

Attachment-11 Departmental and Agency Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Engineering*		√	Site Plan Approval Required
Urban Design*		√	Site Plan Approval Required
Parks Planning*		√	Subject to conditions in Attachment 3
Canada Post*		√	Subject to conditions in Attachment 3
Metrolinx*		√	Subject to conditions in Attachment 3
Upper Grand District School Board		√	Subject to conditions in Attachment 3
Guelph Police	√		
Zoning	√		

Internal Memo



Date April 19, 2022
To **Katie Nasswetter**
From Michelle Thalen
Service Area Infrastructure, Development and Enterprise Services
Department Engineering
Subject 93 Arthur Street South, The Metalworks Phase 4, OZS21-007

In 2014, these subject lands were rezoned under the address of 5 Arthur Street South for residential use. Previously these lands were owned by W.C. Woods for an industrial use. The current application is for a Zoning By-law Amendment to permit the development of a 14 storey mixed use apartment building with 194 residential units and 2 commercial units. A subsequent site plan application has been received and reviewed by staff for this property.

The comments below are in response to the review of the following plans & reports:

- Stormwater Management Brief – Valdor Engineering Inc. (February 2021);
- Revised Geotechnical Investigation Report – Chung & Vander Doelen Engineering Inc. (January 8, 2021);
- Grading & Servicing Plan – Valdor Engineering Inc. (March 18, 2021).

Road Infrastructure:

In 2018, both Arthur Street South and Neeve Street fronting the subject land were reconstructed. Both roads currently have asphalt pavement, curb and gutter, lay-by parking on the development side of the road and concrete sidewalk on both sides of the road. Arthur Street South is a two (2) lane collector road and Neeve Street is a two (2) lane local road.

Holding Zone:

The current zoning of the lands includes an Engineering provision that requires payment of a proportionate share of the cost of constructing municipal services in the adjacent municipal rights of way on Arthur Street South, Cross Street and Neeve Street. Engineering staff can confirm receipt of this payment.

Traffic Services:

Traffic Services staff have no concerns with the zone change and will offer comment during the review of the formal Site Plan application.

Source Water Protection:

Source Water Protection staff have no concerns and will offer comments during the review of the formal Site Plan application.

Municipal Services:

It has been confirmed that adequate sanitary and water capacities are available to service the development as conceptually proposed.

The Developer shall be advised that the water system near the development provides high pressures ranging from 87-93 psi. This is above the City's preferred operating range of 50-80 psi, but below the maximum allowable pressure of 100 psi. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site is the responsibility of the Developer.

The future dry weather flow (DWF) are estimated to be 12.29 L/s and wet weather flow (WWF) to be 12.42 L/s. These rates were estimated based on the development information provided and the City's 2019 Engineering Development Manual. The model results suggest the sewer system will sufficiently accommodate the proposed development.

Environmental:

The applicant has received a Certificate of Property Use (CPU) for the lands prior to the rezoning of 5 Arthur Street South in 2014 from the Ministry of the Environment, Conservation and Parks (MECP). Environmental Engineering staff have confirmed that no further studies are required as part of either this rezoning application or the current site plan application.


Staff Recommendations

Engineering supports the approval of the zoning by-law amendment application and lifting of the holding provision on the lands.



Mary Angelo, P. Eng.

Supervisor of Development Engineering



Michelle Thalen, C.Tech

Engineering Technologist III

Internal Memo



Date May 24, 2022
To **Katie Nasswetter, Senior Development Planner**
From David de Groot, Senior Urban Designer
Service Area Infrastructure, Development and Enterprise Services
Department Planning Services
**Subject 93 Arthur Street South: Zoning By-law
Amendment Application – OZS21-007
Urban Design Comments**

Urban Design staff has the following comments based on the:

- Response letter, site plan and elevations submitted in February 2022.
- Sun and shadowing information submitted in April 2022; and,
- First submission materials submitted in May 2021.

Background

Urban Design policies from the Official Plan were reviewed including the Downtown Secondary Plan policies. The City has approved the Downtown Built Form Standards and Streetscape Manual. An Urban Design Masterplan for the full 5 Arthur Street site has also been approved. The comments below also reflect the review of these documents.

Urban Design Brief Comments

Urban Design staff has the following comments on the Urban Design Brief and revised submission materials:

- Generally Urban Design staff is supportive of the approach to the design of the site shown on the concept plan submitted in February 2022.
 - Staff acknowledges that the applicant has been working with City Staff and that overall design of the concept plan has been improved.
 - Staff notes that the applicant has completed a peer review process and has subsequently revised the building and concept to respond to input from staff and the input from the peer reviewer. Generally issues identified through the peer review process in August 2021 have been addressed by the applicant based on the subsequent submission and/or can be resolved through the site plan process.
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- Through this process, staff has concentrated on a number of key issues including:

- Improving the podium of building, in particular along Cross Street.
 - Adding brick masonry on the podium.
 - Adding a green roof element near the River Square.
 - Improving the interface with River Square.
- Urban design staff is of the opinion that that the incremental shadow impact represented by the increase in floorplate does not result in any unacceptable adverse impacts on adjacent properties or public realm.
- In addition, as part of the site plan process further detailed comments will be discussed including reviewing and finalization of building materials, landscaping materials and other site plan-level design elements including:
 - Details around the mews along the north side of the building.
 - Street furniture such as bicycle parking, benches etc.
 - Rooftop mechanical screening details.
 - Landscaping details.

Prepared By:

David de Groot

Senior Urban Designer

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David.deGroot@quelph.ca

Internal Memo



Date	May 16, 2022
To	Katie Nasswetter, Senior Development Planner
From	Mallory Lemon, Park Planner
Service Area	Public Services
Department	Park and Trail Development
Subject	93 Arthur Street South - Proposed Zoning By-law Amendment - OZS21-007

Park and Trail Development has reviewed the application for the above noted proposed Zoning By-Law Amendment including the Notice of Complete Application dated March 3, 2022; Response Letter, dated February 18, 2022; Revised Site Plan, Building Elevations, Renderings, and Shadow Study, dated February 8, 2022; Building Cross-Section and Proposed Amenity Areas and Public Space; and Revised 92 Arthur Street proposed site plan, dated January 31, 2022.

Park and Trail Development offers the following comments:

Zoning Bylaw Amendment:

Park and Trail Development has no objection to the proposed Zoning By-Law Amendment that proposes revised regulations to the existing R.4B-15 Zone (Specialized High Density Apartment Zone) to permit reduced parking ratios and to allow some of the required parking for the site to be located across the street at 92 Arthur Street South. Specialized regulations have also been requested related to common amenity area, floor plate site and rear yard setback. The intent of the application is to permit a 14 storey mixed-use building containing 2 ground floor commercial units and 194 residential apartment units above.

Parkland Dedication

The parkland dedication requirement for this development will include transfer of the Walkway Easement, River Square, and Public Access Easements to the City according to the provisions under the development agreement registered on title to the property as Instrument No. WC428928 on March 13th, 2015 and all other amending agreements.

No additional cash-in-lieu of parkland dedication is required for the development.

Design of River Walk (Phase 4) and River Square:

Staff supports the **River Square - Design Option A - Community Rooms'** included in the Planning Justification Report prepared by GSP Group dated May 2021 as Figure 14: River Square - Design Option A.



Design Option A will be further revised and refined and included in the site plan application for further review. We expect that design 'Option A – Community Rooms' will be shared with Public through the ZBLA review process and will be included in the staff report.

Park and Trail Development offers the following initial review comments to modify the design option A:

1. Reduce sod area significantly. Ongoing maintenance of sod is currently an issue, due to the number of dogs that use the site and the angular concrete patterns that make soil depth a maintenance problem.
2. Avoid use of masonry/Corten and wooden materials.
3. Fixed elements/furniture are preferred to reduce likelihood of vandalism/theft.
4. Explore shade options
5. Explore spacing of picnic tables to provide opportunities for smaller groups
6. City would supply waste carts for the public area, identify space(s) on the plan at the access points.
7. Please provide a letter responding to the directions in the UDMP for River Square (i.e. Page 17). How does the design implement this direction? Has water access been explored?
8. The lookout portion is appreciated.
9. The interaction between River Square and building should be further developed. We would like to discuss the location of the stairs and options for reducing the extent/height of the walls.

10. All the elements (e. g. seating, picnic tables, and signage), walking surfaces etc. shall comply with City's Facility Accessibility Design Manual (FADM). Here is a link: https://guelph.ca/wp-content/uploads/Guelph_FADM_2015-06-30-FINAL.pdf
11. Show accessible pedestrian connection to all outdoor amenity areas, with surface detail.
12. Show accessible route connecting the terrace and the River Walk area.
13. Continue with wheelchair spaces/seating with the benches as designed and installed with the first 3 phases. Use City's customized Maglin bench with 3rd armrest with approx. 30-inch seating space between 2 armrests.
14. Note 15 should show inverted "U" bike racks as these have 2 connection points at the ground level for recumbent hand cycles.
15. Use frequent saw cuts on concrete rather than more expansion joints than needed. Refer to City's [Linear Infrastructure Standards 2021](#). Ensure pavers will be laid in a way that there is no more than ¼ inch rise or gap (pavers with chamfered edges shall follow this requirement as well).
16. From accessibility perspective there are no concerns regarding the fixed lounge chairs as some may be able to use them and there are several other seating options. One lounge chair has a great open space beside it for a person who can transfer. This is a good practice for other groups of lounge chairs
17. Include a QR Code or some way of providing that information electronically, for the interpretive signs. If QR Code is chosen, then Braille is needed to identify the location of the code (immediately below the code). This would be a sign mounted according to the FADM.
18. As was incorporated into the previous three phases of the Riverwalk and as outlined in the approved Functional Servicing Report, a bioswale should be incorporated. It is noted that the servicing plan that was part of the first submission displays a catch basin in the square that may be in conflict with the conceptual plan. Nevertheless, the catch basin presents an opportunity to incorporate the bioswale as per the designs used in previous phases. Coordination with the engineering consultants is needed.
19. Note #7 indicates that an existing tree is to be preserved. It is not clear which tree is being referred to; however, it appears that it may be Tree #268, a large White Elm, identified in the submitted Tree Preservation Plan (TPP). The TPP recommends the removal of all trees in that area partly because they are growing on top of the retaining wall and compromising its structure. Further, it notes that there is a T-bar at the base of that tree and asphalt paving right over the root edge. If desired, retention of Tree #268 is supported if it won't cause structural issues to the retaining wall and it will be healthy over the long-term; however, it does not appear that the remainder of the trees in that area are suitable for retention as they are invasive species (Manitoba Maple and Siberian Elm), only in fair condition and growing through a fence (White Elm), or are short-lived (unknown poplar species). However, the concept plan must be coordinated with the TPP. The arborist should be consulted on this.
20. To support natural functions, more native plantings, including trees, should be incorporated along the river's edge. It is preferred that the portion of the open lawn (Note #9) closest to the river be native plantings (rather than lawn). It is noted that two lookout points (Note #1 and the access at Neeve St.) appear to provide ample opportunity for people to view and feel connected to the river.

21. The built industrial heritage is already well documented in the signage near the distillery end of the Riverwalk.
22. The shadow wall already references the expanse of the former industrial buildings that were removed to allow remediation and development of the site. This feature could be given some space in one of the info panels in the River Square to be sure visitors understand their meaning as they move through the Riverwalk.



23. The GJR reference is misplaced as this area was never part of that rail line.
24. Option A is an excellent opportunity to present a few images and text that speak to the pre and post contact settlement history of this portion of the Speed River including Indigenous culture through to the development of the Mill Lands area on both sides of the river the adjacent rehabilitated textile mill building on Neeve Street and the Neeve Street bridge itself as a historic crossing that connects the St. Patrick's Ward with the Downtown.

Conditions of development

Park and Trail Development recommends the following development approval conditions:

Conditions to be met prior to Site Plan Approval:

1. The Owner shall be responsible for the cost of the design of the River Walk, River Square and Mill Square on the subject property according to City's current standards prior to any site plan approvals. This shall include submission of detailed design including layout, grading and drainage, surfacing, planting, park furniture, interpretative signage etc. for City's review and approval to the satisfaction of the Deputy CAO of Public Services or their designate, prior to site plan approval. The detailed design shall be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services or their designate, prior to site plan approval.
2. The Owner shall be responsible for the construction of the River Walk and River Square on the subject property according to the City's approved design and City's current standards to the satisfaction of the Deputy CAO of Public Services. This shall include preparation of construction documentation, obtaining required permits,

tendering process, issuance of construction drawings, implementation and contract administration up to the end of the 2 year warrantee period to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Deputy CAO of Public Services. The Owner shall provide the City with cash or letter of credit to cover the estimate for the Developer's share of the cost of construction of the River Walk and River Square to the satisfaction of the Deputy CAO of Public Services, prior to site plan approval.

Conditions to be met prior to the issuance of the certificate of occupancy:

3. The Owner shall be responsible for the preparation of the Reference Plans for the River walk easement, River Square and public access easements over Mill Square and pedestrian connection off Arthur Street to the satisfaction of the Deputy CAO of Public Services, prior to the issuance of the certificate of occupancy for any building in the Fourth Phase. This shall include submission of the draft reference plans for City's review and approval to the satisfaction of the Deputy CAO of Public Services, prior to occupancy.
4. The Owner shall be responsible for parkland dedication to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 42 of the Planning Act and in accordance with the provisions under the development agreement registered on title to the property as Instrument No. WC428928 on March 13th, 2015 and all other amending agreements, prior to the issuance of the certificate of occupancy for any building in the Fourth Phase.
5. The Owner shall be responsible for demarcation of city owned lands according to City's property demarcation policy to the satisfaction of the Deputy CAO of Public Services or their designate.
6. The Owner shall be responsible for transfer and registering Riverwalk, River Square, Mill Square and public access easements in favour of the City to the satisfaction of the Deputy CAO of Public Services or their designate, prior to the issuance of the certificate of occupancy for any building in the Fourth Phase.
7. The Owner shall be responsible to comply with the provisions under the development agreement registered on title to the property as Instrument No. WC428928 on March 13th, 2015 and the two amending agreements registered on title to the property as Instrument No. WC445800 on September 9th, 2015, Instrument No. WC503048 on May 10th, 2017, and Instrument No. WC638026 on June 23, 2021, to the satisfaction of the Deputy CAO of Public Services or their designate , prior to the issuance of the certificate of occupancy for any building in the Fourth Phase.

Conditions to be met prior to City's acceptance of the River Walk and River Square:

8. The City shall have the right to inspect and approve the constructed works at Riverwalk and River Square to determine substantial completion. Prior to the Construction Approval being granted by the City, the Owner shall provide the City with:
 - a. Copies of all third-party inspection reports regarding park equipment, if any; and,
 - b. Copies of all geotechnical, materials testing and compaction results.
9. The Construction Approval shall be granted, in writing, by the City when all deficiencies, if any, have been remedied and corrected by the Owner.
10. The Owner shall provide the City with a full detailed accounting of the Works within five (5) business days following the Construction Approval Date.

11. The Owner shall be responsible for the maintenance of the River Walk and River Square until approval of construction and acceptance of the River Walk and River Square by the City.
12. The Owner shall provide the City with a 2-year warranty for the construction of River Walk and River Square which shall warrant and guarantee both the workmanship and materials of the constructed items. This shall include transfer of any third party warranties or guarantees for the Riverwalk and River Square to the City before City's acceptance of the constructed River Walk and River Square for maintenance.
13. The Owner shall warrant that all the warranties and guarantees for the constructed items will be transferable to the City prior to acceptance will be in good standing and will represent all of the warranties and guarantees relating to the River Walk and River Square.
14. Prior to acceptance of the River Walk and River Square by the City for maintenance, the Owner shall provide to the City the following in relation to the City's approved construction of River Walk and River Square:
 - a. Any spare parts and special tools for the installed items as supplied by the manufacturer, complete with tags identifying their associated function and use;
 - b. Any operating and maintenance manuals and instructions for the installed items supplied by the manufacturer, written in English.
 - c. An "as-built" survey of the constructed Riverwalk and River Square in AutoCAD format prepared by a registered Ontario Land Surveyor.
 - d. Where available, copies of the contractor's field notes for the as-built River Walk and River Square showing measured depths of elements of foundation in relation to finish first floor datum, measured horizontal and vertical locations of underground and internal utilities and appurtenances.
15. The Owner shall place the following notifications in all offers of purchase and sale for all dwelling units and agrees that these same notifications shall be placed in all the agreements to be registered on title:
 - a. The condominium corporation shall have responsibility and liability for the Retaining Wall, that is within its common elements including its repair, maintenance and replacement and compliance with the conditions of the CPU other than repair, maintenance and replacement and compliance with the conditions of the CPU arising on account of the acts or omissions of the City or members of the public permitted access to the Walkway Easement by the City;
 - b. The condominium corporation releases the City from any responsibility and liability for the Retaining Wall and indemnifies the City against all claims, etc. except those arising on account of the acts or omissions of the City or members of the public permitted access to the Walkway Easement by the City;
 - c. An acknowledgement that modifications to the easements and the Walkway design may be made in the future by and at the cost of the City which may include provisions for river access and a pedestrian bridge over the Speed River to the qualification set out above and subject to the agreement of the parties, acting reasonably.

Summary

The above comments represent Park & Trail Development's review of the proposed development. Based on the current information provided, I would support the proposed development subject to the conditions outlined above.

Regards,

Mallory Lemon, Park Planner
Parks, **Public Services**

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Mallory.lemon@guelph.ca



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POSTES CANADA
2701 PROM RIVERSIDE BUREAU N0820
OTTAWA ON K1A 0B1
POSTESCANADA.CA

JUNE 18, 2021

Katie Nasswetter | Senior Development Planner
Planning and Building Services
City of Guelph

Re: OZS21-007 – 93 ARTHUR ST, GUELPH, ON

Canada Post has reviewed the proposal for the above noted Development Application and has determined that the project adheres to the multi-unit policy and will be serviced by developer/owner installed Lock Box Assembly.

*Multi-unit buildings and complexes (residential and commercial) with a common lobby, common indoor or sheltered space, require a centralized lock box assembly which is to be provided by, installed by, and maintained by the developer/owner at the owner's expense. **Buildings with 100 units or more MUST have a rear loading Lock Box Assembly with dedicated secure mail room.***

Should the description of the project change, please provide an updated plan in order to assess the impact of the change on mail service.

Canada Post appreciates the opportunity to comment on the above noted application and looks forward to working with you in the future.

If you require any further information or have any questions or concerns, please contact the undersigned.

Regards,

Neil Mazey
Delivery Services Officer | Delivery Planning
Huron/Rideau Region
955 Highbury Ave N
London ON N5Y 1A3
(519) 281-2253
neil.mazey@canadapost.ca

Please find below our comments for the above development application.

- The subject property is located within 300m of Metrolinx's Kitchener GO corridor.
- The property is subject to a Noise and Vibration Impact Study. A request should be made to raildatarequests@metrolinx.com to obtain the most up-to-date rail data information.
- The Proponent shall provide confirmation to Metrolinx, that following warning clause will be inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit within 300 metres of the Railway Corridor
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the land which is the subject hereof. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.
- The Owner shall grant Metrolinx an environmental easement for operational emissions, which is to be registered on title for all uses within 300 metres of the rail right-of-way. We have included a copy of the form of easement for the Proponent's information. The Proponent may contact derek.brunelle@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

Thank you,

Derek

Derek Brunelle, MES, RPP

Project Manager

Third Party Projects Review

Capital Projects Group

Metrolinx | 20 Bay Street | Suite 600 | Toronto | Ontario | M5J 2W3

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