

Meeting: January 21, 2015

Attendees:

Alain Miguelez

Steve Gauthier

Representing Policy Development and Urban Design: Zoning, Intensification and Neighbourhoods

Paul Goodkey

Sheila Perry

Chad Rollins

Heather Pearl

Representing Community Associations

Subject: Discuss Several Technical Concerns Regarding the Proposed Infill II By-law

At this meeting, the Community Association representatives:

1. Stated that the Infill I consultation was a major success story. Infill II would benefit greatly from same level of consultation and regard for individual community character.
2. Reiterated the purpose of the Infill II study. The mandate was to look at height, massing, and rear and side-yard setbacks. Communities are happy with many of the provisions, but do not believe that *massing* has been well considered. We noted that there was never a mandate to codify a "right" for builders to build three storey, or four or five storey dwellings. The requirement is for them to build in accordance with the By-laws, OP, PPS, and applicable legislation. Developers are not losing "development rights" that they've never had.
3. Discussed why **Equitable Massing** for Flat and Peaked roof dwellings is key to responding to the massing issue. The community representatives explained why the information session's Base Building Height Envelope illustration does not depict equitably the redistribution of mass – the massing of the uninhabitable sloped roof volume cannot be exchanged with the habitable shoulder volume of a flat roof, without an inherent and obviously favourable bias towards flat roof construction. The community representatives provided real-world examples and supporting materials showing what will continue to happen in our residential zones if inequitable flat-roof / peak-roof massing is not dealt with.
4. Raised a number of questions regarding the height and area of the **rooftop stairwell access**. The issue becomes particularly serious for higher density neighbourhoods. Consider the impact of adding a 3 metre high, 11 metre square room to the top of each townhouse in a row of stacked towns. Chad provided up-to-date minimum standards from the building code. Considerably

less space is required for the access than has been stated. It was noted that Champlain Park asks developers who want to build rooftop decks to put them on the street-facing side of the dwelling, to protect the privacy of adjacent and rear-yard neighbours.

5. Discussed that **detailed neighbourhood analyses** are needed to ensure that community character is protected. The Planning Department proposed in September 2011 that, "...Urban Design would like to undertake a separate detailed neighbourhood by neighbourhood analysis of setbacks, heights, and lot coverage in the future. Consideration of such a study (studies) will be put forward as a budget pressure for Council's consideration." The concerns being raised illustrate how badly this study is needed.
6. Noted the significant concern about the **proposal to rezone larger corner lots to allow greater density**. The combination of halving the size of larger corner lots and reducing the setback to 5 metres in zones where deeper setbacks apply, constitutes rezoning without regard to impacts on the surrounding communities. Community representatives were unaware of this provision, though Alain said that this information had been presented last April. Suggested: a working group be struck to examine this issue.
7. Discussed the potential for height reductions for some areas (M, P, S, T & Z subzones in Sandy Hill), where the proposed heights are not in keeping with neighbourhood character and have the potential to greatly alter the existing neighbourhood fabric. In R1 communities (increasing densities is not applicable) such as the R1TT section of Old Ottawa East, the proposed By-law will encourage continued out-of-scale redevelopment on small lots. Alain suggested that compatibility and community character may not always apply. Suggested: a working group be struck to examine this issue.
8. Noted that specific **working groups** needed to meet with City Staff to work on the following:
 - Equitable massing of flat vs. sloped roof dwellings (including rooftop stairwell access);
 - Rezoning of larger corner lots; and,
 - Proposal to reduce allowable heights in certain neighbourhoods.Alain agreed.

Steve noted at the public meeting on January 15th and at the meeting on the 21st that he had done an extensive data gathering exercise for the R1 and R2 zones, using LIDAR, Google Street View and Driving Around. Without a doubt, the characteristic dwelling type in the R1 and R2 zones is two-storey.

In summing up the Equitable Massing question, we said:

- The By-law as written will favour the construction of flat-roofed buildings with rooftop decks over peaked roof buildings.
- Instituting equitable massing requirements for flat-roofed buildings will correct the existing problem of inconsistency of mass between these two permitted built forms.
- This will have no impact on "prescribed densities" *. The same number of dwelling units can be built.
- This does not limit the ability to reasonably achieve "prescribed densities" *. In Champlain Park's R2 side for instance, there literally has been a build-rush since 2008. Most of the new semis are two stories, have peaked roofs and are under, or at, the proposed 9 metre height limit, even though the existing By-law allows them to be 11 metres high. (Obviously, developers do not find it limiting to build these dwellings.) Five other new flat-roofed semis also would meet the proposed By-law, but they are three stories and overwhelm their lots and the street. Two new flat roofed semis are two stories and fit the neighbourhood character. *Note: the community associations have been asked to prepare examples of development that represents reasonable intensification vs. that which does not.*
- Instituting equitable massing requirements (possibly by reducing the allowed height) for flat-roofed dwellings will be consistent with the Purpose of the Zoning By-law, cited for Residential Zones R1 through R4, which is to "regulate development in a manner that is compatible with existing land-use patterns so that the...residential character of a neighbourhood is maintained or enhanced." We propose that Infill II provisions should not create a conflict with this Purpose.
- Zoning regulates height, not the number of stories. A theoretical number of buildable stories should not be a factor in this exercise.

* "Prescribed Densities" (term used in e-mail dated January 9, 2015 from Steve Gauthier): Residential neighbourhoods do not have "prescribed densities". They do not have density targets. Perhaps the intended meaning is that developers will find the limits imposed by "equitable massing" so constraining that they will not be able to build. The evidence overwhelmingly shows that this is not the case.

Alain stated that he understood our concerns. He will discuss them with his managers and with the development community.

Individual community associations will be providing more detailed comment on the proposed Infill II By-law.