

# **Attachment-9 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)]. 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.

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.

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 a Scoped 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 PPS. A more detailed review on how the proposed red-line amendment and Zoning By-law Amendment are consistent with the above PPS policies, as well as policies in the City's Official Plan will be outlined later in this analysis.

The proposed red-line amendment and Zoning By-law amendment are 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.

The subject lands are located within the City's Designated Greenfield Area (DGA). Within the City's entire DGA, the minimum density is to be 50 people and jobs per hectare until such time as the next municipal comprehensive review is completed. The proposed development will positively contribute towards meeting the Growth Plan's minimum DGA density requirement.

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

The proposed Draft Plan of Subdivision and Zoning By-law amendments conform to the policies within these sections. The addition of two residential lots within a draft approved plan of subdivision will contribute to the City's greenfield density target. The draft plan of subdivision as a whole contributes to the creation of complete communities by providing a mix of housing types, including single detached dwellings, semi-detached dwellings, townhouses and apartments. The proposed development further contributes to the mix of land uses in the surrounding area and provides connections to residential lands to the north and south. For these reasons, the proposed red-line amendment to the draft plan of subdivision and Zoning By-law Amendment are consistent with and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The 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 proposed two single detached residential lots are permitted within the "Low Density Greenfield Residential" designation.

The proposed two residential lots are adjacent to lands designated as "Significant Natural Areas and Natural Areas" in the Official Plan. In accordance with Official Plan policies, a scoped Environmental Impact Study was prepared in accordance with terms of reference

approved by the City and the Grand River Conservation Authority to demonstrate that there will be no negative impacts to the natural heritage features and areas to be protected, or their ecological and hydrological functions.

Environmental Planning staff have reviewed the proposal for two additional residential lots. Environmental Planning does not object to the proposed amendments as the proposal is consistent with the City's Official Plan natural heritage system and water resources policies. A Scoped Environmental Impact Study and Response to Comments Received from the City of Guelph, prepared by Natural Resource Solutions Inc., dated April 2020 and November 2020 respectively, was prepared to confirm the limits of the natural heritage system in proximity of the proposed two additional lots. Impacts to the water balance are not anticipated to result from the proposed two additional lots. Environmental Planning comments are included in Attachment 10. The Grand River Conservation Authority has reviewed the application and supporting studies including the Scoped Environmental Impact Study and have accepted its findings. Comments from the GRCA are included in Attachment 10.

The proposed red-line amendment and Zoning By-law Amendment conform to the policies of the Official Plan.

## **Subdivision Review Criteria**

### **Planning Act**

Section 51(24) of the Planning Act sets forth criteria that the City must consider in determining whether to allow the draft plan of subdivision. This includes determining whether the draft plan conforms to adjacent plans of subdivision, the suitability of the land for the purposes for which it is to be subdivided, and the adequacy of the road system, municipal services and school sites.

The proposed modifications to Draft Plan of Subdivision 23T-07506 meet the criteria set forth in Section 51(24) of the Planning Act that the City must consider in determining whether to allow the red-line amendment to the approved draft plan of subdivision. Overall, the subdivision will continue to implement a comprehensive public road network, trail system and servicing strategy that can incorporate surrounding lands in an orderly and efficient manner. It is noted that the conditions of draft plan approval included in Attachment 3 incorporate the same conditions that were approved by the former Ontario Municipal Board (OMB) in 2013.

### **Official Plan**

Policy 10.9 of the Official Plan provides criteria to consider when approving a draft plan of subdivision. Below is an analysis of how the proposed draft plan of subdivision conforms to this criteria.

- i. The plan conforms to the objectives, targets, policies and land use designations of this Plan.

As discussed above, the proposed two lots conform to the policies of the Official Plan.

- ii. The plan can be supplied with adequate municipal services such as water, sewage disposal, drainage, fire and police protection, roads, utilities, solid waste collection and disposal and other community facilities.

Adequate municipal services are available for this plan.

- iii. The plan will not adversely impact upon the transportation system, adjacent land uses and the Natural Heritage System.

Staff have reviewed a Scoped Environmental Impact Study and have accepted the findings. Appropriate draft plan conditions were approved by the former OMB in 2013 to ensure no adverse impacts will occur to adjacent land uses or the Natural Heritage System.

- iv. The plan can be serviced economically without imposing an undue financial burden upon the City.

This development including the two additional lots are subject to development charges.

- v. The plan has incorporated all necessary studies and assessments to ensure impacts on natural heritage features and cultural heritage resources are minimized.

Revisions to supporting documents have been submitted and reviewed by City staff to ensure no negative impacts on natural heritage features. No cultural heritage resources have been identified on the subject lands.

- vi. The plan can be integrated with adjacent lands, subdivisions and streets.

The draft plan represents an orderly development that can integrate with surrounding land uses.

- vii. The plan is considered to be necessary, timely and in the public interest.

The proposed two additional lots are considered to be appropriate.

- viii. The plan is designed in accordance with accepted subdivision design principles as articulated in the Urban Design Policies of this Plan.

The two additional lots represent a logical extension of development.

- ix. The plan is designed to be sustainable, to support public transit and to be walkable.

The proposed draft plan is in close proximity to existing residential development and will provide both pedestrian and vehicle connections to the north and south.

### **Review of Proposed Zoning**

The applicant is requesting a "Specialized Residential Single Detached" (R.1C-26) Zone for these two additional lots to match the zoning of 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:

#### **Minimum Lot Area**

Request: To permit a minimum lot area of 360 square metres, whereas 370 square metres is required.

Staff comment: This is a minor reduction in minimum lot area. A sufficient lot area is still available to accommodate a new dwelling.

#### **Minimum Front Yard Setback**

Request: 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.

Staff comment: This is a common specialized regulation in new subdivisions. This allows the dwelling to be in front of the garage and is desirable from an urban design streetscape perspective.

### **Minimum Side Yard Setback**

Request: To permit 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.

Staff comment: This regulation is consistent with the zoning in the subdivision. A reduced side yard setback on one side to 0.6 metres will still allow for adequate access for maintenance, and allow for proper grading and drainage of the lot.

### **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 subdivision approval, to ensure that new residential development includes sustainable design features. The proposed development will contribute towards implementing the Community Energy Initiative in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The proposed subdivision has been designed to appropriately integrate the surrounding public street system to promote connectivity and pedestrian movement. The owner carries forward the commitment made from the original draft plan approval, as outlined in draft plan condition 61 in Attachment 3, to construct the dwelling units to standards that promote energy efficiency.

### **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. 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 subdivision includes a total of 471 residential units consisting of single detached dwellings, semi-detached dwellings, townhouses and apartments. 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.

## **Primary Trail Connection**

One of the issues in the 2013 OMB Hearing was in relation to the Primary Trail Connection (PTC) over Torrance Creek to the future subdivisions to the north and the possibility of adjustments to accommodate trail switchbacks. Through the OMB process, the Upper Grand District School Board (UGDSB), in conjunction with the City requested a widening of the trail head for the PTC to accommodate the design of trail switchbacks in order to meet the City's design standards. The Upper Grand District School Board provided site specific comments and re-wrote conditions pertaining to the trail connection details, such as that the trail connection should be designed and constructed by the Developer to provide safe, year round, convenient access between the subject lands and the lands to the north and south. The Board concluded that the westerly alignment of the PTC was the preferred location and the trail head was widened to accommodate the design of switchbacks and to meet the City's accessibility criteria.

Through the detailed design of the subdivision, the surrounding area has been regraded, while still ensuring that the design of the PTC will be fully compliant with AODA standards. Therefore, a widened trail head and switchbacks are no longer required, which allows for the proposed two residential lots. The trail head will continue to have a 15 metre width, providing adequate visibility along the trail.

Parks Planning staff have reviewed the application and do not object to the creation of two additional residential lots.

The Upper Grand District School Board (UGDSB) has reviewed the two proposed lots and do not have any concerns with their impact on the sight lines to the safe-school route. UGDSB comments are discussed later in this report.

No new draft plan conditions are recommended by Parks Planning as the previous conditions of draft plan approval still apply. Comments from Parks Planning are included in Attachment 10.

## **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 staff have reviewed the development proposal, supporting studies and revisions to these studies and have confirmed that adequate capacity is available in the water distribution system of Hutchison Road and there are no water capacity constraints expected for the proposed lots. Engineering has also confirmed that the sanitary sewer system on Hutchison Road has sufficient and adequate capacity available to support the proposed two additional lots. The stormwater management facility has sufficient capacity to accommodate major and minor flows from proposed lots.

The proposed lot drainage is self-contained within the lot boundaries, the property line abutting the street line meets the City's minimum criteria, and an infiltration gallery is proposed on western lot as requested. Engineering does not object to the additional two lots.

Draft plan conditions including engineering conditions that were previously approved by the Ontario Municipal Board in 2013 are still applicable and the two new residential lots will be subject to the same draft plan conditions. The full Engineering comments can be found in Attachment 10.

## **Parkland Dedication**

Payment in lieu of parkland is not required for this development. As part of the Draft Plan of Subdivision, the developer provided 0.955 hectares of parkland that represents 5% of the developable area which is higher than using the alternative rate.

## **Upper Grand District School Board**

Planning staff at the Upper Grand District School Board have reviewed the applications for a red-line amendment to the approved Draft Plan of Subdivision and associated Zoning By-law Amendment.

UGDSB staff requested a safe school crossing to be maintained through the preservation of the view corridor and unobstructed sight lines to be demonstrated through updated grading and landscape plans. UGDSB has confirmed that the applicant has addressed the matters related to sight lines and the preservation of view corridor. UGDSB does not have any concerns with the proposal.

The UGDSB has also asked for a revision to draft plan condition 18a (now renumbered to 19). Planning staff are not recommending that this condition be revised through this application. Condition 18a was one of the conditions that were previously appealed to the OMB in 2012. This condition was approved as it is written by the OMB in November of 2013 and staff do not believe revising it through this application is appropriate.

## **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.

### **How will the new lots impact on-street parking?**

The proposed lots are located on the north side of Hutchison Road where "No Parking Anytime" restrictions are planned. Traffic staff have confirmed that the proposed two additional lots do not reduce on-street parking spaces.

### **Does this application result in the loss of parkland?**

Although the proposed two lots are currently zoned "Conservation Land" (P.1), which is a park zone in the Zoning By-law, this application does not represent a loss of parkland. Stormwater management blocks are zoned P.1, and are not included or counted towards parkland dedication. A neighbourhood park is included in the draft plan of subdivision and zoned P.2.