

OOE Planning Committee (OOEPC) - Report to OOECA Board (May 9, 2023, Meeting)

1. Miscellaneous Updates - May 11 Meeting with PRED

- On May 11th (was to be April 27) we will meet with Planning, Real Estate and Economic Development (PRED) staff to discuss outstanding OOE planning issues.

2. 18 Hawthorne: Some Improvements but Major Concerns Remain

- The developer has submitted revised plans for its rezoning and site plan control applications and, while there have been some changes that begin to address concerns raised by neighbours and the OOECA planning committee, OOEPC is of the view that the proposal does not respect the Old Ottawa East Secondary plan, existing zoning, or neighbouring residents.
- The developer's changes include:
 - More trees have been added at the rear for better screening, and raised planters introduced to help facilitate their survival (given the underground parking)
 - Increased setback of Hawthorne face
 - More than 50 percent commercial on the ground floor
 - Additional privacy screens have been introduced for rear neighbours
 - 6 medium/large trees have been added at the front (and commercial frontages inset to better facilitate them)
 - Set back has been introduced on the 5th floor
 - \$24k in cash support has been secured to help mitigate the increased cost of living that existing tenants will face once they are displaced
 - Further set back and reduced size of penthouse/mechanical room
 - Further set back of the roof top patio from the edge of the building for additional privacy to rear and side neighbours
 - Garage entrance has been swapped to east side of building instead of west
 - Garage entrance has been inset further back for better sight lines for traffic
 - Parking spots have been reduced
 - Bike parking and storage have been increased
- However, the proposal still is for six storeys in a four-storey zone, the frontyard setback remains less than the 2M required + 1M for Official Plan prescribed road right-of-way widening; the rear step-backs of the fifth and sixth floors as per the prescribed angular plane are not been respected; it's not clear if the 2 metre stepback front step-back is being respected; and, while more trees at the rear are welcomed, their placement in "planters" because the underground parking garage extends to the lot line is not

something that that will contribute to the longevity of the trees or the possibility of tall canopy trees thriving.

- The OOEPCC will specifically object to the angular plane not being respected at the rear, the full 2-meter front-yard setback not being provided, and the parking garage going to the lot line and the resulting impossibility of substantial trees thriving.
- OOEPCC will not press its objection to the six-storeys, however, it will stress that if the developer wants this 50 percent increase in height he should respect the front and rear step-back provisions of approved zoning and the OOE Community Design Plan and Secondary Plan. (NB Paul Goodkey has found a number of specific City policies / documentation that require the step-back provisions for our traditional main streets / TM zoning .) Unfortunately, because of new provincial legislation, the likelihood of success of appealing an approval of six storeys is very limited.
- Given how precedent-setting this development is for Hawthorne and its potential impact on Graham Avenue residents, OOEPCC may recommend that the Board appeal City approvals if they are contrary to our now limited objections.

3. 15 des Oblats: Minor Changes and Major Concerns Remain

- The developer has revised their plans and changes are:

- Improvements to the des Oblats frontage, including better landscaping and less interruptions to the sidewalk.
- Two car-share spaces on Oblats
- minor changes in unit-size numbers (there are now fewer studio apartments and more multi-bedroom units, however, the total number of units remains about the same at 284. The break-down is:
 - Studios – 215 units (75.7%)
 - one-bedroom – 12 units (4.2%)
 - two-bedroom – 47 units (16.5%)
 - three-bedroom – 10 units (3.5%)

The revised unit mix has resulted in a decrease of 12 studio units and 13 three-bedroom units, and an increase of 27 two-bedroom units. The number of one-bedroom units has remained the same. As currently proposed, the two- and three-bedroom units account for 20% of the total units provided.

- Reconfigurations to the parking lot to meet the minimum visitor parking.
- Phyllis Odenbach Sutton's analysis of the latest information is Attachment 1.

- The OOEPC has the following key objections to the revised proposal:
 - **Density:** The total number of units will lead to a density far in excess of what the OOE Secondary Plan had approved as a target. Yes, OOEPc welcomes many more affordable dwelling units but not to this extent.
 - **Parking Spaces for Residents:** The proposal still makes no provision for any parking spaces for residents. While OOE is in agreement that the number of parking spaces can be substantially less than what the ZBL requires, a “zero” provision is not realistic.

4. Review of New Zoning By-law Discussion Papers: Initial analysis of Land Use Strategy and Neighbourhood Character completed. Will get full analysis of all discussion papers to Board for June meeting.

- Additional OOEPc analysis has been done on the Land Use Strategy and the Neighbourhood Character discussion papers (Attachments 2 & 3).
- Jayson MacLean and Kristine Houde have kindly volunteered to do the analysis of the climate change and equity discussion papers.
- The proposed complete set of OOEPc recommendations on the discussion papers will be submitted to the OOECA Board meeting in June.

Attachment 1

Comments on New Documents for 15-17 des Oblats

(May 1, 2023, Phyllis Odenbach Sutton)

Description:

The following amendments are requested:

- Increase in building height to permit 5 storeys (18 metres) along Springhurst Ave. Reduction in vehicle parking to allow 20 spaces.
- Reduction in interior side yard setback to allow setbacks ranging from 0.03 metres to 4.19 metres.
- Reduction in minimum landscaped buffer between a parking lot and the street to allow for a 0-metre buffer.

New or modified studies (2023-03-30):

Unit Mix Analysis (8 pp)

- Looks at unit mix in surrounding area, primarily in Greystone Village (indicated that the unit mix at TCOM was not available so this detail was not included)
- Concludes that area was under-serviced in terms of studio accommodation & this development will “right” this imbalance

Tree Conservation report and Landscape plan (1 diagram of site)

- I cannot figure out where the 2 large maples are on this diagram. They don't seem to indicate they will be cutting them down, but they also don't look to be shown as existing trees.
- Ian McRae provided the following information: “Regarding the two big trees, the plan has only a partial indication at the top right where there is a notation for 2 AS2 which corresponds to 2 acer saccharinum (silver maples) in the chart of existing trees. They say they both have 1500 cm diameter and are in fair condition and they are to remain. The plan doesn't show the complete trace of the trees just part of an arc but there is an indication that there will be a root protection zone. The pink area where these trees are is the limit of a "possible" city park. Its suggested features include three more additional smaller trees, benches, and paths. ... The plan shows 9 Freeman Maples backed up by Serviceberries along Oblates in front of the building which should be good. The plan shows preservation of a large sugar maple on the south east edge near Richard Deadman's house. Most of the rest of the landscaping consists of common low growing nursery shrubs which are probably not objectionable.”
- Note it is Rosemere “Avenue” not “Street”

Transportation Impact Assessment (159 pp)

- **Q for group:** does the measured right of way include sidewalks? The study suggests that the measured right of way on Springhurst is 10m between a Rosemere & Main; the street (excluding sidewalks) is 5.8m wide
- Still no executive summary
- Large maple trees on eastern edge show as remaining on plans (p 2)
- Section 2.2 Existing conditions, subsection 2.2.1 Arterial roads
 - It would be nice if the description reflected the new design of Hawthorne as work will commence in earnest this summer
 - It would also have been appreciated if the study corrected / explained the concerns that were communicated in October; the only correction that I found was to the speed limits
 - Similarly, the concerns raised in October about lack of source and methodology explanations and the use of old data for peak hour travel demand, collision analysis, and other study area developments were not addressed
 - Area parking restrictions were also left essentially as in the previous analysis without noting that on 2 of the nearby streets (Springhurst & Evelyn) no daytime parking is allowed
- Section 5 Development generated travel demand, subsection 5.2 Trip generation
 - If I understand the methodology used, it seems that there is a standard - the TRANS Trip Generation Manual (2020) - used to create such projections as “28 AM and 28PM new peak hour 2 way auto driver vehicle trips” by a development with no parking for residents (p 16)
- I was once again worn down by the vast amount of information that did not appear to be particularly clear or up to date in this study.

[John’s note on parking spaces: “Spillover Parking: As the proposed parking provision is more than 15% below that prescribed by the by-law, ***spillover parking should be considered.*** While the required visitor parking is proposed as being met by the development, it is noted that ***resident parking is below the value prescribed by the zoning by-law by the full 136 spaces.***”]

Storm water management (8pp report, 107pp appendix)

- only point of interest to me was that there would be 160 cubic metre storage unit to ensure that 2-year pre-development conditions are not exceeded

Site Servicing Report (82 pp but there is 2p executive summary)

Site Plan (1 diagram of site)

- very similar to rendering for Tree Conservation Report, except this one shows the 2 large maples staying

Shadow study (table with 4 seasons, with 4 times in each)

- houses impacted and shown on north side start with Mike & Suzanne’s place
- sidewalks on Springhurst will be in the shadow most of the winter = more ice & more dangerous walking conditions
- Houses across from the NW addition will be impacted in winter

- Note observations are stated as being at 9:00am, 12:00am, 2:00pm & 4:00pm BUT noon is 12:00pm

Servicing Plan (1 diagram of site)

- 1st look at garbage plan?

Roadway Traffic Noise Addendum (2p letter)

- concludes no impact from changes to design from previous assessment
- Note I had concerns about previous document's references to DX Split Air Conditioning units; my assumption is these comments were ignored.

Removal Plan (1 diagram of site)

- Shows all changes required in terms of relocation of hydro poles, removal of asphalt & concrete, garages, etc.
- Note it is Rosemere "Avenue" not "Street"

Planning Rationale Addendum (12 pp)

- note that Zoning bylaw amendments & site plan control documents were deemed to be complete when submitted on August 30, 2022; this is a key date in the new provincial rules in terms of subsequently limiting the amount of time the city can take to approve or deny (i.e., the clock starts ticking)
- Table 1 outlines the zoning mechanisms, requirements, proposals, and compliance (pp 6-8)
- The covered amenity space on a 5th level requires a zoning amendment (initially the city was just going to allow this to be a permitted projection); there is language indicating that the 5-storey zoning will be limited to this projection (pp 8-9)
- Reference to previous experience of Forum/Smart Living that intended target demographic does not have cars (p 9)

Planning Rationale (68pp)

- Essentially the same as previous submission but now stand-alone document and with updated page numbers (note that the document previously did not always have page numbers - it seems they corrected this issue that I identified)
- Unfortunately they left unchanged / unanswered almost all of the other issues / comments I noted last time (Q re geothermal vs DX Split A/C units on 17, comment re walkway "that is already being used", pp 17-18 is still there, & my request to have the city incorporate the revisions to the pre-consultation summary were ignored - other than they did correct the typo of "consolation" to "consultation")
- One win is that there is now a shadow study provided (even though they left in their comment on p 3 that since this is a 4-storey development, no shadow study was needed)

Grading plan (1 diagram of site)

Grading & servicing plan review memo (1 p letter)

Geotechnical investigation (40 pp)**Floor plans**

- 10 diagrams (basement west wing, ground floor, 2nd fl, 3rd fl, 4th fl, roof plan, N & E elevations, S & W elevations, courtyard E & N elevations, courtyard S & W elevations)

Erosion & sediment control (1 diagram of site)**Elevations**

- 2 diagrams (1 showing N & E elevations, the other showing S & W)

Attachment 2

Land Use Strategy (New ZBL Discussion Paper)

The simplification of land use definitions for clarity and flexibility makes sense provided the "flexibility" doesn't provide carte blanche for developers. As usual, the devil will be in the (zoning) detail.

Two substantive points are:

1. Control of scale and impact of land use. I feel we must ensure that the zoning provisions and differentiations clearly control scale and address impact of use.

For instance, the Mac field was designated for leisure activity, but it was zoned "community leisure." The existing zoning bylaw notes "The purpose of the L1-Community Leisure Facility Zone is to: permit recreational uses that meet the needs of the surrounding community to be located on land designated as General Urban Area, Major Open Space, Mixed Use Centre and Central Area in the Official Plan; and impose regulations which ensure that the scale and intensity of these uses is compatible with any adjacent residential uses."

We argued that the scale of the proposed Footy Sevens' operations was consistent with L2 zoning (major leisure), but not with L1. But we failed because the City gave little consideration to compatibility with adjacent residential uses (e.g., children trying to get to sleep at night).

Georgia mentions the "Environmental impact of industrial uses as part of the neighbourhood" and I agree that before any "industrial use" is considered for a largely residential context it would have to be very clearly demonstrated that there would not be significant negative impacts such as noise, smell, traffic etc. I can see how brewpubs can fit but not meat-packing.

Specifically, I suggest the following addition to the discussion paper's goals (bottom of p1): "Ensure scale of use is compatible with surrounding communities."

2. The impact of land use designations must be balanced against adequate greenspace and parkland designations. Indeed, the approval of more residential without the setting aside of additional parkland for the new residential must be objected to.

An example here is the current Lansdowne 2.0 proposal that would remove greenspace while adding about 2000 new residents. The City says it would provide "cash in lieu of parkland" to address the deficit but "cash" is not something residents can play or relax in.

In terms of Georgia's point about the number of units, I'm afraid it's a lost cause to try to object to this. I say this because of the provincial legislation. Similarly, the question of affordability (especially "deep" affordability) seems to be dismissed by the provincial government because it's of the view that the private sector will provide greater and more affordable supply because of the greater flexibility / fewer restrictions that cities must now implement.

In terms of the "neighbourhood zones" and "neighbourhood character" papers that Paul and

Dianne are reviewing, I would recommend that all of us read the papers before our planning meeting next week. These papers really will drive the "rubber on the road."

Now that "typology" is dead and "form" reigns, it seems to me a key aspect of what / how much can be built on a particular lot depends on the size of the lot. As Paul has noted, the predominantly small lots in OOE and core areas restrict the size of buildings (unless, of course, lots are combined, as per 18 Hawthorne).

Dwelling density ("dwelling units per hectare" - DU/ha) will become a key metric to control development. However, the Neighbourhood Zones discussion paper is recommending that the outer urban and suburban transects have considerably lower densities than our inner urban and downtown core transects. I would argue that if more residences are really the goal then ***why not have comparable densities in the suburban transect?***

The suburban land is cheaper and generally less dense at the moment so why not allow developers to do there what they are going to be permitted to do in our neighbourhoods? It's no longer a case that the cost of servicing suburban properties is more expensive than in the core because we're talking about additional "DU's" where the infrastructure already exists and where they are making additional efforts to have all communities "15-minute" neighbourhoods.

The suburban folk and councillors may not like this idea but if it's good for the goose, it's good for the gander.

Attachment 3

NEIGHBOURHOOD CHARACTER (New ZBL Discussion Paper)

Dianne Caldbick

Relative Densities in Urban and Suburban Transects

In his April 25th email about the land-use strategy discussion paper, John made the point that the outer urban and suburban transects should have comparable densities to the inner urban and downtown core transects. I fully agree, at least with respect to the inner urban transect (there may be a reasonable argument to allow relatively higher density in the downtown core transect, as there's proportionally higher density there now). This subject of suburban vs. urban is addressed in the neighbourhood character discussion paper (pp. 7-9), where the text implies that a greater degree of intensification is warranted in urban transects. This is inherently flawed logic: The urban transects are already deeply 'saturated' with dwellings; using more urban land for intensification would further reduce an already limited tree canopy in these areas, contrary to policies around climate change and liveability. Generally speaking, it is in the suburban transects where the land/space exists for intensification.

In this context, it is worth noting that the OP sets an 'aspirational' target of 40 percent tree canopy in the City, noting that it's targeting 40 percent overall, not 40 percent in each transect, expecting that lower tree density in some neighbourhoods will be 'offset' by higher tree density in other neighbourhoods. But existing tree canopy in the inner urban and downtown transects should not be sacrificed just because the City can make up the difference in the Greenbelt and suburban neighbourhoods; trees are equally important in urban neighbourhoods to addressing human well-being and climate change mitigation.

Cross-reference with OOECA comments on the discussion papers re land-use strategy and trees.

Evolving Overlays

On its face, the theory underpinning Evolving Overlays (p. 11) seems reasonable and rational enough: intensification is focused in 'hubs' and 'corridors', along the 'edges' of neighbourhoods rather than the 'interiors'. On p. 10, the City says: "In general, areas outside the Evolving Overlay, the "interiors" of neighbourhoods, will develop with more emphasis on compatibility with the existing context. Areas within the Evolving Overlay will develop with more emphasis on increasing density in forms compatible with the future, planned context. In other words, while growth and intensification can reasonably be expected throughout a neighbourhood, it is the "edges" of neighbourhoods where a greater degree of change in built form and density can be expected to be contemplated compared to the "interior"."

That's reasonable in and of itself. The problem lies in how the City has defined and drawn the map of Evolving Overlays in the Official Plan. The City has defined hubs as "generally includ[ing] lands up to 600 metre radius or 800 metres walking distance, whichever is greatest, from an existing or planned rapid transit station or major frequent street transit

stop”. But the City should not/not apply this definition wholesale across the city, without consideration of each community’s geography and existing character. OOE is a relatively narrow parcel of land so, in applying the definition above, the City has made almost the whole community an ‘evolving’ neighbourhood, thereby making it subject to much looser development rules and higher density targets. This does not make sense in our community, especially in light of its existing character. ***I believe that the OOECA should advocate that the City exercise discretion in applying the evolving overlay throughout the city, rather than employing a ‘one size fits all’ approach, and, specifically, narrow the breadth of the evolving overlay in OOE.*** Personally, I would suggest that anything more than a block off Main Street should be considered part of the “interior neighbourhood” - - i.e., the ‘edges’ should only be those areas up to one block away on streets perpendicular to Main.

Front- and Rear-Yard Setbacks

The discussion paper acknowledges that “building spacing” is an aspect of neighbourhood character that is “clearly appropriate” to zoning regulation (pp. 2-3). Yet the paper is notably silent on provisions for front and rear-yard setbacks and building step-backs. This is a critical component of neighbourhood character and should be addressed explicitly and forcefully in the new zoning by-law. Specifically, the new by-law should give more ‘teeth’ to set-back and step-back provisions, and ensure that those provisions in secondary plans (such as the OOE Secondary Plan) are safeguarded and enforced. This will help protect the tree canopy in OOE (and other neighbourhoods), thereby contributing to liveability and the fight against climate change.

The discussion paper rightly notes that “parking will not take precedence over mature trees or space for tree planting” and “infill [should] provide enough space to retain and plant front yard and street trees” (pp. 14-15). However, it also states that “Requirements should ensure effective space for tree canopy to be maintained and reinforced, *but should not result in a conflict with functional requirements such as bicycle parking and waste management* [my italics]”. Where retaining tree canopy and respecting functional requirements seem to conflict (i.e., where both cannot be accommodated), it is not tree canopy that should be sacrificed; instead, applicants should be required to reduce the footprint of their new buildings, in compliance with mandated setbacks.

Cross-reference with OOECA comments on the discussion paper re trees.

Streetscape Character Analysis

The SCAs in inner urban neighbourhoods address driveways, front entrances, and front-facing garages, the purpose of which is “to prevent car parking associated with new infill from degrading the public realm in established older neighbourhoods” (p. 18). Recent approvals of minor variances have eroded this intent. The new zoning by-law should give more ‘teeth’ to this provision, to ensure that it is enforced.

Cross-reference with OOECA comments on the discussion paper re trees?

Number of Units in a Building

It's not clear to me why regulating the number of units in a building would be considered discriminatory (i.e., contrary to the Charter of Rights and Freedoms and/or the Ontario Human Rights Code) and thus a matter not under consideration by the City (p. 6). While I see how it is reasonable to focus more on the form of a residential building than on its function, as a tool to reduce the number of zones in the city, there are (or should be) limits to this approach. The form-based approach should not be used in a 'blanket', indiscriminate fashion; it should be employed in full consideration of the nature of dwellings on a given street and given neighbourhood. On one end of the spectrum, for example, a dwelling crammed with multiple tiny units (such as rooming houses) would likely attract very transient residents and be vulnerable to abuse by landlords, and thus out of character with certain neighbourhoods. On the other end of the spectrum, for example, a new single-family home built to a large scale, 'bumping up' against lot lines, does nothing towards intensification and addressing housing needs. There should be mechanisms to prevent, or at least mitigate, both ends of the spectrum.

General

On p. 16, the discussion paper states: "The main consideration in discussions of neighbourhood character, then, is not "will this change the character of the neighbourhood?" The answer is always yes: to a greater or lesser extent, any new development necessarily changes the character of the site and the neighbourhood. The question is, "Is the change beneficial when we consider how well or poorly it serves the City's other planning goals?" I take issue with the underlying attitude that this statement reflects, as it suggests that all other planning goals take precedence over neighbourhood character. I think it is wholly appropriate and equally important to apply the following litmus test: "Does the change respect the underlying intent of the expression of 'character' reflected in a secondary plan?"