

City Council - Planning Revised Meeting Agenda

Monday, February 10, 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 O Canada
 - 2.2 Silent Reflection
 - 2.3 First Nations Acknowledgement
 - 2.4 Disclosure of Pecuniary Interest and General Nature Thereof
3. Public Meeting to Hear Applications Under Sections 17, 34 and 51 of The Planning Act
(delegations permitted a maximum of 10 minutes)

***3.1 IDE-2020-10 - Statutory Public Meeting Report - 70 Fountain Street Proposed Official Plan and Zoning By-Law Amendment OZS19-015 - Ward 1**

1

Staff Presentation:

Katie Nasswetter, Senior Development Planner

Delegations:

*Hugh Handy, GSP Group, agent for the Applicant
(presentation)

*Greg Jones, SkyDevco Inc.

Tanya Gevaert

*Marty Williams

*Jane Londerville

*Norman Harrison

*Stuart Wren

*Marie Case

*Scott Frederick

Correspondence:

Lorraine Pagnan

*Steve Girling

*Annette Pedersen

*Shakiba Shayani, President & CEO, Guelph Chamber of
Commerce

*Robin Schafer

*John Ambrose

*Kathryn Folkl

*Linda Hathorn

*Elaine Faye

*Alex Folkl

*Elizabeth Macrae

- *Adam Carapella, Vice President, The Tricar Group
- *Heather Daymond
- *Susan Watson
- *Tasha Heart
- *Margaret Abbink
- *Jeff and Susan Bousfield
- *Scott Frederick
- *Lynn Broughton
- *Kristen van Eck, General Manager, The Western Burgers and Steaks
- *Bob Dehu, Vice President, Guelph Concert Theatre
- *Bob Dehu, Owner/Operator, Bobby O'Briens Irish Pub
- *Bob Dehu, Owner, Palace/Trappers Alley
- *Bob Dehu, Vice President, McCabe's Irish Pub and Grill
- *Bob Dehu, Vice President, La Cucina
- *Bob Dehu, Owner/Operator, Palace
- *Bob Dehu, Owner/Operator, Opus Lounge
- *Matthew Bennett-Monty, President, Guelph and District Association of Realtors
- *Laura Lalonde

Recommendation:

That Report IDE-2020-010 regarding proposed Official Plan and Zoning By-law Amendment applications (File: OZS19-015) by Skydevco Inc., on behalf of the owner, Skyline Commercial Real Estate Holdings Inc., to permit the development of a 25 storey mixed use building containing commercial, office and apartment units on the property municipally known as 70 Fountain Street and legally described as Lots 19 & 20 Registered Plan 8, City of Guelph from Infrastructure, Development and Enterprise dated February 10, 2020, be received.

***4. Items for Discussion**

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

***4.1 IDE-2020-12 Decision Report - 300 Water Street - Proposed Official Plan Amendment and Zoning By-law Amendment OP1707 and ZC1712 - Ward 5**

72

Delegation:

*Hugh Handy, GSP Group

*Merle Griffin

*Curtis Maranda

Correspondence:

Andrew Mihok

*Lorna Rourke

*Diane Goodfellow

*Alison Hunter Stewart

*Jessica Lovell

Recommendation:

1. That the application by GSP Group on behalf of T.J.L. Transport Limited, for an Official Plan Amendment to change the land use designation from "Open Space and Park" with a "Natural Areas Overlay" to the "Low Density Residential" land use designation to permit the development of low density residential uses on the property municipally known as 300 Water Street, and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise Report 2020-12, dated February 10, 2020.
2. That the application by GSP Group on behalf of T.J.L. Transport Limited, for a Zoning By-law Amendment to change the zoning from the current "Urban Reserve" (UR) Zone to a "Specialized Residential Single Detached" (R.1C-32) Zone, and to two "Specialized Residential On-Street Townhouse" (R.3B-24) and (R.3B-25) Zones to permit the development of one (1) single detached dwelling and six (6) on-street townhouse units on the property municipally known as 300 Water Street, and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph, be approved in accordance with Attachment 4 of the Infrastructure, Development and Enterprise Report 2020-12, dated February 10, 2020.
3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 300 Water Street.

***4.2 IDE-2020-13 Decision Report -361 Whitelaw Road Proposed
Official Plan and Zoning By-Law Amendments File: OZS18-005 -
Ward 4**

144

Staff Presentation:

Katie Nasswetter, Senior Development Planner

***Delegations:**

*David Moore, WZMH Architects, on behalf of the owner
(presentation)

*Patricia Starodub

*Wendy Vollans

*Gerry Johnston

*Kathy Johnston

*Hugh Whiteley (presentation)

Correspondence:

Susan Wagner

*Hugh Whiteley

*Robert Askett

*Stacy Cattran

Recommendation:

1. That the application by GSP Group on behalf of Armel Corporation for approval of an Official Plan Amendment from the "Low Density Greenfield Residential" designation to the "High Density", "Medium Density", and "Open Space and Parks" designations to permit the development of a 678 unit mixed density residential development and a neighbourhood park on the lands municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, be approved in accordance with Attachment 2 of the Infrastructure, Development and Enterprise Report 2020-13, dated February 10, 2020.
2. That the application from GSP Group on behalf of Armel Corporation, for a Zoning By-law Amendment from the current "Urban Reserve" (UR) Zone and the "Agriculture" (A) Zone to a "Specialized High Density Apartment" (R.4B-22(H)) Zone, "Specialized General Apartment" (R.4A-55(H)) Zone, "Specialized Cluster Townhouse" (R.3A-66(H)) Zone, "Conservation Land" (P.1) Zone and "Neighbourhood Park" (P.2) Zone to permit the development of a 678 unit mixed density residential development and a neighbourhood park on the lands municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise Report 2020-13, dated February 10, 2020.
3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 361 Whitelaw Road.

***5. By-laws**

Resolution to adopt the By-laws. (Councillor O'Rourke)

Recommendation:

That By-Law Numbers (2020)-20477 to (2020)-20481 are hereby passed.

- *5.1 By-Law Number (2020)-20477** 265
- A by-law to amend the Official Plan for the Corporation of the City of Guelph as it affects property municipally known as 300 Water Street and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph, to change the land use designation from "Open Space and Park" with a "Natural Areas Overlay" to the "Low Density Residential" land use designation to permit the development of low density residential uses on the property (File# OP1707).
- *5.2 By-Law Number (2020)-20478** 274
- A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property municipally known as 300 Water Street, and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph, to permit the development of one (1) single detached dwelling and six (6) on-street townhouse units on the subject property (File# ZC1712).
- *5.3 By-Law Number (2020)-20479** 278
- A by-law to amend the Official Plan for the Corporation of the City of Guelph as it affects property municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, to redesignate the site from Low Density Greenfield Residential to High Density Residential, Medium Density Residential and Open Space and Parks designations to permit the development of 678 townhouse and apartment units together with a neighbourhood park.
- *5.4 By-law Number (2020)-20480** 290
- A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph. The purpose of this amending by-law is to permit the development of 678 townhouse and apartment units together with a neighbourhood park.

A by-law to confirm the proceedings of the meeting of Guelph City Council held February 10, 2020

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, February 10, 2020
Subject	Statutory Public Meeting Report 70 Fountain Street Proposed Official Plan and Zoning By-law Amendment File: OZS19-015 Ward 1
Report Number	IDE-2020-10

Recommendation

That Report IDE-2020-010 regarding proposed Official Plan and Zoning By-law Amendment applications (File: OZS19-015) by Skydevco Inc., on behalf of the owner, Skyline Commercial Real Estate Holdings Inc., to permit the development of a 25 storey mixed use building containing commercial, office and apartment units on the property municipally known as 70 Fountain Street and legally described as Lots 19 & 20 Registered Plan 8, City of Guelph from Infrastructure, Development and Enterprise dated February 10, 2020, be received.

Executive Summary

Purpose of Report

To provide planning information on applications requesting approval of Official Plan and Zoning By-law Amendments to permit the development of a 25 storey mixed use building with retail and office space together with 180 apartment units on the property municipally known as 70 Fountain Street. 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 70 Fountain Street from Skydevco Inc., on behalf of Skyline

Commercial Real Estate Holdings Inc. The application has been submitted to allow the development of a 25 storey mixed use building containing retail and office space together with 180 apartment units on the subject site. The Official Plan Amendment and Zoning By-law Amendment applications were received by the City on December 4, 2019 and deemed to be complete on January 2, 2020.

Location

The subject lands are located on the east side of Wyndham Street South and bounded by Farquhar Street to the north and Fountain Street to the south (see Location Map and Orthophoto in Attachment 1 and Attachment 2, respectively). The subject site has an area of 0.213 hectares and is currently developed with a two storey office building containing several commercial and office uses. The site slopes to the south, so the site appears to be two storeys from Farquhar Street and three storeys from Fountain Street.

Surrounding land uses include:

- To the north, across Farquhar Street is the former Drill Hall and a drop off and parking area for the transit terminal;
- To the east, immediately adjacent to the site are two storey single detached dwellings fronting onto Farquhar Street;
- To the south, across Fountain Street is a two storey office building which houses the Ontario Court of Justice;
- To the west, across Wyndham Street South, the Guelph Police Services headquarters is directly across from the site, with a municipal parking lot on Fountain Street to the southwest, and the Armoury to the northwest of the intersection of Wyndham Street South and Farquhar Street.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "Institutional or Office" within the Downtown Secondary Plan (See Attachment 3). Land within this designation is intended to permit a range of office, community and institutional uses, together with other compatible employment uses. Retail and service uses may be permitted as secondary to a main office or institutional use. The site is required to have active frontage along its Wyndham Street frontage and along its Farquhar Street frontage closest to Wyndham Street. The site has a permitted height range of three to six storeys.

Further details of the "Institutional or Office" land use designation are included in Attachment 3.

Proposed Official Plan Amendment

There are three parts to the proposed Official Plan amendment. First, the applicant has proposed to redesignate the site from the "Institutional or Office" designation to the "Mixed Use 1" designation to permit the residential component of the proposed mixed use building. Second, the applicant has proposed to amend the height schedule (Schedule D) of the Downtown Secondary Plan to permit the proposed height of 25 storeys where 3 to 6 storeys is currently permitted. Third, a new site-specific policy is proposed that would add the 25 storey height maximum to the site, together with a policy that would require buildings taller than 18 storeys to

have a maximum tower floorplate of 700 square metres above the fourth storey. The proposed Official Plan amendment is shown in Attachment 4.

Existing Zoning

The subject lands are currently zoned "Specialized Central Business District" (CBD.1-1) which is the zoning for the site as it existed on July 23, 2017. At the time Council permitted the site to keep this zoning rather than the site being included in the updated Downtown Zoning By-law amendment. The existing zoning map and detail is included in Attachment 5.

Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the specialized "Central Business District" (CBD.1-1) Zone to a specialized "Downtown 1" (D.1-?) Zone. A specialized Downtown 1 zone is required to permit the proposed mixed use building to be 25 storeys instead of the three storeys allowed in the standard zone.

The proposed zoning and requested specialized regulations are shown in Attachment 5.

Proposed Development

The applicant is proposing to redevelop the site by demolishing the existing 2 storey office building and building a 25 storey high mixed use building. The mixed use building is proposed to contain approximately 3900 square feet of ground floor retail space and 67,000 square feet of office floor space on the first four floors which make up the podium of the building. Above the fourth floor is a 21 storey tower containing 180 apartment units. Parking is located in four underground parking levels, with a total of 207 parking spaces provided.

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 GSP Group, dated December, 2019;
- Proposed Massing, Conceptual Site Plan and Floor Plans, prepared by SRM Architects Inc., dated November 7, 2019;
- Building Elevations and Renderings, prepared by SRM Architects Inc., dated November 7, 2019;
- Height Survey Diagram, prepared by SRM Architects Inc., dated November 7, 2019;
- Shadow Study, prepared by SRM Architects Inc., dated October 18, 2019;
- Urban Design Brief, prepared by GSP Group, dated December, 2019;
- Cultural Heritage Resource Impact Assessment, prepared by CHC Ltd., dated November 29, 2019;
- Stage One Archeological Assessment, prepared by ASI, dated September 12, 2019;
- Pedestrian Wind Study, prepared by RWDI, dated November 25, 2019;

- Transportation Impact Assessment, Transportation Demand Management and Parking Study, prepared by Paradigm Transportation Solutions Ltd., dated November 2019;
- Functional Servicing and Storm Water Management Report, prepared by Walter Fedy, dated November 12, 2019;
- Noise Study, prepared by HGC Engineering Ltd., dated November 29, 2019;
- Phase I Environmental Site Assessment, prepared by Pinchin Ltd., dated June 3, 2016;
- Revised Phase I Environmental Site Assessment, prepared by Pinchin Ltd., dated November 18, 2019;
- Phase II Environmental Site Assessment, prepared by Pinchin Ltd., dated July 26, 2016;
- Topographical Survey, prepared by Van Harten's Surveying Inc., dated August 8, 2019;
- Geotechnical Engineering Report, prepared by Endglobe, dated December 15, 2015;
- Geotechnical Peer Review, prepared by Pinchin Ltd., dated August 15, 2019;
- Preliminary Hydrogeological Assessment, prepared by Pinchin Ltd., dated November 18, 2019; and,
- Noise & Vibration Impact Study, prepared by RWDI, dated November 22, 2019.

Staff Review

Staff will review the application materials submitted, focused on evaluation of the proposal's conformity to the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019); and evaluation of the proposed Official Plan amendments and conformity with Official Plan land use designations and related policies. Once the application review is complete, 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 16, 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 16, 2020. Notice of the application has also been provided by signage on the property, which was installed on January 16, 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 – Existing Official Plan Land Use Designations and Policies
- Attachment 4 – Proposed Official Plan Amendment
- Attachment 5 – Existing Zoning
- Attachment 6 – Proposed Zoning and Details
- Attachment 7 – Proposed Development Concept Plan
- Attachment 8 – Proposed Site Rendering

Departmental Approval

Not applicable

Report Author

Katie Nasswetter, M.Sc., MCIP, RPP
Senior Development Planner



Approved By

Chris DeVriendt, MCIP, RPP
Manager of Development Planning



Approved By

Todd Salter, MCIP, RPP
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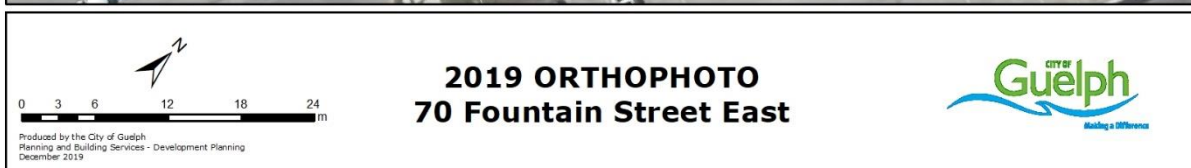
Recommended By

Kealy Dedman, P. Eng, MPA
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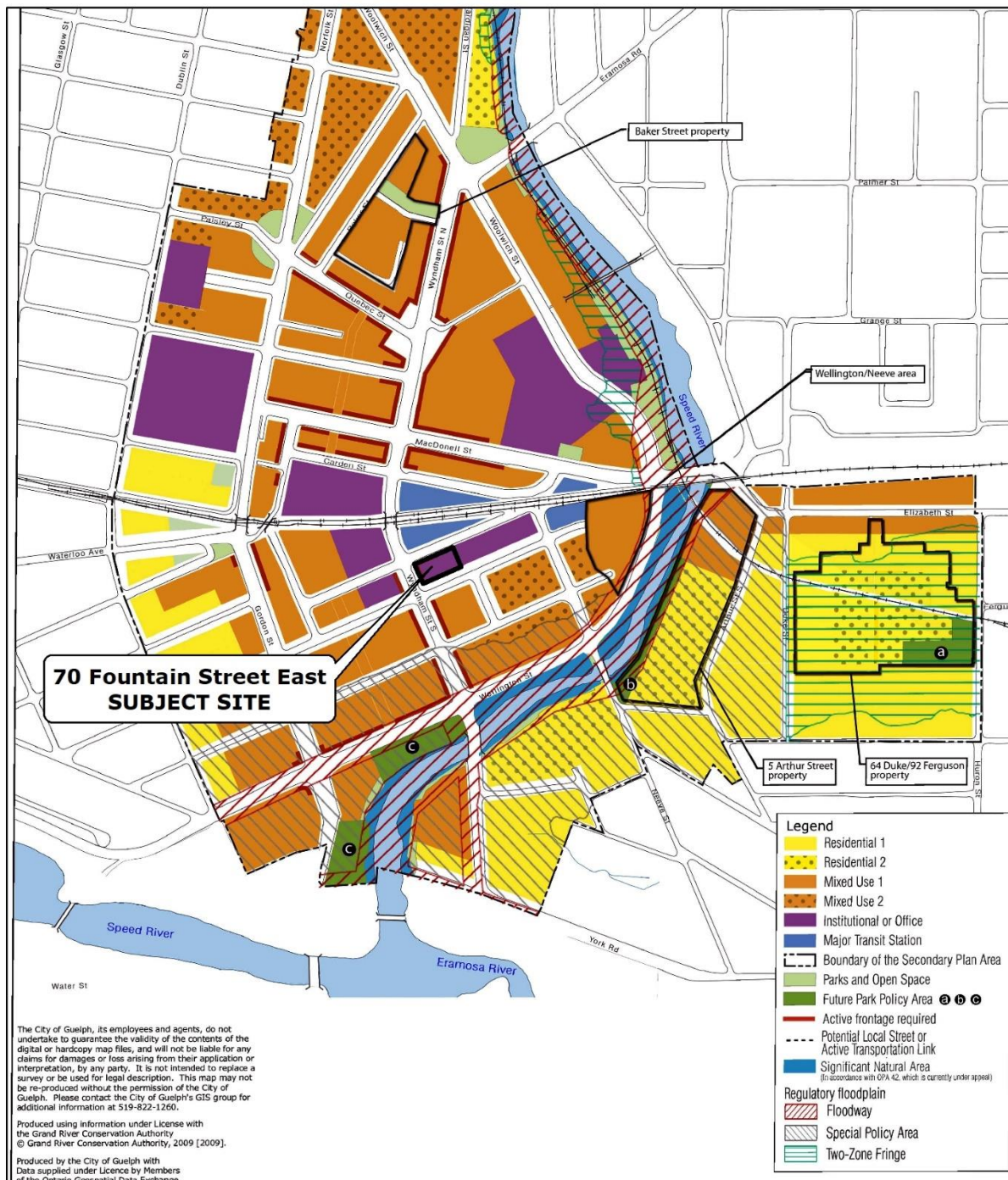
Attachment 1: Location Map and 120m Circulation



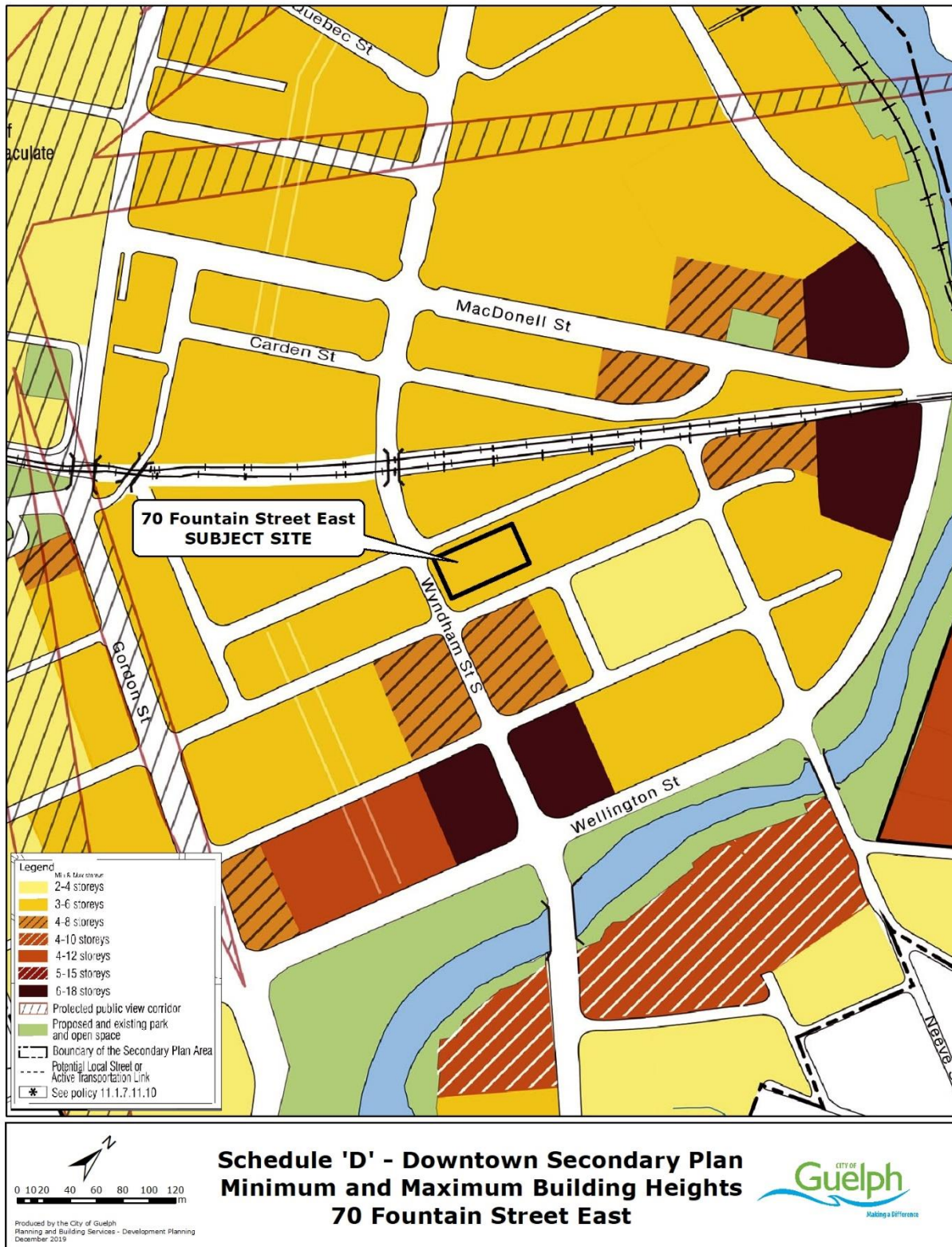
Attachment 2: Aerial Photograph



Attachment 3: Official Plan Land Use Designations and Policies



Attachment 3 continued: Official Plan Land Use Designations and Policies



Attachment 3 continued:

Official Plan Land Use Designations and Policies

11.1.7.5 Institutional or Office Areas

11.1.7.5.1

Institutional or Office areas include those properties in the heart of Downtown occupied by significant civic, cultural and other public institutions or an office building. They also include properties close to Guelph Central Station where a concentration of major office and institutional uses would optimize use of the terminal.

11.1.7.5.2

Generally the following primary uses may be permitted in Institutional or Office areas:

- a) offices including medically related uses;
- b) entertainment and commercial recreation uses;
- c) community services and facilities;
- d) cultural, educational, civic and institutional uses;
- e) hotels;
- f) parks, including urban squares; and,
- g) other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are *compatible* with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration.

11.1.7.5.3

In addition to the primary uses above, the following uses may also be permitted where they are secondary to the main institutional or office use on the site:

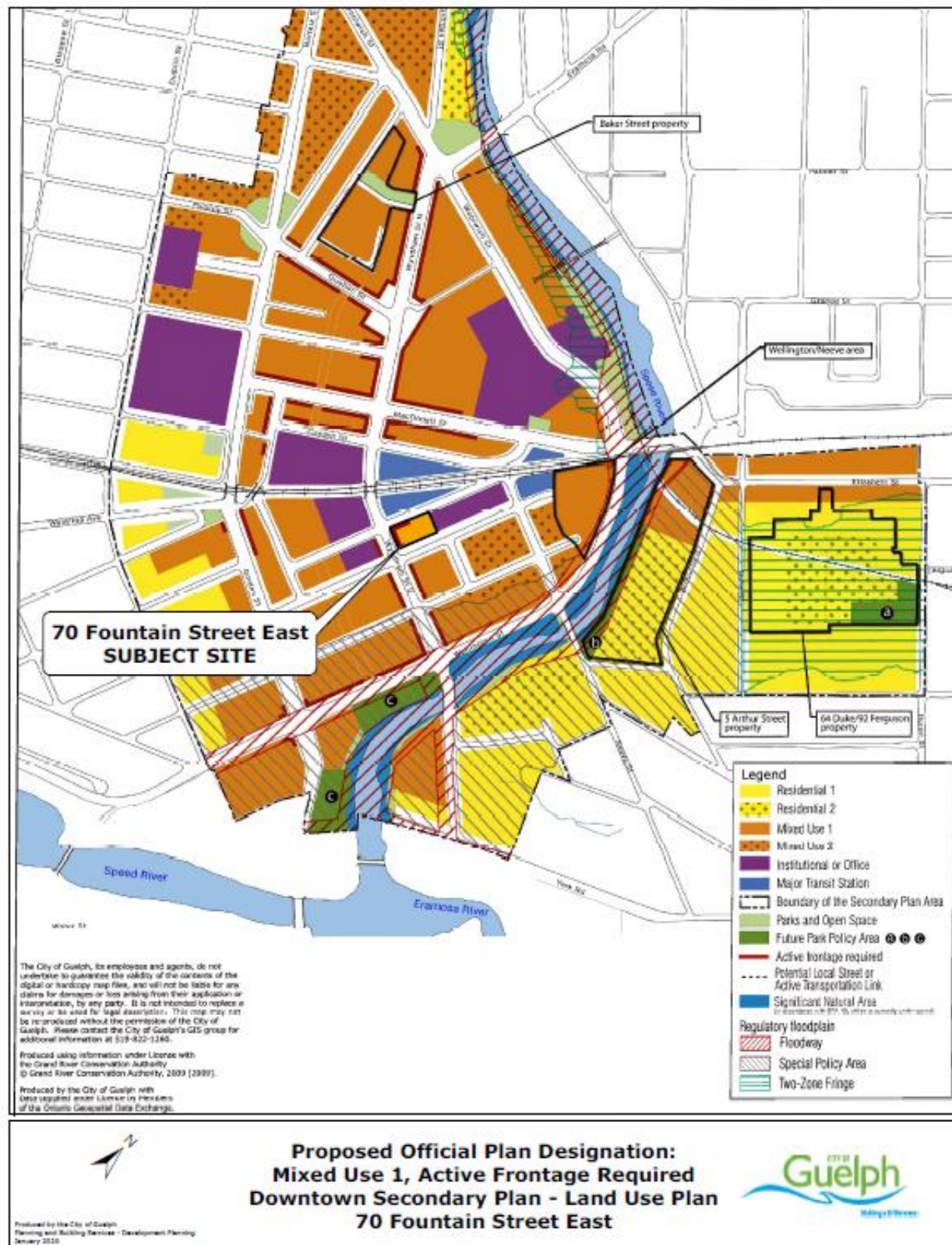
- a) retail and service uses, including restaurants and personal service uses; and
- b) public parking.

11.1.7.5.4

Institutional or Office areas downtown are occupied by buildings that are expected to remain for the life of the Downtown Secondary Plan, with the exception of the areas between Farquhar Street and Fountain Street, where there is greater potential for *redevelopment* and a desire for improved conditions on Wyndham Street. Additions or alterations to existing institutional and office uses shall be permitted, provided they do not significantly change the function or form of the use and have regard for the land use and built form policies that apply to adjacent land use areas. New *development* in the Institutional or Office Area south of Farquhar Street shall be subject to the density and built form policies applicable to Mixed Use 1 Areas, specifically Policies 11.1.7.3.4-11.1.7.3.8.

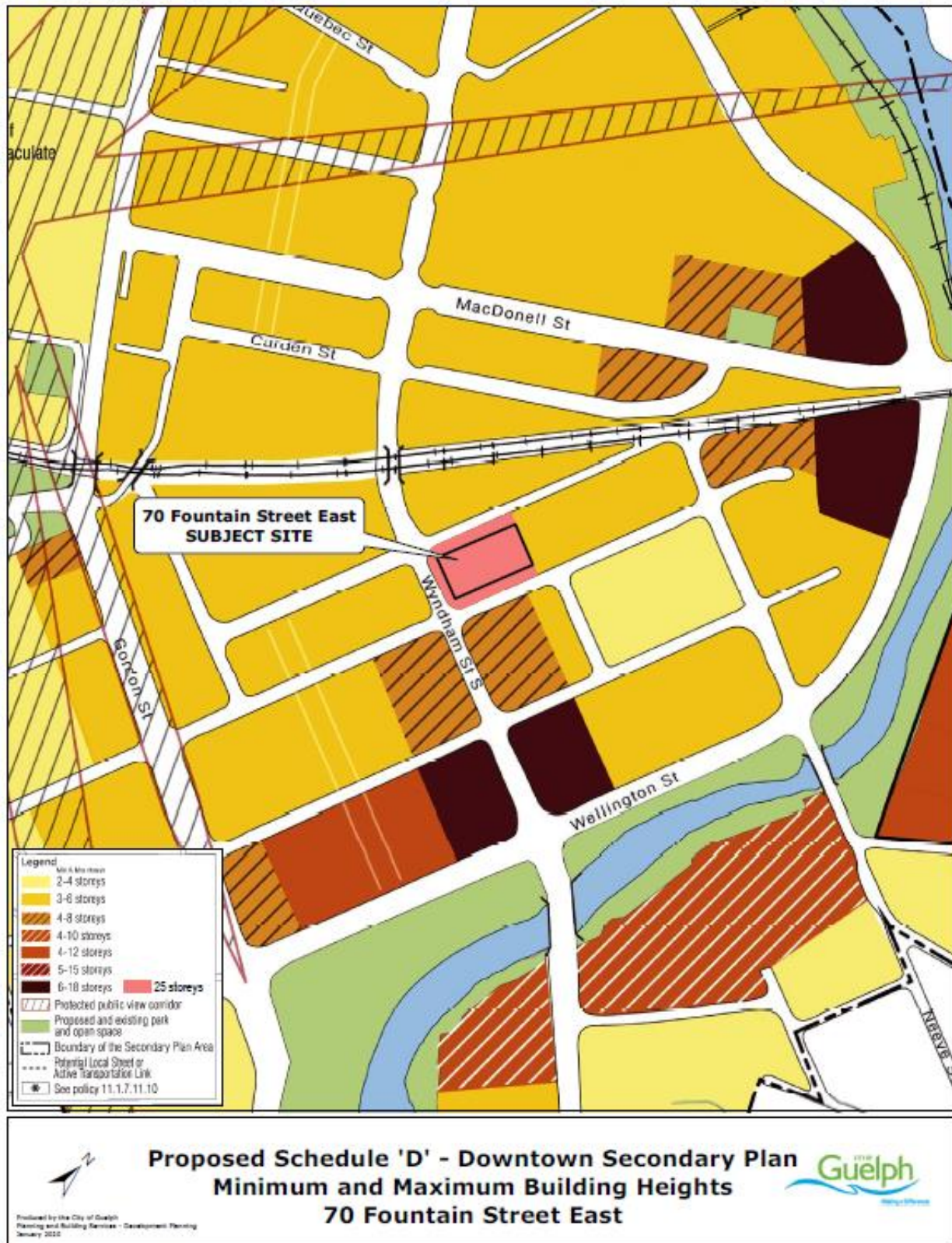
Attachment 4:

Proposed Official Plan Land Use Designation

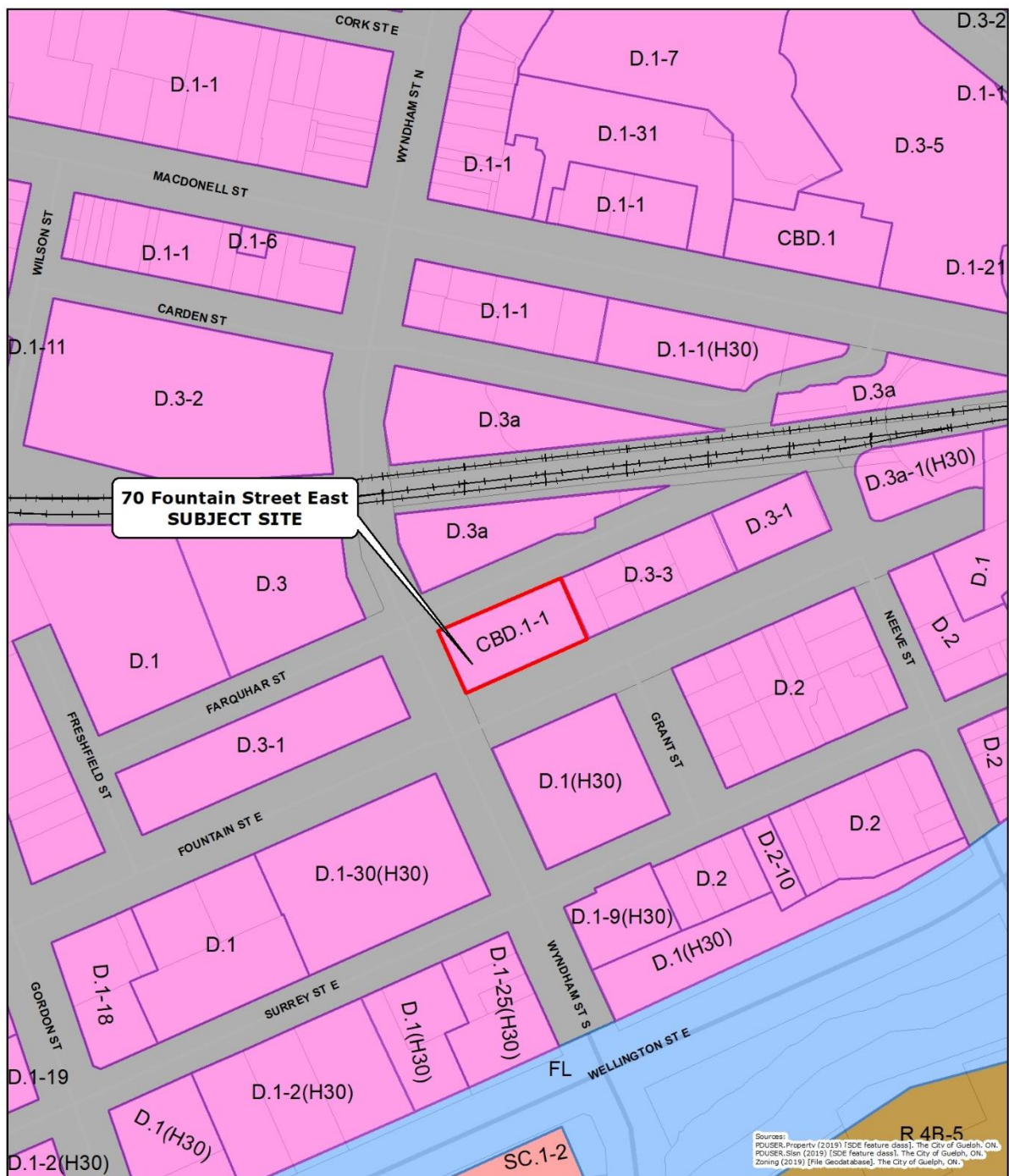


Attachment 4 continued:

Proposed Official Plan Land Use Designation



Attachment 5: Existing Zoning



Attachment 5 (continued):

Existing Zoning Details

6.3.3.1 Special Central Business District 1 (CBD.1) Zones

6.3.3.1.1 CBD.1-1

As shown on Defined Area Map Number 37 of Schedule "A" of this *By-law*.

6.3.3.1.1.1 Regulations

6.3.3.1.1.1.1 Minimum Off-Street Parking

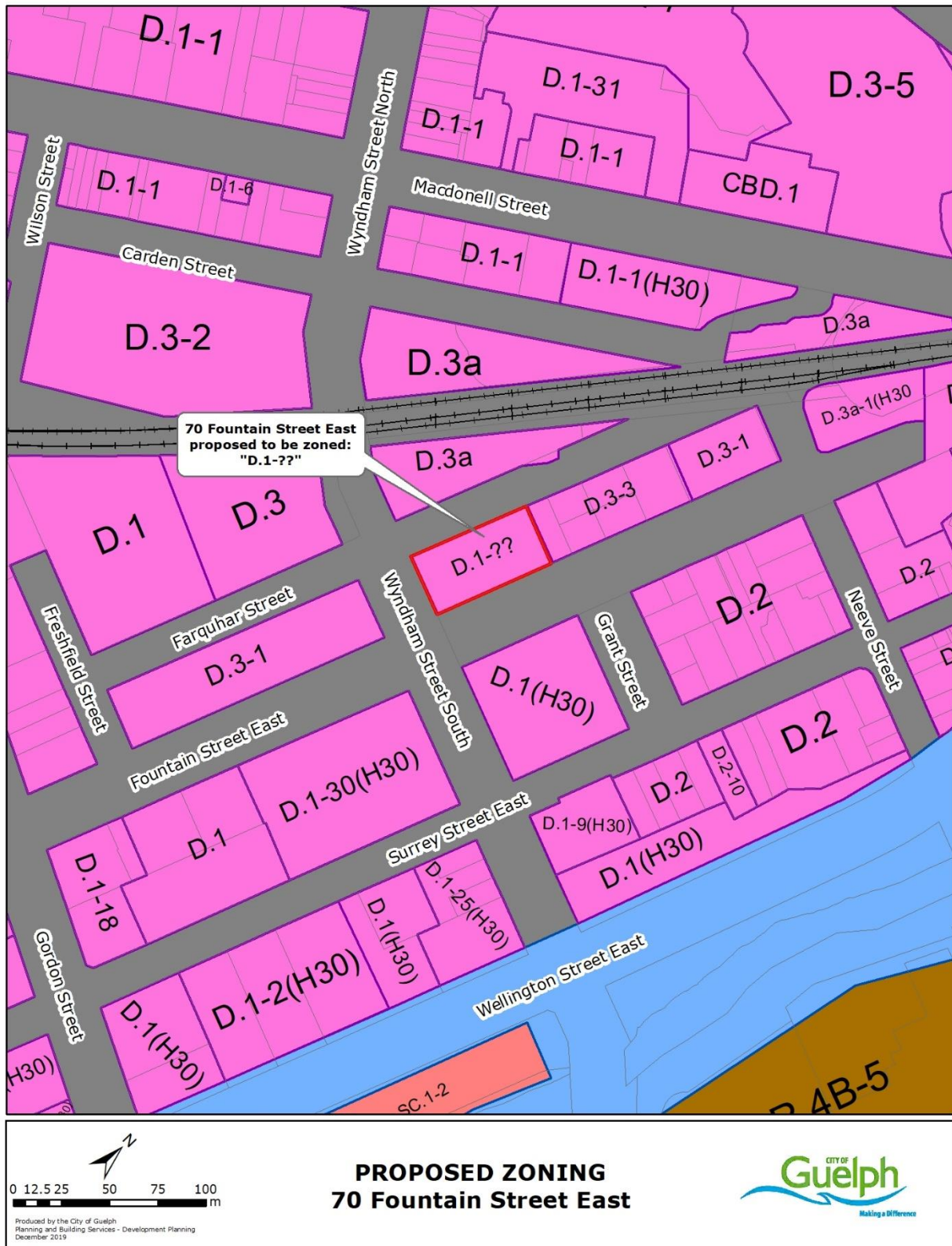
Despite Table 6.3.2, Row 9, properties within the CBD.1-1 *Zone* shall provide *Parking Spaces* in accordance with Section 4.13.4.

6.3.3.1.1.1.2 Maximum Building Height

5 *Storeys* within 15 metres of the *Street Line* to a maximum height of 6 *Storeys* for the remainder of the *Building* or *Structure*.

Attachment 6:

Proposed Zoning and Details



Attachment 6 continued:

Proposed Zoning Details

Row	By-law Section	Regulation	Requirement	Proposed	Compliance
A	6.3.1.1	Permitted Uses	Multiple Uses	Mixed Use Building Retail Establishment Apartment Building Restaurant Service Establishment Office	Yes
B	6.3.1.1 (6)	Active Frontage Uses	No dwelling Units in Cellar, Basement, or on main floor level	None	Yes
C	6.3.2.1.1	Maximum Floorplate (7th and 8th Storeys)	1,200 square metres	645 square metres	Yes
D	6.3.2.1.2	Maximum Floorplate (above 8th Storey)	1,000 square metres and length-to-width ratio of 1.5:1	645 square metres and 1:1.1	Yes
E	6.3.2.1.3	Minimum Building Stepback (above 4th storey)	3 metres	17.5 m (Wyndham) 0 (Fountain) * 3.0 m (Farquhar)	Yes No Yes
F	6.3.2.2.2	Minimum Tower Separation (portion above 12th storey)	25 metres to same portion on another tower	No nearby towers	Yes
G	6.3.2.2.3.1	Minimum Tower Setback (at or below 12th storey)	6 metres from Side and Rear Lot Line	3.0 m (Farquhar) 3.0 m (Fountain) 19.3 m (Rear)	No No Yes
H	6.3.2.2.3.2	Minimum Tower Separation (at or below 12th storey)	12 metres to same portion on another tower	No nearby towers	Yes
I	6.3.2.3.1.1	Minimum Building Height Maximum Building Height	3 storeys** 6 storeys**	25 storeys 25 storeys	Yes No
J	6.3.2.4.1.1	Maximum Yard Setbacks along Active Frontage (Street Line >35 metres)	0 for Exterior Side Yard Setback for minimum of 75% of Street Line; 2 metres for remainder	0 (Farquhar)	Yes
K	6.3.2.4.1.2	Maximum Yard Setbacks along Active Frontage (Street Line < 35 metres)	0 for Front Yard Setback	0 (Wyndham)	Yes
L	6.3.2.4.1.4	Minimum First Storey Building Height	4.5 metres	8.2 m (Wyndham) 5 m (Farquhar) 5 m (Fountain)	Yes Yes Yes
M	6.3.2.4.1.5	Minimum number of Active Entrances to first storey on Front and/or Exterior Side Yard Building frontage	1 for every 15 metres of Street Line identified as Active Frontage Area (at least 1 required)	Wyndham – 2 (32.8 m frontage) Farquhar – 1 (32.3 m of frontage)	Yes No
N	6.3.2.4.1.5.1	Active Entrance height	Within 0.2 metres above or below Finished Grade	Entrances will be at grade	Yes
O	6.3.2.4.1.6	Minimum surface area of the first Storey façade as Transparent Window and/or Active Entrances	60% measured from Finished Grade up to a height of 4.5 metres facing public Street	80% (Wyndham) 60% (Farquhar)	Yes Yes
P	6.3.2.4.1.7	Minimum Active Uses	To occupy 60% of the Street Line	100% (Wyndham) 30% (Farquhar)	Yes No

Attachment 6 continued:

Proposed Zoning Details

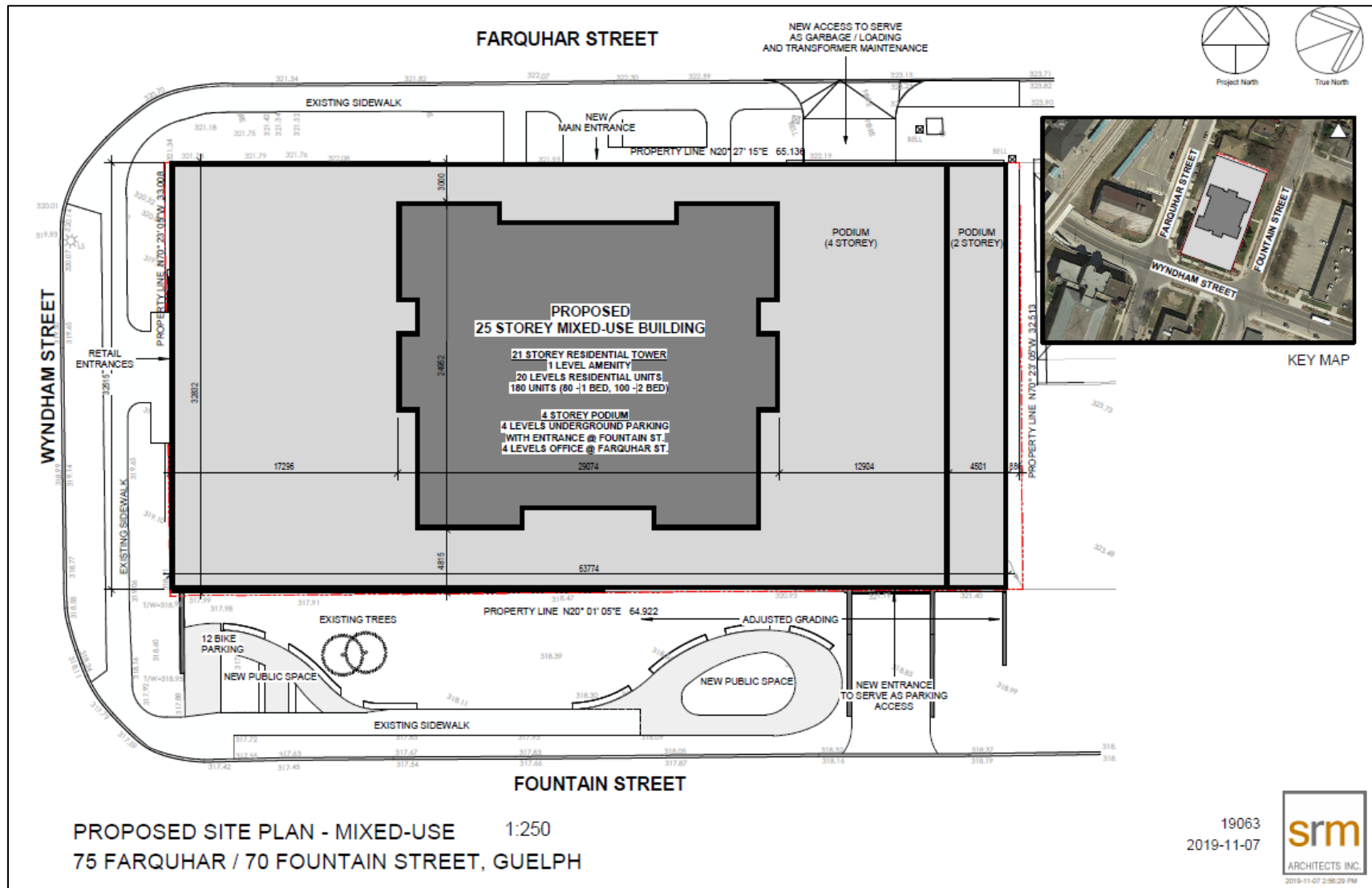
Q	6.3.2.4.1.8	Non-Residential Driveways	None at grade or in first Storey for the first 6 metres of depth measured in from Street Line	62.7 metres (Fountain)	Yes
R	6.3.2.5.1	Minimum Parking Spaces	Apartment: 180 + 9 Retail/Service: 4 Office: 92 Total: 285	Residential: 124 + 9 Retail/Service: 4 Office: 70 Total: 207	No Yes No No
S	6.3.2.5.2.1.2	Minimum Underground Parking Setback	0	0	Yes
T	6.3.2.5.2.1.4	Parking Area within 1 st Storey	Prohibited from locating within 4.5 metres of the Street Line	None (Farquhar / Wyndham) Exposed portion of underground parking garage at 0 (Fountain)	Yes No
U	6.3.2.5.3	Minimum Bicycle Parking Space (Long-Term)	Residential: 123 Retail: 1 Office: 11 Total: 135	Residential: 123 Retail: 1 Office: 11 Total: 135	Yes Yes Yes Yes
V	6.2.2.5.3	Minimum Bicycle Parking Space (Short-Term)	Residential: 13 Retail: 2 Office: 1 Total 16	Residential: 13 Retail: 2 Office: 1 Total 16	Yes Yes Yes Yes
W	6.3.2.7 (1)	Minimum Front Yard or Exterior Side Yard	0	0	Yes
X	6.3.2.7 (2)	Maximum Front Yard or Exterior Side Yard	4 metres or per 6.3.2.4 for active frontages	0	Yes
Y	6.3.2.7 (3)	Minimum Side Yard	0	0 (Farquhar) 0 (Fountain)	Yes Yes
Z	6.3.2.7 (4)	Minimum Rear Yard	0	0.89 metres	Yes
ZA	6.3.2.7 (6)	Access to Parking Area	Limit of 1 driveway (non-residential) with a minimum width of 6 metres	1 access (Fountain) with width of 6 metres	Yes
ZB	6.3.2.7 (14)	Minimum Floor Space Index	1.5	11.2	Yes
ZC	4.16.1	Corner Sight Triangle	9 x 9 metres	0	No
ZD	4.9.1	Garbage Storage	Only within the principal Building, accessory Building or Structure, or in container (Side Yard or Rear Yard)	Within principal building	Yes

 Proposed site-specific regulation

* Building Stepback of 3 metres occurs above 5th storey facing Fountain Street given site grades.

** Equivalent height if D.1 Zone were to apply based on Secondary Plan (CBD.1 Zone currently applies)

Attachment 7: Proposed Development Concept Plan



Attachment 8:
Proposed Site Rendering
View across Wyndham Street South looking east





70 Fountain Street East Mixed-Use Redevelopment

Official Plan Amendment and Zoning By-Law
Amendment (OZS19-015)

February 10, 2020

Public Meeting



About Skyline Group of Companies

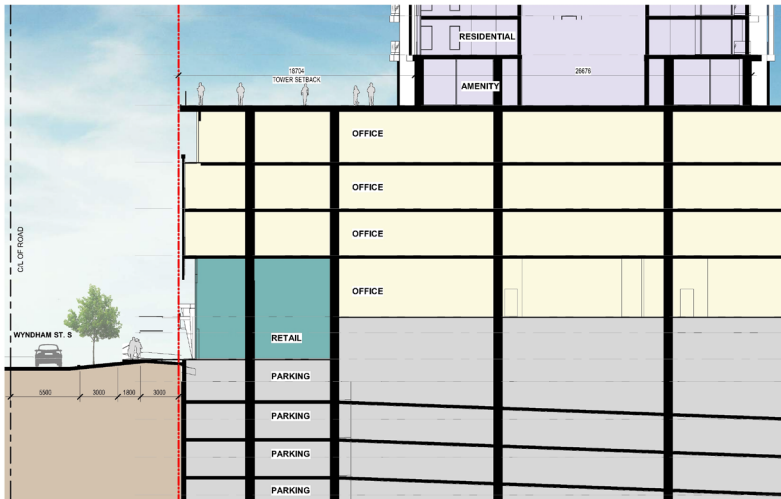
- Full-service real estate investment management organization
- Guelph-founded and Guelph-based
- 300 properties owned and managed across Canada (8 in Guelph)
- Committed to Downtown Guelph - **Building will be \$100 million investment**



True Mixed-Use Development



- Ground floor retail space lining Wyndham
- 4 floors of office space (tripling existing office space)
- 180 purpose-built rental apartments
- 4 underground parking levels
- Podium rooftop amenity level (outdoor and indoor space)
- 300 to 350 jobs
- 300+ residents



Rental Housing Stock

- Purpose-built rental building to be owned and managed by Skyline
- Mix of one-bedroom and two-bedroom apartment units
- Compact unit options (560 to 775 square feet) to diversify housing choices in transit-accessible locations



Transit-Supportive Development

- Ideal location facing Guelph Central Station
- TDM program will support travel by transit and active transportation
 - ✓ Unbundled parking supply
 - ✓ Dedicated car share spaces
 - ✓ Secure bicycle parking
 - ✓ Shower and change facilities
 - ✓ Transit information
 - ✓ Transit pass availability
 - ✓ Assigned TDM coordinator
- Requested parking reduction supported by planning policy
- TDM and Parking reduction supported by TIS



Conserved Heritage Attributes

- Existing building walls to be saved and raised in new building
- Contrasting new materials to showcase heritage attributes
- Supported by HIA



Heritage Improvements

- Agreement to restore abutting 81 Farquhar Street
- Designated heritage property
- One of oldest houses in Guelph



Slender Tower Design

- Tower rises in compact, slender fashion to minimize potential impacts
- 660 square metre tower footprint (30 to 50% less than other tall buildings in Downtown)
- Supported by:
 - ✓ Pedestrian Level Wind Study
 - ✓ Shadow Impact Study
 - ✓ Visual Impact Analysis

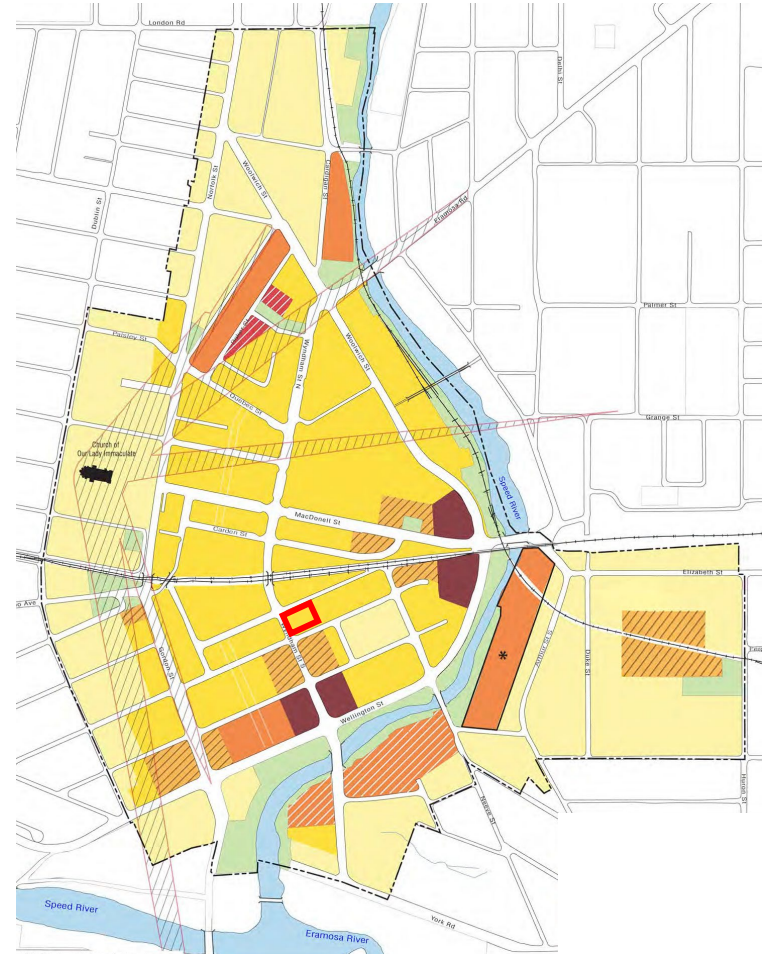


Community Energy Initiative Commitment

- Committed to Community Energy Initiative
- Proposed building would be most energy efficient in Skyline portfolio
 - ✓ Net Zero-ready
 - ✓ Water source heat pump system
 - ✓ Solar photovoltaic (building and rooftop)
 - ✓ Electric domestic hot water systems
 - ✓ Stub-outs for future district energy system
 - ✓ Energy storage system
 - ✓ Lower tower window-to-wall ratio
 - ✓ Cool roofs
 - ✓ State-of-the-art back-up electrical system
 - ✓ Sustainable materials
 - ✓ Indoor secure bicycle storage rooms
 - ✓ Indoor shower/change facilities
 - ✓ Two dedicated car share parking spaces
 - ✓ EV Charging stations
 - ✓ Autonomous vehicle parking accommodation
 - ✓ Sustainable plantings and landscape

Downtown Secondary Plan

- Circumstances have changed since 2012:
 - ✓ 2019 Growth Plan and draft 2019 PPS
 - ✓ Plans for two-way all-day GO service
 - ✓ Build-out of higher rise sites
- Distinction between “core” and the transitional area between rail and river
- One Secondary Plan policy in question – building height



Proposed OPA / ZBA Applications

Official Plan Amendment

- Change to Mixed Use 1 designation
- Increased height of 25 storeys
- Commitment to slender tower footprint (700 m² maximum)

Zoning By-law Amendment

- D.1 Specialized Zone implementing the new Downtown Zones
- 10 Specialized regulations:
 - 2 “lock in” tower form and placement (more restrictive)
 - 1 for height per OPA
 - 1 related to site configuration
 - 4 related to site topography
 - 1 related to parking reduction
 - 1 related to dated regulation

Thank you and Questions



From: Lorraine Pagnan
Subject: 70 Farquhar Street

Hi Katie,

Hope all is well. I am sure you are very busy. I am emailing you because I wish to have more info on Sky-lines proposed development. I am very concerned about the height being requested and especially its impact on the adjacent Heritage properties. I am aware that it would not impede the current Heritage protected views but believe that these views are inadequate at present for views of Church of Our Lady.

Do you have a map on those views currently and if so could that be shared with me? My other concern with the proposed density on this site is the accumulative affect that all these high rise developments along Wyndham, Wellington and Arthur is putting a burden on parking and increased unsafe traffic in the area, causing pedestrian and cyclists to be a greater risk for getting around the city. There has to be a balance and requesting 25 storey's in on this site is just being to greedy and increasing density unfairly into one area instead of spreading the density out.

I appreciate any info you can provide and wish to add my comments for the up and coming meeting.

Cheers,
Lorraine Pagnan

From: Steve Girling
Subject: Skyline

Hello,

As a newer resident to the city I am writing to voice my concerns over the proposed 24 story Skyline tower in the downtown area of the city. I have had a family connection for 25 years here and have seen the city's massive expansion along road corridors in all directions. In the past, Guelph always seemed to be the little city that could. It had loads of charm. It is in danger of losing that in part to housing developments in all directions. I am not a supporter of the Whitelaw multi-building development and how it will impact that community in terms of traffic, noise, and aesthetics. It will literally be a dominating wall on the western end of the city, built on a high piece of land with eight and nine story structures.

The Skyline development is another matter. It appears to be a gigantic eyesore over what used to be a charming downtown that is now becoming more and more unrecognizable. While the rule that no structure higher than the Church of our Lady would be constructed is now moot as I have been informed, this building would still be a monstrosity at even half the height. I understand the need to bring money into the city especially with all the projects (buses, library, south end rec centre) announced in the short time I've lived here, but at what cost? Voting down Skyline would at least give citizens the idea that a downtown plan is being respected while helping to keep the small city aesthetic alive. Thanks for listening.

From: Annette Pedersen
Subject: Skyline development - I am opposed

Hi Cam, Mark and Dominique

I am writing to express my strong opposition to the proposed skyline development, 20+ stories on Fountain street. As a resident of our special city (for over 35 years), I am appalled that any high rise be considered or approved for Guelph. Nothing should exceed the height of our Church of our Lady, nor block the view of this church. Guelph character and charm is at risk. If this is approved, it opens the way for more and will ruin the downtown.

As my mayor and my councillors, I ask that you vote no.

Annette Pedersen

From: Robin Ysselstein

Subject: Say no to Skyline high rise

Dear Mayor

Say no to Skyline now. Say no to developments that do not meet the downtown plan. I second all of Susan Watson's comments in the linked letter below in Guelph Today.

It is imperative that you and city council maintain the integrity of the planning process. To do otherwise makes your administration anti-democratic. There are many citizens fuming about this, and they are prepared to publicize how the "award" winning downtown plan has been disregarded, contravened and breached. The flagrant disrespect towards the citizens of Guelph and the process of planning is scandalous worthy of wide-spread media attention.

I call upon you to demonstrate your integrity. To do otherwise proves that any future planning this city does is a charade, only to be over-ridden in the future. It shows that city hall can be bought for a price, and that's the definition of corruption.

<https://www.guelphtoday.com/letters-to-the-editor/letter-say-no-to-skyline-resident-urges-council-2058396>

Robin Schafer

From: John Ambrose

Subject: NO TO SKYLINE

Re: 25 storey Skyline proposal downtown

We have a plan that had comprehensive planning staff and citizen input: maximum 6 storeys in this area, higher in the fringes and lower elevation area of downtown. Skyline has not respected this process and needs to be told: 'good to have your community development commitments but not here, take a look at the plan then we can talk'. In addition, this is a heritage district of Guelph, that needs to be respected as well.

I'm all for intensification and not sprawl, but in the right place at the right scale.

With intensification we need more dedicated green and open space for all the additional neighbours we'll have. By keeping everything in balance we will continue to have a wonderful place to live and work and municipal services will be cost-effective and efficient.

John D. Ambrose

From: Kathryn Folkl

Subject: 25 story Skyline development mocks taxpayer \$ spent on official plans

Dear Mayor Guthrie, Councillors and Staff -

Our carefully considered and approved Downtown Secondary Plan says 3 to 6 stories are allowed here and this proposal is pitching 25?!

This is ludicrous.

Our plan provides developers with sites for buildings of this scale. Tell them to build them there. Can we flat out reject receiving this proposal?

What a waste of council's time and taxpayer \$.

Kathryn Folkl

The Skyline site is zoned for a maximum of 6 storeys.

Allowing a 25 - storey tower would set a dangerous precedent allowing developers to flaunt our award-winning Downtown Secondary Plan.

Please hold the line and reject this preposterous application.

Linda M Hathorn

From: Elaine Faye

Subject: Skyline Development

Good Afternoon Katie!

I wrote a letter to my council member Bob Bell re the Skyline Developments wishing to build a 25 storey building (if their pitch to add 23 storeys to their current building is passed by council) and never received a reply. Thus I am writing to you as I want my opinion on record. I really feel that allowing a building such as the one proposed by Skyline Developments would set a precedent for our downtown which builders would interpret as no holds barred building. We have something very special in Guelph that council must protect. The current height permissions for this site are three to six storeys and council should insist they remain at that. A 25 storey (or even 12 storey building) would be completely out of character and deface the downtown skyline.

I am hoping to attend the Public Meeting on Monday evening but if I am unable to go, I hope that this letter will be sufficient to voice my concerns.

Sincerely,

Elaine Faye

Hello Mr. Mayor, and members of council,

I'd like to add my name to what I presume is a long list of people who looked at this proposal and were... surprised, would be a kind way of putting it. I have seen many articles outlining in detail the various concerns with this project, so I'll be brief.

We have a downtown secondary plan that calls for a maximum of, is it 6 stories, in this area? You will have a proposal before you to accommodate a building of 25 stories. The developer's goal, reading between the lines, is to settle on something shorter, since a 25 story building is obviously going to be rejected because it's so patently ridiculous. But here's the point: Why bother wasting people's money with a secondary plan, why bother pretending we care about responsible downtown intensification, if it all goes out the window when some developer wants something bigger?

Please see this for what it is: An attempt to subvert the planning process already in place by proposing something so outrageous that "settling" for something that is *still* outrageous will seem reasonable in comparison.

Thank you,

Alex Folkl

Dear mayor and councillors,

Why do we even have an Official Plan if it is ignored and bypassed? And presumably it has conformed to city bylaws and we, the taxpayers, have paid the urban planners for their well trained efforts. And an uglier building is hard to imagine, but it's the downtown location that is so totally wrong. Why ruin what is left of the heart of our city? Sight lines dismissed, don't we have laws?

Please take another look and re-think this crucial matter.

Yours,

Elizabeth Macrae

From: Heather Daymond
Subject: Skyline at 70 Fountain St.

With all due respect to each of you who have a voice and truly care about and love the character and soul of downtown Guelph, PLEASE SAY NO TO SKYLINE.

PLEASE honour the city plan which would limit the height to 6 stories. This plan protects the character of downtown and provides a means of managing the growth. It was recognized provincially for its excellence and foresight. Don't let developers who have no interest in preserving our heritage and quality of life, ruin the core of this city for their profits. THIS IS AN OUTRAGEOUS REQUEST FROM SKYLINE AND SHOULD BE VOTED DOWN IMMEDIATELY.

Thank you all for protecting our city plan. I trust you will do so.

Heather Daymond

It greatly upsets me to see any company want to build this type of building in the downtown area.

I live in the downtown area and this building will block my view of the Church of our Lady which is a symbol of history, family and community regardless of what your religious beliefs are and is a beautiful skyline for the downtown area.

It also concerns me when a company as this one came to town, bought every apartment building they could get and any other building they could get creating a monopoly.

I am not in favour of this type or size of building in the downtown build it elsewhere.

Tasha Heart

The downtown has a plan and this property is zoned for maximum 6 storeys.

This is a significant Heritage district .I had a tour of this area with Stephen Robinson when he gave a Heritage tour some time ago. It is not just the height of this proposed tower but also that this is a heritage site and part of a Heritage district. The proposal goes totally against any plans for this significant area of Guelph. It is also totally out of proportion for the whole downtown.I urge you and council to turn this down. Developers have the information about the Downtown secondary plan. They should respect this.

It is important that Council stands behind the plan and reject this attempt by a developer to disregard the plans in place.

Sincerely,

Margaret Abbink

February 6, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

My name is Jeff Bousfield and my wife and I are the immediate neighbours of the proposed development.

We are writing to offer our full support for the proposed development application and land use change at 75 Farquhar Street and 70 Fountain Street. We have reviewed the proposal and see this as fitting for Guelph and the downtown revitalization. Mixing heritage properties with smart and innovative construction shows a city that not only has a foot in the past but also stepping forward into the future.

As the owners of 81 Farquhar Street, one of the oldest remaining houses in Guelph we have a desire to restore older properties and conserve the heritage history in Downtown Guelph. This past summer I worked with Stephen Robinson, Senior Heritage Planner and with my contractors for the facade restoration at 52 Macdonell street (home to Royal Electric) . The final touches to be completed this spring.

Skyline has committed to invest and partner in the restoration improvements to the heritage home at 81 Farquhar, to bring back its heritage elements to create a beautiful streetscape reminiscent of its past.

We are looking forward to have Skyline, a Guelph company partnering with us and investing in the heritage of the area. They are committed to not only building but managing what they build. This shows commitment and goodwill. We also appreciate the innovative and funky slim tower as it minimizes the shadowing impacts on the heritage home compared to the zoning currently permitted.

We have been a long time residents and a business owner in Downtown Guelph and we see the need for more people living and working in the Downtown area. We hope that these improvements and this proposed development will help bring a regentrification and a safer area to the other side of the tracks.

Please accept this letter of support for the development application for the above noted property.

Sincerely,

Jeff and Susan Bousfield

I'd like to express my disagreement towards the proposed Skyline Building at 25 stories on Fountain St.

Where is the badly needed green space to be found?

Will this be affordable housing?

We continue to make exceptions to the Official Plan, and building heights - has it been formally rewritten?

We've worked towards 8,500 residents in downtown in the next decade. Does this building push us over that number?

And perhaps my most important point, why must it be so ugly? I'd be swayed if this were a building of architectural magnificence. It's not.

Thank you for recording this, Clerks.

Lynn Broughton

Gregory Jones
President
Skydevco Inc.
5 Douglas Street, Suite 301
Guelph, ON, N1H 2S8

November 20, 2019

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

The Guelph Chamber of Commerce is a leading voice of business in Guelph-Wellington, with its vision to set the national standard for fostering community prosperity. Our mission is informed by our diverse business and community voices, and we represent our members by advocating, connecting and convening to grow Guelph-Wellington's economic prosperity. The Skyline Group of Companies has been a member of the Guelph Chamber of Commerce and a business operator in Guelph for over 20 years.

We have reviewed the development proposal to redevelop the above referenced property to include a mix of purpose-built rental apartments, office space large enough to potentially serve as Skyline's future headquarters, and ground level retail along Wyndham. As a neighbour to the development with our offices at 201-111 Farquhar Street and as an advocate for businesses in Guelph, we have a keen interest in this application.

We believe that this proposal would be an excellent addition to our community. A mixed use, transit and pedestrian oriented development next to the central transit hub is a desirable investment in our downtown and would contribute to increased transit ridership and net zero sustainability initiatives. Having more people working, living, and shopping in our downtown is vital to the future prosperity of Guelph's business community. Accordingly, please accept this letter of support for the development applications at 75 Farquhar Street & 70 Fountain Street East.

Sincerely,



Shakiba Shayani
President & CEO
Guelph Chamber of Commerce

February 4, 2020

Guelph City Clerk

1 Carden St.
Guelph, ON

To Whom it May Concern,

Reference: Skyline Development Proposal for the lands at 70 Fountain St. East and 75 Farquhar Street, Guelph

We are writing in response to the above planning application. We are very familiar with this site and have reviewed the application details and proposed changes to the land use designation. We wish to offer our support to the proposal, for the reasons outlined below.

High quality infill proposals, such as this application, meet the needs of sustainable growth in the most sensitive and efficient way possible. This development would help to meet the growing demand for housing in Guelph with an efficient use of land and significant use and support of existing infrastructure such as public transit, water, sewer and storm utilities. It makes provision for travel by sustainable means: local facilities would be easily accessible by foot or bicycle, and transit for travelling outside the area is within easy walking distance of the proposed development.

As a major contrubtor to the growth of downtown Guelph over the last numer of years, we recognize that intensification development in the downtown not only has a positive impact on the environment but also provides direct economic benefits to the viability of local businesses and retailers in Guelph's downtown and beyond. The investment in the City and the additional tax dollars generated are a long term, financial win for the City and taxpayers. Having more people living downtown also brings with it far reaching social and cultural benefits to a City's core.

We respect that the significance of the heritage components has been identified and addressed, with the developer respectfully agreeing to preserve and expand the existing façade to maintain this important element of the current building. Furthermore, Skyline has considered elements that are important to creating a sense of community for both tenants and for the neighbouring residents with a mix of ground level retail, office space and purpose-built rental apartments. All will increase pedestrian traffic in the area which inevitably improves the vibrancy of the area.

Guelph is a thriving City and there is considerable demand for housing here. This site location is ideal and the design well planned. We fully support this application and the vision for this project.

Respectfully,



Adam Carapella, VP
The Tricar Group
acarapella@tricar.com

From: Susan Watson

Subject: Say "No" to the Skyline application

Mayor Guthrie and Members of Council:

The Skyline application violates so many By-laws and planning principles, I'm not sure where to begin.

Perhaps the editorial cartoon in today's Tribune says it all: the Skyline tower would violate a key restriction in our By-laws - it would be higher than the Basilica of Church of Our Lady, permanently changing the skyline of our City.

Skyline's play for 25 storeys conveys a complete contempt for our democratic planning process and for the heritage integrity of our downtown.

Under Places to Grow Provincial legislation, downtown Guelph was designated as an "Urban Growth Centre." The Council of the day set to work to craft a new Official Plan to anticipate and manage the required growth – the Downtown Secondary Plan. Professional planning staff, citizens, members of Council and developer consultants and stakeholders worked together over many months to come up with a made-for-Guelph plan. The plan would ensure we would meet a minimum target of 8,500 residents in the downtown by 2031.

A key feature of the Downtown Secondary Plan was the preservation of the heritage character of the downtown core. High-rise development was slated for the perimeter of the downtown on the lowest topographical sites. No building would be allowed to be higher than Church of Our Lady.

The addition of new green space needed for more residents was anticipated, with a plan to expropriate and revert the plaza on the south-west corner of Wellington and Gordon to a riverside park.

In fact, the Downtown Secondary Plan was considered so creative and visionary that in 2013, it captured one of most prestigious planning awards in the Province - the *Ontario Professional Planners Institute Excellence in Planning Award*.

In the press release from the City <https://guelph.ca/2013/11/guelphs-downtown-secondary-plan-receives-oppi-excellence-planning-award/> Todd Salter, general manager of Planning Services for the City, said the following: *"Receiving the Excellence in Planning Award is a great honour for the City. It is gratifying to see*

the work of our City staff and all of the community members who contributed to the development of the plan being recognized on a provincial level by our peers and colleagues.”

Over the past several years, the Downtown Secondary Plan has been rolling out as planned. We have the two Tricar towers and the Metalworks complex along the river. A 14-storey condominium has been approved at 71 Wyndham St. south. The Urban Master Plan for the Baker district is currently being drafted. Not only are we on-target to reach 8,500 residents, there is no question we are going to shoot past that number. Nearly every development to date has negotiated a couple of extra storeys from Guelph City Council in exchange for delivering additional benefits to the community. The catch now? The Ford government delivered a gift to Ontario developers by eliminating this mechanism known as “density bonusing”. There are now no benefits available to the community in exchange for granting extra height.

Guelph has embraced and planned for intensification of both our downtown and strategic nodes and corridors throughout the City. It is the job of local Councils and professional planning staff to set the quantity, location and timing of growth. An increased number of residents brings an increased need for services and infrastructure such as parks, roads, libraries and recreation centres. We need managed growth, not a developer free-for-all.

It’s not clear what game Skyline is playing. Are they asking for something completely outrageous hoping to hoodwink us into a “compromise” of 12 storeys which would effectively double the allowed height maximums on the current site?

If Council approves this development at 12 storeys, or at 25, it will essentially put our Downtown Secondary Plan in the shredder. This tower would overwhelm the armoury and drill hall and loom above the train station and old City Hall. It would irrevocably change the landscape and character of our City core. Even more concerning, the planning precedent set by this development would essentially declare open season on developer-driven, profit-based development rather than democratically-guided managed growth.

And why should citizens even bother participating in crafting Official Plans if they are going to be successfully thrown under the bus by developers? Why should everyday people volunteer hours of their time for the Clair-Maltby Secondary Plan if at the end of the day, Council itself isn't willing to respect the work of the community?

We have a great plan for downtown intensification. We should stick to it. Council needs to say, "No," to Skyline.

Sincerely,

Susan Watson

From: Susan Watson [REDACTED]

Mayor Guthrie and Members of Council:

I believe that the OMB heritage adjacency decision described in this article is a significant precedent which applies to the 70 Fountain St. E application from Skyline.

<https://uwaterloo.ca/heritage-resources-centre/blog/post/adjacency-and-omb-new-decision-says-new-must-respect-old>

70 Fountain St. E. is adjacent to multiple heritage properties. Designated properties are 72 Farquar - a house and 81 Farquar, the Drill Hall. Kitty corner to 70 Fountain St. E. is the Armoury, among our most impressive heritage buildings and a recognized Federal Heritage Building:

https://www.pc.gc.ca/apps/dfhd/page_fhbro_eng.aspx?id=4391

The Skyline tower would loom above Old City Hall and the historic train station.

The whole point of our award-winning Downtown Secondary Plan was preservation of our historic heritage core. High-rise towers were planned for the perimeter of the downtown on the lowest topographic area. To date, this plan has only been partially realized. There is much planned growth yet to come and we are on track to shoot well beyond the 8,500 residents we originally anticipated by 2031.

The Cultural Heritage Action Plan currently under development anticipated an eventual heritage district in our downtown. Why would we literally give that plan the shaft before it has even seen the light of day?

I urge you to say, "No" to the Skyline plan. The significant OMB precedent described by Mr. Schneider indicates that we are likely to find tribunal support for that position if your decision is appealed.

Sincerely,
Susan Watson

Adjacency and the OMB: New decision says the new must respect the old

THURSDAY, FEBRUARY 4, 2016 by Dan Schneider

2015 ended with an important OMB decision on the question of adjacency — the impact of proposed development on adjacent heritage property.

But first, some background. Ten years previous, a new cultural heritage policy was introduced in the 2005 Provincial Policy Statement. Policy 2.6.3, known as the “adjacent lands policy”, now reads:

Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.^[1]

While new provincial policy measures are clearly a response to emerging problems or issues occurring in many places, as we have seen previously there is often a particular situation or controversy that comes to epitomize the issue and plays an outsized role in convincing decision-makers to act.

Was there one such controversy behind policy 2.6.3? I’m not sure.^[2] But there was a high-profile situation that certainly contributed to the wake-up call: the threat posed by new construction near the iconic Sharon Temple.



The Sharon Temple, completed in 1832, once stood in splendid rural isolation on the edge of the sleepy village of Sharon, some 60 km north of Toronto. But by the late 1990s serious ex-urban development was already beginning to engulf Sharon and its famous national historic site. As with so many heritage sites the Temple and its grounds were considered at risk, not by what was happening at the site itself, but by what was going on — or might go on — next door.

Concern about “adjacency” can be seen as part of growing attention in the heritage movement to the context and surroundings of historic structures.^[3] But when this concern came to be reflected in legislation and policy directives some precision was obviously required. For the purpose of policy 2.6.3 the PPS defines “adjacent lands” as “those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.”^[4] Contiguous is understood to mean touching at the edge, at a point, or along a boundary.

With the prompting of the PPS, municipal Official Plans since 2005 routinely incorporate corresponding adjacency policies. For example, Toronto’s revised OP heritage policies approved in 2015 include the following:

New construction on, or adjacent to, a property on the Heritage Register will be designed to protect the cultural heritage values, attributes and character of that property and to minimize visual and physical impact on it, including considerations such as scale, massing, materials, height, building orientation and location relative to the heritage property.^[5]

This particular policy played a pivotal role in the OMB decision of late last year: CHC MPAR Church Holdings Inc. v. Toronto (City).^[6]



The designated buildings at Church and Granby Streets in 2010



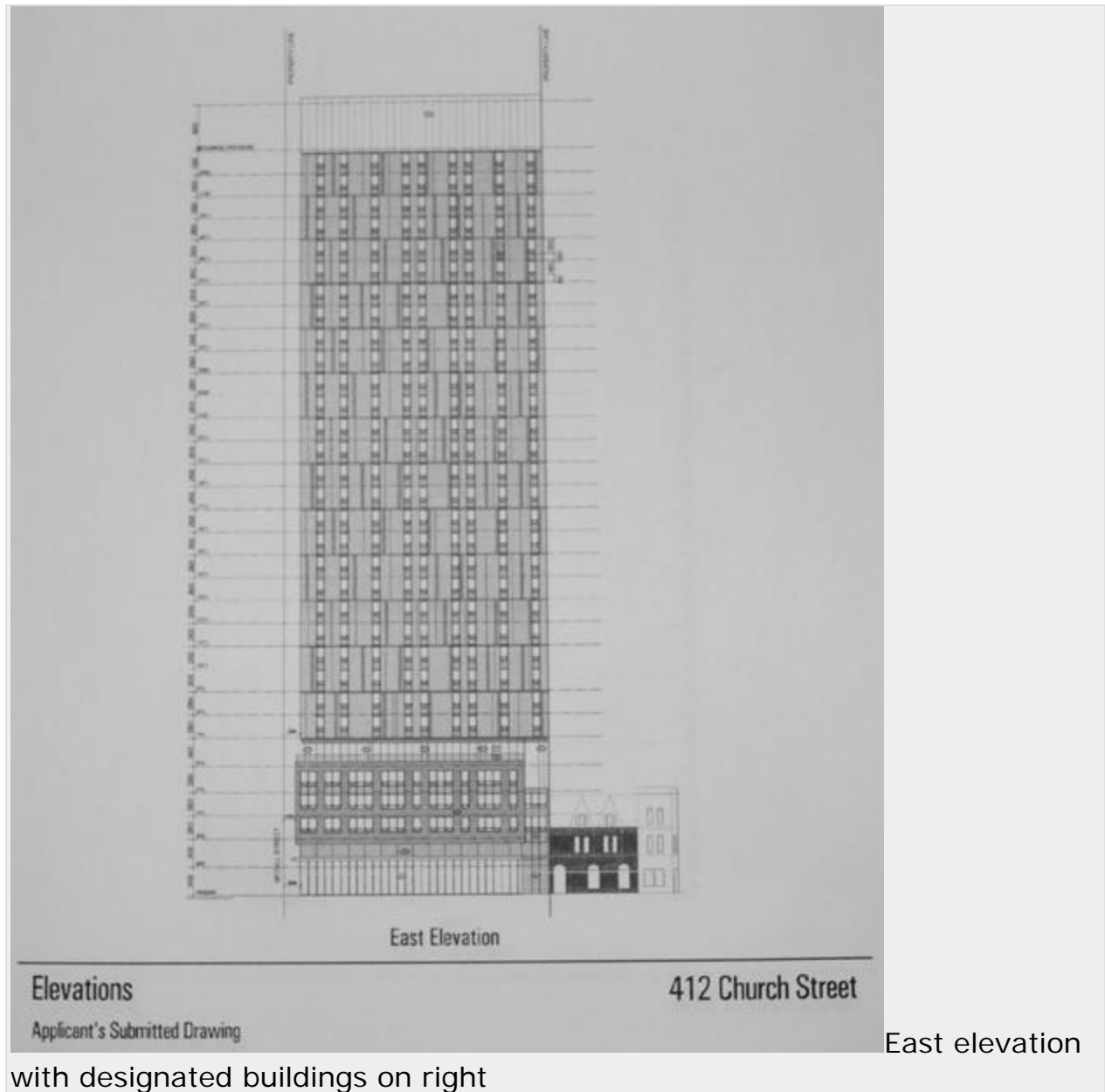
today

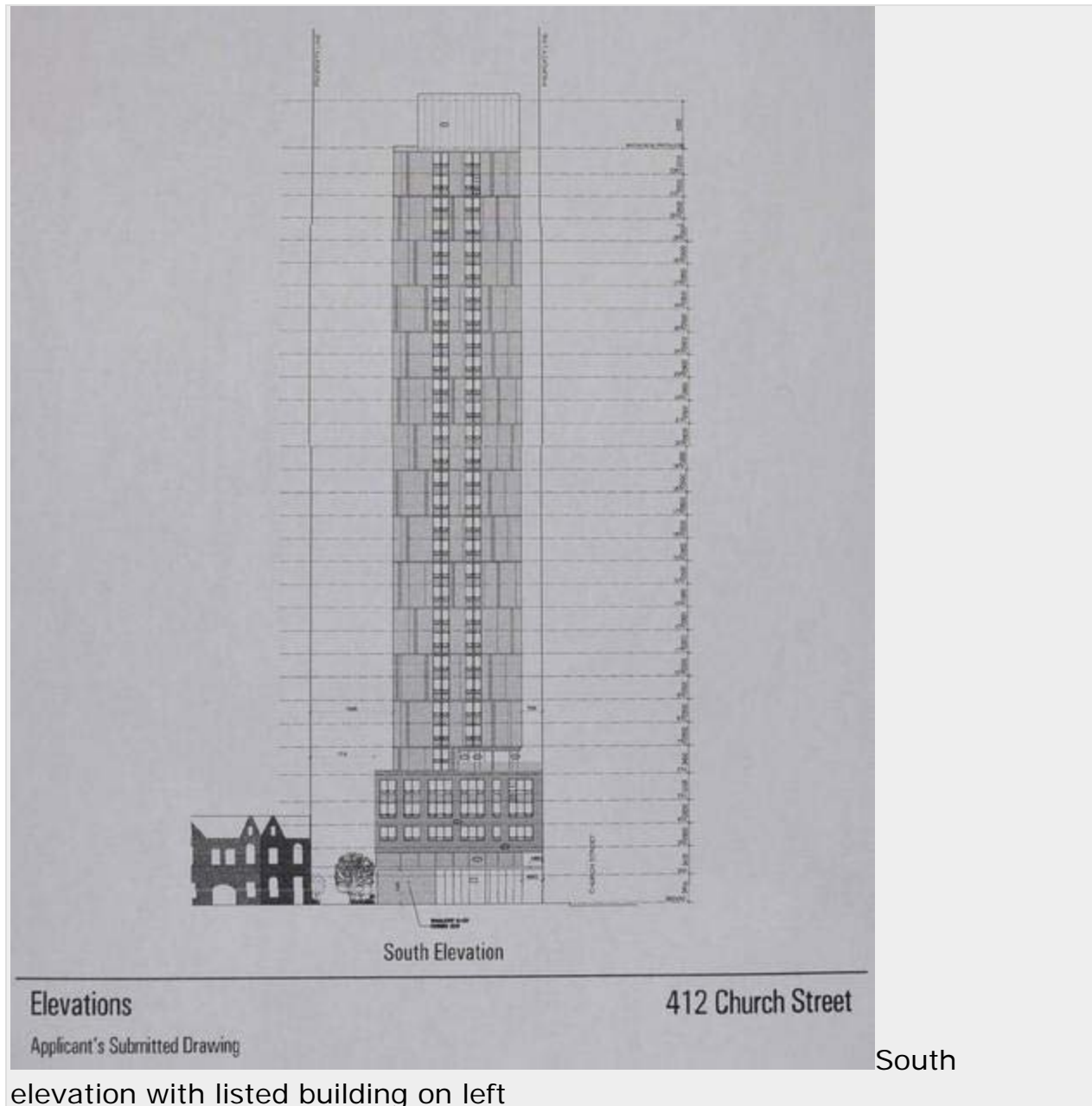
The buildings

A developer wanted to erect a 32-storey apartment tower on a relatively small corner site, currently a parking lot, on Church Street in downtown Toronto. Immediately to the north on Church stands the three-storey Stephen Murphy Houses and Store, a property designated under Part IV of the OHA.^[7] To the west of the site along a side street (McGill) is a two-storey house, listed but not designated, and a similarly scaled residential neighbourhood.

The city refused to rezone the site to permit the project and the developer appealed to the OMB. To the surprise of many, including the neighbourhood group supporting the city's position, the Board dismissed the appeal, nixing the development.

The “determinative issue” in the case, the Board said, was “conservation of the heritage attributes.” It concluded that the principal question to be decided was “whether the proposed development conserves the adjacent heritage structures and respects their scale, character and form.”





Adjacency is clearly tricky. According to the PPS, the test is whether “it has been demonstrated that the heritage attributes of the protected heritage property will be conserved” by the proposed development. But of course in an adjacency scenario the heritage attributes of a designated structure, if understood as the physical elements of the structure that can’t be altered without municipal consent, are *not* being altered or changed in any way.

And yet it is easy to imagine the extreme case where a heritage building is completely surrounded by new development and is effectively “lost” — like the hole in a bagel when viewed from the side!

This suggests the crux of adjacency is the view or visual context of the heritage structure. Note in this regard that the definition of “heritage attributes” in the 2014 PPS is more expansive than in 2005, and includes not just “the property’s built or manufactured elements” but also “its visual setting (including significant views or vistas to or from a protected heritage property).”

In the case here the developer had undertaken the required heritage impact assessment (HIA). Citing the four-storey podium at the base of the tower and its scale, massing and architectural treatment, the HIA found “that there is limited impact on the adjacent heritage resources and that their heritage attributes are conserved.” But the Board didn’t buy it for a minute.

On the contrary, the Board was persuaded that “the development as designed fails to achieve the relevant heritage policies”, starting with policy 2.6.3 and the city’s OP policies including the one quoted above.

Not mincing words, the Board found that the proposed building

...functions in isolation of its surroundings without appropriate regard for its immediate context, especially for the immediate heritage context; and it overwhelms and subordinates the physical attributes of these much smaller buildings with little or no regard for the cultural heritage therein.

The Board describes the tower “looming over” the designated property “with a 0-metre setback”; it finds the development “will only serve to degrade the massing and visual experience of the heritage structures”; and that such a tall building “diminishes the heritage qualities to the detriment of the heritage buildings’ continued functioning as a visible and distinguished built form remnant of the City’s cultural heritage.”

And so on, and on, for 43 pages! It’s (almost) enough to make you feel sorry for the developer and its rebuffed heritage experts. And it comes as something of an anti-climax when the Board opines that “this development does not represent good planning” and that “this or any other tall building is likely unable to work on the subject property so long as it is designed in isolation from the proximate heritage structures.” (And the only way around this, the Board implies, is for the developer to pursue assembly of its site with the adjacent designated site.)

Interestingly, not a single other OMB case is referenced in the decision. This is unusual and seems to confirm that this is the first case the Board has dealt with where adjacency was the main focus. So it is likely an important precedent, in addition to providing yet more evidence of an increasing OMB comfort with, and sensitivity to, cultural heritage arguments.

The main takeaway from this case? in adjacency situations “heritage attributes” of heritage properties are to be interpreted broadly and not necessarily limited to those listed in a designation by-law. The visual relationship between the old and new is key —

where the new would visually overwhelm, diminish or degrade the old, these adverse impacts on the heritage attributes will doom the project.

Note 1: The wording was slightly amended in the 2014 PPS.

Note 2: Perhaps my former culture ministry colleagues who worked on the 2005 PPS have the answer... hello?

Note 3: See for example ICOMOS's 2005 Xi'an Declaration On The Conservation Of The Setting Of Heritage Structures, Sites And Areas:
<http://www.icomos.org/charters/xian-declaration.pdf>

Note 4: For its part "protected heritage property" is defined as "property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites."

Note 5: Number 25 of 53 heritage policies. Back in Sharon, in 2009 the Town of East Gwillimbury approved the following OP amendment relating to development adjacent to the Sharon Temple:

5.7.3 (xv) All development and associated municipal infrastructure and public works adjacent the Sharon Temple must be respectful of this significant built heritage resource and its associated cultural heritage landscape. The height, scale, massing, setbacks, sound and artificial light buffering, building materials and design features of new development shall be determined with regard to minimizing their impact on Sharon Temple. It shall be demonstrated through the preparation of a Heritage Impact Assessment that the heritage attributes of the Sharon Temple will be conserved. Mitigative measures identified in the Heritage Impact Assessment may be required as a condition of approval of development and site alteration applications.

Note 6: OMB case PL141140, December 23, 2015;
<http://www.omb.gov.on.ca/e%2Ddecisions/pl141140%2Ddec%2D23%2D2015.pdf>

Note 7: The property was designated by by-law in 2010. The Statement of Cultural Heritage Value or Interest reads:

The cultural heritage value of the Stephen Murphy Houses and Store is related to their Second Empire design, popularized in the late 19th century and identified by the mansard roof. The cultural heritage value of the properties is also linked to their contribution to the evolution of the Church Street neighbourhood as the centre of gay culture in Toronto. Beginning in the early 1990s, the buildings were occupied by the Barn and Stables, a popular gay nightclub. The context of the properties contributes to their cultural heritage value. The Stephen Murphy Houses and Store are prominent local features and visible corner buildings that, in appearance and scale, relate to the adjoining residential neighbourhood along Granby Street and McGill Street.

The list of heritage attributes does not include mention of views. The south wall with the mural (up against which the proposed tower would have been built) and the west wall are specifically excluded.

Respect the Plan

This proposal fails to comply with the Downtown Secondary plan and should be rejected. The proposal specifies a height of 25 stories which is more than 4 times the maximum allowed under the plan which is 6.

The Downtown secondary plan has been developed by professionals, with public input, and paid for by Guelph citizens. The Plan was endorsed by Council and subsequently received the Ontario Professional Planners Institute “Excellence in Planning” award, one of the most prestigious awards given for planning achievement in Ontario.

The Plan balances various needs and values across the city as a whole, and prevents development that may cause harm. The proposals by developers generally try to fit (or not in this case) into the restrictions of the Official Plan.

Developers have a fiduciary duty to their shareholders to try to maximize the profit that can be extracted from a particular plot of land. So, they have to try for the maximum density allowable. They also can't include affordable units because of the imperative to maximize profit. If council required that affordable units be included, then they could be included without the developer running afoul of their shareholders.

Council has a duty to maximize benefits to the community as a whole, and to prevent injury, so must consider all factors, not just ones that facilitate the desires of developers.

The Official Plan is the tool that allows staff and Council to ensure that development is balanced. I am concerned that the integrity of the Plan may be damaged if large deviations are allowed. If developers begin to feel that it is now open season on the Plan, we will see many more attempt to circumvent it.

The Plan protects developers. It protects them from community groups that may be unhappy with development that is allowed. But if we are to enter open season on the Plan, then it will be open season for everyone, not just developers, and every proposal will be fought over. Allowed or not.

This proposal should be sent back to the drawing board to be replaced by one that complies with the Official Plan



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing in response to the planning application and proposed changes in the land use designation for 75 Farquhar Street and 70 Fountain Street. We offer our full support for the proposal.

As a long time business owner and operator in Downtown Guelph we see the need for more people living and working in the Downtown area. We think this proposed application provides for desperately needing investment in the Downtown as it brings more customers to our restaurant instead of living away of the Downtown core.

Please accept this letter of support for the development applications at 75 Farquhar Street & 70 Fountain Street East.

Thank You Kindly,

Kristin van Eck

General Manager

The Western Burgers and Steaks
Cowboys @ The Western
226 706 3585
kristin.v@westernguelph.com



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing in response to the above planning application. We wish to offer our full support to the proposal.

We have been a long time business owner and operator in Downtown Guelph having more people working, living, and shopping in our downtown is vital to the future prosperity of our city and its economy.

Please accept this letter of support for the development application at the above noted property.

Thank you,

A handwritten signature in black ink, appearing to be "Bob Dehu", written in a cursive style.

Bob Dehu
Vice President



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing to offer our full support for the proposed application and land use change at 75 Farquhar Street and 70 Fountain Street.

We have been a long time business owner and operator in Downtown Guelph we see the need for more people living and working in the Downtown area. This proposal brings more people around the Downtown at all times of day making it a safer place to be and encourages people to want to come shop and dine in the area.

Please accept this letter of support for the development application at the above noted property.

Thank You Kindly,

A handwritten signature in black ink, appearing to read "Bob Dehu". The signature is stylized with a large, sweeping "B" and a long horizontal stroke extending to the right.

Bob Dehu
Owner/Operator
519-249-6500
bdehu@sympatico.ca



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing in response to the above planning application. We wish to offer our full support to the proposal.

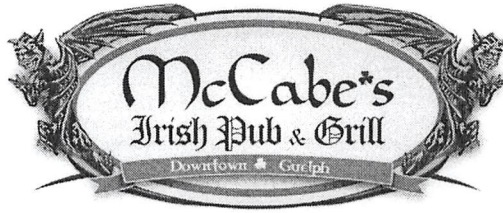
As a business owner and operator in Downtown Guelph we see the need for more people living and working in the Downtown area. With businesses leaving the Downtown, it is more important than ever to bring people living and working in the area to help keep the vitality and prosperity Downtown business.

Accordingly, please accept this letter of support for the development application at 75 Farquhar Street & 70 Fountain Street East.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Dehu", with a long, sweeping horizontal line extending to the right.

Bob Dehu
Owner – Palace/Trappers
519-249-6500



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing to offer our full support for the proposed application and land use change at 75 Farquhar Street and 70 Fountain Street.

We have been a long time business owner and operator in Downtown Guelph having more people working, living, and shopping in our downtown is vital to the future prosperity of our city and its economy. We need more options for people to live downtown and more office jobs to support our local retailers and restaurants.

Please accept this letter of support for the development application at the above noted property.

Thank You Kindly,

Bob Dehu
Vice President
519-249-6500
bdehu@sympatico.ca



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing to offer our full support for the proposed application and land use change at 75 Farquhar Street and 70 Fountain Street.

We have been a long time restaurant and business owner in Downtown Guelph we see the need for more people living and working in the Downtown area. This proposal brings more people around the Downtown at all times of day making it more accessible for people to shop and dine here.

Please accept this letter of support for the development application at 75 Farquhar Street & 70 Fountain Street East.

Kind Regards,

A handwritten signature in black ink, appearing to read "Bob Dehu", with a stylized flourish at the end.

Bob Dehu
Vice President
519-249-6500
bdehu@sympatico.ca



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

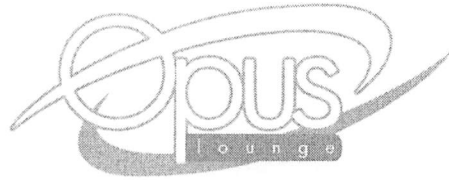
We are writing to offer our full support for the proposed application and land use change at 75 Farquhar Street and 70 Fountain Street.

As a long time business owner and operator in Downtown Guelph we see the need to have more people living and working in the downtown. Having more people working, living, and shopping in our downtown is vital to the future prosperity of our city and its business community. As housing and business move further away from the core, entertainment establishments struggle to maintain a consistent customer base.

Please accept this letter of support for the development application at 75 Farquhar Street & 70 Fountain Street East. We hope that council votes in favour of investing downtown.

Sincerely,

Bob Dehu
Owner/Operator
519-249-6500



February 5, 2019

Guelph City Clerk
1 Carden Street
Guelph, ON

RE: Skyline Mixed Use Development Proposal - 75 Farquhar Street & 70 Fountain Street East

To Whom it May Concern,

We are writing in response to the above planning application. We wish to offer our full support to the proposal.

As a long time business owner and operator in Downtown Guelph we see the need to have more people living and working in the downtown. Having more people working, living, and shopping in our downtown is vital to the future prosperity of our city and its business community.

Please accept this letter of support for the development application at the above noted property.

Kindly,

A handwritten signature in black ink, appearing to be "B Dehu", with a long, sweeping horizontal line extending to the right.

Bob Dehu
Owner/Operator
519-249-6500
bdehu@sympatico.ca

February 7, 2020

To: Greg Jones, President
SkyDev
5 Douglas Street, Suite 301
Guelph ON, N1H 2S8


From: The Guelph & District Association of REALTORS®
221 Woodlawn Road West, Unit C6
Guelph, ON N1H 8P4

Lack of supply is impacting people in our community's ability to find a home.

According to the Guelph CMHC rental market report, Guelph's vacancy rate of 1.4% is almost half of the national average of 2.4%.

Many of the barriers to creating additional housing supply reside at the municipal level. Adequate housing is an integral part of sustainable communities. Guelph requires housing near environmentally sustainable infrastructure, such as transit routes.

REALTORS® encourage the creation of new housing supply, and the development of sustainable communities.



Matthew Bennett-Monty, President
Guelph & District Association of REALTORS®

221 Woodlawn Road West, Unit C6, Guelph ON, N1H 8P4

P: (519) 824-7270 E: info@gdar.ca W: www.gdar.ca

Feb. 6, 2020

To: City Council

RE: 25-storey building proposed for 70 Fountain St.

I am writing to put forth my opposition to the proposed building on Fountain St. There are obviously numerous reasons why this building should not be built so I will only state the obvious.

1. This is a Heritage Building. Please do not make a mockery of the designation. The idea of repurposing the historical façade in the new building is a joke. The artist rendering of the new building does not come close to having any resemblance to the “historical” building.
2. The proposed modern, tall, thin building will be an eyesore in the downtown core which is surrounded by low rise limestone buildings.
3. The building will block the view of Church of our Lady from many angles. The church is a jewel in Guelph and should not be overshadowed by this proposed building.

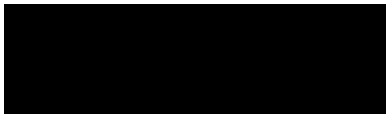
It's disappointing to hear of developers seeking amendments to the Official Plan and zoning bylaws and that these amendments are being granted. Why have the plans and laws in place at all if they can be bought off by the highest bidder?

Consider what European cities have done to protect their historical city cores. Place the high rises on the fringe of the core which has successfully been done by Tricar with RiverRun and RiverMill condos.

I urge Guelph city council to not make of mockery of our historical downtown core with this modern albatross.



Laura Lalonde



Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, February 10, 2020
Subject	Decision Report 300 Water Street Proposed Official Plan Amendment and Zoning By-law Amendment Files: OP1707 and ZC1712 Ward 5
Report Number	IDE-2020-12

Recommendation

1. That the application by GSP Group on behalf of T.J.L. Transport Limited, for an Official Plan Amendment to change the land use designation from "Open Space and Park" with a "Natural Areas Overlay" to the "Low Density Residential" land use designation to permit the development of low density residential uses on the property municipally known as 300 Water Street, and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise Report 2020-12, dated February 10, 2020.
 2. That the application by GSP Group on behalf of T.J.L. Transport Limited, for a Zoning By-law Amendment to change the zoning from the current "Urban Reserve" (UR) Zone to a "Specialized Residential Single Detached" (R.1C-32) Zone, and to two "Specialized Residential On-Street Townhouse" (R.3B-24) and (R.3B-25) Zones to permit the development of one (1) single detached dwelling and six (6) on-street townhouse units on the property municipally known as 300 Water Street, and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph, be approved in accordance with Attachment 4 of the Infrastructure, Development and Enterprise Report 2020-12, dated February 10, 2020.
 3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 300 Water Street.
-

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve an Official Plan Amendment and Zoning By-law Amendment to permit the development of one (1) single detached dwelling and six (6) on-street townhouse units on the property municipally known as 300 Water Street.

Key Findings

Planning staff support the proposed Official Plan Amendment and Zoning By-law Amendment subject to the recommended Official Plan Amendment in Attachment 3 and the recommended zoning regulations and conditions in Attachment 4.

Financial Implications

Estimated Development Charges: \$207,646 based on 2019 rates.

Estimated Annual Taxes: \$24,700 based on the 2019 City tax rate for one (1) single detached dwelling and 6 on-street townhouse units (estimate only and actual number may vary)

Report

Background

Applications to amend the Official Plan and Zoning By-law were received for the property municipally known as 300 Water Street from GSP Group on behalf of the property owner, T.J.L Transport Limited. The applications were submitted on December 22, 2017 and deemed to be complete on January 19, 2018. The statutory Public Meeting was held on May 14, 2018. The original applications proposed the development of seven (7) on-street townhouse units and one (1) single detached residential dwelling. The applicant has revised the proposal by removing one (1) on-street townhouse unit and is now proposing to develop the property with six (6) on-street townhouse units and one (1) single detached residential dwelling.

Location

The subject property is located at the south-west corner of Water Street and Denver Road (see Attachment 1 – Location Map and Attachment 2 – Aerial Photograph). The subject property is approximately 0.2 hectares in size and has an exterior frontage of approximately 63.6 metres along Water Street and a frontage of approximately 57.3 metres along Denver Road. The property was previously developed with one (1) single detached residential dwelling which was demolished in May 2015.

Surrounding land uses include:

To the north: Water Street, beyond which are townhouses;

To the south: a Hydro Corridor, beyond which are single detached residential uses;

To the east: Denver Road, beyond which are lands zoned "Urban Reserve" and "Institutional"; and,

To the west: a Hydro Corridor.

Existing Official Plan Land Use Designations and Policies

The subject property is currently designated "Open Space and Park" with a "Natural Areas Overlay" in the Official Plan. Permissible uses in the "Open Space and Park" land use designation include: public and private recreational uses and facilities, parks, golf courses, conservation lands, cemeteries and complementary uses. Complementary uses are uses that are normally associated with the main recreational use, are compatible with, and do not detract from or restrict, the primary function of the Open Space and Parks designation.

The subject property also has a "Natural Areas Overlay" designation. Development or site alteration is not permitted within the Natural Areas included in the "overlay" designation until an Environmental Impact Study (EIS) or Environmental Assessment (EA) has been completed to determine which Natural Heritage System policies, if any, apply and is approved to the satisfaction of the City.

In accordance with Official Plan policies, the applicant has prepared an Environmental Impact Study (EIS) to address the "Natural Areas Overlay" designation. A full review of the EIS and Natural Heritage System policies is included in the Staff Review and Planning Analysis in Attachment 11.

The relevant policies of the existing land use designations are included in Attachment 5.

Description of Proposed Official Plan Amendment

The applicant has applied for an Official Plan Amendment to change the land use designation of the subject property from "Open Space and Park" with a "Natural Areas Overlay" to the "Low Density Residential" land use designation. The "Low Density Residential" land use designation permits residential uses including: detached, semi-detached, duplex dwellings and multiple unit residential buildings, such as townhouses and apartments. The permissible net density within this land use designation is 15 to 35 units per hectare.

The original Official Plan Amendment requested a site-specific policy to be added to the "Low Density Residential" land use designation to allow a maximum density of 40 units per hectare. The applicant has since revised their proposal by removing one (1) on-street townhouse unit, for a total of 6 on-street townhouse units and one (1) single detached residential dwelling, which results in a net density of 33.9 units per hectares, which is within the permissible density range of 15-35 units per hectare. Therefore a site-specific policy in the "Low Density Residential" land use designation is no longer required.

The recommended Official Plan Amendment is included in Attachment 3.

Existing Zoning

The subject property is currently zoned "Urban Reserve" (UR), according to Zoning By-law (1995)-14864, as amended. The UR zone does not permit residential uses.

Description of Proposed Zoning By-law Amendment

Original Application

The intent of the original application was to change the zoning from the "Urban Reserve" (UR) Zone to the "Residential Single Detached" (R.1C) Zone and to a "Specialized Residential On-Street Townhouse" (R.3B-?) Zone to permit the

development of seven (7) on-street townhouse units to one (1) single detached residential dwelling.

In addition to the regulations set out in Table 5.3.2 – Regulations Governing R.3B - On-Street Townhouse Zones of Zoning By-law (1995)-14864, as amended, the following specialized regulations were requested to facilitate the original proposal:

- A minimum lot area of 165 m², whereas Table 5.3.2, Row 2 requires a minimum lot area of 180 m²;
- A minimum lot area per dwelling unit of 165 m², whereas Table 5.3.2, Row 3 requires a minimum lot area of 180 m²; and,
- A minimum rear yard of 1.0 metre for one of the townhouse units, whereas Table 5.3.2, Row 7 requires a minimum rear yard of 7.5 metres.

The original conceptual site plan is included in Attachment 9.

Current Conceptual Site Plan

The applicant has revised the proposal by removing one (1) on-street townhouse unit and is proposing to develop the property with:

- Six (6), two-storey on-street townhouse units with associated driveways and amenity areas;
- One (1) single detached residential dwelling;
- Each townhouse unit will provide 2 parking spaces (one in the garage and one in the driveway); and,
- Access to the townhouse units is proposed off of Water Street and access to the single detached dwelling is proposed off of Denver Road.

In addition to the regulations set out in Table 5.3.2 – Regulations Governing R.3B - On-Street Townhouse Zones of Zoning By-law (1995)-14864, as amended, the following specialized regulations are required for the on-street townhouse units:

- A minimum rear yard of 3.8 metres for one of the townhouse units, whereas Table 5.3.2, Row 7 requires a minimum rear yard of 7.5 metres; and,
- No buildings or structures (excluding fences) shall be located or constructed within 1.5 metres of an underground infiltration storm gallery.

In addition to the regulations set out in Table 5.1.2 – Regulations Governing R.1 Zones of Zoning By-law (1995)-14864, as amended, the following specialized regulation is required for the residential single detached dwelling:

- A minimum rear yard of 3.5 metres, whereas Table 5.1.2, Row 8 requires a minimum rear yard of 7.5 metres or 20% of the lot depth, whichever is less.

The current conceptual site plan is included in Attachment 10.

Staff Review/Planning Analysis

The staff review and planning analysis for these applications is provided in Attachment 11. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at the statutory Public Meeting held on May 14, 2018. Final comments on the revised proposal from internal City departments and agencies are included in Attachment 13. The staff review and planning analysis addresses the following:

- Evaluation of the proposal in accordance with the policies of the 2014 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, including the proposed Official Plan Amendment;
- Review of the proposed zoning and specialized site-specific regulations;
- Review of the proposed site layout and built form compatibility with adjacent and established land uses and parking;
- Review of supporting documents submitted in support of the applications;
- Confirm support for the 2019 Community Energy Initiative Update (CEI); and
- Address all comments and issues raised at the Statutory Public Meeting and all comments received from circulated Agencies and members of the public.

Staff Recommendation

The applicant has revised the proposal since the initial application and statutory public meeting. The applicant has removed one (1) on-street townhouse unit which has removed the requirement for a site-specific policy in "Low Density Residential" land use designation. The removal of one (1) unit also results in the number of site-specific zoning regulations being reduced. A Notice of Revised Submission was sent to interested parties in July 2019 which identified the changes made to the original applications. Through the review of the applications, staff have also identified the need for a specialized zoning regulation to protect the underground infiltration storm galleries and have identified the need for a reduced rear yard setback for the single detached dwelling. The modifications to the proposed development are considered to be minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Planning staff are satisfied that the proposed Official Plan and Zoning By-law Amendments are consistent with the 2014 Provincial Policy Statement and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposed Official Plan and Zoning By-law Amendments conform to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Official Plan Amendment as outlined in Attachment 3 and recommend that Council approve the Zoning By-law Amendment subject to the zoning regulations and proposed conditions to be imposed through site plan approval and or Consent as outlined in Attachment 4.

Financial Implications

Estimated Development Charges: \$207,646 based on 2019 rates.

Estimated Annual Taxes: \$24,700 based on the 2019 City tax rate for one (1) single detached dwelling and 6 on-street townhouse units (estimate only and actual number may vary)

Consultations

The Notice of Complete Application was mailed on February 2, 2018 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was mailed on April 24, 2018 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 Tribune on April 19, 2018. Notice of the applications has also been provided by signage on the property and all supporting documents submitted with the application have been posted on the City's website. A Notice of Revised Submission was mailed on July 16, 2019 to interested parties who spoke at the public meeting, provided comments on the application or requested to receive further notice.

On January 20, 2020, the Notice of Decision Meeting was sent to interested parties who spoke at the public meeting, provided comments on the application or requested to receive further notice. The public notification summary is included in Attachment 14.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows

Alignment

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

Attachments

Attachment 1 – Location Map and 120m Circulation

Attachment 2 – Aerial Photograph

Attachment 3 – Recommended Official Plan Amendment No. 70

Attachment 4 – Recommended Zoning Regulations and Conditions

Attachment 5 - Existing Official Plan Land Use Designations and Policies

Attachment 6 – Proposed Official Plan Land Use Designation and Policies

Attachment 7 – Existing Zoning

Attachment 8 – Proposed Zoning

Attachment 9 – Original Conceptual Site Plan

Attachment 10 – Current Conceptual Site Plan

Attachment 11 – Staff Review and Planning Analysis

Attachment 12 – Community Energy Initiative Update Commitment

Attachment 13 – Departmental and Agency Comments

Attachment 14 – Public Notification Summary

Departmental Approval

Not applicable.

Report Author

Lindsay Sulatycki, MCIP, RPP
Senior Development Planner



Approved By

Todd Salter, MCIP, RPP
General Manager, Planning and
Building Services
Infrastructure, Development and
Enterprise Services
519-822-1260, extension 2395
todd.salter@guelph.ca

Approved By

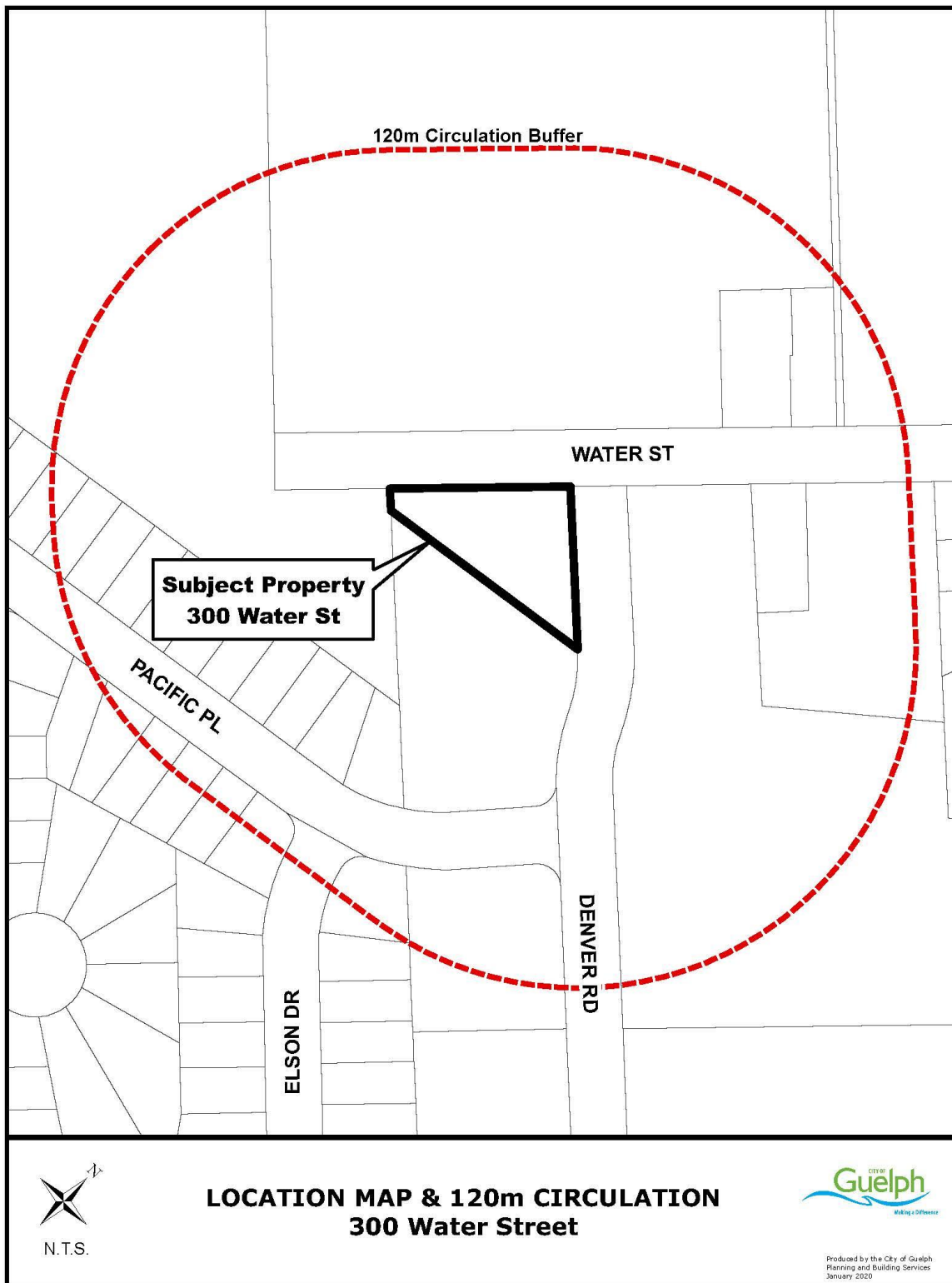
Chris DeVriendt, MCIP, RPP
Manager of Development Planning



Recommended By

Kealy Dedman, P.Eng., MPA
Deputy Chief Administrative Officer
Infrastructure, Development and
Enterprise Services
519-822-1260, extension 2248
kealy.dedman@guelph.ca

Attachment 1 – Location Map and 120m Circulation



Attachment 2 – Aerial Photograph



Attachment 3 – Recommended Official Plan Amendment No. 70

O.P.A. No. 70

The purpose of Official Plan Amendment number 70 is to redesignate the property municipally known as 300 Water Street and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph from the "Open Space and Park" land use designation with a "Natural Areas Overlay" to the "Low Density Residential" land use designation to permit a low density residential development.

Attachment 4 – Recommended Zoning Regulations and Conditions

4A – Zoning Regulations

The applicant is proposing a “Specialized Residential Single Detached” (R.1C-32) Zone, and two “Specialized Residential On-Street Townhouse” (R.3B-24) and (R.3B-25) Zones for the subject property.

In addition to the regulations set out in Section 5.3.2 for the “Residential On-Street Townhouse” (R.3B) Zone of Zoning By-law (1995)-14864, as amended, the following specialized regulations will apply:

- To permit a minimum rear yard setback of 3.8 metres for one of the townhouse units, whereas Table 5.3.2, Row 7 requires a minimum rear yard of 7.5 metres.
- No buildings or structures (excluding fences) shall be located or constructed within 1.5 metres of an underground infiltration storm gallery.

In addition to the regulations set out in Table 5.1.2 – Regulations Governing R.1 Zones of Zoning By-law (1995)-14864, as amended, the following specialized regulation is required for the residential single detached dwelling:

- A minimum rear yard of 3.5 metres, whereas Table 5.1.2, Row 8 requires a minimum rear yard of 7.5 metres or 20% of the lot depth, whichever is less.

4B – Proposed Conditions of Site Plan Approval and/or Consent:

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

1. That prior to the issuance of building permits the Owner/Developer shall apply to the City and obtain site plan approval for the entire development in accordance with Section 41 of The Planning Act. The application shall include submitting a detailed site plan, indicating such items as building location, building design, proposed servicing, grading and drainage, erosion and sediment control, access, traffic circulation and parking to the satisfaction of the General Manager of Planning and Building Services and the General Manager/City Engineer. Such plans shall be certified by a Professional Engineer. All applications for a building permit shall be accompanied by a plan that shows that the proposed building, grading and drainage is in conformance with the approved overall drainage and grading plan.
2. That the Owner/Developer agrees that an upgraded building facade for the end townhouse unit at the corner of Water Street and Denver Road is required.
3. That the Owner/Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Owner/Developer.
4. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer. The cost related

to preparation and implementation of such studies, plans and reports shall be borne by the Owner/Developer.

**4B – Proposed Conditions of Site Plan Approval and/or Consent
(continued):**

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

4B – Proposed Conditions of Site Plan Approval and/or Consent (continued):

10. That the Owner/Developer shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner/Developer.
11. That the Owner/Developer shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
12. That the Owner/Developer shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.
13. That the Owner/Developer shall pay for the design and construction of the proposed sidewalk as shown on the preliminary site servicing and grading plan. (Revision Nov 13, 2019).
14. That the Owner/Developer agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands for drainage and servicing.
15. That the Owner/Developer acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
16. That the Owner/Developer shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
17. That the Owner/Developer shall confirm that the basements will have a minimum 0.5metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
18. That the Owner/Developer shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer
19. That the Owner/Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.

20. That the Owner/Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.

**4B – Proposed Conditions of Site Plan Approval and/or Consent
(continued):**

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

25. That the Owner/Developer shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.

**4B – Proposed Conditions of Site Plan Approval and/or Consent
(continued):**

26. That the Owner/Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
27. That the Owner/Developer shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermain, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
28. That the Owner/Developer shall provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement and condominium declaration.
29. That the Owner/Developer agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
30. That the Owner/Developer agrees to maintain a log for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement and condominium declaration.
31. That all applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage is in conformance with the approved overall site drainage and grading plan.
32. That the Owner/Developer shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner/Developer shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.
33. That prior to site plan approval, the Owner/Developer shall demonstrate to the satisfaction of the General Manager of Planning and Building Services a commitment to incorporate features into the development that will implement recommendations of the City's Community Energy Initiative (CEI) and the overall goal of becoming a net zero carbon community by 2050.

34. That prior to site plan approval, the Owner/Developer shall complete an updated Tree Inventory and Preservation Plan and Vegetation Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Private Tree Protection By-law (2010)-19058 prior to any grading, tree removal or construction on the site.

4B – Proposed Conditions of Site Plan Approval and/or Consent (continued):

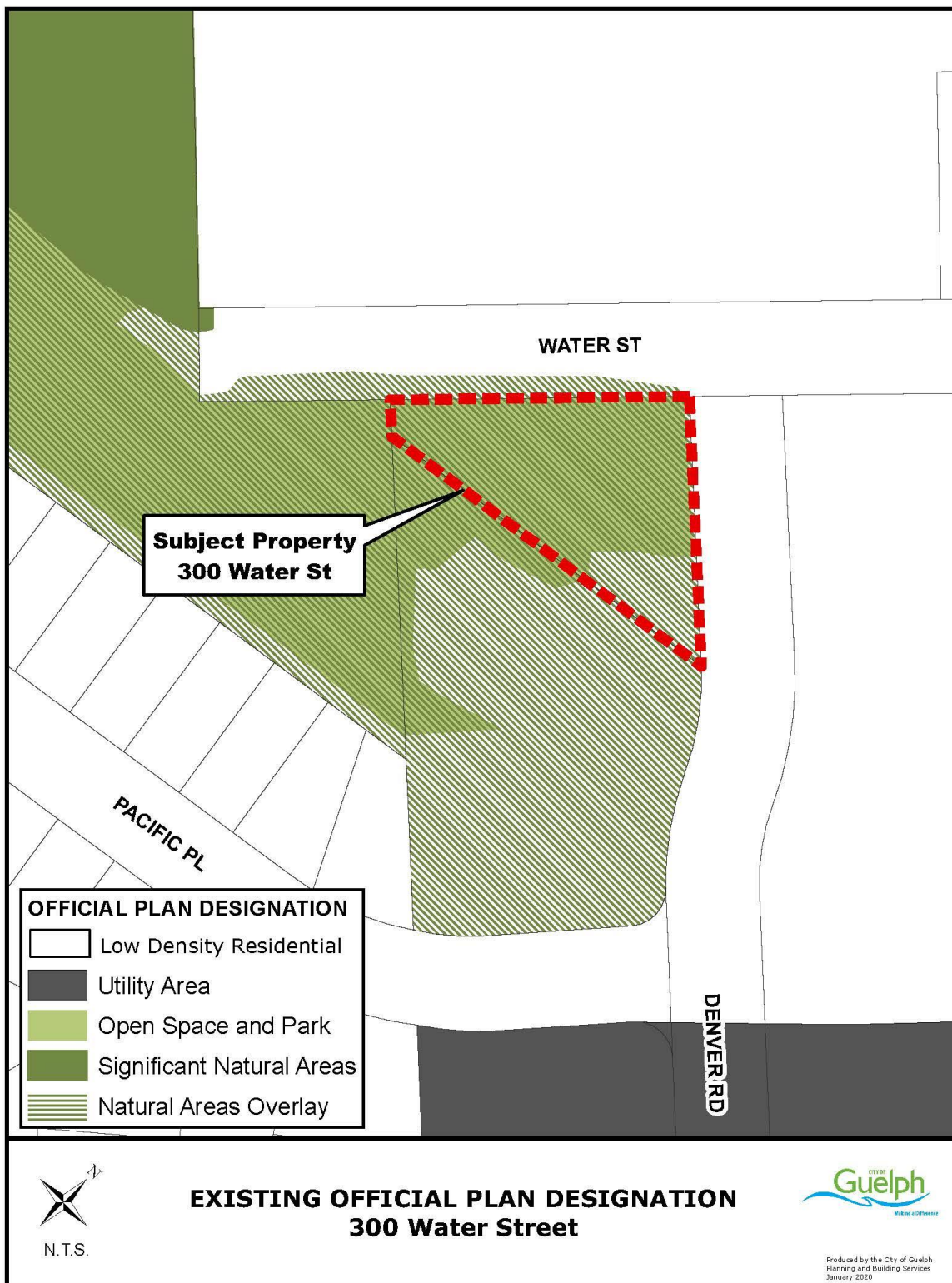
35. That prior to site plan approval, the Owner/Developer shall provide details with respect to:
- verification and confirmation of high groundwater levels on site;
 - in situ permeameter testing in support of the clear stone infiltration gallery;
 - stormwater management plan that demonstrates maintenance of pre- to post-development;
 - recharge and runoff volumes;
 - grading, drainage and erosion and sediment control plans;
 - educational signage; and
 - a salt management plan.
36. That prior to site plan approval, the Owner/Developer shall implement all recommendations of the following Environmental Impact Study and supporting Addenda to the satisfaction of the City: 300 Water Street Environmental Impact Study (NRSI, August 2017), 300 Water Street EIS Agency Comment Responses (NRSI, May 3, 2018), 300 Water Street Guelph July 23rd Agency Comments and Responses (NRSI, November 22, 2018) and 300 Water Street, Guelph Second EIS Addendum – Additional Hydrological Information (NRSI, May 7, 2019).
37. That prior to site plan approval, the Owner/Developer shall pay to the City, the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
38. That prior to site plan approval, the Owner/Developer shall provide the City with a letter of credit to cover the City approved cost estimate for implementing the Vegetation Compensation Plan or equivalent cash-in-lieu to the satisfaction of the General Manager of Planning and Building Services.
39. That prior to site plan approval, the Owner/Developer shall be responsible for the cost of design and development of the demarcation of lands in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
40. That prior to site plan approval, the Owner/Developer shall be responsible for payment of money in lieu of conveyance of parkland to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to

s. 42 of the Planning Act and in accordance to the City's Parkland dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.

4B – Proposed Conditions of Site Plan Approval and/or Consent (continued):

41. That prior to the issuance of the first building permit for the townhouse portion of the lands, the Owner/Developer shall provide to the Deputy CAO of Public Services or their designate, a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount for payment in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate, Notwithstanding the foregoing, if the narrative appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services or their designate, acting reasonably, the City reserves the right to obtain an independent narrative appraisal for the purposes of calculating the amount for payment in lieu of conveyance of parkland.
42. That the Owner/Developer shall place the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the site plan agreement to be registered on title:
 - "Purchasers and/or tenants of all lots or units abutting the existing Silvercreek Park are advised that it will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence."
 - "Purchasers and/or tenants of all lots or units abutting the existing Silvercreek Park are advised that no private gates will be allowed in this demarcation fence."
 - "Purchasers and/or tenants of all lots or units are advised that a public trail exists in close proximity to all lots and that public access to this trail occurs on Water Street."
 - "Purchasers and/or tenants of all lots are advised that the existing Silvercreek Park has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."
43. That the Owner/Developer and the Upper Grand District School Board shall reach an agreement regarding the supply and erection of a sign (at the Owner/Developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents of schools in the area.
44. That the Owner/Developer shall pay all Development Charges prior to the issuance of any building permits.
45. That prior to site plan approval, the Owner/Developer shall demonstrate compliance with the City's Waste Management By-law (2011)-19199.

Attachment 5 – Existing Official Plan Land Use Designations and Policies



Attachment 5 – Existing Official Plan Land Use Designations and Policies (continued)

9.7 Open Space and Parks

Open space and parks provide health, environmental, aesthetic and economic benefits that are important elements for a good quality of life. Lands designated Open Space and Parks are public or private areas where the predominant use or function is active or passive recreational activities, conservation management and other open space uses.

Objectives

- a) To develop a balanced distribution of open space, active and passive parkland and recreation facilities that meet the needs of all residents and are conveniently located, accessible and safe.
- b) To co-operate and partner with other public, quasi-public and private organizations in the provision of open space, trails and parks to maximize benefits to the community.
- c) To assist in protecting the City's urban forests, the Natural Heritage System and cultural heritage resources.

Policies

1. Where any land designated Open Space and Parks is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the City or any other public agency.
2. Where lands designated Open Space and Parks are in private ownership and a development application is made requesting a change to a land use other than Open Space and Parks, due consideration shall be given by Council to the following:
 - i) Council will consider the acquisition of the subject lands, having regard for the following:
 - a. the provision of adequate open space, parks and recreational areas, particularly in the vicinity of the subject lands;
 - b. the existence of cultural heritage resources or natural heritage features on the site;
 - c. the recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
 - d. the possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
 - e. the ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space and parks acquisition plan.
 - ii) If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an Open Space and Parks designation by such means as management agreements or easements, where applicable.

Attachment 5 – Existing Official Plan Land Use Designations and Policies (continued):

3. Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to secure the lands in an Open Space and Parks designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated Open Space and Parks.
4. When developing major recreation facilities such as indoor swimming pools, arenas or major parks or open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.
5. Where appropriate, the City may implement practices that naturalize portions of City parks and incorporate indigenous vegetation.

Permitted Uses

6. The following uses may be permitted in the Open Space and Parks designation, subject to the applicable provisions of this Plan:
 - i) public and private recreational uses and facilities;
 - ii) parks;
 - iii) golf courses;
 - iv) conservation lands;
 - v) cemeteries; and
 - vi) complementary uses.
7. Complementary uses are uses that are normally associated with the main recreational use, are compatible with, and do not detract from or restrict, the primary function of the Open Space and Parks designation. Such complementary uses may include, but are not necessarily restricted to horticulture, restaurants, club houses, pro shops, public halls and other accessory buildings.

4.1.4 Natural Areas

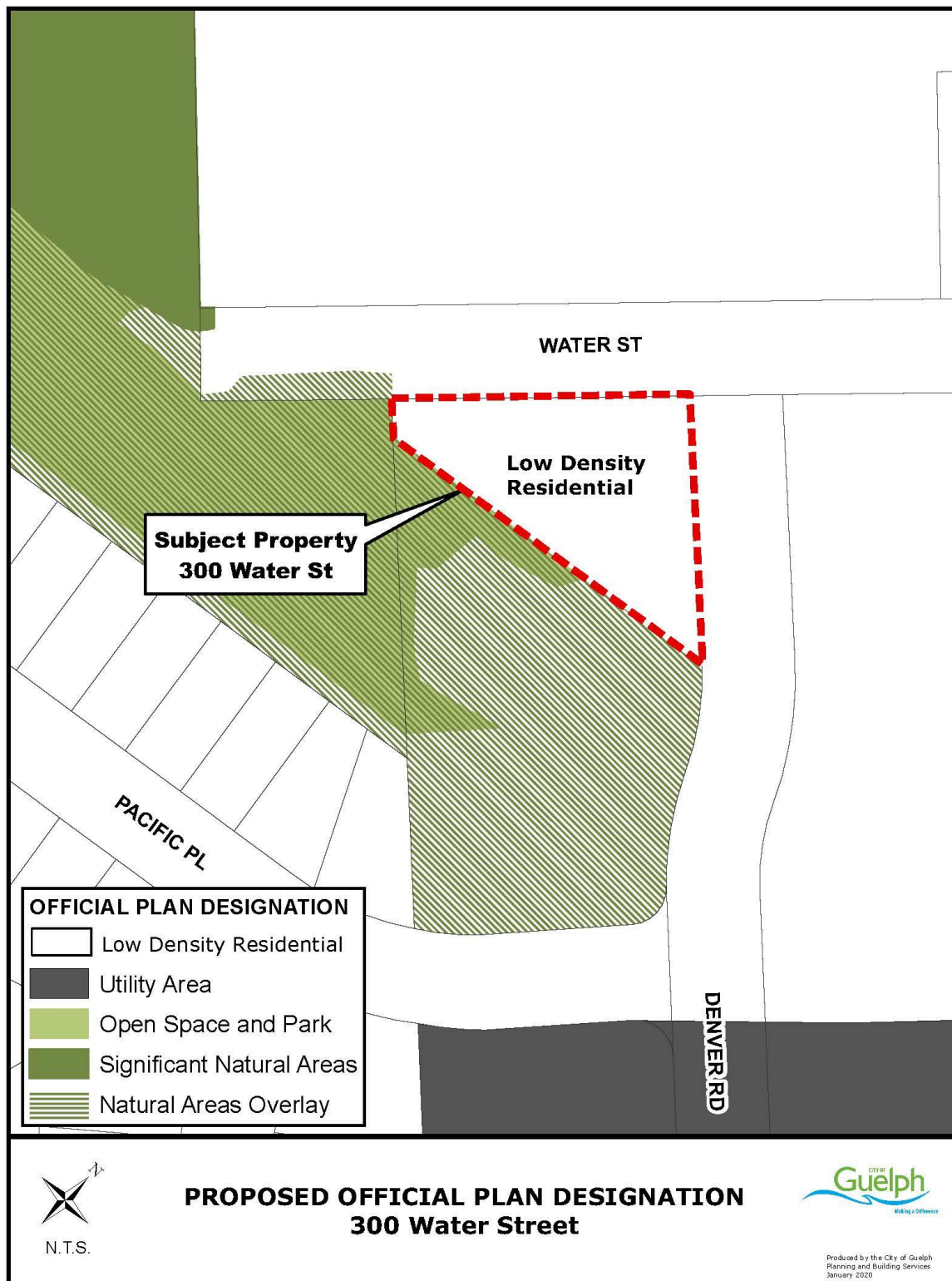
Natural Areas include three categories of features that are considered less ecologically significant than Significant Natural Areas, but that still warrant protection within the Natural Heritage System. The three feature categories are: Other Wetlands, Cultural Woodlands, and Habitat for Significant Species.

Unmapped Natural Areas or all or parts of Natural Areas included in the overlay designation shown on Schedules 2 and 4 require further study to determine the appropriate level of protection in accordance with the policies of this Plan. Natural Areas included in the overlay designation shown on Schedules 2 and 4 include Other Wetlands and Cultural Woodlands. Habitat for Significant Species (excluding Significant habitat of provincially Endangered and Threatened Species) is not identified within the Natural Areas overlay on the schedules of this Plan and must be identified in accordance with 4.1.4.

4.1.4.1 General Policies: Natural Areas

1. Development or site alteration shall not be permitted within unmapped Natural Areas or Natural Areas included in the overlay designation shown on Schedules 2 and 4 until an EIS or EA that determines which Natural Heritage System policies, if any, apply and is approved as part of a complete development application to the satisfaction of the City.
 - i) Where unmapped Natural Areas or all or parts of Natural Areas included in the overlay designation on Schedules 2 and 4 meet one or more of the criteria for designation as Significant Natural Areas, the appropriate policies of 4.1.3 will apply, and the areas identified for protection, including any established buffers, will be deemed to be designated Significant Natural Areas.
 - ii) Where unmapped Natural Areas or all or parts of a Natural Areas included in the overlay designation on Schedules 2 and 4 meet one or more of the criteria for designation as Natural Areas, the appropriate policies under 4.1.4 will apply, and the areas identified for protection, including any established buffers, will be deemed to be designated Natural Areas.
 - iii) Where unmapped Natural Areas or all or parts of a Natural Areas included in the overlay designation on Schedules 2 and 4 do not meet either i) or ii) above, the Natural Areas overlay designation will be deemed removed, and the underlying land use designation will apply.

Attachment 6 – Proposed Official Plan Land Use Designation and Policies



Attachment 6 – Proposed Official Plan Land Use Designation and Policies (continued)

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.

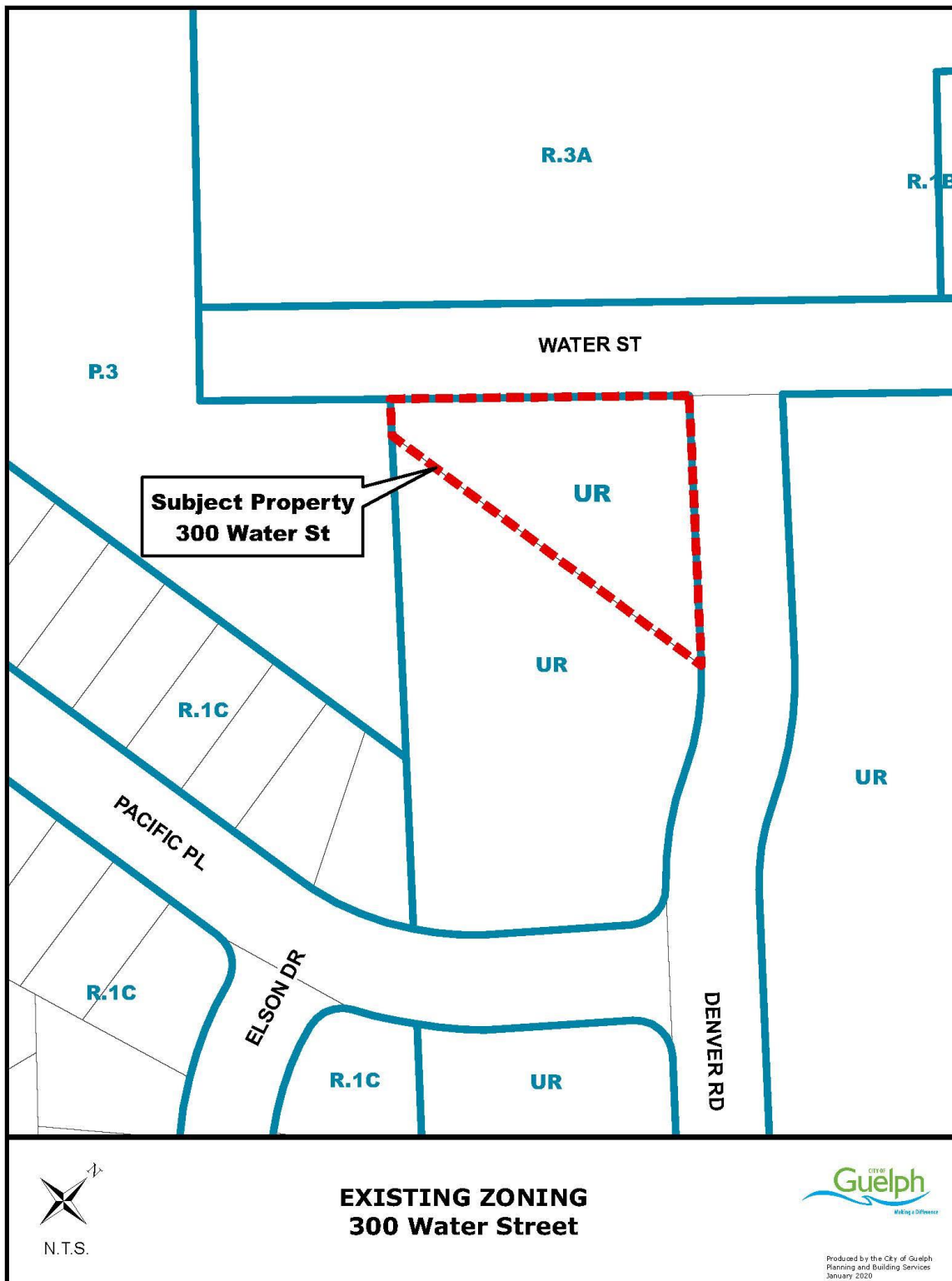
Height and Density

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.

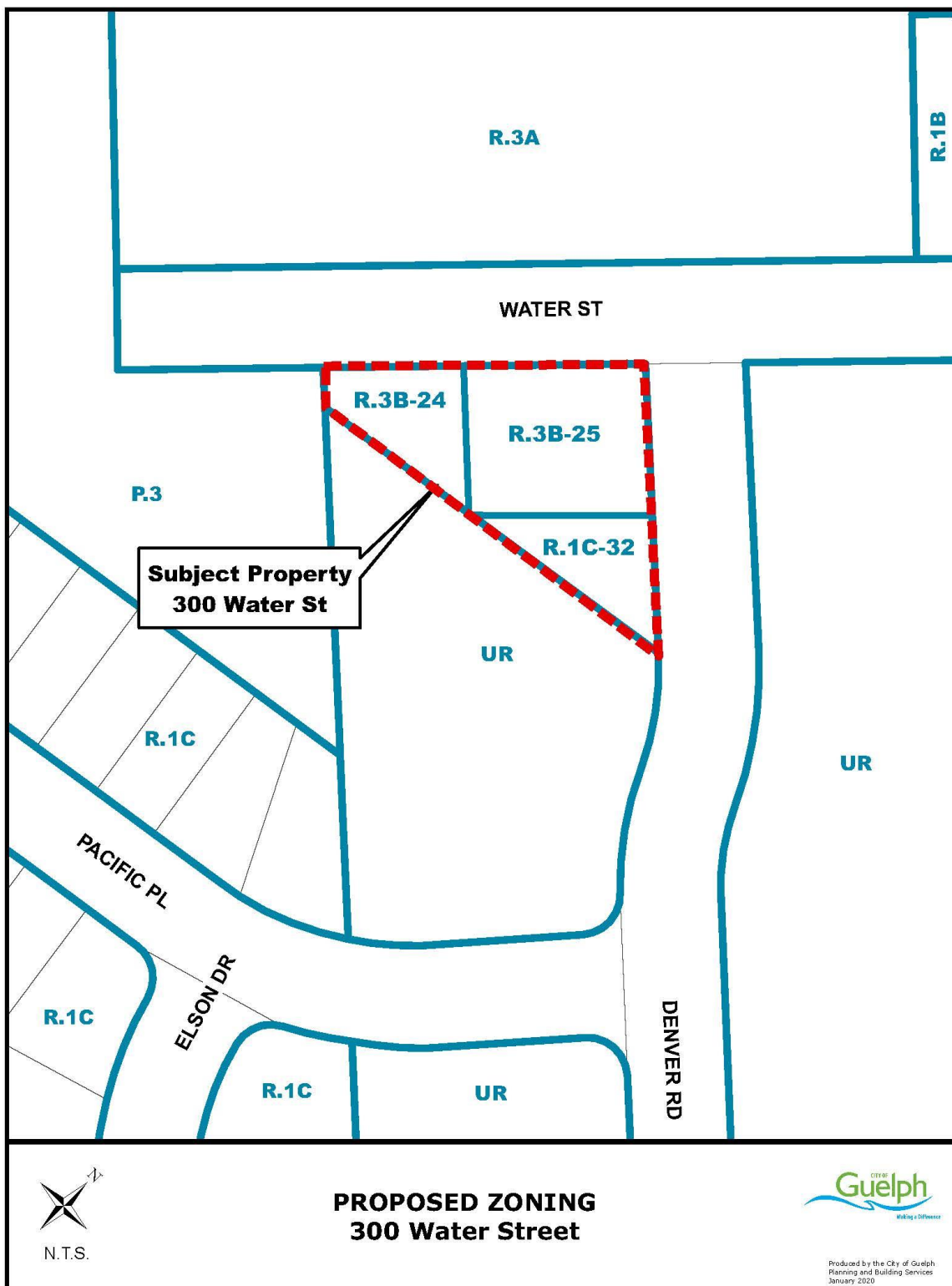
The following height and density policies apply within this designation:

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.

Attachment 7 – Existing Zoning



Attachment 8 – Proposed Zoning



Attachment 8 – Proposed Zoning (continued)

In accordance with the specialized zoning regulations outlined in Attachment 4 and Section 5.1 and Section 5.3 of the Zoning By-law as outlined below.

15006, 15378, 17187, 18116, 19063, 19691

TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

1	Residential Type	SINGLE-DETACHED DWELLINGS			
2	Zones	R.1A	R.1B	R.1C	R.1D
3	Minimum Lot Area	555 m ²	460 m ²	370 m ²	275 m ²
4	Minimum Lot Frontage	18 metres and in accordance with Section 5.1.2.6.	15 metres and in accordance with Section 5.1.2.6.	12 metres and in accordance with Section 5.1.2.6.	9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.
5	Maximum Building Height	3 Storeys and in accordance with Section 4.18.			
6	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
6a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.			
7	Minimum Side Yard 1 to 2 Storeys Over 2 Storeys	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.	1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	1.2 metres 1.2 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2.	0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.
8	Minimum Rear Yard	7.5 metres or 20% of the Lot Depth , whichever is less and in accordance with Section 5.1.2.4.			
9	Accessory Buildings or Structures	In accordance with Section 4.5.			
10	Fences	In accordance with Section 4.20.			
11	Off-Street Parking	In accordance with Section 4.13.			
12	Minimum Landscaped Open Space	The Front Yard on any Lot , excepting the Driveway (Residential) shall be landscaped and no parking shall be permitted within this Landscaped Open Space . Despite the definition of Landscaped Open Space , a minimum area of 0.5 metres between the Driveway (Residential) and nearest Lot Line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.			
13	Garbage, Refuse and Storage	In accordance with Section 4.9.			
14	Garages	For those Lots located within the boundaries indicated on Defined Area Map Number 66, attached Garages shall not project beyond the main front wall of the Building . 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.			

Attachment 8 – Proposed Zoning (continued)

17187, 19691

TABLE 5.3.2 - REGULATIONS GOVERNING R.3 ZONES

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

Attachment 10 – Current Conceptual Site Plan



Attachment 11 – Staff Review and Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and is issued under the authority of Section 3 of the Planning Act. The PPS promotes efficient use of land and development patterns and addresses matters of provincial interest in land use planning. As per section 4.2 of the PPS, all planning decisions shall be consistent with the PPS.

Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of residential and employment and other uses to meet long term needs (Policy 1.1.1 (a), (b)).

The proposed development is consistent with these principles by:

- Focusing development within the built-up area of the City of Guelph to make the most efficient use of land and existing services.
- Providing for the development on existing roads in close proximity to transit routes and existing infrastructure/public service facilities.
- Providing a form of housing that is complimentary to adjacent residential development.

Policy 1.1.3 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for and efficiently use planned and/or available infrastructure and public service facilities; minimize impacts to air quality and climate change; and support active transportation. Settlement areas are to also contain a range of uses and opportunities for intensification and redevelopment. Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment taking into consideration existing building stock, brownfield sites and the availability of existing or planned infrastructure or public service facilities.

Policy 1.4.1 states that planning authorities shall provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents. The proposed development is consistent with the Province's direction by: supporting residential intensification, providing a new residential development form on lands containing appropriate levels of infrastructure, and providing for compact housing through residential intensification.

The proposed development is a compact form of development that will use land and infrastructure efficiently and contribute to the range of housing options in the area. The proposed Official Plan Amendment and Zoning By-law Amendment applications are consistent with the 2014 Provincial Policy Statement.

Places to Grow

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) provides a framework for managing growth in the Greater Golden Horseshoe area and works to support the achievement of complete communities and to ensure that land to

accommodate forecasted population and employment growth will be available when needed.

The current Growth Plan came into effect on May 16, 2019 and applies to any decisions on planning matters made on or after this date. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities by directing growth to built-up areas, the promotion of transit-supportive densities, and a healthy mix of residential, employment and recreational land uses.

The guiding principles of the plan include:

- Building compact, vibrant and complete communities;
- Optimizing the use of existing and new infrastructure to support growth in a compact and efficient form;
- Providing for different approaches to managing growth that recognize the diversity of communities in the Growth Plan.

The subject property is located within the City's "Built-Up Area" as shown on Schedule 1: Growth Plan Elements of the Official Plan.

Section 2.2.1 and 2.2.2 of the Growth Plan identify how population growth will be accommodated within the "Delineated Built-up Areas". These sections introduce policies related to intensification, reducing dependence on the automobile, complete communities and efficient use of infrastructure and public service facilities. The proposed Zoning By-law Amendment conforms with the policies of this section by:

- Directing development to the built-up area;
- Promoting development that supports active and public transportation options;
- Proposing different housing forms in the neighbourhood that contributes to the mix of housing types in the area;
- Contributing to the objective of a 'complete community' by encouraging development in close proximity to services, public transit and public open space; and,
- Making efficient use of existing infrastructure and public service facilities (e.g. roads, water and sewer, etc.).

The proposed Official Plan Amendment and Zoning By-law Amendment are consistent with and conform to the Growth Plan for the Greater Golden Horseshoe (2019).

Official Plan

Existing Land Use Designations and Policies

The subject property is currently designated "Open Space and Park" with a "Natural Areas Overlay" in the Official Plan. Permissible uses in the "Open Space and Park" land use designation include: public and private recreational uses and facilities, parks, golf courses, conservation lands, cemeteries and complementary uses. Complementary uses are uses that are normally associated with the main recreational use, are compatible with, and do not detract from or restrict, the primary function of the Open Space and Parks designation.

The subject property also has a "Natural Areas Overlay" designation. Development or site alteration is not permitted within the Natural Areas included in the "overlay"

designation until an Environmental Impact Study (EIS) or Environmental Assessment (EA) has been completed to determine which Natural Heritage System policies, if any, apply and is approved to the satisfaction of the City.

Natural Resource Solutions Inc. prepared an Environmental Impact Study and associated Addendum in accordance with Official Plan policies to address the "Natural Areas Overlay" designation. The EIS was reviewed and circulated to City staff, the Grand River Conservation Authority (GRCA) and was brought to the July 11, 2018 Environmental Advisory Committee (EAC) meeting. Comments from the City's Environmental Planner, the GRCA and EAC's approved motion of conditional support are provided in Attachment 13.

The subject property was previously connected via the hydro-corridor to the Natural Heritage System. Tree removals that occurred within the hydro-corridor in 2017 severed this connection. The treed area that occurs on the subject property does not meet the City's criteria for Significant Woodland or Cultural Woodland. A small wetland feature occurs on the subject property. The wetland is 0.08 hectares in size and does not meet the 0.5 hectare minimum size criterion for Locally Significant Wetlands or 0.2 hectare minimum size criterion for Other Wetlands. Since the treed area does not qualify as Significant Natural Area or Natural Area, it is not protected by the City's Natural Heritage System policies.

In accordance with Official Plan Policy 4.1.4.1 (iii) – General Policies of Natural Areas, where unmapped Natural Areas or all or parts of Natural Areas included in the overlay designation do not meet the criteria for designation as "Significant Natural Areas" or "Natural Areas", the underlying designation would apply and the "Natural Areas Overlay" designation can be removed. The underlying designation of "Open Space and Parks" would therefore apply and the applicant has applied for an Official Plan Amendment to redesignate the site to the "Low Density Residential" land use designation. Below is an evaluation of the Official Plan Amendment criteria.

Urban Forest and Private Tree Protection By-law Requirements

The subject property is regulated under the City's Private Tree Protection By-law. Based on the Tree Inventory and Preservation Plan (TIPP) prepared by Natural Resource Solutions Inc. (August 2017) in support of the development application, 182 trees greater than 10 centimeters in diameter at breast height are proposed for removal. Of the 182 trees proposed for removal, 122 trees were assessed to be in poor to very poor health and the remaining 60 trees were assessed to be in excellent to fair health. Compensation is required for trees that are in fair or better condition at a 3:1 replacement ratio or cash-in-lieu equivalent, therefore a minimum of 180 compensation plantings are required. Prior to site plan approval, the Owner/Developer is required to prepare an updated TIPP and a condition has been included in Attachment 4 to this effect.

Official Plan Amendment Criteria

Policy 9.7.1 of the Official Plan states that "Where any land designated Open Space and Parks is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the City of any other public agency." The applicant has submitted an Official Plan Amendment to redesignate the property to "Low Density Residential".

Policy 9.7.2 of the Official Plan provides criteria to evaluate a development application requesting to change the land use designation from "Open Space and Parks". Below is an evaluation of this criteria:

- a. The provision of adequate open space, parks and recreational areas, particularly in the vicinity of the subject lands.

There is adequate open space and recreational areas/facilities in the vicinity of the subject property including: Silvercreek Park, Water Street Park, Centennial Park (approximately 550 metres), Hugh Park (approximately 1.0 km), and Guelph Soccer Club/Guelph Community Sports Dome.

- b. The existence of cultural heritage resources or natural heritage features on the site.

The applications were circulated to the City's Heritage Planner for comment and no cultural heritage resources potential was identified. As discussed earlier in this report the treed area does not qualify as Significant Natural Area or Natural Area, it is not protected by the City's Natural Heritage System policies.

- c. The recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property.

The property is in private ownership and is treed so there are no recreational uses currently provided. Parks and Recreation staff have confirmed that there are no plans to acquire this property for active parkland.

- d. The possibility of any other government agency purchasing or sharing in the purchase of the subject lands.

Given the size, location and irregular shape of the property, no other government agency has expressed interest in acquiring the subject property.

- e. The ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space and parks acquisition plan.

The City's Parks and Recreation staff were circulated the applications for review and comment and were part of the original pre-consultation discussions with the applicant. It has been determined that the subject property is not a suitable location for active open space/parkland. Parks and Recreation staff have confirmed that there are no plans to acquire the site for active parkland.

Policy 7.3.2 of the Official Plan provides a Park Hierarchy to determine site suitability for parkland and is primarily based on function, size and population served by each level of open space. The following table summarizes the hierarchy of open space contained in the Official Plan and criteria for each.

Table 1: Park Hierarchy

Type	Primary Use	Size	Staff Comment
Urban Squares	Provide for opportunities for passive recreation and social interaction.	No minimum size specified but are intended to be included within Community Mixed-use Nodes, along Intensification Corridors and within Downtown.	Are to be primarily developed in areas of significant intensification, which this development is not within.
Neighbourhood Parks	Cater to the needs and interests of the residents living within the general vicinity for unorganized, unstructured and spontaneous leisure activities. Generally contain a mixture of passive areas, low to intermediate sports facilities, informal and formal play areas and may contain natural areas.	Minimum size of 1.0 hectare so that a variety of outdoor recreation activities may be accommodated.	The adjacent neighbourhood is within close proximity to many other Open Space areas including: Centennial Park, Hugh Guthrie Park. There are a number of trails connecting these areas to the neighbourhood. The property is 0.2 hectares, which is significantly smaller than the 1.0 hectare minimum size requirement.
Community Parks	Designed primarily to provide facilities for active recreation at an intermediate and/or major level such as sportsfields, recreation and/or community centres.	10-20 hectares in size	The subject property is not suitable given the size requirements for community parks.

Type	Primary Use	Size	Staff Comment
Regional Parks	Designed to primarily provide facilities or features that attract visitors from the local community and from the broader region.	Greater than 25 hectares in size	The subject property is not suitable given the size requirements for regional parks.

Community Energy Initiative Update (2019) and Climate Change

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

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

Staff are recommending a condition to be implemented through site plan approval that the Owner/Developer shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the CEI (see condition in Attachment 4).

Urban Design

The proposed development is in keeping with the City's urban design goals, objectives and policies. To achieve a complete community, the Official Plan contains policies regarding urban design that apply to all development. Several urban design objectives in the Official Plan apply to the proposed development, including:

- To create neighbourhoods with diverse opportunities for living, working, learning and playing (a);
- To build compact neighbourhoods that use land, energy, water and infrastructure efficiently and encourage walking (b); and,
- To design for a choice of mobility including walking, cycling, transit and driving (m).

In April 2018, Council approved the Built Form Standards for Mid-rise Buildings and Townhouses. The Built Form Standards ensure that the future development and design of mid-rise and townhouse forms is appropriate for the City based on existing context and contemporary urban design practices. Based on the approved Built Form Standards, staff is supportive of the approach to the design of the site

shown on the concept plan. The concept plan is meeting several of the built form standards for on-street townhouses including:

- Providing a minimum front yard setback of 6 metres;
- Townhouse units are a minimum of 6 metres wide;
- Driveways have been grouped to maximize soft surfaces and provide more soil volumes for trees;
- Providing a minimum rear yard setback of 7.5 metres for 5 of the 6 units (1 unit has a reduced setback of 3.8 metres due to the irregular shape of the lot);
- Providing a minimum of 35% as landscaped open space; and,
- Providing a minimum exterior side yard setback greater than 4.5 metres to allow for tree planting along the side of the building to help frame the street.

Residential Development Policies

Section 9.3 of the Official Plan contains policies that apply to the residential land use designations. The proposed development satisfies the residential objectives. These objectives include:

- Facilitating the development of a full range of housing types and densities to meet a diversity of lifestyles and the social needs and well-being of current and future residents throughout the City;
- Ensuring compatibility between various forms of housing and between residential and non-residential uses;
- Maintaining the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification;
- Directing new residential development to areas where full municipal services and infrastructure is available and can be provided in an efficient and cost effective manner;
- Ensuring new development is compatible with surrounding land uses and the general character of neighbourhoods; and
- Ensuring new residential development is located and designed to facilitate and encourage convenient access to employment, shopping, institutions and recreation by walking, cycling and transit.

Policy 9.3.1.1 of the Official Plan provides development criteria for multi-unit residential buildings and intensification proposals. This criteria is to be used to assess development proposals for multi-unit residential development within all residential designations and for intensification proposal within existing residential neighbourhoods. The criteria are listed below and applied to this development application.

1. Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.

The proposed applications facilitate development of a form and scale that is in keeping with the existing neighbourhood. The proposed on-street townhouses and single detached residential dwelling are compatible with the existing townhouses on Water Street and the single detached dwellings on Water Street and on Pacific Place.

2. Proposals for residential lot infill will be compatible with the general frontage of lots in the immediate vicinity.

The lot frontages proposed are compatible with the general frontages in the area. The on-street townhouse units will have a minimum frontage of 6 metres.

3. The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.

A number of convenience commercial uses are located within walking distance at the corner of Municipal Street and Edinburgh Road South. Centennial Park is also within walking distance. There is a bus stop within 500 metres of the subject property.

4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.

The proposed development of 7 residential units will not have an unacceptable impact on the adjacent roads and intersections. A Traffic Impact Study was not required as part of a complete application and was not requested through the circulation and review of the applications as the number of vehicular trips anticipated from 7 residential units would not warrant one.

5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.

Parking can be provided in the form of garages and driveways and each unit will be able to accommodate two (2) parking spaces.

6. That adequate municipal infrastructure, services and amenity areas for residents can be provided.

Engineering staff have confirmed that there is adequate servicing capacity available to service the proposed development.

7. Surface parking and driveways shall be minimized.

Parking for the proposed development is provided in accordance with the requirements of the Zoning By-law. Driveways for the on-street townhouse units are being grouped to maximize soft surfaces and provide more soil volumes for trees.

8. Development shall extend, establish or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclists and vehicular traffic, where applicable.

The subject property is located on existing municipal roads. The sidewalk will be extended in front of the proposed development along Water Street and Denver Road.

9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.

Grading and stormwater management reports have been prepared in support of the applications. Stormwater is directed to the existing storm system and

grading is proposed within the property limits. The height of the proposed buildings does not impact adjacent properties in terms of shadowing or wind.

10. The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.

The proposed development does not impact public safety, public views, or impede access to open space, parks and trails.

11. The conservation and integration of cultural heritage resources, including identified key public views can be achieved subject to the provisions of the Cultural Heritage Resources Section of this Plan.

The City's Senior Heritage Planner has reviewed the development proposal and did not identify any cultural heritage resource impacts from the development.

Affordable Housing Strategy

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

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

The proposed development includes the development of 6 townhouse units and is anticipated to contribute to the City meeting its overall affordable housing target. However, it is also noted that how much of any given development may be affordable cannot be assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established. For this reason, the measurement on the actual achievement of affordable housing targets is done on the basis of what has been constructed and then sold or rented in the previous year. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the City has been meeting affordable housing targets.

Review of Proposed Zoning

In addition to the regulations set out in Section 5.3.2 – "On-Street Townhouse" (R.3B) Zone of Zoning By-law (1995)-14864, as amended the following chart summarizes the specialized zoning regulations of the R.3B-24 and R.3B-25 Zones:

	Required	Proposed
Minimum Rear Yard Setback (applies only to one unit in the R.3B-24 Zone)	7.5 metres	3.8 metres
Storm Gallery Protection	Not required in the standard R.3B Zone.	No buildings or structures (excluding fences) shall be located or constructed within 1.5 metres of an underground infiltration storm gallery.

In addition to the regulations set out in Table 5.1.2 – Regulations Governing R.1 Zones of Zoning By-law (1995)-14864, as amended, the following specialized regulation is required for the residential single detached dwelling in the R.1C-32 Zone:

	Required	Proposed
Minimum Rear Yard Setback	7.5 metres or 20% of the lot depth, whichever is less	3.5 metres

Analysis of Proposed Zoning

On-Street Townhouses

To permit a minimum rear yard setback of 3.8 metres, whereas Table 5.3.2, Row 7 requires a minimum rear yard setback of 7.5 metres.

Staff comment: this specialized regulation only applies to the end unit and is required at a pinch point to recognize the irregular shape of the lot. The end unit will have a large side yard so a reduction will not negatively impact the outdoor amenity area for the future homeowner.

Storm Gallery Protection - no buildings or structures (excluding fences) shall be located or constructed within 1.5 metres of an underground infiltration storm gallery.

Staff comment: this specialized regulation applies to the townhouse units as underground infiltration galleries are proposed. The purpose of this regulation is to ensure that the underground infiltration galleries are not built on or damaged by buildings or structures and will function as designed.

Single Detached Residential Dwelling

To permit a minimum rear yard of 3.5 metres, whereas Table 5.1.2, Row 8 requires a minimum rear yard of 7.5 metres or 20% of the lot depth, whichever is less.

Staff comment: this specialized regulation is required at a pinch point to recognize the irregular shape of the lot. The lot is meeting the minimum lot area requirement of the zone and still provides a large side yard. A reduction in the minimum rear

yard setback at one point does not negatively impact the outdoor amenity area for the future homeowner.

Engineering Review

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and transportation networks. Engineering and Traffic staff have reviewed the development proposal and supporting studies and have confirmed that the development can be supported by full municipal services and that sufficient capacity is available. The owner/developer will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services, where necessary. Engineering staff have provided conditions which are included in Attachment 4 and the full Engineering comments can be found in Attachment 13.

Traffic Review

A Traffic Impact Study (TIS) was not required as part of a complete application or required through the circulation and review of the applications. The number of units proposed (7 in total) does not warrant the submission of a traffic impact study.

Parking

Parking for the proposed development is being provided in excess of the parking requirements of the Zoning By-law. Section 4.13.4.3 of the Zoning By-law requires 1 parking space per townhouse unit and 1 parking space per single detached residential dwelling. Each townhouse unit will provide two (2) parking spaces, 1 in the garage and 1 on the driveway and the single detached dwelling will be providing a minimum of two (2) parking spaces, 1 in the garage and 1 on the driveway.

Parkland Dedication

The owner/developer will be required to pay cash in lieu of conveyance of parkland prior to the issuance of any building permits. The payment in lieu of parkland conveyance would be calculated at a rate of 7.56% of the appraised property value for the townhouse portion of the site in accordance with Section 17(c) of the City of Guelph's Parkland Dedication By-law (2019)-20366 as amended by By-law (2019)-20380, or any successor thereof. The single detached portion of the site in the current proposal is 477.1 sq. m. The payment in lieu of parkland conveyance would be in accordance with Valuation Area #4 of Schedule "A" of By-law (2019)-20366 as amended by By-law (2019)-20380, or any successor thereof. According to City records no previous parkland dedication has been provided for this property so the full amount is required. The final payment in lieu of parkland conveyance rate will depend on the final details of the development and rate in effect at the time of issuance of the building permit.

Comments Received on the Applications

The Statutory Public Meeting was held on May 14, 2018. Below is a summary of the issues raised at the public meeting and through the circulation of the applications.

Density

Concerns were raised regarding the density of the proposed development and the impact of the density on the existing neighbourhood.

Staff response: The original application proposed the development of 7 on-street townhouse units and 1 single detached residential dwelling resulting in a density of 39 units per hectare. The applicant has revised the proposal by removing 1 on-street townhouse unit which results in a density of 33.9 units per hectare. The number of residential units proposed is considered to be appropriate, noting that the proposed residential density of 33.9 units per hectare is in conformity with the "Low Density Residential" land use designation of the Official Plan. As discussed earlier in this report, the proposed development is in conformity with the Official Plan and satisfies the Official Plan Amendment criteria.

Traffic

Concerns were raised regarding the amount of traffic that will be added to the area as a result of this development.

Staff response: A Traffic Impact Study (TIS) was not required as part of a complete application or required through the circulation and review of the applications. The number of units proposed (7 in total) does not warrant the submission of a traffic impact study.

Existing on-street parking concerns

Concerns were expressed regarding the loss of on-street parking.

Staff response: On-street parking is not reserved for specific developments or residents. The proposed development will be providing parking in accordance with the requirements of the Zoning By-law.

Specialized Zoning Regulations Requested

Concerns were raised on the original proposal regarding the number of exceptions to the standard R.3B zone.

Staff response: It is common practice for applicants to request specialized regulations to parent zones (ie. R.3B). The Zoning By-law can not contemplate every property's configuration and development constraints. Standard zoning categories cannot be applied to "fit" every property. Staff look at specialized requests on a site-specific basis.

The revised proposal results in the number of specialized regulations required being significantly reduced. The applicant has requested one specialized regulation due to the irregular shape of the lot. An analysis of how this specialized regulation is appropriate is provided earlier in the report.

Loss of Trees

Concerns were raised on both the original proposal and revised proposal regarding the loss of trees as a result of the proposed development.

Staff Response: As discussed earlier in this report, the subject property was previously connected via the hydro-corridor to the Natural Heritage System. Tree removals that occurred within the hydro-corridor in 2017 severed this connection. The treed area that occurs on the subject property does not meet the City's criteria for Significant Woodland or Cultural Woodland. Since the treed area does not

qualify as Significant Natural Area or Natural Area, it is not protected by the City's Natural Heritage System policies.

A Tree Inventory and Preservation Plan (TIPP) was included in the Environmental Impact Study and Environmental Planning staff have reviewed the TIPP. The subject property is regulated under the City's Private Tree Protection By-law. Based on the Tree Inventory and Preservation Plan submitted with the applications, 182 trees greater than 10 centimeters in diameter at breast height are proposed for removal. Of the 182 trees proposed for removal, 122 trees were assessed to be in poor to very poor health and the remaining 60 trees were assessed to be in excellent to fair health. Compensation is required for trees that are in fair or better condition at a 3:1 replacement ratio or cash-in-lieu equivalent, therefore a minimum of 180 compensation plantings are required.

Through the detailed design of the site, the Owner/Developer will need to consider plantable space opportunities to accommodate tree compensation and associated landscaping to support and enhance the City's urban forest.

Peer Review of Environmental Impact Study

One member of the public retained an independent consultant to peer review the Environmental Impact Study submitted by the applicant. Questions were raised as to whether staff would review this peer review.

Staff response: The City's Environmental Planning staff review Environmental Impact Studies submitted in support of development applications. The peer review was forwarded on to Environmental Planning staff for consideration. A number of comments provided in the peer review were also identified by City staff and additional comments provided by staff and EAC were addressed by the applicant in an EIS Addendum.

Attachment 12 – Community Energy Initiative Update Commitment

January 6, 2019

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

Attention: Ms. Lindsay Sulatycki, MCIP, RPP
Senior Development Planner

**Re: 300 Water Street – OP1707 and ZC1712
Community Energy Initiative**

Dear Ms. Sulatycki:

Please accept this letter outlining our commitment to the City's Community Energy Initiative and the City of Guelph's goal to become a Net Zero Carbon community by 2050.

While we have not selected a home builder to construct the proposed townhouses and single detached dwelling, we are committed to working with the future builder in order to support sustainability. This is expected to be implemented through the following conservation measures:

- All dwelling units will be equipped with low flow faucets and showerheads and low volume flush toilets;
- Individually metered units which allow each resident to monitor/limit their energy usage;
- Double-glazed windows/high performing or Energy star windows;
- Install energy efficient lighting;
- Select energy efficient appliances and electronics;
- Drought resistant soft landscape materials will be used wherever possible;
- All dwelling units will incorporate Low VOC (volatile organic compounds) emitting and recycled materials wherever possible;
- Trees will be planted to enhance tree canopy as a result of the proposed development.

A number of convenience commercial uses are located within walking distance (700 metres) at the corner of Municipal Street and Edinburgh Road South including, restaurants and a fitness centre. Centennial Park is located within 550 metre walk of the Site and Hugh Park is located within a 1.0 kilometre walk of the Site. There is a bus stop located at Edinburgh and Water Street which is within a 500 metre walk of the Site. The location of the Site and the opportunity to walk and use public transportation will help to contribute to the City's target to reduce transportation energy.

We trust that the above noted measures demonstrate our commitment to ensuring that the proposed dwelling units are ultimately energy efficient.

Regards,



Joe Rider
TJL Transport Ltd.

Attachment 13 – Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Development Planning		√	Site Plan Approval Required; Subject to conditions in Attachment 4
Engineering*		√	Site Plan Approval Required; Subject to conditions in Attachment 4
Parks Planning*		√	Subject to conditions in Attachment 4
Environmental Planning*		√	Subject to conditions in Attachment 4
Grand River Conservation Authority*		√	
Heritage Planning	√		
Zoning	√		
Upper Grand District School Board*		√	Subject to conditions in Attachment 4

*Letters attached.

MEMO



FILE: 16.131.001

TO: Lindsay Sulatycki, Senior Development Planner
FROM: Infrastructure, Development and Environmental Engineering
DEPARTMENT: Engineering and Tran Services
DATE: January 8, 2020
SUBJECT: 300 Water Street – Zoning By-law Amendment Application (ZC1709)

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the "Urban Reserve" (UR) zone to a "Residential Single Detached" (R.1C) zone and to a "Specialized Residential On-Street Townhouse" (R.3B-?) zone.

The subject property is located on the south-west corner of Water Street and Denver Road (see Schedule 1 - Location Map). The property is approximately 0.2 hectares in size and has an exterior frontage of approximately 63.6 metres along Water Street and a frontage of approximately 57.3 metres along Denver Road. The property is currently vacant and contains a number of trees.

Surrounding land uses include:

- To the north: Water Street, beyond which are residential townhouses;
- To the south: a Hydro Corridor, beyond which are single detached residential uses;
- To the east: Denver Road, beyond which are lands zoned "Urban Reserve" and "Institutional"; and,
- To the west: a Hydro Corridor

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

- Development Concept Plan, prepared by GSP Group, dated February 23, 2017;
- On-Street Parking Plan, prepared by GSP Group, dated July 26, 2017;
- Topographical Plan, prepared by Van Harten Surveying Inc., dated December 19, 2011;
- Phase One Environmental Site Assessment, prepared by GM Blue Plan Engineering, dated May 19, 2017;
- Functional Servicing Letter, prepared by GM Blue Plan Engineering, dated Revised November 13, 2019;
- Preliminary Site Servicing and Grading Plan, prepared by GM Blue Plan Engineering, dated November 13, 2019.

**Infrastructure, Development & Environmental
Engineering**
Engineering and Capital Infrastructure Services

MEMO

1. Road Infrastructure:

Water Street abutting the subject property is designated as a two (2) lane local road with grass boulevard on both sides, asphalt pavement, curb and gutter and concrete sidewalk on the north sides of the street. The ultimate right-of-way width of *Water Street* abutting the property is approximately 20.00-metres and has not been identified in the City's official plan for road widening.

Denver Road abutting the subject property is designated as a two (2) lane local road with grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on the east sides of the street. The right-of-way width of *Denver Road* abutting the property is approximately 20.12-metres and has not been identified in the City's official plan for road widening.

Traffic Study, Access, Parking and Transportation Demand Management: Development Concept Plan

- To provide distance from the proposed driveways to the hydro poles and fire hydrant. The minimum distance is 1.5m. It is noted on the drawing relocate the hydro pole will be relocated, this will be further investigated during the site plan application.

2. Municipal Services:

Water Street and Denver Rd

Existing services within the right-of-way along *Water Street* are as follows:

- 525mm diameter storm sewer.
- 200mm diameter sanitary sewer.
- 300mm diameter watermain.

Existing services within the right-of-way along *Denver Rd* are as follows:

- 525mm diameter storm sewer.
- 200mm diameter watermain.
- No Sanitary Sewer on *Denver Rd*.

Servicing Capacities:

Sanitary Sewer Wastewater Collection System and Water Supply/Distribution System.

It has been confirmed that adequate sanitary and water capacities are available off *Water Street*. To service the proposed development. However, the developer is advised that there is potential for marginal water supply pressure under certain conditions such as peak hour demand scenario at locations with elevation greater than 347 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 340 m height AMSL in the existing water system. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site, is the responsibility of the developer.

**Infrastructure, Development & Environmental
Engineering**
Engineering and Capital Infrastructure Services

MEMO

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

The proposed single detached house will require a service connection, as there are no existing sanitary sewers on Denver Rd. Further, a 3-metre wide easement has been shown on the revised plan in favour of the future homeowner, to service the detached house. Please note that the City will not assume the service lateral and all cost associated with the maintenance, and replacement will be the responsibility of the future homeowner.

3. Storm Water Management

The revised FSR states that the infiltration gallery has a 1.5m separation from the high groundwater table, however due to the close proximity of the bedrock and structures; we ask the engineer to investigate/monitor the groundwater during the site plan application process and review, the groundwater data must continue to be collected. Prior to site plan application approval, the seasonal high groundwater and design of the infiltration gallery must be updated with the new data. This will ensure that there is sufficient data informing the seasonal high elevations prior to site plan approval.

During detailed design, the seasonal high groundwater elevation is to be shown on the engineering grading plans to ensure that house basement floor elevations are a minimum 0.5metre higher than the seasonal high groundwater elevation. If the 0.5metre separation cannot be achieved, the developer shall build the houses without basements or the developer shall construct waterproof basements as per the Ontario Building Code.

A minimum of one on-site infiltration test shall be conducted at the proposed bottom elevation of each infiltration BMP. In addition, one on-site infiltration test shall be conducted at every other soil horizon encountered within 1.5 meters below the proposed bottom elevation. One of the following methods are to be used to determine the field saturated hydraulic conductivity (Ks):

Guelph Permeameter method (Constant head well permeameter method); and/or Constant head double-ring infiltrometer method.

For further details, please see the multi-step infiltration testing protocol as documented in the Credit Valley Conservation (CVC) Authority Low Impact Development Stormwater Management Planning and Design Guide, "Appendix C- site evaluation and soil testing protocol for stormwater infiltration credit valley conservation (CVC) authority stormwater management criteria". Further in the detail drawing please show the seasonal high ground water elevation i.e. spring high.

Please note that as per the City design criteria for storm water management the applicant is required to match the pre-development infiltration rate. The testing shall be completed prior to site plan approval. Stormwater Management will be reviewed and further examined during the site plan application.

4. Environmental

The Site is approximately 0.21 hectare (or 0.51 acres) in size and currently vacant with wooded areas.

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The summary of findings of the Phase One ESA is as indicated below:

- The Site was occupied by a two-storey residential building until it was demolished in 2015.
- No actual or potential environmental concerns or impacts were identified or associated with the current and historical usage of the Site.

COMMENTS:

Based on the findings of the Phase One ESA report, it appears that no actual or potential environmental concerns or risks were associated with the historical or current on-site operations or any off-site impacts.

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

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - ii. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iii. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - iv. a construction traffic access and control plan for all phases of servicing and building construction;
 - v. salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.

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4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 vi) inclusive.
5. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
6. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
7. The Owner shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
8. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.
9. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
10. The Owner shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.
11. The Owner shall pay for the design and construction of the proposed sidewalk as shown on the preliminary site servicing and grading plan. (Revision Nov 13, 2019)
12. The Owner agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands for drainage and servicing.
13. The Owner acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
14. The Owner shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.

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15. The Owner shall confirm that the basements will have a minimum 0.5 metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
16. The Owner shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer
17. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
18. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.
19. The Owner shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
20. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
21. The Owner shall service, grade, develop and maintain the site in accordance with the plans that have been approved by the City through the site plan approval. The Owner shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
22. The Owner shall place, or agree to place, the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the agreement to be registered on title:
 - a) "Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer."
 - b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Owner for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph's

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Property Standards By-law (2000)-16454, as amended.”

- c) “Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic.”
 - d) “Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property.”
23. The Owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
24. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
25. The Owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
26. The Owner to provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement and condominium declaration.
27. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
28. The Owner agrees to maintain log for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement and condominium declaration.
29. All applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage is in conformance with the approved overall site drainage and grading plan.
30. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection

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fee to the satisfaction of the City.

Shophan Daniel
Engineering Technologist III

Mary Angelo
Supervisor, Development Engineering

**Infrastructure, Development & Environmental
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Page 8 of 8

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INTERNAL MEMO



DATE September 12, 2019
TO Lindsay Sulatycki
FROM Jyoti Pathak
DIVISION Parks and Recreation
DEPARTMENT Public Services
SUBJECT 300 Water Street – Proposed Zoning By-Law Amendment ZC 1712 and Official Plan Amendment OP 1707 – Second Submission

Open Space Planning has reviewed the revised submission for the above noted Proposed Zoning By-Law and Official Plan Amendment including Revised Development Concept dated October 15, 2018, Environmental Impact Study Addendum dated November 22, 2018, Second EIS Addendum dated May 7, 2019, Comments Response dated June 20, 2019, Functional Servicing Letter dated May 2, 2019, Preliminary Site Servicing and Grading Plans dated June 21, 2019 and offers the following comments:

Zoning Bylaw Amendment and Official Plan Amendment:

Open Space Planning has no objection to the proposed Zoning By-Law and Official Plan Amendment to rezone the property from the “Urban Reserve” (UR) zone to a “Residential Single Detached” (R1.C) zone and a “Specialized Residential On-Street Townhouse” (R.3B-?) zone and to change the Official Plan designation from “Open Space and Park” with “Natural Areas” overlay to “Low Density Residential” provided that the following items are addressed:

Environmental Impact Study

Environmental Education:

We appreciate that the EIS addendum has committed that the environmental education sign will address the topics we outlined in the last comments and that details of this sign will be confirmed with staff prior to Site Plan approval. However, the EIS addendum also mentioned that “feasibility and responsibility off-property” would be confirmed. We would like to remind the applicant of their EIS commitment to provide the educational sign as a form of mitigation of induced impacts from the development. The applicant will be required to provide this sign in an off-site location because the development parcels will all be individually owned and thus unsuitable for a public sign. The construction details for this sign are required to meet the City’s Facility Accessibility Design Manual and will be included in the Site Plan plans for staff review and approval.

Demarcation:

We appreciate that the EIS addendum has noted the requirement for a Property Demarcation fence along the Silvercreek Park boundary.

Development Concept Plan

Parkland Dedication:

The owner shall be responsible for payment in lieu of conveyance of parkland prior to the issuance of any building permits. The proposed residential net density for the townhouse portion of the site in the current proposal is 37.78 units per hectare. The payment in lieu of parkland conveyance would be calculated at a rate of 7.56% of the appraised property value for the townhouse portion of the site in accordance with Section 17(c) of the City of

Guelph's Parkland Dedication By-law (2019) 20366 as amended by By-law (2019) 20380 or any successor thereof. The single detached portion of the site in the current proposal is 477.1 sq. m. The payment in lieu of parkland conveyance would be \$8,842.00 in accordance with Valuation Area #4 of Schedule "A" of By-law (2019) 20366 as amended by By-law (2019) 20380 or any successor thereof. According to City records no previous parkland dedication has been provided for this property so the full amount is required. The final payment in lieu of parkland conveyance rate will depend on the final details of the development and rate in effect at the time of issuance of the building permit.

The Owner shall provide a satisfactory narrative appraisal report for the townhouse portion of the site. Appraisals are considered valid for a maximum period of one year in accordance with Section 21 of Parkland Dedication By-law (2019) 20366 as amended by the By-law (2019) 20380. We recommend providing the appraisal to Open Space Planning staff at least two months prior to the first building permit submission to avoid delays.

Please include a paragraph about staff recommended parkland dedication in the staff report to Council including the following information:

- The staff payment in lieu of parkland recommendation
- Rate of parkland dedication based on the current development proposal
- Attach parkland dedication calculation spreadsheet in PDF format

Buffer Strip

A buffer strip will be required on the proposed R.3B zone lands adjacent to Silvercreek Park and the Hydro One lands. The location and final details of this item will be provided on the Site Plan drawings for staff review and approval.

Conditions of Development:

We recommend the following development approval conditions:

Prior to Site Plan approval:

1. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
2. The Owner shall be responsible for **payment of money in lieu of conveyance of parkland** to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 42 of the Planning Act and in accordance to the City's Parkland dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.

3. Prior to the issuance of the first building permit for the townhouse portion of the lands, the Owner shall provide to the Deputy CAO of Public Services or their designate, a satisfactory **narrative appraisal report** prepared for The Corporation of the City of Guelph for the purposes of calculating the amount for payment in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate, Notwithstanding the foregoing, if the narrative appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services or their designate, acting reasonably, the City reserves the right to obtain an independent narrative appraisal for the purposes of calculating the amount for payment in lieu of conveyance of parkland.
4. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - "Purchasers and/or tenants of all lots or units abutting the existing Silvercreek Park are advised that it will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence."
 - "Purchasers and/or tenants of all lots or units abutting the existing Silvercreek Park are advised that no private gates will be allowed in this demarcation fence."
 - "Purchasers and/or tenants of all lots or units are advised that a public trail exists in close proximity to all lots and that public access to this trail occurs on Water Street."
 - "Purchasers and/or tenants of all lots are advised that the existing Silvercreek Park has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system."

Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, we would support the proposed development subject to the conditions outlined above.

Regards,

Jyoti Pathak, OALA, CSLA
Park Planner

Parks and Recreation

INTERNAL MEMO



DATE December 20, 2019

TO Lindsay Sulatycki, Senior Development Planner

FROM Leah Leffler, Environmental Planner

DIVISION Infrastructure, Development and Enterprise

DEPARTMENT Planning and Building Services

SUBJECT 300 Water Street – 3rd submission
Proposed Official Plan and Zoning By-law Amendments
File: OP1707 and ZC1712

Environmental planning staff have reviewed the following Revised Application Materials which were prepared to address staff comments:

- Preliminary Site Servicing and Grading Plan; GM BluePlan; November 13, 2019
- 300 Water Street Response Letter; GM BluePlan; November 14, 2019
- Functional Servicing Letter - Revised; GM BluePlan; November 13, 2019

Comments provided by environmental planning staff have all been adequately addressed.

Conformity with Natural Heritage System Policies

The subject property is currently mapped as Natural Areas Overlay on Schedule 2: Land Use Plan of the City of Guelph's Official Plan. The subject property was previously connected via the hydro-corridor to the Natural Heritage System. Tree removals that occurred within the hydro-corridor in 2017 severed this connection. The treed area that occurs on the subject property does not meet the City's criteria for Significant Woodland or Cultural Woodland. A small wetland feature occurs on the subject property. The wetland is 0.08 hectares in size and does not meet the 0.5 hectare minimum size criterion for Locally Significant Wetlands or 0.2 hectare minimum size criterion for Other Wetlands. Since the treed area does not qualify as Significant Natural Area or Natural Area, it is not protected by the City's Natural Heritage System policies.

Urban Forest and Private Tree Protection By-law Requirements

The property is, however, regulated under the City's Private Tree Protection By-law. Based on the Tree Inventory and Preservation Plan prepared by Natural Resource Solutions Inc. (August 2017) in support of the development application, 182 trees greater than 10 centimeters in diameter at breast height are proposed for report. Of the 182 trees proposed for removal, 122 trees were assessed to be in poor to very poor health and the remaining 60 trees were assessed to be in excellent to fair health. Compensation is required for trees that are in fair or better condition at a 3:1 replacement ratio or cash-in-lieu equivalent, therefore a minimum of 180 compensation plantings are required.

Environmental Advisory Committee Motion of Conditional Support

The 300 Water Street Environmental Impact Study prepared by Natural Resource Solutions Inc. (August 2017) was brought to the July 11, 2018 Environmental Advisory Committee (EAC) meeting. EAC's approved motion of conditional support is provided in Attachment 1.

Conditions to be met prior to Site Plan Approval

Based on the above, environmental planning staff recommend that the following conditions be met prior to Site Plan Approval:

1. The Developer shall complete an updated Tree Inventory and Preservation Plan and

Vegetation Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Private Tree Protection By-law (2010)-19058 prior to any grading, tree removal or construction on the site.

2. Prior to Site Plan Approval, the Developer shall provide details with respect to:
 - verification and confirmation of high groundwater levels on site;
 - *in situ* permeameter testing in support of the clear stone infiltration gallery
 - stormwater management plan that demonstrates maintenance of pre- to post-development recharge and runoff volumes;
 - grading, drainage and erosion and sediment control plans;
 - educational signage; and
 - a salt management plan.
2. The Developer shall implement all recommendations of the following Environmental Impact Study and supporting Addenda to the satisfaction of the City: 300 Water Street Environmental Impact Study (NRSI, August 2017), 300 Water Street EIS Agency Comment Responses (NRSI, May 3, 2018), 300 Water Street Guelph July 23rd Agency Comments and Responses (NRSI, November 22, 2018) and 300 Water Street, Guelph – Second EIS Addendum – Additional Hydrological Information (NRSI, May 7, 2019).
3. Prior to Site Plan Approval or Site Plan Agreement, the Developer shall pay to the City, **the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
4. Prior to Site Plan Approval or Site Plan Agreement, the Developer shall provide the City with **a letter of credit** to cover the City approved cost estimate **for implementing the Vegetation Compensation Plan or equivalent cash in lieu** to the satisfaction of the General Manager of Planning.

Please let me know if you require further clarification on any of the above.

Regards,



Leah Lefler
Environmental Planner

Infrastructure, Development and Enterprise
Planning and Building Services
Location: City Hall

519-822-1260 extension 2362
leah.lefler@guelph.ca

C Shophan Daniel, Engineering Technologist III
Tiffany Hanna, Park Planner
Scott Cousins, Hydrogeologist

INTERNAL MEMO



Attachment 1. Environmental Advisory Committee meeting's approved motion of the July 11, 2018 meeting.

"Staff recommends that the Environmental Advisory Committee conditionally support the Environmental Impact Study prepared by NRSI, subject to the preparation of an EIS addendum that:

1. Incorporates responses to agency comments provided in NRSI's letter dated June 6, 2018 to address the following deficiencies:
 - Lack of confirmation of whether the wetland pocket on site is part of the Speed River Provincially Significant Wetland Complex.
 - Lack of confirmation from the Ministry of Natural Resources and Forestry regarding requirements for Species at Risk under the Endangered Species Act, notably Species at Risk Bats.
 - Lack of assessment and rationale to support the conclusions made on the significance of natural heritage features provided in Table 3. For example, analysis of Habitat for Significant Species (Official Plan Policy 4.1.4.4) has not been provided; however, S1-S3 species are reported in the flora appendix, Milksnake (Special Concern) is listed as 'Observed by NRSI' in the Species at Risk Screening Appendix, and locally significant bird species are listed in the bird appendix.
 - Lack of an assessment of whether or not the existing policy and legislative framework permit the removal of the wooded unit that comprises the subject property.
 - Per the City's Urban Forest policies, lack of a description of alternative site plan designs and mitigation measures considered to preserve the City's urban forest.
 - Lack of analysis of potential impacts from unauthorized trails leading from the proposed development via the Hydro One lands and onto Silvercreek Park to the existing park trail.
 - Lack of assessment of impacts associated with stormwater runoff, water quantity and water quality. The Hydrogeological Study did not include a monthly water balance for the wetland on the subject property (i.e. pre-development to post-development water balance). Findings from the Functional Service Report and Hydrogeological Study were not integrated into the EIS. Site drainage, off-site influences (including stormwater outlet to the Speed River) and the wetland water regime were not considered in the impact analysis.
 - Per GRCA's policy 8.4.4, lack of confirmation of whether the wetland pocket on site meets the criteria required to permit development within a naturally-occurring wetland. GRCA Policies for the Administration of Ontario Regulation 150/06 Section 8.4.4 states that "Development within a naturally-occurring wetland may be permitted where the wetland is less than 0.5 hectares (1.24 acres), and it can be demonstrated that the wetland is not: a) part of a Provincially Significant Wetland; b) located within a floodplain or riparian community; c) part of a Provincially or municipally designated natural heritage feature, a significant woodland, or hazard land; d) a bog, fen; e) fish habitat; f) significant wildlife habitat; g) confirmed habitat for a Provincially or regionally significant species as determined by the Ministry of Natural Resources and Forestry or as determined by the municipality; h) part of an ecologically functional corridor or linkage between larger wetlands or natural areas; i) part of a groundwater recharge area; or j) a groundwater discharge area associated with any of the above."

2. Provides clarification on the presence/absence of amphibian breeding habitat.
3. Provides clarification on the City's requirements for tree compensation.
4. Assesses impacts associated with stormwater management, water quantity and water quality.
5. Assesses impacts of site salt applications on receiving water bodies and recommends design components and salt management plan to reduce/eliminate these impacts.
6. Includes assessment to changes in site evapotranspiration following tree removal in site water balance analysis.
7. Provides content for the Environmental Implementation Report, if deemed necessary.
8. Assesses impacts of nearby pumping well(s) to the site's hydrogeological conditions."

Attachment 13 – Departmental and Agency Comments (continued)



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

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

PLAN REVIEW REPORT TO: City of Guelph
Lindsay Sulatycki, Senior Development Planner

DATE: July 3rd, 2019

YOUR FILE: OP1707 & ZC1712

RE: Application for Official Plan and Zoning By-law Amendment
300 Water Street, City of Guelph

We have reviewed the information circulated with your June 26th 2019 request for comments. Specifically we reviewed the May 2, 2019 letter from GM Blueplan regarding the Functional Servicing, the June 20, 2019 letter from GM Blueplan regarding the hydrogeological study and the Nov. 22, 2018 letter from NRSI regarding agency review comments.

Based on our review, we can advise that the May 3, 2018 NRSI letter adequately addresses the previous GRCA Natural Heritage review comments about the status of the wetland feature. We can also advise that the May and June 2019 letters from GM Blueplan adequately address the previous GRCA Natural Heritage review comments on the site hydrology.

Should you have any questions or require further information, please contact us.

Yours truly,

A handwritten signature in blue ink, appearing to read "Fred Natolochny".

Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning

Attachment 13 – Departmental and Agency Comments (continued)



UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers
Director of Education

April 20, 2018

PLN: 18-32
File Code: R14
Sent by: mail & email

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

Dear Ms. Sulatycki;

Re: OP1707 & ZC1712
300 Water Street, Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above noted Notice of Complete Application for a proposed Official Plan amendment and Zoning By-law amendment to permit the development of one (1) single detached dwelling unit and seven (7) on-street townhouses.

Please be advised that the Planning Department does not object to the proposed application, subject to the following conditions:

- Education Development Charges shall be collected prior to the issuance of a building permit
- Adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point

Should you require additional information, please feel free to contact me.

Sincerely,

Emily Bumbaco
Planning Technician

Attachment 14 – Public Notification Summary

December 22, 2017	Applications received by the City of Guelph
January 19, 2018	Applications deemed complete
February 2, 2018	Notice of Complete Applications mailed to prescribed Agencies, City departments and surrounding property owners within 120m of the subject property
April 19, 2018	Notice of Public Meeting advertised in the Guelph Tribune
April 24, 2018	Notice of Public Meeting mailed to prescribed Agencies, City departments and surrounding property owners within 120m of the subject property
May 14, 2018	Statutory Public Meeting of Council
June 21, 2019	Complete revised submission received
July 16, 2019	Notice of Revised Submission mailed to interested parties who spoke at the public meeting, provided comments on the applications or requested to receive further notification on the applications
January 20, 2020	Notice of Decision Meeting sent to interested parties who spoke at the public meeting, provided comments on the applications or requested to receive further notification on the applications
February 10, 2020	City Council meeting to consider staff recommendation

From: Andrew Mihok

Subject: 300 Water Street OP1707 & ZC1712

I wish to register my emphatic opposition to the proposed changes of the land use designation from "Open Space and Park" with a "Natural Areas Overlay"! I do not feel that changing to "Low Density Residential" is in keeping with the current open areas on Denver Road as well as negatively impacting wild life throughout the area.

I respectfully ask that my feelings be added to the Council Agenda.

Yours sincerely,
Andrew Mihok

Dear Mayor Guthrie and City Councillors,

I am writing to you regarding the following agenda item:

3.1 IDE-2020-12 Decision Report - 300 Water Street - Proposed Official Plan Amendment and Zoning By-law Amendment OP1707 and ZC1712 - Ward 5

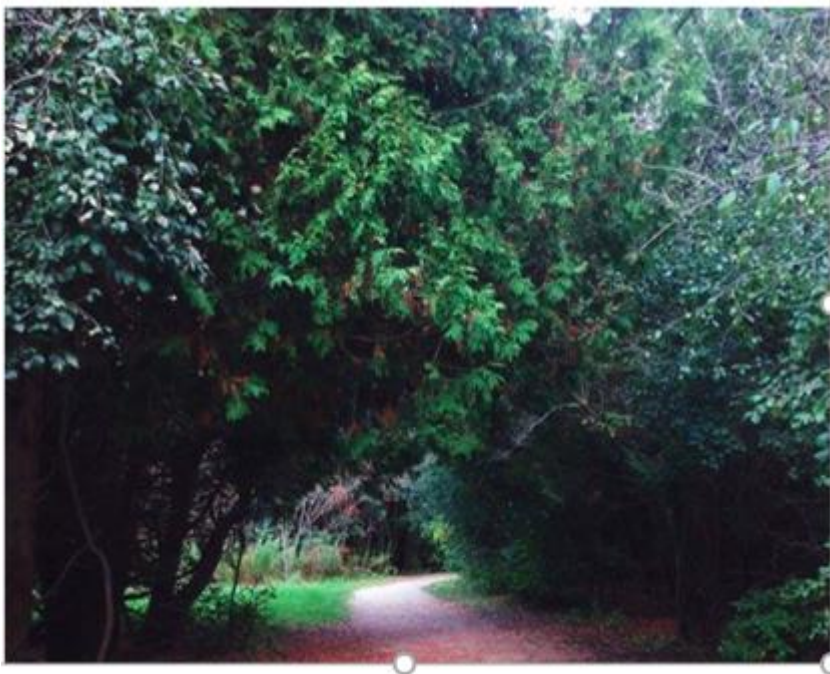
I live about a block from this property, and it has been an important component of our neighbourhood. As you know, the vacant house on this property was demolished a few years ago due to concerns about vandalism and fires. However, the large stand of cedar trees on the property has been protected.



Figure 4 – Composite photograph of subject property seen from Water Street east of Denver Street dated March 2016. (Photo: City Planning staff)

Acceptance of the staff recommendation on this item, which would permit the construction of six townhouses and one single home on this property, will mean the destruction of the grove of 182 large cedar trees. While some of these trees are not in good condition, many of them are in good to excellent condition, and the fact remains that the trees are close to 100 years old and provide an important environmental asset to the neighbourhood.

You all know that our neighbourhood lost hundreds of mature trees in 2015 due to the Hydro One clearcutting. This loss has been devastating to residents of the neighbourhood environmentally and aesthetically, and has had a serious effect on wildlife as well.



What our neighbourhood used to look like



What happened to our neighbourhood

In 2017, hundreds more mature trees were cut down to prepare for the renovations to the Muslim Centre on Water Street, directly across from the Hydro clearcut area.

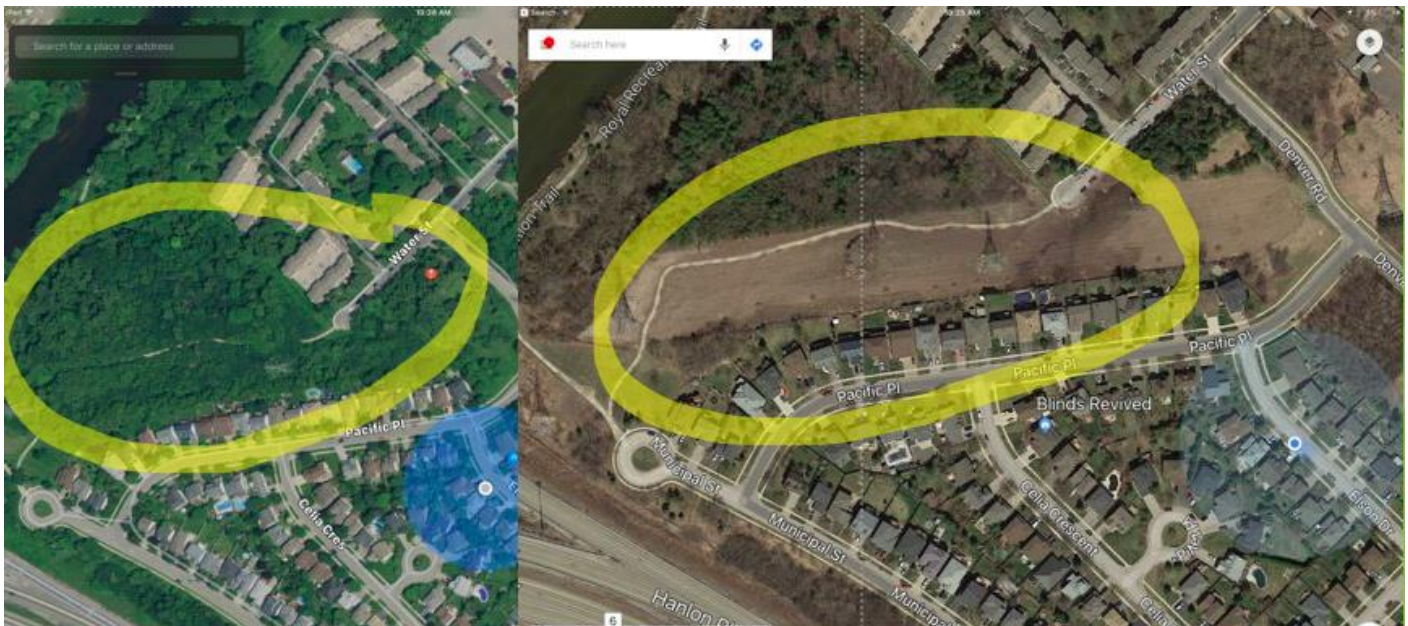
From this...



To this...



The two images below illustrate some of the loss of green space in our neighbourhood, brought about by the Hydro clearcut in 2015 and the Muslim Centre clearcut in 2017:



Allowing almost 200 more mature trees to be decimated will only further devastate this neighbourhood and its residents, and is another environmental assault on an area that was formerly known and cherished for its green space.

An additional serious concern relates to traffic and parking. Parking and driving on Water Street and Denver Road have been challenging for many years. Since the establishment of the Muslim Centre, hundreds of cars arrive and leave many times each week. Last year a driveway into the Muslim Centre was built onto Denver Road, greatly increasing the traffic in that area. Below is a photograph of a typical scene adjacent to the Muslim

Centre when an event is going on there (which happens frequently). These cars are all parked on Denver Road, in the vicinity of the property where 7 more houses are being proposed! This is also an area in which many children walk to school and wait for school buses. There are risks associated with allowing still more residents and cars into the area.



I am asking you to vote against the staff recommendation on this issue. The prospect of the removal of these century old trees and the subsequent build of seven homes on this small property is devastating and would further ravage the neighbourhood. When the property was sold, the new owners knew that the condition of sale was that the trees must be left and that any

new structure must reflect the footprint of the former structure. Those conditions should not be changed now.

In the photographs I have attached, you can see what an asset these trees are to a neighbourhood that has already faced a great deal of destruction.

Thoughts to consider:

- This property is on land zoned as Open Space and Urban Reserve
- Until the Hydro clearcut, this land identified as part of the City of Guelph's Natural Heritage System
- This small neighbourhood has already lost over 2,000 trees, and will face the loss of many more mature cedar trees should this development take place. This contravenes the City of Guelph's own Urban Forest Management Plan:
 - ***“Guelph is working to maximize the health and size of its urban forest, and is committed to having the highest tree canopy among comparable municipalities. To succeed, the City, residents, businesses and community groups must work together to help manage Guelph's urban forest.”***

- The property is home to many species of wildlife, who have already lost much of their habitat
- The property is comprised of a wetland, is less than 250 metres from the Speed River, and groundwater from this site flows northward toward the river
- When this property was sold by auction several years ago, a stipulation of the sale was that **any building on the site would not exceed the size of the original farmhouse—**and this proposal suggests that seven homes be built there!

Please do the right thing for Guelph and for the environment on Monday February 10. Thank you sincerely for your consideration.

Best regards

Lorna Rourke

From: Diane Mihok

Subject: Proposed Development at 300 Water Street

Please register that I am AGAINST the development that is proposed for this land of: 6 townhouses and a single detached unit.

There are many reasons for my opposition including:

- decimation of yet another greenspace in Guelph including clearing of trees of many species that were previously supposed to be heritage.

- parking problems on Water Street, already an issue – will only become bigger

- too dense development on a small site, I would prefer if the lot has to be developed at all, that a single residential unit be allowed, as was previously there.

We have already endured the Hydro One clearing of adjacent lands and now the Muslim Society clearing of land for parking. Parking for the Muslim Society was badly needed, but there still seems to be an overflow onto Water Street at certain times. The foxes we used to see everyday on our walks have disappeared, along with many other creatures that were dependant on living near the river. Parking on Water street is atrocious at times, (it should not be allowed on both sides of the street). We moved to this area 5 years ago because of the “close to nature” feel of the area and have seen it eroded since we came. I feel that this further development of 300 Water Street is simply a tax grab by the City. Shame on you!

Sincerely,
Diane Goodfellow

From: Alison H.

Subject: 300 Water Street Development

To the Council of the city of Guelph,

I am writing to express my concern about the proposed development at 300 Water Street.

As a small cul-de-sac, the street already faces overcrowding of parking on the road, especially when religious services are being observed at the Muslim community centre. City snowplows do not even venture to the street in front of 300 - instead, they turn up Pacific, leaving the end of the road icy and difficult to drive over.

I look forward to attending the meeting on Monday to hear other residents' concerns as well. I hope you will listen carefully to what they have to say.

Sincerely,

Alison Hunter Stewart

From: Jessica Lovell

Subject: Written comments to City Council or committee

Re: the proposed Official Plan and zoning bylaw amendments for 300 Water St.

As a resident of the area, I would like to ask council not to approve these amendments, which would allow for the removal of a significant number of trees from an area that has already seen its tree cover decimated in recent years.

Tree removals from the hydro corridor and the nearby Muslim Society property have significantly changed the landscape in this area, but I don't believe that means this wood lot should be dismissed as insignificant. Rather, because it is an island of trees in an area that has lost so many, it should be valued all the more.

Centennial Park (where it's tough to find shade, and my children cannot play on a summer day for fear they will get burned by the sun-baked playground equipment) is not a substitute for the mature trees at 300 Water St.

The 300 Water St. Woodlot provides habitat for animals and birds, and makes the area more beautiful and loveable for the existing residents.

Losing this to gain a mere seven dwelling units is not worth it.

And that says nothing of the parking and traffic headaches that will surely increase with the addition of driveways on this already congested dead-end street.

Other residents of the neighbourhood have already expressed their support for maintaining the urban reserve status of this piece of land, and I want to add my voice to their voices. Please vote no to these amendments.

Sincerely,

Jessica Lovell

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, February 10, 2020
Subject	Decision Report 361 Whitelaw Road Proposed Official Plan and Zoning By-law Amendments File: OZS18-005 Ward 4
Report Number	IDE-2020-13

Recommendation

1. That the application by GSP Group on behalf of Armel Corporation for approval of an Official Plan Amendment from the "Low Density Greenfield Residential" designation to the "High Density", "Medium Density", and "Open Space and Parks" designations to permit the development of a 678 unit mixed density residential development and a neighbourhood park on the lands municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, be approved in accordance with Attachment 2 of the Infrastructure, Development and Enterprise Report 2020-13, dated February 10, 2020.
 2. That the application from GSP Group on behalf of Armel Corporation, for a Zoning By-law Amendment from the current "Urban Reserve" (UR) Zone and the "Agriculture" (A) Zone to a "Specialized High Density Apartment" (R.4B-22(H)) Zone, "Specialized General Apartment" (R.4A-55(H)) Zone, "Specialized Cluster Townhouse" (R.3A-66(H)) Zone, "Conservation Land" (P.1) Zone and "Neighbourhood Park" (P.2) Zone to permit the development of a 678 unit mixed density residential development and a neighbourhood park on the lands municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise Report 2020-13, dated February 10, 2020.
 3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 361 Whitelaw Road.
-

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve an Official Plan Amendment and a Zoning By-law Amendment to permit the development of a 678 unit residential development containing apartments and townhouses, together with a neighbourhood park on the property municipally known as 361 Whitelaw Road.

Key Findings

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

Financial Implications

Estimated Development Charges: \$11,673,180 based on 2019 rates.

Estimated Annual Taxes: \$2,324,000 based on 2019 tax rate for 678 apartment and townhouse units of varying size.

Report

Background

An application to amend the Official Plan and Zoning By-law was received for the property municipally known as 361 Whitelaw Road from GSP Group on behalf of the property owner, Armel Corporation on August 24, 2018 and deemed to be complete on September 20, 2018. The applicant proposed up to 800 new apartment and townhouse units together with a neighbourhood park. This original plan is shown in Attachment 7.

A statutory Public Meeting was held to discuss the application on December 10, 2018. At the meeting, concerns were raised by Council and the neighbourhood regarding a range of issues related to the proposed height and density on the site. Following the Public Meeting, the applicant reviewed public and agency comments and submitted a revised application on May 27, 2019.

A second statutory Public Meeting was held on July 10, 2019, for a revised proposal, containing a total of 700 apartment and townhouse units together with a neighborhood park. This second plan is shown in Attachment 7.

Following the Public Meeting, the applicant made revisions to the plan to address public and agency comments and submitted a revised plan and supporting information in October 2019. This plan is substantially the same as the plan that was reviewed in the second Public Meeting, with refinements to building setbacks, apartment building setbacks which resulted in a plan with a total of 678 townhouse and apartment units. The revised concept plan currently proposed is included in Attachment 7.

Location

The subject property is located at the south-west corner of Paisley Road and Whitelaw Road (see Attachment 1 - Location Map and Orthophoto). The portion of

the subject property within the City of Guelph is approximately 7 hectares in size, though it is part of a larger land parcel in the Township of Guelph-Eramosa. The subject site has a frontage of approximately 190 metres along Paisley Road within the City of Guelph and a frontage of approximately 480 metres along Whitelaw Road. The site is currently vacant and a portion of it is used as agricultural land.

Surrounding land uses include:

- To the north: Paisley Road, beyond which are vacant commercial lands that are part of the Community Mixed Use Node;
- To the south: single detached dwellings along Whitelaw and Shoemaker Crescent;
- To the east: Whitelaw Road, beyond which are currently vacant lands zoned "General Residential Apartment" that are expected to be developed in the near future together with a small woodlot; and,
- To the west: a wetland, woodlot and agricultural lands that are situated in the Township of Guelph-Eramosa.

Existing Official Plan Land Use Designations and Policies

The subject property is designated "Low Density Greenfield Residential" with a small portion of the westerly edge of the site designated as "Significant Natural Area" that is the edge of an adjacent wetland and woodlot to the west situated in the Township of Guelph-Eramosa.

The northeast portion of the site, closest to the intersection of Paisley Road and Whitelaw Road is part of the Paisley/Imperial Community Mixed Use Node. The entire site is also designated as 'Greenfield Area' under the provincial Growth Plan. The applicable Official Plan land use designations are shown and described in Attachment 4.

Proposed Official Plan Amendment

The first application proposed an Official Plan Amendment to redesignate the lands to a site specific "High Density Residential" designation for all the proposed residential lands and an "Open Space and Parks" designation for the proposed park.

The revised application proposes that the northerly third of the site be redesignated as "High Density Residential", the middle portion of the site be redesignated as "Medium Density Residential" and the southerly portion of the site be designated as "Open Space and Parks".

Further details of the proposed Official Plan Amendment are included in Attachment 2.

Existing Zoning

The subject property is currently zoned "Urban Reserve" (UR) along Whitelaw Road and the westerly portion of the site is zoned "Agriculture" (A) in the Township of Guelph-Eramosa Zoning By-law. The Urban Reserve Zone acts as a placeholder in an area requiring further study. It generally permits agriculture and conservation uses, though further development requires a rezoning. The Agriculture Zone

remains from when the City annexed this portion of the site from the Township of Guelph-Eramosa.

The existing zoning is shown in Attachment 5.

Description of Proposed Zoning By-law Amendment

The applicant originally proposed to rezone the site to a "Specialized High Density Apartment" (R.4B-?) and "Neighbourhood Park" (P.2) Zone. The applicant proposed a number of specialized regulations to permit additional density and control height in the proposed R.4B-? Zone.

The revised application from May 2019 proposed that the northerly portion of the site be rezoned to a "Specialized High Density Apartment" (R.4B-?) Zone, the central portion of the site be rezoned to a "Specialized General Apartment" (R.4A-?) Zone and the southerly portion of the site be rezoned to the "Neighbourhood Park" (P.2) Zone.

Since the second Public Meeting on July 10, 2019, the applicant has worked with City staff to further refine the proposed zoning to better reflect the proposed site concept. This includes creating three separate zones for the residential portion of the site:

- "Specialized High Density Apartment" (R.4B-22(H)) Zone on the north end of the site that is part of the Community Mixed Use Node;
- "Specialized General Apartment" (R.4A-55(H)) Zone on the midrise apartments in the middle of the site; and
- "Specialized Cluster Townhouse" (R.3A-66(H)) Zone on the southerly end of the residential portion of the site.

The most southerly portion of the site is proposed to be zoned P.2 for the proposed Neighborhood Park, and a small sliver of land along the woodlot on the westerly side of the site is proposed to be rezoned to conservation lands to demarcate the edge of the buffer to the woodlot. A Holding Provision (H) is needed on the proposed residential zones to ensure that Whitelaw Road is redesigned and reconstructed prior to site development, and to ensure the future builder submits a detailed Energy Strategy Report to show how the proposed buildings will be designed and constructed in a manner that contributes to the City's Community Energy Initiative.

The details of the proposed zoning and specialized regulations are shown in Attachment 3, with a map of the Proposed Zoning shown in Attachment 6. The Planning Analysis in Attachment 10 gives a detailed review of the proposed specialized regulations supported by staff.

Proposed Development

Originally the applicant proposed the site be developed in three distinct areas. The northern portion of the site closest to Paisley Road was proposed to have 5 apartment buildings, 8-10 storeys high with approximately 620 dwelling units. The middle portion of the site is proposed to be up to four storey high stacked townhouses and/or low rise apartment buildings. Two accesses to the residential portion of the site were proposed from Whitelaw Road with interior private road connections. A neighbourhood park approximately 1.2 hectares in size was proposed on the southern end of the site with

access to Whitelaw Road and running behind the single-detached dwellings on the west side of Whitelaw Road with a possible connection to the end of Shoemaker Crescent.

The revised proposal from May 2019 maintained 3 distinct areas to the site. The northerly third of the site was proposed to be High Density Residential, with 4 apartment buildings, 8 and 9 storeys in height, containing up to 492 residential units. The middle portion of the site was proposed to contain 2 six-storey apartment buildings containing 80 residential units total, together with 128 stacked, back-to-back townhouses. In total approximately 700 units were proposed. Three accesses to the site were shown, 2 from Whitelaw Road and a new access from Paisley Road on the north end of the site. The south end of the site still proposed a neighbourhood scale park which is 1.4 hectares in size.

Following the 2nd statutory Public Meeting on July 10, 2019, staff worked with the applicant to further refine the concept plan's details. On the north end of the site, in the High Density Residential Official Plan designation and R.4B-22 High Density Residential Apartment Zone, four apartment buildings are still proposed, with two buildings at 9 storeys closest to the intersection of Paisley and Whitelaw and two buildings at 8 storeys adjacent to Whitelaw Road and Paisley Road respectively, with a total of 445 apartment units. The buildings were refined with additional setbacks and stepbacks for the apartment buildings to ensure they met City angular plane requirements and did not cause any shadow impacts to the development proposed on the east side of Whitelaw Road.

The middle portion of the site, in the Medium Density Residential Official Plan designation, has two zones proposed. First, a R.4A-55, a specialized General Apartment Zone with 2 five storey apartment buildings proposed, containing a total of 107 apartment units. Immediately south of this zone is a R.3A-66, a specialized Cluster Townhouse Zone, where 126 stacked and stacked, back to back townhouses are proposed. Holding provisions are recommended on all the residential zones to require development to wait until Whitelaw Road has been redesigned and reconstructed and to ensure that the future builder of the site completes an Energy Strategy Report that will determine how the proposed site development and construction will contribute to meeting the goals of the Community Energy Initiative.

The most southerly portion of the site, which has a frontage of approximately 70 metres on Whitelaw Road and extends behind the existing single detached houses on the west side of Whitelaw Road and the north side of Shoemaker Crescent, is proposed to be redesignated to Open Space and Parks in the Official Plan. It is proposed to be rezoned to P.2 (Neighbourhood Park) to be a neighbourhood park approximately 1.4 hectares in size. A public access trail is also proposed from the park along the westerly boundary of the development up to Paisley Road. A future trail connection could also be built from the proposed park south to Shoemaker Crescent; its design and location would be considered during a future City-led park design project.

The original, revised and final proposed conceptual site plans are shown in Attachment 7. A site perspective and a site cross-section of the proposed development are shown in Attachment 8.

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in Attachment 10. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at the statutory Public Meetings held on December 10, 2018 and July 10, 2019. Final comments on the revised proposal from internal City departments and agencies are included in Attachment 11. The staff review and planning analysis addresses the following:

- Evaluation of the proposal in accordance with the policies of the 2014 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Evaluate how the application conforms to the Official Plan land use designations and policies including the proposed Official Plan Amendment;
- Review of the proposed zoning and specialized site-specific provisions;
- Review of impacts to the City's Natural Heritage System;
- Review of site servicing capacity and design;
- Review of traffic and parking;
- Review of the applications' contribution to the City's Affordable Housing Targets;
- Confirm support for the 2019 Community Energy Initiative Update (CEI); and
- Address all comments and issues raised during the public review of the applications.

Staff Recommendation

Planning staff are satisfied that the recommended Official Plan Amendment and Zoning By-law Amendment are consistent with the 2014 Provincial Policy Statement and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposed Official Plan and Zoning By-law amendments conform to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the development of site in its surrounding context. Planning staff recommend that Council approve the Official Plan Amendment as proposed in Attachment 2 and the Zoning By-law Amendment subject to the draft zoning regulations as outlined in Attachment 3.

Financial Implications

Estimated Development Charges: \$11,673,180 based on 2019 rates in effect at the time of writing this report.

Estimated Annual Taxes: \$2,324,000 based on 2019 City tax rate for 678 apartment and townhouse units of varying size.

Consultations

The Notice of Complete Application was mailed on October 4, 2018 and Notice of Public Meeting was mailed on November, 2018 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 November 15, 2019. Notice of the application has also been provided by signage on the property, which was installed on October 5, 2018. The statutory Public Meeting was held on December 10, 2018.

Following the Public Meeting, in May, 2019, the applicant made a formal resubmission to the City based on interim staff comments and public feedback. This material was circulated to the public and staff and agency reviewers on June 11, 2019 together with a notice for the second Public Meeting, which was held on July 10, 2019.

On January 20, 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. See Attachment 12 for a full consultation summary.

Attachments

Attachment-1 Location Map (120 metre circulation) and Orthophoto
Attachment-2 Recommended Official Plan Amendment
Attachment-3 Recommended Zoning Regulations and Conditions
Attachment-4 Existing Official Plan Land Use Designations and Policies
Attachment-5 Existing Zoning
Attachment-6 Proposed Zoning
Attachment-7 Original, Revised, and Final Recommended Proposed Concept Plans
Attachment-8 Site Perspective and Site Cross-Section
Attachment-9 Conceptual Rendering
Attachment-10 Staff Review and Planning Analysis
Attachment-11 Departmental and Agency Comments
Attachment-12 Public Notification Summary

Departmental Approval

Not applicable

Report Author

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Approved By

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Manager of Development Planning



Approved By

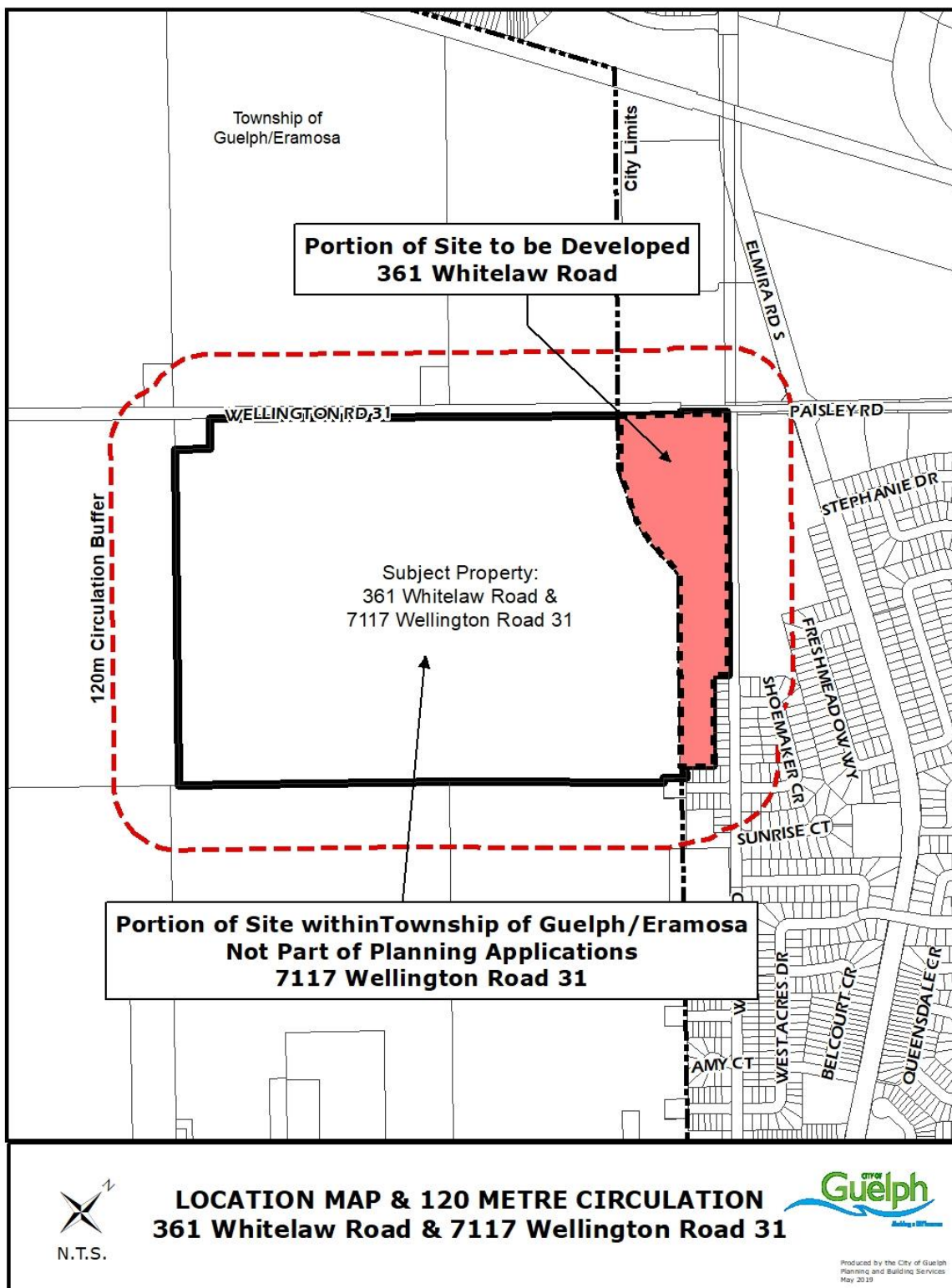
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Attachment 1: Location Map



Attachment 1 continued:
Orthophoto



Attachment 2:

Recommended Official Plan Amendment No. 71

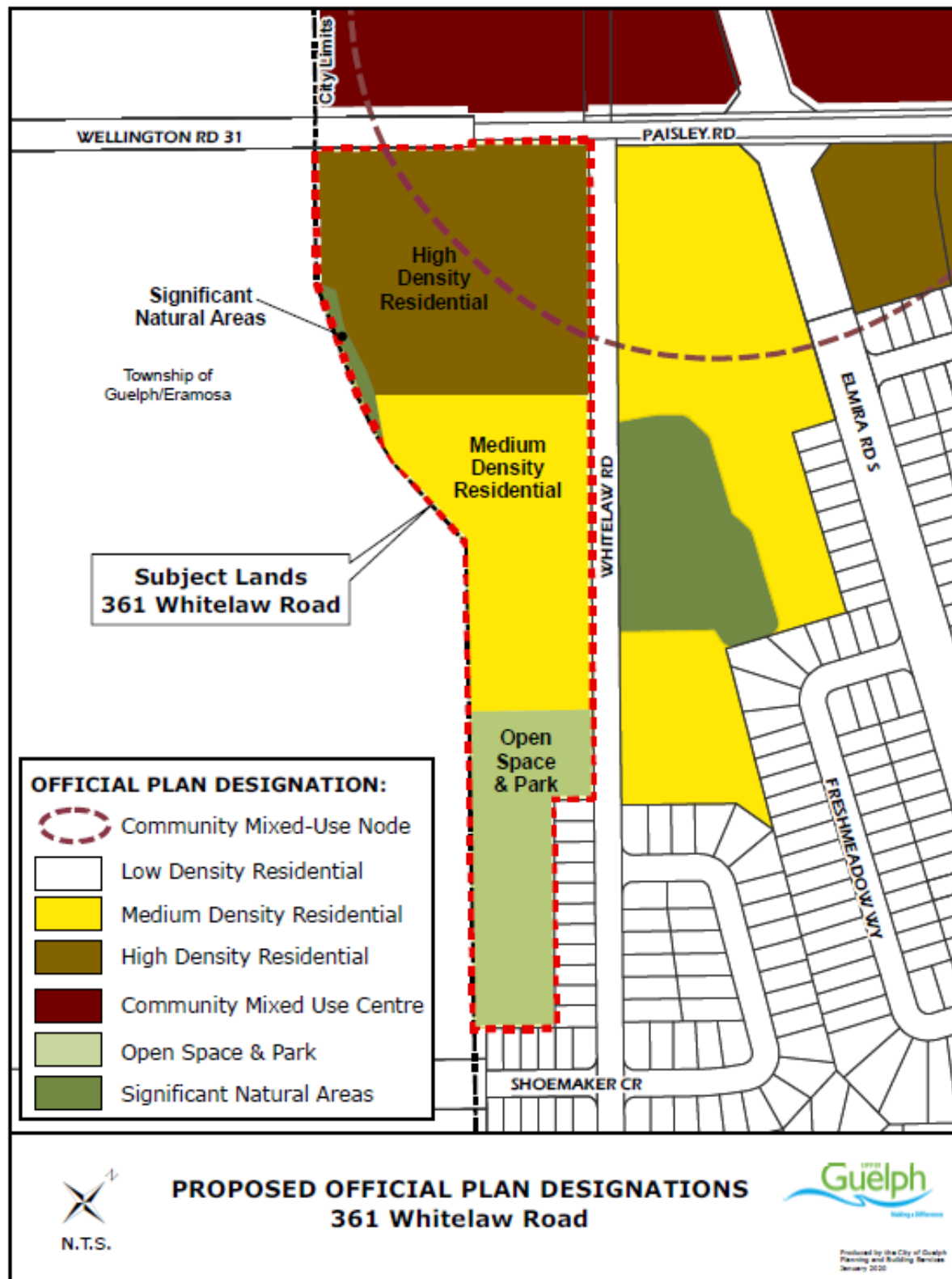
O.P.A. #71:

The purpose of Official Plan Amendment #71 is to redesignate the property municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, to the High Density Residential designation, the Medium Density Residential designation and the Parks and Open Space designation to permit a mixed density residential development and a neighbourhood park.

Attachment 2:

Recommended Official Plan Amendment No. 71

Proposed Mapping:



Attachment 3:

Recommended Zoning Regulations and Conditions

3A - Zoning Regulations:

The following zones are proposed on the subject site as shown in the proposed zoning map in Attachment 6:

Specialized R.4B-22(H) (High Density Residential Apartment) Zone

Permitted Uses

Despite Section 5.4.1.2., the following Uses shall be permitted

- Apartment building
- Cluster Townhouses attached to an Apartment Building
- Accessory Uses in accordance with Section 4.23
- Home Occupation in accordance with Section 4.19

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:

Maximum Building Height

Notwithstanding Table 5.4.2, Row 10, the maximum building height within 120 metres of the intersection along Paisley Road and 100 metres from the intersection along Whitelaw Road as measured along the streetline shall be 9 storeys and the maximum building height shall be 8 storeys at all other locations, and in accordance with Sections 4.16, 4.18.

Maximum Front Yard and Exterior Side Yard

Notwithstanding Table 5.4.2, Row 7, the maximum front or exterior side yard facing Paisley Road shall be 8 metres and the maximum front or exterior side yard facing Whitelaw Road shall be 20 metres.

Minimum Rear Yard

Notwithstanding Table 5.4.2, Row 9, the minimum rear yard shall be 14 meters, measured from the westerly property line.

Minimum Side Yard

Notwithstanding Table 5.4.2, Row 8, the minimum side yard shall be 3 metres.

Minimum Distance between Buildings

Notwithstanding Sections 5.4.2.2 and Table 5.4.2, Row 11, the minimum distance between apartment buildings shall be 15 metres.

Maximum Building Length

The maximum length of an apartment building shall be 60 metres.

Minimum Stepback of Upper Storeys of Apartment Buildings

The upper storeys of an apartment building shall have additional minimum stepbacks as follows:

- a) The adjacent wall of any apartment building facing the Landscaped Site Gateway area as set out in Section xx of this bylaw, shall be stepped back an additional 3.0 metres above the fourth floor, and a further 3.0 metres above the seventh floor.
- b) The adjacent wall of any apartment building facing Whitelaw Road shall be stepped back an additional 1.5 metres above the fourth floor, and a further 1.5 metres above the seventh floor.
- c) The adjacent wall of any apartment building facing Paisley Road shall be stepped back an additional 1.5 metres above the fourth floor, and a further 3.0 metres above the seventh floor.

Minimum Landscaped Site Gateway

That the area within 30 metres of the intersection along Whitelaw Road and within 50 metres of the intersection along Paisley Road as measured along the streetline shall be used only for gateway, entryway, and landscaping purposes, acting as the "Landscaped Site Gateway".

Minimum Off-Street Parking

Notwithstanding Section 4.13 and Table 5.4.2, Row 14, the minimum required parking for apartments shall be 1.0 parking space per unit plus 0.1 spaces per unit for visitor parking. No additional parking spaces above the minimum shall be permitted unless such parking is located in a parking structure.

Off-Street Parking Location

A maximum of 10% of the parking may be permitted at grade, in surface parking areas.

Minimum Parking Space Dimensions

Notwithstanding Section 4.13.3.2.2, the minimum parking space dimensions for at grade and below grade spaces shall be 2.75 metres by 5.5 metres.

Holding Provision

Purpose: To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development:

Conditions:

1. The completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, curb/gutter, boulevard, municipal services and sidewalk.
2. That the Owner complete an Energy Strategy Report that shows how the proposed development addresses the City's Community Energy Initiative, to the satisfaction of the General Manager of Planning and Building Services.

R.4A-55(H) (Specialized Apartment Zone) with a Holding Provision

Permitted Uses

Despite Section 5.4.1.2., the following Uses shall be permitted

- Apartment building
- Cluster Townhouse in accordance with Section 5.3, and Section (Specialized Townhouse R.3A-66 Regulations) of this bylaw.
- Stacked Townhouse in accordance with Section 5.3, and Section (Specialized Townhouse R.3A-66 Regulations) of this bylaw.
- Back to Back Townhouse in accordance with Section 5.3, and Section (Specialized Townhouse R.3A-66 Regulations) of this bylaw.
- Stacked Back to Back Townhouse in accordance with Section 5.3, and Section (Specialized Townhouse R.3A-66 Regulations) of this bylaw
- Home Occupation in accordance with Section 4.19
- Accessory Uses in accordance with Section 4.23

The following definitions shall apply in the R.4A-55 Zone:

"Back-to-Back Townhouse": means a Building where each Dwelling Unit is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the Dwelling Unit from the outside accessed through the Front Yard, Side Yard or Exterior Side Yard and does not have a Rear Yard.

"Stacked Back-to-Back Townhouse": means a Building where each Dwelling Unit is divided vertically by common walls, including a common rear wall and common side wall, and stacked vertically, one unit over another. Each unit has an independent entrance to the Dwelling Unit from the outside accessed through the Front Yard, Side Yard or Exterior Side Yard and does not have a Rear Yard.

Regulations

Maximum Building Height

Notwithstanding Table 5.4.2 Row 10, the maximum height for apartment buildings shall be 6 storeys.

Maximum Building Length

The maximum length of an apartment building shall be 60 metres.

Minimum Stepback of Upper Storeys of Apartment Buildings

The adjacent wall of any apartment building facing Whitelaw Road shall be stepped back an additional 1.5 metres above the fourth floor.

Minimum Distance between Buildings

Notwithstanding Sections 5.4.2.2 and Table 5.4.2, Row 11, the minimum distance between apartment buildings shall be 15 metres, and a minimum distance of 10 metres shall be required between any apartment building and townhouse building.

Minimum Off-Street Parking

Notwithstanding Section 4.13 and Table 5.4.2, Row 14, the minimum required parking for apartment units shall be 1.0 parking space per unit plus 0.1 spaces per unit for visitor parking. No additional parking spaces above the minimum shall be permitted unless such parking is located in a parking structure.

Notwithstanding Section 4.13 and Table 5.3.2, Row 16, the minimum required parking for townhouse units shall be 1.0 parking space per unit plus 0.2 spaces per unit for visitor parking.

Off-Street Parking Location

A maximum of 10% of required parking for apartment units may be permitted at grade, in surface parking areas.

Minimum Parking Space Dimensions

Notwithstanding Section 4.13.3.2.2, the minimum parking space dimensions for at grade and below grade spaces shall be 2.75 metres by 5.5 metres.

Maximum Front Yard

The maximum front yard for buildings located adjacent to Whitelaw Road shall be 6 metres.

Minimum Rear Yard

Notwithstanding Table 5.4.2, Row 9, the minimum rear yard shall be 10 metres, measured from the westerly property line.

Minimum Side Yard

Notwithstanding Table 5.4.2, Row 8, the minimum side yard shall be 3 metres.

Holding Provision

Purpose: To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development:

Conditions:

1. The completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, curb/gutter, boulevard, municipal services and sidewalk.
2. That the Owner complete an Energy Strategy Report that shows how the proposed development addresses the City's Community Energy Initiative, to the satisfaction of the General Manager of Planning and Building Services.

R.3A-66(H) (Specialized Cluster Townhouse Zone) with a Holding Provision

Permitted Uses

Notwithstanding 5.3.1.1, the following Uses shall be permitted:

- Cluster Townhouse
- Stacked Townhouse
- Back to Back Townhouse
- Stacked Back to Back Townhouse
- Home Occupation in accordance with Section 4.19
- Accessory Uses in accordance with Section 4.23

The following definitions shall apply in the R.3A-66 Zone:

"Back-to-Back Townhouse": means a Building where each Dwelling Unit is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the Dwelling Unit from the outside accessed through the Front Yard, Side Yard or Exterior Side Yard and does not have a Rear Yard.

"Stacked Back-to-Back Townhouse": means a Building where each Dwelling Unit is divided vertically by common walls, including a common rear wall and common side wall, and stacked vertically, one unit over another. Each unit has an independent entrance to the Dwelling Unit from the outside accessed through the Front Yard, Side Yard or Exterior Side Yard and does not have a Rear Yard.

Regulations

Maximum Density

Notwithstanding 5.3.2.6 and Table 5.3.2 Row 20, the maximum density for all permitted Townhouses shall be a total of 80 units per hectare.

Minimum Lot Area per Dwelling Unit

Notwithstanding Table 5.3.2 Row 3, minimum lot area per dwelling unit shall be 120 square metres.

Maximum Building Height

Notwithstanding Table 5.3.2 Row 9, maximum building height shall be 4.0 storeys, and in accordance with Section 4.16 and 4.18

Maximum Building Length

The maximum building length for all types of Townhouse blocks shall be 56 metres.

Minimum Distance between Buildings

Notwithstanding 5.3.2.3 and Table 5.3.2, Row 10 Minimum distance between Townhouse buildings shall be 5 metres, and 10 metres between any Apartment building and Townhouse building.

Maximum Front Yard

The maximum front yard setback for buildings located adjacent to Whitelaw Road shall be 6 metres.

Minimum Rear Yard

Notwithstanding Section 5.3.2.2 and Table 5.3.2, Row 10, the minimum rear yard shall be 10 metres, measured from the westerly property line.

Minimum Side Yard

Notwithstanding Table 5.4.2, Row 8, the minimum side yard shall be 3 metres.

Minimum Off-Street Parking

Notwithstanding Section 4.13 and Table 5.3.2 Row 16, the minimum required parking for shall be 1.0 parking spaces per unit plus 0.2 spaces per unit for visitor parking.

Minimum Unit Width

The minimum unit width for a Back to Back Stacked Townhouse unit with an integrated attached Garage is 7 metres.

Holding Provision

Purpose: To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development:

Conditions:

1. The completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, curb/gutter, boulevard, municipal services and sidewalk.
2. That the Owner complete an Energy Strategy Report that shows how the proposed development addresses the City's Community Energy Initiative, to the satisfaction of the General Manager of Planning and Building Services.

P.1 (Conservation Lands) Zone

In accordance with Section 9 of Zoning By-law Number (1995)-14864

P.2 (Neighbourhood Park) Zone

In accordance with Section 9 of Zoning By-law Number (1995)-14864

3B - Proposed Conditions of Site Plan Approval:

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

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
 - a. Further, the Owner commits and agrees that the details of the layout and design for the development of the subject lands shall be generally in conformance with the final development concept plan attached in Attachment 7 of the February 10, 2020 Planning Recommendation Report IDE-2020-13;
2. A pedestrian level wind study will be required for all buildings six storeys in height and higher, with a terms of reference first approved by the General Manager of Planning and Building in accordance with the City's Pedestrian Level Wind Studies Terms of Reference.

3B: Proposed Conditions of Site Plan Approval continued

3. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the building(s) on the subject site will be constructed to a standard that implements the energy efficiency measures in the approved "Energy Strategy Report" for the subject site to support the Community Energy Initiative to the satisfaction of the General Manager of Planning and Building Services.
4. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
5. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - a. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and

- maintenance program for the stormwater management facility to be submitted;
- b. Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - c. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - d. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - e. a construction traffic access and control plan for all phases of servicing and building construction;
 - f. salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
6. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 5 a) to 5 f) inclusive.
7. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
8. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

3B: Proposed Conditions of Site Plan Approval continued

9. The Owner shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
10. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.
11. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General

Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.

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

3B: Proposed Conditions of Site Plan Approval continued

19. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.
20. The Owner shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
21. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.

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

3B: Proposed Conditions of Site Plan Approval continued

25. The Owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
26. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

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

3B: Proposed Conditions of Site Plan Approval continued

33. The owner shall incorporate transportation demand management measures that will ensure on-site parking is utilized to its maximum efficiency.
34. The owner shall include a City "Gateway Feature" near the westerly boundary of the site along Paisley Road, to identify the entrance into the City, to the satisfaction of the General Manager of Planning and Building Services.
35. The Developer shall dedicate the lands identified as a neighbourhood park in the final site concept in Attachment 8 of Report IDE 2020-13 for park purposes to the satisfaction of the City, pursuant to s. 42 of the Planning Act and in accordance to the City's Parkland Dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to site plan approval.
36. The Developer shall be responsible for the cost of design and development of the Basic Park Development as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading, sodding and any required servicing including water, storm, sanitary and hydro for any phase containing a Park block to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the Basic

Park Development for the Park Block to the satisfaction of the Deputy CAO of Public Services.

37. The Developer shall be responsible for the cost of design and development of the demarcation of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
38. The Developer shall be responsible for the cost of design and construction of the Pedestrian Trail System for the trail as per City's current trail standards as outlined in the Local Service Policy under City's Development Charges Bylaw, to the satisfaction of the Deputy CAO of Public Services. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system and trail design details. This shall include the submission of drawings completed by Ontario Association of Landscape Architects (OALA) full member with seal for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the 'trail development' to the satisfaction of the Deputy CAO of Public Services.
39. The Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.

3B: Proposed Conditions of Site Plan Approval continued

40. The Developer shall provide The City with a digital file in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, development layout and park design, grades/contours and landscaping.
41. Prior to grading and site alteration, the Developer shall prepare an Environmental Implementation Report (EIR) based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The EIR will provide details with respect to:
 - a. stormwater management and monthly wetland water balance mitigation;
 - b. on-going shallow groundwater monitoring in the vicinity of the wetland and a related monitoring program pre and post development; and
 - c. any other information required to address the Grand River Conservation Authority comments from their letter dated July 3, 2019.

42. The Developer shall complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Private Tree Protection By-law (2010)-19058 prior to any grading, tree removal or construction on the site.
43. The Developer will undertake on-going shallow groundwater monitoring in the vicinity of the wetland until shallow groundwater monitoring commences as part of the post-construction monitoring program.
44. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
45. Prior to Site Plan Approval, the Developer shall prepare an Environmental Implementation Report (EIR) Addendum based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The EIR Addendum will provide details with respect to:
 - a. design details regarding servicing;
 - b. detailed tree management plans including a Landscaping, Replanting and Replacement Plan and detailed landscape plans (by an accredited landscape architect);
 - c. detailed habitat management plans including invasive species management, buffer enhancement/design and mitigation plans for wildlife habitat;
 - d. education and stewardship information and signage;
 - e. detailed mitigation plans to support the trail and detailed trail design (including any retaining walls and grading needed to accommodate the trail);

3B: Proposed Conditions of Site Plan Approval continued

- f. a salt management plan;
 - g. an ecological monitoring program that includes pre- and post-development monitoring, baseline data, identifies thresholds and associated measures; grading, drainage and erosion and sediment control plans;
 - h. any other information required to implement recommendations from the Environmental Impact Study (Natural Resource Solutions Inc. August 2018), Paisley Park Tree Inventory and Preservation Plan (Natural Resource Solutions Inc. May 2019), Paisley Park Environmental Impact Study – Addendum Letter: Impact Assessment on Hydrologic Function of the Wetland (Natural Resource Solutions Inc. May 29, 2019) and Paisley Park Environmental Impact Study – Addendum Letter 2: Impact Assessment on Hydrologic Function of the Wetland (Natural Resource Solutions Inc. October 2, 2019); and
 - i. any other information required to address the Grand River Conservation Authority comments from their letter dated July 3, 2019.
46. The Developer will undertake a post-development monitoring program as detailed in the EIR Addendum, including continuation of on-going shallow

groundwater monitoring, to the satisfaction of the General Manager of Planning and Building Services.

47. The Developer shall implement all recommendations of the EIR and EIR Addendum to the satisfaction of the City and GRCA.
48. Prior to Site Plan Approval or Site Plan Agreement, the Developer shall pay to the City, the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
49. Prior to Site Plan Approval or Site Plan Agreement, the Developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning and Building Services.
50. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Environmental Services or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law. Further, the Owner agrees and commits to employ a three-stream waste collection system with considerations and opportunities developed in their Waste Management Plan that would facilitate the transition to City collection at some point in the future.
51. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.

3B: Proposed Conditions of Site Plan Approval continued

52. That the developer agrees to provide the Upper Grand District School Board with digital files of the final site plans in either ARC/INFO export or DXF format containing parcel fabric and street network.
53. That the developer shall agree in the site plan agreement/condominium declaration that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point.
54. That the developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents that students may be directed to schools outside the neighbourhood.
55. That the developer agrees in the site plan agreement/condominium declaration to advise purchasers of residential units and/or renters of same, by inserting the

following clause in all offers of Purchase and Sale/Lease, until such time a permanent school is assigned:

"Whereas the Upper Grand District School Board has designated this site as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodations may not be available for all students anticipated from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school."

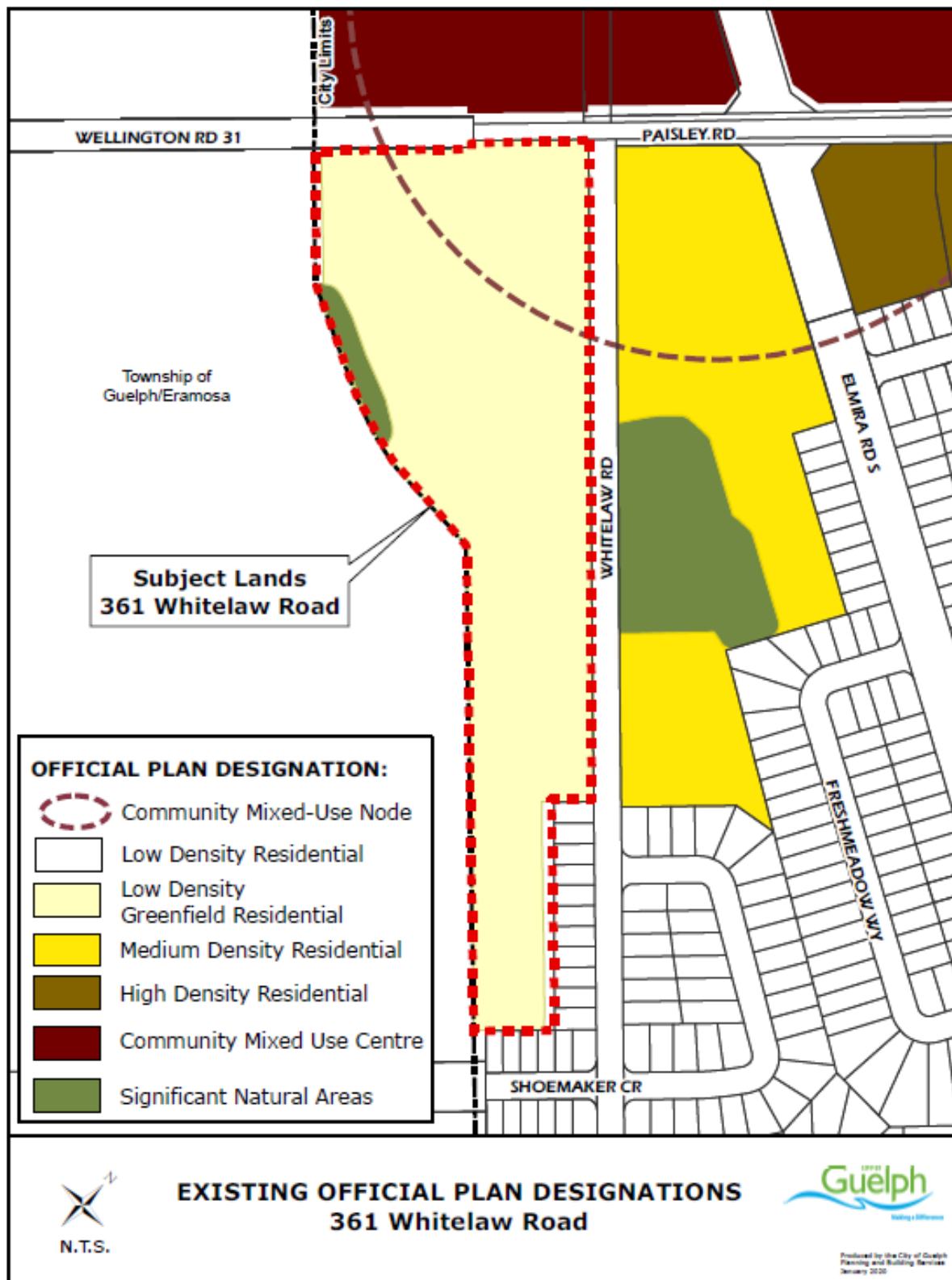
56. That the developer shall agree in the site plan agreement/condominium declaration to advise all purchasers or residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

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

57. The Owner shall make satisfactory arrangements with Guelph Hydro/Alectra Utilities and phone and cable providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plant.
58. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.

Attachment 4:

Existing Official Plan Land Use Designations and Policies



Attachment 4 (continued):

Official Plan Land Use Designations and Policies

9.3.1 General Policies

9.3.1.1 Development Criteria for Multi-Unit Residential Buildings and Intensification Proposals

The following criteria will be used to assess development proposals for multi-unit residential development within all residential designations and for intensification proposals within existing residential neighbourhoods. These criteria are to be applied in conjunction with the applicable Urban Design policies of this Plan.

1. Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.
2. Proposals for residential lot infill will be compatible with the general frontage of lots in the immediate vicinity.
3. The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.
4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.
5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.
6. That adequate municipal infrastructure, services and amenity areas for residents can be provided.
7. Surface parking and driveways shall be minimized.
8. Development shall extend, establish or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.
9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.
10. The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.
11. The conservation and integration of cultural heritage resources, including identified key public views can be achieved subject to the provisions of the Cultural Heritage Resources Section of this Plan.

Attachment 4 (continued):

Official Plan Land Use Designations and Policies

9.3.5 High Density Residential

The predominant use of land within the High Density Residential Designation shall be high density multiple unit residential building forms.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - a. multiple unit residential buildings generally in the form of apartments.

Height and Density

The minimum height is three (3) storeys and the maximum height is ten (10) storeys

The maximum net density is 150 units per hectare and not less than a minimum net density of 100 units per hectare.

Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

9.3.4 Medium Density Residential

The use of land within the Medium Density Residential Designation will be medium density housing forms.

Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - b. multiple unit residential buildings, such as townhouses and apartments.

Height and Density

The minimum height is two (2) storeys and the maximum height is six (6) storeys.

The maximum net density is 100 units per hectare and not less than a minimum net density of 35 units per hectare.

Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

9.7 Open Space and Parks

Open space and parks provide health, environmental, aesthetic and economic benefits that are important elements for a good quality of life. Lands designated Open Space and Parks are public or private areas where the predominant use or function is active or passive recreational activities, conservation management and other open space uses.

Objectives

- To develop a balanced distribution of open space, active and passive parkland and recreation facilities that meet the needs of all residents and are conveniently located, accessible and safe.
- To co-operate and partner with other public, quasi-public and private organizations in the provision of open space, trails and parks to maximize benefits to the community.
- To assist in protecting the City's urban forests, the Natural Heritage System and cultural heritage resources.

Policies

1. Where any land designated Open Space and Parks is under private ownership, this Plan does not imply that such land is open to the general public or that the land will be purchased by the City or any other public agency.
2. Where lands designated Open Space and Parks are in private ownership and a development application is made requesting a change to a land use other than Open Space and Parks, due consideration shall be given by Council to the following:
 - a. Council will consider the acquisition of the subject lands, having regard for the following:
 - a) the provision of adequate open space, parks and recreational areas, particularly in the vicinity of the subject lands;
 - b) the existence of cultural heritage resources or natural heritage features on the site;
 - c) the recreational service that is provided by the existing use and the benefits and costs accruing to the City through the public acquisition of the property;
 - d) the possibility of any other government agency purchasing or sharing in the purchase of the subject lands; and
 - e) the ability of the City to purchase the lands and the priority of the lands in relation to the City's overall open space and parks acquisition plan.
 - b. If acquisition of lands is not deemed appropriate, Council shall consider other arrangements to retain the lands in an Open Space and Parks designation by such means as management agreements or easements, where applicable.

Where the City or any other government agency does not wish to purchase the subject lands, and suitable alternative arrangements to secure the lands in an Open Space and Parks designation have not been derived, due consideration shall be given by Council to amending the Official Plan. When considering such amendments, the City may require a comprehensive study be conducted to

determine the most desirable function and use of the lands. In spite of the above, there is no public obligation either to redesignate or purchase any areas designated Open Space and Parks.

When developing major recreation facilities such as indoor swimming pools, arenas or major parks or open space areas, consideration shall be given to locating such facilities in association with major community shopping, educational or cultural facilities.

Where appropriate, the City may implement practices that naturalize portions of City parks and incorporate indigenous vegetation.

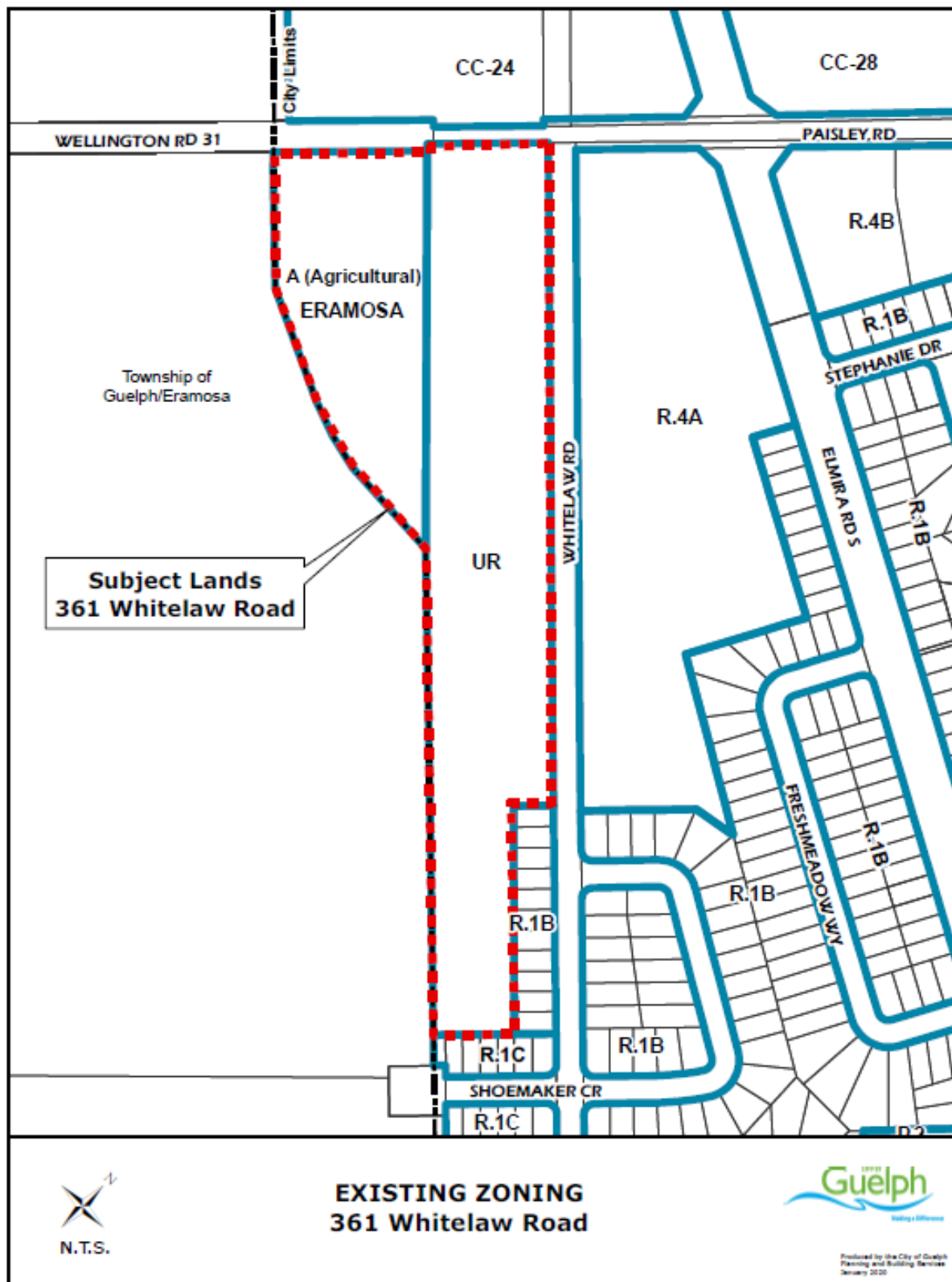
Permitted Uses

The following uses may be permitted in the Open Space and Parks designation, subject to the applicable provisions of this Plan:

- a. public and private recreational uses and facilities;
- b. parks;
- c. golf courses;
- d. conservation lands;
- e. cemeteries; and
- f. complementary uses.

Complementary uses are uses that are normally associated with the main recreational use, are compatible with, and do not detract from or restrict, the primary function of the Open Space and Parks designation. Such complementary uses may include, but are not necessarily restricted to horticulture, restaurants, club houses, pro shops, public halls and other accessory buildings.

Attachment 5: Existing Zoning



City Limits

WELLINGTON RD 31

PAISLEY RD

R.4B-22(H)

Township of Guelph/Eramosa

P.1

R.4A-55(H)

WHITELAW RD

R.3A-66(H)

P.2

SHOEMAKER CR

STEPHANIE DR

ELMIRA RDS

FRESHMEADOW WAY

Subject Lands
361 Whitelaw Road

PROPOSED ZONING
361 Whitelaw Road

Guelph
Building a Different Future

Produced by the City of Guelph
Planning and Building Services
January 2020

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***

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

16595 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***

- ***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***

- ***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

17187, 19691

TABLE 5.3.2 - REGULATIONS GOVERNING R.3 ZONES

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

Attachment 6 (continued):

Proposed Zoning and Details

TABLE 9.2 - REGULATIONS GOVERNING THE P.2, P.3, P.4 AND P.5 ZONES

Row 1	Park Zones	Neighbourhood (P.2) Park	Community (P.3) Park	Regional (P.4) Park	Commercial Recreation (P.5) Park
2	Minimum Lot Area	----			1,200 m ²
3	Minimum Lot Frontage	50 metres. Despite this minimum, a Lot Frontage calculation formula of 1 metre of frontage for every 100 m ² of park space is required.			30 metres
4	Minimum Side and Rear Yard	7.5 metres.			
5	Minimum Front Yard	6 metres from the Street Line and as set out in Section 4.24.			
6	Off- Street Parking	In accordance with Section 4.13 and the following: Off- Street parking shall be a minimum of 7.5 metres from the Street Line .			In accordance with Section 4.13.
7	Off- Street Loading	In accordance with Section 4.14.			
8	Accessory Buildings or Structures	In accordance with Section 4.5.			
9	Fences	In accordance with Section 4.20. Despite the preceding, Sections 4.20.2 and 4.20.3 shall not apply to fence screens associated with Outdoor Sportsfield Facilities .			

Attachment 7:
Original Site Concept Plan (August 2018)



Attachment 7:

First Revised Site Concept Plan (May 2019)



Attachment 7:

Recommended Proposed Site Concept Plan (December 2019)



Attachment 7:

Recommended Proposed Site Concept Plan (December 2019)

Detail of the Proposed High Density Residential OP Designation and R.4B-22 Zone:



Recommended Proposed Site Concept Plan (December 2019)

Detail of Proposed Medium Density Residential OP Designation and R.4A-55 and R.3A-66 Zones:



Attachment 7: Recommended Proposed Site Concept Plan (December 2019)

Detail of Proposed Open Space and Parks OP Designation and P.2 Zone:



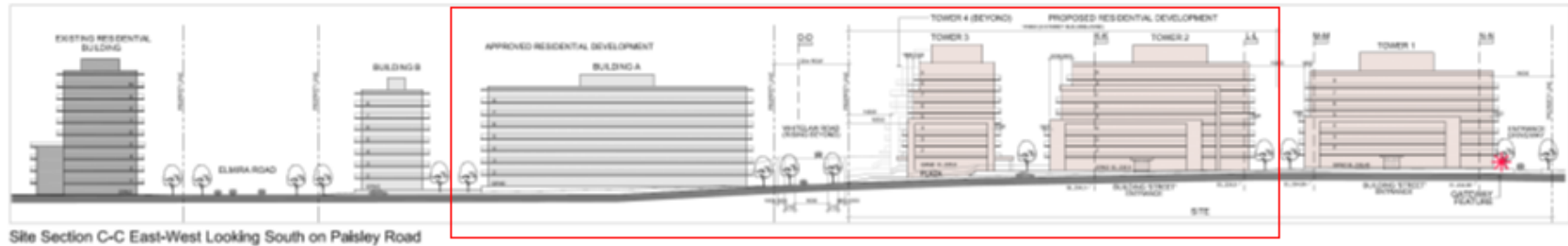
Attachment 8:

Conceptual Site Perspective (Aerial View from Paisley Road)

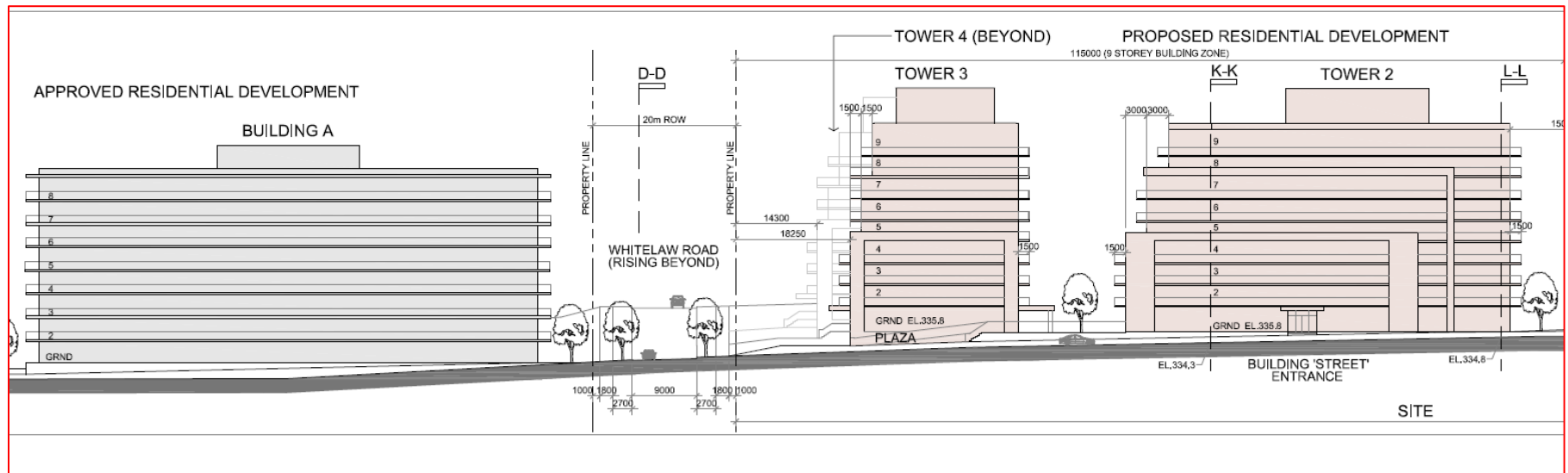


Attachment 8:

Cross-Section Comparing Height and Grade to Neighbouring Sites along Paisley Road



Detail Comparing Height and Grade across Whitelaw Road (close up of area highlighted in red above):



Attachment 10:

Staff Review and Planning Analysis

2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is issued under the authority of Section 3 of the Planning Act. As per section 4.2 of the PPS, all planning decisions shall be consistent with the PPS.

Managing and Directing Land Use

Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of residential, employment and other uses to meet long term needs [1.1.1 a), b)]. Also, development must avoid land use patterns that may cause environmental and public health and safety concerns, as well as be cost-effective, efficiently using land and ensuring that the necessary infrastructure is in place to meet the projected needs [1.1.1 c), e), g)]. Development and land use patterns that conserve biodiversity and considers the impacts of climate change is to be promoted [1.1.1 h)].

Policy 1.1.3 requires development in settlement areas such as the City of Guelph to use land and resources wisely, considering opportunities for intensification and redevelopment as well as overall regeneration. Specifically, densities are to be appropriate for and efficiently utilize the infrastructure and public service facilities that are planned or available. In addition, land use and development patterns in settlement areas are to be transit supportive and take into account existing building stock [1.1.3.1, 1.1.3.2 a), b), and 1.1.3.3].

Appropriate development standards are to be promoted that facilitate intensification and an overall compact built form, while mitigating risks to public health and safety [1.1.3.4].

Housing

For residential development, an appropriate range and mix of housing types and densities must be provided to meet projected requirements. This is to be achieved by promoting and facilitating redevelopment and all forms of intensification at appropriate and efficient densities given the area's context, and directing new housing to locations where appropriate levels of infrastructure and public services are and will be available to support anticipated needs [1.4.3 b), c), d)].

Section 9.3.1.1 of the Official Plan contains development standards for intensification, which will be discussed later in this analysis, together with City Urban Design guidelines that work together to ensure appropriate standards for development.

Sewage, Water and Stormwater

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. The proposed development will be on full municipal services and Engineering staff have confirmed that adequate capacity is available to service the proposed development [1.6.6.2] (See Engineering staff comments in Attachment 11).

Natural Heritage

Natural heritage features, which are identified in the City's Natural Heritage System (NHS) in Schedule 4 of the Official Plan are to be protected for the long term [2.1.1]. This includes maintaining, restoring or improving the ecological function of the NHS and recognizing any linkages between and among surface water and ground water features [2.1.2]. The applicant has completed detailed stormwater, environmental impact and hydrogeological studies which has been reviewed by City environmental planning staff. Staff are satisfied that there will be no negative impact on the adjacent NHS.

In Planning staff's opinion, the proposed 678 residential development on the subject lands is consistent with the policies of the PPS. The proposal will develop lands partly within and adjacent to a Mixed Use Node with available services and transit and further add to the range and choice of housing options in the area. The residential development is compatible with the existing surrounding commercial and apartment zoned lands and a park is proposed to be located between the development and existing single detached dwellings. Adequate water and sanitary sewer capacity is available to service the development, and overall the proposed development will efficiently use existing infrastructure. The development will incorporate a stormwater management strategy that will have no negative impact on the adjacent natural heritage feature.

As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.7], a more detailed review on how the proposed Official Plan amendment and Zoning By-law amendment are consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined later in this analysis.

Provincial Growth Plan for the Greater Golden Horseshoe (A Place to Grow)

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. While the PPS as outlined above provides policy direction on matters of provincial interest, the Growth Plan provides more specific policy direction for development within the Greater Golden Horseshoe area.

The current Growth Plan came into effect on May 16, 2019 and applies to any decisions on planning matters made on or after this date. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and

guide decisions on growth through building compact, vibrant and complete communities.

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

Specifically applicable to this site are Section 2.2.1 of the Growth Plan, which focuses on managing growth and the achievement of complete communities, together with Section 2.2.6 on housing and Section 2.2.7 regarding Designated Greenfield Areas (DGAs). These sections contain policies related to intensification, the creation of complete communities and efficient use of public services.

In Planning staff's opinion, the proposed Official Plan and Zoning By-law amendments conform to the policies within these sections. The subject lands are located within the City's DGA, where the minimum density is required to be 50 people and jobs per hectare. The residential development portion of the site is proposed to have an overall density of 121 units per hectare, which will contribute to the City's greenfield density target and creates a compact and efficient urban form. The site contributes to the creation of complete communities by providing a mix of housing types, townhouses and apartments, together with a neighbourhood park and trail, partly within and adjacent to a mixed use commercial node with convenient and walkable access to local stores, services and public service facilities, as well as transit. The proposed development further contributes to the mix of land uses in the surrounding area and the location and site density will make efficient use of existing municipal infrastructure and public services. For these reasons, Planning staff are of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated "Low Density Greenfield Residential" with a small portion of the westerly edge of the site designated as "Significant Natural Area" that is the edge of the buffer to an adjacent wetland and woodlot to the west situated in the Township of Guelph-Eramosa. The northeast portion of the site, closest to the intersection of Paisley Road and Whitelaw Road is part of the Paisley/Imperial Community Mixed Use Node (see Attachment 4 for more information).

The applicant has proposed to change the Official Plan Designation on the site from the "Low Density Greenfield Residential" to "High Density Residential" on the northerly portion of the site, "Medium Density Residential" on the middle portion of the site, and "Open Space and Parks" on the southerly portion of the site, as shown in the proposed Official Plan map in Attachment 2. The small westerly portion of the site designated as Natural Heritage feature is proposed to remain, though the exact boundary of this portion has shifted slightly based on technical information provided in the Environmental Impact Study that reflects the actual buffer to the natural

heritage feature. The proposal meets the criteria of the individual designations as follows:

Proposed High Density Residential Designation

The High Density Residential Designation is meant to be predominantly high density apartment buildings. The net density of development in this designation should be between 100 and 150 units per hectare, together with a height range of between 3 and 10 storeys.

The applicant has proposed a total of 445 apartment units in the High Density Residential designation with a density of 150 units per hectare. Four apartment buildings are proposed in this designation. The two closest to the intersection of Whitelaw Road and Paisley Road are both proposed to be 9 storeys in height and contain 120 apartment units each. The two further from the intersection, along Paisley Road and Whitelaw Road respectively, are proposed to be 8 storeys high and contain 102 and 103 units respectively.

Proposed Medium Density Residential Designation

The Medium Density Residential land use designation permits multiple unit residential buildings such as townhouses and apartments. The net density of development within the "Medium Density Residential" designation is to be between 35 units per hectare and 100 units per hectare. The height of multiple unit residential buildings is to be between two (2) and six (6) stories.

The applicant has proposed a total of 233 residential units in this designation with a density of 88 units per hectare (based on an area of 2.644 ha). The two proposed apartment buildings in this designation are 5 storeys high and contain a total of 107 units. Also within the Medium Density Residential designation, the applicant has proposed 96 stacked, back-to-back townhouses and 30 stacked townhouses, each a maximum of four storeys high.

Proposed Open Space and Parks Designation

The Open Space and Parks designation is meant to develop a balanced distribution of open space, active and passive recreational spaces across the City and permits a range of public and private recreational uses including parks, golf courses, and conservation areas. A neighbourhood park is proposed in this designation on the south end of the site, approximately 1.4 hectares in size. The park would primarily be accessed from its Whitelaw Road frontage, though there is the opportunity in the future to pursue a secondary access from the park to the end of Shoemaker Crescent along the City/Township boundary.

Residential Development Policies

Section 9.3 of the Official Plan contains policies that apply to the residential land use designations. The proposed 678 unit apartment and townhouse development satisfies the residential objectives. This includes:

- Facilitating the development of a full range of housing types and densities to meet a diversity of lifestyles and the social needs and well-being of current and future residents throughout the City;

- Ensuring compatibility between various forms of housing and between residential and non-residential uses;
- Directing new residential development to areas where full municipal services and infrastructure is available and can be provided in an efficient and cost effective manner;
- Ensuring new development is compatible with surrounding land uses and the general character of neighbourhoods; and
- Ensuring new residential development is located and designed to facilitate and encourage convenient access to employment, shopping, institutions and recreation by walking, cycling and transit.

Multi-Unit Residential Buildings Criteria

Specific to this proposal, Policy 9.3.1.1 identifies specific criteria to assess development proposals for Multi-Unit Residential Buildings, which are meant to be applied in conjunction with applicable OP Urban Design policies. These criteria are listed and evaluated below for both the proposed High and Medium Density portions of the site.

1. Building form, scale, height, setbacks, massing, appearance and siting are *compatible* in design, character and orientation with buildings in the immediate vicinity.

The site has been designed to be compatible with its surroundings by transitioning from high density apartments as part of the Community Mixed Use Node to medium density apartments, to medium density townhouse forms, to a neighbourhood park adjacent to the existing single detached dwellings to the south and east of the subject site.

The 8 and 9 storey apartments proposed within the High Density Residential Designation are mostly within the area on site identified within the Official Plan as being part of the Community Mixed Use Node. It is near expected future commercial uses across Paisley Road (to the south of the current Costco) and approved to be built 8 storey apartments along the south side of Paisley Road across Whitelaw Road. The height and scale of the proposed buildings, together with the site grade elevations, is illustrated in the site cross section shown in Attachment 9.

The massing and setbacks of the proposed high density apartment buildings have been refined and specialized regulations have been added to the proposed R.4B-22 Zone to ensure conformity. This includes specific building setbacks along Whitelaw Road to ensure the buildings are well-sited, back from the street enough to ensure they do not cause a shadow impact to the proposed buildings in the future development on the east side of Whitelaw and meet the 45 degree angular plane from the street existing zoning regulation. Also, there are required building stepbacks above the 4th and 7th storeys to taper the buildings back from the street to reduce the appearance of height and massing. The apartment buildings are also limited to 60 metres in length and 15 metres between buildings is required to ensure there is adequate space between them.

Multi-Unit Residential Buildings Criteria continued

The site design orients the apartment buildings along the streets, with a large open landscaped space near the intersection of Paisley Road and Whitelaw Road that acts as a landscaped gateway feature to the site and a main pedestrian access between the site and the rest of the mixed use node to the north and east of the site. Behind the buildings is large landscaped open space which is amenity area for the residents. The majority of the parking for this portion of the site is underground and all vehicular access and surface level parking and loading areas are behind the buildings.

The proposed Medium Density Residential portion of the site immediately to the south has two parts, first the proposed two, 5-storey apartment buildings in the proposed R.4A-55 Zone, creates a transition down from the higher apartment buildings, then the proposed stacked and stacked back-to-back townhouses at 3 and 4 storeys create another lower height and density of residential use before the proposed park and existing low density residential neighbourhood. The proposed 5 storey apartment buildings are across Whitelaw Road from the north end of the existing woodlot and the edge of the existing development site that is zoned R.4A which permits apartment buildings up to 8 storeys high. The building closest to Whitelaw Road is oriented to the street and the majority of parking is proposed to be underground. A stepback to the buildings is required in the proposed zoning after the 4th storey along Whitelaw Road, as in the other apartment buildings to create consistency in the built form and massing.

The majority of the stacked, back-to-back townhouses proposed along Whitelaw Road are across from the existing woodlot, with the south end of the townhouse site across from a developable area zoned R.4A which also permits apartments up to 8 storeys high. The proposed park is 70 metres wide along Whitelaw Road and creates a large buffer and good transition area between the development and the existing neighbourhood.

2. Proposals for residential lot infill will be *compatible* with the general frontage of lots in the immediate vicinity.

This criteria does not directly relate to this development, as it refers to residential lot infill which is a different form of development that is not adjacent to the residential portions of this site.

3. The residential *development* can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.

This site is very well served by local shopping facilities as it is both within and immediately adjacent to the west end Community Mixed Use Node. A variety of retail and service uses currently existing within the node, as well as the West End Recreation Centre. Nearby schools include Taylor Evans PS on Stephanie Drive, St. Francis of Assisi CS on Imperial Road and Gateway PS on Gateway Drive. The site proposes the addition of a 1.4 hectare park fronting Whitelaw Road and there are existing nearby parks, including Whitelaw Gardens Park south of the site on Whitelaw Road, which is approximately 0.45 hectares in size and Elmira Park, Springdale Park and Stephanie Drive Park are also nearby and serve the current neighbourhood.

Multi-Unit Residential Buildings Criteria continued

4. Vehicular traffic generated from the proposed *development* will not have an unacceptable impact on the planned function of the adjacent roads and intersections.

The applicant submitted a Traffic Impact Study with their application and submitted additional traffic information with their revised submission in May 2019 that considered changes to the plan as well as addressed concerns raised related to traffic for the original submission. The Traffic Impact Study identifies that the development will require a westbound left turn lane on Paisley Road at the proposed Paisley site access. Also on Whitelaw Road a northbound left turn lane onto Paisley Road is recommended to increase the capacity of this intersection. Whitelaw Road is planned to be reconstructed along the length of this site and upgraded to an urban cross-section with curb/gutter and municipal sidewalks. The horizontal alignment will be lowered slightly as well to improve sightlines along this portion of the roadway. The redesign of Whitelaw Road, which is currently underway, will incorporate the recommended intersection improvements. City Transportation Engineering staff agree with the recommendations included in the Traffic Impact Study.

5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.

Vehicular access to the site is via two entrances along Whitelaw Road and one entrance from Paisley Road. The Paisley Road access was added in the revised submission by the applicant to lessen the volume of traffic on Whitelaw Road from the high density apartment portion of the site on Whitelaw Road. All accesses are available to all portions of the site with a simple circulation pattern that runs behind the high density apartments and between the medium density apartments and townhouses.

Parking for the apartment units is predominantly underground with limited amounts of surface parking. A specialized regulation has been recommended by staff to require that no more than 10 percent of the required parking be permitted at grade, the rest must be provided for in structured below grade parking facilities. This requirement for limited at grade parking ensures the creation of a much larger open space between the apartment buildings and the natural area to the west of the City, and allowing for a better amenity area for residents, more open space for water infiltration and a better transition between the buildings and the natural features and rural areas to the west of the site. Parking for the townhouse is proposed to be in an at grade parking lot, though the final townhouse type could also incorporate garages if desired.

Parking ratios for the subject site are proposed to be specialized, based in part on the Parking Study that is part of the City's Comprehensive Zoning By-law Review. This was an independent objective study that surveyed parking use at peak periods on other similar size sites in Guelph as well as reviewed parking ratios required in other similar-sized municipalities. The applicant originally proposed lower parking ratios, but agreed to provide additional parking in line with the results of the

parking study. More detail about the proposed parking regulations are found in this planning analysis in the Zoning details section, starting on page 60 of this report.

6. That adequate municipal *infrastructure*, services and amenity areas for residents can be provided.

Multi-Unit Residential Buildings Criteria continued

Engineering staff have reviewed the proposed applications and are satisfied that adequate municipal services are available. The Zoning would however be approved with a Holding provision that could be lifted once Whitelaw Road is reconstructed to ensure the site is built to match the final grades on the reconstructed road.

Services and amenities are available to future residents, with a nearby recreation centre, library, parks and schools. A new park and trail are proposed on site as well adding to the amenities of the neighbourhood.

7. Surface parking and driveways shall be minimized.

As noted in item 5 above, surface parking for the apartment buildings has been greatly reduced, with the majority of parking in underground structured parking. The three site accesses serve all the units, limiting the number of entrances onto the street.

8. *Development* shall extend, establish or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.

Appropriate vehicular connections have been established with the three vehicular entrances to the site, two from Whitelaw Road and one from Paisley Road. Significant efforts have been made to ensure good pedestrian connections both through the site and to the public streets. Connections are available from all buildings along the street and between buildings for both the proposed apartment buildings and townhouse blocks. Closest to the corner of Paisley Road and Whitelaw Road, a large landscaped gateway feature acts as a key pedestrian entranceway to the site. A public trail is also proposed along the westerly side of the site, from Paisley Road to the proposed park on the south end of the site, and potential through the park out to Shoemaker Crescent in the future. This detail would be determined when Parks staff undertake detailed design of the park.

9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing. Engineering staff have reviewed the grading, drainage and proposed servicing and have not identified any issues related to impacts on adjacent properties. Similarly, a shadow study has been completed by the applicant that has met City requirements. The applicant has setback the 9 and 8 storey buildings on Whitelaw Road 18 and 14 metres respectively, to ensure that there is no shadow impact on the future development across Whitelaw Road. A pedestrian level wind study will be required in the site plan approval process (see Condition #2 in Attachment 3), because refined building design is needed to determine specific wind impacts and if mitigation is needed.

10. The *development* addresses public safety, identified *public views* and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.

The development addresses public safety with the proposed buildings along the public streets with wide spaces between buildings to ensure safe pedestrian accesses. A large green space is situated between the apartment buildings and the natural area, with a public trail along the westerly side of the site to encourage pedestrian access through the site to the proposed park, while preserving views to the adjacent natural heritage lands to the west. The proposed park has been reviewed and supported by Parks Planning staff, and will provide additional public open space to both the residents of the proposed development and the existing neighbourhood.

11. The *conservation* and integration of *cultural heritage resources*, including identified key *public views* can be achieved subject to the provisions of the *Cultural Heritage Resources* Section of this Plan.

Archaeological Assessments were submitted as part of a complete application which identified of any description on the subject lands. In addition, the City's Senior Heritage Planner has reviewed the development proposal and did not identify any cultural heritage resource impacts from the development.

For the reasons stated above, Planning staff are satisfied that Policy 9.3.1.1 is satisfied by this development proposal.

Community Energy Initiative Update (2019) and Climate Change

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features. In 2019 the City also updated the Community Energy Initiative with a major goal of increasing the number of NetZero Carbon homes in Guelph to 100% by 2050.

The site has the fundamental qualities needed to be energy efficient and more sustainable. It creates efficient compact urban form at relatively high density within walking distance to, and fundamentally a part of, the Community Mixed Use Node.

This Official Plan and Zoning By-law amendment does differ from others reviewed recently in that the applicant is the current owner, but does not plan to ultimately build the site, but rather sell the land to a builder once the site has approved zoning. For this reason, the applicant cannot provide the usual list of energy efficiency measures specific to their proposed future buildings.

In order to be consistent with the City's Community Energy Initiative the applicant has agreed to a Holding provision on the proposed residential zones that will require the future owner to complete an Energy Strategy Report and commit to incorporate specific energy efficiency features into their development that will contribute to the CEI before the zoning can be enacted. In this way, City staff can work with the future builder to determine exactly what energy efficiency measures can be taken on site based on their specific proposed site and building design.

City Gateways

Policy 8.4 of the Official Plan identifies criteria for City gateways or visually prominent sites at key entry points to the City. Paisley Road is considered a secondary entry point to the City at this location and a gateway feature at this entryway, into the Paisley/Imperial Community Mixed Use Node would be appropriate. The applicant has agreed to provide a City gateway feature on the westerly end of the site along Paisley Road. The exact form and design of the gateway feature will be determined in coordination with Planning Staff through the site plan review process. Condition #31 has been included in Attachment 3 to address this issue.

Urban Design

To achieve a complete community, the Official Plan contains policies regarding urban design that apply to all development. Several urban design objectives in the Official Plan apply to the proposed apartment development, including:

- To create neighbourhoods with diverse opportunities for living, working, learning and playing [8 a)];
- To build compact neighbourhoods that use land, energy, water and infrastructure in an efficient manner [8 b)]; and
- To allow for a range of architectural styles in urban form and design that appropriately respond to local context and achieve compatibility [8 i)].

To provide a detailed analysis of how the development proposal is consistent with and meets the City's urban design policies, the applicant submitted an Urban Design Brief and Shadow Study as part of their application.

The proposed development has responded to the City's Urban Design policies. Buildings have been designed to frame the street they are fronting. Servicing and off-street parking is screened from public view, with a significant amount of parking located underground for the apartment buildings and to the or to the rear and side of the proposed townhouse buildings. Both apartment and townhouse buildings have limited the length of buildings with specific limits in the proposed zoning regulations. Apartment buildings have also been designed with stepbacks as they increase in height to reduce their visual impact. Further review and refinement of the urban design and site features will occur in through the site plan approval process.

Affordable Housing

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

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

The Planning Justification Report submitted by the applicant included statements with respect to housing affordability, indicating that the development proposal would accommodate a range of housing forms that include stacked townhouses and apartment units in proximity to City amenities and could accommodate a range of incomes.

The proposed development includes a total of 678 residential units consisting entirely of apartment and townhouse units. Based on these proposed housing forms, it is highly anticipated that this development will contribute to the achievement of the affordability housing targets set for the City. This actual contribution will be measured as the units are rented or sold. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the City has been meeting affordable housing targets.

Official Plan Amendment Criteria Summary

Policy 1.3.14 of the Official Plan notes the following items shall be considered by Council when considering an application to amend the Official Plan:

- i) the conformity of the proposal to the strategic directions of this Plan and whether the proposal is deemed to be in the overall interests of the City;
- ii) consistency with applicable provincial legislation, plans and policy statements;
- iii) suitability of the site or area for the proposed use, particularly in relation to other sites or areas of the city;
- iv) *compatibility* of the proposed use with adjacent land use designations;
- v) the need for the proposed use, in light of projected population and employment targets;
- vi) the market feasibility of the proposed use, where appropriate;
- vii) the extent to which the existing areas of the city designated for the proposed use are developed or are available for *development*;
- viii) the impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the Natural Heritage System;
- ix) the financial implications of the proposed *development*;
- x) other matters as deemed relevant in accordance with the policies of this Plan.

The application has been reviewed against these criteria. The proposed development conforms to the strategic goals of the Official Plan in Section 2.2, including the following:

- Contributing to providing an appropriate range, mix and geographic distribution of housing types to meet current and projected needs to the year 2031 [2.2.1 b), 2.2.5 d)];
- Provides for urban growth and land use patterns in a manner that ensures the efficient use of public expenditures over the long term [2.2.1 c)];
- Contribute to implementing actions to achieve the targets of the updated Community Energy Initiative [2.2.2 d)];
- Contributing to developing a safe and efficient transportation system that provides for all modes of travel [2.2.3 a)];
- Facilitates development in an area where full municipal services and related infrastructure is readily available [2.2.4 a)];
- Build a compact, mixed-use and transit-supportive community [2.2.6 b)];

The site is proposed to contain a mix of housing types that will contribute to the local housing mix and help meet the City's requirements within the Provincial Growth Plan. The site is suitable for the proposed development given its location as part of the Paisley/Imperial Community Mixed Use Node and proximity to a variety of local services and amenities. The site is proposed to be developed as a series of transitions from high density at the north end which is part of the node, to medium in the middle to a neighbourhood park adjacent to the neighbourhood to create a compatible built form in a compact manner and an efficient use of City services. The site is also designed in a manner that does not impact the adjacent natural heritage feature, the woodlot/wetland to the west of the site and provides for significant amounts of on site open greenspaces as well as a public park and trail. The form of development also lends itself to contributing to the City's affordable housing targets and Community Energy Initiative Net Zero Carbon development objectives. For these reasons, the application provides appropriate intensification and transitions for its site context and contributes to the development of a complete community with its mix of housing and provision of parkland.

Review of Proposed Zoning

The recommended zoning in the report is a combination of some of the specialized regulations requested by the applicant and additional specialized regulations determined by Planning Staff in order to secure the site design, including building locations, built form and parking, as well as better reflect current urban design principles that are not standard in the City's Zoning By-law which is from 1995. The following paragraphs discuss each proposed zone and its specialized regulations. The recommended zoning is shown in Attachment 3, together with proposed conditions to be implemented through the site plan review process. The proposed zoning mapping is shown in Attachment 6.

R.4B-22(H) Specialized High Density Apartment Zone with a Holding Provision

The R.4B-22(H) is a specialized High Density Apartment Zone proposed for the north end of the subject site, in line with the High Density Residential Official Plan designation. Several specialized regulations have been recommended for this zone related to the building locations, built form and parking.

To confirm the proposed building locations, several site specific setback regulations have been created for this zone. Maximum front and exterior side yard setbacks specific to both Paisley and Whitelaw Roads have been included to ensure that the proposed apartment buildings are built close to the street. The minimum distances between buildings within the zone has been expanded to ensure there is a minimum of 15 metres between apartment buildings to create appropriately scaled open space and safe pedestrian connections from the interior of the site to the public sidewalks. A minimum 3-metre-wide interior side yard has also been added, which would apply between the R.4B and R.4A zones on the site if it were to be severed in the future. To clarify rear yard location, since there are two street frontages, for the purposes of this and all three residential zones proposed, the rear yard has been identified in a specialized regulation as located on the westerly side of the site that runs along the City boundary and adjacent woodlot. A specialized regulation has also been created to create a landscaped site gateway in the area closest to the intersection of Paisley and Whitelaw a minimum of 30 by 50 metres in size. This space will act as a pedestrian entranceway and landscaped feature that marks the site entrance from the rest of the node. The regulations work together to confirm building locations by creating appropriate setbacks from the edges of the site and between buildings.

The standard R.4B Zone permits buildings up to 10 storeys high, but this specialized zone proposes to limit heights to 8 and 9 storeys as shown in the concept plan, where two 9-storey buildings are shown closest to the intersection of Whitelaw Road and Paisley Road, and two 8-storey buildings are shown beside them along each road respectively. Together with building height, specialized regulations have been created requiring the front face of each building to be stepped back from the street as it goes up in height. Along Paisley Road, the buildings must step back 1.5 metres above the 4th floor and an additional 3 metres 3 metres above the 7th floor. On Whitelaw Road, buildings must be stepped back an additional 1.5 metres above the 4th floor and a further 1.5 metres above the 7th floor. Buildings must also step back where they face the landscaped gateway feature; a minimum of 3 metres above the 4th floor and a further 3 metres above the 7th floor. These stepbacks limit the visual impact of building height from the street. A regulation has also been added to require a maximum building length of 60 metres for all buildings in this zone. These additional specialized regulations are recommended by staff to create a variety of building heights and better shape and articulate the proposed buildings.

R.4B-22(H) Zoning Parking Analysis

Specialized parking regulations are also proposed for this zone. The applicant originally proposed 1 parking space per unit inclusive of visitor parking but after discussion with City staff, increased the parking in this zone to one parking space per unit plus 0.1 spaces per unit of visitor parking. This ratio is aligned with the recommendation provided for apartment units within or near mixed use nodes in the City's parking study recently completed for the Comprehensive Zoning By-law Review, which surveyed current parking use in existing high density residential developments. Similarly, the ratios used in the parking study are applied to the rest of the site, 1 space per unit plus 0.1 spaces for visitor spaces in the R.4A-55 Zone for the medium density apartments, and 1 space per unit plus 0.2 spaces per unit for visitors for the townhouse units. In reviewing the site as a whole, using these

specialized regulations for parking would require a total of 760 parking spaces on the site, while using the standard parking regulations would require 848 parking spaces, a difference of 88 parking spaces.

Planning staff are satisfied with the proposed parking ratio because it is based on the City's parking study analysis of the parking needs on other similar sites as well as a review of parking ratios used by similar sized municipalities. The parking study (the Guelph Parking Standards Review completed by IBI Group) observed that residential and visitor parking demand was consistent between all surveyed townhouse and apartment sites. Median parking rates for apartments were approximately 0.8 spaces per unit, while median parking rates for townhouse sites ranged between 0.8 and 1.0 spaces per unit. Resident and visitor parking rates prescribed in the current Zoning By-law are higher than the observed parking demand for apartments and townhouses. The reduced rate is recommended at a site that is within walking distance to many services and amenities as part of the Community Mixed Use Node. Transportation Demand Management staff have included a condition of Site Plan Approval (#33 in Attachment 3) that requires the owner to incorporate transportation demand management measures that would better manage onsite parking need, such as including space for car share vehicles, unbundling the sale or lease of parking spaces with the sale or lease of an apartment unit and encouraging the use of alternative modes of transportation. Staff also reviewed other recently approved specialized parking ratios for apartment buildings in the City and found the following:

- 144 Watson Road North, approved at 1.2 spaces per unit inclusive of visitor;
- 78 Starwood, approved at 1.17 spaces per unit inclusive of visitor; and
- 1159 Victoria Road South, approved at 1 space per unit plus a total of 13 visitor spaces.

Planning staff support the proposed specialized parking ratio as it will provide adequate onsite parking, while balancing the need to accommodate various transportation modes, to utilize land efficiently, and to support the transition to a multi-modal transportation system with reduced reliance on the automobile. This is in conformity with Official Plan policies that encourage a compact urban form and transit supportive densities. This will also better enable the site to contribute to the City's Community Energy Initiative as encouraging alternative transportation modes is supportive of a reduced carbon footprint.

A specialized regulation has also been added regarding parking location, with only 10 percent of required parking permitted at grade in surface parking areas. All other parking on site would be required to be located within the proposed below grade parking structures. The provision of the required parking predominantly under the proposed buildings has allowed for the consolidation of a large open green space behind the buildings which provides a range of positive functions, including a reduced "heat island" effect by limited large paved surface parking areas, amenity area for the residents, greenspace that can infiltrate water, treed areas that can sequester carbon and open space that creates a natural transition to the natural heritage lands to the west and the rural area beyond.

An “H” or holding provision has also been added to this zone. This prevents development of the site until certain criteria have been met. As mentioned earlier in this analysis, the conditions of this H are that first, Whitelaw Road is reconstructed, so the site can be designed to match the new road grades and second, the future builder of the site must submit a detailed analysis of how their proposed site design will incorporate energy conservation features that will contribute to the City’s Community Energy Initiative, beyond the contribution it is already making by virtue of the overall form of development. Both of these conditions will need to be met before the future owner can apply to remove the holding provision, which requires Council to pass a separate by-law to remove the “H” from the zoning. This H condition applies to all three residential zones proposed (The R.4B-22(H), the R.4A-55(H) and the R.3A-66(H))

R.4A-55(H) Specialized General Apartment Zone with a Holding provision

The area south of the high density apartment zone is proposed to contain two five storey apartment buildings, one against Whitelaw Road and one parallel to it to the west across a private road. There are some specialized regulations proposed that are similar or identical to those in the R.4B zone adjacent, to create a consistent character across the site, though there is additional flexibility in this zone to build either apartments or townhouses as proposed in the zone adjacent to the south (the R.3A-66(H)). Planning staff have suggested this flexibility to permit either mid-rise (up to six storeys) apartments or townhouse (up to four storeys) because either unit type will create a height transition between the higher apartment buildings to the north and the existing low density neighbourhood to the south and east of the site. Additional specialized regulations are as follows.

Staff have added several common townhouse forms as permitted uses, where the standard zone would only permit apartment buildings. Included are standard cluster townhouses, as well as stacked townhouses, back to back townhouses and stacked, back to back townhouses. Specific definitions for “Back to Back” and “Stacked Back to Back” townhouses were included because these uses are not included in the City’s current zoning by-law because they were not common uses at the time this by-law was approved (in 1995). If townhouses are built on this portion of the site, they would be subject to the regulations recommended for the adjacent townhouse zone (the R.3A-66(H) Zone).

For apartment development on this site, staff recommend a specialized regulation limiting height to 6 storeys, in line with the Medium Density Residential Official Plan designation, though the standard zone would permit 8 storeys. This regulation will meet the Official Plan requirements and ensure a transition from the higher apartment buildings to the north and a mix of building heights. Consistent with the R.4B-22(H) Zone to the north, the front face of the building along Whitelaw Road must be stepped back 1.5 metres above the 4th storey and a maximum building length of 60 metres would apply. Similarly, a minimum of 15 metres between buildings would apply to apartment buildings and a minimum of 10 metres between apartment buildings and townhouse buildings would apply to ensure adequate open space between buildings and the ability to provide pedestrian connections to the street from the site.

The same specialized parking regulations have been applied to both the R.4B-22(H) Zone as noted above and this R.4A-55(H) Zone, including both the parking ratio, of 1 parking space per unit and 0.1 visitor parking spaces per unit, as well as requiring that no more than 10 percent of all parking be permitted in surface parking areas. These regulations create a positive balance on this site between building massing and green open space, limiting the amount of hard surfaced parking areas. The same Holding Provision, requiring the reconstruction of Whitelaw Road and the completion of an Energy Strategy Report that shows how this portion of the site will contribute to the City's Community Energy Initiative before development will be permitted.

R.3A-66(H) Cluster Townhouse Zone with a Holding Provision

The R.3A-66(H) Zone is proposed in the south half of the site, between the R.4A-55(H) Zone and the proposed P.2 Zone for the neighbourhood park. This area of the site would also be within the Medium Density Official Plan designation. Several specialized regulations have been recommended by staff that provide some flexibility in use, while ensuring this portion of the site's built form is consistent with the rest of the site and further transitions down from the high density uses to the north. A specialized regulation for required parking and the same Holding provisions as previously discussed in the other residential zones are also included.

This zone permits a range of cluster townhouse types, including standard cluster townhouses, stacked townhouses, back to back townhouses and stacked, back to back townhouses. A maximum building height of 4 storey is permitted, together with a maximum density of 80 units per hectare. These regulations are appropriate for the unit types permitted and to create the transition in height from a maximum of 6 to a maximum of 4 storeys from the adjacent R.4A-55(H) Zone. A site specific rear yard of 10 metres along the westerly side of the site ensures space between the proposed development and the adjacent natural area and City boundary. Minimum distance between townhouses has been increased from 3 metres to a minimum of 5 metres to ensure adequate space for pedestrian walkways between townhouse buildings.

Specific regulations have also been developed to ensure appropriate built form. A maximum building length of 56 metres is required for all townhouse types to avoid long blocks without an open space break. A minimum unit width of 7 metres is required for any Back to Back townhouse with a garage, to ensure there is adequate space for both a garage door and a front door and front face of the building. Minimum lot area per unit has been reduced from x to 120 metres per unit, because the stacked and back to back type units typically have a smaller floorplate and take up less of the site than standard townhouses.

A site specific parking regulation has also been recommended. A minimum parking ratio of one parking space per unit is proposed, together with 0.2 spaces per unit for visitors, where the standard Zoning By-law requires 1 space per unit. This ratio is the one recommended in the City's parking study that is part of the Comprehensive Zoning By-law Review.

P.1 Conservation Lands Zone

A small sliver of land along the westerly edge of the site is proposed to be rezoned P.1 conservation lands to reflect the small area that acts as part of the 30 metre buffer to the adjacent heritage feature and is similarly designed as Natural Heritage in the Official Plan as noted earlier in this analysis.

P.2 Neighbourhood Park Zone

The southerly portion of the site, between the R.3A-66 and the existing neighbourhood is proposed to be rezoned to the P.2 Neighbourhood Park Zone and given to the City for the development of a park. The site is 1.4 hectares in size with a frontage along Whitelaw of approximately 70 metres. The site does meet the P.2 requirements for a park.

Zoning Summary

Staff have reviewed the proposed zoning and are satisfied that the proposed rezoning categories are appropriate to implement the proposed development. In Planning staff's opinion, the specialized regulations enable greater surety about building location and built form and will ensure the best placement of the buildings on the subject lands to meet good urban design principles, and are supportable for the proposed development of this site.

Comments Received on the Original and Revised Applications

Statutory Public Meetings for the Official Plan and Zoning By-law Amendments were held on December 10, 2018 and on July 10, 2019. Questions and issues raised by Council and members of the public in response to the original and revised applications that were not discussed in detail earlier in this analysis are summarized and responded to below.

Traffic

Several concerns were raised by the public and Council about traffic volume and traffic speeds currently on Whitelaw Road and more broadly in the surrounding neighbourhood and the Paisley/Imperial Community Mixed Use Node. Related questions included requests for traffic calming on Whitelaw Road, the impact of the reopening of Niska Road and whether traffic impacts from surrounding proposed and expected developments was included in the Traffic Impact Study for these applications. Consideration of the extension of Elmira Road South into the County was also requested.

City Transportation Engineering Staff have reviewed the application and the supporting traffic study and are satisfied with the recommendations provided, which include adding a left turn lane on Paisley Road for the Paisley site access and adding a left turn lane on Whitelaw Road when it is reconstructed, as this portion of Whitelaw Road is currently being redesigned and proposed to be reconstructed shortly. There is a Holding provision on the proposed residential zones on the site that will require the reconstruction of Whitelaw Road before the Holding Provision can be lifted and the zoning enacted, in order to ensure the site will be designed and graded to match the final road grades. The crest of the hill currently on Whitelaw Road along the south end of this site is proposed to be graded slightly lower during the reconstruction to improve sight lines.

Traffic calming measures are not included in the Traffic Impact Study, but staff note that in February 2018, Transportation staff conducted a survey to determine if residents would support traffic calming measures that were presented to the community. The required criterion for implementation was not met, based on the existing City policy (a minimum of 60% of affected property owners must be in favour). However, because Whitelaw Road needs to be reconstructed from Shoemaker Crescent to Paisley Road, and staff are aware of the traffic speed concerns, Engineering staff have confirmed the road will be designed to incorporate traffic calming measures.

Traffic from surrounding proposed developments was taken into account by this Traffic Impact Study. Traffic from the reopening of Niska Bridge was not taken into account in the original Traffic Impact Study but was considered in the supplementary information provided by the applicant's traffic consultant, who concluded that even with the additional trips on Whitelaw Road, the volume of traffic on Whitelaw Road is expected to continue to be within the expected and acceptable range of volume for a collector road. Additional study was also completed of the intersection of County Roads 31 and 32 at the request of the County of Wellington, where it was determined that the site had minimal impact on the intersection and no further review was required. There was no recommendation given related to extension of Elmira Road South into the County to Whitelaw Road south of City limits as it is not required for this development and would be a larger policy consideration.

Walkability and Transit availability

Concerns were raised related to walkability and transit availability at this location. Sidewalks will be available on both Paisley Road and Whitelaw Road following its reconstruction. Internally, the site is laid out with a large landscaped gateway feature that will act as a pedestrian entranceway to the site. A City owned trail is also proposed to run from the park along the westerly edge of the site up to Paisley Road. Additional private sidewalk connections are proposed from each apartment building along the street as well as between the proposed apartment buildings and townhouse blocks to ensure that pedestrian access is available and encouraged. The north end of the site is within the Community Mixed Use Node and within walking distance to the existing retail and service uses available there.

Currently transit is available at the intersection of Paisley Road and Elmira Road. Generally as undeveloped areas are fully built out, Transit reviews and readjusts routes to accommodate development.

Solid Waste

The applicant will be required to complete a Waste Management Plan as part of their site plan application that will ensure the apartment building has and maintains a three stream waste system (i.e. recycling, organics, garbage). The Waste Management Plan will also evaluate having the waste be collected by the City Solid Waste Resources staff.

Stormwater Management Pond and Site Grading

A concern was raised about the purpose of the proposed pond on site and grading impacting neighbouring residents. A stormwater management pond is proposed on the west side of the site, near the woodlot. The site generally slopes towards the woodlot and drains in that direction.

Secondly concerns have been raised about the height of the site and the buildings towering over the rest of the Community Mixed Use Node and the wider neighbourhood. The north end of the site, near Paisley Road, appears quite a bit higher than surrounding lands, but some of the height is stockpiled fill that will be removed. For a better understanding of the proposed site grading, the applicant has provided cross-sections of the site showing its proposed grading and height in the context of the site across Whitelaw Road to the east (See Attachment 8).

Engineering staff have reviewed the proposed grading and drainage of the site and have no concern that any neighbouring properties would be impacted by water from this development.

Natural Heritage Features

Several nearby residents expressed concerns related to environmental impacts of the proposed development on wildlife and the loss of greenspace. The applicant submitted an Environmental Impact Study which was reviewed by Environmental Planning Staff to ensure that no negative impact on environmental features is anticipated. An Environmental Implementation Report will be required by the developer in the Site Plan Review Process to ensure that there is no negative impact on the adjacent woodlot and wetland to the west, together with a Tree Inventory, Preservation and Compensation Plan to ensure detailed plans are in place to manage existing adjacent wildlife habitat, enhance the buffer area to the woodlot/wetland and manage invasive species appropriately. A pre and post development ecological monitoring program is also required to be developed through the Environmental Implementation Report to ensure no long term environmental impacts.

Attachment 11:

Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Development Planning		√	Subject to conditions in Attachment 3
Engineering*		√	Subject to conditions in Attachment 3
Environmental Planning*		√	Subject to conditions in Attachment 3
Urban Design*		√	Subject to conditions in Attachment 3
Parks Planning*		√	Subject to conditions in Attachment 3
Zoning	√		
Upper Grand District School Board*		√	Subject to conditions in Attachment 3
Guelph Hydro/Alectra		√	Subject to conditions in Attachment 3
Grand River Conservation Authority*	√		
County of Wellington*		√	Subject to conditions in Attachment 3
Township of Guelph-Eramosa*		√	Subject to conditions in Attachment 3
Guelph Wellington Development Association*	√		
Union Gas Ltd.	√		

* Indicates memo attached below.

Attachment 11:

Departmental and Agency Comments



MEMO

FILE: 16.13.001

TO: Katie Nasswetter, Senior Development Planner
FROM: Shopan Daniel, Engineering Technologist III
DEPARTMENT: Engineering and Transportation Services
DATE: December 19, 2019
SUBJECT: 360 Whitelaw Road – Zoning By-law Amendment/OPA

The subject lands are approximately 7 hectares in size and currently a portion of the site is used for agriculture. The subject lands are located on the west side of Whitelaw Road, on the southwest corner of the Whitelaw Road/Paisley Road intersection.

The intent of the application is to permit a residential development comprised of townhouses and apartments with approximately 700 dwelling units together with a neighbourhood park.

The new proposal maintains three distinct areas to the site. The northerly third of the site is proposed to be High Density Residential, with four apartment buildings, 8-9 storeys in height, containing up to 492 residential units. The middle portion of the site is proposed to contain two six storey apartment buildings containing 80 residential units total, together with 128 stacked, back-to-back townhouses. In total approximately 700 units are proposed. Three accesses to the site are proposed, two from Whitelaw Road and a new access from Paisley Road on the north end of the site. The south end of the site still proposes a neighbourhood scale park which is 1.4 hectares in size.

The applicant has applied to change the zoning from the “Urban Reserve” (UR) and “Agricultural” (A) Zone to a “Specialized High Density Residential Apartment” (R.4B-?), “General Apartment Zone” (R.4A-?) and “Neighbourhood Park” (P.2) Zone

The comments below are in response to the review of the following plans & reports:

- Concept Plan prepared by GSP Group dated September, 2019
- Preliminary Site Grading Plan prepared by GM Blue Plan dated Oct 10, 2019.
- Preliminary Site Servicing Plan prepared by GM Blue Plan dated Oct 10, 2019.
- Traffic Impact Study prepared by Salvini Consulting dated August 2018, updated May 2019.
- Functional Servicing Report prepared by GM Blue Plan dated Oct 2, 2019
- Geotechnical Investigation Report prepared by Chung & Vander Doelen dated April 27, 2018
- Phase I Environmental Site Assessment, August, 2018.

Engineering Services
Infrastructure, Development & Enterprise

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

Attachment 11:

Departmental and Agency Comments



MEMO

1. Road Infrastructure:

Whitelaw Road abutting the subject property is designated as a two (2) lane collector road with a rural cross section. The ultimate right-of-way width of *Whitelaw Road* abutting the property is approximately 20.00 metres. The City is designing and will be reconstructing *Whitelaw Road* to a full urban cross section. As part of the design exercise, it has been determined that the grading of the road will change as such, the City cannot permit access to *Whitelaw Road* until the Road is reconstructed. Engineering Services is requesting that a Holding Zone (H) provision be applied until *Whitelaw Road* is reconstructed to the satisfaction of the City Engineer.

Please note, under section 5.13 table 5.1 of the Official Plan *Whitelaw Road* has not be identified for a road widening.

Paisley Road abutting the subject property is designated as a two (2) lane arterial road with grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on the both sides of the street. The ultimate right-of-way width of *Paisley Road* abutting the property is 30.00metres therefore no road widening is required.

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

Transportation Engineering staff have completed a reviewed of Traffic Impact Study and the "Additional Transportation Information" report by Salvini Consulting, dated May 28, 2019, in support of the Paisley Park mixed residential development on *Whitelaw Road*. Staff agree with the recommendations and will require the applicant to provide detailed engineering drawings and all costs associated with the implementation of the road works to facilitate the development. As per the recommendations in the report, the development will require a westbound left turn lane on *Paisley Road* at the proposed Paisley access. The westbound left turn lane will require 15 metres of storage and the appropriate taper length as per TAC Guidelines. A 25 metre northbound left turn lane on *Whitelaw Road* at *Paisley Road* will be incorporated into the *Whitelaw Road* reconstruction project, this will increase the intersection capacity to improve the northbound right turn movement. Staff also agree that the exact location of the proposed accesses on *Whitelaw Road* will be reevaluated during the site plan process and after the reconstruction of *Whitelaw Road*, to ensure that adequate sight lines are maintained. No further technical analysis is required.

Attachment 11:

Departmental and Agency Comments



MEMO

3. Municipal Services:

Whitelaw Road and Paisley Road

No services currently exist on Whitelaw Road along the frontage of this development.

Existing services within the right-of-way along Paisley Road are as follows:

- 300mm diameter storm sewer.
- 200mm diameter sanitary sewer.
- 300mm diameter watermain.

Currently, the site can be serviced from Paisley Road, there is an existing sanitary and water lateral available to service the subject lands. If required, The Developer shall be responsible for the entire cost of removing the existing sanitary sewer lateral and the water service lateral. The Developer will also be responsible to pay for the estimated and actual cost of any servicing upgrade including but not limited to; any curb cuts or curb fills if required, prior to site plan approval.

The Servicing for the entire site shall be reassessed once the reconstruction of Whitelaw Road is completed. There may be opportunity to service the proposed development through Whitelaw Road.

The City's Infrastructure Technical Analyst has confirmed that adequate sanitary and water capacities are available from Paisley Road to service the proposed redevelopment as follows:

Sanitary Sewer Wastewater Collection System and Water Supply/Distribution System.

It has been confirmed that adequate sanitary and water capacities are available off Paisley. To service the proposed development. However, the developer is advised that there is potential for marginal water supply pressure under certain conditions such as peak hour demand scenario at locations with elevation greater than 346 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 339 m height AMSL in the existing water system. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site, is the responsibility of the developer.

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

4. Storm Water Management & Servicing:

As per section 5.5 of the Geotechnical report by Chung & Vander Doelen, It appears that the groundwater data was obtained in March of 2018; which may not represent the seasonal high groundwater. We ask the Engineer to investigate further and confirm the seasonal high groundwater elevations; please note that as per the City's Development Engineering Manual we require minimum of four seasons of data in order to capture the seasonal variations in groundwater, this information shall be provided prior to site plan approval. .

The proposed infiltration galleries are one of the major components of this development, though we agree with the

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Attachment 11:

Departmental and Agency Comments



MEMO

general approach. However, prior to site plan approval we request that permeameter test be completed during the month of April or May, to ensure there is sufficient separation between the seasonal high groundwater and bottom of gallery.

As stated in the Functional Servicing Report, the greatest potential impact is to the adjacent wetland outlet during the site grading conditions. The developer will be required to mitigate any potential wetland impact. The proposal demonstrates that the post development flows for the 2 year and 5 year storm event will be controlled to the pre-development rate of the Paisley Rd storm sewer. And that flows greater than 10 year storm event can be attenuated to pre-development runoff levels before outletting overland to the adjacent wetland.

Therefore, stormwater management will be further examined during the site plan application.

5. Source Water Protection:

The property is located in a WHPA B with a vulnerability score of 10/ 8. The property is not located in an Issue Contributing Area. At the site plan stage of the process, we request the following:

Please contact the Source Water Program Coordinator to do a Policy Applicability Review at 519-822-1260 ext. 2543. In accordance with Grand River Source Protection Policy CG-CW-29, please provide 5 copies of a Salt Management Plan, prior to site plan approval.

6. Environmental:

City staff reviewed the following report prepared by GM BluePlan Engineering (GMBP) for Armel Corporation:

- "Phase One Environmental Site Assessment Paisley Park Development, Part of Lot 5, Concession 1, Division B, City of Guelph" dated August 22, 2018

The Phase One ESA (actually a Phase I ESA) was completed in general accordance with CSA Standard (Z768-01) to support the development and municipal approval process and not in support of a RSC filing.

The Site is currently zoned Urban Reserve (UR) and Agricultural (A), and the proposed zone change is to High Density Apartment (R.4B).

Summary of findings

The Site (360 Whitelaw Road) is approximately 7.01 ha (17.32 acres) in area and is located in the western portion of the City of Guelph, along the City limits, south of Paisley Road and west of Whitelaw Road.

The key findings of Phase One ESA are as follows:

- The Site is currently vacant with no buildings on-site. Historically, the Site had been used for agricultural purposes. The majority of the Site was used for growing corn crop (agricultural use) during 2017.
- There is evidence of regrading and exportation of fill materials from the property during neighboring property development. There is no evidence of the importation of fill materials to the site from off-site sources.

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Attachment 11:

Departmental and Agency Comments



MEMO

- A geotechnical investigation that was conducted on the Site did not indicate the presence of deleterious fill materials on-Site (CVD, April 2018). The soil quality is reported to meet the MOECC Table 2 standards for residential development.
- The neighboring properties generally consist of commercial, vacant (in early stages of development), residential, forested and agricultural lands.
- To the north, approximately 300 m up gradient to cross-gradient of the Site, is Costco Wholesale retail centre with an associated gasoline service station. Based on the separation distance, the recent development of the Costco property and the inferred groundwater flow direction, the use of the neighboring property for fuel handling is considered to pose low potential for environmental impact to the Site.
- Based on the findings of Phase I ESA, no Areas of Potential Environmental Concern were identified within or around the Site.

Comments

- Land Use is changing from agriculture (more sensitive) to residential (less sensitive); therefore, an RSC is not required for the Site development.
- A Reliance Letter was submitted along with the Phase One ESA report.

Recommendation

Based on the findings of Phase One ESA, no impacts were noted within or around the Site; as such, the Site is not likely to pose an environmental threat to the proposed development.

5. Staff Recommendations:

It is recommended that a Holding Symbol (H) be applied restricting the proposed use of the land until the following condition is met:

1. That completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, **curb/gutter, boulevard, municipal services and sidewalk, etc.**

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

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of

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Attachment 11:

Departmental and Agency Comments

MEMO



Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.

2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - ii. Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - iii. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - v. a construction traffic access and control plan for all phases of servicing and building construction;
 - vi. salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 vi) inclusive.
5. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
6. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
7. The Owner shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
8. The Owner shall prepare and implement a construction traffic access and control plan for all phases of

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Attachment 11:

Departmental and Agency Comments



MEMO

servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.

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

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Attachment 11:

Departmental and Agency Comments



MEMO

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

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Attachment 11:


Departmental and Agency Comments



MEMO

that the storm water management system was approved by the City and that it is functioning properly.

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


Shophan Daniel
Engineering Technologist III


for. Mary Angelo
Supervisor, Development Engineering

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Attachment 11:

Departmental and Agency Comments

Internal Memo



Date	December 16, 2019
To	Katie Nasswetter, Senior Development Planner
From	David de Groot, Senior Urban Designer
Service Area	Infrastructure, Development and Enterprise Services
Department	Planning Services
Subject	361 Whitelaw Road: Official Plan Amendment and Zoning By-law Amendment Application – OZS18-005 Urban Design Comments

Urban Design staff has the following comments based on the:

- Revised Concept Plan (October 8, 2019)
- Revised Site Sections (October 8, 2019)
- Revised Site Section with Angular Plane (October 8, 2019)
- Sun Shadow Study Report (November 28, 2019)

Staff has also reviewed the Urban Design Brief addendum, dated May 2019 from GSP Group and the original Urban Design Brief dated August, 2018.

Urban Design Comments

- Staff acknowledges that the applicant has been working with City Staff and that overall design of the concept plan has been improved.
- Through this process, staff has concentrated on a number of key issues which have been positively addressed by the applicant including:
 - Conforming to the angular plane requirements from Whitelaw Road and Paisley Road.
 - Consolidating the outdoor common amenity space;
 - The creation of an open space feature at the intersection of Whitelaw and Paisley;
 - Showing a better relationships between the buildings and the Whitelaw and Paisley rights-of-way;
 - Further variation in building height;
 - Expanding the park frontage along Whitelaw Road; and,
 - Better building articulation.
- The applicant has submitted a Sun Shadow Study Report prepared by WZMH Architects with their conclusion that the proposed development form has meets the criteria of the City of Guelph Sun and Shadow Study Terms of Reference in regards to the Public Realm and Outdoor Activating Area (proposed at the corner of Paisley Road and Whitelaw Road). Based on this,

Attachment 11:

Departmental and Agency Comments

- staff is of the opinion that there will not be any unacceptable adverse impacts on adjacent properties or the adjacent streetscapes.
- Generally Urban Design staff is supportive of the approach to the design of the site as shown in the October 2019 revised concept plans and site sections along with the Urban Design Brief addendum, dated December May, 2019.
 - As part of the site plan process further detailed comments will be discussed including:
 - Developing the elevations including materials and colours. It is understood that the elevations shown are conceptual. The material between change between the base and the upper storeys is supported. The use of real masonry products within the first 3 or 4 storeys of the building should be used rather than replica materials.
 - Adequate soil volumes for trees over the underground parking is critical. Consideration of alternative technologies (Silva Cell) to achieve soil volumes, especially in areas where there is competing need for hard pavement, is strongly encouraged.
 - Provide a detail for pedestrian level lighting and street lighting for the internal streets.
 - Street furniture such as bicycle parking, benches etc.
 - Implementation of a minor gateway near Paisley and the City's boundary.
 - Implementation of any wind study recommendations.
 - Keep in mind bird-friendliness strategies in the design of the elevations.
 - Street furniture such as bicycle parking, benches etc.
 - Rooftop mechanical screening details.
 - Architectural details.
 - Continued encouragement of green roofs and LID systems.
 - Based on the October, 2019 concept plans, urban design staff support including a number of site-specific Zoning regulations to implement some of the key urban design moves illustrated including:
 - Location of building heights to ensure variety of height as shown in the concept plan;
 - Requiring an open space at the corner of Whitelaw and Paisley;
 - Permitting townhouses integrated into apartment buildings;
 - Maintain angular plane requirements from Paisley and Whitelaw;
 - For stacked towns: implement a maximum length, implement a minimum distance between blocks (e.g. 5m), including a minimum width if integrated garages are proposed of 7m (it is understood that these are currently not being proposed);
 - For the apartments: Include stepback requirements; maximum building length (e.g. 60m); minimum distance between buildings (e.g. 15 m); and,
 - Limit the amount of surface parking for apartments.

Prepared By:
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Senior Urban Designer
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Attachment 11:

Departmental and Agency Comments

INTERNAL MEMO



DATE December 19, 2019
TO **Katie Nasswetter**
FROM Tiffany Hanna
DIVISION Parks and Recreation
DEPARTMENT Public Services
SUBJECT **360 Whitelaw Road Resubmission– Proposed Zoning By-Law Amendment and Official Plan Amendment – OZS18-005**

Park Planning has reviewed the application for the above noted Proposed Zoning By-Law and Official Plan Amendment previous submissions and most recent email dated November 15th, 2019. Park Planning offers the following comments and conditions:

Official Plan Amendment and Zoning Bylaw Amendment

As per previous comments, Park Planning has no objections to the proposed Official Plan Amendment or Zoning By-law Amendment provided the following comments are satisfied as part of a **future site plan application**:

Development Concept Plan

Park Block Lot Frontage:

The resubmitted concept exceeds the minimum requirement of 50 metres of park frontage with a proposed frontage of 69.7m. Although this does not satisfy the ideal condition outlined in the City's Zoning By-law of 1 metre of Park Lot Frontage for every 100 square metres of park area, Park Planning finds this improvement acceptable. That being said, the applicant is encouraged to explore opportunities to meet the 140m of frontage requirement during the Site Plan Application stage.

Pedestrian Circulation:

Park Planning finds the trail route acceptable by requests that during Site Plan Approval the applicant discuss with the City the potential for this to be in public ownership.

As per previous comments, the City would be interested in discussing with the applicant the possibility of dedicating land or obtaining an easement in favour of the City of Guelph over a portion of land owned by the applicant in the Township of Guelph-Eramosa for the purpose of a trail connection to Shoemaker Crescent/Parkwood Gardens Park at the zoning stage.

Functional Servicing Brief

Preliminary Park Block Grading:

As per our meeting and your email dated November 15th, 2019, we will explore future park grading as part of the Site Plan application. We will explore park grading as part of the redesign of Whitelaw Road.

Attachment 11:

Departmental and Agency Comments

RE: 360 Whitelaw Road- Proposed Zoning By-Law and Official Plan Amendment
Page 2 of 3

Conditions of Development

Park Planning recommends the following development approval conditions:

Prior to Site Plan approval:

1. The Developer shall dedicate the lands identified as a neighbourhood park in the final site concept in Attachment 8 of Report IDE 2020-13 for park purposes to the satisfaction of the City, pursuant to s. 42 of the Planning Act and in accordance to the City's Parkland Dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to site plan approval.
2. The Developer shall be responsible for the cost of design and development of the **Basic Park Development** as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading, sodding and any required servicing including water, storm, sanitary and hydro for any phase containing a Park block to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the Basic Park Development for the Park Block to the satisfaction of the Deputy CAO of Public Services.
3. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.
4. The Developer shall be responsible for the cost of design and construction of the **Pedestrian Trail System** for the trail as per City's current trail standards as outlined in the Local Service Policy under City's Development Charges Bylaw, to the satisfaction of the Deputy CAO of Public Services. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system and trail design details. This shall include the submission of drawings completed by Ontario Association of Landscape Architects (OALA) full member with seal for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the 'trail development' to the satisfaction of the Deputy CAO of Public Services.
5. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space

Attachment 11:

Departmental and Agency Comments

RE: 360 Whitelaw Road- Proposed Zoning By-Law and Official Plan Amendment
Page 3 of 3

works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.

6. The Developer shall provide The City with a digital file in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, development layout and park design, grades/contours and landscaping.

Regards,

Tiffany Hanna, Park Planner
Parks and Recreation
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E tiffany.hanna@guelph.ca

Attachment 11:

Departmental and Agency Comments

INTERNAL MEMO



DATE December 16, 2019

TO **Katie Nasswetter, Senior Development Planner**

FROM Leah Lefler, Environmental Planner

DIVISION Infrastructure, Development and Enterprise

DEPARTMENT Planning and Building Services

SUBJECT **Paisley Park, 361 Whitelaw Road – 2nd submission
Proposed Official Plan and Zoning By-law Amendments
File: OZS18-005**

Please note that this Internal Memo replaces the December 4, 2019 Internal Memo provided by Environmental Planning staff.

Environmental planning staff offer the following preliminary comments on the following Revised Application Materials which were prepared to address staff comments:

- 360 Whitelaw Road Response Letter; GM BluePlan; October 9, 2019
- Preliminary Site Servicing and Grading Plan; GM BluePlan; May 2018
- Functional Servicing Brief Addendum – Paisley Park; GM BluePlan; October 2, 2019
- Hydrogeological Study: Paisley Park Development; GM BluePlan; October 2019
- Paisley Park Environmental Impact Study – Addendum Letter 2; NRSI; October 2, 2019

Environmental planning staff acknowledge and appreciate the amount of effort and detailed review put into the revised submission.

Preliminary Site Servicing and Grading Plan

1. The scale of 1:750 marked on the plan appears to be incorrect. Please clarify.
2. Please provide a cross section that shows the proposed retaining wall, proposed trail, slope, stone energy dissipater and 30m wetland buffer to ensure that the plan is compatible with wetland protection.
3. Please mark % slope on the steep slope leading down to the wetland.

Functional Servicing Brief Addendum

4. Under the Interim Condition, a 21% increase in runoff to the wetland is proposed resulting in an increase of 2,437 m³ of runoff annually (11,502 m³ to 13,939 m³). In addition, under the Interim Condition, a 21% increase in recharge in the wetland catchment is proposed resulting in an increase of 1,312 m³ of recharge annually (6,194 m³ to 7,506 m³). Given that the Interim Condition may persist at the site for several years, Environmental Planning staff are concerned that a 21% increase in runoff and 21% increase in recharge could result in a negative impact to the features and functions of the wetland.

Please update the stormwater management design of the Interim Condition to better match predevelopment runoff and recharge conditions to avoid negative impacts to the wetland.

All other previous comments provided by environmental planning staff on July 17, 2019 have been adequately addressed.

Please note that the post-development stormwater management concept, as designed by GM BluePlan, adequately maintains the hydro-period of the wetland. The stormwater

Attachment 11:

Departmental and Agency Comments

Page 2 of 3

management concept achieves a monthly wetland water balance that results in a 0.02% decrease in annual recharge volume and 0.14% increase in annual runoff volume, contributing to an estimated 3.06mm increase in annual overall wetland depth change due to runoff. Negative impacts to the wetland vegetation community, vascular plant species, and wildlife habitat function are not anticipated.

Going forward to detailed design, please be advised that any future alterations to the built form and/or the stormwater management concept will be expected to demonstrate that the hydro-period of the wetland and monthly wetland water balance can be maintained.

Conditions to be met prior to grading and site alteration

Based on the above, environmental planning staff recommend the following conditions for the proposed Official Plan and Zoning By-law Amendments.

1. Prior to grading and site alteration, the Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The EIR will provide details with respect to:
 - stormwater management and monthly wetland water balance mitigation;
 - on-going shallow groundwater monitoring in the vicinity of the wetland and a related monitoring program pre and post development; and
 - any other information required to address the Grand River Conservation Authority comments from their letter dated July 3, 2019.
2. The Developer shall complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Private Tree Protection By-law (2010)-19058 prior to any grading, tree removal or construction on the site.
3. The Developer will undertake on-going shallow groundwater monitoring in the vicinity of the wetland until shallow groundwater monitoring commences as part of the post-construction monitoring program.
4. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.

Conditions to be met prior to Site Plan Approval

Based on the above, environmental planning staff recommend that the following conditions be met prior to Site Plan Approval.

5. Prior to Site Plan Approval, the Developer shall prepare an **Environmental Implementation Report (EIR) Addendum** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The EIR Addendum will provide details with respect to:
 - design details regarding servicing;
 - detailed tree management plans including a Landscaping, Replanting and Replacement Plan and detailed landscape plans (by an accredited landscape architect);
 - detailed habitat management plans including invasive species management, buffer enhancement/design and mitigation plans for wildlife habitat;
 - education and stewardship information and signage;
 - detailed mitigation plans to support the trail and detailed trail design (including any retaining walls and grading needed to accommodate the trail);

Attachment 11:

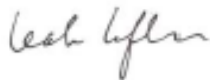
Departmental and Agency Comments

Page 3 of 3

- a salt management plan;
 - an ecological monitoring program that includes pre- and post-development monitoring, baseline data, identifies thresholds and associated measures; grading, drainage and erosion and sediment control plans;
 - any other information required to implement recommendations from the Environmental Impact Study (Natural Resource Solutions Inc. August 2018), Paisley Park Tree Inventory and Preservation Plan (Natural Resource Solutions Inc. May 2019), Paisley Park Environmental Impact Study – Addendum Letter: Impact Assessment on Hydrologic Function of the Wetland (Natural Resource Solutions Inc. May 29, 2019) and Paisley Park Environmental Impact Study – Addendum Letter 2: Impact Assessment on Hydrologic Function of the Wetland (Natural Resource Solutions Inc. October 2, 2019); and
 - any other information required to address the Grand River Conservation Authority comments from their letter dated July 3, 2019.
6. The Developer will undertake a post-development monitoring program as detailed in the EIR Addendum, including continuation of on-going shallow groundwater monitoring, to the satisfaction of the General Manager of Planning Services.
7. The Developer shall implement all recommendations of the EIR and EIR Addendum to the satisfaction of the City and GRCA.
8. Prior to Site Plan Approval or Site Plan Agreement, the Developer shall pay to the City, **the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
9. Prior to Site Plan Approval or Site Plan Agreement, the Developer shall provide the City with a **letter of credit** to cover the City approved cost estimate **for the post-development monitoring program** to the satisfaction of the General Manager of Planning.

Please let me know if you require further clarification on any of the above.

Regards,



Leah Lefler
Environmental Planner

Infrastructure, Development and Enterprise
Planning and Building Services
Location: City Hall

519-822-1260 extension 2362
leah.lefler@guelph.ca

C Shophan Daniel, Engineering Technologist III
 Tiffany Hanna, Park Planner
 Scott Cousins, Hydrogeologist

Attachment 11:

Departmental and Agency Comments



**UPPER GRAND
DISTRICT SCHOOL
BOARD**

Jennifer Passy BES, MCIP, RPP
Manager of Planning

Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2

Email: jennifer.passy@ugdsb.on.ca

Tel: 519-822-4420 ext. 820 or Toll Free: 1-800-321-4025

27 June 2019

PLN: 19-076

File Code: R14

Katie Nasswetter
Senior Development Planner
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. Nasswetter;

Re: REVISED - OZS18-005
361 Whitelaw Road, Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above noted notice of revised application and public meeting for the development of four 8- to 9-storey apartment buildings with 492 residential units, two 6-storey apartment buildings with 80 residential units, and 128 stacked, back-to-back townhouses for a total of approximately 700 units.

Please be advised that the Planning Department has no objection to the proposed application, however the conditions submitted in response to the first submission in our letter dated November 7, 2018 (attached) remain applicable.

Further, in order to enhance pedestrian connectivity on the site, we recommend a sidewalk on the south side of the second entrance off Whitelaw Road which would provide a contiguous connection from the proposed trail system, through the parking lot, to the sidewalk on Whitelaw Road.

Should you require additional information, please feel free to contact the undersigned.

Sincerely,
Upper Grand District School Board

Jennifer Passy, BES, MCIP, RPP
Manager of Planning

Upper Grand District School Board

• Linda Busuttil; Chair
• Mike Foley

• Mark Bailey; Vice-Chair
• Barbara Lustgarten Evoy

• Jolly Bedi
• Martha MacNeil

• Gail Campbell
• Robin Ross

• Jen Edwards
• Lynn Topping

Attachment 11:

Departmental and Agency Comments



UPPER GRAND DISTRICT SCHOOL BOARD
500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers
Director of Education

November 7, 2018

PLN: 18-115
File Code: R14
Sent by: mail & email

Katie Nasswetter
Senior Development Planner
Planning Services
City of Guelph
1 Carden Street
Guelph ON N1H 3A1

Dear Ms. Nasswetter;

Re: **Notice of Complete Application OZS18-005**
361 Whitelaw Road, Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above noted application for a proposed Official Plan and Zoning Bylaw Amendment to permit a residential development comprised of townhouses and apartments with a neighbourhood park.

Please be advised that the Planning Department does not object to the proposed application, subject to the following conditions:

- That Education Development Charges shall be collected prior to the issuance of a building permit
- That the developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing parcel fabric and street network
- That the developer shall agree in the site plan agreement/condominium declaration that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point
- That the developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents that students may be directed to schools outside the neighbourhood
- That the developer agrees in the site plan agreement/condominium declaration to advise purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:

"Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all students anticipated from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school."

Attachment 11:

Departmental and Agency Comments

Page 2
November 7, 2018

- That the developer shall agree in the site plan agreement/condominium declaration to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

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


We are supportive of the Traffic Impact Study which recommends that sidewalks be included along the frontage of Whitelaw Road to connect to existing sidewalks on both Paisley Road and Whitelaw Road to the south of the subject property. We are also encouraged to see active transportation infrastructure included throughout the property as outlined in the concept design.

It is unfortunate that the site plan for 0 Paisley Road did not accommodate public pedestrian connections between Elmira Road and Whitelaw Road.

Given the potential for increased student walkers in this area, there may also be a future need for Adult School Crossing Guards to address students crossing to both 361 Whitelaw Road and 0 Paisley Road.

Should you require additional information, please feel free to contact me.

Sincerely,
Upper Grand District School Board



Jennifer Passy, BES, MCIP, RPP
Manager of Planning

Attachment 11:

Departmental and Agency Comments



395 Southgate Drive
Guelph, ON N1G 4Y1
Tel: 519-837-4719
Fax: 519-822-4963
Email: mwittemund@guelphhydro.com
www.guelphhydro.com

November 15, 2018

Katie Nasswetter
Senior Development Planner
Planning Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Nasswetter:

Re: 360 Whitelaw Road (File No. OZS18-005)

We would like to submit the following comments concerning this application:

Given the notice for a zone change application, dated October 5, 2018:

1. Hydro supply for this development will be supplied from both Paisley Road and Whitelaw Road.
2. The hydro services for this development will be underground except for pad-mounted transformers.
3. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
4. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and street light poles or pad-mounted transformers. Any relocations required would be done at the owner's expense.

395 Southgate Drive, Guelph ON N1G 4Y1 www.guelphhydro.com

Attachment 11:

Departmental and Agency Comments

-2-

5. A 4.5 metre by 4.5 metre level area will be required for each low-profile, pad-mounted transformer on the property. Each pad-mount transformer will supply approximately eight units. The location of the transformers are to be determined through consultation with the Guelph Hydro Engineering Department.
6. Hydro meter locations are subject to Guelph Hydro standards and requirements.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

A handwritten signature in black ink, appearing to read 'Michael Wittemund', is written over a light blue horizontal line.

Michael Wittemund, P.Eng.
VP, Engineering and Operations
MW/gc

Attachment 11:

Departmental and Agency Comments



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6
Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

PLAN REVIEW REPORT: City of Guelph
Katie Nasswetter, Senior Development Planner

DATE: July 3rd, 2019

YOUR FILE: OZS18-005

RE: 360 Whitelaw Road, Guelph

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the official plan and zoning by-law amendment proposed for 360 Whitelaw Road.

BACKGROUND:

1. Resource Issues:

The subject lands are adjacent to a wetland, and other natural heritage features.

2. Legislative/Policy Requirements and Implications:

We had previously provided comments dated November 5th, 2019 and were satisfied our comments could be addressed through detailed design, site plan and the GRCA permit process.

3. Additional Information/Suggestions provided in an advisory capacity:

- The wetland response was screened through a sensitivity analysis with a focus on the vegetation community and amphibian species within the wetland. The EIS addendum's conclusion that the projected increase in wetland water level per rainfall event are within the tolerances is acceptable.
- The EIS addendum used the feature based monthly water balance analysis provided by GM BluePlan to assess the wetlands response to two Stormwater Management systems. The LID SWM system was projected to result in a 3.6mm increase in wetland water level per rainfall event. The Enhanced LID SWM (including a bioretention cell) was projected to result in a 0.04mm in wetland water level per rainfall event.
- This development is only a portion of the watershed that sustains the wetland feature. To avoid future cumulative impacts the development should strive to achieve a true pre-development water balance. The report demonstrates that the Enhanced LID SWM (with bioretention cell) is more closely matched to pre-development conditions and will result in minimal change to the overall annual runoff volume into the Guelph Southwest Wetland Complex.

RECEIVED
JUL - 5 2019
INFS

Attachment 11:

Departmental and Agency Comments

We trust these comments are of assistance. Should you have any further questions, please contact us.

Yours truly,



Fred Natolochny MCIP RPP
Supervisor of Resource Planning

These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.

cc. Armel Corporation
GSP Group Inc.
County of Wellington, Planning Department

Attachment 11:

Departmental and Agency Comments



PLANNING AND DEVELOPMENT DEPARTMENT
ALDO L. SALIS, BSc, MSc, RPP, WCIP, DIRECTOR
T 519.837.2600
T 1.800.663.0750
F 519.823.1694

COUNTY OF WELLINGTON

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

Katie Nasswetter, Senior Development Planner
Planning Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

Dear Ms. Nasswetter,

Thank you for circulating the proposed Official Plan Amendment and associated Zoning By-law Amendment to this office for review. It is our understanding that these applications would facilitate the development of approximately 800 dwelling units of various built forms on the site, together with a public park and associated parking and storm water management facilities.

Subject Property

The subject property is approximately 60 ha (148 ac) in size and is partially located within the Township of Guelph/Eramosa and the City of Guelph. The property is designated Prime Agricultural, Core Greenland's and Greenland's in the County Official Plan and designated Low Density Greenfield Residential and Natural Heritage in the City Official Plan.

Urban Fringe

We understand that the proposed development will consist of 5 different apartment buildings, ranging from 8-10 stories and 162 stack townhome and townhome units up to 4 stories in height. The planning justification report indicates an overall density of 137 units/ha will be achieved on the site. Due to the location of the subject property, the proposal would place this high density development immediately adjacent to the City limits and agricultural lands in the County of Wellington.

While we are mindful of the City's desire for intensification at the Elmira Road and Paisley Road Node, this office would ask that consideration be given to providing appropriate transition to adjacent agricultural areas and the rural landscape.

Traffic Impacts

The information received by the Planning Department regarding this development proposal was forwarded on to the Wellington County Engineering Services Department for review and comment. Attached to this letter are comments from Engineering Services.

Attachment 11:

Departmental and Agency Comments

Natural Environment

The natural features present on the subject property are within the County of Wellington and include a provincially significant wetland and a significant wooded area. These features and their natural functions are required to be protected from the negative impacts of the proposed development.

We are in receipt of the Grand River Conservation Authorities (GRCA) comments regarding the proposed development and the environmental impact study submitted by the applicants. The County is supportive of GRCA's comments and requests that the recommendations and mitigation measures identified in the EIS be fully implemented at the appropriate time.

I trust that these comments will be of assistance to you in the review of this matter.

Yours truly,



Jameson Pickard, B.URPL
Planner

cc. Township of Guelph/Eramosa

cc. Pasquale Costanzo, Technical Services Supervisor, County of Wellington



COUNTY OF WELLINGTON

74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

MEMORANDUM

TO: Jameson Pickard, Planner – County of Wellington

FROM: Pasquale Costanzo, Technical Services Supervisor – County of Wellington

RE: 360 Whitelaw Road, City of Guelph
File: OZS18 - 005

DATE: November 23, 2018

The County Of Wellington Road has reviewed the documents for the proposed 800 dwelling units located at 360 Whitelaw Road. The supplied Traffic Impact Study (TIS) does not adequately address the impacts on the County's transportation system, as 40% of the vehicles leaving the development will head south on Paisley Road (Wellington Road 31). The TIS should address this influx of vehicles onto County's Roads system namely the impacts on the Wellington Road 31 at Wellington Road 32 intersection.

Sincerely



Pasquale Costanzo C.E.T.
Technical Services Supervisor

Attachment 11:

Departmental and Agency Comments



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

November 29, 2018

Guelph City Clerk
1 Carden Street
Guelph ON N1H 3A1

Dear Guelph City Clerk:

RE: 360 Whitelaw Road- City File OZS18-005
OUR FILE 9902MS

On behalf of the Township of Guelph/Eramosa, we are pleased to submit the Township's department comments for your review prior to the December 10th public meeting.

Thank you for circulating the proposed Official Plan Amendment and Zoning By-law Amendment to the Township of Guelph/Eramosa for review. It is our understanding that these applications would facilitate the development of approximately 800 dwelling units, with a park, associated parking, and stormwater management facilities.

Subject Lands

The subject lands are addressed 7117 Wellington Road 31, with the redevelopment portion of the lands being addressed 360 Whitelaw Road and are located at the corner of Whitelaw Road and Paisley Road. The redevelopment portion of the subject lands are located within the City of Guelph, however the majority of the subject lands are located within the Township of Guelph/Eramosa. The site is approximately 60 hectares in size, 7 of which are located within the City of Guelph. The portion of the lands located within the Township of Guelph/Eramosa are zoned Agricultural (A) and Environmental Protection (EP).

Stormwater Management

We understand that the stormwater management facility is located within the City of Guelph, but outlets to the Township of Guelph/Eramosa. As the existing property currently straddles the municipal boundary, it is expected that the undeveloped portion in the Township of Guelph/Eramosa would ultimately be severed from the developed lands located in the City. At which point the stormwater pond outlet must be secured and protected via easement to the ultimate receiver on the undeveloped lands.

We are in receipt of the County of Wellington comments regarding the proposed redevelopment. The Township is supportive of these comments and requests that the County's comments and recommendations be implemented. Through the site plan approval process, we ask that City staff consider measures to minimize any negative impacts on the adjacent agricultural lands, including trespassing, dumping, etc.

Attachment 11:

Departmental and Agency Comments

Township of Guelph/Eramosa requests that it be circulated on any Notice of Public meeting on this matter.
Overall the Township of Guelph/Eramosa is generally supportive of the proposed redevelopment.

Yours truly,

MHBC

A handwritten signature in black ink that reads "Rachel Martin". The signature is written in a cursive, flowing style.

Rachel Martin, BES
Planner

cc: Meaghen Reid, Township of Guelph/Eramosa Clerk
Ian Roger, Township of Guelph/Eramosa CAO
Dan Currie, MHBC Planning

Attachment 11:

Departmental and Agency Comments

GWDA

RECEIVED

NOV - 7 2018

IDES

October 22, 2018

Ms. Katie Nasswetter
Senior Development Planner
Planning, Urban Design and Building Services
City of Guelph
1 Carden Street
GUELPH, Ontario
N1H 3A1

Dear Ms. Nasswetter:

Re: 360 Whitelaw Road - Proposed Official Plan and Zoning By-law Amendments (File: OZS18-005)

The Guelph and Wellington Development Association is in receipt of the Notice of New Planning Applications dated October 5, 2018 for the above-noted proposal.

The proposed applications will result in the creation of a mixed density residential development consisting of 800 residential units in the form of townhouses and apartment buildings and includes a neighbourhood park.

The northerly portion of the subject lands is located within the West Hills Mixed Use Node, while the southerly part is designated Greenfield Area. The higher density apartment buildings are located on the northerly part of the site and will create the necessary population base to contribute to the viability of the commercial uses within the node. The scale of development transitions to stacked townhouses moving southerly within the property. The entire development is buffered from the existing low density neighbourhood located to the south along Whitelaw Road and adjacent local streets by a neighbourhood park. The scale of development will support existing transit services in the area. To ensure that future development within the City fulfills the objective of residential intensification and provision of a mixed of housing opportunities, it is important for the City to carefully consider their current dated zoning regulations.

We view this proposal as an appropriate form of residential intensification and is consistent with the principles established in the Growth Plan, as well as the Provincial Policy Statement and the City's Official Plan.

Yours truly



Carson Reid
President

Guelph Wellington Development Association | 301-100 Stone Road West | Guelph | Ontario | N1G 5L3

Attachment 12:

Public Notification Summary

August 24, 2018	Official Plan (OP) and Zoning By-law (ZBL) amendment applications received by the City of Guelph
September 20, 2018	OP/ZBL amendment applications deemed complete
October 4, 2018	Notice of Complete Application for OP/ZBL amendment mailed to prescribed agencies, City departments and surrounding property owners within 120 metres
October 5, 2018	Notice sign for OP/ZBL amendment applications placed on property
November 15, 2018	Notice of Public Meeting for OP/ZBL amendment advertised in the Guelph Mercury Tribune
November 15, 2018	Notice of Public Meeting for OB/ZBL amendment mailed to prescribed agencies, City departments and surrounding property owners within 120 metres
December 10, 2018	Statutory Public Meeting of Council for OP/ZBL amendment applications
May, 2019	Revised OP/ZBL amendment application received by the City of Guelph
June 11, 2019	Revised application circulated to agencies, City departments and mailed to surrounding property owners within 120 metres
June 13, 2019	Notice of Public Meeting for revised OP/ZBL amendment advertised in the Guelph Mercury Tribune
July 10, 2019	2 nd Statutory Public Meeting of Council for OP/ZBL amendment applications
January 20, 2020	Notice of Decision Meeting sent to parties that commented or requested notice
February 10, 2020	City Council Meeting to consider staff recommendation

Paisley Park Community: *A Great Place to Live*



West End Neighbourhood and Site



Listened to the Community...

Paisley Park Community	
Buildings	Reduced height and density
Urban Design Guidelines	Compliance with density, angular plane and building massing
Landscaped Open Space and Park	≈ 70% of site (5 Ha open space and park)
Special Regulations	Urban Design Guidelines and staff recommendations incorporated
Parking	Increased ratio complies with <i>Guelph Parking Standards Review</i>
Entry Features	“Welcome to Guelph” and landscaped entry plaza
Sustainability	Low impact storm water management system Energy strategy commitment 5 Ha open space and park

Sensitive Integrated Design



Node

Walkable

Connected

Paisley Park Community: *A Great Place to Live*



Mix of Unit Types

Parks & Open
Space 5 Ha / 70%
of Site

Sustainable

Summary

- Official Plan provides for high density residential in the node
- Variety of unit types, integrated open space, parks and trails
- Walkable access to shopping, transit, schools, churches, West End Community Centre and parks
- Sustainable development
 - Energy strategy commitment
 - Low impact storm water system
 - Parks and open space

Presentation to City Council
on
361 Whitelaw Road Development Proposal

By
Hugh Whiteley
February 10 2020

LOCATION



FUTURE TRAFFIC ON WHITELOW AN UNRESOLVED ISSUE

- City Policy is to direct traffic from high density residential development to arterial roads.
- Paisley and Elmira are the arterial roads adjacent to the development.
- All existing high density residential properties along Paisley are accessed from this arterial.

CLASSIFICATION OF WHITELOW ROAD IN THE NEIGHBOURHOOD TRAFFIC MANAGEMENT POLICY

- The NTMP applies to ***“local and two-lane collector roadways only within in neighbourhoods of primarily residential land use.”***
- **Whitelaw Road** is listed as one of the two-lane collectors covered by the policies of the NTMP.
- A purposes of the NTMP is to select traffic calming measures, when needed, to reduce the volume of through traffic using a roadway.

THE NEIGHBOURHOOD TRAFFIC MANAGEMENT POLICY FOLLOWS NATIONAL GUIDELINES

- The NTMP is guided by the Canadian Guide to Traffic Calming.
- The CGTC defines the function of collector roads as providing:
“access to adjacent properties...balanced by a need to distribute traffic travelling into or out of an area or neighbourhood . As with local streets, collector streets are generally not intended to be through routes or to move significant amounts of traffic from one part of the road network to another.”
- Section 5.6.5 of the OP requires new roads to follow the NTMP.

CURRENT TRAFFIC PATTERNS ON WHITELAW

- A high volume of through traffic is using Whitelaw to access the Paisley/Imperial Commercial Node.
- Responding to concerns of local residents about through traffic on Whitelaw the City initiated a traffic review under the NTMP.
- The City has confirmed that the criterion set out in the NTMP for consideration of traffic volume controls on Whitelaw has been met (>30% through traffic with total traffic > 2000 vehicles/day).
- Only speed-control traffic calming measures have been considered in the study so far; no volume-control measures have been presented.

RESOLVING TRAFFIC PROBLEMS ON WHITELAW

- Whitelaw Road will be closed at Shoemaker Crescent to allow complete reconstruction of the roadway.
- To ensure that no construction traffic uses Whitelaw Road during the construction phase for 361 Whitelaw the closure of Whitelaw at Shoemaker Crescent should be maintained until construction of 361 Whitelaw is completed.
- During the multi year period of no through traffic on Whitelaw the reduction in traffic volume and speed should be monitored and the community canvassed toward the end of the period to determine whether there is support for continued control over through traffic on Whitelaw either by permanently closure or designating the connection as one –way.

Recommended Actions by City Council

- Direct staff to consider an extended closure of Whitelaw at Shoemaker for the duration of the construction of 361 Whitelaw.
- Direct staff to consider the permanent closing of Whitelaw Road at the south end of the development as an option for traffic control.
- Direct staff to include consideration of a southerly extension of Elmira Road to connect with Whitelaw Road in Wellington County as part of the updating of the City of Guelph Transportation Master Plan.

POST SCRIPT – ELMIRA ROAD PLANS

- An extension of Elmira Road to connect with Whitelaw Road at Fife was first proposed in the 1965 Transportation Master Plan.
- The current (2005) Transportation Master Plan retains a proposed extension of Elmira Road.
- No development has occurred along a possible road alignment that could connect Elmira Road with Fife Road south of the rail line to Cambridge
- It would be prudent to protect this alignment from development until a decision is made on an Elmira Road extension.

Proposed Connection of Elmira Road with Whitelaw Road from 1965 City of Guelph Transportation Plan



CURRENT CONDITIONS



From: Susan Wagner
Subject: 361 Whitelaw Rd. concerns

Hello,

I want to respond to the new proposal for this land. While we appreciate that the number of units has decreased in this newer proposal and also appreciate the need for housing in our city, we have significant concerns should this move forward.

Six buildings will be put on this land as well as 7 proposed for the land across the street between Whitelaw and Elmira. That is 13 more apartments added to the others just built further down the street. That is TOO MANY !!!!!

This will be much too much congestion in one area. Why not distribute buildings more evenly throughout the city? Even half the proposed buildings would seem too much for the area to absorb. What an ugly corridor this will become.! Not to mention how busy Paisley Rd will be. There is already concern for the volume. I have personally seen two collisions at the lights by Zehrs as people negotiate turning into the existing building's lot while cars impatiently try to get through there to get to Costco.

On another note, what will happen to our street? We live on Whitelaw. We anticipate a greater volume as people come in off hwy 24 travelling back and forth from their apartments. Attempts to calm traffic recently have been dismissed. Ridiculous process which needed 75% compliance of all our neighbours on a method of traffic calming halted any action. Of course it did! Who can get that level of agreement? We did get that level of agreement , however, during the first rounds of the process where we agreed there is a need to do something to calm the traffic and reduce the speeds at which people fly through our street during rush hour times especially.

Traffic flow through the area needs to be addressed and plans made to allow for the numbers. Perhaps Elmira Rd. could finally be pushed through to connect to Hwy 24? I don't see how Paisley can be made wider, but lane provisions for turning could possibly be added.

This is a plea to first reconsider the numbers of buildings allowed in one area and second to please address traffic concerns.

Sincerely,
Susan Wagner

To: Katie Nasswetter

From: Hugh Whiteley

Date: January 29 2020

RE: ROAD ACCESS TO 361 WHITELAW ROAD

I have some additional information on road options for 361 Whitelaw that supplements material I have previously presented to you.

In my presentation on the 361 Whitelaw Road Development I provided planning reasons for closing Whitelaw Road at Shoemaker Crescent to protect the liveability of the existing residential neighbourhood on Whitelaw by preventing through traffic from using Whitelaw Road as a connecting route between the large residential and commercial node at Paisley/Elmira and Wellington Road 124.

I did not mention in my presentation that directing all vehicular traffic from 361 Whitelaw to Paisley Road was consistent with the precedent set by the high density residential developments to the east along Paisley. All of these buildings have Paisley as their only access, with Elmira Road as their north/south arterial route.

A focus on Paisley (and Elmira) as arterial routes for vehicles from 361 Whitelaw has the added advantage of encouraging residents to consider using active transportation, rather than vehicles, to access to the wide variety of commercial and recreational opportunities contained in their Paisley/Elmira node neighbourhood.

Closing Whitelaw Road at Shoemaker Crescent would divert through traffic to Elmira Road, a well-designed arterial. Connection with Wellington Road 124 requires use of 200 m of Fife Road, also a well-designed arterial and turns at the four-way stop intersection of Fife and Whitelaw.

The Fife/Whitelaw intersection is not ideal but would be satisfactory until the Elmira Road extension to Wellington Road 124 is completed as is shown by the adequacy of other four-way arterial road stops such as at the Stone Road/Watson Road intersection.

The Elmira Road extension has a long history. I attach an extract from the 1965 Transportation Plan that shows that the plans for the southerly extension of Elmira Road to 124 have been around for 55 years.

In 1965 Elmira Road ended at Speedvale Avenue. The proposed southerly extension of Elmira Road was shown to connect with Whitelaw Road at Fife road. The arterial route then continued south on Whitelaw to Wellington Road 124. *{Note that the extract shows, confusingly, a never-built east/west expressway running north of and parallel to Fife Road}.*

The currently completed portion of the Elmira Road extension intersects with Fife Road 200 m east of Whitelaw, not at the Whitelaw Fife intersection as originally planned. However there has been no building on land south of the current end of Elmira Road. There is still a viable option of connecting Elmira Road to Fife north of the existing development on the east side of Whitelaw north of Wellington Road 124.

The alignment of a connection between Elmira Road and Whitelaw would require a grade-separation crossing of the railroad about 200 m east of Whitelaw. This would replace the existing at grade railway

crossing on Whitelaw, an advantage if the rail line is chosen for an extension of GO service to Cambridge.

The connecting link would also provide access to blocks of land on either side that could be additional residential land.

It would be prudent for the City to protect this possible route for the Elmira Road extension.

Proposed Connection of Elmira Road with Whitelaw Road from 1965 City of Guelph Transportation Plan



Subject: 361 Whitelaw Road

I will be living beside the proposed development and can't say I am favour of it. I guess I just can't understand why we need more high density residential in this area.

I do understand that something will be built on this land eventually. But my concerns remain the same as before. The wild life, the peace we currently have, the future traffic and congestion. We will each have to deal with them in our own way.

My main concerns are the future traffic congestion and parking for the proposed development. I am all for traffic calming measures on Whitelaw Road and feel they should have been installed awhile ago. I understand this was proposed and rejected by my neighbours in the past. I am sure that the future traffic with this application will further the need for this to be investigated again, or perhaps it could be rolled into this project.

The City knows how the local area feels and we can only trust in your decision, and hope our needs are addressed.

Kind regards,
Robert Askett

From: Stacy Cattran

Subject: Whitelaw Development

Hi Mayor Guthrie, Councillor Billings, Councillor Salisbury, and Ms. Nasswetter,

I know that we need more affordable housing in Guelph. I know that it is better for the environment to have new developments more densely populated. I know that needs to happen in areas not traditionally densely populated, including my own. I can live with that.

But I am concerned about a proposed very densely populated development at Whitelaw and Paisley that will have thousands of people and does not meet the proposed number of parking spaces as mandated by the city. This is a development that it is on the very edge of Guelph. Many people moving here will be heading out Paisley or Whitelaw to pick up the 401 or commute to Cambridge or KW or Guelph's business park. Some will be part of two adult homes that can't juggle work and manage extra-curriculars for themselves and their children without two cars. We are not located in downtown Toronto (whew!) where it is much easier to get by with one car or no car. The reality is that almost all middle class families living in the suburbs of Guelph have two vehicles. They also have family and friends who want to be able to visit.

I'm not suggesting that apartments can't be built at Whitelaw and Paisley though I wish the scale was smaller. But I am suggesting at the very least we stick to the bylaws that exist and not permit more apartments than can support reasonable parking spaces.

Thank you for your time,

Stacy Cattran

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2020) – 20477

A by-law to amend the Official Plan for the City of Guelph as it affects property municipally known as 300 Water Street and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph (OP1707).

WHEREAS the Official Plan of the City of Guelph was adopted November 1, 1994 and approved December 20, 1995 pursuant to s. 17 of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

AND WHEREAS Section 21 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, provides that a municipality may, by by-law, amend an Official Plan;

AND WHEREAS after giving of the required notice, a Public Meeting was held on May 14, 2018 pursuant to s. 17(15)(d) of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Amendment Number 70 to the Official Plan for the City of Guelph, as amended, consisting of the attached mapping revision (Schedule A), is hereby adopted.
2. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Local Planning Appeal Tribunal.

PASSED this TENTH day of FEBRUARY, 2020.

CAM GUTHRIE - MAYOR

DYLAN MCMAHON, DEPUTY CITY CLERK

AMENDMENT NO. 70

TO THE

OFFICIAL PLAN

FOR THE CITY OF GUELPH

Schedule 'A'

AMENDMENT NO. 70 TO THE OFFICIAL PLAN FOR THE CITY OF GUELPH

PART A - THE PREAMBLE provides the rationale and certain background information in support of the amendment. The Preamble does not constitute part of Amendment No. 70 to the Official Plan for the City of Guelph.

PART B - THE AMENDMENT consists of the specific text changes introduced to the Official Plan for the City of Guelph through the Amendment.

PART C - THE APPENDICES contains background data and public involvement associated with this amendment, but does not constitute part of Amendment No. 70 to the Official Plan for the City of Guelph.

PART A - THE PREAMBLE

PURPOSE

The purpose of Official Plan Amendment No. 70 is to redesignate the property municipally known as 300 Water Street from the "Open Space and Park" land use designation with a "Natural Areas Overlay" to the "Low Density Residential" land use designation to permit a low density residential development

LOCATION

The subject property affected by Official Plan Amendment No. 70, as proposed, is known municipally as 300 Water Street, and legally described as Part of Lot 1, Concession 4, Division 'G', Geographic Township of Guelph, City of Guelph. The subject property is approximately 0.2 hectares in size and has an exterior frontage of approximately 63.6 metres along Water Street and a frontage of approximately 57.3 metres along Denver Road.

Surrounding land uses include:

To the north: Water Street, beyond which are townhouses;

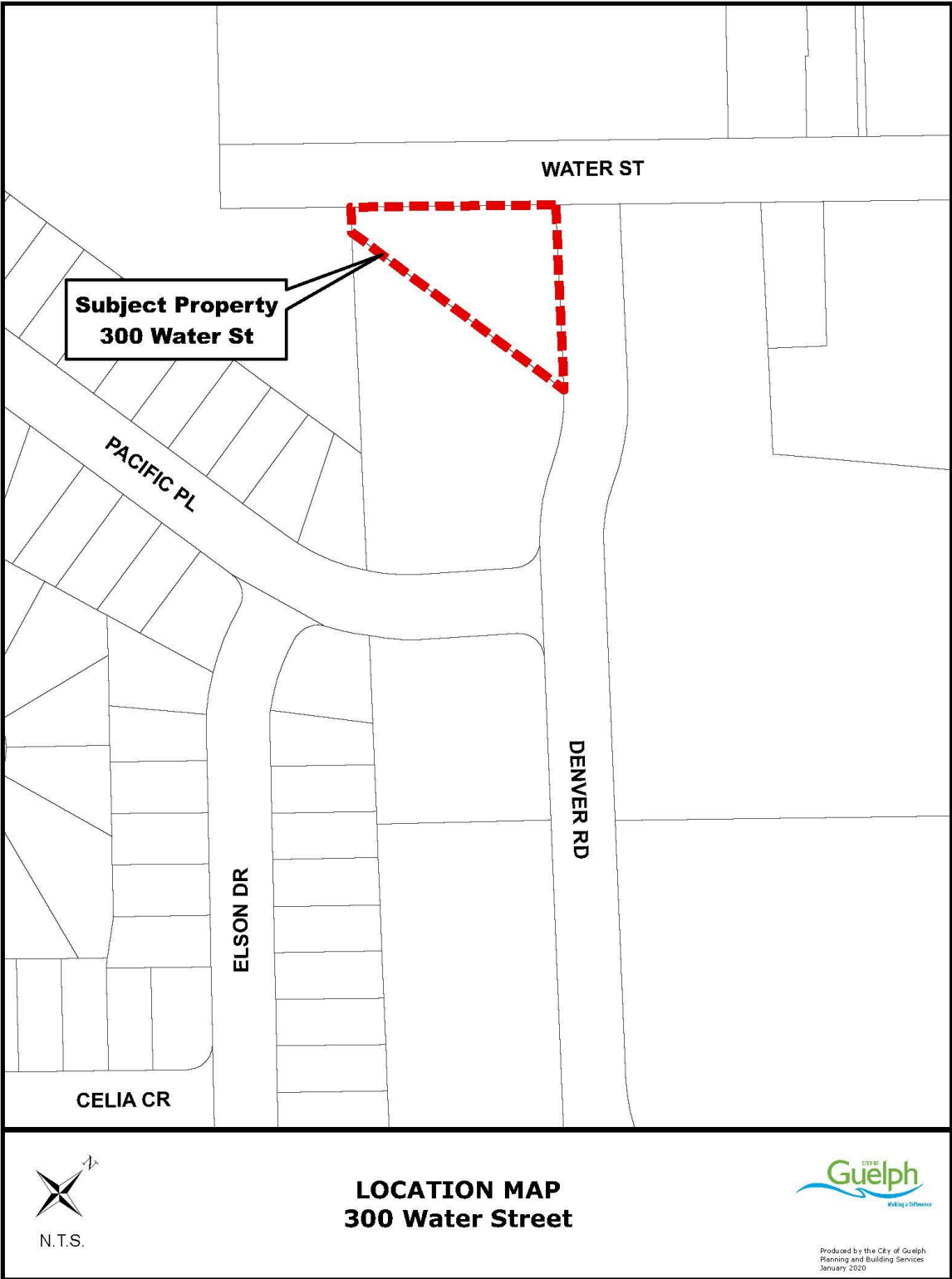
To the south: a Hydro Corridor, beyond which are single detached residential

uses;

To the east: Denver Road, beyond which are lands zoned "Urban Reserve" and "Institutional"; and,

To the west: a Hydro Corridor.

The subject property is located at the south-west corner of Water Street and Denver Road (see Location Map below).



BASIS

The Official Plan Amendment application was submitted to the City of Guelph in conjunction with an application to amend the Zoning By-law (File No. ZC1712) on December 22, 2017. The Official Plan Amendment and Zoning By-law Amendment applications were deemed to be 'complete' on January 19, 2018. The applications were presented to Council at a Statutory Public Meeting held on May 14, 2018 and a revised submission was submitted on June 21, 2019.

The following studies were submitted by the property owner in support of the Official Plan Amendment and Zoning By-law Amendment:

- Planning Justification Report, prepared by GSP Group, dated December 2017;
- Development Concept Plan, prepared by GSP Group, dated February 23, 2017;
- On-Street Parking Plan, prepared by GSP Group, dated July 26, 2017;
- Topographical Plan, prepared by Van Harten Surveying Inc., dated December 19, 2011;
- Phase One Environmental Site Assessment, prepared by GM Blue Plan Engineering, dated May 19, 2017;
- Functional Servicing Letter, prepared by GM Blue Plan Engineering, dated August 9, 2017;
- Hydrogeological Study, prepared by GM Blue Plan Engineering, dated May 2017;
- Preliminary Site Servicing and Grading Plan, prepared by GM Blue Plan Engineering, dated November 2016; and,
- Environmental Impact Study, prepared by Natural Resource Solutions Inc., dated August 2017.

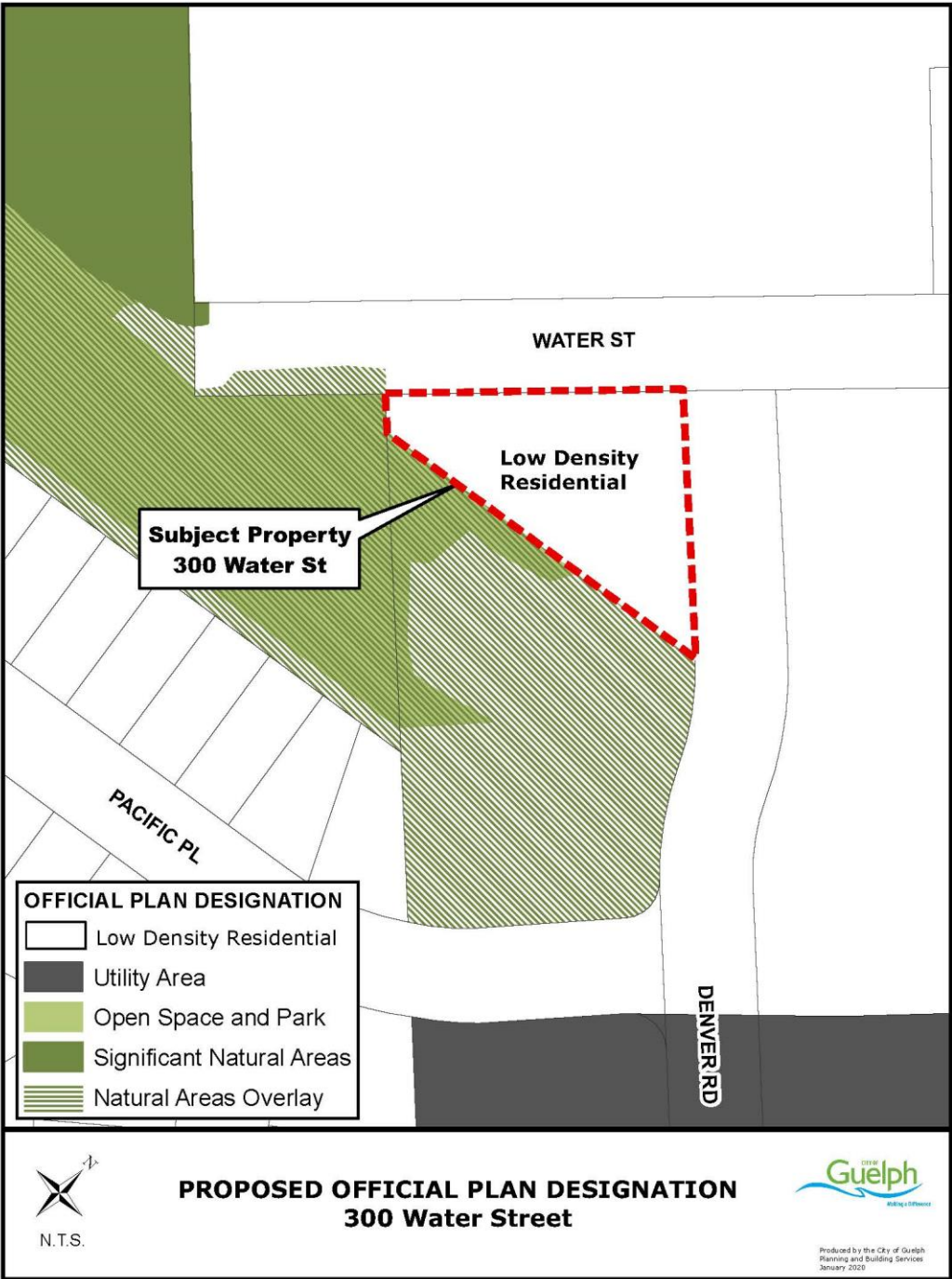
The Official Plan Amendment will change the land use designation of the property from the "Open Space and Park" land use designation with a "Natural Areas Overlay" to the "Low Density Residential" land use designation to permit a low density residential development.

PART B - THE AMENDMENT

All of this section entitled "Part B – The Amendment," constitutes Amendment No. 70 to the Official Plan for the City of Guelph.

Details of the Amendment

The Official Plan for the City of Guelph is amended by changing the land use designation on Schedule 2: Land Use Plan for 300 Water Street from the "Open Space and Park" land use designation with a "Natural Areas Overlay" to the "Low Density Residential" land use designation, as shown on the following excerpt from Schedule 2:



PART C - THE APPENDICES

The following appendices do not form part of Amendment No. 70, but are included as information supporting the amendment.

Appendix 1: Public Participation

Appendix 2: February 10, 2020 Staff Decision Report No. IDE 2020-12

APPENDIX 1

TO OFFICIAL PLAN AMENDMENT NO. 70

PUBLIC PARTICIPATION

December 22, 2017	Applications for Official Plan Amendment and Zoning By-law Amendment (Files OP1707 and ZC1712) submitted to the City
January 19, 2018	Applications deemed complete by Planning staff
February 2, 2018	Notice of Complete Applications mailed to prescribed agencies, City departments and surrounding property owners within 120 metres of the subject property
April 19, 2018	Notice of Public Meeting advertised in the Guelph Tribune
April 24, 2018	Notice of Public Meeting mailed to prescribed agencies, City department and surrounding property owners within 120 metres of the subject property
May 14, 2018	Statutory Public Meeting of City Council
June 21, 2019	Complete revised submission received
July 16, 2019	Notice of Revised Submission mailed to interested parties who spoke at the public meeting, provided comments on the applications or requested to receive further notification on the applications
January 20, 2020	Notice of Decision Meeting sent to parties that commented on applications or requested notice
February 10, 2020	City Council Meeting to consider staff recommendation

APPENDIX 2

TO OFFICIAL PLAN AMENDMENT NO. 70

PLANNING STAFF DECISION REPORT NO. IDE 2020-12, DATED FEBRUARY 10, 2020

Available with the agenda for the Council meeting of February 10, 2020 and enclosed with By-law (2020)-20477 file.

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2020)-20478

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects the property municipally known as 300 Water Street and legally described as Part of Lot 1, Concession 4, Division ‘G’, Geographic Township of Guelph, City of Guelph (File# ZC1712).

WHEREAS Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

- 1. By-law Number (1995)-14864, as amended, is hereby further amended by transferring lands legally described as Part of Lot 1, Concession 4, Division ‘G’, Geographic Township of Guelph, City of Guelph, from the existing “Urban Reserve” Zone known as the UR Zone to the new “Specialized Residential Single Detached” Zone, to be known as the R.1C-32 Zone and to two "Specialized Residential On-Street Townhouse" Zones to be known as the R.3B-24 Zone and the R.3B-25 Zone.
- 2. Section 5.1.3.3, of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.1.3.3.32:

5.1.3.3.32 **R.1C-32**
300 Water Street
As shown on Defined Area Map Number 16 of Schedule “A” of this *By-law*.

5.1.3.3.32.1 **Permitted Uses**
In accordance with the permitted *Uses* under Section 5.1.1 of *By-law* Number (1995)-14864, as amended.

5.1.3.3.32.2 **Regulations**
In accordance with Section 5.1.2 of the *By-law*, with the following exception:

5.1.3.3.32.2.1 **Minimum Rear Yard:**
Despite Table 5.1.2, Row 8, the minimum *Rear Yard* shall be 3.5 metres.

- 3. Section 5.3.3.2, of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.3.3.2.24:

Page 2
of By-law Number (2020)-20478

- 5.3.3.2.24 **R.3B-24**
300 Water Street
As shown on Defined Area Map Number 16 of Schedule “A” of this *By-law*.
- 5.3.3.2.24.1 **Permitted Uses**
In accordance with the permitted *Uses* under Section 5.3.1.2 of *By-law* Number (1995)-14864, as amended.
- 5.3.3.2.24.2 **Regulations**
In accordance with Section 5.3.2 of the *By-law*, with the following exceptions and additions:
- 5.3.3.2.24.2.1 **Minimum Rear Yard:**
Despite Table 5.3.2, Row 7, the minimum *Rear Yard* shall be 3.8 metres.
- 5.3.3.2.24.2.2 **Storm Gallery Protection**
No *Buildings* or *Structures* (excluding *Fences*) shall be located or constructed within 1.5 metres of an underground infiltration storm gallery.
4. Section 5.3.3.2, of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.3.3.2.25:
- 5.3.3.2.25 **R.3B-25**
300 Water Street
As shown on Defined Area Map Number 16 of Schedule “A” of this *By-law*.
- 5.3.3.2.25.1 **Permitted Uses**
In accordance with the permitted *Uses* under Section 5.3.1.2 of *By-law* Number (1995)-14864, as amended.
- 5.3.3.2.25.2 **Regulations**
In accordance with Section 5.3.2 of the *By-law*, with the following addition:
- 5.3.3.2.25.2.1 **Storm Gallery Protection**
No *Buildings* or *Structures* (excluding *Fences*) shall be located or constructed within 1.5 metres of an underground infiltration storm gallery.
5. Schedule “A” of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 16 and substituting a new Defined Area Map 16 attached hereto as Schedule “A”.
6. Where notice of this By-law is given in accordance with the Planning Act, and where no notice of objection has been filed within the time prescribed by the regulations, this By-law shall come into effect. Notwithstanding the above, where notice of objection has

Page 3
of By-law Number (2020)-20478

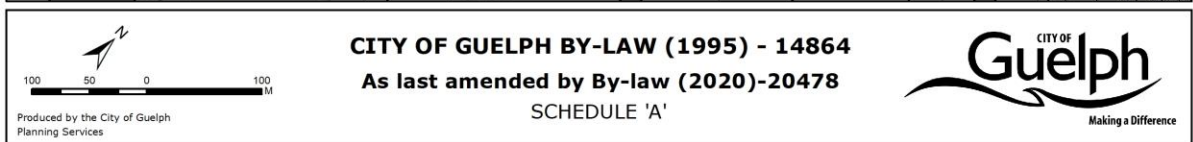
been filed within the time prescribed by the regulations, no part of this By-law shall come into effect until all of such appeals have been finally disposed of by the Local Planning Appeal Tribunal.

PASSED this TENTH day of FEBRUARY, 2020.

CAM GUTHRIE - MAYOR

DYLAN MCMAHON, DEPUTY CITY CLERK

Schedule "A"



THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2020) – 20479

A by-law to amend the Official Plan for the City of Guelph as it affects property municipally known as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph (OZS18-005).

WHEREAS the Official Plan of the City of Guelph was adopted November 1, 1994 and approved December 20, 1995 pursuant to s. 17 of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

AND WHEREAS Section 21 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, provides that a municipality may, by by-law, amend an Official Plan;

AND WHEREAS after giving of the required notice, a Public Meeting was held on December 10, 2018 pursuant to s. 17(15)(d) of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Amendment Number 71 to the Official Plan for the City of Guelph, as amended, consisting of the attached mapping revision (Schedule A), is hereby adopted.
2. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Local Planning Appeal Tribunal.

PASSED this TENTH day of FEBRUARY, 2020.

CAM GUTHRIE - MAYOR

DYLAN MCMAHON – DEPUTY CITY CLERK

**EXPLANATION OF PURPOSE AND EFFECT AND
KEY MAP FOR BY-LAW NUMBER (2020)-20479**

1. By-law Number (2020)-20479 has the following purpose and effect:

The purpose of By-law (2020)-20479 is to authorize an amendment to the Official Plan for the subject lands municipally known as 361 Whitelaw Road (see Key Map), and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph to redesignate the portion of the site that is designated Low Density Greenfield Residential to High Density Residential, Medium Density Residential and Open Space and Parks to permit the development of a mixed density residential development together with a neighbourhood park. The proposed Official Plan Amendment will be known as Official Plan Amendment No. 71 (OPA 71).

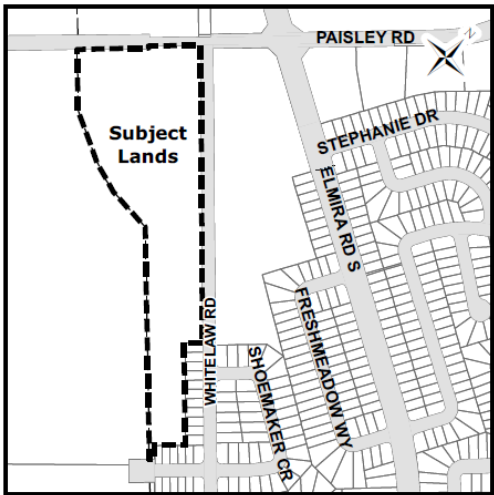
OPA 71 was considered by Guelph City Council at Public Meetings held on July 10, 2017 and May 14, 2018 and was approved by Guelph City Council on February 10, 2020 (File OZS18-005).

Further information may be obtained by contacting or visiting Planning, and Building Services, 519-837-5616, extension 2356, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this Official Plan Amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. Key map showing the location of the lands to which By-law (2020)-20479 applies:

KEY MAP



AMENDMENT NO. 71

TO THE

OFFICIAL PLAN

FOR THE CITY OF GUELPH

Schedule 'A'

AMENDMENT NO. 71 TO THE OFFICIAL PLAN FOR THE CITY OF GUELPH

PART A - THE PREAMBLE provides the rationale and certain background information in support of the amendment. The Preamble does not constitute part of Amendment No. 71 to the Official Plan for the City of Guelph.

PART B - THE AMENDMENT consists of the specific text changes introduced to the Official Plan for the City of Guelph through the Amendment.

PART C - THE APPENDICES contains background data and public involvement associated with this amendment, but does not constitute part of Amendment No. 71 to the Official Plan for the City of Guelph.

PART A - THE PREAMBLE

PURPOSE

The purpose of Official Plan Amendment No. 71 is to redesignate the Low Density Greenfield Residential portion of 361 Whitelaw Road to the High Density Residential, Medium Density Residential and Open Space and Parks designations.

LOCATION

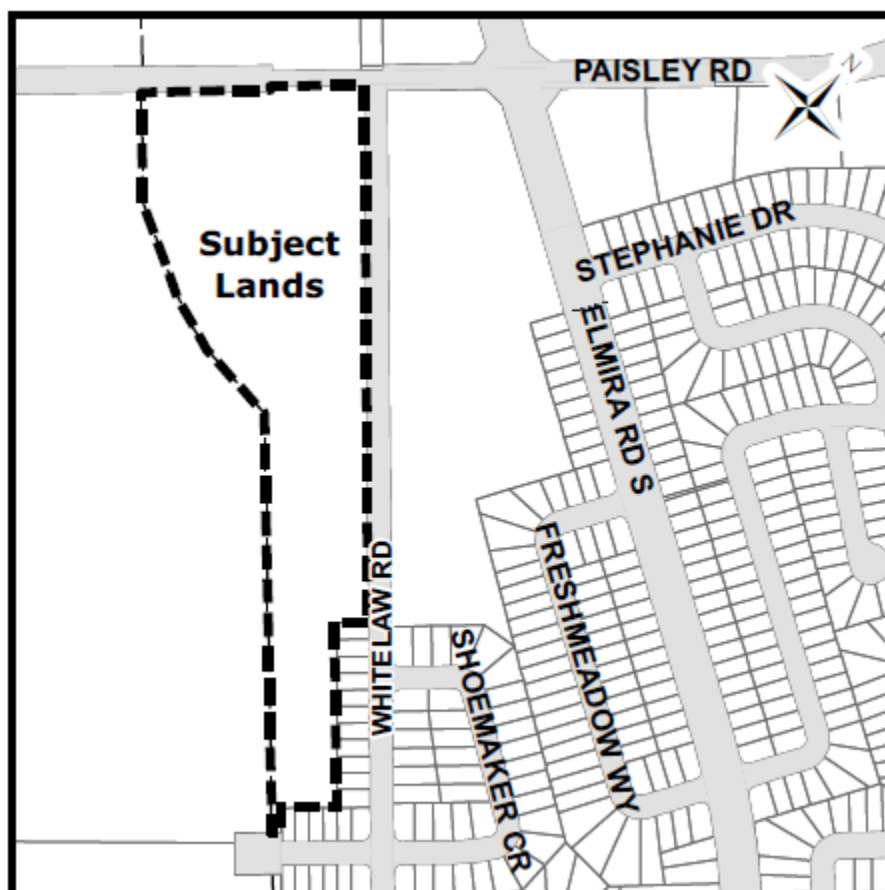
The subject lands affected by Official Plan Amendment No. 71, as proposed, are known municipally as 361 Whitelaw Road, and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph. The subject lands have an area of 7 hectares.

Surrounding land uses include:

- To the north: Paisley Road, beyond which are vacant commercial lands that are part of the Community Mixed Use Node;
- To the south: single detached dwellings along Whitelaw and Shoemaker Crescent;

- To the east: Whitelaw Road, beyond which are currently vacant lands zoned "General Residential Apartment" that are expected to be developed in the near future together with a small woodlot; and,
- To the west: a wetland, woodlot and agricultural lands that are situated in the Township of Guelph-Eramosa.

The subject lands are located southwest of the intersection of Paisley Road and Whitelaw Road (see Location Map below).



BASIS

The Official Plan Amendment application was submitted to the City of Guelph in conjunction with an application to amend the Zoning By-law (File No. OZS18-005) on August 24, 2018. The Official Plan Amendment and Zoning By-law Amendment applications were deemed to be 'complete' on September 20, 2018. The applications were presented to Council at a Public Meeting held on December 10, 2018 and revised applications were submitted May 27, 2019 and a second Public Meeting was held July 10, 2019.

The following studies were submitted by the property owner in support of the Official Plan Amendment and Zoning By-law Amendment:

- Planning Justification Report, prepared by GSP Group, dated August, 2018;
- Urban Design Brief, prepared by GSP Group, dated August, 2018;
- Site Plan, prepared by GSP Group, dated August, 2018;
- Functional Servicing Brief, prepared by GM BluePlan Engineering, dated August 14, 2018;
- Sanitary Flow Monitoring Report, prepared by GM BluePlan Engineering, dated August, 2018;
- Environmental Impact Study, prepared by Natural Resource Solutions, dated August 2018;
- Permeameter Testing Results, prepared by Chung and Vander Doelen Engineering, dated July 27, 2018;
- Hydrogeological Study, prepared by GM BluePlan Engineering, dated August, 2018;
- Geotechnical Report, prepared by Chung and Vander Doelen Engineering, dated April 27, 2018;
- Transportation Impact Study, prepared by Salvini Consulting, dated August 2018;
- Archaeological Assessment, prepared by Stantec Consulting, dated July, 2018.

The Official Plan land use designation that applied to the subject lands (at the time the planning applications were submitted) is "Low Density Greenfield Residential". The "Low Density Greenfield Residential" land use designation

permits a variety of residential uses including single and semi-detached dwellings, townhouses and apartments. The net density of development shall be a minimum of 20 units per hectare and a maximum of 60 units per hectare, together with a maximum height of 6 storeys.

The Official Plan Amendment will redesignate the portion of the site designated as "Low Density Greenfield Residential" to the "High Density Residential", "Medium Density Residential", and "Open Space and Parks" designations.

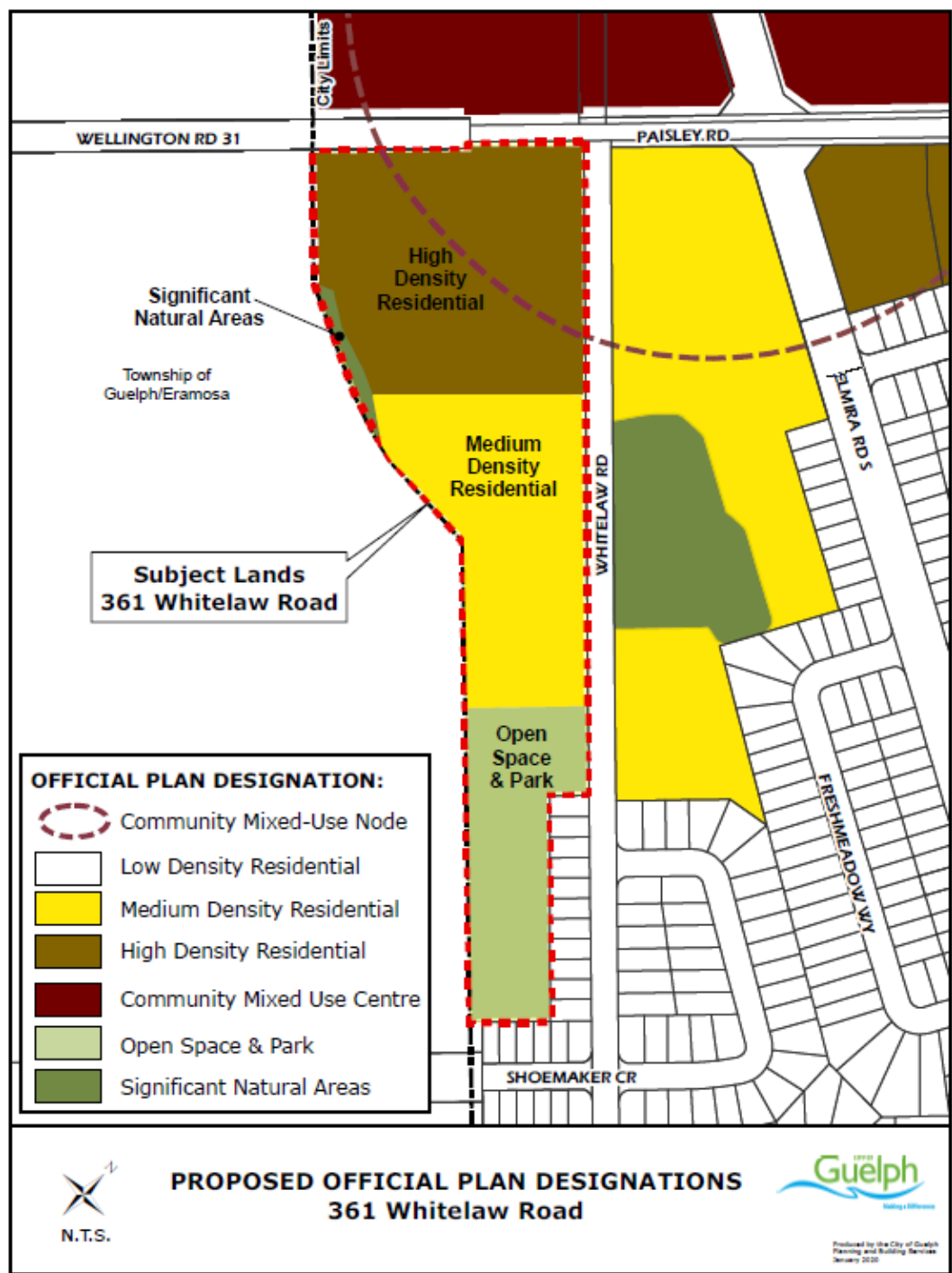
This Official Plan Amendment will permit a mixed density residential development containing 678 dwelling units together with a neighbourhood park.

PART B - THE AMENDMENT

All of this section entitled “Part B – The Amendment,” constitutes Amendment No. 71 to the Official Plan for the City of Guelph.

Details of the Amendment

The Official Plan for the City of Guelph is amended by altering Schedule 2: Land Use Plan for property municipally known as 361 Whitelaw Road to redesignate the portion of the site designated as Low Density Greenfield Residential to High Density Residential, Medium Density Residential and Open Space and Parks, as shown on the following excerpt from Schedule 2:



PART C - THE APPENDICES

The following appendices do not form part of Amendment No. 71, but are included as information supporting the amendment.

Appendix 1: Public Participation

Appendix 2: February 10, 2020 Planning Staff Decision Report No. IDE
2020-013

APPENDIX 1

TO OFFICIAL PLAN AMENDMENT NO. 71

PUBLIC PARTICIPATION

August 24, 2018	Official Plan (OP) and Zoning By-law (ZBL) amendment applications received by the City of Guelph
September 20, 2018	OP/ZBL amendment applications deemed complete
October 4, 2018	Notice of Complete Application for OP/ZBL amendment mailed to prescribed agencies, City departments and surrounding property owners within 120 metres
October 5, 2018	Notice sign for OP/ZBL amendment applications placed on property
November 15, 2018	Notice of Public Meeting for OP/ZBL amendment advertised in the Guelph Mercury Tribune
November 15, 2018	Notice of Public Meeting for OB/ZBL amendment mailed to prescribed agencies, City departments and surrounding property owners within 120 metres
December 10, 2018	Statutory Public Meeting of Council for OP/ZBL amendment applications
May, 2019	Revised OP/ZBL amendment application received by the City of Guelph
June 11, 2019	Revised application circulated to agencies, City departments and mailed to surrounding property owners within 120 metres
June 13, 2019	Notice of Public Meeting for revised OP/ZBL amendment advertised in the Guelph Mercury Tribune
July 10, 2019	2 nd Statutory Public Meeting of Council for OP/ZBL amendment applications
January 20, 2020	Notice of Decision Meeting sent to parties that commented or requested notice
February 10, 2020	City Council Meeting to consider staff recommendation

APPENDIX 2

TO OFFICIAL PLAN AMENDMENT NO. 71

**PLANNING STAFF DECISION REPORT NO. IDE 2020-013, DATED
FEBRUARY 10, 2020**

Available with the agenda for the Council meeting of February 10, 2020 and enclosed with By-law (2020)-20479 file.

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2020)-20480

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 361 Whitelaw Road and legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph (OZS18-005).

WHEREAS Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. By-law Number (1995)-14864, as amended, is hereby further amended by transferring property legally described as Part of the NE Half of Lot 5, Concession 1, Division 'B' (Geographic Township of Guelph), City of Guelph, municipally known as 361 Whitelaw Road, from the UR (Urban Reserve) Zone and A (Agriculture) Zone to an R.4B-22(H) (Specialized High Density Apartment) Zone, R.4A-55(H) (Specialized General Apartment Zone, R.3A-66(H) (Specialized Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and P.2 (Neighbourhood Park) Zone.
2. Section 5.4.3.2 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.4.3.2.22:

5.4.3.2.22 **R.4B-22(H)**

361 Whitelaw Road
As shown on Defined Area Map 5 of Schedule 'A' of this **By-law**.

5.4.3.2.22.1 **Permitted Uses**

Despite Section 5.4.1.2., the following **Uses** shall be permitted

- ***Apartment Building***
- ***Cluster Townhouses*** attached to an ***Apartment Building***
- ***Accessory Uses*** in accordance with Section 4.23
- ***Home Occupation*** in accordance with Section 4.19

5.4.3.2.22.2 **Regulations**

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

5.4.3.2.22.2.1 **Maximum Building Height**

Notwithstanding Table 5.4.2. Row 10, the maximum **Building Height** within 120 metres of the intersection along Paisley Road and 100 metres from the intersection along Whitelaw Road as measured along the streetline shall be 9 **Storeys** and the maximum **Building Height** shall be 8 **Storeys** at all other locations, and in accordance with Sections 4.16, 4.18.

5.4.3.2.22.2.2 Maximum **Front Yard** and **Exterior Side Yard**

Notwithstanding Table 5.4.2, Row 7, the maximum **Front Yard** or **Exterior Side Yard** facing Paisley Road shall be 8 metres and the maximum **Front Yard** or **Exterior Side Yard** facing Whitelaw Road shall be 20 metres.

5.4.3.2.22.2.3 Minimum **Rear Yard**

Notwithstanding Table 5.4.2, Row 9, the minimum **Rear Yard** shall be 14 meters, measured from the westerly property line.

5.4.3.2.22.2.4 Minimum **Side Yard**

Notwithstanding Table 5.4.2, Row 8, the minimum **Side Yard** shall be 3 metres.

5.4.3.2.22.2.5 Minimum Distance between **Buildings**

Notwithstanding Sections 5.4.2.2 and Table 5.4.2, Row 11, the minimum distance between **Apartment Buildings** shall be 15 metres.

5.4.3.2.22.2.6 Minimum Landscaped Site Gateway

That the area within 30 metres of the intersection along Whitelaw Road and within 50 metres of the intersection along Paisley Road as measured along the streetline shall be used only for gateway, entryway, and landscaping purposes, acting as the “Landscaped Site Gateway”.

5.4.3.2.22.2.7 Maximum **Building Length**

The maximum length of an **Apartment Building** shall be 60 metres.

5.4.3.2.22.2.8 Minimum **Stepback** of Upper **Storeys** of **Apartment Buildings**

The upper **Storeys** of an **Apartment Building** shall have additional minimum stepbacks as follows:

The adjacent wall of any **Apartment Building** facing the Landscaped Site Gateway area as set out in Section 5.4.3.2.22.2.6 of this bylaw, shall have a **Stepback** of an additional 3.0 metres above the fourth **Storey**, and a further 3.0 metres above the seventh **Storey**.

The adjacent wall of any **Apartment Building** facing Whitelaw Road shall have a **Stepback** of an additional 1.5 metres above the fourth **Storey**, and a further 1.5 metres above the seventh **Storey**.

The adjacent wall of any **Apartment Building** facing Paisley Road shall have a **Stepback** of an additional 1.5 metres above the fourth **Storey**, and a further 3.0 metres above the seventh **Storey**.

5.4.3.2.22.2.9 Minimum Off-Street Parking

Notwithstanding Section 4.13 and Table 5.4.2, Row 14, the minimum required parking for **Apartments** shall be 1.0 **Parking Space** per unit plus 0.1 spaces per unit for visitor parking. No additional **Parking Spaces** above the minimum shall be permitted unless such parking is located in a parking structure.

5.4.3.2.22.2.10 Off-Street Parking Location

A maximum of 10% of the required parking may be permitted at grade, in surface **Parking Areas**.

5.4.3.2.22.2.11 Minimum Parking Space Dimensions

Notwithstanding Section 4.13.3.2.2, the minimum *Parking Space* dimensions for at-grade and below-grade spaces shall be 2.75 metres by 5.5 metres.

5.4.3.2.22.2.12 Holding Provision

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the *City* related to the subject development:

Conditions:

1. The completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, curb/gutter, boulevard, *Municipal Services* and sidewalk.
2. That the Owner complete an Energy Strategy Report that shows how the proposed development addresses the City's Community Energy Initiative, to the satisfaction of the General Manager of Planning and Building Services.

3. Section 5.4.3.1 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.4.3.1.55:

5.4.3.1.55 **R.4A-55(H)**

361 Whitelaw Road

As shown on Defined Area Map Number 5 of Schedule "A" of this *By-law*.

5.4.3.1.55.1 Permitted Uses

Despite Section 5.4.1.2., the following *Uses* shall be permitted

- *Apartment Building*
- *Cluster Townhouse* in accordance with Section 5.3, and Section (Specialized Townhouse) of this *By-law*.
- *Stacked Townhouse* in accordance with Section 5.3, and Section 5.3.3.1.66 of this *By-law*.
- *Back to Back Townhouse* in accordance with Section 5.3, and Section 5.3.3.1.66 of this *By-law*.
- *Stacked Back to Back Townhouse* in accordance with Section 5.3, and Section 5.3.3.1.66 of this *By-law*.
- *Home Occupation* in accordance with Section 4.19
- *Accessory Uses* in accordance with Section 4.23

5.4.3.1.55.1.1 The following definitions shall apply in the R.4A-55 *Zone*:

Back-to-Back Townhouse: means a *Building* where each *Dwelling Unit* is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the *Dwelling Unit*

from the outside accessed through the *Front Yard*, *Side Yard* or *Exterior Side Yard* and does not have a *Rear Yard*.

Stacked Back-to-Back Townhouse: means a ***Building*** where each ***Dwelling Unit*** is divided vertically by common walls, including a common rear wall and common side wall, and stacked vertically, one ***Unit*** over another. Each ***Unit*** has an independent entrance to the ***Dwelling Unit*** from the outside accessed through the *Front Yard*, *Side Yard* or *Exterior Side Yard* and does not have a *Rear Yard*.

5.4.3.1.55.2 Regulations

5.4.3.1.55.2.1 Maximum ***Building Height***

Notwithstanding Table 5.4.2 Row 10, the maximum ***Building Height*** for ***Apartment Buildings*** shall be 6 ***Storeys***.

5.4.3.1.55.2.2 Minimum ***Stepback*** of Upper ***Storeys*** of ***Apartment Buildings***

The adjacent wall of any ***Apartment Building*** facing Whitelaw Road shall have a ***Stepback*** of an additional 1.5 metres above the fourth ***Storey***.

5.4.3.1.55.2.3 Minimum Distance between ***Buildings***

Notwithstanding Sections 5.4.2.2 and Table 5.4.2, Row 11, the minimum distance between ***Apartment Buildings*** shall be 15 metres, and 10 metres between any ***Apartment Building*** and ***Townhouse Building***.

5.4.3.1.55.2.4 Minimum Off-Street Parking

Notwithstanding Section 4.13 and Table 5.4.2, Row 14, the minimum required parking for ***Apartment Units*** shall be 1.0 ***Parking Space*** per ***Unit*** plus 0.1 ***Parking Space*** per ***Unit*** for visitor parking. No additional ***Parking Spaces*** above the minimum shall be permitted unless such parking is located in a parking structure.

Notwithstanding Section 4.13 and Table 5.3.2, Row 16, the minimum required parking for ***Townhouse Units*** shall be 1.0 ***Parking Space*** per ***Unit*** plus 0.2 spaces per unit for visitor parking.

5.4.3.1.55.2.5 Off-Street Parking Location

A maximum of 10% of required parking for ***Apartment Units*** may be permitted at grade, in surface ***Parking Areas***.

5.4.3.1.55.2.6 Minimum ***Parking Space*** Dimensions

Notwithstanding Section 4.13.3.2.2, the minimum ***Parking Space*** dimensions for at grade and below grade spaces shall be 2.75 metres by 5.5 metres.

5.4.3.1.55.2.7 Maximum ***Front Yard***

The maximum ***Front Yard*** for ***Buildings*** located adjacent to Whitelaw Road shall be 6 metres.

5.4.3.1.55.2.8 Minimum ***Rear Yard***

Notwithstanding Table 5.4.2, Row 9, the minimum ***Rear Yard*** shall be 10 metres, measured from the westerly property line.

5.4.3.1.55.2.9 Minimum ***Side Yard***

Notwithstanding Table 5.4.2, Row 8, the minimum ***Side Yard*** shall be 3

metres.

5.4.3.1.55.2.10 Holding Provision

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the *City* related to the subject development:

Conditions:

1. The completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, curb/gutter, boulevard, *Municipal Services* and sidewalk.
2. That the Owner complete an Energy Strategy Report that shows how the proposed development addresses the City's Community Energy Initiative, to the satisfaction of the General Manager of Planning and Building Services.

4. Section 5.3.3.1 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.3.3.1.66:

5.3.3.1.66 **R.3A-66(H)**

361 Whitelaw Road

As shown on Defined Area Map Number 5 of Schedule "A" of this *By-law*.

5.3.3.1.66.1 Permitted *Uses*

Notwithstanding 5.3.1.1, the following *Uses* shall be permitted:

- *Cluster Townhouse*
- *Stacked Townhouse*
- *Back to Back Townhouse*
- *Stacked Back to Back Townhouse*
- *Home Occupation* in accordance with Section 4.19
- *Accessory Uses* in accordance with Section 4.23

5.3.3.1.66.1.1 The following definitions shall apply in the R.3A-66 *Zone*:

Back-to-Back Townhouse: means a *Building* where each *Dwelling Unit* is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the *Dwelling Unit* from the outside accessed through the *Front Yard*, *Side Yard* or *Exterior Side Yard* and does not have a *Rear Yard*.

Stacked Back-to-Back Townhouse: means a *Building* where each *Dwelling Unit* is divided vertically by common walls, including a common rear wall and common side wall, and stacked vertically, one *Unit* over another. Each *Unit* has an independent entrance to the *Dwelling Unit* from the outside accessed through the *Front Yard*, *Side Yard* or *Exterior Side Yard* and does not have a *Rear Yard*.

5.3.3.1.66.2 Regulations

5.3.3.1.66.2.1 Maximum *Density*

Notwithstanding 5.3.2.6 and Table 5.3.2 Row 20, the maximum *Density* for all permitted *Townhouses* shall be a total of 80 *Units* per hectare.

5.3.3.1.66.2.2 Minimum *Lot Area* per *Dwelling Unit*

Page 6
of By-law Number (2020)-20480

Notwithstanding Table 5.3.2 Row 3, minimum *Lot* area per *Dwelling Unit* shall be 120 square metres.

5.3.3.1.66.2.3 Maximum *Building Height*

Notwithstanding Table 5.3.2 Row 9, maximum *Building Height* shall be 4 *Storeys*, and in accordance with Section 4.16 and 4.18.

5.3.3.1.66.2.4 Maximum *Building Length*

The maximum *Building* length for all types of *Townhouse* blocks shall be 56 metres.

5.3.3.1.66.2.5 Minimum Distance between *Buildings*

Notwithstanding 5.3.2.3 and Table 5.3.2, Row 10, the minimum distance between *Townhouse Buildings* shall be 5 metres, and 10 metres between any *Apartment Building* and *Townhouse Building*.

5.3.3.1.66.2.6 Maximum *Front Yard*

The maximum *Front Yard Setback* for *Buildings* located adjacent to Whitelaw Road shall be 6 metres.

5.3.3.1.66.2.7 Minimum *Rear Yard*

Notwithstanding Section 5.3.2.2 and Table 5.3.2, Row 10, the minimum *Rear Yard* shall be 10 metres, measured from the westerly property line.

5.3.3.1.66.2.8 Minimum *Side Yard*

Notwithstanding Table 5.4.2, Row 8, the minimum *Side Yard* shall be 3 metres.

5.3.3.1.66.2.9 Minimum Off-Street Parking

Notwithstanding Section 4.13 and Table 5.3.2 Row 16, the minimum required parking shall be 1.0 *Parking Space* per *Unit* plus 0.2 *Parking Spaces* per *Unit* for visitor parking.

5.3.3.1.66.2.10 Minimum *Unit Width*

The minimum *Unit* width for a *Back to Back Stacked Townhouse Unit* with an integrated attached *Garage* is 7 metres.

5.3.3.1.66.2.11 Holding Provision

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the *City* related to the subject development:

Conditions:

1. The completion of the design and reconstruction of Whitelaw Road including but not be limited to vertical grade changes, curb/gutter, boulevard, *Municipal Services* and sidewalk.
 2. That the Owner complete an Energy Strategy Report that shows how the proposed development addresses the City's Community Energy Initiative, to the satisfaction of the General Manager of Planning and Building Services.
5. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 5 and substituting a new Defined Area Map 5 attached hereto as Schedule "A".

Page 7
of By-law Number (2020)-20480

6. Where notice of this By-law is given in accordance with the Planning Act, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Local Planning Appeals Tribunal.

PASSED this TENTH day of FEBRUARY, 2020.

CAM GUTHRIE - MAYOR

DYLAN MCMAHON – DEPUTY CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT FOR BY-LAW NUMBER (2020)-20480

1. By-law Number (2020)-20480 has the following purpose and effect:

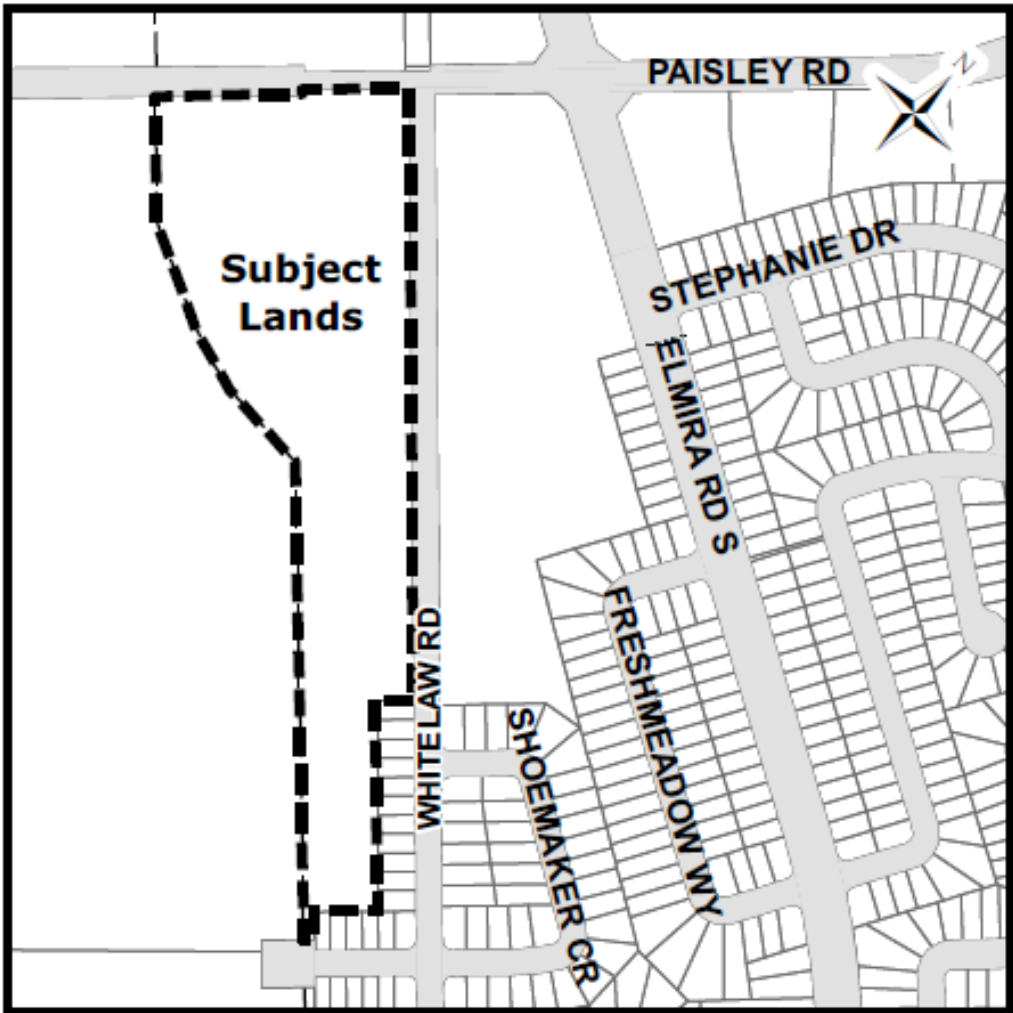
This By-law authorizes a Zoning By-law Amendment affecting lands municipally known as 361 Whitelaw Road. The purpose of the proposed Zoning By-law amendment is to rezone the subject property from the UR (Urban Reserve) Zone and A (Agriculture) Zone to an R.4B-22(H) (Specialized High Density Apartment) Zone, R.4A-55(H) (Specialized General Apartment Zone, R.3A-66(H) (Specialized Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and P.2 (Neighbourhood Park) Zone to permit the development of a mixed density residential development containing 678 units together with a neighbourhood park. The proposed Zoning By-law Amendment was considered by Guelph City Council at Public Meetings held on December 10, 2018 and on July 10, 2019 and a decision report was presented to Council on February 10, 2020. (City File: OZS18-005).

Further information may be obtained by contacting Katie Nasswetter, Senior Development Planner at 519-837-5616, extension 2356, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this Zoning By-law amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing".

2. Key map showing the location of the lands to which By-law (2020)-20480 applies:

KEY MAP



THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2019) – 20481

A by-law to confirm the proceedings of meetings of Guelph City Council held February 10, 2020.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS
AS FOLLOWS:**

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed, and every resolution passed at that meeting, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed, and the resolutions passed at this meeting, are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed, shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

PASSED this TENTH day of FEBRUARY, 2020

CAM GUTHRIE - MAYOR

**DYLAN MCMAHON – DEPUTY CITY
CLERK**