

## **Attachment-11 Staff Review and Planning Analysis**

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

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

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

The proposed development is consistent with these principles by:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Official Plan**

### **2001 Official Plan Land Use Designations and Policies**

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

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

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

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

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

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

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

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

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

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

### **Commercial Policy Review – Official Plan Amendment No. 69**

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

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

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

## **Review of Proposed Zoning**

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

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

### **Uses:**

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

### **Regulations for Stacked Townhouses:**

#### Stacked Townhouse definition

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

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

#### Minimum Rear Yard

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

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

#### Maximum Building Height

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

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

#### Private Amenity Area

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

Below grade units – 9 square metres per unit

Ground level units – 3 square metres per unit

Above grade units – 3 square metres per unit

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

### **Review of Proposed Zoning (continued)**

#### **Regulations for Apartment Buildings:**

##### Common Amenity Area

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

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

##### Maximum Building Height

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

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

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

##### Minimum Landscaped Open Space

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

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

##### Net Density

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

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

##### Off-Street Parking

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

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

#### Maximum Commercial Gross Floor Area

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

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

#### Ministry of Transportation Setback

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

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

#### Severability Provision

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

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

### **Urban Design**

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

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

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

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

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

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

### **City Gateway Feature/City Sign**

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

### **Urban Forest and Private Tree Protection By-law Requirements**

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

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

### **Community Energy Initiative Update (2019) and Climate Change**

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

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

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



## **Affordable Housing Strategy**

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

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

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

## **Engineering Review**

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

## **Parking**

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

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

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

Commercial – 3,073 sq.m/23 sq.m=134

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

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

### **Ministry of Transportation**

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

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

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

### **Parkland Dedication**

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

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

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

### **Comments Received on the Application**

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

### **Single access onto Woolwich Street**

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

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

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

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

### **Sidewalk along Woolwich Street/Highway 6**

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

### **Transition to Adjacent Land Uses**

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

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