

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, June 13, 2022
Subject	Decision Report: City-initiated Official Plan Amendment, Emma to Earl Pedestrian Bridge

Recommendation

1. That Official Plan Amendment No. 81, initiated by the City of Guelph, for the Emma Street to Earl Street pedestrian bridge, be approved as outlined in Attachment-2 to Report 2022-198.
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Executive Summary

Purpose of Report

This report provides a staff recommendation to approve the City-initiated Official Plan Amendment No. 81 (OPA 81) for the Emma Street to Earl Street pedestrian bridge.

Key Findings

The evaluation process for the Schedule B Municipal Class Environmental Assessment identified a Two-Span Bridge (Hydro within Structure) as the preferred alternative for a pedestrian bridge. Construction of the preferred alternative for the pedestrian bridge requires a site-specific Official Plan Amendment to address a technical inconsistency between the objectives and intent of the Natural Heritage System policies and a permitted use.

Planning staff recommend approval of OPA 81 as outlined in Attachment-2 to enable implementation of the Emma Street to Earl Street pedestrian bridge.

The recommended OPA 81 is consistent with the Provincial Policy Statement 2020 and is consistent with the objectives and policies of the Official Plan.

Financial Implications

There are no financial implications as a direct result of the proposed planning matters. Financial implications of the pedestrian bridge were communicated to Council through the [Emma Street to Earl Street Pedestrian Bridge Schedule B Municipal Environmental Assessment Report](#) (2020-121) presented to Committee of the Whole on September 8, 2020.

Report

Background

In June 2015, the City of Guelph (City) brought a [report to City Council](#) (Council) summarizing the results of the Speedvale Avenue road design improvements from Manhattan Court to Woolwich Street including bridge replacement over the Speed River. As part of the Speedvale Avenue road design project, a detailed analysis of design alternatives was considered. The results of the analysis identified that bike lanes would not be part of the preferred road design alternative for the full length of reconstruction due to various constraints. It was identified in the Speedvale Avenue report that this direction was in contradiction to the City's 2009 bike policy and 2013 Cycling Master Plan. As a result, [Council passed a resolution on July 20 2015](#) directing staff that:

- An exemption from the 2009 Bike Policy and 2013 Cycling Master Plan be provided to permit the reconstruction of Speedvale Avenue East from Manhattan Court to Woolwich Street without bicycle lanes, as outlined in the report to Council; and,
- Staff be directed to commence an Environmental Assessment for a pedestrian bridge across the Speed River from the west end of Emma Street to the east end of Earl Street.

As directed by Council, City staff completed a Schedule B EA for a pedestrian bridge across the Speed River from the west end of Emma Street to the east end of Earl Street. The goal of the Environmental Assessment was to strike a balance between public transportation needs, safety, and impacts to the natural environment by evaluating alternatives for a pedestrian bridge that could connect Emma Street to Earl Street and the TransCanada Trail over the Speed River.

The evaluation process for the Environmental Assessment identified Alternative 2b – Two-Span Bridge (Hydro within Structure) as the preferred alternative that balances tradeoffs between cost/complexity and environmental impacts. Construction of the preferred alternative for the pedestrian bridge requires a site-specific Official Plan Amendment to address a technical inconsistency between the objectives and intent of the Natural Heritage System and a permitted use.

The Emma Street to Earl Street Pedestrian Bridge Schedule B Municipal Environmental Assessment was presented to Council at their [September 8, 2020 Committee of the Whole meeting](#) where Council directed staff to initiate a site-specific amendment to the Official Plan to implement the preferred alternative for the Emma Street to Earl Street pedestrian bridge. This report provides a staff recommendation to approve the City-initiated site-specific Official Plan Amendment (OPA 81) for the Emma Street to Earl Street pedestrian bridge, which is required to address a technical inconsistency between the objectives and intent of the Natural Heritage System and a permitted use. The [Statutory Public Meeting](#) was held on February 8, 2021.

Location

The recommended OPA 81 site-specific policy applies to the lands and river crossing from the western end of Emma Street to the eastern end of Earl Street. The location of the planned Emma Street to Earl Street pedestrian bridge is shown on Attachment-1.

Purpose and Effect of OPA 81

OPA 81 is a City-initiated site-specific Official Plan Amendment that implements the Schedule B Municipal Class Environmental Assessment preferred alternative for the Emma Street to Earl Street pedestrian bridge. OPA 81 will add a site-specific policy to Section 4.1.2 of the 2001 Official Plan (as amended). The recommended OPA 81 is provided in Attachment-2.

OPA 81 provides for essential linear infrastructure and essential transportation infrastructure to be permitted within Significant Wetlands, Significant Woodlands, Significant Wildlife Habitat, and their buffers in the location of the preferred alternative for the Emma Street to Earl Street pedestrian bridge where it has been demonstrated through an Environmental Impact Study and Environmental Assessment, to the satisfaction of the City, in consultation with the Grand River Conservation Authority and the provincial government, that there are no negative impacts to the features and functions of the Natural Heritage System and a net ecological gain is achieved.

Comments Received on the draft Official Plan Amendment

The following is a summary of the comments received on the proposed OPA through the public meeting and comment period and staff's response.

1. **Support of the OPA:** Comments supporting the OPA were received. Comments highlighted that the pedestrian bridge provides an important connection for cycling and other modes of active transportation, recreation, and opportunities to view the Speed River.
2. **Lack of support of the OPA:** Comments indicating a lack of support of the OPA were received. Comments highlighted that the pedestrian bridge is not necessary and active transportation facilities should be provided on Speedvale Avenue.
3. **Concerns relating to procedural matters:** Comments relating to procedural matters were received.
 - Concerns were raised about timing of the OPA and the completion of the Environmental Assessment. Staff note that the OPA is required to implement the preferred alternative. Legislation does not dictate the order in which Official Plans are amended and Environmental Assessments are completed.
 - Concerns were raised about the "essential" nature of the Emma Street to Earl Street pedestrian bridge. Staff confirm that the bridge meets the definition of essential. Council approved the Speedvale Avenue East Environmental Assessment. The 2012 Cycling Master Plan and Bicycle Policy from 2009 indicated cycling facilities on Speedvale Avenue. The Environmental Assessment found that it was not possible to include cycling facilities on Speedvale Avenue and proposed the Emma Street to Earl Street crossing as an alternative route. The Emma Street to Earl Street bridge is identified in the [Official Plan on Schedule 6: Open Space System: Trail Network](#) (February 2022 Consolidation), [Map 3: Proposed Trails of the Guelph Trails Master Plan](#) (2021) and on the [Recommended Network Map of the Transportation Master Plan](#) (2022).

Planning Analysis and Staff Recommendation

To accommodate the Emma Street to Earl Street Pedestrian Bridge, the site-specific Official Plan Amendment addresses a technical inconsistency between the objectives and intent of the Natural Heritage System and a permitted use. City staff reviewed the proposed Official Plan Amendment included as Attachment-1 to report 2021-028 considering comments received. Modifications to the proposed Official Plan Amendment are not recommended.

Staff confirm that the bridge meets the definition of essential. The 2012 Cycling Master Plan and Bicycle Policy from 2009 indicated cycling facilities on Speedvale Avenue. Council approved the Speedvale Avenue East Environmental Assessment, which concluded that it was not possible to include cycling facilities on Speedvale Avenue and proposed the Emma Street to Earl Street crossing as an alternative route. The Emma Street to Earl Street bridge is identified in the [Official Plan on Schedule 6: Open Space System: Trail Network](#) (February 2022 Consolidation), [Map 3: Proposed Trails of the Guelph Trails Master Plan](#) (2021) and on the [Recommended Network Map of the Transportation Master Plan](#) (2022).

A key objective of Natural Heritage System policies is to protect, maintain, enhance and restore the Natural Heritage System to the greatest extent possible, while providing for compatible development and activities, as identified, that do not negatively impact natural heritage features and areas, and their ecological or hydrologic functions, now and in the long term. The preferred alternative for the Emma Street to Earl Street pedestrian bridge meets the intent of Official Plan Natural Heritage System policies.

Planning staff conclude that the proposed OPA 81 is consistent with the 2020 Provincial Policy Statement in particular the policies that state that natural features and areas shall be protected for the long term and that development and site alteration is not permitted unless it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions. OPA 81 also satisfies the objectives and policies of the 2001 Official Plan (as amended). The recommended site-specific policy requires that there are no negative impacts to the features and functions of the Natural Heritage System and a net ecological gain is achieved. Planning staff recommend that Council approve the Official Plan Amendment as outlined in Attachment-2.

Financial Implications

There are no financial implications as a direct result of the proposed planning matters. Financial implications of the pedestrian bridge were communicated to Council through the [Emma Street to Earl Street Pedestrian Bridge Schedule B Municipal Environmental Assessment Report](#) (2020-121) presented to Committee of the Whole on September 8, 2020.

Consultations

The Notice of Statutory Public Meeting was mailed/emailed on January 18, 2021 to local boards and agencies, City service areas, property owners within 120 metres of the bridge location, and the project mailing list for the Schedule B Municipal Class Environmental Assessment for the Emma Street to Earl Street pedestrian bridge. The Notice of Public Meeting was advertised in the Guelph Tribune on January 14, 2021 and on guelph.ca.

The Notice of Decision Meeting was mailed/emailed on May 20, 2022 to interested parties who either spoke at the Statutory Public Meeting, provided comments on the proposed Official Plan Amendment or requested to receive further notice.

Indigenous Engagement

The Provincial Policy Statement (2021) requires municipalities to engage with Indigenous communities on land use planning matters. Indigenous Relations resources provided by the City's Policy and Intergovernmental Relations Department have been followed.

A Notice of Statutory Public Meeting for OPA 81 was circulated to Mississaugas of the Credit First Nation (MCFN), Six Nations of the Grand River First Nation (SNGRFN), Haudenosaunee Confederacy Chiefs Council (HCCC) and Métis Nation of Ontario (MNO) on January 18, 2021.

A Notice of Decision Meeting for OPA 81 was circulated to MCFN, SNGRFN, HCCC and MNO on June 2, 2022.

City staff are actively engaged with the MCFN and SNGR to advance this capital project. Following the direction of the Ministry of Environment, Conservation and Parks (MECP), City staff have also reached out to the HCCC through the Haudenosaunee Development Institute (HDI).

Summary of response provided on comments relating to consistency with Official Plan policy

Guelph's Official Plan limits essential transportation infrastructure as a permitted use in the Natural Heritage System to minimize fragmentation and impacts to natural heritage features and areas, and their functions. A key objective of Natural Heritage System policy is to protect, maintain, enhance, and restore the Natural Heritage System to the greatest extent possible, while providing for compatible development and activities, as identified, that do not negatively impact natural heritage features and areas and their functions, now and in the long term. The preferred alternative for the Emma Street to Earl Street pedestrian bridge meets the intent of Official Plan Natural Heritage System policy.

To accommodate the Emma Street to Earl Street pedestrian bridge, a site-specific Official Plan Amendment is needed to address a technical inconsistency between the objectives and intent of Official Plan Natural Heritage System policy and a permitted use. The site-specific Official Plan Amendment would permit essential transportation infrastructure in the Natural Heritage System in support of the preferred alignment. OPA 81 addresses SNGR's comment regarding the project's consistency with Official Plan policy.

Strategic Plan Alignment

The Emma Street to Earl Street pedestrian bridge aligns with the following strategic plan priorities:

Sustaining our Future: Protecting the green infrastructure provided by woodlands, wetlands, watercourses and other elements of Guelph's Natural Heritage System.

Navigating Our Future: Improving connections to workplaces in Guelph, investing in and promoting active transportation.

Building Our Future: Continuing working to develop new assets that respond to Guelph's growing and changing social, economic and environmental needs.

Attachments

Attachment-1 Location of the planned Emma Street to Earl Street Pedestrian Bridge

Attachment-2 Recommended Official Plan Amendment No. 81

Departmental Approval

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