

May 13, 2022

Mayor Guthrie and Members of Council
City of Guelph
c/o Colleen Gammie
1 Carden Street
Guelph, ON
N1H 3A1

Dear Mayor Guthrie and Members of Council:

RE: CLAIR-MALTBY SECONDARY PLAN
OUR FILE: 17285B

Our client, Options for Homes, are the purchasers of the southern portion of 2162 Gordon Street, in the City of Guelph (hereinafter referred to as the "Subject Lands") under an Agreement of Purchase and Sale. Options for Homes is one of Canada's largest developers who are working exclusively on making home ownership more affordable for Canadians. Operating for over 25 years without government grants, Options for Homes is a mission-driven social enterprise that turns home ownership dreams into reality.

Background

Options for Homes has been engaged in the planning process for the Clair Maltby Secondary Plan (CMSP) for the past 7 years. Throughout the planning process they have provided written comments on several occasions, met with planning staff and presented input at various public engagement sessions and public meetings. On September 16, 2021, Options for Homes submitted a letter with detailed comments on the draft CMSP and also attended the Public Meeting on September 22, 2021. We understand through the release of the Draft CMSP and Master Environmental Servicing Plan (MESP) in September 2021, and following the Statutory Public Meeting on September 22, 2021, approximately 400 comments were received on the Draft CMSP.

Since their last submission, Options for Homes and members of its consulting team, including MHBC, NRSI, and GM Blue Plan, attended the following technical meetings with City staff:

- October 19, 2021 – Clair-Maltby Stakeholder Meeting with the Landowners
- December 6, 2021 – CMSP & Natural Heritage System (NHS) Refinements
- December 14, 2021 – Fiscal Impact Assessment
- December 15, 2021 – CMSP Stormwater Management & Servicing

Options for Homes and its consulting team also met with City staff on November 4, 2021, to further review and discuss the comments and concerns.

As you know, last Friday, on May 6, 2022, the final proposed version of the CMSP (Official Plan Amendment 79) was released to the public together with the MESP, a detailed land budget and a detailed comment response chart. Options for Homes and their consulting team has, within the limited time available, reviewed the information to assess how its comments have been addressed and what modifications have been made to the CMSP and MESP. We have reviewed the letter concurrently being submitted by NRSI and adopt the comments therein. As set out below and in the letter from NRSI, more information is required as to whether the CMSP's current draft policies with respect to the NHS are appropriate, including whether they appropriately implement the provincial policy framework.

We understand the City of Guelph will now be considering the recommendation report from staff (2022-95) on the Clair-Maltby Secondary Plan (OPA 79) and MESP at its meeting on May 16, 2022.

Given the extensive process to develop the draft CMSP to date and the very limited time in which to review and further comment on the CMSP, as well as the outstanding concerns as noted herein, we would request that a decision on the CMSP be deferred. This will allow the outstanding issues, including consistency with Provincial Policy and conformity with Provincial Plans, to be addressed.

Outstanding Issues

We appreciate that City staff have summarized the comments and responses in Attachment 6-1 to the staff report. However, while staff have made some changes to the CMSP and schedules based on the comments, many of the comments and issues raised have not been addressed. The following is a summary of some of our key comments and continued areas of concern.

Secondary Plan Area: Vision, Principles and Objectives

We generally support the vision, principles and objectives of the CMSP and the need to accommodate much needed growth in the City through the provision of new housing and new jobs while balancing objectives for the protection of the natural heritage system. However, given the emphasis in Provincial policy on the need to also increase housing supply and specifically affordable housing supply, the policies in the CMSP need to also focus on optimizing the delivery of new housing on the developable areas within the CMSP through the most efficient use of land.

The current policies in the CMSP, in our opinion do not reflect the City's own objective that states that "implementation of the CMSP will be done in the most efficient and timely way so as not to delay the ability to bring affordable housing online without unnecessary additional processes and approval". As noted herein, in our view, the current policies do not provide the "most efficient" framework for the development of housing and affordable housing and are not consistent with the Provincial Policy Statement (PPS) or in conformity with the Growth Plan policies that direct growth to be implemented in this way.

The CMSP does not provide sufficient information for meeting housing affordability targets. The CMSP states *"The City will work with the landowners through the development approvals process, using available tools and programs, in accordance with the policies of Section 7.2 of the Official Plan, to promote the development of affordable housing in Clair-Maltby."* In our opinion, the PPS and Growth Plan require policies to *provide for an appropriate range and mix of housing options and provide necessary housing supply*, not just promote affordable housing.

Secondary Plan Area: Density, Height and Built Form

Our comments and concerns respecting density, height and built form relate primarily to four areas: the prescriptive policies of the Medium Density Residential designation, the application of the Low Density Residential designation on the Subject Lands, the constraints to the High Density Residential designation and the densities and heights along Gordon Street.

- i) *Provide for flexible versus prescriptive policies:* The current six storey height cap in the Medium Density Residential designation and additional metric limitations are in our opinion overly prescriptive. We recommended that the Medium Density Residential designation provide for heights up to 8 storeys and include more flexible policies for additional height subject to criteria.

City staff has responded to our concerns by noting that the proposed height and density for the Medium Density Residential designation are the same as standards applicable for the entire City. While this may be the case, this in our view, is the basis to provide more flexibility in the policies within the CMSP to ensure the fullest opportunity to deliver a range of housing forms including affordable housing.

We continue to also suggest that a limit of six storeys is not appropriate to a new Greenfield area where greater densities and heights can be accommodated subject to design guidance, and particularly in light of and given the fact that these areas are not being introduced into an existing community but in a new community. The local context is different and provides an opportunity for the *efficient use of land*.

We also seek clarity relating to policy language for ‘bonusing’ given the recent changes to section 37 of the Planning Act. It is also not clear if such increases can be achieved without an Official Plan Amendment, which we had recommended, subject to criteria. Again, it is our opinion that the provision for new attainable and affordable housing is not optimized by the current draft policies.

- ii) *Provide Medium Density Residential across the Subject Lands:* Options has requested that the Medium Density Residential designation be applied to its lands to enable it to contribute to a full range of housing forms and density with the most flexibility. City staff have stated that the CMSP has been carefully and comprehensively planned to provide a full range and mix of housing types. Staff have stated that the request could be considered through a site specific Official Plan Amendment based on the range and mix of housing types (proposed and/or existing) and the servicing capacity available at the time of development. The Medium Density Residential designation does not optimize the planned infrastructure on Gordon Street and is actually contrary to the objectives stated earlier in the CMSP and contrary to the policies in the PPS and Growth Plan which direct that new housing *optimize infrastructure particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form*. The CMSP is not amendable for two years following approval and it is unclear why a modification to the plan to expand the flexibility for land uses subject to criteria is not appropriate now to provide for *a diverse range and mix of housing options*.
- iii) *Alignment of the High Density Designation:* Our comments had noted that while a portion of the Subject Lands are located in the High Density Residential designation, the proposed broad multi-purpose crossing highly constrains the ability to optimize development that could

achieve the appropriate density within the current defined area and *minimize the cost of housing and facilitate compact form*. City staff have responded that they will be willing to consider for proposals for minor shifts in the linkage locations and/or refinements to linkage widths in accordance with the approved Official Plan policies. However, where linkages extend between properties, the City will not be inclined to approve proposals that result in awkward or discontinuous connections. This leaves significant uncertainty for how and where the actual linkage will be planned and the concern raised has not been addressed. Again, these policies do not *optimize infrastructure particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form*

- iv) *Densities and Heights along Gordon Street*: In our letter dated September 16, 2021, we provided comments to note that Gordon Street Corridor should provide for the greatest heights and densities in the CMSP area. We commented that heights should not be prescribed to transition from 14 to 8 and then to 10 storeys. A reconsideration of the designations and policies on the Subject Lands is appropriate to provide for flexibility and an appropriate transition of height. City staff have agreed and modified the CMSP to address this comment. However, given our concerns in paragraph (iii) we remain concerned about the permitted development abutting Gordon Street.

Secondary Plan Area: Natural Heritage Systems

In relation to the Natural Heritage System designations and policies we provided a number of comments in our letter of September 16, 2021 and in past correspondence. The City has not defined the need for a 124 metre wide ecological linkage that fully constrains the Subject Lands' Gordon Street frontage. This proposed width is excessive and not necessary. In fact they continue to provide policies that require its feasibility to be assessed through the EA process. In our view, the designation is premature and the proposed policies to assess feasibility of the crossing through the EA process and refinement at the EIS stage does not provide for appropriate changes which otherwise may be supported.

Secondary Plan Area: Servicing and Phasing

We had recommended that infrastructure for the Gordon Street corridor be delivered in a single phase and that revisions and additional policies should be added to the CMSP in relation to phasing. It appears City staff will consider the extension of the sewer on Gordon Street during the detailed design phase and provide for policies to allow for this flexibility. The staff report for the CMSP and MESP have identified Alternative #9 as the preferred wastewater strategy, which includes the extension of a trunk gravity sanitary sewer along Gordon Street and across the frontage of 2162 Gordon Street. Further details regarding the conditions for when and how this would occur should be provided.

Secondary Plan Area: Road Network

In our comments, we asked for clarification regarding the flexibility of the proposed road alignment. We noted that Street D does not adequately line up with property boundaries and it is recommended that Street D be moved toward the boundary of the Subject Lands to both maximize efficient use of the block of land in that area and support a logical street pattern. This revision has been provided by City staff.

Secondary Plan Area: Open Space System: Moraine Ribbon, Trails and Parks

We commented that the need for and rationale for the Moraine Ribbon and the minimum 12 metre width is not clear and we questioned the need for an additional Moraine Ribbon in areas where a trail could be accommodated within the Natural Heritage System. A number of policies associated with the Moraine Ribbon require clarification, including but not limited to those areas set out in our previous comments.

City staff have stated that the Moraine Ribbon is part of the Open Space System for the Secondary Plan area and will be considered as a park except in locations where it forms part of a right-of-way, active transportation corridor or a stormwater capture area and it could be a re-interpretation of a Regional Park.

The final designation, use and potential acquisition of the space will be determined through the development process. While we appreciate the detailed response by staff, we still maintain concerns with the buffer to a buffer requirement and the imbalance between the necessary protection of lands in the Natural Heritage System and lands available for development to optimize opportunities for housing and make the most *efficient use of land* based on the policies of the PPS and Growth Plan.

Conclusions

While our comments above reflect some of our previous comments and the previous comments submitted by NRSI and GM Blue Plan, throughout the CMSP process we have continued to convey the importance of the policy framework to provide for the *efficient use of land* in accordance with the policies of the Growth Plan and in consistency with the PPS and to ensure the policies provide for the supply and implementation of housing with minimized costs.

We respectfully request that a decision on the CMSP as is currently drafted be deferred to allow for revisions to the policies and added policies to ensure conformity with Provincial plans and consistency with Provincial policy.

Yours Truly,

MHBC



Dana Anderson, FCIP, RPP
Partner

cc. Colleen Gammie, City of Guelph
Geoffrey McGrath, Options for Homes
Heather Tremain, Options for Homes

Attachment: NRSI Letter – Natural Heritage Response to May 2022 Draft CMSP

May 12, 2022

2063C

Mayor Cam Guthrie and Members of Council
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mayor Cam Guthrie and Members of Council,

**Re: Natural Heritage Response to May 2022 Draft Clair-Maltby Secondary Plan
(Official Plan Amendment 79)
2162 Gordon Street**

Natural Resource Solutions Inc. (NRSI) is pleased to provide the following letter on behalf of the owners of 2162 Gordon Street in response to the materials prepared by the City of Guelph for Official Plan Amendment (OPA) 79, the proposed Clair-Maltby Secondary Plan, to be put forward to Council for approval on May 16th, 2022.

As part of OPA 79, the City has revised the Draft Secondary Plan policies and mapping, including those within the Clair-Maltby Draft Secondary Plan and the Comprehensive Environmental Impact Study (CEIS): Phase 3 Impact Assessment, dated May 2, 2022. In addition, the City has provided a comment table (Attachment 6-1) within the Agenda for the Council Meeting in response to comments provided by NRSI (dated September 15, 2021) on the earlier iteration of the Clair-Maltby Secondary Plan and supporting materials.

NRSI appreciates the detailed comments provided by City staff, including the number of revisions to policy and mapping within the Draft Secondary Plan and CEIS. Throughout the Secondary Plan process NRSI has provided numerous comments on the NHS and has also met with City staff to discuss these comments. Nonetheless, NRSI and the owners of 2162 Gordon Street continue to have concerns with the materials provided. These additional comments provided below are not meant to be exhaustive, and where previous comments have not been addressed within the OPA 79 documents, we defer to our previous submissions.

- **Gordon Street Connection/Wildlife Crossing** – NRSI continues to maintain that a wildlife crossing at Gordon Street is unnecessary given the low wildlife use of these areas and anticipated high intensity land use along the Gordon Street corridor. It is appreciated that there will be an opportunity for members of the public/stakeholders to comment on this at a later stage;
- **Ecological Linkage** – NRSI continues to recommend removal or refinement of the Ecological Linkage from mapping between the natural features on the subject property and Gordon Street as per the above comment related to the wildlife crossing;
- **Hall's Pond Management Plan/Monitoring Program** – clarity is needed on the process for completion of the proposed management plan and Clair-Maltby wide monitoring program which would require cooperation between various landowners and the City. Landowners and consultant input should be considered in terms of the requirements for these various studies; and

- **Natural Heritage System Mapping** – in some cases the mapping within the Secondary Plan is inconsistent with what has been provided in the most recent CEIS (e.g. Significant Wildlife Habitat, etc.).

We are happy to discuss any of our comments with City staff, should you have any questions or comments.

Sincerely,
Natural Resource Solutions Inc.



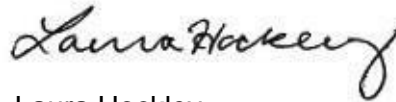
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