

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 13, 2021
Subject	Decision Report 520 Speedvale Avenue East Proposed Official Plan Amendment and Zoning By-law Amendment File OZS20-006 Ward 2

Recommendation

1. That the application from Astrid J. Clos Planning Consultants on behalf of 2601265 Ontario Inc., for an Official Plan Amendment to change the land use designation from "Low Density Residential" to "Medium Density Residential" land use designation to permit a cluster townhouse development with 52 stacked and back-to-back units on the property municipally known as 520 Speedvale Avenue East and legally described as Block B, Plan 602, City of Guelph, be approved in accordance with Attachment 3 of the Infrastructure, Development and Enterprise report 2021-332, dated December 13, 2021.
 2. That the application from Astrid J. Clos Planning Consultants on behalf of 2601265 Ontario Inc., for a Zoning By-law Amendment to change the zoning from the current "Institutional – Educational, Spiritual, and Other Services" (I.1) to a "Specialized Residential Cluster Townhouse" (R.3A-67) Zone to permit a cluster townhouse development with 52 stacked and back-to-back units on the property municipally known as 520 Speedvale Avenue East and legally described as Block B, Plan 602, City of Guelph, be approved in accordance with Attachment 4 of the Infrastructure, Development and Enterprise report 2021-332, dated December 13, 2021.
 3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 520 Speedvale Avenue East.
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Executive Summary

Purpose of Report

This report provides a staff recommendation to approve an Official Plan Amendment and Zoning By-law Amendment to permit a cluster townhouse development with 52 stacked and back-to-back units on the property municipally known as 520 Speedvale Avenue East.

Key Findings

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

Financial Implications

Estimated Development Charges: \$1,072,448 based on 2021 rates.

Estimated Annual Taxes: \$160,317 based on the 2021 City tax rate for 52 stacked townhouse units, including 20 front-to-back units and 32 back-to-back units ranging a gross floor area per unit of 83 to 140 square metres (estimate only and actual numbers may vary)

Report

Applications to amend the Official Plan and Zoning By-law were received for the property municipally known as 520 Speedvale Avenue East from Astrid J. Clos Planning Consultants on behalf of the property owner, 2601265 Ontario Inc. The applications were submitted on July 6, 2020 and deemed to be complete on August 6, 2020. The original applications proposed the development of 64 stacked, back-to-back townhouses distributed among four (4) blocks. The applicant has revised the proposal and is now proposing to develop the property with 52 stacked townhouses in both back-to-back (32 dwelling units) and conventional front-to-back (20 dwelling units) formats.

Location

The subject lands are located on the north side of Speedvale Avenue East, between Victoria Road North and Eramosa Road (see Attachment-1 for location map and Attachment-2 for aerial photograph). The subject lands are rectangular in shape and have a frontage (lot width) of 54.25 metres on Speedvale Avenue East. The site is currently occupied by a vacant religious establishment building (St. David and St. Patrick Anglican Church). The former church building is proposed to be demolished to accommodate the proposed townhouse development.

Surrounding land uses include:

- To the north: single detached dwellings along Dakota Drive, beyond which is Dakota Park;
- To the east: single detached dwellings fronting onto Speedvale Avenue East and low-rise apartments at the northwest corner of Speedvale Avenue East and Delaware Avenue;
- To the south: single detached dwellings fronting onto Speedvale Avenue East; and
- To the west: single detached dwellings along Carmine Place.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that currently applies to the lands is "Low Density Residential" (see Attachment-5). The "Low Density Residential" land use designation permits single detached, semi-detached and duplex dwellings, as well as multiple unit residential buildings, such as townhouses and apartments. The net

density of developments within the "Low Density Residential" land use designation is to be between 15 and 35 units per hectare. Residential development within the "Low Density Residential" land use designation is also permitted to a maximum building height of three (3) storeys.

The relevant policies of the existing land use designation is included in Attachment-5.

Description of Proposed Official Plan Amendment

The applicant has applied for an Official Plan Amendment to change the land use designation of the subject lands from "Low Density Residential" to "Medium Density Residential" as shown in Attachment-6.

The Medium Density Residential land use designation permits multiple residential buildings such as townhouses and apartments at a net density between 35 and 100 units per hectare. Further, the height range of residential buildings in this designation is between two (2) and six (6) storeys.

The applicant has requested to change the land use designation to Medium Density Residential to permit a townhouse development at a net density higher than the 35 unit per hectare maximum permitted in the current Low Density Residential land use designation. The revised proposed cluster townhouse development has a net density of 64.75 units per hectare.

The recommended Official Plan Amendment is included in Attachment-3.

Existing Zoning

The subject lands are currently zoned "Institutional – Educational, Spiritual, and Other Services" (I.1) according to Zoning By-law (1995)-14864, as amended. The I.1 zone permits a religious establishment, school, library, museum among other institutional uses. Buildings within the I.1 Zoning are currently permitted to a maximum height of four (4) storeys.

The existing zoning map is included in Attachment-7.

Description of Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment would change the zoning from the current "Institutional – Educational, Spiritual, and Other Services" (I.1) zone to a "Specialized Residential Cluster Townhouse" (R.3A-67) zone.

Original Application

The intent of the original Zoning By-law Amendment application was to change the zoning from the "Institutional – Educational, Spiritual, and Other Services" (I.1) Zone to a "Specialized Residential Cluster Townhouse" (R.3A-67) Zone to permit the development of 64 stacked, back-to-back townhouses.

In addition to the regulations set out in Table 5.3.2 – Regulations Governing R.3A – Cluster and Stacked Townhouse Zones of Zoning By-law (1995)-14864, as amended, the following ten (10) specialized regulations were requested to facilitate the original proposal:

- That in addition to the uses permitted within the R.3A zone, Back-to-Back townhouses shall also be permitted,
 - Further, for the purpose of the proposed R.3A-? zone, "Back-to-Back Townhouse" shall be defined as: "a Building where each dwelling unit is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the dwelling unit from the outside accessed through the front yard, side yard or exterior side yard and does not have a rear yard".
- To permit a minimum side yard of 5.5 metres, whereas a minimum side yard of 5.75 metres is required (half the building height of 11.5 metres);
- To permit a minimum lot area per unit of 125 square metres, whereas a minimum lot area per unit of 150 square metres is required;
- To permit a minimum private amenity area for ground level units of 13 square metres per units, whereas a minimum private amenity area of 20 square metres is required;
- To not require a minimum depth for ground level private amenity areas, whereas a minimum depth of 4.5 metres (measured from the wall of the dwelling unit) is required;
- To not require minimum width for ground level private amenity areas, whereas a minimum width of 4.5 metres is required;
- To permit ground level private amenity areas within the front yard, whereas ground level private amenity areas are not permitted within the 6 metre front yard;
- To permit ground level private amenity areas to face onto a public street, whereas ground level private amenity areas cannot face onto a public street;
- That visitor parking be permitted in the front yard and at a minimum 3 metre setback from the street line; whereas visitor parking is not permitted in the front yards and to be a minimum setback of 6 metres from the street line; and
- To permit a maximum net density of 80 units per hectare, whereas net density is limited in the R.3A Zone to a maximum of 60 units per hectare.

The original conceptual site plan is included to this report in Attachment-9.

Current Conceptual Site Plan

The applicant has revised the townhouse development proposal by making several changes. This includes:

- Reducing the number of townhouse dwelling units from 64 to 52;
- Reducing the net density from 79.7 units per hectare to 64.75 units per hectare;
- Reducing the number of blocks of back-to-back stacked townhouses from 4 to 2, changing the remaining 2 townhouse blocks to conventional front-to-back stacked townhouse units;
- Increasing the rear yard setback from 6 metres to 9.5 metres;
- Increasing the lot area per dwelling unit from 125.4 square metres to 154.4 square metres;
- Increasing the buffer strip between the left side lot line and off-street parking area from 1 metre to 3.3 metres;
- Reducing the maximum building coverage from 26% of the subject lands to 20% of the subject lands;

- Increasing the overall amount of common amenity area from 640 square metres to 834 square metres;
- Increasing the front yard setback to off-street parking from 3 metres to 6 metres (which in turn removed parking areas from the front yard); and
- Increasing the overall parking spaces per unit from 1.3 to 1.4.

In addition to the regulations set out in Table 5.3.2 – Regulations Governing R.3A Cluster and Stacked Townhouse Zones of Zoning By-law (1995)-14864, as amended, the following three (3) specialized regulations are required for the revised and current development proposal:

- That in addition to the uses permitted within the R.3A zone, Back-to-Back townhouses shall also be permitted,
 - Further, for the purpose of the proposed R.3A-67 Zone, “Back-to-Back Townhouse” shall be defined as: “a Building where each dwelling unit is divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the dwelling unit from the outside accessed through the front yard, side yard or exterior side yard and does not have a rear yard”.
- To permit a maximum net density of 64.75 units per hectare, whereas net density is limited in the R.3A Zone to a maximum of 60 units per hectare;
- For any ground level stacked townhouse units, permit private amenity areas that:
 - Have a minimum area of 11.2 square metres, whereas a minimum area of 20 square metres is required;
 - Have a minimum depth (measured from the wall of the dwelling unit) of 3.6 metres, whereas a minimum depth of 4.5 metres is required; and
 - Have a minimum width of 3.3 metres, whereas a minimum width of 4.5 metres is required.

A detailed review of the required site specific zoning regulations listed above is provided in the planning analysis in Attachment-11. The current conceptual site plan is included in Attachment 10. The proposed zoning and the requested specialized regulations are included in Attachment-8.

Staff Review/Planning Analysis

The staff review and planning analysis for these applications is provided in Attachment-11. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at and after the statutory Public Meeting held on October 13, 2020. Final comments on the revised proposal from internal City departments and agencies are included in Attachment-13. The staff review and planning analysis addresses the following:

- Evaluation of the development proposal in accordance with the policies of the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- Evaluation of the development proposal’s conformity with the Official Plan, including the proposed Official Plan Amendment;

- Review of the proposed R.3A-? Zoning and required specialized, site-specific regulations;
- Review of the proposed site layout and built form compatibility with adjacent and established residential land use and parking;
- Review of supporting documents submitted with the development applications;
- Confirm support for the 2019 Community Energy Initiative Update (2019);
- Confirm alignment with the City's Affordable Housing Strategy; and
- Address all comments and issues raised at and following the Statutory Public Meeting as well as all comments received from circulated Agencies.

Staff Recommendation

The applicant has revised the proposal since the initial application and statutory Public Meeting. The applicant has reduced the number of townhouse dwelling units proposed and in turn the overall net density of the development. The amount of common amenity area and overall lot area per unit has been increased. The rear yard setback has been increased to allow an appropriate transition to adjacent and established residential areas. A Notice of Revised Applications was sent to interested parties and City departments and agencies on May 14, 2021, which identified several of the changes made to the original applications. Additional revisions were made again in September 2021, including a further reduction to the number of dwelling units, net density and townhouse block placement. Through the review of the applications, staff have also identified the need for additional specialized, site-specific zoning regulations pertaining to a minimum rear yard, minimum angular plane to the rear lot line and placing a maximum limit on the number of townhouse dwellings to 52. The modifications to the proposed development are considered to be minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Planning staff are also of the opinion that the proposed 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 Amendment and Zoning By-law Amendment confirm to the objectives, goals and policies of the Official Plan. The specialized R.3A-67 Zoning, including the site-specific regulations are appropriate for the site and to ensure a compatible and compact form of development in the City's Built-up Area.

Planning staff recommend that Council approve the Official Plan Amendment as outlined in Attachment-3 and also recommend that Council approve the Zoning By-law Amendment subject to the zoning regulations and proposed conditions to be imposed through site plan review as outlined in Attachment-4.

Financial Implications

Estimated Development Charges: \$1,072,448 based on 2021 rates.

Estimated Annual Taxes: \$160,317 based on the 2021 City tax rate for 52 stacked townhouse units, including 20 front-to-back units and 32 back-to-back units ranging a gross floor area per unit of 83 to 140 square metres (estimate only and actual numbers may vary).

Consultations

The Notice of Complete Application was mailed on August 19, 2020 to local board and agencies, City service areas and all property owners within 120 metres of the subject lands. The Notice of Public Meeting was mailed on September 15, 2020 to local board and agencies, City service areas and all property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised in the Guelph Tribune on September 17, 2020. Notice of the applications has also been provided by means of signage on the property, which was posted on August 13, 2020. All supporting documents submitted by the applicant have been posted on the City's website. A Notice of Revised Applications was sent on May 14, 2021 to interested parties who spoke at the Public Meeting, provided comments on the application, or requested to receive further notice.

On November 25, 2021, the Notice of Decision Meeting was sent to interested parties who spoke at the Public Meeting, provided comments on the application, or requested to receive further notice. A complete summary of public notifications and consultation is included in Attachment-14.

Strategic Plan Alignment

Priority

Sustaining our Future

Direction

Plan and design an increasingly sustainable city as Guelph grows.

Alignment

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

Attachments

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Official Plan Amendment No. 77

Attachment-4 Recommended R.3A-67 Zoning, Regulations and Conditions

Attachment-5 Existing Official Plan Land Use Designations and Policies

Attachment-6 Proposed Official Plan Land Use Designations and Policies

Attachment-7 Existing Zoning

Attachment-8 Proposed Zoning

Attachment-9 Original Conceptual Site Plan

Attachment-10 Current Conceptual Site Plan

Attachment-11 Staff Review and Planning Analysis
Attachment-12 Community Energy Initiative Update Commitment
Attachment-13 Departmental and Agency Comments
Attachment-14 Public Notification Summary

Departmental Approval

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