

**5. Zoning By-law Amendment and Site Plan Control – 19, 29 and 134 Robinson Avenue**

**Modification au Règlement de zonage et réglementation du plan d'implantation – 19, 29 et 134, avenue Robinson**

**Committee recommendations, as amended**

**That Council approve:**

- a. an amendment to the Zoning By-law 2008-250 for 17, 19 and 23 Robinson Avenue to permit the development of a mid-rise apartment building, as detailed in Document 2;
- b. an amendment to the Zoning By-law 2008-250 for 27, 29 and 31 Robinson Avenue to permit the development of a mid-rise apartment building, as detailed in Document 4;
- c. an amendment to the Zoning By-law 2008-250 for 130, 134 and 138 Robinson Avenue to permit the development of a mid-rise apartment building, as detailed in Document 6;
- d. Site Plan Control application D07-12-18-0174, concerning 17, 19 and 23 Robinson Avenue, for the construction of a new six-storey building containing 46 units, as provided in Documents 7 and 8;
- e. Site Plan Control application D07-12-18-0164, concerning 27, 29 and 31 Robinson Avenue, for the construction of a new six-storey building containing 46 units, as provided in Documents 9 and 10;
- f. Site Plan Control application D07-12-18-0172, concerning 130, 134 and 138 Robinson Avenue, for the construction of a new six-storey building containing 46 units, as provided in Documents 11 and 12;
- g. the Site Plan approvals of recommendations 3(a), (b) and (c) to only come into effect when the zoning, Recommendations 1 (a), (b) and (c), comes into full force and effect.

**Recommandations du Comité, telles que modifiées**

**Que le Conseil approuve :**

- a. une modification au Règlement de zonage 2008-250 visant les 17, 19 et 23, avenue Robinson, afin de permettre la construction d'un immeuble résidentiel de hauteur moyenne, comme l'expose en détail le document 2;
- b. une modification au Règlement de zonage 2008-250 visant les 27, 29 et 31, avenue Robinson, afin de permettre la construction d'un immeuble résidentiel de hauteur moyenne, comme l'expose en détail le document 4;
- c. une modification au Règlement de zonage 2008-250 visant les 130, 134 et 138, avenue Robinson, afin de permettre la construction d'un immeuble résidentiel de hauteur moyenne, comme l'expose en détail le document 6;
- d. la demande de réglementation du plan d'implantation n° D07-12-18-0174, visant les 17, 19 et 23, avenue Robinson, afin de permettre la construction d'un immeuble de six étages abritant 46 logements, comme le décrivent les documents 7 et 8;
- e. la demande de réglementation du plan d'implantation n° D07-12-18-0164, visant les 27, 29 et 31, avenue Robinson, afin de permettre la construction d'un immeuble de six étages abritant 46 logements, comme le décrivent les documents 9 et 10;
- f. la demande de réglementation du plan d'implantation n° D07-12-18-0172, visant les 130, 134 et 138, avenue Robinson, afin de permettre la construction d'un immeuble de six étages abritant 46 logements, comme le décrivent les documents 11 et 12;
- g. les demandes de réglementation du plan d'implantation décrites aux recommandations 3(a), (b) et (c) ne seront approuvées que lorsque les dispositions de zonage prévues aux recommandations 1 (a), (b) et (c) entreront pleinement en vigueur.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated January 13, 2019 (ACS2020-PIE-PS-0001)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 13 janvier 2019 (ACS2020-PIE-PS-0001)

2. Extract of draft Minutes, Planning Committee, January 23, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 23 janvier 2020

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
23 January 2020 / 23 janvier 2020**

**and Council  
et au Conseil  
29 January 2020 / 29 janvier 2020**

**Submitted on 13 January 2020  
Soumis le 13 janvier 2020**

**Submitted by  
Soumis par:**

**Lee Ann Snedden  
Director / Directrice**

**Planning Services / Services de la planification**

**Planning, Infrastructure and Economic Development Department / Direction  
générale de la planification, de l'infrastructure et du développement économique**

**Contact Person / Personne ressource:**

**Andrew McCreight, Planner III / Urbaniste, Development Review Central / Examen  
des demandes d'aménagement centrale  
(613) 580-2424, 22568, Andrew.McCreight@ottawa.ca**

**Ward: RIDEAU-VANIER (12)**

**File Number: ACS2020-PIE-PS-0001**

**SUBJECT: Zoning By-law Amendment and Site Plan Control – 19, 29 and 134  
Robinson Avenue**

**OBJET: Modification au Règlement de zonage et réglementation du plan  
d'implantation – 19, 29 et 134, avenue Robinson**

**REPORT RECOMMENDATIONS**

**1. That Planning Committee recommend Council:**

- a. approve an amendment to the Zoning By-law 2008-250 for 17, 19 and 23 Robinson Avenue to permit the development of a mid-rise apartment building, as detailed in Document 2;
  - b. approve an amendment to the Zoning By-law 2008-250 for 27, 29 and 31 Robinson Avenue to permit the development of a mid-rise apartment building, as detailed in Document 4;
  - c. approve an amendment to the Zoning By-law 2008-250 for 130, 134 and 138 Robinson Avenue to permit the development of a mid-rise apartment building, as detailed in Document 6.
2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of January 29, 2020," subject to submissions received between the publication of this report and the time of Council's decision.
3. That Planning Committee approve:
  - a. Site Plan Control application D07-12-18-0174, concerning 17, 19 and 23 Robinson Avenue, for the construction of a new six-storey building containing 46 units, as provided in Documents 7 and 8;
  - b. Site Plan Control application D07-12-18-0164, concerning 27, 29 and 31 Robinson Avenue, for the construction of a new six-storey building containing 46 units, as provided in Documents 9 and 10;
  - c. Site Plan Control application D07-12-18-0172, concerning 130, 134 and 138 Robinson Avenue, for the construction of a new six-storey building containing 46 units, as provided in Documents 11 and 12;
  - d. The Site Plan approvals of recommendations 3(a), (b) and (c) to only come into effect when the zoning, Recommendations 1 (a), (b) and (c), comes into full force and effect.

## RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil :
  - a. d'approuver une modification au Règlement de zonage 2008-250 visant les 17, 19 et 23, avenue Robinson, afin de permettre la construction d'un immeuble résidentiel de hauteur moyenne, comme l'expose en détail le document 2;
  - b. d'approuver une modification au Règlement de zonage 2008-250 visant les 27, 29 et 31, avenue Robinson, afin de permettre la construction d'un immeuble résidentiel de hauteur moyenne, comme l'expose en détail le document 4;
  - c. d'approuver une modification au Règlement de zonage 2008-250 visant les 130, 134 et 138, avenue Robinson, afin de permettre la construction d'un immeuble résidentiel de hauteur moyenne, comme l'expose en détail le document 6.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 29 janvier 2020 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.
3. Que le Comité de l'urbanisme approuve ce qui suit :
  - a. la demande de réglementation du plan d'implantation n° D07-12-18-0174, visant les 17, 19 et 23, avenue Robinson, afin de permettre la construction d'un immeuble de six étages abritant 46 logements, comme le décrivent les documents 7 et 8;
  - b. la demande de réglementation du plan d'implantation n° D07-12-18-0164, visant les 27, 29 et 31, avenue Robinson, afin de permettre la

construction d'un immeuble de six étages abritant 46 logements, comme le décrivent les documents 9 et 10;

- c. la demande de réglementation du plan d'implantation n° D07-12-18-0172, visant les 130, 134 et 138, avenue Robinson, afin de permettre la construction d'un immeuble de six étages abritant 46 logements, comme le décrivent les documents 11 et 12;
- d. les demandes de réglementation du plan d'implantation décrites aux recommandations 3(a), (b) et (c) ne seront approuvées que lorsque les dispositions de zonage prévues aux recommandations 1 (a), (b) et (c) entreront pleinement en vigueur.

## EXECUTIVE SUMMARY

### Staff Recommend Approval

This report recommends that Council approve three separate amendments to the Zoning By-law 2008-250, and that Planning Committee approve three separate Site Plan Control applications for the properties known as a) 17, 19, and 23 Robinson Avenue, b) 27, 29, and 31 Robinson Avenue, and c) 130, 134 and 138 Robinson Avenue. The proposed developments are three separate six-storey apartment buildings with each building containing 46 dwelling units.

The requested Zoning By-law amendments include a reduction in parking on each site from a minimum requirement of 17 spaces to three provided spaces. Additional relief includes an increased walkway width from 1.8 metres to 2.4 metres at the 17, 19 and 23 Robinson Avenue site, and a reduced amount of landscaped area on the 27, 29 and 31 Robinson Avenue and 130, 134 and 138 Robinson Avenue sites from 30 per cent required to 27 per cent and 29 per cent, respectively. Review of the applications and recommendation for approval also includes adding zoning provisions to increase the amount of bicycle parking to at least one space per unit, add "parking lot" as an additional permitted use, and to allow a stacked bicycle parking system.

### Applicable Policy

The proposals are consistent with the Official Plan, Sandy Hill Secondary Plan and Lees Transit-Oriented Development Plan. The primary zoning relief is the requested reduction in parking. The reduction or elimination of parking is supported by policies 2.3.1 and 4.3.1 of the Official Plan, especially where development is located within 800

metres walking distance of a rapid transit station; Lees O-Train Station is within 800 metres walking distance of the subject properties. The reduced parking is further supported by the Secondary Plan. Taken together, Official Plan Policies 2.3.1 and 4.3.1 along with the Secondary Plan emphasize public transportation, bicycle and pedestrian networks over private automobiles. The balance of the zoning relief and the proposed developments are consistent with policies 2.5.1, 3.6.1 and 4.11 of the Official Plan and result in buildings consistent with the areas planned function and in a manner that fits within the existing neighbourhood context.

### **Public Consultation / Input**

During the application review process two community information sessions were held by the applicant through coordination with Councillor Fleury. The first meeting was held on March 26, 2019 at the Sandy Hill Community Centre and approximately 60 people attended. Following a round of revisions, including the increase of parking and two-bedroom units, a second community information session was held on October 24, 2019 at the Youville Centre and approximately 40 people attended. These meetings also included the proposed development at 36 Robinson Avenue, which is not included within this report but will be included on the same Planning Committee agenda in a separate report.

Through the review process of the associated applications, approximately 100 individuals/groups commented on the proposed developments. A petition with 92 signatures was also submitted in opposition expressing concern over the lack of parking and the lack of unit diversification with a rental aimed at students and transient tenants. Vast majority of the public submissions were opposed to the developments and expressed concerns such as parking, students, density, emergency access, and noise. Details are provided in Document 13.

## **RÉSUMÉ**

### **Le personnel recommande l'approbation des modifications demandées.**

Le présent rapport recommande que, d'une part, le Conseil approuve trois modifications distinctes au Règlement de zonage 2008-250 et que, d'autre part, le Comité de l'urbanisme approuve trois demandes distinctes de réglementation du plan d'implantation pour les propriétés désignées sous les noms de : a) 17, 19 et 23, avenue Robinson; b) 27, 29 et 31, avenue Robinson; c) 130, 134 et 138, avenue Robinson. Le



projet consiste à construire trois immeubles résidentiels distincts de six étages comptant chacun 46 logements.

Les modifications demandées au Règlement de zonage comprennent une réduction du nombre de places de stationnement à chaque emplacement, lequel passerait du minimum requis de 17 places à trois places. Les modifications demandées comprennent également un élargissement de l'allée piétonne de 1,8 mètre à 2,4 mètres aux 17, 19 et 23, avenue Robinson, ainsi qu'une réduction de l'aire paysagée aux 27, 29 et 31, avenue Robinson, et aux 130, 134 et 138, avenue Robinson, qui passerait quant à elle des 30 % requis à 27 et 29 %, respectivement. L'examen des demandes et la recommandation d'approbation comprennent également l'ajout de dispositions relatives au zonage afin de permettre l'aménagement d'au moins une place de stationnement pour vélo par logement, l'ajout de « terrain de stationnement » en tant qu'utilisation autorisée supplémentaire et l'autorisation d'aménager un système de stationnement superposé des vélos.

### **Politique applicable**

Les propositions sont conformes au Plan officiel, au Plan secondaire de la Côte-de-Sable et au Plan d'aménagement axé sur le transport en commun de la station Lees. La principale dérogation au Règlement de zonage est la réduction demandée du nombre de places de stationnement. La réduction ou l'élimination des places de stationnement est appuyée par les politiques 2.3.1 et 4.3.1 du Plan officiel, en particulier lorsque l'aménagement est situé à moins de 800 mètres de marche d'une station de transport en commun rapide; or, la station Lees de l'O-Train se trouve à moins de 800 mètres de marche des propriétés en question. La réduction du nombre de places de stationnement est également soutenue par le Plan secondaire. Globalement, les politiques 2.3.1 et 4.3.1 du Plan officiel ainsi que le Plan secondaire mettent l'accent sur le transport en commun, le vélo et la marche plutôt que sur l'automobile. Les autres dérogations au Règlement de zonage et les aménagements proposés sont conformes aux politiques 2.5.1, 3.6.1 et 4.11 du Plan officiel et font en sorte que les immeubles sont conformes à la vocation du secteur et cadrent bien dans le quartier.

### **Consultation publique et commentaires**

Deux réunions communautaires d'information ont été organisées par le requérant, en coordination avec le conseiller Fleury, pendant le processus d'examen du projet. La première de ces réunions, à laquelle une soixantaine de personnes ont assisté, a eu lieu le 26 mars 2019 au Centre communautaire Côte-de-Sable. Après une série de

révisions apportées, notamment une augmentation du nombre de places de stationnement et de logements de deux chambres à coucher, une seconde réunion communautaire d'information a été organisée le 24 octobre 2019 au Centre Youville et a été suivie par une quarantaine de personnes. Ces réunions portaient également sur le projet d'aménagement au 36, avenue Robinson, qui n'est pas visé par le présent rapport, mais qui sera mis à l'ordre du jour de la même réunion du Comité de l'urbanisme dans un rapport distinct.

Tout au long du processus d'examen des demandes connexes, environ 100 personnes ou groupes ont formulé des commentaires sur les aménagements proposés. Une pétition signée par 92 personnes a par ailleurs été présentée en opposition au projet, en raison de préoccupations entourant le manque de places de stationnement et le manque de variété de logements, les appartements de location étant destinés aux étudiants et aux locataires de passage. La grande majorité des commentaires émis par le public étaient opposés aux aménagements et évoquaient des préoccupations liées notamment au stationnement, à la présence d'étudiants, à la densité, aux accès d'urgence et au bruit. Les détails entourant ces commentaires figurent dans le document 13.

## **BACKGROUND**

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

### **Site location**

- 17, 19, 23 Robinson Avenue, as shown on Document 1
- 27, 29, 31 Robinson Avenue, as shown on Document 3
- 130, 134, 138 Robinson Avenue, as shown on Document 5

Note: for the purpose of further reference to the sites above, 19 Robinson Avenue, 29 Robinson Avenue and 134 Robinson Avenue will be used respectively.

### **Owner**

19 Robinson Avenue: Robinson Village LP I Ltd. Partnership

29 Robinson Avenue: Robinson Village LP II Ltd. Partnership

134 Robinson Avenue: Robinson Village LP III Ltd. Partnership

**Applicant**

Fotenn Consultants (Jeff Nadeau)

**Architect**

Figurr Architects Collective (Roberto Campos)

**Description of site and surroundings**

The subject sites are located in the southeast corner of the Sandy Hill neighbourhood in an area locally known as Robinson Village. The area is bounded to the north by Robinson field, the Rideau River to the east, and to the south and west by Highway 417. Vehicular access is provided from a single roadway from Lees Avenue and below the Lees overpass.

All three sites currently consist of a variety of two-storey residential buildings, some of which are currently vacant and in poor condition. The surrounding lands are predominantly low-rise residential uses including single-detached homes, townhouses and low-rise apartment buildings. The eastern portion of Robinson Avenue contains stable townhouses.

**Proposal Details**

The proposed developments, as further detailed through Site Plan Control and the recommendations contained in Documents 7 through 12, are similar in nature and are described as follows.

All three developments proposed are for six-storey apartment buildings, with each containing 46 dwelling units. The buildings provided include a variety of studio, one-bedroom and two-bedroom units. The sixth-storey on each building is an internal amenity room and access to a common roof-top terrace. A minimum of 44 bicycle parking spaces are located within the building, with a few additional spaces located outside that may be used by visitors. A surface parking lot is provided at the rear of each site with three spaces dedicated for visitor use, two residential, and one space intended as a car-share space. The balance of the rear yard is at-grade amenity area and landscaping.

### **Summary of requested Zoning By-law amendment proposal**

The Zoning By-law amendment applications submitted requested to amend requirements for each of the respective developments as follows:

#### **19 Robinson Avenue**

- Reduce the required residential parking from 17 spaces to 3 spaces.
- Increase the maximum permitted walkway width from 1.8 metres to 2.4 metres.

#### **29 Robinson Avenue**

- Reduce the required residential parking from 17 spaces to three spaces.
- Reduce the total amount of landscaped area required from 30 per cent to 27 per cent.

#### **134 Robinson**

- Reduce the required residential parking from 17 spaces to three spaces.
- Reduce the total amount of landscaped area required from 30 per cent to 29 per cent.

Further to the amendments requested by the applicant during submission, the review process and recommended rezoning, as detailed in Documents 2, 4, and 6, added the following provisions.

- Increase the amount of bicycle parking required from 0.5 spaces per dwelling unit to a minimum of one space per dwelling unit.
- Add 'parking lot' as an additionally permitted use and provisions that allow the tenants of the subject developments the ability to park/rent any of the residential parking spaces at 19, 29, 134 and 36 Robinson Avenue.
- The design of the bicycle storage room uses a stacking system that the By-law does not recognize, and therefore a provision is required to allow for stacked bicycle parking.

With respect to the car-share space intended on each lot, Section 94 of the Zoning By-law permits this arrangement, and through the respective Site Plan applications, as

noted in the conditions of approval in Documents 7, 9 and 11, implementing a car-share space must be established within six months of occupancy.

Urban Exception 2133 applies to 29 Robinson Avenue and 134 Robinson Avenue, and the relevant provisions will be carried forward in the new recommended exceptions. For 19 Robinson Avenue, the existing schedule (Schedule 312) will remain applicable and the existing exception (2053) will be modified to add the provisions noted above. See the Details of Recommend Rezoning, Documents 2, 4 and 6 for specific details.

### **Brief history of proposal**

The proposed developments have not been previously considered by Planning Committee or Council. However, on January 22, 2014, City Council approved the Transit-Oriented Development Plans, Official Plan amendments, and Zoning By-law amendments for Lees, Hurdman and Blair Transit-Oriented Development (TOD) Station Areas.

As part of those approvals, the Robinson Village area was amended in the Sandy Hill Secondary Plan to establish a maximum building height of six storeys relative to the subject sites. Additionally, 27, 29, 31, 130, 134 and 138 Robinson Avenue were included in the rezoning to increase the height limit to 20 metres. However, 17, 19 and 23 Robinson Avenue were not specifically included due an active application at the time and is currently zoned to permit building heights up to 18.9 metres.

Given some of the concerns raised in opposition to the proposed developments relative to the amendments requested, staff believe that this history and previous consultation are important to note. The intensity of the proposed land uses, density, and built form are permitted by the current zoning and are supported by the policies of the Official Plan, the Sandy Hill Secondary Plan and the Lees TOD plan.

### **DISCUSSION**

The Site Plan applications are included within this report and are before Planning Committee because the Ward Councillor has expressed significant concerns against the development throughout the duration of application review. Councillor Fleury has expressed concerns regarding the reduction of parking, density, student housing, property management, roof-top terraces, surface parking, building design, and unit diversification.

Staff have evaluated the proposed development and recommend approval as per the attached supporting documents.

Through the review process, in response to staff comments, Ward Councillor comments, and community concerns, several significant revisions were made to the proposal. Some concerns expressed fall outside the jurisdiction of the *Planning Act* and are explained in the planning rationale section below. Since the original application submissions, and following both community information sessions, all three developments were revised as follows to address issues raised:

- The number of two-bedroom units were roughly increased from zero two-bedroom units to approximately 18 two-bedroom units in each development. This was accomplished through increasing the building height, within the overall height limit permitted, which also resulted in the addition of an elevator in the building (the lack of an elevator was noted as a public concern on the original designs).
- Two additional parking spaces were added to each site, increasing the provided residential parking from one to three spaces.
- The owner secured letters of intent from a car-share company to establish one car-share space on each site, providing the possibility of up to three car-share spaces for public use.
- Bicycle parking for each development was removed from the rear yard to an indoor room on the ground floor with direct access. The number of spaces provided was also doubled to allow for at least one bicycle parking space per unit and some outdoor spaces for visitor use.
- The open roof-top amenity area was reduced in size to incorporate an indoor amenity room.
- The architectural design of each building was revised so that each development uses different materials and expressions to avoid replica buildings throughout the street.

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for the respective

development applications.

During the application review process two community information sessions were held by the applicant through coordination with Councillor Fleury. The first meeting was held on March 26, 2019 at the Sandy Hill Community Centre, and approximately 60 people attended. Following a round of revisions to address community and Councillor concerns, including the increase of parking and two-bedroom units, a second community information session was held on October 24, 2019 at the Youville Centre and approximately 40 people attended. These meetings also included the proposed development at 36 Robinson Avenue, which is not included within this report but will be included on the same Planning Committee agenda.

Through the review process of the associated applications, approximately 100 individuals/groups commented on the proposed developments. A petition with 92 signatures was also submitted in opposition expressing concern over the lack of parking and the lack of unit diversification with a rental aimed at students and transient tenants. Vast majority of the public submissions were opposed to the developments and expressed concerns such as parking, students, density, emergency access, and noise.

For proposal consultation details, see Document 13 of this report.

### **Official Plan designation**

According to Schedule B of the Official Plan, the subject properties are designated as General Urban Area.

### **Other applicable policies and guidelines**

The [Sandy Hill Secondary Plan](#) in Volume 2a applies. Within this plan, Schedule J designates the subject properties as Residential Area – Medium Profile, and Schedule L identifies a maximum building height of six-storeys and no minimum density range.

The [Transit-Oriented Development \(TOD\) Plans – Lees, Hurdman, Tremblay, St. Laurent, Cyrville and Blair](#) provide direction for Lees TOD area, which includes Robinson Village. Within this plan Robinson Village West is recognized as part of the residential area that is slated for intensification and notes an appropriate minimum density range of 250-500 people per net hectare.

The [Urban Design Guidelines for Transit Oriented Development](#) apply to all development within a 600-metre walking distance of a Transit Station. These guidelines

state that people are more likely to choose transit if they can easily walk between destinations at the beginning and end of their trip. This can be achieved through providing increased densities, mixed-uses and pedestrian oriented design within proximity of high-quality transit. The guidelines speak to land use, site layout, built form, pedestrians and cyclist, vehicles, parking, streetscape, and the environment.

### **Planning rationale**

#### **Official Plan**

The proposed developments and respective zoning by-law amendments conform to the Official Plan and are an appropriate form of development that responds to the existing context and supports the planned function of the area. The planned function for Robinson Village is clearly one directed by transit-oriented development as evident by Official Plan policies, and the Lees TOD plan.

Through the General Urban Area designation, Section 3.6.1, the City supports intensification where it will complement the existing pattern and scale of development and planned function of the area. The proposed developments build upon established patterns of building form and open spaces by maintaining landscaped front yards and reducing the number of curb cuts, while the proposed yard setbacks are consistent with the surrounding context. Intensification will consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles. The stable portion of Robinson Village, which is recognized as the eastern side, predominantly consists of townhomes. Adding new mid-rise apartment buildings to the area with a mix of unit types conforms to the policy direction.

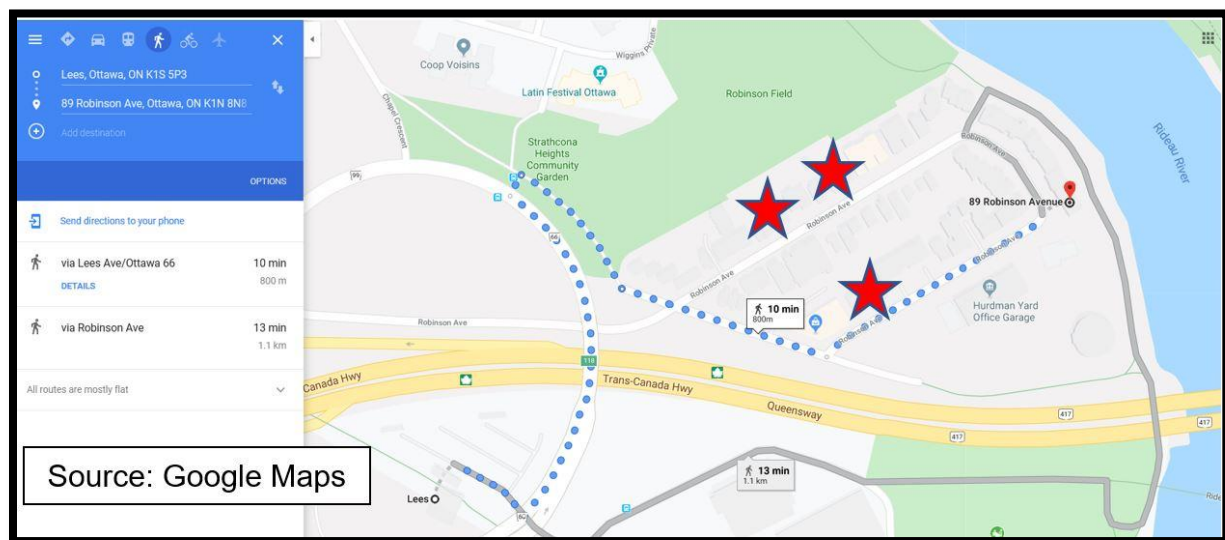
Compatibility was a theme often raised during consultation. Section 2.5.1 – Designing Ottawa, refers to compatibility as development that while not necessarily the same as or similar to existing buildings in the vicinity, can enhance an established community through good design, innovation and coexists with existing development without causing adverse impacts. Planned function is also defined as a vision for an area which is established through a community design plan or other similar Council-approved planning exercise, or the Zoning By-law. The planned function may permit development that differs from what currently exists and addressing compatibility will permit development to evolve toward the achievement of that vision, respecting overall community character. The subject sites contain housing that is in poor condition, and the proposed redevelopment of these properties provides an opportunity to enhance the



community with new landscaping, quality architecture and in a manner consistent with the Lees TOD plans and Sandy Hill Secondary Plan.

The primary reason for the rezoning applications is with respect to the request for reduced parking. The furthest extent of Robinson Village is within 800 metres walking distance to the Lees O-Train Station, which places all three of these developments within that threshold, as shown in Image 1. Section 2.3.1 – Transportation, of the Official Plan, provides direction that the City may establish maximum requirements for on-site parking and reduce or eliminate minimum parking requirements when located within 800 metres walking distance of a rapid transit station. Furthermore, Section 4.3.1 supports parking reductions where parking can be balanced with efforts to reduce reliance on the automobile. As per the Transit Demand Strategies, the proposed development encourages active transportation modes through proximity to a rapid transit station, providing at least a 1:1 ratio of bicycle parking with internal storage, visitor bicycle parking, and the use of car-share spaces.

Image 1 - Lees O-Train Station Proximity



While the policy noted above supports the reduction or even the elimination of parking due to rapid transit proximity, it is important to provide additional context relative to Robinson Village and site location. In 2016, the City-initiated zoning study known as the Minimum Parking Standards Review was approved by Council resulting in the creation parking areas that established different rates. Of important reference is 'Area Z', which is an area that requires no residential parking and surrounds Lees O-Train Station for the properties zoned with Transit-Oriented Development (TD) zones. At the time of rezoning to "Area Z" around TOD areas, like Lees, the existing TD zones were used to

establish the boundary for the purpose of rezoning for ease of introducing this broad amendment. However, the Council approved report acknowledged that future minor variances (or rezoning) would not preclude the ability for further reductions where the circumstances warrant the request. Given the proximity to Lees Station, the subject lands are more appropriately contained within the same parking regime as the TD zoned properties around Lees Stations, some of which have similar or even greater walking distances than the subject properties, and therefore the recommended parking reduction is consistent with Area Z parking.

Section 4.11 provides policy direction focused on urban design and compatibility through criteria such as setbacks, heights, transitions, colours and materials, orientation of entrances, and outdoor amenity areas. The proposed developments meet the planned function and do not require any zoning relief with respect to setbacks, roof-top amenity, permitted number of bedrooms, building height and massing. The treatment of the yards provided is desirable with the use of landscaping and screening of the rear yard parking areas with new board on board fencing. The main building entrances are oriented to the street, and unit balconies are only located on the rear walls avoiding any direct overlook concerns. The development provides a variety of outdoor amenity areas with the rear yard and roof-top terrace. The siting and design of the roof-top terraces on each development are setback at least 1.5 metres from the closest roof edge and are concentrated in the middle of the buildings. This is in accordance with the Council approved performance standards for roof-top amenity areas.

As per the Sandy Hill Secondary Plan, the proposed land use and height conforms to Schedules J and L, which permits mid-rise residential buildings up to six-storeys. The relevant policies include directions for providing a wide variety of housing for a range of socio-economic groups, emphasizing public transportation and bicycle and pedestrian networks over the private auto, as well as providing a mix of internal and external site amenities. The proposed development conforms to the Secondary Plan by introducing mid-rise apartments within the section of Robinson Village targeted for redevelopment and offering a variety of unit types and a land-use that varies from the current housing stock. The proposals provide additional bicycle parking within a secure room on the ground floor as well as a car-share space for each building. The amenity areas are a combination of balconies, rear yard, internal amenity rooms and roof-top terraces.

With respect to the zoning details, further rationale is as follows:

- Exception 2133 applies to the 29 Robinson Avenue and 134 Robinson Avenue

development sites, and the relevant existing provisions concerning prohibited uses, lot width, lot area and rooming houses are being carried forward in the new exceptions (details in Documents 4 and 6, respectively).

- The reduction in residential parking, as detailed above, conforms to the Official Plan and Sandy Hill Secondary Plan, is consistent with the TOD guidelines, and from a planning perspective completes the area around the Lees O-Train Station that should be contained within Area Z. As such, the rationale that Robinson Village should be included within Area Z for parking requirements is supported by the department.
- The landscaped area reductions are very minor in nature with no adverse impact. Furthermore, the slight reduction was driven by revisions made to the proposals to add additional parking.
- Increasing the walkway width does not adversely impact the overall soft landscaping approach of the front yard and it provides a reasonably sized resident entrance relative to the number of units.
- Minimum bicycle parking was increased from 0.5 spaces per unit to 1.0 space per unit to provide assurance about the proposed cycling facilities and active transportation design of the building. The provision to permit stacked bicycle parking is more technical in nature in that the Zoning By-law does not recognize this arrangement. Stacked bicycle parking systems are an appropriate means of providing bicycle parking and are designed to maintain ease of use and access.
- Adding 'Parking Lot' as an additionally permitted use and specifically defining it for the purpose of providing parking for residents at 19, 29, 36 or 134 Robinson Avenue controls how parking can be used, which in effect will not create a commercial parking lot. Any lease of parking to individuals beyond these defined properties would remain prohibited, and the intent is to provide some flexibility of parking options amongst these four buildings which are commonly owned and managed.

### **Public Concern**

While a full summary of public comments and response are provided in Document 13, the purpose of this section is to highlight some of the main concerns that were raised during the review period.

A lot of public feedback and expressed concerns, such as density, noise and fit within the neighbourhood were focused on categorizing these developments as “student housing”. Concerns were expressed about the potential tenants of the proposed buildings and the notion that they have been designed to attract students or transient tenants. The *Planning Act* does not allow consideration of zoning proposals in relation to a segment of the population as this would be discriminatory. This specific issue was recently the subject of a Local Planning Appeal Tribunal (LPAT) appeal, case PL180625 issued May 7, 2019. The decision noted that the issues; “largely relate to the number of tenants who will reside in the proposed building and the fact that they are likely to be students. However, the Tribunal does not ‘people zone’ by determining who is able to live in a particular building. I find that the issues raised about the potential noise and disorderly conduct focus on student residents and are not matters for consideration by the Tribunal as part of an appeal that focuses on land-use planning and are matters for the Association to address with the City through other avenues”.

The department reiterates that the requested rezoning applications are matters of land use planning, and that the proposed developments are defined as mid-rise apartment buildings, regardless of the potential tenants. Staff further acknowledge that the applicant made amendments to further diversify the type of units within the buildings in response to public feedback.

Another common theme of concern was access to Robinson Village for emergency vehicles, snow clearance, and on-street parking availability. Staff acknowledge the unique location and access, but also recognize the planned function for the area's development potential, as presented by the Sandy Hill Secondary Plan and Lees TOD plan. The proposed developments, including the density, are consistent with the existing zoning and Council approved policies. The area is accessible to emergency vehicles, and challenges such as street snow clearing fall outside the land use planning process. However, as snow clearance is an operational issue, the approval of these developments can be used for awareness of the potential need for more frequent clearance and maintenance in the area. Additionally, concerns were raised with respect to the use and availability of on-street parking. Land use planning does not directly correlate parking demands of a development with that of on-street parking. Options that fall outside this planning process exist for the community to explore, such as parking permit zones, changing parking locations, and adding more on-street parking if desired.

Additionally, and directly related to the rezoning applications, the request to reduce required parking was a significant public concern. The rationale for reducing (or

eliminating) parking is clearly supported by the Official Plan as explained above, but the proposals are also consistent with the TOD guidelines. Provided parking has been located in the rear to encourage an active public realm along the street frontage. Opportunities for parking reductions should exist through increased transit ridership, reduced vehicle ownership and the use of shared parking. The proposed developments are within walking distance to the Lees O-Train station, bicycle parking has been designed to encourage safe and convenient use, and the sites have demonstrated a clear intent to use a car-sharing service. These are all appropriate measures of TOD design and support reduced parking.

Lastly, while parking reduction concerns may remain in the community, it is important to recognize the positive changes that have resulted from public consultation, such as the increase in the number of two-bedroom units, internalizing and increasing bicycle parking, providing a car-share service, changing a portion of the roof-top amenity area into an indoor room, and the applicant's commitment to having on-site supervisors and roof-top access fob control.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with Provincial Policy Statement, 2014.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Fleury provided the following comments:

"I disagree with the staff's report, we ask that this committee reinstate all parking requirements so to reflect a more reasonable development envelope.

The proposed development is something I refer to as Bunkhouses 2.0 – a modern day bunkhouse where a developer squishes as many units into a space as possible – simply put, these three buildings are overbuilding within this space. The impact of nearly doubling (or more) the number of residents in a small community leads to many issues of concern.

Those issues include, a lack of diversity in the design and type of building materials proposed. In a small neighbourhood, and particularly in an older neighbourhood, variety

in design and the choice of materials is important.

Building on the entire envelope of the site also means a lack of outdoor amenity space on the ground floor, resulting in a roof-top amenity space which is not ideal for the community - noise, access, disruption, are a few of the concerns that result in the creation of such a space.

There is also a lack of two and three bedroom units for families, this leads to a greater possibility for a more transient resident, which has the impacts of a more persistent move-in and move out issue within the small, closed-in community. There is only one access in and out of this community and I feel this report does not acknowledge the challenges which come with that access appropriately.

The lack of proximity to amenities (like a grocery store) in the area, the singular road access, the current winter and EMS access issues are also a part of the reason for concern with this application. These issues need to be taken into consideration.

It is important new developments carry their own pressures on their site - and do not impact the existing homes in the neighbourhood.”

### **ADVISORY COMMITTEE COMMENTS**

The accessibility advisory committee was circulated during application review and aided with ensuring that the access ramps and entrances were compliant and that barrier-free units were accounted for in the design. The new buildings will be required to meet the accessibility criteria contained within the Ontario Building Code and will be further evaluated at the time of building permit review.

### **LEGAL IMPLICATIONS**

In the event that the recommendations in this report are adopted and one or more of the zoning matters are appealed to the Local Planning Appeal Tribunal, it is estimated that a two to five day hearing would be required depending on the nature and extent of the appeals. It is anticipated that such hearing could be conducted within staff resources.

Site Plan Approval is not subject to appeal by third parties.

If one or more of the rezonings are refused, reasons must be provided. In the event of an appeal of a zoning refusal, it would be necessary to retain an outside planner.

While site plan approval is delegated to Planning Committee, the recommendations

have been structured such that site plan approval will not be effective unless the zoning comes into effect. Should a refusal of zoning be appealed, it can be anticipated that the matter of site plan approval will also be appealed to the Tribunal and the retainer of the outside planner would need to include the question of site plan approval.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of this report.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment(s) are refused and appealed, an external planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

### **ACCESSIBILITY IMPACTS**

The proposed buildings, through building permit review, are required to comply with the *Accessibility for Ontarians with Disabilities Act*. While Site Plan applications do not approve interior spaces of buildings, the applicant has adequately demonstrated that the proposed building is accessible, including common entrances, corridors and amenity areas, and some units are required to be barrier-free. Staff have no concerns about accessibility impacts.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Integrated Transportation
- Thriving Communities

### **APPLICATION PROCESS TIMELINE STATUS**

The applications listed below were not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments and Site Plan Control due

to a number of proposal revisions and the complexity of review and coordination between the related projects.

- Zoning applications – D02-02-19-0105, D02-02-19-0103, D02-02-19-0100
- Site Plan applications – D07-12-18-0174, D07-12-18-0164, D07-12-18-0172

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map: 19 Robinson Avenue

Document 2 Details of Recommended Zoning: 19 Robinson Avenue

Document 3 Location Map: 29 Robinson Avenue

Document 4 Details of Recommended Zoning: 29 Robinson Avenue

Document 5 Location Map: 134 Robinson Avenue

Document 6 Details of Recommended Zoning: 134 Robinson Avenue

Document 7 Conditions of Approval: Site Plan D07-12-18-0174  
(19 Robinson Avenue)

Document 8 List of Approved Plans and Reports: Site Plan D07-12-18-0174  
(19 Robinson Avenue)

Document 9 Conditions of Approval: Site Plan D07-12-18-0164  
(29 Robinson Avenue)

Document 10 List of Approved Plans and Reports: Site Plan D07-12-18-0164  
(29 Robinson Avenue)

Document 11 Conditions of Approval: Site Plan D07-12-18-0172  
(134 Robinson Avenue)

Document 12 List of Approved Plans and Reports: Site Plan D07-12-18-0172  
(134 Robinson Avenue)

Document 13 Consultation Details



## **CONCLUSION**

The proposed developments introduce intensification and redevelopment in Robinson Village in a manner that is consistent with the planned function and evolution of the area as per the Official Plan, Sandy Hill Secondary Plan and Lees TOD Plan. The developments are all within 800 metres walking distance of the Lees O-Train Station, and the buildings have been designed to encourage active transportation use with ease of access to rapid transit, providing additional bicycle parking, and the use of car-share service. The developments provide new housing options and the use of setbacks, stepbacks, landscaping and strategically placed amenity areas respond to the existing context. The Zoning By-law amendments and associated Site Plan applications are recommended for approval.

## **DISPOSITION**

### **Zoning By-law Amendments**

Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long-Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

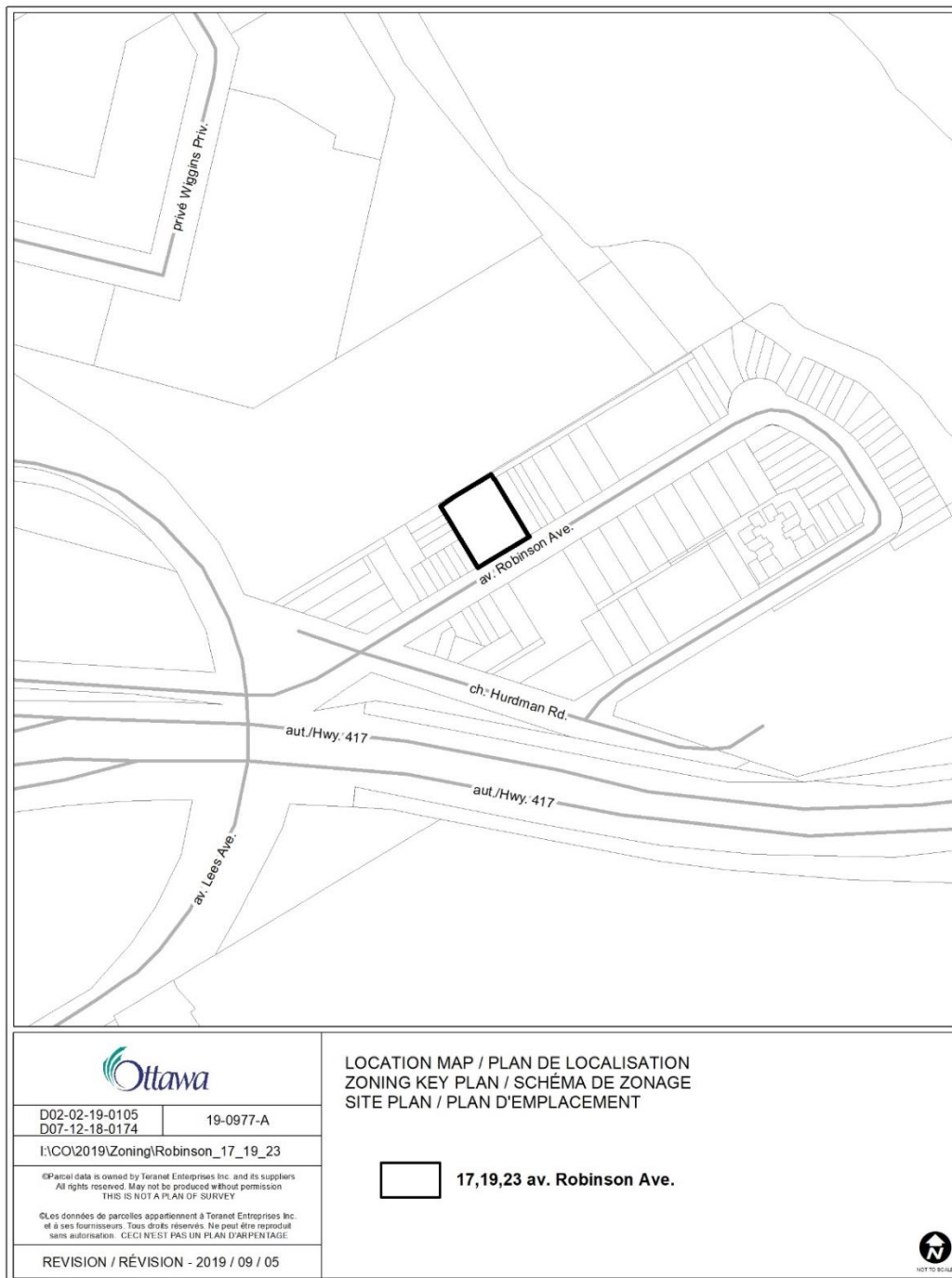
Planning Operations Branch, Planning Services to undertake the statutory notification.

### **Site Plan Approvals**

Legislative Services, Office of the City Clerk, to notify the owner, applicant, Ottawa City Scene, Program Manager, Assessment, Financial Services Branch of Planning Committee's decision, and Legal Services to prepare the Site Plan Control agreement.

## Document 1 – Location Map: 19 Robinson Avenue

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa).

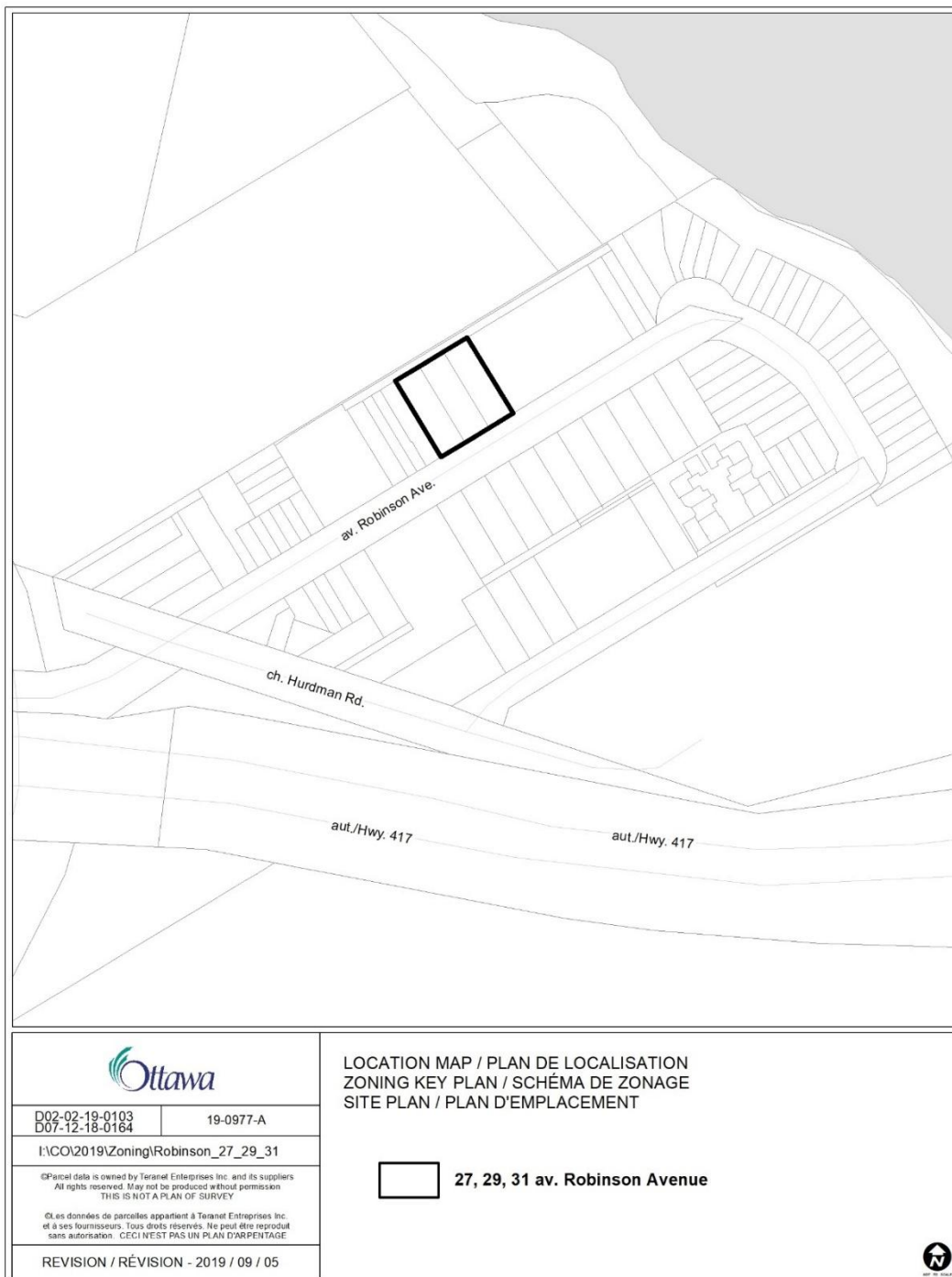


**Document 2 – Details of Recommended Zoning: 19 Robinson Avenue**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 17, 19 and 23 Robinson Avenue, as shown in Document 1, is as follows:

1. Amend Section 239, Urban Exception 2053, as follows:
  - a. In Column III, add Parking Lot as an additionally permitted use.
  - b. In Column V, maintain the existing provisions and add provisions similar in effect to the following:
    - i. Parking Lot, as a use, may only be used by residents from a residential use building located on the lots municipally known as 17, 19, 21, 27, 29, 31, 36, 38, 40, 44, 46, 130, 134 and 138 Robinson Avenue.
    - ii. Despite Section 101, the minimum number of parking spaces required for the first 46 dwelling units is three spaces.
    - iii. Despite Section 109(3)(b)(i), the walkway may not exceed 2.4 metres in width.
    - iv. Despite Table 111(a)(b)(c), the minimum number of bicycle spaces required is 1.0 per dwelling unit or rooming unit.
    - v. Stacked bicycle parking structures are permitted and may use a shared aisle with a minimum width of 1.5 metres.

Document 3 – Location Map: 29 Robinson Avenue



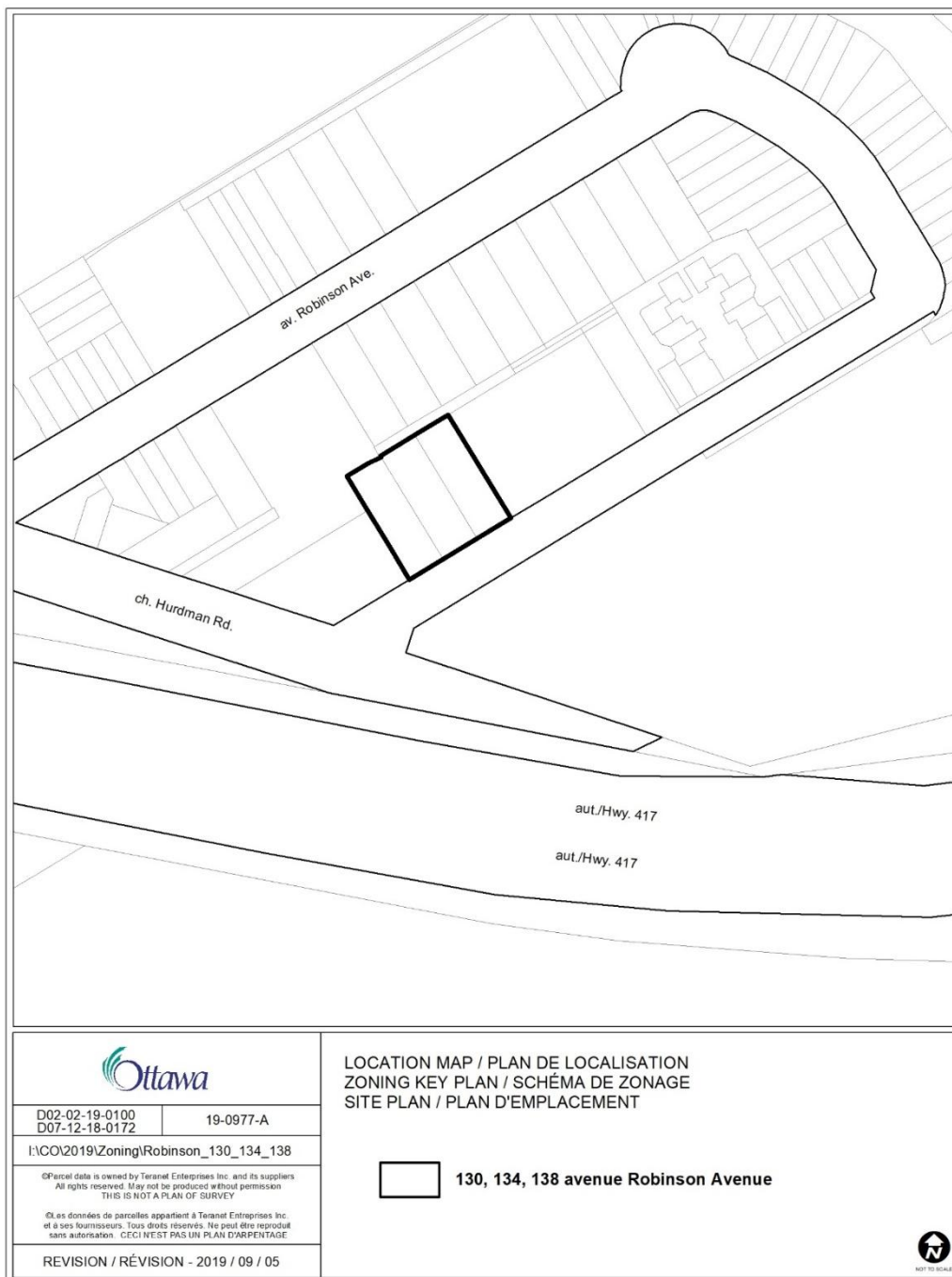
**Document 4 – Details of Recommended Zoning: 29 Robinson Avenue**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 27, 29 and 31 Robinson Avenue, as shown in Document 3, is as follows:

1. Rezone the lands shown in Document 3 from R5K [2133] H(20) to R5K [xxx1] H(20).
2. Amend Section 239, by adding a new exception [xxx1] with provisions similar in effect to the following:
  - a. In Column III, add Parking Lot as an additionally permitted use.
  - b. In Column IV, add the following as prohibited uses:
    - residential care facility
    - shelter
    - utility installation
    - convenience store
  - c. In Column V, add provisions similar in effect to the following:
    - i. Parking Lot, as a use, may only be used by residents from a residential use building located on the lots municipally known as 17, 19, 21, 27, 29, 31, 36, 38, 40, 44, 46, 130, 134 and 138 Robinson Avenue.
    - ii. An Apartment Dwelling, mid-rise is subject to the following provisions:
      - minimum lot width: 15 m
      - minimum lot area: 450 m<sup>2</sup>
      - minimum interior side yard setback: 1.5 metres
      - rooming house limited to 50 per cent of gross floor area of building
      - Despite Section 101, the minimum number of parking spaces required for the first 46 dwelling units is three spaces.
      - Despite Table 111(a)(b)(c), the minimum number of bicycle spaces required is 1.0 per dwelling unit or rooming unit.

- Despite Section 163(9) at least 27 per cent of the lot area must be provided as landscaped area.
- Stacked bicycle parking structures are permitted and may use a shared aisle with a minimum width of 1.5 metres.

Document 5 – Location Map: 134 Robinson Avenue



**Document 6 – Details of Recommended Zoning: 134 Robinson Avenue**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 130, 134 and 138 Robinson Avenue, as shown in Document 5, is as follows:

1. Rezone the lands shown in Document 5 from R5K [2133] H(20) to R5K [xxx2] H(20).
2. Amend Section 239, by adding a new exception [xxx2] with provisions similar in effect to the following:
  - a. In Column III, add Parking Lot as an additionally permitted use.
  - b. In Column IV, add the following as prohibited uses:
    - residential care facility
    - shelter
    - utility installation
    - convenience store
  - c. In Column V, add provisions similar in effect to the following:
    - i. Parking Lot, as a use, may only be used by residents from a residential use building located on the lots municipally known as 17, 19, 21, 27, 29, 31, 36, 38, 40, 44, 46, 130, 134 and 138 Robinson Avenue.
    - ii. An Apartment Dwelling, mid-rise is subject to the following provisions:
      - minimum lot width: 15m.
      - minimum lot area: 450m<sup>2</sup>.
      - minimum interior side yard setback: 1.5 metres.
      - rooming house limited to 50 per cent of gross floor area of building.
      - Despite Section 101, the minimum number of parking spaces required for the first 46 dwelling units is three spaces.
      - Despite Table 111(a)(b)(c), the minimum number of bicycle spaces required is 1.0 per dwelling unit or rooming unit.



- Despite Section 163(9) at least 29 per cent of the lot area must be provided as landscaped area.
- Stacked bicycle parking structures are permitted and may use a shared aisle with a minimum width of 1.5 metres.

**Document 7 – Conditions of Approval: Site Plan D07-12-18-0174**  
**(19 Robinson Avenue)**

**1. Site Plan Agreement**

The owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event that the owner fails to sign this Agreement and complete the conditions to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the approval shall lapse.

**2. Permits**

The owner shall obtain such permits as may be required from municipal or provincial authorities and shall file copies thereof with the General Manager, Planning, Infrastructure and Economic Development.

**3. Extend Internal Walkways**

The owner shall extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

**4. Barrier Curbs**

The owner acknowledges and agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with the drawings of a design professional, such drawings to be approved by the General Manager, Planning, Infrastructure and Economic Development.

**5. Water Supply for Fire Fighting**

The owner shall provide adequate water supply for fire fighting for every building. Water supplies may be provided from a public water works system, automatic fire pumps, pressure tanks or gravity tanks.

**6. Construction Fencing**

The owner acknowledges and agrees to install construction fencing, at its expense, in such a location as may be determined by the General Manager, Planning, Infrastructure and Economic Development.

## **7. Construct Sidewalks**

The owner shall design and construct sidewalk(s) within public rights-of-way or on other City owned lands to provide a pedestrian connection from or to the site as may be determined by the General Manager, Planning, Infrastructure and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

## **8. Reinstatement of City Property**

The owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, any property of the City, including, but not limited to, sidewalks, curbs and boulevards, which is damaged as a result of the subject development. The existing depressed curbs and driveways shall also be reinstated to soft landscaping and full curb following the existing curb line as per City Standards, at the owner(s) expense.

## **9. Completion of Works**

The owner acknowledges and agrees that no new building will be occupied on the lands until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development for such occupancy in writing.

Until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, the owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the owner has complied with this provision.

Nothing in this clause shall be construed as prohibiting or preventing the approval of a consent for severance and conveyance for the purposes of obtaining financing.

## **10. Certificate of Insurance**

The owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than two million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

## **Special Conditions**

### **11. Cash-in-Lieu of Parkland**

The owner shall pay cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, as well as the fee for appraisal services. The monies are to be paid at the time of execution of the Site Plan Agreement.

### **12. Maintenance and Liability Agreement**

The owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for all plant and landscaping material (except municipal trees), decorative paving and street furnishings placed in the City's right-of-way along Robinson Avenue in accordance with City Specifications, and the Maintenance and Liability Agreement shall be registered on title, at the owner's expense, immediately after the registration of this Agreement. The owner shall assume all maintenance and replacement responsibilities in perpetuity.

### **13. Asphalt Overlay**

Due to the number of road-cut permits required to service this development, the owner shall install an asphalt overlay over the total area of the public driving surface of Robinson Avenue, fronting the subject lands, as shown on the approved Site Servicing Plan, referenced in Document 8 hereto. The overlay shall be carried out to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. The owner acknowledges and agrees that all costs are to be borne by the owner.

### **14. Noise Study**

The owner agrees to prepare and implement a noise study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

The owner shall implement the noise control attenuation measures recommended in the approved noise study.

#### **15. Certification Letter for Noise Control Measures**

- a) The owner acknowledges and agrees that upon completion of the development and prior to occupancy and/or final building inspection, it shall retain a Professional Engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, to visit the lands, inspect the installed noise control measures and satisfy himself that the installed recommended interior noise control measures comply with the measures in the Noise Assessment Study referenced in Document 8 hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment, Conservation and Parks) or noise thresholds identified in the City's Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the General Manager, Planning, Infrastructure and Economic Development (the "Certification Letter") stating that he certifies acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.
- b) The Certification Letter shall be unconditional and shall address all requirements as well as all relevant information relating to the development, including project name, lot numbers, building identification, drawing numbers, noise study report number, dates of relevant documents and in particular reference to the documents used for the building permits and site grading applications. The Certification Letter(s) shall bear the certification stamp of a Professional Engineer, licensed in the Province of Ontario, and shall be signed by said Professional Engineer, and shall be based on the following matters:
  - i. Actual site visits, inspection, testing and actual sound level readings at the receptors;
  - ii. Previously approved Detailed Noise Control Studies, Site Plan and relevant approved Certification Letters (C of A) or Noise thresholds of the City's Environmental Noise Control Guidelines; and
  - iii. Non-conditional final approval for release for occupancy.

- c) All the information required in Subsections (a) and (b) above shall be submitted to the General Manager, Planning, Infrastructure and Economic Development, and shall be to his satisfaction.

## **16. Noise Control – Warning Clauses**

The owner(s) shall implement the noise control attenuation measures recommended in the approved noise study.

- a) Each unit is to be equipped with Central Air Conditioning.
- b) Prior to issuance of building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound level criteria.
- c) Notices-on-title respecting noise:

““This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City’s and the Ministry of the Environment’s noise criteria.”

And

““Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the City’s and the Ministry of the Environment’s noise criteria. This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City’s and the Ministry of the Environment’s noise criteria.”

## **17. Geotechnical Investigation**

The owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation Report (the “Report”), referenced in Document 6 herein, are fully implemented. The owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure and Economic Development Department with confirmation issued by the geotechnical engineer that the owner has complied with all recommendations

and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

#### **18. Inlet Control Devices (ICDs)**

The owner acknowledges and agrees to install and maintain in good working order the required roof-top and in-ground stormwater inlet control devices, as recommended in the approved Site Servicing Plan, referenced in Document 8 herein. The owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

#### **19. Professional Engineering Inspection**

The owner shall have competent Professional Engineering inspection personnel on-site during the period of construction, to supervise the Works, and the General Manager, Planning, Infrastructure and Economic Development, shall have the right at all times to inspect the installation of the Works. The owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure and Economic Development, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

#### **20. Use of Explosives and Pre-Blast Survey**

The owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled *Use of Explosives*, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the owner's expense, for all buildings, utilities, structure, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection.

## **21. Waste and Recycling Collection**

The owner acknowledges and agrees that the City will provide waste collection and cart (and/or container) recycling collection for the residential units. The owner shall provide an adequate storage room or space for waste containers and recycling carts (and/or containers). The owner acknowledges and agrees that it is recommended that the containers and carts be placed on a concrete floor. The owner shall provide an adequate constructed road access to the waste/recycling storage room or area suitable for waste/recycling vehicles as direct access to the containers and carts is required. The owner acknowledges and agrees that any additional services (i.e. winching of containers) may result in extra charges.

## **22. Stormwater Works Certification**

Upon completion of all stormwater management Works, the owner acknowledges and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to ensure that all measures have been implemented in conformity with the approved Plans and Reports. The owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved Plans and Reports.

## **23. Site Dewatering**

The owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.

## **24. Site Lighting Certificate**

- a) The owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
  - i. it must be designed using only fixtures that meet the criteria for full cut-off (sharp cut-off) classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES);



- ii. and it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- b) The owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the owner shall provide certification satisfactory to the General Manager, Planning, Infrastructure and Economic Development, from a Professional Engineer, licensed in the Province of Ontario, that the site lighting has been constructed in accordance with the owner's approved design plan.

## **25. Elevations**

The owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevations Plans, referenced in Document 8. The owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevations Plans shall be filed with the General Manager, Planning, Infrastructure and Economic Development and agreed to by both the owner and the City prior to the implementation of such changes. No amendment to this Agreement shall be required.

## **26. Tree Permit**

The owner acknowledges and agrees that any trees to be removed from the site shall be in compliance with the Urban Tree Conservation By-law, 2009-200, as amended. Any required removal shall be in accordance with an approved Tree Permit and the approved Landscape Plan; a copy of the approved Tree Permit and Landscape Plan shall be present on the construction site at all times. The owner further acknowledges and agrees that issuance of a Tree Permit for removal of the trees identified on the approved landscape plan will not occur until such time when a building permit has been issued for the proposed development.

## **27. On-Site Parking**

- a) The owner acknowledges and agrees that units within the proposed building may not be provided with on-site parking. In the event any future tenant or purchaser wishes to have parking, the owner acknowledges that alternative and lawful arrangements may need to be made to address parking needs at an alternate location and such arrangements are solely the responsibility of the person seeking parking. The owner further acknowledges and agrees the availability and regulations governing on-street parking vary; that access to

on-street parking, including through residential on-street parking permits issued by the City, cannot be guaranteed now or in the future; and that a tenant or purchaser intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.

- b) The owner acknowledges and agrees that a notice-on-title respecting on-site parking, as contained in Clause 28 below, shall be registered on title to the Lands, at the owner's expense, and a warning clause shall be included in all agreements of purchase and sale and lease agreements.

## **28. Notices on Title – On-Site Parking**

The owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees that all agreements of purchase and sale or lease agreements shall contain the following clauses, which shall be covenants running with the subject lands:

“Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that the unit being sold/rented may not be provided with any on-site parking. Should the Purchaser/Lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements may need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The Purchaser/Lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa, cannot be guaranteed now or in the future; and that the Purchaser/Lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clause, verbatim, shall be included in all subsequent agreements of purchase and sale and lease agreements for the lands described herein, which covenant shall run with the said lands.”

## **29. Traffic Impact Assessment**

The owner(s) has undertaken a Transportation Impact Assessment for this site, prepared by CGH Transportation, Project No. 2018-47, 19, 29 and 134 Robinson Avenue, dated December 2018, and as amended by the Transportation Impact Assessment prepared by CGH Transportation, Project No. 2018-68, 36 Robinson

Avenue, dated March 2019, to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and establish the site design features needed to support system-wide transportation objectives. The owner shall ensure, that the recommendations of the Transportation Studies are fully implemented, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

### **30. Traffic Management Plan**

Should the owner wish to use a portion of the City's road allowance for construction staging, prior to obtaining a building permit, the property owner must obtain an approved Traffic Management Plan from the Manager, Traffic Management, Transportation Services Department. The City has the right for any reason to deny use of the Road Allowance and to amend the approved Traffic Management Plan as required.

### **31. Car-Share Parking Space**

The owner acknowledges and agrees to establish at least one car-share parking space located on the properties municipally known to include 17, 19, 23, 27, 29, 31, 130, 134 and 138 Robinson Avenue within six months of the first new building receiving occupancy on one of these lots.

**Document 8 – List of Approved Plans and Reports: Site Plan D07-12-18-0174  
(19 Robinson Avenue)**

This Site Plan Control application submitted by FoTenn Consults, on behalf of Robinson Village I Ltd. Partnership, is APPROVED as shown on the following plan(s):

1. **Site Plan**, A105, prepared by Figurr, dated 2018/05/01, Revision 9, dated 2020-01-07.
2. **South Elevation**, A-200, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-30.
3. **West Elevation**, A-201, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-30.
4. **North Elevation**, A-203, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-30.
5. **East Elevations**, A-204, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-30.
6. **Tree Preservation Plan**, L100, prepared by Stantec, project no. 160401438, Revision 4, dated 2019.11.22.
7. **Landscape Plan**, L200, prepared by Stantec, project no. 160401438, Revision 4, dated 2019.11.22.
8. **Landscape Details**, L300, prepared by Stantec, project no. 160401438, Revision 4, dated 2019.11.22.
9. **Erosion Control Plan and Detail Sheet**, Drawing ED/DS-1, project no. 160401438, prepared by Stantec, Revision 4, dated 19.11.29
10. **Grading Plan**, Drawing GP-1, project no. 160401438, prepared by Stantec, Revision 4, dated 19.11.29
11. **Storm Drainage Plan**, SD-1, project no. 160401438, prepared by Stantec, Revision 4, dated 19.11.29
12. **Site Servicing Plan**, SSP-1, project no. 160401438, prepared by Stantec, Revision 4, dated 19.11.29

And as detailed in the following report(s):

1. **Servicing Report – 19 Robinson Avenue**, prepared by Stantec, dated November 29, 2019.
2. **Geotechnical Investigation Report**, Project No. 121622042, prepared by Stantec Consulting Ltd, dated July 27, 2018.
3. **Noise Assessment Report – 19 Robinson Avenue**, Project No. 160401438, prepared by Stantec Consulting Ltd, dated August 21, 2019.
4. **Transportation Impact Assessment**, 19, 29 and 134 Robinson Avenue, Project No. 2018-47, prepared by CGH Transportation, dated December 2018.
5. **Transportation Impact Assessment**, 36 Robinson Avenue, CGH Transportation, Project No. 2018-68, dated March 2019.
6. **Phase One Environmental Site Assessment**, 17, 19 and 23 Robinson Avenue, prepared by GHD, dated October 25, 2018.

**Document 9 – Conditions of Approval: Site Plan D07-12-18-0164**  
**(29 Robinson Avenue)**

**1. Site Plan Agreement**

The owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event that the owner fails to sign this Agreement and complete the conditions to be satisfied prior to the signing of this Agreement within one year of Site Plan approval, the approval shall lapse.

**2. Permits**

The owner shall obtain such permits as may be required from municipal or provincial authorities and shall file copies thereof with the General Manager, Planning, Infrastructure and Economic Development.

**3. Extend Internal Walkways**

The owner shall extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

**4. Barrier Curbs**

The owner acknowledges and agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with the drawings of a design professional, such drawings to be approved by the General Manager, Planning, Infrastructure and Economic Development.

**5. Water Supply for Fire Fighting**

The owner shall provide adequate water supply for fire fighting for every building. Water supplies may be provided from a public water works system, automatic fire pumps, pressure tanks or gravity tanks.

**6. Construction Fencing**

The owner acknowledges and agrees to install construction fencing, at its expense, in such a location as may be determined by the General Manager, Planning, Infrastructure and Economic Development.

## **7. Construct Sidewalks**

The owner shall design and construct sidewalk(s) within public rights-of-way or on other City owned lands to provide a pedestrian connection from or to the site as may be determined by the General Manager, Planning, Infrastructure and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

## **8. Reinstatement of City Property**

The owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, any property of the City, including, but not limited to, sidewalks, curbs and boulevards, which is damaged as a result of the subject development. The existing depressed curbs and driveways shall also be reinstated to soft landscaping and full curb following the existing curb line as per City Standards, at the owner(s) expense.

## **9. Completion of Works**

The owner acknowledges and agrees that no new building will be occupied on the lands until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development for such occupancy in writing.

Until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, the owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the owner has complied with this provision.

Nothing in this clause shall be construed as prohibiting or preventing the approval of a consent for severance and conveyance for the purposes of obtaining financing.

## **10. Certificate of Insurance**

The owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than two million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

## **Special Conditions**

### **11. Cash-in-Lieu of Parkland**

The owner shall pay cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, as well as the fee for appraisal services. The monies are to be paid at the time of execution of the Site Plan Agreement.

### **12. Maintenance and Liability Agreement**

The owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for all plant and landscaping material (except municipal trees), decorative paving and street furnishings placed in the City's right-of-way along Robinson Avenue in accordance with City Specifications, and the Maintenance and Liability Agreement shall be registered on title, at the owner's expense, immediately after the registration of this Agreement. The owner shall assume all maintenance and replacement responsibilities in perpetuity.

### **13. Asphalt Overlay**

Due to the number of road-cut permits required to service this development, the owner shall install an asphalt overlay over the total area of the public driving surface of Robinson Avenue, fronting the subject lands, as shown on the approved Site Servicing Plan, referenced in Document 10 hereto. The overlay shall be carried out to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. The owner acknowledges and agrees that all costs are to be borne by the owner.

### **14. Noise Study**

The owner agrees to prepare and implement a noise study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.



The owner shall implement the noise control attenuation measures recommended in the approved noise study.

#### **15. Certification Letter for Noise Control Measures**

- a) The owner acknowledges and agrees that upon completion of the development and prior to occupancy and/or final building inspection, it shall retain a Professional Engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, to visit the lands, inspect the installed noise control measures and satisfy himself that the installed recommended interior noise control measures comply with the measures in the Noise Assessment Study referenced in Document 10 hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment, Conservation and Parks) or noise thresholds identified in the City's Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the General Manager, Planning, Infrastructure and Economic Development (the "Certification Letter") stating that he certifies acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.
- b) The Certification Letter shall be unconditional and shall address all requirements as well as all relevant information relating to the development, including project name, lot numbers, building identification, drawing numbers, noise study report number, dates of relevant documents and in particular reference to the documents used for the building permits and site grading applications. The Certification Letter(s) shall bear the certification stamp of a Professional Engineer, licensed in the Province of Ontario, and shall be signed by said Professional Engineer, and shall be based on the following matters:
  - i. Actual site visits, inspection, testing and actual sound level readings at the receptors;
  - ii. Previously approved Detailed Noise Control Studies, Site Plan and relevant approved Certification Letters (C of A) or Noise thresholds of the City's Environmental Noise Control Guidelines; and
  - iii. Non-conditional final approval for release for occupancy.

- c) All the information required in Subsections (a) and (b) above shall be submitted to the General Manager, Planning, Infrastructure and Economic Development, and shall be to his satisfaction.

## **16. Noise Control – Warning Clauses**

The owner(s) shall implement the noise control attenuation measures recommended in the approved noise study.

- a) Each unit is to be equipped with Central Air Conditioning.
- b) Prior to issuance of building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound level criteria.
- c) Notices-on-title respecting noise:

““This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City’s and the Ministry of the Environment’s noise criteria.”

And

““Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the City’s and the Ministry of the Environment’s noise criteria. This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City’s and the Ministry of the Environment’s noise criteria.”

## **17. Geotechnical Investigation**

The owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation Report (the “Report”), referenced in Document 10 herein, are fully implemented. The owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure and Economic Development Department with confirmation issued by the geotechnical engineer that the owner has complied with all recommendations

and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

#### **18. Inlet Control Devices (ICDs)**

The owner acknowledges and agrees to install and maintain in good working order the required roof-top and in-ground stormwater inlet control devices, as recommended in the approved Site Servicing Plan, referenced in Document 10 herein. The owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

#### **19. Professional Engineering Inspection**

The owner shall have competent Professional Engineering inspection personnel on-site during the period of construction, to supervise the Works, and the General Manager, Planning, Infrastructure and Economic Development, shall have the right at all times to inspect the installation of the Works. The owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure and Economic Development, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

#### **20. Use of Explosives and Pre-Blast Survey**

The owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled *Use of Explosives*, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the owner's expense, for all buildings, utilities, structure, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection.

## **21. Waste and Recycling Collection**

The owner acknowledges and agrees that the City will provide waste collection and cart (and/or container) recycling collection for the residential units. The owner shall provide an adequate storage room or space for waste containers and recycling carts (and/or containers). The owner acknowledges and agrees that it is recommended that the containers and carts be placed on a concrete floor. The owner shall provide an adequate constructed road access to the waste/recycling storage room or area suitable for waste/recycling vehicles as direct access to the containers and carts is required. The owner acknowledges and agrees that any additional services (i.e. winching of containers) may result in extra charges.

## **22. Stormwater Works Certification**

Upon completion of all stormwater management Works, the owner acknowledges and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to ensure that all measures have been implemented in conformity with the approved Plans and Reports. The owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved Plans and Reports.

## **23. Site Dewatering**

The owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.

## **24. Site Lighting Certificate**

- a) The owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
  - i. it must be designed using only fixtures that meet the criteria for full cut-off (sharp cut-off) classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES);

- ii. and it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- b) The owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the owner shall provide certification satisfactory to the General Manager, Planning, Infrastructure and Economic Development, from a Professional Engineer, licensed in the Province of Ontario, that the site lighting has been constructed in accordance with the owner's approved design plan.

## **25. Elevations**

The owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevations Plans, referenced in Document 10. The owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevations Plans shall be filed with the General Manager, Planning, Infrastructure and Economic Development and agreed to by both the owner and the City prior to the implementation of such changes. No amendment to this Agreement shall be required.

## **26. Tree Permit**

The owner acknowledges and agrees that any trees to be removed from the site shall be in compliance with the Urban Tree Conservation By-law, 2009-200, as amended. Any required removal shall be in accordance with an approved Tree Permit and the approved Landscape Plan; a copy of the approved Tree Permit and Landscape Plan shall be present on the construction site at all times. The owner further acknowledges and agrees that issuance of a Tree Permit for removal of the trees identified on the approved landscape plan will not occur until such time when a building permit has been issued for the proposed development.

## **27. On-Site Parking**

- a) The owner acknowledges and agrees that units within the proposed building may not be provided with on-site parking. In the event any future tenant or purchaser wishes to have parking, the owner acknowledges that alternative and lawful arrangements may need to be made to address parking needs at an alternate location and such arrangements are solely the responsibility of the person seeking parking. The owner further acknowledges and agrees the availability and regulations governing on-street parking vary; that access to

on-street parking, including through residential on-street parking permits issued by the City, cannot be guaranteed now or in the future; and that a tenant or purchaser intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.

- b) The owner acknowledges and agrees that a notice-on-title respecting on-site parking, as contained in Clause 28 below, shall be registered on title to the Lands, at the owner's expense, and a warning clause shall be included in all agreements of purchase and sale and lease agreements.

## **28. Notices on Title – On-Site Parking**

The owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees that all agreements of purchase and sale or lease agreements shall contain the following clauses, which shall be covenants running with the subject lands:

“Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that the unit being sold/rented may not be provided with any on-site parking. Should the Purchaser/Lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements may need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The Purchaser/Lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa, cannot be guaranteed now or in the future; and that the Purchaser/Lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clause, verbatim, shall be included in all subsequent agreements of purchase and sale and lease agreements for the lands described herein, which covenant shall run with the said lands.”

## **29. Traffic Impact Assessment**

The owner(s) has undertaken a Transportation Impact Assessment for this site, prepared by CGH Transportation, Project No. 2018-47, 19, 29 and 134 Robinson Avenue, dated December 2018, and as amended by the Transportation Impact Assessment prepared by CGH Transportation, Project No. 2018-68, 36 Robinson

Avenue, dated March 2019, to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and establish the site design features needed to support system-wide transportation objectives. The owner shall ensure, that the recommendations of the Transportation Studies are fully implemented, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

### **30. Traffic Management Plan**

Should the owner wish to use a portion of the City's road allowance for construction staging, prior to obtaining a building permit, the property owner must obtain an approved Traffic Management Plan from the Manager, Traffic Management, Transportation Services Department. The City has the right for any reason to deny use of the Road Allowance and to amend the approved Traffic Management Plan as required.

### **31. Soil Management**

The owner acknowledges and agrees to retain an environmental consultant to identify areas on the subject lands where excess soils, fill and/or construction debris will be removed, or back fill with the soil. If through further testing any of these materials are found to be contaminated, the owner acknowledges and agrees to dispose, treat or recycle these materials at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks.

### **32. Car-Share Parking Space**

The owner acknowledges and agrees to establish at least one car-share parking space located on the properties municipally known to include 17, 19, 23, 27, 29, 31, 130, 134 and 138 Robinson Avenue within six months of the first new building receiving occupancy on one of these lots.

**Document 10 – List of Approved Plans and Reports: Site Plan D07-12-18-0164  
(29 Robinson Avenue)**

This Site Plan Control application submitted by FoTenn Consults, on behalf of Robinson Village II Ltd. Partnership, is APPROVED as shown on the following plan(s):

1. **Site Plan**, A105, prepared by Figurr, dated 2018/05/01, Revision 11, dated 2020-01-07.
2. **South Elevation**, A-200, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-31.
3. **West Elevation**, A-201, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-31.
4. **North Elevation**, A-202, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-31.
5. **East Elevations**, A-203, prepared by Figurr, dated 01/09/12, Revision 7, dated 2019-12-31.
6. **Tree Preservation Plan**, L100, prepared by Stantec, project no. 160401428, Revision 4, dated 2019.11.22.
7. **Landscape Plan**, L200, prepared by Stantec, project no. 160401428, Revision 4, dated 2019.11.22.
8. **Landscape Details**, L300, prepared by Stantec, project no. 160401428, Revision 4, dated 2019.11.22.
9. **Erosion Control Plan and Detail Sheet**, Drawing ED/DS-1, project no. 160401428, prepared by Stantec, Revision 4, dated 19.11.29
10. **Grading Plan**, Drawing GP-1, project no. 160401428, prepared by Stantec, Revision 4, dated 19.11.29
11. **Storm Drainage Plan**, SD-1, project no. 160401428, prepared by Stantec, Revision 4, dated 19.11.29
12. **Site Servicing Plan**, SSP-1, project no. 160401428, prepared by Stantec, Revision 4, dated 19.11.29



And as detailed in the following report(s):

1. **Servicing Report – 29 Robinson Avenue**, prepared by Stantec, dated November 29, 2019.
2. **Geotechnical Investigation Report**, Project No. 121622041, 27-31 Robinson Avenue, prepared by Stantec Consulting Ltd, dated July 27, 2018.
3. **Noise Assessment Report – 29 Robinson Avenue**, Project No. 160401428, prepared by Stantec Consulting Ltd, dated August 26, 2019.
4. **Transportation Impact Assessment**, 19, 29 and 134 Robinson Avenue, Project No. 2018-47, prepared by CGH Transportation, dated December 2018.
5. **Transportation Impact Assessment**, 36 Robinson Avenue, CGH Transportation, Project No. 2018-68, dated March 2019.
6. **Phase One Environmental Site Assessment**, 27-31 Robinson Avenue, prepared by Stantec, Project No. 160401428, dated October 3, 2018.
7. **Phase Two Environmental Site Assessment**, 27-31 Robinson Avenue, prepared by Stantec, Project No. 160401428, dated June 21, 2019.

**Document 11 – Conditions of Approval: Site Plan D07-12-18-0172**  
**(134 Robinson Avenue)**

**1. Site Plan Agreement**

The owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event that the owner fails to sign this Agreement and complete the conditions to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the approval shall lapse.

**2. Permits**

The owner shall obtain such permits as may be required from municipal or provincial authorities and shall file copies thereof with the General Manager, Planning, Infrastructure and Economic Development.

**3. Extend Internal Walkways**

The owner shall extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

**4. Barrier Curbs**

The owner acknowledges and agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with the drawings of a design professional, such drawings to be approved by the General Manager, Planning, Infrastructure and Economic Development.

**5. Water Supply for Fire Fighting**

The owner shall provide adequate water supply for fire fighting for every building. Water supplies may be provided from a public water works system, automatic fire pumps, pressure tanks or gravity tanks.

**6. Construction Fencing**

The owner acknowledges and agrees to install construction fencing, at its expense, in such a location as may be determined by the General Manager, Planning, Infrastructure and Economic Development.

## **7. Construct Sidewalks**

The owner shall design and construct sidewalk(s) within public rights-of-way or on other City owned lands to provide a pedestrian connection from or to the site as may be determined by the General Manager, Planning, Infrastructure and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

## **8. Reinstatement of City Property**

The owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, any property of the City, including, but not limited to, sidewalks, curbs and boulevards, which is damaged as a result of the subject development. The existing depressed curbs and driveways shall also be reinstated to soft landscaping and full curb following the existing curb line as per City Standards, at the owner(s) expense.

## **9. Completion of Works**

The owner acknowledges and agrees that no new building will be occupied on the lands until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development for such occupancy in writing.

Until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, the owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the owner has complied with this provision.

Nothing in this clause shall be construed as prohibiting or preventing the approval of a consent for severance and conveyance for the purposes of obtaining financing.

## **10. Certificate of Insurance**

The owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than two million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

## **Special Conditions**

### **11. Cash-in-Lieu of Parkland**

The owner shall pay cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, as well as the fee for appraisal services. The monies are to be paid at the time of execution of the Site Plan Agreement.

### **12. Maintenance and Liability Agreement**

The owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for all plant and landscaping material (except municipal trees), decorative paving and street furnishings placed in the City's right-of-way along Robinson Avenue in accordance with City Specifications, and the Maintenance and Liability Agreement shall be registered on title, at the owner's expense, immediately after the registration of this Agreement. The owner shall assume all maintenance and replacement responsibilities in perpetuity.

### **13. Asphalt Overlay**

Due to the number of road-cut permits required to service this development, the owner shall install an asphalt overlay over the total area of the public driving surface of Robinson Avenue, fronting the subject lands, as shown on the approved Site Servicing Plan, referenced in Document 12 hereto. The overlay shall be carried out to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. The owner acknowledges and agrees that all costs are to be borne by the owner.

### **14. Noise Study**

The owner agrees to prepare and implement a noise study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

The owner shall implement the noise control attenuation measures recommended in the approved noise study.

#### **15. Certification Letter for Noise Control Measures**

- a) The owner acknowledges and agrees that upon completion of the development and prior to occupancy and/or final building inspection, it shall retain a Professional Engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, to visit the lands, inspect the installed noise control measures and satisfy himself that the installed recommended interior noise control measures comply with the measures in the Noise Assessment Study referenced in Document 8 hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment, Conservation and Parks) or noise thresholds identified in the City's Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the General Manager, Planning, Infrastructure and Economic Development (the "Certification Letter") stating that he certifies acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.
- b) The Certification Letter shall be unconditional and shall address all requirements as well as all relevant information relating to the development, including project name, lot numbers, building identification, drawing numbers, noise study report number, dates of relevant documents and in particular reference to the documents used for the building permits and site grading applications. The Certification Letter(s) shall bear the certification stamp of a Professional Engineer, licensed in the Province of Ontario, and shall be signed by said Professional Engineer, and shall be based on the following matters:
  - i. Actual site visits, inspection, testing and actual sound level readings at the receptors;
  - ii. Previously approved Detailed Noise Control Studies, Site Plan and relevant approved Certification Letters (C of A) or Noise thresholds of the City's Environmental Noise Control Guidelines; and
  - iii. Non-conditional final approval for release for occupancy.

- c) All the information required in Subsections (a) and (b) above shall be submitted to the General Manager, Planning, Infrastructure and Economic Development, and shall be to his satisfaction.

## **16. Noise Control – Warning Clauses**

The owner(s) shall implement the noise control attenuation measures recommended in the approved noise study.

- a) Each unit is to be equipped with Central Air Conditioning.
- b) Prior to issuance of building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound level criteria.
- c) Notices-on-title respecting noise:

““This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City’s and the Ministry of the Environment’s noise criteria.”

And

““Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the City’s and the Ministry of the Environment’s noise criteria. This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City’s and the Ministry of the Environment’s noise criteria.”

## **17. Geotechnical Investigation**

The owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation Report (the “Report”), referenced in Document 12 herein, are fully implemented. The owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure and Economic Development Department with confirmation issued by the geotechnical engineer that the owner has complied with all recommendations

and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

#### **18. Inlet Control Devices (ICDs)**

The owner acknowledges and agrees to install and maintain in good working order the required roof-top and in-ground stormwater inlet control devices, as recommended in the approved Site Servicing Plan, referenced in Document 8 herein. The owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

#### **19. Professional Engineering Inspection**

The owner shall have competent Professional Engineering inspection personnel on-site during the period of construction, to supervise the Works, and the General Manager, Planning, Infrastructure and Economic Development, shall have the right at all times to inspect the installation of the Works. The owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure and Economic Development, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

#### **20. Use of Explosives and Pre-Blast Survey**

The owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled *Use of Explosives*, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the owner's expense, for all buildings, utilities, structure, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection.

## **21. Waste and Recycling Collection**

The owner acknowledges and agrees that the City will provide waste collection and cart (and/or container) recycling collection for the residential units. The owner shall provide an adequate storage room or space for waste containers and recycling carts (and/or containers). The owner acknowledges and agrees that it is recommended that the containers and carts be placed on a concrete floor. The owner shall provide an adequate constructed road access to the waste/recycling storage room or area suitable for waste/recycling vehicles as direct access to the containers and carts is required. The owner acknowledges and agrees that any additional services (i.e. winching of containers) may result in extra charges.

## **22. Stormwater Works Certification**

Upon completion of all stormwater management Works, the owner acknowledges and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to ensure that all measures have been implemented in conformity with the approved Plans and Reports. The owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved Plans and Reports.

## **23. Site Dewatering**

The owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.

## **24. Site Lighting Certificate**

- a) The owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
  - i. it must be designed using only fixtures that meet the criteria for full cut-off (sharp cut-off) classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES);



- ii. and it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- b) The owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the owner shall provide certification satisfactory to the General Manager, Planning, Infrastructure and Economic Development, from a Professional Engineer, licensed in the Province of Ontario, that the site lighting has been constructed in accordance with the owner's approved Design Plan.

## **25. Elevations**

The owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevations Plans, referenced in Document 12. The owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevations Plans shall be filed with the General Manager, Planning, Infrastructure and Economic Development and agreed to by both the owner and the City prior to the implementation of such changes. No amendment to this Agreement shall be required.

## **26. Tree Permit**

The owner acknowledges and agrees that any trees to be removed from the site shall be in compliance with the Urban Tree Conservation By-law, 2009-200, as amended. Any required removal shall be in accordance with an approved Tree Permit and the approved Landscape Plan; a copy of the approved Tree Permit and Landscape Plan shall be present on the construction site at all times. The owner further acknowledges and agrees that issuance of a Tree Permit for removal of the trees identified on the approved landscape plan will not occur until such time when a building permit has been issued for the proposed development.

## **27. On-Site Parking**

- a) The owner acknowledges and agrees that units within the proposed building may not be provided with on-site parking. In the event any future tenant or purchaser wishes to have parking, the owner acknowledges that alternative and lawful arrangements may need to be made to address parking needs at an alternate location and such arrangements are solely the responsibility of the person seeking parking. The owner further acknowledges and agrees the availability and regulations governing on-street parking vary; that access to

on-street parking, including through residential on-street parking permits issued by the City, cannot be guaranteed now or in the future; and that a tenant or purchaser intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.

- b) The owner acknowledges and agrees that a notice-on-title respecting on-site parking, as contained in Clause 28 below, shall be registered on title to the Lands, at the owner's expense, and a warning clause shall be included in all agreements of purchase and sale and lease agreements.

## **28. Notices on Title – On-Site Parking**

The owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees that all agreements of purchase and sale or lease agreements shall contain the following clauses, which shall be covenants running with the subject lands:

“Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that the unit being sold/rented may not be provided with any on-site parking. Should the Purchaser/Lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements may need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The Purchaser/Lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa, cannot be guaranteed now or in the future; and that the Purchaser/Lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clause, verbatim, shall be included in all subsequent agreements of purchase and sale and lease agreements for the lands described herein, which covenant shall run with the said lands.”

## **29. Traffic Impact Assessment**

The owner(s) has undertaken a Transportation Impact Assessment for this site, prepared by CGH Transportation, Project No. 2018-47, 19, 29 and 134 Robinson Avenue, dated December 2018, and as amended by the Transportation Impact Assessment prepared by CGH Transportation, Project No. 2018-68, 36 Robinson

Avenue, dated March 2019, to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and establish the site design features needed to support system-wide transportation objectives. The owner shall ensure, that the recommendations of the Transportation Studies are fully implemented, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

### **30. Traffic Management Plan**

Should the owner wish to use a portion of the City's road allowance for construction staging, prior to obtaining a building permit, the property owner must obtain an approved Traffic Management Plan from the Manager, Traffic Management, Transportation Services Department. The City has the right for any reason to deny use of the Road Allowance and to amend the approved Traffic Management Plan as required.

### **31. Soil Management**

The owner acknowledges and agrees to retain an environmental consultant to identify areas on the subject lands where excess soils, fill and/or construction debris will be removed, or back fill with the soil. If through further testing any of these materials are found to be contaminated, the owner acknowledges and agrees to dispose, treat or recycle these materials at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks.

### **32. Car-Share Parking Space**

The owner acknowledges and agrees to establish at least one car-share parking space located on the properties municipally known to include 17, 19, 23, 27, 29, 31, 130, 134 and 138 Robinson Avenue within six months of the first new building receiving occupancy on one of these lots.

**Document 12 – List of Approved Plans and Reports: Site Plan D07-12-18-0172  
(134 Robinson Avenue)**

This Site Plan Control application submitted by FoTenn Consults, on behalf of Robinson Village III Ltd. Partnership, is APPROVED as shown on the following plan(s):

1. **Site Plan**, A105, prepared by Figurr, dated 2018/05/01, project no. 1838, Revision 12, dated 2020-01-07.
2. **South Elevation**, A-200, prepared by Figurr, dated 06/05/18, Revision 9, dated 2020-01-06.
3. **West Elevation**, A-201, prepared by Figurr, dated 06/05/18, Revision 9, dated 2020-01-06.
4. **North Elevation**, A-202, prepared by Figurr, dated 06/05/18, Revision 9, dated 2020-01-06.
5. **East Elevations**, A-203, prepared by Figurr, dated 06/05/18, Revision 9, dated 2020-01-06.
6. **Tree Preservation Plan**, L100, prepared by Stantec, project no. 160401443, Revision 4, dated 2019.11.22.
7. **Landscape Plan**, L200, prepared by Stantec, project no. 160401443, Revision 4, dated 2019.11.22.
8. **Landscape Details**, L300, prepared by Stantec, project no. 160401443, Revision 4, dated 2019.11.22.
9. **Erosion Control Plan and Detail Sheet**, Drawing ED/DS-1, project no. 160401443, prepared by Stantec, Revision 3, dated 19.11.29.
10. **Grading Plan**, Drawing GP-1, project no. 160401443, prepared by Stantec, Revision 4, dated 19.11.29.
11. **Storm Drainage Plan**, SD-1, project no. 160401443, prepared by Stantec, Revision 4, dated 19.11.29.
12. **Site Servicing Plan**, SSP-1, project no. 160401443, prepared by Stantec, Revision 4, dated 19.11.29.

And as detailed in the following report(s):

1. **Servicing Report – 130-138 Robinson Avenue**, prepared by Stantec, dated December 12, 2019.
2. **Geotechnical Investigation Report**, Project No. 160401443, prepared by Stantec Consulting Ltd, dated October 4, 2018.
3. **Noise Assessment Report – 19 Robinson Avenue**, Project No. 160401443, prepared by Stantec Consulting Ltd, dated August 21, 2019.
4. **Transportation Impact Assessment**, 19, 29 and 134 Robinson Avenue, Project No. 2018-47, prepared by CGH Transportation, dated December 2018.
5. **Transportation Impact Assessment**, 36 Robinson Avenue, CGH Transportation, Project No. 2018-68, dated March 2019.
6. **Phase One Environmental Site Assessment**, 130-138 Robinson Avenue, project no. 160401443, prepared by Stantec, dated October 10, 2018.
7. **Phase Two Environmental Site Assessment**, 130-138 Robinson Avenue, project no. 160401487, prepared by Stantec, dated June 21, 2019.

## **Document 13 – Consultation Details**

### **Notification and Consultation Process**

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for the respective development applications.

During the application review process two community information sessions were held by the applicant through coordination with Councillor Fleury. The first meeting was held on March 26, 2019 at the Sandy Hill Community Centre and approximately 60 people attended. Following a round of revisions to address community and Councillor concerns, including the increase of parking and two-bedroom units, a second community information session was held on October 24, 2019 at the Youville Centre and approximately 40 people attended. These meetings also included the proposed development at 36 Robinson Avenue, which is not included within this report but will be included on the same Planning Committee agenda in a separate report.

Through the review process of the associated applications, approximately 100 individuals/groups commented on the proposed developments. A petition with 92 signatures was also submitted in opposition expressing concern over the lack of parking and the lack of unit diversification with a rental aimed at students and transient tenants. The Vast majority of the public submissions were opposed to the developments and expressed concerns such as parking, students, density, emergency access, and noise.

## **PUBLIC COMMENTS AND RESPONSES**

The following summarizes, in no particular order, a list of comment topics and items raised by members of the public in response to the application:

### **Parking**

- Numerous concerns about the lack of on-street parking capacity and increased demand for all the additional vehicles resulting from these developments.
- Robinson Avenue is an isolated street with no other options nearby (like the next street over, which exist in most other neighbourhoods) for vehicles coming to the street. There is no spillover parking available.
- By-law tickets vehicles frequently due to lack of availability and vehicles parking for longer than posted times.

- During winter the amount of parking available worsens.
- Renters will show up owning cars and try to park on the street worsening the problem.
- The neighbourhood is separated from the LRT by the Queensway and lack efficient and maintained access to the LRT. Proximity is not a reason to reduce parking.
- Residents will want to have vehicles to run errands outside of the neighbourhood.
- Few bicycle parking spaces provided, which should be indoor, and only 3 spaces for visitors will not work.

**Response:**

The reduction in parking is consistent with the Official Plan, Sandy Hill Secondary Plan and Lees TOD plan as detailed in the staff report. In addition to the policies acknowledging the properties being within 800 metres walking distance of a rapid transit station, the walking route from each of these sites keeps pedestrians on City sidewalks and pathway, and uses a signalized pedestrian crossing and signalized intersections at road crossings.

With respect to the availability of on-street parking there is no direct correlation between the off-street parking demanded by a development and parking on the street. Additionally, the Site Plan conditions include warning clauses to notify potential tenants about parking not being provided with the unit. The design of the building is transit-oriented to encourage the use of active transportation, such as walking, cycling and public transit. Furthermore, each site is intended to have a car-share space that will be available to all tenants for use, including those instances that warrant errands requiring a vehicle.

The bicycle parking was revised through application review and increased to at least one bicycle parking space per unit and located within the building in a bicycle storage room. The proposed amount of visitor parking complies with the Zoning By-law.

**Student and Transient users**

- Developments are geared towards students, and students arrive owning a car, and student housing will result in issues such as garbage, noise, no pride of ownership, and these types of buildings do not fit with the neighbourhood feel.

- No balconies or roof-top amenity areas should be permitted for student housing. Major noise issues and parties.
- Proposal is mostly studio apartments desirable for students. Change the unit mix and sizes. Rentals also bring a lot disruption and less care for the neighbourhood.
- These developments need site supervisors accountable and available for complaints.
- A condo development with larger units would be more suitable for the neighbourhood.
- The development needs to encourage families and professionals.
- Rental development will change the character of the neighbourhood and neighbours will not know each other.

**Response:**

Under the authority of the *Ontario Planning Act*, the question of the intended users or type of tenure (rental versus condo) is not regulated through the associated planning applications. As noted in the staff report, this concern has been reviewed by the Local Planning Appeal Tribunal and concerns such as student or transient users and their assumed behavior is not a matter of land use planning. The Department views these proposals as mid-rise apartment buildings, as defined by the Zoning By-law. All three buildings have been designed with standard waste collection rooms, and the roof-top amenity area is setback from the roofs edge as required by the Zoning By-law. The Official Plan also encourage the availability and variety of amenity, including outdoor.

It should be noted and recognized that the applicant significantly revised the proposed developments from the original submissions, that originally had little to zero two-bedroom units, to each building having at least a third of the units as two-bedroom units. Each development now offers a variety of studio-, one- and two-bedroom units and are purpose-built apartment buildings. The applicant has committed to having 24-hour site supervisors.

**Traffic and Access**

- Only once access in and out of Robinson Village and the area already experiences delays.



- Tenants will not use the LRT, especially when the University is just a short walk away.
- The area is already very congested. Adding so many people will worsen the situation and a traffic light is needed at Lees.
- The street will not be able to handle moving days and vehicles.
- Snow removal is a chronic issue on the street, and developments have no room for snow storage.
- Too much neighbourhood density and ability for emergency vehicles to respond.
- During the winter the street essentially functions as a one-way street.

**Response:**

The proposed developments included a submission of a Transportation Impact Assessment, which was later updated through a subsequent report to include the development at 36 Robinson Avenue. Transportation staff reviewed these submissions and have no concerns regarding traffic and access in Robinson Village. The traffic volumes resulting from these developments remain within the acceptable levels within the existing road network and the projected vehicle trips function within the existing road network. A traffic light at Lees Avenue and Robinson Avenue is not warranted as a result of these developments, but as more of the transit-oriented development zoned properties develop this will be further evaluated.

Several comments, assuming student housing, noted that the tenants will not use the O-Train Station as the University campus is just as easy to walk to. Staff have no concerns with this notion as walking is an active mode of transportation that also supports the parking reduction.

The winter conditions of the street and access for emergency vehicles is not impacted by these developments. Snow storage for the developments is accommodated on site in the rear yard and developing these sites removes several driveways and curb-cuts providing more landscaping and room within the right-of-way beyond the sidewalk for snow storage. Additional snow clearing is an operational issue. Emergency vehicles will maintain access to the street and development sites, and each site must comply with fire access regulations through the *Ontario Building Code*.

### **Density and unit type**

- Too many studio units. Need more variety in unit types, such as one-bedroom and two-bedroom and three-bedroom units.
- The proposed density is significantly higher than any other development in Robinson Village.
- Huge population increase will ruin the quiet enjoyment of our properties.
- Small units with little storage are a poor design.

#### **Response:**

As further detailed in the staff, the proposed apartment buildings, in term of the number of units and building height complies with the Zoning By-law. The applications were revised through application review to provide a greater variety of unit types including studio, one-bedroom and two-bedroom units. Site Plan Control does not approve the interior of buildings for layout and storage. The Official Plan, Sandy Hill Secondary Plan and Lees TOD Plan encourages the redevelopment of Robinson Village (west) as an area that supports mid-rise apartment buildings, and the density of these development is consistent with the policy framework.

### **Other**

- Concerns over loss of property value.
- There is a rat and mouse infestation in area, which has been acknowledged by Public Health, and the existing houses show evidence of their presence. Vermin need to be dealt with prior to construction.
- Animals such as groundhog, rabbits, skunk, squirrel and racoon will lose their habitat.
- The submission included the "Robinson Village Community Building Plan". Visions for the area requires more public consultation and what is the outcome of this study.
- Street has sewer drainage and ice-build up issues. Developments will have more run-off and compound the drainage issues. Street flooding.
- Require a green building.

- Suggest moving the driveway on 134 Robinson to the other side of the side.
- Construction process and management.

Response:

There is no evidence to suggest that development applications and new construction adversely impact property values.

The applicant is aware of the vermin issue and has been advised to monitor the outcome of the Rat Inquiry Motion passed by Council on November 27, 2019, such as baiting and/or removal prior to building demolition. Other wildlife will adapt to the development of these sites and the surrounding area as plenty of habitat nearby, including proximity to the Rideau River.

The Robinson Village Community Building Plan was submitted in support of the applicant's Planning Rationale to pull together all the relevant policy directions and vision from the Official Plan, Secondary Plan and TOD Plan. The document was meant to show the proposed developments in the context of the areas planned function and the applicant's interpretation (as large land holder on Robinson) of how the area may develop over time. This submission does not form part of the approval but was helpful during application review.

Drainage and storm water management was evaluated through application review, and staff are satisfied with the final engineering reports and plans. Developing a green or LEED standard building is not a requirement, and all construction activity shall be done in accordance with any City of Ottawa approvals and regulations.

#### **COMMENTS FROM A REGISTERED COMMUNITY GROUP**

Action Sandy Hill (ASH) participated in the application review process and submitted comments in November 2019 following the second community information session. ASH is opposed to the proposed developments and comments submitted are summarized as follows:

We would like to reiterate that considerable changes to the proposals will still need to be made, in order to make them acceptable. We are dismayed at the lack of compromise the developer appears willing to undertake when faced with the clear opposition from neighbours in Robinson Village.

The under-provision of parking and the less-than-generous unit sizes suggest that the

proponent will target University of Ottawa students (who would be expected to walk, not use transit, to either the main or Lees campuses), rather than professional couples, families and seniors. As staff is aware, Sandy Hill's "missing middle" is not the student demographic, which is already well-served by our neighbourhood (albeit not adequately served in the City-wide context). By not catering to diverse demographics, and not providing adequate parking, the project risks producing a demographic monoculture in Robinson Village - not the diversity sought by ASH, existing residents, the Sandy Hill Secondary Plan (SHSP), and the City according to #4 of its 5 Big Moves, which calls for "inclusive, all-age communities".

All the building designs include significantly less tenant parking provision than the applicable bylaw requires. While ASH supports increased use of transit and active transportation, the lack of amenities close to Robinson Village – in particular grocery stores and other services such as health clinics – means that a vehicle is a necessity for many professional couples, young families and seniors who might want to live in the neighbourhood. The lack of tenant parking is not fully compensated for by provision of vehicle sharing spaces or any additional bicycle parking.

The submission noted the lack of on-street parking capacity, further constraints during winter, concern for access (garbage trucks, school bus, emergency vehicles), and no ability for spill over parking as the street is isolated.

ASH requests that the bicycle parking be in a secured area, preferably inside the buildings, to discourage theft of tenants' property.

ASH acknowledges that the unit mix now includes significantly more 2BR units (albeit small ones) for all three buildings, which is closer to addressing the specific "missing middle" housing shortage in Sandy Hill.

ASH and current residents remain concerned that the outside (roof top) amenity spaces shown in the designs have been included simply to reduce the construction cost (by limiting the size of the internal amenity areas) and will lead to problems of noise and loss of privacy for people in neighbouring homes (as well as being unusable for tenants during the colder months). ASH agrees with neighbours that this is not an appropriate feature for these locations. More appropriate would be to reinstate the connection to Strathcona Park, and ensure it is permeable.

ASH still requests that the designs be improved further to appeal to a broader demographic by including some 3 BR units in each building, tenant storage lockers, and

that the roof top amenity spaces be replaced with something that does not threaten the enjoyment of residents in neighbouring properties and is more useful year-round for the tenants.

The external design of the buildings is very uniform in the street facing facades. Given the proportion of the Robinson Village street scape these projects would occupy it would be desirable if the designs were not so similar. ASH requests the designs exhibit greater variety so as not to overwhelm the existing streetscape.

ASH is disappointed that despite work being done by the proponents and the City to progress the four proposals which, if approved, would add well over 300 new units to the Robinson Village neighbourhood, there has been no further activity to engage the current residents or ASH in developing the Robinson Village Community Building Plan referenced in the applications. This Plan cannot be considered part of the application.

Note: The submission from ASH also included objections to 36 Robinson Avenue, which are summarized in the staff report concerning 36 Robison Avenue.

Response:

Since the original submission of these applications, the applicant/owner has made numerous revisions in response to comment received. This includes the increase in the number of two-bedroom units, additional parking, securing a car-share space on each lot, increasing the bicycle parking and moving it to an indoor storage room, the roof-top terrace was reduced in size and an indoor amenity room was added in its place.

As noted in the staff report and recent LPAT decision, the continued suggestion to refuse an application based on the notion of student housing or transient users is inappropriate and land use planning does zone for people. The proposed developments are mid-rise apartment buildings and can accommodate a variety of tenants.

The lands surrounding Lees O-Train Station are predominantly zoned for transit-oriented development, which permits a broad range of uses that would include uses such as a grocery store. It is anticipated that as these lands are developed additional amenities (non-residential uses) will be provided. Growth and intensification in Robinson Village is supported by the Official Plan, Secondary Plan and Lees TOD Plan, and these developments are consistent with the planned function and respect the existing context.

The Official Plan supports the reduction or elimination of parking, and the proposed developments are consistent with policy framework for reduced parking and the

encouragement of an active transit development.

Bicycle parking was revised through application review to increase the amount of spaces provided and moved to a secure storage room inside the building on the ground floor.

The roof-top amenity areas in each development was reduced in size and a new indoor amenity room was incorporated as the top storey. The Official Plan supports providing a variety of outdoor amenity, and these developments include the rear yard amenity area, balconies on some units, and the roof-top amenity area. The original pathway connection shown on 19 Robinson received community opposition and concerns from the Parks Departments. It was removed from the proposal for these reasons.

In terms of building design, the two buildings (29 and 134 Robinson Avenue) that have the same building mass are located on different sections of Robinson Avenue not visible to one another and variety in appearance using different materiality. 19, 29 and 36 Robinson Avenue on the same segment of Robinson Avenue have different building designs and use a variety of materiality.

The Robinson Village Community Building Plan does not form part of this approval. See response to “other” comments above.