

# Staff Report



To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, June 13, 2022
Subject	<b>Decision Report 12 Poole Street Proposed Official Plan Amendment File: OZS22-002 Ward 6</b>

## Recommendation

1. That the application submitted by IBI Group on behalf of the owner, Victoria Park Village Inc. on the lands municipally known as 12 Poole Street and legally described as Block 91, 61M-244, City of Guelph for an Official Plan Amendment to redesignate the subject lands from the "Low Density Greenfield Residential" land use designation to a "High Density Residential" land use designation with a site-specific policy to allow a maximum net density of 208 units per hectare, be refused; a summary of reasons for refusal are set out in Attachment-3 of Report 2022-207, dated June 13, 2022.

## Executive Summary

### Purpose of Report

This report provides a staff recommendation to refuse an Official Plan Amendment to redesignate the subject lands from the "Low Density Greenfield Residential" land use designation to a "High Density Residential" land use designation with a site-specific policy to allow a maximum net density of 208 units per hectare.

### Key Findings

Planning staff recommend refusal of the proposed Official Plan Amendment application because the proposed high density development is incompatible and out of scale with the character of the surrounding area and the redesignation of the site to a "High Density Residential" land use designation with a site-specific policy for increased density does not constitute good land use planning.

### Financial Implications

There are no potential development charges or tax estimates to report because the recommendation is to refuse the application.

# Report

## Background

An application for an Official Plan Amendment has been received for the lands municipally known as 12 Poole Street from IBI Group on behalf of the owner, Victoria Park Village Inc. to redesignate the subject lands from the "Low Density Greenfield Residential" land use designation to a "High Density Residential" land use designation with a site-specific policy to allow a maximum net density of 208 units per hectare. The application was received by the City on December 24, 2021 and deemed to be complete on February 28, 2022.

The subject lands were previously known as Block 107 in Draft Plan of Subdivision 23T-07506, also referred to as the Victoria Park Village (VPV) subdivision. There have been several planning applications for this subdivision since the original draft plan approval in January of 2011. Below is a high-level summary of the various applications for background.

The current owner requested red-lined revisions with an associated Zoning By-law Amendment to the approved draft plan of subdivision in 2012. These previous applications were appealed to the former Ontario Municipal Board (OMB) (now the Ontario Land Tribunal (OLT)) and subsequently approved by the former OMB in November 2013 through a settlement between the City and appellant. A decision was issued by the OMB on November 22, 2013, which approved the redline revisions, revised conditions of draft plan approval, and the zoning by-law amendment for the entirety of the subject lands, with exception of the three multi-family blocks, including Block 107. The zoning for Block 107 remains under appeal and is discussed further in this report.

A second red-line amendment and associated Zoning By-law Amendment were approved by Council in January 2021 to permit two additional single detached residential lots.

The owner requested a three (3) year extension in 2016 to draft plan approval, which was approved by Council on September 12, 2016. A second request for a three (3) year extension to November 22, 2022 was approved by Council on October 16, 2019.

Phase 1A of the subdivision was registered as 61M-217 on June 19, 2017, and includes an open space block, stormwater management block and a block zoned for townhouses, which is now developed with 98 townhouse units.

Phase 1B of the subdivision was registered as 61M-244 on September 2, 2021, and includes 66 single detached residential dwellings, 18 semi-detached residential dwellings (36 units), 29 on-street townhouse units, one block zoned for 58 cluster townhouse units, a multi-residential block with 168 dwelling units, 3 stormwater management blocks, 1 open space block, 1 park block, and 2 blocks for 0.3 metre reserves.

## Location

The subject lands are located at the north-east corner of Poole Street and DeCorso Drive, off Victoria Road South (see Attachment-1 Location Map and Attachment-2 Aerial Photograph).

The subject lands have an approximate area of 2.37 hectares and are currently used as the sales trailer for the subdivision. Preliminary grading in accordance with the approved engineering drawings for the subdivision has occurred to accommodate the future construction of subdivision.

Surrounding land uses include:

- To the north: a residential subdivision;
- To the south: DeCorso Drive, beyond which are lands zoned for residential purposes and further beyond are lands zoned for agricultural uses under the Township of Puslinch Zoning By-law and designated in the City of Guelph Official Plan for residential purposes;
- To the east: lands designated and zoned as natural heritage, beyond which is Victoria Road South and lands located within the Township of Puslinch; and,
- To the west: Poole Street and Keegan Court and lands zoned for residential purposes.

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

The subject lands are designated as "Low Density Greenfield 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 Greenfield Residential" land use designation permits a maximum building height of six (6) storeys and a maximum density of 60 units per hectare.

Details of the existing land use designations and policies are provided in Attachment-4.

### **Proposed Official Plan Amendment**

The purpose of the Official Plan Amendment is to redesignate the subject lands from the "Low Density Greenfield Residential" land use designation to a "High Density Residential" land use designation with a site-specific policy to allow a maximum net density of 208 units per hectare.

Further details of the proposed Official Plan Amendment are included in Attachment-5.

### **Existing Zoning**

The subject lands are currently zoned "Specialized General Apartment" (R.4A-38), according to Zoning By-law (1995)-14864, as amended, however, the zoning for these lands is not in full force and effect as the zoning has been the subject of an on-going Ontario Land Tribunal (OLT) appeal since 2012. The zoning of these lands was deferred pending the submission and agreement on a future Site Plan application.

Details of the existing zoning are provided in Attachment-6.

### **Proposed Development**

The applicant is proposing to develop the subject lands with multiple dwellings including 308, four-storey stacked townhouse units around the perimeter of the Block and a 6 to 10-storey stepped apartment building containing 185 units centrally located on the lands, for a total of 493 units and a density of approximately 208 units per hectare. The majority of parking for the development

will be underground, with a small amount of short-term visitor parking located at-grade. Given the proposed height of the apartment building and the proposed density, an Official Plan Amendment application is required to permit the increased height and density on the Block.

The proposed development concept plan and elevations are included in Attachment-7.

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

The staff review and planning analysis for this application is provided in Attachment-3. The analysis addresses relevant planning considerations, including the issues raised by the public and Council at the statutory public meeting. Final comments on the proposal from agencies and internal City departments are included in Attachment-8. 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 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.

### **Staff Recommendation**

Planning staff recommend refusal of the proposed Official Plan Amendment that if approved, would permit a 10-storey building and a net residential density of 208 units per hectare.

The proposed high density residential land use designation with a site-specific policy represents a significant deviation from the existing permissions in the "Low Density Greenfield Residential" land use designation. The proposed high density development on this site consisting of 308, 4-storey stacked townhouse units and a 6- to 10-storey stepped apartment building containing 185 units, for a total of 493 units does not constitute good planning and is incompatible with the character of the surrounding low density neighbourhood. Planning staff do not support the proposed Official Plan Amendment to redesignate the site to allow high density residential uses. More detailed reasons for refusal and planning analysis of the application are included in Attachment-3 of this report.

Because staff are recommending refusal of this application, staff have reviewed the proposal fully and have streamlined the process of getting a recommendation report back to Council to ensure that Council has the opportunity to make decision within the 120-day development review timeline stipulated in the Planning Act, so Council's decision can be taken into consideration by the Ontario Land Tribunal (OLT) in the event of an appeal of their decision. Should Council not make a decision within 120 days of the application being deemed complete, the applicant can appeal the non-decision to the OLT.

## **Financial Implications**

There are no potential development charges or tax estimates to report because the recommendation is to refuse the application.

## **Consultations**

A combined Notice of Complete Application and Public Meeting was mailed on March 10, 2022 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 March 17, 2022. Notice of the application has also been provided by signage on the subject lands and all supporting documents submitted with the application has been posted on the City's website.

The Notice of Decision Meeting was emailed on May 27, 2022 to interested parties who either spoke at the public meeting, provided comments on the application or requested to receive further notice. The public notification summary is included in Attachment-9.

## **Strategic Plan Alignment**

### **Priority**

Sustaining our Future

### **Direction**

Plan and design an increasingly sustainable city as Guelph grows.

### **Alignment**

The proposed development application is not 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, so planning staff recommend refusal. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposed development application is not in conformity with the City's Official Plan can be found in the Summary of Reasons for Refusal and Planning Analysis in Attachment-3.

## **Attachments**

Attachment-1 Location Map and 120m Circulation Area

Attachment-2 Aerial Photograph

Attachment-3 Summary of Reasons for Refusal and Planning Analysis

Attachment-4 Existing Official Plan Land Use Designations and Policies

Attachment-5 Proposed Official Plan Amendment

Attachment-6 Existing Zoning

Attachment-7 Proposed Development Concept Plan and Elevations

Attachment-8 Department and Agency Comments

Attachment-9 Public Notification Summary

## **Departmental Approval**

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