

Infill II By-law Proposed Corner Lot Provision re: Larger Corner Lots (as of 2015-02-10)	
4. Minimum Lot Area	
a. R1 A, AA, B, BB, C, CC, E, G, GG	
i) Where the minimum lot area is 665 m ² or greater, on corner lots,	
<input type="checkbox"/>	The minimum lot size may be reduced to 50 per cent of the minimum required in the subzone, for the purpose of creating two residential lots with a detached dwelling on each, but in no case may be smaller than 325 m ² ,
<input type="checkbox"/>	The two resulting lots must maintain the required minimum lot width,
<input type="checkbox"/>	The minimum front yard setback as required in the subzone applies, but need not exceed 5 m if the subzone requirement is greater,
<input type="checkbox"/>	The minimum front yard setback for the newly created interior lot is the same as the corner side yard setback of the subzone,
<input type="checkbox"/>	The side yard setback provisions in the subzone apply,
<input type="checkbox"/>	The minimum rear yard setback for the newly created corner lot is the same as the interior side yard setback
<input type="checkbox"/>	Each of the resulting detached dwellings must face different streets.

This proposal incorporates into the City of Ottawa Zoning By-law a "severances as of right" provision for larger corner lots in the outer urban area.

This is a blanket rezoning: "one size fits all outer urban corner lots".

It has no regard for the Policies in the Official Plan relating to compatibility and community character.

The Committee of Adjustment will be essentially rubber stamping these severance applications. There will be no consideration given to required lot area and front yard setback in the surrounding community when a Decision is made regarding a proposed severance.

- Severed lots will be permitted "as of right" to be 50 percent smaller than the minimum area for the sub-zone.
- Front yard setbacks for the newly created lots may be permitted "as of right" to be less than is required in the sub-zone (need not exceed 5 metres; interior lot same as the corner side yard setback for the zone). This conflicts with the compatibility criteria that underlie the front yard averaging provisions from Infill I.

Communities will lose their characteristic greenscapes as large trees are removed to make way for homes on uncharacteristically small lots. This will have a significant impact on the streetscapes.

Infill 2 CA Discussion Attachment 3: Corner Lot Provision February 5, 2015

It sets an undesirable precedent for these communities, which could lead to spot-rezoning of interior lots.

It sets an undesirable precedent generally, which has the potential to creep into future By-law provisions with future by-law revisions.

No public meetings have been held on corner lot severances, limited information has been provided, and residents have been given only 28 days to comment before the draft bylaw is finalized for Council consideration.

This is in stark contrast to how the City of Vancouver recently managed a comparable infill exercise to allow lane-way housing. This was a multi-year public process, and was based on a thorough and documented analysis of the issues, impacts and options.

There is not enough time for the appropriate analysis this important issue deserves or for sufficient public consultation.

The proposal on corner lot severances needs to be taken out of the current bylaw amendment package.

Summary

Given that:

Infill II proposal 4. *Minimum lot Area*, for corner lots in the R1 A, AA, B, BB, C, CC, E, G, GG sub-zones, will introduce "severances as of right" into the City of Ottawa bylaw.

This appears to conflict with the requirements under Section 53 (12) of the Planning Act re: Consent, and does not conform to the Policies in the Official Plan and /or with applicable community design plans and / or secondary plans. It removes the ability of the Committee of Adjustment to consider a community's zoning requirements, relevant CDP's and Secondary Plans, and Official Plan Policies regarding compatibility / streetscape character, which are key elements assessed when determining whether a severance is acceptable or not.

This is an undesirable precedent, which, if accepted, could have wider ramifications on how other infill proposals are assessed. It could be incorporated into other provisions in subsequent by-law revisions.

This proposal appeared near the very end of the consultation process and communities have had inadequate time to consider the provision and its possible wider ramifications. It goes against the Fourth Building Block for planning in this term of Council : "Better public engagement".

Therefore:

The proposal to allow "as of right" severances of corner lots in the R1 A, AA, B, BB, C, CC, E, G, GG sub-zones must be removed from the current bylaw amendment package.