

City Council - Planning Meeting Agenda



Monday, January 27, 2020, 6:30 p.m.

Council Chambers, Guelph City Hall, 1 Carden Street

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

	Pages
1. Call to Order	
2. Open Meeting	
2.1 Disclosure of Pecuniary Interest and General Nature Thereof	
3. Council Consent Agenda	
<p>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.</p>	
3.1 IDE-2020-04 Decision Report - Official Plan Amendment No. 69 Commercial Policy Review	1
<p>Correspondence:</p> <p>Astrid Clos</p> <p>Recommendation:</p> <p>That Official Plan Amendment No. 69, initiated by the City of Guelph, be approved in accordance with Attachment 1 to Report IDE-2020-04 dated January 27, 2020.</p>	
3.2 IDE-2020-05 Sign By-law Variance - 10 Woodlawn Road East	33
<p>Recommendation:</p> <p>That the request for variance from Table 1, Row 1 of Sign By-law Number (1996)-15245, as amended, to permit one (1) non-illuminated building sign with an area of 1.76m² to be located 2.08m above the ground surface at the property of 10 Woodlawn Road East, be approved. (Sign B)</p>	

3.3 IDE-2020-06 Sign By-law Variance - 435 Stone Road West

39

Recommendation:

1. That the request for a variance from Table 2, Row 13 of Sign By-law Number (1996)-15245, as amended, to permit one (1) illuminated menu board/order board with a height of 3.13m above the adjacent roadway, at the property of 435 Stone Road West, be approved. (Sign 1)
2. That the request for a variance from Table 2, Row 13 of Sign By-law Number (1996)-15245, as amended, to permit one (1) illuminated pre-sell menu board with a height of 1.81m above the adjacent roadway at the property of 435 Stone Road West, be approved. (Sign 2)

3.4 IDE-2020-09 17 Mary Street - Heritage Permit Application (HP19-0021)

46

Recommendation:

That heritage permit application HP19-0021 be approved to allow the demolition of the existing dwelling at 17 Mary Street and the construction of a new dwelling as described in Report IDE-2020-009.

4. Public Meeting to Hear Applications Under Sections 17, 34 and 51 of The Planning Act

(delegations permitted a maximum of 10 minutes)

4.1 IDE-2020-07 Statutory Public Meeting Report - 68-76 Wyndham Street South - Proposed Official Plan Amendment and Zoning By-Law Amendment File: OZS-19-013 - Ward 1

59

Staff Presentation:

Michael Witmer, Senior Development Planner

Delegations:

John Cox, JL Cox Planning Consultants Inc., on behalf of the owners

Brian McCulloch, James Fryet Architect Inc., on behalf of the owners

Recommendation:

That Report IDE-2020-07 regarding proposed Official Plan Amendment and Zoning By-law Amendment applications (File: OZS19-013) by JL Cox Planning Consultants Inc., on behalf of the owner, M. Flaman Productions Ltd., to permit the development of a four storey apartment building with nine units and a duplex on the property municipally known as 68-76 Wyndham Street South and legally described as Part of Lots 7 & 8, Registered Plan 306, City of Guelph from Infrastructure, Development and Enterprise dated January 27, 2020, be received.

4.2 IDE-2020-08 Statutory Public Meeting Report - 47-75 Willow Road Proposed Zoning By-Law Amendment File: OZS19-014 - Ward 3

83

Staff Presentation:

Katie Nasswetter, Senior Development Planner

Delegations:

Nancy Shoemaker, Black, Shoemaker, Robinson and Donaldson Limited, on behalf of the owner

Recommendation:

That Report IDE-2020-008 regarding proposed Zoning By-law Amendment application (File: OZS19-014) by Black, Shoemaker, Robinson & Donaldson Ltd., on behalf of the owner, Willow Court Ltd., to permit the development of two, six storey mixed use buildings with ground floor commercial units and a total of 130 apartment units on the property municipally known as 47-75 Willow Road and legally described as Lots 6 & 7 and Part Lot 8, Registered Plan 593, City of Guelph from Infrastructure, Development and Enterprise dated January 27, 2020, be received.

5. By-laws

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

6. Mayor's Announcements

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

7. Adjournment

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 27, 2020
Subject	Decision Report: Official Plan Amendment No.69 Commercial Policy Review
Report Number	IDE-2020-04

Recommendation

That Official Plan Amendment No. 69, initiated by the City of Guelph, be approved in accordance with Attachment 1 to Report IDE-2020-04 dated January 27, 2020.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve the City-initiated Official Plan Amendment for the Commercial Policy Review.

Key Findings

Planning staff recommend approval of OPA 69 to implement the Official Plan policy directions of the Council approved Commercial Policy Review. OPA 69 addresses commercial land needs through the protection of existing commercial land supply and the designation of lands for commercial uses.

The recommended OPA 69 is consistent with the Provincial Policy Statement 2014 and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019.

Financial Implications

There are no financial implications as a direct result of the proposed planning matters.

Report

Background

OPA 69 was released to the public on August 19, 2019 and the statutory Public Meeting of City Council was held on September 9, 2019.

Purpose and Effect of OPA 69

The purpose of OPA 69 is to update the commercial policy framework in the Official Plan to implement the recommendations of the Council approved Commercial Policy Review: Preferred Framework to:

- Address the evolution of commercial development into mixed-use areas while protecting commercial space for the long term;
- Designate sufficient land for commercial purposes to address the land shortage to 2041;
- Protect existing commercial land supply through the introduction of minimum commercial floor space; commercial function study requirements; and residential density policies;
- Provide clarity on the floor space measure by changing it from retail to commercial; and
- Allow for intensification of existing Commercial Mixed-use Centres by increasing the maximum commercial floor space permitted.

Official Plan Amendment #69 (see Attachment 1) implements the Council approved Preferred Framework for the Commercial Policy Review through the following policy amendments to Chapter 9, Section 9.4:

- Changes references to “retail gross floor area” to “commercial gross floor area”;
- Changes the name of the land use designation “Community Mixed-use Centre” to “Commercial Mixed-use Centre”;
- Increases the maximum gross floor area of commercial space for three Commercial Mixed-use Centres (Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial);
- Provides a minimum gross floor area of 6,500 square metres of commercial space for the Commercial Mixed-use Centres;
- Increases the maximum commercial gross floor area for Neighbourhood Commercial Centres to 6,500 square metres;
- Provides policies to protect against the loss of commercial floor space through the introduction of Commercial Function Study policies, the introduction of floor space index benchmarks and policy that protects existing commercial space from being reduced by 25% or more; and
- Provides a residential density policy for the Neighbourhood Commercial Centres.

OPA 69 modifies Schedule 2 by changing the land use designations of the following properties:

- 721, 727, 731, 735, 737 and 739 Woolwich Street: land use designation proposed to be changed from Service Commercial to Mixed-use Corridor;
- 200 Victoria Road South: land use designation proposed to be changed from Neighbourhood Commercial Centre to Commercial Mixed-use Centre;
- 523 York Road and 494-500 York Road: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre;
- 540 York Road: land use designation proposed to be changed from Service Commercial and Industrial to Commercial Mixed-use Centre;
- 895-919 York Road and 57 Watson Parkway North: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre.

The legend for Schedule 2 is also updated by changing the name of the land use designation Community Mixed-use Centre to Commercial Mixed-use Centre.

Location

The proposed Official Plan amendment policy modifications apply to all lands designated within commercial categories in the city of Guelph. The proposed land

use designation changes apply to the following properties: 721, 727, 731, 735, 737 and 739 Woolwich Street; 200 Victoria Road South; 523 York Road; 494-500 York Road; 540 York Road; 895-919 York Road and 57 Watson Parkway North.

Comments Received on the Proposed OPA

The following is a summary of the comments received on the proposed OPA and staff's response.

1. **MHBC on behalf of Calloway REIT:** MHBC requested that "self-storage facility" be considered as a permitted use within the Commercial Mixed-use Centre designation. The Commercial Policy Review did not consider the range of permitted uses nor provide recommendations for permitted uses in the commercial land use designations, therefore changes or additions to land use permissions are outside the scope of this OPA. Further, staff feel that the specificity of the use is not appropriate for the Official Plan. Specific uses are set out in the City's Zoning By-law and as such this request would be more appropriate for discussion through the ongoing comprehensive Zoning By-law review. Further, the self-storage use is not considered to be an appropriate use within the Commercial Mixed-use Centres because these lands are intended to provide active frontages and pedestrian oriented commercial uses to meet the needs of residents. Self-storage facilities are currently directed to the Service Commercial land use designation because they are vehicular oriented and require larger land areas in their usual form.
2. **Bousfields Inc. on behalf of Primaris (re: Stone Road Mall):** Bousfields Inc requested that policy 9.4.4.7; which sets out that a commercial function study would be required for development proposals that seek to decrease the existing commercial floor area by more than 25 percent or provide less than .15 FSI, not apply to their property at 435 Stone Road West. Staff do not propose any changes to the OPA in response to this comment. The policy provides a trigger for a commercial function study to be submitted with a development application where commercial floor area is proposed to be decreased. A typical FSI for traditional commercial development is 0.25 FSI. Using a benchmark of 0.15 FSI allows flexibility within designations to address an evolution to mixed use and to respond to changing market conditions and retail trends. Policy 9.4.4.7 allows for the examination of commercial supply at the time of an application and would provide staff with information to assess a development application. This study requirement has been included in the amendment because the City has, and is projected to continue to have, a deficit of commercial land supply. The intent of the Commercial Function Study is to allow the City to balance the need to maintain commercial options within communities (for example; to avoid "food deserts") while achieving the positive effects of mixed-use intensification in appropriate locations and providing flexibility to the market.
3. **BSRD on behalf of Willow Court Ltd.:** BSRD has requested that the proposed maximum residential density of 100 units per hectare not be applied to the Willow Court Ltd property. At present, the Official Plan does not have a

maximum residential density for Neighbourhood Commercial Centres and this amendment proposes to add it using the medium density residential policies as guidance for the recommended density. The City's Zoning By-law currently does not permit residential uses with the NC Zone which means that proposals for mixed-use development that include residential are subject to a zoning amendment process. Staff are recommending that a site-specific policy be included in OPA 69 to provide for a maximum residential density of 150 units per hectare for this property. This is considered appropriate for this property because it is located within an area where all of the adjacent properties are designated High Density Residential (which permits a maximum density of 150 units per hectare). Future development of the property to incorporate residential uses would require a zoning amendment application through which any site-specific regulations would be considered and applied.

4. **Zelinka Priamo Ltd. on behalf of Loblaw Companies Limited:** The comments state that Loblaws is interested in providing a lower amount of commercial development on their property at 115 Watson Pkwy than what they had previously proposed. As such, they are requesting modifications to the OPA to support their ability to reduce the amount of commercial to be developed on their property. Their letter of September 4, 2019 reiterates the majority of their previous comments that were addressed by staff in Report IDE-2019-94. They continue to state that Policy 9.4.2.2. ii) is too restrictive and should be modified to state "or in an appropriate trade or study area" rather than "or in the immediate area". They state that Policy 9.4.2.2 iv) should be revised to state that uses such as recreation, library and day care should be the focus of the Commercial Mixed-use Centres. Staff continue to propose no changes with respect to these comments. Their comments also request that a site-specific policy for 115 Watson Pkwy be included to require a Commercial Function Study for proposals that would provide less than 2500 square metres of commercial gross floor area (rather than 6500 square metres for lands within the designation). Staff do not agree with setting a site-specific policy for the Loblaw's' site within the Watson Pkwy/Starwood Commercial Mixed-use Centre that is inconsistent with the policy for all of the other Commercial Mixed-use Centre designations in the City. The test provides a trigger for the Commercial Function Study as outlined in the response to Bousfields Inc comments above. The policy is intended to consider the function of the Commercial Mixed-use Centre as a whole not on an individual site level. Staff outlined in the discussion paper that site-specific minimum commercial gross floor areas may be considered through zoning by-law regulations. This position continues to be recommended by staff.

The Loblaws comments requested two modifications for clarity in the policy. One is to add the wording "cumulatively of all buildings within the designation" to policy 9.4.2.1 iii, 9.4.3.9 and 9.4.3.18 where the minimum commercial gross floor area is referenced. Staff agree to this addition. The other comment of clarification is that the legend on Schedule 2 should be modified to update the change in land use designation name from Community Mixed-use Centre to Commercial Mixed-use Centre. Staff agree and this update is included in the amendment.

In discussion with Loblaw's representatives with respect to the comments, it was recognized that the change in land use designation for the York/Watson site to Commercial Mixed-use Centre was being treated through the Commercial Policy Review as a new centre. This treatment differs from the approach to the Commercial Mixed-use Centre designations in the North, South and West areas of the city where multiple properties form one centre and are therefore collectively subject to the minimum gross floor area of 6500 square metres. The centres in the North, South and West areas of the city are situated at major intersections, are larger in land area, and while they contain more individual properties they function together as a major commercial area. Staff recommend that the proposed new York/Watson centre be combined with the existing Watson/Starwood Commercial Mixed-use Centre on the basis that they are located in close proximity to each other (separated by natural heritage lands) and would function together as a major commercial area. The result would be a change to proposed Policy 9.4.3.16 to amend the Watson/Starwood centre to the York/Watson/Starwood centre and set a maximum commercial gross floor area of 39,700 square metres. The centres combined would be subject to the policy for a minimum commercial gross floor area of 6500 square metres.

Planning Analysis and Staff Recommendation

The City reviewed the commercial policies in the Official Plan with the goal to provide an updated commercial framework for the City that will meet the projected growth needs for 2031 and provide the basis to meet the needs for 2041. The review focused on providing policy and regulatory changes to address the following issues:

- Geographic distribution of commercial space, especially east end opportunities;
- A lack of sufficiently sized parcels to accommodate traditional larger neighbourhood and community functioning commercial developments (2.8+ ha.) and;
- Potential loss of existing and planned commercial space.

OPA 69 provides for increased commercial space in the City through intensification of existing commercially designated properties by increasing the maximum commercial gross floor area that is permitted. The OPA addresses geographic dispersion and need for sufficiently sized parcels by amending the designation of properties from Service Commercial to Community Mixed-use Centre particularly in the east end of the city. The OPA addresses the potential loss of existing and planned commercial space by introducing minimum commercial gross floor areas for commercially designated properties and by introducing study requirements for development applications that propose to reduce commercial floor space. The OPA also introduces maximum residential density policies for Neighbourhood Commercial Centres to ensure that the sites maintain their commercial focus. The full planning analysis is provided within the following reports:

- Commercial Policy Review: Preferred Framework, [IDE-2019-94 dated July 9, 2018](#)
- [Commercial Policy Review: Preferred Framework Implementation Discussion Paper, IDE-2019-46 dated April 5, 2019.](#)

Provincial Policy Statement (PPS)

The focus of the PPS is on building strong communities, protecting the environment, resources, and public health and safety, and supporting a strong economy. It promotes a compact form with a range of land uses which includes commercial development, and a structure of nodes and corridors. Intensification should be facilitated and densities should efficiently use land, resources, infrastructure and public services; support active transportation; and be transit supportive. The PPS identifies the need to maintain the well-being of downtowns and main streets. This amendment to implement the Commercial Policy Review is consistent with the PPS.

A Place to Grow

The Growth Plan provides growth management policy directions in the Greater Golden Horseshoe (GGH) in promoting economic prosperity and complete communities. Commercial development is intrinsically 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. This amendment to implement the Commercial Policy Review is consistent with the Growth Plan.

Planning staff are satisfied that the recommended Official Plan Amendment 69 is consistent with the Provincial Policy Statement and conforms with the Provincial Growth Plan for the Greater Golden Horseshoe. The Official Plan Amendment is consistent with the Council approved Commercial Policy Review: Preferred Framework. Planning staff recommend that Council approve Official Plan Amendment 69 as outlined in Attachment 1.

Financial Implications

There are no financial implications as a direct result of the proposed planning matters.

Consultations

Comments received at the Public Meeting have been reviewed and considered in the development of staff's recommendation and discussed in this report.

On January 9, 2020 the Notice of Decision Meeting was sent to members of the public and parties that provided comments on the applications or requested to receive further notice.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows

Alignment

The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. The recommendations in this report support the provision of commercial services to meet the needs of current and future residents, to ensure sufficient land is designated to meet the needs, and to allow for intensification and mix of uses on commercial sites to create a more compact community that is supportive of alternate modes of transportation.

Attachments

Attachment-1 Official Plan Amendment No. 69

Departmental Approval

Not applicable

Report Author

Melissa Aldunate, M.Pl., MCIP, RPP, Manager, Policy Planning and Urban Design



Approved By

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Attachment 1: Official Plan Amendment 69

Amendment Number 69 to the Official Plan for the Corporation of the City of Guelph:

Commercial Policy Review

Part A – The Preamble

Title and Components

This document is entitled 'Commercial Policy Review Amendment' and will be referred to as Amendment 69. Part A – The Preamble provides an explanation of the amendment including the purpose, background, location basis of the amendment, summary of changes to the Official Plan and public participation. It does not form part of the amendment.

Part B – The Amendment forms Amendment 69 to the Official Plan for the City of Guelph and contains a comprehensive expression of the new, deleted and amended policies and schedule.

Purpose

The purpose of OPA 69 is to update the commercial policy framework in the Official Plan to implement the recommendations of the Council approved Commercial Policy Review: Preferred Framework to:

- Address the evolution of commercial development into mixed-use areas while protecting commercial space for the long term;
- Designate sufficient land for commercial purposes to address the land shortage to 2041;
- Protect existing commercial land supply through the introduction of minimum commercial floor space; commercial function study requirements; and residential density policies;
- Provide clarity on the floor space measure by changing it from retail to commercial; and
- Allow for intensification of existing Commercial Mixed-use Centres by increasing the maximum commercial floor space permitted.

Background

The commercial policy review was initiated to:

- update the commercial policies to reflect recent changes in the retail market;
- ensure the amount, location and type of commercial land designated in Guelph matches the projected growth needs for 2031 and provides the basis to meet the needs for 2041; and
- address the role, type and amount of commercial space in the Downtown, community mixed-use nodes (e.g. Starwood Drive/Watson Parkway), intensification corridors (e.g. York Road) and service commercial designations (e.g. fast-food, repair and service shops, auto sales, building supply, etc.).

The Commercial Policy Review began in November 2016 with the project Terms of Reference being approved by Council.

Stage 1 involved the completion and release of the Commercial Market Analysis and Background Report on November 24, 2017 (Report IDE-2017- 130).

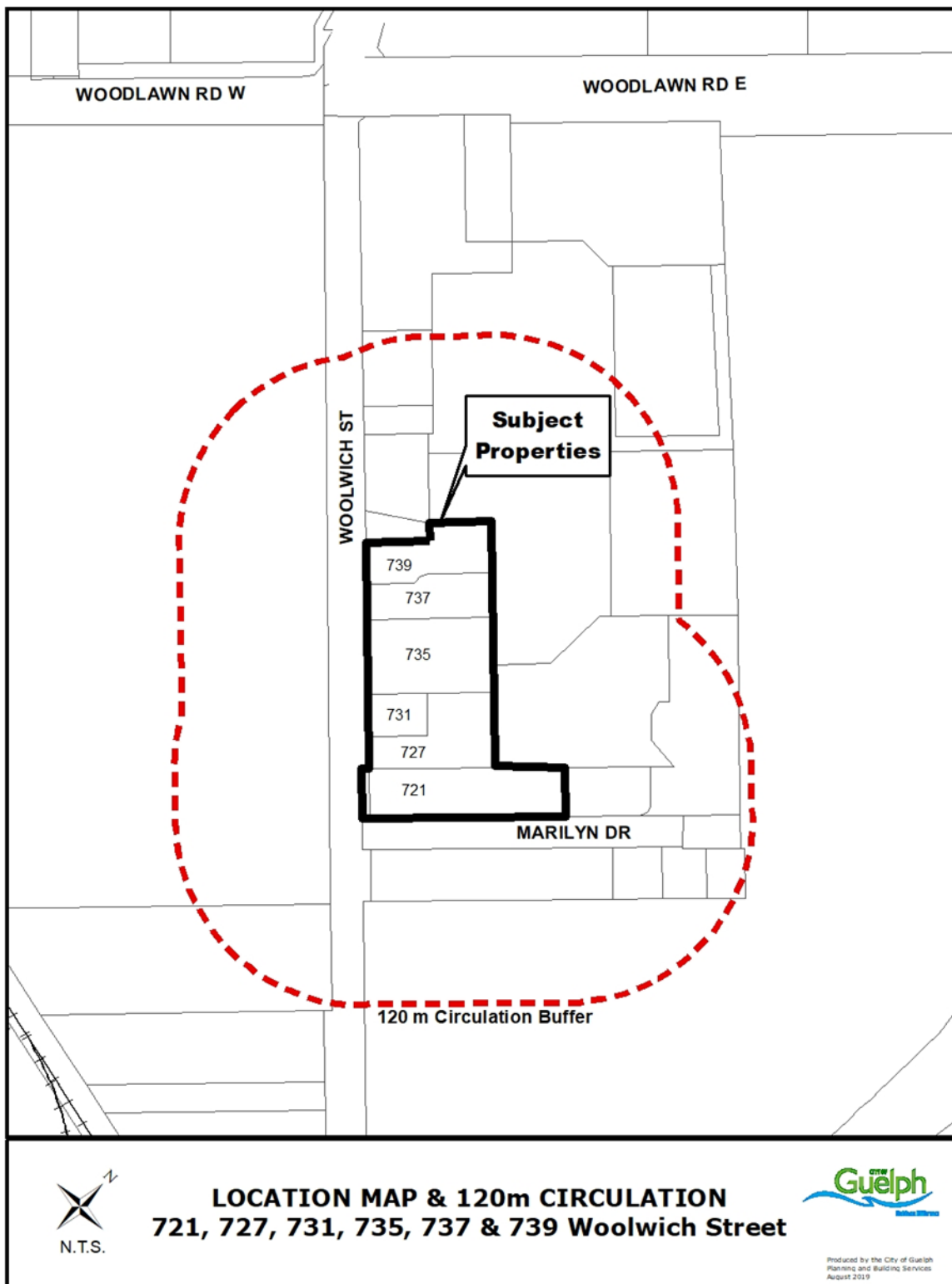
Stage 2 involved the release of draft policy alternatives on May 14, 2018 as part of Council Report IDE-2018-57. The report was received by Council and was used to guide public discussion and evaluation of alternatives in order to develop a preferred commercial policy framework. The public consultation included a key stakeholder workshop, public workshop and on-line survey, and a presentation at the Downtown Advisory Committee during April 2018. On July 9, 2018 the preferred framework presented in Council Report IDE-2018-94 was approved by Council and staff were directed to initiate amendments to the Official Plan and Zoning By-law to implement the Council approved Commercial Policy Review: Preferred Framework.

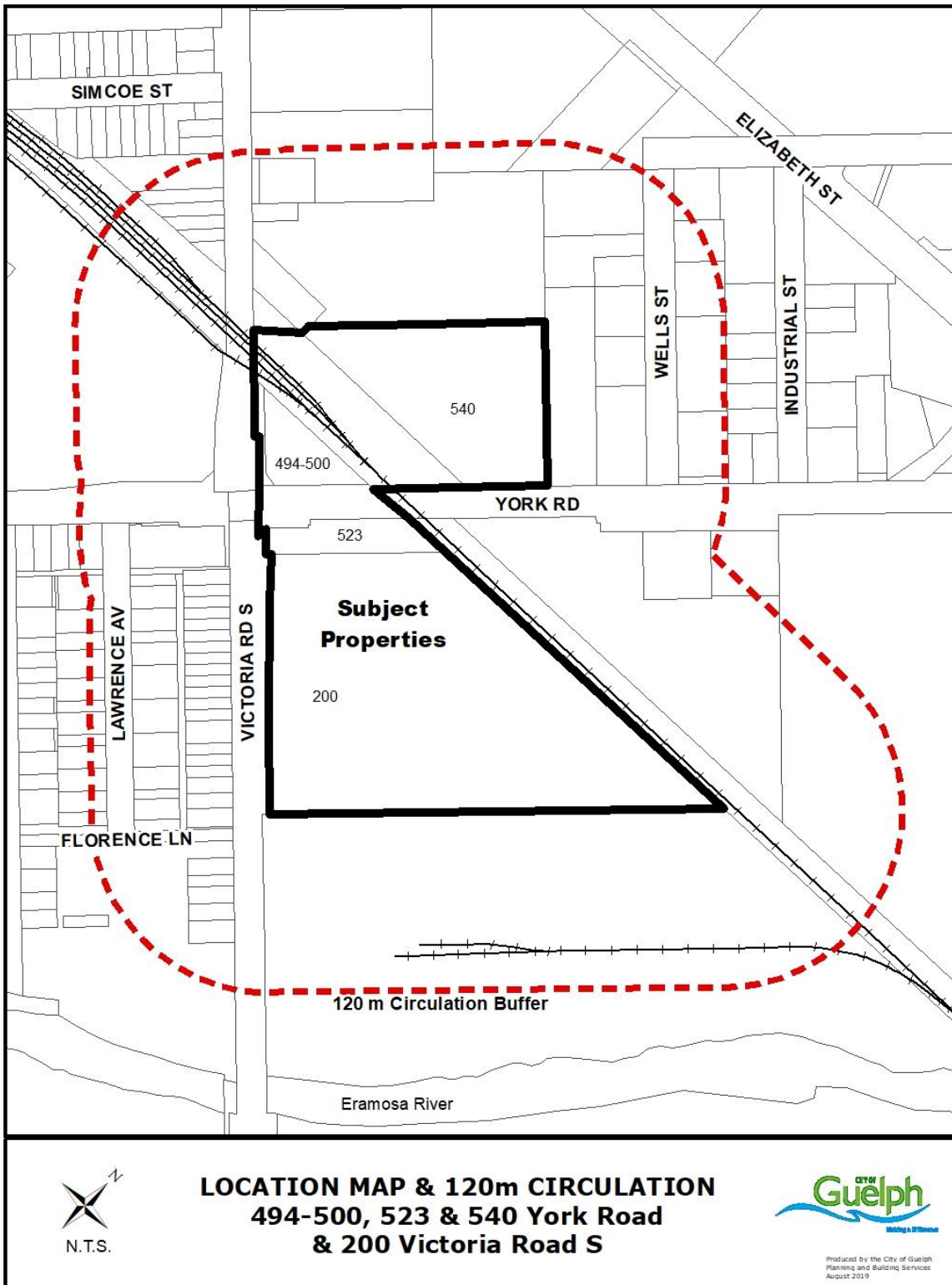
The Commercial Policy Review: Preferred Framework Implementation Discussion Paper was released on April 5, 2019 to facilitate engagement on the proposed options for amendments to the City's Official Plan. The Discussion Paper summarized current Official Plan and Zoning By-law policies and regulations, presented and analyzed options for implementing the Preferred Framework recommendation and presented staff preliminary recommendations.

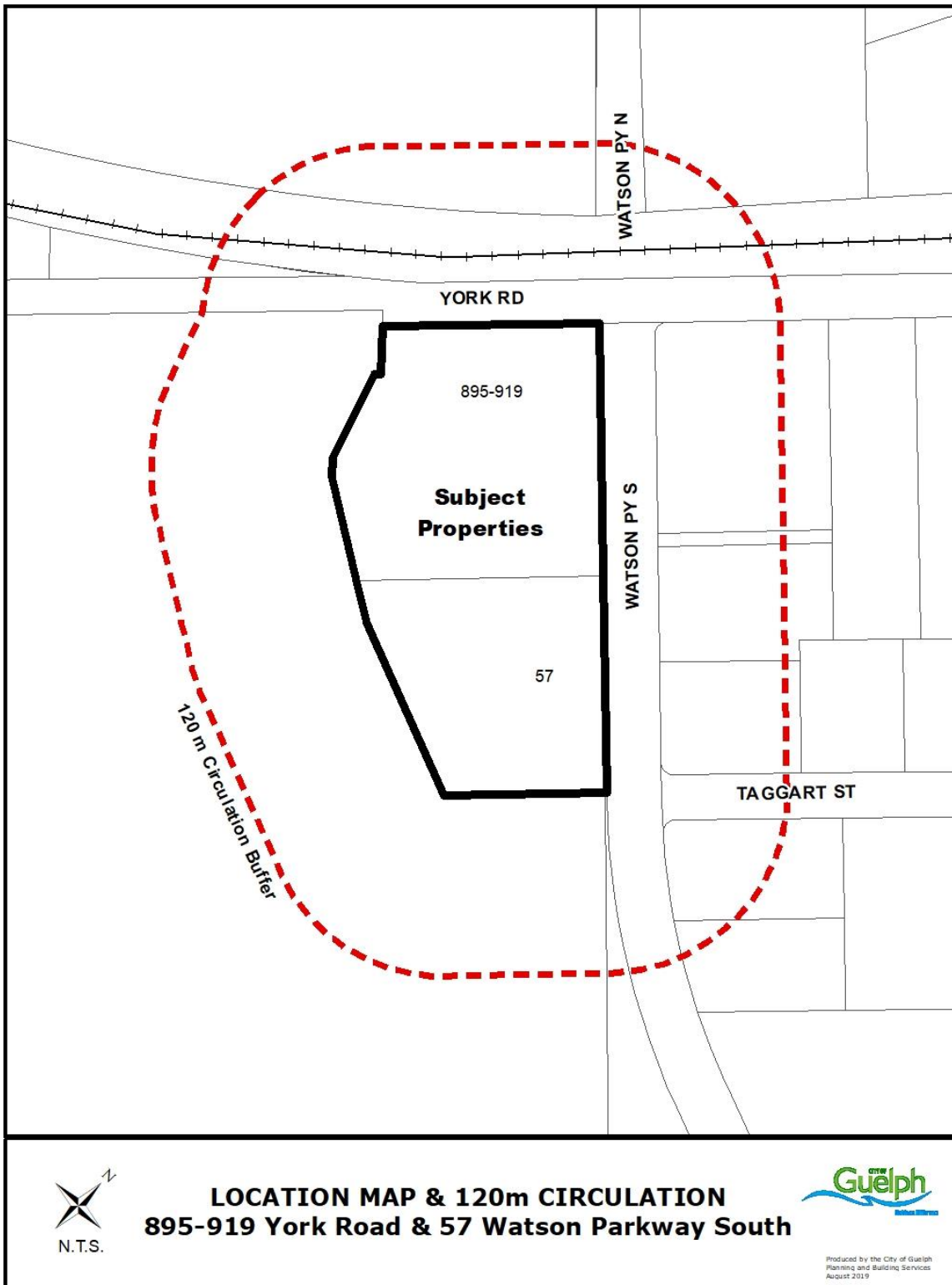
Location

Official Plan Amendment 69 policy modifications apply to all lands designated within commercial categories in the city of Guelph. The proposed land use designation changes apply to the following properties: 721, 727, 731, 735, 737 and 739 Woolwich Street; 200 Victoria Road South; 523 York Road; 494-500 York Road; 540 York Road; 895-919 York Road and 57 Watson Parkway North.

The following key maps display the location and notification circulation area for each of the above noted properties.







Basis of the Amendment

Official Plan Amendment 69 implements the Council approved Preferred Framework for the Commercial Policy Review.

Summary of Changes to the Official Plan

The following is a summary of OPA 69:

OPA 69 includes the following policy amendments to Chapter 9, Section 9.4:

- Changes references to “retail gross floor area” to “commercial gross floor area”;
- Changes the name of the land use designation “Community Mixed-use Centre” to “Commercial Mixed-use Centre”;
- Increases the maximum gross floor area of commercial space for three Commercial Mixed-use Centres (Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial);
- Provides a minimum gross floor area of 6,500 square metres of commercial space for the Commercial Mixed-use Centres;
- Increases the maximum commercial gross floor area for Neighbourhood Commercial Centres to 6,500 square metres;
- Provides policies to protect against the loss of commercial floor space through the introduction of Commercial Function Study policies, the introduction of floor space index benchmarks and policy that protects existing commercial space from being reduced by 25% or more; and
- Provides a residential density policy for the Neighbourhood Commercial Centres.

OPA 69 modifies Schedule 2 by changing the land use designations of the following properties:

- 721, 727, 731, 735, 737 and 739 Woolwich Street: land use designation proposed to be changed from Service Commercial to Mixed-use Corridor;
- 200 Victoria Road South: land use designation proposed to be changed from Neighbourhood Commercial Centre to Commercial Mixed-use Centre;
- 523 York Road and 494-500 York Road: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre;
- 540 York Road: land use designation proposed to be changed from Service Commercial and Industrial to Commercial Mixed-use Centre;
- 895-919 York Road and 57 Watson Parkway North: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre.

The legend for Schedule 2 is also updated by changing the name of the land use designation Community Mixed-use Centre to Commercial Mixed-use Centre.

Public Participation

Community engagement was undertaken throughout the Commercial Policy Review to receive feedback on the vision, principles, draft policy alternatives, preferred framework and the options for Official Plan amendments. The Statutory Public Meeting for Official Plan Amendment #69 was held on September 9, 2019. Council heard from 3 delegates and received 5 written comments.

Part B – The Amendment

Format of the Amendment

This section of Amendment #69 for the Commercial Policy Review sets out additions and changes to the text and mapping in the Official Plan. Sections of the Official Plan that are proposed to be added or changed are referred to as "Items" in the following description. Text that is proposed to be amended is illustrated by various font types (e.g. ~~struck-out~~ is to be deleted and **bold** text is to be added). Unchanged text represents existing Official Plan policy that is being carried forward that has been included for context and does not constitute part of Amendment #69. New sections that are proposed to be added to the Official Plan are shown in standard font type with titles appearing in bold. Italicized font indicates defined terms or the name of a provincial act or title of a document.

Implementation and Interpretation

The implementation of this amendment shall be in accordance with the provisions of the Planning Act. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant text and mapping schedules of the existing Official Plan of the City of Guelph and applicable legislation.

Amendment #69 should be read in conjunction with the current Official Plan (2018 Consolidation) which is available on the City's website at guelph.ca, or at the Planning Services office located at 1 Carden Street on the 3rd Floor.

Details of the Proposed Amendment

Item 1: The purpose of 'Item 1' is to change the reference to Community Mixed-use Centre in the preamble to Section 9.4 to Commercial Mixed-use Centre to reflect the change to the designation name.

The preamble to section 9.4 of the Official Plan is hereby amended as follows to replace the term "Community Mixed-use Centres" with the term "Commercial Mixed-use Centres".

9.4 Commercial and Mixed-use Designations

The Commercial and Mixed-use designations are intended to provide a range of uses to meet the needs of daily living. The commercial policies of this Plan are supportive of the dispersal of commercial uses throughout the city while discouraging the creation of strip development. Commercial centres are intended to be **transit-supportive** developments linked to surrounding neighbourhoods by sidewalks and trails. The ~~Community~~ **Commercial** Mixed-use Centres and Mixed-use Corridors are intended to develop over time into distinct areas with centralized public spaces that provide a range of uses including, retail and office uses, **live/work** opportunities and medium to high density residential uses.

Item 2: The purpose of 'Item 2' is to amend Section 9.4.1 to update the designation name for Commercial Mixed-use Centres, to renumber policy references, and to change the references to "retail" space to "commercial" space

Section 9.4.1 is hereby amended as follows:

9.4.1 Market Impact Studies

1. Subject to the policies of Section 1.3, proposals to establish new commercial or mixed-use areas or to expand the areas identified on Schedule 2 shall require an amendment to this Plan.
2. Market Impact Studies shall be required to assess the impact on the City's commercial policy structure when proposals are made to:
 - i) establish or expand a ~~Community~~ **Commercial** Mixed-use Centre or Mixed-use Corridor beyond the designation limit boundaries on Schedule 2;
 - ii) to exceed the ~~retail~~ **commercial** gross floor area limitations within a ~~Community~~ **Commercial** Mixed-use Centre established in policy 9.4.23.14 or the number of large retail uses in policy 9.4.23.13; and
 - iii) to extend or enlarge a Neighbourhood Commercial Centre to provide more than the ~~10,000 square metres of~~ maximum permitted commercial gross floor area **established in policy 9.4.5.3 and 9.4.5.4.**
3. An appropriate Market Impact Study shall demonstrate that:
 - i) the proposal can be justified without detriment to the overall function or economic vitality of Downtown or the key component functions that contribute to Downtown's overall vitality;
 - ii) the achievement of the City's Strategic Goals, the Urban Design policies and the Commercial and Mixed-use policies and objectives of the Official Plan will not be compromised; and
 - iii) the ability of existing designated commercial or mixed-use lands to achieve their planned function will not be compromised.
4. A Market Impact Study shall include:
 - i) an assessment of the current market situation and the future potential for the expansion of ~~retail~~ **commercial** facilities in light of projected population and employment growth;
 - ii) an evaluation of the economic feasibility of the proposal on the basis of current market demand or retail market opportunity;
 - iii) an indication of the scale of any adverse effects on the economic viability of Downtown, the key functions that contribute to Downtown's overall vitality and on any existing or planned designated commercial or mixed-use lands provided for in this Plan; and
 - iv) an assessment of the implications of the proposal relative to the City's approved Commercial Policy Review Study and the objectives and implementing policies of this Plan.
5. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City in determining the terms of reference for a Market Impact Study and/or to provide a peer review of the applicant's submission.

Item 3: The purpose of Item 3 is to add a new section 9.4.2 titled Commercial Function Studies to provide policies for study requirements where development applications propose to reduce commercial gross floor area

The following new Section 9.4.2 entitled Commercial Function Studies is hereby added to the Official Plan.

9.4.2 Commercial Function Studies

1. Commercial function studies shall be required as part of a complete application for development proposals for Commercial Mixed-use Centres, Neighbourhood Commercial Centres and Mixed-use Corridors that propose to:
 - i) provide commercial gross floor area at less than .15 FSI; or
 - ii) reduce the commercial gross floor area existing at the time of the application by more than 25 per cent; or
 - iii) provide less than 6500 square metres of commercial gross floor area cumulatively of all buildings within the designation for lands designated Commercial Mixed-use Centre.
2. A Commercial Function Study shall address:
 - i) The availability of commercial floor space within the designation to meet daily and weekly needs of the surrounding community especially for food store, food-related store and/or drug store.
 - ii) Opportunities for additional commercial floor space to be provided elsewhere and thereby sustain the local provision of commercial floor space within that designation or in the immediate area;
 - iii) Impacts on the ability of residents and employees in the area to use active transportation options to access commercial shopping areas and commercial services; and
 - iv) Role of the commercial space in creating a community focal point.
3. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City to provide a peer review of the applicant's submission.

Item 4: The purpose of Item 4 is to renumber, rename and revise Section 9.4.2 Community Mixed-use Centres to: reflect the change in the land use designation name to Commercial Mixed-use Centres; to add two new Commercial Mixed-use Centres; to provide policies for the requirement for commercial function studies; to increase the total commercial floor area for the Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial Centres; to add a total commercial gross floor area for the two new centres; and to establish a minimum commercial gross floor area.

Section 9.4.2 is hereby amended and renumbered as follows:

9.4.2 3 Community Commercial Mixed-use Centre

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

- Woodlawn/Woolwich
- Paisley/Imperial
- **York/Victoria**
- **York/Watson Parkway**/Starwood
- Gordon/Clair
- Silvercreek Junction

Objectives

- a) To promote ~~Community~~ **Commercial** 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~~ **Commercial** 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~~ **Commercial** 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~~ **Commercial** Mixed-use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11.

Note: Policy 9.4.23.2 and 9.4.23.3 are under appeal only as they relate to the following properties: 115 Watson Parkway North (formerly 72 Watson Road North), 1750 Gordon Street, 84 Clair Road East, 124 Clair Road East, 158 Clair Road East, 174 Clair Road East, 190 Clair Road East, 202 Clair Road East, 960-1045 Paisley Road, 297-299 Eramosa Road, 111-191 Silvercreek Parkway North, 35 Harvard Road, 160, 170, 200 and 210 Kortright Road West, and 98 Farley Drive. These policies are in effect for all other affected lands designated on Schedule 2.

4. Where residential uses are incorporated into ~~Community~~ **Commercial** Mixed-use Centres, they are intended to be developed as mixed-use buildings or multiple-unit residential buildings.
5. Properties within the ~~Community~~ **Commercial** 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 Commercial 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.
6. ~~Community~~ **Commercial** 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 3.11, 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.

Note: Policy 9.4.23.6 is under appeal only as it relates to the following properties: 115 Watson Parkway North (formerly 72 Watson Road North), 1750 Gordon Street, 84 Clair Road East, 124 Clair Road East, 158 Clair Road East, 174 Clair Road East, 190 Clair Road East, 202 Clair Road East, 960-1045 Paisley Road, 297-299 Eramosa Road, 111-191 Silvercreek Parkway North, 35 Harvard Road, 160, 170, 200 and 210 Kortright Road West, and 98 Farley Drive and 35 and 40 Silvercreek Parkway South. This policy is in effect for all other affected lands designated on Schedule 2.

- 7. 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~~ **Commercial** Mixed-use centres. Measures may be incorporated into development approvals to ensure consistency.
- 8. The boundaries of the ~~Community~~ **Commercial** Mixed-use Centre designation are intended to clearly distinguish the ~~Community~~ **Commercial** Mixed-use Centre as a distinct entity from adjacent land use designations. Proposals to expand a ~~Community~~ **Commercial** Mixed-use Centre beyond these boundaries or to establish a new ~~Community~~ **Commercial** Mixed-use Centre shall require an Official Plan Amendment supported by a Market Impact Study in accordance with the policies of this Plan.
- 9. **Proposals for development of a Commercial Mixed-use Centre at less than 6500 square metres of commercial gross floor area cumulatively of all buildings within the designation will require an amendment to this Plan supported by a Commercial Function Study in accordance with the policies of this Plan.**
- 10. **Proposals to decrease the existing commercial gross floor area by more than 25 per cent or to provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.**
- 11. 9 Development within the Community Commercial Mixed-use Centre designation is subject to the policies of Section 3.11 of this Plan.

Permitted Uses

- 12. ~~10~~ The following uses may be permitted in ~~Community~~ **Commercial** 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.

13. ~~11~~ Vehicle repair and vehicle service stations shall only be permitted as accessory uses.
14. ~~12~~ 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:
- i) 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;
 - ii) smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development; and
 - iii) large free-standing building(s) should be integrated with smaller buildings to create a Main Street-type environment or located on peripheral sites within the designation, which are directly linked to the Main Street.
15. ~~13~~ No individual ~~Community~~ **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

16. ~~14~~ The ~~Community~~ **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 Commercial Mixed-use Centre, retail commercial development will be limited to the following total gross floor area cumulatively of all buildings within the designation:

Mixed-use Centre: Total **Commercial** Gross Floor Area

Gordon/Clair: ~~48,500 sq. m.~~ 57,900 sq. m

Woodlawn/Woolwich: ~~56,000 sq. m.~~ 75,600 sq. m

Paisley/Imperial: ~~57,000 sq. m.~~ 63,500 sq. m

York/Victoria: 16,300 sq. m

York/Watson Parkway/Starwood: ~~28,000 sq. m~~ 39,700 sq. m

Silvercreek Junction: ~~22,760 sq. m.~~ **as per section 9.13.2.5.5**

17. ~~15~~ The maximum height is ten (10) storeys.
18. The minimum commercial gross floor area is 6500 square metres **cumulatively of all buildings within the designation.**
19. ~~16~~ For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.
20. ~~17~~ Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Item 5: The purpose of Item 5 is to renumber Section 9.4.3 and to add the Woolwich Mixed-use Corridor to the list of Mixed-use Corridors in the preamble to Section 9.4.3.

Section 9.4.3 is hereby renumbered and the preamble is hereby amended as follows:

9.4.34 Mixed-use Corridor

The Mixed-use Corridor designation is intended to serve both the needs of residents living and working on-site, in nearby neighbourhoods and employment districts and the wider city as a whole.

The following Mixed-use Corridors are designated on Schedule 2:

- Silvercreek Parkway Mixed-use Corridor
- Eramosa Mixed-use Corridor
- Stone Road Mixed-use Corridor
- **Woolwich Mixed-use Corridor.**

Item 6: The purpose of Item 6 is to add a new policy 9.4.4.7 for commercial function studies and to renumber the subsequent policies.

Policy 9.4.4.7 is hereby added as follows and the remainder of policies in the new Section 9.4.4 are renumbered.

7. Development proposals that would decrease the existing commercial gross floor area of a commercially zoned site within the Mixed-use Corridor designation by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI on a commercially zoned site will require a Commercial Function Study in accordance with the policies of this Plan.

Permitted Uses

8. 7 The following uses may be permitted in the Mixed-use Corridor designation, subject to the applicable provisions of this Plan:

- i) commercial, retail and service uses;
- ii) office;
- iii) entertainment and recreational commercial uses;
- iv) cultural and educational uses;
- v) institutional uses;
- vi) hotels;
- vii) live/work;
- viii) medium and high density multiple unit residential buildings and apartments;
and
- ix) urban squares and open space.

9. 8 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 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.

Height and Density

10. 9 The maximum height is six (6) storeys.

11. ~~10~~ For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.
12. ~~11~~ Additional height and density may be permitted subject to the Height and Density Bonus provisions of this Plan.

Item 7: The purpose of Item 7 is to renumber section 9.4.4 Neighbourhood Commercial Centre and to amend the policies of Section 9.4.4 to establish a new maximum commercial gross floor area; to update the policy for market impact studies; to delete the reference to the Victoria and York Neighbourhood Commercial Centre; to add a policy to require commercial function studies; to change residential “uses” to “units”; and to set a maximum residential density

Section 9.4.4 is hereby renumbered and amended as follows:

9.4.-4-5 Neighbourhood Commercial Centre

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

Objectives

- a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.
- b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is compatible with the surrounding residential neighbourhood.
- c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.
- d) To be connected to surrounding neighbourhoods through the City’s pedestrian trails, walkways and by transit.

Policies

1. The Neighbourhood Commercial Centre designations on Schedule 2 recognize the existing centres within the city and identify the general location of new Neighbourhood Commercial Centres.
2. To prevent the creation of strip commercial development comprising a series of Neighbourhood Commercial Centres located adjacent to one another along a major street, it is the general requirement of this Plan that designated Neighbourhood Commercial Centres have a minimum distance separation from one another of 500 metres.
3. ~~This Plan intends that a A Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650~~ **have a maximum total commercial gross floor area of 6,500** square metres ~~(50,000 70,000 square feet) of gross floor area.~~
4. Notwithstanding policy 9.4.45.3, the existing Neighbourhood Commercial Centres listed below will be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of **commercial** gross floor area:
 - Speedvale Avenue at Stevenson Street
 - Victoria Road at Grange Street
 - ~~• Victoria Road at York Road~~
 - Kortright Road at Edinburgh Road
 - Harvard Road at Gordon Street

- Kortright Road at Gordon Street
 - Wellington Street at Imperial Road.
5. A Neighbourhood Commercial Centre **shall only be extended or enlarged** as ~~listed in policy 9.4.4.4 shall only be extended or enlarged~~ to provide more than the **permitted maximum 10,000 square metres (108,000 square feet)** of **commercial** gross floor area by amendment to this Plan and shall require a Market Impact Study.
 6. The maximum gross floor area of an individual retail use within a Neighbourhood Commercial Centre shall be 3,250 square metres (35,000 square feet).
 7. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of Zoning By-laws and Site Plans to ensure conformity.
 8. Where new development occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems.
 9. Development within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.
 10. Applications for the purpose of establishing or expanding a Neighbourhood Commercial Centre designation will be required to satisfy the following criteria:
 - i) located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
 - ii) the location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
 - iii) designed in a manner that is compatible with the building design and use of surrounding properties;
 - iv) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
 - v) adequate site area will be provided for parking, loading and all other required facilities; and
 - vi) adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.
 11. **Development proposals that would decrease the existing commercial gross floor area within a Neighbourhood Commercial Centre by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.**

Permitted Uses

12. ~~11~~ The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:
 - i) commercial, retail and service uses;
 - ii) small-scale offices;
 - iii) community services and facilities;

- iv) live/work;
- v) multiple unit residential within mixed-use buildings; and
- vi) urban squares.

- 13. ~~12~~ Vehicle sales and vehicle repair uses shall not be permitted.
- 14. ~~13~~ Development will be planned and designed to maintain the principal commercial function. Residential uses units are not permitted on the ground floor.

Height and Density

- 15. ~~14~~ The maximum height is six (6) storeys.
- 16. **For residential development, the maximum net density is 100 units per hectare.**
- 17. **Notwithstanding Policy 9.4.45.16, the maximum net density for residential development for the Willow Road and Dawson Road Neighbourhood Commercial Centre is 150 units per hectare.**
- 18. ~~15~~ Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Item 8: The purpose of Item 8 is to renumber section 9.4.5 Service Commercial and Section 9.4.6 Mixed Office/Commercial.

Section 9.4.5 Service Commercial and Section 9.4.6 Mixed/Office Commercial are hereby renumbered as follows.

9.4. ~~5~~ **6** Service Commercial

9.4. ~~6-7~~ Mixed Office/Commercial

Item 9: The purpose of Item 9 is to delete policy 9.4.6.9 which references height and density bonusing within the Mixed Office/Commercial section.

Policy 9.4.6.9 is hereby deleted.

Item 10: The purpose of Item 10 is to revise Schedule 2 Land Use Plan to change the land use designation for 721, 727, 731, 735, 737 and 739 Woolwich Street from Service Commercial to Mixed-use Corridor.

Item 11: The purpose of Item 11 is to revise Schedule 2 Land Use Plan to change the land use designation for 200 Victoria Road South from Neighbourhood Commercial Centre to Commercial Mixed-use Centre.

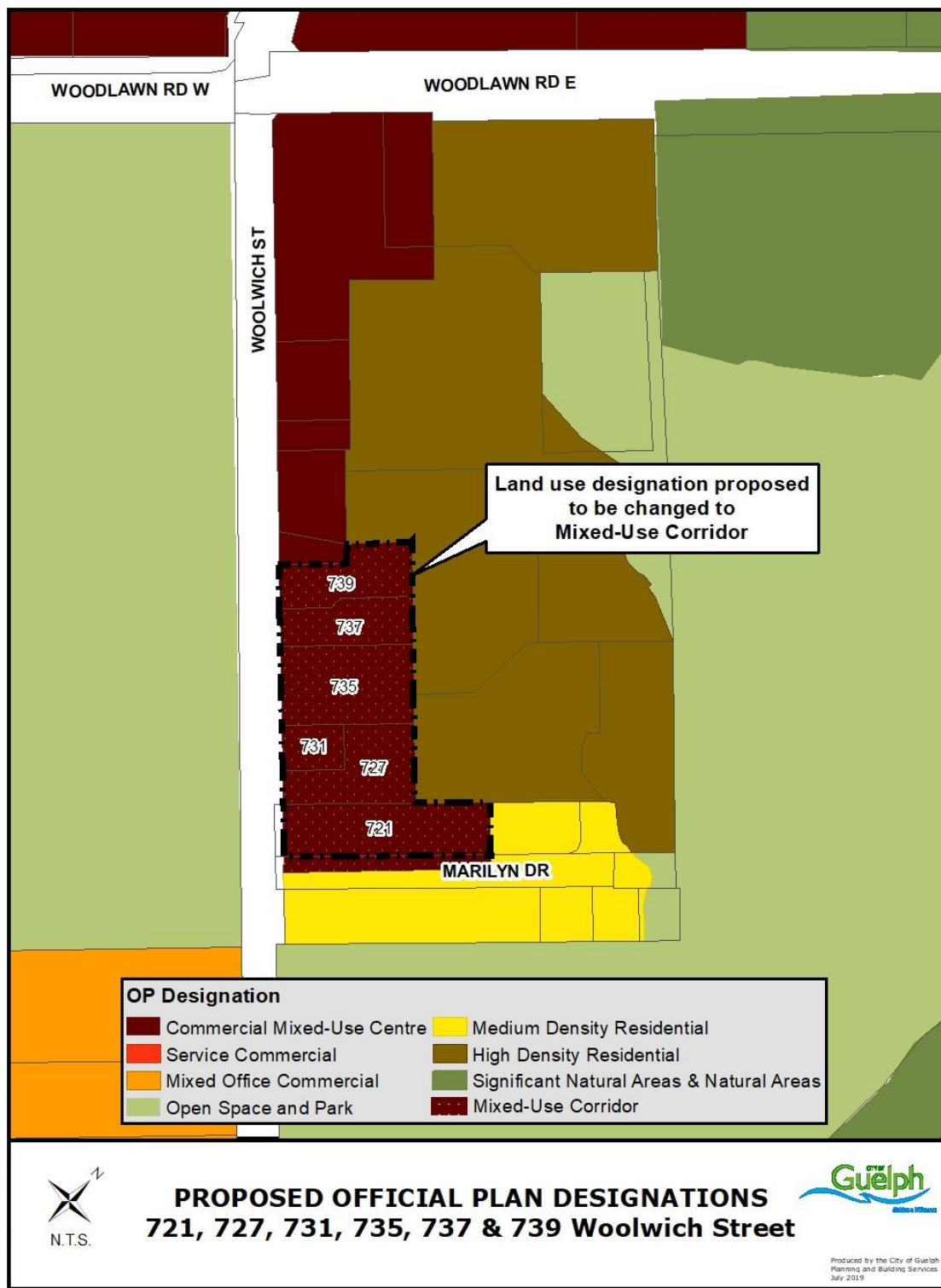
Item 12: The purpose of Item 12 is to revise Schedule 2 Land Use Plan to change the land use designation for 523 York Road and 494-500 York Road from Service Commercial to Commercial Mixed-use Centre.

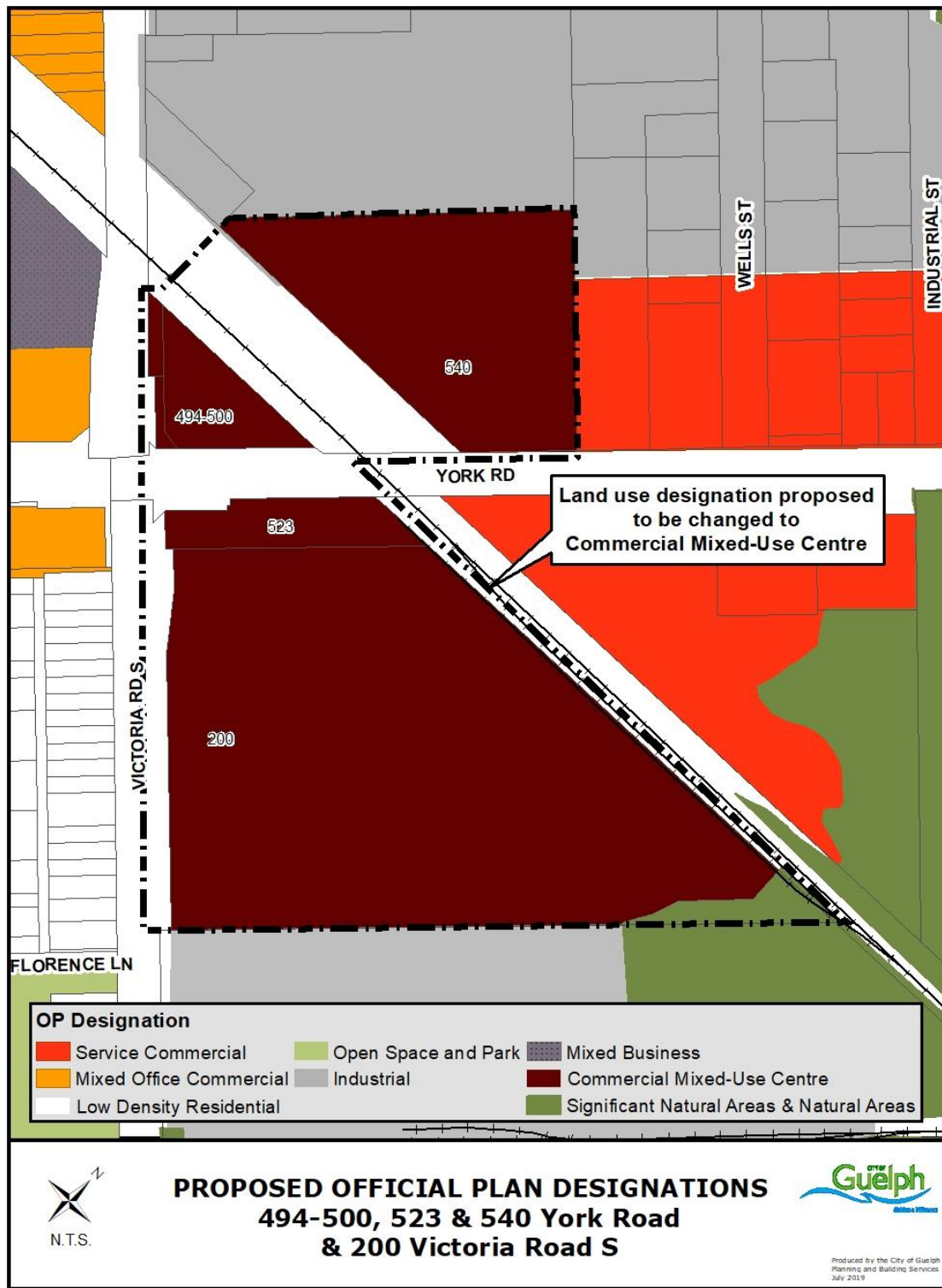
Item 13: The purpose of Item 13 is to revise Schedule 2 Land Use Plan to change the land use designation for 540 York Road from Service Commercial and Industrial to Commercial Mixed-use Centre.

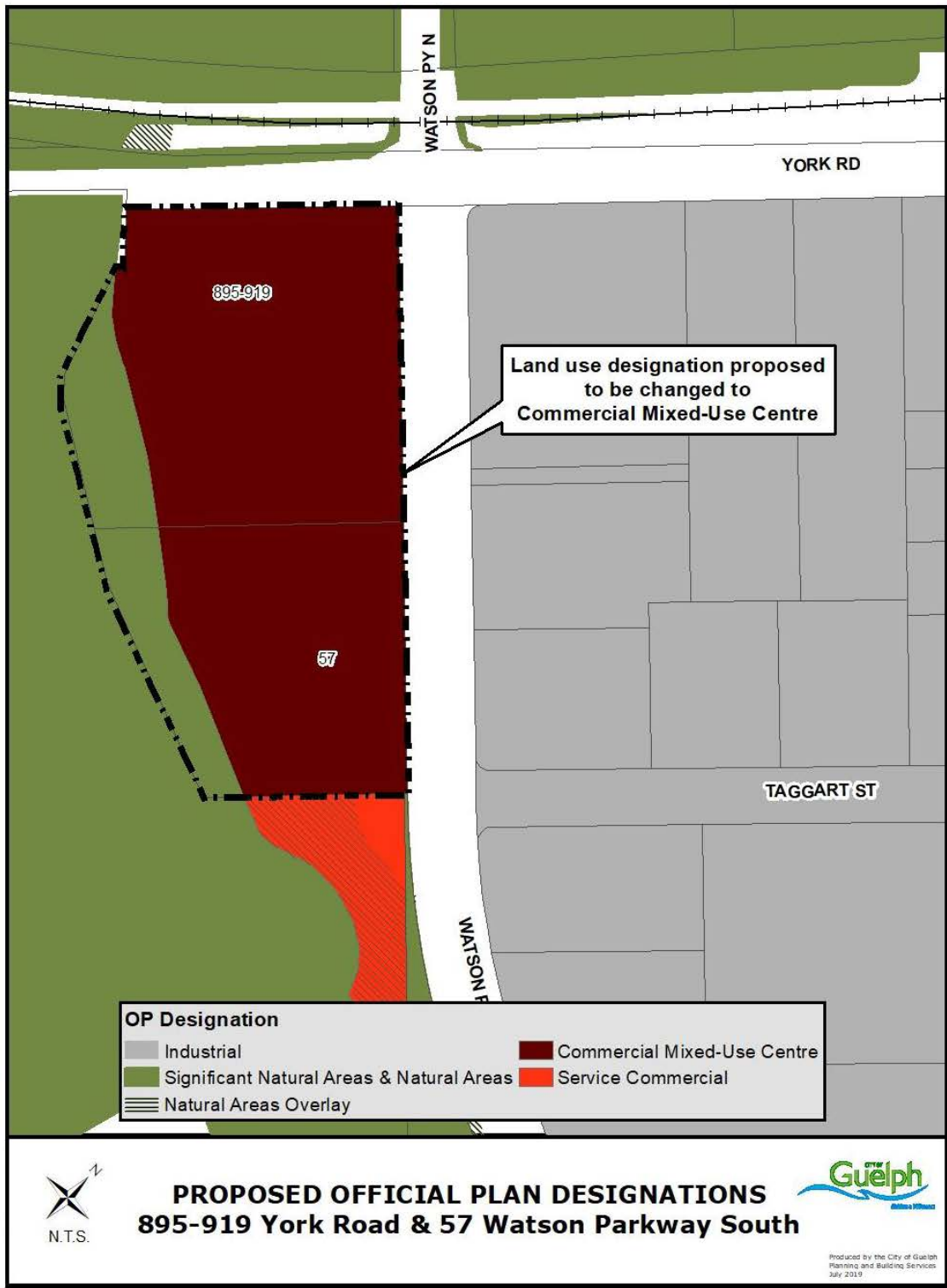
Item 14: The purpose of Item 14 is to revise Schedule 2 Land Use Plan to amend the land use designation for 895-919 York Road and 57 Watson Parkway North from Service Commercial to Commercial Mixed-use Centre.

Item 15: The purpose of Item 15 is to revise Schedule 2 Land Use Plan to amend the legend to change the land use designation title from "Community Mixed-use Centre" to "Commercial Mixed-use Centre".

The following maps display the changes to Schedule 2 as outlined in Items 10 through Item 14









January 3, 2020

Project No. 1824

City of Guelph
1 Carden Street
Guelph, Ontario

Attention: Mayor Cam Guthrie and Members of Council

**Re: Guelph Comprehensive Zoning By-law
Starlight Investments
Willow West Mall - 183 Silvercreek Parkway North, Guelph**

I am the Planning Consultant for Starlight Investments, the owner of Willow West Mall located at 183 Silvercreek Parkway North, as well as a number of other commercial and residential properties within the City. Starlight is considering the future potential of the Willow West Mall property as a mixed-use development, given its location within a Mixed-use Corridor. The current Official Plan designation is "Mixed-use Corridor" which permits a maximum building height of 6 storeys and a density between 100 and 150 units per hectare for freestanding residential development. The current zoning of the site is the Specialized Community Commercial CC-9 Zone.

It is noted that an Official Plan Amendment is included in the scope of work approved by Council for the Comprehensive Zoning By-law. Suggestions for amendments to the Official Plan are therefore, offered in addition to the Comprehensive Zoning By-law comments.

The following comments are provided in relation to the Comprehensive Zoning By-law Discussion Paper dated October 2019 as it relates to the Willow West Mall property.

Chapter 3 – Zoning Bylaw Layout, Scope, Legal Matters, Existing Development Approvals, and Specific Uses

Two Year Moratorium on Zoning By-law Amendments

The Planning Act allows Council to impose a 2 year moratorium on zone change applications when a new zoning by-law replaces the existing zoning by-law **in its entirety**. Given that the new By-law does not include the downtown, we question whether this provision of the Planning Act is applicable. In any case, we are **not** supportive of a 2 year moratorium on zone change applications or minor variance applications. We are hereby requesting that Council exempt any future applications for the Willow West Mall site.

Approvals Granted under the Existing Zoning By-law

Since the Zoning By-law was approved in 1995 there have been 414 zoning amendments approved and since 2014 there have been 425 minor variances approved. Any proposal to wipe out these existing zoning and minor variance approvals is **not** supported. Wording must be included in the new Zoning By-law to carry these permissions forward. There are any number of legal arrangements, mortgages, leases etc. that would be undermined by the current zoning permissions not being carried forward.

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The City may find that it will be dealing with numerous appeals or applications to re-establish these permissions once the new Zoning By-law is in effect. Forcing these properties into legal non-conforming status is not an acceptable approach.

Transition Provisions for In-Progress Development Applications

There should be transition provisions, deeming any application in progress to also be an amendment to the new Zoning By-law once the new Zoning By-law has been passed.

Specialized Zones

We are supportive of the City continuing the practice of approving site specific zones. Existing site specific zones are deemed to be in conformity with the Official Plan in accordance with the Planning Act and must be carried forward in the new Zoning By-law. Considerable time, expense and review has been included in creating these site specific zones and they must continue to apply to these properties.

General Official Plan Conformity

The new zones created should be directly correlate to, and implement the corresponding Official Plan designations. The City should create the fewest zones possible to implement the Official Plan designations thereby reducing the need for zone change applications.

Chapter 4 - Residential

High Density Residential zoning regulations should apply to apartment buildings and mixed-use buildings within lands designated as Mixed-use Corridor. The common amenity area regulation for apartments should be reduced from the current requirement in the zoning by-law. Common amenity area has been one of the regulations most approved as a reduced specialized zoning regulation. The City's current common amenity area requirement of 30 m² per unit for the first 20 units then 20 m² for each additional unit, is higher than any of the other comparable municipal amenity area requirements noted on page 4-54 of the Discussion Paper. (ie. Waterloo, Burlington, Ottawa, Cambridge, Vaughan, Kingston, Brampton) A new common amenity area zoning regulation requiring less than 10 m² per unit would encourage intensification within the Mixed-use Corridor Zone.

The side yard requirement calculated as half the building height should be removed and replaced with a set minimum side yard and angular plane regulations that work together in the zoning. Duplicate regulations regulating the same item such as density and minimum lot area per unit should be corrected by deleting the minimum lot area per unit regulation. A minimum landscaped open space regulation is not necessary and should be deleted since this is already regulated by other regulations such as setbacks. Townhouses should be permitted in the zone implementing the designated Mixed-use Corridor lands. Townhouses along the podium of an apartment building can activate street frontage, assist in meeting angular plane requirements and provide a transition in building heights to promote compatibility and reduce shadow impacts to abutting properties.

The new zoning should include a reduced parking standard for apartment units located in the Mixed-use Corridor designation since these areas are well served by public transit. The new zoning should recognize efficiencies from shared parking for mixed-use sites where commercial and residential uses have different schedules of users. The parking standard implemented should not create an oversupply of parking and should encourage Transportation Demand Management.

The City has not previously had a zone which implements the Mixed-use Corridor designation. If the zone proposed to implement the Mixed-use Corridor designation requires amendments to the Official Plan it would be appropriate to include these amendments as part of this process.

Recent planning applications, which have been supported by City staff and approved by Council, are an indicator that the maximum building height of 10 storeys and maximum density of 150 units per hectare in the Official Plan and High Density Apartment Zone are out of step with Provincial policy and the current accepted built form in Guelph. The Comprehensive Zoning By-law process is an excellent opportunity to re-evaluate the maximum height and density permitted in the context of using land efficiently, providing housing affordability and creating a walkable, transit friendly community. Particularly within Mixed-use corridors, where intensification is anticipated and encouraged, the City should be increasing the maximum height and density permitted in the Official Plan and Zoning By-law.

Chapter 5 – Commercial and Mixed Use

Mixed-use Corridor

Willow West Mall is one of 161 properties included within the Mixed-use Corridor designation of the Official Plan. These properties range in size and use and the zoning proposed must be able to capture these differences to implement the Official Plan without causing undue hardship for landowners. The Willow West Mall Mixed-use Corridor is also significantly located within an Intensification Corridor within the Official Plan.

Given that the stated intent of the Mixed-use Corridor land use designation is to “*group complementary commercial, retail and residential uses in close proximity to one another to satisfy several shopping and service needs and residential uses at one location*” (page 5-72), it is unclear why the recommendation is to create three separate zones to implement this designation. One zone which includes all of the permitted uses and regulations would be strongly preferred to implement the Mixed-use Corridor land use designation. It does not make sense to have three zones; residential, commercial and institutional zones for what is encouraged to be mixed-use. The three proposed zones, MCR, MCC and MCI should be combined into one zone to implement the Mixed-use Corridor designation. Tenants shift over time and a church, school, gym or library should be permitted in a commercial building or mixed use without requiring a zone change.

On page 5-73 of the Discussion Paper, the proposed Official Plan Amendment No. 69, which is not yet approved by Council, requires that a Commercial Function Study be prepared if existing commercial floor area is proposed to be reduced by more than 25% and if a Floor Space Index of less than 0.15 is provided. The Discussion Paper incorrectly refers to these Official Plan policies as though they are already in effect and incorrectly characterizes these as existing requirements of the Official Plan.

The newly proposed minimum 0.15 Floor Space Index for commercial plus the restriction of a 25% reduction of existing commercial space is onerous for existing commercial uses in the City and is a major change from the current Official Plan which does not include any minimum commercial floor area requirement. The current Community Shopping Centre Zone includes the requirement for a minimum commercial area of 1,875 m². If the City would like to protect the commercial function of the areas designated Mixed-use Corridor, it would be more appropriate to carry forward this current minimum in the zoning and incentivize any additional commercial space provided through additional height and density permissions without requiring an OPA or Zone

Change. This is a way for the City to maintain the current minimum commercial space in the zoning and be provided more commercial in a mixed-use format.

The maximum building height of six storeys is inadequate for the function of these Mixed-use Corridor lands which are intended for intensification and transit supportive development. A maximum building height of 15 storeys with angular plane regulations applied to any abutting Low Density Residential designated lands would ensure compatibility. The Official Plan should be amended as part of this process to increase the maximum Building Height in the Mixed-use Corridor areas to 15 storeys. In addition, the wording within the Mixed-use Corridor policy should be revised to permit the 100 to 175 units per hectare density to apply to **mixed-use** and freestanding residential buildings, not just freestanding residential buildings. Increasing the maximum height and density regulations will assist the City in implementing the minimum provincial Place to Grow intensification targets. In addition, if a landowner is able to exceed the minimum commercial floor area there should be a residential height and density increase incentive included in the zoning especially within an intensification corridor.

On page 5-76 in Table 24 there is an error related to *“Dwelling units with permitted commercial uses in the same building”* in the CC Zone. The report incorrectly states that these dwelling units are not currently permitted in the CC Zone, however, they are permitted in the current zoning by-law.

Commercial Policy Review Preferred Framework Implementation Discussion Paper (April 2019)

The Commercial Policy Review Preferred Framework Implementation Discussion Paper proposes to add a minimum commercial gross floor area of 0.15 Floor Space Index (FSI) to the zoning for the Mixed-use Corridor designated lands.

CPR Recommendations: *“It is recommended that the City apply a benchmark of 0.15 Floor Space Index (FSI) of commercial space **at full build out** to Community Mixed-use, Mixed-use Corridor and Neighbourhood Commercial Centre designations. This is intended to be applied on an individual site basis to sites that are currently zoned commercial.”* (Page 66)

If the minimum commercial FSI must be included in the zoning, it must be clear that it applies **at full build out** consistent with the CPR so that it will not cause issues when construction is phased or redevelopment is proposed.

The Preliminary staff recommendation is that;

*“Include an Official Plan policy stating that commercially zoned properties within Mixed-use Corridors must include commercial development at a minimum density of 0.15 FSI and cannot reduce it by more than 25% from what currently exists, measured from the date of when this policy is deemed to be in full force and effect, **whichever is the greater gross floor area**.*

This zoning approach would be protective of the 6,500 m² gross floor area minimum recommended to protect the commercial function at each of the Centres. It would also help ensure that the City continues to plan for and protect commercial land to meet its projected growth. Given the current typical standalone commercial density of 0.30 FSI and forecast density of 0.40 by 2041, this figure is easily achievable for standalone commercial and provides flexibility for mixed-use intensification.”

Attachment B - Summary of existing zoning bylaw definitions and proposed new definitions compared to the Official Plan and zoning trends, and preliminary recommendations

We applaud the City's proposal to create a zone to implement the Mixed-use Corridor designation. This zone is needed and will be well received. In addition, it is a positive step to allow the Retail Establishment definition to be more inclusive. This is a welcome change from the current zoning by-law. It is also positive to refer to commercial uses in the proposed OPA No. 69 rather than distinguishing just retail uses. It would be helpful to include the new proposed definitions of Retail Establishment and Commercial in the Discussion Paper.

The Council feedback at the public meeting for OPA No. 69 provided clear direction to staff to not impose undue restrictions onto commercial development and to recognize that the retail landscape is changing. The final version of OPA No. 69 may not include the policies described below when presented to Council for approval.

As stated, the limitation of reducing existing commercial by 25% is onerous. The City should continue the current minimum commercial floor area in the new zoning, however, if the City decides to include the 0.15 FSI commercial GFA regulation, it should apply at full build out to allow for the phasing and staging of development. In addition, if a landowner is able to achieve the 0.15 FSI there should be a residential height and density increase incentive included in the zoning. If the City wants to encourage commercial development to ensure that complete communities are constructed, tax assessment is balanced and to maintain the commercial function of these designated areas, an innovative approach of tying this 0.15 FSI commercial performance standard to increased residential height and density is an innovative approach that should be encouraged.

Guelph Parking Standards Review - Phase 2 Discussion Paper - September 11, 2019

A revised parking space ratio for the mixed-use zone is appropriate to reflect the varied schedules of the residential and commercial users of the site and to also reflect the more contemporary commercial parking ratios approved as specialized zoning regulations in the current zoning by-law. The new zoning should include a reduced parking standard for apartment units located in the Mixed-use Corridor designation since these areas are well served by public transit.

A reduced parking standard per unit should be applied when underground or structured parking is provided to recognize the extra expense of providing these parking spaces and to incentivize the construction of underground or structured parking.

Thank you for the opportunity to provide these comments related to the Discussion Paper for the City's Comprehensive Zoning By-law. We recognize that this by-law is a large undertaking and we are requesting a meeting to review the potential implications of the new by-law on the exciting redevelopment plans for the Willow West Mall property. We would like to work with the City to ensure a successful transition of this property to a mixed-use development.

Yours truly,



Astrid Clos, MCIP, RPP

cc: Abby Watts, Project Manager – Comprehensive Zoning Bylaw Review
zoningreview@guelph.ca
clerks@guelph.ca

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 27, 2020
Subject	Sign By-law Variance - 10 Woodlawn Road East
Report Number	IDE-2020-05

Recommendation

That the request for variance from Table 1, Row 1 of Sign By-law Number (1996)-15245, as amended, to permit one (1) non-illuminated building sign with an area of 1.76m² to be located 2.08m above the ground surface at the property of 10 Woodlawn Road East, be approved. (Sign B)

Executive Summary

Purpose of Report

This report is to advise Council of sign by-law variance request for 10 Woodlawn Road East.

Key Findings

The City of Guelph Sign By-law Number (1996)-15245, as amended, requires a building sign more than 1m² to be located a minimum height of 2.4m above the ground surface in a Community Shopping Centre Zone (CC.-2).

Steel Art Signs has submitted a sign by-law variance application on behalf of Canadian Tire Real Estate Ltd. to permit one (1) non-illuminated building sign with an area of 1.76m² to be located 2.08m above the ground surface at the property of 10 Woodlawn Road East (Sign B).

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The request is minor;
- The proposed sign is replacing and legalizing a similar sign that was in the same location;
- The proposed sign will have a minimal projection from the building (0.05m) and therefore will not pose a hazard to any persons entering or exiting the building;
- The proposed location of the sign will not detract from the appearance of the building; and
- The proposed sign will not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable.

Report

The City of Guelph Sign By-law Number (1996)-15245, as amended, requires a building sign more than 1m² to be a minimum height of 2.4m above the ground surface in a Community Shopping Centre Zone (CC.-2).

Steel Art Signs has submitted a sign by-law variance application on behalf of Canadian Tire Real Estate Ltd. to permit one (1) non-illuminated building sign with an area of 1.76m² to be located 2.08m above the ground surface at the property of 10 Woodlawn Road East. (See "Attachment 1 – Location Map").

Table 1 - the requested variance is as follows:

	By-law Requirements	Request
Minimum height above the ground surface	2.4m	2.08m

Please see "Sign B on Attachment 2 – Sign Variance Drawings"

The following is a summary of what the applicant has provided to support the application:

- The sign is part of Canadian Tire's corporate signage standard;
- There is a minimal difference between what is proposed and what is permitted;
- The proposed sign is the appropriate size for the store elevation; and
- The proposed sign will not alter the essential character of the area, will not adversely affect adjacent properties and will not adversely affect the public interest.

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The request is minor;
- The proposed sign is replacing and legalizing a similar sign that was in the same location;
- The proposed sign will have a minimal projection from the building (0.05m) and therefore will not pose a hazard to any persons entering or exiting the building;
- The proposed location of the sign will not detract from the appearance of the building; and
- The proposed sign will not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable.

Consultations

At the time of the writing of this report, Staff have not received communications from any stakeholders. A notice about this application will be online and in City News two weeks prior to the meeting date.

Staff will inform the Applicant of Council's decision in writing.

Strategic Plan Alignment

Powering our future – helping businesses succeed.

Attachments

Attachment-1 Location Map

Attachment-2 Sign Variance Drawings

Departmental Approval

Not applicable.

Report Author

Bill Bond, Zoning Inspector III/Senior By-law Administrator

Approved By

Patrick Sheehy, Program Manager – Zoning

Jeremy Laur, Chief Building Official



Approved By

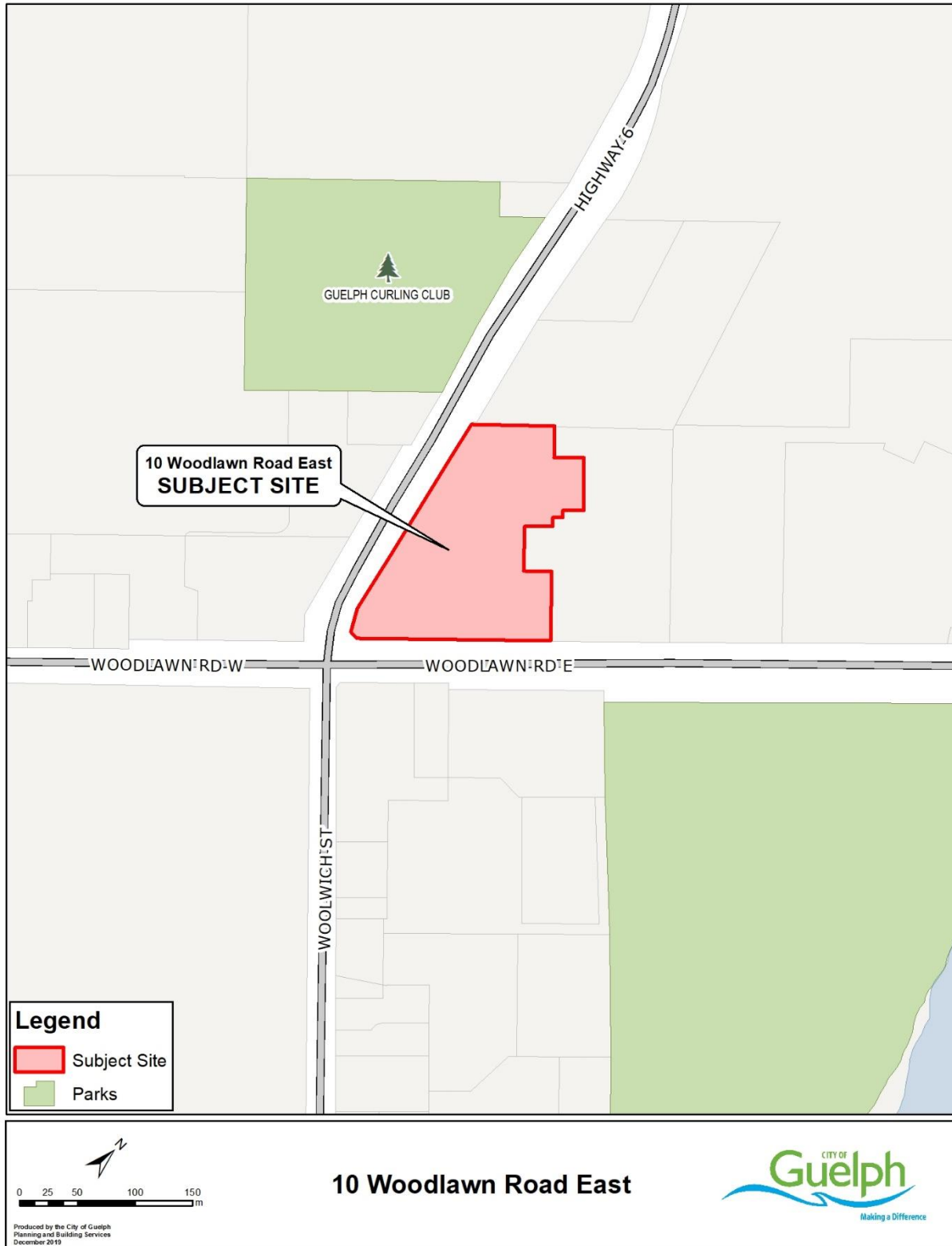
Todd Salter, MCIP, RPP
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Recommended By

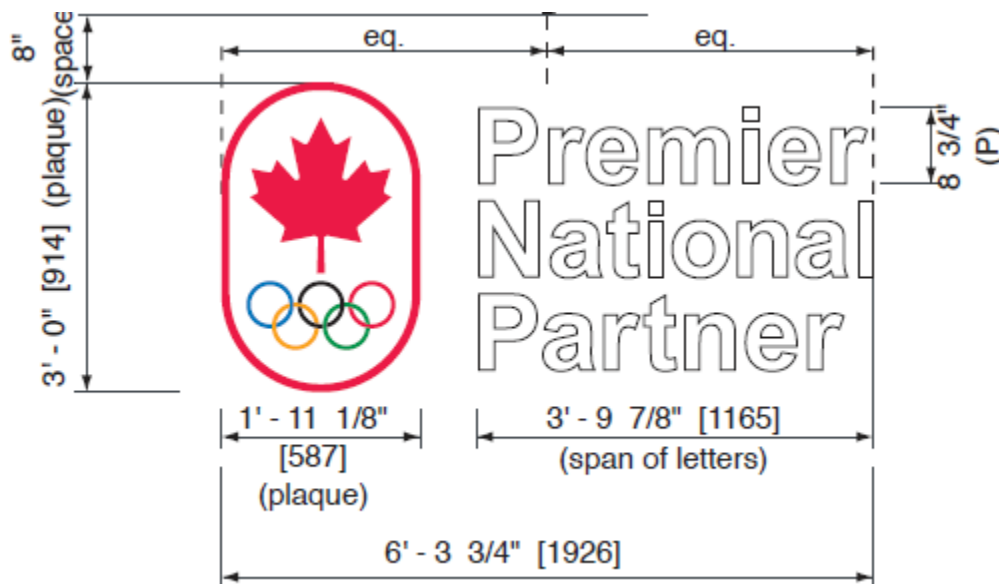
Kealy Dedman, P. Eng., MPA
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kealy.dedman@guelph.ca

Attachment-1 Location Map

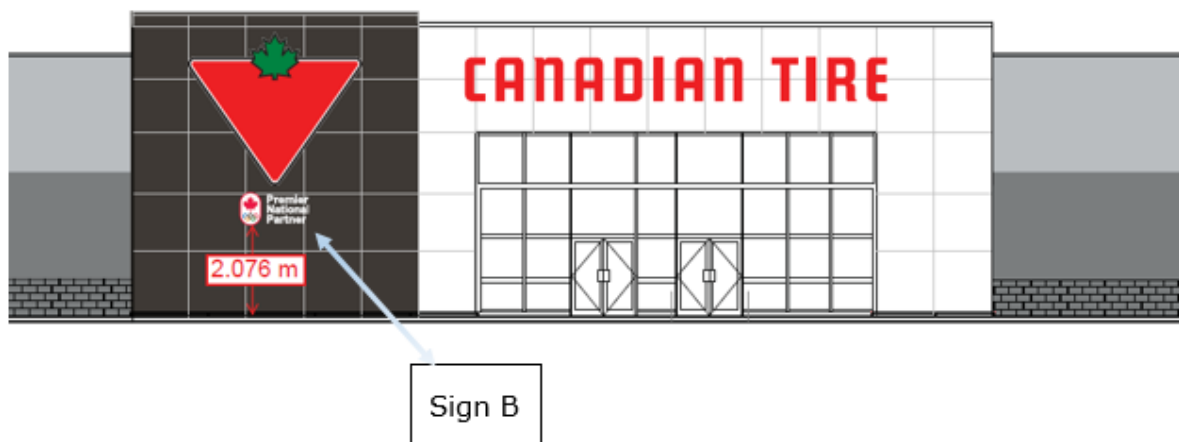


Attachment- 2 Sign Variance Drawings (provided by the Applicant)

Proposed one (1) non-illuminated building sign with an area of 1.76m² (Sign B).

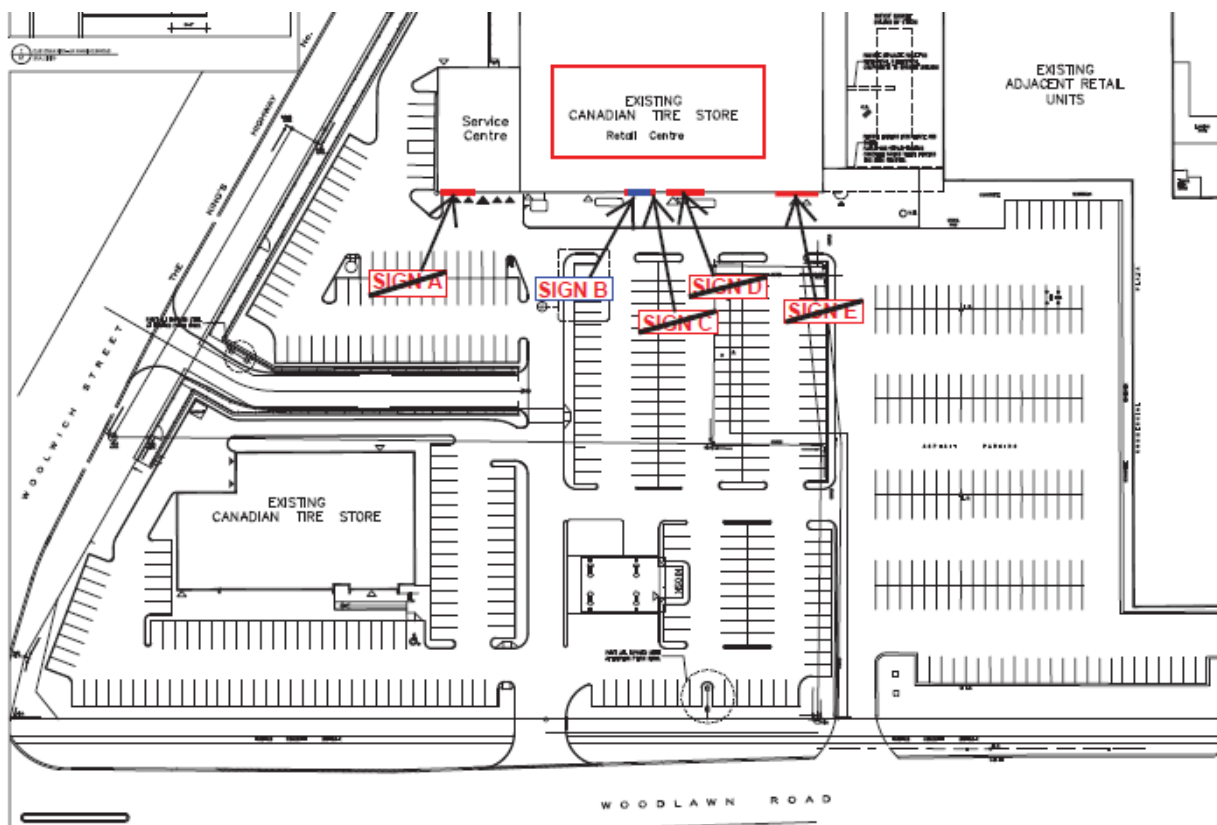


Proposed sign location of Sign B 2.08m above the ground surface. The other signs are existing and are to remain.



Attachment- 2 Sign Variance Drawings (provided by the Applicant)

Proposed sign labelled below as "SIGN B". All other signs identified are existing signs and are to remain.



Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 27, 2020
Subject	Sign By-law Variance - 435 Stone Road West
Report Number	IDE-2020-06

Recommendation

1. That the request for a variance from Table 2, Row 13 of Sign By-law Number (1996)-15245, as amended, to permit one (1) illuminated menu board/order board with a height of 3.13m above the adjacent roadway, at the property of 435 Stone Road West, be approved. (Sign 1)
 2. That the request for a variance from Table 2, Row 13 of Sign By-law Number (1996)-15245, as amended, to permit one (1) illuminated pre-sell menu board with a height of 1.81m above the adjacent roadway at the property of 435 Stone Road West, be approved. (Sign 2)
-

Executive Summary

Purpose of Report

This report is to advise Council of sign by-law variance requests for 435 Stone Road West.

Key Findings

The City of Guelph Sign By-law Number (1996)-15245, as amended, restricts the number of menu boards on a property to one, with a maximum height of 2m above an adjacent roadway.

Permit World has submitted a sign by-law variance application on behalf of Stone Road Holdings Inc. to permit:

- one (1) illuminated menu board/order board with a height of 3.13m above the adjacent roadway; and
- one (1) illuminated pre-sell menu board with a height of 1.81m above the adjacent roadway.

These signs are in addition to the one (1) menu board which a permit has been issued for.

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The locations of the menu boards were reviewed during the site plan process and were found to compliment the configuration of the site;

- The building is positioned between the proposed menu boards and Edinburgh Road South; therefore, they will not negatively impact street traffic;
- The height of the menu/order area (Sign 1) is 1.75m and the remainder of the overall height is the canopy structure of the sign;
- The size of the proposed Sign 2 complies with all size regulations; and
- The proposed sign will not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable.

Report

The City of Guelph Sign By-law Number (1996)-15245, as amended, restricts the number of menu boards on a property to one, with a maximum height of 2m above an adjacent roadway.

Permit World has submitted a sign by-law variance application on behalf of Stone Road Holdings Inc. to permit:

- one (1) illuminated menu/order board with a height of 3.13m above the adjacent roadway; and
- one (1) illuminated pre-sell menu board with a height of 1.81m above the adjacent roadway.

These signs are in addition to the one (1) menu board which a permit has been issued for at 435 Stone Road West.

Table 1 - the requested variance is as follows:

	By-law Requirements	Request
Number of menu boards permitted	1	3
Maximum height permitted above an adjacent roadway	2.0m	To permit one (1) menu/order board with a height of 3.13m. Note: The other two (2) menu/order boards comply.

Please see "Attachment 2 – Sign Variance Drawings"

The following is a summary of what the applicant has provided to support the application:

- The proposed signs are part of Starbucks corporate standards;
- The proposed signs will not be visible from Stone Road West or Edinburgh Road South; and
- The proposed signage will not alter the character of the area and will not negatively impact the existing conditions of the mall or its surrounding areas.

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The locations of the menu boards were reviewed during the site plan process and were found to compliment the configuration of the site;
- The building is positioned between the proposed menu boards and Edinburgh Road South; therefore, they will not negatively impact passing street traffic;
- The height of the menu/order area (Sign 1) is 1.75m and the remainder of the overall height is the canopy structure of the sign;
- The size of the proposed Sign 2 complies with all size regulations; and
- The proposed sign will not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable.

Consultations

At the time of the writing of this report, Staff have not received communications from any stakeholders. A notice about this application will be online and in City News two weeks prior to the meeting date.

Staff will inform the Applicant of Council's decision in writing.

Strategic Plan Alignment

Powering our future – helping businesses succeed.

Attachments

Attachment-1 Location Map

Attachment-2 Sign Variance Drawings

Departmental Approval

Not applicable.

Report Author

Bill Bond, Zoning Inspector III/Senior By-law Administrator

Approved By

Patrick Sheehy, Program Manager – Zoning
Jeremy Laur, Chief Building Official



Approved By

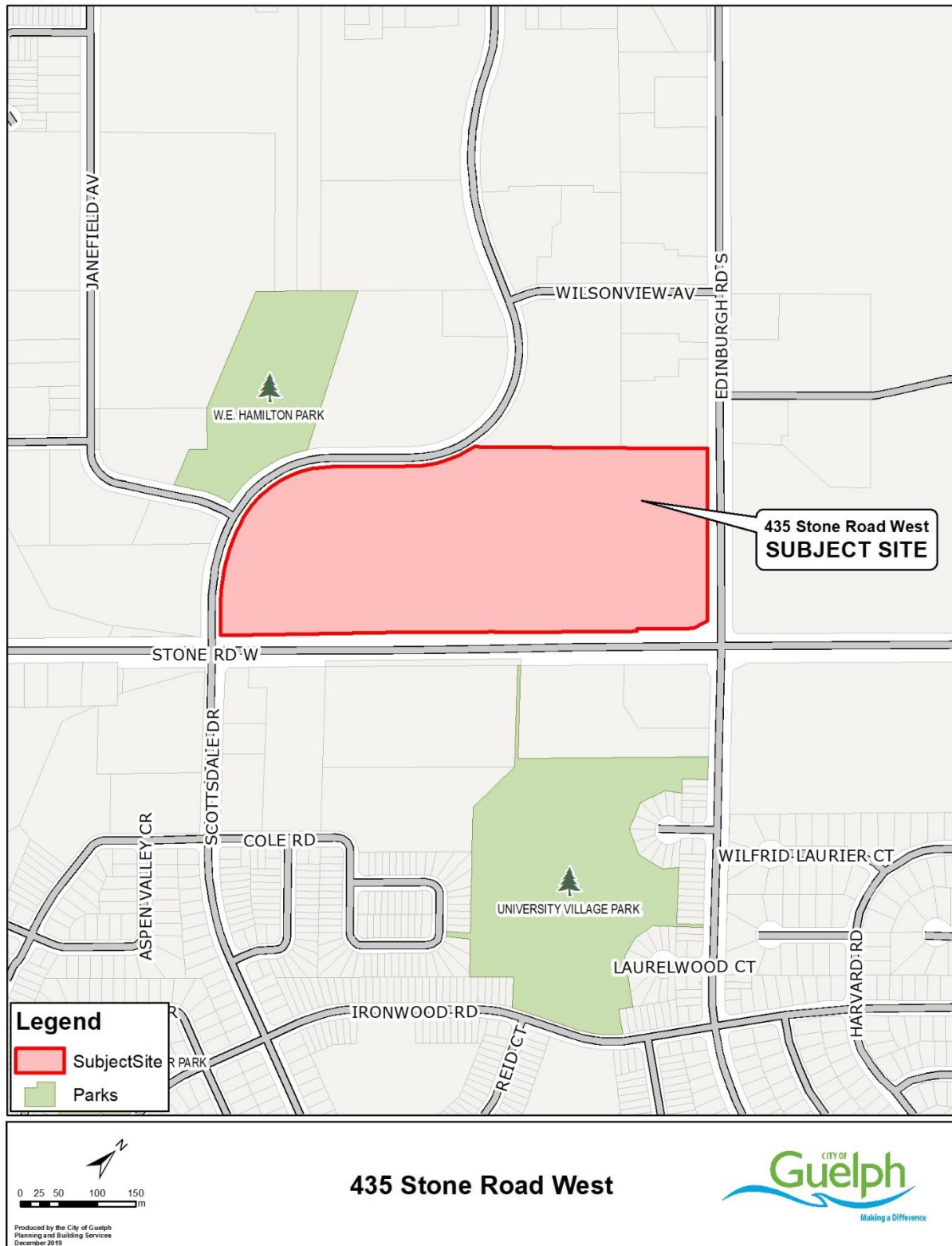
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General Manager, Planning and
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Recommended By

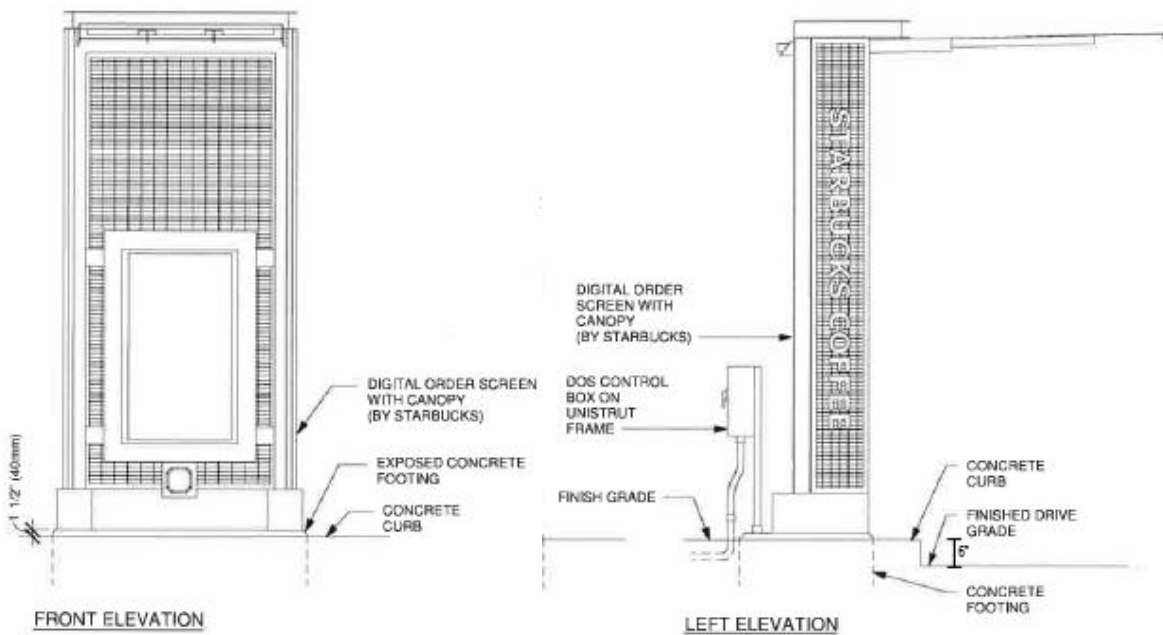
Kealy Dedman, P. Eng., MPA
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kealy.dedman@guelph.ca

Attachment-1 Location Map

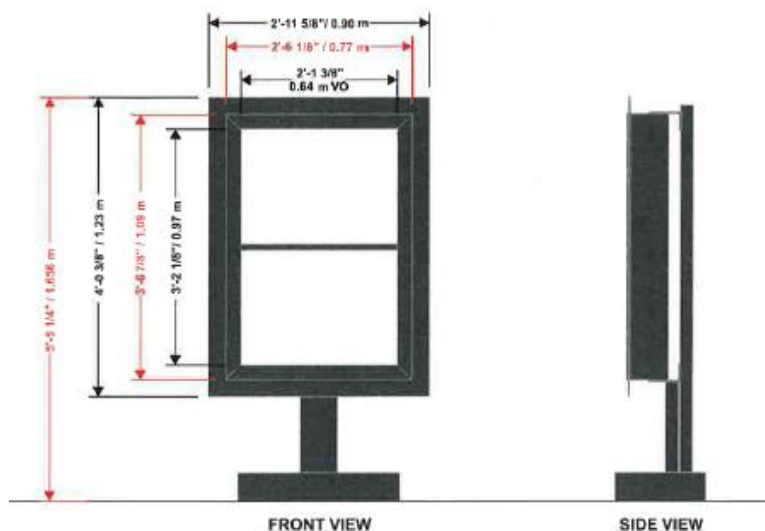


Attachment- 2 Sign Variance Drawings (provided by the Applicant)

Sign 1 - Proposed illuminated menu board/order board with a height of 3.13m above the adjacent roadway (height of the menu/order area is 1.75m and the remainder of the overall height is the canopy structure of the sign).

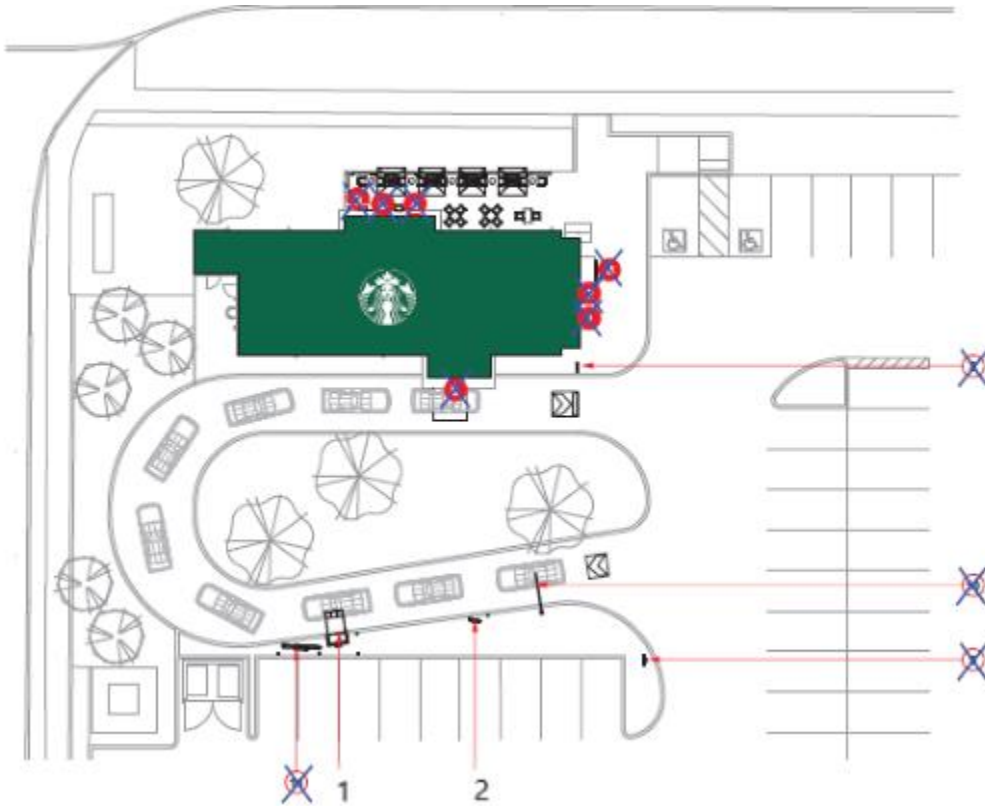


Sign 2 - Proposed illuminated pre-sell menu board with a height of 1.81m above the adjacent roadway, with a sign face area of 0.62m². Sign dimensions comply with regulations. Variance is to permit this as an additional sign on the property.



Attachment- 2 Sign Variance Drawings (provided by the Applicant)

Proposed locations on the property (identified as 1 and 2 below)



Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 27, 2020
Subject	17 Mary Street- Heritage Permit Application (HP19-0021)
Report Number	IDE-2020-09

Recommendation

That heritage permit application HP19-0021 be approved to allow the demolition of the existing dwelling at 17 Mary Street and the construction of a new dwelling as described in Report IDE-2020-09.

Executive Summary

Purpose of Report

To recommend the approval of heritage permit HP19-0021 to allow the demolition of the existing dwelling at 17 Mary Street and the construction of a new dwelling as proposed in plans prepared for the property owner by Groen Design.

Key Findings

- Although the original portion of the existing dwelling at 17 Mary Street appears to have been built before 1862 then added onto by 1877, over time unsympathetic alterations have removed almost all of the building's heritage attributes and heritage character defining elements that would make it a contributor to the cultural heritage value of the Mary Street streetscape and the Brooklyn and College Hill Heritage Conservation District. Staff have no objection to the proposed demolition.
- The proposed design for the new dwelling (Attachment 4) satisfies the requirements of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines.
- Heritage Guelph has reviewed the permit application and provided their support for the demolition and the proposed new dwelling design.

Financial Implications

None

Report

As the subject property (17 Mary Street) is located within the Brooklyn and College Hill Heritage Conservation District, it is designated under Part V of the Ontario Heritage Act through By-law (2014)-19812. The real property is

one of the original lots created by the registration the Thompson Survey (Plan 37) in 1856. The front gable portion of the existing house was built before 1862 and the addition to the north was built before 1877. The building footprint is indicated on Cooper's maps of Guelph from those dates. The building is shown as wood frame construction with a roughcast stucco exterior on the 1897 (1911), 1922 (1929) and 1946 editions of the Guelph Fire Insurance Plans. A detached, wood frame garage is shown by 1929 and its orientation changes by 1946 to what is seen today.

The Senior Heritage Planner conducted a site visit with the property owner to determine the physical integrity of the built heritage resource. There are no original interior features that could be considered as heritage character-defining elements. The only exterior feature that relates to the original house is the overall 1.5-storey form. As seen in the Couling Architectural Inventory photo (Attachment 2, Figure 8), the original fenestration (window and door openings) has been greatly altered and the original roughcast stucco had been covered with insulbrick and metal siding. Only one original wood window sash remains with all others having been replaced with modern units. The detached garage appears to be as built before 1946 but has little cultural heritage value as it is not part of the original property design.

It is staff's opinion that over time unsympathetic alterations have removed almost all of the building's heritage attributes and heritage character defining elements that would make it a contributor to the cultural heritage value of the Mary Street streetscape and the Brooklyn and College Hill Heritage Conservation District. Staff have no objection to the proposed demolition of the existing house and detached garage.

According to Section 42 of the Ontario Heritage Act, any proposed new construction, alteration, demolition or removal that would affect the heritage character of the property or the district is required to obtain approval through the heritage permit process. The construction of a new residential building on the subject property requires a heritage permit application as per Section 4.4 of the HCD Plan and Guidelines.

The owner of the property, has proposed demolition of both the existing house and detached garage and has submitted a design for the construction of a new house on the lot. After preliminary discussion between the Senior Heritage Planner and the owner, revisions were made to the initial design. The proposed 2-storey house will face Mary Street and the attached garage will be stepped back from the house front. The house front will have the appearance of traditional limestone construction with the rear exterior in brick (see Attachment 4).

Staff is of the opinion that heritage permit HP19-0021 for the construction of a new dwelling at 17 Mary Street is in keeping with proper heritage conservation practice and satisfies guideline section 4.4 of the Brooklyn and College Hill HCD Plan. The design as presented does not pose a negative impact to the heritage attributes protected by the heritage district designation by-law. Heritage permit application HP19-0021 is now recommended for approval under section 42 of Part V of the Ontario Heritage Act.

Financial Implications

None

Consultations

At their meeting of December 9, 2019 Heritage Guelph carried the following motions.

That Heritage Guelph has no objection to the demolition of the existing 2-storey dwelling and detached garage at 17 Mary Street as proposed in demolition permit application (2019-7486 DP) and heritage permit application HP19-0021; and

That Heritage Guelph supports (in principle) the property owner's proposal to construct a single, detached, 2-storey dwelling at 17 Mary Street, as presented in heritage permit application HP19-0021 and in conceptual elevation drawings shown at the December 9 2019 meeting of Heritage Guelph; and

That any modifications necessary to complete the design that are minor in nature may be dealt with by the Senior Heritage Planner.

Strategic Plan Alignment

The recommendations in this report align with the Sustaining Our Future priority area of the City's Strategic Plan. The conservation of cultural heritage resources, including significant cultural heritage landscapes such as the Brooklyn College Hill Heritage Conservation District, is part of how Guelph is planning for an increasingly sustainable City.

Attachments

Attachment-1 Location of 17 Mary Street and Plan of Survey

Attachment-2 Historical Images Showing Subject Property

Attachment-3 Current Images of Subject Property

Attachment-4 Proposed design for new dwelling at 17 Mary Street (Groen Design dated November 27, 2019)

Report Author

Stephen Robinson, Senior Heritage Planner

Approved By

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



Approved By

Todd Salter, MCIP, RPP
General Manager Planning and
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Recommended By

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Attachment-1 Location of 17 Mary Street and Plan of Survey

Figure 1 - Location of 17 Mary Street. (Image: City of Guelph GIS)

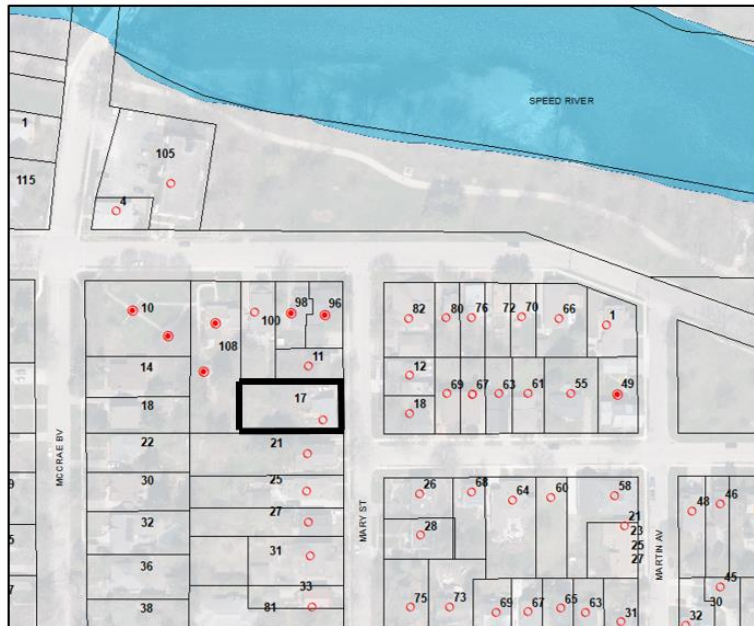
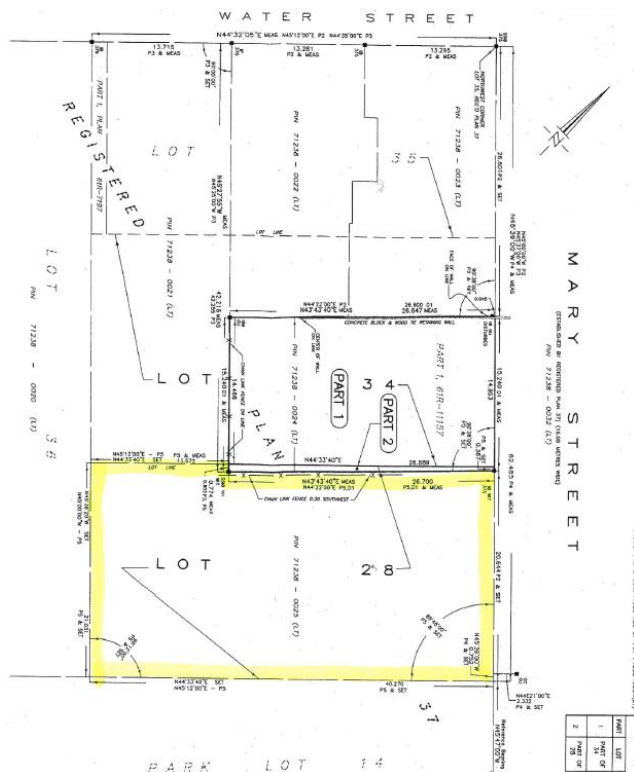


Figure 2 - Detail from Plan of Survey of Part of Lots 28 and 34, Registered Plan 34. (Van Harten Surveying Inc., July 17, 2009)



Attachment-2 Historical Images Showing Subject Property

Figure 3 – Detail from plan of the Estate of Mr. Robert Thompson or the “Thompson Survey” known as Plan 37, registered in 1856.



Figure 4 - Detail from Cooper's Map of the Town of Guelph, 1862 (Image: Guelph Civic Museum)

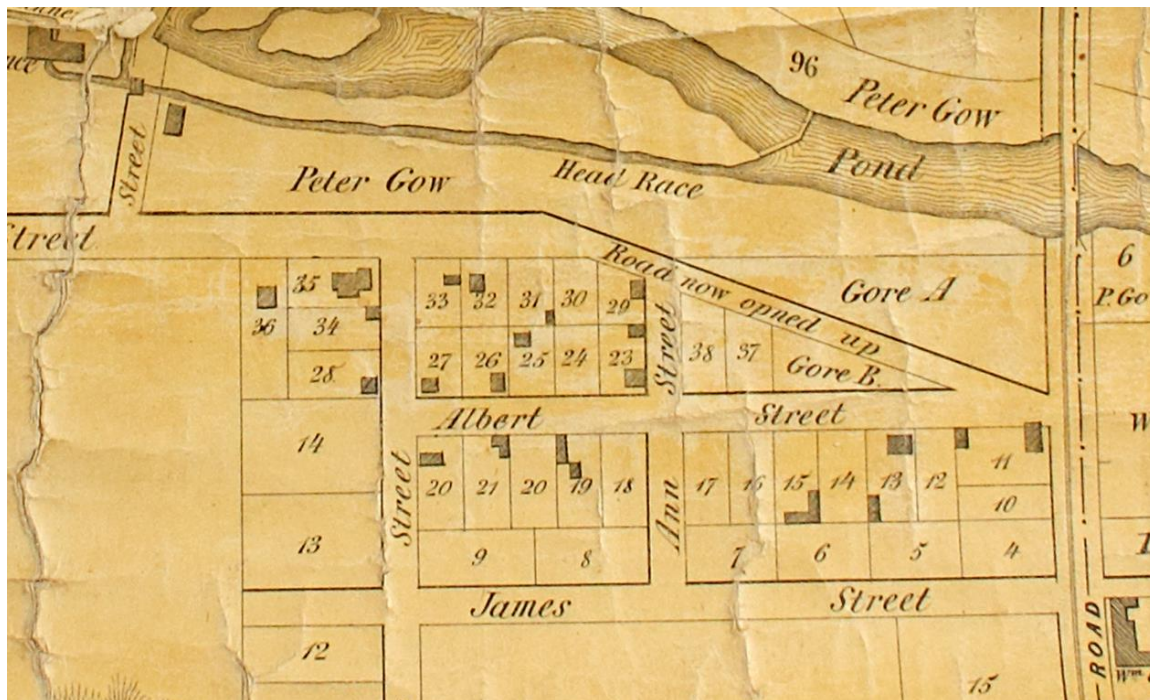


Figure 5 - Detail from Cooper's Map of the City of Guelph, 1877 (Image: Guelph Civic Museum)

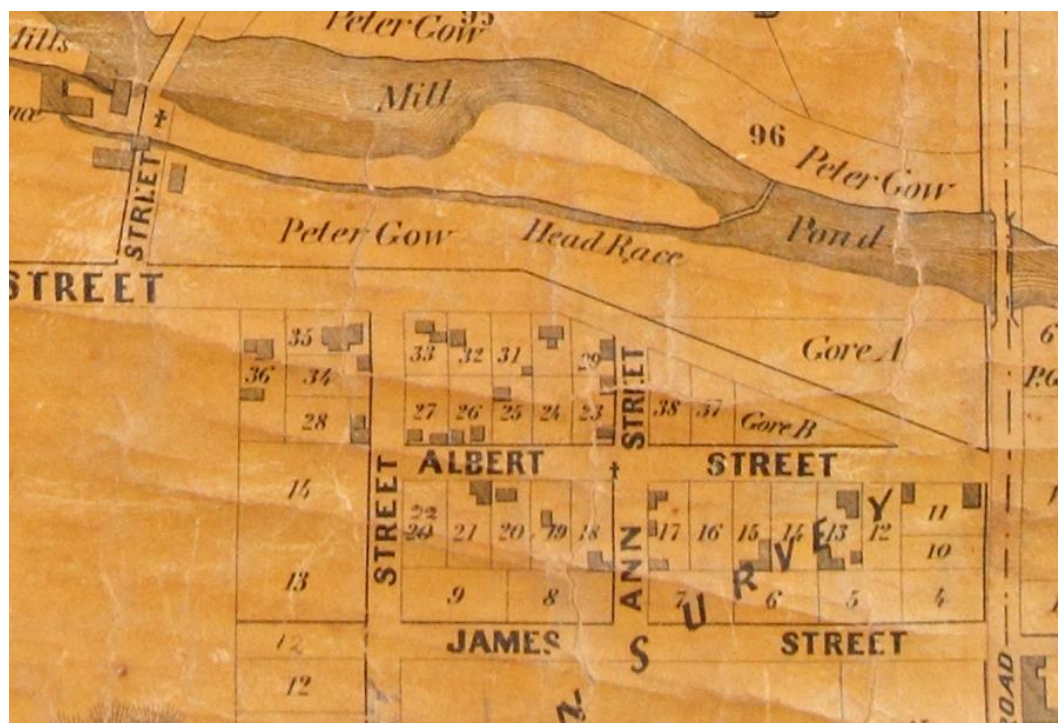


Figure 6 - Guelph Fire Insurance Plan, 1922 (revised 1929). (Image: Guelph Civic Museum)

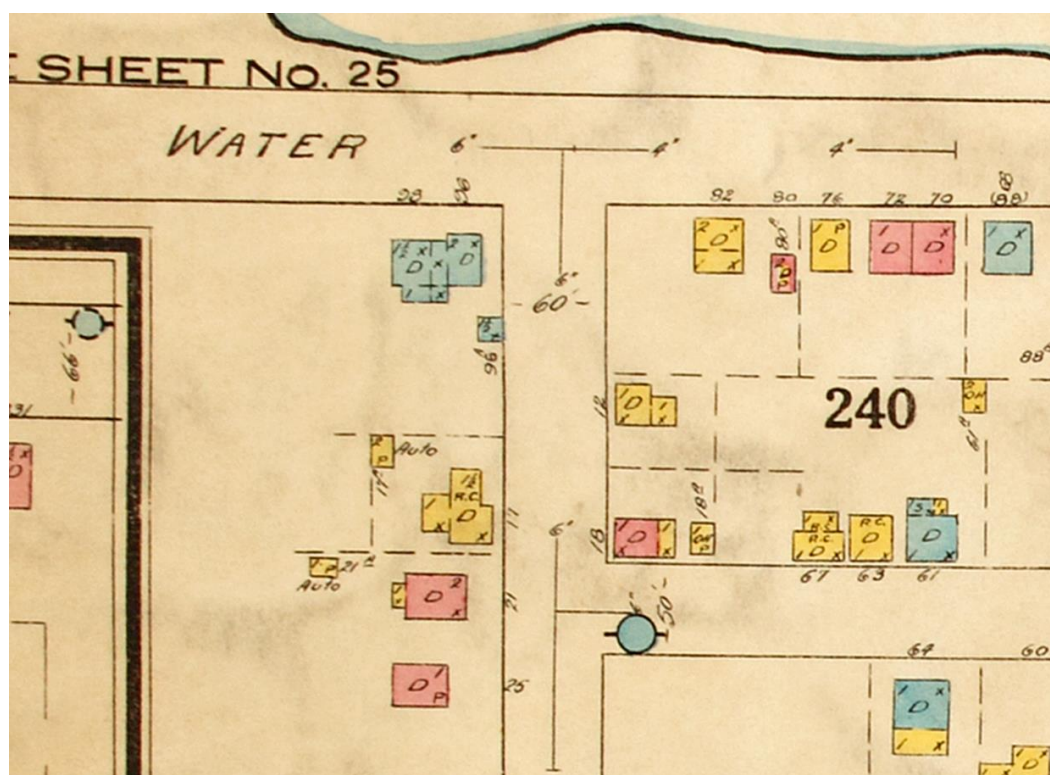


Figure 7 - Guelph Fire Insurance Plan, 1946. (Image: Guelph Civic Museum)

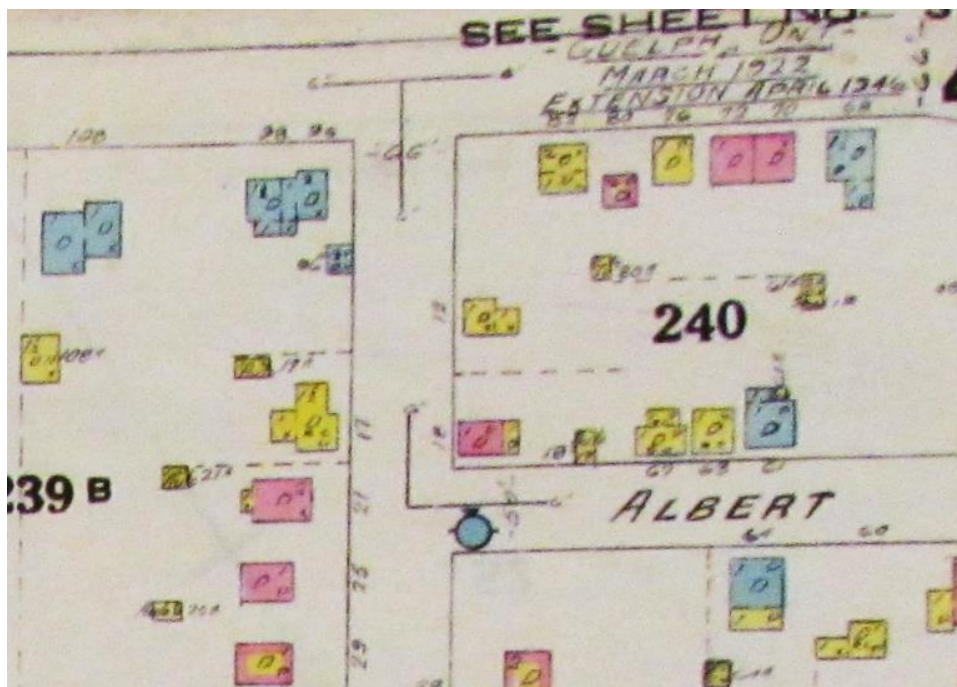


Figure 8 - 17 Mary Street (Photo: Couling Architectural Inventory, 1974)



Attachment-3 Current images of Subject Property

Figure 9 - 17 Mary St



Figure 10 - 17 Mary St



Figure 11 - 17 Mary St



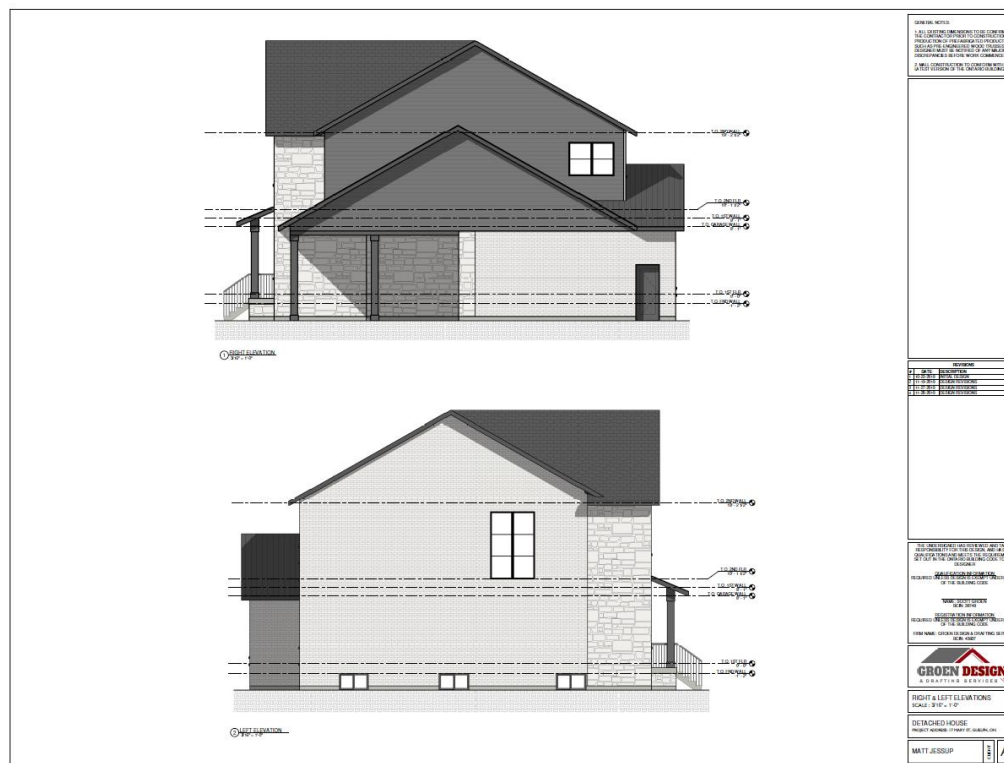
Figure 12 - 17 Mary St



Figure 13 - 17 Mary St, detached garage



Attachment-4 Proposed design for new dwelling at 17 Mary Street (Groen Design, dated November 27, 2019)



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Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 27, 2020
Subject	Statutory Public Meeting Report 68-76 Wyndham Street South Proposed Official Plan Amendment and Zoning By-law Amendment File: OZS19-013 Ward 1
Report Number	IDE-2020-07

Recommendation

That Report IDE-2020-07 regarding proposed Official Plan Amendment and Zoning By-law Amendment applications (File: OZS19-013) by JL Cox Planning Consultants Inc., on behalf of the owner, M. Flaman Productions Ltd., to permit the development of a four storey apartment building with nine units and a duplex on the property municipally known as 68-76 Wyndham Street South and legally described as Part of Lots 7 & 8, Registered Plan 306, City of Guelph from Infrastructure, Development and Enterprise dated January 27, 2020, be received. That

Executive Summary

Purpose of Report

To provide planning information on applications requesting approval of an Official Plan Amendment and Zoning By-law Amendment to permit the development of a four storey apartment building with nine units as well as a duplex on the property municipally known as 68-76 Wyndham Street. This report has been prepared in conjunction with the Statutory Public Meeting for the applications.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

Applications for an Official Plan Amendment and Zoning By-law Amendment have been received for the property municipally known as 68-76 Wyndham Street from JL Cox Planning Consultants Inc. on behalf of the property owner, M. Flaman Productions Ltd. The applications have been submitted to permit the development of a four storey apartment building with a total of nine units as well as a separate duplex building on the subject lands (for 11 dwelling units total). The Official Plan Amendment and Zoning By-law Amendment applications were received by the City on November 18, 2019 and deemed to be complete on December 16, 2019.

The Official Plan Amendment proposes to introduce a new, site-specific policy for the subject lands to permit a maximum net density of 93 units per hectare for the portion of the subject property proposed for the development of the apartment building. The existing "Residential 1" land use designation in the Downtown Secondary Plan would remain in effect.

The Zoning By-law Amendment proposes to rezone the subject lands from the current specialized 'Residential Single Detached' (R.1B-10) zone to a specialized 'Residential Infill Apartment' (R.4D-?) zone for the southern portion of the site and to a specialized 'Residential Semi-Detached/Duplex' (R.2-?) zone for the northern portion of the site.

Location

The subject lands are located at the southeast corner of the intersection of Wyndham Street South and Howitt Street. The subject lands are on the segment of Wyndham Street South between Wellington Street East and York Road (see Location Map and Orthophoto in Attachment 1 and Attachment 2, respectively). The subject lands have a total site area of 0.1455 hectares, with a frontage of 58.3 metres along Wyndham Street South and 14 metres along Howitt Street.

Surrounding land uses include:

- To the north, single detached dwellings along the south side of Howitt Street, across from which is a ten storey apartment building;
- To the east, cluster townhouses facing York Road;
- To the south, single detached dwellings along the east side of Wyndham Street South; and
- To the west, commercial buildings, including a property which has approved zoning for the redevelopment of into a 14-storey apartment building.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "Residential 1" in the Downtown Secondary Plan (See Attachment 4). The Residential 1 land use designation applies to portions of broader residential neighbourhoods that extend into Downtown and are predominantly occupied by low-rise forms of housing. This includes detached and semi-detached dwellings, townhouses and apartment buildings. Duplex dwellings as well as multiple unit residential buildings such as townhouses and apartments are permitted in this land use designation between a net density of 15 to 35 units per hectare and height range of 2-4 storeys.

Further details of the "Residential 1" land use designation in the Downtown Secondary Plan is included in Attachment 3.

Existing Zoning

The subject lands are currently zoned specialized "Residential Single Detached" (R.1B-10) according to Zoning By-Law (1995)-14865, as amended (See Map in Attachment 4). The R.1B-10 Zone permits single detached dwellings along with several related accessory uses.

The existing zoning map is included in Attachment 4.

Proposed Official Plan Amendment

The applicant is requesting an Official Plan Amendment to add a site specific policy to the existing "Residential 1" land use designation in the Downtown Secondary Plan to permit a maximum net density of 93 units per hectare. The Official Plan currently limits net density on the subject lands to 35 units per hectare, as per the policies in the Low Density Residential designation.

The proposed Official Plan Amendment is included in Attachment 4.

Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the current specialized "Residential Single Detached" (R.1B-10) Zone to a specialized 'Residential Infill Apartment' (R.4D-?) zone for the southern portion of the site and to a specialized 'Residential Semi-Detached/Duplex' (R.2-?) zone for the northern portion of the site.

The applicant has requested to develop the property in accordance with the permitted regulations and provisions of the standard R.4D Zone and R.2 Zone with site specific regulations.

For the southern portion of the property proposed to be rezoned a specialized 'Residential Infill Apartment' (R.4D-?) zone, the applicant has requested the following specialized provisions apply:

- To permit a minimum front yard setback of 2 metres, whereas a minimum of 3 metres is required;
- To permit a minimum interior side yard setback on the east side of the building of 1.5 metres, whereas a minimum interior side yard setback of 3 metres or half the building height is required;
- To permit a minimum rear yard setback of 5.4 metres, whereas a minimum of 7.5 metres is required; and
- To permit a minimum of 12 off-street parking spaces for the nine unit apartment building, whereas a minimum of 14 off-street parking spaces are required.

For the northern portion of the property proposed to be rezoned a specialized 'Residential Semi-Detached/Duplex' (R.2-?) zone, the applicant has requested the following specialized provisions apply:

- To permit a minimum lot area of 306 square metres, whereas a minimum of 460 square metres is required;
- To permit a minimum lot frontage (along Howitt Street) of 11 metres, whereas a minimum of 15 metres is required;

- To permit a minimum front yard setback of 4.3 metres, whereas a minimum of 6 metres is required;
- To permit a minimum exterior side yard setback of 2 metres (to Wyndham Street South), whereas a minimum of 4.5 metres is required;
- To permit a minimum rear yard setback of 2.6 metres whereas a minimum rear yard setback of 20% of the total lot depth or half the building height, but in no case less than 7.5 metres is required; and
- To permit a maximum lot coverage of 55%, whereas lot coverage is limited to 40%.

The proposed Zoning is shown in Attachment 5.

Proposed Development

The property owner is proposing to redevelop the subject lands to include a four (4) storey apartment building with nine dwelling units as well as a separate duplex building. As a result of the proposed redevelopment, the total number of dwelling units on the subject property would be 11. The apartment building would occupy the south portion of the site, and the duplex would be situated on the north portion of the site, directly at the southeast corner of the intersection of Wyndham Street South and Howitt Street.

A total of 14 off-street parking spaces is proposed to be provided for the development. Specifically, two parking spaces are proposed for the duplex (one per unit), and the remaining 12 are proposed for the apartment building.

The existing buildings on the subject lands would be demolished to accommodate the proposed residential development.

The proposed redevelopment concept plan is shown in Attachment 6.

Supporting Documents

The following information was submitted in support of the applications:

- Planning Justification Report, prepared by JL Cox Planning Consultants Inc., dated November 8, 2019;
- Conceptual Site Plan, prepared by James Fryett Architect Inc., dated August 9, 2019;
- Urban Design Brief, prepared by James Fryett Architect Inc., dated November 2019;
- Building Elevations/3D Perspective Drawings, prepared by James Fryett Architect Inc., dated May 24, 2019;
- Functional Servicing and Stormwater Management Report, prepared by EXP Services Inc., dated July 16, 2019;
- Site Grading, Servicing, Drainage and Erosion and Sediment Control Plans, prepared by EXP Services Inc., dated July 16, 2019;
- Detailed Noise Study, prepared by Swallow Acoustics/Thornton Tomasetti, dated August 8, 2019;
- Plan of Survey, prepared by Black, Shoemaker, Robinson & Donaldson Ltd., dated May 16, 2019; and
- Topographic Sketch/Existing Conditions Plan, prepared by Black, Shoemaker, Robinson & Donaldson Ltd., dated April 10, 2019.

Staff Review

The review of this application will address the following:

- Evaluation of the proposal against the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Evaluation of the proposal's conformity with the Official Plan and Downtown Secondary Plan land use designations and policies, including any related amendments;
- Consideration of the merits of the Official Plan Amendment;
- Review of the proposed zoning, including specialized regulations;
- Review of the built form and design of the proposed development;
- Review of the proposal's land use and built form compatibility with adjacent and established land uses;
- Review of site serving and grading;
- Review how the proposed development addresses applicable sections of the Community Energy Initiative update; and
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application and Public Meeting was mailed on December 23, 2019 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised in the Guelph Mercury Tribune on January 9, 2020. Notice of the application has also been provided by signage on the property, which was installed on December 31, 2019. All supporting documents and drawings submitted with the application have been posted on the City's website.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows

Alignment

The review of this development application will include an assessment of its 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.

Priority

Working together for our future

Direction

Improve how the City communicates with residents and delivers services

Alignment

The Public Meeting being held on the proposed development applications provides the opportunity for City Council, residents and community groups to learn more, ask questions and provide comments on the proposed development.

Attachments

Attachment-1 Location Map and 120 m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Official Plan Land Use Designations and Policies

Attachment-4 Proposed Official Plan Amendment and Associated Policies

Attachment-5 Existing Zoning

Attachment-6 Proposed Zoning and Details

Attachment-7 Proposed Development Concept

Attachment-8 Conceptual Renderings

Departmental Approval

Not applicable

Report Author

Michael Witmer, MCIP, RPP, Senior Development Planner

Approved By

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

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Approved By

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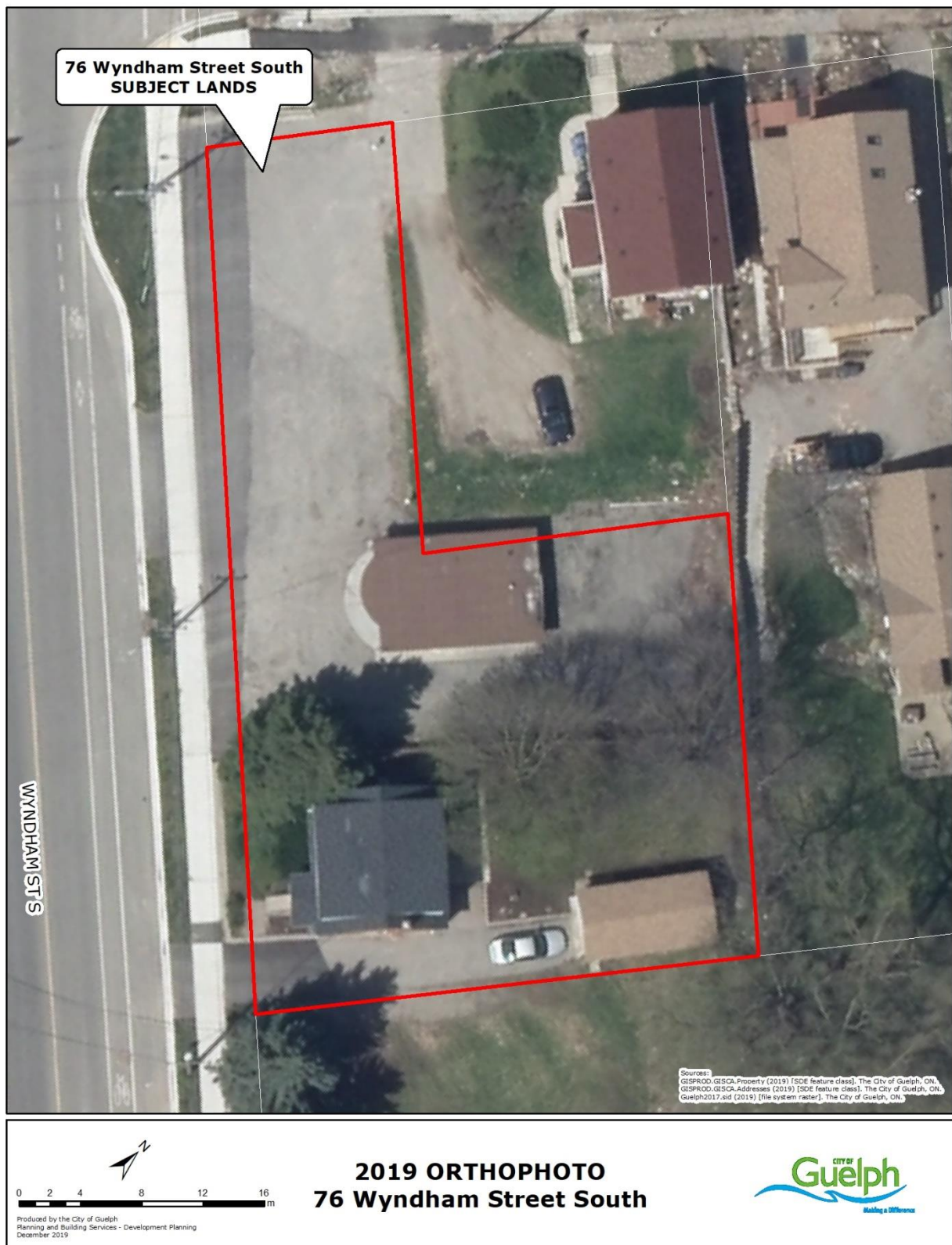
Recommended By

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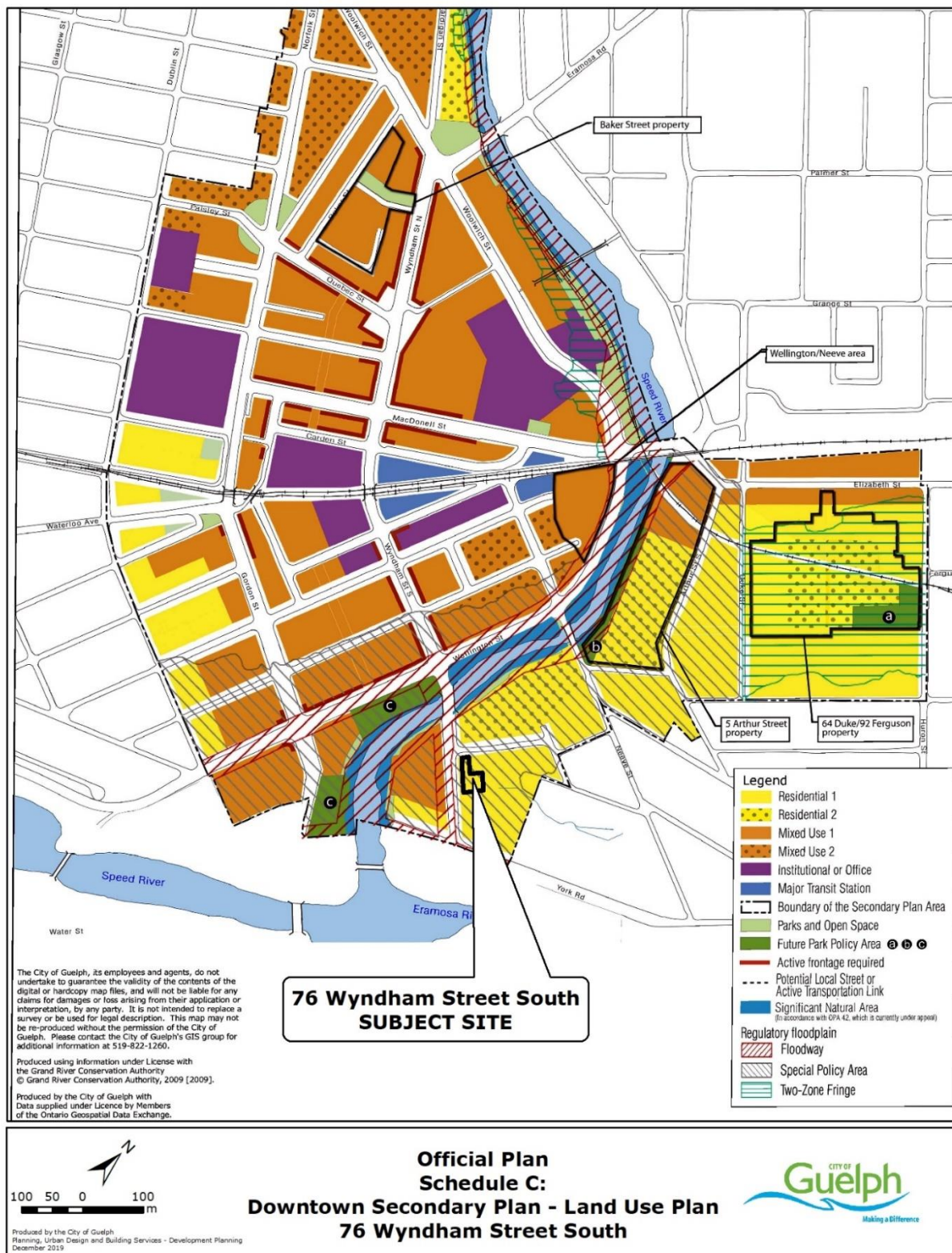
Attachment 1: Location Map and 120 m Circulation



Attachment 2: Aerial Photograph



Attachment 3: Official Plan Land Use Designations and Policies



Attachment 3 (continued)

Official Plan Land Use Designations and Policies

11.1.7.7 Residential 1 Areas

11.1.7.7.1

Residential 1 areas include portions of broader residential neighbourhoods that extend into Downtown. They are mostly occupied by low-rise forms of housing, including detached and semi-detached houses, townhouses and apartment buildings. The intent is to generally maintain the character of these areas.

11.1.7.7.2

Notwithstanding Schedule D, the Zoning By-law may establish maximum building heights less than the maximum shown on Schedule D of 3 storeys in Residential 1 Areas to ensure new development is compatible with the surrounding neighbourhood.

11.1.7.7.3

The policies of the Official Plan, applicable to General Residential shall apply to Residential 1 areas.

11.1.7.7.4

In addition to the General Residential policies, it is the intent of the Downtown Secondary Plan that the existing properties containing small-scale employment uses in the area east of the Speed River may continue and be recognized through the Zoning By-law, where impacts, such as noise, odour, loading, dust and vibration, on surrounding residential uses are minimal.

11.1.7.7.5

In addition to the General Residential policies, a free-standing office shall be permitted on the property known municipally as 5 Ontario Street.

11.1.7.7.6

Within the Residential 1 designation at 72 York Road, the minimum net density of development shall comply with the Medium Density Residential designation of the Official Plan.

Attachment 3 (continued):

Official Plan Land Use Designations and Policies

9.3.2 Low Density Residential

This designation applies to residential areas within the built-up area of the city which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i. detached, semi-detached and duplex dwellings; and
 - ii. multiple unit residential buildings, such as townhouses and apartments.

Height and Density

The built-up area is intended to provide for development that is compatible with existing neighbourhoods while also accommodating appropriate intensification to meet the overall intensification target for the built-up area as set out in Chapter 3. The following height and density policies apply within this designation:

2. The maximum height shall be three (3) storeys.
3. The maximum net density is 35 units per hectare and not less than a minimum net density of 15 units per hectare.
4. Notwithstanding policies 9.3.2.2 and 9.3.2.3, increased height and density may be permitted for development proposals on arterial and collector roads without an amendment to this Plan up to a maximum height of six (6) storeys and a maximum net density of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

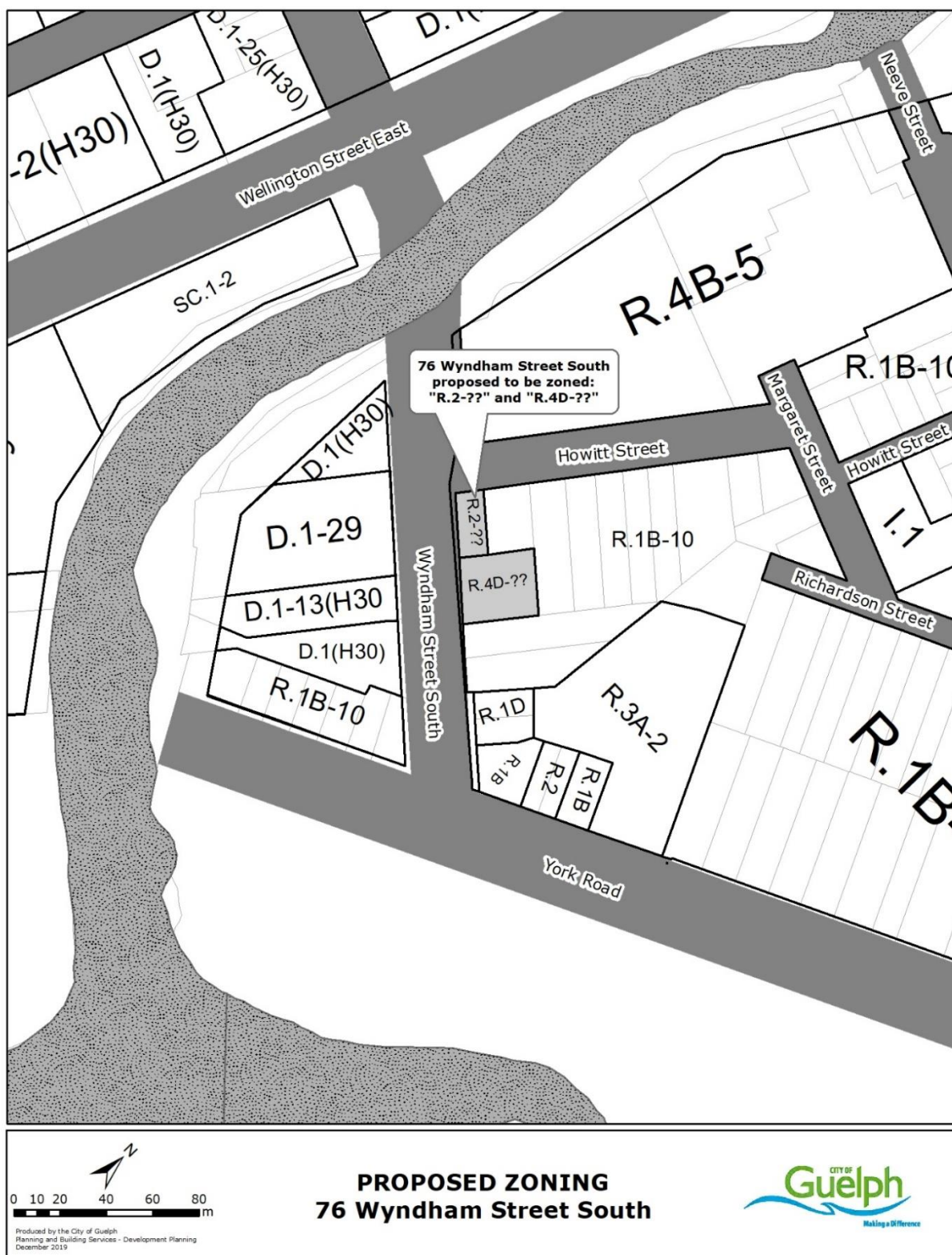
Attachment 4: Proposed Official Plan Amendment

The proposed Official Plan Amendment applies to Part of Lots 7 & 8, Registered Plan 306, City of Guelph municipally known as 68-76 Wyndham Street South ('subject lands'). The purpose of the proposed Official Plan Amendment is to limit the net density to a maximum of 93 units per hectare.

Attachment 5: Existing Zoning



Attachment 6: Proposed Zoning and Details



Attachment 6 (continued): Proposed Zoning and Details

Specialized R.4D-? (Residential Infill Apartment) Zone (southern portion of property)

Regulations

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.4.2 (Regulations Governing R.4 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

- To permit a minimum front yard setback of 2 metres, whereas a minimum front yard setback of 3 metres is required.
- To permit a minimum interior side yard setback on the east side of the building of 1.5 metres, whereas a minimum interior side yard setback of 3 metres of half the building height is required.
- To permit a minimum rear yard setback of 5.4 metres, whereas a minimum rear yard setback of 7.5 metres is required.
- To permit a minimum of 12 off-street parking spaces for the nine unit apartment building, whereas a minimum of 14 off-street parking spaces are required.

Specialized R.2-? (Residential Semi-Detached/Duplex) Zone (northern portion of property)

Regulations

In accordance with Section 4 (General Provisions) and Section 5.4 and Table 5.2.2 (Regulations Governing R.2 Zones) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

- To permit a minimum lot area of 306 square metres, whereas a minimum lot area of 460 square metres is required.
- To permit a minimum lot frontage (along Howitt Street) of 11 metres, whereas a minimum lot frontage of 15 metres is required.
- To permit a minimum front yard setback of 4.3 metres, whereas a minimum front yard setback of 6 metres is required.
- To permit a minimum exterior side yard setback of 2 metres (to Wyndham Street South), whereas a minimum exterior side yard setback of 4.5 metres is required.
- To permit a minimum rear yard setback of 2.6 metres whereas a minimum rear yard setback of 20% of the total lot depth or half the building height, but in no case less than 7.5 metres is required.
- To permit a maximum lot coverage of 55%, whereas lot coverage is limited to 40%.

Attachment 6 (continued): Proposed Zoning and Details

5-15

5.4 RESIDENTIAL *APARTMENT* (R.4) ZONES

5.4.1 PERMITTED *USES*

The following are permitted *Uses* within the Residential *Apartment* R.4 *Zones*:

17187 5.4.1.1

R.4A - General *Apartment* Zone

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*

16595

- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

5.4.1.2

R.4B - High Density *Apartment* Zone

- *Apartment Building*
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

17187 5.4.1.3

R.4C - Central Business District *Apartment* Zone

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*

16595

- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation in accordance with Section 4.19.*

17187 5.4.1.4

R.4D - Infill *Apartment* Zone

The R.4D *Zone* shall only be utilized within the boundaries indicated on Defined Area Map Number 66 of Schedule "A" of this *By-law*. The R.4D *Zone* shall permit the following:

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*

16595

- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

Attachment 6 (continued): Proposed Zoning and Details

5-16

5.4.2 REGULATIONS

Within the **Apartment R.4 Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.4.2, and the following:

5.4.2.1 Minimum Side Yard - R.4A and R.4B Zones

Despite Row 8 of Table 5.4.2, where windows of a **Habitable Room** face on a **Side Yard**, such **Side Yard** shall have a minimum width of not less than 7.5 metres.

5.4.2.2 Minimum Distance Between Buildings- R.4A and R.4B Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.2.1 The distance between the face of one **Building** and the face of another **Building** either of which contains windows of **Habitable Rooms**, shall be one-half the total height of the two **Buildings**, and in no case less than 15 metres.

5.4.2.2.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 15 metres.

5.4.2.3 Minimum Distance Between Buildings - R.4C and R.4D Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.3.1 The distance between the faces of two **Buildings** which contain windows of **Habitable Rooms** shall be one-half the **Building Height** to a maximum of 30 metres and a minimum of 5 metres.

5.4.2.3.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 5 metres.

5.4.2.4 Minimum Common Amenity Area

5.4.2.4.1 An amount not less than 30 m² per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m² of **Common Amenity Area** shall be provided and aggregated into areas of not less than 50 m².

5.4.2.4.2 **Amenity Areas** shall be designed and located so that the length does not exceed 4 times the width.

Attachment 6 (continued): Proposed Zoning and Details

5-17

5.4.2.4.3 A **Common Amenity Area** shall be located in any **Yard** other than the required **Front Yard** or required **Exterior Side Yard**.

5.4.2.4.4 **Landscaped Open Space** areas, **Building** roof tops, patios, and above ground decks may be included as part of the **Common Amenity Area** if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).

5.4.2.5 Additional **Building** Regulations - R.4B Zone

5.4.2.5.1 Despite Row 10 of Table 5.4.2, properties **Zoned** R.4B or specialized R.4B as defined by this **By-law** within the "Older Built-Up Area Outside the CBD" as indicated on Defined Area Map Number 68 shall have a maximum **Building Height** of 6 **Storeys** and shall be in accordance with Sections 4.16 and 4.18.

5.4.2.5.2 Properties **Zoned** R.4B or specialized R.4B as defined by this **By-law** within the "Older Built-Up Area Outside the CBD" as indicated on Defined Area Map Number 68 shall use the R.4C **Zone** regulations as specified in Table 5.4.2 for the following: minimum **Front** and **Exterior Side Yard**, minimum **Side Yard**, minimum **Rear Yard**, minimum distance between **Buildings**, minimum **Common Amenity Area**, minimum **Landscaped Open Space**, and **Floor Space Index** (F.S.I.).

Attachment 6 (continued): Proposed Zoning and Details

5-18

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 6 (continued): Proposed Zoning and Details

5-5

5.2 RESIDENTIAL SEMI-DETACHED/DUPLEX (R.2) ZONE

5.2.1 PERMITTED USES

The following are permitted **Uses** within the R.2 **Zone**:

17187
18116

- **Duplex Dwelling**
- **Semi-Detached Dwelling**
- **Accessory Apartment** in accordance with Section 4.15.1
- **Bed and Breakfast** establishment in accordance with Section 4.27
- **Group Home** in accordance with Section 4.25
- **Home Occupation** in accordance with Section 4.19

REGULATIONS

5.2.2 Within the Residential R.2 **Zone**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.2.2, and the following:

5.2.2.1 Minimum Front or Exterior Side Yard

15006

5.2.2.1.1 Despite Row 5 of Table 5.2.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:

15006
17187
19691

- i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres or the average of the **Setbacks** of the adjacent properties. Where the off-street **Parking Space** is located within a **Garage** or **Carport**, the **Setback** for the **Garage** or **Carport** shall be a minimum of 6 metres from the **Street Line**.
- ii) In accordance with Sections 4.6 and 5.2.2.1.3; and
- iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.

Where a road widening is required in accordance with Section 4.24, the calculation of the required **Front** or **Exterior Side Yard** shall be as set out Section 5.2.2.1.1, provided that the required **Front** or **Exterior Side Yard** is not less than the new **Street Line** established by the required road widening.

5.2.2.1.2 Despite Row 5 of Table 5.2.2, the **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.

Attachment 6 (continued): Proposed Zoning and Details

5-6

- | | | |
|-------|-----------|---|
| 20134 | 5.2.2.1.3 | In the event that there is a transformer easement on a particular Lot , portions of the dwelling may be required to be Setback further than specified in Row 5 of Table 5.2.2 in order that a minimum separation of 3 metres may be maintained between the transformer easement and any part of the dwelling. |
| 15006 | 5.2.2.2 | Deleted. |
| 15692 | 5.2.2.3 | Despite any required Side Yard in the R.2 Zone , Carports shall be permitted provided that no part of such Carport is located closer than 0.6 metres to any Side Lot Line . |
| 19063 | 5.2.2.4 | Despite Table 4.7 Rows 1-3, for a Lot with a dwelling requiring a 0.0 metre interior Side Yard , the Setback to that interior Side Lot Line from a porch or a deck, inclusive of stairs, shall be 0.0 metres. |

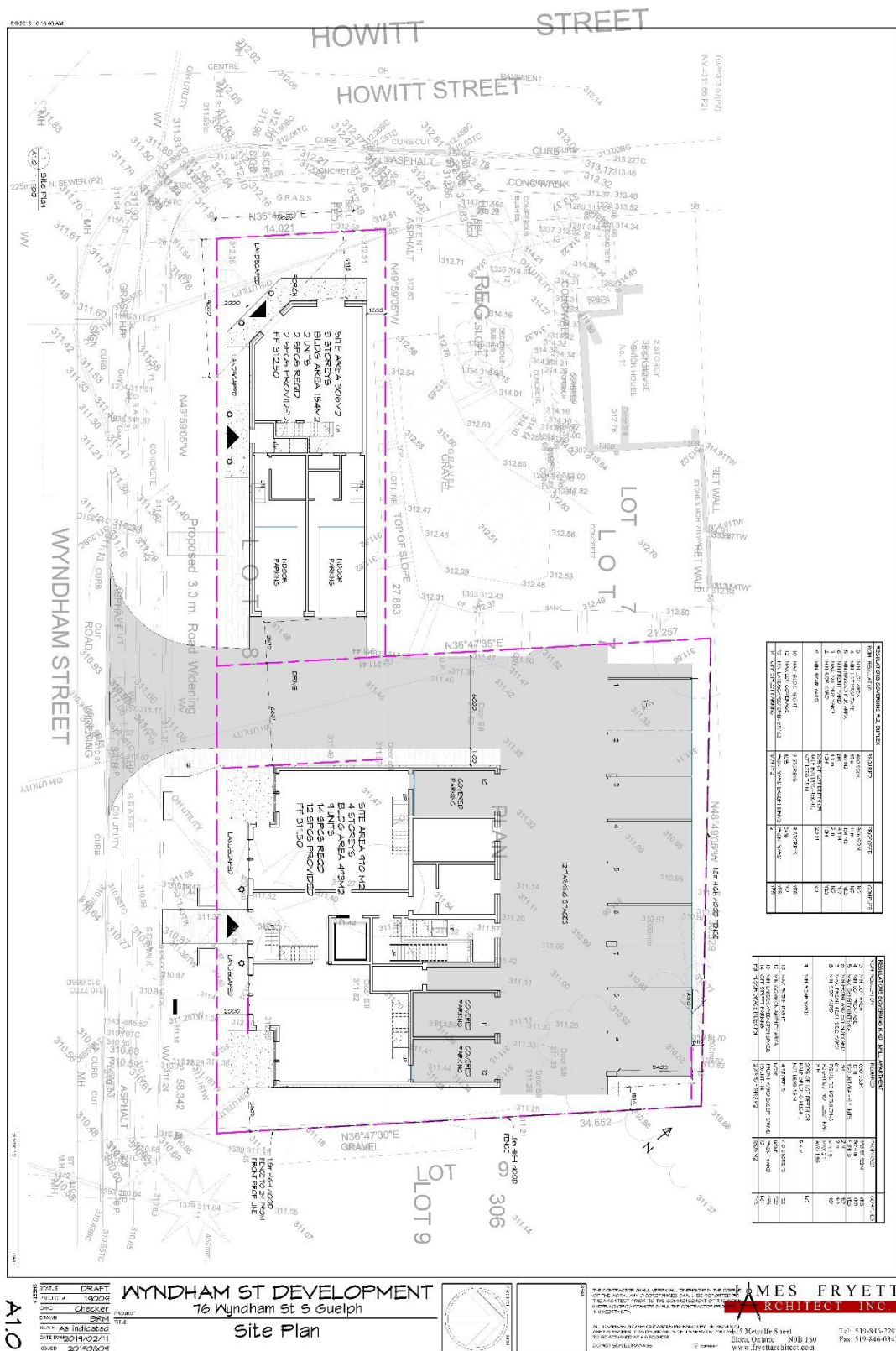
Attachment 6 (continued): Proposed Zoning and Details

5-7

15006, 15692, 17187 & 18116, 19691 TABLE 5.2.2 - REGULATIONS GOVERNING THE R.2 **ZONE**

1	Residential Type	DUPLEX DWELLING AND SEMI-DETACHED DWELLING
2	Minimum Lot Area	460 m ² for every two units 230 m ² for each unit
3	Minimum Lot Frontage	15 metres for every two units. 7.5 metres for each unit. Despite the above, the Lots located within the boundaries of Defined Area Map Number 66 of Schedule "A" shall have a minimum Lot Frontage of not less than the average Lot Frontage established by existing Lots within the same City Block Face .
4	Minimum Ground Floor Area 1 Storey 1.5 Storeys 2 or more Storeys	80 m ² 55 m ² 40 m ²
5	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24 and 5.2.2.1.
5a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.2.2.1.
6	Minimum Side Yard (each side)	1.2 metres Where a Garage , Carport or off-street Parking Space is not provided for each Dwelling Unit , each Side Yard shall have a minimum width of 3 metres to accommodate off-street parking. Despite the above, no interior Side Yard is required along the common Lot line of Semi-Detached Dwellings .
7	Minimum Rear Yard	7.5 metres or 20% of the Lot Depth , whichever is less.
8	Accessory Buildings or Structures	In accordance with Section 4.5.
9	Fences	In accordance with Section 4.20.
10	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
11	Maximum Lot Coverage	40% of the Lot Area .
12	Off-Street Parking	In accordance with Section 4.13.
13	Garages	For those Lots located within the boundaries indicated on Defined Area Map Number 66, where a roofed porch is provided, the Garage may be located ahead of the front wall of the dwelling (enclosing Habitable Floor Space on the first floor) equal to the projection of the porch to a maximum of 2 metres.
14	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
15	Minimum Landscaped Open Space	The Front Yard of any Lot , excepting the Driveway (Residential) , shall be landscaped and no parking shall be permitted within this Landscaped Open Space . Despite the definition of the Landscaped Open Space , for Buildings that do not have a shared Driveway (Residential) access, a minimum area of 0.6 metres between the driveway and nearest Lot Line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and may include a surfaced walk in accordance with Section 4.13.7.2.4.

Attachment 7: Proposed Development Concept



Attachment 8: Conceptual Renderings



Staff Report



To **City Council**
Service Area Infrastructure, Development and Enterprise Services
Date Monday, January 27, 2020
Subject **Statutory Public Meeting Report
47-75 Willow Road
Proposed Zoning By-law Amendment
File: OZS19-014
Ward 3**
Report Number IDE-2020-08

Recommendation

That Report IDE-2020-08 regarding proposed Zoning By-law Amendment application (File: OZS19-014) by Black, Shoemaker, Robinson & Donaldson Ltd., on behalf of the owner, Willow Court Ltd., to permit the development of two, six storey mixed use buildings with ground floor commercial units and a total of 130 apartment units on the property municipally known as 47-75 Willow Road and legally described as Lots 6 & 7 and Part Lot 8, Registered Plan 593, City of Guelph from Infrastructure, Development and Enterprise dated January 27, 2020, be received.

Executive Summary

Purpose of Report

To provide planning information on application requesting approval of a Zoning By-law Amendment to permit the development of two, six storey mixed use buildings with ground floor commercial units and a total of 130 apartment units on the property municipally known as 47-75 Willow Road. This report has been prepared in conjunction with the Statutory Public Meeting for the application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

An application for a Zoning By-law Amendment has been received for the property municipally known as 47-75 Willow Road from Black, Shoemaker, Robinson & Donaldson on behalf of Willow Court Ltd. The application has been submitted to allow the development of two, six storey mixed use buildings with ground floor commercial units and a total of 130 apartment units on the subject lands. The Zoning By-law Amendment application was received by the City on December 2, 2019 and deemed to be complete on December 31, 2019.

The Zoning By-law Amendment proposes to rezone the subject lands from the current standard 'Community Commercial' (CC) Zone to a specialized 'Community Commercial' (CC-?) Zone to permit a maximum of six storeys.

Location

The subject lands are located on the northwest corner of the intersection of Willow Road and Dawson Road (see Location Map and Orthophoto in Attachment 1 and Attachment 2, respectively). The subject site has a site area of 1.01 hectares, with a frontage of 94 metres along Willow Road and 104 metres along Dawson Road. The subject site is currently developed with a single storey commercial plaza with a gross floor area of approximately 2395 square metres.

Surrounding land uses include:

- To the north, a five storey apartment building facing Dawson Road;
- To the east, across Dawson Road, a seven storey apartment building;
- To the south, across Willow Road; a two and a half storey apartment building and a small convenience commercial building; and
- To the west along Willow Road, a six storey apartment building.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "Neighbourhood Commercial Centre" (See Attachment 3). The predominant use of land within this designation is intended to be convenience and neighbourhood commercial uses within walking distance to residential areas. Multiple unit residential development is permitted in this designation within mixed use buildings. The maximum permitted height is six storeys.

Further details of the "Neighbourhood Commercial Centre" land use designation are included in Attachment 3.

Existing Zoning

The subject lands are currently zoned "Community Commercial" (CC) which permits a wide variety of commercial, retail and service uses. The existing zoning map is included in Attachment 4.

Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the current standard "Community Commercial" (CC) Zone to a specialized "Community Commercial" (CC-?) Zone. A specialized Community Commercial zone is required to permit the proposed mixed use buildings to be six storeys instead of the three storeys allowed in the standard zone.

The proposed Zoning is shown in Attachment 5.

Proposed Development

The applicant is proposing to redevelop the majority of the site. The portion of the existing commercial building that runs along the westerly edge of the site is proposed to be retained and is approximately 509 square metres in size. The remainder of the existing commercial building along the northerly side of the site is proposed to be demolished (approximately 1886 square metres in size).

The applicant has proposed the addition of two mixed use buildings, one located where the existing commercial is being demolished, and the second building located along the southerly site boundary, closest to the intersection of Willow Road and Dawson Road. Each building is proposed to have approximately 750 square metres of commercial space on the main floor and 65 apartment units in the upper floors.

A one level underground parking garage is proposed to accommodate the majority of the residential units, while surface parking is proposed for visitor parking and the commercial units. Access to the site is via two driveways from Willow Road and one from Willow Road.

The proposed redevelopment concept plan is shown in Attachment 6 and renderings of the proposed redevelopment are shown in Attachment 7.

Supporting Documents

The following information was submitted in support of the applications:

- Planning Justification Report, prepared by Black, Shoemaker, Robinson & Donaldson Ltd, dated November, 2019;
- Conceptual Site Plan, prepared by Edge Architects Ltd, dated November 29, 2019;
- Urban Design Brief, prepared by Black, Shoemaker, Robinson & Donaldson Ltd, dated November, 2019;
- Design Report, prepared by Edge Architects, dated November 29, 2019;
- Pedestrian Level Wind Study, prepared by RWDI, dated October 10, 2019;
- Transportation Memorandum, prepared by Salvini Consulting, dated November 26, 2019;
- Functional Servicing Report, prepared by GM Blueplan Engineering Limited, dated November 13, 2019; together with:
 - Grading and Drainage Plan;
 - Site Servicing Plan;
 - Existing Conditions and Removals Plan;
 - Truck Turning/Movement Plan.
- Noise Study, prepared by HGC Engineering Ltd., dated November 29, 2019;

- Phase I Environmental Site Assessment, prepared by Premier Environmental Services Inc., dated August 1, 2018;
- Phase II Environmental Site Assessment, prepared by Premier Environmental Services Inc., dated September 14, 2018;
- Geotechnical/Soil Report, prepared by Chung & Vander Doelen, dated September 18, 2019;
- Hydrogeological Study, prepared by GM Blueplan Engineering, dated November 2019; and,
- Noise Study, prepared by HGC Engineering Ltd., dated July 26, 2019.

Staff Review

The review of this application will address the following:

- Evaluation of the proposal against the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Evaluation of the proposal's conformity with the Official Plan land use designation and related policies;
- Review of the proposed zoning, including specialized regulations;
- Review of the built form and design of the proposed development;
- Review of traffic impacts, grading and site servicing;
- Review how the proposed development addresses applicable sections of the Community Energy Initiative; and
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application and Public Meeting was mailed on January 7, 2020 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised in the Guelph Mercury Tribune on January 9, 2020. Notice of the application has also been provided by signage on the property, which was installed on January 7, 2020. All supporting documents and drawings submitted with the application have been posted on the City's website.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows

Alignment

The review of this development application will include an assessment of its 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.

Priority

Working together for our future

Direction

Improve how the City communicates with residents and delivers services

Alignment

The Public Meeting being held on the proposed development application provides the opportunity for City Council, residents and community groups to learn more, ask questions and provide comments on the proposed development.

Attachments

Attachment-1 Location Map and 120 m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Official Plan Land Use Designations and Policies

Attachment-4 Existing Zoning

Attachment-5 Proposed Zoning and Details

Attachment-6 Proposed Development Concept

Attachment-7 Proposed Site Renderings

Departmental Approval

Not applicable

Report Author

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Approved By

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Approved By

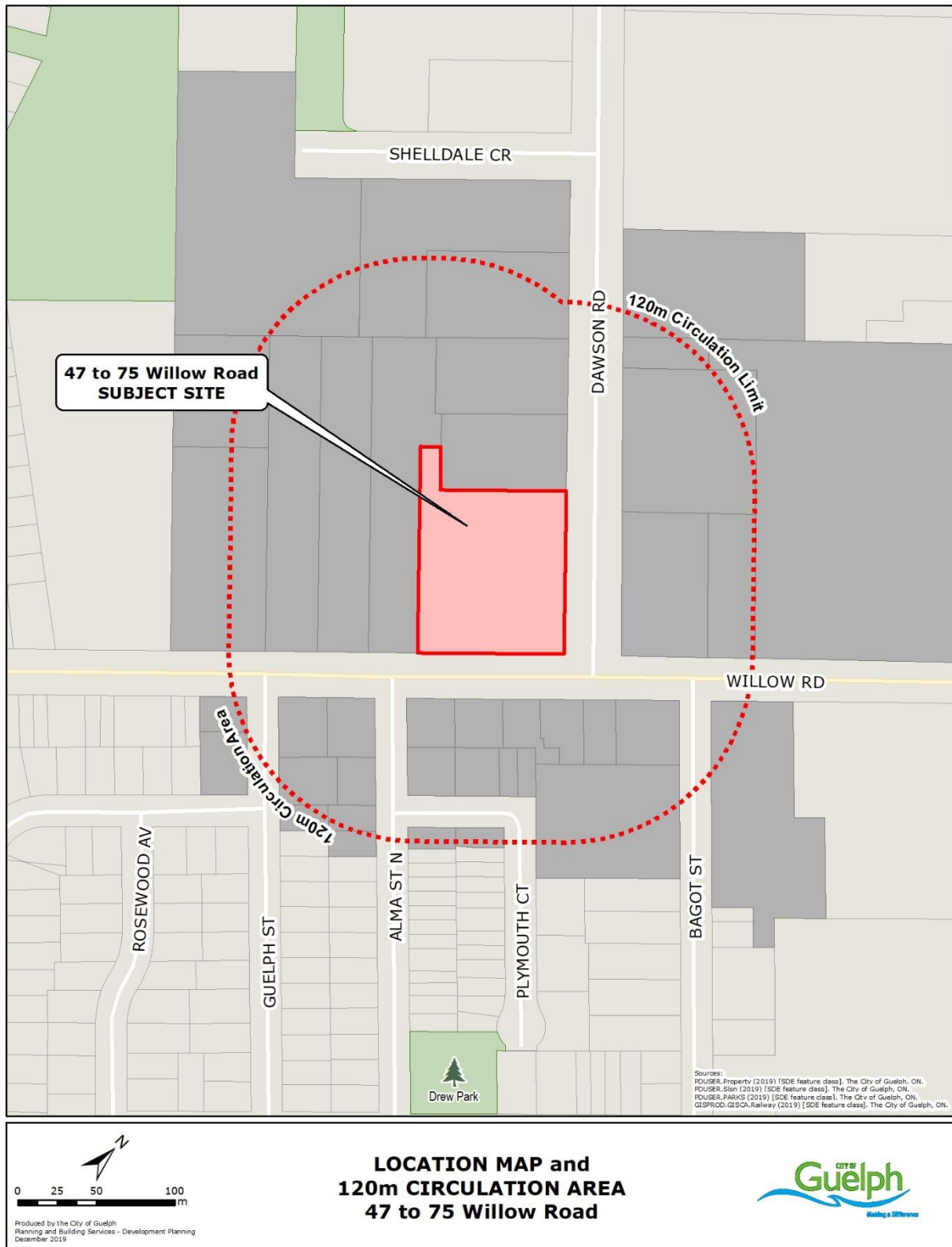
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Recommended By

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Attachment 1: Location Map and 120m Circulation

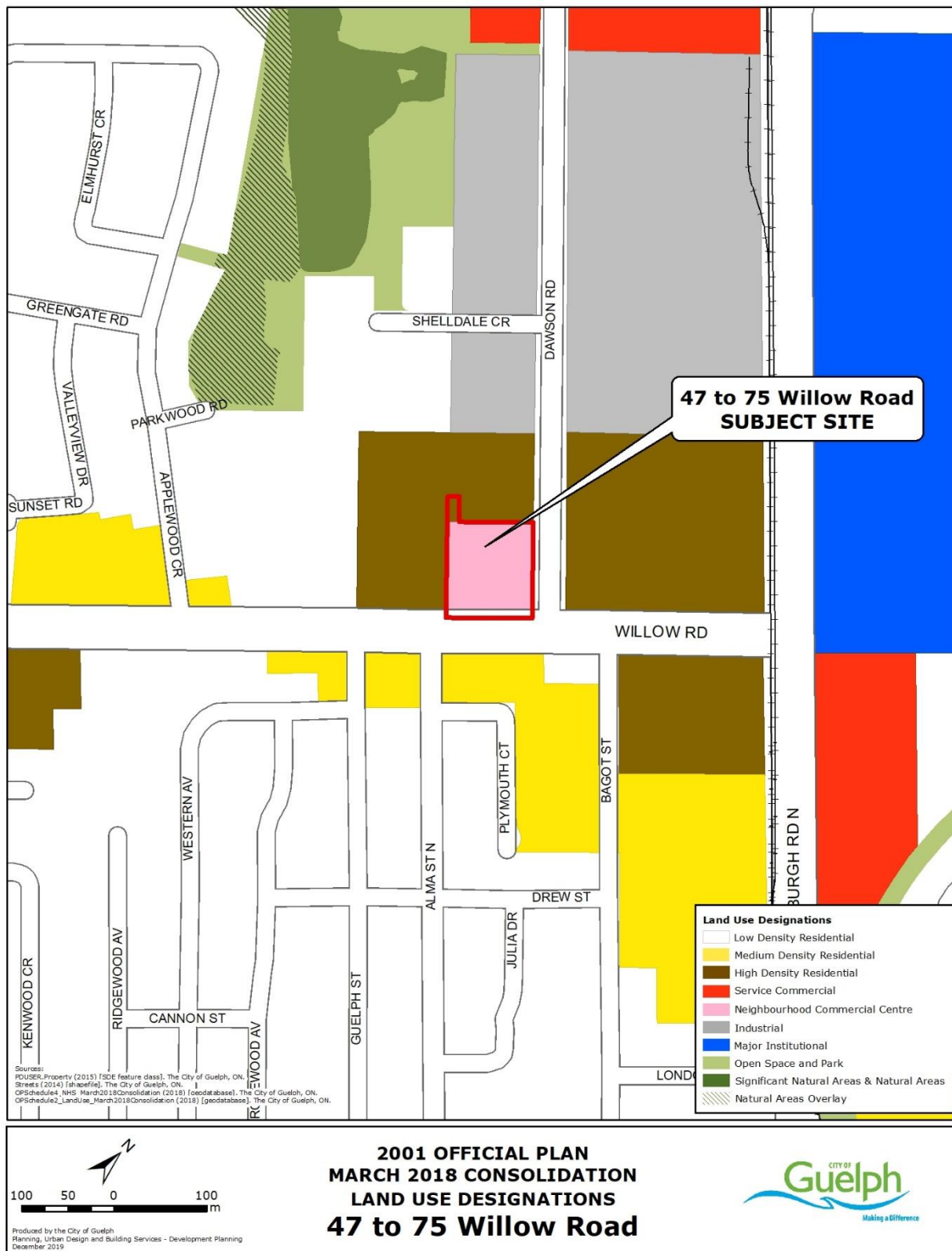


Attachment 2: Aerial Photograph



Attachment 3:

Official Plan Land Use Designations and Policies



Attachment 3 continued:

Official Plan Land Use Designations and Policies

9.4.4 Neighbourhood Commercial Centre

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

Objectives

- a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.
- b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is *compatible* with the surrounding residential neighbourhood.
- c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.
- d) To be connected to surrounding neighbourhoods through the City's pedestrian trails, walkways and by transit.

Policies

1. The Neighbourhood Commercial Centre designations on Schedule 2 recognize the existing centres within the city and identify the general location of new Neighbourhood Commercial Centres.
2. To prevent the creation of strip commercial development comprising a series of Neighbourhood Commercial Centres located adjacent to one another along a major street, it is the general requirement of this Plan that designated Neighbourhood Commercial Centres have a minimum distance separation from one another of 500 metres.
3. This Plan intends that a Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650 square metres (50,000 square feet) of *gross floor area*.
4. Notwithstanding policy 9.4.4.3, the existing Neighbourhood Commercial Centres listed below will be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of **gross floor area**:
 - Speedvale Avenue at Stevenson Street
 - Victoria Road at Grange Street
 - Victoria Road at York Road
 - Kortright Road at Edinburgh Road
 - Harvard Road at Gordon Street
 - Kortright Road at Gordon Street
 - Wellington Street at Imperial Road.

5. A Neighbourhood Commercial Centre as listed in policy 9.4.4.4 shall only be extended or enlarged to provide more than 10,000 square metres (108,000 square feet) of *gross floor area* by amendment to this Plan and shall require a Market Impact Study.
6. The maximum *gross floor area* of an individual retail use within a Neighbourhood Commercial Centre shall be 3,250 square metres (35,000 square feet).
7. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of *Zoning By-laws* and Site Plans to ensure conformity.
8. Where new *development* occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems.
9. *Development* within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.
10. Applications for the purpose of establishing or expanding a Neighbourhood Commercial Centre designation will be required to satisfy the following criteria:
 - i) located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
 - ii) the location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
 - iii) designed in a manner that is *compatible* with the building design and use of surrounding properties;
 - iv) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
 - v) adequate site area will be provided for parking, loading and all other required facilities; and
 - vi) adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.

Permitted Uses

11. The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:
 - i) commercial, retail and service uses;
 - ii) small-scale offices;
 - iii) community services and facilities;

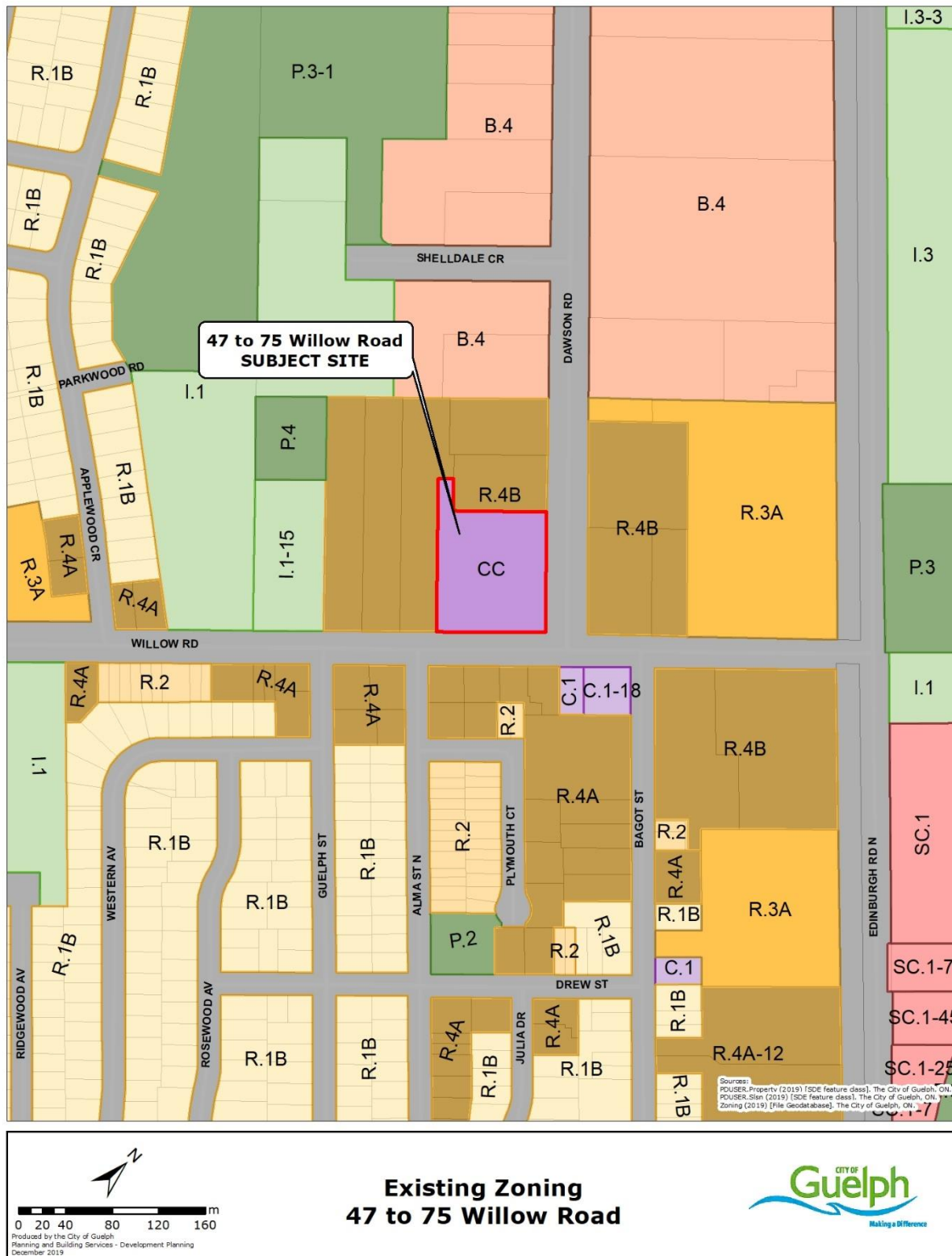
- iv) *live/work*;
- v) multiple unit residential within mixed-use buildings; and
- vi) urban squares.

- 12. Vehicle sales and vehicle repair uses shall not be permitted.
- 13. *Development* will be planned and designed to maintain the principal commercial function. Residential uses are not permitted on the ground floor.

Height and Density

- 14. The maximum height is six (6) storeys.
- 15. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Attachment 4: Existing Zoning



Attachment 4 (continued):

6.2 COMMERCIAL SHOPPING CENTRE ZONES

6.2.1 PERMITTED USES

The following are permitted *Uses* within the Commercial Shopping Centre (NC, CC, and RC) *Zones*:

6.2.1.1 Neighbourhood Shopping Centre - NC Zone

Dwelling Units with permitted commercial *Uses* in the same *Building* in accordance with Section 4.15.2

- *Art Gallery*
- *Artisan Studio*
- *Club*
- *Day Care Centre* in accordance with Section 4.26
- *Dry Cleaning Outlet*
- *Financial Establishment*
- *Food Vehicle* in accordance with Section 4.30
- *Group Home* in accordance with Section 4.25
- *Laundry*
- *Library*
- *Medical Clinic*
- *Medical Office*
- *Office*
- *Personal Service Establishment*
- *Religious Establishment*
- *Restaurant*
- *Restaurant (take-out)*
- *Retail Establishment*
- *Vehicle Gas Bar*
- *Veterinary Service*

- *Accessory Uses* in accordance with Section 4.23
- *Occasional Uses* in accordance with Section 4.21

6.2.1.2 Community Shopping Centre - CC Zone

All *Uses* permitted in Section 6.2.1.1 subject to the regulations of the CC *Zone* with the following added permitted *Uses*:

- *Amusement Arcade*
- *Carwash, Automatic*
- *Carwash, Manual*
- *Commercial Entertainment*
- *Commercial School*
- *Funeral Home*
- *Garden Centre*
- *Public Hall*

- *Recreation Centre*
- *Rental Outlet*
- *Tavern*
- *Taxi Establishment*

6.2.1.3 Regional Shopping Centre - RC Zone

All *Uses* permitted in Section 6.2.1.2 subject to the regulations of the RC *Zone*.

6.2.2 REGULATIONS

Within the Commercial Shopping Centre *Zones*, no land shall be *Used* and no *Building* or *Structure* shall be erected or *Used* except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations as set out in Table 6.2.2, and the following:

6.2.2.1 Maximum Gross Floor Area Per Unit - NC Zone 625 m².

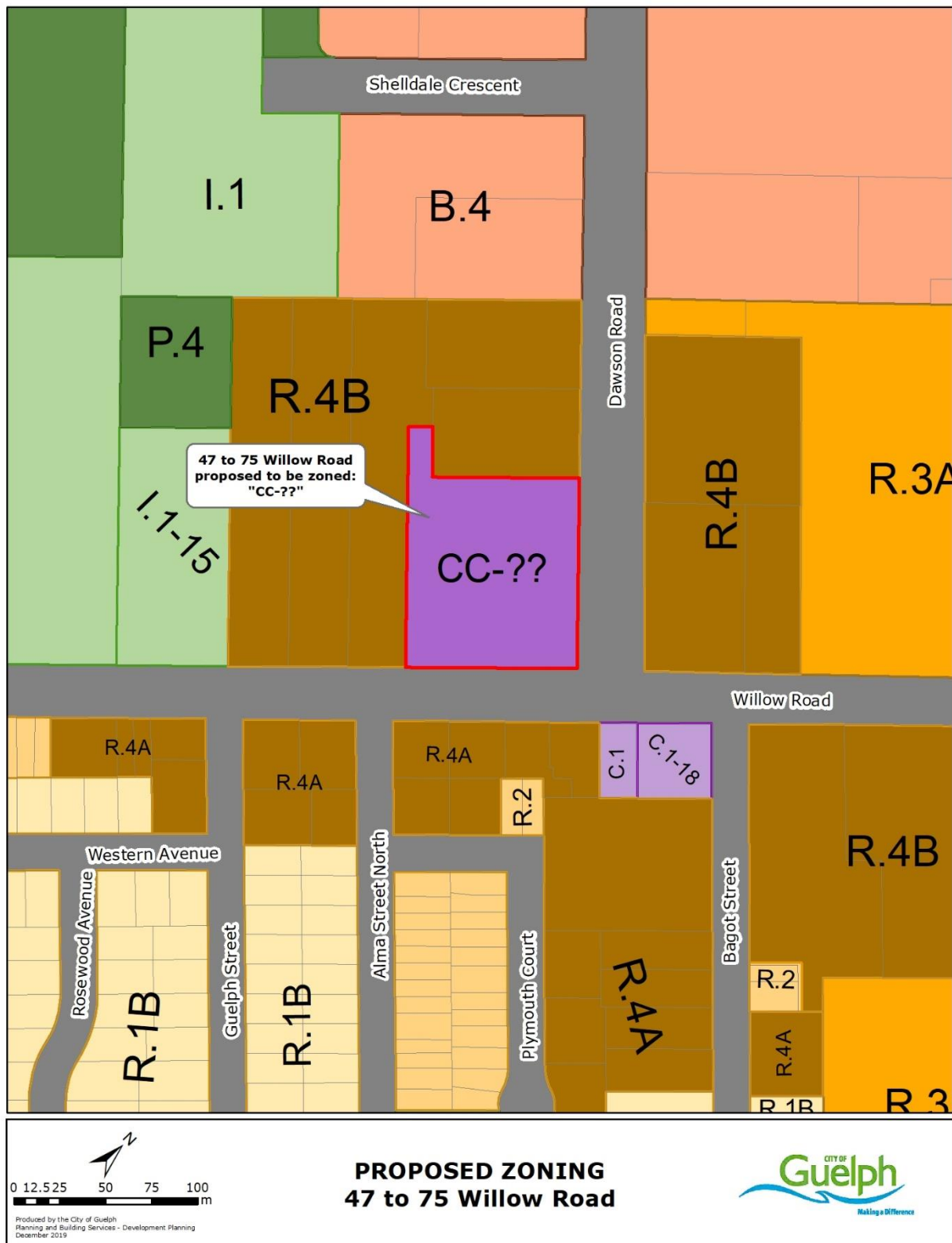
Attachment 4 (continued):

Existing Zoning Details

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 5: Proposed Zoning and Details



Attachment 5 continued:

Proposed Zoning Details

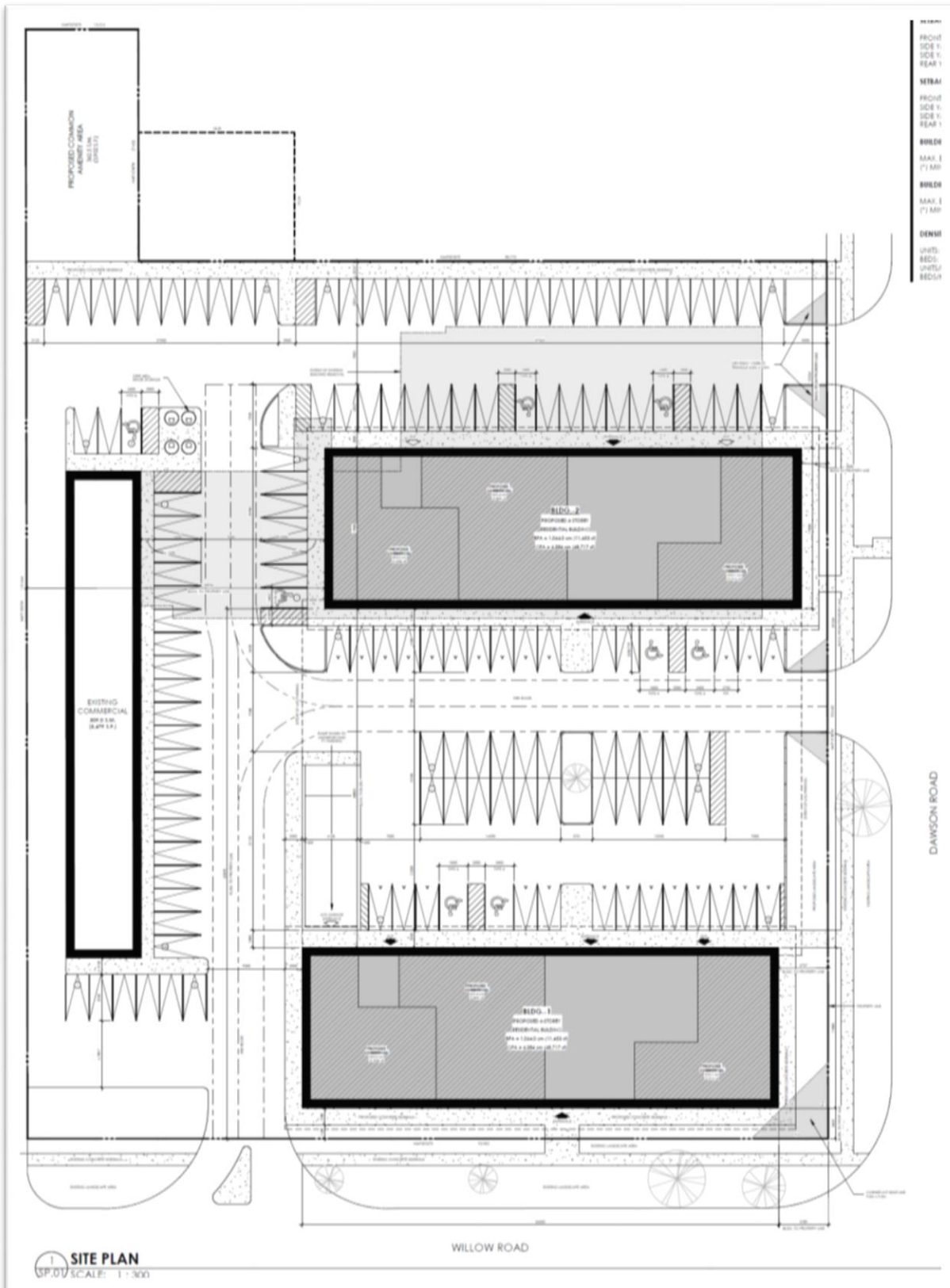
Specialized CC-? (Community Commercial) Zone

Regulations

In accordance with Section 4 (General Provisions) and Section 6.2 and Table 6.2.2 (Regulations Governing Commercial Shopping Centres) of Zoning By-law (1995)-14864, as amended, with the following exception:

- To permit a maximum building height of 6 storeys where 3 storeys is currently permitted.

Attachment 6: Proposed Development Concept



Attachment 7:

Proposed Site Renderings

Rendering of proposed buildings front and side, from Willow/Dawson intersection at ground level, looking northwest:



Rendering of proposed buildings, from Willow/Dawson intersection with an aerial viewpoint, looking northwest:

