



13 January 2017

Tim J. Moerman
Ottawa City Hall
110 Laurier Ave W
Ottawa, ON K1P 1J1

Re: Residential Fourth Density (R4) Zoning Review

Dear Mr. Moerman,

Action Sandy Hill (ASH), incorporated in 1969, is a volunteer-led community association that represents and promotes the neighbourhood of Sandy Hill in Ottawa's downtown core. Some of the key concerns we hope will be addressed by the R4 zoning review are issues that have plagued Sandy Hill for years, even decades. Much of the time and energy of our volunteers is dedicated to dealing with issues related to or resulting from poor urban planning decisions, so the outcome of this review is of critical importance to us.

Thank you for meeting with members of Action Sandy Hill (ASH) on the evenings of October 12 and November 16, 2016, to discuss the R4 Zoning Review. We would like to provide you with our comments regarding this review and subsequent changes that will be made to the R4 zoning by-law. The following is a summation of our concerns, and our recommendations, regarding the R4 review. We want to ensure that the recommendations of this review will address heritage preservation, neighbourhood character, diversity, density, and the application of planning tools.

Desired outcomes

You mentioned at the outset of your presentation that you wanted to focus on desired outcomes. We agree. Our vision for Sandy Hill is a community that values its historical assets, promotes social, cultural and demographic diversity, is environmentally sustainable and provides opportunities to all its residents to enjoy a high quality of life. In our minds, a major outcome of this project is to provide an environment that encourages the feeling of community. Our comments below are meant to support the achievement of this vision. Our view is that zoning is meant to guide development, not just accommodate it.

Heritage preservation, including maintaining streetscapes and the unique character of Sandy Hill is critical to us, and should be to the City as well. Intensification seems to be a goal that trumps all else, but it needs to be recognized that heritage preservation supports density. As one of your colleagues, Jennifer Keesmaat, Chief Planner of the City of Toronto, has said, "Areas that

preserve heritage buildings also tend to be denser, more diverse, more affordable + provide more opportunity for new businesses." In other words, our contention is that continuing to allow the wanton demolition of homes in Sandy Hill in the name of intensification in fact undermines the goal of a dense, diverse, affordable urban core.

Infill 1 and 2

Infill 1 and 2 have not achieved the desired outcomes we would have hoped for in Sandy Hill. They have not resulted in more compatible infill development. To the contrary, we have seen development continue at more or less the same pace and in the same manner, with most development geared to one demographic, most of it being out of scale with its surroundings, and much of it consisting solely of oversized dwelling units. City planners assured us on numerous occasions during the Infill 2 study that issues around height and setbacks that were not adequately addressed during the Infill exercises would be addressed during this R4 review.

Committee of Adjustment

You spoke to us of the need to include guidance in the Official Plan on how to determine whether something is a minor variance or a rezoning, we strongly support such an effort. We believe that the Committee of Adjustment process to permit minor variances is flawed, and has often worked against compatible development in Sandy Hill. We believe that when an application for a minor variance is received it should be considered collectively with all previous variances, severances and rezonings that have been granted to a property, regardless of its owner – as such changes are cumulative in nature, and can easily become major rezonings over time. This one correction in the CoA process, along with more guidance as you proposed, could considerably help Sandy Hill and other mature neighbourhoods to retain their character.

Scope of review

The City's news release on the R4 zoning review stated that: "R4 zoning is permitting development that is adversely impacting the character for some of the older more established mixed communities in the inner urban area". Further, the current R4 bylaw explains that its purpose is to: "regulate development in a manner compatible [...] so that mixed building form, residential character of a neighbourhood is maintained or enhanced"; and, that it will focus "on both form and function". Our comments below examine a number of elements of form and function, and how they could be most effectively improved within a revised R4 zoning designation.

Density – social and financial costs

As we stated at our meetings, we are not against density or intensification. We are however, against intensification at any cost, which often has significant negative impacts on the quality of life in our neighbourhood. When, for example, one property that previously housed four or five residents now houses 24 or more, we feel that density has been carried too far. The pressures on the neighbours have proven to be too onerous, and the costs to the City to enforce noise, garbage and property standard by-laws too high. Increased demand on by-law enforcement means budget monies are not being spent for productive ends (i.e., are being wasted due to poor planning). This kind of density coupled with blatant disregard for heritage preservation and

the built character of our neighbourhood has reduced our quality of life. As you'll see from the attached Annex (which includes data from building permit records), Sandy Hill has seen numerous developments completed or approved in the last 5+ years, all together adding capacity for about 6500 more residents.

New construction in Sandy Hill is excluding diverse and important housing market stakeholders – players that contribute to our community's social capital and fabric. Our goals for this R4 review are for it to guide new development, including infill, in a manner that:

- **Respects and augments the existing built character** of our neighbourhood;
- **Appeals to a more diverse range of housing market stakeholders;** and,
- **Increases density at a much slower pace** than is happening now, thereby
 - respecting the original intent of the R4 zoning, that is, to provide a slow evolution to denser development;
 - supporting densification in the areas of our neighbourhood that have already been zoned for it but are far from attaining targeted levels (e.g., the TOD area around the Lees LRT station and Rideau St.);
 - at least keeping at current levels the City resources that are being spent to counter the negative effects of the existing too-dense developments.

Our comments and recommendations on the issues and solutions outlined in the Discussion Paper reflect the need to attain these goals.

Continuing issues in R4 zones, and their solutions

Oversized dwelling units ("ODUs")

Our comments: the Discussion Paper outlines the issues with ODUs well. However, it would benefit from recognizing 1) the costs the City is incurring to counter the negative effects of this type of dwelling and, 2) the developments already in the pipeline that will cater to the housing demand near the University of Ottawa. The data in the attached Annex shows 62 developments under 'conversions' and a further 17 under 'infills' ... most of which could be classified as ODUs... and which have resulted in about 720 additional bedrooms added within the R4 zones in Sandy Hill since 2011.

Our recommendation: That the revised R4 zoning by-law include a definition of an ODU, that it define ODUs as having more than four bedrooms per dwelling unit, and that it limit where ODUs can be built by using an immediate area concentration limit. This limit should be based on consideration of whether density targets in nearby zoned-for-higher-density areas (such as TODs and main streets) are or are not being met. We further recommend that the revised R4 zoning by-law prohibit the construction of any additional ODUs in Sandy Hill.

Rooming houses versus dwelling units

Our comments: We support the Review clarifying the zoning definitions for rooming houses.

Our recommendation: We suggest the work the Review undertakes on this issue be used to revise the existing Rooming house by-law. It should also be used as the City progresses in its work to establish the parameters of a rental property licensing scheme.

Lot consolidations and larger apartment buildings

Our comments: The Discussion Paper recognizes how lot consolidation can negatively affect neighbourhood character but doesn't really propose how to resolve this issue. On the current allowed height for larger (consolidated) lots in R4 subzones S, M, P and T, we would note that the Zoning By-law provides some guidance regarding the intent of R4 zoning as it applies to inner-urban neighbourhoods: "(1) allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, **and in no case more than four storeys**, in areas designated as General Urban Area in the Official Plan".

Our recommendation: On the height question, we recommend that the greater heights (13.5m/14.5m) currently allowed for larger lots in the R4 subzones be brought into line to match the existing 11m height allowance, which is consistent with the R4 zoning statement that it does not permit any more than four storeys. With regard to the Discussion Paper's comments on lot consolidation, we concur that further consideration is required and recommend that either lot consolidation not be allowed at all, or that a maximum lot size be established, and would welcome further discussion of the appropriate limits.

Garbage storage and Location of air conditioning units

Our comments: The Discussion Paper outlines well the nuisance issues related to garbage from multiple unit buildings, and a concentration of air conditioning units. However, it makes no mention of similar issues such as noise and light pollution.

Our recommendation: We support including requirements for indoor garbage storage in multiple-unit housing forms in the revised R4 zoning by-law. We also recommend making a direct reference to the City's Urban Forest Management Plan and its requirements with respect to Distinctive Trees and the need in general to preserve trees on properties. Trees can obviate or at least reduce the need for air conditioning units, and their preservation and planting must be supported in some way in the revised zoning by-law and in the Site Plan application process for any multiple-unit building in which air conditioning units are proposed. It should also be recognized that one of the most important reasons for adequate set-backs is to contribute to a healthy urban tree canopy.

Diversity of new housing stock

Our comments: The majority of new development in our neighbourhood over the past ten years has predominantly served one demographic; it is time to cater to other future residents by guiding development to provide more diverse housing stock. On the question of affordable and accessible housing, we would like to point out the already high percentage of such housing in our neighbourhood. By incorporating its own policy on affordable housing on medium- to high-rise apartment buildings in TOD areas and on main streets into the revised R4 zoning bylaw, the City will be able to augment the percentage of affordable housing in Sandy Hill.

Our recommendations: We recommend that the revised by-law require new developments to have a mix of unit sizes, ranging from one to four bedrooms, in order to encourage a diverse base of residents and alleviate some of the issues inherent in “high occupancy” units (in particular, the ghettoization of certain streets in Sandy Hill). The density held by existing low-rise apartments in Sandy Hill is above that of most types of single family homes in the neighbourhood, but less than the new high-occupancy builds we have witnessed over the past decade. For us, the existing low-rise apartments (that generally sit on double lots) represent a sustainable density level for Sandy Hill. This means that 16+ residents housed on the size of lot prevalent in Sandy Hill is too many.

On the number of units, we would like to see some modelling done for the different lots sizes in Sandy Hill, to see what no limits on the number of units, but limits on bedrooms, would mean in practice. If density was well controlled though limits on the number of bedrooms, and the City were able to enforce this through a rental property licensing scheme, then we might be willing to support no limits on the number of units per building. Though we remain skeptical that developers in Sandy Hill will opt for more units with fewer bedrooms per unit since this increases the number of kitchens and bathrooms required, as well as the amount of amenity space they must provide. We recommend that in all cases, at least one-third of the units be one-bedroom, and at least one-third be two-bedroom, and only one unit is ever permitted to have four bedrooms. The City should be proactive in its support for this, by ensuring that site plan review considers the number of bedrooms rather than numbers of units, as this will yield a clearer future perspective on potential occupancy numbers.

Building design and compatibility

Our comments: While the challenges outlined in the Discussion Paper exist, in our view “the ability to develop new and cost-effective low-rise, medium-density housing” must occur within the context of the goals of a particular neighbourhood – in Sandy Hill’s case, to be a neighbourhood that is historic, diverse and green and that welcomes people of different ages, cultures and incomes. Heritage preservation is vital to preserving and promoting the character of our neighbourhood. Again, your colleague, Jennifer Keesmaat, Chief Planner of the City of Toronto, recognizes this and has said, “Cities concerned with resiliency, as well as preserving diversity, affordability and jobs, must consider heritage conservation as key.” So we want to see the aspect of form and character of developments, including the importance of heritage preservation, streetscape and neighbourhood character, clearly recognized and addressed by this review and its recommendations.

Much more needs to be done to require high quality, durable design that reflects the character and quality of developments already present in Sandy Hill. We favour development projects that have improved and built on what already exists (versus “building new”) as examples of what will help us attain our goals. If buildings continue to be built out of scale and with incompatible design elements (tiny windows, aluminum cladding, small common rooms, no storage space, etc.), they will fail to promote demographic and social diversity and certainly will not preserve the heritage character of the neighbourhood. These concerns are not currently being addressed in the zoning bylaw.

Our recommendation: We recommend that the language in the revised R4 zoning by-law recognize that large segments of the R4 zone contain building stock of an historic nature, of

distinctive character and of high quality construction. The by-law needs to support development that adds to this building stock at the same time as respecting its character, along with providing diverse housing options. We further recommend that staff propose specific requirements (e.g., minimum percentage window area on street elevations) to address these issues, including requiring a Streetscape Character Analysis for all new buildings in Sandy Hill, regardless of the number of units. Finally, we recommend that zoning tools be used (Heritage overlay, Heritage Designation, Heritage Conservation Districts, etc.) to extend the protection of our existing heritage building stock.

Other items

There is one more link to be made with other City policies (beyond the urban tree and garbage bylaw links made above) – that of construction and demolition waste and landfill dumping fees. According to the City's IC&I Waste Diversion Strategy and Implementation Plan, construction and demolition materials were to be banned from City landfills by 2014. This is one measure that could help discourage the demolition of the quality construction found in many Sandy Hill homes. We would welcome an update on the results of this ban to date, and how it can be reinforced in order to contribute to the preservation of heritage buildings and other character buildings that contribute to the historic/unique feel of neighbourhoods such as Sandy Hill. Surely with the ever-increasing focus on environmental sustainability, encouraging construction of high quality, durable buildings and preservation of existing ones must be a desired outcome.

Concluding comments

Thank you for the opportunity to share our thoughts on this exercise. We would appreciate you keeping us informed throughout the planning process going forward, and look forward to future discussions as your work on this review is refined.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized initial 'R' followed by a horizontal line extending to the right.

Action Sandy Hill

Cc: Mathieu Fleury, Councillor – Ward 12