

Mayor Guthrie, City Council, City Staff, January 14, 2022:

Thank you for this opportunity to provide written submissions on the recently released *Shaping Guelph: Growth Management Strategy and Land Needs Assessment*, (the “Report”) that Council will be considering on January 17, 2022.

I am a resident of Rolling Hills and a member of the Families for Rolling Hills Group, (FFRHG). I’d like to thank the Councilors and City Planning Department staff (Staff) that made the time to meet with us this past week and in November to discuss the City’s plans and our group’s concerns. It was truly appreciated.

Before discussing the Report, FFRHG have serious concerns regarding Staff’s first recommendation to Council:

1. *That the Shaping Guelph Growth Management Strategy and Land Needs Assessment be endorsed and that the recommendations be incorporated into the draft Official Plan amendment for further consultation.*

Our understanding is that Staff reports are usually presented to Council, which then votes to accept or return the report. In this particular case, Staff is recommending that Council “endorse” the Report.

Words are important. If Council chooses to endorse Staff’s report at this meeting it is sending a signal that the councilors support and approve of the contents of the Report. Given that the Report is 207 pages long, does not address any transportation and environmental concerns, does contain any financial impact analysis, and has only been available for review since January 7, we suggest it is difficult to justify an “endorsement” by Council at this time.

We appreciate that the report must be received by Council to allow Staff to complete additional work and this work must be completed in a timely manner so that amendments to the City’s Official Plan may be submitted to the Province by the July deadline. Our suggestion is that Council follow its regular procedure and either vote to accept the Report (with reservations) or return the Report to Staff. An endorsement of the Report at this time would be premature and inappropriate.

The reasons we are recommending Council “accept the Report with reservations” is due specifically to the controversy surrounding the Rolling Hills neighbourhood.

Let’s begin by acknowledging Staff’s recommendation that a new zoning designation for Guelph – estate residential - be created. The FFRHG suggested the creation of this designation back during our Clair Maltby delegations and we are pleased to see the designation being used on the map that appears on page 50 of the Report – *Recommended Land Use for Rolling Hills*.

Admittedly, we were disappointed that the estate residential designation was not applied to all 52 of the lots in Rolling Hills, but it does give us something to build on.

Attached to my submission you will find two modified version of Staff’s Rolling Hills map. The first shows an overlay of the actual lots in the subdivision. We think it is beneficial for Council to see how the individual homes in our neighbourhood will be affected should Staff’s proposal be approved. Of the 52 lots in Rolling Hills, 29 of our homes representing 55% of the total are subject to a change in status. I

have lived in Guelph for over 50 years and watched the City grow from farmer's fields south of Stone Road to the thriving community we have today. During those 50 years I do not believe the City has ever proposed the conversion of more than half of an existing neighbourhood to accommodate growth. 5 or 6 houses in a row to accommodate town houses or perhaps an apartment block, but never half of the homes in an established community. This represents an unprecedented rate of conversion.

The second map has a grid system overlay so that we can provide Council with some rough estimates of land use as proposed by Staff.

By a very large margin, the largest land use in Rolling Hills is classed as natural heritage. This is land that is environmentally sensitive and any change of use in these areas is effectively prohibited.

The second largest proposed land usage is low density residential. When we asked staff to clarify why they are proposing low density instead of estate residential for these lots they informed us to allow land- owners the possibility of further development. They immediately followed that comment by informing us that in their professional opinion it is unlikely to be economically viable to redevelop most of the lots identified as low density residential in Rolling Hills. If that is the case, we submit this particular change should not have been proposed and Council should instruct staff to designate any of these lots estate residential regardless of whatever else occurs.

We asked Staff for the criteria used to identify specific areas for intensification. Our obvious intent was to compile a list of other areas in the City we feel are better suited to redevelopment. In fact, I suggested we could rent a bus and in less than two hours we could identify a dozen places that intensification would make more sense for Guelph. Staff agreed that there are other areas of the city that could have been proposed, but one of the guiding principles of urban planning is the concept of "equitable distribution". We were assured the residents of every area identified for intensification react in the same manner we have – we want the city to grow, but not in my backyard.

Allow me to be perfectly clear, the Families for Rolling Hills Group is not making a simple NIMBY argument. This particular area is unlike any other established neighbourhood in Guelph.

First, there is the high percentage of natural heritage areas within Rolling Hills. When we were removed from the Clair Maltby Secondary Plan the various studies required to properly determine the impact of redevelopment in Rolling Hills were stopped. Evidence of this is easy to find – Staff's map on page 50 includes areas they have designated as 'natural heritage overlay'. We were told that these are areas required further analysis and investigation to determine their true status.

Second there is the topography. A map does not convey the nature of our landscape – Rolling Hills comes by its name honestly. The entire area consists of a series of rolling hills that do not lend themselves to redevelopment. Further, to accommodate redevelopment serious amounts of regrading to alter the landscape must occur and that will have a detrimental affect on the remaining areas.

Third, additional hydrological studies need to be performed. Rolling Hills sits on two different moraines which are critical to the city and surrounding areas water supply. You cannot redevelop Rolling Hills without putting at risk the water supply for everyone in this region.

And finally, we have our legal protections. Unlike any other area in the City, when Rolling Hills was created the builder put in place a series of restrictive covenants to prohibit the redevelopment of the

area and any sort of intensification. They created a “building scheme” designed to protect the area from future alterations.

When we delegated for the Clair Maltby Secondary Plan, Staff effectively said they could ignore the restrictive covenants as they don’t fall within the purview of planning work. In the Report currently before Council Staff specifically address the issue of these covenants by noting on page 78 of the report, comment 35 that,

*“Following a legal review of the restrictive covenants on title, it is understood that most of these covenants would begin to expire during the early 2030s”.*

Notwithstanding the fact that our legal advisers, Gowlings, have made a written submission to Council informing them that in our opinion Rolling Hills is a “building scheme” not subject to the expiration of any restrictive covenants, if for the moment we accept Staff’s assertion that most of these covenants expire in the 2030s then logically it follows that no changes to any land use designations should be suggested or occur until the covenants expire. Proposing land use changes now has caused speculation within our neighbourhood. This has already impacted the community in a negative manner. If Staff acknowledges the covenants should be consider with their planning, a position we strongly support, then land use recommendations should reflect those dates.

To summarize, the Families For Rolling Hills Group is asking Council:

- 1) Not to “endorse” the Report submitted by Staff;
- 2) To “accept with reservations” the Report submitted by Staff;
- 3) Instruct Staff that additional studies are required for the Rolling Hills area to properly assess the impact of redevelopment on the natural heritage, ground water and other environmental concerns; and
- 4) Instruct Staff to revise their recommended land use designations for Rolling Hills to estate residential for every lot until such time as the required studies in point 3 have been completed and any restrictive covenants expire on the lots proposed for redevelopment.

We note that the province requires the City to complete a detailed review of the Official Plan every 10 years. The most efficient and effective way to address the concerns surrounding Rolling Hills would be to defer any redevelopment decisions for Rolling Hills until one of these future reviews.

Thank you and Staff for your service to our community. We appreciate the time and effort required to keep Guelph one of the most desirable places to live in Canada.

Respectfully,

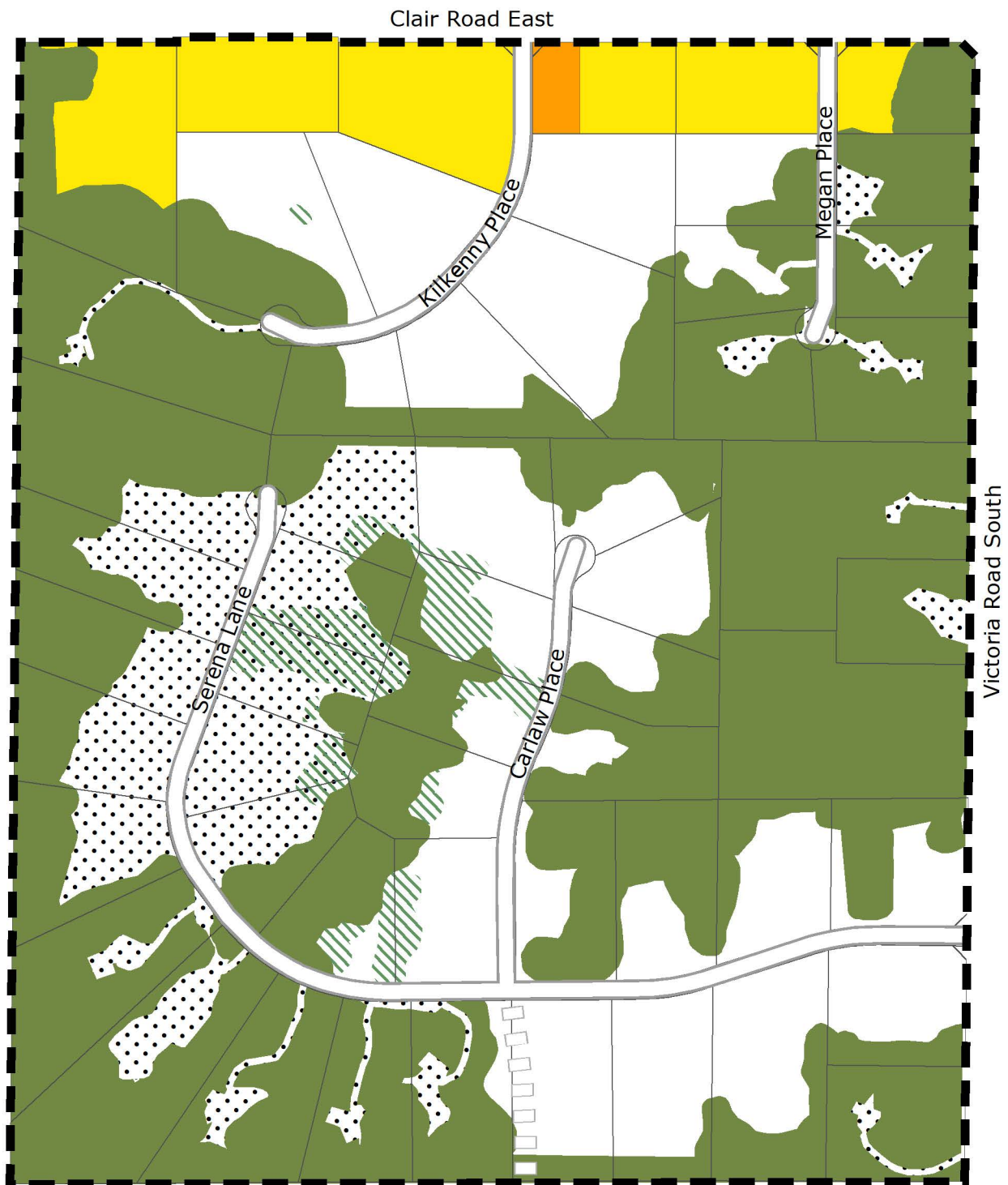
Ted Michalos

■ Carlaw Place

Guelph

A member of the families for Rolling Hills Group

# Rolling Hills Proposed Land Uses



## Legend

Rolling Hills Neighbourhood

Streets

Potential Future Road Connection

## Proposed Land Uses

Rolling Hills Estate Residential

Low Density Residential

Medium Density Residential

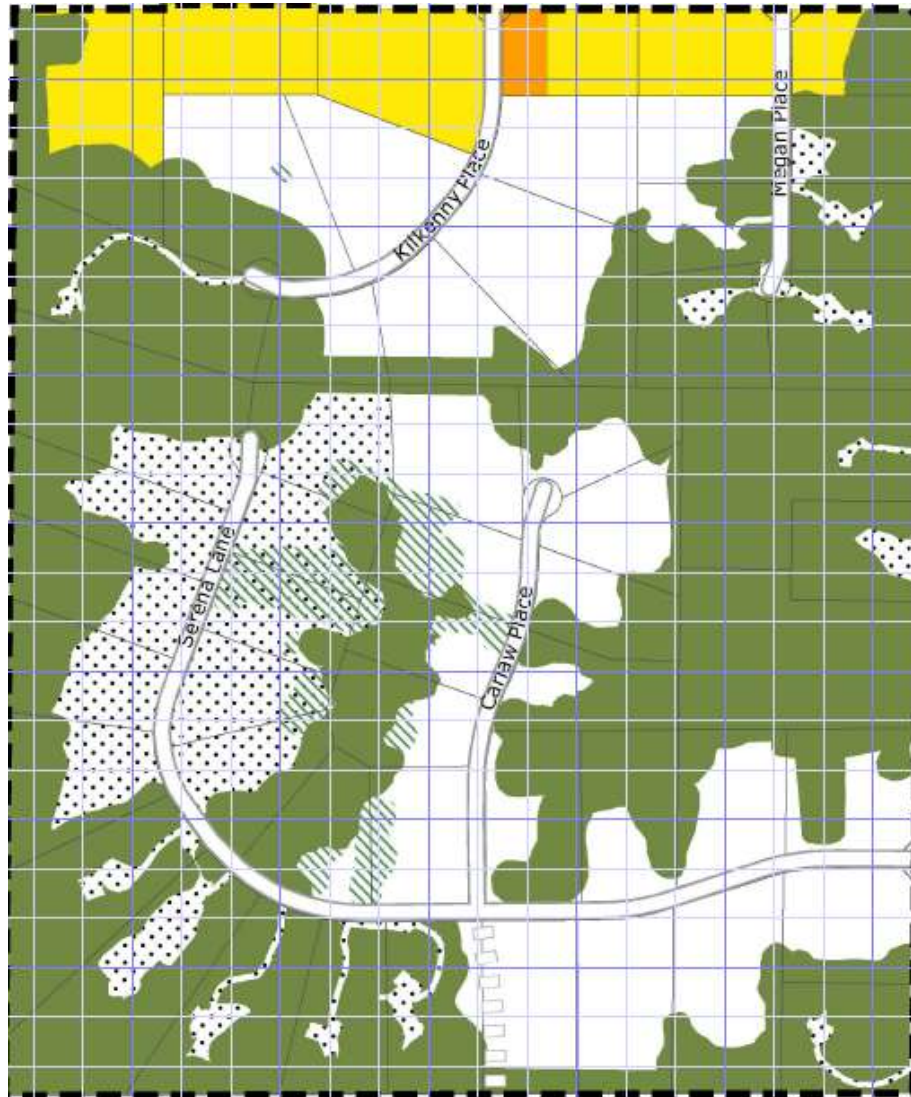
Mixed Office / Commercial

## Refined Natural Heritage System (Feb 2021)

Significant Natural Areas and Natural Areas

Natural Areas Overlay

## Rolling Hills Land Proposed Land Use – Grid Overlay



Land Use	Grid Squares	Approx. Acreage	Percentage of total
Natural heritage	204	113	52%
Natural heritage overlay	14	8	4%
Roadways	15	8	4%
Estate residential	48	27	12%
Low density residential	88	49	22%
Med density residential	26	14	6%
Mixed office commercial	1	1	Less than 1%
Total	396	220	100%