

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, February 14, 2022
Subject	<b>Decision Report 77 Victoria Road North Proposed Official Plan and Zoning By-law Amendments File: OZS20-013 Ward: 1</b>

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## Recommendation

1. That the application by Astrid J. Clos Planning Consultants on behalf of the owner, 2601265 Ontario Inc., on lands municipally known as 77 Victoria Road North, and legally described as Part of Lot 1, Concession 4, Division 'C' (Geographic Township of Guelph), City of Guelph for approval of an Official Plan Amendment to add a site-specific policy to the "Low Density Residential" land use designation to permit the development of 18, three-storey townhouse dwelling units, be approved in accordance with Attachment 3 of Report 2022-22 dated February 14, 2022.
2. That the application by Astrid J. Clos Planning Consultants on behalf of the owner, 2601265 Ontario Inc., on lands municipally known as 77 Victoria Road North, and legally described as Part of Lot 1, Concession 4, Division 'C' (Geographic Township of Guelph), City of Guelph, for approval of a Zoning By-law Amendment to change the zoning from the current "Institutional" (I.1) Zone to a "Specialized Residential Cluster Townhouse" (R.3A-?) Zone, be approved in accordance with Attachment 4 of Report 2022-22 dated February 14, 2022.
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 77 Victoria Road North.

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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 18, three-storey stacked townhouse 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 3 and the recommended zoning regulations and conditions in Attachment 4.

## **Financial Implications**

Estimated Development Charges: \$434,394 (based on 2022 residential rates).

Estimated Annual Taxes: \$63,000 based on the 2021 City tax rate for 18 stacked townhouse dwelling units (estimate only and actual number may vary).

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## **Report**

### **Background**

Applications to amend the Official Plan and Zoning By-law were received for the property municipally known as 77 Victoria Road North from Astrid J. Clos Planning Consultants on behalf of the owner, 2601265 Ontario Inc. to permit the development of 24, three-storey stacked townhouse units. The applications were received by the City on November 10, 2020 and deemed to be complete on December 7, 2020. The Statutory Public Meeting was held on January 25, 2021. The original applications proposed the development of 24, three-storey stacked townhouse dwelling units. The applicant has revised the proposal by reducing the number of dwelling units from 24 to 18.

### **Location**

The subject property is located on the east side of Victoria Road North, south of Cassino Avenue and north of an elementary school (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The property is 0.312 hectares in size with approximately 32 metres of frontage along Victoria Road North. The property is currently developed with a single detached residential dwelling and associated accessory buildings.

Surrounding land uses include:

- To the north: lands zoned for and developed with single detached residential dwellings, beyond which is Cassino Avenue;
- To the south: St. John elementary school;
- To the east: St. James Catholic High School; and,
- To the west: Victoria Road North, beyond which are lands zoned for and developed with single detached residential dwellings.

### **Existing Official Plan Land Use Designations and Policies**

The subject property is designated as "Low Density Residential" in the Official Plan. Permissible uses within this land use designation include single and semi-detached dwellings and multiple unit residential buildings, such as townhouses and apartments. The "Low Density Residential" land use designation permits a maximum building height of three (3) storeys and a maximum density of 35 units per hectare.

The relevant policies for the applicable land use designations are included in Attachment-5.

## **Proposed Official Plan Amendment**

The applicant is proposing to add a site-specific Official Plan policy to the "Low Density Residential" land use designation that would permit a maximum net density of 58 units per hectares. Further details of the proposed Official Plan Amendment are included in Attachment-3.

## **Existing Zoning**

77 Victoria Road North is currently zoned "Institutional" (I.1), according to Zoning By-law (1995)-14864, as amended.

The existing zoning is found in Attachment-6.

## **Proposed Zoning By-law Amendment**

### **Original Proposal**

The intent of the original Zoning By-law Amendment application was to change the zoning from the "Institutional" (I.1) Zone to a "Specialized Residential Cluster Townhouse" (R.3A-?) Zone, to permit the development of 24, three-storey stacked townhouse dwelling units. The following specialized regulations were requested as part of the original proposal:

- To permit a minimum lot area per unit of 130 square metres, whereas a minimum lot area of 150 square metres per unit is required;
- To permit a maximum density of 77 units per hectare, whereas a maximum density of 60 units per hectare is permitted; and,
- To permit visitor parking in the required front yard a minimum of 3 metres from the street line, whereas Section 4.13.2.2.1 of the Zoning By-law does not permit visitor parking in the 6 metre front yard setback.

The original conceptual site plan is included in Attachment-8.

### **Current Conceptual Site Plan**

The applicant has made a number of changes to the original concept to address comments received on the original submission.

Key changes to the original proposal include the following:

- The townhouse blocks have been relocated on the property.
- The number of units has decreased from 24 units to 18 units.
- The private condominium access road has been shifted towards to the south property line.
- The landscape area along the north property limit has been increased with greater tree retention opportunities provided.
- The relocation of the Common Amenity Area abutting the north property line provides more landscaping along this buffer and the opportunity for additional tree retention.
- The Zoning By-law requires that 18 parking spaces be provided. The revised proposal includes a total of 27 parking spaces.
- The Common Amenity Area provided in the proposal exceeds the minimum required by the Zoning By-law.
- The proposed density has been reduced from 77 units per hectare to 57.6 units per hectare. This density is less than the maximum 60 units per hectare permitted by the "Residential Cluster Townhouse" (R.3A) Zone. The 57.6 units

per hectare density is greater than the maximum 35 units per hectare permitted in the Low Density Residential land use designation of the Official Plan, therefore, a special provision in the Official Plan continues to be required.

- As a result of these changes, the number of specialized regulations has been reduced to the following:
  - To permit a parking space a minimum of 1 metre from the south property line, whereas Section 4.13.2.2 does not permit a parking space within 3 metres of any lot line.

A review of the proposed zoning and specialized regulations is included in the Staff Review and Planning Analysis in Attachment-11.

### **Proposed Development**

The applicant is proposing to redevelop the site with 18, three-storey stacked townhouse dwelling units. A total of 27 parking spaces are proposed, including 5 visitor parking spaces. Vehicular access to the site is from Victoria Road.

The current conceptual site plan is included in Attachment-9 and the proposed building renderings are included in Attachment-10.

### **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 proposal's land use compatibility with adjacent and established land uses;
- 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 land use planning 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: \$434,394 (based on 2022 residential rates).

Estimated Annual Taxes: \$63,000 based on the 2021 City tax rate for 18 stacked townhouse dwelling 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 regulation proposed is appropriate for the site. Planning staff recommend that Council approve the Official Plan Amendment as proposed in Attachment-3 and the Zoning By-law Amendment subject to the specialized zoning regulation and proposed conditions to be imposed through site plan approval as outlined in Attachment-4.

The applicant has made a number of minor modifications to the proposed development in response to comments received, which resulted in a revised layout and a revised specialized zoning regulation. An analysis of the revised layout and specialized zoning regulations are discussed further in the Staff Review and Planning Analysis in Attachment-11. 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**

A combined Notice of Complete Application and Notice of Public Meeting was mailed on December 21, 2021 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 Tribune on December 31, 2020. Notice of Revised Submission was mailed/emailed on June 24, 2021 to interested parties who either spoke at the public meeting, provided comments on the applications or requested to receive further notice. Notice of the applications has also been provided by signage on the subject lands and all supporting documents submitted with the applications have been posted on the City's website.

The Notice of Decision Meeting was mailed/emailed on January 25, 2022 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-14.

## **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-11.

## **Attachments**

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Official Plan Amendment No. 75

Attachment-4 Recommended Zoning Regulations and Conditions

Attachment-5 Existing Official Plan Land Use Designations and Policies

Attachment-6 Existing Zoning

Attachment-7 Proposed Zoning

Attachment-8 Original Conceptual Site Plan

Attachment-9 Current Conceptual Site Plan

Attachment-10 Proposed Building Renderings and Elevations

Attachment-11 Staff Review and Planning Analysis

Attachment-12 Community Energy Initiative Commitment

Attachment-13 Departmental and Agency Comments

Attachment-14 Public Notification Summary

## **Departmental Approval**

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

## **Report Author**

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## **This report was approved by:**

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## **This report was recommended by:**

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