

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, July 11, 2022
Subject	Decision Report: Shaping Guelph Official Plan Amendment 80

Recommendation

1. That Official Plan Amendment 80, initiated by the City of Guelph, including schedules and associated definitions be adopted in accordance with Attachment 1 to Report 2022-225 Decision Report: Shaping Guelph Official Plan Amendment 80;
 2. That Council declare to the Minister of Municipal Affairs and Housing that Official Plan Amendment 80 meets the requirements of Section 26 of the Planning Act in that it conforms with A Place to Grow for the Greater Golden Horseshoe, has regard to matters of Provincial interest and is consistent with the 2020 Provincial Policy Statement; and
 3. That the Shaping Guelph Growth Management Strategy and Land Needs Assessment Report 2022-04 as presented to Council on January 17, 2022 be approved.
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Executive Summary

Purpose of Report

This report provides the recommended Official Plan Amendment 80 (OPA 80) which updates the Official Plan to conform to provincial plans and policies and conform to A Place to Grow. This report also provides a summary and response to comments received since the February 23, 2022 release of the draft Official Plan Amendment including comments from the March 30, 2022 Public Meeting. Revisions to the Official Plan Amendment policies and schedules that are recommended in response to comments are described.

This report also seeks Council's approval of the Shaping Guelph Growth Management Strategy and Land Needs Assessment. Council received report [2022-04](#) in January and it formed the basis for the growth management and land use policies contained in OPA 80.

Key Findings

The Planning Act (Section 26) requires municipalities to review their Official Plans every five years to ensure that it: conforms with and does not conflict with

Provincial plans; has regard for matters of Provincial interest; and is consistent with the Provincial Policy Statement.

Municipalities are required to complete their municipal comprehensive review for conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe by July 1, 2022.

Official Plan Amendment 80 revises the Official Plan's vision, urban structure, population and employment figures, density and intensification targets and associated policies and land use designations for conformity with A Place to Grow: The Growth Plan for the Greater Golden Horseshoe.

Revisions to policies in OPA 80 have been made to respond to comments and to improve clarity of policy intent.

The Shaping Guelph Growth Management Strategy and Land Needs Assessment provides a preferred growth scenario that optimizes the use of land and infrastructure, provides for a diverse mix of land uses and aligns with the Council endorsed vision and principles for growth.

OPA 80, as recommended, is consistent with the Provincial Policy Statement and conforms with A Place to Grow.

Financial Implications

The [Shaping Guelph Municipal Comprehensive Review: Fiscal Impact Analysis Memo](#) was prepared by Watson and Associates to assess the fiscal impacts of growth in the city. The fiscal impact analysis was provided at a high level and is subject to change based on many upcoming masterplans and studies, the analysis provides confidence that future growth could be accommodated within a moderate range of tax and rate increases. More detailed financial impacts will be looked at through the DC study, the multi-year budget process and site specific financial reviews as development occurs.

The Official Plan Review is funded through PL0054 approved capital budget for costs associated with consultant services and community engagement. The project continues to progress within the approved budget.

Report

City Council held a [Special Meeting](#) to initiate the Official Plan Review on November 9, 2020.

The [Official Plan Review Policy Paper](#), was received by the Committee of the Whole on May 3, 2021 and City Council on May 31, 2021.

Council was presented the [Shaping Guelph Growth Management Strategy and Land Needs Assessment](#) which included recommended Official Plan policy directions at their meeting of January 17, 2022.

The [statutory public meeting](#) for Official Plan Amendment 80 was held on March 30, 2022. The public meeting report provides a summary of the proposed amendments to the Official Plan by chapter and topic area. This report focuses on summarizing the comments received and the revisions to proposed OPA 80 following the public meeting.

A virtual open house was held on March 22, 2022 and a virtual open house for the Rolling Hills Area was held on May 2, 2022. A summary of community engagement is included in Attachment-6 and a response to comments received is provided in Attachment-4.

Purpose and Effect of Official Plan Amendment 80 (OPA 80)

This Official Plan amendment proposes to revise the Official Plan's vision, urban structure, population and employment figures, density and intensification targets and associated policies and land use designations as part of the City's municipal comprehensive review for conformity with A Place to Grow: The Growth Plan for the Greater Golden Horseshoe. This amendment also revises the Official Plan for conformity and consistency with:

- Recent amendments to the Planning Act
- Recent amendments to the Clean Water Act, and
- The Provincial Policy Statement (2020).

Amendments to improve clarity for implementation or to address City-approved plans, procedures or Council decisions are also included along with housekeeping changes related to such things as, for example, names of Provincial ministries, to update municipal address references or to correct policy numbering references. OPA 80 also includes revisions to implement the recommendations of the [York/Elizabeth Land Use study](#).

Subject Lands

OPA 80 applies to all land within the municipal boundaries of the City of Guelph including the Dolime Quarry annexed lands.

Summary of Key Comments and Revisions to OPA 80

The following provides a summary of key comments and revisions. Attachment-4 provides a response to comment letters and delegations received during consultation on OPA 80 and notes any revisions made in response to those comments.

Rolling Hills Area Land Use Designations

A separate open house was held on May 2 that focused on the proposed land use designations for Rolling Hills. Comments received through the open house were the same as those heard and submitted at the statutory public meeting and the Council meeting for Shaping Guelph. The landowners continue to generally be divided amongst two groups: Families for Rolling Hills (who oppose land use change) and South Clair Neighbourhood Association (who are in favour of land use change). Throughout the Shaping Guelph project, comments have been received and responded to through the growth scenario consultation, through the growth management strategy and through the circulation of OPA 80.

Comments have been received about the refinements to the natural heritage system land use designations proposed through OPA 80. A consultant was contracted by the City to complete site visits to review the natural heritage features and determine whether further refinements were warranted. This review has resulted in recommended refinements to the natural heritage system that are consistent with and comply to existing Official Plan natural heritage system policies and ecological guidance. Attachment-7 provides a memo with recommendations.

With respect to the comments received about land use designations, staff continue to recommend that the appropriate land use designation for detached dwellings is low density residential. For areas where services are not anticipated to be extended and the natural heritage system may restrict future development, estate residential is appropriate. To address comments received and since servicing is not anticipated to be available in the Serena Lane and Carlaw Place area of Rolling Hills within the time horizon of the Official Plan, staff recommend that the mapping be revised to place the properties on Serena Lane and Carlaw Place into the Rolling Hills Estate Residential designation with the addition of the following policy:

“Where municipal sewage and municipal water services are extended and available, the permitted uses and policies of the Low Density Residential designation, Section 9.3.2 of this Plan, shall apply.”

This policy may allow for the possibility of servicing that could accommodate infill development should it be feasible and available at some time in the future. Any proposed extension of municipal servicing would be the responsibility of landowners. The properties are regulated by the City’s Zoning Bylaw which permits only the existing use of properties where municipal services are not provided.

For the Kilkenny Place and Megan Place area of Rolling Hills, outside of the Clair Road frontage which is proposed for medium density residential and mixed-office commercial, the land use designation is recommended to be low density residential and the estate residential designation is recommended to be removed. Changes to existing uses would only be permitted with full municipal servicing.

For properties with frontage on Victoria Road, the Rolling Hills estate residential designation continues to be recommended. These properties are restricted by the natural heritage system to their existing use and developed area.

Definition of Built Heritage Resource

Concerns with the proposed revisions to the definition for cultural heritage resource were raised. Staff continue to recommend that the definition be revised as presented in OPA 80 for compliance and consistency with provincial legislation. The existing Official Plan definition does not comply with provincial legislation and cannot be relied upon or applied. As we are embarking on two major heritage projects this year, it is important that the definitions in our Official Plan are accurate and align with the Ontario Heritage Act and Provincial Policy Statement to ensure that there is no confusion as we consult with the community.

The removal of the reference to the Couling Building Inventory within the definition of built heritage resource does not affect or change the Official Plan policies for the inventory and does not alter the scope of existing practices for reviewing demolition applications for properties on the inventory. The Couling Building Inventory cannot be considered as a defined built heritage resource because it does not meet the legislative requirements and therefore reference to it in the definition needs to be amended. Staff are currently working on the Couling Building Inventory Review project to consider recommendations for expanding the Municipal Register of Cultural Heritage Properties in accordance with policy 4.8.1.4 of the Official Plan.

Land Use Designation Mapping for 1291 Gordon Street

Issues were raised with the land use designation mapping for an existing developed site at 1291 Gordon Street (on the west side of Gordon Street, north of Arkell Road,

known as Solstice). Staff have correctly mapped the property in OPA 80 to align with Council approval, and the as-built conditions, of the development and have recommended removing development potential on areas outside of the apartment site where natural heritage features exist. However, in response to comments, the land use Schedule has been revised and the common amenity area of the apartment development is recommended to be mapped as 'open space and park' to demonstrate that no development can occur here. This area of the site cannot be developed because it is a required element of the existing apartment site. The 'open space and park' designation is applied to conservation lands and other private open space in addition to municipal parkland and is therefore an appropriate designation for this portion of the site.

Indigenous Consultation and Concerns Raised by Six Nations

Consultation was held with Six Nations of the Grand River, Mississaugas of the Credit First Nation and the Metis Nation of Ontario (MNO Region 9 Consultation Committee).

Six Nations expressed concerns with reference in OPA 80 to the treaty between the Crown and the Mississaugas of the Credit First Nation where there is no mention of the Nanfan Deed (or Nanfan Treaty). The Mississaugas of the Credit First Nation has asked that their treaty rights be specifically referenced in area municipal Official Plans.

Some revisions are recommended to the wording of the consultation section in Chapter 2 of OPA 80 (Item 3) to respond to comments received and to be inclusive by referencing First Nations and Indigenous governments rather than providing a specific list. The inclusion of reference to Guelph being situated on lands that are the traditional territory of the Huron-Wendat and Haudenosaunee people is also recommended.

Land Use Designation of Armtec Inc property at 41 George Street

Questions were asked about the existing land use designation of the Armtec Inc property at the Public Meeting for OPA 80 and comments were provided that it should be reviewed and down-designated with suggestions that the property be placed in a general residential, natural heritage system or open space and parks designation. Some comments appear to be reactive to real estate listing images which do not represent approved concepts for the site.

The Armtec property was reviewed and considered through the 2006 Growth Plan conformity work and identified at that time through the City's approved growth management strategy and residential intensification analysis as a prime candidate for intensification. High density residential was recommended as the appropriate land use designation with medium density residential being placed on adjacent sites. Council approved this designation, along with designation changes for all other properties identified in the Council approved growth management strategy, through OPA 48 which was adopted by Council in 2012, approved by the Minister in 2013 and approved by the Ontario Municipal Board in 2017.

Staff continue to recommend the existing land use designation of this property. The high density residential designation is appropriate; this site is a brownfield and the designation will help to realize remediation and redevelopment; future redevelopment is subject to zoning regulations for setbacks and step backs; the rail line and river constrain development; and the City's urban design policies,

guidelines and manuals apply to this site to ensure that redevelopment is appropriate and compatible.

Site specific property requests are outside the scope of the Official Plan Review. These are appropriately dealt with through individual applications. The scope of this review was set by Council and land use designations are only being considered for change to implement the directions of the growth management strategy.

Fiscal Impact Analysis for Various Growth Options

At the public meeting, it was asked whether staff could consider the opportunity to provide various fiscal assessments to review whether adding 5% or 10% more height or more density within strategic growth areas would change the impact.

The Shaping Guelph project scope involved considering three different growth scenarios and providing a fiscal impact analysis of the preferred scenario.

The MCR fiscal impact analysis was done at a very high level using information that was available at the time of the analysis. The fiscal framework was not designed to be tweaked for slight variations of height or density. It is unlikely that there would be significant changes to the overall financial picture with adjustments to the range of heights or densities in strategic growth areas. The fiscal analysis is subject to assumptions that would all impact the overall financial picture. The timing of growth, the cost of various infrastructure, density, design of development, potential grants, Council direction, economic incentives, and the political environment all play a role in the overall cost. The fiscal impact analysis identified areas of focus such as debt capacity and non-tax rates that will need further study. There are many factors at play that would not make it effective to try to quantify the impact of adjustments to height or density in specific areas. The fiscal impact analysis was provided at a high level and is subject to change based on many upcoming masterplans and studies, the analysis provides confidence that future growth could be accommodated within a moderate range of tax and rate increases.

Provincial Review of OPA 80

Municipalities are required to submit their draft Official Plan Amendments and Official Plan Reviews that are subject to ministerial approval to the Ministry of Municipal Affairs and Housing 90 days prior to the statutory open house. OPA 80 was circulated to MMAH on December 23, 2021. To date, comments have not been received from Ministry staff and we have been advised that comments will not be received prior to the conformity deadline. What does this mean for Guelph's Official Plan Review? If comments had been received prior to Council adoption, there would have been an opportunity to review them with Ministry staff, communicate required revisions to Council, and allow for consideration by Council prior to adoption. The ministerial approval process provides opportunity to discuss comments and modifications with Ministry staff prior to final approval. Any Ministry modifications will be communicated to Council.

General Revisions

Some minor revisions to correct grammar or typographical errors or to provide clarity to intent within the OPA 80 document have been made. Policies that reference the Downtown, Urban Growth Centre and Major Transit Station Area in Chapter 3 have been updated to provide clarity to these elements and how they interrelate since they all have the same boundaries. The items in the amendment

relating to changes to the natural heritage system mapping have been updated to reference each map that will be amended. An area specific policy is added for properties within the employment area at Speedvale Avenue and Silvercreek Parkway North to provide a range of redevelopment possibilities that align with the employment area policies of the Provincial Policy Statement and A Place to Grow.

Recommendations

The Shaping Guelph Growth Management Strategy and Land Needs Assessment provides a preferred growth scenario that optimizes the use of land and infrastructure, provides for a diverse mix of land uses and aligns with the Council endorsed vision and principles for growth. The preferred growth scenario and the policies of OPA 80 provide the greatest balance between meeting market demand for certain forms of housing while supporting compact, transit supportive development. The recommended policies support the growth of Guelph to the year 2051 in a manner that respects and conserves the natural and cultural heritage resources of the City while meeting the needs of current and future residents, employers and employees.

OPA 80 is consistent with the Provincial Policy Statement 2020, conforms to A Place to Grow (2020 Consolidation) and has regard for matters of provincial interest. It is recommended that Council approve the Shaping Guelph Growth Management Strategy and Land Needs Assessment and that Official Plan Amendment 80 be adopted and forwarded to the Ministry of Municipal Affairs and Housing for approval.

Financial Implications

Financial implications of the Shaping Guelph Municipal Comprehensive Review were reported in [Report 2022-98 Statutory Public Meeting: Shaping Guelph Official Plan Review \(OPA80\)](#). The Official Plan sets population and employment targets for the year 2051 which will require significant investment in growth-related infrastructure. The Shaping Guelph Municipal Comprehensive Review: Fiscal Impact Analysis Memo was prepared by Watson and Associates to assess the fiscal impacts of growth in the city. The fiscal impact analysis was provided at a high level and is subject to change based on many upcoming masterplans and studies, the analysis provides confidence that future growth could be accommodated within a moderate range of tax and rate increases. More detailed financial impacts will be looked at through the DC study, the multi-year budget process and site-specific financial reviews as development occurs.

The Official Plan Review is funded through PL0054 approved capital budget for costs associated with consultant services and community engagement. The project continues to progress within the approved budget.

Consultations

The notice of open house and statutory public meeting was advertised in the Guelph Tribune on February 24 and March 3, 2022. The notice was also mailed/emailed to local boards and agencies, Indigenous governments, neighbouring municipalities, City service areas, the Shaping Guelph project mailing list and the York Road/Elizabeth Street Land Use Study project mailing list.

The official plan amendment document was released and posted to the City's website on February 23, 2022.

The statutory open house was held virtually on March 22, 2022.

The statutory public meeting of City Council was held on March 30, 2022.

An online comment form was available on haveyoursay.guelph.ca from March 22 to April 20, 2022.

Consultations with Indigenous governments were held as follows:

- Mississaugas of the Credit First Nation meeting on April 5, 2022.
- Six Nations of the Grand River meeting on April 12, 2022.
- Metis First Nation Region 9 meeting on April 19, 2022.

A virtual open house for Rolling Hills area landowners was held on May 2, 2022.

The Planning Advisory Committee was consulted at their meeting of April 7, 2022.

The Natural Heritage Advisory Committee was consulted at their meeting of March 14, 2022.

The Heritage Guelph Committee was provided with an update at their meeting of April 11, 2022.

Strategic Plan Alignment

The Shaping Guelph Official Plan Review aligns with the following priority areas of the Strategic Plan:

Powering our Future – planning for growth to 2051 recognizes the importance of a healthy supply of employment lands and ones that support innovative employment uses. The review and update of the OP supports a healthy economy.

Sustaining our Future – planning for growth to 2051 prioritizes the protection, conservation, and restoration of the city’s natural heritage system. It also recognizes the City’s role in responding to climate change and preparing for Guelph as a net-zero carbon future. The review and update of the OP will assist in planning and designing an increasingly sustainable city as Guelph grows.

Navigating our Future – planning for growth to 2051 recognizes the importance of connecting existing and future neighbourhoods with all modes of transportation.

Building our Future – planning for growth to 2051 is centered on providing housing and employment options and services for current and future residents. The review and update of the OP assists in building a strong and vibrant community.

Attachments

Attachment-1 Recommended Official Plan Amendment 80

Attachment-2 Track change version of Official Plan Amendment 80

Attachment-3 Staff Presentation for Official Plan Amendment 80

Attachment-4 OPA 80 Comment Summary and Response

Attachment-5 Comment letters received following the Public Meeting for OPA 80

Attachment-6 Official Plan Review Engagement Summary

Attachment-7 Memo on Rolling Hills Area Natural Heritage System Refinements

Departmental Approval

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