

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, April 18, 2023
Subject	<b>Sustainable Development Checklist</b>

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## Recommendation

1. That the Sustainable Development Checklist included as Attachment 1 to this report be approved.
  2. That the Sustainable Development Checklist be applied by staff through the Site Plan Approval process as required.
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## Executive Summary

### Purpose of Report

The purpose of this report is to provide Council with the recommended sustainable development checklist (Attachment-1) for new Site Plan Approval applications received by the City of Guelph as of May 1, 2023.

Staff recommendations in this report are in response to Bill 23 (More Homes Built Faster Act, 2022) and Ministry of Municipal Affairs Letter dated February 28, 2023 (Attachment-2). The sustainable development checklist will ensure that the City of Guelph can maintain its existing requirements related to sustainable development at Site Plan Approval.

### Key Findings

The purpose of the sustainable development checklist is to formalize site plan requirements that applications proceeding through the Site Plan Approval process must adhere to related to sustainability. The Province of Ontario has made numerous changes to the Site Plan Approval process to generally remove municipal regulation of exterior design except for items related to matters of health, safety, accessibility, sustainable design or the protection of adjoining lands. Establishing a checklist creates clarity regarding the City's existing sustainable development expectations for the development community through the site plan process.

The sustainable development checklist is an implementation tool for the urban design, sustainable development, and urban forest policies of the Official Plan. The performance measures in the sustainable development checklist are consistent with current site plan requirements related to sustainable development prior to Bill 23 coming into force and effect. Applicants will be required to conform, where applicable, to the sustainable development checklist as they move through the Site Plan Approval process.

Once approved by Council, the sustainable development checklist will be in effect as of May 1, 2023 and will be applied to new site plan approval development applications.

The sustainable development checklist works in tandem with the new Comprehensive Zoning By-law by supporting key objectives related to sustainability, especially regarding tree planting, walkability, etc., which given their nature, are less suited for regulation through the Comprehensive Zoning By-law. The checklist is supported by the directions of the Strategic Plan (i.e. creating a Sustainable City Master Plan), the Official Plan and the Natural Heritage Action Plan (NHAP). The checklist is an initial step in creating a more comprehensive and fulsome checklist to be developed as part of the Sustainable City Master Plan (expected timing: 2023-2025). Comprehensive community engagement will be undertaken through the master plan.

### **Strategic Plan Alignment**

This report supports the priority area of Sustaining our Future, specifically planning and designing an increasingly sustainable city as Guelph grows. It is also tied to the goal of increasing Guelph's tree canopy and protecting the green infrastructure provided by woodlands, wetlands, watercourses and other elements of Guelph's natural heritage system. The development of a sustainable development checklist supports the future Sustainable City Master Plan which is an action item under the Strategic Plan. This checklist is an interim first step establishing a baseline for upcoming work.

### **Financial Implications**

The preparation of the documents was completed within the approved operating and capital budget.

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## **Report**

### **Background**

Bill 23 was introduced by the Provincial Government on October 25, 2022 with the intended goal to build 1.5 million homes over the next 10 years as part of Ontario's Housing Supply Action Plan 2022-2023. Bill 23 received royal assent on November 28, 2022.

Bill 23 has removed the ability for municipalities to regulate matters of exterior design through the site plan process unless related to matters of health, safety, accessibility, sustainable design, or the protection of adjoining lands. Further, a letter from the Ministry of Municipal Affairs and Housing, dated February 28, 2023, confirmed their ongoing support for green-friendly development (including green infrastructure, biodiversity, tree planting) and that those measures will be implemented through site plan control. Establishing a checklist creates transparency regarding the City's existing sustainable development expectations for the development community through the site plan process.

This checklist supports the implementation of the City of Guelph's Official Plan policies related to sustainable development. For example, policy 8.1.1 of the Official Plan states, "the design of site and building development will support energy efficiency and water conservation through the use of alternative energy systems or renewable energy systems, building orientation, sustainable building design, low

impact stormwater infiltration systems, drought-resistant landscaping and similar measures.”

Sustainable development checklists are tools and metrics to guide development that integrates sustainable site design. Sustainable design promotes ecosystem resilience and plays a critical role in the recognition of the Natural Heritage System as an infrastructure asset. These design principles increase community resiliency and support efforts to both mitigate and adapt to the effects of climate change. They also provide a standardized set of measures that outline what sustainable design means in the context of s. 41 of the Planning Act (s.41(4.1.1)).

The City of Guelph has already acknowledged the need to develop a sustainable development checklist. The City of Guelph’s Natural Heritage Action Plan (NHAP), which was approved by Council in 2018, has numerous action items to support the implementation of Official Plan policies for the natural heritage system and watershed planning. Action Item #29 specifically states that, “green development standards will be prepared to assist in evaluating the environmental sustainability of development proposals and capital projects through the application of sustainability metrics.” This sustainable development checklist is an initial step in fulfilling this action with the anticipation that a more comprehensive and fulsome checklist will be developed as part of the upcoming Sustainable City Master Plan in 2023-2025. Comprehensive community engagement will be undertaken through the next phase of the project.

The City of Guelph’s Urban Design Action Plan, as part of the Urban Design Manual, also acknowledges the opportunity to implement green development standard to enhance the Natural Heritage System and Urban Forest.

Creating this checklist will help developers understand the minimum expectations for sustainable design related to site plans. It will also ensure that site plans support key objectives related to sustainability especially regarding tree planting, walkability, etc. which are less suited to regulation through the Zoning By-law.

There are several municipalities with similar Standards or Sustainable Development Programs. This includes, but is not limited to, the Town of Whitby, the Town of Halton Hills, the City of Richmond Hill, the City of Markham, the City of Brampton, the City of Vaughan, and the City of Toronto.

## **Policy Direction**

### **Planning Act**

Section 2(g) of the Planning Act identifies the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians as a matter of provincial interest that councils shall have regard to.

Section 41 of the Planning Act provides powers for site plan control. The Province of Ontario has made changes to the site plan approval process to narrow its scope and generally remove the regulation of exterior design from the site plan approval process with some exceptions. Those exceptions include commenting on exterior elements related to matters of sustainable design (as well as health, safety, accessibility, or the protection of adjoining lands). The creation of a checklist will provide clarity on the type of sustainable development elements the City will expect through the site plan process.

## **City of Guelph Official Plan**

The Planning Act enables municipalities to use their Official Plan as a tool for providing policy direction on land-use planning issues. The City of Guelph's Official Plan requires that the design of site and building development will support energy efficiency and water conservation, building orientation, sustainable building design, low impact stormwater infiltration systems, drought-resistant landscaping and similar measures (OP Policy 8.1.1).

The City of Guelph's Official Plan has also recognized that the urban forest provides various benefits and services to the city and that, "new development may provide opportunities for enhancement and restoration of portions of these features" (OP Policy 4.1.6).

Finally, the City of Guelph's Official Plan has identified that sustainable design guidelines may be developed: "The City may establish sustainable design, aesthetic and functional design guidelines to assist in the preparation of site plans and the design of buildings" (OP Policy 10.11.7).

## **City of Guelph Comprehensive Zoning By-law**

The City of Guelph's Draft Comprehensive Zoning By-law introduces several regulations that will assist in planning and designing an increasingly sustainable city. This includes appropriately zoning the City of Guelph's Natural Heritage System, ensuring landscaped open space is maintained on properties and requiring electric vehicle and bicycle parking spaces.

The sustainable development checklist will work in tandem with the proposed Comprehensive Zoning By-law by supporting key objectives related to sustainability, especially regarding tree planting, walkability, etc., which given their nature, are less suited for regulation through the Comprehensive Zoning By-law.

## **Applying the Checklist**

The City of Guelph's sustainable development checklist is designed to integrate into the site plan approval process. At the mandatory site plan pre-consultation stage, City staff will confirm if completion of this checklist is required based on the scope of the proposal. The sustainable development checklist will come into effect at the pre-consultation stage as of May 1<sup>st</sup>, 2023.

Applicants will be required to prepare and submit the sustainable development checklist at the formal site plan submission stage of the site plan approval process. If revisions or modifications to plans, drawings, reports, and other required materials are made in the Site Plan Approval process, applicants will amend and resubmit the sustainable development checklist to indicate if any changes have been made.

Staff will monitor and report on how well site plans are conforming to the performance measures, which performance measures are effective in increasing sustainable design, and which performance measures could be improved. The results of this monitoring work will inform a review of the sustainable development checklist through the Sustainable City Master Plan.

## **Checklist Structure**

The sustainable development checklist contains a total of sixteen performance measures that are divided into the following five sustainable development categories:

- Air Quality;
- Building Energy, Emissions and Resilience;
- Water Quality and Quantity;
- Ecology and Biodiversity;
- Waste and the Circular Economy.

These sustainable development categories and the performance measures under each of these categories were selected based on existing site plan technical requirements. No new technical requirements have been added as part of this Checklist. These performance measures were reviewed by staff from Planning & Building Services, Parks, Engineering & Transportation Services, Economic Development & Tourism, Facilities & Energy Management and Environmental Services for completeness and accuracy.

This structure and the categories are similar to the City of Toronto Green Standard which is the leading standard of its kind in the Province of Ontario. However, it is important to note that these categories are placeholders, especially the Building Energy, Emissions and Resilience category which does not currently contain any performance measures. As future work is completed through a more comprehensive sustainable development checklist through the Sustainable City Master Plan, staff expect that the checklist will expand to include these categories and identify other technical requirements including optional items.

Applicants will indicate the specific plan or drawing number that demonstrates achievement of the performance measure. If the performance measure is demonstrated within a report, applicants will be required to provide the specific drawing. Applicants can also use the Additional Considerations section of the sustainable development checklist to provide supplementary information or commentary on how the performance has been achieved.

## **Next Steps**

Following implementation of the sustainable development checklist, staff will be moving forward with preparing the Sustainable City Master Plan. The Sustainable City Master Plan is scheduled to be completed in 2023-2025.

The Sustainable City Master Plan, will, among other policy directions, incorporate action items from the NHAP and the Urban Design Action Plan to create a more fulsome sustainable development standard. Developing this standard will include opportunities for community engagement, consultation with the development industry, and further discussions and potential revisions to current technical requirements and placeholders in the sustainable development checklist (e.g. the Building Energy, Emissions and Resilience performance category).

## **Financial Implications**

The preparation of the documents was completed within the approved operating and capital budget.

## **Consultations**

As these performance measures generally represent the City's existing technical site plan requirements, the interim nature of this checklist, and the unforeseen expedited introduction of Bill 23, public consultation was not completed as part of this step in the development of the checklist. Site Plan applicants will be informed of these changes prior to May 1, 2023. Comprehensive community engagement will be undertaken through the upcoming Sustainable City Master Plan.

## **Attachments**

Attachment-1 Proposed Sustainable Development Checklist

Attachment-2 Letter from the Ministry of Municipal Affairs and Housing Re: Municipalities with an Interest in Green Standards

Attachment-3 Staff Presentation for Sustainable Development Checklist

## **Departmental Approval**

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