



**SITE PLAN CONTROL APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW, CENTRAL**

Site Location: 36, 38, 40, 44, 48 Robinson Avenue

File No.: D07-12-20-0047

Date of Application: April 28, 2020

This SITE PLAN CONTROL application submitted by Fotenn Consultants Inc., on behalf of Robinson Village IV GP Inc., is APPROVED as shown on the following plan(s):

1. **Site Plan**, drawing no. SP-1, prepared by Hobin Architecture, dated January 10, 2019, project no. 1834, Revision 19, dated 20/07/16.
2. **South Elevation**, prepared by Hobin Architecture, dated July 16, 2020.
3. **West Elevation**, prepared by Hobin Architecture, dated July 16, 2020.
4. **North Elevation**, prepared by Hobin Architecture, dated July 16, 2020.
5. **East Elevations**, prepared by Hobin Architecture, dated July 16, 2020.
6. **Tree Conservation Report and Landscape Plan**, project no. 19MIS1936, dated March 2019, prepared by James B. Lennox and Associates Inc., Revision 8, dated 07/16/2020.
7. **Erosion Control Plan**, drawing no. EC-1, project no.18-1078, dated March 2019, prepared by DSEL, Revision 5, dated 20.04.24.
8. **Grading Plan**, drawing no. GP-1, project no.18-1078, dated March 2019, prepared by DSEL, Revision 5, dated 20.04.24.
9. **Stormwater Management Plan**, drawing no. SWM-1, project no.18-1078, dated March 2019, prepared by DSEL, Revision 5, dated 20.04.24.
10. **Site Servicing Plan**, drawing no. SSP-1, project no.18-1078, dated March 2019, prepared by DSEL, Revision 5, dated 20.04.24.

And as detailed in the following report(s):

1. **Functional Servicing and Stormwater Management Report**, project no. 18-1078, prepared by DSEL, dated January 2020 – Rev. 4. With a memo dated 20.04.24
2. **Geotechnical Investigation Report**, project no. PG5231-1, prepared by Paterson Group, dated April 24, 2020, with a memo dated July 14, 2020, and a memo dated August 6, 2020.
3. **Traffic Noise Assessment**, report: GWE19-016, prepared by GradientWind, dated March 7, 2019.
4. **Stationary Noise Assessment**, report: GWE19-016, prepared by Gradient Wind, dated July 19, 2019, with an addendum letter dated April 22, 2020.
5. **Pedestrian Level Wind Study**, report: GWE19-016-CFDPLW, prepared by GradientWind, dated March 7, 2019, with an addendum letter dated April 22, 20.
6. **Transportation Impact Assessment**, 36 Robinson Avenue, CGH Transportation, Project No. 2018-68, dated March 2019.
7. **Phase I Environmental Site Assessment**, 36 Robinson Avenue, prepared by GHD, dated January 29, 2019.
8. **Phase II Environmental Site Assessment**, 36 Robinson Avenue, project no. 11186719, prepared by GHD, Report No. 3, March 6, 2019.
9. **Hydrogeological Review**, 36 Robinson Avenue, Project No. PG5231-REP.02, Revision 2, prepared by Paterson Group, dated June 8, 2020.

And subject to the following General and Special Conditions:

General Conditions

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, sidewalk 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. 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

- a) 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 approved Geotechnical Investigation Report 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.
- b) The owner further acknowledges and agrees that if the City, for any reason, does not permit the long-term discharging of groundwater to the combined sewer system, then the owner shall change the foundation construction method to a water proof foundation to reduce the possible ground water going into the City’s sewer system. All cost to be borne by the owner, and any new construction method shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

18. Record of Site Condition

Prior to the issuance of a building permit, the owner shall submit to the General

Manager, Planning, Infrastructure and Economic Development, and the Chief Building Official, a Record of Site Condition (“RSC”) completed in accordance with the *Environmental Protection Act*, R.S.O. 1990, c. E.19, O.Reg. 153/04, as amended (“O.Reg. 153/04”), and shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all or part of the site will be suitable for the proposed use in accordance with O.Reg. 153/04. The City may issue a building permit on a phased basis to allow for site investigation and remediation activities if permitted by O.Reg. 153/04. No further Works will be permitted until the RSC is submitted. Where available information reveals that contamination extends into a City right-of-way and submission of an RSC is not possible, a building permit may be issued on a phased basis:

- a) where the owner has executed an off-site management agreement with the City to remediate the right-of-way and the site or;
- b) where the owner has completed remediation Work on the right-of-way to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

19. 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.

20. 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.

21. 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.

22. Pre-Blast Survey

Prior to any blasting activities, the owner acknowledges and agrees it shall arrange for a pre-blast survey to be carried out in accordance with Ontario Provincial Standard Specification entitled "General Specification for the Uses of Explosives", Section 120.07.03, by a Professional Engineer licensed in the Province of Ontario, which states as follows:

- a) A pre-blast survey shall be prepared for all buildings, utilities, structures, water wells, and facilities likely to be affected by the blast and those within 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.
- b) The pre-blast survey shall include, as a minimum, the following information:
 - i. Type of structure, including type of construction and if possible, the date when built.
 - ii. Identification and description of existing differential settlements, including visible cracks in walls, floors, and ceilings, including a diagram, if applicable, room-by-room. All other apparent structural and cosmetic damage or defect shall also be noted. Defects shall be described, including dimensions, wherever possible.
 - iii. Digital photographs or digital video or both, as necessary, to record areas of significant concern. Photographs and videos shall be clear and shall

accurately represent the condition of the property. Each photograph or video shall be clearly labelled with the location and date taken.

- c) A copy of the pre-blast survey limited to a single residence or property, including copies of any photographs or videos that may form part of the report shall be provided to the owner of that residence or property, upon request.

23. 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.

24. 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.

25. Site Dewatering

- a) The owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary combined sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.
- b) The owner further acknowledges and agrees that if the discharging groundwater is not permitted due to the capacity of the City's sewer system, it will truck the groundwater being pumped out during construction, at the owner expense.

26. 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.

27. Elevations

The owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevation Plans. 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.

28. 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.

29. 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 30 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.

30. 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.”

31. Traffic Impact Assessment

The owner(s) has undertaken a Transportation Impact Assessment for this site, 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 Study is fully implemented, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

32. 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.

33. 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.

34. Groundwater Management

The owner acknowledges and agrees to retain an environmental consultant to test groundwater to be removed from the site during and after redevelopment. If through further testing the groundwater samples are found to be contaminated, all contaminated groundwater must be removed, managed or treated in accordance with appropriate Ontario regulations and/or discharged in accordance with the City’s Sewer Use By-law, being By-law No. 2003-514, as amended. A sewer use agreement for the discharging of groundwater into City’s combined sewer system will be required.

The owner further acknowledges and agrees that if the City, for any reason, does not permit the long-term discharging of groundwater to the combined sewer system, then the owner shall change the foundation construction method to a water proof foundation to reduce the possible ground water going into the City's sewer system. All cost to be borne by the owner, and any new construction method shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

35. Stormwater Management Memorandum

Prior to registration of this Agreement, the owner acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development, with a memorandum prepared by a Professional Engineer, licensed in the Province of Ontario, confirming that the designed roof-top scuppers and associated spill point elevations will be set equivalent to the top of the control weir of the approved roof drain elevation(s). The owner further acknowledges and agrees that said memorandum shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, and all associated costs shall be at the owner's expense.

36. Protection of City Sewers

- b) Prior to the issuance of a building permit, the owner shall, at its expense:
- i. provide the General Manager, Planning, Infrastructure and Economic Development with the engineering report from a Professional Engineer, licensed in the Province of Ontario, which report shall outline the impact of the proposed building's footing and foundation walls, on the City sewer system, that crosses the Robinson Avenue frontages (the "City Sewer System") and the impact of the existing City Sewer System on the building's footing and foundation walls;
 - ii. obtain a legal survey acceptable to the General Manager, Planning, Infrastructure and Economic Development and the City's Surveyor, showing the existing City Sewer System within Robinson Avenue and the location of the proposed building and its footings in relation to the City Sewer System;
 - iii. obtain a video inspection of the City Sewer System within Robinson Avenue prior to any construction to determine the condition of the existing City Sewer System prior to construction on the lands and to provide said

video inspection to the General Manager, Planning, Infrastructure and Economic Development.

- c) Upon completion of construction on the lands, the owner shall, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development:
- i. obtain a video inspection of the existing City Sewer System within Robinson Avenue to determine if the City Sewer System sustained any damages as a result of construction on the lands; and
 - ii. assume all liability for any damages caused to the City Sewer System within Robinson Avenue and compensate the City for the full amount of any required repairs to the City Sewer System.

37. Below Grade Parking Area and Depressed Driveways

- a) The owner acknowledges and agrees that during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the road allowance. The owner further acknowledges and agrees that the City shall not take responsibility for flooding claims. The owner further acknowledges that it is recommended that backwater valves be installed on catch basins located in depressed driveways.
- b) The owner acknowledges and agrees that a notice-on-title respecting below grade parking areas and depressed driveways, as contained in Condition 38 hereinafter, shall be registered on title to the subject lands, at the owner's expense, and a warning clause shall be included in all agreements of purchase and sale and lease agreements.

38. Notices on Title – All Units (Below Grade Parking and Depressed Driveways)

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:

“The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the road allowance. The Purchaser/Lessee further acknowledges being advised that the City of Ottawa shall not be liable for flooding claims. Backwater valves are

recommended for installation on catch basins located in depressed driveways.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clauses, 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.”

39. Temporary Consideration Parking Permits

- a) The Owner acknowledges and agrees to act as the agent and obtain from City of Ottawa Parking Operations up to 25 temporary consideration parking permits for local residents in Robinson Village who are affected by construction of the development approved herein.
- b) The Owner further acknowledges and agrees that the temporary consideration parking permits shall have a one-year term, and be eligible for subsequent renewals up to the point that all phases of the Traffic Management Plan for the development of 19, 29, 134, and 36 Robinson Avenue, as approved by the City of Ottawa Traffic Management Inspector, have been concluded.
- c) The Owner further acknowledges and agrees to obtain the necessary information (e.g., license plate numbers) for the temporary consideration parking permits for the initial one-year term and for subsequent renewals via mail out and email notification to the Owner’s and/or Ward Councillor’s contact list for the development, which notification shall indicate that the permits are on a first-come first-serve basis.
- d) The Owner shall not be responsible for any parking infractions incurred by permit holders who are not in compliance with the conditions of the temporary consideration parking permit.

September 8th 2020

Date



Saide Sayah
Manager, Development Review, Central
Planning, Infrastructure and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-20-0047

SITE LOCATION

36 Robinson Avenue (36, 38, 40, 44, 48 Robinson Avenue), as shown on shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site is located in the southeast corner of the Sandy Hill neighbourhood in an area locally known as Robinson Village. Bounded to the north by Robinson field, the Rideau River to the east, and to the south and the west by Highway 417. Vehicular access is limited by a single roadway passing beneath the Lees Avenue overpass.

The adjacent lands are predominantly low-rise residential including single-detached homes, townhouses and low-rise apartment buildings. The subject site has a total lot area of 1,875 square metres with a lot frontage of 48.9 metres and is presently occupied by four buildings. Existing buildings include a former custom cycle repair shop, two one-storey buildings previously used for motorcycle repair and customization, as well as two-storey single-detached dwelling.

The proposed development is a nine-storey apartment building containing 153 dwelling units, and an underground garage with 88 vehicle parking spaces (14 visitor), and 77 bicycle parking spaces. The building design also includes indoor amenity areas, a rooftop terrace, and private balconies (north-facing units).

Note: On January 29, 2020 City Council granted approval for a nine-storey apartment building through Zoning application D02-02-19-0101 and Site Plan D07-12-19-0044. The Rezoning was appealed to the Local Planning Appeal Tribunal. The purpose of this application is to submit a zoning compliant Site Plan, and while the proposal is largely similar to the previous approval, the number of dwelling units is reduced from 191 to 153, the front walkway width was reduced to 1.25 metres, and the parking was increased to 88 spaces (includes 14 visitor).

DECISION AND RATIONALE

This application is approved for the following reasons:

- The application, while new, is consistent with the previous proposal that was granted approval by Council, including the conditions of approval, site and landscape design and building elevations. The revisions were largely with respect to the interior of the building (not regulated through Site Plan) and engineering details.
- The application is consistent with the “General Urban Area” designation of the Official Plan, providing an apartment building through intensification in a built form with quality urban design and compatibility.
- The application is consistent with the Sandy Hill Secondary Plan as a medium profile building that brings intensification and a mix of unit’s types in close proximity to the Lees O-train Station. This is further supported by the Lees Transit-Oriented Development Plan.
- The proposal conforms to the zoning by-law provisions in effect and is consistent with the Zoning By-law Amendment currently under appeal.
- Site challenges such as Geotechnical assessment have been addressed through the Site Plan process.
- A Site Plan agreement is required to ensure that the subject site is developed in accordance with the approval and to City Standards, and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

CONSULTATION DETAILS

Councillor’s Concurrence

Councillor Fleury is aware of the approval.

Public Comments

This application was not subject to public circulation under the Public Notification and Consultation Policy.

Note: Given the nature of the revisions compared to the previously approved Site Plan by Council for essentially the same development, this application was processed as a Site Plan, Standard.

Technical Agency/Public Body Comments

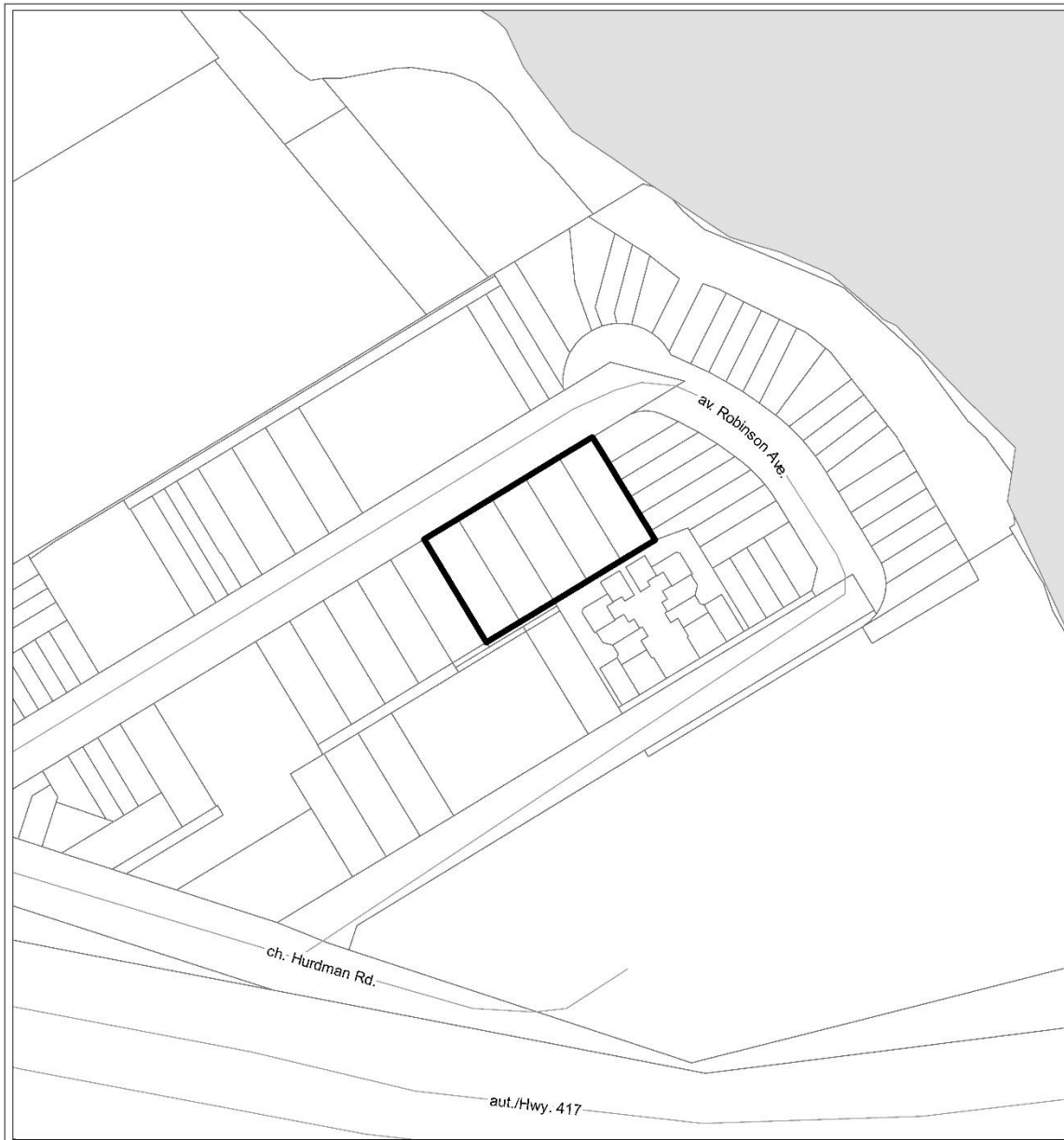
All technical agency correspondence was forwarded to the applicant, and the applicant was advised to contact technical agencies directly for additional information.




APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On-Time Decision Date established for the processing of an application that has Manager Delegated Authority due to delays associated with the engineering review and multiple revisions required to satisfy staff.

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Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
D07-12-20-0047	20-0345-L		
I:\CO\2020\Site\Robinson_36			
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REVISION / RÉVISION - 2020 / 04 / 29		 <small>NOT TO SCALE</small>	