

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 25, 2021
Subject	Decision Report 1159 Victoria Road South Proposed Red-line Amendment to an approved Draft Plan of Subdivision and Zoning By-law Amendment File: OZS20-007 and 23T-07506 Ward 6

Recommendation

1. That the application from IBI Group on behalf of Victoria Park Village Inc. for a red-line amendment to approved Draft Plan of Subdivision 23T-07506 to permit an additional two (2) single detached residential lots on lands municipally known as 1159 Victoria Road South and legally described as Part of Lot 5, Concession 8 (Geographic Township of Puslinch), City of Guelph, be approved with a lapsing date of November 22, 2022 in accordance with the draft plan conditions included in Attachment 3 and the red-lined Draft Plan of Subdivision as shown in Attachment 8 of the Infrastructure, Development and Enterprise Report dated January 25, 2021.
2. That the application from IBI Group on behalf of Victoria Park Village Inc. for approval of a Zoning By-law to change the zoning from the "Conservation Land" (P.1) Zone to the R.1C-26 (Specialized Residential Single Detached) Zone to implement a red-line amendment to approved Draft Plan of Subdivision 23T-07506, be approved, in accordance with Zoning regulations included in Attachment 3 of the Infrastructure, Development and Enterprise Report, dated January 25, 2021.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a red-line amendment to an approved Draft Plan of Subdivision and Zoning By-law Amendment to permit the development of two (2) additional residential lots on lands municipally known as 1159 Victoria Road South.

Key Findings

Planning staff support the red-line amendment to create two (2) additional single detached residential lots as shown in Attachment 8 and the Zoning By-law

Amendment subject to the recommended zoning regulations and amended draft plan conditions included in Attachment 3.

Financial Implications

Estimated Development Charges: \$72,654 (based on 2020 residential rates) for two (2) single detached residential dwellings.

Estimated Annual Taxes: \$10,000 based on the 2020 City tax rate for two (2) single detached residential dwellings (estimate only and actual number may vary).

Report

Background

Applications for a red-line amendment to an approved Draft Plan of Subdivision and an associated Zoning By-law Amendment have been received for the lands municipally known as 1159 Victoria Road South from IBI Group on behalf of Victoria Park Village Inc. The applications were received by the City on June 1, 2020 and deemed to be complete on July 22, 2020.

The proposed two additional lots are within an approved draft plan of subdivision located on the west side of Victoria Road South, between MacAlister Boulevard and Arkell Road. The subject lands were formally known as the Victoria West Golf Course lands and the whole subdivision development is referred to as Victoria Park Village (VPV). The subject lands have a total area of 39.3 hectares.

The subject draft plan originally received draft plan approval on January 14, 2011 and the related Zoning By-law Amendment was approved on February 28, 2011. The original draft approved plan of subdivision proposed a total of 489 dwelling units.

Since the original draft plan approval, the owner requested red-lined revisions with an associated Zoning By-law Amendment to the approved draft plan of subdivision. These previous applications were appealed to the former Ontario Municipal Board (OMB) and subsequently approved by the OMB in November 2013 through a settlement between the City and appellant.

The owner requested a three (3) year extension in 2016 to draft plan approval, which was approved by Council on September 12, 2016. A second request for a three (3) year extension to November 22, 2022 was approved by Council on October 16, 2019. Staff are recommending that the red-line amendment to the approved draft plan be approved with the same the lapsing date of November 22, 2022.

Phase 1A of the subdivision was registered as 61M-217 on June 19, 2017 and included an open space block, stormwater management block and a block zoned for townhouses, which is now developed with 98 townhouse units.

Location

The area subject to the current applications is located within the approved draft plan of subdivision (see Attachment 1 - Location Map and Attachment 2 - Aerial Photograph). Surrounding land uses for the approved plan of subdivision include:

- To the north: a residential subdivision;

- To the south: lands zoned for agricultural uses under the Township of Puslinch Zoning By-law and designated in the City of Guelph Official Plan for residential purposes;
- To the east: Victoria Road South, beyond which are lands located within the Township of Puslinch and presently used for agricultural and residential purposes; and,
- To the west: Provincially Significant Wetland

Existing Official Plan Land Use Designations and Policies

The lands subject to these applications are designated as “Low Density Greenfield Residential” in the Official Plan which permits low density residential housing including single detached dwellings. The larger subdivision is designated as “Low Density Greenfield Residential” and “Significant Natural Areas and Natural Areas”.

The relevant policies for the applicable land use designations are included in Attachment 4.

Existing Zoning

The lands subject to this Zoning By-law Amendment are currently zoned “Conservation Land” (P.1) according to Zoning By-law (1995)-14864, as amended.

The existing zoning can be found in Attachment 5.

Description of Proposed Zoning By-law Amendment

The purpose of the Zoning By-law Amendment application is to change the zoning from the “Conservation Land” (P.1) Zone to a “Specialized Residential Single Detached” (R.1C-xx) Zone to permit two (2) additional residential lots on an approved draft plan.

The applicant is requesting a “Specialized Residential Single Detached” (R.1C-26) Zone for these two additional lots to match the zoning for the adjacent lots within the draft plan. In addition to the regulations set out in Table 5.1.2 – for the “Residential Single Detached” (R.1C) Zone of Zoning By-law (1995)-14864, as amended, the following specialized regulations have been requested to facilitate this proposal:

- To permit a minimum lot area of 360 square metres, whereas 370 square metres is required;
- To require a minimum front yard of 6 metres to an attached garage and 4.5 metres in all other cases, whereas a minimum front yard of 6 metres is required; and,
- To require a minimum side yard of 1.2 metres on one side and 0.6 metres on the other side, whereas a side yard setback of 1.2 metres is required for both side yards.

Further details on the proposed zoning are included in Attachment 3.

Proposed Red-line Amendment to the approved Draft Plan of Subdivision

The applicant is requesting to red-line Draft Plan of Subdivision 23T-07506 to permit an additional two (2) residential lots. No changes are proposed to the road pattern or lot layout of the remainder of the subdivision.

The applicant is requesting the Zoning By-law Amendment to reflect and implement the proposed modifications to the draft plan of subdivision.

The area subject to the proposed amendments is shown in Attachment 7.

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in Attachment 9. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at the public meeting held on September 14, 2020. Final comments on the current proposal from internal City departments and agencies are included in Attachment 10. The staff review and planning analysis addresses the following:

- Evaluation of the proposal for conformity and consistency with Provincial policy and legislation, including subdivision control review criteria in the Planning Act, the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (including Amendment 1 to the Growth Plan);
- Evaluation of the proposal's conformity with the Official Plan;
- Review of the proposed zoning, including the need for any specialized zoning regulations;
- Review of the proposal's land use compatibility with adjacent and established land uses;
- Review of site servicing and grading;
- Review how the proposed development addresses applicable sections of the Community Energy Initiative update;
- Review of supporting documents submitted in support of the applications; and,
- Address all comments and issues raised during the review of the application.

Financial Implications

Estimated Development Charges: \$72,654 (based on 2020 residential rates) for two (2) single detached residential dwellings.

Estimated Annual Taxes: \$10,000 based on the 2020 City tax rate for two (2) single detached residential dwellings (estimate only and actual number may vary).

Staff Recommendation

Planning staff are satisfied that the proposed red-line amendment to the approved Draft Plan of Subdivision and Zoning By-law Amendment is consistent with the 2020 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, including Amendment 1 to the Growth Plan. The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate. Planning staff recommend that Council approve the red-line amendment to the approved Draft Plan of Subdivision as shown in Attachment 8 and Zoning By-law Amendment subject to the zoning regulations and proposed amendments to the approved draft plan conditions as outlined in Attachment 3.

Consultations

The application was received by the City on June 1, 2020 and deemed to be complete on July 22, 2020. A combined Notice of Complete Application and Public Meeting was mailed August 6, 2020 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public

Meeting was also advertised in the Guelph Tribune on August 20, 2020. Notice of the applications has also been provided by signage on the subject lands and all supporting documents submitted with the applications have been posted on the City's website. The Statutory Public Meeting was held on September 14, 2020.

The Notice of Decision Meeting was mailed on January 8, 2021 to interested parties who either spoke at the public meeting, provided comments on the application or requested to receive further notice. The public notification summary is included in Attachment 11.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows.

Alignment

The proposed development application is in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposed development is in conformity with the City's Official Plan can be found in the Staff Review and Planning Analysis in Attachment 9.

Attachments

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning Regulations and Amendments to approved Draft Plan Conditions

Attachment-4 Existing Official Plan Land Use Designations and Policies

Attachment-5 Existing Zoning

Attachment-6 Proposed Zoning

Attachment-7 Location of Proposed Additional Lots shown on the Draft Plan

Attachment-8 Proposed Red-line to Approved Draft Plan of Subdivision

Attachment-9 Staff Review and Planning Analysis

Attachment-10 Departmental and Agency Comments

Attachment-11 Public Notification Summary

Departmental Approval

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