are allowing lot coverage in excess of the existing zoning bylaw, so it reasonable to want to set a limit on the size of the dwelling, as this is also setting a limit on how much lot area will remain undeveloped; SDUs are contained within the structure allowed by the existing zoning bylaw and do not have an impact on the overall lot coverage with developed structures; their size is already limited, reasonably, by the existing SDU bylaw to be a maximum of 40% of the building, thereby ensuring that the principal dwelling unit is a minimum of 50% larger than the SDU in the same building
 - ❖ a maximum of two bedrooms is an unreasonable limitation on an SDU; a 2-bedroom unit is not attractive to a family, even a small family, particularly in

the current environment (pandemic), when the need for additional bedrooms in rental units (SDUs are all rental units) is increasing as people are looking for space to set up a home office, as there is a much stronger demand for people to work from home

- ❖ economics also need to be considered, the costs to construct an SDU are significant - \$150-225K, depending on the condition of the space when the project is started and the level of finish of the unit - and this cost does not change much by reducing the total number of bedrooms, as finished bedrooms are not costly when compared to kitchens, bathrooms, and other requirements of an SDU (larger utility services, fire rating, sound isolation, addition of windows in existing structures, etc.); for an owner/developer to take on this amount of investment, there needs to be a reasonable expectation that they will get a profitable return on that investment; rents for 3- and 4-bedroom units are considerably higher than rents for a 2-bedroom unit
- issue related to the review process and not the actual changes themselves:
 - ❖ during public consultations on the SDU bylaw, none of the users of the existing bylaw were consulted; when the planner was asked who was consulted with regard to the proposed changes, the answer was “community groups and the GOHBA”; neither of those groups construct, own, operate or reside in SDUs; the City approves approximately 150 SDU building permits annually since 2016 and many of those permits are issued to the same owners; by excluding any SDU owners or builders from the public consultations it is not possible for those consultations to have produced balanced feedback on the proposed changes, and despite the makeup of the “public” for those consultations, the issues of small unit size and low number of bedrooms was still raised and subsequently dismissed by City Staff
- requests of the Committee:
 - the existing SDU bylaw is well considered and well written and is not in need of change, and there is no reason to align it with the coach house bylaw; requested proposed changes not be adopted and that the existing bylaw remain in place
 - if the Committee does want to see changes in the SDU bylaw, requested the public consultation process be redone and include a more balanced group that includes designers and builders of SDUs
 - if the Committee still wishes to proceed with the currently written SDU bylaw, requested that there be a delay in its adoption so that existing projects that have been set in motion based on the existing bylaw have the opportunity to get

through the planning and approval stages before the new bylaw renders them un-approvable; has personally commenced 2 projects and committed over \$300,000 dollars based on the currently written SDU bylaw that will be significantly impacted by this new bylaw, so, if the new bylaw is approved, requested an amendment that excludes the projects currently in planning at 10 Guilford Court and 2253 Frank Bender Street be excluded from the provisions of this new bylaw

Rasna Arora, CEO, Just Right Real Estate Group (oral submission)

- echoed Mr. Sheppard's concerns
- of the permits given last year, about 18% were theirs; they created 32 secondary dwelling units in the city, all legal, and in compliance; restricting SDUs to two-bedroom units is something that will force them (and other small landlords) not to do this anymore because it is not financially viable given the increased costs of purchase and renovation now
- are surprised that no small landlords were notified until just a few days ago and the associations who were consulted have nothing to do with SDUs
- have currently applied for and are very concerned that they purchased these homes expecting to build at least three bedroom units; they live in Ottawa and want to contribute here, having supported and employed over 25 individuals who worked on their SDU's, but may need to move to other towns
- changing the by-law now does not really make sense when the current bylaw is working; if there is an issue that one problem could be fixed instead of just whitewashing the whole thing
- at least three bedrooms are needed, whether or not there are more than three people in a family, especially with so many spending more time at home; these changes would limit available housing options
- worried about impacts on any current permits in place or that have already been applied for; requested a motion to allow for at least three bedrooms, with the floor area requirements staying the same as they currently are; also requested the Zoning By-law amendment not come into effect before January 1, 2022, so people that currently have plans to build SDU's can do so under the current by-law

Gershon Thambiah, President, Filament Realty Group (oral submission)

- echoed previous speakers' comments
- secondary dwelling units are primarily rented by middle class families and students who require affordable housing and changing the bylaw to allow only two bedrooms

means this is no longer an option for these families;

- it is a known fact that the city has a shortage of rentals, and these dwellings provide additional housing to those in need; 154 building permits were issued in 2020 to small landlords like himself who are able to add affordable housing; as the owner of a management company managing a few hundred rentals across the city, he knows the market rent of a three to four bedroom townhome is upward of \$2500 per month; the alternative is a three to four bedroom SDU, which can save those people can save up to 25% per month; there is a great need to be able to maintain the ability to build at least three bedroom SDUs to provide access to this affordable housing
- in the last 12 months alone, real estate values have increased by 30%, and lumber prices, alone, have gone up by 120%; adding SDU's would no longer be a feasible option by investors such as themselves if these changes are adopted, thus reducing the number of available SDU units in the city
- as small landlords, they were not notified of the zoning amendment and would request that any changes take effect in 2022 so that they have an opportunity to submit applications under the current by-law for properties they currently own

Joelle Boyd (oral submission)

- as a first-time home buyer at 24 years old, the only reason she was able to afford her home was because of the promise of operating a SDU; she has submitted a permit, which has not yet been approved
- SDUs are touted and marketed as a tool to help homeowners because otherwise, in an increasingly expensive city, if you take away the accessibility by limiting bedrooms and footprint size, home ownership is unattainable to many; if people do go on to buy these and they are still going to continue with development at their own cost, there will be less SDUs, which is counter to the City's intensification and housing goals
- the cost of these changes would be passed down to tenants and would increase barriers to housing; the cost for renters in Ottawa is already stifling
- advertisements for SDU say you can rent out your basement and help with your mortgage, but it is not a passive thing, it is a commitment; maintenance is also a cost and landowners should not be expected to carry the cost of renters at their own detriment or it is pointless to create the units to begin with
- if the changes are approved, enforcement of the new by law should be deferred until January 2022 to assist those currently planning to build SDUs

Sorin Vaduva, First Choice Realty Ontario Ltd., Brokerage (oral submission)

- reducing the size of SDUs to two-bedroom units means an almost a 50% reduction in income for some of these small landlords or families; a two-bedroom can rent from \$1400 - \$1600, whereas a three to four bedroom unit could rent upward of \$2200 - \$2500, depending how nice and how big it is
- owns a few SDUs and has helped sell these already built, including to families that only are looking to buy SDU's because they want to rent out the basement legally so they can live upstairs at a very affordable rate, without the SDU, the ability to buy and afford homes will be very difficult for many
- most SDUs are in the basement, where you would want to make them more spacious, with more living area, more natural light and more bedrooms; reducing the size will make them feel more like a basement, more like a cave; owners are putting more money into bigger windows and such to make them feel less like an SDU and more like a house, like a coach house, but the big difference is that the SDU won't take away from any yard space; SDU's share yard space and allow the whole backyard and whole front yard to be used
- they requested a change to allow at least a maximum of four bedrooms in the units, and also for the size to be the same size as the upstairs, and that the effective date for any new changes be delayed to help owners currently planning to build SDUs

Stuart MacPherson (oral submission)

- he and his wife are small landlords, similar to many people who serve the community by providing rental housing and in return benefit from a small cash flow that makes their own housing more affordable; for many small landlords that cash flow is not much more than \$100 per month
- they were not consulted and were very surprised to learn of the proposed changes late last week (being the week before the planning Committee meeting) that will directly affect the capability of investors to continue to provide suitable housing for Ottawa families; there was little consultation on this issue, despite the long range impacts of these proposed changes; the Consultation section of the report is lacking, stating only that official consultation would lead to suitable densification, and this shows a singular lack of awareness of the tenant profile that these types of housing attract
- coach houses are not suitable for families, but are best when used by young professionals and empty nesters; secondary suites are useful for nuclear families; these changes will remove this class of accommodation for families; even a family with two children would be best house in a 3 bedroom accommodation, especially

with COVID distancing requirements and studying from home

- removal of this class of housing will do nothing but exacerbate housing crisis; little effort has been made by Council or the provincial government to help with housing; the increased burden on small landlords is causing them to leave the market; a step in addressing the crisis is to step down this proposal and decline to accept the proposals in this report

Tony Miller, President, Ottawa Small Landlord Association (OSLA) (oral submission)

- echoed previous speakers' concerns
- the current SDU By law has been successful to date, with 800 building permits issued by the City since 2015; CMHC published a report saying there are over 2500 secondary dwellings though it is unclear if these are legal.
- the financial viability will be significantly impacted if floor and bedroom requirements are reduced, effectively cutting the rental income anywhere from 25 to 50%, which will make SDUs unviable for small landlords
- OSLA was not consulted or approached and found out about the report the week prior to this meeting; their contractors were not consulted at all; the report is not complete because the people who build SDU's were not contacted
- the intent of the SDU is that they are supposed to be secondary, but there are many renters who need three and four bedroom units, and large floor areas; SDUs offer more housing choices
- some small landlords have recently purchased properties and are planning for SDUs but have not yet applied for their permits; they should be time to apply before the new by-law comes into force
- requested changes to the proposal to: allow a maximum of three bedrooms; provide that floor area restrictions be removed for basements; delay the implementation date of the amended by law until January 2022
- in response to concerns previously raised about illegal / excessive parking at some SDUs, he indicated those situations are likely occurring in illegal SDUs, not in SDUs operated legally by small landlords who are looking to comply; such issues could be dealt with under the Property Standards by-law, which will come into effect on August 31st

Primary reasons for support, by individual

None provided.

Agriculture and Rural Affairs Committee

Number of delegations/submissions: 0

Number of delegations at Committee: 2

Number of written submissions received by Agriculture and Rural Affairs Committee between June 18 (the date the report was published to the City's website with the agenda for this meeting) and June 28, 2021 (committee meeting date):

Primary concerns, by individual

Tony Miller, President, Ottawa Small Landlord Association (OSLA) (oral submission)

- The secondary dwelling unit bylaw is a successful program with 800 permits issued, more legal rental units built by small landlords.
- City will see decrease in secondary dwelling units leading to fewer long-term rentals. Including for families and students.
- There is a need for consultation. He asked that the bylaw be pushed to January 2022.
- Number of bedrooms seems counter to provincial policy, which encourages creation of SDUs.

Chris Habets, Small Landlord (oral submission)

- He is an HVAC engineer and small landlord.
- He doesn't believe there's sufficient reason to make these changes.
- Limiting size of SDUs will not help alleviate problems with availability.
- Approving this will lead to fewer available dwelling units. Would not stand up to challenge.
- City needs MORE affordable 3- and 4-bedroom units. Should keep existing and not move forward with this proposal.

Primary reasons for support, by individual

None provided

Effect of Submissions on Planning Committee Decision: Debate: The Committee spent one hour and 27 minutes in consideration of the item.

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

THEREFORE BE IT RESOLVED that Section 106, as found on page 12 of Document 1, be amended as follows:

1. **delete Section 106(2)(c) and renumber accordingly;**
2. **amend Section 106(3) by adding a new clause (c) as follows:**

“(c) is not abutting or near a wall, column or similar surface that obstructs the opening of the doors of a parked vehicle or limits access to a parking space, in which case the minimum width is 2.6 metres.”

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

Effect of Submissions on Agriculture and Rural Affairs Committee Decision: Debate: The Committee spent 20 minutes in consideration of the item.

Vote: The Committee Carried the recommendations as presented with the knowledge that further discussions would be taking place prior to Council on July 7.

Ottawa City Council

13 additional written submissions received by Council between June 24 (Planning Committee consideration date) and July 7, 2021 (Council consideration date):

Primary concerns, by individual

Tatiana Vorobej, Board member, Housing, Bel-Air Community Association (written submission)

- While the original proposal setting a limit of 2 bedrooms was agreeable to us, we are concerned there may be a walk-on motion to remove the cap, or set a limit of 3 or 4 bedrooms, which would facilitate creation of more student bunkhouses.

Kathy and Jeff Milburn (written submission)

- Lived on Paisley Avenue for over 35 years. The student dwellings are over running our neighborhood and lowering our property values.

- fully support the secondary Dwelling unit bylaw proposal where they can only have two bedrooms in the basement.
- the house beside us basically been turned into a boarding house with seven separate renters at the same time, coming and going! There was no pride in ownership or looking after the property.
- If you are looking to drive existing owners out of the neighborhood its working. If we continue down this path all the areas around Algonquin College will be student ghettos.

Louise Glegg (written submission)

- With regard to the proposed by-law, I am requesting that the City of Ottawa limit the number of basement bedrooms in residential neighbourhoods to two, in order to reduce so-called 'student bunkhouses'. The residents are not all students, and even when they are, they are not always decent neighbours.
- Already have two such houses on street, and a third which, to the relief of myself and the people living around me, was finally sold to a family this year.
- appreciate that students and other low-income people need a home, in my experience living here for thirteen years, the majority of 'bunkhouse' landlords do not ensure that the properties are quiet, reasonably well maintained, and clean.
- had dreadful experiences with drug-dealing and verbally abusive, violent residents, who terrorized the street; as well as a young man whose car motor sounded like a jet engine (he did not go to school or work, and he regularly revved it in the driveway for at least 30 minutes -- whenever the spirit moved him); lawns that look like fields; too many cars to fit in the driveway, resulting in, for the winter of 2019, one tenant parking on the street during heavy snow overnight parking bans; piles of junk and beer cans routinely left all over the yard; garbage and recycling not being properly kept from animals and insects.

Eleanor Murnaghan (written submission)

- Understand that people are concerned that there is a shortage of rental housing for families looking for homes with 3 and 4 bedrooms, I do not agree with the wholesale conversion of single family homes in my or any other area, into what amounts to student dorms.

- Most of the homes in my immediate area are already at least 3 bedroom homes, so the argument that families are having a hard time finding rental housing with at least 3 bedrooms anywhere in the City doesn't hold much, if any, water. I think it's more a shortage of houses that are for rent rather than for sale at this time.
- Most tenants, particularly the students we would be likely to get in our area given our proximity to the College, do not tend to have a long-term investment in a neighbourhood like a homeowner would.
- We need to stop quietly allowing established neighbourhoods to be turned into highly densified areas that are not pleasant to live in anymore because they have come to look more like apartment blocks than the single-family homes they once were.

Giuseppe Caminiti (written submission)

- This issue has been of immense concern to the College Ward community and has created a lot of tension within the community. This issue has been brought forward a number of times previously to the City of Ottawa without resolution.
- Given the direct impact to our community, it is extremely shocking and disappointing that there has been no consultation nor communication by the city to their residents resulting in challenges and tensions created by the City of Ottawa in their past decisions.
- It is requested that given the impact to the College Ward community and surrounding communities that the City of Ottawa develop a plan to begin a consultation with the communities and distribute a survey with all the information and the impact this type of decision could have on the communities and the residents who live there.

Alex Cullen, Federation of Citizens' Associations (written submission)

- member community associations of the FCA have indicated concern over the possibility of “walk-on” motions at the July 7 Council meeting on this matter that may increase the number of secondary dwelling units permitted in this report or alter the conditions that govern the establishment of such units.
- “walk-on” motions are often made without notice or public consultation. Should such a motion be introduced to the recommendations of this report at the July 7 Council meeting the FCA asks that these motions and the report

be referred to Planning Committee so that these motions can be assessed and the public be given the opportunity to comment on them.

Kathy Vallee (written submission)

- in Belair Park and like my friends in the neighbourhood have watched an alarming number of family homes converted to rooming houses/student rentals/bunkies.
- One recently opened 3 houses from my home and what was once a sweet 3 bedroom bungalow is now an eight bedroom student rental.
- what happens when 8 different people move into one small house? There is no contribution to the neighbourhood or even an interest in the neighbourhood. There is one driveway where a couple of cars can park back to back - but has already lead to multiple cars on the street.
- There are many young families on the street and this rooming house concept does not work in a family neighbourhood.
- not against basement apartment but these are not basement apartments.

Jenny Pfalzner (written submission)

- in agreement with the bylaw proposed (on June 24, 2021) to limit secondary dwellings (eg., a basement) to a limit of two bedrooms.
- would therefore object to any increase to the two bedroom limit

Alice Yoch (written submission)

- in support of the proposed changes to the Secondary Dwelling Units Bylaw limiting SDUs to two bedrooms.
- In the 25 years we have lived here we have seen the neighborhood slowly change to encompass more and more rental homes rather than owner occupied. Many of these homes have been converted to SDUs with multiple bedrooms on each floor.
- there are eight bedrooms (four up and four down) in two units in the bungalow two doors down from my home.
- A number of similar "bunkhouse" homes exist throughout the neighborhood. These conversions drastically change the character of the neighborhood when you have multiple cars parked on lawns, overflowing trash bins in the front of houses, and overgrown yards and walkways.

- understand that the city is encouraging density and that one of their strategies is allowing SDUs in neighborhoods like mine. However, was it the city's intention to turn established neighborhoods into student ghettos?
- The brochure focused on the idea that the homeowner would live in the home and simply rent out the SDU. This is not what is happening in neighborhoods around Ottawa now. Please pass the bylaw limiting SDUs to two bedrooms and end the practice of rooming house conversions.

Jean Mullan, Co-President, Bel Air Community Association (written submission)

- strongly in support of the approach recommended by City staff to limit Secondary Dwelling Units (SDUs) to two bedrooms, so did not see a need to appear before Planning Committee when the matter was discussed. However, we have learnt that objections to the two bedroom limit are being raised by a group of people who say they would no longer be able to make the same profit through buying up single family homes and converting them for rentals.
- exposure to homes that have been bought and renovated to include an SDU has been very negative, with the normal result effectively being creation of another student bunkhouse.
- Have seen the primary dwelling unit also being renovated, with the living/dining room being subdivided with walls and converted into two or more bedrooms. The house has then been advertised for rent by individual bedroom, effectively becoming rooming houses.
- establish a two-bedroom limit for SDU's and if there is any attempt to increase the limit, go back to the community for broad consultation.

Jill Prot & Nancy Wilson, Co-Presidents, City View Community Association (written submission)

- became aware that the Planning Committee would be seeking further input from some 'select' groups in advance of the Council Meeting on July 7, 2021.
- Such 'pursued', off the record discussions with select groups is contrary to due process and all rules. Also, any such discussions should have no relevance to the report that proposes "amendments to existing sections and exceptions to the Zoning By-law, to improve readability and applicability of

these sections and ensure that they function in accordance with their original intent".

Jenna Cornfoot (written submission)

- would like to express my opposition to increasing the limit. While I can appreciate the need for rental units for families, in my neighbourhood this increase will be very detrimental, and I would argue will decrease the attractiveness of the neighbourhood for families.
- the neighbourhood has become attractive to investors who are buying up the small bungalows and converting them into student rental units. As you can imagine this has an impact. It is creating less stability given the transient nature of students (in addition to more cars, noise and garbage) in the neighbourhood which contributes to a feeling of less safety and security - an unwelcoming environment for families.
- Allowing an increase to the number of bedrooms for secondary dwellings will only increase this issue and create a more negative impact in our neighbourhood. As such I urge you not to allow this to be considered.

Nick Stevenson and Joce-Lyne Hamel (written submission)

- Made aware that a bylaw was proposed to limit secondary dwellings to 2 bedrooms. We are very much in favour of this proposed bylaw.
- Worry our cherished neighbourhood will become a transient student neighbourhood. We have an affordable family neighborhood with well kept properties and we would like to keep it that way.

Primary reasons for support, by individual

None provided.

Effect of Submissions on Council Decision:

Council considered all submissions in making its decision and CARRIED the report recommendations as amended by the Planning Committee, and as amended by the following additional Council motion:

THEREFORE BE IT RESOLVED that the proposed provisions for Section 133 respecting Secondary Dwelling Units, being item (6) in "Document 1 - Details of

Recommended Zoning” of the report, be removed from the report and that Staff bring a separate report on this matter for consideration at a future meeting of Planning Committee, and Council; and

THEREFORE BE IT FURTHER RESOLVED that the related by-law in the Motion to Introduce By-laws for this meeting of Council be replaced with a revised by-law entitled “A by-law of the City of Ottawa to amend By-law No. 2008-250 to implement zoning changes related to parking and other zoning provisions to clarify their intent and remove redundancies.” which omits the above-described secondary dwelling unit provision amendments; and

THEREFORE BE IT FURTHER RESOLVED that there be no further notice with respect to the amendments described in the report, as amended, pursuant to Subsection 34 (17) of the *Planning Act*.