

Planning Committee members,

The Old Ottawa East Community Association Planning Committee would like to take this opportunity to relay our final written comments on this important topic. We also intend to take advantage of the opportunity to provide oral comments at the Tuesday, October 11 planning Committee meeting.

General comments

We applaud the proposed change to maximum height and new limitation generally to a one-storey building in the urban area of Ottawa.

We are disappointed that the proposed rules continue to be silent on urban forest implications on adjoining property owners. Large infill house construction has already had a major impact on the trees on both the infill lots as well as on the neighbouring properties. The OOECA does not support Coach Houses having an even greater negative impact on trees.

Specific concerns

Height of a coach house

We are pleased that the effect of Infill 2 is to alter how grade is defined and calculated, but the specifics could still be problematic. The permitted height is to be based on existing average grade as it applies to the main building. We feel there could still be issues, therefore, in situations where there is a large grade change between the front and rear of a property.

We also do not understand why the City feels it is necessary/ appropriate to specifically suggest that the construction of a two-storey coach house could still be possible through a Committee of Adjustment application. We are concerned that some of the guidance language included in the proposed Official Plan amendment may prove to be very difficult to interpret, for example:

- the siting and scale of coach houses must be shown to not negatively impact abutting properties (but there is no definition of "negatively impact")
- the proponent must be able to demonstrate that privacy of adjoining properties is maintained (while privacy may be maintained, a two-storey coach house could significantly impact light and shadow in a neighbouring property, which does not seem to be a concern for the City)
- significant trees and planting are to be preserved on the subject property (but the preservation of trees in a neighbouring property does not appear to be viewed as important).

Required building setbacks

We remain disappointed that a "maximum" setback of 1 metre (where no windows are located on the side facing the lot line) is being endorsed. It remains unclear to us how construction and maintenance can be readily undertaken from the owner's property if the building is built on the property line, which is a possibility under the currently drafted rules.

We would like to bring to your attention several recent decisions by the Committee of Adjustment, specifically 85 Fourth Avenue and 370 Bay Street, which have specifically dealt with applications for side yard or rear yard setbacks of less than the required 0.6 metres - "The Committee expressed concerns related to the maintenance challenges for the proposed addition resulting from the side yard setback reduction."

In one of these cases, the application for minor variance was denied due to the concern that maintenance would not be readily possible, while in the other case the applicant revised his original proposal to meet the required setbacks.

Building mass / visual obstruction

The impact on adjoining neighbours is also accentuated if a coach house is built on or very close to the

property line. Effectively the coach house could look like a 3.2m high fence (when maximum height of a fence as per By-Law 203-462 is only 2.13m).

City staff have indicated that a 3.2m wall is "not much different" from a fence of 2.13m. I respectfully suggest that there is a very large difference in the visual impact of an extra metre of height.

Permitted projections are to be allowed

We are also puzzled as to the rationale for coach houses being allowed to have projections (such as eaves) into side and rear yard setbacks while more onerous rules are applied generally to accessory structures (such as small gardening sheds).

Please note that we are not sure that we understand the staff response to this comment, as provided in the consultation summary document. Staff indicated that "where no yard setback is specified, the provisions of Table 65 do not apply. Since coach houses are not subject to a minimum setback, this provision comes into effect."

Grandfathering clause

We are also concerned with the proposed rules for pre-existing accessory structures. Essentially this new provision undoes many of the positive changes we have applauded. Pre-existing accessory structures (built as of December 31, 2015), where these are proposed to be modified to include a coach house, would be grandfathered with respect to existing building heights and setbacks. No definition of "modified" is provided.

There are many examples around the City where developers have managed to be creative and abrogate the spirit of the rules. I am thinking of Old Ottawa East's experience with triplexes subsequently being converted into 4 storey dwellings and of Sandy Hill where a different type of conversion was possible so long as some of the original structure was retained. I have no doubt that there could be situations where "modified" could turn into an almost completely rebuilt coach house which does not conform to almost any of the By-law rules for coach houses.

Thank you again for the opportunity to comment.

Regards,

Phyllis Odenbach Sutton
President, Old Ottawa East Community Association