

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2021)-20659

A by-law to amend the Official Plan for the City of Guelph as it affects property municipally known as 66 Duke Street and legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph (OZS20-008).

WHEREAS the Official Plan of the City of Guelph was adopted November 1, 1994 and approved December 20, 1995 pursuant to s. 17 of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

AND WHEREAS after giving of the required notice, a Public Meeting was held on October 13, 2020 pursuant to s. 17(15)(d) of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Amendment Number 76 to the Official Plan for the City of Guelph, as amended, consisting of the text attached to and forming part of this By-law is hereby adopted.
2. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Ontario Land Tribunal.

PASSED this THIRTEENTH day of DECEMBER 2021.

Cam Guthrie, Mayor

Dylan McMahon, Deputy City Clerk

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP FOR BY-LAW NUMBER (2021)-20659

1. By-law Number (2021)-20659 has the following purpose and effect:

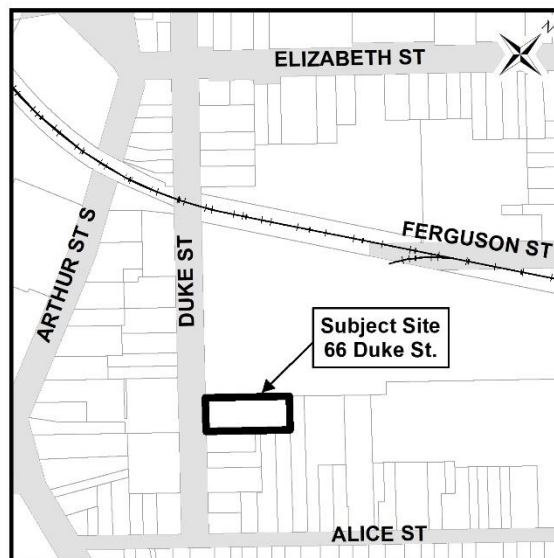
The purpose of By-law (2021)-20659 is to authorize an amendment to the Official Plan for the subject lands municipally known as 66 Duke Street and legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph; to add a site-specific policy that would permit the subject site to have a maximum density of 150 units per hectare. The proposed Official Plan Amendment will be known as Official Plan Amendment No. 76 (OPA #76).

OPA #76, was considered by Guelph City Council at a Public Meeting held on October 13, 2020 and was approved by Guelph City Council on December 13, 2021.

Further information may be obtained by contacting Planning and Building Services, 519-837-5616, extension 2356, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this Official Plan Amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. Key map showing the location of the lands to which By-law (2021)-20659 applies:



**AMENDMENT NO. 76
TO THE OFFICIAL PLAN
FOR THE CITY OF GUELPH**

PART A – THE PREAMBLE

Title and Components

This document is entitled '66 Duke Street Site Specific Amendment' and will be referred to as 'Amendment 76'. Part A - The Preamble provides an explanation of the amendment including the purpose, background, location, basis of the amendment and summary of changes to the Official Plan but does not form part of this amendment.

Part B – The Amendment forms Amendment 76 to the Official Plan for the City of Guelph and contains the specific text of the new policy introduced to the Official Plan for the City of Guelph through the Amendment.

Part C – The Appendices include information about public participation, background studies and the staff recommendation report to Council.

Purpose

The purpose of Official Plan Amendment 76 is to add a site-specific policy to the Official Plan to permit the property at 66 Duke Street to have a maximum density of 150 units per hectare. The applicant has proposed the construction of a four-storey apartment building containing 22 residential dwelling units.

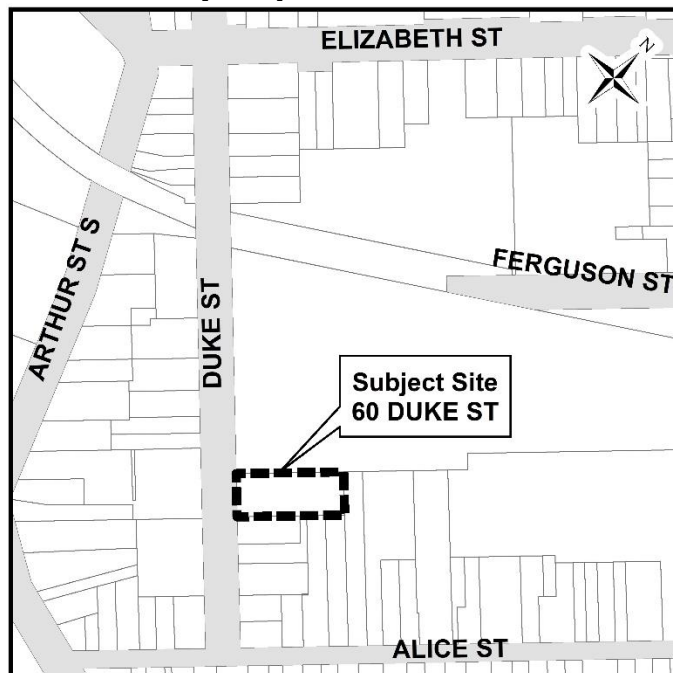
Location

The subject lands affected by Official Plan Amendment 76 are municipally known known as 66 Duke Street and legally described as Part of Lots 86, 87 & 88, Registered Plan 161, City of Guelph. The subject lands have an area of 0.15 hectares.

The subject lands are located on the east side of Duke Street, and north of Alice Street (see Key Map below). Surrounding land uses include:

- To the north, a large industrial site;
- To the east, rear yards of predominantly one storey residential dwellings;
- To the south, along Duke Street, a variety of one and two storey residential dwellings;
- To the west, across Duke Street, a mix of uses including, a vacant parcel used for private parking, an industrial site, and a variety of single detached dwellings;

Location Key Map



Basis of the Amendment

The Official Plan Amendment application was submitted to the City of Guelph in conjunction with an application to amend the Zoning By-law (File No. OZS20-008) on August 14, 2020. The Official Plan Amendment and Zoning By-law Amendment applications were deemed to be complete on September 4, 2020. The applications were presented to Council at a Public Meeting held on October 13, 2020 and revised application materials were submitted on April 26, 2021.

Summary of Changes to the Official Plan

The Official Plan land use designation that applies to the subject site is "Residential 1" within the Downtown Secondary Plan (DSP).

The Official Plan Amendment will add site specific policies to permit maximum density of 150 units per hectare where the "Residential 1" designation within the DSP permits a maximum density of 100 units per hectare.

PART B – THE AMENDMENT

Format of the Amendment

This section of Amendment 76 for 66 Duke Street sets out additions and changes to the text in the Official Plan. Text that is proposed to be amended is illustrated by various font types (e.g., ~~struck-out~~ is to be deleted and **bold** text is to be added).

Implementation and Interpretation

Amendment 76 should be read in conjunction with the current Official Plan (2018 Consolidation) which is available on the City's website at **guelph.ca**, or at the Planning Services office located at 1 Carden Street on the 3rd Floor.

Details of the Proposed Amendment

The Official Plan for the City of Guelph is amended to add a new policy 11.1.7.7.7 as follows:

11.1.7.7.7

66 Duke Street

In spite of Policy 9.4.7.8, within the Residential 1 designation at 66 Duke Street, a maximum *net density* of 150 units per hectare shall be permitted.

PART C – THE APPENDICES

The following appendices do not form part of Amendment No. 76 but are included as information supporting the amendment.

Appendix 1: Public Participation

Appendix 2: Background Studies

Appendix 3: December 13, 2021 Planning Staff Decision Report No. [2021-313](#)

Appendix 1 to Official Plan Amendment No. 76

Public Participation and Notification Timeline

August 14, 2020	Official Plan and Zoning By-law Amendment Applications received by the City of Guelph
September 4, 2020	Official Plan and Zoning By-law Amendment Applications deemed complete
September 17, 2020	Notice of Complete Application and Public Meeting for Official Plan and Zoning By-law Amendment Applications mailed to prescribed Agencies, City departments and surrounding property owners within 120 metres
September 17, 2020	Notice of Public Meeting for Official Plan and Zoning By-law Amendment Applications advertised in the Guelph Mercury Tribune
September 18, 2020	Notice sign for Official Plan and Zoning By-law Amendment Applications placed on property
October 13, 2020	Statutory Public Meeting of Council for Official Plan and Zoning By-law Amendment Applications held
April 26, 2021	Revised application materials received by the City of Guelph
November 19, 2021	Notice of Decision Meeting sent to parties that commented or requested notice
December 13, 2021	City Council Meeting to consider staff recommendation

Appendix 2 to Official Plan Amendment No. 76

Background Studies

The following studies were submitted by the property owner in support of the Official Plan Amendment and Zoning By-law Amendment:

- Planning Justification Report, prepared by GSP Group Inc., dated March 2020;
- Urban Design Brief Update, prepared by GSP Group Inc., dated March 2020;
- Site Plan, Floor Plans, Elevations and 3D site views, prepared by SRM Architects Inc., dated March 2020;
- Phase One Environmental Site Assessment, prepared by PINCHIN Ltd., dated September 2012;
- Functional Servicing and Stormwater Management Plan, prepared by MTE Engineers, Scientists, Surveyors Ltd., dated February 2020;
- Noise Feasibility Study, prepared by HGC Engineering, dated January 2020;
- Parking Review & Justification, prepared by SALVINI Consulting, dated March 2020;
- Site Survey, prepared by J.D.Barnes Ltd., dated February 2020;
- Revised Site Plan, Building Layout and Elevations, prepared by SRM Architects Inc., dated April 2021;
- Revised Urban Design Brief, prepared by GSP Group Inc., dated April 2021; and,
- Revised Tree Preservation and Removals Plan, prepared by GSP Group Inc., dated April 2021.