

**Report to/Rapport au :**

**Planning Committee  
Comité de l'urbanisme**

**and Council / et au Conseil**

**April 16, 2013  
16 avril 2013**

**Submitted by/Soumis par :  
David Chernushenko, Councillor / Conseiller,  
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**CAPITAL (17) / CAPITALE (17)**

**Ref N°: ACS2013-CMR-PLC-0003**

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**SUBJECT: SITE PLAN APPROVAL PILOT PROJECT FOR BUILDING  
CONVERSIONS IN CAPITAL WARD**

**OBJET : PROJET PILOTE DE RÉGLEMENTATION DU PLAN  
D'IMPLANTATION POUR LA RECONVERSION DES BÂTIMENTS  
DANS LE QUARTIER CAPITALE**

### **REPORT RECOMMENDATIONS**

**That the Planning Committee recommend Council approve:**

- 1. That all building conversions to three units and above in Capital Ward be subject to Site Plan Approval as a pilot project to assess if this would assist in addressing current compatibility challenges and to ensure that the guidelines are being met; and,**
- 2. That staff report back to Planning Committee on this pilot project within three years with recommendations in conjunction with the Sandy Hill pilot.**

### **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'urbanisme recommande au Conseil d'approuver :**

- 1. que toutes les reconversions de bâtiments en trois logements ou plus dans le quartier Capitale soient soumises à la réglementation du plan d'implantation dans le cadre d'un projet pilote visant à évaluer si cette**

**mesure aiderait à faire face aux défis actuels liés à la compatibilité et à assurer que les lignes directrices sont respectées;**

- 2. que le personnel fasse rapport sur ce projet pilote au Comité de l'urbanisme d'ici trois ans et formule des recommandations en conjonction avec le projet pilote de la Côte-de-Sable.**

## BACKGROUND

At the Planning Committee meeting of 9 April 2013, Councillor P. Hume introduced the following Notice of Motion on behalf of Councillor D. Chernushenko:

### NOTICE OF MOTION

*WHEREAS the infill study addresses issues of new constructions in mature neighbourhoods, with the goal of making infill projects more compatible with neighbouring properties; and,*

*WHEREAS similar compatibility challenges arise with building conversions; and,*

*WHEREAS these compatibility challenges have and are being experienced in particular in Capital Ward; and,*

*WHEREAS Site Plan Approval is an important tool for ensuring that building conversions are compatible with the neighbourhood; and,*

*WHEREAS new constructions are subject to Site Plan Approval for 4 units and above;*

*THEREFORE BE IT RESOLVED that all building conversions to 4 units and above in Capital Ward be subject to Site Plan Approval as a pilot project to assess if this would assist in addressing current compatibility challenges and to ensure that the guidelines are being met; and,*

*BE IT FURTHER RESOLVED that staff report back to Planning Committee on this pilot project within 3 years with recommendations in conjunction with the Sandy Hill pilot.*

This will return for consideration by the Planning Committee as a Councillor's report on the Planning Committee Agenda for 23 April 2013. The threshold number of conversion units is being lowered from four in the 9 April 2013 motion above to three in the recommendations of this report in order to be consistent with the Sandy Hill pilot project.

## DISCUSSION

In recent months, residents of Old Ottawa South and Old Ottawa East have encountered several unwelcome infill projects in their backyards which are out of character with their neighbourhoods. Many lots with modest-sized homes are being snapped up by developers as current laws actively encourage re-development.

Unfortunately, demolition and redevelopment can usually occur without notice to neighbours, so long as the developer is not building more than a certain number of units and does not intend to build contrary to the Zoning Bylaw.

Residents often feel frustrated, helpless and powerless when they are not consulted about projects in such close proximity to their homes.

Much of the zoning that exists today dates back a few decades, at a time when infill and intensification were not happening to the degree that they are today. With the experience we have today - we issue between 80 and 100 infill permits per year on average we are in a better position to intervene on built-form attributes that will let buildings fit in better within established neighbourhoods, but we still have a long way to go.

While the second phase of the Infill Study will specifically be looking at building height, massing and setbacks where many of the problems encountered with incongruous developments will be addressed; those recommendations will not come to fruition until next year.

There is a desire to see immediate action to address these concerns now, related to converted dwellings as was recently done in Sandy Hill by a similar motion brought forward by Councillor Fleury.

The Official Plan does not say “intensification at all costs.” It says “Intensification in the Target Areas,” and the flip side of that coin is that infill and intensification “can be supported” within stable, established residential areas provided it is compatible. The prime directive on residential side streets is compatible infill and intensification.

## RURAL IMPLICATIONS

There are no rural implications.

## CONSULTATION

This report is being brought forward by the Capital Ward Councillor to address concerns expressed by residents within capital ward related specifically to the need for greater review to be had of proposed conversions of residential use buildings that result in four or more units.

## Planning and Growth Management

The Department notes that the intent of this report is to provide an amendment to the Site Plan Control By-law to require site plan approval for converted dwellings in Capital Ward that will result in the establishment of three or more dwelling units as a pilot project for three years. A similar amendment was previously approved by Council that applied to such conversions in the Sandy Hill community.

Converted dwellings are a permitted use in many zones within Capital Ward. The effect of the amendment provides for a review to be undertaken of matters that are subject to site plan review and approval as set out under Section 41 of the Planning Act. For proposed conversions of residential dwellings to create a converted dwelling of three or more dwelling units, these matters would relate to site development matters dealing with the specific location of any additions within the envelope established under the zoning by-law for building locations, on-site parking and outdoor waste storage. Through the site plan review process some consideration can also be given to the architectural design in particular to any proposed additions or exterior changes. The site plan review cannot be used as the basis for not permitting a conversion if all relevant site plan matters as set out in Section 41 of the Planning Act have been adequately addressed.

The Department would further note that conversions of residential uses to create a converted dwelling under the City's site plan approval process are not subject to public notification. Approval of such applications is delegated to staff pursuant to the delegated authority by-law.

### COMMENTS BY THE WARD COUNCILLOR(S)

This submission is being brought forward by and is supported by the Capital Ward Councillor.

### LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the recommendations in this report.

### RISK MANAGEMENT IMPLICATIONS

There are no risks associated with the recommendations in this report.

### FINANCIAL IMPLICATIONS

The additional work that would be generated would fall within the overall volume of development applications dealt with by the Department. Costs for this would be in part recovered by the application fee that would be required to be submitted with the site plan application. The applicable fee reflects the fee site plan applications that are not subject to public notification pursuant to the Council approved Planning Fee Schedule.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

TECHNOLOGY IMPLICATIONS

There are no technical implications.

TERM OF COUNCIL PRIORITIES

Healthy and Caring Communities

DISPOSITION

Planning and Growth Management to prepare the required amendment to the Site Plan Control By-law.

Legal Services to bring forward the amending by-law to City Council