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April 18, 2018

Secretary-Treasurer
Committee of Adjustment
101 CenterPoint Drive
Ottawa, ON K2G 5K7
cofa@ottawa.ca

Emily Monette
Committee of Adjustment
Notice of Public Hearings

Re: Applications— D08-01-18/B-00088, D08-01-18/B00089
Locations 18 (20) Gould Street
Owner Ali Tohidi
Lot 19, Reg. Plan No 145
Zoning R1MM
Zoning Bylaw 2008 -250



Dear Ms Monette,

As the undersigned, Gould Street residents and owners (Gould Street Residents Association), City of Ottawa, adjacent to and within the neighborhood of the property in question as noted above; these are our concerns regarding this application for subdivision, at this Committee of Adjustment, and Public Hearing:

To subdivide the current lot into two new lots, 7.6 M x 30.48 M with an area of 231.9 sq. meters each and exceed the cities guidelines and that will not be in conformity with the requirements of the Zoning Bylaw 2009-164.

We are opposed to this subdivision and subsequent construction of two single detached buildings and object to the variance. Our objections follow the four Statutory Tests which must be satisfied by the applicant. The four tests, set out in sub section 45(1) of the Planning Act and our responses are as follows

1-Is the variance minor?

This variance is not minor. This request for sub-division and "*minor variance*" should be considered too large and too important to be considered minor in any way.

Subdividing a single lot of 15.2 M into two lots with frontage of 7.6m each, exceeds R1 Sub-zone provisions that lots within this R1 zoning area that must have a minimum lot width of 15M, and minimum lot area of 450 sq. m. This exceeds R1 zoning requirements by 50%.

The purpose of the R1 Residential First Density Zone is to regulate development in a manner that is compatible with existing land use patterns, so that the residential character of a neighborhood

is maintained or enhanced. —This sub-division application does not support that purpose, specifically the Neighborhood (Gould Street bordered to the east by Western Avenue and to the west by Oakwood Ave—Island Park Drive) character is **by majority** defined by single family homes on lots that are in compliance with the R1 zoning Bylaw 2009-164.

And the majority of homes on Spencer Ave to the immediate south of Gould Street, and the Gould Street Neighborhood are in compliance within the R1 Zoning provisions.

2-Would the granting of the variance result in a development that would be desirable for the appropriate development or use of the applicant's land or building?

This variance application is not desirable from a community planning interest perspective.

This request for *reduced lot size* will contribute to, in effect, an opportunity for over intensification of the West Wellington Village neighborhood as a whole, and that is not in keeping with the City of Ottawa Master Plan to regulate development and does nothing to enhance the existing residential character of the neighborhood.

The lots and homes noted in the application as examples of current lot size which the applicant would like to build on, do not reflect the majority of lot sizes (and homes) of the overall neighborhood.

Issues that may arise for homes that are built on lot sizes less the R1 Zoning classification for this neighborhood are related to both specific and the general area and that the development is incompatible with the established built form and character of this Wellington Village neighborhood, and that it erodes the aesthetics instead of improving the streetscape and neighborhood in general.

The primary issues for not allowing a reduced lot size and for structures that will be built on a reduced lot size, from a planning and public interest perspective are:

- removal of trees, urban canopy/green space-to the east, north, south and, potentially west of the proposed subdivision.
- An increase of on street parking and street traffic in a neighborhood that is growing with young families, (children under the age of 12) more bicycle traffic and pedestrian traffic.
- potential issues caused by upsetting the present flow, seepage and drainage of water, particularly in the Kitchissippi Ward that has seen numerous basements flooded during frequent and increased storm activity.
- Increased fire hazard to adjacent property owners and to the neighborhood in general—as recently as November 09, 2017 —a fire at 14 Gould Street required additional fire-fighting resources to be called due to the fire's proximity to the adjacent home that is built on a (grandfathered) reduced lot size. Reduced lot size and proximity to adjacent homes will limit (and did in the Nov, 9 2017 fire) the effectiveness of firefighting resources to get at the blaze and to prevent it from spreading to other property owners.

- Allowing reduced lot size with variances sets a precedent for the current applicant and other potential applicants to subdivide and develop other properties in this R1 Zone leading to further intensification of Gould Street and the neighborhood in general that is not permitted in the current R1 By-law and this is not in the broad public interest of this neighborhood.

3-Does the variance/sub-division requested maintain the general intent and purpose of the zoning bylaw?

This proposed reduced lot size subdivision will not support development that is compatible with the majority of older existing and new single family homes/house constructed in the neighborhood which is set out in this R1 Zone.

The intent and purpose of the R1 zoning by-law is to prescribe the front, rear and side yard set-backs, building size, height and use. The bylaw supports spacing, privacy, density, light and air and maintains/protects and gives the neighborhood its built form and character. with respect to size, set back and side yards and sensitive to issues such as privacy and parking.

This reduction in lot size is detrimental to the streetscape, the character of the neighborhood and the privacy, density, light, air and green space that will affect other individual property owners in the immediate neighborhood, specifically:

- loss of sunlight, privacy, views, spacing and openness which will result from the mass, height and bulk of the proposed two buildings on the reduced lot size.
- issues related to front access; two additional single car parking spots/laneways abutting existing laneways and parking spots on both sides of the proposed homes.
- removal and damage to trees/privacy hedges/lawns/green space-to the east, north, south and, potentially west of the proposed construction.
- increased on street parking and street traffic in a neighborhood that has shown a significant increase in young families, (children under the age of 12) bicycle traffic, and pedestrian traffic.
- potential issues caused by upsetting the present flow, seepage and drainage of water from adjacent homes.
- Increased fire hazard—as recently as November 09, 2017 —a fire at 14 Gould Street required additional fire-fighting resources to be called due to the fires proximity to the adjacent home that is built on a (grandfathered) reduced lot size Reduced lot size and proximity to adjacent homes will limit (and did in the Nov, 9 2017 fire) the effectiveness of firefighting resources to get at the blaze.

4-Does the Variance/Severance requested maintain the general intent and purpose of the Official Plan

The Official Plan and the True Character of the Neighborhood

*“The Official Plan manages this growth in ways that reinforce the qualities of the city most valued by its residents” (and this Gould Street neighborhood): “its distinctly livable, its green and open character, and its unique characteristics that distinguish Ottawa from all other places”.

*City of Ottawa Official Plan.

The Official Plan is concerned with these issues, and they directly impact the outcome of the Gould Street neighborhood and the West Wellington Village neighborhood in general.

We feel that allowing sub-division of this lot will be in contravention of the intent of the Official Plan and good planning principles.

Character of the Neighborhood

The built form of the West Wellington neighborhood is deserving of protection.

New development should be compatible and respect the established physical character of the neighborhood-single family detached homes on long established lot sizes. **This application does not.** The proposed development and subdivision considered: is out of scale; out of character; and destabilizing the character of the neighborhood; it will be a break in the pattern or continuity of the street and visually incongruous or detrimental to the streetscape.

The primary factor and motivation considered by people who own properties in this neighborhood is the degree of spaciousness, sunlight and privacy that was dictated by the zoning by-laws existing when the neighborhood was developed. We pay a higher purchase price and higher annual taxes for the enjoyment of these qualities and are entitled to protection from a reduction in zoning standards.

We argue that residents should be able to rely upon the current R1 City zoning policies and it is a breach of trust when they are diminished.

Light, Privacy and Views

While there is no legal right in Ontario to sunlight, privacy or views, insensitive development should not be allowed to deny neighboring owners facing the loss of these qualities. The issue is not whether neighbors have a right to "light, privacy and views" but whether a proposed obstruction to long established amenities has adverse impact upon the neighborhood to the point where the intent and purpose of the zoning by-law and the intent of the Official Plan is not maintained. We feel that the sub-division of this property and the subsequent construction, height and bulk, exceeds R1 guidelines and “good planning principles” outlined in the OP, and will lead to depriving adjacent properties of enjoyment of their own space.

Sincerely,

Gould Street Residents Association

Don Runge, 22 Gould Street (613-224-6501)

Michael Hammond, 289 Spencer Street
Donna Harris, 22 Gould Street
Hazel Buckingham, 42, Gould Street
Robert Buckingham, 42 Gould Street
Marjorie Scharf, 46 Gould Street
Danielle Cardiff, 50 Gould Street
Richard Naud, 21 Gould Street
Barb Gauthier, 12 Western Ave
Milad Khalil, 27 Western Ave
Martha Wilson, 37 Western Ave
Louise Pitry, 271 Spencer Street
Gerard Lavelle, 276 Spencer Street
Paul Scharf, 276 Spencer Street
Chantelle Ramachon, 279 Spencer Street
Olivier Marons, 279 Spencer Street
Ian Robb, 285 Spencer Street
Aziz Khalil, 288 Spencer Street
Kim Hammond, 287 Spencer Street
Ted Hammond, 287 Spencer Street
Trevor Wilkins, 13 Gould Street
Jacquie LaRocque, 13 Gould Street
Roxanne Moss, 31 Western Ave.
Sheila Leach, 116 North Western Ave
Melissa Stewart, 62 Viscount Ave
Caroline Warne, 21 Gould Street
Janis Anderson, 210 Carleton Ave

Signatures attached as separate PDF doc. "Petition"