

## Summary of Written and Oral Submissions

### Zoning By-law Amendment (and Site Plan Control) – 19, 29 and 134 Robinson Avenue

Note: This is a draft Summary of the Written and Oral Submissions received in respect of Zoning By-law Amendment and Site Plan Control – 19, 29 and 134 Robinson Avenue (ACS2020-PIE-PS-0001), prior to City Council's consideration of the matter on January 29, 2020.

The final Summary will be presented to Council for approval at its meeting of February 12, 2020, 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'. Please refer to the 'Bulk Consent' section of the Council Agenda of February 12, 2020 to access this item.

The committee considered this item concurrently with the report titled 'Zoning By-law Amendment and Site Plan Control – 36 Robinson Avenue (ACS2020-PIE-PS-0002)'. In addition to those outlined in the Consultation Details section of the reports, the following outlines the written and oral submissions received between the publication of the reports and prior to City Council's consideration:

#### Number of delegations/submissions

Number of delegations at Committee: 2

Number of written submissions received by Planning Committee between January 13 (the date the report was published to the City's website with the agenda) and January 23, 2020 (committee meeting date): 2

#### Primary concerns, by individual

**Scott McAnsh, NextGen Law LLP, on behalf of Wendy Duschenes and David Elden** (oral and written submissions)

- Indicated the application should be rejected for the following reasons:

##### 19, 29 and 134 Robinson Avenue:

- the application of the parking aspects of the Lees Transit Oriented Development Plan to the site
  - the Transit Oriented Development Plans for Lees, Hurdman, Tremblay, St. Laurent, Cyrville and Blair formed the background for the 2016 Minimum Parking Standards Review, which resulted in the current parking provisions in sections 101 through 105 of the Zoning Bylaw;

- the transit aspect of those provisions is reflected in the areas on the Schedule 1A map that reflect parking minimum ranges; Robinson Village is in Area X, which has a minimum of 0.5 spaces per unit;
- Robinson Village was explicitly excluded from Area Z, which waived the minimum requirements for parking spaces; the 2016 decision to exclude Robinson Village from Area Z, and impose a reasonable minimum parking requirement, was based in fact and was a sound policy decision that ought not be reversed here
  - Robinson Village is a unique area that is not as connected to Lees Station as other areas in the Transit Oriented Development Plan area
- the need for resident parking minimums in Robinson Village
    - Robinson Village is an amenity desert with limited access to services; Lees Station is not far but it is not an easy walk for an able-bodied person let alone someone with mobility difficulties
    - it is likely that many residents will desire a personal vehicle if they decide to live in Robinson Village
    - the parking proposed here consists of 59 residential parking spots, shared across four proposed developments, well below the 0.5 required by section 101 of the bylaw
    - the impact of having insufficient parking for the reasonably expected number of cars is felt by the other residents in the area, and there is not a great deal of private parking in the area for residents of this development to purchase, so the practical impact is that people will find places to put their vehicles and that will negatively impact the neighbourhood
    - this is not an area that has the amenities to properly support a car-free lifestyle and more on-site parking is required for these projects
  - the failure of the proposal to comply with the General Principles set out in the Sandy Hill Secondary Plan
    - section 5.3.1 of the Sandy Hill Secondary Plan. Clause 1(b) sets a policy to “provide for a broad range of socio-economic groups”; this development will attract a large number of people in a uniform socio-economic group; it does not extend the range of housing in the area
    - this proposal will bring 138 new units to an area that is currently at a low population density; combined with the 192 units at 36 Robinson,

the population of Robinson Village will nearly double; which is not a modest increase; such a population increase will irreversibly change the neighbourhood in ways counter to the policies set out in the Sandy Hill Secondary Plan

### 36 Robinson

- the failure of the proposal to comply with the density requirements of the Sandy Hill Secondary Plan
  - Schedule L of the Sandy Hill Secondary Plan sets a maximum height of eight storeys and this proposal seeks to develop a building with nine storeys, which is in contravention
  - zoning must comply with higher level plans
- the failure of the proposal to comply with the general provisions of the Sandy Hill Secondary Plan
  - clause 1(a) of the Sandy Hill Secondary Plan states that it will “preserve and enhance Sandy Hill as an attractive residential neighbourhood, especially for family living”; the proposal here is for small apartments of one bedroom or less, which is not a built form that enhances family living
  - clause 1(b) of the Plan sets a policy to “provide for a broad range of socio-economic groups”; this development will attract a large number of people in a uniform socio- economic group and does not extend the range of housing in the area
  - clause 1(c) of the Plan states that it will “accept a modest increase in population”; this proposal will bring 192 new units to an area that is currently at a low population density, and combined with the other projects on Robinson Avenue which will bring 138 units, the population of Robinson Village will nearly double, which is not a modest increase
- the application of the parking aspects of the Lees Transit Oriented Development Plan to the site
  - the Transit Oriented Development Plans for Lees, Hurdman, Tremblay, St. Laurent, Cyrville and Blair formed the background for the 2016 Minimum Parking Standards Review, which resulted in the current parking provisions in sections 101 through 105 of the Zoning Bylaw; the transit aspect of those provisions is reflected in the areas on the Schedule 1A map that reflect parking minimum ranges; Robinson

- Village is in Area X, which has a minimum of 0.5 spaces per unit;
- Robinson Village was explicitly excluded from Area Z, which waived the minimum requirements for parking spaces; the 2016 decision to exclude Robinson Village from Area Z, and impose a reasonable minimum parking requirement, was based in fact and was a sound policy decision that ought not be reversed here
  - Robinson Village is a unique area that is not as connected to Lees Station as other areas in the Transit Oriented Development Plan area.
- the need for resident parking minimums in Robinson Village
    - Robinson Village is an amenity desert with limited access to services; Lees Station is not far but it is not an easy walk for an able-bodied person let alone someone with mobility difficulties
    - it is likely that many residents will desire a personal vehicle if they decide to live in Robinson Village
    - the parking proposed here consists of 59 residential parking spots, shared across four proposed developments, well below the 0.5 required by section 101 of the bylaw
    - the impact of having insufficient parking for the reasonably expected number of cars is felt by the other residents in the area, and there is not a great deal of private parking in the area for residents of this development to purchase, so the practical impact is that people will find places to put their vehicles and that will negatively impact the neighbourhood
    - this is not an area that has the amenities to properly support a car-free lifestyle and more on-site parking is required for these projects
  - the lack of transition, setbacks, and general overbuilt form of the proposed development
    - there are no significant setbacks proposed for the building, which will result in a monolithic nine storey wall
    - there is also no planned transition from the site to the neighbouring stable community of townhouses, or to the adjoining lots zoned for a lower maximum height
    - the net result is a building that does not conform to, or fit well in, the existing community

## Primary reasons for support, by individual

**Kersten Nitsche and Brian Casagrande, Fotenn (applicant)** (oral submission and slides)

- indicated the proposals are appropriate for the site in that they respond to the Official Plan goals of increased density and fewer parking spaces near transit stations, and that they provide density that will support growth and future amenities

**Effect of Submissions on Planning Committee Decision:** Debate: The Committee spent 45 minutes on the items combined

Vote: The committee considered all written submissions in making its decision. In respect of Zoning By-law Amendment and Site Plan Control – **36 Robinson Avenue**, the committee carried the report recommendations without change.

In respect of Zoning By-law Amendment and Site Plan Control – **19, 29 and 134 Robinson Avenue**, the committee considered the following motion (brought forward by the ward Councillor) as it applied to the requested Zoning By-law amendment:

### *Motion*

*WHEREAS Report ACS2020-PIE-PS-0001, Zoning By-law Amendment and Site Plan Control – 19, 29 and 134 Robinson Avenue seeks to reduce the amount of required residential parking from 51 spaces combined to 9 (17 parking spots per building to 3); and*

*WHEREAS 17 spots per address is required; and*

*WHEREAS the applicant is only providing 3 visitor spots per address; and*

*WHEREAS the Zoning By-law establishes a minimum parking requirement of 0.5 spaces per dwelling unit (after the first 12 units); and*

*WHEREAS Robinson Village has a lack of amenities and the distance to the Lees O-Train Station is difficult to access, resulting in the need for some residents in the buildings to require a vehicle; and*

*WHEREAS Robinson Avenue has a lack of available on-street parking, which is currently overused from existing residents;*

*THEREFORE BE IT RESOLVED that the recommended parking reductions be refused, and that parking be provided in accordance with the current Zoning By-law requirements by deleting the following provision in Document 2, 4 and 6:*

*“Despite Section 101, the minimum number of parking spaces required for the*

*first 46 dwelling units is three spaces”;*

*AND BE IT FURTHER RESOLVED that pursuant to the Planning Act, subsection 34(17), no further notice be given.*

LOST

The committee carried the report recommendations regarding the requested Zoning By-law amendment without change.

Note: The committee considered the following motion regarding the site plan component of the report:

Motion

WHEREAS Planning Committee is delegated the authority to approve site plans; and

WHEREAS it is desired that an additional week be available for discussion with respect to the site plan applications under consideration in this report; and

WHEREAS such opportunity can be made available by Planning Committee determining to recommend the site plan applications to Council rather than exercising its delegated authority;

THEREFORE BE IT RESOLVED that Recommendation 3 be amended to commence: 'That Planning Committee recommend that Council approve...'

CARRIED

## **Ottawa City Council**

Number of additional written submissions received by Council between January 23 (Planning Committee consideration date) and January 29, 2020 (Council consideration date): 0

### **Effect of Submissions on Council Decision:**

Council considered all written submissions in making its decision.

In respect of ***Zoning By-Law Amendment and Site Plan Control – 19, 29 and 134 Robinson Avenue***, Council Carried the report recommendations related to the requested Zoning By-law amendment, as amended by the following:

Motion

WHEREAS Report ACS2020-PIE-PS-0001, Zoning By-law Amendment and Site Plan Control recommends approval for zoning by-law amendments and site plan control for three separate six-storey apartment buildings at each of the following municipal addresses:

- a) 17, 19 and 23 Robinson,
- b) 27, 29 and 31 Robinson, and
- c) 130, 134 and 138 Robinson;

WHEREAS the plans recommended for approval include a rooftop amenity area on each building; and

WHEREAS Sandy Hill has experienced negative impacts with rooftop amenity areas associated with noise complaints and privacy concerns and it is desirable to prohibit this use in the circumstances;

THEREFORE BE IT RESOLVED that a zoning provision be added to the Details of Recommended Zoning in Documents 2, 4 and 6 similar in effect to the following:

“Outdoor rooftop amenity areas are prohibited”

AND BE IT FURTHER RESOLVED that pursuant to the *Planning Act*, Subsection 34(17), no further notice be given.

CARRIED

Note: In respect of **Zoning By-Law Amendment and Site Plan Control – 19, 29 and 134 Robinson Avenue**, Council also approved the following motion regarding the site plan component of the report:

Motion

WHEREAS Report ACS2020-PIE-PS-0001, Zoning By-law Amendment and Site Plan Control, recommends site plan approval for three proposed six-storey buildings at each of the following municipal addresses:

- a) 17, 19 and 23 Robinson,
- b) 27, 29 and 31 Robinson, and
- c) 130, 134 and 138 Robinson;

WHEREAS delegated authority for staff to grant site plan approval for the said applications has not been removed by the Ward Councillor at this time;

WHEREAS the plans recommended for approval include an outdoor rooftop amenity area on each building;

WHEREAS Sandy Hill has experienced negative impacts with outdoor rooftop amenity areas associated with noise complaints and privacy concerns;

WHEREAS Council has now approved amended zoning provisions which require the developer to remove the outdoor rooftop amenity areas;

AND WHEREAS as of Tuesday January 28, 2020 the developer had proposed a revision to the plans and reports to remove the outdoor rooftop amenity areas and to make adjustments to engineering plans, site lighting, fencing, and indoor amenity areas, which require further review by Staff;

THEREFORE BE IT RESOLVED that the site plan applications for

- a) 17, 19 and 23 Robinson,
- b) 27, 29 and 31 Robinson, and
- c) 130, 134 and 138 Robinson;

be referred back to staff for approval in accordance with the recitals of this motion.

CARRIED

In respect of **Zoning By-Law Amendment and Site Plan Control – 36 Robinson Avenue**, Council Carried the report recommendations related to the requested Zoning By-law amendment without change.

Note: In respect of **Zoning By-Law Amendment and Site Plan Control – 36 Robinson Avenue**, Council also approved the following motion regarding the site plan component of the report:

Motion

WHEREAS Report ACS2020-PIE-PS-0002, Zoning By-law Amendment and Site Plan Control – 36 Robinson Avenue recommends approval for Zoning By-law Amendments and Site Plan Control to permit a nine-storey apartment building; and

WHEREAS the Ward Councillor raised concerns about the building and site design as it relates to resident safety; and

WHEREAS the Site Plan and Landscape Plan have been revised to show side yard gates and exterior lighting to ensure the safety and security of building residents;

THEREFORE BE IT RESOLVED that Document 4, the list of approved plans and studies for the Site Plan Control application be amended to add updated plans and studies as follows:

1. Site Plan, drawing no. SP-1, prepared by Hobin Architecture, dated January 10, 2019, project no. 1834, Revision 15, dated 20/01/28.
2. Tree Conservation Report and Landscape Plan, project no. 19MIS1936, dated March 2019, prepared by James B. Lennox and Associates Inc., Revision 5, dated 01/28/2020.

CARRIED