

## City Council - Planning Revised Meeting Agenda

Monday, August 10, 2020, 6:30 p.m.

Remote meeting live streamed  
on [guelph.ca/live](https://guelph.ca/live)

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

To contain the spread of COVID-19, City Council meetings are being held electronically and can be live streamed at [guelph.ca/live](https://guelph.ca/live).

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

---

### Pages

#### 1. Notice - Electronic Participation

##### 1.1 City Council

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

#### 2. Call to Order

#### 3. Open Meeting – 6:30 p.m.

##### 3.1 O Canada

##### 3.2 Silent Reflection

##### 3.3 First Nations Acknowledgement

##### 3.4 Disclosure of Pecuniary Interest and General Nature Thereof

#### **4. Council Consent Agenda**

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

##### **\*4.1 Decision Report 167 Alice Street Zoning By-Law Amendment File 0ZS19-006 Ward 1 - 2020-01**

**1**

###### **Correspondence:**

\*Michael Silvestro

###### **Recommendation:**

1. That the application submitted by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owner, Adam Albert Ross Bebuck and Jiyeon Oh to change the zoning from the current "Specialized Industrial" (B.4-1) Zone to the "Residential Single Detached" (R.1D(H)) Zone to recognize the existing detached dwelling and permit the development of two new single detached residential dwellings on lands municipally known as 167 Alice Street, and legally described as Part Lots 156 and 157, Registered Plan 293, City of Guelph, be approved in accordance with Attachment 6 of the Infrastructure, Development and Enterprise Report 2020-01, dated August 10, 2020.

#### **5. Items for Discussion**

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

##### **\*5.1 Decision Report 1300 Gordon Street Proposed OPA and Zoning By-Law Amendments Files OP1704 and ZC1707- 2020-81**

**43**

###### **Delegations:**

\*Astrid Clos, Agent for the Applicant (presentation)  
Claudia Espindola

###### **Correspondence:**

Peter Baggio  
\*Gord Jones

**Recommendation:**

1. That the application from Astrid J. Clos Planning Consultants on behalf of Carousel Estate Homes Ltd., on the property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph, for approval of an Official Plan Amendment to permit the development of a six storey residential apartment building be approved in accordance with Attachment 2 of Report 2020-81 dated August 10, 2020.
2. That the application from Astrid J. Clos Planning Consultants on behalf of Carousel Estate Homes Ltd., on the property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph, for approval of a Zoning By-law Amendment to permit the development of a six storey residential apartment building be approved in accordance with Attachment 3 of Report 2020-81 dated August 10, 2020.
3. That in accordance with Section 34 (17) of the Planning Act, City Council as determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1300 Gordon Street.

**\*6. By-laws**

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

**Recommendation:**

That By-Law Numbers (2020)-20514 and (2020)-20517 to (2020)-20521 are hereby passed.

**\*6.1 By-Law Number (2020)-20514****112**

A By-law to dedicate certain lands known as 1 Foot Reserve No. 2, Plan 644, City of Guelph, as part of Queensdale Crescent.

**\*6.2 By-Law Number (2020)-20517****113**

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 167 Alice Street and legally described as Part Lots 156 and 157, Registered Plan 293, City of Guelph (File# OZS19-006).

**\*6.3 By-Law Number (2020)-20518** *115*

A by-law to amend the Official Plan for the City of Guelph as it affects property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph (OP1704/ZC1707)

**\*6.4 By-Law Number (2020)-20519** *127*

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 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph (OP1704/ZC1707).

**\*6.5 By-Law Number (2020)-20520** *131*

A by-law to amend by-law number (2015)-19985, as amended, being a by-law respecting Building, Demolition, Conditional, Change of Use and Occupancy Permits, Payment of Fees, Inspections, Appointment of Chief Building Official and Inspectors and a Code of Conduct

**\*6.6 By-Law Number (2020)-20521** *133*

A by-law to confirm proceedings of a meeting of Guelph City Council held August 10, 2020.

**7. Mayor's Announcements**

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

**8. Notice of Motion** *134*

Notice of Motion regarding Bristol and Misersky Street dog parks provided by Councillor Hofland.

**9. Adjournment**



# Staff Report



---

To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, August 10, 2020
Subject	<b>Decision Report 167 Alice Street Zoning By-law Amendment File: OZS19-006 Ward 1</b>

---

## Recommendation

1. That the application submitted by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owner, Adam Albert Ross Bebuck and Jiyeon Oh to change the zoning from the current "Specialized Industrial" (B.4-1) Zone to the "Residential Single Detached" (R.1D(H)) Zone to recognize the existing detached dwelling and permit the development of two new single detached residential dwellings on lands municipally known as 167 Alice Street, and legally described as Part Lots 156 and 157, Registered Plan 293, City of Guelph, be approved in accordance with Attachment 6 of the Infrastructure, Development and Enterprise Report 2020-01, dated August 10, 2020.
- 

## Executive Summary

### Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment to recognize the existing single detached dwelling and permit the development of two new single detached residential dwellings on the property known as 167 Alice Street.

### Key Findings

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

### Financial Implications

Estimated Development Charges: \$72,654.00 based on 2020 rates for two (2) new single detached dwellings. Development charges are not applicable for the existing dwelling.

Estimated Annual Taxes: \$10,105.00 based on 2020 tax rate for one (1) existing single detached dwelling and two (2) new single detached dwellings (estimate only and actual number may vary).

---

# **Report**

## **Background**

An application to amend the Zoning By-law for the lands municipally known as 167 Alice Street from Black, Shoemaker, Robinson and Donaldson Limited on behalf of the property owners, Adam Albert Ross Bebuck and Jiyeon Oh. The application was received by the City on June 13, 2019 and deemed to be complete on July 5, 2019. The application proposed to recognize the existing dwelling and permit the development of two new single detached residential dwellings. No site-specific zoning regulations have been requested. This application, if approved, will allow for future consent applications to the Committee of Adjustment to facilitate the creation of new residential building lots.

## **Location**

The subject lands are located at the southwest corner of Alice Street and Morris Street. The lands are owned as one parcel (see Attachment 1 - Location Map and Attachment 2 – Aerial Photograph). The lands are approximately 0.125 hectares in size with approximately 30 metres of frontage along Morris Street and approximately 41 metres of frontage along Alice Street.

There is an existing one storey, single detached brick house on the property. The dwelling is located towards the intersection of Alice Street and Morris Street. The remainder of the property to the west of the house is vacant.

Surrounding land uses include:

- To the north: Alice Street, beyond which are lands zoned for and developed with single detached and semi-detached residential dwellings;
- To the south: vacant lands zoned for industrial, beyond which is a woodworking shop and retail outlet (Luke's Carpentry);
- To the east: Morris Street, beyond which are lands zoned for and developed with single detached residential dwellings; and,
- To the west: lands zoned for industrial, developed with a commercial building, beyond which lies the Guelph Junction Railway line.

## **Existing Official Plan Land Use Designation and Policies**

The subject property is designated "Mixed Office/Commercial". This designation is intended to provide a range of uses to meet the needs of daily living. It allows for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings. The maximum building height within this designation is four (4) storeys. Residential development may be permitted to a maximum net density of 100 units per hectare.

The relevant Official Plan policies for the applicable land use designation are included in Attachment 4.

## **Existing Zoning**

The subject lands are currently zoned "Specialized Industrial" (B.4-1), according to Zoning By-law (1995)-14864, as amended. The existing zoning is shown in Attachment 5.

## **Description of Proposed Zoning By-law Amendment**

The purpose of the Zoning By-law amendment is to change the zoning from the "Specialized Industrial" (B.4-1) Zone to the "Residential Single Detached" (R.1D(H)) Zone to recognize the existing dwelling and permit the development of two new single detached residential dwellings.

Development is proposed in accordance with the standard R.1D Zone and no site-specific zoning regulations have been requested.

The details of the proposed zoning regulations and conditions are shown in Attachment 3, with a map of the proposed zoning shown in Attachment 6.

## **Proposed Development**

The applicant is proposing to retain the existing single detached dwelling and create two new residential single detached dwelling lots. Future consent applications to the Committee of Adjustment will be required to sever the subject lands into separate parcels.

The conceptual site plan is included in Attachment 7.

## **Staff Review and Planning Analysis**

The staff review and planning analysis for this application is provided in Attachment 8. The analysis addresses all related planning considerations, including issues that were raised by Council at the statutory Public Meeting held on September 9, 2019. Final comments on the revised proposal from internal City departments and agencies are included in Attachment 9. The staff review and planning analysis addresses the following:

Evaluation of the proposal in accordance with the policies of the Provincial Policy Statement, 2020 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;

Review of the proposed zoning;

Consideration of the applicable sections of the Community Energy Initiative (CEI) Update; and

Address all comments and issues raised during the public review of the applications.

## **Staff Recommendation**

Planning staff are satisfied that the recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan. Planning Staff recommend that Council approve the Zoning By-law Amendment subject to the zoning regulations and conditions to be imposed through consent applications as outlined in Attachment 6.

## **Financial Implications**

Estimated Development Charges: \$72,654.00 based on 2020 rates for two (2) new single detached dwellings. Development charges are not applicable for the existing dwelling.

Estimated Annual Taxes: \$10,105.00 based on 2020 tax rate for one (1) existing single detached dwelling and two (2) new single detached dwellings (estimate only and actual number may vary).

## **Consultations**

The Notice of Complete Application was mailed on July 19, 2019 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was mailed on August 14, 2019 and was also advertised in the Guelph Mercury Tribune on August 15, 2019. Notice of the application 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. The statutory Public Meeting was held on September 9, 2019.

On July 21, 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 10 for a full consultation summary.

## **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 8.

## **Attachments**

Attachment 1 – Location Map and 120m Circulation

Attachment 2 – Aerial Photograph

Attachment 3 – Recommended Zoning Regulations and Conditions

Attachment 4 – Official Plan Land Use Designations and Policies

Attachment 5 – Existing Zoning

Attachment 6 – Proposed Zoning

Attachment 7 – Development Plan

Attachment 8 – Staff Review and Planning Analysis

Attachment 9 – Departmental and Agency Comment Summary

**Departmental Approval**

Not applicable.

**Report Author**

Ryan Mallory, MCIP, RPP, Planner 2 - Development and Urban Design

**This report was approved by:**

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

**This report was approved by:**

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2395

krista.walkey@guelph.ca

**This report was recommended by:**

Kealy Dedman, P. Eng., MPA

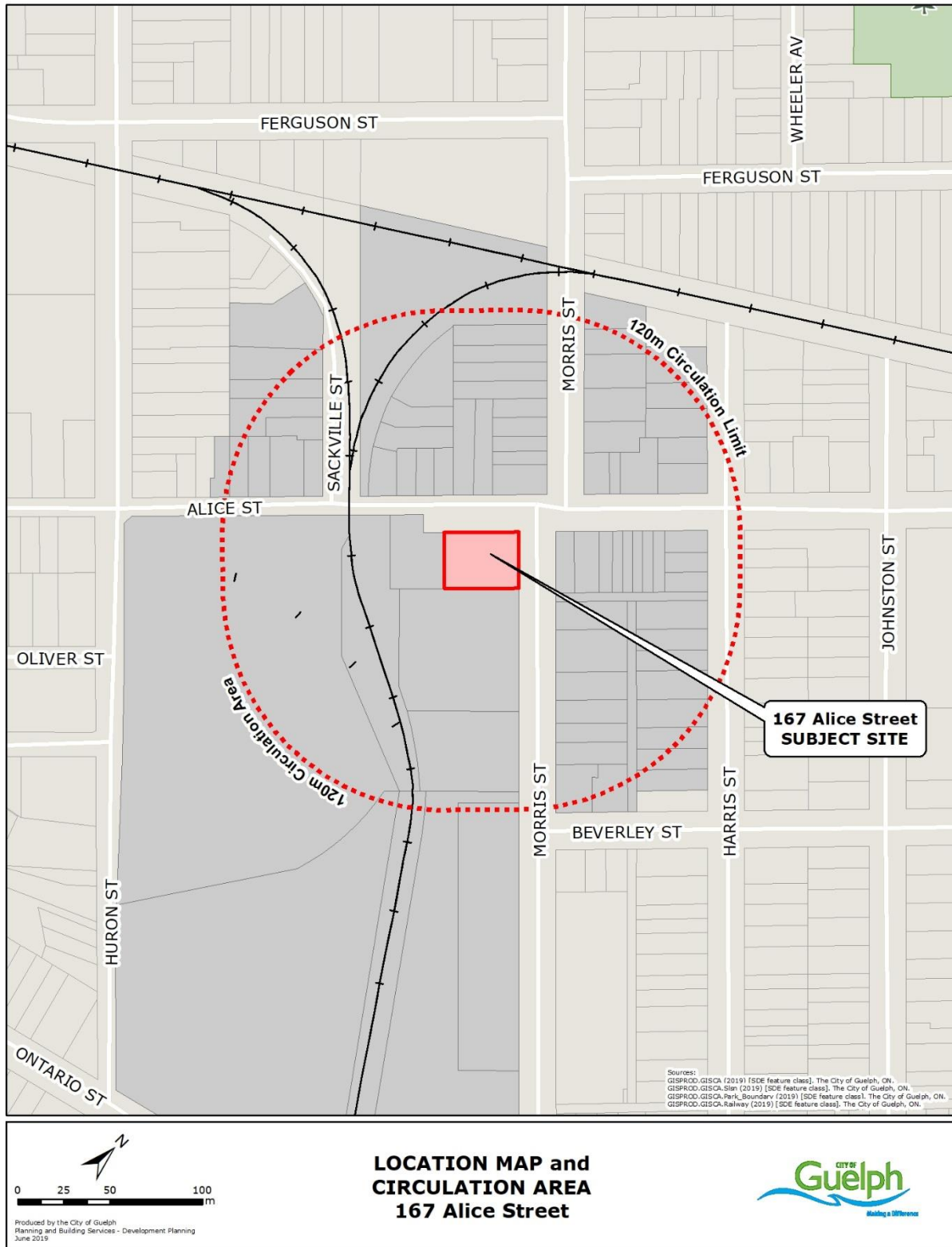
Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2248

kealy.dedman@guelph.ca

## Attachment 1 – Location Map and 120m Circulation



## Attachment 2 – Aerial Photograph



## **Attachment 3 – Recommended Zoning Regulations and Conditions**

### **3A – Zoning Regulations**

The following zone is proposed on the subject site as shown in the proposed zoning map in Attachment 6:

#### **“Residential Single Detached” (R.1D(H)) Zone**

The regulations are set out in Table 5.1.2 for the “Residential Single Detached” (R.1D) Zone of Zoning By-law (1995)-14864, as amended shown in Attachment 6.

#### 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. A mandatory RSC filing is not required; however, as per the recommendation of the Phase Two ESA and to comply with the City’s *“Guidelines for the development of contaminated or Potentially Contaminated Site (2016)”*; the applicant must prove (via remediation and/or risk assessment) that the metal impacts in soil do not pose threat to the human health and the environment.
2. The qualified person(s) (QP) must submit a “Reliance Letter” to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

### **3B – Proposed Conditions of future Consent:**

The following conditions are provided as information to Council and will be imposed through future Consent to Sever applications.

1. 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 development plan attached in Attachment 7 of the August 10, 2020 Planning Recommendation Report 2020-01;
2. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a stormwater management brief for the proposed development, satisfactory to the General Manager/City Engineer.
3. 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.
4. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
5. The Developer shall pay to the City the actual cost of the construction of the new driveways including the required curb cut and/ or fill and furthermore, prior to any severance of the lands and prior to any construction or grading on the



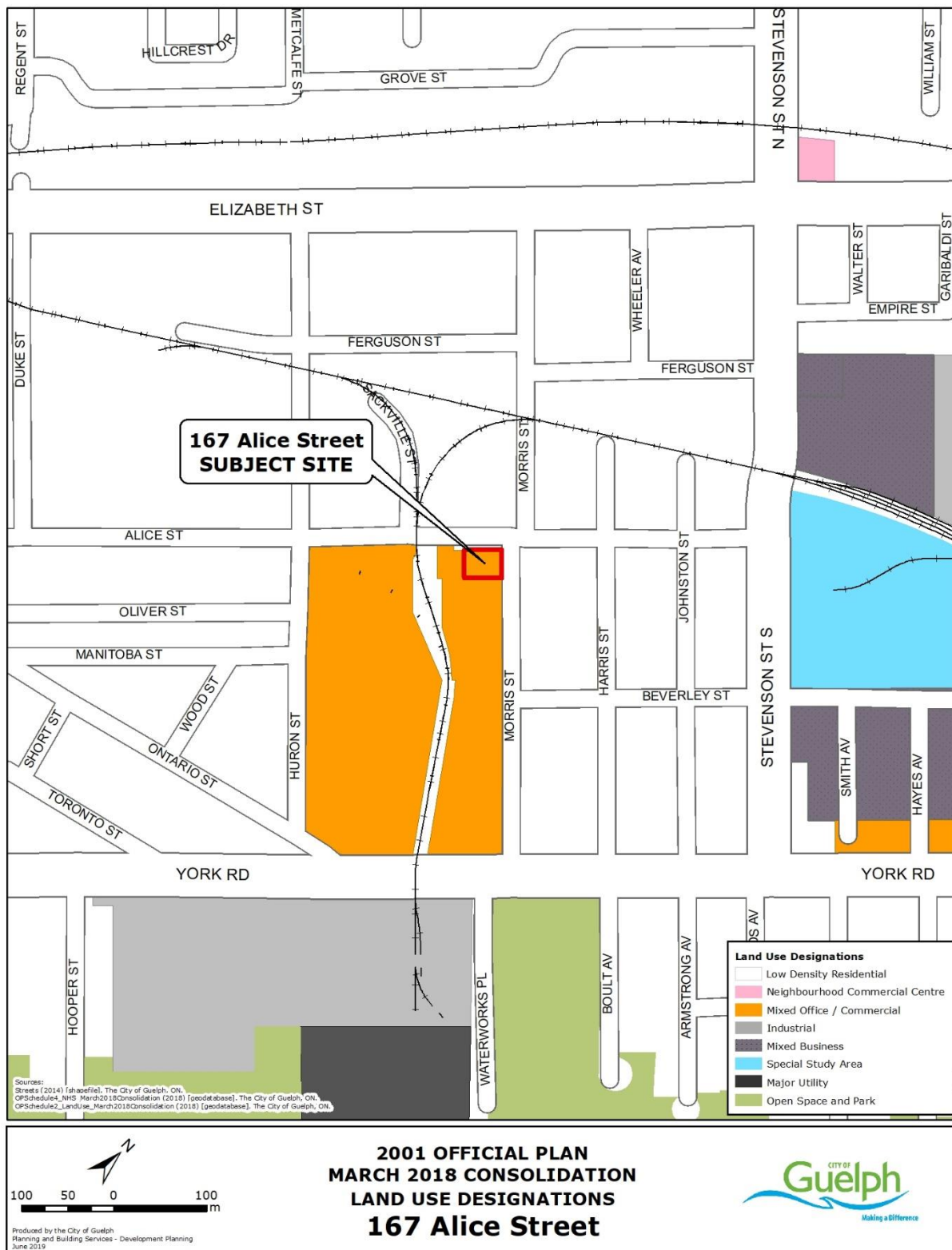
### **Attachment 3 – Recommended Zoning Regulations and Conditions (continued)**

6. lands, the Developer shall pay to the City the estimated cost for constructing the the new driveways including the required curb cut and/or fill, as determined by the General Manager/City Engineer.
7. The Developer shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall pay to the City the estimated cost of constructing, installing or removal of any service laterals, as determined by the General Manager/City Engineer.
8. The Developer will ensure that all domestic wells, boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to any construction or grading on the lands.
9. That the Developer constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
10. The 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.
11. Prior to any construction or grading on the lands, the 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.
12. That the Developer shall make arrangements satisfactory to the Technical Services Department of Alectra Utilities for the installation of an underground hydro service to the proposed new dwellings, prior to the issuance of a building permit.
13. That the Developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
14. The Developer shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.
15. Prior to the issuance of a certificate, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the General Manager/City Engineer, covering the conditions/warning clauses noted above and to develop the site in accordance with the approved plans. The Developer agrees to include the above mentioned conditions/warning clauses (from Noise Study Review) on title on the retained and the future severed lands and noise measures are to be specifically identified on the approved permit drawings.
16. The Owner shall be responsible for a payment in lieu of conveyance of parkland to the satisfaction of the Deputy CAO of Public Services or their designate,
17. 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.

### **Attachment 3 – Recommended Zoning Regulations and Conditions (continued)**

18. That Educational Development Charges shall be collected prior to the issuance of a building permit(s).
19. That prior to issuance of a building permit, 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.
20. That prior issuance of a building permit, 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.
21. That the Owner/Developer shall pay all Development Charges prior to the issuance of any building permits.
22. That prior to issuance of a building permit, the Owner/Developer shall demonstrate compliance with the City's Waste Management By-law (2011)-19199.

## Attachment 4 – Official Plan Land Use Designation and Policies



## **Attachment 4 – Official Plan Land Use Designation and Policies (continued):**

### **9.4.6 Mixed Office/Commercial**

This designation is intended to provide a range of uses to meet the needs of daily living. It allows for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings.

#### **Permitted Uses**

1. The following uses may be permitted subject to the applicable provisions of this Plan:
  - i. convenience commercial and small-scale retail commercial;
  - ii. small-scale office;
  - iii. personal service; and
  - iv. detached, semi-detached, 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 four (4) storeys.
3. The maximum net density is 100 units per hectare.

## Attachment 5 – Existing Zoning



## Attachment 6 – Proposed Zoning



## Attachment 6 – Proposed Zoning (continued):

In accordance with the holding provision outlined in Attachment 3 and Section 5.1 of the Zoning By-law, as amended, as outlined below.

5-1

### SECTION 5 – RESIDENTIAL ZONES

5.1	RESIDENTIAL SINGLE DETACHED (R.1) <b>ZONES</b>
5.1.1	<u>PERMITTED USES</u> The following are permitted <b>Uses</b> within the R.1A, R.1B, R.1C, and R.1D <b>Zones</b> : <ul style="list-style-type: none"><li>• <b>Single Detached Dwelling</b></li><li>• <b>Accessory Apartment</b> in accordance with Section 4.15.1</li><li>• <b>Bed and Breakfast</b> establishment in accordance with Section 4.27</li><li>• <b>Day Care Centre</b> in accordance with Section 4.26</li><li>• <b>Group Home</b> in accordance with Section 4.25</li><li>• <b>Home Occupation</b> in accordance with Section 4.19</li><li>• <b>Lodging House Type 1</b> in accordance with Section 4.25</li></ul>
18116	
5.1.2	<u>REGULATIONS</u> Within the Residential 1 (R.1) <b>Zones</b> , no land shall be <b>Used</b> and no <b>Building</b> or <b>Structure</b> shall be erected or <b>Used</b> except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations listed in Table 5.1.2, and the following:
15378	5.1.2.1 Despite Row 7 of Table 5.1.2, where a <b>Garage, Carport</b> or <b>Parking Space</b> is not provided in accordance with Section 4.13.2.1, one <b>Side Yard</b> shall have a minimum dimension of 3 metres.
15006	5.1.2.2 Despite any required <b>Side Yard</b> on a residential <b>Lot</b> , <b>Carports</b> shall be permitted provided that no part of such <b>Carport</b> is located closer than 0.6 metres to any <b>Side Lot Line</b> .
20134	5.1.2.3 In the event that there is a transformer easement on a particular <b>Lot</b> , portions of the <b>Single Detached Dwelling</b> may be required to be <b>Setback</b> further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 3 metres may be maintained between the transformer easement and any part of the dwelling.
	5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, <b>Buildings</b> or <b>Structures</b> located on <b>Through Lots</b> shall have a <b>Setback</b> the same as the nearest adjacent <b>Main Building</b> and in accordance with Section 4.24.
	5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum <b>Lot Frontage</b> for a <b>Corner Lot</b> in a R.1D <b>Zone</b> shall be 12 metres.
15006	5.1.2.6 Despite Row 4 of Table 5.1.2, the <b>Lots</b> located within Defined Area Map Number 66 of Schedule "A" of this <b>By-law</b> shall have a minimum <b>Lot Frontage</b> of the average <b>Lot Frontage</b> established by the existing

## Attachment 6 – Proposed Zoning (continued):

5-2

**Lots** within the same **City Block Face**, but in no case less than 9 metres. Nothing in this section shall require the minimum **Lot Frontage** to be greater than the minimum **Lot Frontage** established in Table 5.1.2. Where the average **Lot Frontage** of the existing **Lots** on the **Block Face** cannot be determined, the minimum **Lot Frontage** shall be as indicated in Table 5.1.2.

15006 5.1.2.7 Despite Row 6 of Table 5.1.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:

15006  
15378  
17187  
19691 i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres or the average of the **Setbacks** of the adjacent properties. Where the off-street **Parking Space** is located within a **Garage** or **Carport**, the **Setback** for the **Garage** or **Carport** shall be a minimum of 6 metres from the **Street Line**.

ii) In accordance with Section 4.6 and 5.1.2.3; and

iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.

Where a road widening is required in accordance with Section 4.24, the calculation of the required **Front** or **Exterior Side Yard** shall be as set out in Section 5.1.2.7, provided that the required **Front** or **Exterior Side Yard** is not less than the new **Street Line** established by the required road widening.

15006 5.1.2.8 Despite Row 7 of Table 5.1.2, properties **Zoned** R.1B or R.1C with **Buildings** over 2 **Storeys** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Side Yard** requirement of 1.5 metres.

15006 5.1.2.9 Deleted.

15692 5.1.2.10 Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a **Building** has a one **Storey** portion and a 1.5 to 2 **Storey** portion, the required **Side Yard** shall be 1.5m from the **Side Lot Line** to the foundation wall of the 1 **Storey** portion and 2.4m from the **Side Lot Line** to the wall of the 1.5 to 2 **Storey** portion.

17187  
18116 5.1.2.11 Where **Lots** have less than 12 metres of **Frontage**, the **Garage** is limited to a maximum of 55% of the **Lot** width (as measured at the **Front Yard Setback**).



## Attachment 6 – Proposed Zoning (continued):

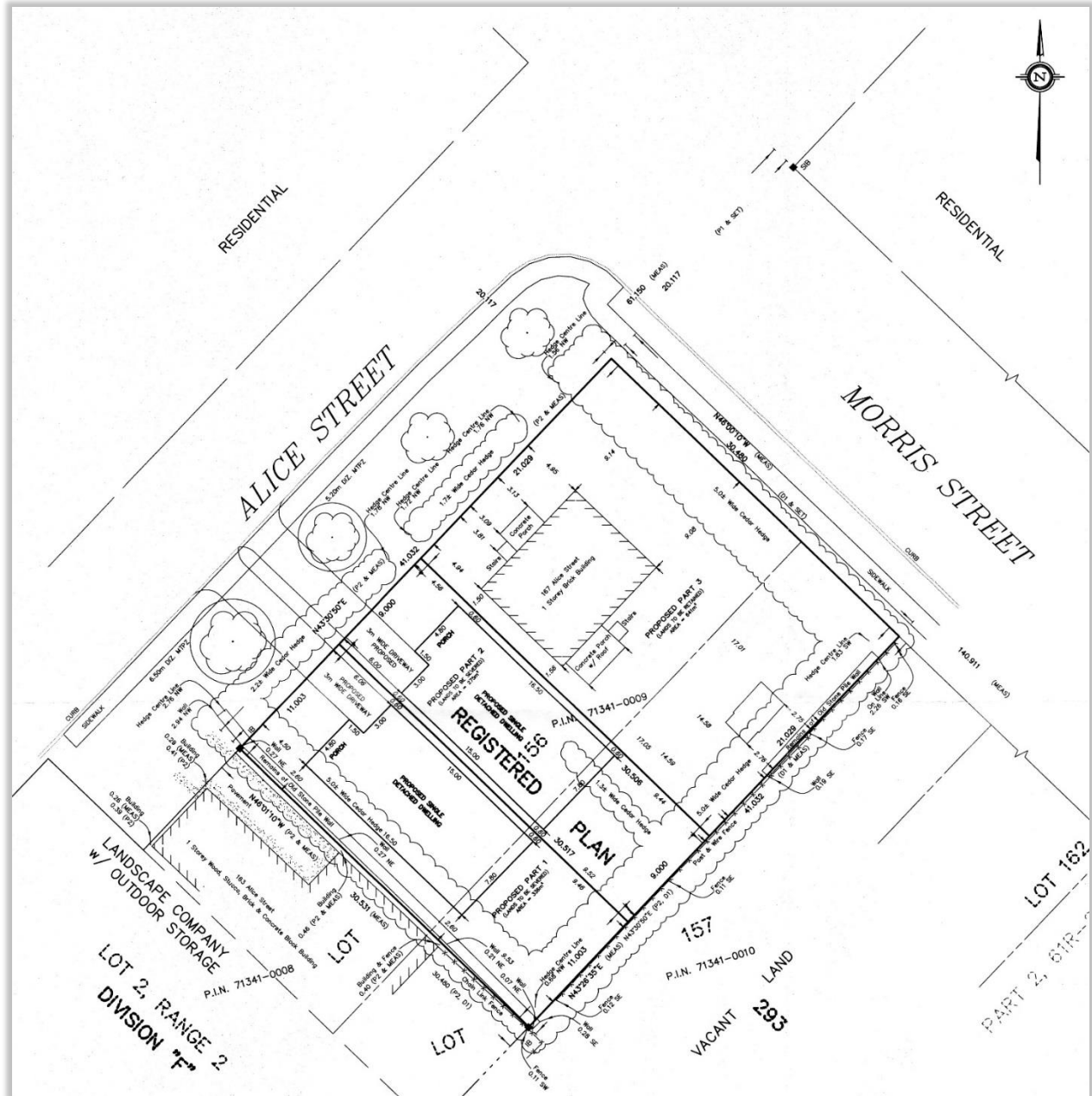
5-3

15006, 15378, 17187, 18116, 19063, 19691

**TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES**

1	Residential Type	<b>SINGLE-DETACHED DWELLINGS</b>			
2	<b>Zones</b>	R.1A	R.1B	R.1C	R.1D
3	Minimum <b>Lot Area</b>	555 m <sup>2</sup>	460 m <sup>2</sup>	370 m <sup>2</sup>	275 m <sup>2</sup>
4	Minimum <b>Lot Frontage</b>	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 <b>Building Height</b>	3 <b>Storeys</b> and in accordance with Section 4.18.			
6	Minimum <b>Front Yard</b>	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 <b>Exterior Side Yard</b>	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 <b>Side Yard</b> 1 to 2 <b>Storeys</b> Over 2 <b>Storeys</b>	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 <b>Rear Yard</b>	7.5 metres or 20% of the <b>Lot Depth</b> , whichever is less and in accordance with Section 5.1.2.4.			
9	Accessory <b>Buildings</b> or <b>Structures</b>	In accordance with Section 4.5.			
10	<b>Fences</b>	In accordance with Section 4.20.			
11	Off-Street Parking	In accordance with Section 4.13.			
12	Minimum <b>Landscaped Open Space</b>	The <b>Front Yard</b> on any <b>Lot</b> , excepting the <b>Driveway (Residential)</b> shall be landscaped and no parking shall be permitted within this <b>Landscaped Open Space</b> . Despite the definition of <b>Landscaped Open Space</b> , a minimum area of 0.5 metres between the <b>Driveway (Residential)</b> and nearest <b>Lot Line</b> 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	<b>Garages</b>	For those <b>Lots</b> located within the boundaries indicated on Defined Area Map Number 66, attached <b>Garages</b> shall not project beyond the main front wall of the <b>Building</b> . Where a roofed porch is provided, the <b>Garage</b> may be located ahead of the front wall of the dwelling (enclosing <b>Habitable Floor Space</b> on the first floor) equal to the projection of the porch to a maximum of 2 metres.			

## Attachment 7 – Development Plan



## **Attachment 8 – Staff Review and Planning Analysis**

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement, 2020 (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. All planning decisions shall be consistent with the PPS. Section 1.0 of the PPS – Building Strong and 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.

Section 1.1.1 of the PPS speaks to accommodating an appropriate range and mix of residential uses (including second units, affordable housing and housing for older persons) and focusing growth within settlement areas. Section 1.1.3.2 outlines that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and which are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion. Section 1.1.3.3 also promotes opportunities for intensification and redevelopment including brownfield sites where it can be accommodated taking into account existing building stock or areas.

The purpose of this application is to place the existing single detached dwelling in an R.1 zone and permit the further development of additional single detached dwellings. R.1 zone is more appropriate for the existing building type. The existing single detached dwelling is on full municipal services and is using existing infrastructure and public service facilities. This zone will allow for intensification of the site by allowing additional single detached dwellings through future lot creation applications. The proposed additional dwellings will add density which is similar to and compatible with adjacent land use patterns. The dwellings will also efficiently use land, infrastructure and public service facilities that are available and avoids the need for expansions.

The proposed Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement, 2020.

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

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-

## **Attachment 8 – Staff Review and Planning Analysis (continued)**

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 Zoning By-law Amendment is consistent with and conforms to the Growth Plan for the Greater Golden Horseshoe (2019).

### **Conformity with the Official Plan**

The Official Plan land use designation that applies to the subject property is "Mixed Office/Commercial". This designation is intended to provide a range of uses to meet the needs of daily living. It allows for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings. The permitted uses within this designation include: convenience commercial and small-scale retail commercial, small-scale office, personal service, detached, semi-detached, townhouses and apartments.

The proposed Zoning By-law amendment will recognize an existing single detached dwelling and allow for future development of additional single detached dwellings which is a permitted use within the "Mixed Office/Commercial" land use designation and is therefore considered to conform to the policies of the Official Plan.

### **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

## **Attachment 8 – Staff Review and Planning Analysis (continued)**

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 2 single detached units which could each contain an accessory apartment 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.

### **Community Energy Initiative Update**

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 consents, to ensure that new residential development includes sustainable design features.

Staff are recommending a condition to be implemented through consent applications that would require the Owner/Developer to provide a commitment to incorporate features into future dwellings that will contribute to meeting the action items from the CEI (see condition in Attachment 4).

### **Proposed Zoning**

The applicant has requested that the zoning on the subject property be changed to the "Residential Single Detached" (R.1D(H)) zone to recognize the existing single detached dwelling and permit future development of additional single detached dwellings. No specialized regulations have been requested by the applicant.

An "H" or holding provision has been added to this zone. This prevents development of the site until certain criteria have been met. The conditions of this "H" are that; first, the applicant must prove the metal impacts in the soil do not pose a threat to human health or the environment and; second, a "Reliance Letter" authorizing the City to rely on all information and opinions in the report. Both of these conditions will need to be met before the future owner can apply to remove the "H" from the zoning, which requires Council to pass a separate by-law.

## **Attachment 8 – Staff Review and Planning Analysis (continued)**

Staff have no concerns with the requested zoning as it will recognize the existing single detached dwelling and allow for the creation of two additional single detached lots within an appropriate lot layout.

### **Statutory Public Meeting Comments**

At the Public Meeting on September 9, 2019, comments provided by Council related to how this development will help achieve the City's Net Zero Carbon goals, the number of storeys permitted, and provincial policy direction on increased density. At the public meeting, a neighbour spoke in favour of the application.

The proposed development will retain an existing dwelling and provide new dwellings, resulting in a modest increase in density on the site. This will happen within the existing neighbourhood and avoid the need to extend infrastructure. The compact nature of the new development on currently underutilized lands will contribute to meeting the action items from the CEI. Further to this, staff are recommending, through future consent conditions, that the Owner/Developer shall provide a commitment to incorporate features into future dwellings that will contribute to meeting the action items from the CEI (see condition in Attachment 4).

The Zoning By-law permits up to 3 storeys in all R.1 zones. The existing single detached dwelling is one storey. On the opposite sides of Morris Street and Alice Street are dwellings with a variety of heights. The number of storeys for dwellings in the immediate vicinity range from 1 to 3 storeys, where the uppermost floor forms a half-storey. This is identified by dormers incorporated into the roofs of several dwellings. It is desirable to maintain the character of existing neighbourhoods, and in this case, third storeys are incorporated into the rooflines. Therefore limiting the maximum height to two storeys could limit future development opportunities on this site, while adjacent properties could be redeveloped as true three storey dwellings as of right under the existing zoning regulations.

As part of the future consent applications, staff will recommendation conditions to the Committee of Adjustment that the elevations be submitted to and reviewed by the Planning Department prior to the issuance of a building permits.

The proposed development of two additional dwellings on this site represents an appropriate residential infill opportunity. Currently the property represents a density of approximately 8 units per hectare. The two new dwellings in addition to the existing dwelling will represent approximately 24 units per hectare. While the Official Plan designation "Mixed Office/Commercial" allows up to 100 units per hectare; 24 units per hectare is in the range allowed for low density residential development and more in keeping with the adjacent neighbourhood.

Accessory apartments are permitted in all R.1 zones. This provides an opportunity for further intensification as a total of 3 additional accessory apartments could be created by the future homeowners. This would also increase the overall mix of housing forms in the area.

The requested zoning regulations recognize the existing dwelling and allow for future development of two additional dwellings in accordance with the standard

## **Attachment 8 – Staff Review and Planning Analysis (continued)**

R.1D Zone. Staff recommend that the proposed zoning by-law amendment be approved.

## Attachment 9 – Departmental and Agency Comment Summary

<b>Respondent</b>	<b>No Objection or Comment</b>	<b>Conditional Support</b>	<b>Issues /Concerns</b>
Development Planning		√	Future consents required; Subject to conditions in Attachment 3
Engineering*		√	Subject to conditions in Attachment 3
Parks Planning*		√	Subject to conditions in Attachment 3
Zoning*		√	
Heritage	√		
Alectra Utilities*		√	
Upper Grand District School Board*		√	Subject to conditions in Attachment 3
Guelph Police Service	√		
Guelph Junction Railway*		√	Subject to conditions in Attachment 3

\*Letter/memo attached



## Attachment 9 – Departmental and Agency Comment Summary (continued)

### Internal Memo



---

Date	19 <sup>th</sup> June 2020
To	Ryan Mallory
From	Kime Toole
Service Area	Infrastructure, Development and Enterprise Services
Department	Engineering Services
<b>Subject</b>	<b>ZBA - 167 Alice Street File: OZS19-006</b>

---

The application is for a Zoning By-law Amendment that would re-designate the site from the existing "Specialized Industrial" (B.4-1) zone to a "Residential Single Detached" (R.1D) zone as described in the City of Guelph Zoning Bylaw. The existing detached dwelling will be retained and allow the development of two new detached residential dwellings. A Consent application will be required to separate the lands into individual parcels. The subject lands (0.1250 ha/0.31 ac) are located on the southwest corner of Alice Street and Morris Street. There is an existing landscaping yard to the west, residential to the north and east and a vacant lot immediately south of the property.

The comments below are in response to the review of the following reports & plans:

- Phase One Environmental Site Assessment (ESA) - Burnside (December 2017);
- Phase Two Environmental Site Assessment – Burnside (2018);
- Noise & Vibrations Feasibility Study – HGC Engineering (28 March 2018);
- Noise & Vibrations Study Update – HGC Engineering (17 January 2020);
- Grading & Servicing Plan – Burnside (February 2018);
- Grading & Servicing Plan Notes – Burnside (February 2018).

Engineering Services provides the following comments:

#### **Road Infrastructure Road:**

The proposed development will be served by Alice Street.

The existing Alice Street frontage includes a 2 lane local roadway with a curb faced sidewalk along the north and south sides of the road and grassed boulevard on the south-side fronting the site. The existing right-of-way width fronting this site is approximately 20.0m (65.6ft.) and a road width of 6.6m (21.6ft). It is to be noted that Alice Street was reconstructed back in 2012 under City Contract 2-1214.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

### **Municipal Services**

#### *Alice Street*

Existing services within the right-of-way along Alice Street includes a sanitary sewer, storm sewer and watermain as follows:

- 200mm diameter PVC sanitary sewer approximately 2.8 m in depth;
- 300mm diameter PVC storm sewer approximately 1.8m in depth;
- 200mm diameter PVC watermain approximately 2.0m in depth;

The two proposed residential dwellings will connect into the Alice Street municipal services and the sanitary sewers will flow by gravity. Engineering has completed a cursory review of proposed sanitary, storm and water laterals and they appear to be in order except for the storm lateral. It is recommended that no storm connection be permitted, otherwise a 100 year Hydraulic Grade Line analysis of the City storm sewer would be required to determine impacts by the Developer.

Storm foundation drainage is to be discharged to grade at the rear of house(s).

Based upon engineering records, the existing house at 167 Alice Street has sanitary and water connections to the Morris Street municipal services. New servicing laterals were constructed up to the property line in 2015 under City Contract 2-1511.

### **Servicing Capacities**

It has been confirmed that adequate sanitary and water capacities are available to service the proposed development.

However the Developer shall be advised that there is potential for marginal water supply pressures in proposed development 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 341 m height AMSL in the existing water system. Water pressure in the water mains in vicinity of proposed development under certain conditions such as peak hour demand scenario at locations with elevation at 347 m height above mean sea level (AMSL) could range from 38.0 to 42.0 psi (40 psi +/- 2.0 psi) and average day demand scenario at locations with elevation at 341 m height AMSL could range from 47.5 to 52.5 psi (50 psi +/- 2.5 psi) in the existing water system.

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

### **Grading & Drainage**

The proposed grading and drainage design is generally acceptable and will be reviewed in greater detail under the severance application in accordance with the Development Engineering Manual guidelines.

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### Source Water Protection

Source Water Protection staff have commented that if there are any wells on the property that are not going to be included in any ongoing monitoring program, they will need to be properly decommissioned in accordance with O. Reg. 903. Staff have requested copies of the decommissioned well logs if applicable.

### Environmental Engineering

As part of this submission the Applicant has provided a Phase 1 & Phase 2 Environmental Site Assessment (ESA) for the proposed development.

City staff reviewed the following Phase One and Phase Two Environmental Site Assessment (Phase One and Phase Two) reports prepared by R.J. Burnside & Associates Limited (Burnside) for Black, Shoemaker, and Robinson & Donaldson Limited.:

- "Phase One Environmental Site Assessment, 167 Alice Street, Guelph, Ontario" dated December, 2017.
- "Phase Two Environmental Site Assessment, 167 Alice Street, Guelph, Ontario" dated, 2018

The Phase One ESA was reportedly conducted in accordance with the requirements of Canadian Standards Association (CSA) Standard Z768-01 and in compliance with Ontario Regulation (O. Reg.) 153/04, as amended.

The Phase Two ESA was conducted in accordance with the O. Reg. 153/04.

The ESAs were submitted in support of the Zoning By-law amendment application. The zone change is from the "Specialized Industrial" (B.4-1) Zone to a "Residential Single Detached" (R.1D) Zone to recognize the existing detached dwelling and permit the development of two new detached residential dwellings.

### **SUMMARY OF FINDINGS**

The Site is approximately 0.12 ha (0.31 acres) located at the intersection of Alice Street and Morris Street and occupied by a one-story residential building. The reported Site's first developed use was agricultural. The Site appears to have been developed for residential use by 1955 and continued to be residential since then.

The key Environmental findings from Phase One and Two ESA reports are as follows:

#### **Phase One ESA**

The following Potentially Contaminating Activities (PCAs) and Areas of Potential Environmental Concern (APEC) were identified at the Site:

- **PCA- 1: Underground fuel storage (UST) tanks and above ground fuel storage tanks (ASTs) consisting of gasoline, diesel, and waste oils offsite** were identified just southeast of the Site at 121 Morris St (USTs and ASTs) and about 160 m north at 7 Harris Street (ASTs) and were deemed an APEC on the Site.

## Attachment 9 – Departmental and Agency Comment Summary (continued)

- **PCA- 2: Metal Fabrication (offsite)** at a former machine shop west of the Site (163 Alice Street) and a steel fabrication shop east of the Site (112 Morris Street) was deemed an APEC on the site.
- **PCA-3: Rail Yards, Track and Spurs (offsite)** located approximately 40m southwest of the Site were deemed APEC on the Site.

A Phase two ESA was recommended to assess the subsurface conditions of the Site and evaluate soil quality and groundwater quality in areas of potential environmental concern. Contaminants of concern that were associated with the APECs identified included Petroleum Hydrocarbons (PHCs), Volatile Organic Compounds (VOCs), Polycyclic Aromatic Hydrocarbons (PAHs), Polychlorinated Biphenyls (PCBs), BTEX, metals and inorganics

### **Phase Two ESA**

Phase Two ESA consisted of drilling four (4) boreholes, three (3) of which were converted into monitoring wells, was conducted to assess the soil and groundwater quality within the Site arising from the APECs. The summary of findings of the Phase Two ESA is as indicated below:

- **Soil** –Analytical results identified some samples had concentrations of metals (cadmium, lead and zinc) above regulatory standards for residential use as stipulated in Table 2: Full Depth Generic Site Condition Standards (SCS) in a Potable Groundwater Condition.

Based on laboratory results, concentrations of remaining metals and other parameters tested including; PHCs, VOCs, PAHs and Inorganics were within the SCS for Residential Use.

- **Groundwater** - Laboratory analytical results indicate that groundwater quality meets the SCS for Residential Use.

Soil treatment to reduce the elevated concentrations of cadmium, lead and zinc to levels that meet Residential Use SCS was recommended.

### **COMMENTS:**

- Based on the use of the property (agriculture- up to 1955 and residential since 1955); a mandatory RSC filing is not necessary.
- Phase Two ESA recommends, soil remediation to lower the metals (Zinc, Lead and Cadmium) concentrations to the required regulatory standards for residential use.
- The submitted Phase two ESA report was not signed and stamped.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

### **RECOMMENDATION:**

The following must be submitted prior to the approval of Zoning By-law amendment:

- A mandatory RSC filing is not required; however, as per the recommendation of the Phase Two ESA and to comply with the City's "*Guidelines for the development of contaminated or Potentially Contaminated Site (2016)*"; the applicant must prove (via remediation and/or risk assessment) that the metal impacts in soil do not pose threat to the human health and the environment.
- A signed and stamped copy of phase two ESA report must be submitted to the satisfaction of the City.
- The qualified person(s) (QP) must submit a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

### **CLOSURE:**

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

Due to a delay with the on-site environmental work and cleanup, the Applicant has requested placing a holding zone condition (H) on the subject lands until environmental recommendations are complete, satisfactory to the General Manager/City Engineer.

### **Noise Study Review**

Engineering staff have reviewed the noise studies and have recommended conditions and warning clauses as follows:

*The following conditions are provided as information to Council and will be imposed through consent application approval unless noted otherwise.*

The Owner/Developer acknowledges and agrees that, to prior occupancy and/or final building inspection, their professional engineering consultant shall inspect the site and certify in a letter that the recommended interior/exterior noise control measures comply with the measures in the approved study; such certificate shall be provided to the City.

The Owner/Developer acknowledges and agrees that Unit 1 (the proposed building closest to the rail line) shall be designed such that all building facades with exposure to the rail line shall have brick exterior walls (or an acoustical equivalent), that there are no windows to noise sensitive interior spaces on the west façade, and

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

the building's forced air ventilation system is sized for the future installation of central air conditioning.

The Owner/Developer acknowledges and agrees that Unit 2 (the proposed building closest to the existing dwelling unit at 167 Alice Street) shall be designed such that all building facades with exposure to the rail line shall have brick exterior walls (or an acoustical equivalent).

*The following warning clauses shall be registered on title prior to the completion of the severance:*

### **Warning Clause for Unit 1:**

The Transferee covenants with the Transferor that the below clauses, verbatim, will be included in all subsequent Agreements of Purchase of sale or lease and Sale and Deeds conveying the lands described herein, which covenant shall run with the said lands and is for the benefit of the subsequent owners and renters of the said lands and the owner of the adjacent road.

The Transferee of Unit 1, for himself, his heirs, executors, administrators, successors, and assigns acknowledge being advised that despite the inclusion of noise control features in the development and/or within the building unit sound levels due to increasing rail traffic may occasionally interfere with some indoor and/or outdoor activities of the dwelling occupants as the sound levels may at times exceed the sound level limits of the municipal and provincial noise criteria.

The development includes a number of measures to help reduce noise impacts, listed below. To ensure that provincial and municipal sound level limits are not exceeded and/or to keep sound levels as low as possible it is important to maintain the sound attenuation features provided.

This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the municipality and provincial sound level limits.

The building components of the dwelling unit (walls, windows, and exterior doors) have been designed to provide acoustic insulation so that, when windows and exterior doors are closed, the indoor sound levels are within the municipal and provincial sound level limits. The details of this building component design are available by contacting the builder of this unit.

The Transferee, for himself, his heirs, executors, administrators, successors, and assigns acknowledge being additionally advised that due to the proximity of the

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

adjacent industrial/commercial facilities, sound levels from these facilities may at times be audible.

Warning: Guelph Junction Railway or its assigns or successors in interest has or have a right of-way within 250 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. GJR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

### **Warning Clause for Unit 2:**

The Transferee covenants with the Transferor that the below clauses, verbatim, will be included in all subsequent Agreements of Purchase of sale or lease and Sale and Deeds conveying the lands described herein, which covenant shall run with the said lands and is for the benefit of the subsequent owners and renters of the said lands and the owner of the adjacent road.

The Transferee, for himself, his heirs, executors, administrators, successors, and assigns acknowledge being additionally advised that due to the proximity of the adjacent industrial/commercial facilities, sound levels from these facilities may at times be audible.

Warning: Guelph Junction Railway or its assigns or successors in interest has or have a right of-way within 250 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. GJR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

### **Staff Recommendations**

#### **Zoning By-Law Amendment Application**

Engineering supports approval of the zoning by-law amendment application with a holding symbol (H) until such time as the Phase 2 ESA recommendations are complied with to the satisfaction of General Manager/City Engineer.

1. It is required that a Holding Symbol (H) be applied restricting the proposed use of the land until the following conditions is met:
  - A mandatory RSC filing is not required; however, as per the recommendation of the Phase Two ESA and to comply with the City's *"Guidelines for the development of contaminated or Potentially Contaminated Site (2016)"*; the applicant must prove (via remediation and/or risk assessment) that the metal impacts in soil do not pose threat to the human health and the environment.
  - A signed and stamped copy of phase two ESA report must be submitted to the satisfaction of the city.
  - The qualified person(s) (QP) must submit a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

#### **Future Planning Approval Conditions**

The following conditions are provided as information and will be imposed through the Committee of Adjustment, Consent to Severance approval process unless noted otherwise.

1. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a stormwater management brief for the proposed development, satisfactory to the General Manager/City Engineer.
2. 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.
3. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
4. The Developer shall pay to the City the actual cost of the construction of the new driveways including the required curb cut and/ or fill and furthermore, prior to any severance of the lands and prior to any construction or grading



## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

on the lands, the Developer shall pay to the City the estimated cost for constructing the the new driveways including the required curb cut and/or fill, as determined by the General Manager/City Engineer.

5. The Developer shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall pay to the City the estimated cost of constructing, installing or removal of any service laterals, as determined by the General Manager/City Engineer.
6. The Developer will ensure that all domestic wells, boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to any construction or grading on the lands.
7. That the Developer constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
8. The 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.
9. Prior to any construction or grading on the lands, the 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.
10. That the Developer shall make arrangements satisfactory to the Technical Services Department of Alectra Utilities for the installation of an underground hydro service to the proposed new dwellings, prior to the issuance of a building permit.
11. That the Developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
12. The Developer shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

13. Prior to the passing of the severance, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the General Manager/City Engineer, covering the conditions/warning clauses noted above and to develop the site in accordance with the approved plans. The Developer agrees to include the above mentioned conditions/warning clauses (from Noise Study Review) on title on the retained and the future severed lands and noise measures are to be specifically identified on the approved permit drawings.

---

**Mary Angelo, P. Eng.**

Manager, Infrastructure, Development  
and Environmental Engineering

---

**Kime Toole, C.E.T.**

Engineering Technologist III

## Attachment 9 – Departmental and Agency Comment Summary (continued)

# INTERNAL MEMO



DATE August 16, 2019  
TO **Ryan Mallory**  
FROM Emilio Borges  
DIVISION Parks and Recreation  
DEPARTMENT Public Services  
SUBJECT **167 Alice street– Proposed Zoning By-Law Amendment  
(File # OZS19-006)**

Park Planning has reviewed the notice of complete application and public meeting and the following supporting documents for the above noted Proposed Zoning By-Law Amendment:

1. Planning Justification Report, prepared by BSR&D Ltd., June 2019
2. Development Concept Plan, prepared by BSR&D Ltd. May 10, 2019
3. Grading and Servicing Plan, prepared by Burnside Associates, February 2018
4. Grading and Servicing Notes, prepared by Burnside Associates, February 2018
5. Tree Preservation Plan, prepared by Aboud & Associates Inc., June 12, 2019
6. Tree Preservation Details, prepared by Aboud & Associates Inc., June 12, 2019

### **Subject Lands:**

The subject site is approximately 0.1250 hectares in size, located at the southwest corner of Alice Street and Morris Street, with approximately 30 metres of frontage along Morris Street and approximately 41 metres of frontage along Alice Street. There is an existing one-storey detached residential dwelling located at 167 Alice Street.

### **Proposed Development:**

The current development proposal is to change the zoning to recognize an existing detached dwelling and permit future severance and development of two (2) new single detached residential lots along the south side of Alice Street.

Park Planning offers the following comments:

### **Zoning Bylaw Amendment:**

The purpose of the proposed Zoning By-law Amendment is to rezone the subject site from the current "B.4-1" (Specialized Industrial) Zone to a R.1D (Residential Single Detached) Zone to permit the development of two new detached single dwelling units

### **Parkland Dedication:**

The proposed development will involve the development of two single detached dwelling units and payment in lieu of parkland will be required pursuant to s. 42 of the *Planning Act*, and in accordance with City of Guelph By-law (2019)-20366 as amended by (2019)-20380, prior to issuance of any building permits.

## Attachment 9 – Departmental and Agency Comment Summary (continued)

For the purpose of determining the amount of the payment, the amount for payment will be calculated according to schedules "A" and "B", land Valuation Area (3) of the Parkland dedication By-Law. (ByLaw (2019) – 20366)

The amount is to be calculated as follows;

Payment in lieu of parkland calculation – Single and semi-detached dwelling units			
In accordance with the Sections 17 (b), ( c) and 19 and Schedules A, B and C of the Parkland Dedication By-Law (2019)-20366 as amended by the By-Law (2019)-20380. (Standard Market values are valid until January 31, 2021)			
Valuation Area 3			
Development Land area Proposed Part 1(sq. m.)	Development land area (acres)	Development land value	payment in lieu at 5%
336	0.08	\$107,935	\$5,397
Valuation Area 3			
Development Land area Proposed Part 2(sq. m.)	Development land area (acres)	Development land value	payment in lieu at 5%
275	0.07	\$88,340	\$4,417

### Conditions of Development:

Park Planning recommends the following development approval conditions:

1. The Owner shall be responsible for a payment in lieu of conveyance of parkland 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.

### Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, park planning supports the proposed changes subject to the conditions outlined above.

Regards,

**Emilio Borges**, Park Planner  
Parks and Recreation, **Public Services**  
T 519-822-1260 extension 3560  
E [emilio.borges@quelfh.ca](mailto:emilio.borges@quelfh.ca)

File T:\Riverside\\_Park Planning\PLANNING\EAST DISTRICT\Zoning ByLaw & Official Plan Amendments\167 Alice Street\ 167 Alice Street ZBLA

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### INTERNAL MEMO



DATE July 24, 2019  
TO **Ryan Mallory**  
FROM Pat Sheehy  
DIVISION Building Services  
DEPARTMENT Infrastructure, Development and Enterprise  
**SUBJECT Zoning Services comments- 167 Alice Street (OZS19-006)**

Zoning has reviewed the proposed Zoning By-law amendment for the subject property and has the following comments.

The proposal is for a Zoning By-law amendment to recognize an existing single detached dwelling and proposing two new dwellings.

The plan as presented does not require any specialized regulations for the R.1D zone.

The existing dwelling will comply to existing R.1D regulations also. It is to note that the existing dwelling in the future could be demolished and two new lots be created under the R.1D zoning.

Zoning Services has no concerns with the proposal.

Thanks  
Pat

## Attachment 9 – Departmental and Agency Comment Summary (continued)

**Ryan Mallory**

---

**From:** Mike Pontes <mpontes@guelphhydro.com>  
**Sent:** Thursday, August 22, 2019 8:41 AM  
**To:** Ryan Mallory  
**Subject:** 167 Alice St - File # OZS19-006

Good morning Ryan, we have no comments on this one. This is just a zoning change which is ok by us. If/when this gets to the point of severing the lots, that would more than likely go through the Committee of Adjustments which we will then throw comments in about servicing the newly created lots. Thanks

Mike



**Mike Pontes, C.E.T.**  
**Technical Services Supervisor**  
395 Southgate Dr. Guelph, ON N1G 4Y1  
T 519.837.4733 | m 519.829.9199 | f 519.822.4963  
[alectrautilities.com](http://alectrautilities.com)

*Alectra's Guelph location is a scent-free environment. If you will be visiting our offices, please do not wear or use scented products (perfume, cologne, after shave, lotions, shampoo, conditioner, hair spray, fabric softener, dryer sheets and scented laundry detergent). The use of laser pointers is also not permitted.*

## Attachment 9 – Departmental and Agency Comment Summary (continued)



**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](mailto:jennifer.passy@ugdsb.on.ca)

Tel: 519-822-4420 ext. 820 or Toll Free: 1-800-321-4025

14 August 2019

PLN: 19-092

File Code: R14

Ryan Mallory  
Planner 2, Development and Urban Design  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

Dear Mr. Mallory;

**Re: OZS19-006**  
**167 Alice Street, Guelph**


Planning staff at the Upper Grand District School Board has received and reviewed the above noted application for a zoning by-law amendment to recognize the existing detached dwelling and permit the development of two new detached residential dwellings.

The Planning Department does not object to the proposed application, subject to the following condition:

- That Education Development Charges shall be collected prior to the issuance of a building permit(s)

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 Busuttill; Chair  
• Mike Foley

• Mark Bailey; Vice-Chair  
• Barbara Lustgarten Evoy

• Jolly Bedi  
• Martha MacNeil

• Gail Campbell  
• Robin Ross

• Jen Edwards  
• Lynn Topping

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### **Ryan Mallory**

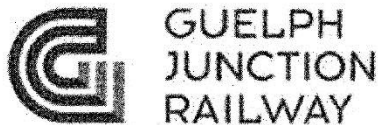
---

**From:** Les Petroczi  
**Sent:** Tuesday, November 5, 2019 1:33 PM  
**To:** Ryan Mallory  
**Cc:** Amber Bryer  
**Subject:** RE: 167 Alice Street - Noise and Vibration Study

Hi Ryan  
The GJR is satisfied with all information and warning clauses within the report.

Thank-you

**Les Petroczi | General Manager**  
Guelph Junction Railway | Infrastructure, Development and Enterprise  
City of Guelph  
1 Carden St. Guelph, ON., N1H3A1  
T 519-822-1260 x 2825 | M 519-766-7121  
E [les.petroczi@guelph.ca](mailto:les.petroczi@guelph.ca)



---

**From:** Ryan Mallory <[Ryan.Mallory@guelph.ca](mailto:Ryan.Mallory@guelph.ca)>  
**Sent:** Tuesday, November 5, 2019 11:35 AM  
**To:** Les Petroczi <[Les.Petroczi@guelph.ca](mailto:Les.Petroczi@guelph.ca)>  
**Subject:** 167 Alice Street - Noise and Vibration Study

Hi Les,

Back in August, we circulated at Noise and Vibration Study for 167 Alice Street to you. The proposal is to rezone the property to residential. One home exists there now and two more are proposed.

Engineering has determined that the study was prepared before the City's Noise Guidelines came into effect, so I will be sending it to a consultant for a peer-review. I'm wondering if you've had a chance to review the study and if there are any questions you'd like the peer-review to look at.

Do you have any concerns with the study or any comments I can add to my report to Council? Thank you.

Regards,  
**Ryan Mallory, MCIP, RPP**, Planner 2 – Development and Urban Design  
Development Planning – **Planning and Building Services**  
**City of Guelph**  
519-822-1260 extension 2492  
[ryan.mallory@guelph.ca](mailto:ryan.mallory@guelph.ca)

[guelph.ca](http://guelph.ca)  
[Facebook.com/cityofguelph](https://www.facebook.com/cityofguelph)



## **Attachment 10 – Public Notification Summary**

June 13, 2019	Application received by the City of Guelph
July 5, 2019	Application deemed complete
July 19, 2019	Notice of Complete Application mailed to prescribed agencies and surrounding property owners within 120 metres
August 14, 2019	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres and advertised in the Guelph Tribune
September 9, 2019	Statutory Public Meeting of Council
July 21, 2020	Notice of Decision Meeting mailed to parties that commented or requested notice
August 10, 2020	City Council Meeting to consider staff recommendation

APPLICATION TO PERMIT TWO NEW SINGLE DETACHED DWELLINGS AT 167 ALICE STREET THE OWNERS OF THE PROPERTY HAVE HIRED REPUTABLE PEOPLE TO GET THE APPROVAL NEEDED TO BUILD THIS HAS BEEN GOING ON FOR WELL OVER 2 YEARS YET NO PROGRESS THEY HAVE SPENT ALOT OF MONIES TO DO SO I AM ALL FOR DEVELOPMENT AS I LIVE DIRECTLY ACROSS FROM THE PROPERTY AS WELL I HAVE A VACANT LOT I WOULD LIKE TO BUILD ON IM ALMOST 66 YEARS OLD AND WOULD LIKE TO BUILD BEFORE ITS TOO LATE PLEASE GIVE YOUR APPROVAL SO I CAN PROCEED WITH MY PROPERTY

THANKS MICHAEL G SILVESTRO

# Staff Report



---

To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, August 10, 2020
Subject	<b>Decision Report 1300 Gordon Street Proposed Official Plan and Zoning By-law Amendments (File OP1704 &amp; ZC1707) Ward 6</b>

---

## Recommendation

1. That the application from Astrid J. Clos Planning Consultants on behalf of Carousel Estate Homes Ltd., on the property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph, for approval of an Official Plan Amendment to permit the development of a six storey residential apartment building be approved in accordance with Attachment 2 of Report 2020-81 dated August 10, 2020.
  2. That the application from Astrid J. Clos Planning Consultants on behalf of Carousel Estate Homes Ltd., on the property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph, for approval of a Zoning By-law Amendment to permit the development of a six storey residential apartment building be approved in accordance with Attachment 3 of Report 2020-81 dated August 10, 2020.
  3. That in accordance with Section 34 (17) of the Planning Act, City Council as determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 1300 Gordon Street.
- 

## 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 32-unit, six storey apartment building on the 1300 Gordon Street property.

### Key Findings

Planning staff support the proposed Official Plan Amendment as shown in Attachment 2 and the Zoning By-law Amendment subject to the recommended zoning regulations and conditions in Attachment 3.

## **Financial Implications**

Estimated Development Charges: \$639,371 based on 2020 rates

Estimated Annual Taxes: \$123,700 based on the 2020 tax rate for 32 apartment units

---

## **Report**

### **Background**

Applications to amend the Official Plan and Zoning By-law were received for the property municipally known as 1300 Gordon Street on July 12, 2017 from Astrid J. Clos Planning Consultants on behalf of Carousel Estate Homes Ltd. The planning applications were deemed complete on August 10, 2017.

The applicant originally proposed a six storey, 32 unit building with specialized regulations related to the front, rear and side setbacks, maximum density, number of visitor spaces and floor space index.

A public meeting was held on the original proposal on October 10, 2017. Public concerns were raised around building height, the intensity of development along Gordon Street and parking. Following the public meeting and receiving staff and agency comments, the applicant revised their proposal and submitted revised supporting information in May 2018. This information was reviewed and additional supporting information was provided in June 2019, which together is the basis for this recommendation report.

The revised application remained at six storeys and 32 units, but the applicant refined the building to better fit the site. Additional engineering and environmental review was also completed to confirm the building could be developed appropriately adjacent to the natural corridor.

### **Location**

The subject property is approximately 0.24 hectares in size and located on the east side of Gordon Street between Arkell Road and Edinburgh Road South (see Location Map and Site Orthophoto in Attachment 1). The site currently contains a single-detached dwelling that would need to be removed. To date the City has not received an application to demolish the existing dwelling.

Surrounding land uses include:

- To the north, a five (5) storey apartment building;
- To the south of the site the Salvation Army Guelph Citadel religious establishment;
- To the east directly behind the subject site is the parking lot for the Salvation Army building;
- To the west, across Gordon Street is a seven (7) storey apartment building which is referred to as Solstice 1 and a large wetland.

### **Official Plan Land Use Designations and Policies**

At the time of application, the previous Official Plan (September 2014 Consolidation of the 2001 Official Plan) was in effect, so it is the version of the Official Plan that applies to the review of this application. The previous Official Plan designated the entire site as part of the Natural Heritage System as "Significant Natural Areas and

Natural Areas” as shown in Attachment 4 because of the ecological linkage located in part on the east and south sides of the property.

The current Official Plan is the March 2018 Consolidation. The current Official Plan did not change the designation of the site, nor the related policies for Significant Natural Areas. Other policies however have changed and both sets of Official Plan policies are considered in the planning analysis in Attachment 9.

### **Description of Proposed Official Plan Amendment**

The applicant initially requested to amend the Official Plan to re-designate a portion of the subject site from the existing Significant Natural Area and Natural Areas designation to the Medium Density Residential designation in the previous (2014 Consolidation) Official Plan to permit a 6 storey apartment building with a density of 132 units per hectare while retaining a 10 metre portion on the south and east side of the subject site as Significant Natural Area and Natural Areas (Ecological Linkage). Through the review of this application, staff have recommended that the High Density Residential designation in the current Official Plan is more appropriate.

### **Existing Zoning**

The subject property is currently zoned “R.1B” Zone in the City of Guelph’s Zoning By-Law (1995)-14865. Details of the existing zoning are included in Attachment 5.

### **Description of Proposed Zoning By-law Amendment**

The applicant proposed to rezone the property from the R.1B (Single Detached Residential) Zone to a specialized R.4A-?? (General Residential Apartment) Zone. Through staff review, staff recommend the property be rezoned to a specialized R.4B-?? (High Density Apartment) Zone with specialized regulations to allow the development as proposed and a P.1 (Conservation Lands) Zone to account for the ecological linkage on the south and east edges of the site. Further details of the proposed zoning are shown in Attachment 3 and a zoning map is included in Attachment 6.

### **Proposed Development**

The applicant has proposed a six storey apartment building containing 32 apartment units, together with maintaining a 10 metre wide portion of an ecological corridor that runs along the south and east sides of the property. One access to the site is proposed onto Gordon Street, which leads into one level of at grade and partially below grade parking. Five visitor and one accessible parking space are proposed together with an automated parking system at the rear of the property, proposed to contain 43 parking spaces for the residential unit tenants.

### **Staff Review/Planning Analysis**

The staff review and planning analysis for these applications is provided in Attachment 9. The analysis addresses relevant planning considerations, including the issues raised by the public and Council. Final comments on the revised proposal from agencies and internal City departments are included in Attachment 11.

### **Staff Recommendation**

Planning staff are satisfied that the recommended Official Plan Amendment and Zoning By-law Amendment are consistent with the 2020 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 previous Official Plan that was in effect at the time of application as well as the current Official Plan. The specialized zoning regulations proposed are appropriate for the development of the site and its surrounding context. Planning staff recommend that Council approve the Official Plan Amendments as proposed in Attachment 2 and the Zoning By-law Amendment subject to the specialized zoning regulations outlined in Attachment 3.

Staff note that the applicant made a number of minor modifications to the proposed development in response to comments received, that resulted in additional specialized zoning regulations being recommended. These changes 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*.

## **Financial Implications**

Estimated Development Charges: \$639,371 based on 2020 rates

Estimated Annual Taxes: \$123,700 based on the 2020 tax rate for 32 apartment units

## **Consultations**

The Notice of Complete Application and Public Meeting was mailed on August 24, 2017 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 August 24, 2017. Notice of the application has also been provided by signage on the property, which was installed on August 18, 2017. 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 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, so planning staff recommend approval. 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 Planning Analysis in Attachment 9.

## **Attachments**

Attachment-1 Location Map and Orthophoto

Attachment-2 Recommended Official Plan Amendment

Attachment-3 Recommended Zoning Regulations and Conditions

Attachment-4 Existing Official Plan Designation

Attachment-5 Existing Zoning

Attachment-6 Proposed Zoning  
Attachment-7 Proposed Conceptual Site Plan  
Attachment-8 Proposed Building Elevations and Building Section  
Attachment-9 Planning Analysis  
Attachment-10 Community Energy Initiative Commitment  
Attachment-11 Departmental and Agency Comments  
Attachment-12 Public Notification Summary

**Departmental Approval**

Not applicable

**Report Author**

Katie Nasswetter, MCIP, RPP, Senior Development Planner

**This report was approved by:**

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

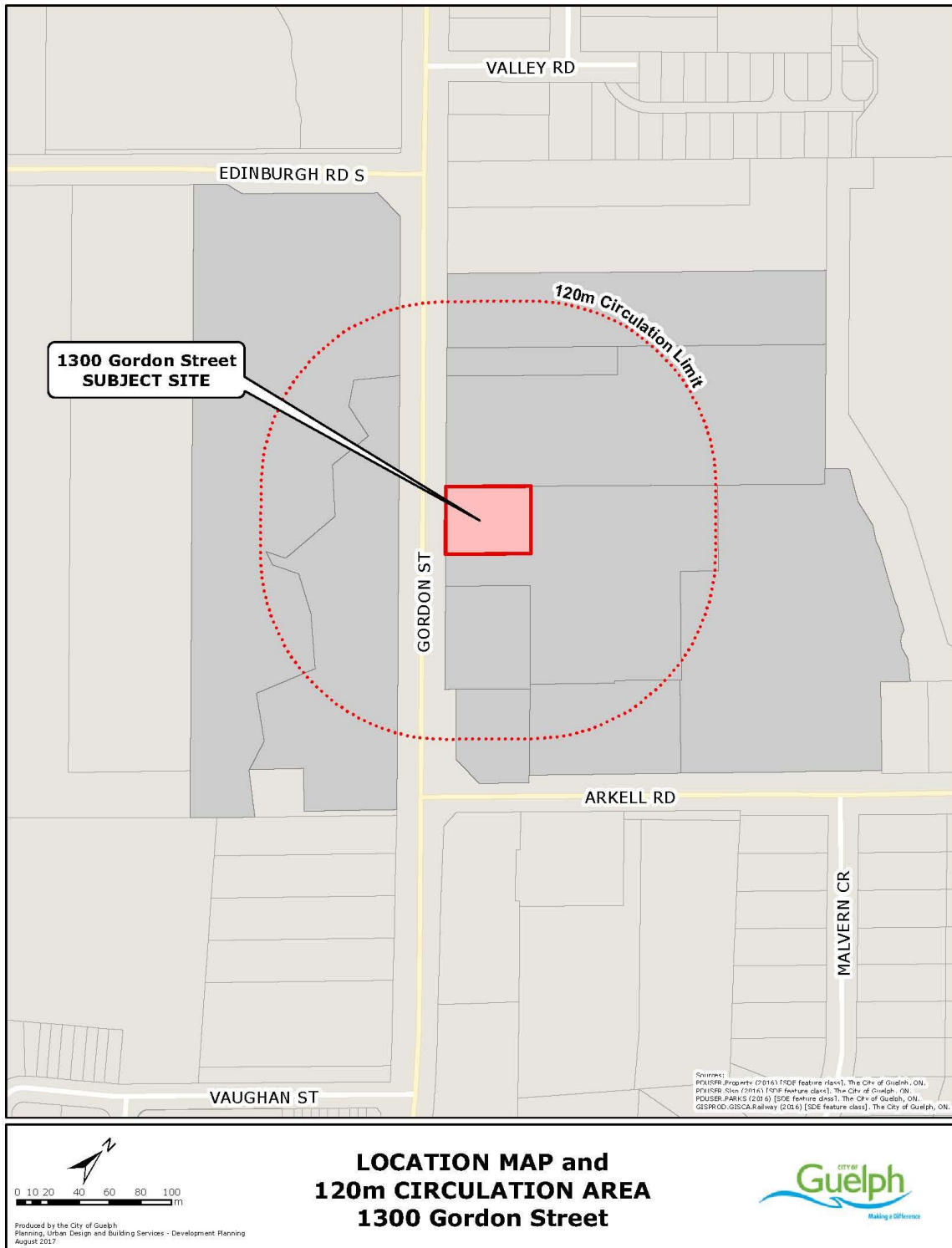
**This report was approved by:**

Krista Walkey, MCIP, RPP  
General Manager, Planning and Building Services  
Infrastructure, Development and Enterprise Services  
519-822-1260 extension 2395  
krista.walkey@guelph.ca

**This report was recommended by:**

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

## Attachment-1 Location Map





## Attachment-1 continued Site Orthophoto



## **Attachment-2 Recommended Official Plan Amendment #73**

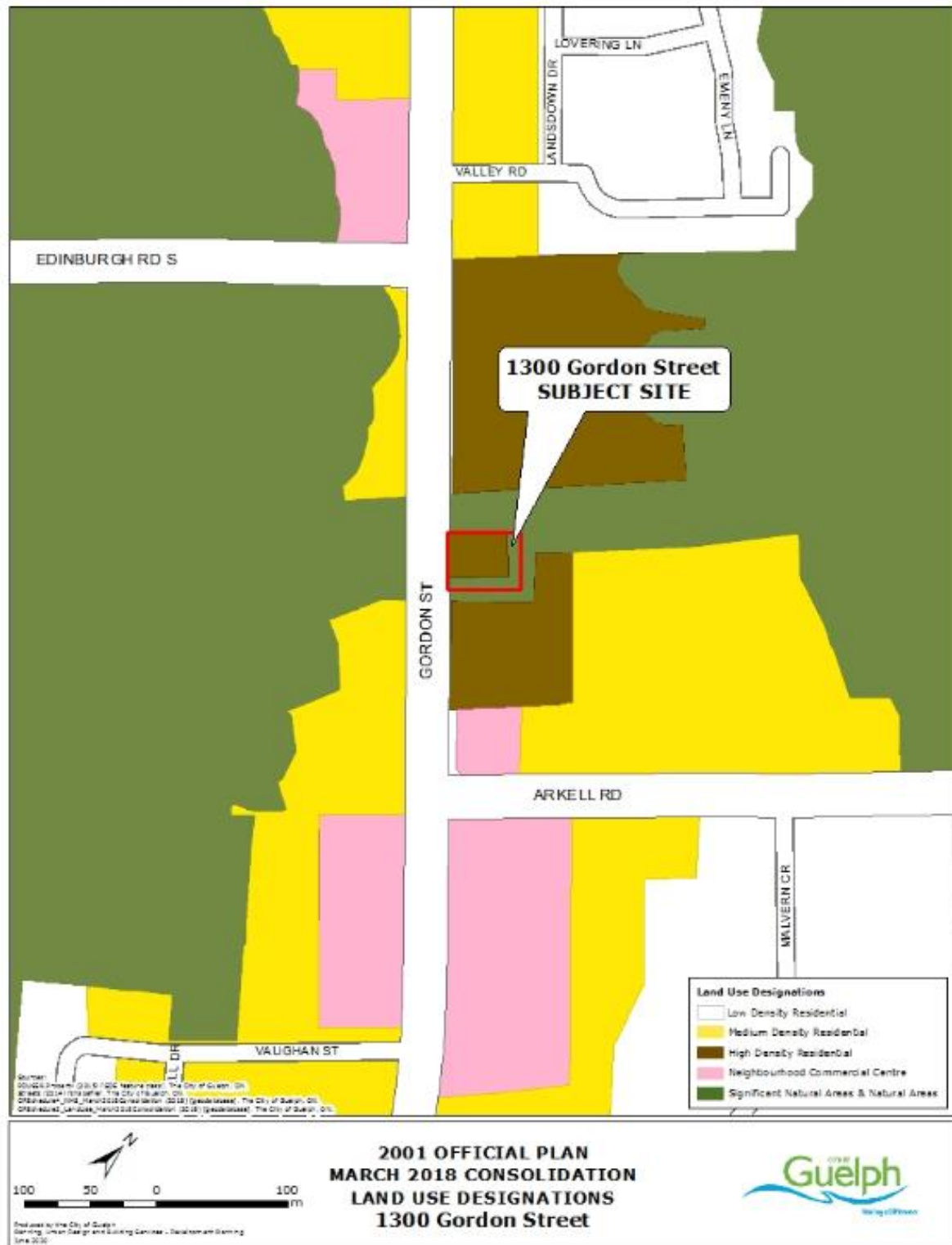
### **O.P.A. #73**

The purpose of Official Plan Amendment #73 is to redesignate a portion of the property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph to the High Density Residential designation, while keeping the Significant Natural Areas designation along the southerly and easterly sides of the property to permit a six storey residential apartment development containing 32 units together with the ecological corridor located in part on the site.

## Attachment-2 continued

### Recommended Official Plan Amendment #73

#### 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-23 (High Density Apartment) Zone**

##### **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 Height**

Notwithstanding Table 5.4.2. Row 10, the maximum building height shall be 6 storeys, and in accordance with Sections 4.16 and 4.18.

##### **Minimum Rear Yard**

Notwithstanding Table 5.4.2. Row 9, the minimum rear yard shall be 10 metres and can include the P.1 zoned portions of the lot.

##### **Minimum Side Yard**

Notwithstanding Table 5.4.2, Row 8, the minimum side yard on the south side of the building shall be 10 metres and can include the P.1 zoned portions of the lot.

Notwithstanding Table 5.4.2. Row 8, the minimum side yard setback on the north side of the building shall be 1.5 metres for the first storey and a minimum of 6.0 metres for every storey above the first storey.

##### **Maximum Floor Space Index**

Notwithstanding Table 5.4.2. Row 18, the maximum Floor Space Index shall be 2.0 and can include the P.1 zoned portions of the lot.

##### **Minimum Common Amenity Area**

Notwithstanding Table 5.4.2. Row 12 and Section 5.4.2.4, the minimum common amenity area shall be 640 square metres.

##### **Maximum Density**

Notwithstanding Table 5.4.2, Row 5, the maximum density for the site can include the P.1 zoned portions of the lot.

##### **Minimum Landscaped Open Space**

Notwithstanding Table 5.4.2. Row 13, the minimum landscaped open space can include the P.1 zoned portions of the lot.

##### **Parking**

Notwithstanding Section 4.13:

Required parking for residential apartment units are permitted within an Automated Parking System, and parking spaces within an Automated Parking System are exempt from the standard minimum parking space size in a garage.

A minimum of 5 visitor parking spaces shall be permitted.

Visitor parking spaces shall be permitted above grade and enclosed, at a minimum size of 2.75 x 5.5.

### **P.1 (Conservation Land) 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. 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.

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 agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands for drainage and servicing.
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.
20. 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.
21. 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."
22. 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.
23. 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.
24. 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.
25. 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.
26. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
27. The Owner agrees to maintain a log for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and



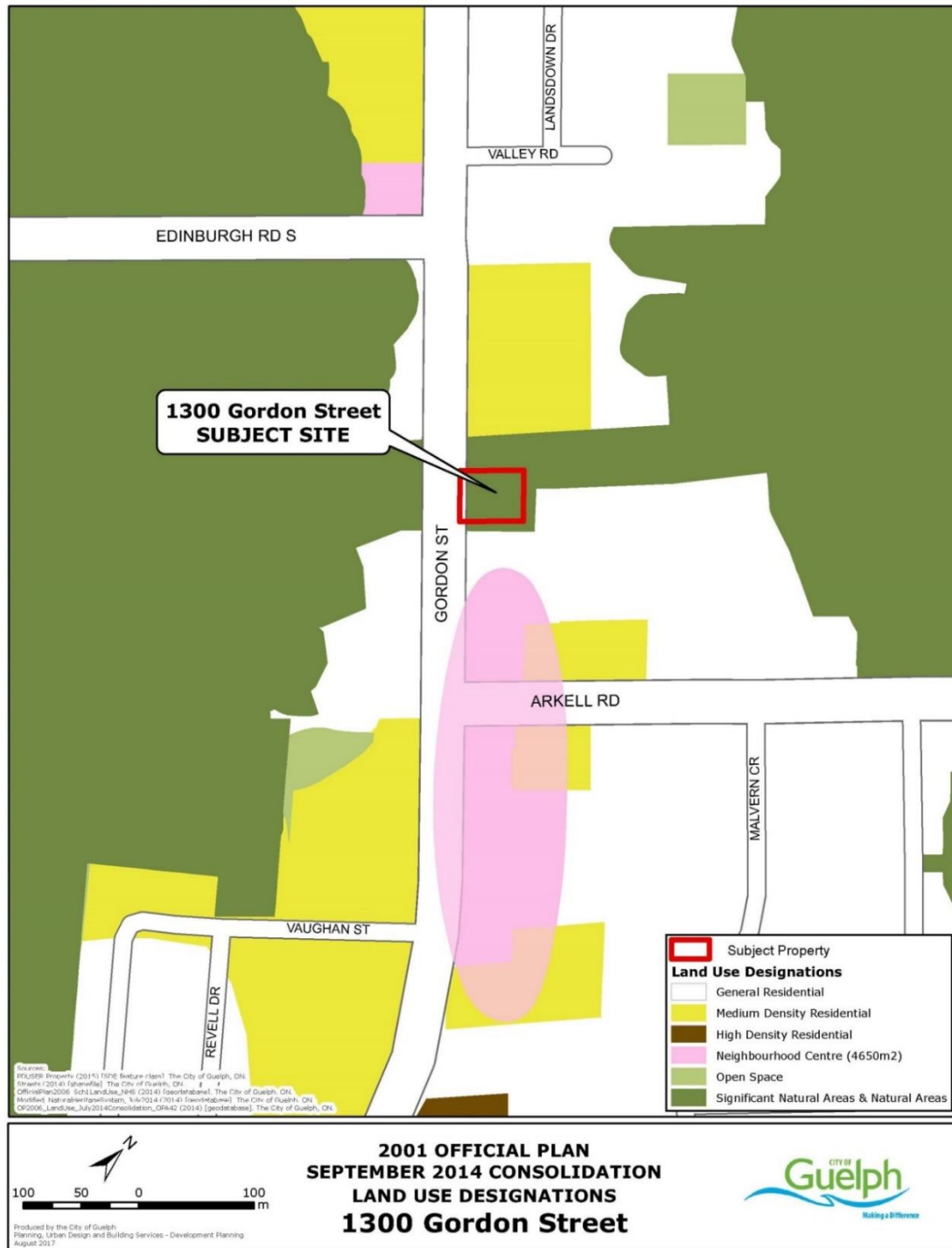
infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement and condominium declaration.

28. 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.
29. 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.
30. The Owner shall submit an Environmental Implementation Report (EIR) based on an approved Terms of Reference that provides details to inform site design related to the mitigation of impacts to the Natural Heritage System as recommended in the EIS and addenda prepared for the proposal, to the satisfaction of the General Manager of Planning and Building Services. Items to be provided in the EIR include but are not limited to window design that minimizes maintenance access needs in the Ecological Linkage and mitigates bird strikes, bioswale ditch inlet design that considers and avoids potential impacts to deer, updated Tree Preservation Plan based on refined grading plan, and updated landscape plans.
31. The Owner shall pay money in lieu of conveyance of parkland for the entire development, under City of Guelph By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof, prior to issuance of any building permits.
32. Prior to Site Plan approval, 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 payment of money in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate. Notwithstanding the foregoing, if the 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 appraisal for the purposes of calculating the payment of cash-in-lieu of parkland dedication.
33. The Owner 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. The Owner and Upper Grand District School Board shall reach an agreement regarding the supply and erection of a sign (at the Owner's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents of schools in the area.
35. The Owner shall agree to advise all purchasers of residential units and/or renters of same, by inserting the following clause into all offers of purchase and sale/lease:
36. "In order to limit liability, public school buses operated by 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 pick-up point."
37. The Owner shall pay all Development Charges prior to the issuance of any building permits.

## Attachment-4 Official Plan Designation and Policies

### Official Plan Land Use Designations at the time of application (Sept 2014 Consolidation)



## Attachment-4 continued

### Related Policies in the Previous Official Plan (2014 Consolidation)

- 7.2.6 The conversion of a residential building and the *conversion* or *redevelopment* of existing non-residential buildings for *multiple unit housing* will be encouraged, where appropriate. Where the proposed *conversion* or *redevelopment* is of a building previously used for industrial, or other use having the potential to have resulted in environmental contamination, the provisions of subsection 5.6 will also apply to the building as well as the property. Such *conversions* or *redevelopment* shall require an amendment to the Zoning By-law and satisfy the criteria outlined in policy 7.2.7.
- 7.2.7 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit housing*:
- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
  - b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
  - c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
  - d) That adequate municipal *infrastructure*, services and amenity areas for the residents can be provided.
- 7.2.8 The development criteria of policy 7.2.7 will be used to assess the merits of a rezoning application to permit new multiple unit residential buildings on sites that are presently not zoned to permit these particular housing forms.

### **Current Official Plan Policies (March 2018 Consolidation)**

#### **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**

### **Current Official Plan Policies (March 2018 Consolidation)**

#### **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:
  - i) multiple unit residential buildings generally in the form of apartments.

##### **Height and Density**

1. The minimum height is three (3) storeys and the maximum height is ten (10) storeys.
2. The maximum net density is 150 units per hectare and not less than a minimum net density of 100 units per hectare.
3. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

##### **Significant Natural Areas**

#### **4.1.3.9 Significant Wildlife Habitat (including Ecological Linkages)**

Significant Wildlife Habitat captures a range of ecologically important habitats that contribute to the quality and diversity of the Natural Heritage System. Ecological Linkages are a component of Significant Wildlife Habitat and are intended to facilitate the movement of flora and fauna between Significant Natural Areas and/or protected Habitat of Significant Species.

Ecological Linkages are designated on Schedule 2 and are identified on Schedule 4 separately from other components of Significant Wildlife Habitat. Ecological Linkages are 100 metres in width except where existing narrower linkages have been approved or identified on Schedule 4. Schedule 4E illustrates all confirmed Significant Wildlife Habitat (excluding Ecological Linkages) based on existing information. Objectives a) To protect and enhance ecologically important habitats that occur within the city. b) To recognize, protect and enhance ecological linkages between and among Significant Natural Areas and/or protected Habitat for Significant Species.

### **2. Ecological linkages**

#### **Policies**

3. Development and site alteration shall not be permitted within Significant Wildlife Habitat (including Ecological Linkages) or the established buffers, where applicable, except for uses permitted by the General Permitted Uses of Section 4.1.2.

## **Attachment-4 continued**

### **Current Official Plan Policies (March 2018 Consolidation)**

4. Development and site alteration may be permitted on adjacent lands to Significant Wildlife Habitat (including Ecological Linkages) where it has been demonstrated through an EIS or EA to the satisfaction of the City, and GRCA where applicable, that there will be no negative impacts to Significant Wildlife Habitat or its ecological functions.

5. In addition to the General Permitted Uses of Section 4.1.2, the following additional uses may be permitted within Significant Wildlife Habitat (including Ecological Linkages) and its established buffers, subject to the requirements of 4.1.2.7 and 4.1.2.8, where it has been demonstrated through an EIS or EA, to the satisfaction of the City, in consultation with the GRCA and/or MNR where appropriate, with consideration for the MNR's technical guidance that there will be no negative impacts to the Significant Wildlife Habitat or to its ecological functions:

- i) Essential linear infrastructure and their normal maintenance;
- ii) flood and erosion control facilities and their normal maintenance; and
- iii) water supply wells, underground water supply storage and associated small scale structures (e.g. pumping facility).

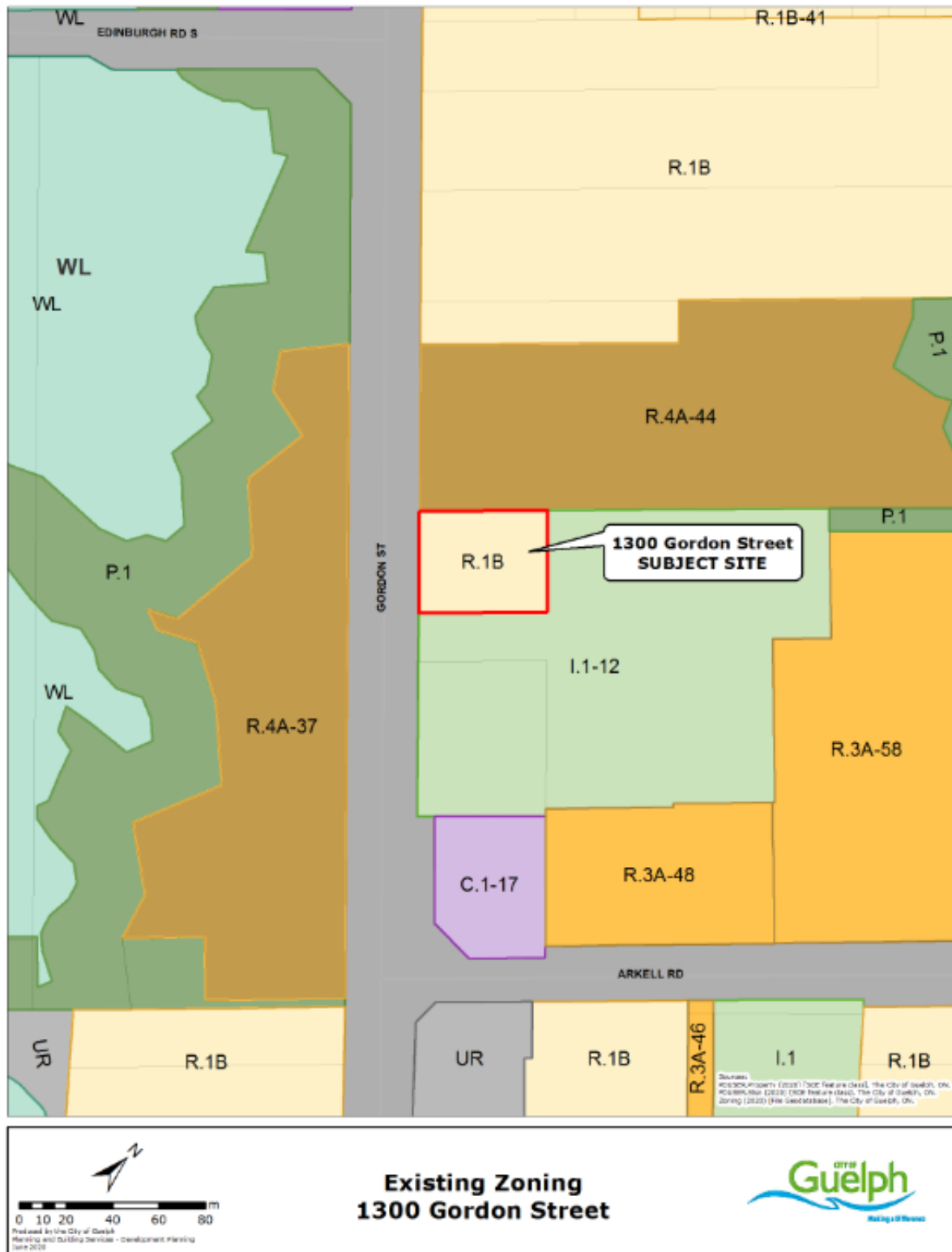
## **Attachment-4 continued**



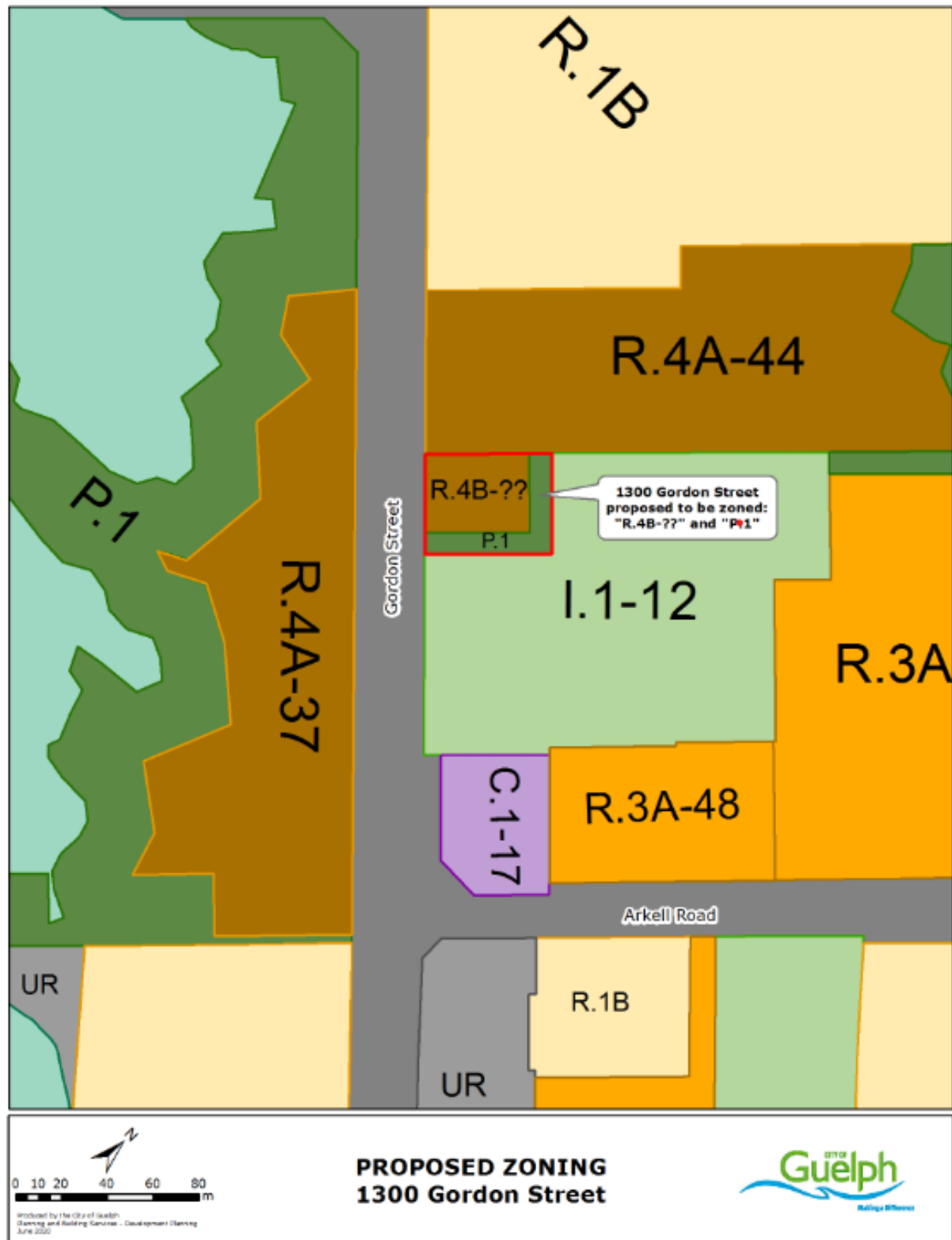
## **Attachment-4 continued**

## **Attachment-4 continued**

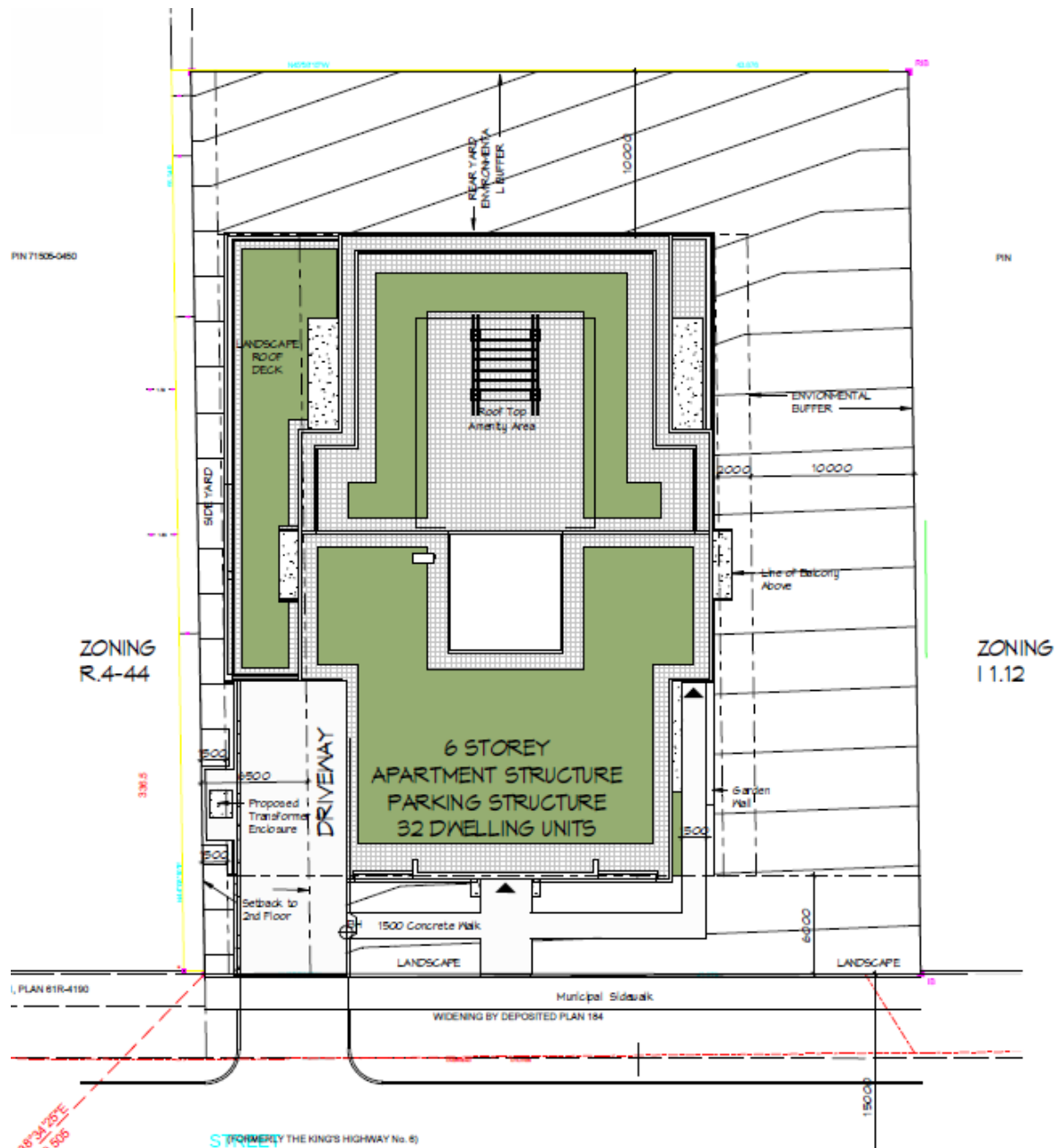
## Attachment-5 Existing Zoning



## Attachment-6 Proposed Zoning



## Attachment-7 Proposed Site Concept Plan



## Attachment-8 Proposed Building Elevations and Section

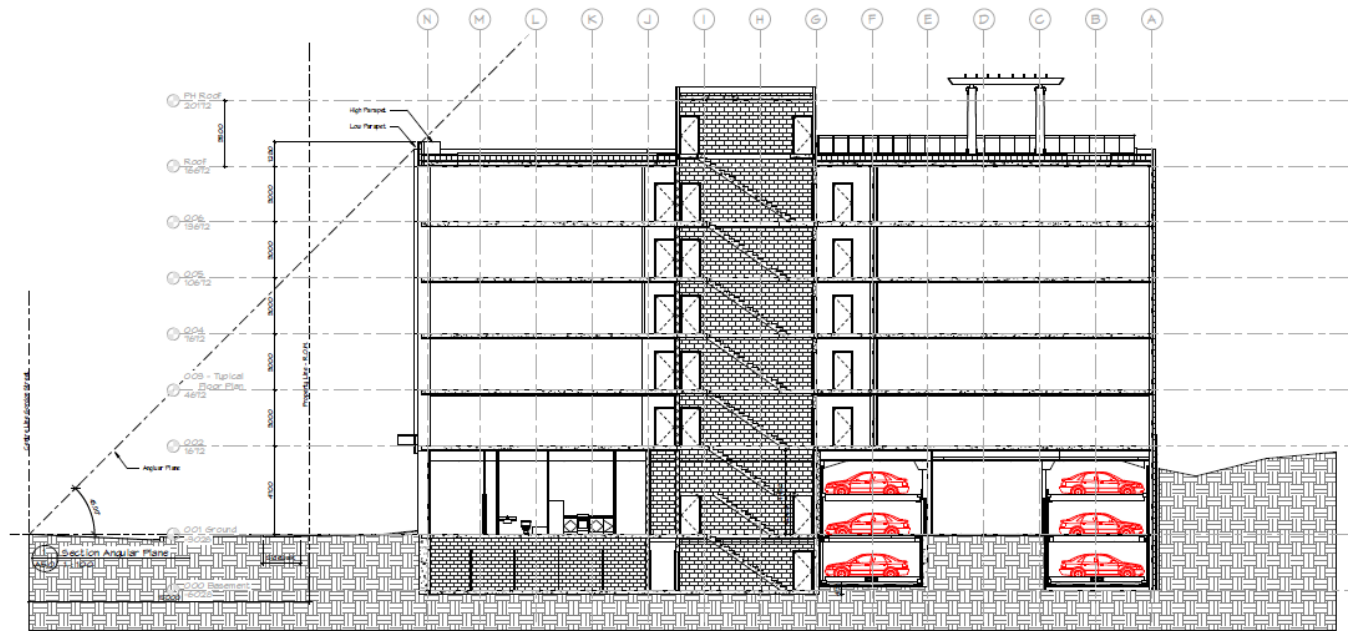
### Proposed Building Elevation from Gordon Street



### Proposed Elevation from South of the Site:



**Attachment 8 continued**  
**Proposed Building Section**



## **Attachment-9 Planning Analysis**

### **Provincial Policy Statement, 2020**

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

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

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, and also by accommodating an appropriate affordable and market-based range and mix of residential types [1.1.1 a), b)]. Furthermore, promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1 e); and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. Also noted are promoting development and land use patterns that conserve biodiversity [1.1.1 h].

Section 1.1.3 (Settlement Areas) further states that "It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures." This sections also adds policies specific to supporting active transportation (1.1.3e) and transit-supportive, where transit is planned, exists or may be developed (1.1.f). Section 1.1.3.4 states that "Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."

Section 1.4 focuses on housing development, new housing is to be directed to locations where appropriate levels of infrastructure and public services are and will be available to support anticipated needs [1.4.3 c)].

The proposal to permit the proposed high density residential development on the subject lands is consistent with the policies of the PPS. The proposed development represents a compact form of development within the City's settlement area that will allow the efficient use of land, infrastructure and public service facilities and be



at a transit supportive density where transit, infrastructure and other services are already readily available. The proposed high density residential development provides additional alternative to the surrounding mix of residential uses in the area and is within easy walking distance to neighbourhood commercial plazas to both the north and south of the site along Gordon Street. The proposal contributes to achieving an appropriate range of housing types and densities to help the City of Guelph meet projected requirements for current and future residents. The site maintains and enhances an existing ecological corridor meant for wildlife which aids in biodiversity conservation.

Natural heritage features, which are contained within the City's Natural Heritage System (NHS) in Schedule 4 of the Official Plan are to be protected for the long term [2.1.1]. This includes maintaining, restoring or improving the ecological function of the NHS and recognizing any linkages between and among surface water and ground water features [2.1.2]. Through the Environmental Impact Study, the applicant has worked with Environmental Planning staff to ensure that the ecological corridor that goes through the south and easterly sides of the property is restored and enhanced. Staff are satisfied that there will be no negative impact on the City's NHS.

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 Zoning By-law Amendment is consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined later in this analysis.

### **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 broader policy direction on matters of provincial interest, the Growth Plan provides more focused 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.

Sections 2.2.1 and 2.2.2 of the Growth Plan identify how population growth to the horizon year of 2041 will be accommodated within the 'Delineated Built-up Areas' of the City. The subject lands are located within the Delineated Built-up Area. These sections contain policies related to intensification, the creation of complete communities and efficient use of infrastructure and public service facilities.

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

- Directing redevelopment and intensification to lands within the existing delineated built-up area of the City;
- Focusing growth within a strategic growth area in the City (i.e. the Gordon Street Intensification Corridor), including identifying the appropriate type and scale of development to occur;
- Promoting redevelopment that supports active and public transportation options;
- Adding new housing units to the neighbourhood that contributes to enhancing and broadening the mix of housing types and options available;

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

The subject lands are also within the City of Guelph settlement area and located within the City's "Built-Up Area" where a minimum of 40% of new growth should occur.

Overall, the development proposal represents a more compact and efficient form of development that will be served by adequate infrastructure and public service facilities in the immediate built-up neighbourhood. The development will contribute to the overall intensification of the City's built-up area to meet the minimum requirement, increasing the density on the subject lands from the existing 1 unit to 32 units total, at a density of 132 units per hectare.

Based on the above summary of policies, Planning staff are of the opinion that the proposed Official Plan and Zoning By-law Amendments are consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

### **Official Plan Conformity**

As noted in the covering report, this application was submitted in 2017, when the previous Official Plan (September 2014 Consolidation of the 2001 Official Plan) was in effect, so it is the version that applies to the review of these applications. Staff must also have regard for the current Official Plan, which came into full force and effect in October of 2017. Both sets of policies are considered below.

### **Proposed Official Plan Amendment**

The site is designated "Significant Natural Areas & Natural Areas in the September 2014 Consolidation of the Official Plan as well as the current version of the Official Plan (March 2018 Consolidation). The Significant Natural Areas designation was placed on the site to recognize the need for an ecological linkage that was planned to be 10 metres wide along the south and easterly property lines, mirroring the existing 10-metre-wide ecological linkage on neighbouring properties to create a 20-metre-wide linkage in total, meant for wildlife movement. The rest of the site not within the ecological corridor was expected to redevelop for residential purposes, similar to the existing apartment site adjacent to the north.

Currently the site consists of a single detached dwelling, with an existing driveway and shed in the area where the ecological linkage is proposed. The applicant's proposal to move the site entrance to the northwest corner of the site, and remove the shed and restore and enhance the ecological linkage on the site will create a portion of the ecological linkage that does not exist yet. An Environmental Impact Study was completed that identifies appropriate measures for the restoration of this area and Environmental Planning staff have recommended that at the time of application for Site Plan Approval, the applicant complete an Environmental Implementation Report (EIR) (Condition #30) that provides further detail regarding the restoration of the ecological linkage and ensures that the development and function of the building does not impact the linkage. The ecological corridor will function for wildlife movement and future residents of the site would overlook the corridor but not be permitted to access it. All amenity space has been directed to a large rooftop patio and interior amenity space.

The remainder of the site was originally proposed to be redesignated to Medium Density Residential, with a site specific policy to allow a density of 132 units per hectare, which is above the 20 to 100 units per hectare range permitted in the Medium Density Designation. Given the higher density, the applicant agreed that the application is more suited to the High Density Designation, which permits a range of 100 to 150 units per hectare.

### **Previous Official Plan (September 2014 Consolidation)**

The proposed applications conform to several major goals of the Official Plan, including:

- Assists in promoting a compact development pattern to avoid sprawl;
- Facilitates development in an area where municipal services are readily available;
- Provides for urban growth in a manner that ensures the efficient use of public expenditures without excessive financial strain upon the City;
- Facilitates development in an established area of the City that is done in a manner that is sympathetic and compatible with the built form of existing land uses;

- Assists in providing for an adequate supply and range of housing types and supporting amenities to satisfy the needs of all residents; and
- Assists in enhancing an efficient and attractive urban landscape that reinforces and enhances Guelph's sense of place and image while acknowledging innovative design opportunities.

The proposed development also meets several of the objectives of the Official Plan, including:

- Assisting in building a compact, vibrant and complete community;
- Assisting in accommodating projected growth within the settlement area boundary, and more specifically, within the built-up area where capacity exists to accommodate growth as part of an intensification corridor;
- Providing additional residential land uses and a range of mix of housing types;
- Development that will support transit, walking and cycling for everyday activities.

The (September 2014 Consolidation) Official Plan requires that new multiple unit residential building development proposals be evaluated with the following criteria:

- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;

This criterion is satisfied because the site is surrounded by similarly designated lands along Gordon Street and similar existing uses. Lands to the north of the site along Gordon Street are already high density residential and contain two large four storey apartment buildings. Across Gordon Street to the west is an existing six storey apartment building. The existing Salvation Army Citadel to the south and east of the site is also designated as High Density Residential. The applicant also modified the proposed zoning to move the building back from the original 4.5 metre setback from the street to 6 metres to better match the existing setback of the building to the north.

- b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;

Gordon Street is an intensification corridor and has several neighbourhood scale shopping facilities and services within walking distance of the site. Gordon Street also has frequent transit service to access larger commercial centres and the rest of the City. Two public parks are within a 10 minute walk, Lewis Farm Park and Pine Ridge Park. There are also local public and Catholic elementary schools located nearby off Rickson Avenue and Colonial Drive. A public trail is also proposed along the wetland to the east of the site, that would start at Arkell Road and run north along the edge of the wetland buffer.

- c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in

addition, vehicular circulation, access and parking facilities can be adequately provided; and

A Traffic Impact Study was completed and Transportation staff agreed with its findings that traffic from the site can be accommodated. Once entrance to the site is proposed that leads into the building where parking for visitors is provided. Given the length of time it has taken to complete the review of this application, staff requested an updated Traffic Impact Study this year to ensure that recent data was used and traffic can still be accommodated.

Concern about adequate parking was raised by the neighbouring Salvation Army Citadel and the applicant revised their plans in response and added three parking spaces, going from the original 46 spaces to 49, to create 5 visitor parking spaces on site. The rest of the parking on site is provided under the building as well, using an automated parking system. Staff are satisfied that traffic and parking have been adequately addressed.

- d) That adequate municipal *infrastructure*, services and amenity areas for the residents can be provided.

Engineering staff have reviewed the proposal and determined that there is adequate infrastructure to service the site appropriately. Apart from the services and amenities available in the surrounding area noted above in item b), the site itself proposed to have both indoor amenity area and a large rooftop amenity area for the residents.

Overall the proposal meets the policies of the September 2014 Consolidation of the Official Plan. The site is within the built-up area of the City along an identified intensification corridor and an opportunity for intensification with a compact urban form.

### **Current Official Plan (March 2018 Consolidation)**

The proposed Official Plan and Zoning By-law Amendments conform to the strategic goals of the current Official Plan (March 2018 Consolidation) 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)]; and

- Encouraging intensification and redevelopment of existing urban areas that is compatible with the existing built form [2.2.6 d)].

### **Complete Communities and Intensification**

One of the key goals of the Official Plan is planning for a complete community. This includes ensuring that people's needs for daily living throughout an entire lifetime are met by providing convenient access to a mix of jobs, local services, public transportation and a full range of housing types. All projected population growth to the year 2031 is to be accommodated within the City's current settlement area boundaries and is to be achieved through promoting a compact built form. Specifically, 40% of annual residential development is to be directed to the City's built-up areas through intensification, with higher densities planned along the identified intensification corridors such as Gordon Street [3.3.2, 3.7.1, 3.7.3]. Vacant and underutilized lots are to be revitalized through redevelopment. Intensification areas, such as along Gordon Street will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas. The subject site is well suited to contributing to the creation of a complete community, intensifying a site in a built-up area that has good access to transit and neighbourhood services.

### **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)].

New residential developments are to be designed to be integrated and connected to surrounding neighbourhoods [8.2.2]. Development shall also contribute to creating a pedestrian oriented streetscape through locating buildings adjacent to the street edge with placing principal building entrances towards the street and corner intersections [8.2.11]. New buildings are to directly address the street [8.6.1].

Section 8.8 of the Official Plan contains policies that apply to mid-rise buildings which include apartment buildings up to six stories. Mid-rise buildings are to be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties. Servicing and off-street parking is to be screened from public view, in most cases, locating parking underground or to the rear and side of buildings. Buildings that are taller than four stories can restrict the length of the building through the Zoning By-law.

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 as part of their complete application. Planning and Urban Design staff reviewed the proposed six storey apartment building and are supportive of the approach to the overall design of the site as outlined in the urban design brief. Staff acknowledge and support the changes made by the applicant since the initial submission and the improvements and refinements made to the design, including moving the building back slightly to ensure it had a 6 metre front yard setback in line with the neighbouring property to the north, ensuring the proposed building met the 45 degree angular plane from the street and moving the common amenity area to the rooftop.

### **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. 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;
- 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.

Section 9.3.1.1 of the Official Plan identifies eleven criteria that must be used to assess multi-unit residential development proposals as well as for intensification proposals within existing neighbourhoods. The eleven criteria are to be applied in addition to the applicable urban design policies of the Official Plan noted previously.

#### **1. Compatibility of the development's form and scale**

The proposed apartment building is six (6) stories tall, which is in keeping with the adjacent apartment building to the north at 4 storeys in height and across Gordon Street to the west is also a six storey high apartment building. Adjacent to the south and east is the Salvation Army Citadel property, which is currently a religious establishment but designated "High Density Residential".

## 2. Compatibility of residential lot infill

The proposed development will not be creating new lots through infill. The site is one remaining single-detached lot being intensified with the proposed apartment building. As such, it will be more compatible with adjacent uses and more appropriate on Gordon Street which is an intensification corridor.

## 3. Proximity to local retail, schools, parks and recreation facilities and transit

Gordon Street is an intensification corridor and has several neighbourhood scale shopping facilities and services within walking distance of the site. Gordon Street also has frequent transit service to access larger commercial centres and the rest of the City. Two public parks are within a 10 minute walk, Lewis Farm Park and Pine Ridge Park. There are also local public and Catholic elementary schools located nearby off Rickson Avenue and Colonial Drive. A public trail is also proposed along the wetland to the east of the site, that would start at Arkell Road and run north along the edge of the wetland buffer

## 4. Traffic impacts

Engineering and Transportation Services staff have reviewed the application and have no concerns with the proposed development and conclude that the adjacent roads and intersections can accommodate the additional traffic that will be generated by the proposed development. Detailed comments from Engineering and Transportation Services staff are provided in Attachment 11.

## 5. Vehicular access and circulation

Staff are satisfied with the proposed entrance location to the site along Gordon Street on the north end of the property. The site is small and provides ground level parking on the interior of the building for visitors and underground parking using an automated parking system for residents. The proposed site layout is shown in Attachment 7 and a building cross-section showing the parking arrangement is shown in Attachment 8.

## 6. Adequate infrastructure, servicing and amenities

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

In terms of on-site amenities, interior common amenity and rooftop amenities areas are proposed. Each unit will also have a private balcony amenity area, and the site is within walking distance to municipal parks, recreation and commercial activities.

## 7. Parking

For an apartment building with 32 dwelling units, the Zoning By-law requires 45 off-street parking spaces, with 20% of these spaces being reserved and marked for visitor parking (9). The applicant is currently proposing to provide a total of 49 off-



street parking spaces, with five spaces reserved for visitors. The parking area will be accessed from a singular driveway off Gordon Street.

#### 8. Street grid network

New multi-residential and intensification development is to reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclists and vehicular traffic. The proposed development is of limited scale and will not be adding or altering any public roadways.

#### 9. Impacts to adjacent properties

Through preliminary plans for grading and servicing for the site, all services and most drainage will be contained on the subject lands and not affect or extend onto adjacent properties. Grading will also be matched at the property lines.

#### 10. Public safety, views and accessibility

The proposed development will address public safety and accessibility by having direct pedestrian connections and clearly defined entrances to Gordon Street. There are no identified public views that will be impacted or obstructed by the building.

#### 11. Cultural heritage

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

### **Municipal Services and Infrastructure**

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 property owner will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services, where necessary. Staff note that a concern was raised by the neighbouring property about grading and drainage impacts, though all grading is proposed to meet existing grades on neighbouring properties and no drainage from the site is permitted onto neighbouring properties.

### **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 applicant has indicated to Planning staff that they will be including a number of energy efficiency measures within the apartment building, consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the

applicant will contribute to the City meeting its goal to become a net zero community by 2050. The applicant has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment 10.

Staff are recommending a condition to be implemented at site plan control that the applicant shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the CEI (see condition in Attachment 3). Specifically, the applicant will need to demonstrate how they will contribute to CEI Action 1, being to incrementally increase the number of net zero homes to 100% by 2031.

### **Review of the Proposed Zoning**

The original Zoning By-law Amendment application received by the City in requested a change the zoning to a specialized R.4A-? (Specialized General Apartment) Zone to permit a six storey, 32-unit apartment building. Specialized regulations were requested for relief from regulations related to maximum density, minimum front yard, rear yard and side yard setbacks, visitor parking, and maximum Floor Space Index.

The applicant worked with staff and made several minor modifications to their Zoning By-law Amendment application to address concerns and to further refine the proposed development. Given the density of the site, staff recommend a specialized R.4B-23 (Specialized High Density Apartment Zone) which would match the proposed Official Plan Land Use Designation and accommodate the proposed density. Staff also recommended adding a P.1 (Conservation Lands) Zone to the portion of the site that is an ecological corridor and additional specialized zoning regulations for the R.4B Zone and modified wording to better ensure the development is built as proposed.

### **Specialized Regulations**

In addition to the standard provisions for lands zoned R.4B, the following site-specific provisions are proposed:

1. To limit the height of the building to six storeys, though the standard zoning category would permit 10 storeys.

Staff recommend the High Density Apartment Zone, but recommend adding a regulation to limit the height to six storeys, so it is in keeping with the height and scale of neighbouring properties.

2. To permit a minimum rear yard of 10 metres where 11.1 metres would be required and permit the P.1 zoned portions of the property to be included in the rear yard.

Staff support the reduction of the rear yard setback and recognize the need to include the P.1 zoned portions of the site that function as ecological corridor as the required rear yard. By rezoning the ecological linkage to the

P.1 (Conservation Lands) Zone, the lands are better protected, and the site will function well without additional rear yard lands because the majority of common amenity area is located on the building rooftop.

3. To require the minimum side yard to be 10 metres on the south side of the building, where 8.5 metres would be required, to take into the account the width of the P.1 Zone. And to permit the minimum side yard on the north side of the building to be 1.5 metres wide for the first storey, then 6 metres for the remainder of the building above the first storey

Staff recommend a wider setback of 10 metres from the south side yard to account for the ecological corridor and similar to the rear yard regulations above, to count the corridor's P.1 zone within this regulation, to ensure the appropriate setback.

To allow the vehicular access to function well for the site on the ground floor, staff support zoning relief for the north side yard, though requires the rest of the building to be stepped back further to six metres, to create appropriate setbacks between the upper floors of the building and the adjacent property to the north.

4. To permit the maximum Floor Space Index to be 2.0 where the standard regulation would require 1.5.

This regulation refers to the ratio of building coverage to site area and because the site is small with reduced setbacks, the coverage is higher than the standard, but still reasonable. Staff have no concern with the higher Floor Space Index regulation request.

5. To permit the minimum common amenity area to be 640 square metres where 840 square metres are required.

The applicant worked with staff to provide additional Common Amenity Area on the rooftop and as well as within the building. The reduction in amenity area is acceptable to staff given the quality of amenity area proposed.

6. To permit the maximum density to include the P.1 zoned portions of the property.

The density of the site is 132 units per hectare, including the portion of the site that is proposed to become ecological corridor. Staff have added this regulation to reflect the corridor, while have a different zone, can still be calculated in the density. Adjacent properties to the north and south also have a portion of the same ecological corridor on them, without the P.1 zone reflected, so this site would be treated the same as those sites when measuring for zoning compliance.

7. To permit the minimum Landscaped Open Space to include the P.1 zoned portions of the site.

Similar to the specialized density regulation above, staff also recommend allowing Landscaped Open Space to include the P.1 zoned portions of the site, as it would be treated the same as neighbouring properties that also contain a portion of the ecological corridor when measuring for zoning compliance.

8. To permit an Automated Parking System for required residential parking, exempt from the standard minimum parking space size of 3 x 6 metres, together with a minimum of 5 visitor parking spaces where 9 are required, and to allow the visitor parking spaces to be enclosed within the building and a minimize parking space size of 2.75 x 5.5 metres.

Staff recommend that the Automated Parking System be specifically permitted to avoid any concern related to parking regulation compliance for the residential dwelling units. It is exempt from the standard garage parking space size requirement of 3 x 6 metres in order to provide flexibility in the type of system used.

Regarding visitor parking, the applicant originally proposed two visitor parking spaces, but based on concerns raised, the applicant redesigned the site to accommodate five visitor spaces. Staff are supportive of the proposed regulation because the applicant has proposed more overall parking spaces than are required. A recent parking use study completed for the Comprehensive Zoning By-law Review surveyed similar sites and recommended a ratio of 1 space per unit plus .1 spaces for visitors in intensification areas such as this one. In that scenario, only four visitor spaces would be required. This site is located on a well-served transit route and in walking distance to many services and amenities. For these reasons, staff are satisfied with the proposed visitor parking ratio.

Staff also note that the specialized regulations are required to permit the visitor parking to be enclosed within the building and to permit the parking spaces to be 2.75 x 5.5 metres in size where enclosed spaces are required to be 3x6 metres in size in the standard regulations. Staff have no objection to these regulations being amended for the site and are satisfied that the site functions well with them.

Staff have reviewed the proposed zoning and are satisfied that the R.4B-23 (Specialized High Density Apartment) Zone is appropriate to implement the proposed development. In Planning staff's opinion, the specialized regulations are minor, will ensure the best placement of the apartment building on the subject lands, and are overall supportable for the proposed development of this site.

### **Comments Received on the Original and Revised Applications**

The Statutory Public Meeting for the proposed Official Plan and Zoning By-law Amendment was held on October 10, 2017. Questions and issues raised by the public were related to visitor parking, density, drainage and grading, traffic, the

ecological linkage function and building height, which are addressed above. Also raised were questions around waste management, snow storage and removal, rooftop mechanicals, noise and light which are addressed below.

### **Rooftop Mechanicals**

A concern was raised regarding the view of the rooftop mechanicals. Originally, the rooftop was unused and all common amenity space was proposed within the ecological corridor, which did not allow the corridor to function well. Following the public meeting, the applicant revised the site layout and moved the amenity space to the rooftop, creating rooftop patio space. Locating amenity on the roof means that parapet walls will be needed, which help to limit the view of rooftop mechanicals. Also, located beside amenity area, the rooftop mechanicals will be screened to fit into the amenity space. The detailed design of this area will be reviewed through the site plan approval process.

### **Noise**

The applicant will be required to complete a detailed noise study as part of their site plan application that will address the building's adjacency to Gordon Street and noise generated by other sources on the apartment building, such as rooftop equipment.

### **Lighting**

As part of site plan approval, the applicant will also be required to provide a detailed photometric plan, prepared by a Professional Engineer. The photometric plan will be required to demonstrate that there will be no light trespass onto adjacent private properties from exterior lighting fixtures. On the photometric plan, the applicant will be required to demonstrate that there are negligible foot-candle lighting measurements along all private property lines and include details on the types and locations of exterior light fixtures proposed.

### **Snow Storage and Removal**

The original site plan had a longer drive to setback entrance to the garage and shorter setback to the front of the building, raising concerns about snow storage. Revisions to the site plan move the front of the building back to the standard six metres and brought the garage entrance to front face of the building, limiting the amount of exterior drive aisles. Given these improvements to the site design, there is adequate space for snow storage, the details of snow removal and storage will be determined through the site plan approval process.

### **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. At this time, the applicant has proposed to use City street pick of three stream waste carts.

## Attachment-10 Community Energy Initiative Commitment

### CAROUSEL ESTATE HOMES INC.

June 22, 2017

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

Attention: Ms. Sylvia Kirkwood  
Manager of Development Community  
Design & Development Services

RE: 1300 Gordon Street, Guelph, Ontario  
Community Energy Initiative

Further to the City of Guelph's request, we are outlining how this zone change application will comply with the City of Guelph's Community Energy Initiative.

- A compact and well utilized site.
- A comprehensive erosion and sedimentations control plan throughout redevelopment of the site.
- Exterior light fixtures with refractor and cup-off shields to control light pollution, with energy efficient operations controlled by light sensors.
- Bicycle racks will be provided.
- The building will incorporate high efficiency wall construction with minimal exterior sound transmission.
- A construction waste management plan will be implemented for the demolition of the existing house and new construction.
- Provide natural light to regularly occupied spaces where possible.
- Drought resistant soft landscape material will be specified as much as possible.
- Controlled roof drains provided to control flow rate of storm water where feasible.
- Low flow faucets and low volume flush toilets (HET high efficiency toilets) where possible.
- High efficiency HVAC systems.
- Low E windows reduce heat gains and heat loss.
- High efficiency hot water tanks will be used.
- Perimeter day lighting to have separate controls where possible to conserve hydro (lights turn off automatically when natural lighting is sufficient).
- Collection of recyclables in compliances with City By-laws.
- High recycled content material to be specified wherever possible.
- The buildings provide natural light to 100% of regularly occupied spaces where possible.

Yours truly  
Carousel Estate Homes Inc.,  
Per:



Bert Tami  
BT:jm

## Attachment-11 Departmental and Agency Comments

<b>Respondent</b>	<b>No Objection or Comment</b>	<b>Conditional Support</b>	<b>Issues /Concerns</b>
Engineering*		√	Site Plan Approval Required; Subject to conditions in Attachment 3
Environmental Planning*	√		
Urban Design*		√	Site Plan Approval Required
Parks Planning*		√	Subject to conditions in Attachment 3; Cash-in-lieu of parkland dedication will be required
Guelph Hydro/Alectra	√		
Grand River Conservation Authority	√		
Upper Grand District School Board*		√	Subject to conditions in Attachment 3
Guelph Police Service	√		
Guelph Wellington Development Association	√		



# MEMO

FILE: 16.131.001

TO: Katie Nasswetter, Senior Development Planner  
FROM: Shopan Daniel, Engineering Technologist III  
DEPARTMENT: Engineering and Capital Infrastructure Services  
DATE: May 10, 2020  
SUBJECT: 1300 Gordon Street – Zoning By-law Amendment Application (ZC1707)

The purpose of the proposed Zoning By-law Amendment is to rezone the subject site from the current R.1B (Residential Single Detached) Zone to R.4A-2 (Residential Apartment) with special regulations to permit the development of a 6 storey residential building containing a total of 32 apartment units.

The subject property is approximately 0.242 hectares in size and lands are located on the east side of Gordon Street; between Arkell Road and Edinburgh Road South. Surrounding land uses include:

- To the north, is a (5) five-storey apartment building that is under construction;
- To the south of the site is the Salvation Army Guelph Citadel and Nursery School;
- To the east directly behind the subject site is the parking lot for the Salvation Army building;
- To the west, across Gordon Street is a 7 storey apartment building that is referred to as Solstice 1;
- To the west is a Natural Heritage System

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

- SITE PLAN (16 Units)- Astrid J. Clos Planning Consultant (July 10, 2017);
- Preliminary Site Servicing and Grading Plan- MTE Consultants Inc. (Revised June 19, 2017);
- Functional Servicing Report – MTE Consultants Inc. (Revised May, 2019);
- Traffic Impact Study - Paradigm Transportation Solutions Ltd. (June, 2019)
- Phase One & Two Environmental Site Assessment- V.A. Wood Inc. (December 2015) and
- Phase Two Environmental Site Assessment- V.A. Wood Inc. (February 10, 2016)
- Environmental Letter – V.A. Wood Inc.

## 1. Road Infrastructure:

The subject property is located northeast side of Gordon Street, approximately 200 metres south of Edinburgh Road and approximately 175 metres North of Arkell Road. Gordon Street abutting the subject property is a four-lane urban cross-section with concrete curb and gutter, sidewalks (on either side), and street lights. The road right-of-way width meets the ultimate width of 30.0 metres specified in the current Official Plan for this part of Gordon Street, therefore no road widening is required as part of this development.

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

# MEMO

## Traffic, Access, Parking and Transportation Demand Management:

The above-noted Traffic Impact Study has been reviewed and staffs have no further comments on the TIS. Staff are supportive of the TDM measures outlined in the submitted TIS, including unbundling parking and provision of education and travel planning information. EV-ready parking for residents is also encouraged.

## 2. Municipal Services:

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

- 200mm diameter sanitary sewer; approximately 3.7 m in depth;
- 750mm diameter storm sewer approximately 2.0 m in depth;
- 400mm diameter watermain approximately 2.2 m in depth.

## Servicing Capacities and Comments:

### Water Supply and Distribution System

Sufficient (and adequate) capacity is available in the City's existing water supply and distribution system, to service the proposed development. No water capacity constraints can be expected for most scenarios according to the City's InfoWater water model. However, there is potential for marginal water supply pressures in proposed development under certain conditions such as peak hour demand scenario at locations with an elevation greater than 345 m height above mean sea level (AMSL) and average day demand scenario at locations with an 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.

### Sanitary Sewer Wastewater Collection System

Staff confirm there is sufficient and adequate capacity available in the existing sanitary sewer adjacent to the site and downstream of the site. The existing system can accommodate the proposed development discharge of sanitary flows without causing surcharging.

## 3. Storm Water Management:

These SWM comments are based on the review of the provided Functional Service Report noted above. In section 4.4 of the report, it appears that the infiltration test was completed in February of 2018, the report does not speak to the testing methods. Further, as per the CVC guidelines, it is preferred that testing be completed in the spring months because conducting the test in winter months can provide false results due to the frozen ground and

Infrastructure, Development & Environmental  
Engineering  
Engineering and Capital Infrastructure Services

# MEMO

shallow groundwater. As such, the City requires 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. Please note that one of the following methods are to be used to determine the field saturated hydraulic conductivity ( $K_s$ ): Guelph Permeameter method (Constant head well permeameter method); and Constant head double-ring infiltrometer method. Please be advised, that grain size analysis is not permitted and the estimated hydraulic conductivity values cannot be used. The testing period should be during April and May.

Staff had a discussion with MTE about the above comment, and the testing will be completed prior to site plan approval. If test results do not support the proposed design then a new infiltration design will be required prior to site plan approval and this may impact the site layout.

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"

An updated copy of the stormwater management report shall be provided to the City prior to site plan approval, with a grading, erosion/sedimentation control and detailed servicing plan.

The stormwater management strategy will be further examined during the site plan application.

The cost of all the stormwater management works and quality controls will be the responsibility of the Owner.

#### 4. Environmental:

Based on VA Wood's response to our memo- issuance of reliance letter and updated Phase I ESA report; the environmental conditions for the site are fulfilled.

#### Recommendation:

Staff can support the application based on the review of the above noted plans and reports. The following conditions are provided as information to Council and will be imposed through site plan approval unless noted otherwise.

1. 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.

Infrastructure, Development & Environmental  
Engineering  
Engineering and Capital Infrastructure Services

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



# MEMO

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.
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.

Infrastructure, Development & Environmental  
Engineering  
Engineering and Capital Infrastructure Services

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

# MEMO

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 for drainage and servicing.
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.
20. 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

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

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

# MEMO

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.

21. 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."
22. 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.
23. 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.
24. 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.

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

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

# MEMO

- 
25. 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.
  26. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
  27. 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.
  28. 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.
  29. 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

---

Mary Angelo  
Manager, Infrastructure, Development & Environmental Engineering

Infrastructure, Development & Environmental  
Engineering  
Engineering and Capital Infrastructure Services

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



# Internal Memo



---

Date	December 16, 2019
To	<b>Katie Nasswetter, Senior Development Planner</b>
From	David de Groot, Senior Urban Designer
Service Area	Infrastructure, Development and Enterprise Services
Department	Planning Services
Subject	<b>1300 Gordon Street: Zoning By-law Amendment Application – Urban Design Comments</b>

---

Urban Design staff has reviewed the 1300 Gordon Street Urban Design Brief dated June 21, 2019. The applicant has revised the plan and submitted a revised Urban Design Brief based on previous comments. In addition, a revised building section was received November 5, 2019 confirming compliance with the angular plane requirement from Gordon Street. Only conceptual information was provided without supporting technical information like grading. Therefore, these comments are provided at a high level.

## Background

Urban Design policies from the Official Plan were reviewed. Although completed after the submission of this application (i.e. April 9, 2018), the City of Guelph has completed Urban Design Concept Plans for the Gordon Street Intensification Corridor. In addition, the City approved the Built Form Standards for Mid-rise Buildings and Townhouses on April 9, 2018. The comments below also reflect the review of these documents.

## Urban Design Comments

- Generally Urban Design staff is supportive of the approach to the design of the site as outlined in the Urban Design Brief (dated June 21, 2019).
- As part of the site plan process further detailed comments will be discussed including reviewing and finalization of building materials, landscaping materials and other site plan-level design elements. This includes:
  - Landscaping along Gordon Street including street trees.
  - Confirming the location and screening of the hydro transformer
  - Elevations and materials.
  - Lighting and fixtures.
  - Hardscape materials.
  - Type and location of bicycle parking.
  - Rooftop mechanical screening details.
  - Continuing to encourage Low Impact Development technologies that can be incorporated into the landscape and architecture.

Prepared by:  
**David de Groot**  
Senior Urban Designer  
519.822.1260 ext. 2358  
[David.deGroot@guelph.ca](mailto:David.deGroot@guelph.ca)



# INTERNAL MEMO



DATE September 23, 2019  
TO **Katie Nasswetter**  
FROM Jason Elliott, Environmental Planner  
DIVISION Infrastructure, Development and Enterprise  
DEPARTMENT Planning and Building Services  
SUBJECT **1300 Gordon Street - File #OP1704 & ZC1707**

---

## Proposal

The proposal is for an Official Plan Amendment to designate the lands High Density (currently Significant Natural Area) and a Zoning Bylaw Amendment to zone the property R.4A-? (currently R.1B) to support the development of a proposed 6-storey residential apartment building containing a total of 32 units.

## Material Reviewed

- Response to Environmental Planner Comments prepared by NRSI; dated June 18, 2019
- Tree Preservation Plan prepared by NRSI; dated April 2, 2019
- Functional Servicing and Stormwater Management Report prepared by MTE; dated May 23, 2019
- Drawing A4.2 (Axonometric Views) prepared by James Fryett Architect Inc.; dated June 21, 2019
- Drawing A1.0 (Site Plan) prepared by James Fryett Architect Inc.; dated June 21, 2019
- Landscape Drawings L1 and L2 prepared by MacKinnon & Associates; dated June 21, 2019

## Comments to Proponent

- Staff agree that the re-designed bioswale is compatible with the functionality of the Ecological Linkage and appreciates the efforts of the study team in this regard. As noted in the submission, proper maintenance over the long-term is needed to avoid the need for a full excavation and flushing of the system. As such, the maintenance regime outlined in the FSR/SWM report will form part of the future site plan agreement associated with the proposal.
- The EIS, EIS Addendum, and the latest response to comments contain recommendations for detailed design aimed to mitigate impacts to the Natural Heritage System. Additionally, staff have some outstanding comments on the latest submission. As such, an EIR should be prepared in support of detailed design that addresses the following:
  - window design that minimizes maintenance access needs in the Ecological Linkage and mitigates bird strikes;
  - bioswale ditch inlet design that considers and avoids potential impacts to deer;
  - updated TPP based on refined grading plan including determination on whether Tree #1325 can be retained and the development of a reporting process with the City, including the identification of additional compensation if

necessary, associated with the recommendation that a Certified Arborist be present on-site during any grading cuts within the TPZ encroachment areas (note that the on-site arborist and reporting process will form part of the future site plan agreement associated with the proposal);

- o updated landscape plans to address the following comments:
  - *A. canadensis* is considered non-native – replace with a native species in the Ecological Linkage
  - While *S. albus* var. *albus* is native to Ontario, *S. albus* var. *laevigatus* is a non-native, invasive species. As nurseries typically don't distinguish between the two varieties, the invasive species can be supplied. As such, it should be replaced on the plans.
  - To avoid manicuring of the Ecological Linkage, it is recommended that a native landscaping treatment (perennial bed, low shrubs, etc.) be provided between the sod/linkage interface near Gordon St.
  - To ensure proper implementation of the Ecological Linkage landscaping, additional details should be provided on the plans, as appropriate (e.g. prevention of compaction, sequence of plantings, inclusion of beds, etc.)
- To ensure the protection of the Ecological Linkage over the long-term, it will be placed in a Conservation Lands (P.1) Zone as part of this application.

**Note to Planner:**

Based on the foregoing, Environmental Planning staff have no objections to the approval of the OBA/ZBL application. Please include the following condition to be implemented through Site Plan Approval:

The Owner shall submit an Environmental Implementation Report (EIR) based on an approved Terms of Reference that provides details to inform site design related to the mitigation of impacts to the Natural Heritage System as recommended in the EIS and addenda prepared for the proposal, to the satisfaction of the General Manager of Planning and Building Services. Items to be provided in the EIR include but are not limited to window design that minimizes maintenance access needs in the Ecological Linkage and mitigates bird strikes, ~~bioswale~~ ditch inlet design that considers and avoids potential impacts to deer, updated Tree Preservation Plan based on refined grading plan, and updated landscape plans.

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



**Jason Elliott**  
Environmental Planner

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

# INTERNAL MEMO



DATE July 3, 2019  
TO **Katie Nasswetter**  
FROM Jyoti Pathak  
DIVISION Parks and Open Space Planning  
DEPARTMENT Public Services  
  
SUBJECT **1300 Gordon Street  
Proposed Official Plan Amendment and Zoning By-Law  
Amendment (File: OP1704 & ZC1707)**

---

Park & Open Space Planning have reviewed the notice of resubmission dated June 28, 2019 and document listed below in support of the resubmission for the Proposed Official Plan and Zoning By-law Amendments pertaining to 1300 Gordon Street:

1. Site Plan prepared by James Fryett Architect Inc. issued date June 21, 2019;

Parks and Open Space Planning offers the following comments:

**Official Plan amendment:**

Parks and Open Space Planning has no objection to the Official Plan Amendment to designate the site to High Density Residential and increase the density from the allowable 100 units per hectare to 132 units per hectare.

**Zoning Bylaw Amendment:**

Parks and Open Space Planning has no objection to the Zoning By-Law Amendment to rezone the subject site from the current Residential Single Detached Zone (R1.B) to a Residential Apartment Zone (R4.A?) with special regulations to permit the development of a 6 storey residential building containing 32 units.

**Parkland Dedication:**

The City will require payment of money in lieu of conveyance of Parkland for the proposed residential development in accordance with the City of Guelph By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof prior to the issuance of any building permits.

The value of the land shall be determined as of the day before the day the building permit is issued in respect of the development. A narrative appraisal report of the subject property will be required to determine the cash-in-lieu amount. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada. The property owner is responsible for the cost and to arrange for the appraisal.

**Draft Conditions of Development:**

Based on the information available, following conditions for development approval are recommended:

- 
1. The Owner shall **pay money in lieu of conveyance of parkland** for the entire development, under City of Guelph By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof, prior to issuance of any building permits.
  2. Prior to Site Plan approval, 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 payment of money in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate. Notwithstanding the foregoing, if the 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 appraisal for the purposes of calculating the payment of cash-in-lieu of parkland dedication.]

**Summary:**

The above comments represent Park & Open Space Planning's review of the documents/ information submitted in support of the Zoning By-law Amendment. Based on the above noted requirements, Park & Open Space Planning would support the proposed zoning by-law amendment as presented.

Sincerely,

**Jyoti Pathak, OALA, CSLA**  
Park Planner  
Parks and Recreation  
**Public Services**  
Location: City Hall

T 519-822-1260 x 2431  
E jyoti.pathak@guelph.ca

P:\CommunityServices\Riverside\Park Planning\PLANNING\SOUTH DISTRICT\Zoning By-Law & Official Plan Amendments\1300 GordonStreet\1300GordonZC\_OP2019-07-03.doc



Administration Centre: 400 G. de Road, PO Box 129 Cambridge ON N1R 1  
Phone: (519) 821-4341 Toll free: 1 866 904-4722 Fax: (519) 821-4341 www.grandrive

<b>PLAN REVIEW REPORT TO:</b>	City of Guelph Katie Nasswetter, Senior Planner
-------------------------------	--

<b>DATE:</b>	July 3rd, 2019	<b>YOUR FILE:</b>	OP1704 & ZC1707
--------------	----------------	-------------------	-----------------

**RE:** Application for Official Plan and Zoning By-law Amendment  
Notice of revised Application  
1300 Gordon Street, City of Guelph

**GRCA COMMENT:**

The Grand River Conservation Authority had previously provided comments that we had no objection to the approval of the applications for OPA and ZBA as submitted. Our position remains unchanged.

Should you have any questions or require further information, 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.***

## **Attachment-12 Public Notification Summary**

July 12, 2017	Official Plan and Zoning By-law Amendment Applications received by the City of Guelph
August 10, 2017	Official Plan and Zoning By-law Amendment Applications deemed complete
August 18, 2017	Notice sign for Official Plan and Zoning By-law Amendment Applications placed on property
August 24, 2017	Notice of Complete Application and Public Meeting for Official Plan and Zoning By-law Amendment Applications mailed to prescribed Agencies, City departments and surrounding property owners within 120 metres
August 24, 2017	Notice of Public Meeting for Official Plan and Zoning By-law Amendment Applications advertised in the Guelph Mercury Tribune
October 10, 2017	Statutory Public Meeting of Council for Official Plan and Zoning By-law Amendment Applications held
May 7, 2018	Revised supporting studies and application materials received by the City of Guelph
June 13, 2018	Notice of Revised Application circulated to prescribed agencies, City departments and interested property owners
June 21, 2019	Revised supporting studies and application materials received by the City of Guelph
June 28, 2019	Notice of Revised Application circulated to prescribed agencies, City departments and interested property owners.
July 20, 2020	Notice of Decision Meeting sent to parties that commented or requested notice
August 10, 2020	City Council Meeting to consider staff recommendation

**From:** Peter Baggio

**Subject:** Official Plan and Zoning Amendment 1300 Gordon St

I'm writing to provide community feedback prior to a decision in early August. It is related to 1300 Gordon street, immediately adjacent the Salvation Army on the north side.

What bothers me most about this is the request for High Density, rather than the Medium Density designated in the official plan. All surrounding apartments / townhouses are Medium Density. A 30% increase in the number of units allowed per hectare is also troublesome. It sets the stage for other developers to argue that High Density is already present in the immediate vicinity as is a deviation from the specified number of units per hectare and thus their request for higher number of units is reasonable. Although the request in this case from medium density (up to 5 storeys) to High Density (6 - 10 storeys) seems relatively minor for a one additional storey increase, before we know it the developer will be back with a request for 7 or maybe 8 storeys, which would all be permissible within the High Density designation.

We understand Gordon is part of the intensification corridor but having high rise buildings does not fit the area. 3-5 storeys maybe; 6 plus stories is too much.

The number of single family units is getting to be pretty small in light of the surrounding apartment buildings/landlords and most of the land fronting Gordon and backing onto Landsdown, held by speculators. I write again in the hopes that a voice crying in the wilderness might be heard. We look forward to the staff report.

I wish to be notified of the city Council decision on this application and so am making this written request.

**From:** Gord Jones

**Subject:** Staff recommends approval 1300 Gordon Street...

Just noticed this today... the bottom line seems to tell the tale so to speak... with 639,371 reasons up front for moving forward and 123,700 (and increasing) reasons for each up-coming year as to why moving forward was such a good idea, I've got a feeling that city staff and city council may be really "listening" but not to neighbours or owners like myself who live along Gordon Street.

Life gets tricky when the municipality restructures the rules in such a way that it has hundreds of thousands of reasons to do you in and almost no reason not to... and all of this from a single lot with a single detached home.

Making **1300 Gordon St.** a **HIGH Density** site is simply wrong both in and of itself, and in the precedent it so clearly and obviously establishes for breaking the rules on up-coming developments along Gordon Street.

Sincerely,  
Gord Jones



# Staff recommends approval of more apartments on Gordon Street

[guelphtoday.com/local-news/staff-recommends-approval-of-more-apartments-on-gordon-street-2612133](http://guelphtoday.com/local-news/staff-recommends-approval-of-more-apartments-on-gordon-street-2612133)

GuelphToday Staff



1300 Gordon St. conceptual renderings.

City staff is recommending approval of a six-storey apartment building on Gordon Street that has been over three years in the making.

The Carousel Estate Homes Ltd. proposal, which goes to the council on Aug. 10 for decision, calls for a six-storey, 32-unit building at 1300 Gordon St., on the east side of Gordon just north of Arkell Road.

It was first submitted in July 2017 before undergoing changes.

The 0.6-acre site is currently home to a bungalow that would be torn down.

The apartments would all be two-bedroom units and there are also 46 enclosed parking spaces.

The developer requires Official Plan amendment and a zoning bylaw amendment from the city to allow the development.

There were public concerns regarding height, intensity of the development and parking when the proposal first came to council in Oct. 2017.

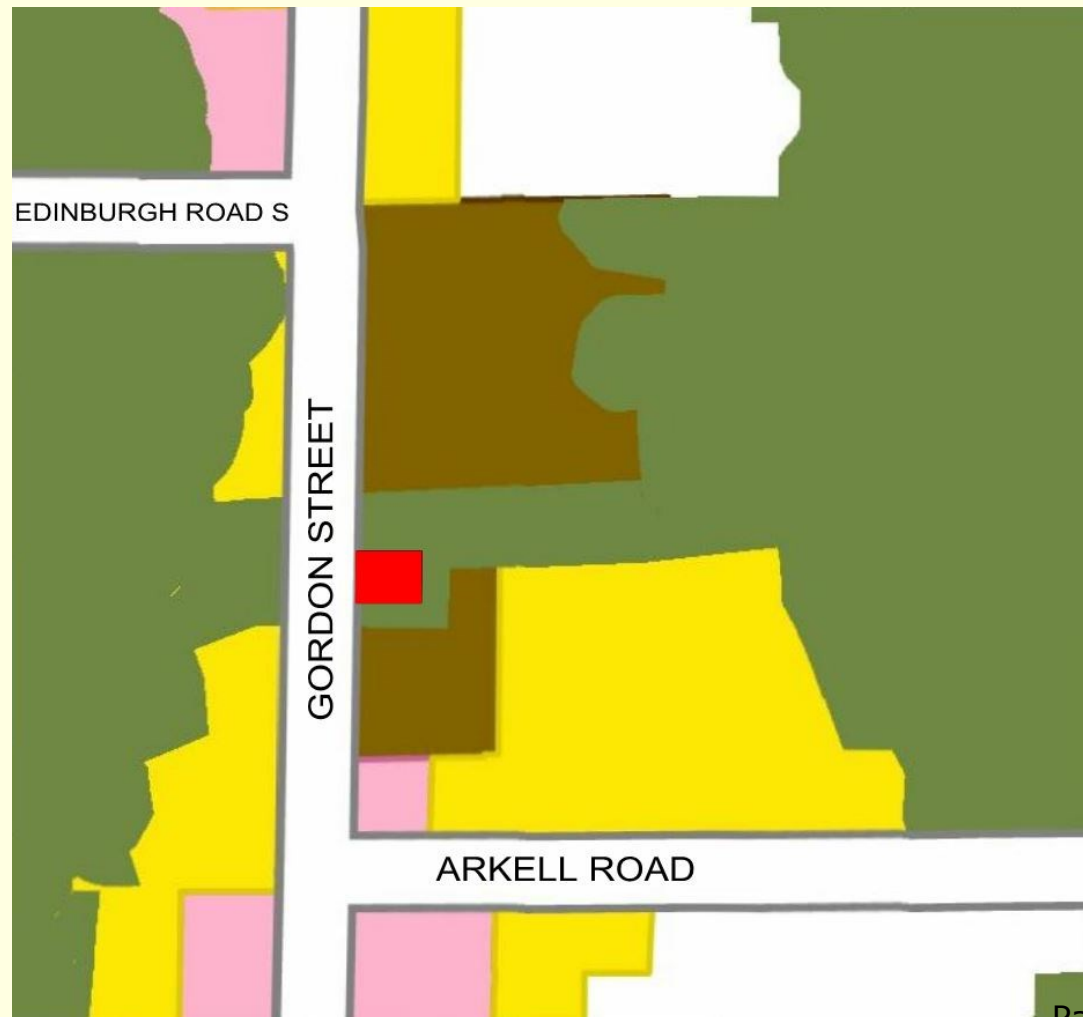
Design changes were made to refine the design of the building to better suit the site, says city planning staff, although the height of the project remains the same.

The city would ganer an estimated \$639,371 in development charges and estimated annual property tax revenue of \$123,700.

1300 Gordon Street  
Official Plan Amendment  
Zoning Amendment and  
OP1704  
ZC1707-2020-81

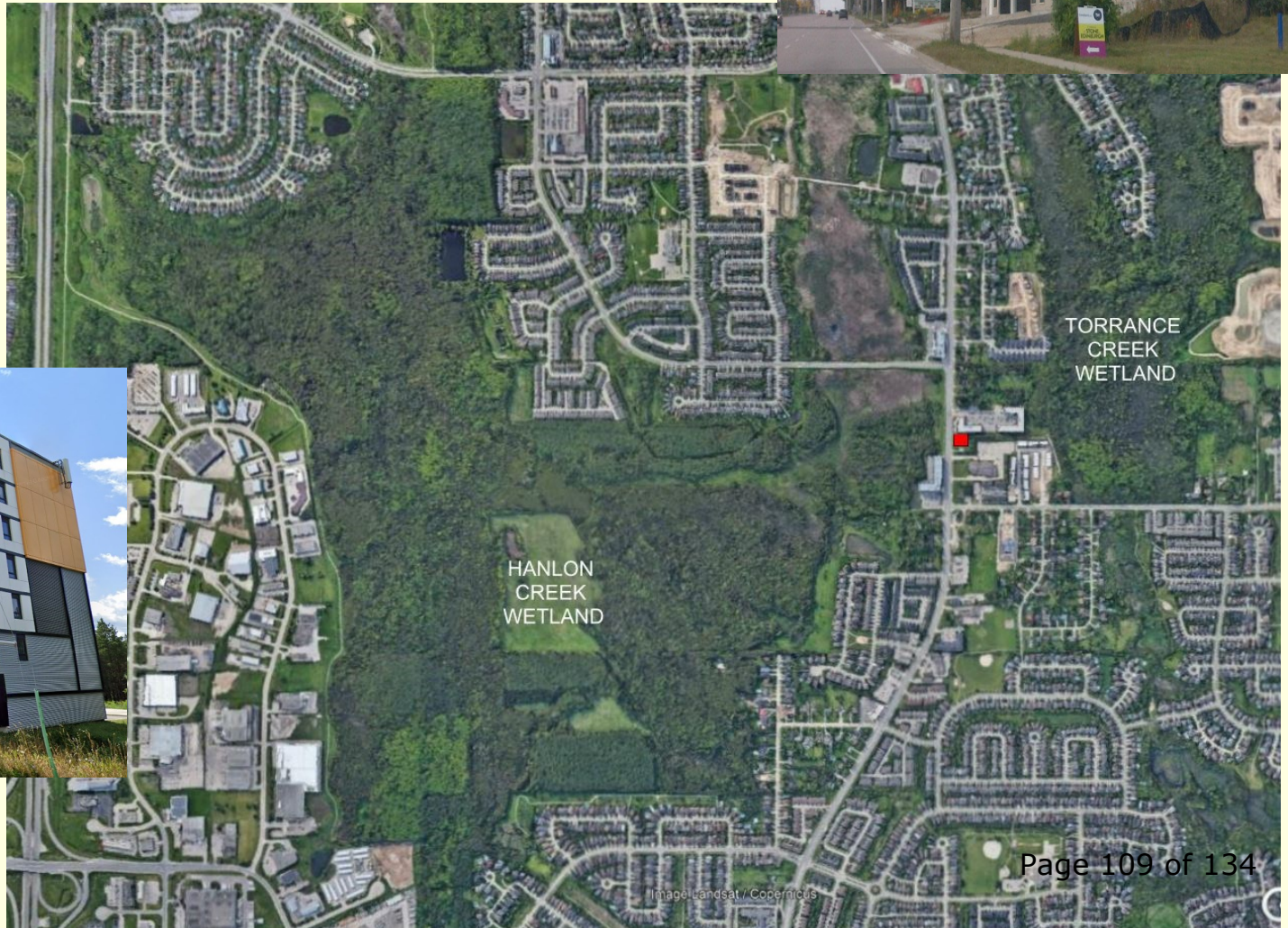
**Prepared on behalf of  
Carousel Estate Homes Ltd.**

Current High Density Official Plan designations located to the north and south of the site shown in red – Schedule 2





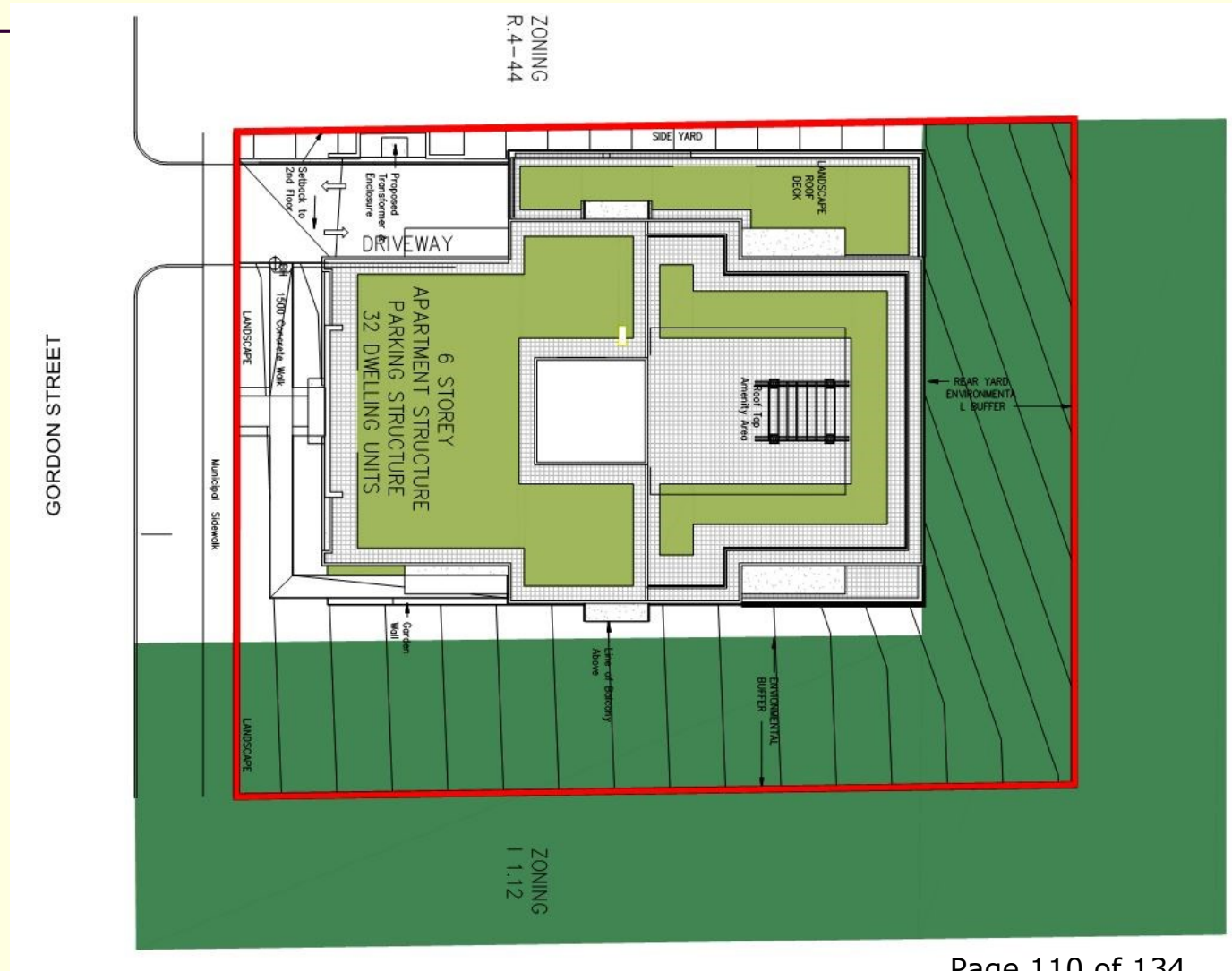
# Surrounding Land Uses



ASTRID J. CLOS

PLANNING CONSULTANTS

# Concept Plan



## Summary of Trees to be Removed and Compensation Plantings

---

	Total
Total trees inventoried	162
Total trees to be removed due to development	15
Compensation trees to be planted	45

Source: Natural Resource Solutions Inc., April 2018

# **The Corporation of the City of Guelph**

## **By-law Number (2020) - 20514**

A By-law to dedicate certain lands known as 1 Foot Reserve No. 2, Plan 644, City of Guelph, as part of Queensdale Crescent.

WHEREAS it is expedient to establish and to dedicate to the public use certain lands within the City of Guelph as a public highway;

AND WHEREAS the lands to be established, laid out and dedicated hereby are owned, clear of encumbrance, by The Corporation of the City of Guelph;

AND WHEREAS Section 31(2) of The Municipal Act, 2001 authorizes the Council of every municipality to pass by-laws for the establishing and laying out of highways or for the widening, altering or diverting any highway or part of a highway;

### **The Council of the Corporation of the City of Guelph enacts as follows:**

1. That 1 Foot Reserve No. 2, Plan 644, City of Guelph, is hereby dedicated and shall form part of the public highway known as Queensdale Crescent.
2. The office of the City Solicitor is authorized to execute by electronic means the document requiring registration to give effect to Section 1 herein.

**Passed this tenth day of August, 2020.**

---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**



# **The Corporation of the City of Guelph**

## **By-law Number (2020) - 20517**

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 167 Alice Street and legally described as Part Lots 156 and 157, Registered Plan 293, City of Guelph (File# OZS19-006).

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;

### **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 Lots 156 and 157, Registered Plan 293, City of Guelph, from the existing "Specialized Industrial" Zone known as the B.4-1 Zone to the "Residential Single Detached" Zone, known as the R.1D(H) Zone.
2. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 46 and substituting a new Defined Area Map 46 attached hereto as Schedule 1.
3. 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.
4. 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. A mandatory RSC filing is not required; however, as per the recommendation of the Phase Two ESA and to comply with the City's "Guidelines for the development of contaminated or Potentially Contaminated Site (2016)"; the applicant must prove (via remediation and/or risk assessment) that the metal impacts in soil do not pose threat to the human health and the environment.
2. The qualified person(s) (QP) must submit a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

**Passed this Tenth day of August, 2020.**

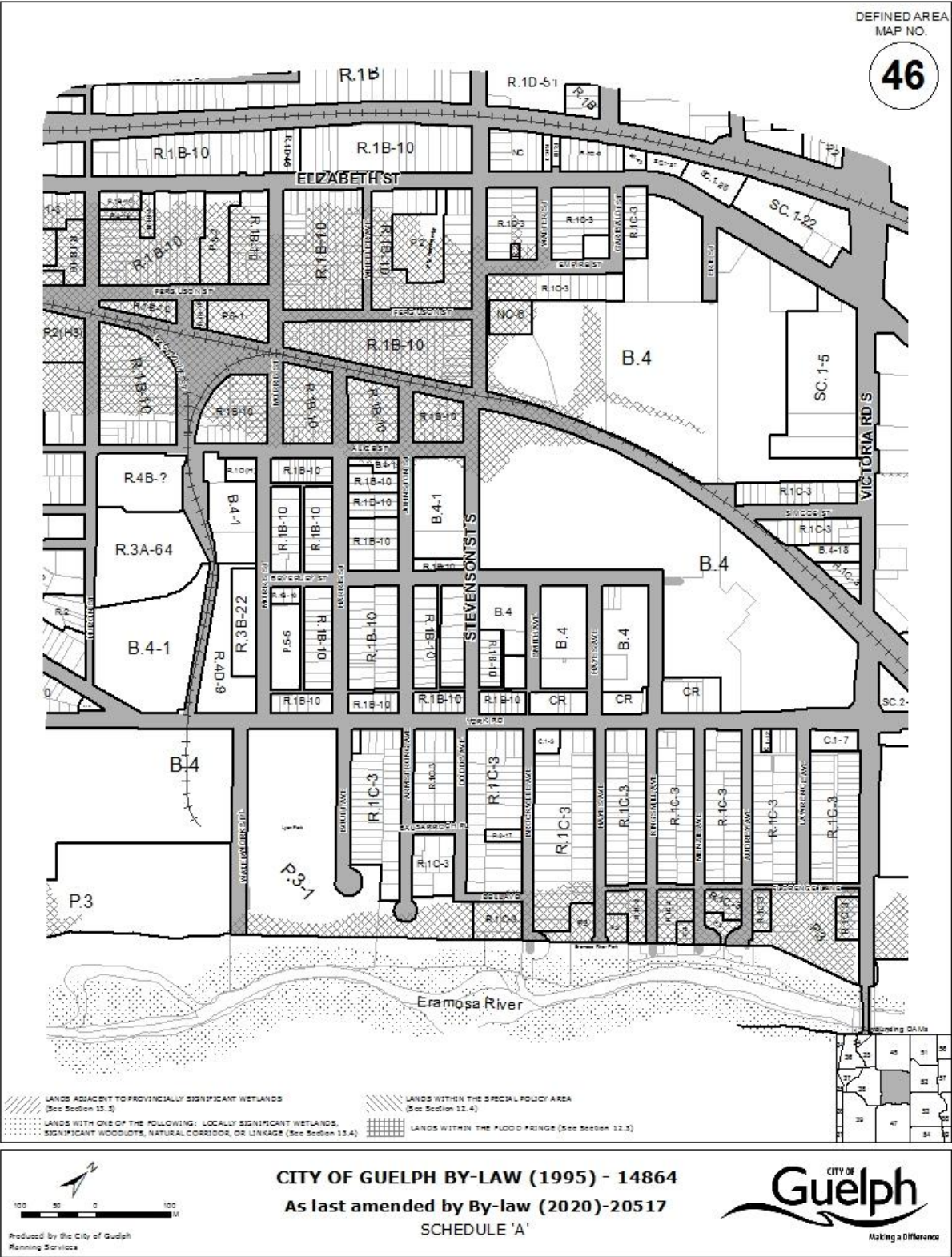
---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**

Schedule 1: Defined Area Map 16



**THE CORPORATION OF THE CITY OF GUELPH**

**By-law Number (2020) – 20518**

A by-law to amend the Official Plan for the City of Guelph as it affects property municipally known as 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph (OP1704/ZC1707).

**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 October 10, 2017 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 73 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 AUGUST, 2020.**

---

**CAM GUTHRIE - MAYOR**

---

**DYLAN MCMAHON – DEPUTY CITY CLERK**

**EXPLANATION OF PURPOSE AND EFFECT AND  
KEY MAP FOR BY-LAW NUMBER (2020)-20518**

1. By-law Number (2020)-20518 has the following purpose and effect:

The purpose of By-law (2020)-20518 is to authorize an amendment to the Official Plan for the subject lands municipally known as 1300 Gordon Street (see Key Map), and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph to redesignate a portion of the site to the High Density Residential designation, while keeping the Significant Natural Areas designation along the southerly and easterly sides of the property to permit a six storey residential apartment development containing 32 units adjacent to an ecological corridor. The proposed Official Plan Amendment will be known as Official Plan Amendment No. 73 (OPA 73).

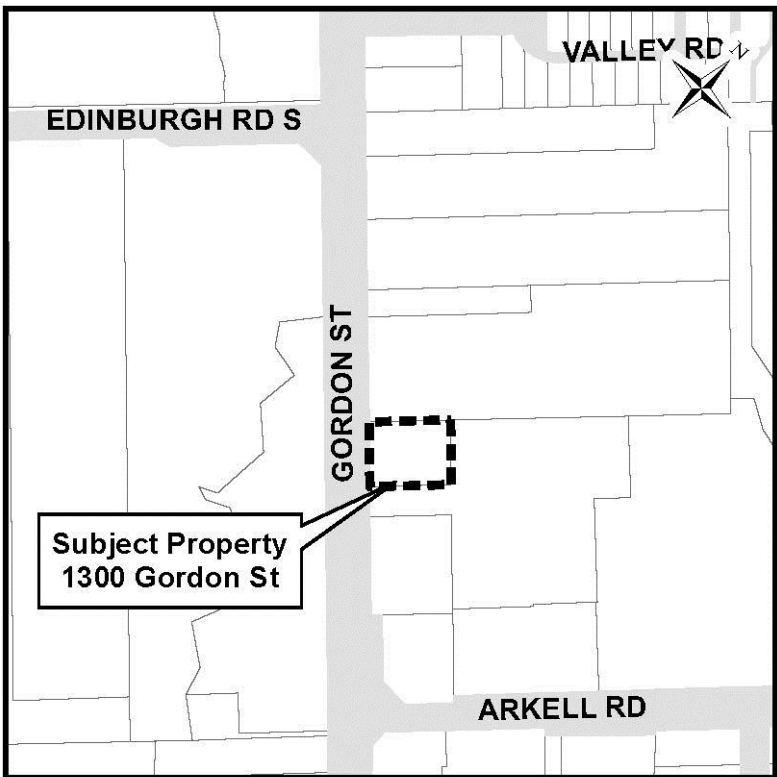
OPA #73 was considered by Guelph City Council at a Public Meeting held on October 10, 2017 and was approved by Guelph City Council on August 10, 2020 (File OP1704/ZC1707).

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)-20518 applies:

**KEY MAP**





**AMENDMENT NO. 73**

**TO THE**

**OFFICIAL PLAN**

**FOR THE CITY OF GUELPH**

## **Schedule 'A'**

### **AMENDMENT NO. 73 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. 73 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. 73 to the Official Plan for the City of Guelph.

#### **PART A - THE PREAMBLE**

##### **PURPOSE**

The purpose of Official Plan Amendment No. 73 is to redesignate the identified portion of 1300 Gordon Street to the High Density Residential designation, while retaining the Significant Natural Areas designation along the southerly and easterly sides of the property.

##### **LOCATION**

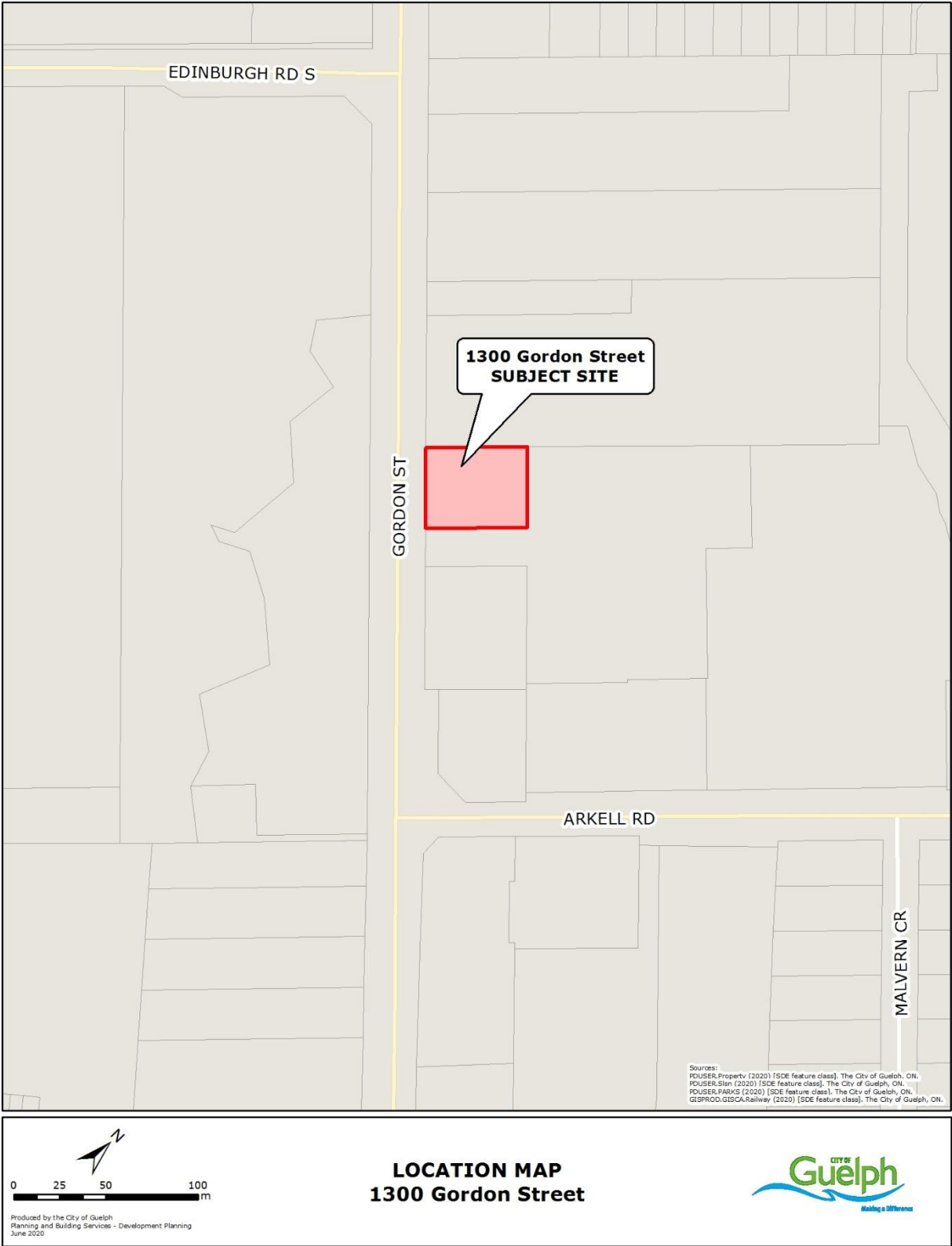
The subject lands affected by Official Plan Amendment No. 73, known as 1300 Gordon Street or legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph. The subject lands have an area of 0.24 hectares.

Surrounding land uses include:

- To the north, a five (5) storey apartment building;
- To the south of the site the Salvation Army Guelph Citadel religious establishment;
- To the east directly behind the subject site is the parking lot for the Salvation Army building;

- To the west, across Gordon Street is a seven (7) storey apartment building which is referred to as Solstice 1 and a large wetland.

The subject lands are located on the east side of Gordon Street between Arkell Road and Edinburgh Road South (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. OP1704 & ZC1707) on July 12, 2017. The Official Plan Amendment and Zoning By-law Amendment applications were deemed to be 'complete' on August 10, 2017. The applications were presented to Council at a Public Meeting held on October 10, 2017 and revised applications were submitted May 7, 2018 and 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 Astrid J, Clos Planning Consultants., dated July 10, 2017.
- Urban Design Brief, prepared by Jame Fryett Architect Inc; revised June 21, 2019.
- Environmental Impact Study, prepared by Natural Resource Solutions Inc., dated June 2017; revised April 30, 2018 and revised June 19, 2019
- Functional Servicing and Stormwater Management Report, prepared by MTE dated November 18, 2016; revised May 30, 2017; revised June 19, 2017, revised April 25, 2018.
- Traffic Impact Study, prepared by Paradigm Transportation Solutions Limited., dated July 2017, revised June 2019.
- Hydrogeological Study, prepared by GM Blue Plan Engineering, dated October 27, 2016, revised June 7, 2017,
- Phase I Environmental Site Assessment prepared by V.A Wood Incorporated, dated December 2015.
- Phase II Environmental Site Assessment prepared by V.A. Wood Incorporated, dated February 10, 2016.
- Archaeological Assessment Stage 1 & 2 prepared by AMICK Consultants, dated November 20, 2015
- Conceptual Development Plan, prepared by Astrid J, Clos Planning Consultants.
- Building Architectural Drawings and Elevation Renderings prepared by James Fryett Architects Inc, revised June 21, 2019

The Official Plan land use designation that applied to the subject lands (at the time the planning applications were submitted) is "Significant Natural Areas and Natural Areas".

The Official Plan Amendment will redesignate the portion of the site designated as "Significant Natural Areas and Natural Areas" to the "High Density Residential" designation.

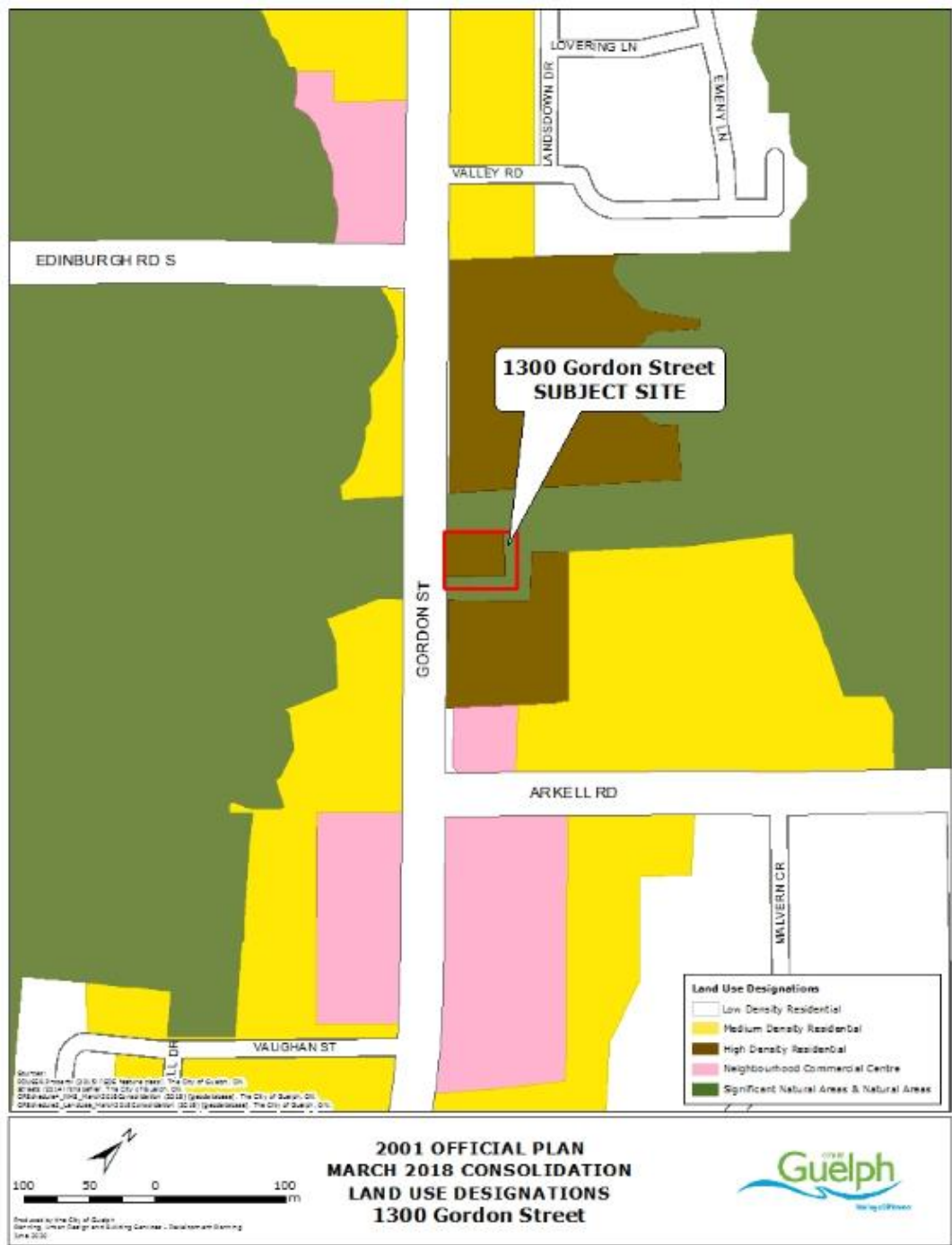
This Official Plan Amendment will permit a six storey, 32 unit apartment building together with lands to be retained in the Natural Heritage designation and added to a natural corridor for wildlife movement

**PART B - THE AMENDMENT**

All of this section entitled “Part B – The Amendment,” constitutes Amendment No. 73 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 1300 Gordon Street to redesignate a portion of the site designated as Significant Natural Areas to the High Density Residential designation, as shown on the following excerpt from Schedule 2:



## **PART C - THE APPENDICES**

The following appendices do not form part of Amendment No. 73, but are included as information supporting the amendment.

Appendix 1: Public Participation

Appendix 2: August 10, 2020 Planning Staff Decision Report No. IDE 2020-081

## **APPENDIX 1**

### **TO OFFICIAL PLAN AMENDMENT NO. 73**

#### **PUBLIC PARTICIPATION**

July 12, 2017	Official Plan and Zoning By-law Amendment Applications received by the City of Guelph
August 10, 2017	Official Plan and Zoning By-law Amendment Applications deemed complete
August 18, 2017	Notice sign for Official Plan and Zoning By-law Amendment Applications placed on property
August 24, 2017	Notice of Complete Application and Public Meeting for Official Plan and Zoning By-law Amendment Applications mailed to prescribed Agencies, City departments and surrounding property owners within 120 metres
August 24, 2017	Notice of Public Meeting for Official Plan and Zoning By-law Amendment Applications advertised in the Guelph Mercury Tribune
October 10, 2017	Statutory Public Meeting of Council for Official Plan and Zoning By-law Amendment Applications held
May 7, 2018	Revised supporting studies and application materials received by the City of Guelph
June 13, 2018	Notice of Revised Application circulated to prescribed agencies, City departments and interested property owners
June 21, 2019	Revised supporting studies and application materials received by the City of Guelph
June 28, 2019	Notice of Revised Application circulated to prescribed agencies, City departments and interested property owners.
July 20, 2020	Notice of Decision Meeting sent to parties that commented or requested notice
August 10, 2020	City Council Meeting to consider staff recommendation

## **APPENDIX 2**

### **TO OFFICIAL PLAN AMENDMENT NO. 73**

#### **PLANNING STAFF DECISION REPORT NO. IDE 2020-081, DATED AUGUST 10, 2020**

Available with the agenda for the Council meeting of August 10, 2020 and enclosed with By-law (2020)-20518 file.

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2020)-20519

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 1300 Gordon Street and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph (OP1704/ZC1707).

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 Lot 6, Concession 8 (Geographic Township of Puslinch) City of Guelph, municipally known as 1300 Gordon Street, from the R.1B (Residential Single Detached) Zone to an R.4B-23 (Specialized High Density Apartment) Zone and P.1 (Conservation Land) Zone.
2. Section 5.4.3.2 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.4.3.2.23:

5.4.3.2.23      **R.4B-23**

1300 Gordon Street  
As shown on Defined Area Map 41 of Schedule ‘A’ of this *By-law*.

5.4.3.2.23.1    **Permitted Uses**

In accordance with the *Uses* permitted by Section 5.4.1.2 of *By-law* Number (1995)-14864, as amended.

5.4.3.2.23.2    **Regulations**

- 5.4.3.2.23.2.1    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:

5.4.3.2.23.2.2    **Maximum Density**

Notwithstanding Table 5.4.2, Row 5, the maximum density for the site may include the P.1 zoned portions of the lot.

5.4.3.2.23.2.3    **Minimum Side Yard**

Notwithstanding Table 5.4.2, Row 8, the minimum *Side Yard* on the south side of the *Building* shall be 10 metres and can include the P.1 zoned portions of the lot.

Notwithstanding Table 5.4.2. Row 8, the minimum *Side Yard* on the north side of the *Building* shall be 1.5 metres for the first *Storey* and a minimum of 6.0 metres for every *Storey* above the first *Storey*.

5.4.3.2.23.2.4    **Minimum Rear Yard**

Notwithstanding Table 5.4.2. Row 9, the minimum *Rear Yard* shall be 10 metres and may include the P.1 zoned portions of the lot.

5.4.3.2.23.2.5    **Maximum Building Height**

Notwithstanding Table 5.4.2. Row 10, the maximum *Building Height* shall be 6 *Storeys*, and in accordance with Sections 4.16 and 4.18.

5.4.3.2.23.2.6    **Minimum Common Amenity Area**

**Page 2**  
**of By-law Number (2020)-20519**

Notwithstanding Table 5.4.2. Row 12 and Section 5.4.2.4, the minimum ***Common Amenity Area*** shall be 640 square metres.

5.4.3.2.23.2.7 **Minimum *Landscaped Open Space***

Notwithstanding Table 5.4.2. Row 13, the minimum ***Landscaped Open Space*** may include the P.1 zoned portions of the lot.

5.4.3.2.23.2.8 **Maximum *Floor Space Index***

Notwithstanding Table 5.4.2. Row 18, the maximum ***Floor Space Index*** shall be 2.0 and can include the P.1 zoned portions of the lot.

5.4.3.2.23.2.9 **Parking**

Notwithstanding Section 4.13:

- (a) Required ***Parking Spaces*** for residential apartment ***Dwelling Units*** are permitted within an ***Automated Parking System***, and ***Parking Spaces*** within an ***Automated Parking System*** are exempt from the standard minimum ***Parking Space*** size in a ***Garage***.
  - (b) A minimum of 5 visitor ***Parking Spaces*** shall be permitted.
  - (c) Visitor ***Parking Spaces*** shall be permitted above grade and enclosed, at a minimum size of 2.75 x 5.5.
3. Schedule “A” of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 41 and substituting a new Defined Area Map 41 attached hereto as Schedule “A”.
4. 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 AUGUST, 2020.**

---

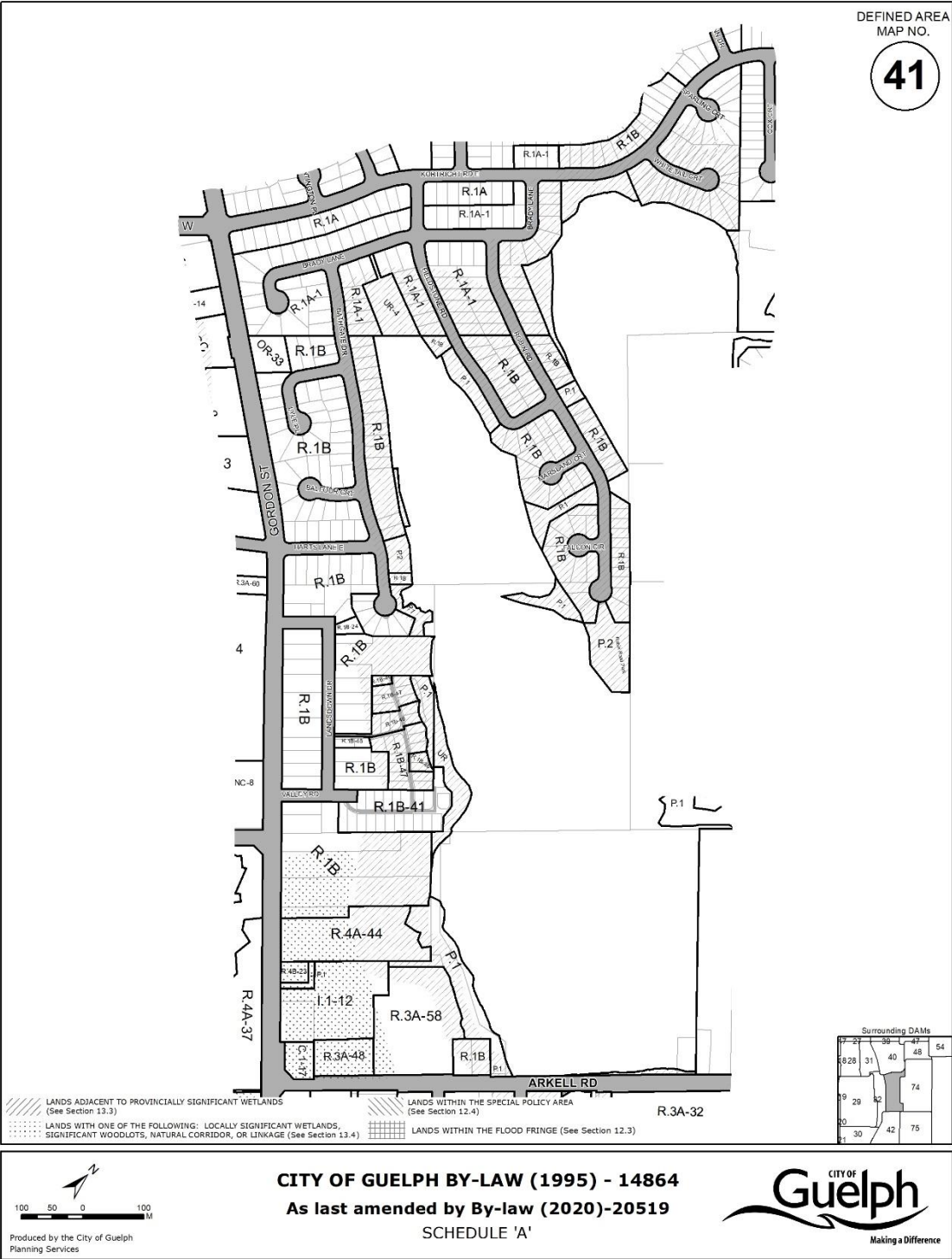
**CAM GUTHRIE - MAYOR**

---

**DYLAN MCMAHON – DEPUTY CITY CLERK**



Schedule “A”



**EXPLANATION OF PURPOSE AND EFFECT FOR BY-LAW NUMBER (2020)-20519**

- 1. By-law Number (2020)-20519 has the following purpose and effect:

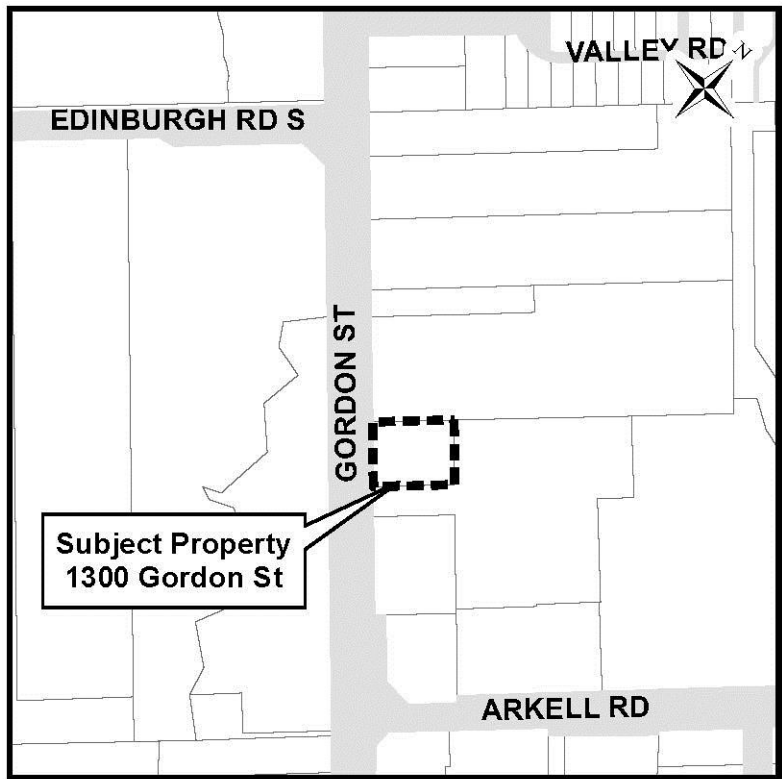
This By-law authorizes a Zoning By-law Amendment affecting lands municipally known as 1300 Gordon Street. The purpose of the proposed Zoning By-law Amendment is to rezone the subject property from the R.1B (Residential Single Detached) Zone to an R.4B-23 (Specialized High Density Apartment) Zone and P.1 (Conservation Land) Zone to permit the development of a six storey apartment building containing 32 dwelling units together with a natural heritage corridor. The proposed Zoning By-law Amendment was considered by Guelph City Council at a Public Meeting held on October 10, 2017 and a decision report was presented to Council on August 10, 2020. (City File: OP1704/ZC1707).

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)-20519 applies:

**KEY MAP**



# **The Corporation of the City of Guelph**

## **By-law Number (2020) - 20520**

A by-law to amend by-law number (2015)-19985, as amended, being a by-law respecting Building, Demolition, Conditional, Change of Use and Occupancy Permits, Payment of Fees, Inspections, Appointment of Chief Building Official and Inspectors and a Code of Conduct

Whereas the Council of the City has passed a Building By-law being By-law Number (2015)-19985 [as amended by by-laws (2016)-20060, (2016)-20089, (2017)-20174, (2019)-20385, (2019)-20411 and (2019)-20450];

And whereas the Council of the City wishes to amend that Building By-law;

### **The Council of the Corporation of the City of Guelph enacts as follows:**

Schedule "C" of By-law Number (2015)-19985, as amended, is hereby deleted and replaced with the attached Schedule "A".

Passed this tenth day of August, 2020.

### **Schedules:**

Schedule A: New Schedule "C" of By-Law (2015)-19958

---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**

**SCHEDULE "A"**  
**of By-law Number (2020) – 20520**  
**being new Schedule "C" of By-law (2015)-19985**

1. The individuals listed in this Schedule are hereby appointed to the positions identified herein and these individuals shall be responsible for the enforcement of the Act.
2. An appointment made under this by-law shall be deemed to be revoked if the individual ceases to be employed by the City of Guelph in any of the positions listed below.
3. Each of the Program Manager of Permit Services and the Program Manager of Inspection Services is hereby appointed as an Acting Chief Building Official and shall have the authority to carry out any duties of the Chief Building Official in his or her absence or as directed by him or her, including the authority to issue Permits and Stop Work Orders.
4. The HVAC Inspector III, Mechanical Inspector III and Technical Lead of Resource Conservation & Mechanical Systems shall have the authority to issue Permits on behalf of the Chief Building Official for the;
  - a. Installation of site services,
  - b. Construction of heating, ventilating and air conditioning systems,
  - c. Construction of plumbing and sewage systems, and
  - d. Building energy retrofits.
5. The Backflow Prevention Officer, Mechanical Inspector III and Technical Lead of Resource Conservation & Mechanical Systems shall have the authority to issue Permits for the installation of backflow prevention devices on behalf of the Chief Building Official.

<b>Title of Position</b>	<b>Appointed Person</b>
Chief Building Official	Jeremy Laur
Program Manager of Permit Services	Nicholas Rosenberg
Program Manager of Inspection Services	Adrian van Eck
Technical Lead of Resource Conservation & Mechanical Systems	Patrick Andres
Mechanical Inspector III	Josh Wagner and Peter Pieczewski
HVAC Inspector III	John Bosyj
Backflow Prevention Officer	Jeff Crossman

# **The Corporation of the City of Guelph**

## **By-law Number (2020) - 20521**

A by-law to confirm proceedings of a meeting of Guelph City Council held August 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 August 2020.**

---

**Cam Guthrie, Mayor**

---

**Dylan McMahon, Deputy City Clerk**

## **Notice of Motion**

### **Bristol and Misersky Dog Parks**

**Moved by Councillor Hofland**

#### **Summary**

The file of dog parks has come back and forth to Council and this notice of motion is to encourage Council to review our decisions about Peter Misersky Park and Bristol Street Park. Council needs to find a clear path forward by directing staff to investigate a location for a fenced dog park that is not located in a residential neighbourhood. With the arrival of COVID-19, it is essential that we reconsider these small fenced areas where people can gather to exercise their dogs to a larger area leash free area that will, in the future, accommodate physical distancing.

#### **Recommendation**

1. That the fenced off-leash dog parks at the Peter Misersky park and Bristol Street park be closed until such time as staff have reported back on the feasibility of a fenced dog park located in a non-residential area for consideration in the 2021 budget.

Date: August 10, 2020