

# 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 47-75 Willow Road Proposed Zoning By-law Amendment File: OZS19-014 Ward: 3</b>

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## Recommendation

1. That the application by Black, Shoemaker, Robinson & Donaldson Ltd., on behalf of the owner, Willow Court Ltd., on lands municipally known as 47-75 Willow Road and legally described as Lots 6 & 7 and Part Lot 8, Registered Plan 593, City of Guelph, for approval of a Zoning By-law Amendment to change the zoning from the current "Community Shopping Centre" (CC) Zone to a "Specialized Community Shopping Centre" (CC-31) Zone, be approved in accordance with Attachment-3 of Report 2022-05 dated February 14, 2022.
  2. 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 47-75 Willow Road.
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## Executive Summary

### Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment to permit two six-storey mixed-use buildings with ground floor commercial units and a total of 115 apartment units on the property municipally known as 47-75 Willow Road.

### Key Findings

Planning staff support the proposed Zoning By-law Amendment, subject to the recommended zoning regulations and conditions in Attachment-3.

### Financial Implications

Estimated Development Charges: \$2,228,015.72 based on current rates; rates are subject to change based on DC Background Study updates and annual indexation (Indexed March 2<sup>nd</sup> every year).

Estimated Annual Taxes: \$139,000 based on the 2021 City tax rate (estimate only and actual numbers may vary).

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## **Report**

An application for a Zoning By-law amendment was received for the property municipally known as 47-75 Willow Road from Black, Shoemaker, Robinson & Donaldson on behalf of Willow Court Ltd. The application was received by the City on December 2, 2019 and deemed complete on December 31, 2019. The original application proposed removing a portion of the existing commercial plaza and adding two six-storey mixed-use buildings with ground floor commercial units and a total of 130 apartment units on the subject lands.

Following the Statutory Public Meeting on January 27, 2020, the applicant revised the proposal, still two six-storey mixed-used buildings, but reduced the number of apartment units to 115 units in total and reduced the commercial space to 1726 square metres, while increasing the amount of amenity area proposed onsite.

## **Location**

The subject lands are located on the northwest corner of the intersection of Willow Road and Dawson Road (see Location Map and Orthophoto in Attachments 1 and 2). The subject site has a site area of 1.01 hectares, with a frontage of 94 metres along Willow Road and 104 metres along Dawson Road. The subject site is currently developed with a single storey commercial plaza with a gross floor area of approximately 2395 square metres. Surrounding land uses include:

- To the north, a five-storey apartment building facing Dawson Road;
- To the east, across Dawson Road, a seven-storey apartment building;
- To the south, across Willow Road; a two and a half storey apartment building and a small convenience commercial building; and
- To the west along Willow Road, a six-storey apartment building.

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

The Official Plan land use designation that applies to the subject lands is "Neighbourhood Commercial Centre" (see Attachment-4). The predominant use of land within this designation is intended to be convenience and neighbourhood commercial uses within walking distance to residential areas. Multiple unit residential development is permitted in this designation within mixed-use buildings. The maximum permitted height is six storeys.

Further details of the "Neighbourhood Commercial Centre" land use designation are included in Attachment-4.

## **Existing Zoning**

The subject lands are currently zoned "Community Commercial" (CC) which permits a wide variety of commercial, retail and service uses. The existing zoning map is included in Attachment-5.

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

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the current standard "Community Commercial" (CC) Zone to a specialized "Community Commercial" (CC-31) Zone. A specialized Community Commercial zone is required to permit the proposed mixed-use buildings to be six storeys instead of the three storeys allowed in the standard zone. Planning staff also recommend additional specialized regulations related to requiring a minimum

amount of commercial space and common amenity area on site. The proposed Zoning is shown in Attachment-6.

### **Original Application**

The intent of the original Zoning By-law Amendment application was to change the zoning "Community Shopping Centre" (CC) Zone to a "Specialized Community Shopping Centre" to permit the development of permit two six-storey mixed-use buildings with ground floor commercial units and a total of 130 apartment units on the property municipally known as 47-75 Willow Road. The northerly portion of the existing plaza (portion of the building closest to Dawson Road) was proposed to be demolished to make room for the two new mixed-use buildings, while the portion of the existing plaza on the westerly side of the site was proposed to be retained. A total of 228 parking spaces were proposed (218 parking spaces would be required) including 128 spaces provided underground.

One specialized regulation was requested to accommodate the proposed six-storey building height, where three storeys is permitted in the standard CC zone.

### **Revised Application**

Following the statutory public meeting, receiving staff and agency comments, and a meeting with representatives of the local Onward Willow Neighbourhood Group, the applicant submitted a revised application in April 2021. Key changes to the site include:

- The setback of the proposed new mixed-use buildings was increased to 6 metres from Willow Road and Dawson Road;
- The number of residential units was reduced from 130 to 115;
- The amount of common amenity area was increased by including indoor amenity areas and community rooftop gardens in both buildings;
- The proposed net amount of commercial floor area was reduced from 1981 square metres to 1,748 square metres; and
- No additional specialized regulations were required.

### **Staff Review/Planning Analysis**

The staff review and planning analysis for these applications is provided in Attachment-9. The analysis addresses relevant planning considerations, including the issues and questions that were raised by Council and members of the public at and after the statutory Public Meeting held on Monday January 27, 2020. Final comments on the revised proposal from internal City departments and agencies are included in Attachment-11.

### **Staff Recommendation**

Planning staff are satisfied that the proposed Zoning By-law Amendment is 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 Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Zoning By-law Amendment subject to the specialized zoning regulations and proposed conditions to be imposed through site plan approval as outlined in Attachment-3.

Some minor modifications to the proposed zoning were made during review, recommended by Planning staff to secure the development as proposed, which resulted in additional specialized zoning regulations being recommended. The specialized regulations are discussed further in the Planning Analysis in Attachment-9. 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.

## **Financial Implications**

Estimated Development Charges: \$2,228,015.72 based on current rates; Rates are subject to change based on DC Background Study updates and annual indexation (Indexed March 2<sup>nd</sup> every year).

Estimated Annual Taxes: \$139,000 based on the 2021 City tax rate (estimate only and actual numbers may vary).

## **Consultations**

The Notice of Complete Application and Public Meeting was mailed on January 7, 2020 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 Mercury Tribune on January 9, 2020. Notice of the application has also been provided by signage on the property, which was installed on January 7, 2020. All supporting documents and drawings submitted with the application have been posted on the City's website. A Notice of Revised Submission was sent on May 29, 2021 to interested parties who spoke at the Public Meeting, provided comments on the application, or requested to receive further notice.

On January 25, 2022 the Notice of Decision Meeting was sent to interested parties who spoke at the Public Meeting, provided comments on the application, or requested to receive further notice. A complete summary of public notifications and consultation is included in Attachment-12.

## **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-9.

## **Attachments**

Attachment-1 Location Map

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning Regulations and Conditions  
Attachment-4 Existing Official Plan Land Use Designations and Policies  
Attachment-5 Existing Zoning  
Attachment-6 Proposed Zoning  
Attachment-7 Proposed Site Concept Plan  
Attachment-8 Proposed Building Elevations  
Attachment-9 Planning Analysis  
Attachment-10 Community Energy Initiative Summary  
Attachment-11 Departmental and Agency Comments  
Attachment-12 Public Notification Summary

**Departmental Approval**

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**This report was approved by:**

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