

Attachment-10 Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Development Planning		√	Site Plan Approval Required; Subject to conditions in Attachment 3
Engineering*		√	Site Plan Approval Required; Subject to conditions in Attachment 3
Parks Planning*		√	Subject to conditions in Attachment 3
CN Rail*		√	Subject to conditions in Attachment 3
Upper Grand District School Board*		√	Subject to conditions in Attachment 3

*Letters attached.

Attachment-10 Departmental and Agency Comments (continued)

MEMO



FILE: 16.13.001

TO: Lindsay Sulatycki, Senior Development Planner
FROM: Shophan Daniel, Engineering Technologist III
DEPARTMENT: Engineering and Transportation Services
DATE: January 25, 2022
SUBJECT: 7 and 9 Omar Street and 19 Alma Street North – Zoning By-law Amendment

The subject lands are located at the north-east corner of Omar Street and Alma Street. The lands are approximately 0.2443 hectares in size with approximately 30 metres of frontage along Omar Street and approximately 55 metres of frontage along Alma Street. There is an existing one-storey detached residential dwelling located at 9 Omar Street and an existing one-storey detached residential dwelling located at 7 Omar Street.

The intent of the application is to change the zoning from the "Industrial" (B.4) Zone to a "Specialized Residential Single Detached" (R.1D-?) Zone to permit the development of two new single detached residential dwellings and the redevelopment of the two existing single detached residential dwellings

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

- Conceptual Plan, prepared by Black, Shoemaker, Robinson and Donaldson Limited, dated October 15, 2018;
- Functional Servicing Letter, prepared by GM BluePlan Engineering Limited, Revised date December 2021
- Preliminary Grading and Servicing Plans (GSP-1) and (GSP-2), prepared by GM Blue Plan Engineering Limited, dated November 2018, revised September 2021;
- Phase One Environmental Site Assessment, prepared by MTE Consultants Inc. dated October 31, 2016;
- Phase Two Environmental Site Assessment, prepared by MTE Consultants Inc., dated December 15, 2017;
- Record of Site Condition (included as Appendix 1 in Planning Justification Report); and,
- Noise and Vibration Feasibility Study, prepared by HGC Engineering, dated September 2, 2020.

1. Road Infrastructure:

Alma Street North abutting the subject property is designated as a two (2) lane local road with grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on the both

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sides of the street.

Omar Street abutting the subject property is designated as a two (2) lane local road with grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on the both sides of the street.

Lucan Street abutting the subject property there is also an unopened right-of-way gravel road.

2. Traffic Study, Access, Parking and Transportation Demand Management:

- Omar Street and Alma Street intersection sightline triangle of 9m by 9m will be required and illustrated on the drawing;
- Each driveway will need to illustrate the 4m by 5m sight triangles; and
- Provide within the boulevards all above-ground utility locations (hydro, bell and roger boxes, etc.). Minimum clearance from the driveway to utility is 1.5m.

3. Municipal Services:

Existing services within the right-of-way along Alma Street are as follows:

- 300mm diameter storm sewer.
- 900 mm (trunk) and 200mm diameter sanitary sewer.
- 150mm diameter watermain.

Existing services within the right-of-way along Omar Street are as follows:

- 300mm diameter storm sewer.
- 225mm diameter sanitary sewer.
- 150mm diameter watermain.

A preliminary Servicing Plan shows that the proposed development will be serviced from Alma Street and Omar Street for water and wastewater and the storm discharge connection. The proposed connections will be further assessed at the site plan stage.

Sanitary Sewer Wastewater Collection System and Water Supply/Distribution System.

It has been confirmed that adequate sanitary and water capacity is available to service the proposed development. However, the developer is advised that there is potential for marginal water supply pressure under certain conditions such as peak hour demand scenario at locations with elevation greater than 347 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 340 m height AMSL in the existing

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water system. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site, is the responsibility of the developer.

Minimum water service size should be 25 mm for residential and all other services sized appropriately for demand based on potentially low pressures.

Sanitary Sewer Wastewater Collection System

Sufficient (and adequate) capacity is available in the City's existing downstream sanitary sewers, to accommodate discharge of sanitary flows from the proposed development, in the City's system. No sanitary capacity constraints were found in the Civic Infrastructure sanitary sewer wastewater collection system model. The proposed development would have no significant adverse impact to the City's downstream sanitary sewers.

4. Storm Water Management & Servicing:

The servicing and stormwater management report has demonstrated that it can be serviced for stormwater via infiltration galleries. Once the zone change application has received council approval, staff understand that a consent application and site plan application will be required for each new lot. Stormwater management will be further assessed at that stage.

5. Noise:

The noise study provided recommendations for the detailed design stage. Though we generally agree with the recommendations provided by HGC engineering. Our understanding is that the applicant will sever the property. Based on the recommendations by planning, it appears that each lot will require a site plan application under section 41 of the planning act and will require a detailed noise study for each lot.

6. Environmental:

RSC document is attached with the planning justification report (Page 18-38). As such, the file is deemed complete from an environmental perspective. Staff have no further comments.

Staff Recommendation

Engineering has reviewed the above-noted reports and plans and support the zone change application.

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The following conditions are provided as information to Council and will be imposed through 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. A 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. a construction traffic access and control plan for all phases of servicing and building construction;
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 v) inclusive.

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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.

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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

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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. "Purchasers and/or tenants of all lots or units are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer."
 - a. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Owner for the planting of trees on City boulevards in front of residential units does not obligate the City or guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling. The City shall not provide regular maintenance for trees planted on private property save and except any maintenance conducted pursuant to section 62 of the Municipal Act, 2001, c.25, as amended, and purchasers of all lots or units shall be obligated to maintain any tree on private property in accordance with and pursuant to the City of Guelph's Property Standards By-law (2000)-16454, as amended."
 - b. "Purchasers and/or tenants of all lots or units, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
 - c. "Purchasers and/or tenants of all lots or units are advised that on-street parking restrictions may apply to the street fronting their property."
23. 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.
24. 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.
25. 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,

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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.

26. The Owner to provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement and condominium declaration.
27. The Owner agrees to provide assurance of proper operation and maintenance of the infiltration galleries through site plan agreement and condominium declaration.
28. The Owner agrees to maintain 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 and condominium declaration.
29. 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.
30. The Owner shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an 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, IDEE

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Attachment-10 Departmental and Agency Comments (continued)

INTERNAL MEMO



DATE July 12, 2019
TO **Lindsay Sulatycki**
FROM Tiffany Hanna
DIVISION Park Planning
DEPARTMENT Parks and Recreation
SUBJECT **7 & 9 Omar and 19 Alma
Proposed Zoning By-Law Amendment File No. OZS19-005**

Park Planning has reviewed the documents listed below in support of the Zoning By-law Amendment as it pertains to 7 & 9 Omar and 19 Alma:

- Planning Justification Report, prepared by Black, Shoemaker, Robinson and Donaldson Limited, dated April 2019;
- Conceptual Plan, prepared by Black, Shoemaker, Robinson and Donaldson Limited, dated October 15, 2018;
- Functional Servicing Letter, prepared by GM BluePlan Engineering Limited, dated April 4, 2019;
- Preliminary Grading and Servicing Plans (GSP-1) and (GSP-2), prepared by GM Blue Plan Engineering Limited, dated November 2018;
- Phase One & Two Environmental Site Assessment, prepared by MTE Consultants Inc. dated October 31, 2016 and December 15, 2017;
- Tree Protection Plan, prepared by Ascents Tree, dated December 19, 2018. Park Planning offers the following comments:

Zoning Bylaw Amendment:

Park Planning has no objection to the Zoning By-Law Amendment to change the zoning from the "Industrial" (B.4) Zone to a "Specialized Residential Single Detached" (R.1D-?) Zone to permit the development of two new single detached residential dwellings and the redevelopment of the two existing single detached residential dwellings provided the following comments are satisfied:

Parkland Dedication:

The purpose Zoning By-law Amendment is to permit the development of two new single detached residential dwellings and the redevelopment of the two existing single detached residential dwellings (total 4 units) on the subject lands (0.2443 hectares).

Park Planning recommends payment in lieu of conveyance of parkland for the proposed development. Conveyance of parkland isn't recommended for the subject development as the site is too small to obtain a parcel large enough to meet the City's policies for parkland dedication.

Payment of cash-in-lieu (CIL) of parkland conveyance shall be required pursuant to s. 42 of the Planning Act, and in accordance with City of Guelph By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof. The calculation of the parkland dedication rate will depend on the details of the approved development and rate in effect at the time of the issuance of the first building permit.

Based on the current By-law and details of the Zoning By-law Amendment Application, Section 17c) will be applicable and a CIL rate 5% will be required. A narrative appraisal

report of the subject property will be required to determine the CIL amount. As per Section 21 of the By-law the appraisal is only considered valid for up to a period of one (1) year before CIL is collected (unless a lesser date is stated in the appraisal). 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.

City Trail:

The City's Official Plan Schedule 7 shows a proposed trail route along Lucan Street within the Right of Way. This proposed trail route should not impact this development and this comment is being provided for information only.

Conditions of Development:

Based on the information available, following conditions for Development approval are recommended:

Prior to Building Permit:

1. The Developer shall pay **cash in-lieu of parkland conveyance** for the entire development, under City of Guelph By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to building permit.
2. The Owner shall provide to the Deputy CAO of Public Services a **satisfactory narrative appraisal report** prepared for The Corporation of the City of Guelph for the purposes of calculating the payment of cash-in-lieu of parkland dedication. The 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.

Summary:

The above comments represent Park & Open Space Planning's review of the documents and Reports submitted in support of the Zoning By-law Amendment. Based on the current information provided, Parks would support the proposed development subject to the above requirements.

Sincerely,

Tiffany Hanna, OALA, CSLA
Park Planner

Parks and Recreation
Public Services
Location: City Hall

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E tiffany.hanna@guelph.ca

Attachment-10 Departmental and Agency Comments (continued)

From: Susanne Glenn-Rigny <Susanne.Glenn-Rigny@cn.ca>

Sent: Wednesday, December 4, 2019 11:42 AM

To: Lindsay Sulatycki <Lindsay.Sulatycki@guelph.ca>

Subject: Guelph 7 and 9 Omar and 19 Alma Street North (OZS19-005) - CN review of Noise Study

Good morning Lindsay

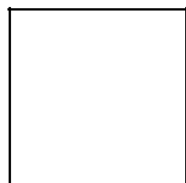
The noise and vibration feasibility study for the proposed development at 7 and) Omar and 19 Alma has been reviewed and accepted. The only change we request is that HGC replace the sheet labeled Principal Branch Line Requirements in Appendix A with the attached Spur Line criteria sheet.

My follow up comments on my original comments are below

- The site plan shows a driveway on Alma running parallel to the CN ROW. Transport Canada regulations require this to be a minimum of 30 meters from the nearest track. This is a safety requirement and can not be varied. I have attached a copy of the TC Grade Crossing standards that show how this setback is to be measured. **Noted on site plan in Noise and Vibration Feasibility Study. Accepted by CN.**
- Could the Proponent please confirm the setback of each residence from the mutual property line? **Require updated site plan with information.**
- Given the close proximity of the proposed dwellings to the ROW, CN Rail would request that the proponent is required to undertake a noise and vibration study as per the FCM RAC Guidelines for New Development in Proximity to Rail Operations. This would ensure that the houses are designed for the existing and future rail traffic. Should CN need to send this for a third party review, the Proponent will be expected to pay CN's fees for this review. **Review done internally. No third party fees. HGC report dated November 4, 2019 accepted by CN with requested changed to information in Appendix A.**
- CN Rail will require that the Proponent register an environmental noise easement, in CN's favour, on title for each of these properties. CN rail drafts these agreements on a cost recovery basis and the Proponent will be expected to cover CN's reasonable legal expenses for this process. CN Rail will required these agreements. **We request that this is a condition of rezoning so the agreements are registered while the parcel is whole and prior to application for consent to sever into individual parcels. Could also come as a condition of consent to be met before severance is granted. Open to discussion on the best time in the permitting process for this condition.**

Regards

Susanne



Susanne Glenn-Rigny

Senior Officer, Community Planning and Development | Corporate Services
T: 514-399-7844 | C: 514-919-7844

Celebrating 100 years | Célébrons nos 100 ans



Railway Properties

1 Administration Rd
Concord, ON L4K 1B9
Telephone: 514-399-7627
Fax: 514-399-4296

SPUR LINE REQUIREMENTS

- A.** Safety setback of dwellings from the railway rights-of-way to be a minimum of 15 metres.
 - B.** The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
 - C.** The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its 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 dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
 - D.** Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
 - E.** The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
-

Attachment-10 Departmental and Agency Comments (continued)



**UPPER GRAND
DISTRICT SCHOOL
BOARD**

Jennifer Passy BES, MCIP, RPP

Manager of Planning

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

Email: jennifer.passy@ugdsb.on.ca

Tel: 519-822-4420 ext. 820 or Toll Free: 1-800-321-4025

13 June 2019

PLN: 19-067

File Code: R14

Lindsay Sulatycki
Senior Development Planner
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Sulatycki;

Re: OZS19-005
7 and 9 Omar Street and 19 Alma Street, Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above noted application for a zoning by-law amendment to permit the development of two new single detached residential dwellings and the redevelopment of the two existing single detached residential dwellings.

Please be advised that the Planning Department has no objection to the proposed application, subject to the following conditions:

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

Education Development Charges shall be collected for the two new residential units. Education Development Charges shall not be imposed with respect to the replacement of the existing single detached units, provided a building permit is issued for these units within 4 years of demolition, in accordance with the Upper Grand District School Board Education Development Charges By-law, 2019 Wellington County, Section 10. (1) and (2).

Should you require additional information, please feel free to contact the undersigned.

Sincerely,

Upper Grand District School Board

Jennifer Passy, BES, MCIP, RPP
Manager of Planning

Upper Grand District School Board

• Linda Busuttill; Chair
• Mike Foley

• Mark Bailey; Vice-Chair
• Barbara Lustgarten Evov

• Jolly Bedi
• Martha MacNeil

• Gail Campbell
• Robin Ross

• Jen Edwards
• Ivonn Tonnina