

OOE Planning Committee (OOEPC)

Report to OOECA Board

(March 21, 2023 Meeting)

1. 18 Hawthorne Zoning Bylaw Amendments (ZBLA): OOECA Planning Committee opposes all five proposed ZBLAs - some progress

Councillor Menard has met with the applicant and has made progress in persuading the developer to make some changes reflecting the community concerns that were raised during the consultation. We hope by the time of our next meeting details will be available.

2. Community Planning Issues - Issues detailed and discussed with Councillor Menard and staff. Meeting with City staff sought.

After much work by planning committee members and discussion at our planning committee meeting of March 8, Dianne, Paul and myself met with Councillor Menard and Miles Krauter to discuss a variety of planning issues that are key to implementation of the Old Ottawa East Secondary Plan and the new Official Plan.

Councillor Menard was supportive of the OOECA pursuing the specific issues with City staff and will seek a meeting with them so we may discuss these issues.

See Attachment 1.

3. 248 Main: Requested minor variances approved by the Committee of Adjustment.

OOECA Planning committee had requested that the requested rear yard setback be 7.5m as per TM7 zoning rather than the requested 6.25m, however, the Committee of Adjustment approved the request. We remain concerned about the trend of applicants to seek reduced rear yard setbacks.

4. 435 Echo: Minor Variances requested for front balcony, additional roof-top amenity space and reduced rear yard setback. Planning Committee opposes variance for rear yard setback but City supported it. At the March 15 hearing, the Committee reserved its decision (will know within 10 days).

The applicants for this lot between Clegg and Herridge propose to demolish a solid two-storey brick house and build a new “multi-generational” home. The planning committee objects to the reduced rear yard setback, however did not object to two other requested variances (increased roof top amenity space and increased balcony projection at street). See images below.

At the hearing (March 15) , at least one of the Panel members agreed that the rear yard variance was not justified. The Panel will provide its decision by March 25. Our comments: Attachment 2.



5. OOECA Planning Committee and Impact of its Comments made on Requests for Minor Variances: Why Unsuccessful?

Over the last year and a half, the planning committee has opposed a number of requested minor variances but, without exception, the Committee of Adjustment has granted all of the requested variances. We don't know whether our lack of success is because of the CofA's bias towards granting approval or because we haven't had sufficiently good cases. We'll continue to pursue. We raised concerns about the CofA with Councillor Menard and he was sympathetic.

6. New Zoning By-Law: As per an information session March 7, 2023, the City outlined the impacts of Bills 109 and 23 and noted that the public may now respond to surveys related to the development of the new zoning by-law.

The new zoning by-law will move to “form-based” zoning and “away from what’s happening inside.” This focus “on the box” paves the way for more dwelling units within structures.

Consultation on developing a new Zoning By-law is now open with the release of City discussion papers and corresponding surveys. These papers address key issues relating to the implementation of the new Official Plan, including:

<ul style="list-style-type: none"> • Climate Change, Resiliency, Public Health 	<ul style="list-style-type: none"> • Climate Change, Resiliency, Public Health Discussion Paper • Climate Change, Resiliency, Public Health One Pager • Climate Change, Resiliency, Public Health Survey(External link)
<ul style="list-style-type: none"> • Equity, Diversity, and Inclusion 	<ul style="list-style-type: none"> • Equity, Diversity and Inclusion Discussion Paper • Equity, Diversity, and Inclusion One Pager • Equity, Diversity, and Inclusion Survey(External link)
<ul style="list-style-type: none"> • How Zoning Can Regulate Trees 	<ul style="list-style-type: none"> • How Zoning Can Regulate Trees Discussion Paper • How Zoning Can Regulate Trees One Pager • How Zoning Can Regulate Trees Survey(External link)
<ul style="list-style-type: none"> • Land Use Strategies for the New Zoning By-law 	<ul style="list-style-type: none"> • Land Use Strategies for the New Zoning By-law Discussion Paper • Land Use Strategies for the New Zoning By-law One Pager • Land Use Strategies for the New Zoning By-law Survey(External link)
<ul style="list-style-type: none"> • Neighbourhood Character 	<ul style="list-style-type: none"> • Neighbourhood Character Discussion Paper • Neighbourhood Character One Pager • Neighbourhood Character Survey(External link)
<ul style="list-style-type: none"> • Neighbourhood Zones 	<ul style="list-style-type: none"> • Neighbourhood Zones Discussion Paper • Neighbourhood Zones One Pager • Neighbourhood Zones Survey

We recommend that all residents take a look, complete relevant surveys, and provide comments.

7. New Planning Committee Member: Joseph Sleiman has joined the planning committee.

Attachment 1 to Planning Committee Report OOECA-City-issues-23069 / March 12, 2023

OOE Planning Issues to Discuss with City

The Old Ottawa East Planning Committee of OOE Community Association (OOECA) has compiled a list of issues it would like to discuss with Councillor Shawn Menard and his staff and then with members of the City's Planning, Real Estate and Economic Development (PRED) department. The goals of the meetings are to ensure the Councillors and PRED are aware of key OOECA planning issues and to resolve them. A number of the issues are interrelated and solutions for one could be synergistic in applying solutions for the others.

A. Respect for OOESP and the Implementing Zoning By-laws

Objective: Secure the Councillor's advice and support in ensuring respect for the Old Ottawa East Secondary Plan (OOESP) and associated zoning by-laws as development continues in our mature neighbourhoods.

A1. OOESP - Policy 23 and Policy 24 (see Attached Letter and its Annex A)

OOECA requests clarity of the meaning and intent of these two policies. Failing clarity "with teeth", the OOECA suggests Zoning By-law amendment(s) / exception(s) are necessary.

Specifically, we are of the view that the intent of Policy 23 means: that (1) the New Comprehensive Zoning By-law shall maintain the existing R1, R2, R3 and R4 zones; and (2) the New Comprehensive Zoning By-law shall maintain the existing sub-zone provisions and exceptions provisions.

We recommend that for the purposes of the OOESP Policy 24 clarity, notwithstanding the ZBL Section 140(8)(a) restriction, a Zoning By-law amendment / exception for OOESP Policy Area 4 is required and we specifically recommend that the ZBL amendment require an attached front-facing garage to be setback a minimum 3.5 m from its building's front facade.

A2. TM Zoning: 2m Front Yard Setback - Allowable Uses

The unique TM zoning in Old Ottawa East requires that new developments have a two to three metre setback of the building from the front lot line. The recent proposal for 18 Hawthorne Avenue requests a 0.7 metre front yard setback and a reduced rear yard setback. Several recent Main Street proposals have also requested reduced rear yard setbacks. Also, we have seen applications proposing fixed installations (e.g., bicycle racks) within the 2 metre setback area and these should not be permitted.

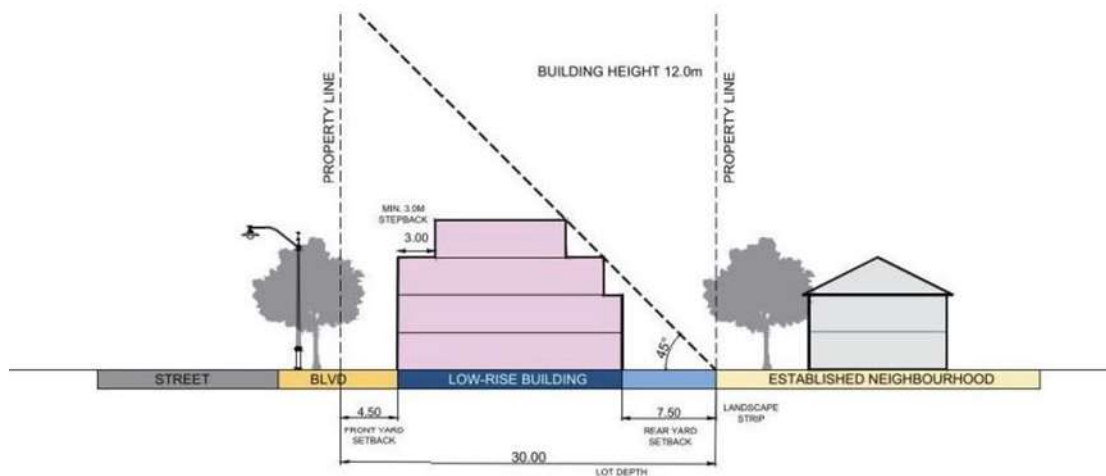
As was negotiated with the City a decade ago when the OOE community design plan and subsequently the OOESP were approved, the front yard setback provision is meant to encourage pedestrians to "linger" and provides an opportunity for the commercial stores to place private signage, merchandise displays, other temporary appurtenances such as an outdoor seating areas. (Details to be attached for PRED meeting.)

A3. Rear Yard Setbacks

We have seen numerous applications for minor variances requesting reduced the rear yard setbacks in neighbourhood zones, as well as along Main Street and Hawthorne Avenue’s TM zoned areas. Despite concerns / objections from PRED and PRED’s rigorous Infill studies and Infill Zoning By-law amendments, which resulted in increased rear yard setback regulations, significant reductions have been granted by the CofA.

In most instances, the negative impacts on the rear yard semi-private realm are not conducive to “liveable” outcomes. Reduced rear yard setbacks invariably reduce: landscaped amenity space; volume of critical root zone and ability for a mature tree(s) to flourish; appropriate rear separation distances between existing and new homes; reasonable privacy from overlook; and, depending on building height and orientation, the desire for some rear yard sunlight and sky view. Further, the “as of right permissions” for permitted projections into the rear yards exasperate “liveability” and privacy in the rear yard semi-private realm.

We are dismayed that the May 2022 Urban Design Guidelines for Low-rise Infill Housing, enacted by Council, included a “housekeeping” deletion of all references to “Angular plane”. The 2005 and 2012 Guidelines relied on 45 degree Angular plane – “an upward angle drawn from the edge of a residential lot line to define the confines in which to build to protect a neighbour’s access to light and sun” – to illustrate the massing restrictions expected and required by the Infill Zoning By-laws. This “housekeeping” deletion should only be considered acceptable if the New Zoning By-law includes regulations requiring rear yard setbacks and stepbacks which limit building massing (form), adjacent to low-rise housing, to be below the 45 degree angular plane taken from the rear property line at grade – see example illustration below.



A4. Main Street South of Clegg

As discussed by Alain Miguelez during course of the development of the new Official Plan, OOECA was assured that the maximum height of buildings on Main Street south of Clegg Street would remain at four storeys (low-rise). In view of what happened with Bill 23, we want to ensure that the four-storey limit is made clear in the revised zoning by-law.

B. Density Targets vs Approvals

B1. Density Targets of OOE Secondary Plan (OOESP) vs City's Approvals

Objective: Secure the Councillor's commitment to support OOECA in pressing for respect for OOESP density targets as development continues in our community.

The density target for the institutional lands is already exceeded by approvals to date and what's pending may result in twice the number of dwelling units targeted by the SP. Secondly, City analysis of new proposals in the area tend to focus on just the proposal at hand rather than assessing cumulative impacts of traffic and parking requirements and the impact on the OOE tree canopy.

As per the OOESP, "The former property of the Oblate Fathers and the Sacre Coeur are anticipated to accommodate a target of 1000 dwelling units." Greystone Village will likely exceed this target. The redevelopments on the Sacre Coeur property pushes the total number of dwelling units closer to 1500 to 2000 dwelling units. Given the new school use within the Deschâtelets Building, future intensification on the Saint Paul University's property and along Main Street, we anticipate significant increased stress on the road networks within Greystone Village, as well as Main Street, Hawthorne, Lees and Greenfield.

Recently, a development proposal for 284 units on the eastern half of the Sacre Coeur property was submitted with no provision for residents' parking and no recent analysis of impacts on the traffic of neighbouring streets. We see no evidence that a road network designed for 1000 units can accommodate 50 percent more traffic. Indeed, the Community Association has already received complaints about excessive traffic and illegal parking within the precinct.

When Main Street was approved as a complete street, Council agreed that the reduced capacity of Main would not adversely affect the 1,000 unit target, however, the reduced capacity does mean that there is a reduced limit to what Main can handle and we have not yet seen this reality considered when application are reviewed by the City.

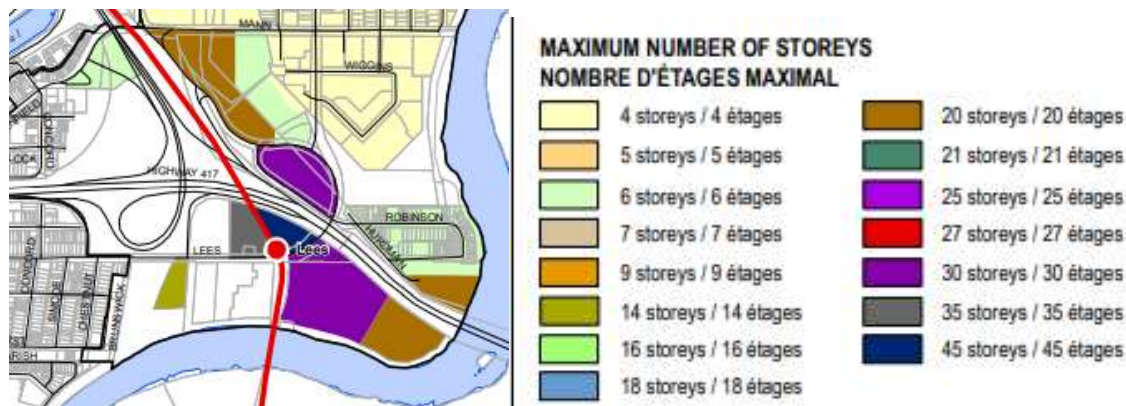
A similar situation may occur with Hawthorne Avenue which has a dwelling unit target of 150. The one development proposed so far (18 Hawthorne) would have 67 units (45 percent of the target) yet this building occupies only 17 percent of the "developable" Hawthorne frontage. This overdevelopment was not what was envisaged by the OOE SP.

B2. 200 Lees (uOttawa): TOD targets vs uOttawa plans

Objective: Secure the Councillor's support to realize the full development potential of the lands around the Lees Avenue LRT station, including those owned by the University of Ottawa, in compliance with the Lees Transit-Oriented Development Plan.

The University's Health Sciences building currently under construction is six storeys while the lot is zoned for 30 storeys. Given the goal of the City to concentrate development at the LRT stations, why is the University allowed to under-develop its lands?

Given the availability of university-owned property near Lees station and the City's desire to concentrate residential development at LRT stations, why doesn't the City require residential development on upper storeys of new developments of University-owned property? The Lees Transit Oriented Development plan forecast that the Lees TOD would have 6,700 dwelling units but this is not going to happen if the University continues to under develop its property on its Lees / River campus. Our point is that development should be concentrated where there is a nearby LRT station rather than elsewhere in Old Ottawa East where density targets are likely to be exceeded.



Extract from Central and East Downtown Core, Secondary Plan, Volume 2, Schedule C, Maximum Building Heights. This shows buildings near Lees Station should be between 14 and 45 storeys high.

C. Community Association Communications with PRED

Objective: Explore viable options for improving communications between the OOECA and PRED, to the benefit of both.

C1. Ongoing Communications

How can the community association improve communications with PRED? Currently, we can contact the officer responsible for a particular OOE application and usually either City staff or the Councillor's Office lets us know of a new application, citing what's on DevApps. In the interest of improving the relationship between PRED and the community association, would it be possible to have a single point of contact in PRED and would it be possible to have - to the extent possible - a designated officer dealing with all OOE applications? In 2016, the City had a "Community Associations Liaisons Program" but it didn't last. Something similar may be needed.

C2. Pre-Application Consultation Process:

We've yet to see the results of the evaluation of the pre-application process. Also we question the desirability of the non-disclosure agreements that the City requires for participants. In the case of 18 Hawthorne, the developer has ignored all the suggestions made by the community representatives.

D. Other Issues

D1. City Policy for Appeals of Committee of Adjustment Decisions Contrary to City Position

Bill 23 has eliminated third party appeals of decisions of the Committee of Adjustment relating to issuance of minor variances and consents. In the case of such decisions being contrary to both the opposition of City staff and others, particularly community associations, under what circumstances will PRED appeal a CofA decision to the Ontario Land Tribunal? When will the related policy be prepared and brought forward for the consideration of Planning Committee and Council.

D2. OOESP Corrections for Area North of Highway 417:

In the context of the City's first omnibus report that will propose amendments to the Official Plan to correct minor amendments to text that do not change overall intent of OP policies, we may propose several changes pertaining to the area north of Highway 417. We also would like to discuss the land use planning designations and zoning for the areas near the northwest part of the 417 - Nicholas interchange. (Details to be prepared prior to PRED meeting.)

D3. The FSI Calculation for Regional's Greystone Village's Phase 3 and its FSI 2 Block

The Regional Group set out its calculations for how its Phase 3 development in Greystone Village satisfies the FSI 2.0 requirement for applicable lands within the development area. We would like to know just how the calculation works and would appreciate a City staff member to go through it with us.

Attachment for A1. OOESP - Policy 23 and Policy 24 (Letter and its Annex A)



March 4, 2023

Councillor Shawn Menard
 Capital Ward
 City of Ottawa
 110 Laurier Avenue West
 Ottawa ON K1P 1J1

Dear Councillor,

We are writing on behalf of the Old Ottawa East Committee Association (OOECA), in regard to 49 Mason Terrace and its broader implications for our community and our neighbourhood streetscapes. As you are aware, after much deliberation, we decided not to press the City to appeal the Committee of Adjustment (CofA) decision in favour of the applicant with respect to the attached front-facing garage. We want to highlight, however, that we took this decision reluctantly and that we continue to be deeply concerned about this issue.

Our concern is not just narrowly with the case of 49 Mason Terrace itself, but more broadly with the implications of this case with respect to interpretation of the Old Ottawa East Secondary Plan (OOESP) vis-à-vis applications for minor variances and zoning bylaw amendments. It is important that all parties share a common understanding of OOESP policy directives when submitting applications (applicants, developers, professional planners) and when reviewing and taking decisions on such applications (PRED, City of Ottawa Planning and Housing Committee, Committee of Adjustment).

The case of 49 Mason Terrace has made it obvious that the language in Policy 23 and Policy 24 of the OOESP (Section 3: Neighbourhood Policies/sub-section 3.4 Policy Area 4 - Old Ottawa East Residential Neighbourhoods) contains perceived ambiguities that lead to different interpretations of the policies by different parties. The meaning of the language must be clarified so that its intent is clear, to facilitate common understanding among all parties.

In its rationale for not supporting an appeal on 49 Mason Terrace, PRED implies that clarification of the language could work against us ["... by raising the issue to the level of the OLT, this could provide opportunity for creation of a test on what constitutes 'dominance' of a front-facing garage that could have wider implications on subsequent development applications and on application of the current SCA regulations, which may not be in the public interest of the City at large"] and that the City can "continue to seek to have future applicants comply with the SCA and zoning requirements" even in the absence of clarification.

We disagree with this assessment. We believe that clarification of any perceived OOESP policy ambiguities will save time and resources of all parties in cases like 49 Mason Terrace, and it will ensure consistency and thus fairness in application of the policies in future cases.

Clarification is especially warranted given the City's work on the new Comprehensive Zoning By-Law Regulations and Low-Rise Urban Design Guidelines, to ensure that any redrafting of these regulations and guidelines respects the OOESP policy intent and its vision for our neighbourhoods. Therefore, while we did not press the City to appeal the CofA's decision on the 49 Mason Terrace attached front-facing garage, we plan to pursue with PRED our request for clarification of the language in Policies 23 and 24 of the OOESP. We hope that we can count on your support in doing so.

In Annex A to this letter, you will find our interpretation of the language in Policies 23 and 24 of the current OOESP, with evidence to support our case. The Policy 23 and 24 language remains unchanged from that originally drafted in 2011 and then reinforced by various Infill 1 and 2 Zoning By-law amendments. We believe our interpretation of the language is consistent with what PRED drafters intended.

As an aside, it is worth noting that the OOECA is not alone in taking issue with Committee of Adjustment decisions that seem to ignore the intent of Zoning By-laws. Indeed, when reporting in his February 12th newsletter on the CofA decision to permit front-facing garages at 41 and 43 Hampton Avenue, Kitchissippi Councillor Jeff Leiper noted: "From what I can see, this has been a trend of recent Committee [of Adjustment] decisions and the Streetscape Character Analysis framework is looking increasingly creaky in our ward and across the urban area: Council will need to address this in its comprehensive zoning by-law review."

The issue of clarifying the language in OOESP Policies 23 and 24 is one of a number of subjects that we would like to discuss, first with you (at our meeting on March 14th) and then with PRED (at a meeting to be scheduled). In advance of our March 14th meeting with you, to facilitate our discussion, we will provide you with a 'one-pager' on each of the issues we want to raise. These issues will have to be considered within the framework of the new Official Plan, the provincial government's changes to that Plan and, in particular, its recent adoption of the *More Homes Built Faster Act*. Given the relevance of the Act to the issues we want to address, members of our OOE Planning Committee have registered to attend PRED's March 7th Public Information Session on the impacts of provincial legislation.

As always, we appreciate the work that you and your staff do for our community, and we look forward to a continuing constructive and productive relationship.

Sincerely,

Robert Gordon
President
Old Ottawa East Community Association

A handwritten signature in black ink, appearing to read "John Dance", written in a cursive style.

John Dance
Chair, Planning Committee
Old Ottawa East Community Association

Attachment: Annex A: Old Ottawa East Secondary Plan (OOESP) Policy 23 and Policy 24

Annex A: Old Ottawa East Secondary Plan (OOESP) Policy 23 and Policy 24

Introduction

The OOESP Policy 23 and 24 read as follows and the OOESP Schedule A – Designation Plan indicates the location of Policy Area 4 and (in yellow) the Neighbourhood Low-Rise designation.

3.4 Policy Area 4 - Old Ottawa East Residential Neighbourhoods – including Archville, Spenceville and Rideau Gardens

23) Maintain the general character of these neighbourhoods as expressed by the existing zoning.

24) Maintain the traditional pattern of pedestrian priority along the street with any garages relegated to the side or rear of homes and not projecting forward or otherwise dominating the building façade.

Request of PRED and Council

The Old Ottawa East Community Association (OOECA) requests clarity of the meaning and intent of these two policies. Failing clarity “with teeth,” the OOECA suggests Zoning By-law amendment(s) / exception(s) are necessary.

OOECA interpretation of Policy 23 intent:

- I. The New Comprehensive Zoning By-law shall maintain the existing R1, R2, R3 and R4 zones.
- II. The New Comprehensive Zoning By-law shall maintain the existing sub-zone provisions and exceptions provisions.

OOECA interpretation of intent and recommendation for Policy 24 clarification:

1. On review of several recent Streetscape Character Analysis (SCA) for numerous CofA minor variance applications, the majority of CofA decisions have granted the application despite a front-facing attached garage being prohibited by the ZBL Section 140(8)(a) and in the case of 49 Mason Terrace, despite the OOESP Policy 24.
2. Obviously there is a misinterpretation as to the meaning and intent of Mature Neighbourhoods Zoning By-laws and the intent of OOESP Policy 24. The issue appears to be with respect to the meaning of the word “dominating” and a specific distance that a front-facing garage must be setback into the side yard so as not to be “dominating the building facade”.

3. On review of the Urban Design Guidelines for Low-rise Infill Housing (2005, 2012, 2022) the following is informative in clarifying Policy 24:
- The Parking and Garages section state: “Create infill that supports the quality of the public streetscape and enriches the pedestrian experience... A garage must not dominate any facade facing a street...”
 - “traditional pattern” refers to “**Streetscape character**” - defined as “a streetscape with characteristics based on street age, building siting, landscape patterns and natural features.”
 - “pedestrian priority” also refers to “**pedestrian scale**” – defined as “*a size (of building, space) that a pedestrian perceives as not dominating or overpowering.*”
 - “pedestrian priority” refers to a pedestrian’s diminished enjoyment, “if the pattern of blank garage faces repeats itself down the length of a city street. A garage should not dominate any façade facing a street, public space or other residential dwelling.”
4. On review of the Zoning By-laws the following is informative in clarifying Policy 24:
- On several occasions (between 2010 to 2020) during various Infill studies and Infill monitoring, PRED contemplated a specific setback distance for attached front-facing garages. (Example: 1 m was proposed in 2011, but not enacted).
 - The 2012 Infill 1 Zoning By-law (ZBL) simply regulated front-facing garages to be setback from the front facade. In 2015, the Infill 2 / Mature Neighbourhoods By-law / SCA regulations disallowed attached front-facing garages, unless they were the dominant characteristic along a street.
 - Therefore, despite the OOESP Policy 24, until 2015 the ZBL’s permitted attached front-facing garages to be constructed forward or mere inches setback from the building front facade. The result was the proliferation of attached front-facing garages, which vastly changed the streetscape character of OOE Policy Area 4 Residential Neighbourhoods. As of 2015, several streets (such as Mt. Pleasant) were so drastically modifying such that a SCA established attached front-facing garages as the dominant streetscape characteristic.
 - In 2020, the ZBL was amended to regulate a 0.6 m (2 ft) required setback from the front facade, but only in the case where the SCA permitting an attached front-facing garage. This insignificant setback distance was only mere inches more than the previously required setback established by the 2015 Infill 2 provisions.
 - The OOECA suggests a 0.6 m setback (or a 0.6 m ‘indentation’ into the front facade, as per 49 Mason Terrace minor variance application) is not sufficient to dismiss a garage door from dominating the front facade.

OOECA Recommendation regarding OOESP Policy 24

The OOECA suggests for the purposes of the OOESP Policy 24 clarity, notwithstanding the ZBL Section 140(8)(a) restriction, a Zoning By-law amendment / exception for OOESP Policy Area 4 is required...

The OOECA recommends that the ZBL amendment require an attached front-facing garage to be setback a minimum 3.5 m from the building front facade.

This recommended setback is the “non-dominating” setback distance ordered by the 2021 OLT Decision for the single storey attached front-facing garage proposed at 57 Hutchison Avenue (<https://www.omb.gov.on.ca/e-decisions/PL210258-DEC-02-2021.pdf>). This ZBL amendment / exception provision would constitute an acceptable and non-dominating setback regulation for the New (form based) Zoning By-laws in the OOE Policy 4 Area Residential Neighbourhoods.

Background Information:

- The current OOESP Policies 23 and 24 have the exact same verbiage as the original 2011 OOESP (OPA 92).
- The implementation of these OOESP policies were originally informed and based on the draft (2007-2009) and final (August 2011) Old Ottawa East Community Design Plan (OOECDP) - Attachment 1; Urban Design Guidelines for Low - Medium Density Infill Housing (2005) (Attachment 2); and the Residential Zoning By-laws (2011 to 2022).
- The subsequent Infill Studies, updated Low-rise Design Guidelines (2012) and Infill Zoning By-law Amendments, including Infill 1 (2012), Infill 2 & the SCA (2015) and Infill Monitoring (2020), implemented reasonable provisions to provide a liveable low-rise urban building strategies (setbacks, height, bulk, massing) for OOE residential neighbourhoods.

Attachment 1**Old Ottawa East Community Design Plan (OOECDP)**

Ref: https://documents.ottawa.ca/sites/documents/files/documents/ooe_cdp_en.pdf

The OOECDP, in part, states the following:

- Section 2.5 **“The existing residential neighbourhoods within Old Ottawa East**, including Archville, Spenceville, and Rideau Gardens are stable and of a consistent low profile residential character. To the south of Clegg Street the housing stock is predominantly single detached while to the north there is a greater mix of singles, semi-detached, and townhouses with some apartment buildings. Housing is laid out in a traditional grid pattern with sidewalks along the street...”.
- Section 2.9: “Neighbourhoods are primarily residential districts, which exhibit a consistent character within a defined area.”
- Section 3.7: **“Old Ottawa East Residential Neighbourhoods - Archville, Spenceville and Rideau Gardens**
 - Maintain the general character of these neighbourhoods as expressed by the existing zoning.
 - Maintain the traditional pattern of pedestrian priority along the street with any garages relegated to the side or rear of homes and not projecting forward or otherwise dominating the building façade.
 - Intensify these neighbourhoods primarily at their edge, as a transition to denser development sites and where they abut an Arterial or Collector road. Notwithstanding this, building heights will be maintained at low-rise levels overall.
 - Infill with residential development that is consistent with the Infill Housing Design Guidelines for Low and Medium Density. “
- Section 4.14 part 6: “Follow the advise (sic) provided in the “Urban Design Guidelines for Low - Medium Density infill Housing” with respect to infill and redevelopment of properties within the established low-rise residential neighbourhoods of Old Ottawa East. These design guidelines will offer a means to conserve the cohesiveness of existing streetscape types and discourage incompatible infill development. The diagram [see OOECDP page 46] above illustrates how an infill townhouse project can maintain the existing pattern of development along the street. The driveway is kept to the side and rear to preserve the pedestrian priority of the streetscape. Amenity space can be created on a deck above the garage at the rear of the dwelling.”
- Section 4.14 part 7: “The existing residential neighbourhoods are generally stable while experiencing some infill development. The zoning allows for some residential intensification, which will be kept at a low-rise height. Compatibility will be achieved by maintaining the existing pattern of building setbacks, orientation, and access for pedestrians and vehicles.”

Attachment 2**Urban Design Guidelines for Low - Medium Density Infill Housing
(September 27, 2005)**

Ref: <https://app06.ottawa.ca/calendar/ottawa/citycouncil/ec/2005/09-27/ACS2005-PGM-POL-0055-Document1.pdf>

These Guidelines, in part, state:

- Section 1.1 (page 4): "...emphasize front doors rather than garages."
- Section 3.1.7 (page 20): "...Do not break the pattern of the green front yards of the neighbourhood by placing parking at the front."
- Section 3.3.2 (page 24): "...Allow the front door (the public entrance) to dominate the façade (front wall) as opposed to the garage. The use of quality materials and an eye-catching entrance is preferable over recessed and shadowed entrances."
- Section 4.0 Parking & Garages (page 27): "...Create infill that supports the quality of the public streetscape and enriches the pedestrian experience. To preserve livable city streets, a high quality built environment needs to be as important a consideration as the needs of parking and servicing. Buildings define the edges and richness of a public space. If a house presents only a garage door as its primary face on the public street, the result is a loss of a quality environment for the neighbourhood. A pedestrian's enjoyment of these city spaces diminishes if the pattern of blank garage faces repeats itself down the length of a city street. A garage should not dominate any façade facing a street, public space or other residential dwelling..."

Attachment 2 to Planning Committee Report**By email**

March 14, 2023

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepont Drive, Fourth Floor
Ottawa, ON K2G 5K7

Re: **D08-02-23/A-00036**
Application for Minor Variances
435 Echo Drive
Old Ottawa East
(CoA of March 15, 2023 - Panel 1)

The Planning Committee of the Old Ottawa East Community Association (OOECA) has the following comments on the above-noted application:

We object to the proposed minor variance for a reduced rear yard setback (request: “reduced rear yard setback equal to 25.3% of lot depth (7.6 meters); whereas the By-law requires a minimum rear yard setback equal to 30% of lot depth (9.1 meters).”

We have seen numerous applications for minor variances requesting reduced the rear yard setbacks in neighbourhood zones, as well as along Main Street and Hawthorne Avenue’s TM zoned areas. Despite concerns / objections from PRED and PRED’s rigorous Infill studies and Infill Zoning By-law amendments, which resulted in increased rear yard setback regulations, significant reductions have been granted by the CofA.

In most instances, the negative impacts on the rear yard semi-private realm are not conducive to “liveable” outcomes. Reduced rear yard setbacks invariably reduce: landscaped amenity space; volume of critical root zone and ability for a mature tree(s) to flourish; appropriate rear separation distances between existing and new homes; reasonable privacy from overlook; and, depending on building height and orientation, the desire for some rear yard sunlight and sky view. Further, the “as of right permissions” for permitted projections into the rear yards exasperate “liveability” and privacy in the rear yard semi-private realm.

At what point does the Committee of Adjustment consider the cumulative impact of several requested variances to be sufficient and realize that the granting of yet another variance is going beyond the test of being “minor?” Yes, to two requested variances but we say no to the third.

We also raise the point - for the record - that the demolition of what appears to be a substantial, well-maintained house is contrary to a sustainable building practices. Also, we were disappointed not to receive the City of Ottawa comments on this application. We had hoped that the new Rideau Canal Special District designation would have had some constraining impact on the request for variances.

Thank you for consideration of our concerns.

A handwritten signature in black ink, appearing to read "John Dance", written in a cursive style.

John Dance

Chair
Planning Committee
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cc Bob Gordon, President OOECA