

## **Attachment-9 Staff Review and Planning Analysis**

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement, 2020, came into effect on May 1, 2020. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. Part IV: Vision for Ontario's Land Use Planning System, includes that "Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities."

Most relevant to this application, Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns that support sustainability by promoting strong, liveable, healthy, and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable, and safe communities. This is achieved in part by promoting efficient development and land use patterns which sustain the financial well-being of the Province, and municipalities over the long term (1.1.1 a). Furthermore, promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1 e); and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

Section 1.1.3 (Settlement Areas) further states that "It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures." This section also adds policies specific to supporting active transportation (1.1.3e) and transit-supportive, where transit is planned, exists or may be developed (1.1.f). Section 1.1.3.4 states that "Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."

The proposed Zoning By-law Amendment will facilitate the redevelopment of an existing use that has historically existed on the periphery of a residential neighbourhood. The ancillary retail and car wash will serve the neighbourhood and community. The proposal will not alter the existing development and land use pattern of the neighbourhood and will improve on pedestrian use of the neighbourhood, therefore public health and safety will be maintained. The proposal will bring the redevelopment and the addition of the car wash into conformity with existing planning policies within a stable neighbourhood in the existing settlement area of Guelph. The subject property provides appropriate redevelopment opportunity in a manner that respects the existing neighbourhood character, improves the urban landscape through high quality urban design, and can be supported by existing infrastructure.

The proposed redevelopment on the subject property is consistent with the policies of the PPS. The proposed development represents a compact form of development within the City's settlement area that will allow the efficient use of land, infrastructure and public service facilities where infrastructure and other services are already readily available. The proposed commercial redevelopment will contribute to providing daily services and convenience commercial needs to the surrounding neighbourhood.

Policy 4.7 of the PPS directs that a City's Official Plan is the most important vehicle for implementation of the PPS. A more detailed review on how the proposal is consistent with the above PPS policies, as well as policies in the City's Official Plan will be outlined later in

this analysis. The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement.

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

Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe came into effect on August 28, 2020. This is an amendment to the Growth Plan that came into effect on May 16, 2019.

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. While the PPS as outlined above provides broader policy direction on matters of provincial interest, the Growth Plan provides more focused direction for development within the Greater Golden Horseshoe area. 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.

The policies of the Growth Plan focus on the key themes of building more compact and vibrant communities; directing a significant share of new growth to existing built-up areas of the City; promoting the development of transit-supportive densities and the use of active transportation methods; and creating complete communities through ensuring a healthy mix of residential, employment and recreational land uses.

Section 2.2.1 of the Growth Plan identifies how population growth to the horizon year of 2051 will be accommodated within the 'Delineated Built-up Areas' of the City. The subject property is located within the Delineated Built-up Area. This section contains policies related to intensification, the creation of complete communities and efficient use of infrastructure and public service facilities.

The proposed Zoning By-law Amendment supports the achievement of complete communities by directing development and intensification to lands within the existing delineated built-up area of the City and by providing a use that addresses the daily service and retail needs of residents.

The subject property is within the delineated built-up boundary of the City of Guelph. The existing vehicle gas bar and convenience store are serviced by existing infrastructure and the addition of the car wash will not negatively impact the City's engineering capacities. The proposed redevelopment will maintain convenient access to local stores for daily and weekly goods and services. The proposed redevelopment will improve the existing built form and enhance the streetscape.

The proposal to redevelop the existing property contributes to a complete community, allows for the efficient use of existing infrastructure and allows for expanded use of a commercial property. The proposed Zoning By-law Amendment is consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

### **Official Plan Conformity**

The subject property is designated as "Neighbourhood Commercial Centre" in the Official Plan. Objectives of the Neighbourhood Commercial Centre land use designation are as follows:

- a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.

- b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is *compatible* with the surrounding residential neighbourhood.
- c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.
- d) To be connected to surrounding neighbourhoods through the City's pedestrian trails, walkways and by transit.

The subject property is developed with a vehicle gas bar under a canopy and has an associated convenience store. The proposed redevelopment will maintain both existing uses in addition to the proposed automatic car wash. The proposed redevelopment will continue to provide daily services and convenience commercial needs to the neighbourhood and meets the objectives of the Neighbourhood Commercial Centre land use designation.

Permissible uses within this land use designation include commercial, retail, and service uses, along with small scale offices, and community services and facilities. This designation permits a maximum building height of six (6) storeys. The existing vehicle gas bar, convenience store and the proposed automatic car wash are considered to be service uses and are permitted within the Neighbourhood Commercial Centre land use designation.

The proposed Zoning By-law Amendment conforms to the policies of the Neighbourhood Commercial Centre.

### **Complete Communities and Intensification**

One of the key goals of the Official Plan is planning for a complete 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 jobs, local services, public transportation and a full range of housing types. 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. Vacant and underutilized lots are to be revitalized through redevelopment. The subject site is well suited to contribute to the creation of a complete community. The proposal is intensifying a site and providing convenient access to vehicle servicing, and convenience commercial uses in the built-up area.

### **Urban Design**

The City retained Fotenn Planning + Design to complete the urban design review of the application. The application was evaluated against the City of Guelph's Official Plan and Commercial Built Form Standards. Items to be further reviewed at the site plan stage include: utility infrastructure locations, pedestrian connections, vegetative buffers, architectural treatments and refuse station screening. The applicant provided a response to urban design comments and has confirmed these items will be addressed through site plan approval.

Section 8 of the Official Plan contains detailed Urban Design policies which apply to all development in the City. Key urban design objectives set out in the Official Plan include encouraging diverse opportunities for living, working, learning and playing, and building compact neighbourhoods that efficiently utilize existing infrastructure and encourage active transportation. Additionally, it is an object of the Official Plan to ensure that the built environment respects the character of existing neighbourhoods and achieves compatibility, accessibility and encourages personal security and sustainability. Below is

an evaluation of urban design policies specific to vehicle-oriented uses provided in Section 8.10 of the Official Plan.

Policy 8.10.1 states that where vehicle-oriented uses are permitted, development shall be designed through a combination of site planning, landscaping and built form to:

- i) conform to the applicable policies of this Plan;
- ii) reinforce the street edge;
- iii) contribute to a high quality public realm and streetscape; and
- iv) ensure a clear separation of vehicular and pedestrian traffic to ensure the ease of use and safety of movement for pedestrians.

The proposed redevelopment of the site will move the convenience store building towards the intersection and reinforce the street edge. As part of the redevelopment, new pedestrian walkways and landscaping will connect the public sidewalk to the commercial space and a windowed façade and an entrance oriented towards the intersection will ensure a clear separation of pedestrians from the vehicular traffic in the interior of the site.

Policy 8.10.2 states that drive-through facilities, where permitted, will be regulated by the Zoning By-law. The Zoning By-law may restrict which zoning categories permit drive-through facilities. In addition to policy 8.10.1, drive-throughs, where permitted, shall be designed to:

- i) locate stacking and drive-through lanes in rear or side yards and away from intersections. Stacking and drive-through lanes shall not be located between the building and the fronting street to minimize the impact on pedestrians;
- ii) provide adequate landscaping adjacent to stacking and drive-through lanes where they are adjacent to other properties and parking areas; and
- iii) avoid the location of drive-through lanes adjacent to a use that would be negatively affected by noise, light and activity levels associated with these facilities.

The proposed automatic car wash is a drive-through facility and conforms to policy 8.10.1, as described. The stacking spaces for the automatic car wash are proposed to be located internal to the site, away from adjacent residential uses and the intersection. The stacking spaces will be buffered with landscaping and other site features such as drive aisles and parking. The stacking is proposed in a location on the site to ensure the stationary vehicles will not impact the overall site circulation to maintain a safe environment. The proposed automatic car wash is located internal to the site and away from adjacent residential uses with the use of setbacks and landscaping to mitigate adverse impacts such as noise and light.

8.10.3 Service stations, where permitted, shall be:

- i) limited to one service station per intersection excluding the Community Mixed-use Centres where service stations shall not be permitted at the intersection of arterial roads, collector roads and arterial with collector roads;
- ii) designed to reinforce street edges by locating the principal building at or near the street edge with direct pedestrian access into the building from the street edge;
- iii) designed to ensure that the principal building does not present a blank façade to the street by appropriately incorporating elements such as: clear glazing; openings; and architectural treatment, materials and detailing;

- iv) designed to address building massing, materials and scale as well as issues specific to service station uses including canopies, pumps and islands for gas bars, ancillary building and structures, signage and lighting; and
- v) where a car wash is permitted, designed so that the car wash building will be oriented away from the street edge while still maintain appropriate setbacks, landscaping and allowing for adequate automobile queuing.

The existing vehicle gas bar is permitted in the C.1-17 Zone that applies to the property and the purpose of this Zoning By-law Amendment is to add an automatic car wash as a permitted use. The convenience store is proposed to be designed along the street edge with direct pedestrian access through the construction of new pedestrian walkways, connecting the commercial space to the pedestrian environment and keeping pedestrian traffic away from vehicular traffic and uses.

The entrance to the proposed automatic car wash is in the interior of the property that allows for adequate queuing and will not interfere with the use of the gas pump island or pedestrian traffic accessing the commercial space. The exit of the proposed car wash provides logical wayfinding to the overall driveway function of the site. The convenience store will be oriented to address the intersection. All uses on the site are proposed to be setback from the interior side and rear lot lines with landscaping to distance and buffer uses of the proposed redevelopment from existing residential uses. Landscape plantings and parking will be utilized to establish setbacks between the two uses. A Noise Impact Study has been completed which recommends mitigative design features around the car wash. The existing landscaping buffer which includes mature trees and vegetation will be maintained. Lighting and signage for the site will be reviewed through the site plan application to ensure all site lighting meets City standards. The existing access driveways are proposed to be maintained through the redevelopment.

In addition to the urban design policies of the Official Plan, the City has developed Commercial Built Form Standards (CBFS) to provide clear direction and guidance to landowners when developing commercial sites. Section 7 of the CBFS identifies general built form standards related to vehicle oriented uses and includes further focused direction on service stations, and drive through facilities. These standards build upon urban design policies and will be reviewed in more detail at the site plan approval stage. The standards also provide minimum setbacks for vehicle oriented uses to sensitive land uses, including residential. The proposed redeveloped vehicle gas bar exceeds the minimum standards outlined in 7.4.1, which states:

Minimize impacts of odour and noise by establishing a minimum setback of 15 metres for fuel station pump islands abutting residential, institutional and park uses. In addition to the minimum setback, further mitigation strategies may be required to address these issues.

The fuel station pump islands are located 17 metres from the east property line and 26 metres from the north property line.

The proposed new automatic car wash use exceeds the minimum standards outlined in 7.5.2, which states:

A minimum setback of 15 metres is required between Drive Through Facilities and residential, institutional, and park uses, to minimize impacts of noise, light and activity levels. In addition to the minimum setback, further mitigation strategies may be required to address these issues.

The automatic car wash building is located 41 metres from the east property line and 19 metres from the north property line.

The proposed Zoning By-law Amendment conforms to the urban design policies of the Official Plan.

### **Review of Proposed Zoning**

Staff are recommending a "Specialized Neighbourhood Shopping Centre" (NC-?) Zone on the subject property rather than the "Specialized Convenience Commercial" (C.1-?) Zone that has been requested by the applicant. The "Specialized Neighbourhood Shopping Centre Zone" (NC-?) Zone is more appropriate and more accurately reflects the existing vehicle gas bar, convenience store and proposed automatic car wash uses. The "Specialized Neighbourhood Shopping Centre" (NC-?) Zone also more appropriately implements the "Neighbourhood Commercial Centre" land use designation of the Official Plan. The standard "Neighbourhood Shopping Centre" (NC) Zone also contains regulations pertaining to vehicle gas bars and automatic car washes, whereas the "Convenience Commercial" (C.1) Zone does not have any regulations for these uses.

Through the Comprehensive Zoning By-law Review, the subject property is proposed to be zoned "Neighbourhood Commercial Centre with Holding Provisions" (NCC(H13)). The proposed NCC Zone would permit a wide range of commercial uses including a vehicle service station and convenience store.

The additional uses to be included and prohibited in the amending By-law include:

#### Permitted Uses:

- Convenience Store
- Car wash, Automatic in accordance with regulations of 6.2.2.3

#### Prohibited Uses:

- Dwelling Units

Staff are supportive of the request to add an automatic car wash use. A car wash use is complementary to the existing vehicle gas bar uses and represents a more efficient use of the site as additional services are being provided. Additionally, elevation drawings are provided in Attachment-8 to demonstrate that the entrance and exit of the proposed automatic car wash can be appropriately accommodated. The automatic car wash use will have one (1) vehicle bay and therefore, have a building footprint that is suitable for the developable area and will be designed to function cohesively with the overall vehicle gas bar.

Staff have also included a convenience store as an additional permitted use in the recommended amending By-law as this use is not currently permitted in the Neighbourhood Shopping Centre (NC) Zone of Zoning By-law (1995)-14864, however, there is an existing convenience store operating on the subject property and the use is permitted in the standard "Convenience Commercial" (C.1) Zone that the applicant has requested. The future NCC Zone will include a convenience store as a permitted use.

Staff are recommending that dwelling units be prohibited as dwelling units were not reviewed as part of this site-specific Zoning By-law Amendment application.

Site-specific zoning regulations to be included in the amending By-law include:

#### Enclosed Operations

Section 6.2.2.3.4 shall apply to a Car wash, Automatic Use in the "Specialized Neighbourhood Shopping Center" (NC-?) Zone.

Staff are including this site-specific regulation as the current regulation only applies to car washes in the CC and RC Zones. This regulation ensures that all the operations of a car wash are conducted within a closed building.

#### Waiting Spaces Per Bay

Despite Section 4.13.4.2, a minimum of eight (8) stacking/waiting spaces for the single-bay Car wash, Automatic Use are required.

Staff are supportive of this request. The reduced minimum required stacking spaces are still sufficient in meeting the demand of the single-bay car wash and is appropriate for the site. The request does not impede safe and efficient traffic circulation on the site. The City of Guelph Zoning By-law (1995) – 14846, section 4.13.4.2 sets a minimum required number of waiting spaces per bay for an automatic car wash of 15 stacking spaces per bay. As part of the on-going Comprehensive Zoning By-law Review, the City retained IBI Group to prepare the “Guelph Parking Standards Review: Phase 2 Discussion Paper” dated September 11, 2019. The report recommends 10 stacking spaces for an automatic car wash, which is less than the 15 currently required. Industry operators observe that patrons using the car wash facility will only wait a maximum of 20-25 minutes to use the car wash facility and it takes approximately 3 minutes per wash cycle depending on the level of service requested, therefore 8 vehicle waiting spaces are adequate to service the automatic car wash.

The proposed 8-stacking (i.e. queuing) spaces are aligned with the intent to reduce the amount of stacking spaces on-site to accommodate an automatic car wash while providing a safe site design to ensure a continuous circulation for non-stationary vehicles. The eight (8) stacking spaces will meet the demands of the single-bay car wash.

#### Loading Space Requirements

Despite Section 4.14, a loading space is not required.

The applicant is requesting that a loading space not be required.

Staff are supportive of this request as the owner and operator of the convenience store and gas bar has advised that most deliveries are by way of a small cube van that can park in a typical parking space.

### **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 development includes sustainable design features.

The Owner/Developer has indicated that they will be including a number of energy efficiency measures within the proposed development consistent with the City’s Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the Owner/Developer will contribute to the City meeting its goal to become a net zero community by 2050. The Owner/Developer has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment-11.

Staff are recommending a condition to be implemented through site plan approval that the Owner/Developer shall provide a commitment to incorporate features into the development that will contribute to meeting the action items from the CEI (see condition in Attachment-3).

### **Municipal Services and Infrastructure**

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and

transportation networks. Engineering staff have reviewed the development proposal and supporting studies and have confirmed that the development can be supported by full municipal services and that sufficient capacity is available. The property owner will be responsible for all costs associated with connecting, decommissioning existing and upgrading municipal services, where necessary. Comments from Engineering are included in Attachment-11.

## **Noise**

The applicant submitted a Feasibility Noise Study as part of a complete application. The Feasibility Noise Study investigated the potential impact of noise from the proposed development on nearby noise-sensitive receptors and provided mitigation requirements. The major noise sources associated with the proposed development are the car wash, vacuums, air compressor, rooftop HVAC/R units and exhaust fans and vehicles waiting in the stacking lane.

The Ministry of the Environment, Conservation and Parks (MECP) guidelines presented in their document "Environmental Noise Guideline Stationary and Transportation Sources – Approval and Planning Publication NPC-300" were used for this report. NPC-300 requires stationary sources to be analyzed by considering the worst-case predictable hour. Continuous and impulsive noise sources are both required to be addressed as well as vibration (if sources creating substantial vibration such as punch-presses are present). The MECP guidelines require specific sound level limits to be met. Inaudibility is not required. Where the sound level limits are exceeded, warning clauses and mitigation are required.

The City of Guelph governs noise through By-law (2000)-16366. It qualitatively governs emission of sound by time and place. The Noise By-law provides limitations on the time of day that certain activities are allowed (including car washes, waste collection and construction activities). The City requires compliance with the principles and policies of NPC-300. The Guelph Noise Control Guidelines (GNCG) provide details on materials and specifications of typical property-line sound barriers as well as guidance on how they would like stationary noise sources evaluated and mitigation specified.

The carwash modelled contains a factory acoustical mitigation package. Based on the analysis of the proposed operations, sound barriers are required at several locations to comply with the sound level limits, including car wash and vacuum acoustic barriers. The car wash acoustic barriers proposed are located within the subject property and form part of the building architecture. Final material selection and costs can be determined as part of a Detailed Noise Study.

Car wash hours of operation must comply with the City of Guelph Noise By-law (currently 07:00 to 21:00 weekdays and 09:00 to 21:00 on weekends). With the incorporation of the proposed mitigation, the noise from the proposed stationary sources is predicted to comply with the applicable sound level limits at all noise-sensitive receptors.

Engineering staff have reviewed the study and deemed it acceptable for the Zoning By-law Amendment application. A Detailed Noise Study will be required prior to final site plan approval.

## **Transportation**

A Traffic Impact Study was not required for this application. There are no changes proposed to the existing accesses. Traffic staff have indicated they have no concerns with the proposed application. Truck turning movements will be reviewed prior to site plan approval.

Comments from Transportation Services are included in Attachment-11.

## **Parking**

A total of 19 parking spaces are required for the proposed development, calculated as follows:

Car wash – 5 parking spaces

Convenience Store – 12 (1 per 16.5 square metres of GFA (198/16.5))

Vehicle Gas Bar - 2

The applicant is proposing 19 parking spaces, including 2 accessible parking spaces, which meets the minimum requirements of the Zoning By-law.

## **Parkland Dedication**

Park and Trail Development recommends payment in lieu of conveyance of parkland for the proposed development.

Payment in lieu of parkland will be required for this development in accordance with City of Guelph Official Plan Policy 7.3.5.6 and the City of Guelph Parkland Dedication By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof.

Section 17(a) of By-law (2019)-20366 states that where Land in the City will be developed or redeveloped for commercial or industrial purposes, the payment required in lieu of the conveyance of a portion of the Land for Parkland shall be two percent (2%) of the market value of the land.

Comments from Parks Planning are included in Attachment-11.

## **Comments Received on the Applications**

Questions and issues raised by Council and members of the public in response to the application that were not discussed in detail earlier in this analysis are summarized and responded to below.

## **Electric Vehicle Charging**

A question was asked if there will be electric vehicle charging stations. There are four (4) electric vehicle charging stations proposed as part of the redevelopment.

## **Proximity to Other Car Washes**

A concern was raised regarding the proximity to other car washes and whether one was needed. Land use planning can not restrict a use because of competition with similar or the same uses. The landowner has determined that the proposed use is financially feasible, and staff have reviewed the request and have concluded that the car wash use is in conformity with Provincial and Official Plan policies.