

Details of Public Consultation

This project has been ongoing since the enactment of the two infill by-law amendments in 2015. Staff have met numerous times with the representatives of the Federation of Citizens' Association (FCA) and with representatives of the Greater Homebuilders Association (GOHBA) over the past three years. Staff also attended many community association meetings to discuss whether the Mature Neighbourhoods Overlay should be extended to their neighbourhoods.

In 2018, a public meeting was held at which stakeholders from many community associations as well as urban Ward Councillors were in attendance. Subsequently, staff submitted an Information Previously Distributed memo to Planning Committee in which the detailed findings and analysis were presented.

A Zoning Strategy Paper (April 2019) was released on the city's webpage and circulated to all affected community associations, resident stakeholders and to GOHBA in April 2019 outlining proposed changes to the regulations and to the inclusion of all urban neighbourhoods within the Greenbelt, with a request for comments. Comments were received from the Queensway Terrace North Community Association, the Champlain Park Community Association, the Old Ottawa South Community Association, the Greater Ottawa Homebuilders Association (GOHBA) and the Federation of Citizens' Association (FCA).

Following discussions with the FCA and with GOHBA on the Zoning Strategy Paper, an Addendum to the Strategy Paper was circulated in September 2019 with a request for comment on the idea of introducing one front yard parking space within the Mature Neighbourhoods Overlay only, as an alternative to a driveway leading to an attached front-facing garage or carport on streets where the character excludes dwellings with attached garages/carports. Comments on the Addendum were received only by the FCA and GOHBA.

A summary of the comments received from both the Strategy Paper and the Addendum to the Strategy Paper and staff response to these are noted below. Where a recommended regulation is not discussed herein, it means there is no objection to it.

Extending Regulations to Neighbourhoods outside of the MNO

There were no objections to this proposal. Queensway Terrace North and Manor Park Community Associations, as well as some other community associations during the monitoring period of 2015-2017, requested that the Mature Neighbourhoods Overlay be extended to their neighbourhoods due to ongoing impacts of infill and new development in their neighbourhoods.

Response: Rather than extend the Overlay and the SCA process to neighbourhoods that were built after 1950, the recommendation is to apply the majority of the existing MNO regulations to all urban neighbourhoods within the Greenbelt zoned R1-R4, while not introducing the SCA component. This is because the lots in the mature neighbourhoods were constructed prior to the advent of the car (before 1950, with most built before 1920), where the lots were not designed based on parking and storage of vehicles. Many lots on mature neighbourhood streets were built without driveways, whether they are accessed by rear lanes or not. Dwellings were built without attached garages or carports, often with only side or rear yard parking or rear yard detached garages. The established look along the street of those neighbourhoods built pre-automobile is distinct from those built since the 1950's with each lot designed around the storage and parking of cars.

Regulations affecting the averaging of the front and corner side yard setbacks based on abutting lots existing setbacks; requiring a minimum percentage of yard area that must be softly landscaped and aggregated to ensure the established soft landscaped areas of front and corner side yards is maintained and not paved over, while also seeking to obtain sufficient soil volume for a street tree or a property tree; creating a garage setback that is greater than the principal entranceway and landing; requiring the use of shared driveways on the smallest infill lots of 7 m or less, restricting walkways to lots wide enough to enable the minimum required soft landscaped area to be met and allow for individual driveways on lots of a minimum width; and ensuring that walkway widths are appropriate for those requiring access without taking up excessive front yard area; and establishing an interior yard setback next to the rear and side yards on corner lots so as to round out the common open space area along the rear lots lines in the interior of the block are many of the Overlay regulations that are important in any neighbourhood, and given the City is experiencing new development throughout the urban area within the Greenbelt, these regulations will ensure that those matters that are of most significance to existing and future residents are properly regulated.

Introduction of Minimum Soft Landscaped Area Requirements

The community associations stated that they are in support of this regulation. In one case, the representative stated that introducing a minimum aggregated soft landscaped area requirement is significant because doing so will ensure that front yards will have sufficient soil volume to enable a street or property tree that absorbs carbon emissions, which helps to alleviate the City's climate emergency.

GOHBA accepts the idea of this regulation but has concerns with requiring that it be aggregated into one useable spot and that it must abut a street lot line.

The Champlain Park Community Association agrees with the soft landscaped area requirement but disagrees with the regulation that prohibits at-grade projections into the minimum required soft landscaped area because it does not want front porches

prohibited, as these are characteristic of many older neighbourhoods. They suggest that builders are less likely to limit the size of the building footprint to enable a porch within the allowable footprint, and more likely to ask for minor variances to include them as projections.

Response: Without requiring that the minimum percentage requirement of the front yard and of the corner side yard that must be soft landscaped area, there would be little soil volume available to enable either a street tree or an on-site tree. The purpose of the requirement for soft landscaped area is twofold: 1) to ensure the maintenance of the look along the street of soft landscaped yards, and 2) to enable as much soil volume as possible (based on the lot width and the extent of the front yard and corner side yard setbacks) to allow for a tree. This second purpose is also covered by the requirement that the soft landscaped area must abut the street lot line. Having the soft landscaping next to the right of way assists in providing soil volume needed for a street tree.

The minimum percentage requirements for soft landscaped area have been tested, applying the areas necessary for driveways, walkways where permitted, paths from the driveways to the principal entranceways, as well as areas needed for projections. The minimum soft landscaped area requirements allow for these other incidental uses of the lands including for projections such as porches, stairs and landings.

Raising the prohibition on individual driveways from lots with widths of less than 6 m to those with widths of 7 m or less

The Old Ottawa Community Association is in favour of this change stating that it will help alleviate concerns with wide driveways in their neighbourhood.

GOHBA does not want to see any change to the current requirement.

Response: One of the intents of the Mature Neighbourhoods Overlay was to promote the idea, and the development of, shared driveways as these take less space and are less of an impact on a street developed with narrow driveways, while also provided on-site parking for each dwelling unit and more area available for soft landscaping.

As lots get narrower, the importance of each of the various incidental uses of front and corner side yards must be considered. A lot is too narrow to provide for a meaningful aggregated area of soft landscaping in the front yard, as well as an individual driveway, and an individual walkway.

And while it would appear that there is not a great difference between lots of less than 6 m and lots of 7 m or less, staff found that on a lot with a width of 7 m or less, if a driveway is provided, little land remains for soft landscaped area, yet it is the loss of softly-landscaped front yards that concerns residents the most. The postage stamp greenspace that is left over removes the possibility of viable plantings, provides insufficient land area for on-site stormwater management, and little snow storage space.

The current regulation that permits individual driveways on lots with widths of less than 6 m does not capture townhouse developments, semi-detached dwellings and two detached dwelling infill lots where the severance results in lot widths of 6 m, resulting in the numerous negative impacts on the lot and fails to respect the established streetscape character, including soft landscaped front yards and driveway spacing along the street.

Allowing the residential uses with access via a shared driveway allows for sufficient, useable greenspace that adds a meaningful amount of soil volume to aid in the development of street trees, while continuing to permit car access to parking in the rear yards of the dwelling units. This compromise enables all of the necessary front and corner side incidental uses of land to be provided without damaging the look along the street.

Prohibition on Front-Facing Attached Garages on streets in the MNO where these are not dominant / Permitting one Front Yard Parking Space

GOHBA suggested that where this is the dominant pattern in the MNO, that as an alternative to a front-facing garage/carport, one front yard parking space could be permitted, that would be no more than 2.6 m width x 5.2 m depth.

GOHBA's comment in response to the Addendum to the Strategy Paper is that it is in favour of permitting one front yard parking space on any lot and not only within the Mature Neighbourhoods on streets where driveways are dominant and front-facing garages and carports are not, as an option amongst other on-site parking options.

The Champlain Park Community Association disagreed with prohibiting front-facing attached garages or carports where these are not the dominant character as such would result in minor variance requests for numerous applications.

Old Ottawa South Community Association is in favour of prohibiting front-facing garages/carports on Mature Neighbourhoods Overlay streets where they are not already a feature, as noted in their comments submitted on the Strategy Paper.

The Federation of Citizen's Associations provided comments on the Addendum stating that it would only consider permitting front yard parking subject to streetscape analysis.

Response: The Streetscape Character Analysis requires that only where legally-created front yard parking is the dominant pattern, may a new front yard parking space be permitted. The FCA is not in favour of permitting one front yard parking space as-of-right on any lot instead of a driveway or of a parking space located elsewhere on the lot.

The City has prohibited front yard parking in former Ottawa, which includes all of the Mature Neighbourhoods Overlay, since 1964, save and except for a four-year period for certain streets, followed by renewed prohibition on front yard parking. During the appeal period on the first infill study, a charette was held that determined that 23 of 33

lot and dwelling designs result in parking being provided other than in the front yard. Staff maintain that there are many options for on-site parking including side yard and rear yard surface parking, side yard and rear yard attached garages, and rear yard detached garages/carports.

This report recommends a compromise to front yard parking that would apply to lots in the Mature Neighbourhoods Overlay where driveways are dominant and where attached garages/carports are not dominant that allows for a notched-out space into the side wall of the first floor that enables a side yard surface parking space on lots where there would otherwise not be enough space to park a car. These parking spaces take up far less gross floor area than would an attached garage, thus retaining the majority of the front face of the dwelling.

This compromise, as well as the numerous other ways of accommodating a car on a lot outside of the front yard, is considered far less onerous than blank garage walls facing streets that do not complement the established look of dwellings with large front windows, often with porches that animate the street.

It is expected that the notched-out side yard parking spaces will provide a reasonable alternative, one that has already been introduced in newer development that will meet individual homeowners' needs rather than seeking minor variances to introduce a garage that would not fit in with the streetscape character.

Definition of Façade and Attached Garage Setback

The Community Associations were in favour of introducing this defined term. They are also in favour of a substantial garage setback from the façade and not from the front wall so that they are not the dominant element along the street.

The Queensway Terrace North Community Association stated that the attached garages being built are being used for extra storage and the driveway in front of the attached garage is the main parking spot for a vehicle, resulting in the car being the dominant feature on a street. They also indicate that the designs of new builds do not set attached garages further back than the principal entranceway, and would support moving away from the box look with two doors (front and garage).

The FCA noted that some of its members did not mind attached garages, though it stated that if attached garages are permitted, it would like to see a specific development standard requiring them to be set back further from the front lot line than the principal entranceway.

GOHBA has no objection to introducing a numerical standard greater setback for an attached garage or carport, although want the setback to be measured from the 'front wall' and not from the 'front façade' or 'corner side façade' on which the principal entranceway is located.

GOHBA is not in favour of introducing the term and definition of 'Façade' because it prefers to apply that part of the definition of front wall which focusses only on that part of the wall located closest to the street lot line.

Response: The intent of the regulation requiring that an attached garage must not be flush with the front wall of the dwelling and must be setback further was meant to refer to that part of the front wall definition which is the main wall of the dwelling. This flaw was pointed out to us after the GOHBA appeal resolution. The result is that many designs have a very narrow front wall so that the garage must set back from it, often where the narrow front wall is closer to the street than the main wall of the dwelling that contains the front door, thus defeating the intent of the zoning provision.

The term façade is noted in various parts of the Zoning By-law but has not been defined. Staff has compromised on the wording of the garage setback such that the term façade no longer appears in that regulation. Staff maintain however, that the term should be defined, particularly given the overarching intent of these zoning regulations is to maintain neighbourhood character, which includes the front and corner side facades of dwellings.

Increasing the regulation prohibiting balconies and bay windows on lots with depths of 30 m or less to lots with depths of 30.5 m or less

The Old Ottawa South Community Association was in favour of increasing the depth from 30 m to the originally-proposed depth of 31 m.

The Champlain Park Community Association states that it consists of mostly 100 foot deep lots (30.48 m.) and the current regulation excludes most of the neighbourhood's lots, which has been problematic for privacy and noise where such projections have been built.

GOHBA objects to any change in this regulation.

Response: This change is as a result of an anomaly, as discussed in the body of the Report. The intent was to reflect the standard lot depth of most lots in urban Ottawa that were designed to be 100 feet, or 30.48 m. By rounding down the requirement, rather than rounding it up to ensure application of regulations on lots with depths of 100 feet, most of the older lots that were designed with depths of 100 feet, or 30.48 m were not captured, thus defeating the intent of the regulation. It is inconsistent with the understanding of many stakeholders during the Infill 2 process who thought the depth of the standard lots was to be used as a common condition in the creation of minimum rear yard setback regulations and restrictions on rear yard projections.

Breaking up Hard Surfaces

The Old Ottawa South and Champlain Park Community Associations stated that it is in favour of these regulations.

GOHBA has no objection to the requirement of a 0.3 m, or 0.15 m per unit separation between side-by-side driveways that must be landscaped.

GOHBA would prefer that the recommended separation between a driveway and a walkway be 0.3 m rather than 0.6 m.

Response: Because the separation required must be softly landscaped, staff recommend 0.6 m. Note that this softly landscaped space is also able to provide soil volume to enable a tree because the roots may extend under the walkway.

Changes to SCA to require documenting the presence or absence of attached front-facing garages and carports

The Old Ottawa South Community Association is in favour of this new regulation. (it offers the FYP alternative which presumably would only kick in if the SCA shows garages/carports not dominant)

Procedures

The Queensway Terrace North Community Association asked how enforcement of these regulations will occur. It also suggested that a requirement for the developer/owner to show proposed landscaping along with new build should be required.

Response: As with all zoning matters, the recommended rules in the Report will be implemented during the development approval processes, and any complaints lodged against a property owner will be followed up by the By-law Enforcement Services Branch, Emergency and Protective Services Department.

The minimum aggregated area required for soft landscaping in a front yard and in a corner side yard will have to be shown on development plans. The Urban Tree By-law will request that the location of trees be noted on most development review applications including minor variance applications.

Accessibility

The Queensway Terrace North Community Association asked whether it is realistic to assume that a walkway from the side of the driveway is best, suggesting situations in which the car might be parked blocking the path to the front door, suggesting that this would force a pedestrian to walk over the soft landscaping (or a bank of snow) to access the front door.

The community association noted that there is no mention of accommodating a ramp for a wheelchair and whether such would be permitted when removing the required soft landscaped area.

Response: There are a variety of lot widths and driveway widths that may be developed. On the narrowest lots, individual driveways will be prohibited, Minimum required walkway widths of 1.2 m for detached, semi-detached, long semi-detached and townhouses will be wide enough to allow double-wide strollers, walkers and manual wheelchairs, and minimum walkway width permission will increase to 1.8 m for apartments and stacked townhouses. Narrower lots could present an issue for those with mobility issues who must pass by a car parked in the driveway.

Ramps providing access for a wheelchair are always permitted on a residential lot, and are not subject to the regulations of the Zoning By-law.