

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 13, 2021
Subject	Decision Report 66 Duke Street Proposed Official Plan and Zoning By-law Amendments File: OZS20-008 Ward: 1

Recommendation

1. That the application by GSP Group on behalf of the owner, IT Enterprises Inc., on lands municipally known as 66 Duke Street, and legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph, for approval of an Official Plan Amendment to add a site-specific policy to allow a density of 150 units per hectare, to permit the development of a four-storey apartment building, containing 22 residential dwelling units, be approved in accordance with Attachment 2 of Report 2021-313 dated December 13, 2021.
 2. That the application by GSP Group on behalf of the owner, IT Enterprises Inc., on lands municipally known as 66 Duke Street, and legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph, for approval of a Zoning By-law Amendment to change the zoning from the current "Specialized Industrial" (B.4-1) Zone to a "Specialized Infill Apartment" (R.4D-12) Zone, be approved in accordance with Attachment 3 of Report 2021-313 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 66 Duke Street.
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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 the development of a four-storey apartment building, containing 22 residential dwelling units.

Key Findings

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

Financial Implications

Estimated Development Charges: \$378,736 (based on 2021 residential rates).

Estimated Annual Taxes: \$88,924 based on the 2021 City tax rate for 22 apartment units (estimate only and actual number may vary).

Report

Background

Applications to amend the Official Plan and Zoning By-law were received for the lands municipally known as 66 Duke Street from GSP Group on behalf of the property owner, IT Enterprises Inc. The applications were submitted on August 14, 2020 and deemed to be complete on September 4, 2020. The Statutory Public Meeting was held on October 13, 2020.

Location

The subject site is approximately 0.15 hectares in size and located on the east side of Duke Street, between Alice Street and Elizabeth Street (see ATT-1 and ATT-2 for Location Map and Orthophoto). The site currently contains an industrial building that is proposed to be demolished. Surrounding land uses include:

- To the north, a large industrial site with a mix of industrial uses.
- To the south and east, a variety of single detached dwellings fronting onto Duke Street and Alice Street.
- To the west, across Duke Street there are a flower shop, a parking lot and a small commercial building.

Existing Official Plan Land Use Designations and Policies

The site is designated as 'Residential 1' in the Downtown Secondary Plan (DSP). The 'Residential 1' designation is intended for residential neighbourhoods within the downtown area and low-rise forms of housing, including detached and semi-detached houses, townhouses and apartment buildings. A maximum density of 100 units per hectare is permitted together with a height range of two to four storeys. Further details of this designation are included in Attachment 4.

The site is also within the Two-Zone Flood Fringe, which includes lands that are outside the floodway but within the regulatory flood lines. Redevelopment is permitted in this area but requires floodproofing to the regulatory flood level as regulated by the Grand River Conservation Area.

Proposed Official Plan Amendment

The applicant has proposed a site-specific Official Plan Amendment to permit a maximum net density of 150 units per hectare, where the standard permitted density is 100 units per hectare.

The recommended Official Plan Amendment is included in Attachment 3.

Existing Zoning

The subject site is currently zoned "B.4.1" (Specialized Industrial) Zone, which permits only storage and warehousing as uses. The existing zoning is shown in Attachment 5.

Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the current "B.4-1" (Specialized Industrial) Zone to an "R.4D-12" (Specialized Infill Apartment Zone) to permit the redevelopment of the site to a four-storey apartment building containing 22 apartment units. Specialized regulations were requested to permit additional density, an increase in Floor Space Index (FSI), reductions in minimum side yards and rear yard, and reductions in the amount of off-street parking, and parking space dimensions. Planning staff also recommend additional specialized regulations related to visitor parking, bicycle parking and rooftop amenity area. See Attachment 3 for the recommended zoning regulations and Attachment 6 for details of the proposed regulations. A review of the proposed zoning and specialized regulations is included in the Staff Review and Planning Analysis in Attachment 9.

Proposed Development

The applicant has proposed to redevelop the site as a four-storey apartment building containing 22 apartment units. The development is proposed to contain 22 parking spaces within a ground floor garage. Vehicular and pedestrian access to the site is from Duke Street. The current conceptual site plan is included in Attachment 7 and the proposed building renderings 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 raised by the public and Council at the statutory public meeting. Final comments on the revised proposal from agencies and internal City departments are included in Attachment 13. The staff review and planning analysis addresses the following:

- Evaluation of the proposal against the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (including Amendment 1);
- Evaluation of the proposal's conformity with the Official Plan, including the proposed Official Plan Amendment;
- Review of the proposed site layout, built form and parking;
- Review of the proposed zoning, including the need for any specialized regulations;
- Consideration of the applicable sections of the Community Energy Initiative (CEI) update;
- Review of supporting documents submitted in support of the applications; and,
- All comments and issues raised at the public meeting and all comments received from circulated agencies and members of the public.

Financial Implications

Estimated Development Charges: \$378,736 (based on 2021 residential rates).

Estimated Annual Taxes: \$88,924 based on the 2021 City tax rate for 22 apartment units (estimate only and actual number may vary).

Staff Recommendation

Planning staff are satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the 2020 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (including Amendment 1). The proposed Official Plan Amendment and Zoning By-law Amendment conform to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Official Plan Amendment as proposed in Attachment 2 and the Zoning By-law Amendment subject to the specialized zoning regulations and proposed conditions to be imposed through site plan approval as outlined in Attachment 3.

Some minor modifications to the proposed zoning were made during review, in response to comments received, which resulted in revised specialized zoning regulations being recommended. The specialized regulations are discussed further in the Staff Review and Planning Analysis in Attachment 9. 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.

Consultations

The Notice of Complete Application and Public Meeting was mailed September 17, 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 Mercury Tribune on September 17, 2020. Notice of the applications have also been provided by signage on the property, which was installed on September 18, 2020. All supporting documents and drawings received with the applications have been posted on the City's website.

The Notice of Decision Meeting was mailed on November 19, 2021 to interested parties who either spoke at the public meeting, provided comments on the applications or requested to receive further notice. The public notification summary is included in Attachment 12.

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 Aerial Photograph

Attachment-2 Recommended Official Plan Amendment No.76

Attachment-3 Recommended Zoning Regulations and Conditions

Attachment-4 Existing Official Plan Land Use Designations and Policies

Attachment-5 Existing Zoning

Attachment-6 Proposed Zoning

Attachment-7 Proposed Site Concept Plan

Attachment-8 Proposed Building Elevations

Attachment-9 Planning Analysis

Attachment-10 Community Energy Initiative Summary

Attachment-11 Departmental and Agency Comments

Attachment-12 Public Notification Summary

Departmental Approval

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