



To: City of Ottawa Planning Committee members

May 8, 2017

Re: Housekeeping Zoning By-law and Official Plan Amendments for the implementation of coach houses – File Number: ACS2017-PIE-PS-0058 – to be considered by Planning Committee May 9, 2017

Dear Councillors,

The Old Ottawa East Community Association (OOECA) is very concerned about the proposed Housekeeping Amendments to the policies and provisions for Coach Houses, in the urban areas.

Specifically, the OOECA is concerned that the language proposed for two of the recommended amendments to the Official Plan (OP) and Zoning By-Law (ZBL) do not align with the founding five principles of the current OPA No. 175 By-law 2016-253 and ZBL 2016-356, nor even the intentions outlined by Planning Staff in their Report to Agriculture and Rural Affairs and Planning Committees – reference attached Staff Report.

While the OOECA would like to believe our concerns are a result of unintentional language errors, they do speak to the struggles volunteers in community associations such as ours face on an on-going basis in dealing with inconsistencies in city communications and the lack of proper public consultation. In the case of the current Coach Houses By-Law, there was significant consultation which took place last year. In those consultations, concerns were raised about the possibility of large, high, bulky coach houses that could impinge upon urban neighbour's rear yard private amenity space. After numerous iterations the OP and ZBL wording was carefully crafted and Council awaits formal monitoring feedback. Our issues with two of the recommended changes cannot be deemed "housekeeping" amendments or "anomaly type" adjustments.

**Issue 1: Within the urban areas, maintain the current policy that a garage is required on the main level of a potential two-storey coach house and maintain the current policy that a potential two-storey coach house must contain all of its habitable space above a garage.**

The current wording in the Official Plan indicates that two-storey coach houses may be considered in the urban area (through minor variance via CofA) only when the second storey is above a garage. On pages 5 and 6 of the report (see excerpts below – yellow highlighted text), Planning Staff clearly indicate their intention to maintain this requirement through the recommended housekeeping changes. Despite this assertion in the Report, the actual proposed changes to the Official Plan text remove the requirement for a garage entirely (see excerpt below – red highlighted struck-out text).

## Planning Staff Intentions (Pages 5-6 of the Report)

Official Plan Section and Policy Number	Description of Change
Section 3.1, Policy 1	<p>Section 3.1, Policy (1)(i): The Zoning By-law will limit the coach house to a height of one storey for lots in the urban area. An application to allow a height of up to two storeys through a minor variance may be considered where, in addition to the considerations noted in h. above, the coach house is proposed to contain all of its habitable space above a garage.</p> <ul style="list-style-type: none"> <li>Amend this policy to allow two-storey coach houses to contain habitable space on the main level. Where a two-storey coach house is provided, <b>maintain the requirement that a garage is required on the main level</b>, however additional habitable space may be included on the main level within the footprint of the structure. As the provision is currently worded, a two-storey coach house can have habitable space in the basement, no habitable space on the main level and habitable space on the second floor. From an operations perspective it does not make sense to prohibit habitable space on the main level. To ensure good interior flow, habitable space should be permitted on the main level to connect a possible basement and second storey together.</li> </ul>

## Planning Staff Proposed Official Plan Wording Changes (Page 14 of the Report)

*The Zoning By-law will limit the coach house to a height of one storey for lots in the urban area. An application to allow a height of up to two storeys through a minor variance may be considered ~~where, in addition in accordance~~ to the considerations noted in h. above., ~~the coach house is proposed to contain all of its habitable space above a garage~~*

Note 1: OP Section 3.1 Policy 1(h) does not reference garages at all. Thus, the removal of the red highlighted struck-out text above would gut the current requirement that two-storey coach houses be built above uninhabited garages. The current policy was arrived at after considerable public consultation, while the proposed amendment was not. (A predecessor to the current policy even required a possible second storey to be built only over an existing garage.)

Note 2: Contrary to Staff description of change (Pages 5-6 of the Report), it makes perfect sense to only allow non-habitable spaces on the main level (ground floor level) from an operations perspective and to ensure good interior flow. Although habitable space is not a defined term in the OP or the ZBL, habitable room is defined in the Property Standards By-law No. 2013-416. Habitable room means any room in a dwelling unit or rooming unit lawfully used, or intended to be lawfully used, for living, sleeping, cooking or eating purposes. Non-habitable room means any room in a building or dwelling unit other than a habitable room, and includes: a) a bathroom, powder room, rest room, laundry, pantry, lobby, communicating corridor, stairway, closet, boiler room, garage; b) other service and maintenance space of a dwelling for public use or access to and vertical travel between storeys. An interior stairway from a basement to the second floor is considered non-habitable space. It only allows a very small area on the

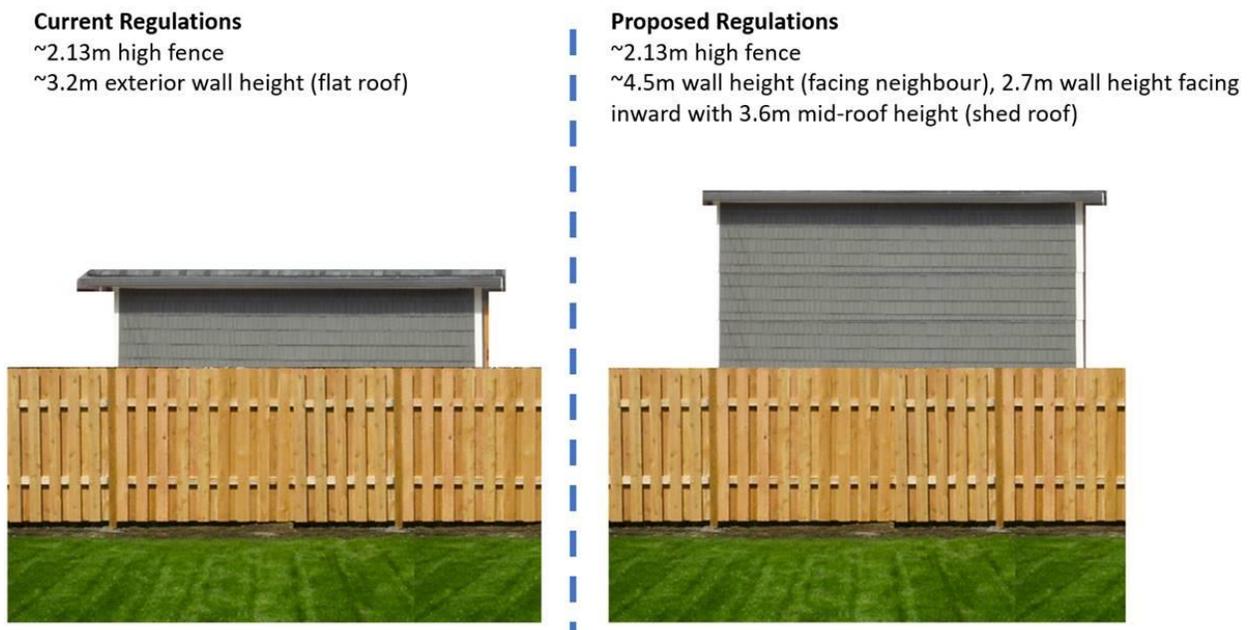
second floor to be possibly used as habitable space. (Most of the stairwell from basement to the roof is open.) This possible small area of the 2<sup>nd</sup> floor space, typically just above the lower stair treads (the stair needs headroom), could have any of the non-habitable spaces listed in the property standards by-law – like a closet or pantry or part of a bathroom.

**OOECA Recommendation - The explicit intent of the current OPA No.75, Section 3.1, Policy (1)(i) should be maintained. The OOECA recommends that a motion be introduced to delete this proposed OPA policy change - i.e. delete Report page 14, Part B 2.b).**

**Issue 2: Within the urban area, maintain the maximum 3.2m wall height of for all roof construction types.**

The current coach house ZBL No. 2016-356 specifically limits the exterior wall height of coach houses to a maximum of 3.2m (vs. the 2.13m permitted for fences). For coach houses built on or near neighbouring properties (max 1 m setback), this sets a maximum massing impact to ~1.1m above any fencing with neighbouring properties.

In the housekeeping amendment, staff is proposing to delete the maximum 3.2m exterior wall height limit for all roof types except for “flat roof building types”. The OOECA strongly objects to this change, and is of the view that the 3.2m height limit must be maintained as it ensures that massing impacts in the rear yards of neighbouring properties are minimized. It should not be permissible to have a 4m to 5m high shed roof wall or gable end wall facing a property line, even though the mid-roof height is within the 3.6 m maximum height limit. See below example comparison of massing impacts for flat roof vs. a shed roof. The explicit intent of the current ZBL Section 142 (7)(b)(ii) regulation’s 3.2 m max wall height, in the urban areas, is to eliminate the possibilities of certain roof types - like box gable, saltbox or high shed roofs – and the resulting obtrusive massing in the rear yards of residential neighbourhoods.



**OOECA Recommendation - The explicit intent of the current ZBL 2016-356 / ZBL Section 142 (7)(b)(ii) should be maintained. The OOECA recommends that a motion be introduced to delete the proposed**

**change to this provision - i.e. delete Report page 16, Document 2, recommended zoning amendment e).**

Sincerely,

A handwritten signature in cursive script that reads "P. Odenbach Sutton". The signature is written in black ink on a white background.

Phyllis Odenbach Sutton  
President, Old Ottawa East Community Association

Cc – Councillor David Chernushenko