

Attachment-11 Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Engineering*		√	Subject to conditions in Attachment 3
Urban Design*		√	Site Plan Approval Required
Landscape Planning*		√	Subject to conditions in Attachment 3
Parks Planning*		√	Subject to conditions in Attachment 3
Canada Post*		√	Subject to conditions in Attachment 3
GRCA*		√	Subject to conditions in Attachment 3
Metrolinx*		√	Subject to conditions in Attachment 3
Upper Grand District School Board	√		

Internal Memo



Date November 23, 2021
To **Katie Nasswetter**
From Shophan Daniel
Service Area Infrastructure, Development and Enterprise Services
Department Engineering and Transportation Services
Subject 66 Duke Street
File: OZS20-008

The applicant proposes to redevelop the site as a (4) four storey, 22 unit apartment building. Official Plan Amendment application proposes a site-specific amendment to permit a density of 150 units per hectare. The Zoning By-law Amendment application proposes a new R.4D-?? (Specialized Infill Apartment) Zone, with specialized regulations 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.

The comments below are in response to the review of the following reports & plans:

- Phase 1 Environmental Site Assessment (ESA), (Pinchin Ltd., April 09, 2020);
- Functional Servicing and Stormwater Management Report (MTE, March 17, 2020);
- Site Servicing and Grading Plan MTE, March 3, 2021)
- Noise Impact Study (HGC Engineering January 30, 2020);

Road Infrastructure:

The subject property is located on Duke Street between Alice Street and Elizabeth Street and is municipally known as 66Duke Street. Duke Street abutting the subject property is designated as a two (2) lane local road with grass boulevard on one side, asphalt pavement, curb and gutter and concrete sidewalk on east side of the street. The right-of-way width of Duke Street abutting the property is 20.00-metres; and no road widening has not been identified in the City's Official Plan.

Municipal Services:

Duke Street

Existing services within the right-of-way along Duke Street includes a sanitary sewer, storm sewer and watermain as follows:

- 225mm diameter sanitary sewer

- 450mm diameter storm sewer
- 150mm diameter watermain

Servicing Capacities:

Water

The water system near the proposed development provides high pressures, above the City's preferred operating range of 50–80 psi but below the maximum allowable pressure of 100 psi. The available fire flow at the existing hydrants near the proposed development ranged from 105 - 273 L/s. The available fire flow at the approximate development location was 85 L/s.

Wastewater

DWF sanitary flows are predicted to increase by +0.89 L/s, and WWF sanitary flows by +0.93 L/s. The sanitary generation rate was provided by MTE consultants in their Functional Servicing and Stormwater Management Report. The model results suggest the local sewer on Duke St is projected to flow at 3% (DWF) to 6% (WWF) of its full capacity under post-development conditions. Looking downstream along Arthur St S, the receiving trunk sewer is projected to flow at 7% (DWF) to 22% (WWF) of its full capacity under post-development conditions.

Site Servicing:

Based on the FSR, the site is proposed to be serviced for water, sanitary and storm by municipal infrastructure located on Duke Street. This will be further assessed during site plan stage. The provided drawing shows that the connections are viable; however, some inverts details are missing, which can be addressed through detail design.

Stormwater Management:

The Stormwater Management Report has demonstrated how the swm criteria will be achieved from a quality and quantity perspective.

The quantity control components will be addressed mainly through roof top controls; however, details will be required during the site plan stage.

The City disagrees with the water quality component before any discharge to the City's storm sewer; the water must be treated to ensure the criteria of enhanced level (80% TSS removal) of protection is maintained. It is unclear how a Snout will provide enhanced level protection. This can be addressed at the site plan stage.

Further, please note that the City will require the consultant to show the Miduss outputs for the pre-development scenario at prior to site plan approval. SWM will be further assessed during the site plan application process.

Environmental:

COMMENTS

Based on the commercial use of the Site an RSC is mandatory under Regulation 153/04 (as amended). Engineering will support the zone change from an

environmental impact perspective. However, it should be noted the Owner/Developer will be required to fulfill the following conditions prior to Site Plan approval:

- Complete a Phase Two ESA for the 66 Duke Street property as recommended by Pinchin.
- Provide proof of RSC filling and MECP acknowledgement for 66 Duke Street must be submitted to the City prior to the Site Plan approval, which will also serve as a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

Noise Study Review:

The noise feasibility study is acceptable for the zoning change application. Please note that a **detailed noise study** will be required prior to site plan approval.

Staff Recommendations:

Engineering supports the approval of the zoning by-law amendment application.

The following conditions are provided as information to Council and will be imposed through the site plan approval unless noted otherwise.

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. The Owner acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring

and maintenance program for the stormwater management facility to be submitted;

- ii. Detailed Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - iii. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
 - v. salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
 - vi. Complete a Phase Two ESA for the 66 Duke Street property as recommended by Pinchin.
 - vii. Provide proof of RSC filling and MECP acknowledgement for 66 Duke Street must be submitted to the City prior to the Site Plan approval, which will also serve as a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.
4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 vii) inclusive.
 5. The Owner shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
 6. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

7. The Owner shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
8. The Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner.
9. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
10. The Owner shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner shall pay to the City the estimated cost of the construction of municipal services as determined by the General Manager/City Engineer.
11. The Owner agrees, prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands currently using or draining into the existing watermain, sanitary and storm sewer.
12. The Owner acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
13. The Owner shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
14. The Owner shall confirm that the basements will have a minimum 0.5 metre separation from the seasonal high groundwater elevation in accordance with Development Engineering Manual.
15. The Owner shall construct the new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.

16. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable Zoning By-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
17. The Owner shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (Radon and Methane) in the plan in accordance with applicable provisions contained in the Ontario Building Code.
18. The Owner shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
19. The Owner shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
20. The Owner shall service, grade, develop and maintain the site in accordance with the plans that have been approved by the City through the site plan approval. The Owner shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
21. The Owner shall place, or agree to place, the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the agreement to be registered on title:
22. The Owner shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the site is complete and that the elevation of the building foundation(s) and the grading of the site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
23. The Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the

construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

24. The Owner shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catchbasins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
25. The Owner provides assurance of proper operation and maintenance of the Stormwater management facility and oil-grit-separator (OGS) unit(s) through site plan agreement.
26. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement.
27. The Owner agrees to maintain a log for perpetual cleaning/maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries and agrees to submit the maintenance log for audit purposes to the City and other agencies upon request through site plan agreement.
28. All applications for a building permit shall be accompanied by a plot plan that shows that the proposed building, grading and drainage are in conformance with the approved overall site drainage and grading plan.
29. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner shall pay the engineering on-site works inspection fee to the satisfaction of the City.

Shophan Daniel, C.E.T

Engineering Technologist III

Mary Angelo, P.Eng

Manager, Development
and Environmental
Engineering

Internal Memo



Date June 1, 2021
To **Katie Nasswetter, Senior Development Planner**
From David de Groot, Senior Urban Designer
Service Area Infrastructure, Development and Enterprise Services
Department Planning Services
Subject 66 Duke Street: Official Plan Amendment and Zoning By-law Amendment Application – OZS20-008
Urban Design Comments

Urban Design staff has the following comments based on the:

- Urban Design Brief dated April 2021 from GSP Group; and,
- Building drawings from SRM Architect Inc. dated April 12, 2021.

This is the second review of this application.

Background

Urban Design policies from the Official Plan were reviewed including the Downtown Secondary Plan policies. The City has approved the Downtown Built Form Standards and Streetscape Manual. The comments below also reflect the review of these documents.

Urban Design Comments

- Staff acknowledges that the applicant has been working with City Staff.
- Through this process, staff has concentrated on a number of key issues which have been positively addressed by the applicant including:
 - Increasing the side yard setback along the southerly property line, along with shifting the location of some of the balconies along the southerly lot line;
 - Adding some additional ground-floor glazing along Duke Street;
 - Responding to the Downtown Built Form Standards and in particular the context of the St. Patrick's Ward; and,
 - Responding to the Downtown Built Form Standards.
- Generally Urban Design staff is supportive of the approach to the design of the site as shown in the April 2021 revised concept plans along with the Urban Design Brief addendum, dated April 2021.

- Urban design staff suggest that a setback of 2m from the edge of the roof for the rooftop amenity space to mitigate views into the adjacent property to the south be considered for inclusion in the Zoning Bylaw.
- As part of the site plan process further detailed comments will be discussed including:
 - Developing the elevations including materials and colours—in particular the encouragement of brick/stone along the ground floor.
 - Accessibility requirements including in regard to the garage door. As per section S.4.3.12 of the Facility Accessibility Design Manual The main garage door shall have a clearance of 2.750m to permit full access. This minimum clearance shall be continuous from the garage door, along the vehicle access and egress routes and the barrier-free parking stall(s). Items such as overhead signage or mechanical equipment may not reduce this overall clearance;
 - Rooftop mechanical screening details.
 - Landscaping details including screening/landscaping along the easterly property line, and implementation the Tree Inventory and Preservation Plan.
 - Architectural details including balcony depth.

Prepared By:

David de Groot

Senior Urban Designer

519.822.1260 ext. 2358

David.deGroot@guelph.ca

Internal Memo



Date June 7, 2021
To **Katie Nasswetter, Senior Development Planner**
From Rory Templeton, Landscape Planner
Service Area Infrastructure, Development and Enterprise Services
Department Planning Services
Subject 66 Duke Street: Official Plan Amendment and Zoning By-law Amendment Application – OZS20-008
Landscape Comments

Landscape Planner staff has the following comments based on the:

- Urban Design Brief dated April 2021 from GSP Group; and,
- Building drawings from SRM Architect Inc. dated April 12, 2021.
- Vegetation Management Plan, dated April 5, 2021

This is the second review of this application, but first review of the VMP.

Background

The Vegetation Management Plan was submitted with the application identifying 23 trees over 10cm in DBH. Of these three (3) are on-site, eleven (11) off-site (10 on adjacent private property, 1 on public right of way). There are also nine (9) trees along the property line (shared) that are influenced by the proposal. It should be noted that the assessment of the trees was done March 19, 2021.

Landscape Comments

- a) Of the twenty-three (23) trees, eighteen (18) trees are to be removed to accommodate development. Of these seven (7) are off-site, eight (8) are shared and three (3) are on-site.
- b) Of the eighteen (18) trees to be removed, fifteen (15) trees are fair, good or excellent condition, but four (4) are listed as hazards. Therefore, eleven (11) trees will require compensation using the Aggregate Caliper Compensation. The total proposed aggregate removed is 265cm.
- c) A Landscape Plan was not submitted as part of this application and therefore it is not known at this time if compensation is being achieved on site. At a standard 60mm caliper tree replacement, a total of 44 trees will be required. Staff believe the full tree compensation required will not be achieved on site. Therefore, cash-in-lieu will be required for a portion of the compensation. This may be finalized through the site plan process, however the applicant

should acknowledge this understanding through the zone change file.

- d) Tree #13 is located within the public right of way. This tree is to be preserved, however there are notes proposing some impacts to the root zone of this tree. The City's Forestry Services may have further comments related to this city owned asset, and approval to injure will be required by the General Manager of Parks prior to Site Plan Approval.
- e) The proposed Tree Protection Fencing along the north property line will more than likely need to be modified to accommodate and/or integrate sediment control as part of Engineering Plans. Updates to this vegetation plan may be required as part of a formal Site Plan Approval process.
- f) The Urban Design Brief conceptually shows a high 'green wall' along the east property line (see image below). It is assumed, given all the trees along this elevation are proposed for removal, that these are new trees, providing a screen/buffer/privacy of the proposed building to the adjacent residential property. There is concern that such a buffer will not be possible given there is only 1585mm of soft surface along this side of the property which would not be adequate for large trees. This soft surface will also, more than likely, need to accommodate a shallow swale for storm water purposes and therefore trees or any type of woody vegetation will not be approved by Engineering Services within the swale. Further consideration as to the true visual impacts of this proposal on the adjacent properties requires refinement, and should include what vegetative or other landscape or architectural screening measures are possible to achieve privacy/buffer along property lines.



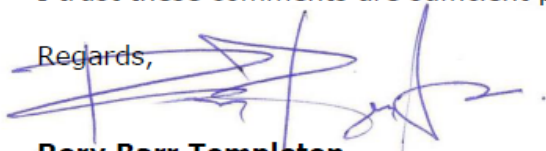
- g) Prior to staff support of this application indicating trees off-site (adjacent private property) will be injured/destroyed, written confirmation from adjacent landowner(s) that approval has been given, shall be required.

Recommended Conditions of Approval:

1. *THAT the Developer shall provide to the City, written confirmation from adjacent landowners that approval has been given to destroy trees on their properties as part of this development proposal.*
2. *THAT the Developer shall complete a Tree Compensation Plan, in addition to or included with, standard landscaping requirements of a Landscape Plan, satisfactory to the General Manager of Planning and Building Services, prior to any grading, tree removal or Site Plan Approval. Should space not be available for compensation trees on site, an alternative site and/or cash-in-lieu compensation will be provided.*

I trust these comments are sufficient please let me know if you have any questions.

Regards,



Rory Barr Templeton
Landscape Planner
Planning
Infrastructure, Development and Enterprise
Location: City Hall

T 519-822-1260 x 2436
E rory.templeton@quelfh.ca

INTERNAL MEMO



DATE October 13, 2020

TO **Katie Nasswetter**

FROM Helen White

DIVISION Parks

DEPARTMENT Public Services

**SUBJECT 66 Duke Street – Proposed Zoning By-Law and Official Plan
Amendment OZS20-008**

Park & Trail Development has reviewed the application for the above Proposed Zoning By-Law and Official Plan Amendment including the Notice of Complete Application & Public Meeting dated September 17, 2020, Cover letter dated August 13, 2020, Site Plan dated March 19, 2020, OPA and ZBA Application forms dated July 31, 2020, and offers the following comments:

Zoning Bylaw and Official Plan Amendment:

The proposed development is a (4) four storey, 22 unit apartment building. Park & Trail Development has no objection to the Official Plan Amendment proposing a site specific amendment to permit a density of 150 units per hectare and Zoning By-law Amendment proposing a new R.4D-?? (Specialized Infill Apartment) Zone, with specialized regulations 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. Please address the following items:

Payment in Lieu of Parkland

Park and Trail Development recommends Payment in lieu of Conveyance of Parkland for the entire development.

- Payment in lieu of Parkland will be required for this development in accordance with City of Guelph Official Plan Policy 7.3.5.6 and the City of Guelph Parkland Dedication By-law (2019)-20366 as amended by By-law (2019) 20380 or any successor thereof.
- Section 17 (b) of By-law (2019)-20366 states that the rate will be the greater of:
 - i. The equivalent of Market Value of 1 hectare per 500 dwelling units ... but in no case to exceed twenty percent (20%) of the total Market Value of the Land; or
 - ii. 5% of the total Market Value of the Land.
- So for this development the rate of twenty percent (20%) will apply.
- A narrative appraisal report of the subject property will be required to determine the Payment in lieu of Parkland amount, prior to submission of any building permit applications, at least a month in advance. As per Section 21 of Bylaw (2019)-20366, the appraisal is only considered valid for one (1) year. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada. The property owner is responsible for the cost and to arrange for the appraisal.

Katie Nasswetter
October 13, 2020

RE: OZS20-008 - Proposed Zoning By-Law and Official Plan Amendment

Page 2 of 3

- The amount for cash in lieu of parkland will depend on the details of the approved development, parkland dedication rate in effect at the time of the issuance of the first building permit and the estimated market value of the land a day before issuance of the first building permit.

Conditions of Development:

Park & Trail Development recommends the following development approval conditions:

1. The Owner shall be responsible for payment in lieu of conveyance of parkland to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 42 of the Planning Act and in accordance with the City's Parkland dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.
2. Prior to the issuance of the first building permit, the Owner shall provide to the Deputy CAO of Public Services or their designate, a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount for payment in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The value of the land shall be determined as of the day before the day the first building permit is issued. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate. Notwithstanding the foregoing, if the narrative appraisal provided by the applicant is not satisfactory to the Deputy CAO of Public Services or their designate, the City, acting reasonably, reserves the right to obtain an independent narrative appraisal for the purposes of calculating the amount for payment in lieu of conveyance of parkland.

Summary:

The above comments represent Park & Trail Development's review of the proposed development. Based on the current information provided, we would support the proposed development subject to the conditions outlined above.

Regards,



Park Planner
Parks
Public Services
Location: City Hall

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C Luke Jefferson



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SEPTEMBER 18, 2020

Katie Nasswetter, Senior Development Planner
Planning Services
Infrastructure, Development and Enterprise
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

RE: OZS20-008 - Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph – 66 Duke St

Dear Katie,

Canada Post has reviewed the proposal for the above noted Development Application and has determined that the project adheres to the multi-unit policy and will be serviced by internal Lock Box Assembly.

*Multi-unit buildings and complexes (residential and commercial) with a common lobby, common indoor or sheltered space, require a centralized lock box assembly which is to be provided by, installed and maintained by the developer/owner at the owner's expense. **Buildings with 100 units or must have a rear loading Lock Box Assembly with dedicated secure mail room.***

Should the description of the project change, please provide an updated plan in order to assess the impact of the change on mail service.

Canada Post appreciates the opportunity to comment on the above noted application and looks forward to working with you in the future.

If you require any further information or have any questions or concerns, please contact the undersigned.

Regards,

NEIL MAZEY
Delivery Planning – Canada Post
955 Highbury Ave N
London ON, N5Y 1A3
519-281-2253





400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

**PLAN REVIEW REPORT: City of Guelph
Katie Nasswetter, Senior Development Planner**

DATE: October 6, 2020

YOUR FILE: OZS20-008

RE: Application for Official Plan Amendment and Zoning Bylaw Amendment
66 Duke Street, Guelph

GRCA COMMENT:

The Grand River Conservation Authority (GRCA) has no objection to the above noted Official Plan Amendment and Zoning By-law Amendment.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property is within the floodplain of the Speed River. This portion of the floodplain is within the City of Guelph Two Zone Floodplain, specifically the flood fringe in the City of Guelph Official Plan and Zoning By-Law.

2. Legislative/Policy Requirements and Implications:

The floodplain on this property is within flood fringe of the Two Zone Floodplain, and is subject to the policies for development within the Two Zone Floodplain found in the City of Guelph's Official Plan and Zoning By-law. Development within the Two Zone Floodplain is permitted subject to meeting technical criteria as outlined in the City of Guelph's Official Plan section 4.4.1 and the City of Guelph's Zoning By-law section 12.

We believe that subject to further details being provided through the detailed design process the proposal could conform to the floodproofing policies in the City of Guelph's Official Plan and Zoning By-Law.

Due to the presence of the floodplain, the entire property is regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development on the subject property would require written permission from the GRCA.

3. Additional Information/Suggestions provided in an advisory capacity:

Please note that we have reviewed the following plans:

- Cover Letter, Prepared by Chris Pidgeon, GSP Group. Dated August 13, 2020
- Conceptual Site Plan, Prepared by srm Architects Inc. Dated March 19, 2020

- Renderings, 66 Duke Street, Guelph. Prepared by srm Architects Inc. Dated March 19, 2020
- Functional Site Grading and Servicing Plan. Prepared by J.Lerch, MTE. Dated February 13, 2020

Further clarification and details will be required at the detailed design (permit) stage to ensure that the technical requirements of the Zoning By-law and Official Plan are fulfilled.

For instance the Level 1 Floor Plan Renderings prepared by srm Architects indicated that the FFE will range from 313.59 to 314.00 and that there will be an “Elect./Trans” room on Level 1, however, the floodproofing requirements within the Zoning By-law (Section 12.3.3.1.4) require that the mechanical, electrical and heating equipment is not below the Regulatory Flood level (315.10m).

As such we would recommend that the applicant reviews the Official Plan and Zoning By-Law sections that relate to the Two Zone Floodplain, specifically the flood fringe to ensure the proposed development meets the required technical criteria prior to the submission of their permit application pursuant to *Ontario Regulation 150/06*.

This application is considered a minor Official Plan and Zoning By-law Amendment application which has an applicable fee of \$420.00. With a copy of this correspondence, the applicant will be invoiced in the amount of \$420.00 for our review of this application.

Should you have any further questions or require additional information, please contact Ashley Rye at 519-621-2763 ext. 2238.

Yours truly,



Ashley Rye
Resource Planner
Grand River Conservation Authority

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

Enc. (1)

c.c. IT Enterprises Inc. 265 Edinburgh Rd.S. Guelph, Ontario N1G 2J6
Chris Pidgeon, GSP Group Inc. (via email cpidgeon@gspgroup.ca)



**UPPER GRAND
DISTRICT SCHOOL
BOARD**

Planning Department

Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2

Email: municipal.circulations@ugdsb.on.ca

Tel: 519-822-4420 ext. 821 or Toll Free: 1-800-321-4025

18 September 2020

PLN: 20-070
File Code : R14

Katie Nasswetter
Senior Development Planner
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Nasswetter;

Re: **OZS20-008**
66 Duke St, Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above noted application to create a four storey, 22-unit apartment building.

Please be advised that the Planning Department does not object to the proposed application, subject to the following condition:

- That Education Development Charges shall be collected prior to the issuance of a building permit(s).

Sincerely,
Upper Grand District School Board

Heather Imm, RPP
Senior Planner
heather.imm@ugdsb.on.ca

RE: 66 Duke Street-Notice of Complete Application & Public Meeting-October 13, 2020

Hi Katie,

Thank you for circulating the above-noted Official Plan and Zoning By-law Amendment applications to Metrolinx for review. I understand the application is proposing a four-storey, multiple-unit residential building at lands referred to as 66 Duke Street, in the City of Guelph. In order to facilitate the development, the applicant is requesting a site specific amendment to the City's OP to permit a density of 150 units per hectare. Additionally, the Zoning By-law Amendment application requests additional density, reductions to yard setbacks, and changes in terms of parking requirements. The subject lands are located within close proximity to Metrolinx's Guelph Subdivision, which carries Metrolinx GO Transit train service on the Kitchener rail corridor. My comments on the subject application are noted below.

1. I am in receipt of the Noise Feasibility Study, prepared by HGC Engineering and dated January 30, 2020. I acknowledge that the report uses the most up to date Metrolinx GO Transit rail data. The report recommends the implementation of warning clauses, consistent with those recommended by the Ministry of Environment, Conservation and Parks (MECP). I have no comments to provide in this regard.
2. The proponent shall grant Metrolinx an environmental easement for operational emissions, which is to be registered on title against all residential dwellings within 300 metres of the railway right-of-way. I have included a copy of the easement language for information. I request the proponent reach out to the undersigned to initiate the easement registration process.
3. The development is subject to the following warning clause. The warning clause shall be inserted in all development agreements, offers to purchase and agreements of Purchase and Sale or Lease, of each residential dwelling within 300 metres of the railway right-of-way:
Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest operate commuter transit service within 300 metres from the land which is the subject hereof. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Please feel free to contact me with any questions.

TONY TO

Project Manager

Third Party Projects Review, Capital Projects Group

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