

City Council - Planning Meeting Agenda



Monday, November 9, 2020, 6:30 p.m.

Remote meeting live streamed
on guelph.ca/live

Changes to the original agenda are noted with an asterisk "*".

To contain the spread of COVID-19, City Council workshops are being held electronically and can be live streamed at guelph.ca/live.

For alternate meeting formats, please contact the City Clerk's Office at clerks@guelph.ca or 519-822-1260 extension 5603.

Pages

1. Notice - Electronic Participation

1.1. City Council

This meeting will be held by Electronic Participation in accordance with the City of Guelph Procedural By-law (2020)-20515.

2. Call to Order

3. Open Meeting - 6:30 p.m.

3.1. O Canada

3.2. Silent Reflection

3.3. First Nations Acknowledgement

3.4. Disclosure of Pecuniary Interest and General Nature Thereof

4. Council Consent Agenda

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

4.1. Decision Report - 816 Woolwich Street Proposed Zoning By-law Amendment - File OZS19-002 - 2020-166

1

Recommendation:

1. That the application by MHBC Planning Limited on behalf of Chief Holdings (816 Woolwich) Limited, for a Zoning By-law Amendment to change the zoning from the current "Specialized Highway Service Commercial" (SC.2-3) Zone to a "Specialized Community Shopping Centre" (CC-29) Zone, to permit the development of 200 stacked townhouse units, a five-storey apartment building containing 48 units, a commercial building, and maintain the existing Curling Club on the property municipally known as 816 Woolwich Street, and legally described as Part of Lots 6 and 7, Registered Plan 169, be approved in accordance with Attachment-3 of Report 2020-166, dated November 9, 2020.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 816 Woolwich Street.

5. Items for Discussion

The following items have been extracted from the Committee of the Whole Consent Report and the Council Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

5.1. Special Meeting of Council to Commence the Five-year Review of the Official Plan, 2020-159

72

Presentation:

Stacey Laughlin, Senior Policy Planner

Recommendation:

1. That Staff be directed to proceed with the Section 26 Official Plan review as outlined in the report titled "Special meeting of Council to commence the five-year review of the Official Plan dated November 9, 2020".

6. By-laws

Resolution to adopt the By-laws (Councillor Bell).

7. Mayor's Announcements

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

8. Adjournment

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, November 9, 2020
Subject	Decision Report 816 Woolwich Street Proposed Zoning By-law Amendment File: OZS19-002 (previous file No.: ZC1402) Ward 3

Recommendation

1. That the application by MHBC Planning Limited on behalf of Chief Holdings (816 Woolwich) Limited, for a Zoning By-law Amendment to change the zoning from the current "Specialized Highway Service Commercial" (SC.2-3) Zone to a "Specialized Community Shopping Centre" (CC-29) Zone, to permit the development of 200 stacked townhouse units, a five-storey apartment building containing 48 units, a commercial building, and maintain the existing Curling Club on the property municipally known as 816 Woolwich Street, and legally described as Part of Lots 6 and 7, Registered Plan 169, be approved in accordance with Attachment-3 of Report 2020-166, dated November 9, 2020.
 2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 816 Woolwich Street.
-

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment to permit the development of 200 stacked townhouse units, a five-storey apartment building containing 48 units, a commercial building and maintain the existing Curling Club on the property municipally known as 816 Woolwich Street.

Key Findings

Planning staff support the proposed Zoning By-law Amendment subject to the recommended zoning regulations and site plan approval conditions in Attachment 3.

Financial Implications

Estimated Development Charges: \$5,690,608 (based on 2020 residential rates) and \$85,580 (based on 2020 non-residential rates).

Estimated Annual Taxes: \$553,500 based on the 2020 City tax rate for 200 stacked townhouse units, 48 apartment units, a commercial building and the existing Curling Club building (estimate only and actual number may vary).

Report

Background

A revised Zoning By-law Amendment application was received from MHBC Planning Limited on behalf of Chief Holdings (816 Woolwich) Limited for lands municipally known as 816 Woolwich Street on November 21, 2018.

The original application was received by the City on January 24, 2014 and deemed to be complete on February 16, 2014. The Statutory Public Meeting for the original proposal was held on May 12, 2014.

The original application proposed the development of 31 three-storey townhouses within three separate blocks backing onto the north property line, four commercial buildings and the retention of the existing Curling Club building.

Location

The subject lands have a total site area of approximately 3.9 hectares and are located on the west side of Woolwich Street, north of Woodlawn Road. The site is irregular in shape and has approximately 176 metres of frontage along Woolwich Street (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The subject lands are currently occupied by the Guelph Curling Club building which includes curling ice, banquet facilities and offices. The applicant is proposing to retain the existing Curling Club building as part of the proposed development.

Surrounding land uses include:

- To the north: one residential dwelling and Marymount Cemetery, located in the Township of Guelph/Eramosa, beyond which is the Ignatius Jesuit Centre;
- To the south: Office and Smart Centres commercial development, beyond which is Woodlawn Road;
- To the east: Woolwich Street, beyond which are lands located within the Township of Guelph/Eramosa; and,
- To the west: a provincial significant wetland and woodland.

Existing Official Plan Land Use Designations and Policies

The application was submitted in 2014 and is therefore subject to the policies of the 2001 Official Plan. The subject lands include a "Non-Core Greenlands Overlay" in Schedule 1 of the Official Plan. The lands associated with the "Non-Core Greenlands Overlay" on Schedule 1 may contain natural heritage features, natural features in adjacent lands and natural hazard lands that should be afforded protection from development. The applicant has prepared an Environmental Impact Study (EIS) to address development adjacent to both "Core Greenlands" and within the "Non-Core Greenlands Overlay". The EIS is discussed in more detail in the Staff Review and Planning Analysis in Attachment 11.

The subject lands are designated as "Mixed Use Node" in the Official Plan. The "Mixed Use Node" land use designation is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and

live-work studios. Medium and high density multiple unit residential development and apartments are also permitted in accordance with Official Plan policies.

The Official Plan land use designations and related policies are included in Attachment 4. An analysis of how this application conforms to the 2001 Official Plan policies can be found in the Staff Review and Planning Analysis in Attachment 11.

Official Plan Amendment No. 42 and No. 48 Land Use Designations and Policies

Official Plan Amendment No. 48 (OPA 48), a comprehensive update to the City's Official Plan, designates the subject lands as "Commercial Mixed-Use Centre" (note: Official Plan Amendment 69 changed the land use designation name from Community Mixed-Use Centre to Commercial Mixed-Use Centre). The following uses may be permitted in Commercial Mixed-use Centres: commercial, retail and service uses live/work uses, small-scale professional and medically related offices, entertainment and recreational commercial uses, community services and facilities, cultural, educational and institutional uses, hotels, multiple unit residential, and urban squares and open space.

The City's Natural Heritage Strategy (NHS - Official Plan Amendment 42 (OPA 42)) was adopted by Council on July 27, 2010 and brought into full force and effect by Order from the Ontario Municipal Board on June 4, 2014. OPA 42 designates adjacent lands as "Significant Natural Areas and Natural Areas". In accordance with the applicable Official Plan policies in 4.1.2 and 4.1.3, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions. As stated above, the applicant has prepared an EIS to demonstrate that there will be no negative impacts to the adjacent Natural Heritage System lands.

A Decision and Order from the Ontario Municipal Board on October 5, 2017 has brought OPA 48 into full force and effect. Although the application was received prior to OPA 42 and OPA 48 coming into full force and effect and is being processed under the 2001 Official Plan, staff must have regard to the policies and designations of OPA 42 and OPA48. The land use designations and relevant policies contained in OPA 42 and OPA48 are included in Attachment 5.

An analysis of how this application has had regard for OPA 42 and OPA 48 policies can be found in the Staff Review and Planning Analysis in Attachment 11.

Mapping Correction of Schedule 2 – Land Use Plan of the Official Plan

Schedule 2 of the Official Plan identifies an "Open Space and Park" land use designation on the westerly portion of the subject lands (see Attachment 4 and Attachment 5). It has been verified through mapping records that this designation is an error and the subject lands are designated as "Mixed Use Node" in the 2001 Official Plan in their entirety and "Commercial Mixed-Use Centre" in the current Official Plan.

This mapping error occurred during migration from the old mapping system to the current ArcGIS system. The dashed line for the greenlands overlay was misinterpreted to be the boundary for the designation rather than the property line.

This technical error will be corrected through a future City-initiated "housekeeping" Official Plan Amendment, and does not affect this application.

Existing Zoning

The subject lands are currently zoned "Specialized Highway Service Commercial" (SC.2-3), according to Zoning By-law (1995)-14864, as amended.

The existing zoning is shown in Attachment 6.

Description of Proposed Zoning By-law Amendment

The Zoning By-law Amendment application received by the City in November 2018 requested to change the zoning to a "Specialized Residential Cluster Townhouse" (R.3A-?) Zone and a "Specialized Service Commercial Zone" (SC.1-?) Zone. Specialized regulations were requested for relief from regulations of the Residential Cluster Townhouse Zone (R.3A) related to maximum density, minimum lot area per dwelling unit, minimum front yard setback, minimum landscaped open space, minimum common amenity area, and minimum private amenity area. The applicant also requested specialized regulations to the Service Commercial (SC.1) Zone related to minimum rear yard setback, minimum side yard setback and minimum parking ratios.

The applicant has worked with staff and made several minor modifications to their Zoning By-law Amendment application to address concerns and to further refine the proposed development. Staff are recommending that the subject lands be zoned to a "Specialized Community Shopping Centre" (CC-29) Zone, which is the most appropriate zone for the "Commercial Mixed-Use Centre" land use designation of the Official Plan.

A full review of the proposed zoning and specialized regulations can be found in the Staff Review and Planning Analysis in Attachment 11.

Original Application

The original application proposed the development of 31 three-storey townhouses within three separate blocks backing onto the north property line, four commercial buildings and the retention of the existing Curling Club building.

November 2018 Revised Conceptual Site Plan

The revised application submitted in November 2018 proposed 195 stacked townhouse units, a five-storey mixed-use (retail/residential) building, an office building and the retention of the existing Curling Club.

Current Conceptual Site Plan

The current conceptual site plan is proposing 200 stacked townhouse units, a five-storey apartment building with 48 units, a 621 square metre commercial building and the retention of the existing Curling Club.

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in Attachment 11. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at the second public meeting held on March 18, 2019. Final comments on the current proposal

from internal City departments and agencies are included in Attachment 13. The staff review and planning analysis addresses the following:

- Evaluation of the proposal against the 2020 Provincial Policy Statement and Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe which came into effect August 28, 2020;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed site layout, built form and parking;
- Review of the proposed zoning and specialized site-specific zoning regulations;
- Evaluation of the proposal against the Urban Design Concept Plans, Principles and Illustrative Diagrams for Woodlawn/Woolwich Street Mixed Use Node;
- Confirm support for the 2019 Community Energy Initiative Update (CEI);
- Review of supporting documents submitted in support of the application; and,
- All comments and issues raised at the second public meeting and all comments received from circulated agencies and members of the public.

Financial Implications

Estimated Development Charges: \$5,690,608 (based on 2020 residential rates) and \$85,580 (based on 2020 non-residential rates).

Estimated Annual City Property Taxes: \$553,500 based on the 2020 City tax rate for 200 stacked townhouse units, 48 apartment units, a commercial building and the existing Curling Club building (estimate only and actual number may vary).

Staff Recommendation

The applicant has revised the proposal since the second public meeting on March 18, 2019. The applicant has increased the number of stacked townhouses from 195 units to 200 units and increased the height of the stacked townhouses from three to four storeys and the previously proposed five-storey mixed-use building is now shown as a five-storey apartment building with 48 apartment units.

Through the review of the application, staff have also identified the need for specialized regulations to implement the proposed development. The specialized regulations are discussed further in the Staff Review and Planning Analysis in Attachment 11. The modifications to the proposed development are considered to be minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Planning staff are satisfied that the proposed Zoning By-law Amendment is consistent with the 2020 Provincial Policy Statement and conforms to Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Zoning By-law Amendment subject to the zoning regulations and proposed conditions to be imposed through site plan approval as outlined in Attachment 3.

Consultations

The original application was received by the City on January 24, 2014 and deemed to be complete on February 16, 2014. The Statutory Public Meeting for the original proposal was held on May 12, 2014.

The Notice of Revised Application was mailed on February 4, 2019 to local boards and agencies, City service areas and property owners within 120 metres of the subject property. The Notice of Public Meeting was mailed on February 25, 2019 to local boards and agencies, City service areas, property owners within 120 metres of the subject property and any other interested parties who requested notification.

The Notice of Public Meeting was also advertised in the Guelph Tribune on February 21, 2019. Notice of the application has also been provided by signage on the subject lands and all supporting documents submitted with the application have been posted on the City's website.

The Notice of Decision Meeting was mailed on October 23, 2020 to interested parties who either spoke at the public meeting, provided comments on the application or requested to receive further notice. The public notification summary is included in Attachment 14.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design and increasingly sustainable city as Guelph grows.

Alignment

The proposed development application is in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposed development is in conformity with the City's Official Plan can be found in the Staff Review and Planning Analysis in Attachment 11.

Attachments

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning Regulations and Conditions

Attachment-4 2001 Official Plan Land Use Designations and Policies

Attachment-5 Official Plan Amendment 42 and 48 Land Use Designations and Policies

Attachment-6 Existing Zoning

Attachment-7 Proposed Zoning

Attachment-8 Original Conceptual Site Plan

Attachment-9 Revised Conceptual Site Plan (November 2018)

Attachment-10 Current Conceptual Site Plan

Attachment-11 Staff Review and Planning Analysis

Attachment-12 Community Energy Initiative Update Commitment

Attachment-13 Departmental and Agency Comments

Attachment-14 Public Notification Summary

Departmental Approval

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

Report Author

Lindsay Sulatycki, MCIP, RPP, Senior Development Planner

This report was approved by:

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2395

krista.walkey@guelph.ca

This report was recommended by:

Kealy Dedman, P. Eng., MPA

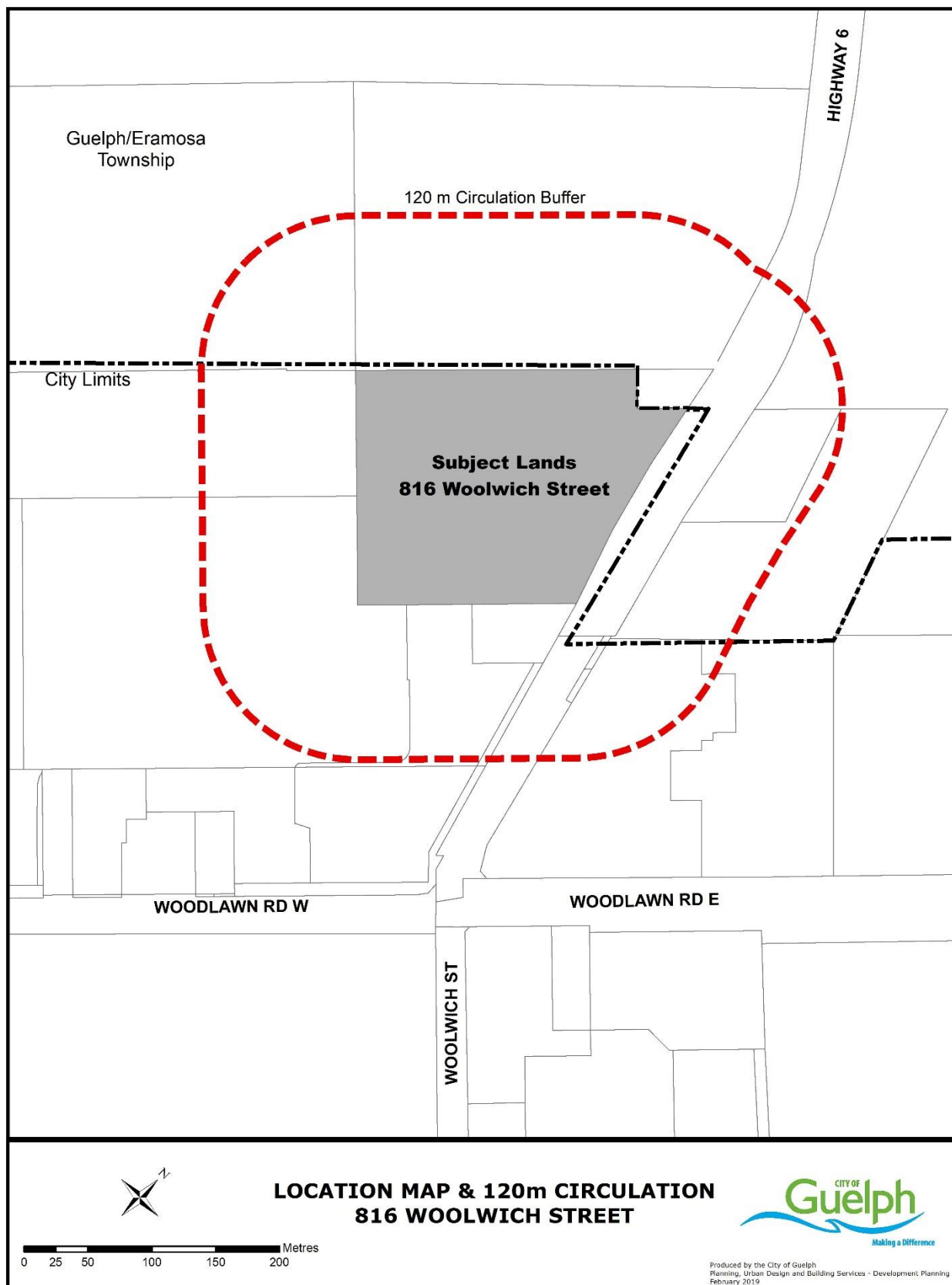
Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

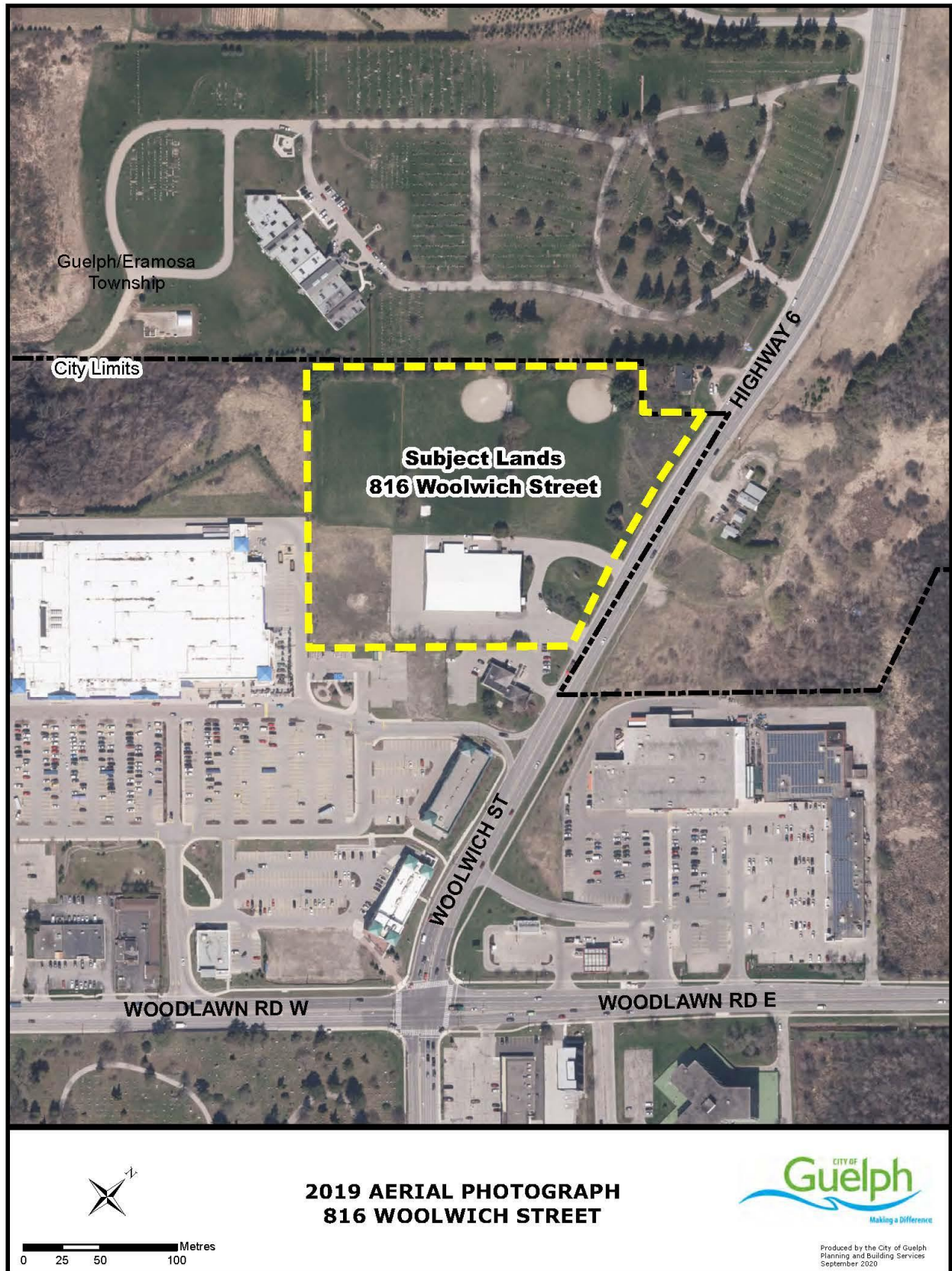
519-822-1260 extension 2248

kealy.dedman@guelph.ca

Attachment-1 Location Map and 120m Circulation



Attachment-2 Aerial Photograph



Attachment-3 Recommended Zoning Regulations and Conditions

3A – Zoning Regulations

Staff are recommending a “Specialized Community Shopping Centre” (CC-29) Zone for the subject lands.

Permitted Uses:

In addition to the permitted uses set out in Section 6.2.1.2, of Zoning By-law (1995)-14864, as amended, the following additional uses are permitted:

- Stacked Townhouse in accordance with Section 5.3.1.1 of the By-law
- Apartment Building in accordance with Section 5.4.1.1 of the By-law

Prohibited Uses:

- Carwash, Automatic
- Carwash, Manual
- Vehicle Gas Bar
- Drive-through

Regulations for Stacked Townhouses:

In accordance with the regulations of Table 5.3.2 of the By-law, with the following exceptions:

Stacked Townhouse

For the purposes of the CC-29 zone, a Stacked Townhouse is defined as: 1 building or structure containing 2 or more townhouses, which are horizontally and vertically attached.

Minimum Rear Yard

The minimum rear yard shall be 5.5 metres, whereas the By-law requires a minimum rear yard of one-half the building height, and in no case less than 3 metres.

Maximum Building Height

The maximum building height shall be 4 storeys, whereas the By-law permits a maximum building height of 3 storeys.

Private Amenity Area

A private amenity area shall be provided for each unit and it shall have a minimum area as follows:

Below grade units – 9 square metres per unit

Ground level units – 3 square metres per unit

Above grade units – 3 square metres per unit

Regulations for Apartment Buildings:

In accordance with the regulations of table 5.4.2 of the By-law, with the following exceptions:

Common Amenity Area

The minimum common amenity area shall be 10 square metres per unit, whereas the By-law requires a minimum of 20 square metres per dwelling unit for the first 20 units and 20 square metres per unit for each additional dwelling unit.

Maximum Building Height

The maximum building height shall be 5 storeys, whereas the By-law permits a maximum building height of 8 storeys.

Regulations for all Permitted Uses in the CC-29 Zone:

Minimum Landscaped Open Space

The minimum landscaped open space shall be 35% of the Lot.

Net Density

Despite Sections 5.3.2.6 and Table 5.4.2, row 5 of the By-law, the residential net density for the CC-29 Zone shall be a maximum of 150 units per hectare.

Off-Street Parking

Despite Table 6.2.2, Row 14 and Section 4.13.4.1 of the By-law, the minimum off-street parking required shall be 1 space per 23 square metres of Gross Floor Area for all non-residential Uses in this Zone.

Maximum Commercial Gross Floor Area

Despite Table 6.2.2, Row 10, the maximum Commercial Gross Floor Area shall be 5,920 square metres.

Ministry of Transportation Setback

All buildings and structures shall be setback a minimum of 14 metres from the highway property limit.

Severability Provision

The uses and regulations of the CC-29 Zone shall continue to apply collectively to the whole of the lands identified as CC-29, despite any future severance or condo registration.

3B – Proposed Conditions of Site Plan Approval:

The following conditions are provided as information to Council and will be imposed through site plan approval, pursuant to Section 41 of the Planning Act:

1. That the Owner/Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, sidewalks, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. That the Owner/Developer commits and agrees that the details of the layout and design for the development of the subject lands shall be generally in accordance with the current conceptual site plan in Attachment 10 of the November 9, 2020 816 Woolwich Street Decision Report from Infrastructure, Development and Enterprise Services.
3. That the Owner/Developer shall work with the landowners to the north and south to provide pedestrian/active transportation connections between the sites.
4. That the Owner/Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Owner/Developer.
5. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall provide to the City, to the satisfaction of the General

Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:

- i. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - ii. Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - iii. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - v. a construction traffic access and control plan for all phases of servicing and building construction;
 - vi. salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
6. That the Owner/Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 5 i) to 5 vi) inclusive.
 7. That the Owner/Developer shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
 8. That prior to any construction or grading on the lands, the Owner/Developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner/Developer shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
 9. That the Owner/Developer shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
 10. That the Owner/Developer shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner/Developer.

Attachment-3 Recommended Zoning Regulations and Conditions (continued)

11. That the Owner/Developer shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
12. That the Owner/Developer shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner/Developer shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.
13. That the Owner/Developer agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands currently using or draining into the existing watermain, sanitary and storm sewer.
14. That the Owner/Developer acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
15. That the Owner/Developer shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
16. That the Owner/Developer shall confirm that the basements will have a minimum 0.5 metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
17. That the Owner/Developer shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
18. That the Owner/Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
19. That the Owner/Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.
20. That the Owner/Developer shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.

Attachment-3 Recommended Zoning Regulations and Conditions (continued)

21. That the Owner/Developer shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
22. That the Owner/Developer shall submit a Noise impact study report in accordance with Guelph Noise Control Guidelines to the satisfaction of the General Manager /City Engineer.
23. That the Owner/Developer shall service, grade, develop and maintain the site in accordance with the plans that have been approved by the City through the site plan approval. The Owner/Developer shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner/Developer shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
24. That the Owner/Developer shall place, or agree to place, the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the agreement to be registered on title:
 - a) "Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer."
 - b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Owner for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph's Property Standards By-law (2000)-16454, as amended."
 - c) "Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
 - d) "Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property."
25. That the Owner/Developer shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
26. That the Owner/Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

Attachment-3 Recommended Zoning Regulations and Conditions (continued)

27. That the Owner/Developer shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermain, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
28. That the Owner/Developer shall provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement and condominium declaration.
29. That the Owner/Developer agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
30. That the Owner/Developer agrees to maintain log for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement and condominium declaration.
31. That all applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage are in conformance with the approved overall site drainage and grading plan.
32. That the Owner/Developer shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner/Developer shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner/Developer shall pay the engineering on-site works inspection fee to the satisfaction of the City.
33. That prior to any site alteration, tree removal or construction, the Owner/Developer shall prepare an updated Tree Inventory & Preservation Plan as well as a Landscaping, Compensation and Replacement Plan, satisfactory to the General Manager of Planning and Building Services.
34. That prior to site plan approval or site alteration or tree removal, the Owner/Developer shall prepare a detailed Landscaping, Compensation and Replacement Plan, prepared by an OALA that includes provision of street trees and landscaping of amenity space/ common elements of the future condominium satisfactory to the General Manager of Planning and Building Services.
35. That prior to site alteration or tree removal, the Developer shall provide a qualified Environmental Inspector, satisfactory to the General Manager of Planning and Building Services and the City Engineer, to inspect the site during all phases of development and construction including grading, servicing, and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control and tree protection measures and procedures on a weekly or more frequent basis and report on their findings to the City on a monthly basis.
36. That prior to site plan approval the Owner/Developer shall prepare a Salt Management Plan for the development satisfactory to the City's Risk Management Official for Source Water Protection.

Attachment-3 Recommended Zoning Regulations and Conditions (continued)

37. That prior to site plan approval, the Owner/Developer shall complete and provide a security to the City to ensure the proper and timely completion of all landscaping in accordance with the approved Landscaping Plan(s). The amount of the securities required is determined from a detailed cost estimate for the sited works, listing items, quantities, unit costs and total costs. The cost estimate is to be prepared by the consultant and to the satisfaction of the General Manager of Planning and Building Services.
38. That prior to site plan approval the Owner/Developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning and Building Services.
39. That the Owner/Developer shall be responsible for the cost of design and development of the demarcation of lands owned by the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of two-year warrantee period completed by a full member of Ontario Association of Landscape Architect (OALA) with seal for approval to the satisfaction of the Deputy CAO of Public Services. The Owner/Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of installation of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services. The Owner/Developer shall be responsible for installing demarcation prior to registration of the Plan of Condominium.
40. That the existing City Gateway Feature is located within the property limits of the subject lands and is proposed to be relocated. The City and Owner/Developer will work together through the site plan approval process to determine an acceptable location for the gateway feature. Details regarding the location, design, installation and maintenance of the new gateway feature shall be included in an Agreement between the City and Owner/Developer to the satisfaction of the City Solicitor if an acceptable location is agreed upon by both the Owner/Developer and the City.
41. That if an acceptable location for the gateway feature is agreed upon by both the Owner/Developer and the City, the Owner/Developer and City shall enter into an Agreement regarding an easement on the subject lands in favour of the City for access and maintenance to the gateway feature. The City would be looking to purchase an easement interest over the agreed upon location, which would be obtained under separate process through Realty Services, by Agreement of Purchase and Sale, for fair market value.
42. That the Owner/Developer shall provide Park Planning with a digital file in CAD format containing the as-built information of City Gateway Feature, grades/contours, landscaping etc. if the City Gateway Feature is located on the subject lands.
43. That the Owner/Developer shall pay cash in-lieu of parkland conveyance for the entire development according to City of Guelph By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.

Attachment-3 Recommended Zoning Regulations and Conditions (continued)

44. That prior to submitting any building permit applications, the Owner/Developer shall provide to the Deputy CAO of Public Services a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the payment of cash-in-lieu of parkland dedication. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada and shall be subject to the review and approval of the Deputy CAO of Public Services.
45. That prior to site plan approval, the Owner/Developer shall demonstrate to the satisfaction of the General Manager of Planning and Building Services a commitment to incorporate features into the development that will implement recommendations of the City's Community Energy Initiative (CEI) and the overall goal of becoming a net zero carbon community by 2050.
46. That prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Environmental Services or his or her designate that the proposed development is in conformance with By-law (2011)-19199, or any successor thereof, known as the Waste Management By-law. Further, the Owner/Developer agrees and commits to employ a three-stream waste collection system with considerations and opportunities developed in their Waste Management Plan that would facilitate the transition to City collection at some point in the future.
47. That the Owner/Developer shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, Development Charges in accordance with the City of Guelph Development Charges By-law (2019)-20372, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of building permits.
48. That the Owner/Developer agrees to provide the Upper Grand District School Board with digital files of the final site plans in either ARC/INFO export or DXF format containing parcel fabric and street network.
49. That the Owner/Developer shall agree in the site plan agreement/condominium declaration that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point.
50. That the Owner/Developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the Developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents about schools in the area.
51. That the Owner/Developer agrees in the site plan agreement/condominium declaration to advise purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

"In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services, or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."

Attachment-3 Recommended Zoning Regulations and Conditions (continued)

52. That the Owner/Developer shall make satisfactory arrangements with Guelph Hydro/Alectra Utilities and phone and cable providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plant.
53. That the Owner/Developer shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
54. That the Owner/Developer shall satisfy Ministry of Transportation requirements to obtain a MTO Building and Land Use Permit, as may be required.
55. That the Owner/Developer shall satisfy the Ministry of Heritage, Sport, Tourism and Culture Industries with archeological assessment(s) for the property and that all reports are submitted to the City along with Ministry acknowledgement prior to site plan approval and prior to any construction or grading on the lands.

Attachment-4 2001 Official Plan Land Use Designations and Policies



Attachment-4 2001 Official Plan Land Use Designations and Policies (continued)

Mixed Use Nodes

- 7.4.5 The 'Mixed Use Nodes' identified on Schedule 1 in this Plan is comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within a "node". These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
- 7.4.6 The intent of the 'Mixed Use Node' designation is to create a well-defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing zoning by-laws may include mechanisms such as minimum density requirements and maximum parking standards to promote the efficient use of the land base.
- 7.4.7 It is intended that where there are adjacent properties within the node that the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Mixed Use Node will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
- 7.4.8 The boundaries of the 'Mixed Use Node' designation are intended to clearly distinguish the node as a distinct entity from adjacent land use designations. Subject to the policies of Section 9.2, proposals to expand a 'Mixed Use Node' beyond these boundaries or to establish a new node shall require an Official Plan Amendment supported by impact studies as outlined in policies 7.4.48 to 7.4.52.
- 7.4.9 The 'Mixed Use Node' is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and livework studios. Medium and high density multiple unit residential development and apartments shall also be permitted in accordance with the policies of Section 7.2. Only small scale professional and medically related offices shall be permitted in this designation in order to direct major offices to the CBD, Intensification Area, Corporate Business Park and Institutional designations.
- 7.4.10 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of *gross leasable floor area*, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total *gross leasable floor area* within the overall development.

Attachment-4 2001 Official Plan Land Use Designations and Policies (continued)

- 7.4.11 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the 'Mixed Use Node' designation to ensure such consistency.
- 7.4.12 The 'Mixed Use Nodes' incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. In order to promote a mixture of land uses within each 'Mixed Use Node' designation it is the intent of this Plan that new retail development will be limited to the following floor area cumulatively of all buildings within the node:
- Woodlawn / Woolwich Street Node: 42,000 sq. m.
 - Paisley / Imperial Node: 42,000 sq. m.
 - Watson Parkway / Starwood Node 28,000 sq. m.
 - Gordon / Clair Node 48,500 sq. m.
 - Silver Creek Junction: 22,760 sq.m (245,000 square metres) subject to the specific restrictions set out in Section 7.18.5.1.
- 7.4.13 No individual 'Mixed Use Node' shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of gross leasable floor area.
- 7.4.14 In accordance with Section 9.2, any proposal to exceed the retail floor area limitations within a 'Mixed Use Node' established in policy 7.4.12 or the number of large retail uses in policy 7.4.13 shall require impact studies as outlined in policies 7.4.48 to 7.4.52.

7.13 Greenlands System

The Greenlands System represents a planning framework which recognizes that *natural heritage features* and their associated landscapes need to be considered in a holistic manner in order to provide a comprehensive and integrated approach for conservation and enhancement. The Greenlands System is intended to include those *features* and areas which, are part of the City's *natural heritage* as well as areas in which *natural hazards* may pose a threat to public safety. These often inter-related areas include:

- wetlands;
- forestry resources;
- streams and valleys;
- ponds;
- areas of natural and scientific interest;
- fish, wildlife and plant habitats;
- flood plains and hazard lands;
- habitat areas for endangered and threatened species.

Attachment-4 2001 Official Plan Land Use Designations and Policies (continued)

7.13.1 Core Greenlands

The 'Core Greenlands' land use designation recognizes areas of the Greenlands System which have greater sensitivity or significance. The following natural heritage feature areas have been included in the 'Core Greenlands' designation of Schedule 1: provincially significant wetlands, the significant portion of habitat of threatened and endangered species, and the significant areas of natural and scientific interest (ANSI). Natural hazard lands including steep slopes, erosion hazard lands and unstable soils may also be associated with the 'Core Greenlands' areas. In addition, the floodways of rivers, streams and creeks are found within the 'Core Greenlands' designation.

1. Policies relating to natural heritage features are contained in Section 6 of this Plan.
2. Policies relating to natural hazard lands are contained in Section 5 of this Plan.

7.13.2 The natural heritage features contained within the 'Core Greenlands' designation are to be protected for the ecological value and function. Development is not permitted within this designation. Uses that are permitted include conservation activities, open space and passive recreational pursuits that do not negatively impact on the natural heritage features or their associated ecological functions.

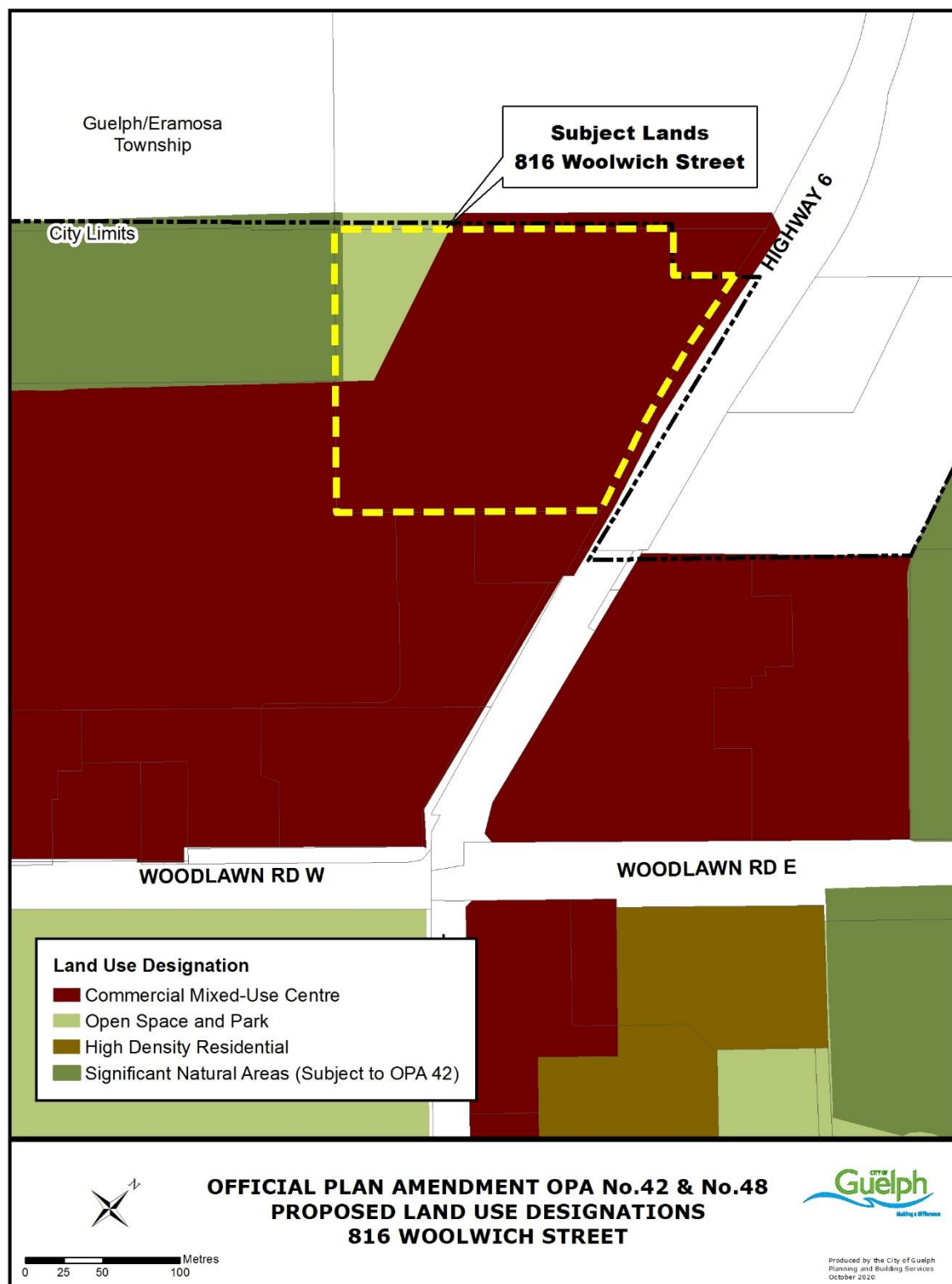
7.13.3 The natural heritage features contained within the 'Core Greenlands' designation are outlined on Schedule 2 of this Plan. Where a development proposal is made on adjacent lands to these natural heritage features, the proponent is responsible for completing an environmental impact study in accordance with the provisions of subsection 6.3 of this Plan. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of natural heritage features within the 'Core Greenlands' designation as part of such an environmental impact study.

7.13.4 In implementing the Greenlands System provisions of this Plan, 'Core Greenland' areas shall be placed in a restrictive land use category of the implementing *Zoning By-law*, which prohibits *development* except as may be necessary for the on-going management or maintenance of the natural environment.

7.13.5 Non-Core Greenlands Overlay

The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain natural heritage features, natural feature adjacent lands and natural hazard lands that should be afforded protection from development. The following natural features and their associated adjacent lands are found within the Non-Core Greenlands area: fish habitat, locally significant wetlands, significant woodlands, significant environmental corridors and ecological linkages, significant wildlife habitat. In many instances these natural features also have hazards associated with them which serve as development constraints.

Attachment-5 Official Plan Amendment 42 and 48 Land Use Designations and Policies



Attachment-5 Official Plan Amendment 42 and 48 Land Use Designations and Policies (continued)

9.4.2 Commercial Mixed-use Centre

The following Community Mixed-use Centres are designated on Schedule 2:

- Woodlawn/Woolwich
- Paisley/Imperial
- Watson/Starwood
- Gordon/Clair
- Silvercreek Junction

Objectives

- a) To promote Community Mixed-use Centres as areas that support a mix of uses including concentrations of commercial, residential and complementary uses serving the immediate neighbourhood and the wider community.

Policies

1. The Community Mixed-use Centres identified on Schedule 2 of this Plan are comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within the designation. These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
2. The intent of the Community Mixed-use Centre designation is to create a well-defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing Zoning By-laws may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base.
3. Development will be comprehensively planned and integrated with the overall Community Mixed-use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11.
4. Where residential uses are incorporated into Community Mixed-use Centres, they are intended to be developed as mixed-use buildings or multiple-unit residential buildings.
5. Properties within the Community Mixed-use Centre will be integrated through internal access roads, entrances from public streets, access to common parking areas, open space, grading and stormwater management systems. Furthermore, it is intended that individual developments within the Community Mixed-use Centre will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.

Attachment-5 Official Plan Amendment 42 and 48 Land Use Designations and Policies (continued)

6. Community Mixed-use Centres are strongly encouraged to incorporate Main Street type development in strategic locations. Main street areas, as identified through concept plans as per Section 3.1.1, will be planned and designed to reflect the following:
 - i) multi-storey buildings fronting onto the main street;
 - ii) ground floor retail and service uses are strongly encouraged;
 - iii) office uses at ground floor should be limited;
 - iv) residential uses should be provided primarily above commercial uses in addition to some free-standing residential buildings;
 - v) rhythm and spacing of building entrances and appropriately sized storefronts to encourage pedestrian activity;
 - vi) urban squares, where appropriate; and
 - vii) on-street parking.
7. Large free-standing buildings should be integrated with smaller-scale stores to create a Main Street-type environment or located on peripheral sites within the designation, which are directly linked to the Main Street.
8. The City will require the aesthetic character of site and building design to be consistent with the Urban Design policies of this Plan and any applicable urban design guidelines while recognizing the unique context of individual Community Mixed-use centres. Measures may be incorporated into development approvals to ensure consistency.
9. The boundaries of the Community Mixed-use Centre designation are intended to clearly distinguish the Community Mixed-use Centre as a distinct entity from adjacent land use designations. Proposals to expand a Community Mixed-use Centre beyond these boundaries or to establish a new Community Mixed-use Centre shall require an Official Plan Amendment supported by a Market Impact Study in accordance with the policies of this Plan.
10. Development within the Community Mixed-use Centre designation is subject to the policies of Section 3.11 of this Plan.

Permitted Uses

11. The following uses may be permitted in Community Mixed-use Centres, subject to the applicable provisions of this Plan:
 - i) commercial, retail and service uses;
 - ii) live/work uses;
 - iii) small-scale professional and medically related offices;
 - iv) entertainment and recreational commercial uses;
 - v) community services and facilities;
 - vi) cultural, educational and institutional uses;
 - vii) hotels;
 - viii) multiple unit residential; and
 - ix) urban squares and open space.

12. Vehicle repair and vehicle service stations shall only be permitted as accessory uses.
13. The permitted uses can be mixed vertically within a building or horizontally within multiple-unit buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development.
14. No individual Commercial Mixed-use Centre shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of gross floor area.

Height and Density

15. The Commercial Mixed-use Centres incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. To promote a mixture of land uses within each Community Mixed-use Centre, retail development will be limited to the following total gross floor area cumulatively of all buildings within the designation:

Mixed-use Centre:

Gordon/Clair: 57,900 sq.m

Woodlawn/Woolwich: 75,600 sq.m

Paisley/Imperial: 63,500

Watson Parkway/Starwood: 39,700 sq.m

Silvercreek Junction: 22,760

16. The maximum height is ten (10) storeys.
17. For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.
18. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

9.11 Natural Heritage System

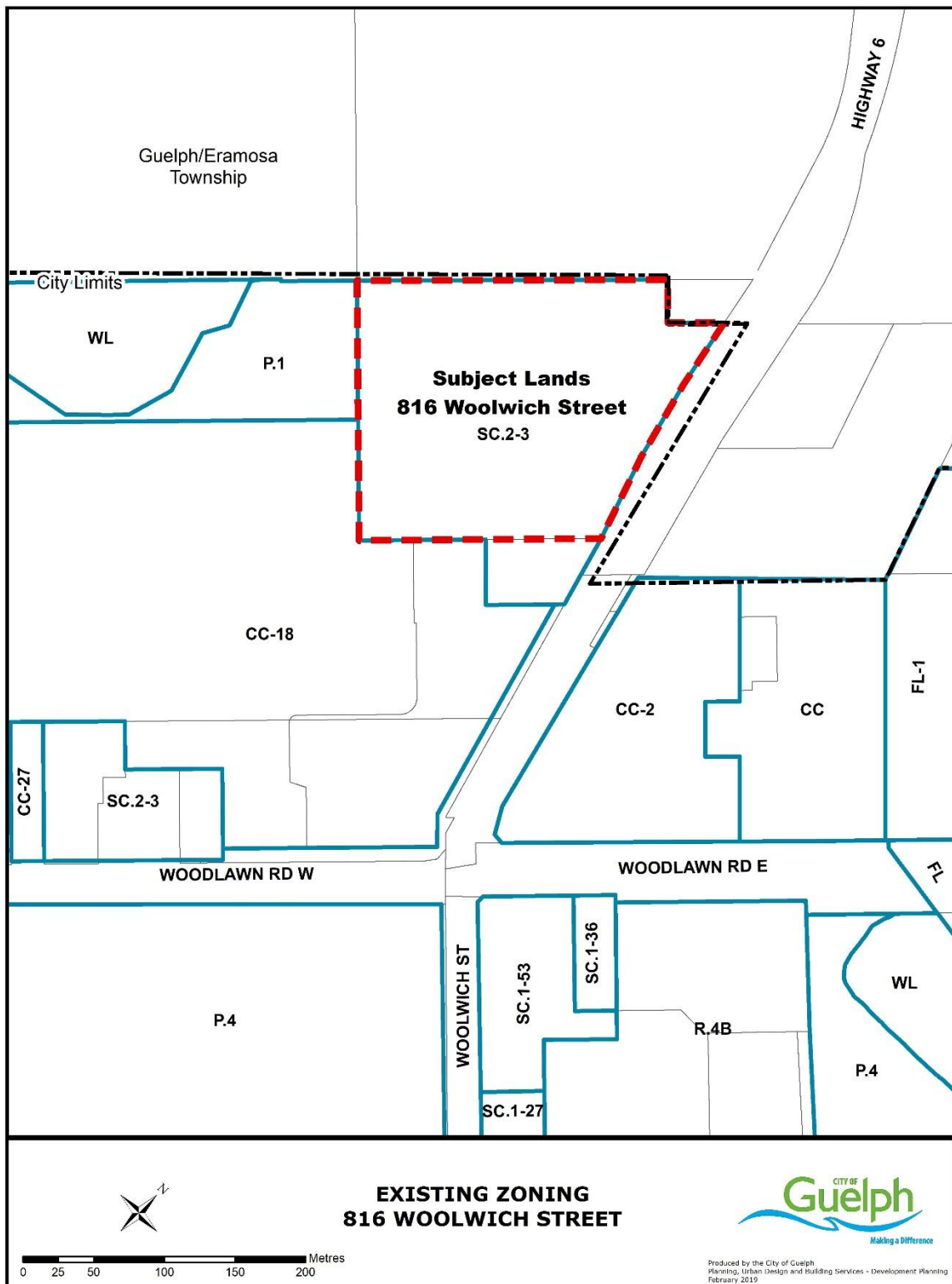
1. The Natural Heritage System is comprised of two designations as identified:
 - Significant Natural Areas
 - Natural Areas

Attachment-5 Official Plan Amendment 42 and 48 Land Use Designations and Policies (continued)

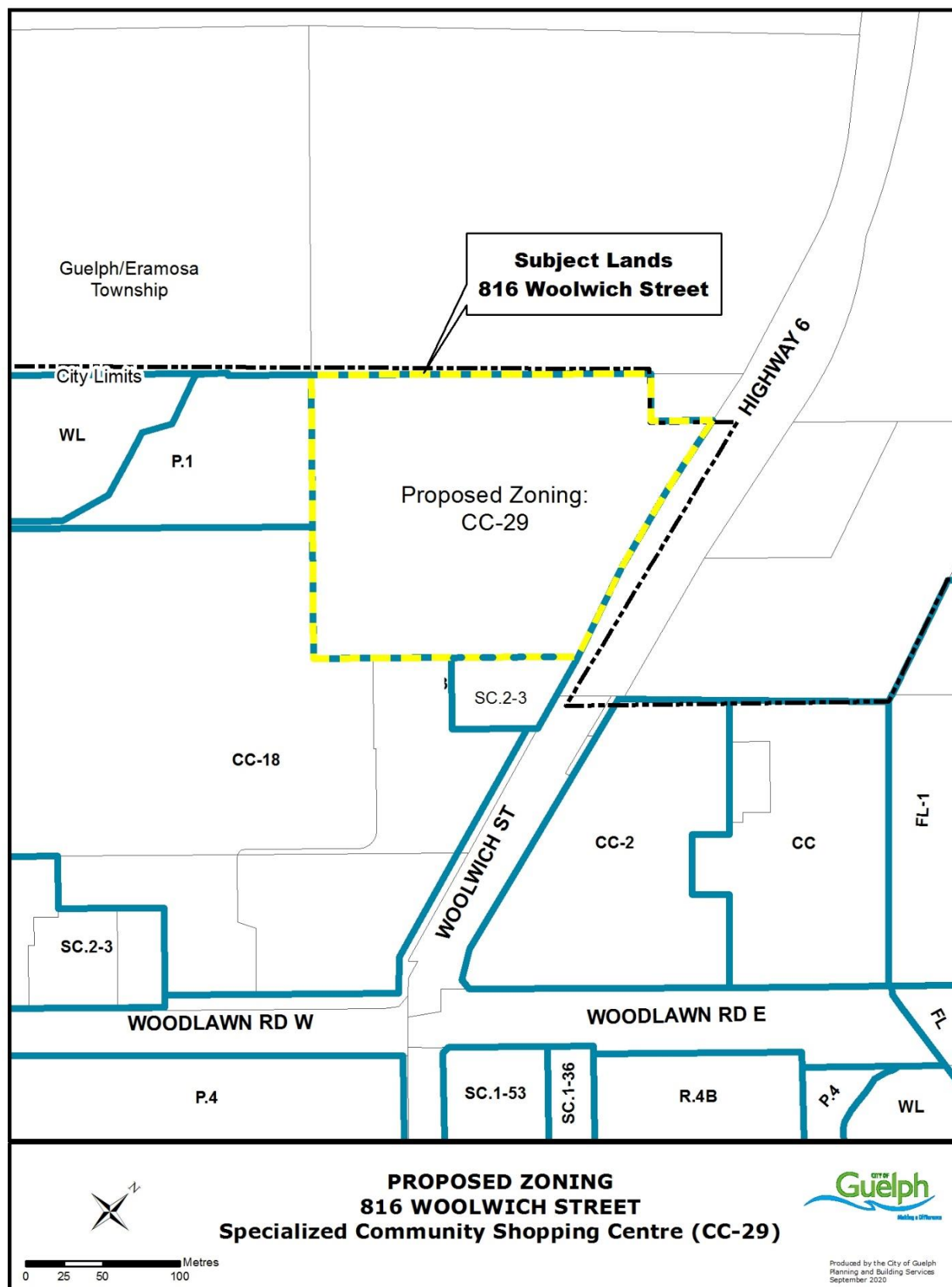
4.1.3.1 General Policies: Significant Natural Areas

1. Development or site alteration shall not be permitted within Significant Natural Areas including their established or minimum buffers as designated on Schedule 1, except in accordance with the general policies in 4.1.2 and the Significant Natural Areas policies in 4.1.3.
2. In accordance with the applicable policies in 4.1.2 and 4.1.3, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions.

Attachment-6 Existing Zoning



Attachment-7 Proposed Zoning



Attachment-7 Proposed Zoning (continued)

In accordance with the specialized zoning regulations outlined in Attachment-3 and Section 5.3.1.1 for Stacked Townhouses and Stacked Townhouse regulations of Table 5.3.2, Section 5.4.1.1 for Apartment Buildings and General Apartment regulations of Table 5.4.2 and Section 6.2.1.2 for the Community Shopping Centre and the Community Shopping Centre regulations of Table 6.2.2 of the Zoning By-law as outlined below.

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TABLE 5.3.2 - REGULATIONS GOVERNING R.3 ZONES

Row 1	Residential Type	R.3A <i>Zone</i> <i>Cluster</i> <i>Townhouse</i>	R.3A <i>Zone</i> <i>Stacked</i> <i>Townhouse</i>	R.3B <i>Zone</i> <i>On-Street-</i> <i>Townhouse</i>
2	Minimum <i>Lot Area</i>	800 m ²	1,000 m ²	180 m ²
3	Minimum <i>Lot Area</i> Per <i>Dwelling Unit</i>	270 m ²	150 m ²	180 m ²
4	Minimum <i>Lot Frontage</i>	18 metres	18 metres	6 metres
5	Minimum <i>Front Yard</i>	6 metres and as set out in Section 4.24 and 5.3.2.7.		
5a	Minimum <i>Exterior Side Yard</i>	4.5 metres and in accordance with Sections 4.24, 4.28 and 5.3.2.7		
6	Minimum <i>Side Yard</i>	See Section 5.3.2.2.		1.5m from the side of the <i>Building</i> .
7	Minimum <i>Rear Yard</i>	See Section 5.3.2.2.		7.5 metres
8	Maximum <i>Building</i> Coverage (% of <i>Lot Area</i>)	30	40	50
9	Maximum <i>Building Height</i>	3 <i>Storeys</i> and in accordance with Sections 4.16 and 4.18.		
10	Minimum Distance Between <i>Buildings</i>	See Section 5.3.2.3		--
11	Minimum <i>Common Amenity Area</i>	See Section 5.3.2.4		--
12	Minimum <i>Private Amenity Area</i>	See Section 5.3.2.5		--
13	Minimum <i>Landscaped Open Space</i> (% of <i>Lot Area</i>)	40	40	35
14	<i>Buffer Strip</i>	Where an R.3 <i>Zone</i> abuts any other Residential <i>Zone</i> or any Institutional, Park, Wetland, or Urban Reserve <i>Zone</i> a <i>Buffer Strip</i> shall be provided. Buffer strips may be located in a required <i>Side</i> or <i>Rear Yard</i> .		
15	<i>Fences</i>	In accordance with Section 4.20.		
16	Off-Street Parking	In accordance with Section 4.13.		
17	Accessory <i>Buildings</i> or <i>Structures</i>	In accordance with Section 4.5.		
18	Maximum Number of <i>Dwelling Units</i> in a Row	12. Despite the preceding, where units are adjacent to a public <i>Street</i> , the maximum number of <i>Dwelling Units</i> in a row shall be 8.		8
19	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.		
20	Maximum Density of Site	See Section 5.3.2.6		---
21	Maximum <i>Driveway (Residential)</i> width R.3B <i>Zone On-Street Townhouses</i>			See Section 4.13.7.2.5

Attachment-7 Proposed Zoning (continued)

TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES

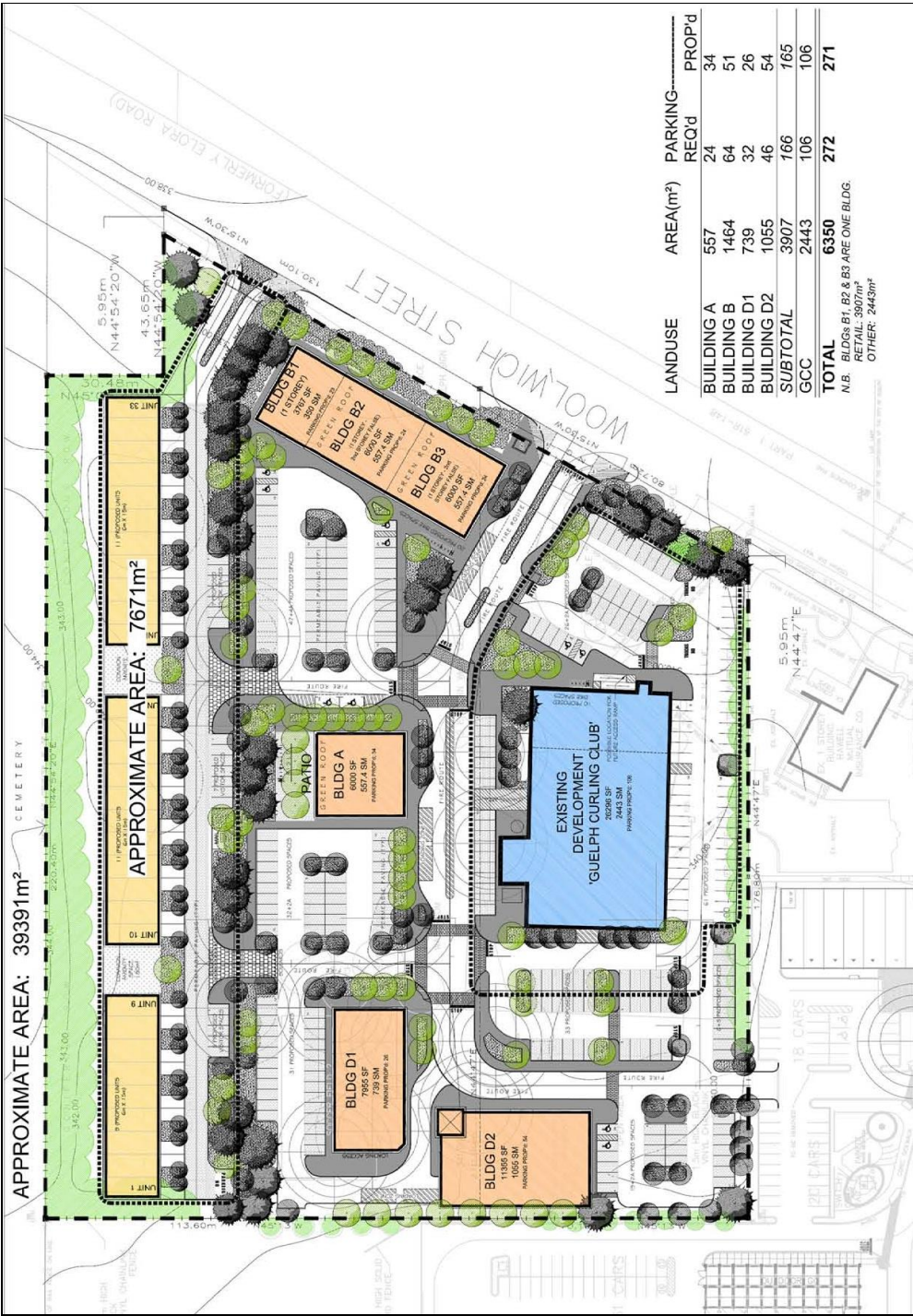
Row 1	Residential Type	General <i>Apartment</i>	High Density <i>Apartment</i>	Central Business District <i>Apartment</i>	Infill <i>Apartment</i>
2	Zones	R.4A	R.4B	R.4C	R.4D
3	Minimum Lot Area	650 m ²			
4	Minimum Lot Frontage	15 metres			
5	Maximum Density (units/ha)	100	150	200	100
6	Minimum Front and Exterior Side Yard	6 metres and as set out in Section 4.24.		3 metres and in accordance with Section 4.24.	
7	Maximum Front and Exterior Side Yard	-----		6 metres	
8	Minimum Side Yard	Equal to one-half the Building Height but not less than 3 metres and in accordance with Section 5.4.2.1.		Equal to one-half the Building Height but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional Zone . In these circumstances, a minimum of 3 metres is required.	
9	Minimum Rear Yard	Equal to 20% of the Lot Depth or one-half the Building Height , whichever is greater, but in no case less than 7.5 metres.		Equal to 20% of the Lot Depth or one-half the Building Height , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional Zones . In these circumstances, a minimum of 7.5 metres is required.	
10	Maximum Building Height	8 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.	10 Storeys and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68.	6 Storeys and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68.	4 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between Buildings	See Section 5.4.2.2.		See Section 5.4.2.3.	
12	Minimum Common Amenity Area	See Section 5.4.2.4.		None required.	
13	Minimum Landscaped Open Space	20% of the Lot Area for Building Heights from 1 - 4 Storeys and 40% of the Lot Area for Buildings from 5 - 10 Storeys .		The Front Yard of any Lot , excepting the Driveway , shall be landscaped. In addition, no parking shall be permitted within this Landscaped Open Space .	
14	Off-Street Parking	In accordance with Section 4.13.			
15	Buffer Strips	Where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone , a Buffer Strip shall be developed.			
16	Accessory Buildings or Structures	In accordance with Section 4.5.			
17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.			
18	Floor Space Index (F.S.I.)	1	1.5	2	2
19	Fences	In accordance with Section 4.20.			

Attachment-7 Proposed Zoning (continued)

TABLE 6.2.2 - REGULATIONS GOVERNING COMMERCIAL SHOPPING CENTRES

Row 1	Commercial Type	Neighbourhood (NC) Shopping Centre	Community (CC) Shopping Centre	Regional (RC) Shopping Centre
2	Minimum Lot Area	2,000 m ²	7,500 m ²	100,000 m ²
3	Maximum Lot Area	7,500 m ²	50,000 m ²	--
4	Minimum Lot Frontage	30 metres	50 metres	100 metres
5	Minimum Front and Exterior Side Yard	3 metres and in accordance with Section 4.24.		
6	Minimum Side Yard	One-half the Building Height but not less than 3 metres.		10 m or twice the Building Height whichever is greater, but not less than 15 metres where a Side Yard abuts a Residential or Urban Reserve Zone .
7	Minimum Rear Yard	One-half the Building Height but not less than 3 metres.		10 m or twice the Building Height whichever is greater, but not less than 15 metres where a Side Yard abuts a Residential or Urban Reserve Zone .
8	Maximum Building Height	2 Storeys to a maximum of 10 metres and in accordance with Sections 4.16 and 4.18.	3 Storeys to a maximum of 15 metres and in accordance with Sections 4.16 and 4.18.	8 Storeys to a maximum of 30 metres and in accordance with Sections 4.16 and 4.18.
9	Minimum Gross Floor Area	--	1,875 m ²	31,250 m ²
10	Maximum Gross Floor Area	1,875 m ² and in accordance with Section 6.2.2.1.	12,500 m ²	75,000 m ²
11	Minimum Landscaped Open Space	9% of the Lot Area .		
12	Planting Area	A landscaped strip of land, 3 metres in width shall be maintained adjacent to the Street Line , except for those areas required for entry ramps.		
13	Buffer Strips	Where a NC, CC, or RC Zone abuts any Residential, Institutional, Park, Wetland, or Urban Reserve Zone , a Buffer Strip shall be developed.		
14	Off-Street Parking	In accordance with Section 4.13.		
15	Off-Street Loading	In accordance with Section 4.14.		
16	Enclosed Operations	In accordance with Section 4.22.		
17	Accessory Buildings or Structures	In accordance with Section 4.5.		
18	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.		
19	Fences	In accordance with Section 4.20.		

Attachment-8 Original Conceptual Site Plan



Attachment-9 Revised Conceptual Site Plan (November 2018)



Attachment-10 Current Conceptual Site Plan



Attachment-11 Staff Review and Planning Analysis

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020, came into effect on May 1, 2020. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. Part IV: Vision for Ontario's Land Use Planning System, includes that "Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities."

Most relevant to these applications, Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns that support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, and also by accommodating an appropriate affordable and market-based range and mix of residential types [1.1.1 a), b)]. Furthermore, promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1 e); and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. Section 1.1.3 (Settlement Areas) further states that "It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures."

The proposed development is consistent with these principles by:

- Providing an efficient land use pattern by building within the 'Built-Up Area' to make the most efficient use of land and existing services.
- Providing for development on lands that can be serviced to municipal standards.
- Providing residential uses located within walking distance of existing transit routes and in close proximity to commercial amenities.

Section 1.4 focuses on housing development, new housing is to be directed to locations where appropriate levels of infrastructure and public services are and will be available to support anticipated needs. The proposed development is consistent with the Province's direction by:

- Supporting residential intensification.
- Providing new residential development on lands containing appropriate levels of infrastructure.
- Providing residential densities that efficiently use land, infrastructure and support existing and planned active transportation and public transit.

Natural heritage features, which are contained within the City's Natural Heritage System (NHS) in Schedule 4 of the Official Plan are to be protected for the long term [2.1.1]. This includes maintaining, restoring or improving the ecological function of the NHS and recognizing any linkages between and among surface water and ground water features [2.1.2]. The proposed development does not negatively impact the adjacent NHS and the applicant has prepared an Environmental Impact Study (EIS) to demonstrate this, which is discussed later in the analysis.

Policy 4.7 of the PPS directs that a City's Official Plan is the most important vehicle for implementation of the PSS. A more detailed review on how the proposed Zoning By-law Amendment is consistent with the above PPS policies, as well as policies in the City's Official Plan will be outlined later in this analysis.

The proposal to permit the proposed commercial and residential development on the subject lands is consistent with the policies of the PPS. The proposed development represents a compact form of development within the City's settlement area that will allow the efficient use of land, infrastructure and public service facilities and be at a transit supportive density where transit, infrastructure and other services are already readily available. The proposal contributes to achieving an appropriate range of housing types and densities to help the City of Guelph meet projected requirements for current and future residents. The proposed development is consistent with the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe came into effect on August 28, 2020. This is an amendment to the Growth Plan that came into effect on May 16, 2019.

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. While the PPS as outlined above provides broader policy direction on matters of provincial interest, the Growth Plan provides more focused direction for development within the Greater Golden Horseshoe area. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities.

The policies of the Growth Plan focus on the key themes of building more compact and vibrant communities; directing a significant share of new growth to existing built-up areas of the City; promoting the development of transit-supportive densities and the use of active transportation methods; and creating complete communities through ensuring a healthy mix of residential, employment and recreational land uses.

Sections 2.2.1 and 2.2.2 of the Growth Plan identify how population growth to the horizon year of 2051 will be accommodated within the 'Delineated Built-up Areas' of the City. The subject lands are located within the Delineated Built-up Area. These sections contain policies related to intensification, the creation of complete communities and efficient use of infrastructure and public service facilities.

The proposed Zoning By-law Amendment conforms to the policies of these sections by:

- Directing redevelopment and intensification to lands within the existing delineated built-up area of the City;
- Focusing growth within a strategic growth area in the City (Community Mixed-Use Node), including identifying the appropriate type and scale of development to occur;
- Promoting redevelopment that supports active and public transportation options;

Further contributing to the mix of land uses in the surrounding area and building a complete community through redevelopment that is in close proximity to existing services, local stores, public transit and public open space; and, making efficient use of existing municipal infrastructure and public service facilities.

Commercial development is recognized as important for the creation of complete communities and as a significant component of vibrant, mixed-use Urban Growth Centres.

Commercial goods and services should be supported by compact development and intensification and located in areas that encourage active transportation and are served by transit in order to support the achievement of complete communities.

The development proposal represents a more compact and efficient form of development that will be served by adequate infrastructure and public service facilities. The development will contribute to the overall intensification of the City's built-up area to help meet the minimum requirement by adding residential uses to the subject lands.

The proposed Zoning By-law Amendment is consistent with and conforms to Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

Official Plan

2001 Official Plan Land Use Designations and Policies

The application was submitted in 2014 and is therefore subject to the policies of the 2001 Official Plan. The subject lands are designated as "Mixed Use Node" in the Official Plan. The "Mixed Use Node" land use designation is intended to provide a wide range of retail, service, entertainment and recreational commercial uses as well as complementary uses including open space, institutional, cultural and educational uses, hotels, and live-work studios. Medium and high density multiple unit residential development and apartments are also permitted in accordance with the Official Plan policies of Section 7.2. Permissible uses within the "Medium Density Residential" land use designation includes multiple unit residential buildings, such as townhouses and apartments. The residential net density shall be between 20 and 100 units per hectare. The proposed residential net density is 94.7 units per hectare. The proposed development conforms to the "Mixed Use Node" land use designation as it is providing for commercial and residential uses at a density permissible within this designation.

The subject lands include a "Non-Core Greenlands Overlay" in Schedule 1 of the Official Plan. The lands associated with the "Non-Core Greenlands Overlay" on Schedule 1 may contain natural heritage features, natural features in adjacent lands and natural hazard lands that should be afforded protection from development. The applicant has prepared an Environmental Impact Study (EIS) to address development adjacent to both "Core Greenlands" and within the "Non-Core Greenlands Overlay". The EIS has been reviewed by City staff and the Grand River Conservation Authority (GRCA).

The Marden South Provincially Significant Wetland (PSW) and a significant woodland are on lands adjacent to the subject property. Schedule 2 of the Official Plan does not identify any features on the property. The "Non-Core Greenlands Overlay" designation is attributed to lands adjacent to a PSW. The EIS has demonstrated that there will be no negative impact to adjacent features. Mitigation measures and recommendations to protect adjacent lands have been recommended and will be implemented through all stages of development. Comments from Environmental Planning and the Grand River Conservation Authority (GRCA) are included in Attachment 13.

Official Plan Amendment No. 42 and No. 48 Land Use Designations and Policies

A Decision and Order from the Ontario Municipal Board on October 5, 2017 has brought OPA 48 into full force and effect. Although the application was received prior to OPA 42 and OPA 48 coming into full force and effect and is being processed under the 2001 Official Plan, staff must have regard to the policies and designations of OPA 42 and OPA 48.

Official Plan Amendment No. 48 (OPA 48), a comprehensive update to the City's Official Plan, designates the subject lands as "Commercial Mixed-Use Centre". The following uses may be permitted in Commercial Mixed-use Centres: commercial, retail and service uses live/work uses, small-scale professional and medically related offices, entertainment and recreational commercial uses, community services and facilities, cultural, educational and institutional uses, hotels, multiple unit residential, and urban squares and open space.

The Commercial Mixed-use Centre land use designation permits free standing residential development with a maximum height of ten (10) storeys and requires residential net density between 100 and 150 units per hectare. The proposed development has a residential net density that is slightly below 100 units per hectare, however, the application was submitted prior to OPA 48 coming into full force and effect and therefore is permitted with a lower density.

Schedule 1: Growth Plan Elements of the Official plan identifies the subject lands as being within a Community Mixed-Use Node. Nodes and Corridors are identified as key locations for intensification. Nodes are defined as urban villages that include a mix of uses in a compact urban form, whereas Corridors are identified as intensification areas along major roads, arterials or higher order transit corridors that can support high density mixed use areas. For these areas, increased density can support additional multi-modal movement including transit services, walkability and cycling infrastructure. These areas have been identified in areas where the lot fabric can typically accommodate intensification and where land uses may be mixed to create a fabric of more compact mixed-use areas to minimize encroachment into stable residential areas.

Currently, the predominant land use within this Node is commercial. The proposed development will assist in completing the Node by introducing residential uses and retaining the existing recreational use provided by the Curling Club. The proposed development considers active transportation and has been designed to provide for pedestrian pathways and connections between various uses and connections to properties north and south of the subject lands. The proposed development conforms to the policies of OPA 48 in this regard.

The City's Natural Heritage Strategy (NHS - Official Plan Amendment 42 (OPA 42)) was adopted by Council on July 27, 2010 and brought into full force and effect by Order from the Ontario Municipal Board on June 4, 2014. OPA 42 designates adjacent lands as "Significant Natural Areas and Natural Areas". In accordance with the applicable policies in 4.1.2 and 4.1.3, development or site alteration may be permitted within the adjacent lands to Significant Natural Areas provided that it has been demonstrated through an EIS or EA that there will be no negative impacts to the protected natural heritage features and areas or their associated ecological functions. As stated above, the applicant has prepared an EIS that has been reviewed and accepted by City staff and the GRCA and has demonstrated that there will be no negative impacts to the adjacent Natural Heritage System lands.

Commercial Policy Review – Official Plan Amendment No. 69

The commercial policy framework in the Official Plan was updated through the adoption of Official Plan Amendment 69 (OPA 69) on January 27, 2020. OPA 69 implements the Council approved Preferred Framework for the Commercial Policy Review. Although this application was submitted and deemed complete prior to the policies of OPA 69 coming into full force and effect, the proposed development has had regard for the policies of OPA 69.

OPA 69 increased the maximum gross floor area (GFA) of commercial space from 65,000 square metres to 75,600 square metres in the Woodlawn/Woolwich Commercial Mixed-Use

Centre. In order to align the zoning with the maximum GFA permitted in the entire Woodlawn/Woolwich Commercial Mixed-Use Centre, a maximum commercial GFA of 5,920 square metres has been included in the amending By-law for the subject lands. OPA 69 policies also protect against the loss of commercial floor space in the Commercial Mixed-Use Centre land use designation. The proposed development is retaining the existing commercial use (Curling Club) on the subject lands and proposing a new commercial building. There is also sufficient room and parking on the subject lands to add commercial GFA on the subject lands in the future.

Review of Proposed Zoning

The recommended zoning in the report is a combination of some of the specialized regulations requested by the applicant and additional specialized regulations determined by Planning Staff in order to secure the site design, including building locations, built form and parking, as well as better reflect current urban design principles that are not standard in the City's 1995 Zoning By-law. The following paragraphs discuss the specialized regulations.

Staff are recommending a "Specialized Community Shopping Centre" (CC-29) Zone for the subject lands. There is currently no zoning category in the 1995 Zoning By-law that reflects the "Commercial Mixed-Use Centre" land use designation of the Official Plan. A number of specialized regulations are required to implement the permissions of the "Commercial Mixed-Use Centre" land use designation.

Uses:

Permitted and Prohibited Uses are included in the proposed zoning to implement the Commercial Mixed-Use Centre land use designation. Stacked townhouses and apartments are both permissible uses. Carwash, vehicle gas bar and drive-through uses are not considered to be appropriate on the subject lands due to the surrounding existing and proposed land uses.

Regulations for Stacked Townhouses:

Stacked Townhouse definition

For the purposes of this zone, a Stacked Townhouse is defined as: 1 building or structure containing 2 or more townhouses, which are horizontally and vertically attached.

Staff comment: this specialized regulation is recommended by staff because the definition in the 1995 By-law defines a stacked townhouse as containing 2 townhouses divided horizontally. This definition does not take into account a different stacked townhouse product with more than 2 townhouses stacked, which is what the applicant is proposing.

Minimum Rear Yard

The minimum rear yard shall be 5.5 metres, whereas the By-law requires a minimum rear yard of one-half the building height, and in no case less than 3 metres.

Staff comment: this specialized regulation has been requested by the applicant for the stacked townhouses that back onto undevelopable lands. The reduced setback is not expected to negatively impact the adjacent lands.

Maximum Building Height

The maximum building height shall be 4 storeys, whereas the By-law permits a maximum building height of 3 storeys.

Staff comment: this specialized regulation is required to accommodate the stacked townhouse design. There are no anticipated negative impacts associated with this additional height and staff have no concerns with this request.

Private Amenity Area

A private amenity area shall be provided for each unit and it shall have a minimum area as follows:

Below grade units – 9 square metres per unit

Ground level units – 3 square metres per unit

Above grade units – 3 square metres per unit

Staff comment: this reduction is required to accommodate the compact building form of the stacked townhouses.

Review of Proposed Zoning (continued)

Regulations for Apartment Buildings:

Common Amenity Area

The minimum common amenity area shall be 10 square metres per unit, whereas the By-law requires a minimum of 20 square metres per dwelling unit for the first 20 units and 20 square metres per unit for each additional dwelling unit.

Staff comment: this reduction only applies to the apartment building and is therefore not a significant reduction. Common amenity area for the stacked townhouses and apartments will be combined and staff will work with the applicant through site plan approval to ensure the common amenity area is a high quality, functioning space.

Maximum Building Height

The maximum building height shall be 5 storeys, whereas the By-law permits a maximum building height of 8 storeys.

Staff comment: staff are recommending this regulation for the apartment building to help mitigate any impacts on the neighbouring property to the north.

Regulations for all Permitted Uses in the CC-29 Zone:

Minimum Landscaped Open Space

The minimum landscaped open space shall be 35% of the Lot.

Staff comment: the landscaped open space will be measured across the entire property. The CC zone only requires a minimum landscaped open space of 9% of the Lot, whereas, the residential uses require a minimum of 40% of the Lot. The reduction will still allow for sufficient landscaped open space.

Net Density

The residential net density for the CC-29 Zone shall be a maximum of 150 units per hectare.

Staff comment: this regulation is recommended by staff to ensure that the net density does not exceed the density permissions of the Official Plan land use designation.

Off-Street Parking

Despite Table 6.2.2, Row 14 and Section 4.13.4.1 of the By-law, the minimum off-street parking required shall be 1 space per 23 square metres of Gross Floor Area for all non-residential Uses in this Zone.

Staff comment: staff are recommending this parking ratio for non-residential uses in this zone. The standard parking ratio for the CC zone is 1 space per 18 square metres of Gross Floor Area. A number of specialized CC zones throughout the City have a parking ratio of 1 space per 23 square metres, including the development directly to the south. This ratio has been accepted as being sufficient for the types of uses permitted within the CC zone. Parking for the residential uses will be provided in accordance with the current Zoning By-law requirements for the residential zones.

Maximum Commercial Gross Floor Area

Despite Table 6.2.2, Row 10, the maximum Commercial Gross Floor Area shall be 5,920 square metres.

Staff comment: this regulation has been included to align with the maximum commercial Gross Floor Area for the entire Woodlawn/Woolwich Commercial Mixed-Use Centre.

Ministry of Transportation Setback

All buildings and structures shall be setback a minimum of 14 metres from the highway property limit.

Staff comment: this regulation is a requirement of the Ministry of Transportation.

Severability Provision

The uses and regulations of the CC-29 Zone shall continue to apply collectively to the whole of the lands identified as CC-29, despite any future severance or condo registration.

Staff comment: this regulation is recommended to ensure that any future land divisions will not create zoning non-compliance for the properties individually.

Urban Design

The City's Official Plan Urban Design policies seek to create a safe, functional and attractive built environment. The City's Urban Design Action Plan builds on these policies with the vision to transform, over time, the Community Mixed Use Nodes into "urban villages" – distinct areas of the City that are mixed-use, transit and pedestrian oriented areas and focal points for higher density housing and office and retail employment. In addition, an urban design concept plan and related principles were endorsed by Council in July 2016 for the Woodlawn/Woolwich Community Mixed-Use Node. These concept plans are to be used by staff to guide the review of development applications within the Mixed-Use Nodes.

The proposed development, as illustrated in the conceptual development plan provided in Attachment 10, is in keeping with the City's urban design goals, objectives and policies including the urban design concept plan of the Node. Revisions were made to the original site and building design presented at the March 19, 2018 Public Meeting in response to specific urban design issues raised through the development review process. The following changes were made to address Urban Design policies of the Official Plan:

- Consolidating the outdoor common amenity space;
- Increasing the building setbacks and improving the interface with the cemetery to the north;
- Adding additional trees within the surface parking areas; and,
- Creating connections to adjacent properties to the north and south.

As part of the site plan process further detailed comments will be discussed including reviewing and finalization of building materials, landscaping materials and other more detailed site plan-level design elements. An Urban Design Brief prepared in support of the

application has been reviewed and accepted by staff. Comments from the City's Senior Urban Designer are included in Attachment 13.

The proposed development was also reviewed against the Council approved Built Form Standards for Mid-rise Buildings and Townhouses. These provide clear built form standards for the design of new mid-rise buildings that are generally 4 to 6 storeys in height and take policy direction from the urban design policies of the Official Plan. The proposed development supports the design principles that relate specifically to the vision for mid-rise buildings.

City Gateway Feature/City Sign

The subject lands are the last property within the City's boundary. Woolwich Street is considered to be a major gateway into the City. Policy 8.4 of the Official Plan identifies criteria for City gateways or visually prominent sites at key entry points to the City. There is an existing City Gateway Feature located within the property limits of the subject lands. The City and Owner/Developer will work together through the site plan approval process to determine an acceptable location for the new gateway feature.

Urban Forest and Private Tree Protection By-law Requirements

The subject lands are regulated under the City's Private Tree Protection By-law. A Tree Inventory and Preservation Plan (TIPP) was submitted by the applicant as part of a complete application. The original 2014 proposal included preservation of the northern hedgerow and based on comments provided through the course of this development application, considerable discussion has been tabled to preserve, as much as possible of this hedgerow abutting the Marymount Cemetery. While elevation and grading conditions reduce the ability to retain this hedgerow in its entirety, the proposed development has undergone several rounds of review in order to retain as many trees as possible. A small retaining wall has been included that will allow the preservation of eleven trees along the subject hedgerow and the proposal also includes tree plantings along the northern property limit as well as elsewhere on the property thereby maintaining the urban canopy.

Additional opportunities to retain trees along the northern property limit will be explored at the site plan stage and reflected in an updated Tree Inventory and Preservation Plan. A condition has been included in Attachment 3 that requires the preparation of an updated Tree Inventory and Preservation Plan as well as a Landscaping, Compensation and Replacement Plan.

Community Energy Initiative Update (2019) and Climate Change

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features.

The Owner/Developer has indicated that they will be including a number of energy efficiency measures within the stacked townhouse development, and apartments consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the Owner/Developer will contribute to the City meeting its goal to become a net zero community by 2050. The Owner/Developer has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment 12.

Staff are recommending a condition to be implemented through site plan approval that the Owner/Developer shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the CEI (see condition in Attachment 3).

Affordable Housing Strategy

The City's Affordable Housing Strategy (AHS) sets an annual City-wide 30% target for housing that is affordable with the goal of ensuring that affordable housing is included in the range and mix of housing provided for all households across the City. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2 (Affordable Housing). These policies are intended to encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities and have been applied to the review of this proposed residential development application.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential use, including mixed use developments. There is a high correlation between the City's growth management policies and the ability to meet both growth management and affordable housing targets. Apartment and townhouse units represent the vast majority of residential units that are below the affordable benchmark price, as identified in the AHS.

The proposed development includes a total of 248 residential units consisting entirely of apartment and townhouse units. Based on these proposed housing forms, it is highly anticipated that this development will contribute to the achievement of the affordability housing targets set for the City. This actual contribution will be measured as the units are rented or sold. However, it is also noted that how much of any given development may be affordable cannot be assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established. For this reason, the measurement on the actual achievement of affordable housing targets is done on the basis of what has been constructed and then sold or rented in the previous year. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the City has been meeting affordable housing targets.

Engineering Review

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and transportation networks. Engineering and Traffic staff have reviewed the development proposal and supporting studies and have confirmed that the development can be supported by full municipal services and that sufficient capacity is available. The owner/developer will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services, where necessary. Engineering staff have provided conditions which are included in Attachment 3 and the full Engineering comments can be found in Attachment 13.

Parking

A specialized parking ratio is being provided on the subject lands for the commercial uses and parking for the residential uses will be provided in accordance with Section 4.13 of the Zoning By-law. Staff are recommending a parking ratio of 1 space per 23 square metres of gross floor area (GFA) for the commercial uses. This specialized parking ratio has been applied to other sites with the "Community Shopping Centre" (CC) Zoning and has been determined to be sufficient for the mix of commercial uses permitted within this zone and peak demands generated by the various uses. The breakdown of parking required on the subject land is as follows:

Stacked Townhouses – 1 per unit = 200 (200x1)

Apartment – 1.5 spaces for the first 20 units (1.5x20=30) + 1.25 for each unit after 20 (1.25x28=35) = 65

Commercial – 3,073 sq.m/23 sq.m=134

Total parking required =399 (200+65+134)

A total of 399 parking spaces are required and the applicant is currently showing 448 parking spaces on the site plan. Section 4.13.6 of the Zoning By-law requires 20% of the calculated total of required parking for R.3A or R.4 zones to be provided for visitors. Based on the number of parking spaces required for the residential units, 53 (265x20%) of the 265 residential parking spaces are to be provided for the use of visitors. The proposed parking is sufficient for the proposed development.

Ministry of Transportation

The subject lands front onto Provincial Highway 6, which is classified as a 2B –Arterial in the Ministry of Transportation's (MTO) Highway Access Management Classification System. This portion of Woolwich Street is under MTO's jurisdiction.

The MTO has reviewed the revised proposal and has provided comments on the application. MTO has stated in their letter dated November 13, 2019 that the MTO does not object to the zoning change, is satisfied with the Traffic Impact Study prepared for this application and is satisfied with the location of a single entrance to the property for the proposed users.

Highway improvements required by the MTO must be constructed prior to opening day of the development. The applicant has been working with the MTO to satisfy MTO's Class Environmental Assessment for Provincial Transportation Facilities. Comments from the MTO are included in Attachment-13.

Parkland Dedication

Cash-in-lieu (CIL) of Parkland will be required for this development in accordance with the City of Guelph Parkland Dedication By-law (2019)-20366 as amended by the By-law (2019) 20380 or any successor thereof. Section 18 of the By-law states that where a mix of uses is proposed, the rate that CIL is calculated is based on the rate that will result in the greatest total payment. In this case, Section 17c) will result in the greatest payment and will be applied to the entire site. Section 17 (c) of the By-law states the rate of CIL will be the greater of:

- i) The equivalent of Market Value of 1 hectare per 500 dwelling units, but not exceed 30% of the total Market Value of land; or
- ii) 5% of the total Market Value of the Land.

For this development the 1 hectare per 500 dwelling unit rate will apply. Comments from Parks Planning are included in Attachment-13.

Comments Received on the Application

Questions and issues raised by Council and members of the public in response to the original and revised application that were not discussed in detail earlier in this analysis are summarized and responded to below.

Single access onto Woolwich Street

Concerns were raised regarding a single access onto Woolwich Street. This portion of Woolwich Street is under the jurisdiction of the MTO. The MTO will only allow for one single access point with one lane in and one lane out to the site. The original proposal submitted in 2014 was not supported by the MTO because of two access points proposed. The applicant revised the proposal to have only one access point and has been working

with the MTO. A condition has been included in Attachment-3 that requires the applicant to satisfy MTO's requirements and obtain permits from the MTO as may be required.

Termination of City's use of ball diamonds/sports fields

The City previously leased the ball diamonds/sports fields from the Curling Club. The lease agreement commenced on September 1, 2004 and was terminated in 2020. The City stopped booking the ball diamonds/sports fields at the end of the 2017 season. User groups were consulted and relocated to alternative locations within the City prior to the 2018 season.

Sidewalk along Woolwich Street/Highway 6

There were questions from the public and Council regarding a sidewalk along Woolwich Street/Highway 6. The applicant has committed to providing a sidewalk along Woolwich Street/Highway 6. Through site plan approval, the applicant will work with City staff and the MTO to determine its location.

Transition to Adjacent Land Uses

There was a delegation and written correspondence provided by the Ignatius Jesuit Centre which outlined concerns regarding the proposed development and questioned if there would be a requirement for the same mitigation measures as provided by the adjacent commercial development (SmartCentres). Mitigation measures provided by the adjacent commercial development were imposed through a previous Ontario Municipal Board Hearing and decision. Mitigation measures included buffers and fencing.

Staff and the applicant met with representatives of both the Ignatius Jesuit Centre and the Cemetery to the north. The proposed commercial development on the subject lands is much smaller than the commercial development to the south and is separated with the proposed residential development. The proposed residential development acts as an appropriate transition between the commercial uses and the uses to the north. The townhouse set back along the north property line has been increased to 7.5 metres. Additional tree retention and plantings along the north property line will be explored further at the site plan approval stage.

Attachment-12 Community Energy Initiative Update Commitment

September 30, 2020

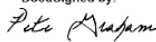
Lindsay Sulatycki, Senior Development Planner
Planning and Building Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Re: 816 Woolwich Street, Guelph

In regard to the above-referenced project, the following items are proposed to comply with the City of Guelph's Community Energy Initiative:

- Compact and well-utilized site design
- Local trades/suppliers to be used as much as possible
- Supply/install method to be used to reduce construction waste
- Comprehensive erosion and sediment control plan throughout the site
- New native tree plantings throughout the site
- Drought resistant landscaping wherever possible
- Pedestrian walkways incorporated throughout the site including to the central amenity area, Woolwich Street and adjacent lands to the north and south
- Energy efficient light standards to have refractor and cut-off shields to control light pollution
- LED lights to be installed in units where possible
- Low flow faucets and low flush toilets to be installed where possible
- Heat recovery ventilator (HRV) to be installed if applicable
- Low E windows and patio doors to be installed within units
- High efficiency hot water tanks to be installed within units
- Low VOC paints and carpets to be installed within units
- Energy efficient appliances to be installed within units, if applicable
- Collection of recycling in compliance with City by-laws (both during construction and following turnover to residents)

Best Regards,

DocuSigned by:

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Pete Graham

Chief Holdings (816 Woolwich Street) Ltd.

Attachment-13 Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Development Planning		√	Site Plan Approval Required; Subject to conditions in Attachment-3
Engineering*		√	Site Plan Approval Required; Subject to conditions in Attachment-3
Parks Planning*		√	Subject to conditions in Attachment-3
Environmental Planning*		√	Subject to conditions in Attachment-3
Urban Design*		√	Subject to conditions in Attachment-3
Grand River Conservation Authority*		√	Subject to conditions in Attachment-3
Ministry of Transportation*		√	Subject to conditions in Attachment-3
Upper Grand District School Board		√	Subject to conditions in Attachment-3
Guelph Hydro/Alectra		√	Subject to conditions in Attachment-3
County of Wellington	√		
Union Gas	√		

*Letters attached.

Attachment-13 Departmental and Agency Comments (continued)



MEMO

FILE: 16.13.020

TO: Lindsay Sulatycki, Senior Development Planner
FROM: Engineering
DEPARTMENT: Infrastructure Development and Environmental Engineering
DATE: Oct 20, 2020
SUBJECT: 816 Woolwich St- Zoning By-law Amendment
2nd submission

The application intends to change the zoning from the "Specialized Highway Service Commercial" (SC.2-3) Zone to a "Specialized Community Shopping Centre" (CC-xx) Zone to permit the development of 200 stacked townhouse units, a five storey apartment building containing 48 units, a commercial building and maintain the existing Curling Club.

The comments below are based on the review of the following plans & reports:

- Functional Servicing and Stormwater Management Report, prepared by MTE Consultants Inc.; Revised March 26, 2020.
- Existing Conditions Plan, prepared by MTE Consultants Inc.; Revised March 26, 2020.
- Conceptual Site Grading Plan, prepared by MTE Consultants Inc.; Revised March 26, 2020.
- Conceptual Site Servicing plan, prepared by MTE Consultants Inc.; Revised March 26, 2020.
- Transportation Impact Study, prepared by Paradigm Ltd. November 2018
- Phase 1 ESA, Prepared by Chung & Vander Doelen Engineering Ltd. October 2017.

2. Traffic Study, Access, Parking and Transportation Demand Management:

The following are transportation comments with regard to the "816 Woolwich Street (Highway 6) Transportation Impact Study," prepared by Paradigm Transportation Solutions Limited in November 2018.

In order to reach the minimum Decision Sight Distance and have a shorter northbound left-turn lane at the proposed driveway, the consultant made a recommendation to reduce the posted speed from 70 km/hour to 50 km/hour on Woolwich Street. We do not support such a recommendation because lowering post speed is an ineffective way to slow down the traffic in this area.

However, we agree with MTO's suggestion that the design of the northbound left-turn lane can follow the standards outlined in the TAC manual. By doing so, the desirable length of the left-turn lane is likely to be achieved with a back-to-back left-turn lane between the proposed driveway and the entrance to Canadian Tire.

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Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

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In conjunction with the northbound left-turn lane design, the consultant should consider a southbound right-turn taper at the proposed driveway for the deceleration purpose.

Staff will continue to work with the developer and MTO and assess this further at the site plan application stage.

3. Municipal Services:

Sanitary Sewer Wastewater Collection System

Sufficient (and adequate) capacity is available in the City's existing sanitary sewers adjacent to and downstream of the Site. According to the City's sanitary sewer wastewater collection system model, we confirm that the existing sanitary sewer can accommodate the additional sanitary flows in our system. The proposed development would have no significant adverse impact to the City's downstream sanitary sewers.

Water Supply and Distribution System

Sufficient (and adequate) capacity is available of the City's existing water supply and distribution system. Further, there is sufficient water main pressures in our system to accommodate the proposed development (and no water capacity constraints), which can be expected for most scenarios according to the City's water system model.

However, there is potential for marginal water supply pressures in proposed development under certain conditions such as peak hour demand scenario at locations with an elevation greater than 362 m height above mean sea level (AMSL) and average day demand scenario at locations with an elevation greater than 356 m height AMSL in the existing water system. Water pressure in the water mains in vicinity of proposed development under certain conditions such as peak hour demand scenario at locations with elevation at 362 m height above mean sea level (AMSL) could range from 38.0 to 42.0 psi (40 psi +/- 2.0 psi) and average day demand scenario at locations with elevation at 356 m height AMSL could range from 47.5 to 52.5 psi (50 psi +/- 2.5 psi) in the existing water system.

The referenced development would have no significant adverse impact on the City's water supply and distribution system.

Minimum water service size should be 25 mm for residential, and all other services sized appropriately for demand based on potentially low pressures.

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T 519-837-5604
F 519-822-6194
engineering@guelph.ca

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3. Storm Water Management & Servicing:

The proposed infiltration galleries are significant components of this development, though we agree with the general approach and approve the concept. However, the infiltration galleries will be further reviewed during the detailed design stage with the associated inverts.

Please note that infiltration of dirty water is not permitted. During site plan, the consultant will have to ensure only clean water is infiltrated. Infiltration will be further assessed during the site plan application.

Prior to site plan approval the detailed stormwater management report shall be provided to the MTO for approval.

Stormwater management will be further examined during the site plan application.

4. Environmental:

COMMENTS:

- The historical (before 1930) and existing use of the Site (since 1975), with the exception of existing building and parking lot (commercial use since 2000), appear to be predominantly parkland (sports fields) and vacant or agricultural. Based on the Planning Justification Report, it appears that the existing commercial building appears to retain its usage, and the rest of the Site would have either residential or commercial use. Since the Site uses remains either the same (parkland to residential) or commercial (less sensitive use), the RSC filing is not mandatory for the Site development.
- Based on the findings of the Phase I ESA report dated October 2017 and prepared by Chung & Vander Doelen Engineering Ltd (none of the PCAs were deemed APECs and no further investigation was required), it appears that no actual or potential environmental concerns or risks were associated with the historical or current on-site activities or any off-site impacts.

Please note that staff's review pertains to whether the report was conducted in a manner consistent with the Act (e.g. EPA), the Regulations/Standard (e.g. O. Reg. 154/03, as amended; CSA etc.), and/or associated guidance documents. Although majority of the information included in the reports were looked at during the review process, the City Staff does not independently verify information and data, the quality of which are solely the responsibility of the QP who prepared the report.

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Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

MEMO

Staff Recommendation

Engineering has reviewed the above-noted reports and plans and support the zone change application.

The following conditions are provided as information to Council and will be imposed through site plan approval unless noted otherwise.

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the Site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - ii. Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - iii. a grading, drainage and servicing plan prepared by a Professional Engineer for the Site;
 - iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - v. a construction traffic access and control plan for all phases of servicing and building construction;

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Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

MEMO

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- vi. salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 vi) inclusive.
 5. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
 6. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the Site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
 7. The Owner shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
 8. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.
 9. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
 10. The Owner shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans,

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Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

MEMO

the Owner shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.

11. The Owner agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands currently using or draining into the existing watermain, sanitary and storm sewer.
12. The Owner acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
13. The Owner shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
14. The Owner shall confirm that the basements will have a minimum 0.5metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
15. The Owner shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
16. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
17. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.
18. The Owner shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
19. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.

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Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

MEMO

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20. The Owner shall submit a Noise impact study report in accordance with Guelph Noise Control Guidelines to the satisfaction of the General Manager /City Engineer.
21. The Owner shall service, grade, develop and maintain the Site in accordance with the plans that have been approved by the City through the site plan approval. The Owner shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
22. The Owner shall place, or agree to place, the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the agreement to be registered on title:
23. "Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer."
- a. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Owner for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph's Property Standards By-law (2000)-16454, as amended."
- b. "Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
- c. "Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property."
24. The Owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the Site is complete and that the elevation of the building foundation(s) and the grading of the Site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.

Engineering & Transportation Services
Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

MEMO

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25. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
26. The Owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
27. The Owner to provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement and condominium declaration.
28. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
29. The Owner agrees to maintain log for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement and condominium declaration.
30. All applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage are in conformance with the approved overall site drainage and grading plan.
31. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.

Shophan Daniel, C.E.T
Engineering Technologist III

Mary Angelo, P.Eng
Manager, IDEE
Engineering & Transportation Services
Infrastructure, Development & Environmental Engineering

T 519-837-5604
F 519-822-6194
engineering@guelph.ca

Attachment-13 Departmental and Agency Comments (continued)

INTERNAL MEMO



DATE September 22, 2020
TO **Lindsay Sulatycki**
FROM Jyoti Pathak
DIVISION Park Planning
DEPARTMENT Parks and Recreation
SUBJECT **816 Woolwich Street (Guelph Curling Club)
Proposed Zoning By-Law Amendment File No. ZC1402**

Park Planning has reviewed the documents listed below in support of the Revised Zoning By-law Amendment as it pertains to 816 Woolwich Street:

1. Cover Letter - Revised Submission - April 2020
2. Conceptual Site Grading Plan - C2.1 - April 2020;
3. Conceptual Site Servicing Plan - C2.2 - April 2020;
4. Environmental Impact Study Addendum - April 2020;
5. Existing Conditions Plan - C1.1 - April 2020 Submission;
6. Functioning Services and Stormwater - Revised Submission April 2020;
7. HydroG Report - Revised April 2020;
8. MTE Response Letter - April 2020 Submission and,
9. Revised Concept Plan - April 2020.

Park Planning offers the following comments:

Zoning Bylaw Amendment:

Park Planning has no objection to the Zoning By-Law Amendment to rezone the subject site from the current "Specialized Highway Service Commercial" (SC.2-3) Zone to a "Specialized Residential Cluster Townhouse" (R.3A-?) Zone and a "Specialized Service Commercial Zone" (SC.1-?) to permit the development of 200 stacked townhouse units and a 5-storey apartment building with 48 dwelling units, a mixed-use building and maintain the existing Curling Club, subject to the requirements and conditions outlined below:

1. **Parkland Dedication:** The purpose of the Zoning By-law Amendment is to permit the development of 248 residential units on the subject lands, 3.916 ha (9.68 acres), at a density of 63.3 residential units per hectare.
 - Cash-in-lieu (CIL) of Parkland will be required for this development in accordance with the City of Guelph Parkland Dedication By-law (2019)-20366 s amended by the By-law (2019) 20380 or any successor thereof.
 - Section 18 of the bylaw states that where a mix of uses is proposed the rate that CIL is calculated is based on the rate that will result in the greatest total payment. In this case, Section 17c) will result in the greatest payment and will be applied to the entire site.
 - Section 17 (c) of the bylaw states the rate of CIL will be the greater of:
 - i. The equivalent of Market Value of 1 hectare per 500 dwelling units, but not exceed 30% of the total Market Value of land; or

- ii. 5% of the total Market Value of the Land.
 - For this development the 1 hectare per 500 dwelling unit rate will apply.
 - A narrative appraisal report of the subject property will be required to determine the CIL amount, prior to submission of any building permit applications, at least a month in advance. As per Section 21 of the By-law the appraisal is only considered valid for up to a period of one (1) year. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada. The property owner is responsible for the cost and to arrange for the appraisal.
2. **'City of Guelph' Gateway Feature:** The existing City Gateway Feature is located within the property limits of the subject lands and is proposed to be relocated and designed according to the Official Plan policy 8.4. The City and Owner/Developer will work together through the site plan approval process to determine an acceptable location for the gateway feature. City and the Owner would work out the details regarding the location, design, installation and maintenance of the new gateway feature
3. **Property Demarcation:** Under City's property Demarcation Policy, the Owner/Developer is required to demarcate City Owned parcels. The site located southwest of the subject site is owned by the City of Guelph and would require a 1.5 m high black vinyl chain link fence as demarcation. The final type and configuration of the fencing and/or property markers can be further refined during the detailed design stage and shown on the site plan.

Conditions of Development:

Based on the information available, following conditions for Development approvals are recommended:

1. The Owner shall be responsible for the cost of design and development of the demarcation of lands owned by the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of two-year warrantee period completed by a full member of Ontario Association of Landscape Architect (OALA) with seal for approval to the satisfaction of the Deputy CAO of Public Services. The Owner shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of installation of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services. The Owner shall be responsible for installing demarcation prior to registration of the Plan of Condominium.
2. The existing City Gateway Feature is located within the property limits of the subject lands and is proposed to be relocated. The City and Owner/Developer will work together through the site plan approval process to determine an acceptable location for the gateway feature. Details regarding the location, design, installation and maintenance of the new gateway feature shall be included in an Agreement between the City and Owner/Developer to the satisfaction of the City Solicitor if an acceptable location is agreed upon by both the Owner/Developer and the City.
3. If an acceptable location is agreed upon by both the Owner/Developer and the City, the Owner/Developer and City shall enter into an Agreement regarding an easement on the subject lands in favour of the City for access and maintenance to the gateway feature. The City would be looking to purchase an easement interest over the agreed

upon location, which would be obtained under separate process through Realty Services, by Agreement of Purchase and Sale, for fair market value.

4. The Owner shall provide Park Planning with a digital file in CAD format containing the as-built information of City Gateway Feature, grades/contours, landscaping etc. if City Gateway Feature is located on the subject lands.
5. The Owner shall pay cash in-lieu of parkland conveyance for the entire development according to City of Guelph By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.
6. Prior to submitting any building permit applications, the Owner shall provide to the Deputy CAO of Public Services a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the payment of cash-in-lieu of parkland dedication. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada and shall be subject to the review and approval of the Deputy CAO of Public Services.

Summary

The above comments represent Park & Open Space Planning's review of the documents and Reports submitted in support of the Zoning By-law Amendment. Based on the current information provided, Parks would support the proposed development subject to the above requirements.

Sincerely,

Jyoti Pathak, OALA, CSLA

Park Planner

Parks and Recreation, **Public Services**

T 519-822-1260 x 2431

E jyoti.pathak@guelph.ca

Attachment-13 Departmental and Agency Comments (continued)

INTERNAL MEMO



DATE June 12, 2020

TO **Lindsay Sulatycki, Senior Development Planner**

FROM April Nix, Environmental Planner
DIVISION Infrastructure, Development and Enterprise
DEPARTMENT Planning and Building Services

**SUBJECT 816 Woolwich Street – Proposed Zoning By-law Amendment
– File: OZS19-002 (previous file No. ZC1402)**

Proposal

The application proposes to rezone the property from the current Specialized SC.2-3 (Highway Service Commercial) Zone to Cluster Townhouse Zone (R.3A) and Service Commercial Zone (SC.1) with special provisions. The proposed development includes eleven stacked townhouse blocks comprising 195 +/- units, a retail/mixed use area, an office area, the existing Guelph Curling Club building, at-grade parking, and a driveway entrance off Woolwich Street.

Total area of the site is approximately 3.9 hectares.

Materials Reviewed

Staff have reviewed the resubmission for the above noted application including:

Revised Concept Plan, prepared by MHBC and dated March 2, 2020
EIS addendum, prepared by NRSI and dated April 2020
Revised Hydro G Report, prepared by MTE and dated March 23, 2020

Comments

EIS Addendum

1. Staff note that the submitted EIS addendum provides clarification regarding Common Hackberry (*Celtis occidentalis*) within the subject property, and notes that they are all planted specimens. Staff also note the NRSI's interpretation of policy 4.1.4.4.6 is incorrect in the EIS addendum, as this policy will be implemented through the City's Natural Heritage Action Plan, the City's locally significant species list is not revised on a site specific basis. A future process will consider records from EISs as part of a formal update process for the City's locally significant species list.

That said as the species are planted, policy 4.1.4.4.2 specifically clarifies that habitats for plant species will only be considered where the specimen is growing naturally in the wild and is not planted for horticultural, landscaping and agricultural purposes, so the information provided addresses the previous comment from staff.

2. Staff note that the EIS addendum in section 4.3.1 notes compensation and landscaping proposed including a mix of native and non-native species. Please note that all plantings must consist of native species except in locations where conditions would limit their survival in accordance with OP policies. These plans will be expected to meet these requirements through the site plan review process.

3. Staff previous comments asked for clarification in regards to fencing to mitigate impacts due to encroachment. Staff are unclear with respect to the response provided in the EIS addendum. Please note a permanent fence will be required through site plan to prevent any future encroachment into/towards the NHS.

Tree Inventory and Preservation Plan

4. The previous proposal included preservation of the northern hedgerow. As such staff have continued to provide comments to preserve the hedgerow in consideration of its health and contribution to the urban canopy and habitat for locally significant bird species. The response in the EIS addendum states that "Efforts have been made to preserve the northern hedgerow as much as possible", however there are no changes to retain any trees within the TIPP – please clarify. In addition the revised concept plan appears to show the hedgerow as retained, please clarify.
5. Staff note the TIPP considers both tree based and shrub based compensation. Please note that as there is no restoration of the NHS occurring as part of the application compensation will be required in the form of trees to offset canopy loss and related impacts. Detailed planting plans will be developed through site plan.

Based on the above, corresponding requirements to be addressed prior to site plan approval are recommended below:

To be met prior to site plan approval/site alteration and/or tree removal:


1. **Prior to site alteration or tree removal**, the Developer shall prepare an updated Tree Inventory & Preservation Plan as well as a Landscaping, Compensation and Replacement Plan, satisfactory to the General Manager of Planning Services prior to any site alteration, tree removal or construction on the site.
2. **Prior to site plan approval or site alteration or tree removal**, the Developer shall prepare detailed Landscaping, Compensation and Replacement Plan, prepared by an OALA that includes provision of street trees and landscaping of amenity space/ common elements of the condominium satisfactory to the General Manager of Planning Services.
3. **Prior site alteration or tree removal**, the Developer shall provide a qualified Environmental Inspector, satisfactory to the General Manager of Planning Services and the City Engineer, to inspect the site during all phases of development and construction including grading, servicing, and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control and tree protection measures and procedures on a weekly or more frequent basis and report on their findings to the City on a monthly basis.
4. **Prior to site plan approval** the Developer prepare a Salt Management Plan for the condominium satisfactory to the City's Risk Management Official for Source Water Protection.
5. **Prior to site plan approval**, the Developer shall complete and provide a security to the City to ensure the proper and timely completion of all landscaping in accordance with the approved Landscaping Plan(s). The amount of the securities

required is determined from a detailed cost estimate for the sited works, listing items, quantities, unit costs and total costs. The cost estimate is to be prepared by the consultant and to the satisfaction of the General Manager of Planning Services.

6. **Prior to site plan approval** The Developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning.

Should you have any questions with respect to the above, please let me know.

Regards,



April Nix, BES MCIP RPP
Environmental Planner

Infrastructure, Development and Enterprise
Planning Services
Location: City Hall

T 519-822-1260 x 2718
E april.nix@guelph.ca

INTERNAL MEMO



DATE September 14, 2020

TO **Lindsay Sulatycki, Senior Development Planner**

FROM Jason Elliott, Environmental Planner

DIVISION Infrastructure, Development and Enterprise

DEPARTMENT Planning and Building Services

**SUBJECT 816 Woolwich Street – Proposed Zoning By-law Amendment –
File: OZS19-002 (previous file No. ZC1402)**

In Environmental Planning's June 12, 2020 memo, the following comment was provided:

4. The previous proposal included preservation of the northern hedgerow. As such staff have continued to provide comments to preserve the hedgerow in consideration of its health and contribution to the urban canopy and habitat for locally significant bird species. The response in the EIS addendum states that "Efforts have been made to preserve the northern hedgerow as much as possible", however there are no changes to retain any trees within the TIPP – please clarify. In addition the revised concept plan appears to show the hedgerow as retained, please clarify.

In response to this comment, NRSI provided a memo dated August 20, 2020 that outlines a slight modification to the proposal to include a small retaining wall that will allow the preservation of eleven trees along the subject hedgerow. A revised Map 1 from the TIPP was provided that illustrates the retained trees. Further, the memo clarifies that the locally significant bird species identified in the EIS were not observed on the subject property, but within the adjacent Marden Creek PSW, and that the proposal will include tree plantings along the northern property limit as well as elsewhere on the property thereby maintaining the urban canopy.

This response is accepted and the comment is considered addressed. No other comments from the June 12, 2020 memo are outstanding.

In addition, the June 12, 2020 memo included the following requirement that is to be addressed prior to site plan approval:

1. **Prior to site alteration or tree removal**, the Developer shall prepare an updated Tree Inventory & Preservation Plan as well as a Landscaping, Compensation and Replacement Plan, satisfactory to the General Manager of Planning Services prior to any site alteration, tree removal or construction on the site.

Additional opportunities to retain trees along the northern property limit should be explored through the site plan stage and reflected in the updated TIPP.

Please do not hesitate to contact me should you have any questions,

RE: OZS19-002

Page 2 of 2

Jason Elliott
Environmental Planner

Infrastructure, Development and Enterprise
Planning and Building Services
Location: City Hall
519-822-1260 x 2563
Jason.elliott@guelph.ca

Attachment-13 Departmental and Agency Comments (continued)

Internal Memo



Date	September 11, 2020
To	Lindsay Sulatycki, Senior Development Planner
From	David de Groot, Senior Urban Designer
Service Area	Infrastructure, Development and Enterprise Services
Department	Planning Services
Subject	816 Woolwich Street: Zoning By-law Amendment Application Urban Design Comments

Urban Design staff has reviewed the updated Urban Design Brief for 816 Woolwich Street dated August 20, 2020.

Background

The vision articulated in the Urban Design Action Plan is to transform, over time, the city's five major Community Nodes into distinct "urban villages"—mixed-use, transit and pedestrian oriented places that provide focal points for civic life, higher-density housing, office and retail employment, and live-work opportunities.

Urban Design policies from the Official Plan were reviewed. In addition, for the Woolwich/Woodlawn Community Mixed Used Node an urban design concept plan and related principles were endorsed by Council in July 2016. Staff were further directed to use the Urban Design Concept Plans, Principles and Illustrative Diagrams to guide the review of development applications within these nodes.

In addition, City Council approved the Built Form Standards for Mid-rise Buildings and Townhouses on April 9, 2018. The comments below also reflect the review of these documents.

Urban Design Comments

- Generally Urban Design staff is supportive of the approach to the design of the site shown on the concept plan and the Urban Design Brief (August 2020).
- Staff acknowledges that the applicant has been working with City Staff and that overall design of the concept plan has been improved.
- Through this process, staff has concentrated on a number of key issues which have been positively addressed by the applicant including:
 - Consolidating the outdoor common amenity space;
 - Increasing the building setbacks and improving the interface with the

- cemetery to the north;
 - Adding additional trees within the surface parking areas; and,
 - Creating connections to adjacent properties to the north and south.
- As part of the site plan process further detailed comments will be discussed including reviewing and finalization of building materials, landscaping materials and other site plan-level design elements. This includes:
 - Developing the elevations including materials and colours as well as architectural details.
 - The provision of a sidewalk along Woolwich Street as part of right-of-way improvements.
 - Carefully consider the grading and topography so that door sills do not exceed 1.5 metres above the adjacent sidewalk.
 - Continue to refine how the buildings meet the ground along the northerly and westerly property lines to allow for appropriate connections between units and the rear yards.
 - Upgrading the side elevations that face the main driveway.
 - Provide a detail for pedestrian level lighting and street lighting for the internal streets.
 - As identified by Environment Planning, continue to explore the retention of trees along the northerly property line.
 - Street furniture such as bicycle parking, benches etc.
 - Implementation of a gateway feature near Woolwich and the City's boundary.
 - Keep in mind bird-friendliness strategies in the design of the elevations.
 - Rooftop mechanical screening details.
 - For the 5 storey mixed-use building:
 - Taller first storey to accommodate commercial uses (i.e. 4.5m);
 - Place the principal building entrances so that it is oriented to and visible from the Woolwich and the main drive;
 - Consider building shaping further such as 1.5m stepback between the 4 and 5 storey;
 - The use of real masonry products within building base rather than replica materials; and,
 - The articulation of the building elevations.
 - Continuing to encourage Low Impact Development technologies that can be incorporated into the landscape and architecture.

Prepared by:

David de Groot

Senior Urban Designer

519.822.1260 ext. 2358

David.deGroot@guelph.ca

Attachment-13 Departmental and Agency Comments (continued)



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

June 4, 2020

Lindsay Sulatycki
Senior Development Planner
City of Guelph
1 Carden Street
Guelph ON N1H 3A1
lindsay.sulatycki@guelph.ca

Re: Zoning By-law Amendment OZS19-002
816 Woolwich Street, Guelph
Chief Holdings (816 Woolwich) Ltd.

Dear Ms. Sulatycki,

Following our comments dated March 8, 2019, the Grand River Conservation Authority (GRCA) is in receipt of the second submission for the above-noted application. This includes the following documents:

- Cover Letter (MTE, March 26, 2020)
- Functional Servicing and Stormwater Management Report (MTE, March 2020)
- Site Plans (MTE, revised March 26, 2020)
- Hydrogeological Study, (MTE, March 2020)
- Environmental Impact Study Addendum (NRSI, April 2020)

The documents listed above are acceptable, and their recommendations and mitigation measures should be fully implemented at the site plan stage. We have no objection to the proposed zoning by-law amendment.

The west corner of the site is within 120 metres of a wetland, and is regulated by the GRCA under O. Reg. 150/06. Any future development within the regulated will require prior written approval from the GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2763 ext. 2292 or theywood@grandriver.ca.

Page 1 of 2

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Heywood', written over a horizontal line.

Trevor Heywood
Resource Planner
Grand River Conservation Authority

c.c. Dave Aston and Paul Douglas, MHBC

Attachment-13 Departmental and Agency Comments (continued)

- 1 -

Ministry of Transportation

Engineering Office
Corridor Management Section
West Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4543
Facsimile: (519) 873-4228

Ministère des Transports

Bureau du génie
Section de gestion des couloirs routiers
Région de l'Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4543
Télécopieur: (519) 873-4228



November 13, 2019

City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Attn: Lindsay Sulatycki

RE: MTO Comments – 816 Woolwich Street (File OZS19-002)

PIN: 713590065

Legal description: PT Lots 6 & 7, Plan 169, as in MS74448, Save and Except PT 16, 61R148 & PT 2, 61R6339; GUELPH

Highway 6, Wellington County, City of Guelph

The Ministry of Transportation (MTO) has completed a review of the Notice of Revised Application Proposed Zoning By-Law Amendment to change the zoning on the subject property from “Specialized Highway Service Commercial” to “Specialized Residential Cluster Townhouse” and “Specialized Service Commercial Zone” to permit the development of townhouse units, a mixed-use building, an office building and maintain the existing Curling Club. The amendment has been considered in accordance with MTO’s highway access control policies and the *Public Transportation and Highway Improvement Act* (PTHIA). The following outlines our comments:

- MTO does not object to the zoning change.
- MTO is satisfied with the Traffic Impact Study prepared by Paradigm Transportation Solutions dated November 2018.
- MTO is satisfied with the location of a single entrance to the property for the proposed users.
- MTO is generally satisfied with the functional highway design prepared by Mooney Metaxas dated October 9, 2019. Refinements to the design will be administered through MTO’s Developer Driven Highway Improvement process. Other roadside incidentals including utilities and sidewalks may require the dedication of property from the Owner and/or property acquisition from adjacent neighbours. Prior to advancing the work to detail design, the Owner shall satisfy MTO’s Class Environmental Assessment for Provincial Transportation Facilities.
- Highway improvements shall be constructed prior to opening day of the development. A Legal Agreement executed between the Owner and MTO and secured with a Letter of Credit is required prior to construction of the improvements.

Permit Requirements

An MTO Building and Land Use Permit is required for any development within the MTO Permit Control Area. As a condition of MTO permits, the following shall be addressed:

- The Proponent shall submit an acceptable Site Plan, Grading Plans, Drainage Plan, Site Servicing Plan and Photometric/Illumination Plan for MTO review and approval. These plans shall clearly identify all structures/works (existing and proposed) and all setbacks to MTO’s property limit.

- MTO requires all buildings, structures and features integral to the site to be located a minimum of 14 metres from the highway property limit, inclusive of landscaping features, fire-lanes, parking and storm water management facilities.
- Storm Water Management - As a condition of MTO permits, to ensure that stormwater runoff from this property does not adversely affect our highway drainage system or highway corridor, we require the owner to submit a Storm Water Management (SWM) report along with the above-noted grading/drainage plans for the proposed development for our review and approval. The consultant should refer to the website at www.mto.gov.on.ca/english/engineering/drainage/index.html for MTO drainage requirements to assist in preparing their report.
- Any/all signage visible from Highway 6, including temporary development signs, must be identified on the plans, must conform to MTO policies and guidelines, and will require a valid MTO Sign Permit before installation.
- Access to Highway 6 will require an MTO Entrance Permit.
- Individual service connections may require an MTO Encroachment Permit if connections are made from Highway 6.

I trust you will find the above-noted information comprehensive and complete, however, should you have any additional questions or concerns, please feel free to contact our office.

Yours truly,

Ryan Mentley
Corridor Management Planner
Corridor Management Office
West Region

Attachment-14 Public Notification Summary

January 24, 2014	Application received by the City of Guelph
February 16, 2014	Application deemed complete
February 24, 2014	Notice of Complete Application mailed to prescribed Agencies, City departments and surrounding property owners within 120m of the subject property
April 17, 2014	Notice of Public Meeting advertised in the Guelph Tribune
April 21, 2014	Notice of Public Meeting mailed to prescribed Agencies, City departments and surrounding property owners within 120m of the subject property
May 12, 2014	Statutory Public Meeting of Council
November 21, 2018	Revised application received
February 4, 2019	Notice of Revised Application mailed to prescribed Agencies, City departments and surrounding property owners within 120m of the subject property and any other interested parties who requested notification on the original application
February 21, 2019	Notice of Public Meeting advertised in the Guelph Tribune
February 25, 2019	Notice of Public Meeting mailed to prescribed Agencies, City departments and surrounding property owners within 120m of the subject property and any other interested parties who requested notification on the application
March 18, 2019	Second Public Meeting of Council
April 14, 2020	Complete revised submission received
October 23, 2020	Notice of Decision Meeting sent to interested parties who spoke at the public meeting, provided comments on the application or requested to receive further notification on the application
November 9, 2020	City Council meeting to consider staff recommendation

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, November 9, 2020
Subject	Special meeting of Council to commence the five-year review of the Official Plan

Recommendation

1. That Staff be directed to proceed with the Section 26 Official Plan review as outlined in the report titled "Special meeting of Council to commence the five-year review of the Official Plan dated November 9, 2020".
-

Executive Summary

Purpose of Report

The purpose of this report is to support a special meeting of Council to discuss revisions that may be required to the Official Plan as required by Section 26 of the Planning Act, provide the public with an opportunity to provide input at the outset of the process, and outline the requirements for the Official Plan review.

Key Findings

The City adopted its last comprehensive review of the Official Plan (OP) in June 2012 (OPA 48) which was approved by the Ontario Municipal Board (OMB) in October 2017 (with some exceptions).

The Planning Act (Section 26) requires that the City's OP be reviewed every five years (or ten years after the approval of a new OP) to, among other things, ensure that it conforms to Provincial legislation, policy and plans.

The OP review will be focused on Section 26 requirements and future OP amendments will focus on updating sections of the OP that are currently subject to master plan processes.

Since 2017, the Province has amended/updated the Planning Act and the Clean Water Act and has released a new Growth Plan and Provincial Policy Statement. The new Provincial Policy Statement (PPS) came into effect on May 1, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect in 2019. The Growth Plan was subsequently amended with an effective date of August 28, 2020.

The City is required to update its OP to conform with the Growth Plan by July 1, 2022, as such, a focused approach to the OP review is necessary to ensure that required legislated updates, including the Growth Plan, are prioritized to meet the conformity deadline. Once these requirements are satisfied, future amendments to

the OP will focus on incorporating other legislative requirements and city approved plans and studies into the OP.

Financial Implications

The Official Plan review is funded through the approved capital budget, Capital Account PL0054, for costs associated with consultant services and community engagement.

The OP has significant financial implications as it sets population and employment forecasts, as well as density targets which are the driver to growth-related infrastructure planning and financing. A fiscal analysis of growth scenarios will be completed as part of the City's growth plan conformity work in 2021. The City is also updating a number of Master Plans, the Development Charge Bylaw and the Parkland Dedication Bylaw and will be implementing a new Community Benefit Charge Bylaw over the next two years in order to support the long-term financial planning for growth to 2051.

Report

Background

What is an Official Plan?

An Official Plan (OP) is a legal planning document required by the Planning Act. It establishes a vision for the future of a municipality and provides policy direction to manage future land use patterns and growth. An OP primarily deals with:

- How land can be used, whether it should be used for houses, industry, offices, commercial, parks, natural areas or a mix of uses;
- What services, like roads, sewers, parks and schools are needed; and,
- When, and in what order, parts of the municipality will grow

Reviewing and updating the Official Plan – what is required

The Planning Act (Section 26) requires municipalities to review their OPs every five years (or ten years after the approval of a new OP) to ensure that it:

- conforms with and does not conflict with provincial plans,
- has regard for matters of provincial interest, and,
- is consistent with the Provincial Policy Statement.

To initiate a five-year review of an OP, the Planning Act requires that a special meeting of Council, open to the public, be held to discuss revisions that may be required to the OP to meet the above. This report initiates the five-year review at a special meeting of Council.

The City's last five-year review

The City's last comprehensive OP review was undertaken in three phases:

Phase 1: Official Plan amendment 39 Growth Plan conformity was approved by the Ministry of Municipal Affairs and Housing in November 2009.

Phase 2: Official Plan amendment 42 Natural Heritage Strategy was approved by the Ontario Municipal Board in June 2014.

Phase 3: Official Plan amendment 48 final phase of the five-year review was approved by the Ontario Municipal Board in October 2017 with the exception of one

site specific appeal, one policy appeal and a few policies that are still under appeal on a site-specific basis.

Scope of the OP Review

In February 2020, [Information Report IDE-2020-16](#) was provided to Council. At that time, the scope of the OP review included: conformity and consistency with provincial legislation, plans and policies; all master plan updates or other city-approved plans and studies; and any other policies that may require updating.

Since that time, COVID-19 has had some effect on the project work schedules for required master plans and the growth management strategy. Also, the release and approval of Amendment 1 to the Growth Plan has required staff to review and revise project timing and deliverables to ensure that the requirements of the amended Growth Plan are met through the municipal comprehensive review (MCR) and the master plans. With a conformity deadline of July 1, 2022, it is no longer possible to complete the original scope of the OP review, including the delivery of master plans and draft Official Plan policies within the prescribed timeframe. As a result, the OP review will focus on satisfying the requirements of Section 26 of the Planning Act. This includes ensuring that the OP is in conformity and consistency with the Planning Act, the Provincial Policy Statement, the Growth Plan and the Clean Water Act/Source Protection Plan. Once these requirements are satisfied, a future OP amendment (or amendments) will focus on incorporating other legislative requirements and city-approved plans and studies into the OP. This includes amendments to update policies with respect to transportation, parks and open space, and municipal services which are currently the subject of master plans.

In June 2020, Council endorsed a [draft vision and principles for growth](#). In addition to guiding Growth Plan conformity work, these will also be used to guide the OP review.

It is the appropriate time to initiate the five-year review of the City's OP with the scope outlined above given the amount of time that has passed since the last five-year OP review was undertaken; the changes to the provincial legislation, policy and plans; and the time constraints for conformity with the Growth Plan.

The following provides a summary of the legislation, plans and policies that are required to be considered for this OP review:

Planning Act

Several amendments to the Planning Act have been made since the last OP review. These amendments have: removed height and density bonusing; modified parkland dedication requirements; introduced community benefit charges; shortened timelines for the processing of certain development applications; changed the types of matters and reasons for appeals to the Local Planning Appeals Tribunal (LPAT); among other matters.

Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) is the consolidated statement of the provincial government's policies on land use planning that guides municipal decision making. Under the Planning Act municipal decisions on land use planning matters "shall be consistent with" the PPS. The PPS, 2020 came into effect on May 1, 2020.

The changes to the PPS were intended to support Ontario's Housing Supply Action Plan and the changes to the land use planning system including changes to the Planning Act and the Growth Plan. The changes that were made to the PPS were intended to: encourage the development of an increased mix and supply of housing; protect the environment and public safety; reduce barriers and costs for development and provide greater predictability; support rural, northern and Indigenous communities; and, support the economy and job creation.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

In May 2019, the Province released A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and Amendment 1 was approved with an effective date of August 28, 2020. The Growth Plan guides growth and development within the Greater Golden Horseshoe over the next 30 years. The Growth Plan requires that Guelph plan for a population of 203,000 and an employment base of 116,000 jobs in 2051. Guelph must also plan for a minimum intensification target of 50 per cent within its built-up area; a minimum designated greenfield area density target of 50 persons and jobs per hectare; and a minimum urban growth centre (downtown) density target of 150 persons and jobs per hectare to 2031.

Clean Water Act/Grand River Source Water Protection Plan

The Grand River Source Water Protection Plan brought policies into effect for the City of Guelph on July 1, 2016 following approval by the Province. The development and approval of the plan fulfills requirements under the provincial Clean Water Act. The plan identifies wellhead protection areas and vulnerabilities along with corresponding policies for protection the water quality of Guelph's drinking water supply. Some of these policies are intended to be implemented through planning tools and require updates to the City's OP in order to support implementation. Additional work to develop policies to support completed technical studies identifying well head protection areas and vulnerabilities for protection of water quantity as it relates to Guelph's drinking water supply is ongoing and will be incorporated into the Grand River Source Water Protection Plan through a future update to the plan.

OP Review and Growth Plan Conformity/Municipal Comprehensive Review

To bring Guelph's OP into conformity with the Growth Plan, it is necessary to complete a municipal comprehensive review (MCR) that will determine where and how Guelph will grow to 2051, and plan to achieve the targets for the built-up area, designated greenfield area, and urban growth centre. Municipalities are required to have their OPs updated to conform to the Growth Plan by July 1, 2022.

In October 2019, Council endorsed a process for the City's MCR. Several background studies have been or are currently being prepared as part of the MCR. These include:

- Updated vision and principles for growth
- A residential intensification analysis
- A housing analysis and strategy
- An employment lands strategy, and
- Growth scenario planning (based on a land needs assessment).

An overview of the scope of each of these studies was provided in report [IDE-2019-91](#).

The MCR work will result in a growth management strategy for the City and will inform the 5-year review of the OP. Recommended changes to the OP as part of the MCR will be incorporated into the 5-year review OP amendment.

OP Review process and proposed community engagement

The OP review will include the following:

- Release of a policy paper (or papers)
- Statutory Open House
- Statutory Public Meeting
- Council Decision Meeting

As noted above, aspects of Growth Plan conformity, including community engagement, will be completed through the MCR. The MCR will result in an updated growth management strategy for Guelph which will include recommended changes to the OP.

For potential amendments related to Planning Act, PPS and Sourcewater Protection Plan, a policy paper will be prepared detailing requirements to ensure the OP is consistent with and conforms to these documents as required.

Following this special meeting of Council to discuss revisions that may be required to the OP, staff will develop a fulsome community engagement plan to appropriately address all of the matters identified in this report, as well as any matters as directed by Council to consider as part of this process.

On a preliminary basis, it is intended that the above-mentioned policy paper will be released for public review and comment in the early part of 2021. If appropriate, a public workshop may be held to discuss the policy paper.

Following the receipt of comments, staff will begin preparing draft OP policies. The intent is to release the draft OP policies in late 2021 for public review and comment. At minimum, an open house and a statutory public meeting will be held before recommended policies are brought forward for Council's consideration.

In order to meet the deadline for conformity with the Growth Plan, a consolidated OP amendment including all items outlined in this report will be brought forward for Council's decision before the Province's deadline of July 1, 2022. The approval authority for a Section 26 update to the OP is the Minister of Municipal Affairs and Housing.

Project Next Steps

Q1/Q2 2021 – Policy paper(s) to be prepared and released for public review and comment

Q3/Q4 2021 – Draft Official Plan policies and OP amendment to be prepared and released for public review and comment

Q1/Q2 2022 – Recommended OP amendment to be brought forward for Council's consideration

Financial Implications

The five-year OP review update is funded through the approved capital budget, Capital Account PL0054, for costs associated with consultant services and community engagement consultations.

The OP has significant financial implications as it sets population and targets which are the driver to growth-related infrastructure planning and financing. A fiscal analysis of growth scenarios will be completed as part of the City's growth plan conformity work in 2021. The City is also updating a number of Master Plans, the Development Charge Bylaw and the Parkland Dedication Bylaw and will be implementing a new Community Benefit Charge Bylaw over the next two years in order to support the long-term financial planning for growth to 2051.

Consultations

The Planning Act requires that formal notice be provided for this special meeting of Council at least once a week in each of two separate weeks, and the last publication shall take place at least 30 days before the date of the meeting. Accordingly, notice was published in the Guelph Mercury Tribune on October 1, 2020 and October 8, 2020.

In addition to meeting the statutory requirements, notice was again provided in the Guelph Mercury Tribune on October 29, 2020.

A consultant has been retained to facilitate community engagement for the MCR and the OP review. Following this special council meeting a fulsome community engagement plan will be developed for the OP review. The community engagement plan and consultation process will go above and beyond the minimum statutory requirements of the Planning Act including engaging with the public and key stakeholders.

As encouraged by the PPS 2020, the engagement plan will include engaging with the appropriate Indigenous Communities.

The Planning Advisory Committee will be consulted at key stages during the review.

Internal consultations with staff from other City departments and service areas has taken place and will continue to occur throughout this process.

Strategic Plan Alignment

The five-year OP review will align with the following priorities within Guelph's Strategic Plan:

- Powering our future – The review and update of the OP will support a healthy economy.
- Sustaining our future – The review and update of the OP will assist in planning and designing an increasingly sustainable City as Guelph grows.
- Navigating our future – The review and update of the OP will assist in planning for a transportation network that connects us.
- Building our future –the review and update of the OP will assist in continuing to build a strong and vibrant community.

Attachments

Attachment-1: Staff Presentation Commencement of the Official Plan Review

Departmental Approval

Melissa Aldunate, MCIP, RPP, Manager, Policy Planning and Urban Design

Report Author

Stacey Laughlin, MCIP, RPP, Senior Policy Planner

Natalie Goss, MCIP, RPP, Senior Policy Planner

This report was approved by:

Krista Walkey, MCIP, RPP

General Manager

Planning and Building Services

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2395

krista.walkey@guelph.ca

This report was recommended by:

Kealy Dedman, P. Eng., MPA

Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2248

kealy.dedman@guelph.ca

Shaping Guelph

Five-year
Review of the
Official Plan

Special Meeting
of Council

November 9, 2020



Purpose of the Special Meeting

- Official commencement of the OP review process
- Create awareness of the OP review
- Opportunity to discuss revisions that may be required
- Requirement of the Planning Act



What is an Official Plan?

- Legal document required by the Planning Act
- Sets the vision for the future of the City
- Directs how land can be used
- When, and in what order, the City will grow



Why Review the Official Plan?

- Last comprehensive review of the OP was completed in three phases with final approval in 2017
- The Planning Act requires the City to review its OP every 5 years
- Recommended that the current OP review be scoped to focus on Section 26 requirements in order to meet legislated timelines – July 1, 2022



Scope of the OP Review

Vision & Principles for Growth (approved June 2020)

Planning Act

PPS 2020

Growth Plan

Clean Water Act



Process & Engagement

Special meeting of Council

Policy paper (or papers)

Draft policies and amendment

Statutory Open House

Statutory Public Meeting

Council Decision Meeting

