

Attachment 11: Staff Review and Planning Analysis

2020 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is issued under Section 3 of the Planning Act. All planning decisions, including the comments, submissions and advice provided to Council shall be consistent with the PPS.

Policy Section 1.0 – Building Strong Healthy Communities recognizes the province’s diversity and the importance of maintaining long-term prosperity, environmental health and social well-being. These shared desires for sustainability of the province depend on managing change and promoting efficient land use and development patterns. Section 1.0 of the PPS contains a set of policies to implement this and to which the proposed Official Plan Amendment and Zoning By-law Amendment is consistent with.

Policy 1.1.1 of the PPS promotes creating and sustaining communities that are healthy, liveable and safe. This is achieved in part through planning efficient development and land use patterns that create an appropriate range and mix of residential development types (i.e., affordable and market-based housing including single-detached and multi-unit housing), employment and other land uses to meet long term needs and sustain provincial and municipal financial well-being [1.1.1 a), b)]. Development must avoid land use patterns that may cause environmental or health and safety concerns [1.1.1 c)]. The integration of transit supportive development, intensification and growth management is to be promoted all while ensuring that the necessary supporting infrastructure and public service facilities are available [1.1.1 e), g)]. Development and land use patterns that conserve biodiversity is also to be promoted while preparing for regional and local impacts of climate change [1.1.1 h), i)].

Policy 1.1.3 requires development in settlement areas to use land and resources wisely, considering opportunities for intensification and redevelopment as well as overall regeneration. Specifically, residential densities are to efficiently use land and resources while being appropriate for and efficiently utilizing the infrastructure and public service facilities that are planned or available. In addition, land use and development patterns in settlement areas are to support active transportation and be transit supportive [1.1.3.1, 1.1.3.2 a), b), e)]. Appropriate locations, including brownfield sites are to be identified to accommodate a significant supply and range of housing options through intensification and redevelopment that also consider existing nearby building stock and the availability of infrastructure and public service facilities [1.1.3.3]. Appropriate development standards are to be promoted that facilitate intensification, redevelopment and a compact built form, while mitigating risks to public health and safety [1.1.3.4].

The City is to identify areas where new growth and development is to be directed, including identifying nodes and corridors [1.2.4 b), 1.2.5]. As part of achieving this policy, the City’s Official Plan identifies the subject lands as being located within an intensification corridor.

For residential development, an appropriate range and mix of housing types and densities must be provided to meet projected market-based and affordable housing requirements of current and future residents. This is to be achieved by permitting and facilitating all housing options and intensification at appropriate densities and directing new housing to locations where appropriate levels of infrastructure and public services are available to support anticipated needs. [1.4.3 b), c), d)]. Intensification is to be prioritized, including development that is transit supportive and supports the use of active transportation where it exists or is to be developed [1.4.3 d), e)]. Development standards are also to be established for residential intensification and redevelopment that minimizes housing costs and facilitates a compact built form that maintains public health and safety [1.4.3 f)].

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. While the proposed development will be on full municipal services, Engineering staff have recommended a Holding Provision (H) be added to the proposed zoning until sanitary servicing capacity in this area is increased [1.6.6.2] (See Engineering staff comments in Attachment 13).

When planning for stormwater management relative to a development proposal, it is to be integrated with planning for sewage and water services. Changes to existing water balances are to be minimized and not increase risks to human health and safety and property damage [1.6.6.7 c), d)]. Vegetative and pervious surfaces are to be maximized [1.6.6.7 e)]. Further, stormwater management best practises such as attenuation, re-use and low impact development are to be considered [1.6.6.7 f)].

Through the review of the development applications, staff have worked with the applicant on an overall stormwater management strategy with appropriate quality and quantity controls, including accommodating a regulatory storm event, attenuating stormwater both on and off-site and avoiding creating drainage safety impacts to surrounding private properties from the proposed development.

Land use patterns, densities and a mix of uses is to be promoted that minimize the number of vehicle trips and support current and future use of transit and active transportation. The City has recently approved an Environmental Assessment (EA) for improvements to Gordon Street directly in front of the subject lands, which will include the addition of a multi-use trail and enhancements to existing Guelph Transit and GO Transit bus service.

Long-term economic prosperity is to be supported through several planning and development considerations. This includes encouraging residential uses that respond to dynamic market-based needs and provide necessary housing supply and a range of housing options for a diverse workforce [1.7.1 b)]. The redevelopment of brownfield sites such as the subject lands is promoted [1.7.1 f)].

Development must also consider energy conservation, air quality and climate change. This is to be supported through land use and development patterns that promote a compact built form, the use of active transportation and transit, and a structure of nodes and corridors. Vegetation is also to be maximized within settlement areas [1.8.1 a), b), g)].

The PPS has policies regarding the wise use and management of resources. This includes cultural heritage and archaeology. In particular development and site alteration is not permitted on lands that contain archaeological resources or areas of archaeological potential unless any significant resources have been conserved [2.6.2]. As part of this, Indigenous communities are to be consulted in the development process with their interests considered when identifying, protecting and managing archaeological resources [2.6.5].

In Planning staff's opinion, the proposal to develop an eight (8) storey, mixed use building with 110 dwelling units and 524 square metres of commercial/retail space on the subject lands is consistent with the PPS. The proposal represents mixed use intensification along a planned growth corridor. It will redevelop lands within the City's settlement area from the former vehicle service station and to a higher density than what currently exists. The development will further add to the range and choice of housing options in an area, contributing to a more balanced housing mix. The residential development is compatible with the existing surrounding mix of land uses, including single detached dwellings, multi-residential buildings and commercial retail. Adequate water and sanitary sewer capacity is planned to be available to service the development, and overall the proposed development will efficiently make use of existing infrastructure.

As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.6], a more detailed review on how the proposed Official Plan Amendment and Zoning By-law Amendment is consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined later in this analysis.

Provincial Growth Plan for the Greater Golden Horseshoe (A Place to Grow)

The Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) is issued under the Places to Grow Act (2005) and is a provincial plan that builds on the PPS. The Growth Plan supports the creation of complete communities, managing forecasted population and employment growth to the year 2051, protecting the natural environment, and supporting economic prosperity.

The current Growth Plan came into effect on May 16, 2019 and was amended on August 28, 2020 (first amendment). It applies to decisions on planning matters made on or after this date. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities. All decisions affecting planning matters, including new development and redevelopment must conform with the Growth Plan.

The policies of the Growth Plan focus on several key themes, including building complete communities; directing a significant share of growth to delineated built-up areas to meet population and employment targets and densities; making efficient use of infrastructure including developing transit-supportive densities; and creating a healthy mix of housing options and employment land uses. Overall, the vision is for urban centres to be characterized by a more compact built form, with an intensification first approach to development. The Greater Golden Horseshoe is to have a diversity of opportunities for living, working and enjoying culture.

Policies 2.2.1 and 2.2.2 of the Growth Plan identify how population growth to the horizon year of 2051 will be accommodated within 'Settlement Areas', specifically the 'Delineated Built-up Areas' of the City such as the subject lands. These sections contain policies related to intensification, creating complete communities as well as optimizing and making efficient use of infrastructure and public service facilities.

The subject lands are within the City of Guelph settlement area and are designated in the City's Official Plan for urban development. The subject lands are located within the City's "Built-Up Area" as shown on Schedule 1B: Growth Plan Elements of the Official Plan. As per Policy 2.2.2.2 of the Growth Plan (and by extension Policy 2.4.5.1 a) of the Official Plan), a minimum 40 per cent of new residential development in the City must occur each year within the Delineated Built-Up Area. The Growth Plan will eventually increase the required proportion of growth within built up areas to 50 per cent of all development from when the Council-adopted Municipal Comprehensive Review (MCR) is approved and comes into effect [2.2.2.1 a), 2.2.2.2].

The proposed Official Plan Amendment and Zoning By-law Amendment conforms to the policies of these sections by:

- Directing redevelopment and intensification to lands within the existing delineated built-up area of the City;
- Redeveloping and accommodating new residential growth on an underutilized parcel of land;
- Promoting redevelopment that supports active and public transportation options, such as being directly located on several transit routes as well as existing commercial uses, parks, and public service facilities;
- Adding new housing units to an established neighbourhood that will contribute to enhancing and broadening the range and mix of housing types and options that are available;
- Applying a compact built form that will enhance the public realm along designated arterial roads and intensification corridor (Gordon Street);
- Further contributing to the mix of land uses in the surrounding area and encouraging redevelopment that is in close proximity to existing services, and public open space; and,
- Making efficient use of public service facilities as well as existing and planned infrastructure (e.g., roads, water and sewer, parks, schools, etc.).

Overall, the development proposal represents a more compact and efficient form of mixed-use development that will be served by adequate infrastructure and public service facilities. The development will contribute to the overall intensification target within the City's built-up area, resulting in a site density of 172.4 units per hectare. The Neighbourhood Commercial land use designation in the Official Plan and specialized neighbourhood commercial zoning will support a higher density housing option in a mixed-use building with commercial retail uses at grade. It will help make efficient use of existing infrastructure, planned improvements for Gordon Street and public service facilities.

Based on the above summary of policies, Planning staff are of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment and is consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

Official Plan Conformity

The subject lands are located within the delineated 'Built-up Area' of the City and are currently designated as 'Neighbourhood Commercial Centre' within the Official Plan (See Attachment 5). The Neighbourhood Commercial Centre designation permits commercial, retail and service uses along with multiple unit residential (apartments) within mixed-use buildings [9.4.4.11]. Development is to maintain a principal commercial function, with residential uses not being permitted on the ground floor of mixed-use buildings [9.4.4.13].

The maximum height of buildings in the Neighbourhood Commercial designation is six (6) storeys [9.4.4.14]. At the time the applications were submitted to the City and deemed complete in September 2019, the Official Plan did not contain a policy on net density for the Neighbourhood Commercial designation. The applicant has requested to amend the Official Plan to add a site-specific policy to permit a maximum building height of eight (8) storeys and a maximum of 110 dwelling units. Planning staff are recommending the maximum number of units be expressed through a site-specific Official Plan policy to permit a maximum net density of 172.4 units per hectare.

There are several objectives for Neighbourhood Commercial Centres in the Official Plan. This includes establishing local convenience and neighbourhood commercial uses that serve daily shopping needs and are within convenient walking distance of residential areas. Development in Neighbourhood Commercial Centres is to be done in a coordinated manner that is compatible with existing and surrounding neighbourhoods. New development is also to be well connected to surrounding neighbourhoods through trails, walkways and transit [9.4.4].

The applicant is representing a developer who proposes to redevelop the 0.638 hectare property to contain an eight (8) storey, mixed use building with 100 apartment dwelling units and 524.8 square metres of commercial space on the ground level facing Gordon Street. The site would have a sole driveway access from Gordon Street (See current development concept in Attachments 9 and 10). The site was previously occupied by a vehicle service station known as Hamilton's Corner Garage. The former vehicle service building was demolished after a fire in December 2020 and all outdoor storage components have been removed from the site. The development has a net density of 172.4 units per hectare. This represents a form of 'redevelopment' as defined by the Official Plan.

To accommodate the mixed-use building's proposed height of eight (8) storeys, an amendment to the Official Plan is required. The Official Plan Amendment will evaluate adding a site-specific policy related to height and density.

In addition, a Zoning By-law Amendment is also required. Through this application, the property is proposed to be rezoned from the current "Urban Reserve" (UR) Zone to a specialized "Neighbourhood Commercial" (NC-12) Zone with a Holding

(H) Provision. Several site-specific zoning regulations have also been requested and are discussed in more detail later in this analysis.

Official Plan Amendment

The Neighbourhood Commercial land use designation permits commercial, retail and service uses as well as multiple unit residential within mixed-use buildings. As indicated earlier in this analysis, buildings are permitted to a maximum height of six (6) storeys. Site-specific policies are being requested through an Official Plan Amendment to permit a maximum building height of eight (8) storeys and a maximum 110 dwelling units.

In accordance with Policy 1.3.14 of the Official Plan, the following criteria must be considered when reviewing an Official Plan Amendment. Staff have evaluated each of the criteria below and are of the opinion the proposed Official Plan Amendment meets all the criteria.

- i. The conformity of the proposal to the strategic directions of the Official Plan and whether the proposal is deemed to be in the overall interests of the City.

The proposed Official Plan Amendment conforms to the strategic goals of the Official Plan in Section 2.2, including the following:

- Utilizing an interdisciplinary approach to planning with an understanding of ecological, social, cultural and economic interrelationships, including maintaining a primary commercial function with retail uses at grade, no negative impacts to the City's natural heritage system and the addition of multi-residential in the Built-up Area [2.2.1 a)];
- Contributing to providing an appropriate range, mix and geographic distribution of employment opportunities and housing types to meet current and projected needs to the year 2031 [2.2.1 b), 2.2.5 d)];
- Provides for urban growth and land use patterns in a manner that ensures the efficient use of public expenditures over the long term, including the planned improvements to Gordon Street and associated servicing infrastructure [2.2.1 c)];
- Contribute to implementing actions to achieve the targets of the updated Community Energy Initiative [2.2.2 d)];
- Contributing to developing a safe, efficient, convenient and sustainable transportation system that provides for all modes of travel [2.2.3 a)];
- Facilitates development in an area where full municipal services and related infrastructure can be made available while considering existing land uses and other development constraints [2.2.4 a)];
- Maintain and sustainably manage ground and surface water resources [2.2.4 b)];

- Ensure an adequate supply, range and geographic distribution of housing types and supporting amenities to satisfy the needs of the community [2.2.5 d)];
 - Preserve, enhance and protect the distinct character of the City and the sense of a community in neighbourhoods [2.2.6 a)];
 - Build a compact, mixed-use and transit-supportive community [2.2.6 b)];
 - Plan and design an attractive urban landscape that creates a sense of place and identity while encouraging innovative design and development opportunities [2.2.6 c)]; and
 - Encouraging intensification and redevelopment of existing urban areas that is compatible with the existing built form [2.2.6 d)].
- ii. Consistency with applicable provincial legislation, plans and policy statements.

Staff have reviewed the development proposal against the policies of the 2020 Provincial Policy Statement (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe and are satisfied that the proposal is consistent with the 2020 PPS and conforms to the Growth Plan. A more detailed review of this has been outlined previously in this analysis.

- iii. Suitability of the site or area for the proposed use, particularly in relation to other sites or areas of the City.

The site is suitable for the proposed commercial and residential uses, in particular within a mixed-use, eight (8) storey building at a net density of 172.4 units per hectare in the Neighbourhood Commercial land use designation. The site is within a designated intensification corridor, which encourages and promotes increased height and density that is compatible with surrounding uses and built form. The subject lands are located on an arterial road and close to existing lands designated Neighbourhood Commercial, Medium and High Density Residential containing apartment buildings along Gordon Street. Further, the subject lands are located within the Built-Up Area of the City where infill and compact development is encouraged. Overall, staff feel the subject lands are an appropriate location for compatible forms of intensification, including adding site specific policies to the Official Plan to permit a maximum height and increased density.

- iv. Compatibility of the proposed use with adjacent land use designations.

The proposed use is compatible with adjacent land use designations. The Official Plan Amendment is not proposing to change the existing land use designation and remove commercially designated lands. The increase in height for the proposed uses is compatible with adjacent land uses.

- v. The need for the proposed use, in light of projected population and employment targets.

Planning staff are of the opinion there is a demonstrated need for the proposed use.

Considering the most recent findings of the Growth Management Monitoring Report, the proposed development will contribute to the City's goal of achieving a more diverse and balanced mix of available housing options. It will contribute to the City remaining on track to meet several of its growth targets identified in the Growth Plan and Official Plan. This includes helping to achieve the overall 2031 population forecast, and the City continuing to achieve its intensification target, where each year, a minimum of 40% of all new residential development must be within the Built-up Area.

- vi. The market feasibility of the proposed use, where appropriate.

The applicant and developer/property owner has determined and indicated to staff that the proposed uses are marketable. The commercial uses will serve the day to day needs of residents in the surrounding communities and compliment existing and adjacent commercial uses. In addition, they have also indicated that new housing units, including affordable housing and rental housing is in demand.

- vii. The extent to which the existing areas of the City designated for the proposed use are developed or are available for development.

The subject lands are currently designated for neighbourhood commercial uses, which can include apartment units above the ground level of a mixed-use building. Many lands in the City that are designated Neighbourhood Commercial, including those nearby along Gordon Street have been developed with commercial, retail and service based uses. Some areas nearby that are designated Neighbourhood Commercial are not developed or contain low density residential uses. The subject lands represent a vacant and underutilized parcel of commercial land within the City's built-up area and along an intensification corridor. The proposed development will allow the subject lands to fulfill a primary commercial function on Gordon Street.

- viii. The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the Natural Heritage System.

Review of the proposed development application has determined that adequate and full services will be available when Gordon Street is reconstructed in the coming years. Environmental Planning staff have determined there are no concerns with the proposed development on the Natural Heritage System. Their comments are included in Attachment 13.

- ix. The financial implications of the proposed development.

Financial implications of the proposed development are outlined at the beginning of the report, including estimated development charges and taxes. In addition, costs associated with connection to municipal services

and for works within the Gordon Street and Arkell Road right-of-way (i.e., curb, sidewalk, asphalt, utilities) will be at the developer's expense.

- x. Other matters as deemed relevant and in accordance with the policies of the Official Plan.

Consideration of other relevant matters, including concerns and questions raised at the public meeting are discussed throughout this planning analysis.

Complete Communities and Intensification (Growth Plan Conformity)

One of the central themes of the Official Plan is planning for a complete and healthy community. This includes ensuring that people's needs for daily living throughout an entire lifetime are met, by providing convenient access to a mix of employment opportunities, local services, public transportation and a full range of housing options. It is the goal to achieve a well-designed, compact and vibrant city [3.1.1]. Overall, this theme of the Official Plan focuses on implementing the Growth Plan discussed earlier in this analysis.

The proposed mixed-use development will contribute to building a complete and healthy community by adding commercial employment and services, adding and furthering the range of housing options available, and being directly accessible by public transit and options for safe, non-motorized travel.

All projected population growth to the year 2031 is to be accommodated within the City's current settlement area boundaries and is to be achieved through promoting a compact built form and intensification within identified intensification corridors such [3.3.1, 3.3.2, 3.7.1,]. A minimum 40% of the City's annual residential development is to be directed to the City's built-up areas through intensification. Growth in the built-up area is to be directed to locations where the capacity exists to best accommodate the population and employment growth. Vacant and underutilized lots and brownfields such as the subject lands are to be revitalized through redevelopment through promoting infill development. To support vibrant communities, a diverse and compatible mix of land uses, including residential and employment will be provided. This will include a range and mix of housing. Through intensification of existing Built-up Areas, redevelopment will generally be at higher densities than surrounding areas while achieving an appropriate transition of built form to adjacent areas. Urban design is to be high quality that creates attractive and vibrant spaces while supporting transit, walking and cycling for everyday activities [3.7.3].

An appropriate range of housing types and densities to meet the projected requirements of current and future residents is to be achieved by the City through maintaining the ability to accommodate residential growth for a minimum of 10 years by residential intensification and redevelopment on lands that are designated and available for development [3.6.1]. As the subject lands are currently designated Neighbourhood Commercial in the Official Plan with multi-residential uses permitted, they classify as being designated and available. The apartment dwelling units, which are proposed to consist of studios (4), 1-bedroom (48), 2-bedroom (56) and 3-bedroom units (2) will contribute to a more balanced and diverse housing mix.

The subject lands are located directly on a designated intensification corridor on Gordon Street. Intensification corridors identified in the Official Plan are to provide for mixed-use development that is in proximity to transit [3.10.1]. They are planned to accommodate increased residential and employment densities with a mix of residential, office, institutional and commercial development [3.10.2]. Development is to be directed and oriented towards arterial roads such as Gordon Street and Arkell Road [3.10.3]. Planning staff are of the opinion that the proposed development aligns with and implements the policies for intensification corridors. Further, the proposed development also aligns with the vision of the Urban Design Concept Plans approved in 2018 for the Gordon Street intensification corridor.

Water, Wastewater and Stormwater Services

Development is to be planned and coordinated relative to programs related to infrastructure planning, asset management and infrastructure investment. This includes upgrading municipal trunk storm and sanitary sewers [3.19.1]. Staff have confirmed that adequate water capacities and stormwater quality and quantity control are available to service the development as conceptually proposed. Conversely, no capacity is available in the current downstream sanitary sewers to service the development.

Through a recently approved EA for improvements to Gordon Street, the existing sanitary sewer servicing the subject lands will be replaced and will provide additional sanitary capacity, with construction budgeted and expected to commence in 2023. As such, a Holding Provision (H) is currently being recommended for the zoning until such time as adequate sanitary capacity is available.

Policy 6.1.3 of the Official Plan requires the provision of full municipal services for all new development, including sanitary sewers, water supply, stormwater management and transportation networks. Further, prior to permitting a development proposal, the adequate provision of water, wastewater, solid waste and stormwater management shall be confirmed [6.1.6].

Engineering staff have reviewed the development proposal and all supporting studies and have confirmed that sufficient and adequate water capacity is available in the City's existing supply and distribution system to support the proposed development.

No sanitary sewer capacity is currently available in the downstream sewers to service the proposed development. Upcoming improvements to Gordon Street in 2023 will include replacement of the existing sanitary sewer, which will provide additional capacity for development along Gordon Street. As such, it is recommended that a Holding provision (H) be applied to the new specialized Neighbourhood Commercial zoning until such time as adequate capacity is available to the subject lands to accommodate the proposed development. This is consistent with policy 6.1.14 where servicing requirements for planned development and projected growth is to be monitored to ensure sustainable capacities are not exceeded and sufficient lead time is provided to the planning, design, approval, financing and construction of new facilities as required.

Policy 6.4.3 requires the preparation of detailed Stormwater Management and Engineering Reports to demonstrate how the design and construction of stormwater

infrastructure will protect, improve or restore the quantity and quality of surface and groundwater resources. Engineering staff have reviewed the applicant's preliminary stormwater management report submitted with their current development applications and have determined quantity and quality control measures have been sufficiently addressed. Further, they have recommended the developer complete a detailed stormwater management report and plans as part of site plan review and in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment, Conservation and Parks (MECP) Stormwater Management Practices Planning and Design Manual.

The property owner will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services and infrastructure where necessary. Directing new development to the Built-up Area of the City makes better and more efficient use of existing infrastructure, including the effectiveness of transit, active transportation networks, and public service facilities.

Potentially Contaminated Properties

The Official Plan identifies potentially contaminated sites as properties where the environmental condition may have potential to cause adverse effects on human health, ecological, health or the natural environment. To reduce risks associated with such sites, it is important to identify such properties and ensure they are suitable for the proposed land uses. Redevelopment, restoration and revitalization of land and buildings located on potentially contaminated sites is promoted in the Official Plan [4.4.4].

Considering the subject property's historic uses as a vehicle service station for over 70 years as well as a gas station, it has had land uses that may have caused environmental contamination [4.4.4.1]. As such, the developer was required to complete and submit a Phase 1 and Phase 2 Environmental Site Assessment (ESA) as part of a complete application [4.4.4.3]. Environmental Engineering staff have reviewed the Phase 1 and 2 ESA, as well as the supplemental soil and groundwater investigation, a designated substance survey and letter of reliance and are satisfied with their findings and conclusions. A Record of Site Condition (RSC) will need to be filed with the Ministry of Environment, Conservation and Parks (MECP) prior to site plan approval or the issuance of building permits. No concerns were identified related to the land use change associated with the Zoning By-law Amendment.

Noise and Vibration

Land use conflicts between sensitive land uses such as residential and uses that create noise such as major roads like Gordon Street and Arkell Road are to be minimized [4.4.5]. To understand any conflicts that may arise for the proposed development, a Noise Feasibility Study was required as part of a complete application submission.

The Noise Feasibility Study concluded that the mixed-use building should be equipped with central air conditioning systems that will allow windows to remain closed. An acoustic barrier was identified as being required along Arkell Road near the outdoor common amenity area. Further, upgraded glazing building materials (i.e., windows, exterior doors, spandrel) for the north and west facades of the building having exposure to Gordon Street were recommended. Warning clauses

were also recommended for tenancy agreements and offers of purchase and sale. Such warning clauses are a standard practise and are often recommended for infill residential developments, especially for properties with direct frontage on an arterial road.

Planning staff will continue to work with the developer during site plan to minimize the requirement for an acoustic barrier along Arkell Road. Further review of the landscaping design and programming elements of the common amenity area could eliminate this requirement.

Engineering staff have indicated in their comments that a detailed noise study will be required prior to the issuance of site plan approval (see condition number 4-f) in Attachment 4).

Community Energy Initiative Update (2019) and Climate Change

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features.

The applicant has indicated to Planning staff that they will be including several energy efficiency measures throughout the mixed-use development, consistent with the City's Community Energy Initiative (CEI) 2019 update. This includes including a green roof component, low-impact development stormwater management measures, providing long term and secure bicycle storage spaces inside the building for each dwelling unit and the commercial space. Further it is noted that the subject site is located on Gordon Street with a high level of transit service and future multi-use trail to encourage alternate modes of travel.

These initiatives proposed by the applicant will contribute to the City meeting its goal to become a net zero community by 2050. The applicant has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment 12.

Staff are recommending a condition to be implemented at site plan control that the applicant shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the City's Community Energy Initiative (CEI) (see condition number 8 in Attachment 4). Specifically, the applicant will need to demonstrate how they will contribute to CEI Action 1, being to incrementally increase the number of net zero homes to 100% by 2031.

Archaeology

In accordance with Section 4.8.6 of the Official Plan and the Ontario Heritage Act, the applicant undertook a Stage 1 and 2 Archaeological Assessment through a licensed Archaeologist for the subject lands in 2019. An associated report from the applicant's archaeologist was submitted to the City as part of a complete application. The Stage 1 and 2 Assessment found no archaeological resources on the subject lands. No further archaeological assessment of the site was found to be warranted and the site was cleared of any archaeological concern.

The Stage 1 and 2 Archaeological Property Assessments were submitted to Ministry of Tourism, Culture and Sport (MTSC) and entered into the Ministry's public register. Planning staff are satisfied that Section 2.6.2 of the PPS and Section 4.8.6 of the Official Plan regarding archaeological resources have been addressed.

Transportation

New development is to be limited to areas where adequate transportation facilities can be provided without undue financial burden on the City [5.1.4].

For development proposals that may generate a significant amount of traffic along arterial and collector roads, the City requires the submission of Traffic Impact Studies (TIS) [5.8.7]. The applicant's TIS and associated updates concluded that all area intersections are currently operating with excess capacity. The following area intersections were reviewed in the TIS:

- Gordon Street and Arkell Road/Solstice I driveway
- Gordon Street and Edinburgh Road
- Gordon Street and Vaughan Street/Elmbrook Plaza driveway
- Arkell Road and Malvern Crescent

With 2027 and 2032 projected traffic conditions, several movements at the Gordon Street and Arkell Road intersection as well as the Gordon Street and Edinburgh Road intersection are estimated to exceed capacity from background traffic and growth alone. Background traffic included in the TIS includes active development files nearby on Gordon Street within the intensification corridor and Arkell Road. The proposed development is estimated to add less than 1.5% vehicular traffic volume to the intersections of Gordon Street with Arkell Road and Edinburgh Road. As these vehicular traffic additions to the area would be minimal compared to background volumes over this horizon, the TIS recommended for the City to continue to monitor area traffic conditions in 2032 for any further improvements.

The City completed an class environmental assessment (EA) in September 2020 for improvements to Gordon Street between Edinburgh Road South and Lowes Road. The improvements include a new continuous two-way left turn lane, new off-street multi-use paths for pedestrians and cyclists, a northbound to eastbound right turn lane and bus priority bypass lane at Arkell Road. This dual function lane would be added directly in front of the subject lands. As indicated earlier in the analysis, the improvements would also include replacement of sanitary sewers to increase servicing capacity. The proposed improvements are anticipated to begin construction in 2023. The TIS took the planned improvements into consideration and agreed with the findings of the EA that background traffic operations will be improved at the above noted intersections. The two-way left turn lane addition would add a dedicated turning lane for all driveways on this portion of Gordon Street, including the subject lands. Engineering staff have confirmed that all recommended improvements in the EA along the Gordon Street frontage have been shown on the most recent conceptual site plan as well as all required road widenings on Arkell Road (see site plan in Attachment 9). These lands will need to be transferred to the City prior to site plan approval.

Traffic staff have reviewed the development proposal and are supportive of the design and TIS recommendations. The single access point off Gordon Street is acceptable and is greater than 100 metres from the Gordon Street and Arkell Road signalized intersection. Traffic staff have recommended the driveway access be modified during site plan control to a single exit lane which will be able to adequately accommodate egress traffic.

Parking

Adequate parking facilities are required to be provided to meet parking demands generated by various land uses [5.11.1]. Off-street parking requirements are to be established in the Zoning By-law and associated site plan requirements. Reduced parking requirements may be considered as part of a Parking Study, particularly within intensification corridors where high levels of transit exist [5.11.6].

The applicant is proposing to provide a total of 179 off-street parking spaces for the mixed-use development. These spaces would service the 110 apartment dwelling units, associated visitors to the residential component and 524 square metres of commercial floor space. For mixed-use buildings, an additional 20% of the required spaces for the 110 apartment units must be reserved and marked for visitor use.

Table 1.0 below summarizes the proposed land uses, the minimum parking rates and quantities required by the current Zoning By-law, and the spaces provided by the developer.

Table 1.0 – Required Parking Rates

Proposed Land Use	Required Parking Rate	# Spaces Required	# Spaces Provided
Residential (110 apartment dwelling units)	1 parking space per unit + 20% visitor parking (Section 4.15.2.4 of Zoning By-law)	110 + 22 = 132	179
Commercial (standalone restaurant @ 524 m ² , or 524 m ² divisible general commercial space)	1/18 m ² (blended mall rate in NC zone); 1/7.5 m ² (restaurant) (Section 4.13.4.1 and 4.13.4.2 of Zoning By-law)	Mall (can include restaurant in a unit) – 30 <i>or</i> Single Restaurant - 70	

TOTAL	162 (min) to 202 (max)	
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Planning and Zoning staff have reviewed the proposed parking shown on the conceptual site plan and the applicant’s Parking Review study. Considering the minimum and maximum range of parking for the commercial space at ground level, this will depend on whether the floor space is divided into multiple commercial units (i.e., a mall), or is entirely occupied by a single restaurant. Zoning staff have recommended the minimum blended mall rate of 1 parking space for every 18 square metres of commercial floor area apply in this case. This recommendation was made considering the amount of commercial gross floor area proposed and because this standard parking rate applies to malls in the Neighbourhood Commercial (NC) Zone whether they include a restaurant in a unit or not. Considering this, the applicant is exceeding the minimum amount of parking required in the Zoning By-law. Zoning staff also confirmed that a special parking applies for dwelling units in mixed-use buildings as per Section 4.15.2.4 of the Zoning By-law. The minimum requirement is one parking space per dwelling unit, plus 20% visitor, exclusive of any required commercial parking.

The City’s new Draft Comprehensive Zoning By-law (second draft, July 2022) recommends a minimum and maximum range of required parking for mixed-use buildings. For the 110 apartment units proposed, including visitor space ratios, a minimum 121 and maximum 193 parking spaces is required. Adding the proposed 524 square metres of ground floor commercial space, a minimum 4 and maximum 5 spaces is required, for a total range of 125 to 198 parking spaces. With the developer providing 179 parking spaces, they are within the parking range in the Draft Comprehensive Zoning By-law.

As noted above, the applicant submitted a Parking Study to support their proposed parking rate. In addition to a policy review, several analogous mixed-use developments were reviewed in comparable municipalities with similar site characteristics. A pattern of reduced parking requirements was observed on the proxy sites, and those that were recently completed were found to function with minimal impact to the respective sites and surrounding areas.

The applicant is proposing to provide a total of 128 bicycle parking spaces for the mixed-use development. 112 of these spaces will be long-term, and 16 short-term. While the current Zoning By-law does not require a minimum number of bicycle parking spaces, the Comprehensive Zoning By-law proposes to introduce this requirement. The proposed bicycle parking rate exceeds the minimums that are to be introduced across the City. The bicycle storage facilities will be provided for residents, visitors, employees and customers of the commercial component and will encourage alternate modes of travel to single occupant vehicles.

Planning staff are of the opinion that an adequate off-street parking supply is being provided to meet the expected demands by the mixed-use development. The Official Plan directs off-street parking to be provided through zoning and site plan requirements [5.11.3] From an urban design perspective, Planning staff are recommending a site-specific zoning regulation to require a maximum parking lot

length to be provided at surface level (33 metres), with the remainder and majority of parking spaces to be accommodated within a structure (i.e., underground, parking garage).

Tree Preservation and Compensation

The subject lands are greater than 0.2 hectares, and as such, are regulated by the City's Private Tree Protection By-law. A Tree Inventory and Preservation Plan as well as an Arborist Report was submitted as part of a complete application in the initial submission and is required in the Official Plan for all new development and site alterations and where trees cannot be retained [4.1.6.1.1, 4.1.6.3.2]. The Tree Inventory and Preservation Plan identified a total of 74 trees on the subject lands, within 6 metres of the property boundary, and along the City's directly adjacent Gordon Street and Arkell Road rights-of-way.

All existing trees on the subject lands, for a total of 48, are identified as being impacted by development and requiring removal, with 38 of these trees being regulated in the Tree By-law. These trees will be further identified at site plan control whether they require compensation as per the Tree By-law and Tree Technical Manual (i.e., species, health) [4.1.6.1.4]. All trees that were inventoried on adjacent properties, including the City's right-of-way are identified for preservation. The Arborist Report recommended additional land survey work be completed to confirm the exact ownership of trees close to property boundaries. Some tree compensation may be possible on site through the landscaping of the mixed-use development, including planting new trees along Gordon Street and Arkell Road. This will be determined at site plan.

Conditions has been included in Attachment 4 (condition 1) that require the preparation of an updated Arborist Report and Tree Management Plan as well as a Tree Compensation Plan prior to any grading, site alteration, tree removal or site plan approval.

Affordable Housing

The City's Affordable Housing Strategy (AHS) sets an annual City-wide target of 30% for housing that is affordable [7.2.1.2]. It is a goal of the AHS to ensure that affordable housing is included in the range and mix of housing provided for all households across the City. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2. These policies are intended to encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities [9.2.1.1]. They have been applied to staff's review of this proposed mixed-use development. The property owner indicated it was their intention at the Public Meeting to ensure a portion of the dwelling units are affordable housing.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential uses. There is a high correlation between the City's growth management policies and the ability to meet both growth management and affordable housing targets. The AHS indicates that the majority of dwelling units below the affordable benchmark price (95%) were primarily apartment or townhouse units.

The proposed development includes a total of 110 apartment units. These units will consist of a range of studio, one-, two- and three-bedroom units. The diversity in apartment unit sizes and bedroom distribution will offer a range of housing choice to residents with diverse household sizes and incomes. It is highly anticipated that this development will contribute to the achievement of the affordability housing targets set for the City. The units will also be directly located on several transit routes and within walking distance to commercial uses and services.

The applicant has also indicated in their Planning Justification Report that the dwelling units will offer affordable housing choices. The contribution to the City's 30% affordable target and benchmark price will be further measured by the City as these new dwelling units come to market and are rented or sold. However, it is also noted that specifically how much of any given development may be affordable cannot be fully assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established by the developer. For this reason, the measurement on the actual achievement of affordable housing targets is done on the basis of what has been constructed and then sold or rented city-wide in the previous year.

Urban Design

The Official Plan contains policies regarding urban design that apply to all development. Several urban design objectives in the Official Plan apply to the proposed development, including:

- To create neighbourhoods with diverse opportunities for living, working, learning and playing [8 a)];
- To build compact neighbourhoods that use land, energy, water and infrastructure in an efficient manner and encourage walking [8 b)];
- To engage in 'place-making' – developing infrastructure, spaces and buildings that are permanent and enduring, memorable, adaptable and flexible, and valued [8 d)];
- To ensure that the design of the built environment promotes excellence in urban design by respecting the character of the existing distinctive areas and neighbourhoods of the City [8 f)];
- To allow for a range of architectural styles in urban form and design that bring interest and appropriately respond to local context and achieve compatibility [8 i)]; and
- To design for a choice of mobility, including walking, cycling, transit and driving [8 m)].

New residential developments are to be designed to be integrated and connected to surrounding neighbourhoods [8.2.2]. Development shall also contribute to creating a pedestrian oriented streetscape through locating buildings adjacent to the street edge while placing principal building, including dwelling unit entrances towards the street and providing active uses that provide interface with the public realm such as patios, seating and cafes [8.2.11].

Signature buildings are required at corner locations such as at Gordon Street and Arkell Road to serve as neighbourhood landmarks [8.3.1]. Where a commercial or mixed-use development is located at the intersection of such major streets, the

redevelopment of the corner is considered a minor gateway and is to include neighbourhood-scale gateway features [8.4.7]. New mixed-use buildings are to be located close to and address the street and have visible front facades with entrances and windows that directly face and enhance the rhythm of the immediate vicinity. Blank facades are to be avoided [8.6.1, 8.6.2, 8.6.3, 8.6.6]. Corner buildings are to address both streets through providing well articulated facades that face the street [8.6.5].

Where mixed-use development is located in proximity to existing residential uses, several urban design strategies reflecting compatibility are to be applied. This includes defining building massing and placement to reduce visual effects of height through appropriate step backs, terracing and setbacks [8.7.1 i)]. Perimeter landscaping is to be provided as a buffer, incorporating landscape strips, berms and fences to delineate property boundaries [8.7.1 iv)].

For mid-rise buildings such as the proposed eight (8) storey mixed-use building, they are to be designed to frame the street while allowing sunlight to adjacent properties [8.8.1 i)]. Servicing and parking areas are to be screened and appropriately located to not have a prominent visual impact. This includes parking being provided underground and surface parking at the side of the building [8.8.1 ii), 8.12.1, 8.12.2]. Principal building entrances need to be accessed from the public realm [8.8.1 iii)]. Where buildings are taller than four (4) storeys, building length can be restricted through zoning to reduce microclimatic impacts such as shadowing and wind [8.8.1 v)]. Planning staff are recommending a site-specific zoning regulation to limit the building length of 75 metres.

Generous landscape strips should be used along street edges to screen surface parking [8.12.1, 8.13.2]. The Zoning By-law may also establish maximum length of frontage along arterial roads that may be used for surface parking [8.12.9]. Planning staff are also recommending a site-specific zoning regulation to limit the length of the surface parking area. Ramps to access underground parking are to be located to reduce conflicts with pedestrians and minimize negative impacts on the streetscape [8.12.10]. Shared driveways are encouraged for commercial and mixed-use sites to reduce access points and conflicts with pedestrians [8.13.1]. Internal driveways are to be designed to interconnect with adjacent properties to create an overall cohesive and integrated circulation network [8.13.2].

Where possible, existing trees should be retained on-site. Also, where appropriate, suitable new trees are to be planted on-site, within the street right-of-way or in other City approved locations [8.17.3].

To provide a detailed analysis of how the development proposal is consistent with and meets the City's urban design policies, the applicant submitted an Urban Design Brief as part of their complete applications. Planning staff are supportive of the approach to the overall design of the site as outlined in the Urban Design Brief and acknowledge the changes made by the applicant since their initial and subsequent submissions, the Public Meeting in November 2019, and the improvements and refinements made to the design.

In April 2018, Council approved Built Form Standards for Mid-rise Buildings and Townhouses as well as Urban Design Concept Plans for the Gordon Street

Intensification Corridor. The subject lands are referred to as 'Demonstration Site 5' on the Gordon Street Concept Plans (See Figure 1 below). These documents form part of the City's Urban Design Manual. These built form standards provide direction and criteria for the design of mid-rise buildings and intensification development along this section of Gordon Street. Guidance is provided for building height, massing, landscaping and open space, amenity space, parking and access. The standards ensure that the design of mid-rise developments and intensification proposals are appropriate for the City based on existing context and contemporary urban design practices.



Figure 1 – Approved Urban Design Concept Plan for Gordon Street Intensification Corridor

Showing Demonstration Site 5 at the southwest corner of Gordon Street and Arkell Road.

Urban design staff have reviewed the proposed mixed-use development and are generally supportive of the design as shown in Attachments 9 and 10 (site plan and renderings). The site design conforms to the urban design policies in the Official Plan discussed above and is consistent with approved concept plans for the Gordon Street Intensification Corridor. The design is also consistent with the City's Built Form Standards for Mid-rise buildings and Townhouses. While being eight (8) storeys in height, considering the proposed massing and site elevation, urban design staff are of the opinion that the building is mid-rise in form rather than high-rise. Considering Urban Design staff's review, several built form objectives and the

placement of the building and parking on the site will be confirmed through several site-specific zoning regulations (Attachment 4).

In particular, the design of the site will achieve a 5-metre front yard setback and the provision of 3 metre landscape buffers around the surface parking lot edges and most adjacent property lines. The placement of underground parking will also allow additional room and depth for tree planting along the Gordon Street public realm. The massing of the building will achieve 45-degree angular planes to the adjacent property to the south (1388 Gordon Street – Elmbrook Plaza) as well as the centreline of Arkell Road. A 47-degree angular plane is provided to the Gordon Street centreline, which will require a site-specific zoning regulation as it exceeds the 45-degree maximum in the Zoning By-law. The 2-degree difference is affected only by the upper parapet of the top level, which in staff's opinion is minor. The massing is addressed along the easterly lot line by stepping the building back at the second storey, the use of green roofs on the parking garage entrance tunnel and second level terrace as well as ground level landscaping treatments.

Planning staff are recommending several zoning regulations, including to provide a minimum 20 square metres per unit of common amenity area, limiting the building length to 75 metres, requiring a 5 metre setback from the adjusted Gordon Street lot line and limiting the amount of surface parking, with the majority to be provided underground.

Planning staff are currently reviewing active development applications, including a Zoning By-law Amendment and Site Plan for the adjacent property to the east – 33-41 Arkell Road and 1408 Gordon Street (File OZS21-002). This development is proposing a mixed-use retirement community, including independent living and memory care. Planning staff have facilitated the two developers meeting to coordinate the design of each site, with a focus along the easterly lot line of the subject lands. The existing grade differential was identified as an important component requiring coordination between the two developments. The massing and placement of the proposed eight (8) storey mixed use building will transition well to the adjacent property to the east and not have adverse shadow impacts.

The applicant is showing a possible shared vehicular connection with 1388 Gordon Street to the south, known as the Elmbrook Plaza. The Official Plan encourages shared connections and integration with adjacent lands for mixed-use buildings in Neighbourhood Commercial designations [9.4.4.8]. When the Elmbrook Plaza was site plan approved and developed in 2007, a shared connection design was proactively incorporated behind the Borealis Restaurant building for when the subject lands redevelop. The property owner has expressed they are interested in completing this shared connection with the owners of the Elmbrook Plaza. Planning staff will continue to explore this shared connection with the owners during site plan review. It is noted that completing this shared connection will not affect the ability to provide the minimum required off-street parking as discussed previously in this analysis.

Planning staff are satisfied with the urban design approach proposed by the applicant in that it is in keeping with the City's goals, objectives and policies for urban design. Planning staff are the opinion that it is consistent with urban design policies Section 8 of the Official Plan for mid-rise buildings, is consistent with the

Built Form Standards for Mid-rise Buildings and Townhouses as well as Urban Design Concept Plans for the Gordon Street Intensification Corridor. Urban design staff's detailed comments are included in Attachment 13.

Neighbourhood Commercial Policies

Section 9.4 of the Official Plan contains policies that apply to the commercial and mixed-use land use designations. These uses are intended to provide a range of uses that meet the needs of daily living. Objectives of commercial and mixed-use designations include ensuring an adequate supply of commercial land is provided City-wide to meet the needs of residents and businesses. Further, the continued economic vitality, intensification and revitalization of existing designated commercial areas is promoted.

Section 9.4.4 of the Official Plan contains policies that apply to the Neighbourhood Commercial Centre land use designation for the subject lands. Neighbourhood Commercial Centres are to establish local convenience and neighbourhood commercial uses that are within convenient walking distance of residential areas [9.4.4 a)]. They are also to be developed in a cohesive and coordinated manner that is compatible with surrounding residential neighbourhood [9.4.4 b)]. The ground level of the proposed building will have 524.8 square metres (5,649 square feet) of commercial gross floor area. The applicant has indicated to staff that this space may be entirely occupied by a restaurant or could also be divided into multiple commercial units with various retail, service and restaurant related uses. The applicant has requested to add a micro brewery and brew pub as additional permitted uses within a restaurant. The subject lands are within walking distance to a variety of existing residential uses along Gordon Street and further east off Arkell Road that could benefit from additional neighbourhood commercial uses that serve day to day needs.

There are several policies to limit the maximum gross floor area and spacing of commercial space in the Neighbourhood Commercial designation. This includes policy 9.4.4.3 that limits gross floor area to no more than 4,650 square metres. Individual retail uses are also limited to 3,250 square metres [9.4.4.6]. The proposed commercial gross floor area in the August 2022 concept plan shows 524.8 square metres of space, which meets the maximum commercial space policy. This limit on gross floor area does not apply to multiple residential in a mixed-use building.

Commercial, retail and service uses are permitted in Neighbourhood Commercial Centre designations [9.4.4.11 i)]. Also permitted are small-scale offices, community services and facilities, live/work units, multiple unit residential in mixed-use buildings and urban squares [9.4.4.11 ii-vi)]. All development is to be planned and designed to maintain the principal commercial function. This is primarily achieved by not permitting residential uses on the ground floor [9.4.4.13]. The uses proposed by the applicant comply with the permitted land uses in the Neighbourhood Commercial designation. The Neighbourhood Commercial land use on this part of the Gordon Street Intensification corridor extend beyond the subject lands. This includes the adjacent Elmbrook Plaza with Borealis restaurant and other commercial uses discussed earlier in this analysis. Also included are lands across Gordon Street and Arkell Road. Two nearby properties designated in part

Neighbourhood Commercial Centre have active development applications to add additional commercial uses. These properties include 33-41 Arkell Road/1408 Gordon Street (File OZS21-002) and 1373-1389 Gordon Street (File OZS22-001). Planning staff are satisfied that the principal commercial function in the Neighbourhood Commercial land use designations on the Gordon Street Intensification are being maintained. Finally, the applicant was initially requesting a specialized General Apartment (R.4A) Zone but has revised their zoning request to a specialized Neighbourhood Commercial (NC) Zone.

The maximum height of buildings within the Neighbourhood Commercial Centre designation is six (6) storeys. The applicant has requested an Official Plan Amendment to add a site-specific policy to permit a maximum building height of eight (8) storeys on the subject lands. Considering the urban design review discussed earlier, Planning staff are supportive of this site-specific amendment. Overall, the intent of the Official Plan is maintained, including the infill development being compatible mixed-use infill along a designated intensification corridor. The primary commercial function of the land use designation will be maintained. The massing of the building is appropriate, with acceptable shadow impacts of the building and reasonable angular planes.

Planning staff are recommending an additional site-specific policy be added with the Official Plan Amendment for maximum density. At the time the applications were received by the City and deemed complete in 2019, the Official Plan did not have a policy in effect regarding maximum density for residential uses permitted in the Neighbourhood Commercial Centre designation. The Official Plan was amended by the City in January 2020 to implement the Commercial Policy Review (OPA 69). This included the addition of a policy regarding maximum density in the Neighbourhood Commercial designation of 100 units per hectare. Planning staff are supportive of the proposed net density of 172.4 units per hectare and recommend it be added as an additional site-specific policy. Appropriate supporting building attributes are being provided to support this additional density such as parking, common amenity area and the building's overall design. This policy will provide clarity considering the Official Plan now contains a standard maximum density policy in the Neighbourhood Commercial designation.

Revisions

Following the Public Meeting on November 12, 2019, and after reviewing comments from Council, City staff and agencies and the public, the applicant made several revisions to their development proposal. Primary changes include eliminating the original proposal for a gas station and associated convenience store, removing a driveway access to Arkell Road, significantly increasing the amount of common amenity area, increasing the number of residential units, and revising the building footprint and massing.

A summary of all measurable changes made since initial submission to the City in August 2019 is summarized in Table 2 below. The shaded final column highlights figures that are associated with the current development proposal referenced in this analysis.

Table 2 – Development Concept Comparison Table

	Original Development Concept (August 2019)	Revised Development Concept (September 2021)	Revised/Current Development Concept (May-August 2022)
Site Area	6,334 m ²	6,382 m ²	6,382 m ²
Number of Residential Units	88	110	110
Net Density	139 units/ha	172 units/ha	172.4 units/ha
Building Height (storeys/measured)	8/28.4 m	8/26.9 m	8/28.18 m
Commercial Gross Floor Area (GFA)	1,019 m ² (785 m ² +234 m ² gas station)	421 m ²	524.8 m ²
Total Building GFA (above grade)	11,400 m ²	12,363 m ²	10,807 m ²
Front Yard (Arkeell Road)	3 m	13.08 m	8.9 m
Rear Yard (south lot line)	13.25 m	32.8 m	32.7 m
Exterior Side Yard (Gordon Street)	3 m	3 m	5 m
Interior Side Yard (east lot line)	12.4 m	8.2 m	10.4 m
Buffer Strip (Between Rear/South Lot Line & Parking)	0.9 m	0.5 m	3.3 m
Building Coverage	38.7%	44%	32%
Common Amenity Area	189 m ²	2,505 m ²	2,204 m ²
Landscape Open Space (%/area)	22.16%/1,403 m ²	33%/2,081 m ²	33%/1,983 m ²
Off-Street Parking (Provided/Required)	212/165	159/156	179/162

Proposed Tree Removals (Existing/Removal)	48/48	48/48	48/48
Floor Space Index (FSI)	1.92	1.95	1.69

Review and Analysis of Proposed Zoning

The subject lands are currently zoned "Urban Reserve" (UR). This land use currently permits agricultural, environmental, and passive recreational uses. The applicant is requesting to change the UR Zone to a specialized "Neighbourhood Commercial" (NC-12(H)) Zone.

A Holding Provision (H) is required and acknowledged by the applicant on the zoning until such time as adequate and available sanitary serving capacity becomes available and is confirmed by the City Engineer. Engineering staff require the Holding Provision to be removed prior to site plan approval.

Staff have reviewed the proposed zoning and requirements associated with the current development proposal and are satisfied that the NC-12(H) (Specialized Neighbourhood Commercial) Zone with a Holding Provision is appropriate for the development. The applicant has confirmed through their most recent development proposal that they are meeting several regulations in the parent NC zone. This includes minimum landscaped open space, providing buffer strips and meeting the minimum parking requirements for the proposed uses.

The recommended NC-12(H) zoning is a combination of the specialized or modified regulations requested by the applicant as well as additional specialized regulations determined by Planning staff. The additional regulations recommended by staff will secure the current site design, including the ultimate built form and urban design vision. This will ensure the final design implements the development concept considered to date. Specifically, the zoning provisions recommended below will allow for a compatible and compact form of infill mixed-use development in the Built-up Area of the City:

Side Yard

- Despite Table 6.2.2, Row 5, the minimum Exterior Side Yard shall be 5 metres.
- Despite Table 6.2.2, Row 6, the minimum Side Yard shall be 10 metres.

Building Height and Angular Plane

- Despite Table 6.2.2, Row 8, the maximum Building Height shall be 8 storeys.
- Building height shall not exceed a 47-degree Angular Plane projected from the Gordon Street centreline right-of-way.

Net Density

- Maximum residential net density shall be 172.4 units per hectare.

Gross Floor Area

- Despite Table 6.2.2, Row 10, the maximum Gross Floor Area shall be 11,000 square metres.

- A minimum 524 square metres of Gross Floor Area shall be exclusively devoted to commercial uses.

Common Amenity Area

- A minimum 2,200 square metres or 20 square metres per dwelling unit of common amenity shall be provided, whichever is less.

Building Length

- No building shall exceed a maximum length of 75 metres.

Surface Parking Length

- No surface off-street parking area shall exceed a maximum length of 33 metres, inclusive of drive-aisles.

Additional Permitted Use

An addition to the permitted uses set out in Section 6.2.1.1 of Zoning By-law (1995)-14864, as amended, the following additional use is proposed:

- Micro-brewery or Brew Pub

The applicant initially requested a 'tavern' be added as an additional permitted use for a small-scale brewery as a component of a restaurant. The estimated size of the micro-brewery component is 5.5 square metres, which would be within a permitted restaurant space. Based on the description provided by the applicant of the tavern, Planning and Zoning staff are of the opinion this proposal resembles more of a micro-brewery or brew pub use in the By-law. Section 3 of the Zoning By-law defines a Micro-brewery or Brew Pub as:

- "A place used for the small scale and independent manufacturing of specialty or craft beer or wine produced for retail sale and consumption off-premises, or on-site consumption when located within a permitted restaurant or tavern."

A tavern is not a permitted use in the parent Neighbourhood Commercial (NC) zone. There are compatibility concerns with permitting a tavern near and within the same building as residential uses as a tavern use permits liquor sales beyond 12:01 am and can include a bar or nightclub. The intent of the applicant to operate a micro-brewery or brew pub as a component of a restaurant does not entirely align with a 'tavern' use defined in the Zoning By-law. Scoping this proposed use will ensure a more compatible mixed-use development that is in close proximity to residential uses.

Staff are satisfied that the proposed specialized regulations are minor and supportable for the proposed development of this site.

The proposed zoning is shown in Attachment 7.

Comments and Questions Received on Applications

The following section provides a staff response to concerns and questions raised by Council and the public that have not already been discussed in this analysis. The main concerns heard at and after the Public Meeting were to remove the gas station component and to significantly increase the amount of common amenity space.

Both of these concerns have been addressed in the current development proposal and are discussed above.

Parkland

Concerns were raised of the distance to existing City parks from the subject lands.

Staff Response: Pine Ridge Park is a neighbourhood park under a 15-minute walk southeast from the subject lands. It contains a play area as well as a baseball diamond. Planning staff acknowledge the need for additional amenity space for residents of this development, which is part why a minimum 2,200 square metres of common amenity area is being required in the NC-12(H) Zoning. Further, Park Planning staff have supported the development applications with the condition that cash-in-lieu of parkland dedication be a condition of site plan approval.