

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, February 10, 2020
Subject	Statutory Public Meeting Report 70 Fountain Street Proposed Official Plan and Zoning By-law Amendment File: OZS19-015 Ward 1
Report Number	IDE-2020-10

Recommendation

That Report IDE-2020-010 regarding proposed Official Plan and Zoning By-law Amendment applications (File: OZS19-015) by Skydevco Inc., on behalf of the owner, Skyline Commercial Real Estate Holdings Inc., to permit the development of a 25 storey mixed use building containing commercial, office and apartment units on the property municipally known as 70 Fountain Street and legally described as Lots 19 & 20 Registered Plan 8, City of Guelph from Infrastructure, Development and Enterprise dated February 10, 2020, be received.

Executive Summary

Purpose of Report

To provide planning information on applications requesting approval of Official Plan and Zoning By-law Amendments to permit the development of a 25 storey mixed use building with retail and office space together with 180 apartment units on the property municipally known as 70 Fountain Street. This report has been prepared in conjunction with the Statutory Public Meeting for the application.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Financial Implications

Financial implications will be reported in the future Infrastructure, Development and Enterprise recommendation report to Council.

Report

Background

An application for a Zoning By-law Amendment has been received for the property municipally known as 70 Fountain Street from Skydevco Inc., on behalf of Skyline

Commercial Real Estate Holdings Inc. The application has been submitted to allow the development of a 25 storey mixed use building containing retail and office space together with 180 apartment units on the subject site. The Official Plan Amendment and Zoning By-law Amendment applications were received by the City on December 4, 2019 and deemed to be complete on January 2, 2020.

Location

The subject lands are located on the east side of Wyndham Street South and bounded by Farquhar Street to the north and Fountain Street to the south (see Location Map and Orthophoto in Attachment 1 and Attachment 2, respectively). The subject site has an area of 0.213 hectares and is currently developed with a two storey office building containing several commercial and office uses. The site slopes to the south, so the site appears to be two storeys from Farquhar Street and three storeys from Fountain Street.

Surrounding land uses include:

- To the north, across Farquhar Street is the former Drill Hall and a drop off and parking area for the transit terminal;
- To the east, immediately adjacent to the site are two storey single detached dwellings fronting onto Farquhar Street;
- To the south, across Fountain Street is a two storey office building which houses the Ontario Court of Justice;
- To the west, across Wyndham Street South, the Guelph Police Services headquarters is directly across from the site, with a municipal parking lot on Fountain Street to the southwest, and the Armoury to the northwest of the intersection of Wyndham Street South and Farquhar Street.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designation that applies to the subject lands is "Institutional or Office" within the Downtown Secondary Plan (See Attachment 3). Land within this designation is intended to permit a range of office, community and institutional uses, together with other compatible employment uses. Retail and service uses may be permitted as secondary to a main office or institutional use. The site is required to have active frontage along its Wyndham Street frontage and along its Farquhar Street frontage closest to Wyndham Street. The site has a permitted height range of three to six storeys.

Further details of the "Institutional or Office" land use designation are included in Attachment 3.

Proposed Official Plan Amendment

There are three parts to the proposed Official Plan amendment. First, the applicant has proposed to redesignate the site from the "Institutional or Office" designation to the "Mixed Use 1" designation to permit the residential component of the proposed mixed use building. Second, the applicant has proposed to amend the height schedule (Schedule D) of the Downtown Secondary Plan to permit the proposed height of 25 storeys where 3 to 6 storeys is currently permitted. Third, a new site-specific policy is proposed that would add the 25 storey height maximum to the site, together with a policy that would require buildings taller than 18 storeys to

have a maximum tower floorplate of 700 square metres above the fourth storey. The proposed Official Plan amendment is shown in Attachment 4.

Existing Zoning

The subject lands are currently zoned "Specialized Central Business District" (CBD.1-1) which is the zoning for the site as it existed on July 23, 2017. At the time Council permitted the site to keep this zoning rather than the site being included in the updated Downtown Zoning By-law amendment. The existing zoning map and detail is included in Attachment 5.

Proposed Zoning By-law Amendment

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the specialized "Central Business District" (CBD.1-1) Zone to a specialized "Downtown 1" (D.1-?) Zone. A specialized Downtown 1 zone is required to permit the proposed mixed use building to be 25 storeys instead of the three storeys allowed in the standard zone.

The proposed zoning and requested specialized regulations are shown in Attachment 5.

Proposed Development

The applicant is proposing to redevelop the site by demolishing the existing 2 storey office building and building a 25 storey high mixed use building. The mixed use building is proposed to contain approximately 3900 square feet of ground floor retail space and 67,000 square feet of office floor space on the first four floors which make up the podium of the building. Above the fourth floor is a 21 storey tower containing 180 apartment units. Parking is located in four underground parking levels, with a total of 207 parking spaces provided.

The proposed redevelopment concept plan is shown in Attachment 6 and renderings of the proposed redevelopment are shown in Attachment 7.

Supporting Documents

The following information was submitted in support of the applications:

- Planning Justification Report, prepared by GSP Group, dated December, 2019;
- Proposed Massing, Conceptual Site Plan and Floor Plans, prepared by SRM Architects Inc., dated November 7, 2019;
- Building Elevations and Renderings, prepared by SRM Architects Inc., dated November 7, 2019;
- Height Survey Diagram, prepared by SRM Architects Inc., dated November 7, 2019;
- Shadow Study, prepared by SRM Architects Inc., dated October 18, 2019;
- Urban Design Brief, prepared by GSP Group, dated December, 2019;
- Cultural Heritage Resource Impact Assessment, prepared by CHC Ltd., dated November 29, 2019;
- Stage One Archeological Assessment, prepared by ASI, dated September 12, 2019;
- Pedestrian Wind Study, prepared by RWDI, dated November 25, 2019;

- Transportation Impact Assessment, Transportation Demand Management and Parking Study, prepared by Paradigm Transportation Solutions Ltd., dated November 2019;
- Functional Servicing and Storm Water Management Report, prepared by Walter Fedy, dated November 12, 2019;
- Noise Study, prepared by HGC Engineering Ltd., dated November 29, 2019;
- Phase I Environmental Site Assessment, prepared by Pinchin Ltd., dated June 3, 2016;
- Revised Phase I Environmental Site Assessment, prepared by Pinchin Ltd., dated November 18, 2019;
- Phase II Environmental Site Assessment, prepared by Pinchin Ltd., dated July 26, 2016;
- Topographical Survey, prepared by Van Harten's Surveying Inc., dated August 8, 2019;
- Geotechnical Engineering Report, prepared by Endglobe, dated December 15, 2015;
- Geotechnical Peer Review, prepared by Pinchin Ltd., dated August 15, 2019;
- Preliminary Hydrogeological Assessment, prepared by Pinchin Ltd., dated November 18, 2019; and,
- Noise & Vibration Impact Study, prepared by RWDI, dated November 22, 2019.

Staff Review

Staff will review the application materials submitted, focused on evaluation of the proposal's conformity to the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019); and evaluation of the proposed Official Plan amendments and conformity with Official Plan land use designations and related policies. Once the application review is complete, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial implications will be reported in the future staff recommendation report to Council.

Consultations

The Notice of Complete Application and Public Meeting was mailed on January 16, 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 16, 2020. Notice of the application has also been provided by signage on the property, which was installed on January 16, 2020. All supporting documents and drawings submitted with the application have been posted on the City's website.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design an increasingly sustainable city as Guelph grows

Alignment

The review of this development application will include an assessment of its 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.

Priority

Working together for our future

Direction

Improve how the City communicates with residents and delivers services

Alignment

The Public Meeting being held on the proposed development application provides the opportunity for City Council, residents and community groups to learn more, ask questions and provide comments on the proposed development.

Attachments

Attachment 1 – Location Map and 120 m Circulation
Attachment 2 – Aerial Photograph
Attachment 3 – Existing Official Plan Land Use Designations and Policies
Attachment 4 – Proposed Official Plan Amendment
Attachment 5 – Existing Zoning
Attachment 6 – Proposed Zoning and Details
Attachment 7 – Proposed Development Concept Plan
Attachment 8 – Proposed Site Rendering

Departmental Approval

Not applicable

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Attachment 1: Location Map and 120m Circulation




Attachment 2: Aerial Photograph




0 3 6 12 18 24 m

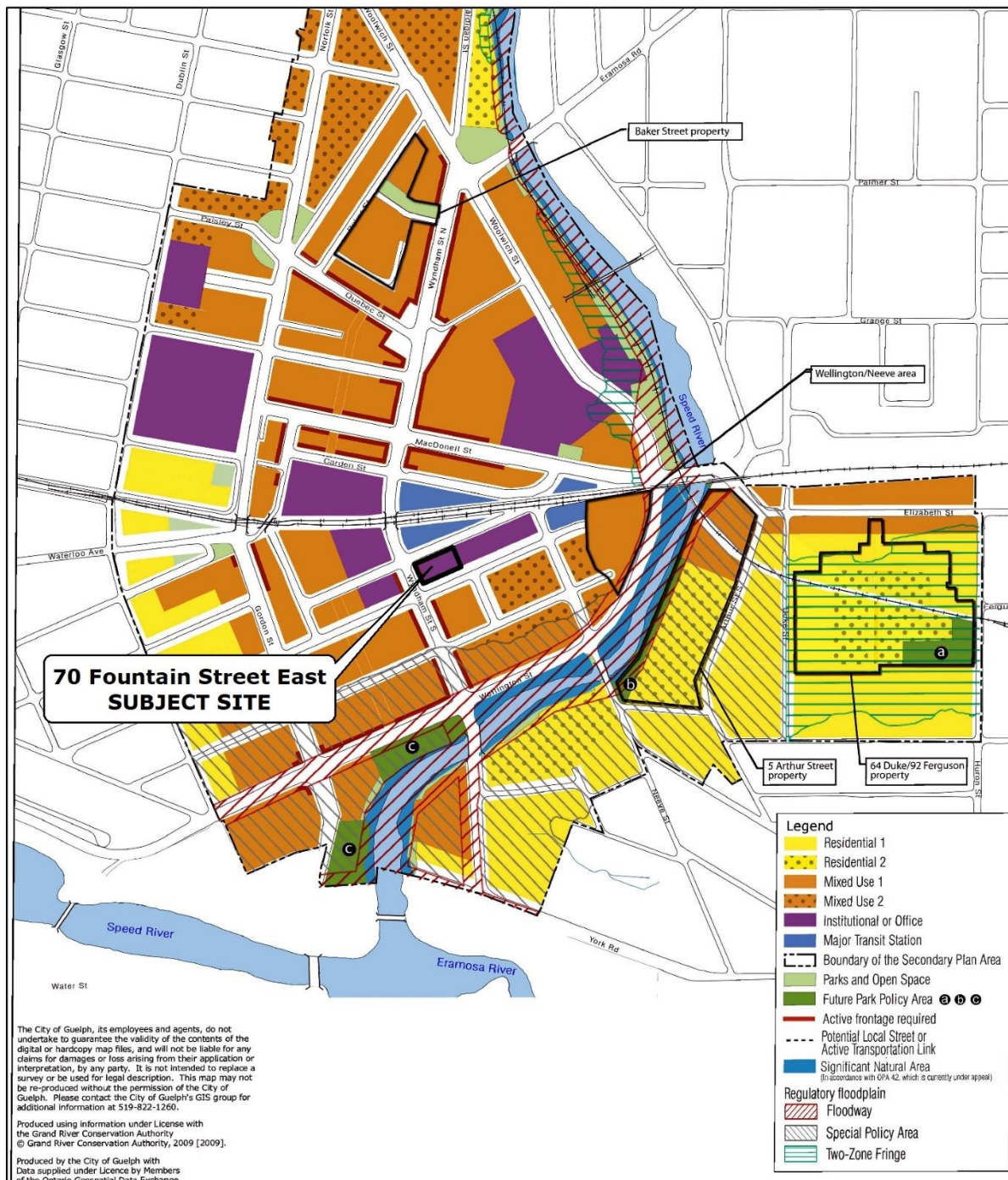
2019 ORTHOPHOTO
70 Fountain Street East



Produced by the City of Guelph
Planning and Building Services - Development Planning
December 2019

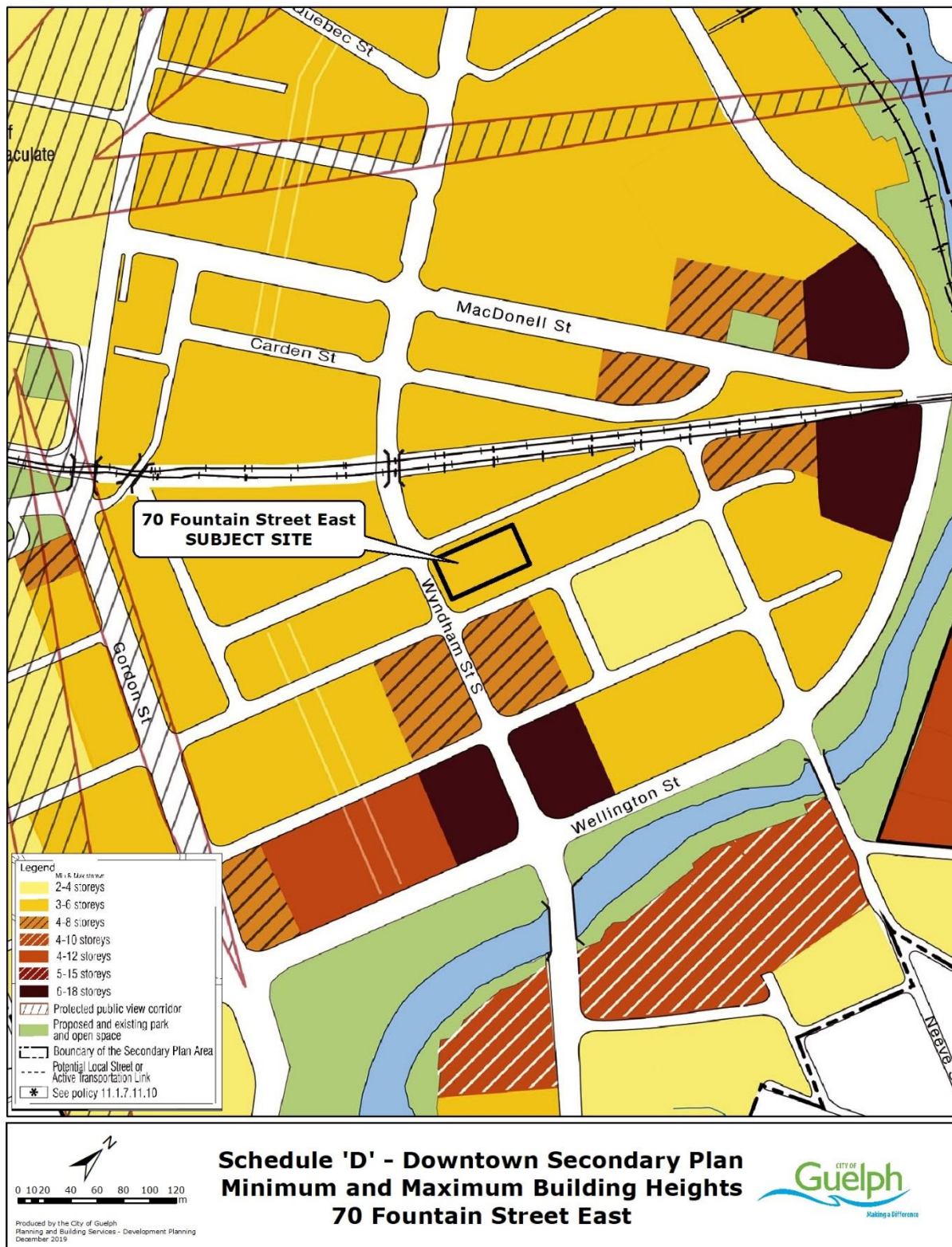
Attachment 3:

Official Plan Land Use Designations and Policies



Attachment 3 continued:

Official Plan Land Use Designations and Policies



Attachment 3 continued:

Official Plan Land Use Designations and Policies

11.1.7.5 Institutional or Office Areas

11.1.7.5.1

Institutional or Office areas include those properties in the heart of Downtown occupied by significant civic, cultural and other public institutions or an office building. They also include properties close to Guelph Central Station where a concentration of major office and institutional uses would optimize use of the terminal.

11.1.7.5.2

Generally the following primary uses may be permitted in Institutional or Office areas:

- a) offices including medically related uses;
- b) entertainment and commercial recreation uses;
- c) community services and facilities;
- d) cultural, educational, civic and institutional uses;
- e) hotels;
- f) parks, including urban squares; and,
- g) other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are *compatible* with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration.

11.1.7.5.3

In addition to the primary uses above, the following uses may also be permitted where they are secondary to the main institutional or office use on the site:

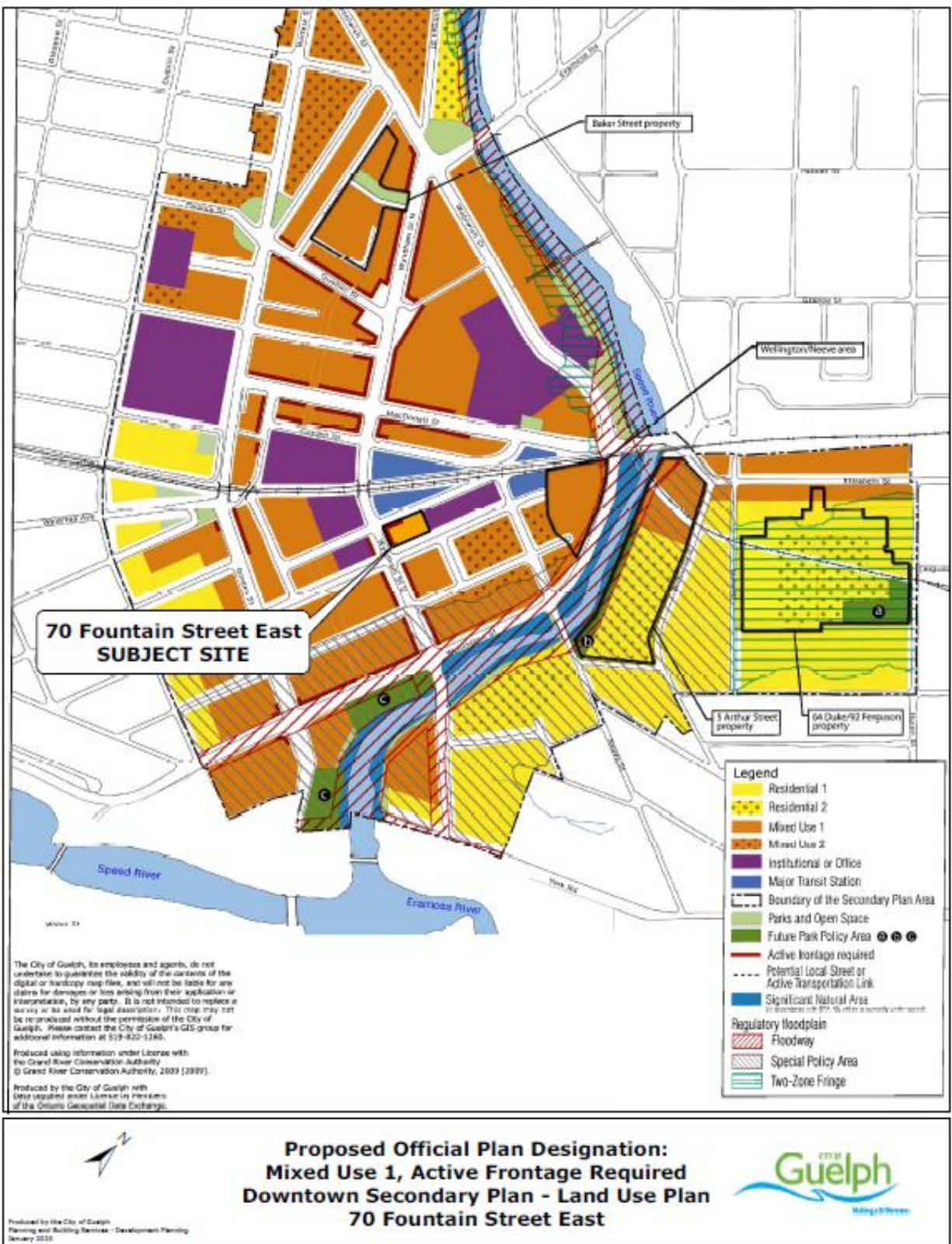
- a) retail and service uses, including restaurants and personal service uses; and
- b) public parking.

11.1.7.5.4

Institutional or Office areas downtown are occupied by buildings that are expected to remain for the life of the Downtown Secondary Plan, with the exception of the areas between Farquhar Street and Fountain Street, where there is greater potential for *redevelopment* and a desire for improved conditions on Wyndham Street. Additions or alterations to existing institutional and office uses shall be permitted, provided they do not significantly change the function or form of the use and have regard for the land use and built form policies that apply to adjacent land use areas. New *development* in the Institutional or Office Area south of Farquhar Street shall be subject to the density and built form policies applicable to Mixed Use 1 Areas, specifically Policies 11.1.7.3.4-11.1.7.3.8.

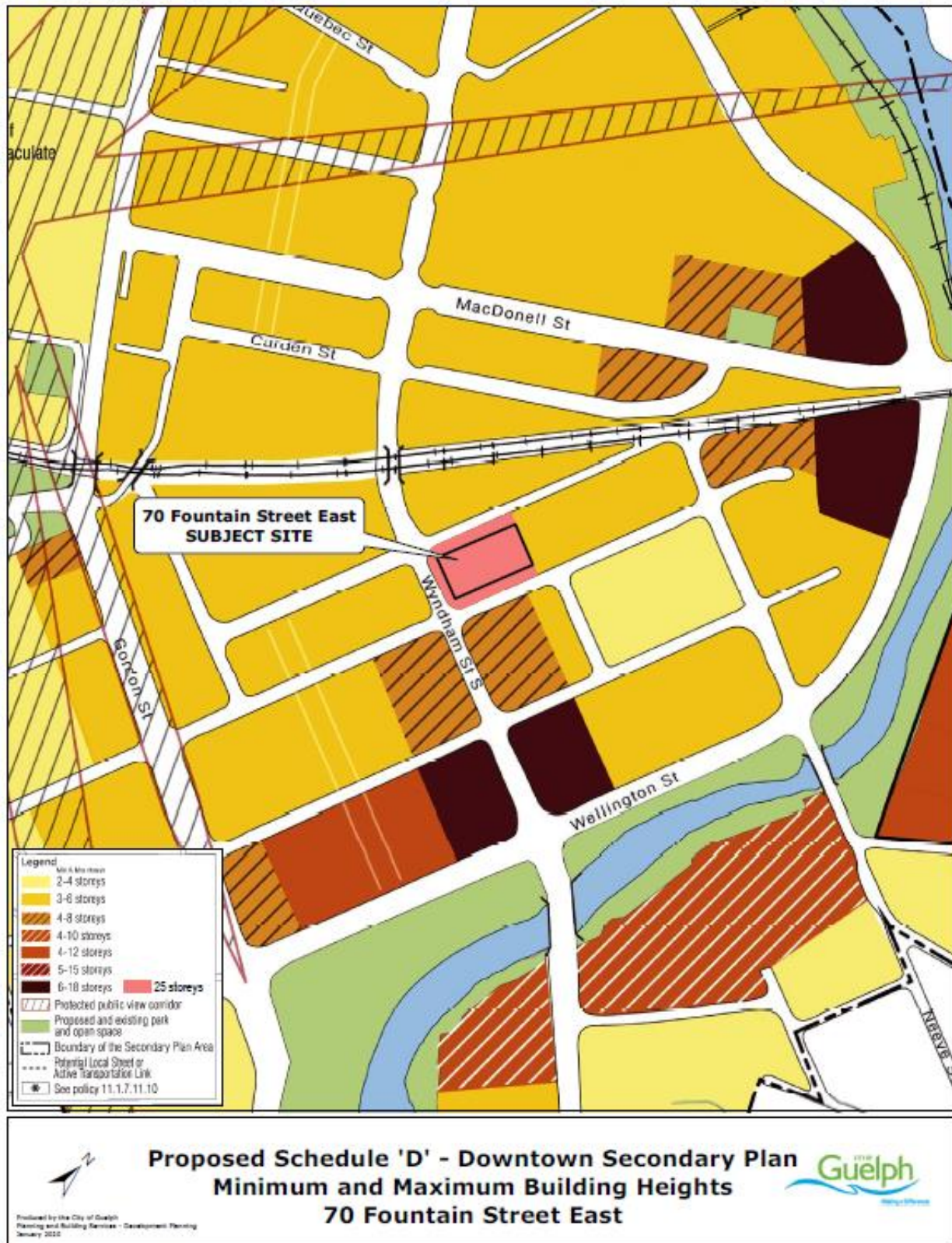
Attachment 4:

Proposed Official Plan Land Use Designation

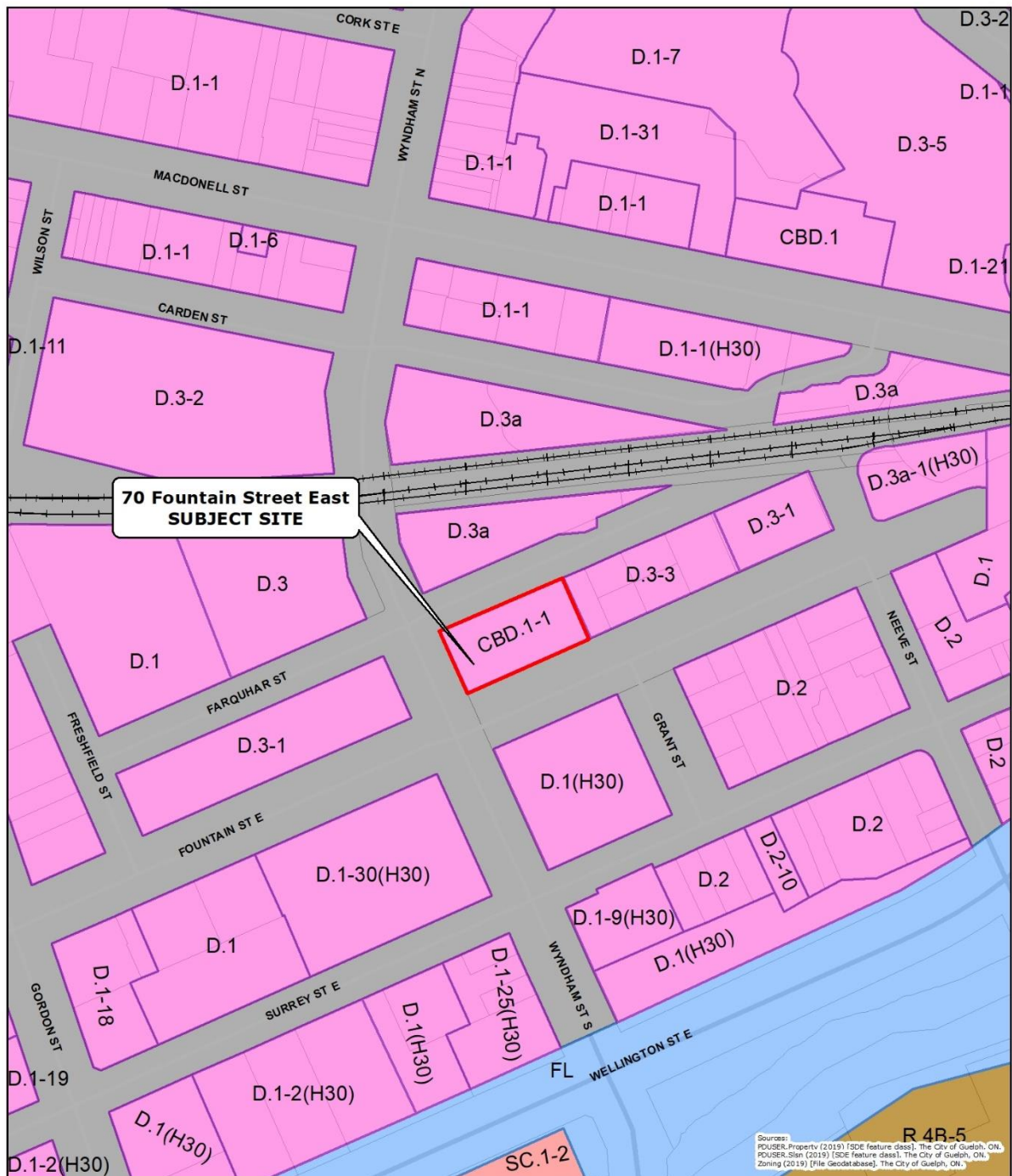


Attachment 4 continued:

Proposed Official Plan Land Use Designation



Attachment 5: Existing Zoning



Attachment 5 (continued):

Existing Zoning Details

6.3.3.1 Special Central Business District 1 (CBD.1) Zones

6.3.3.1.1 CBD.1-1

As shown on Defined Area Map Number 37 of Schedule "A" of this *By-law*.

6.3.3.1.1.1 Regulations

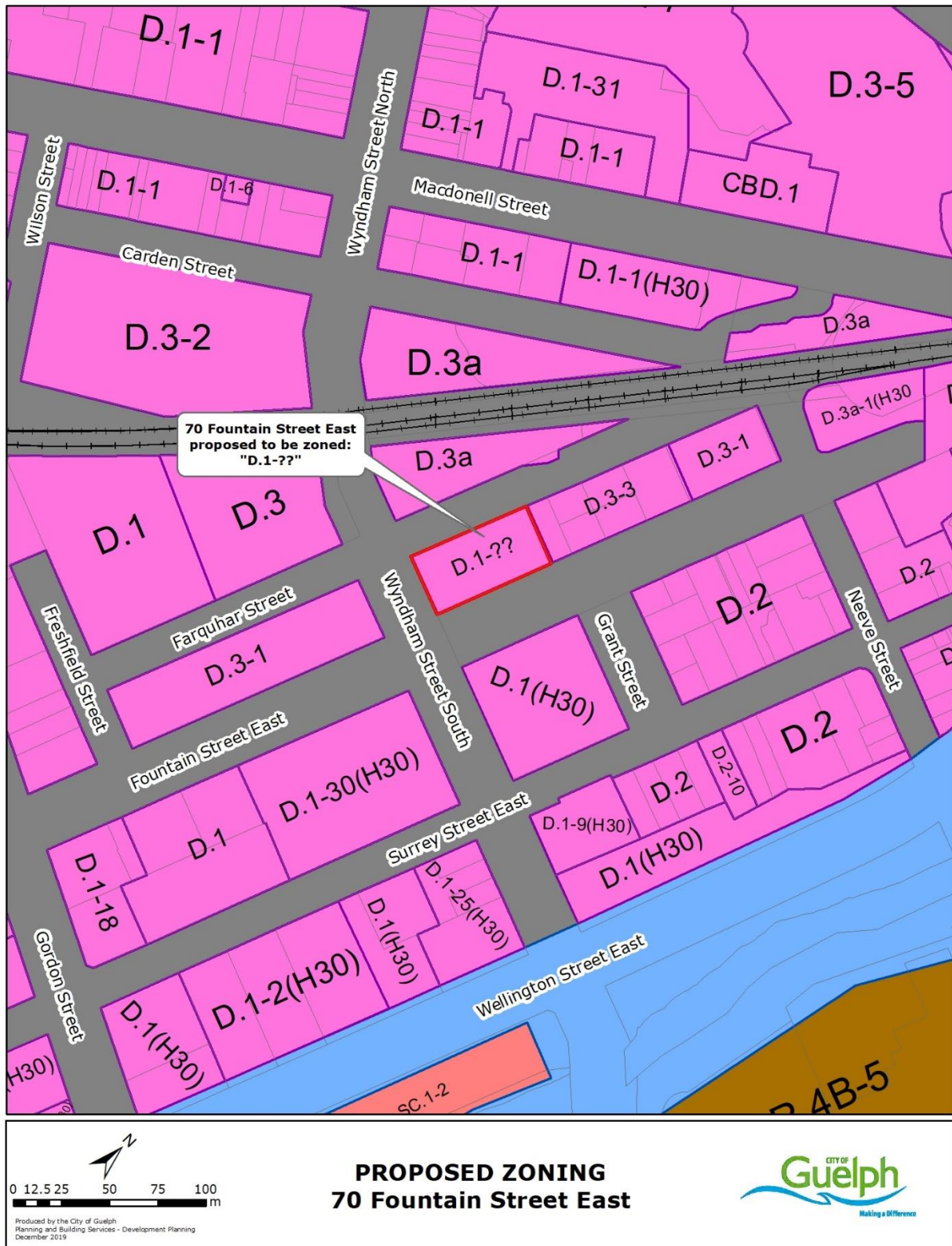
6.3.3.1.1.1.1 Minimum Off-Street Parking

Despite Table 6.3.2, Row 9, properties within the CBD.1-1 *Zone* shall provide *Parking Spaces* in accordance with Section 4.13.4.

6.3.3.1.1.1.2 Maximum *Building Height*

5 *Storeys* within 15 metres of the *Street Line* to a maximum height of 6 *Storeys* for the remainder of the *Building* or *Structure*.

Attachment 6: Proposed Zoning and Details



Attachment 6 continued:

Proposed Zoning Details

Row	By-law Section	Regulation	Requirement	Proposed	Compliance
A	6.3.1.1	Permitted Uses	Multiple Uses	Mixed Use Building Retail Establishment Apartment Building Restaurant Service Establishment Office	Yes
B	6.3.1.1 (6)	Active Frontage Uses	No dwelling Units in Cellar, Basement, or on main floor level	None	Yes
C	6.3.2.1.1	Maximum Floorplate (7th and 8th Storeys)	1,200 square metres	645 square metres	Yes
D	6.3.2.1.2	Maximum Floorplate (above 8th Storey)	1,000 square metres and length-to-width ratio of 1.5:1	645 square metres and 1:1.1	Yes
E	6.3.2.1.3	Minimum Building Stepback (above 4 th storey)	3 metres	17.5 m (Wyndham) 0 (Fountain) * 3.0 m (Farquhar)	Yes No Yes
F	6.3.2.2.2	Minimum Tower Separation (portion above 12 th storey)	25 metres to same portion on another tower	No nearby towers	Yes
G	6.3.2.2.3.1	Minimum Tower Setback (at or below 12 th storey)	6 metres from Side and Rear Lot Line	3.0 m (Farquhar) 3.0 m (Fountain) 19.3 m (Rear)	No No Yes
H	6.3.2.2.3.2	Minimum Tower Separation (at or below 12 th storey)	12 metres to same portion on another tower	No nearby towers	Yes
I	6.3.2.3.1.1	Minimum Building Height Maximum Building Height	3 storeys** 6 storeys**	25 storeys 25 storeys	Yes No
J	6.3.2.4.1.1	Maximum Yard Setbacks along Active Frontage (Street Line >35 metres)	0 for Exterior Side Yard Setback for minimum of 75% of Street Line; 2 metres for remainder	0 (Farquhar)	Yes
K	6.3.2.4.1.2	Maximum Yard Setbacks along Active Frontage (Street Line < 35 metres)	0 for Front Yard Setback	0 (Wyndham)	Yes
L	6.3.2.4.1.4	Minimum First Storey Building Height	4.5 metres	8.2 m (Wyndham) 5 m (Farquhar) 5 m (Fountain)	Yes Yes Yes
M	6.3.2.4.1.5	Minimum number of Active Entrances to first storey on Front and/or Exterior Side Yard Building frontage	1 for every 15 metres of Street Line identified as Active Frontage Area (at least 1 required)	Wyndham – 2 (32.8 m frontage) Farquhar – 1 (32.3 m of frontage)	Yes No
N	6.3.2.4.1.5.1	Active Entrance height	Within 0.2 metres above or below Finished Grade	Entrances will be at grade	Yes
O	6.3.2.4.1.6	Minimum surface area of the first Storey façade as Transparent Window and/or Active Entrances	60% measured from Finished Grade up to a height of 4.5 metres facing public Street	80% (Wyndham) 60% (Farquhar)	Yes Yes
P	6.3.2.4.1.7	Minimum Active Uses	To occupy 60% of the Street Line	100% (Wyndham) 30% (Farquhar)	Yes No

Attachment 6 continued:

Proposed Zoning Details

Q	6.3.2.4.1.8	Non-Residential Driveways	None at grade or in first Storey for the first 6 metres of depth measured in from Street Line	62.7 metres (Fountain)	Yes
R	6.3.2.5.1	Minimum Parking Spaces	Apartment: 180 + 9 Retail/Service: 4 Office: 92 Total: 285	Residential: 124 + 9 Retail/Service: 4 Office: 70 Total: 207	No Yes No No
S	6.3.2.5.2.1.2	Minimum Underground Parking Setback	0	0	Yes
T	6.3.2.5.2.1.4	Parking Area within 1 st Storey	Prohibited from locating within 4.5 metres of the Street Line	None (Farquhar / Wyndham) Exposed portion of underground parking garage at 0 (Fountain)	Yes No
U	6.3.2.5.3	Minimum Bicycle Parking Space (Long-Term)	Residential: 123 Retail: 1 Office: 11 Total: 135	Residential: 123 Retail: 1 Office: 11 Total: 135	Yes Yes Yes Yes
V	6.2.2.5.3	Minimum Bicycle Parking Space (Short-Term)	Residential: 13 Retail: 2 Office: 1 Total 16	Residential: 13 Retail: 2 Office: 1 Total 16	Yes Yes Yes Yes
W	6.3.2.7 (1)	Minimum Front Yard or Exterior Side Yard	0	0	Yes
X	6.3.2.7 (2)	Maximum Front Yard or Exterior Side Yard	4 metres or per 6.3.2.4 for active frontages	0	Yes
Y	6.3.2.7 (3)	Minimum Side Yard	0	0 (Farquhar) 0 (Fountain)	Yes Yes
Z	6.3.2.7 (4)	Minimum Rear Yard	0	0.89 metres	Yes
ZA	6.3.2.7 (6)	Access to Parking Area	Limit of 1 driveway (non-residential) with a minimum width of 6 metres	1 access (Fountain) with width of 6 metres	Yes
ZB	6.3.2.7 (14)	Minimum Floor Space Index	1.5	11.2	Yes
ZC	4.16.1	Corner Sight Triangle	9 x 9 metres	0	No
ZD	4.9.1	Garbage Storage	Only within the principal Building, accessory Building or Structure, or in container (Side Yard or Rear Yard)	Within principal building	Yes

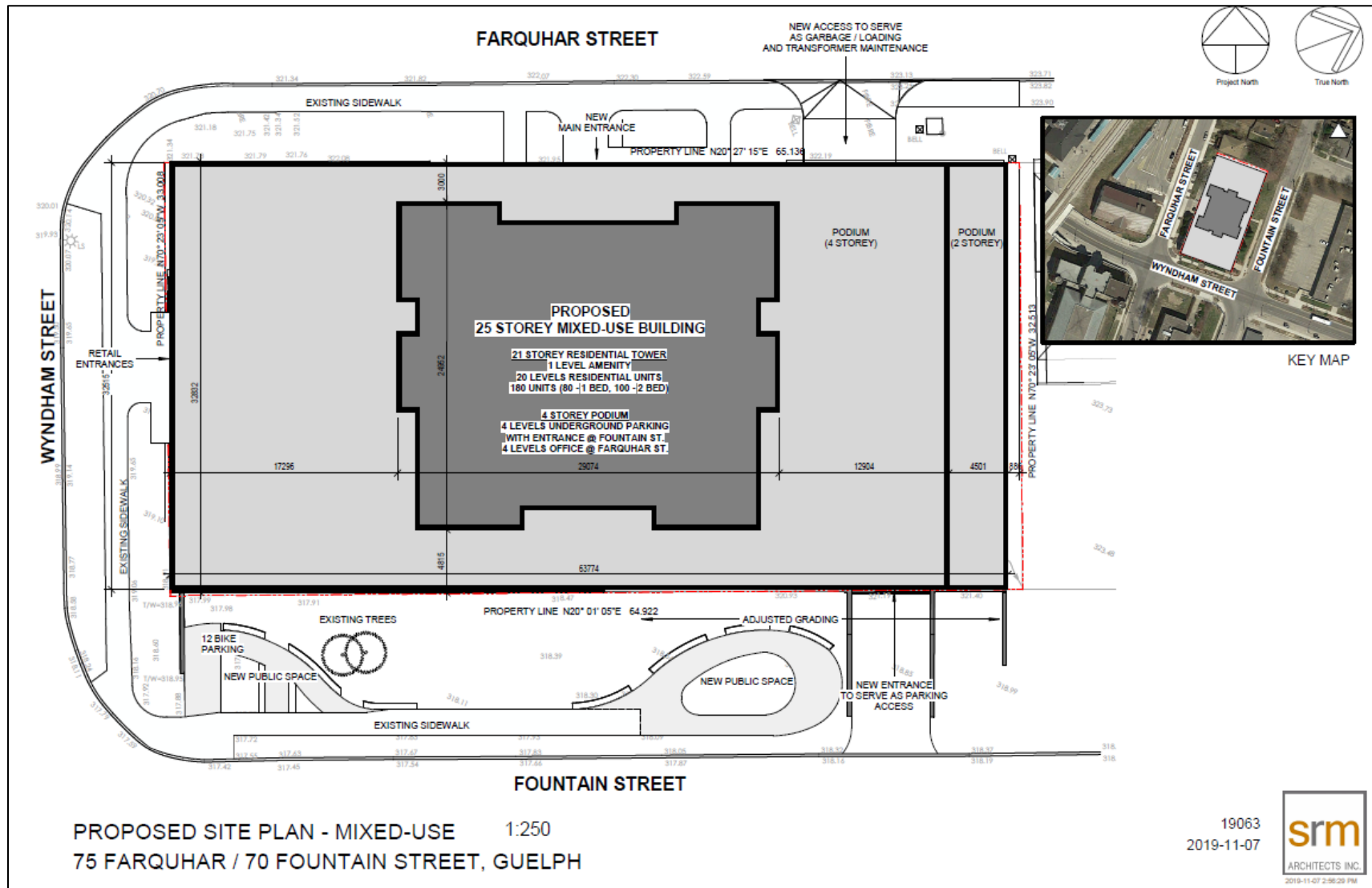
 Proposed site-specific regulation

* Building Stepback of 3 metres occurs above 5th storey facing Fountain Street given site grades.

** Equivalent height if D.1 Zone were to apply based on Secondary Plan (CBD.1 Zone currently applies)

Attachment 7:

Proposed Development Concept Plan



Attachment 8:

Proposed Site Rendering

View across Wyndham Street South looking east

