



**From:** Beecher, Sophie  
**Sent:** April-17-13 1:29 PM  
**To:** Fleury, Mathieu (Mathieu.Fleury@ottawa.ca); Genest, Mat (Mat.Genest@ottawa.ca)  
**Cc:** 'Jim.Watson@ottawa.ca'; Jane Gurr; Sam Almsaddi; Christopher Collmorgen  
**Subject:** ASH comments on the 458 Nelson proposal

Hello Councillor Fleury,

The following are Action Sandy Hill's comments relating to the proposal for 458 Nelson street, which we ask that you to take into account when proposing changes to City staff on the proposal as part of the Site Plan Lite process. We would be happy to discuss our proposed changes with you and how they can be implemented as a condition of your approval on this file.

- We are opposed to the bulk and overall size of the proposed building. Even though the zoning currently allows for bulky developments on that property, and the number of units allowed under the zoning is respected, the interaction between the allowed dimensions and number of permitted units (without a limit on bedrooms) yields an increase in density that is not intended by the zoning and not proportional with the immediate and broader surroundings, nor with the size of the lot, and cannot be sustained by the lot. Evidence of the fact that the building is too big for the lot is that the entire building needs to be cantilevered to allow access to the back, parking spots have to be placed at the back (thereby removing the backyard), and the public amenity space needs to be placed on the roof, and not at grade, as would be appropriate. This results in messy and awkward construction that is oversized for the available space. In addition, just as the development at 466 Nelson did, this development will have a negative impact on the street scape facing the community park by towering over the street and imposing its poor architecture on every visitor to the park and community centre. As a result, we would suggest scaling back the extension proposed at the back of the existing structure, increasing the setbacks on the sides to allow for car and bicycle circulation to the back of the property, and limiting the height of the structure to the actual building (and not allowing additional height through the addition of utilities and mechanical devices on the roof). This is precisely the type of development that the City has identified as problematic in the infill category and is attempting to address through its infill study.

- On the note of infill, we contend that this proposal constitutes actual infill (as opposed to a conversion) since the developer will be keeping so little of the original building that he will not be converting a home, but rather demolishing it and rebuilding on its original footprint. As a result, the zoning applicable to new constructions should apply.

- We note that the massive tree at the back of the property, which significantly contributes to the canopy (and in some cases constitutes the entire canopy) for the surrounding properties, will be

cut down, reducing the presence of trees on the block, and removing all privacy between properties. We would like to see the proposal modified so that the tree can be maintained and not be affected by construction.

- We decry the paving over of the backyard, which is proposed for 458 and 460, and which was also done at 466, since it contributes to the lack of drainage already prevalent on the block, where basement flooding and water pooling at the bottom of slopes is already problematic. We contend that such massive paving-over also dries out the clay soil, which, as it dries out, contributes to the subsiding of foundations on neighbouring properties. Waiving the requirement for two parking spots is equally unreasonable, since the building will hold approximately 16 occupants, at least two of which are bound to own cars. As a result, we argue that the footprint of the building should be reduced, so that appropriate parking can be provided without having to pave over the only green space available.

- We note that the residents of 466 Nelson need to use the shared driveway between 458 and 460 to get to the back of their own property, since their vehicles do not fit in the narrow driveway of 466 (which is also the result of an oversized building for the lot). We wonder how access to 466 will occur once the properties are massively developed at 460 and 458. Is it allowed to create a parking lot with access through one single driveway that spans the back of three properties?

- We contend that the building of a tall privacy screen on the roof of the building increases its height in an impermissible fashion. The height of the overall construction, including the patio, should be limited to the allowed height under the zoning.

-We also wonder whether the rooftop patio serves as the public amenity space that is required for the building - and if so - whether the patio truly constitutes public space (since the access is limited to one unit), and whether a minor variance is required to (1) have a roof top patio and (2) having the public amenity space elsewhere than at grade. If a minor variance is required, we would argue that that constitutes further evidence that the size of the building is too big for the lot, since the developer is forced to go outside the zoning to fit all of the necessary components to the building and that the building does not respect the density intent of the zoning. Finally, a rooftop patio will significantly contribute to the noise problem we already have in Sandy Hill and will diminish the privacy enjoyed by surrounding residents. We request that the rooftop patio be removed completely. If the patio is kept, we request that the city ensure that the developer obtain any variance required before the patio is built.

- We question whether the stairs to the basement on the side of the house can be placed that close to the property line under the zoning. The width of the stairs is such that the side of the stairs juts beyond the footprint of the original house, and the proposed stairs are so close to the property line that it will be virtually impossible to dig the stairwell without affecting the neighbouring property. We are of the view that the stairs should be placed at the back of the building, under the stairs to the other units.

- The north facing wall of the addition to the original house will be so tall and so long and so close to the neighbouring property that it will deprive the residents of the neighbouring property of most of the sun light to their garden and to their back windows. In addition, the towering wall

(which will have some windows) will deprive them completely of their privacy both in their backyard and in the backrooms of their house. Again, we request that the size of the addition be scaled down and that the rear setback be significantly increased to make the proposed development proportionate and appropriate in relation to the surrounding properties, particularly the immediate neighbour to the north.

- We note that bike parking is provided in the front. However, the bike parking should be moved to the rear of the property to keep as much green space as possible in front, avoid a sore sight to the eyes in the front (a jumble of bikes), and prevent trespassing on the neighbouring property by cyclists on their way to the bike rack or in order to tie their bike (as the bike parking would need to be right next to the property line in the front).

In short, we are of the view that this proposal is not appropriate for the context of the immediate block, community park and broader neighbourhood, nor does it respect the intent of the zoning bylaw in terms of density for the property. The proposal should be scaled back and improved according to the comments above.

Sincerely,

Sophie Beecher  
Planning Co-chair  
Action Sandy Hill