

Staff Report



| | |
|--------------|---------------------------------------------------------------------------------------------------------------------------------|
| To | City Council |
| Service Area | Infrastructure, Development and Enterprise Services |
| Date | Monday, November 6, 2023 |
| Subject | Decision Report 855 and 927 Victoria Road South Proposed Zoning By-law Amendment File: OZS18-007 Ward: 5 |

Recommendation

1. That the application from GSP Group Inc. on behalf of the owners, 2506780 Ontario Inc. and Gamma Developers Ltd. for a Zoning By-law Amendment to change the zoning from the current "Agricultural" (A) Zone in the Township of Puslinch Zoning By-law 19/85 to a "Specialized Residential Cluster Townhouse" (R.3A-?) Zone, a "Specialized High Density Apartment" (R.4B-?) Zone and the "Conservation Land" (P.1) Zone in the City of Guelph 1995 Comprehensive Zoning By-law (1995)-14864, as amended, and change the zoning from the current "Medium Density Residential 6 with Holding Provisions" (RM.6(H12)) Zone, "High Density Residential 7 with Holding Provisions" (RH.7(H12)) Zone and the "Natural Heritage System" (NHS) Zone in the 2023 Comprehensive Zoning By-law (2023)-20790, as amended to a "Site-specific Medium Density Residential 6" (RM.6-?) Zone, a "Site-specific High Density Residential 7" (RH.7-?) Zone and the "Natural Heritage System" (NHS) Zone in the 2023 Comprehensive Zoning By-law (2023)-20790, as amended to permit the development of 486 residential development units comprised of 183 townhouses and two (2), ten-storey apartment buildings with 303 units on the lands municipally known as 855 and 927 Victoria Road South and legally described as Part of Lot 2, Concession 8, Township of Puslinch, Part 7 of 61R-9761, City of Guelph (855 Victoria Road South) and Part of Lot 3, Concession 8, Rear, Township of Puslinch, Part 2 of 61R-10792, City of Guelph (927 Victoria Road South) be approved in accordance with Attachment-3 of the Infrastructure, Development and Enterprise Report 2023-414, dated November 6, 2023.
 2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 855 and 927 Victoria Road South.
-

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment application to permit the development of 486 residential dwelling units comprised of 75 stacked townhouses and 24 cluster townhouses on the northern parcel and 84 stacked back-to-back townhouses and two, ten-storey apartment buildings with 303 apartment units on the southern parcel.

Key Findings

Planning staff support the proposed amendment subject to the recommended zoning regulations and conditions in Attachment-3.

Strategic Plan Alignment

The recommended Zoning By-law Amendment aligns with the priority of 'Sustaining our Future'. The proposed development application is in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposal is in conformity with the City's Official Plan can be found in the Staff Review and Planning Analysis in Attachment-12. The application also aligns with the approved 2024-2027 Strategic Plan by improving our housing supply.

Financial Implications

Estimated Development Charges: \$3,118,308 for the northern parcel and \$10,256,436 for the southern parcel.

Estimated Community Benefit Charge: not applicable for the northern parcel as the proposed development is under 5-storeys and \$510,400 for the southern parcel.

Estimated Annual Property Taxes: \$1,000,000 to \$1,300,000

Report

Background

An application to amend the Zoning By-law was received for the lands municipally known as 855 and 927 Victoria Road South by GSP Group on behalf of the owners, 2506780 Ontario Inc. and Gamma Developers Ltd. The original Zoning By-law Amendment application was received by the City on October 23, 2018, and deemed complete on November 15, 2018. The Statutory Public Meeting for the proposed Zoning By-law Amendment application was held on February 11, 2019.

The applicant has made subsequent revisions to their original application to address public comments and technical comments from the City and agencies. Further details on the revisions are outlined later in this report.

Location

The subject lands are comprised of two separate parcels of land located at the north-west corner of Victoria Road South and MacAlister Boulevard (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The northern parcel is municipally known as 855 Victoria Road South and is approximately 2.25 hectares in size and has approximately 204 metres of frontage along Victoria Road

South. The southern parcel is municipally known as 927 Victoria Road South and is approximately 2.58 hectares in size and has approximately 170 metres of frontage along Victoria Road South and approximately 166 metres of frontage along MacAlister Boulevard.

Surrounding land uses include:

- To the north: lands zoned "Conservation Land" (P.1), which forms part of the broader natural heritage system surrounding the west and north of the site, beyond which are lands zoned for single detached residential uses;
- To the south: MacAlister Boulevard, beyond which are lands zoned for neighbourhood commercial uses and lands zoned and developed with residential cluster townhouses;
- To the east: Victoria Road South, beyond which are agricultural lands within the Township of Puslinch; and,
- To the west: lands zoned as "Conservation Land" (P.1) and "Wetland" (WL) that forms part of the broader Torrance Creek natural area surrounding the west and north portions of the subject lands.

Official Plan Land Use Designations and Policies

The subject lands are designated as "Significant Natural Areas and Natural Areas", "Medium Density Residential" and "High Density Residential" in the Official Plan.

The northern portion of 855 Victoria Road South is designated "Significant Natural Areas and Natural Areas". The applicant is proposing a stormwater management pond approximately 0.55 hectares in size on this portion of the lands. The applicant has prepared an Environmental Impact Study (EIS) to address development adjacent to the natural heritage system and to recommend appropriate setbacks (buffers) to demonstrate no negative impacts to the protected natural heritage features and areas or their associated ecological functions.

The remainder of 855 Victoria Road South is designated "Medium Density Residential" in the Official Plan. Permissible uses within the "Medium Density Residential" land use designation include multiple unit residential buildings, such as townhouses and apartments. The minimum height within this designation is two (2) storeys and the maximum height is six (6) storeys. This designation allows for a maximum net density of 100 units per hectare and requires a minimum net density of 35 units per hectare.

927 Victoria Road South is designated "High Density Residential" in the Official Plan. Permissible uses within the "High Density Residential" land use designation include multiple unit residential buildings generally in the form of apartments. The minimum height within this designation is three (3) storeys and the maximum height is ten (10) storeys. This designation allows for a maximum net density of 150 units per hectare and requires a minimum net density of 100 units per hectare.

The relevant policies for the applicable land use designations are included in Attachment-4.

Existing Zoning, Zoning By-law (1995)-4864

The subject lands were annexed from the Township of Puslinch in 1993 and accordingly are zoned "Agricultural" (A), according to the Township of Puslinch Zoning By-law 19/85. The City of Guelph Official Plan provides that annexed lands are subject to applicable Township Zoning By-laws that were in effect on April 1,

1993. These By-laws will remain in effect until they are replaced with new Zoning By-laws and regulations in conformity with the City of Guelph Official Plan. The proposed Zoning By-law Amendment would have the effect of repealing the Township of Puslinch Zoning By-law as it applies to the subject lands and will replace it with a new "Specialized Residential Cluster Townhouse" (R.3A-?) Zone, a new "Specialized High Density Apartment" (R.4B-?) Zone and the "Conservation Land" (P.1) Zone of the City of Guelph's Zoning By-law (1995)-14864.

The existing zoning in Zoning By-law (1995)-14864 is shown in Attachment-5.

Existing Zoning, Zoning By-law (2023)-20790

The subject lands are zoned "Medium Density Residential 6 with Holding Provisions" (RM.6(H12)), "High Density Residential 7 with Holding Provisions" (RH.7(H12)) and "Natural Heritage System" (NHS) in the 2023 Comprehensive Zoning By-law (2023)-20790, as amended. This Comprehensive Zoning By-law was approved by Council on April 18, 2023 to replace the 1995 Zoning By-law but is not currently in force and effect as it is under appeal in its entirety to the Ontario Land Tribunal (OLT).

The existing zoning in Zoning By-law (2023)-20790 is shown in Attachment-6.

Proposed Zoning By-law Amendment

The purpose of the Zoning By-law Amendment to Zoning By-law (1995)-14864, as amended is to change the zoning from the "Agricultural" (A) Zone in the Township of Puslinch Zoning By-law 19/85 to a new "Specialized Residential Cluster Townhouse" (R.3A-71) Zone, a new "Specialized High Density Apartment" (R.4B-30) Zone and the "Conservation Land" (P.1) Zone of the City of Guelph's Zoning By-law (1995)-14864, as amended.

The purpose of the Zoning By-law Amendment to Zoning By-law (2023)-20790, as amended is to change the zoning from the current "Medium Density Residential 6 with Holding Provisions" (RM.6(H12)) Zone, "High Density Residential 7 with Holding Provisions" (RH.7(H12)) Zone and the "Natural Heritage System" (NHS) Zone to a "Site-specific Medium Density Residential 6" (RM.6-24) Zone, a "Site-specific High Density Residential 7" (RH.7-20) Zone and the "Natural Heritage System" (NHS) Zone in the 2023 Comprehensive Zoning By-law (2023)-20790, as amended.

The proposed zoning and specialized regulations to both Zoning By-laws are included in Attachment-3.

A review of the proposed zoning and specialized regulations to both Zoning By-laws is included in the Staff Review and Planning Analysis in Attachment-12.

Original Proposal

The applicant provided two conceptual site plans with the original submission. Both options proposed different levels of intensity for the site's development. Both options had the same general layout in terms of boundaries, access and circulation, but with variations in the residential form, intensity and configuration of the southern parcel.

Option A included 367 dwelling units comprised of 156 stacked townhouse units and 211 apartment units and 502 parking spaces in total (including driveway and

garage parking for the stacked townhouses, surface parking spaces and underground parking spaces for the apartment units).

Option B included 400 dwelling units comprised of 108 stacked townhouse units and 292 apartment units and 544 parking spaces in total (including driveway and garage parking for the stacked townhouses, surface parking spaces and underground parking spaces for the apartment units).

The original conceptual site plans are included in Attachment-9.

Second Submission

The revised/second submission maintained the original intent for a medium/high density residential development in conformity with the "Medium Density Residential" and "High Density Residential" land use designations of the Official Plan.

The second submission proposed a total of 497 dwelling units in the form of townhouses and apartments. The second submission included: 110 stacked townhouse units on the northern parcel and 70 back-to-back townhouse units and 317 apartment units on the southern parcel in the form of two apartment buildings along the Victoria Street South frontage near the intersection with MacAlister Boulevard. A total of 572 surface and structured parking spaces were proposed in the second submission.

Third Submission

The third submission included a combination of townhouse and apartment dwellings with a total of 489 dwelling units. 102 townhouse units (78 stacked townhouses and 24 cluster townhouses) were proposed on the northern parcel and 303 apartment units and 84 stacked townhouses were proposed on the southern parcel.

Current Development Proposal (Fourth Submission)

The applicant is proposing to develop the lands with a mix of apartment and townhouse units on the lands totaling 486 residential units. The northern parcel will be comprised of 24 cluster townhouse units and 75 stacked back-to-back townhouse units. Each cluster townhouse unit has an attached garage and driveway and there are 97 surface parking spaces for stacked townhouse units plus visitors. A total of 121 legal parking spaces are provided plus driveway spaces for the cluster townhouse units. The southern parcel will be comprised of two, ten-storey buildings containing 303 apartment units and 84 stacked back-to-back townhouse units. The apartment buildings contain above-grade parking and townhouse dwelling units contained within a 3-storey podium. 292 parking spaces are provided within the parking garage and 114 surface parking spaces are provided on the southern parcel.

The proposed development includes an internal network of north-south and east-west roads that connect onto Victoria Road South and MacAlister Boulevard. The proposed Victoria Road access is a full-movement signalized access and the connection to MacAlister Boulevard is aligned with the existing median break and proposed connection to the future commercial property on the south side.

The current conceptual site plan is included in Attachment-10 and the proposed building renderings and elevations are included in Attachment-11.

Financial Implications

Estimated Development Charges: \$3,118,308 for the northern parcel and \$10,256,436 for the southern parcel.

Estimated Community Benefit Charge: not applicable for the northern parcel as the proposed development is under 5-storeys and \$510,400 for the southern parcel.

Estimated Annual Property Taxes: \$1,000,000 to \$1,300,000

These figures are approximations only, based on the Development Charge and Community Benefit Charge rates currently in effect. Actual numbers may vary depending on the final number of bedrooms per apartment as well as the assessed property value.

Staff Review and Planning Analysis

The staff review and planning analysis for this application is provided in Attachment-12. The analysis addresses relevant planning considerations, including land use planning issues raised by the public and Council at the statutory public meeting. Final comments on the revised proposal from agencies and internal City departments are included in Attachment-14. The staff review and planning analysis addresses the following:

- Evaluation of the proposal against the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the Official Plan;
- Review of urban design and the overall site layout;
- Review of the proposal's land use compatibility with adjacent and established land uses;
- Review of traffic impacts and the supply of off-street parking;
- Review of servicing,
- Review of the proposed zoning, including any specialized regulations;
- Consideration of the applicable sections of the Community Energy Initiative (CEI) update;
- Review of supporting documents submitted in support of the application; and,
- Review of land use planning comments and issues raised at the public meeting and all comments received from circulated agencies and members of the public.

Staff Recommendation

Planning staff are satisfied that the proposed Zoning By-law Amendment is consistent with the 2020 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed Zoning By-law Amendment conforms to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Zoning By-law Amendment subject to the specialized zoning regulations and proposed conditions to be imposed through site plan approval as outlined in Attachment-4.

The applicant made minor modifications to the proposed development in response to City department comments, which resulted in a reduction of units and slightly revised layout. An analysis of the revised layout and specialized zoning regulations are discussed further in the Staff Review and Planning Analysis in Attachment-12. These changes are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Consultations

A Notice of Complete Application for the Zoning By-law Amendment was mailed on November 28, 2018 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was mailed on January 17, 2019 to local boards and agencies, City service areas, property owners within 120 metres of the subject lands and any other interested parties who requested notification. The Notice of Public Meeting was also advertised in the Guelph Tribune on January 17, 2019. Notice of the application has also been provided by signage on the subject lands and all supporting documents submitted with the application have been posted on the City's website.

A Notice of Revised Submission was mailed/emailed on February 11, 2022 to prescribed agencies, City departments, surrounding property owners within 120 metres of the subject lands and interested parties who spoke at the public meeting, provided comments on the application or requested to receive further notification on any revisions or decisions on the application.

A Notice of Revised Submission (third submission) was mailed/emailed to interested parties who spoke at the public meeting, provided comments on the application or requested to receive further notification on any revisions or decisions on the application.

The Notice of Decision Meeting was mailed/emailed on October 20, 2023 to interested parties who either spoke at the public meeting, provided comments on the application, or requested to receive further notice. The public notification summary is included in Attachment-15.

Attachments

Attachment-1 Location Map

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning, Regulations and Conditions

Attachment-4 Official Plan Land Use Designations and Policies

Attachment-5 Existing Zoning, Zoning By-law (1995)-14864

Attachment-6 Existing Zoning, Zoning By-law (2023)-20790

Attachment-7 Proposed Zoning, Zoning By-law (1995)-14864

Attachment-8 Proposed Zoning, Zoning By-law (2023)-20790

Attachment-9 Original Conceptual Site Plan

Attachment-10 Current Conceptual Site Plan

Attachment-11 Current Renderings and Elevations

Attachment-12 Staff Review and Planning Analysis

Attachment-13 Community Energy Initiative Commitment

Attachment-14 Departmental and Agency Comments

Attachment-15 Public Notification Summary

Departmental Approval

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

Report Author

Lindsay Sulatycki, MCIP, RPP, Senior Development Planner

This report was approved by:

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2395

krista.walkey@guelph.ca

This report was recommended by:

Jayne Holmes, P. Eng., PMP

Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2248

jayne.holmes@guelph.ca