



To: Tim Moerman
City of Ottawa Planning Department
From: ASH Infill and Zoning Sub-Committee
Re: ASH SUBMISSIONS ON CONVERSIONS
Date: 15 October 2013

ASH is very concerned with the general impact of conversions in Sandy Hill and is pleased that the City is looking at this issue in greater detail. ASH has taken the opportunity of the Study on Conversions to convene a special sub-committee and discuss the issues, brainstorm about the positive characteristics that conversions need to display and come up with some proposed solutions to ensure that conversions are of better quality in our neighbourhood.

We believe that Sandy Hill is a particularly vulnerable neighbourhood for bad development at this point in time. Indeed, it is an established urban neighbourhood with a mix of houses (some are more recent, but most date back to the 19th and early to mid-20th centuries) in various states of upkeep. It is also subject to a new and aggressive intensification province-wide policy, as well as specific City intensification objectives. It is in close proximity to a major University which has doubled in size in the last 20 years and continues to grow, without any new on-campus housing facilities. Finally, its zoning is not adapted to these new realities and is too permissive and broad. As a result of the combination of these factors, Sandy Hill has suffered from a proliferation of massive and cheaply built conversions that are configured to house a disproportionate number of students or short-term renters per lot.

You will find below our statement of the issue, what we need to see in our neighbourhood in terms of quality conversions, and some of the solutions we need to see implemented as the outcome of this study in order to keep dwellings that are flexible in their use and that can attract many types of tenants and buyers, to maintain the character of Sandy Hill, and to restore balance and diversity in the neighbourhood's residents. You will also find a list of more detailed proposed solutions and considerations as an Annex to this document.

The issue:

- Conversions have been occurring in large numbers in SH in recent years, and usually consist of the transformation of a single family home or a semi-detached house to a multi-unit building, with each unit containing a large number of bedrooms and little common space - geared towards student rental or other short-term renters. Such conversions usually entail the building of large additions to the previously existing structure, either in the back or as additional stories – or both.

- Many conversions only keep a small portion of the original structure (part of the foundation, one wall), while the rest of the structure is entirely new. Others demolish the foundation while keeping the house structure, only to demolish the house structure at a later date, to end up with a 100% new construction, considered to be a “conversion” at each stage. These projects are not currently subject to the requirements for infill, yet constitute de facto infill. This loophole allows developers to build brand new buildings while being able to maintain grandfathered reduced setbacks on the sides. As a result, these buildings end up being bulkier than infill could be, as their mass is completely disproportionate for the size of the lot and in relation to the neighbouring houses.
- Conversions have had a negative impact on SH. They have resulted in an increase in density that is inappropriate for the size of the lot with an impact on noise, garbage, general maintenance of properties, and excessive bike parking, and an overall loss of enjoyment of their property by neighbours.
- The generous allowances for conversions have made it very lucrative for developers to buy single family homes, whether they are run down or beautifully maintained century old properties, and transform them into misshapen, cheaply built, massive multi-unit complexes that can be filled with a large number of tenants. As these conversions are increasingly being built, neighbours are fleeing the neighbourhood, in turn putting their houses up on the market and making them vulnerable to redevelopment. This is resulting in a drastic change in the balance and diverse fabric of SH, and has the potential to quickly turn it into a one-dimensional student ghetto.
- Measures and solutions taken to address conversion issues should contribute to maintaining a balance and diversity in residents in Sandy Hill and strive to uphold the Sandy Hill Secondary Plan which states the following policy objectives:
 - The preservation and enhancement of Sandy Hill as an attractive residential neighbourhood, especially for family living.
 - Provision for a broad range of socio-economic groups.
 - The acceptance of a modest increase in population, primarily as a way of housing some of the growth in the Central Area labour force.
 - The maintaining and co-ordination of both the local functions of Sandy Hill (primarily as a residential neighbourhood) and the functions that serve a wider area (e.g., the mainstreet mixed uses area along Rideau Street and the University of Ottawa).

What we need to see:

- Conversions that do not “max out” the lot, and that result in a structure that is proportionate in height and massing to the size of the lot, the width of the street, the neighbouring structures and buildings and the overall neighbourhood.
- Structures that are articulated and textured (as opposed to big boxes), yet sound and durable.
- Structures that are compatible with the surrounding context.
- As for infill, side-yard setbacks that allow wide-enough access to the rear, provide sufficient space for work on, and maintenance of, the house and provide enough space between structures to avoid extreme proximity of facing windows and prevent noise

pollution between buildings, rear yard setbacks that allow every lot to have a yard that can be enjoyed fully, without being boxed in by façades, without being observed from above at close proximity, with some sunlight/natural light, and a tree canopy, and properties that have some soft landscaping both in the front and in the back, to allow drainage, provide amenity space and room for snow removal.

- Appropriate density for the lot, controlled by the allowed number of units and rooms in each unit, a corresponding decrease in noise and loss of privacy, and units that offer a comfortable amount of space, both private and shared, for its tenants.
- Well maintained properties with well-organized storage for bicycles, garbage and recycling, as well as an appropriate parking configuration (to avoid inappropriately parked vehicles as well as excessive numbers of parked cars on a lot).
- Units that are versatile and can be rented by a variety of occupants (students, single persons or couples, small families, etc). Housing that is purpose built for students cannot be easily converted back to housing for other types of residents, and therefore, limits the variety of potential residents in the long-term.
- A strategy that results in the preservation of more valuable structures, and the demolition or conversion (with improvements) of structures that are less valuable, sound, and compatible.

Desired outcomes and measures:

ASH is of the strong view that the following main three outcomes and the necessary measures to reach them need to be the result of the study on conversions.

Bulk, height and size of conversions: The bulk of converted dwellings must be scaled back. Conversions must remain proportionate to the size of the houses surrounding them broadly, in order for urban established neighbourhoods to keep their residential/mix-used esthetic and scale, and their historical character. It is imperative that the allowable height in the zoning be scaled back significantly, and that the setbacks be increased, especially the rear yard setback which should be increased considerably. The preservation of backyards for traditional uses is essential so that a diversity of occupants can use the buildings, trees and soft landscaping can provide shade, drainage and a buffer, and neighbours can continue to fully enjoy their properties, with a reasonable measure of space, tranquility and privacy. We believe that the City should consider whether a lower zoning would be more appropriate for Sandy Hill, such as R3 for example, to make it more commensurate with the profile of the neighbourhood (which is very similar to that of Old Ottawa South or the Glebe for example) in addition to making the required modifications to allowable height and setbacks in the sub-zoning. We hope that the Infill Phase 2 study will address these issues in relation to conversions. If not, the Conversions study must address them.

Integrity of buildings: Buildings that are the subject of a conversion must remain largely intact. The goal of a conversion is to modify an existing dwelling in order to add units. While some conversions may need or benefit from an addition, such an addition should be modest and the existing building should not be demolished in any significant way or disappear to any extent behind a new structure. The definition of “conversion” should, to that end, be narrowed significantly to exclude projects that require a significant expansion of the structure or more than a very partial demolition. The larger scale projects that require a sizeable addition or more than a

moderate demolition should be treated as infill and should be subject to the rules applicable to new constructions in their entirety.

Appropriate density: Density must be appropriate for the size of a lot. Some measures that could help with this problem are a limit on the number of units (not sufficient on its own), a limit on the number of bedrooms per unit (which could be determined according to available square footage), or a density index or quotient that could be calculated for every project based on various factors and measurements (similar to the defunct FSI). The selected tool or measure must be effective in ensuring that occupants of each unit in a conversion have a reasonable amount of common living space and are not forced to the outside of the building to live or store garbage or furniture. It must also be effective in ensuring that the density on every lot is appropriate for the neighbourhood, so that the level of activity, comings and goings, and noise is not a burden on neighbours. Finally, it must help in ensuring that any new or modified units in a conversion remain flexible and usable/desirable by a variety of tenants and owners, so that the community can remain healthy, balanced, varied and accessible to all. Targeted higher density could be contemplated for major arteries and main streets, where different types of residential buildings and multi-unit developments may be more appropriate.

We believe that the overall solution or plan to address the issues raised by conversions must be multi-faceted, and must take into account all problematic aspects of conversions outlined above. Any solution that addresses only select aspects of conversions (for example – if the solution only addresses excessive noise, or only addresses buildings that amount to rooming houses) will be grossly inadequate.

In addition, any solution or plan proposed by the City must be done with an understanding of the impact of an accumulation of conversions in Sandy Hill, and not just in relation to the problems caused by specific projects. Some conversions are done with taste and measure, while others are not appropriate and problematic, and there is no doubt that the inappropriate conversions must be addressed with case-by-case measures. However, at this point, the negative impact and the overall changes in built form, street profiles and social fabric taking place in the neighbourhood due in large part to the onslaught of conversions aimed at a one-dimensional category of tenants, are the more pressing concerns for Sandy Hill. Any recommendations put forward by the City must address this broader problem or risk being irrelevant.

We are not denying that Sandy Hill will face some growth in the years to come, and welcome development that improves, embellishes and enriches the community. We recognize that conversions can be tastefully done. We ask, however, that conversions respect and perpetuate the unique character of our neighbourhood, result in an appropriate density of occupants on each lot, and allow a broad diversity of occupants to come and live in, and be a part of, Sandy Hill.

Sincerely,

Sophie Beecher

Yves LeBouthillier

Co-chairs of the Infill and Zoning Sub-Committee, Action Sandy Hill

ANNEX

Proposed solutions and measures

The following is a list of solutions and measures to address the issues raised by conversions compiled by ASH following some brainstorming and discussions. We strongly recommend that the City consider these as it outlines its own plan and recommendations to address conversions.

- The allowable height of buildings in SH must be significantly reduced (for example: to 9.0 metres in current 11 metre zones and to 11 metres in current 14 metre zones). The allowable height should be based on the context of the existing streetscape on every block or half-block.
- The minimum setback for rear yards must be considerably increased. We suggest that rear yard setbacks should be 40% of the length of the property or 7.5 metres (for irregular properties), whichever is larger.
- In conjunction with minimum setbacks and maximum height requirements, a maximum F.S.I. should be implemented. This F.S.I. should be a ratio of total floor area/lot area. Our recommended maximum F.S.I. is 1.5. For example, on a 50' x 100' lot (5000 s.f.) the maximum floor area that could be built (all floors including basement floor area) would be 7,500 s.f.
- The rules must be changed so that buildings that are in fact infill cannot be presented as conversions to the city and be allowed to bypass the rules that are applicable to infill. In addition, developers should not be able to choose to go with either the infill model or the conversion model, depending on which approach will provide them with the most advantages.
- In Sandy Hill cases, issues surrounding conversions often are about the demolition of the existing structure. However, conversions are not supposed to be fundamentally about the demolition of anything – but rather, the transformation of an existing building. The focus in conversions should be brought back on the true meaning of the concept and the core characteristic of this category of projects: the modifications brought to an existing structure in order to add units.
- Unfortunately, as a conversion is defined as the alteration of, but not demolition of a residential use building, the meaning of demolition is key in determining what a conversion is. As a result, the definition of a “demolition” needs to be clarified. Demolition, for the purposes of conversions, should refer to the demolition of more than 25% of the existing structure. In other words, only projects where less than 25% of the existing structure is demolished should qualify as conversions. All others should be considered infill. In addition, it should not be possible to bypass the rules by demolishing a structure over time in a way that each stage of demolition does not amount to “full demolition”, but that the overall result is “full demolition”. Therefore, any set of transformations brought to a property over the course of 3 years (for example) that

amounts to the demolition of more than 25% of the existing structure should not qualify as a conversion and should be treated as infill. The percentage proposed in this document is based in part on the *Ontario Building Code Act*, which defines “demolition” as follows: “to do anything in the removal of a building or any material part thereof”. A material part of a building is quite low as a threshold and the same threshold should be applied in the context of conversions.

- The definition of “conversion” needs to be broadened to include infill that results in an addition of dwelling units. These infill projects should abide by any rules specific to conversions, in addition to abiding by the rules established for infill.
- Any addition that exceeds 50% of the existing structure over the course of 3 years or less in the context of a conversion should also be considered a new construction and should be subject to the rules that apply to infill, including concerning height, bulk, setbacks, landscaping, parking, placement of front door and garage, etc.
- Additions to existing structures in the context of a conversion should not be allowed to be higher than the existing structure (i.e. should be the same height or lower than the existing structure).
- A percentage of amenity space should be mandatory for a multi-unit dwelling (with 3 or more dwellings), and should be provided at grade or within the building.
- A minimum of soft landscaping should be imposed – for example 60% of the front and backs yards.
- The parking requirement should be lowered – perhaps to one parking space per lot – in established urban neighbourhoods. (Developers could include more if deemed necessary).
- Properly covered garbage/recycling storage should be required, as well as bicycle parking in the rear of the property, with adequate space and access.
- Stairs leading beyond the ground floor of the building should not be allowed in the front of the building, unless they are internal to the building.
- We strongly suggest that the maximum number of dwelling units allowed per lot should be 4 everywhere in Sandy Hill. We would also recommend that the City explore further limiting such a number in some areas of Sandy Hill where the preponderance of houses are single homes or semi-detached homes that are not currently multi-unit dwellings. We are of the view that a higher number of units may be more appropriate along main arterial roads, traditional main streets, and close to the University, but not on purely residential streets or on streets that do not border the University.
- The number of bedrooms or rooms that can be used as bedrooms (such as dens) allowed per unit should depend on the overall square footage of the unit. For example, 1250 square feet should be required for 5 bedrooms, and 1850 square feet should be required

for 6 bedrooms. (See Home Owners of North Oshawa Ltd. V. Oshawa (City)) (Alternatives would be to require a certain percentage of common living space per bedroom, or to cap the overall number of bedrooms.) This solution would help prevent inappropriate density on one lot.

- The definition of, and rules pertaining to, a rooming house need to be amended so that dwelling units containing 4 or more independent renters are subject to specific licensing and inspection requirements. The city rooming house registry should be kept up to date, and the rooming house rules should be better enforced. Inspection and licensing should be systematic when a property is going through a conversion, and should not depend on later reporting or complaints from the neighbours.
- Rooming Houses should not be allowed in all parts of Sandy Hill, and should be removed from the zoning in areas that are not appropriate for them.
- Cantilevering should be prohibited as a mechanism to leverage allowed setbacks for new construction above grandfathered foundations. It makes for aesthetically displeasing constructions and dark spaces where security is an issue.
- A broader tool that could be used to regulate rental properties generally is a city-wide landlord and rental property registry. (Such a tool was introduced in the city of London, ON).
- Another broader instrument could be an incentive program (such as reduced property taxes or grants to help convert the building) to encourage owner occupied units in converted buildings in downtown neighbourhoods (such as a house divided into three different owner occupied units – or a divided co-habitation of many different owners).
- In areas where conversions are disproportionately affecting the community, the City should create a committee to review conversion proposals. The committee could be composed of the City planner, the Ward councillor and the building permit inspector.
- A City planner should be dedicated to Sandy Hill to ensure that development occurs in an appropriate manner and in a coherent way across the neighbourhood. This would allow for the implementation of a vision for SH, as well as for continuity in planning.
- A site plan process for conversions should be implemented on a permanent basis and be made mandatory for all conversions in Sandy Hill (whether one unit is added, or whether a single house is transformed into multiple units). In addition, a requirement for public consultation, consultation of the community association, and minimum timelines to allow for comments to be made, should be part of the process, as well as an obligation to put up a sign in front of the property to inform neighbours of the application.
- The Secondary Plan should be respected at all times by developers, and should not be changed for a specific development, except in very rare instances, where justified and after an extensive public consultation has occurred. If the Planning Department is of the

view that the SP is outdated, it is imperative that the City begin the process to revamp it as soon as possible so that the community can come together in shaping a new vision for their neighbourhood and so that the City can rely on the Secondary Plan as a relevant and weighty instrument to help shape all future development projects and to make appropriate changes to the zoning on which all, including residents and developers, can rely.

- It is also essential that the City enforce its bylaws, policies, codes and Official Plan, and be diligent in holding developers accountable. The City must stop relying on public complaints and half-solutions after the fact – and must be proactive in making sure that developers abide by the rules and provide quality development in SH. Any changes to the bylaws will be useless if they are not properly enforced.
- Any project that warrants exceptional allowances due to a particular context, a special location or other extraordinary considerations should be presented to the committee of adjustment or other appropriate committee for decision. Such a process would allow the community to weigh in and make their point of view known to the committee, and a decision could be made based on a balanced presentation of the facts and the various interests.