

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, January 27, 2020
Subject	Decision Report: Official Plan Amendment No.69 Commercial Policy Review
Report Number	IDE-2020-04

Recommendation

That Official Plan Amendment No. 69, initiated by the City of Guelph, be approved in accordance with Attachment 1 to Report IDE-2020-04 dated January 27, 2020.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve the City-initiated Official Plan Amendment for the Commercial Policy Review.

Key Findings

Planning staff recommend approval of OPA 69 to implement the Official Plan policy directions of the Council approved Commercial Policy Review. OPA 69 addresses commercial land needs through the protection of existing commercial land supply and the designation of lands for commercial uses.

The recommended OPA 69 is consistent with the Provincial Policy Statement 2014 and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019.

Financial Implications

There are no financial implications as a direct result of the proposed planning matters.

Report

Background

OPA 69 was released to the public on August 19, 2019 and the statutory Public Meeting of City Council was held on September 9, 2019.

Purpose and Effect of OPA 69

The purpose of OPA 69 is to update the commercial policy framework in the Official Plan to implement the recommendations of the Council approved Commercial Policy Review: Preferred Framework to:

- Address the evolution of commercial development into mixed-use areas while protecting commercial space for the long term;
- Designate sufficient land for commercial purposes to address the land shortage to 2041;
- Protect existing commercial land supply through the introduction of minimum commercial floor space; commercial function study requirements; and residential density policies;
- Provide clarity on the floor space measure by changing it from retail to commercial; and
- Allow for intensification of existing Commercial Mixed-use Centres by increasing the maximum commercial floor space permitted.

Official Plan Amendment #69 (see Attachment 1) implements the Council approved Preferred Framework for the Commercial Policy Review through the following policy amendments to Chapter 9, Section 9.4:

- Changes references to “retail gross floor area” to “commercial gross floor area”;
- Changes the name of the land use designation “Community Mixed-use Centre” to “Commercial Mixed-use Centre”;
- Increases the maximum gross floor area of commercial space for three Commercial Mixed-use Centres (Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial);
- Provides a minimum gross floor area of 6,500 square metres of commercial space for the Commercial Mixed-use Centres;
- Increases the maximum commercial gross floor area for Neighbourhood Commercial Centres to 6,500 square metres;
- Provides policies to protect against the loss of commercial floor space through the introduction of Commercial Function Study policies, the introduction of floor space index benchmarks and policy that protects existing commercial space from being reduced by 25% or more; and
- Provides a residential density policy for the Neighbourhood Commercial Centres.

OPA 69 modifies Schedule 2 by changing the land use designations of the following properties:

- 721, 727, 731, 735, 737 and 739 Woolwich Street: land use designation proposed to be changed from Service Commercial to Mixed-use Corridor;
- 200 Victoria Road South: land use designation proposed to be changed from Neighbourhood Commercial Centre to Commercial Mixed-use Centre;
- 523 York Road and 494-500 York Road: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre;
- 540 York Road: land use designation proposed to be changed from Service Commercial and Industrial to Commercial Mixed-use Centre;
- 895-919 York Road and 57 Watson Parkway North: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre.

The legend for Schedule 2 is also updated by changing the name of the land use designation Community Mixed-use Centre to Commercial Mixed-use Centre.

Location

The proposed Official Plan amendment policy modifications apply to all lands designated within commercial categories in the city of Guelph. The proposed land

use designation changes apply to the following properties: 721, 727, 731, 735, 737 and 739 Woolwich Street; 200 Victoria Road South; 523 York Road; 494-500 York Road; 540 York Road; 895-919 York Road and 57 Watson Parkway North.

Comments Received on the Proposed OPA

The following is a summary of the comments received on the proposed OPA and staff's response.

- 1. MHBC on behalf of Calloway REIT:** MHBC requested that "self-storage facility" be considered as a permitted use within the Commercial Mixed-use Centre designation. The Commercial Policy Review did not consider the range of permitted uses nor provide recommendations for permitted uses in the commercial land use designations, therefore changes or additions to land use permissions are outside the scope of this OPA. Further, staff feel that the specificity of the use is not appropriate for the Official Plan. Specific uses are set out in the City's Zoning By-law and as such this request would be more appropriate for discussion through the ongoing comprehensive Zoning By-law review. Further, the self-storage use is not considered to be an appropriate use within the Commercial Mixed-use Centres because these lands are intended to provide active frontages and pedestrian oriented commercial uses to meet the needs of residents. Self-storage facilities are currently directed to the Service Commercial land use designation because they are vehicular oriented and require larger land areas in their usual form.
- 2. Bousfields Inc. on behalf of Primaris (re: Stone Road Mall):** Bousfields Inc requested that policy 9.4.4.7; which sets out that a commercial function study would be required for development proposals that seek to decrease the existing commercial floor area by more than 25 percent or provide less than .15 FSI, not apply to their property at 435 Stone Road West. Staff do not propose any changes to the OPA in response to this comment. The policy provides a trigger for a commercial function study to be submitted with a development application where commercial floor area is proposed to be decreased. A typical FSI for traditional commercial development is 0.25 FSI. Using a benchmark of 0.15 FSI allows flexibility within designations to address an evolution to mixed use and to respond to changing market conditions and retail trends. Policy 9.4.4.7 allows for the examination of commercial supply at the time of an application and would provide staff with information to assess a development application. This study requirement has been included in the amendment because the City has, and is projected to continue to have, a deficit of commercial land supply. The intent of the Commercial Function Study is to allow the City to balance the need to maintain commercial options within communities (for example; to avoid "food deserts") while achieving the positive effects of mixed-use intensification in appropriate locations and providing flexibility to the market.
- 3. BSRD on behalf of Willow Court Ltd.:** BSRD has requested that the proposed maximum residential density of 100 units per hectare not be applied to the Willow Court Ltd property. At present, the Official Plan does not have a

maximum residential density for Neighbourhood Commercial Centres and this amendment proposes to add it using the medium density residential policies as guidance for the recommended density. The City's Zoning By-law currently does not permit residential uses with the NC Zone which means that proposals for mixed-use development that include residential are subject to a zoning amendment process. Staff are recommending that a site-specific policy be included in OPA 69 to provide for a maximum residential density of 150 units per hectare for this property. This is considered appropriate for this property because it is located within an area where all of the adjacent properties are designated High Density Residential (which permits a maximum density of 150 units per hectare). Future development of the property to incorporate residential uses would require a zoning amendment application through which any site-specific regulations would be considered and applied.

4. **Zelinka Priamo Ltd. on behalf of Loblaw Companies Limited:** The comments state that Loblaw's is interested in providing a lower amount of commercial development on their property at 115 Watson Pkwy than what they had previously proposed. As such, they are requesting modifications to the OPA to support their ability to reduce the amount of commercial to be developed on their property. Their letter of September 4, 2019 reiterates the majority of their previous comments that were addressed by staff in Report IDE-2019-94. They continue to state that Policy 9.4.2.2. ii) is too restrictive and should be modified to state "or in an appropriate trade or study area" rather than "or in the immediate area". They state that Policy 9.4.2.2 iv) should be revised to state that uses such as recreation, library and day care should be the focus of the Commercial Mixed-use Centres. Staff continue to propose no changes with respect to these comments. Their comments also request that a site-specific policy for 115 Watson Pkwy be included to require a Commercial Function Study for proposals that would provide less than 2500 square metres of commercial gross floor area (rather than 6500 square metres for lands within the designation). Staff do not agree with setting a site-specific policy for the Loblaw's' site within the Watson Pkwy/Starwood Commercial Mixed-use Centre that is inconsistent with the policy for all of the other Commercial Mixed-use Centre designations in the City. The test provides a trigger for the Commercial Function Study as outlined in the response to Bousfields Inc comments above. The policy is intended to consider the function of the Commercial Mixed-use Centre as a whole not on an individual site level. Staff outlined in the discussion paper that site-specific minimum commercial gross floor areas may be considered through zoning by-law regulations. This position continues to be recommended by staff.

The Loblaw's comments requested two modifications for clarity in the policy. One is to add the wording "cumulatively of all buildings within the designation" to policy 9.4.2.1 iii, 9.4.3.9 and 9.4.3.18 where the minimum commercial gross floor area is referenced. Staff agree to this addition. The other comment of clarification is that the legend on Schedule 2 should be modified to update the change in land use designation name from Community Mixed-use Centre to Commercial Mixed-use Centre. Staff agree and this update is included in the amendment.

In discussion with Loblaws' representatives with respect to the comments, it was recognized that the change in land use designation for the York/Watson site to Commercial Mixed-use Centre was being treated through the Commercial Policy Review as a new centre. This treatment differs from the approach to the Commercial Mixed-use Centre designations in the North, South and West areas of the city where multiple properties form one centre and are therefore collectively subject to the minimum gross floor area of 6500 square metres. The centres in the North, South and West areas of the city are situated at major intersections, are larger in land area, and while they contain more individual properties they function together as a major commercial area. Staff recommend that the proposed new York/Watson centre be combined with the existing Watson/Starwood Commercial Mixed-use Centre on the basis that they are located in close proximity to each other (separated by natural heritage lands) and would function together as a major commercial area. The result would be a change to proposed Policy 9.4.3.16 to amend the Watson/Starwood centre to the York/Watson/Starwood centre and set a maximum commercial gross floor area of 39,700 square metres. The centres combined would be subject to the policy for a minimum commercial gross floor area of 6500 square metres.

Planning Analysis and Staff Recommendation

The City reviewed the commercial policies in the Official Plan with the goal to provide an updated commercial framework for the City that will meet the projected growth needs for 2031 and provide the basis to meet the needs for 2041. The review focused on providing policy and regulatory changes to address the following issues:

- Geographic distribution of commercial space, especially east end opportunities;
- A lack of sufficiently sized parcels to accommodate traditional larger neighbourhood and community functioning commercial developments (2.8+ ha.) and;
- Potential loss of existing and planned commercial space.

OPA 69 provides for increased commercial space in the City through intensification of existing commercially designated properties by increasing the maximum commercial gross floor area that is permitted. The OPA addresses geographic dispersion and need for sufficiently sized parcels by amending the designation of properties from Service Commercial to Community Mixed-use Centre particularly in the east end of the city. The OPA addresses the potential loss of existing and planned commercial space by introducing minimum commercial gross floor areas for commercially designated properties and by introducing study requirements for development applications that propose to reduce commercial floor space. The OPA also introduces maximum residential density policies for Neighbourhood Commercial Centres to ensure that the sites maintain their commercial focus. The full planning analysis is provided within the following reports:

- Commercial Policy Review: Preferred Framework, [IDE-2019-94 dated July 9, 2018](#)
- [Commercial Policy Review: Preferred Framework Implementation Discussion Paper, IDE-2019-46 dated April 5, 2019.](#)

Provincial Policy Statement (PPS)

The focus of the PPS is on building strong communities, protecting the environment, resources, and public health and safety, and supporting a strong economy. It promotes a compact form with a range of land uses which includes commercial development, and a structure of nodes and corridors. Intensification should be facilitated and densities should efficiently use land, resources, infrastructure and public services; support active transportation; and be transit supportive. The PPS identifies the need to maintain the well-being of downtowns and main streets. This amendment to implement the Commercial Policy Review is consistent with the PPS.

A Place to Grow

The Growth Plan provides growth management policy directions in the Greater Golden Horseshoe (GGH) in promoting economic prosperity and complete communities. Commercial development is intrinsically recognized as important for the creation of complete communities and as a significant component of vibrant, mixed-use Urban Growth Centres. Commercial goods and services should be supported by compact development and intensification and located in areas that encourage active transportation and are served by transit in order to support the achievement of complete communities. This amendment to implement the Commercial Policy Review is consistent with the Growth Plan.

Planning staff are satisfied that the recommended Official Plan Amendment 69 is consistent with the Provincial Policy Statement and conforms with the Provincial Growth Plan for the Greater Golden Horseshoe. The Official Plan Amendment is consistent with the Council approved Commercial Policy Review: Preferred Framework. Planning staff recommend that Council approve Official Plan Amendment 69 as outlined in Attachment 1.

Financial Implications

There are no financial implications as a direct result of the proposed planning matters.

Consultations

Comments received at the Public Meeting have been reviewed and considered in the development of staff's recommendation and discussed in this report.

On January 9, 2020 the Notice of Decision Meeting was sent to members of the public and parties that provided comments on the applications or requested to receive further notice.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows

Alignment

The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. The recommendations in this report support the provision of commercial services to meet the needs of current and future residents, to ensure sufficient land is designated to meet the needs, and to allow for intensification and mix of uses on commercial sites to create a more compact community that is supportive of alternate modes of transportation.

Attachments

Attachment-1 Official Plan Amendment No. 69

Departmental Approval

Not applicable

Report Author

Melissa Aldunate, M.Pl., MCIP, RPP, Manager, Policy Planning and Urban Design



Approved By

Todd Salter, MCIP, RPP
General Manager, Planning and
Building Services
Infrastructure, Development and
Enterprise Services
519-837-5615 extension 2395
todd.salter@guelph.ca



Recommended By

Kealy Dedman, P. Eng., MPA
Deputy Chief Administrative Officer
Infrastructure, Development and
Enterprise Services
519-822-1260 extension 2248
kealy.dedman@guelph.ca

Attachment 1: Official Plan Amendment 69

Amendment Number 69 to the Official Plan for the Corporation of the City of Guelph:

Commercial Policy Review

Part A – The Preamble

Title and Components

This document is entitled 'Commercial Policy Review Amendment' and will be referred to as Amendment 69. Part A – The Preamble provides an explanation of the amendment including the purpose, background, location basis of the amendment, summary of changes to the Official Plan and public participation. It does not form part of the amendment.

Part B – The Amendment forms Amendment 69 to the Official Plan for the City of Guelph and contains a comprehensive expression of the new, deleted and amended policies and schedule.

Purpose

The purpose of OPA 69 is to update the commercial policy framework in the Official Plan to implement the recommendations of the Council approved Commercial Policy Review: Preferred Framework to:

- Address the evolution of commercial development into mixed-use areas while protecting commercial space for the long term;
- Designate sufficient land for commercial purposes to address the land shortage to 2041;
- Protect existing commercial land supply through the introduction of minimum commercial floor space; commercial function study requirements; and residential density policies;
- Provide clarity on the floor space measure by changing it from retail to commercial; and
- Allow for intensification of existing Commercial Mixed-use Centres by increasing the maximum commercial floor space permitted.

Background

The commercial policy review was initiated to:

- update the commercial policies to reflect recent changes in the retail market;
- ensure the amount, location and type of commercial land designated in Guelph matches the projected growth needs for 2031 and provides the basis to meet the needs for 2041; and
- address the role, type and amount of commercial space in the Downtown, community mixed-use nodes (e.g. Starwood Drive/Watson Parkway), intensification corridors (e.g. York Road) and service commercial designations (e.g. fast-food, repair and service shops, auto sales, building supply, etc.).

The Commercial Policy Review began in November 2016 with the project Terms of Reference being approved by Council.

Stage 1 involved the completion and release of the Commercial Market Analysis and Background Report on November 24, 2017 (Report IDE-2017- 130).

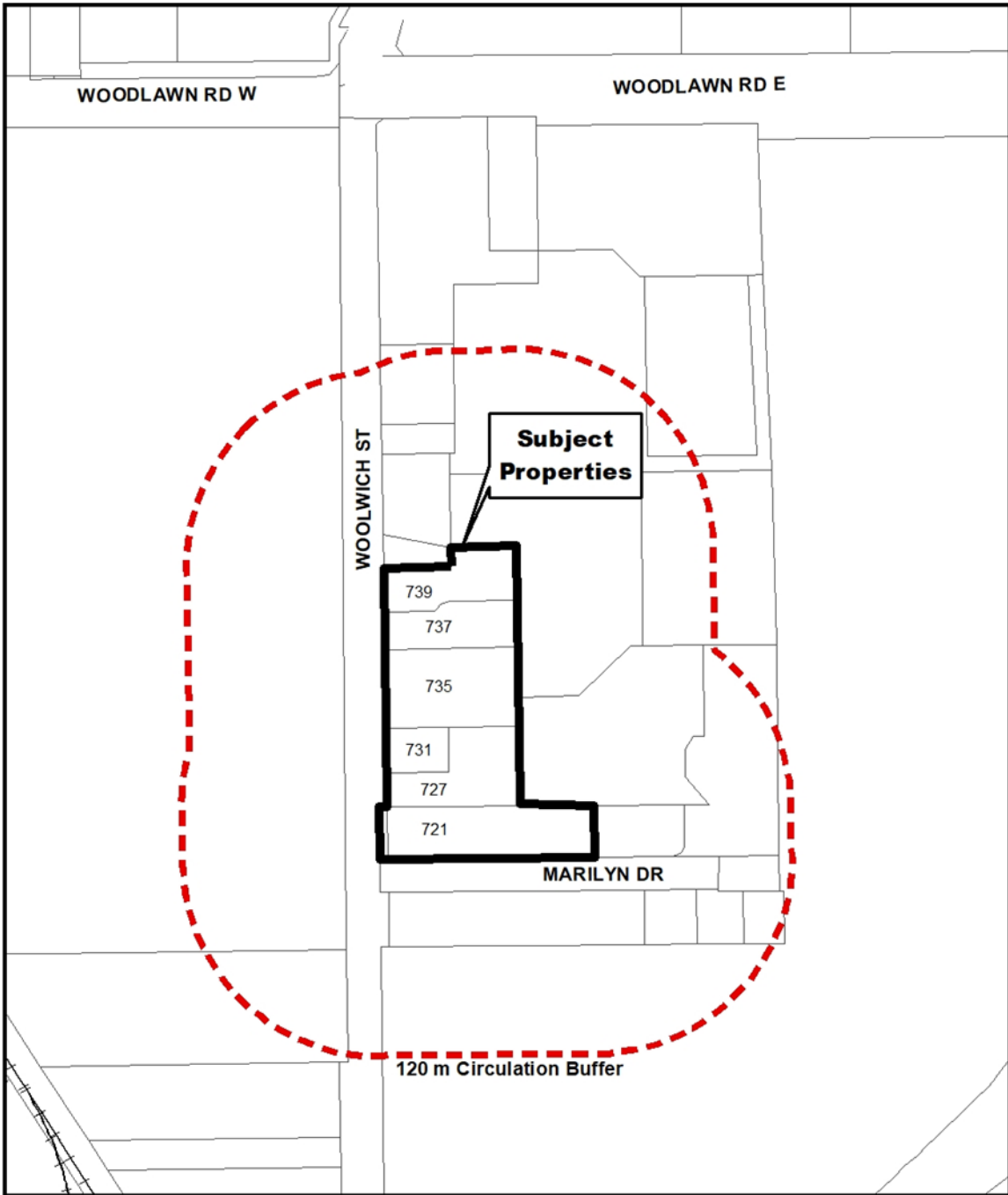
Stage 2 involved the release of draft policy alternatives on May 14, 2018 as part of Council Report IDE-2018-57. The report was received by Council and was used to guide public discussion and evaluation of alternatives in order to develop a preferred commercial policy framework. The public consultation included a key stakeholder workshop, public workshop and on-line survey, and a presentation at the Downtown Advisory Committee during April 2018. On July 9, 2018 the preferred framework presented in Council Report IDE-2018-94 was approved by Council and staff were directed to initiate amendments to the Official Plan and Zoning By-law to implement the Council approved Commercial Policy Review: Preferred Framework.

The Commercial Policy Review: Preferred Framework Implementation Discussion Paper was released on April 5, 2019 to facilitate engagement on the proposed options for amendments to the City's Official Plan. The Discussion Paper summarized current Official Plan and Zoning By-law policies and regulations, presented and analyzed options for implementing the Preferred Framework recommendation and presented staff preliminary recommendations.

Location

Official Plan Amendment 69 policy modifications apply to all lands designated within commercial categories in the city of Guelph. The proposed land use designation changes apply to the following properties: 721, 727, 731, 735, 737 and 739 Woolwich Street; 200 Victoria Road South; 523 York Road; 494-500 York Road; 540 York Road; 895-919 York Road and 57 Watson Parkway North.

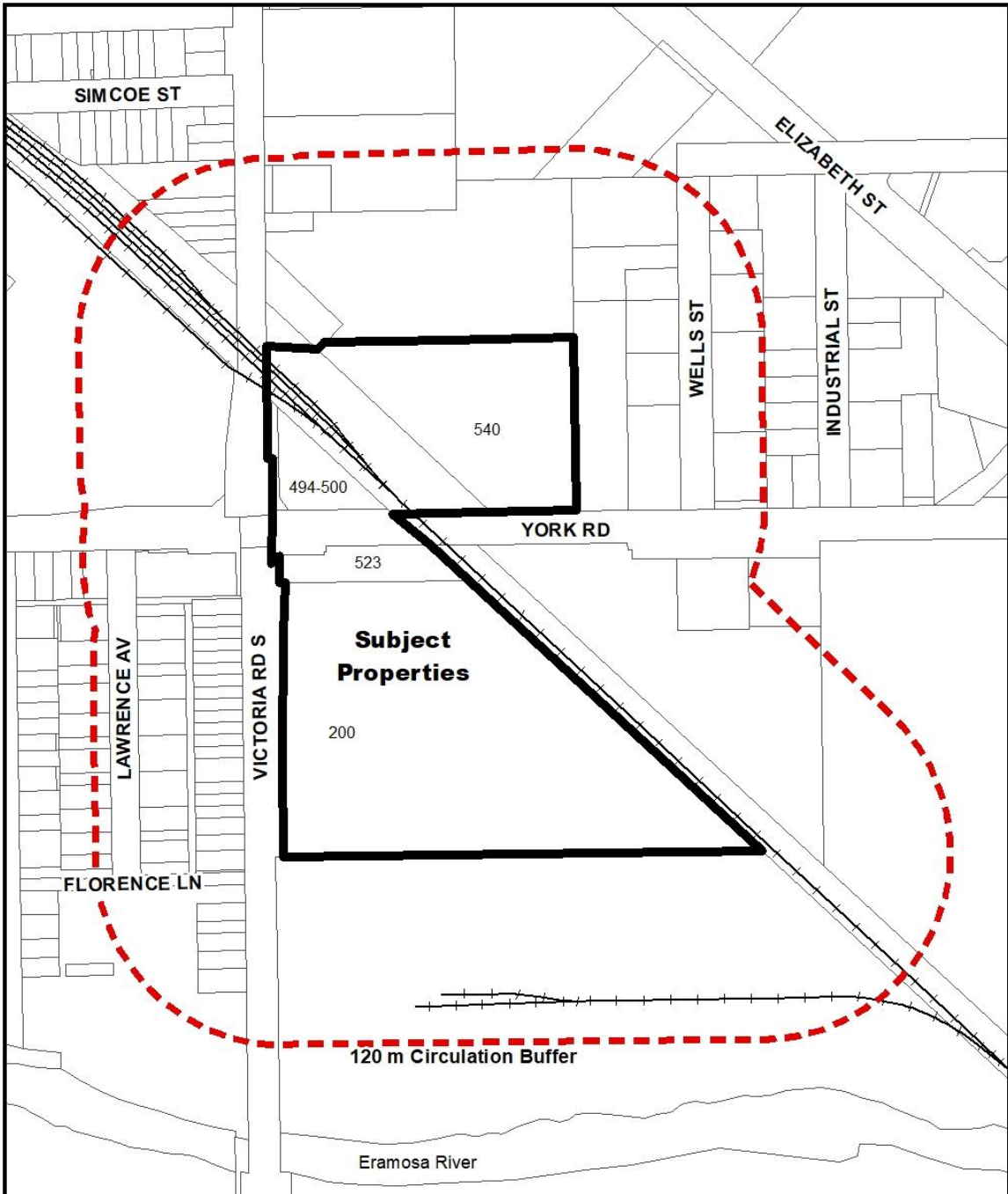
The following key maps display the location and notification circulation area for each of the above noted properties.



LOCATION MAP & 120m CIRCULATION
721, 727, 731, 735, 737 & 739 Woolwich Street



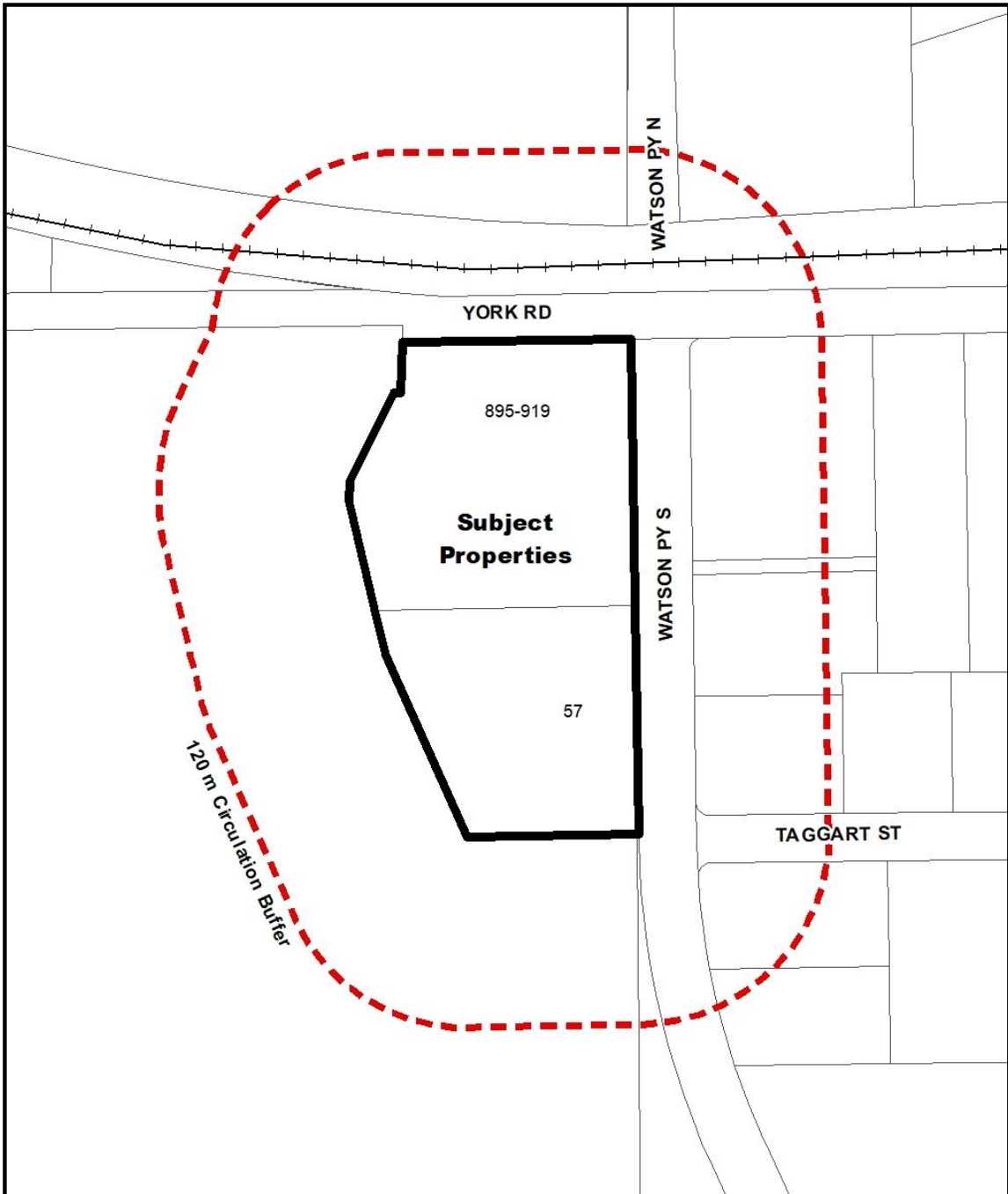
Produced by the City of Guelph
Planning and Building Services
August 2019



LOCATION MAP & 120m CIRCULATION
494-500, 523 & 540 York Road
& 200 Victoria Road S



Produced by the City of Guelph
 Planning and Building Services
 August 2019



LOCATION MAP & 120m CIRCULATION
895-919 York Road & 57 Watson Parkway South



Produced by the City of Guelph
Planning and Building Services
August 2019

Basis of the Amendment

Official Plan Amendment 69 implements the Council approved Preferred Framework for the Commercial Policy Review.

Summary of Changes to the Official Plan

The following is a summary of OPA 69:

OPA 69 includes the following policy amendments to Chapter 9, Section 9.4:

- Changes references to “retail gross floor area” to “commercial gross floor area”;
- Changes the name of the land use designation “Community Mixed-use Centre” to “Commercial Mixed-use Centre”;
- Increases the maximum gross floor area of commercial space for three Commercial Mixed-use Centres (Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial);
- Provides a minimum gross floor area of 6,500 square metres of commercial space for the Commercial Mixed-use Centres;
- Increases the maximum commercial gross floor area for Neighbourhood Commercial Centres to 6,500 square metres;
- Provides policies to protect against the loss of commercial floor space through the introduction of Commercial Function Study policies, the introduction of floor space index benchmarks and policy that protects existing commercial space from being reduced by 25% or more; and
- Provides a residential density policy for the Neighbourhood Commercial Centres.

OPA 69 modifies Schedule 2 by changing the land use designations of the following properties:

- 721, 727, 731, 735, 737 and 739 Woolwich Street: land use designation proposed to be changed from Service Commercial to Mixed-use Corridor;
- 200 Victoria Road South: land use designation proposed to be changed from Neighbourhood Commercial Centre to Commercial Mixed-use Centre;
- 523 York Road and 494-500 York Road: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre;
- 540 York Road: land use designation proposed to be changed from Service Commercial and Industrial to Commercial Mixed-use Centre;
- 895-919 York Road and 57 Watson Parkway North: land use designation proposed to be changed from Service Commercial to Commercial Mixed-use Centre.

The legend for Schedule 2 is also updated by changing the name of the land use designation Community Mixed-use Centre to Commercial Mixed-use Centre.

Public Participation

Community engagement was undertaken throughout the Commercial Policy Review to receive feedback on the vision, principles, draft policy alternatives, preferred framework and the options for Official Plan amendments. The Statutory Public Meeting for Official Plan Amendment #69 was held on September 9, 2019. Council heard from 3 delegates and received 5 written comments.

Part B – The Amendment

Format of the Amendment

This section of Amendment #69 for the Commercial Policy Review sets out additions and changes to the text and mapping in the Official Plan. Sections of the Official Plan that are proposed to be added or changed are referred to as "Items" in the following description. Text that is proposed to be amended is illustrated by various font types (e.g. ~~struck-out~~ is to be deleted and **bold** text is to be added). Unchanged text represents existing Official Plan policy that is being carried forward that has been included for context and does not constitute part of Amendment #69. New sections that are proposed to be added to the Official Plan are shown in standard font type with titles appearing in bold. Italicized font indicates defined terms or the name of a provincial act or title of a document.

Implementation and Interpretation

The implementation of this amendment shall be in accordance with the provisions of the Planning Act. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant text and mapping schedules of the existing Official Plan of the City of Guelph and applicable legislation.

Amendment #69 should be read in conjunction with the current Official Plan (2018 Consolidation) which is available on the City's website at guelph.ca, or at the Planning Services office located at 1 Carden Street on the 3rd Floor.

Details of the Proposed Amendment

Item 1: The purpose of 'Item 1' is to change the reference to Community Mixed-use Centre in the preamble to Section 9.4 to Commercial Mixed-use Centre to reflect the change to the designation name.

The preamble to section 9.4 of the Official Plan is hereby amended as follows to replace the term "Community Mixed-use Centres" with the term "Commercial Mixed-use Centres".

9.4 Commercial and Mixed-use Designations

The Commercial and Mixed-use designations are intended to provide a range of uses to meet the needs of daily living. The commercial policies of this Plan are supportive of the dispersal of commercial uses throughout the city while discouraging the creation of strip development. Commercial centres are intended to be **transit-supportive** developments linked to surrounding neighbourhoods by sidewalks and trails. The ~~Community~~ **Commercial** Mixed-use Centres and Mixed-use Corridors are intended to develop over time into distinct areas with centralized public spaces that provide a range of uses including, retail and office uses, **live/work** opportunities and medium to high density residential uses.

Item 2: The purpose of 'Item 2' is to amend Section 9.4.1 to update the designation name for Commercial Mixed-use Centres, to renumber policy references, and to change the references to "retail" space to "commercial" space

Section 9.4.1 is hereby amended as follows:

9.4.1 Market Impact Studies

1. Subject to the policies of Section 1.3, proposals to establish new commercial or mixed-use areas or to expand the areas identified on Schedule 2 shall require an amendment to this Plan.
2. Market Impact Studies shall be required to assess the impact on the City's commercial policy structure when proposals are made to:
 - i) establish or expand a ~~Community~~ **Commercial** Mixed-use Centre or Mixed-use Corridor beyond the designation limit boundaries on Schedule 2;
 - ii) to exceed the ~~retail~~ **commercial** gross floor area limitations within a ~~Community~~ **Commercial** Mixed-use Centre established in policy 9.4.23.14 or the number of large retail uses in policy 9.4.23.13; and
 - iii) to extend or enlarge a Neighbourhood Commercial Centre to provide more than the ~~10,000 square metres~~ of maximum permitted commercial gross floor area **established in policy 9.4.5.3 and 9.4.5.4.**
3. An appropriate Market Impact Study shall demonstrate that:
 - i) the proposal can be justified without detriment to the overall function or economic vitality of Downtown or the key component functions that contribute to Downtown's overall vitality;
 - ii) the achievement of the City's Strategic Goals, the Urban Design policies and the Commercial and Mixed-use policies and objectives of the Official Plan will not be compromised; and
 - iii) the ability of existing designated commercial or mixed-use lands to achieve their planned function will not be compromised.
4. A Market Impact Study shall include:
 - i) an assessment of the current market situation and the future potential for the expansion of ~~retail~~ **commercial** facilities in light of projected population and employment growth;
 - ii) an evaluation of the economic feasibility of the proposal on the basis of current market demand or retail market opportunity;
 - iii) an indication of the scale of any adverse effects on the economic viability of Downtown, the key functions that contribute to Downtown's overall vitality and on any existing or planned designated commercial or mixed-use lands provided for in this Plan; and
 - iv) an assessment of the implications of the proposal relative to the City's approved Commercial Policy Review Study and the objectives and implementing policies of this Plan.
5. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City in determining the terms of reference for a Market Impact Study and/or to provide a peer review of the applicant's submission.

Item 3: The purpose of Item 3 is to add a new section 9.4.2 titled Commercial Function Studies to provide policies for study requirements where development applications propose to reduce commercial gross floor area

The following new Section 9.4.2 entitled Commercial Function Studies is hereby added to the Official Plan.

9.4.2 Commercial Function Studies

1. Commercial function studies shall be required as part of a complete application for development proposals for Commercial Mixed-use Centres, Neighbourhood Commercial Centres and Mixed-use Corridors that propose to:
 - i) provide commercial gross floor area at less than .15 FSI; or
 - ii) reduce the commercial gross floor area existing at the time of the application by more than 25 per cent; or
 - iii) provide less than 6500 square metres of commercial gross floor area cumulatively of all buildings within the designation for lands designated Commercial Mixed-use Centre.
2. A Commercial Function Study shall address:
 - i) The availability of commercial floor space within the designation to meet daily and weekly needs of the surrounding community especially for food store, food-related store and/or drug store.
 - ii) Opportunities for additional commercial floor space to be provided elsewhere and thereby sustain the local provision of commercial floor space within that designation or in the immediate area;
 - iii) Impacts on the ability of residents and employees in the area to use active transportation options to access commercial shopping areas and commercial services; and
 - iv) Role of the commercial space in creating a community focal point.
3. The City may retain, at the applicant's expense, a qualified consultant to provide professional assistance to the City to provide a peer review of the applicant's submission.

Item 4: The purpose of Item 4 is to renumber, rename and revise Section 9.4.2 Community Mixed-use Centres to: reflect the change in the land use designation name to Commercial Mixed-use Centres; to add two new Commercial Mixed-use Centres; to provide policies for the requirement for commercial function studies; to increase the total commercial floor area for the Gordon/Clair, Woodlawn/Woolwich and Paisley/Imperial Centres; to add a total commercial gross floor area for the two new centres; and to establish a minimum commercial gross floor area.

Section 9.4.2 is hereby amended and renumbered as follows:

9.4.2 3 Community Commercial Mixed-use Centre

The following ~~Community~~ **Commercial** Mixed-use Centres are designated on Schedule 2:

- Woodlawn/Woolwich
- Paisley/Imperial
- **York/Victoria**
- **York/Watson Parkway**/Starwood
- Gordon/Clair
- Silvercreek Junction

Objectives

- a) To promote ~~Community~~ **Commercial** Mixed-use Centres as areas that support a mix of uses including concentrations of commercial, residential and complementary uses serving the immediate neighbourhood and the wider community.

Policies

1. The ~~Community~~ **Commercial** Mixed-use Centres identified on Schedule 2 of this Plan are comprised of one or several individual developments on one or more properties on both sides of an intersection of major roads within the designation. These areas are intended to serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole.
2. The intent of the ~~Community~~ **Commercial** Mixed-use Centre designation is to create a well-defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another providing the opportunity to satisfy several shopping and service needs at one location. Implementing *Zoning By-laws* may include mechanisms, such as minimum height and density requirements and maximum parking standards, to promote the efficient use of the land base.
3. *Development* will be comprehensively planned and integrated with the overall ~~Community~~ **Commercial** Mixed-use Node and in accordance with any applicable concept plans or urban design studies as per the policies of Section 3.11.

Note: Policy 9.4.23.2 and 9.4.23.3 are under appeal only as they relate to the following properties: 115 Watson Parkway North (formerly 72 Watson Road North), 1750 Gordon Street, 84 Clair Road East, 124 Clair Road East, 158 Clair Road East, 174 Clair Road East, 190 Clair Road East, 202 Clair Road East, 960-1045 Paisley Road, 297-299 Eramosa Road, 111-191 Silvercreek Parkway North, 35 Harvard Road, 160, 170, 200 and 210 Kortright Road West, and 98 Farley Drive. These policies are in effect for all other affected lands designated on Schedule 2.

4. Where residential uses are incorporated into ~~Community~~ **Commercial** Mixed-use Centres, they are intended to be developed as mixed-use buildings or multiple-unit residential buildings.
5. Properties within the ~~Community~~ **Commercial** Mixed-use Centre will be integrated through internal access roads, entrances from public streets, access to common parking areas, open space, grading and stormwater management systems. Furthermore, it is intended that individual developments within the Community Commercial Mixed-use Centre will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of smaller buildings amenable to the provision of local goods and services in close proximity to the street line near transit facilities.
6. ~~Community~~ **Commercial** Mixed-use Centres are strongly encouraged to incorporate Main Street type development in strategic locations. Main Street areas, as identified through concept plans as per Section 3.11, will be planned and designed to reflect the following:
 - i) multi-storey buildings fronting onto the main street;
 - ii) ground floor retail and service uses are strongly encouraged;
 - iii) office uses at ground floor should be limited;

- iv) residential uses should be provided primarily above commercial uses in addition to some free-standing residential buildings;
- v) rhythm and spacing of building entrances and appropriately sized storefronts to encourage pedestrian activity;
- vi) urban squares, where appropriate; and
- vii) on-street parking.

Note: Policy 9.4.23.6 is under appeal only as it relates to the following properties: 115 Watson Parkway North (formerly 72 Watson Road North), 1750 Gordon Street, 84 Clair Road East, 124 Clair Road East, 158 Clair Road East, 174 Clair Road East, 190 Clair Road East, 202 Clair Road East, 960-1045 Paisley Road, 297-299 Eramosa Road, 111-191 Silvercreek Parkway North, 35 Harvard Road, 160, 170, 200 and 210 Kortright Road West, and 98 Farley Drive and 35 and 40 Silvercreek Parkway South. This policy is in effect for all other affected lands designated on Schedule 2.

7. The City will require the aesthetic character of site and building design to be consistent with the Urban Design policies of this Plan and any applicable urban design guidelines while recognizing the unique context of individual ~~Community~~ **Commercial** Mixed-use centres. Measures may be incorporated into development approvals to ensure consistency.
8. The boundaries of the ~~Community~~ **Commercial** Mixed-use Centre designation are intended to clearly distinguish the ~~Community~~ **Commercial** Mixed-use Centre as a distinct entity from adjacent land use designations. Proposals to expand a ~~Community~~ **Commercial** Mixed-use Centre beyond these boundaries or to establish a new ~~Community~~ **Commercial** Mixed-use Centre shall require an Official Plan Amendment supported by a Market Impact Study in accordance with the policies of this Plan.
9. **Proposals for development of a Commercial Mixed-use Centre at less than 6500 square metres of commercial gross floor area cumulatively of all buildings within the designation will require an amendment to this Plan supported by a Commercial Function Study in accordance with the policies of this Plan.**
10. **Proposals to decrease the existing commercial gross floor area by more than 25 per cent or to provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.**
11. 9 Development within the Community Commercial Mixed-use Centre designation is subject to the policies of Section 3.11 of this Plan.

Permitted Uses

12. ~~10~~ The following uses may be permitted in ~~Community~~ **Commercial** Mixed-use Centres, subject to the applicable provisions of this Plan:
 - i) commercial, retail and service uses;
 - ii) live/work uses;
 - iii) small-scale professional and medically related offices;
 - iv) entertainment and recreational commercial uses;
 - v) community services and facilities;
 - vi) cultural, educational and institutional uses;
 - vii) hotels;
 - viii) multiple unit residential; and
 - ix) urban squares and open space.

- 13. ~~11~~ Vehicle repair and vehicle service stations shall only be permitted as accessory uses.
- 14. ~~12~~ The permitted uses can be mixed vertically within a building or horizontally within multiple-unit buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft) of gross floor area:
 - i) the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities;
 - ii) smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development; and
 - iii) large free-standing building(s) should be integrated with smaller buildings to create a Main Street-type environment or located on peripheral sites within the designation, which are directly linked to the Main Street.
- 15. ~~13~~ No individual ~~Community~~ **Commercial** Mixed-use Centre shall have more than four (4) freestanding individual retail uses exceeding 5,575 square metres (60,000 sq. ft) of gross floor area.

Height and Density

- 16. ~~14~~ The ~~Community~~ **Commercial** Mixed-use Centres incorporate land containing existing uses as well as vacant land required to meet the identified needs of the City. To promote a mixture of land uses within each Community Commercial Mixed-use Centre, retail commercial development will be limited to the following total gross floor area cumulatively of all buildings within the designation:

Mixed-use Centre: Total **Commercial** Gross Floor Area

Gordon/Clair: ~~48,500 sq. m.~~ 57,900 sq. m

Woodlawn/Woolwich: ~~56,000 sq. m.~~ 75,600 sq. m

Paisley/Imperial: ~~57,000 sq. m.~~ 63,500 sq. m

York/Victoria: 16,300 sq. m

York/Watson Parkway/Starwood: ~~28,000 sq. m.~~ 39,700 sq. m

Silvercreek Junction: ~~22,760 sq. m.~~ **as per section 9.13.2.5.5**

- 17. ~~15~~ The maximum height is ten (10) storeys.
- 18. The minimum commercial gross floor area is 6500 square metres **cumulatively of all buildings within the designation.**
- 19. ~~16~~ For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.
- 20. ~~17~~ Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Item 5: The purpose of Item 5 is to renumber Section 9.4.3 and to add the Woolwich Mixed-use Corridor to the list of Mixed-use Corridors in the preamble to Section 9.4.3.

Section 9.4.3 is hereby renumbered and the preamble is hereby amended as follows:

9.4.34 Mixed-use Corridor

The Mixed-use Corridor designation is intended to serve both the needs of residents living and working on-site, in nearby neighbourhoods and employment districts and the wider city as a whole.

The following Mixed-use Corridors are designated on Schedule 2:

- Silvercreek Parkway Mixed-use Corridor
- Eramosa Mixed-use Corridor
- Stone Road Mixed-use Corridor
- **Woolwich Mixed-use Corridor.**

Item 6: The purpose of Item 6 is to add a new policy 9.4.4.7 for commercial function studies and to renumber the subsequent policies.

Policy 9.4.4.7 is hereby added as follows and the remainder of policies in the new Section 9.4.4 are renumbered.

7. Development proposals that would decrease the existing commercial gross floor area of a commercially zoned site within the Mixed-use Corridor designation by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI on a commercially zoned site will require a Commercial Function Study in accordance with the policies of this Plan.

Permitted Uses

8. 7 The following uses may be permitted in the Mixed-use Corridor designation, subject to the applicable provisions of this Plan:

- i) commercial, retail and service uses;
- ii) office;
- iii) entertainment and recreational commercial uses;
- iv) cultural and educational uses;
- v) institutional uses;
- vi) hotels;
- vii) live/work;
- viii) medium and high density multiple unit residential buildings and apartments;
and
- ix) urban squares and open space.

9. 8 The permitted uses can be mixed vertically within a building or horizontally within multiple-unit mall buildings or may be provided in free-standing individual buildings. Where an individual development incorporates a single use building in excess of 5,575 square metres (60,000 sq. ft.) of gross floor area, the site shall also be designed to provide the opportunity for smaller buildings amenable to the provision of local goods and services to be located near intersections and immediately adjacent to the street line near transit facilities. These smaller buildings shall comprise a minimum of 10% of the total gross floor area within the overall development.

Height and Density

10. 9 The maximum height is six (6) storeys.

11. ~~10~~ For freestanding residential development, the maximum net density is 150 units per hectare and the minimum net density is 100 units per hectare.
12. ~~11~~ Additional height and density may be permitted subject to the Height and Density Bonus provisions of this Plan.

Item 7: The purpose of Item 7 is to renumber section 9.4.4 Neighbourhood Commercial Centre and to amend the policies of Section 9.4.4 to establish a new maximum commercial gross floor area; to update the policy for market impact studies; to delete the reference to the Victoria and York Neighbourhood Commercial Centre; to add a policy to require commercial function studies; to change residential “uses” to “units”; and to set a maximum residential density

Section 9.4.4 is hereby renumbered and amended as follows:

9.4.-4-5 Neighbourhood Commercial Centre

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

Objectives

- a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.
- b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is compatible with the surrounding residential neighbourhood.
- c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.
- d) To be connected to surrounding neighbourhoods through the City’s pedestrian trails, walkways and by transit.

Policies

1. The Neighbourhood Commercial Centre designations on Schedule 2 recognize the existing centres within the city and identify the general location of new Neighbourhood Commercial Centres.
2. To prevent the creation of strip commercial development comprising a series of Neighbourhood Commercial Centres located adjacent to one another along a major street, it is the general requirement of this Plan that designated Neighbourhood Commercial Centres have a minimum distance separation from one another of 500 metres.
3. ~~This Plan intends that a A Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650~~ **have a maximum total commercial gross floor area of 6,500** square metres (~~50,000~~ **70,000** square feet) ~~of gross floor area.~~
4. Notwithstanding policy 9.4.45.3, the existing Neighbourhood Commercial Centres listed below will be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of **commercial** gross floor area:
 - Speedvale Avenue at Stevenson Street
 - Victoria Road at Grange Street
 - ~~Victoria Road at York Road~~
 - Kortright Road at Edinburgh Road
 - Harvard Road at Gordon Street

- Kortright Road at Gordon Street
 - Wellington Street at Imperial Road.
5. A Neighbourhood Commercial Centre **shall only be extended or enlarged** as ~~listed in policy 9.4.4.4 shall only be extended or enlarged~~ to provide more than the **permitted maximum** ~~10,000 square metres (108,000 square feet)~~ of **commercial** gross floor area by amendment to this Plan and shall require a Market Impact Study.
 6. The maximum gross floor area of an individual retail use within a Neighbourhood Commercial Centre shall be 3,250 square metres (35,000 square feet).
 7. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of Zoning By-laws and Site Plans to ensure conformity.
 8. Where new development occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances from public streets, access to common parking areas, open space, urban squares, grading and stormwater management systems.
 9. Development within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.
 10. Applications for the purpose of establishing or expanding a Neighbourhood Commercial Centre designation will be required to satisfy the following criteria:
 - i) located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
 - ii) the location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
 - iii) designed in a manner that is compatible with the building design and use of surrounding properties;
 - iv) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
 - v) adequate site area will be provided for parking, loading and all other required facilities; and
 - vi) adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.
 11. **Development proposals that would decrease the existing commercial gross floor area within a Neighbourhood Commercial Centre by more than 25 per cent or that would provide commercial gross floor area at less than .15 FSI will require a Commercial Function Study in accordance with the policies of this Plan.**

Permitted Uses

12. ~~11~~ The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:
 - i) commercial, retail and service uses;
 - ii) small-scale offices;
 - iii) community services and facilities;

- iv) live/work;
- v) multiple unit residential within mixed-use buildings; and
- vi) urban squares.

- 13. ~~12~~ Vehicle sales and vehicle repair uses shall not be permitted.
- 14. ~~13~~ Development will be planned and designed to maintain the principal commercial function. Residential uses units are not permitted on the ground floor.

Height and Density

- 15. ~~14~~ The maximum height is six (6) storeys.
- 16. **For residential development, the maximum net density is 100 units per hectare.**
- 17. **Notwithstanding Policy 9.4.45.16, the maximum net density for residential development for the Willow Road and Dawson Road Neighbourhood Commercial Centre is 150 units per hectare.**
- 18. ~~15~~ Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.

Item 8: The purpose of Item 8 is to renumber section 9.4.5 Service Commercial and Section 9.4.6 Mixed Office/Commercial.

Section 9.4.5 Service Commercial and Section 9.4.6 Mixed/Office Commercial are hereby renumbered as follows.

9.4. ~~5~~ **6** Service Commercial

9.4. ~~6-7~~ Mixed Office/Commercial

Item 9: The purpose of Item 9 is to delete policy 9.4.6.9 which references height and density bonusing within the Mixed Office/Commercial section.

Policy 9.4.6.9 is hereby deleted.

Item 10: The purpose of Item 10 is to revise Schedule 2 Land Use Plan to change the land use designation for 721, 727, 731, 735, 737 and 739 Woolwich Street from Service Commercial to Mixed-use Corridor.

Item 11: The purpose of Item 11 is to revise Schedule 2 Land Use Plan to change the land use designation for 200 Victoria Road South from Neighbourhood Commercial Centre to Commercial Mixed-use Centre.

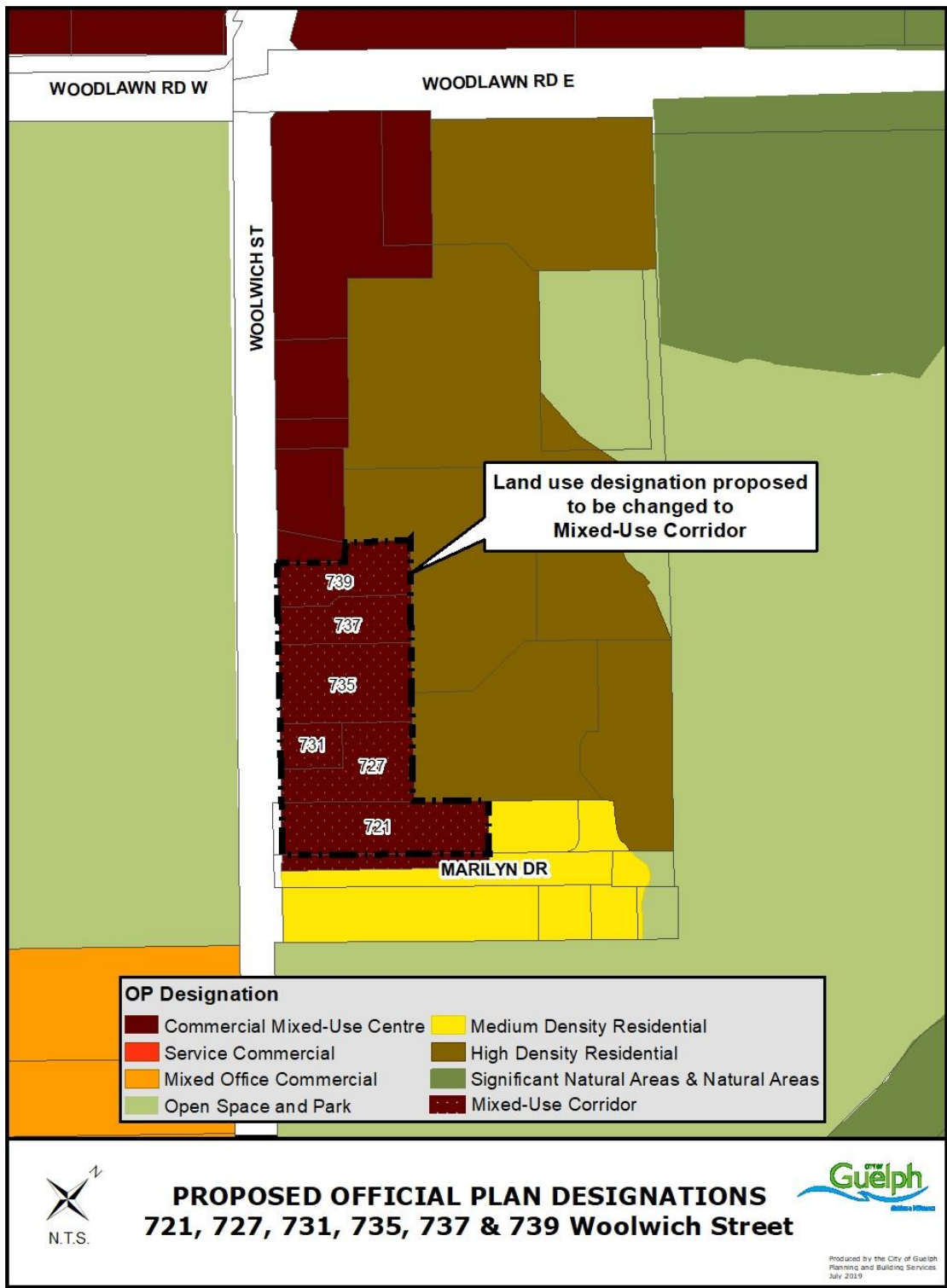
Item 12: The purpose of Item 12 is to revise Schedule 2 Land Use Plan to change the land use designation for 523 York Road and 494-500 York Road from Service Commercial to Commercial Mixed-use Centre.

Item 13: The purpose of Item 13 is to revise Schedule 2 Land Use Plan to change the land use designation for 540 York Road from Service Commercial and Industrial to Commercial Mixed-use Centre.

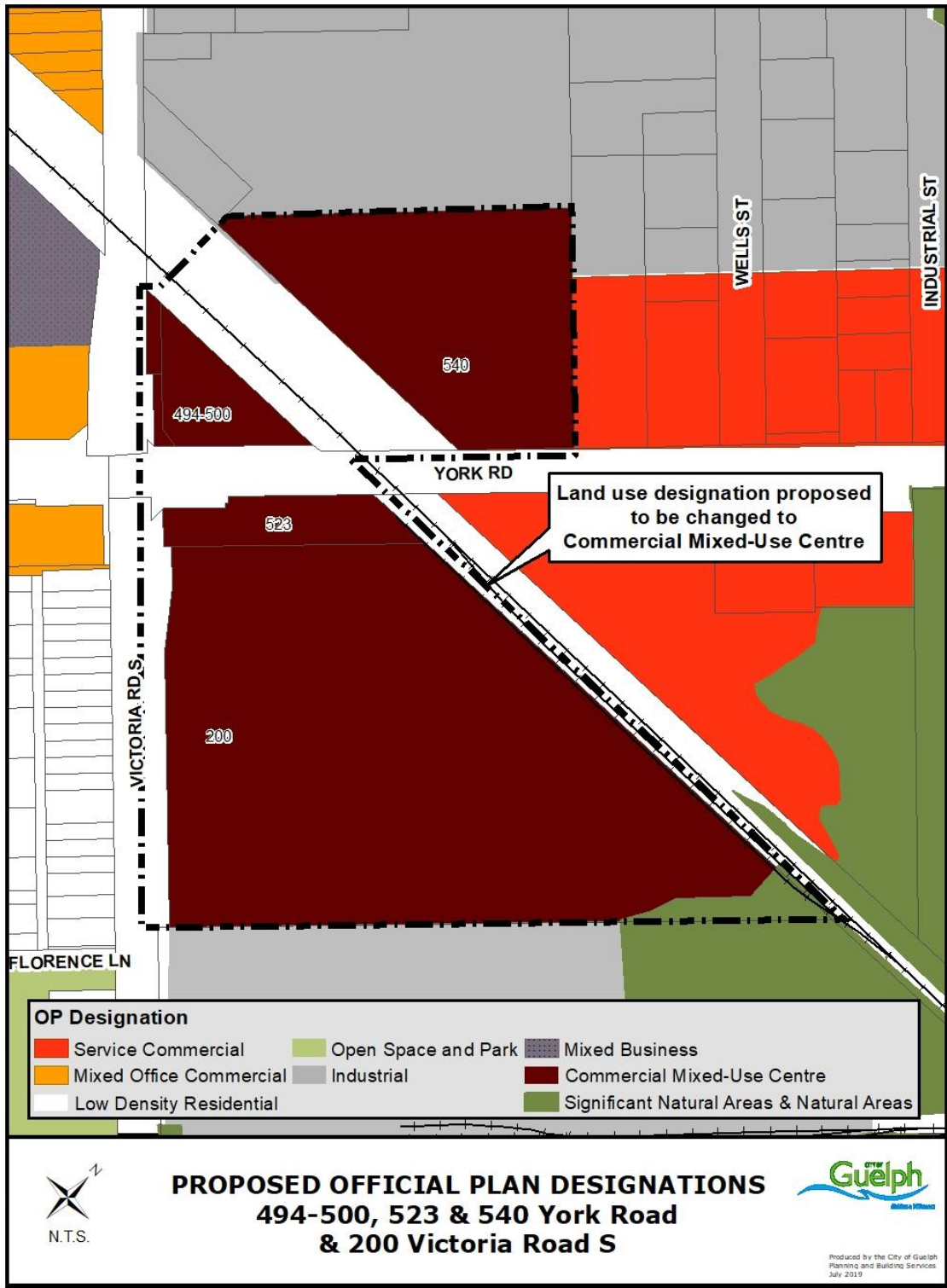
Item 14: The purpose of Item 14 is to revise Schedule 2 Land Use Plan to amend the land use designation for 895-919 York Road and 57 Watson Parkway North from Service Commercial to Commercial Mixed-use Centre.

Item 15: The purpose of Item 15 is to revise Schedule 2 Land Use Plan to amend the legend to change the land use designation title from "Community Mixed-use Centre" to "Commercial Mixed-use Centre".

The following maps display the changes to Schedule 2 as outlined in Items 10 through Item 14



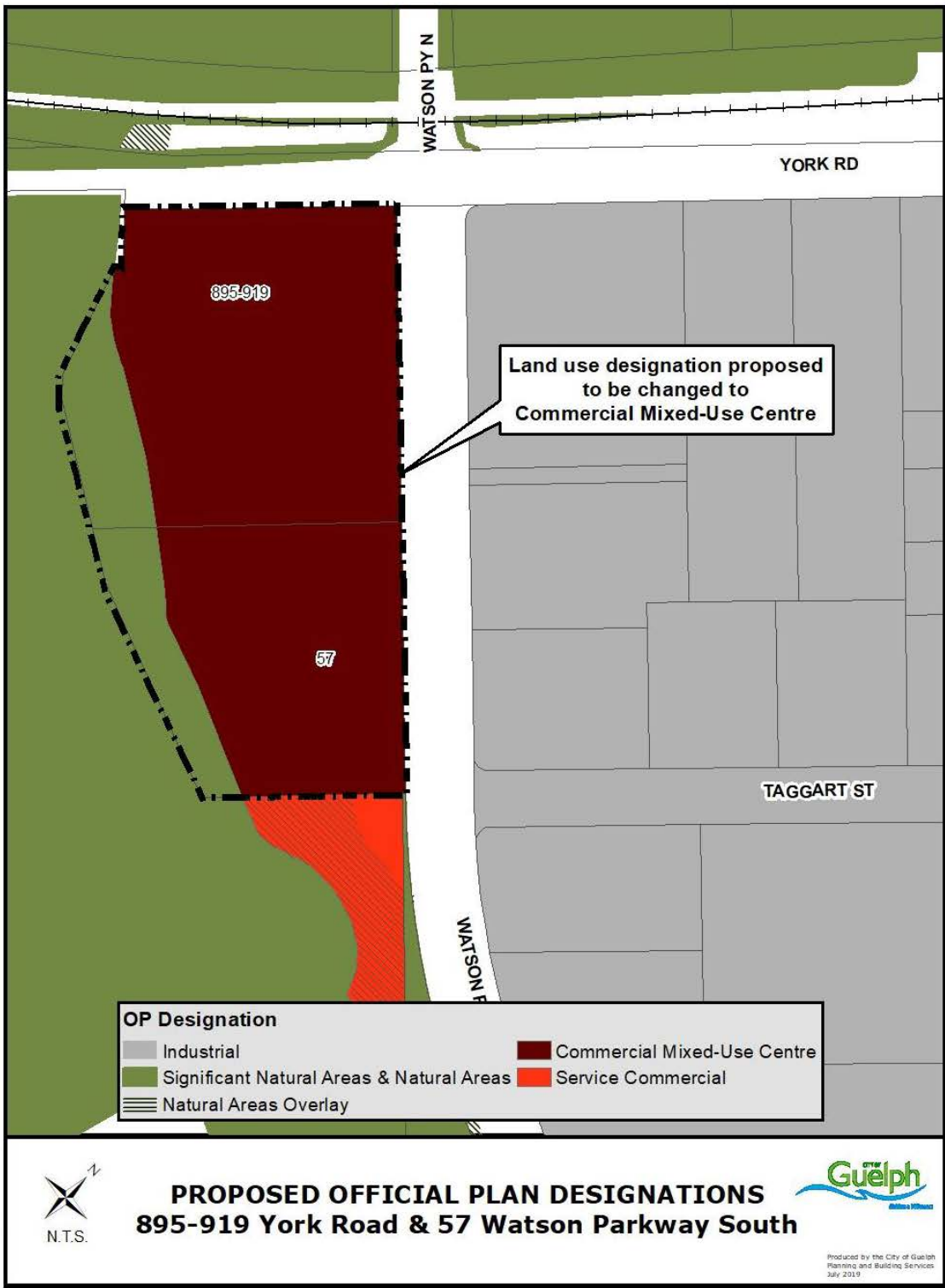
P:\GIS\Planning\STAFF_FOLDERS\Kely\OPA\amendments



P:\DE\Planning\STAFF FOLDERS\Key\Work\Work\Com\Com

Land use designation proposed to be changed to Commercial Mixed-Use Centre





P:\GIS\Planning\STAFF FOLDERS\City\OPA\windsor