

The proposal to insert an “equitable allowable building height” concept into the proposed Infill 2 By-law is consistent with the Federation of Citizens' Associations (FCA) Recommendation # 4 and with the City’s own accepted documentation on the subject of infill and neighbourhood character:

FCA Recommendation # 4:

Protect Community Character. Plan for Ottawa as a City of Communities and Neighbourhoods. Community Character is an intangible heritage, subjectively perceived. For that reason we recommend the installation of this principle in the Official Plan followed by provision of citizen-led processes to identify, define, describe and assess Community Character for each of Ottawa’s neighbourhoods. Moreover, future development in established communities be required to be compatible with established Community Character. Moreover, compatibility with Community Character be determined by judgement of informed citizens following a due process.

The Planning Department's March 17, 2014 Report to Planning Committee and City Council, re: Draft Revision to Infill By-Law, 2012-147, page 58, contains the following FAQ:

12. **“Streetscape character”** means a lot more than front yards and parking. It also means building height and mass. Is the City planning to address this and link all these elements together?

Yes. In fact this was one of the most predominant themes that was drawn from the public consultation process of 2010-2012. While acknowledging that front yards and parking were key elements that needed revised regulations, Council heard that other elements of residential infill needed revised regulations. This is why there is a Second Infill Study which began in May 2013 and is currently underway.

The First Infill Study looks at how the dwelling relates to the streetscape focusing on the use of the land or elements that relate to how the use of the land leads into a dwelling.

The Second Infill Study focuses on attributes of the building itself, such as building height, mass and setbacks.

Given that:

1. By-law 2012-147 (Infill 1) was specifically drafted to support residential intensification and infill in mature neighbourhoods but with greater and more detailed attention to issues of urban design and **neighbourhood character and compatibility**.
2. The Official Plan for the **General Urban Area** supports intensification and infill in a **limited way** subject to policies relating to urban design and **neighbourhood compatibility**. (as per Official Plan Sections 2.2.2 and 2.5)
3. The proposed Infill 2 By-law deals with height and setbacks. While many of the provisions are well considered, the proposal does not deal adequately with massing, which also has a significant impact on streetscape character.

The experience to date in many mature neighbourhoods has been that there is a bias toward the construction of an **uncharacteristic building form**, that is: very tall, broad, flat roofed dwellings over less massive peaked roof dwellings. These flat roofed dwellings, when built to the same height provision as slope-roofed dwellings, have the potential to provide an additional storey/level of living space above that which is characteristic in the residential zones, plus an “as of right” option to construct *above height* parapets, railings and an additional roof top projection to a roof top deck, thus adding even more uncharacteristic massing. This does not add to the number of dwellings allowed, so cannot be deemed “intensification”. It simply allows more massive dwellings to be built “as of right”.

4. The Second Infill Study was supposed to deal with character in relation to the attributes of the building itself. Equitable massing is needed to restore balance and promote good design. Streetscapes will be enhanced and enlivened if this concept is adopted.

There could be many ways to achieve reasonable equitable massing, including but not limited to:

- Require lower heights for flat roofed dwellings than for peak roofed dwellings (similar to the Toronto model).
 - Base required heights on characteristic number of storeys. For example, R1 and R2 are primarily 2-storey communities according to the City’s LIDAR / Google Street View / Street Visits study. In the R2, the currently proposed 9 m. height allows for a 2- storey sloped roof but a 3- storey flat roof. Provisions should ensure that flat roofed dwellings do not allow an extra storey/level of living space (with a proviso that above-ground “basements” count as a storey/level).
 - An equitable allowable building height might also be approximated if all projections, railings and parapets for a flat-roofed dwelling had to be accommodated within the required height limit for the sub zone.
5. In summary:
 - The revised provisions reduce the size of allowable projections above height from 11 to 7 sq. m. This change helps to mitigate the increased massing of flat roofed dwellings and is supported.
 - However, the revised Infill 2 provisions still do not adequately respond to concerns about “equitable massing”.

Therefore, the FCA has passed the following Resolutions (Unanimously) :

December 4, 2014: The FCA requests that the City consider enhancing the Infill 2 By-law definition to better implement the intent of the proposed height reductions, as they will apply to flat vs. sloped roof dwellings. This will entail exploring ways to provide an “equitable allowable building height” definition for sloped vs. flat roofed dwellings.

February 11, 2015: The FCA re-affirms the resolution of December 4, 2014. The FCA requests that the City further engage with communities with a goal to revise the Infill 2 proposal to better address this issue.