

Attachment-10 Staff Review and Planning Analysis

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. All planning decisions shall be consistent with the PPS.

Part IV of the PPS provides a vision for Ontario's land use planning system which directs growth and development to settlement areas and promotes "efficient development patterns (that) optimize the use of land, resources and public investment in infrastructure and public service facilities" and encourages a range and mix of housing options be provided to respond to current and future needs.

Section 1.0 of the PPS - Building Strong Healthy Communities, contains policies that speak to the "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 speaks to creating and sustaining healthy, livable and safe communities by promoting efficient development and land use patterns [1.1.1 a)], accommodating an appropriate range and mix of residential types to meet long term needs [1.1.1 b)], promoting transit-supportive development [1.1.1 e)] and ensuring necessary infrastructure and public service facilities are available [1.1.1 g)].

Policy 1.1.3 of the PPS requires settlement areas be the focus of growth and development [1.1.3.1] and that "land and resources (be used) 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." It requires that land use patterns within settlement areas use land and resources efficiently, are appropriate for and efficiently use, the infrastructure and public service facilities which are planned or available and support active transportation and are transit-supportive [1.1.3.2 a), b), e), f)]. Appropriate locations are to be identified to accommodate a significant supply and range of housing options through intensification and redevelopment that also takes into account existing building stock or areas, and the availability of suitable existing or planned 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].

Section 1.4 requires an appropriate range and mix of housing types and densities be provided to meet projected requirements of current and future residents of the regional market area. This includes directing new development to areas where existing infrastructure and public services are available or will be available.

Policy 2.6.1 of the PPS states “significant built heritage resources and significant cultural heritage landscapes shall be conserved.” The subject lands contain a vacant two-storey stone dwelling which is listed under Part IV, Section 27 of the Ontario Heritage Act in the City of Guelph’s Municipal Register of Cultural Heritage properties and is considered a significant built heritage resource in the City of Guelph. A portion of the dwelling is proposed to be retained, conserved, and relocated to the central common amenity area, aligned with the site access on Clair Road East, atop a new foundation and is intended to be used for common amenity purposes. The applicant provided a Cultural Heritage Resource Impact Assessment (CHRIA) with this application. The CHRIA demonstrates that what is proposed will conserve the overall heritage value of the building while permitting redevelopment of the property. Further comments from Heritage Staff are included in Attachment-12.

Policy 4.6 of the PPS directs that a City’s Official Plan is to be the main instrument for implementation of the PPS. A detailed review on how the proposed 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.

In Planning staff’s opinion, the proposed Zoning By-law amendment to rezone the subject lands to permit a 136 unit stacked townhouse development is consistent with the policies of the Provincial Policy Statement, 2020. The development is compatible with the existing surrounding mix of land uses, including low and medium density residential, and will diversify the housing options available within the larger area. The proposed development will make efficient use of the land by intensifying an underutilized parcel of land within the built-up area of the city, while effectively utilizing existing servicing and transportation infrastructure and conserving a significant built heritage resource.

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

The Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) is a provincial plan that builds on the PPS. The PPS provides a broad policy direction, whereas the Growth Plan provides more focused policy direction for the Greater Golden Horseshoe area. The current Growth Plan came into effect on May 16, 2019, and was amended on August 28, 2020.

The Growth Plan supports building compact and complete communities, managing forecasted population and employment growth to the year 2051, protecting the natural environment, and supporting economic prosperity. All decisions affecting planning matters must conform with the Growth Plan.

The Growth Plan focuses on several key themes, including building complete communities; directing a significant proportion of growth to existing built-up areas of the City to meet population and employment targets and densities; making efficient use of infrastructure; and creating a healthy mix of housing options and employment land uses.

Section 2.2 of the Growth Plan contains policies to identify where and how population growth to the horizon year of 2051 will be accommodated within the City. 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 located within the City's delineated "Built-Up Area" as shown on Schedule 1a of the City's Official Plan and are designated for development. As per Policy 2.2.2.5 of the Growth Plan and the City's alternative minimum intensification target approved by the Minister of Municipal Affairs and Housing, a minimum 46 per cent of new residential development in the City must occur each year within the delineated Built-Up Area.

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

- Directing redevelopment and intensification of lands within the existing delineated built-up area of the city that have existing municipal water and wastewater systems that supports the achievement of complete communities;
- Redeveloping and accommodating new residential growth on an underutilized parcel of land;
- Promoting redevelopment that supports active and public transportation options, such as being located in close proximity to transit routes as well as in proximity to existing commercial uses, and public service facilities; and
- Adding new housing units to an established neighbourhood that will contribute to enhancing and broadening the range and mix of housing types and options available.

Overall, the proposed development represents an efficient built form 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.

Planning staff are of the opinion that 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 lands are designated "Medium Density Residential" in the City's Official Plan (see Official Plan Land Use Schedule in Attachment-4). Permitted uses within the "Medium Density Residential" land use designation include multiple unit residential buildings, such as townhouses and apartments. The minimum height permitted in this land use designation is two (2) storeys, and the maximum height permitted is six (6) storeys. Furthermore, the Medium Density Residential land use designation requires a minimum net density of 35 units per hectare and permits a maximum net density of 100 unit per hectare.

The applicant is proposing to develop this site with stacked townhouses which are a permitted use for this land use designation. The proposed net density is 83 units per hectare (136 units/net developable area of 1.65 hectares), which is within the permitted density range for the Medium Density Residential land use designation.

Delineated Built-up Area and General Intensification

The subject site is located within the delineated built-up area of the City as shown on Schedule 1a of the City's Official Plan (Official Plan Amendment 80). The built-up area has been delineated in accordance with A Place to Grow. Section 3.4.2 of the Official Plan states a minimum of 46% of all residential development occurring annually will be within the delineated built-up area.

The proposed development supports the policies of Section 3.4 to of the Official Plan by: supporting the redevelopment of underutilized lots within the built-up area (3.4.4); providing a diverse range and mix of housing options and densities to meet projected needs of current and future residents at all stages of life and to accommodate the needs of all household sizes and incomes within the community (3.4.5); achieving higher densities than what currently exists while achieving an appropriate transition of built form to adjacent properties (3.4.6); and creating an attractive and vibrant space in accordance with the urban design policies of the Official Plan (3.4.7).

Urban Design

To achieve a complete community, the Official Plan contains policies regarding urban design that apply to all developments. The Zoning By-law is used to implement urban design policies of the Official Plan and include regulations to promote compatibility in built form.

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;
- To build compact neighbourhoods that use land, energy, water and infrastructure efficiently and encourage walking.
- To conserve and celebrate the City's cultural heritage resources through the reuse of built heritage assets and ensuring that adjacent development responds to and respects these assets.
- To establish a pattern of interconnected streets and pedestrian networks in which buildings frame and address public spaces.
- To allow for a range of architectural styles and diversity in urban form and design that appropriately responds to the local context and achieves compatibility.

Policy 8.5 of the Official Plan contains built form policies that apply to low rise residential forms of development which apply to this proposed development.

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, prepared by MHBC Planning with this application. Urban Design staff reviewed the proposed application including the Urban Design Brief and provided comments included in Attachment-12. Urban Design staff are generally supportive of the approach to the overall design of the site and will work with the applicant through the future site plan control application to address the remaining comments.

Residential Development Policies

Section 9.3.1.1 of the Official Plan contains criteria to assess development proposals for multi-unit residential developments within all residential designations for intensification proposals within existing residential neighbourhoods. These criteria are to be applied in conjunction with the applicable Urban Design policies of the Official Plan.

1. Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.

The development includes two different types of 3-storey stacked townhouse blocks. The four (4) stacked townhouse blocks (comprising of a total of 40 units) facing Clair Road East, include integrated rear garages and driveways for each unit which are accessed from the internal private road. The number of units within each of these blocks range from 8 to 12 units. Each of the units within these blocks have a primary entrance and porch facing Clair Road East which provides opportunities for social interaction and activates the street frontage. Furthermore, these blocks contribute to human-scaled streets and are designed with a consistent setback to the street with appropriate setbacks to provide sufficient room for trees.

The four (4) stacked townhouse blocks (comprising of a total of 96 units, 24 units within each block) along the southerly portion of the site will be traditional stacked townhouses with the primary entrances facing the internal street. These units will be a front-to-back design, with exterior stairs leading to entrance landings from the interior off-street parking area. Off-street parking will be surface level and located to the interior of the subject property.

Adequate side and rear yard setbacks have been provided to accommodate landscaping and to provide an appropriate transition to the adjacent lands. Based on the height, length and setbacks of the townhouse blocks, the proposed development is considered compatible with the buildings in the immediate vicinity.

2. Proposals for residential lot infill will be compatible with the general frontage of lots in the immediate vicinity.

The subject property is existing, and no changes are proposed to the

frontage. The adjacent lands with frontage on Clair Road East, have similar frontage lengths.

3. The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit including:
 - The commercial mixed-use node at Clair Road and Gordon Street which includes retail, personal service establishments, financial institutions, entertainment uses, etc. (to the west)
 - Westminster Woods Public School (to the north)
 - St. Paul Catholic School (to the north)
 - Guelph Public Library – Westminster (to the west)
 - Trails within the Westminster woods subdivision and within the Dallan subdivision (to the north and west)
 - Dallan Park (to the west)
 - Orin Reid Park (to the north)
 - Westminster Woods Park (to the north)
 - The following transit routes: 56U (Colonial), 5 (Goodwin) and 16 (Southgate).
4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.

Engineering and Transportation Services staff reviewed the application including the Traffic Impact Study (TIS) prepared by TraffMobility Engineering Inc. and have no concerns with the proposed development and conclude that the adjacent roads and intersections can accommodate the additional traffic that will be generated by the proposed development. Detailed comments from Engineering and Transportation Services staff are provided in Attachment-12.

5. Vehicular access, parking and circulation can be adequately provided, and impacts mitigated.

Vehicular access is proposed from Clair Road East, directly across from Tolton Drive. Parking is proposed internal to the site. Specialized parking regulations are proposed for a reduction to visitor parking. The number of parking spaces is considered adequate and no issues with site circulation have been identified.

6. That adequate municipal infrastructure, services and amenity areas for residents can be provided.

Engineering staff reviewed the application and completed a model capacity assessment. It was confirmed there is adequate servicing capacity available in the existing water and sanitary system to service the proposed

development. The subject site can be serviced by either of the two water pressure zones in this area – Zone 1 or Zone 3. Through this application the applicant proposed the site be serviced by Zone 1. While the model capacity assessment determined the water pressure in Zone 1 would meet the allowable range per the Ministry of Environment, Conservation and Parks (MECP), it would not meet the preferred service pressure range (per the MECP). As such it is recommended that the existing watermain located just west of 287 Clair Road East be extended to the east to service the subject lands so the water pressure for the subject lands would meet the preferred service pressure range per the MECP.

As it relates to stormwater capacity, the developer is proposing to infiltrate all stormwater originating on the site. Only flows greater than the 100-year flows are proposed to be directed to an overland flow route on Clair Road East. Based on the materials submitted with this application, groundwater levels for the site were established as a range taken from the adjacent residential subdivision Westminster Woods East. The seasonal high groundwater elevation has not been firmly determined and needs to be ensured sufficient separation distance can be provided between the seasonal high groundwater elevation and the proposed infiltration structures (per MECP requirements) and basement elevations (per the City's Development Engineering Manual DEM requirements). It is recommended a Holding Provision be added until the applicant can provide an updated hydrogeological report to the satisfaction of the City Engineer/ General Manager to confirm the seasonal high ground water elevation and demonstrate the separation distances would meet the minimum requirements as there is not adequate capacity in the existing storm sewer on Clair Road East to account for additional flows from the subject lands if this minimum separation distance cannot be achieved.

Detailed comments from Engineering staff are provided in Attachment-12.

Specialized private amenity area regulations are proposed for the development. A private amenity area of 9 square metres is proposed for below grade, at-grade, and above ground stacked townhouse units. The common amenity areas proposed on-site exceed the requirements of the Zoning By-law, however portions of the common amenity space are flanked on both sides by parking which is not ideal from an urban design and safety perspective. Urban Design Staff encourage the applicant to revisit the shape and configuration of the common amenity area through the future site plan control process. Detailed comments from Urban Design staff are included in Attachment-12.

7. Surface parking and driveways shall be minimized.

Parking is entirely internalized on the site behind the stacked townhouse blocks fronting onto Clair Road East and the blocks at the rear of the site. The stacked townhouse blocks along the rear of the site have surface parking

spaces. The stacked townhouse blocks facing Clair Road East each have integrated rear garages and a driveway which are accessed from the internal private road.

Sufficient setbacks have been provided along the interior side yards to ensure there is sufficient room for landscaping to screen the parking areas from the adjacent properties.

8. Development shall extend, establish, or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.

A walkway is provided that connects the stacked townhouse blocks along the rear of the site, through the common amenity area and to Clair Road East. Engineering and Transportation Services staff are recommending conditions be implemented as part of a future site plan control application (see conditions in Attachment-3) to require the developer design and construct a municipal sidewalk along the frontage of the site as part of the site plan control process. Walkway connections will be provided from this public sidewalk to the primary entrances for the units fronting onto Clair Road East.

To facilitate a more accessible and connected system of walkways, the provision of a barrier free sidewalk along the westerly limit of the site will be sought as part of the site plan control process to improve connectivity to the commercial mixed-use node at Clair Road and Gordon Street and the other amenities to the west. Specialized zoning regulations are recommended to secure the provision of this walkway connection (increased building setbacks and parking area setbacks along the westerly side lot line).

Engineering and Transportation Services staff are recommending conditions be implemented as part of a future site plan control application (see conditions in Attachment-3) to secure the design and construction (if warranted) of a protected pedestrian crossing to facilitate a safe active transportation and pedestrian connection for residents to access schools, public parks, and transit services north of Clair Road East. Detailed comments from Engineering and Transportation Services staff are provided in Attachment-12.

The internal private roads, sidewalks and walkways will contribute to a cohesive transportation network, integrated with existing roads, cycling facilities and sidewalks while accommodating pedestrian safety and comfort. Landscaping, lighting, and materials to promote the pedestrian realm within the site will be further refined through the site plan control stage.

9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.

Engineering staff reviewed this application and have confirmed the grading plan does not meet City standards and does not satisfy the above criterion at this time. It is recommended a Holding Provision be added until the applicant can demonstrate to the satisfaction of the City Engineer/ General Manager that the grading meets City standards, does not negatively impact the adjacent lands (per this criteria), while also demonstrating it is still possible to service the back of the site further to revisions to the grading plan. Detailed comments from Engineering staff are provided in Attachment-12.

Based on the scale of the proposed development wind and shadow studies were not required in support of a complete Zoning By-law Amendment application.

10. The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.

The proposed development will address public safety and accessibility by providing direct pedestrian connections and clearly defined entrances to Clair Road East as noted above. The proposed development will not impact accessibility to open space, parks, and trails or the Natural Heritage System. The site is located close to parks and trails. There are no identified public views that will be impacted or obstructed by the buildings.

11. The conservation and integration of cultural heritage resources, including identified key public views can be achieved subject to the provisions of the Cultural Heritage Resources Section of this Plan.

The stone dwelling located on the subject property, known as the James Hanlon Farmhouse, is listed under Part IV, Section 27 of the Ontario Heritage Act in the City of Guelph's Municipal Register of Cultural Heritage Properties and is considered a significant built heritage resource in the City of Guelph.

The applicant is proposing to retain and relocate a portion of the dwelling to the central common amenity area, atop a new foundation that is aligned with the site access on Clair Road East and use it for common amenity purposes. Further discussion is included below.

With the inclusion of Holding Provisions for the items noted above, the proposed development satisfies the criteria outlined in Official Plan Policy 9.3.1.1.

Cultural Heritage Resources

The Official Plan contains policies on Cultural Heritage Resources in Section 4.8.

As noted above, the stone dwelling located on the subject property, known as the James Hanlon Farmhouse, is listed under Part IV, Section 27 of the Ontario Heritage Act in the City of Guelph's Municipal Register of Cultural Heritage Properties and is considered a significant built heritage resource in the City of

Guelph. In accordance with policy 4.8.1.5, the applicant submitted a Cultural Heritage Resource Impact Assessment (CHRIA) prepared by MHBC Planning as part of this application.

The applicant is proposing to demolish a portion of the existing dwelling (rear summer kitchen addition) and the existing foundation. The remainder of the dwelling is proposed to be retained, conserved, and relocated to the central common amenity area, aligned with the site access on Clair Road East, atop a new foundation and is intended to be used for common amenity purposes.

The CHRIA outlined the impacts of the proposed demolition of the summer kitchen and relocation of the main house. The CHRIA demonstrated that the proposed demolition of the summer kitchen and relocation of the house will conserve the overall heritage value of the building while permitting development of the property. The CHRIA included a structural feasibility review that determined relocation of the main house was feasible. It further recommended that the property be designated under Part IV, Section 29 of the Ontario Heritage Act (OHA) and recommended a list of heritage attributes for inclusion in the designation by-law.

Heritage staff agree with the recommendation to designate, and the heritage attributes identified in the CHRIA and prepared a staff report recommending Council issue a notice of intention to designate the James Hanlon Farmhouse. On November 21, 2023, Council authorized the City Clerk to publish and serve notice of intention to designate 331 Clair Road East and bring a designation by-law back before Council if no objections are received within the thirty (30) day objection period.

Staff are recommending conditions be implemented as part of a future site plan control application (see conditions in Attachment-3) as well as the Holding Provision for the designation process. Detailed comments from Heritage staff are provided in Attachment-12.

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.

The applicant submitted a Phase 1 Environmental Site Assessment (ESA) as part of a complete application. The Phase 1 ESA found that any potential contaminating activities historically on the site did not raise any concerns and no further environmental investigations were recommended. Comments from Engineering Staff are included in Attachment-12.

Community Energy

Section 4.7 of the Official Plan, in conjunction with the City's Community Energy

Initiative (CEI) contains policies on Community Energy. As part of a complete application a CEI letter was included within the Planning Justification Report (PJR) prepared by MHBC Planning – included in Attachment-11. The CEI letter outlines the energy and conservation measures that will be included within the proposed development to achieve the objectives of this plan and the City’s CEI. These initiatives proposed by the Owner/Developer will contribute to the city meeting its goal to become a net zero community by 2050.

Staff are recommending a condition to be implemented as part of a future site plan control application that the applicant 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

Section 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply and transportation networks. Further to what is discussed above, Engineering and Transportation Services staff reviewed the application and confirmed the existing transportation network, and the existing municipal water and sanitary services are available to service the proposed development. Comments from Engineering are included in Attachment-12.

Transportation

The applicant submitted a Transportation Impact Study, prepared by TraffMobility Engineering Inc., based upon an agreed upon Terms of Reference as part of a complete application which has been reviewed by Transportation Services staff.

The TIS includes an analysis of existing traffic conditions, traffic forecasts for opening year (2025) and five-year forecasts from opening year (2030), site access review, and Transportation Demand Management measures.

Based on the investigations carried out, the TIS concluded that all intersections within the study area are expected to operate at an acceptable Level of Services for the future horizon years, except for the eastbound left turn movement at the Clair Road East/ Victoria Road South intersection during the PM peak hour under 2030 future background conditions which can be mitigated through signal optimization.

Transportation Services staff identified that there have been some changes made recently in terms of geometric and operation improvements in the study area that were not incorporated into the traffic operation analysis, these include:

- The speed limits for all residential local neighbourhood roads being reduced from 50 km/h to 40 km/hr; and
- The recent construction of an exclusive southbound right-turn lane at the Victoria Road South and Clair Road East intersection.

Although these improvements along with the potential road widening on Clair Road were not incorporated into the traffic operation analysis, the TIS findings are

considered acceptable as they are the results of a conservative approach, with assumptions of no increase in roadway capacities.

The proposed development is forecast to generate 64 and 78 new auto trips during the AM and PM peak hours.

The TIS determined that a (westbound) left turn lane with a storage length of 25 meters is warranted at the Clair Road East and Tolton Drive/new driveway access, and notes that there is space available to facilitate the left turn lane. To secure the design and construction of this left turn lane staff are recommending conditions be implemented as part of a future site plan control application (see conditions in Attachment-3).

Furthermore, the TIS concluded that traffic control signal warrants are not justified at the intersection of Clair Road East at Tolton Drive/ new driveway access. The warrant analysis did not include pedestrian crossing volumes which staff note cannot be predicted accurately for future conditions. As a condition of a future site plan control application staff require that a protected pedestrian crossing facility be secured (see conditions in Attachment-3). The purpose of this protected pedestrian crossing is to provide safe active transportation connection to the subject site for residents to access the schools, public parks, and transit services north of Clair Road East if it is determined to be warranted within three years from the date of full occupancy of the development.

Detailed comments from Engineering and Transportation Services staff are included in Attachment-12.

Affordable Housing

The City's Affordable Housing Strategy (AHS) sets an annual City-wide 30% target for housing that is affordable with the goal of ensuring 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 are incorporated within Section 7.2 of the Official Plan. 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.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential use. 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 proposed development includes a total 136 dwelling units in the form of stacked townhouses on an underutilized lot within the delineated built-up area of the city.

Based on this proposed housing form, it is anticipated that this development will contribute to housing supply but not likely to the achievement of the affordability housing targets set for the city. The actual contribution will be measured as the

units are rented or sold. However, it is also noted that affordability cannot be assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established. 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 in the previous year. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the city has been meeting affordable housing targets.

Parkland Dedication

Park & Trail Development staff requires payment in lieu of conveyance of parkland for the proposed development in accordance with City of Guelph Official Plan Policy 7.3.5.6 and the City of Guelph Parkland Dedication By-law (2022) or any successor thereof. For this development the developer may elect to have the Market Value of the Land calculated using Schedule A of the Parkland Dedication By-law or may elect to submit a narrative appraisal report to determine the payment in lieu amount owed. Staff are recommending conditions be implemented as part of a future site plan control application (see conditions in Attachment-3). Comments from Park & Trail Development staff are included in Attachment-12.

Review of Proposed Zoning

The purpose of this Zoning By-law Amendment to Zoning By-law (1995)-14864, as amended is to change the zoning from the "Agricultural" (A-2) zone in the Township of Puslinch Zoning By-law 19/85, to a new "Specialized Residential Cluster Townhouse" (R.3A-72(H)) zone in the City'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 "Urban Reserve 1" (UR.1) zone, to a "Specialized Medium Density Residential 6" (RM.6-25(H)) zone.

Both Zoning By-laws must be amended in accordance with the transition provisions included in Zoning By-law (2023)-20790, until it comes into full force and effect and Zoning By-law (1995)-14864, is repealed.

Staff reviewed the proposed zoning and the requirements associated with the current development proposal and are satisfied that the R.3A zone under Zoning By-law (1995)-14864 is appropriate for the development, and that the RM.6 zone under Zoning By-law (2023)-20790 is appropriate for the development.

Specialized regulations have been requested by the applicant. Staff have recommended modifications to some of the regulations requested by the applicant and have also recommended additional specialized regulations to secure desired development layout elements.

Maximum Density and Minimum Lot Area per Unit

A specialized regulation was requested to Zoning By-law (1995)-14864, to permit a maximum density of 85 units per hectare, and a minimum lot area of 120 square metres per unit. The site is designated Medium Density Residential in the City's

Official Plan. This land use designation requires a minimum net density of 35 units per hectare and permits a maximum net density of 100 units per hectare. The proposed maximum density of 85 units per hectare is in keeping with the permitted density range set out in the City's Official Plan.

In Zoning By-law (2023)-20790, the maximum density that applies to townhouses in the RM.6 zone is 100 units per hectare and the minimum lot area per dwelling unit regulation does not apply to townhouses in the RM.6 zone.

Staff are supportive of this request to increase the maximum density and minimum lot area per dwelling unit under Zoning By-law (1995)-14864.

Stacked Townhouse, Definition

Based on the product types proposed, one of the proposed product types does not meet the stacked townhouse unit definition within Zoning By-law (1995)-14864, as amended. Staff recommend that the definition for stacked townhouses be amended in Zoning By-law (1995)-14864 for this zone to match the definition of stacked townhouse within Zoning By-law (2023)-20790.

Stacked townhouse is defined in Zoning By-law (1995)-14864 as:

- "Stacked Townhouse" means 1 Building or Structure containing 2 Townhouses divided horizontally: one atop the other;

Stacked townhouse is defined in Zoning By-law (2023)-20790 as:

- Townhouse, stacked means a building where the dwelling units share a common side wall and have vertically stacked dwelling units.

Maximum Dwelling Units in a Row

A specialized regulation was requested to Zoning By-law (1995)-14864, as amended, to allow for a maximum of 24 dwelling units in a row, whereas 12 units are permitted, and whereas the maximum number of dwelling units in a row permitted where units are adjacent a public street is 8.

Based on the concept plan, 24 dwelling units in a row are proposed for the stacked townhouse blocks along the southerly portion of the site, and a maximum of 12 units in a row are proposed for the blocks adjacent a public street.

Staff are supportive of the current design and length of the blocks as shown in the concept plan. Staff also note that through Zoning By-law (2023)-20790, there is no maximum number of dwelling units in a row for townhouses in the RM.6 zone, rather the overall building length of a townhouse building is limited to 49 metres, which each of these blocks achieve.

Staff are supportive of this request to increase the maximum number of dwelling units in a row to 24 units under Zoning By-law (1995)-14864.

Visitor Parking

A specialized regulation was requested to permit the driveways associated with the stacked townhouse units featuring garages to contribute to the visitor parking required for those units under both Zoning By-law (1995)-14864 and Zoning By-law (2023)-20790.

Rather than the specialized regulation as proposed, staff recommend a reduction to the required visitor parking rate as follows:

- Zoning By-law (1995)-14864 – 14.5% of the required parking spaces be assigned as visitor spaces, provided a minimum of 28% of units contain both a driveway and individual garage; rather than 20%.
- Zoning By-law (2023)-20790 - A minimum required parking rate of 1 parking space per dwelling unit, plus 0.145 visitor spaces per dwelling unit, provided a minimum of 28% of dwelling units contain both a driveway and individual garage; rather than 1 parking space per dwelling unit, plus 0.2 visitor spaces per dwelling unit.

The concept plan includes a total of 136 units. Of these, 40 units (approximately 30% of units) include both a garage and driveway. The parking space within the individual garage for each of these units is the legal parking space. An additional parking space will be provided for each of these units in the driveway and could be utilized by visitors.

Private Amenity Areas

Specialized regulations were requested to both Zoning By-law (1995)-14864 and Zoning By-law (2023)-20790 for private amenity areas.

The applicant is requesting a minimum private amenity area for ground level stacked units of 9 square metres, where 20 square metres is required in Zoning By-law (1995)-14864; and where 10 square metres is required in Zoning By-law (2023)-20790.

Private amenity areas for ground level stacked townhouses will otherwise be provided in accordance with the requirements set out in Zoning By-law (2023)-20790, which permit the private amenity areas to be provided in the front yard on an unenclosed porch or balcony with no privacy screen.

The applicant is requesting a minimum private amenity area for above grade stacked townhouse units of 9 square meters, where 10 square metres per unit is required in Zoning By-laws (1995)-14864 and (2023)-20790.

In accordance with Zoning By-law (2023)-20790, the private amenity areas for all above grade units will consist of a patio, balcony or terrace and will be defined by a wall or railing between adjacent units to a height of 1.8 metres.

There is no requirement in Zoning By-law (1995)-14864 for private amenity areas for units below finished grade. The applicant is requesting a minimum private

amenity area of 9 square meters, where 10 square metres per unit is required in Zoning By-law (2023)-20790 for units below finished grade.

In accordance with Zoning By-law (2023)-20790, the private amenity areas for all below finished grade units will have a maximum 50% first storey projection above the below grade patio.

Staff are supportive of the proposed reduction in private amenity space as sufficient common amenity area is provided on-site and as there are several parks and open space areas in close proximity to the subject site.

The applicant further requested that private amenity areas may face the public street and be located in any yard. Staff note balcony and porch projections are permitted into all yards in both Zoning By-laws but are subject to minimum setbacks from lot lines and maximum projections into required yards. Staff are supportive of private amenity areas facing the public street as this will activate the street frontage along Clair Road East.

Parking Space Dimensions

As part of Staff's review of the subject application, and in consultation with the applicant, a specialized regulation to Zoning By-law (1995)-14864 is recommended to permit a minimum parking space dimension of 2.75 metres by 5.5 metres (excluding any obstructions) for a parking space within a garage to align with the minimum parking space dimension set out in Zoning By-law (2023)-20790.

Accessory Buildings and Structures

The portion of the existing 2-storey stone dwelling on the subject lands that is proposed to be retained is approximately 12.2 metres by 8.6 metres (approximately 105 square metres).

Staff are recommending a specialized regulation to Zoning By-law (1995)-14864 and (2023)-20790 to permit a maximum ground floor area of 115 square metres for all accessory buildings and structures, and to permit a maximum height of two storeys for accessory buildings and structures to permit the retained building.

Townhouse Unit Setbacks – Exterior Side Yard and Rear Yard

The applicant requested the development be exempt from the required townhouse unit setback requirements in Zoning By-law (2023)-20790. Townhouse unit setbacks are not included in Zoning By-law (1995)-14864, as amended.

Rather than the specialized regulation as proposed, staff recommend:

- Minimum exterior side yard (townhouse unit) of 4 metres from back of curb of the internal private road.
- The minimum exterior side yard (townhouse unit) from back of sidewalk shall not apply.
- Minimum rear yard (townhouse unit) shall be 6 metres from lot line.

- Minimum rear yard (townhouse unit) of 5 metres from back of curb of the internal private road, and the minimum length from the outside wall of each garage door frame to back of curb of the internal private road shall be 6 metres.

The intent of the exterior side yard (townhouse unit) regulation is to ensure there is adequate space for plantings. Staff are satisfied that plantings can be provided in the exterior side yards as shown and will work with the applicant through the site plan control process.

The intent of the rear yard (townhouse unit) regulation from lot line is to ensure a 3 metre buffer strip along the side or rear lot line is provided in addition to a 4.5 metre deep at grade private amenity space for ground level units. The private amenity areas for ground level stacked townhouse units (10m²) are permitted in an unenclosed porch or balcony. A 4.5 metre deep at grade private amenity space for ground level stacked townhouse units is not required. Staff are satisfied with a 6 metre setback as proposed.

The intent of the rear yard (townhouse unit) regulation from back of curb is to ensure adequate space is provided to accommodate a parking space. The minimum exterior parking space length that applies to stacked townhouses is 5.5 metres. The garage is recessed into the building for the blocks fronting onto Clair Road East and sufficient space will be provided in the driveway for each of these units to provide a parking space that is a minimum of 6 metres in length to ensure vehicles parked in these driveways do not overhang and encroach into the private internal road.

Long Term Bicycle Parking

The applicant originally requested that the development be exempt from the bicycle parking spaces, long term requirements under Zoning By-law (2023)-20790.

Further to the Statutory Public Meeting, the applicant is proposing to provide secure bicycle parking spaces at a rate of 0.25 spaces per dwelling unit (instead of 1 space per dwelling unit) where individual garages are not provided. They further requested that the bicycle parking space design and location requirement (Section 5.8.1) and the bicycle parking space aisle and dimension requirements (Section 5.8.2) not apply to secure bicycle parking spaces for the subject lands in order to provide greater flexibility with respect to the types of products available for use and the locations in which secure bicycle spaces could be provided.

Staff agree with exempting the secure bicycle parking spaces from Sections 5.8.1 and 5.8.2 as it would allow for greater flexibility and would allow applicant to provide bicycle parking in a manner that reflects townhouse product and site layout. This would include potentially permitting secure bicycle parking spaces within the ground floor units of stacked townhouses, within the common amenity building (heritage building) and/ or in lockers integrated into the built form. Further

details in terms of the location of secure bicycle parking spaces would be confirmed through a future site plan control application.

As Staff agree with exempting the proposed development from the secure bicycle parking requirements in Section 5.8.1 and 5.8.2, to provide greater flexibility and options for where secure bicycle parking may be provided, it is recommended that secure bicycle parking spaces be provided at a minimum rate of 0.50 spaces per dwelling unit where individual garages are not provided.

Electric Vehicle (EV) Parking

The applicant originally requested that the development be exempt from providing any electric vehicle parking spaces and that it only be required to provide 10% of the required parking spaces as designed electrical vehicles parking spaces, under Zoning By-law (2023)-20790.

Further to the Statutory Public Meeting, the applicant proposed providing designated electric vehicle parking spaces at a rate of 0.38 parking spaces/ dwelling unit (and that this include all 40 garage parking spaces, 12 standard visitor parking spaces and 1 accessible parking space), and that 2 visitor parking spaces be provided as electric vehicle parking spaces.

As the subject lands are not identified with a parking adjustment (PA) suffix, Section 5.9 (a) of Zoning By-law (2023)-20790 does not apply. Staff do not support a site-specific regulation to reduce the amount of designed electric vehicle parking spaces required. In accordance with Zoning By-law (2023)-20790 a minimum of 80% of the total required parking spaces are to be provided as designed electric vehicle parking spaces. Staff will work with the applicant through a future site plan control application to determine which parking spaces will be provided as designed electric vehicles parking spaces and encourage the applicant provide some of these spaces as electric vehicle parking spaces.

Parking Location – Surface Parking Areas

The applicant requested that surface parking be permitted to exceed 75% of the total required residential parking spaces under Zoning By-law (2023)-20790. The intention of this regulation is for parking spaces to be provided in underground parking garages or garages rather than in a surface parking area.

Rather than the specialized regulation as proposed, staff recommend:

- A maximum of 77% of the required parking spaces be permitted in surface parking areas.

Westerly Side Lot Line – Building Setback & Surface Parking Area Setbacks

Given the proximity to the Clair & Gordon commercial mixed-use node and the other amenities to the west (as noted above) and to provide a direct pedestrian connection for the blocks at the rear of the site to Clair Road East (to the west), staff recommend the following additional specialized regulations to both Zoning By-

law (1995)-14864 and (2023)-20790 to facilitate an accessible pedestrian connection along the westerly side of the property:

- A building located within 70 metres of the front lot line shall be setback 5.5 metres from the westerly side lot line, or a distance equal to one-half the building height, whichever is greater; and
- Every parking space shall be setback 3 metres from the front lot line, rear lot line and easterly side lot line, and 5 metres from the westerly side lot line.

Severability Clause

The applicant requested the inclusion of a severability regulation to both Zoning By-law (1995)-14864 and (2023)-20790 to ensure any future land divisions will not create zoning non-compliance for the properties individually.

- The uses and regulations of the R.3A-72(H)/RM.6-25(H) zone shall continue to apply collectively to the whole of the lands identified as R.3A-72(H)/RM.6-25(H), despite any future condominium registration or severance.

Staff support the inclusion of this regulation.

Holding Provision

As discussed above, a holding provision is recommended for the subject lands to ensure development does not proceed until the following conditions have been met to the satisfaction of the City.

Conditions:

1. The Owner shall provide the City an updated hydrogeological report to the satisfaction of the City Engineer/General Manager.
2. The Owner shall provide the City an updated grading plan to the satisfaction of the City Engineer/General Manager.

Additional Items:

Heritage Protection

A portion of the existing two-storey stone dwelling will be retained and relocated on the subject property. The subject property is monitored by municipal Property Standard Officers to ensure that the site is being maintained in accordance with the applicable by-laws.

Urban Forest and Private Tree Protection By-law Requirements

The subject property is regulated under the City's Private Tree Protection By-law. A Tree Inventory and Preservation Plan was prepared by NRSI as part of a complete application. A condition has been included in Attachment-3 that requires the preparation of an updated Tree Inventory and Preservation Plan as well as a Tree Compensation Plan prior to Site Plan Approval. Environmental Planning Staff have also identified that several boundary/shared trees are recommended for removal and that it is the applicant's responsibility to gain permission from the co-owner of any shared trees before any removal or injury to the trees occurs, detailed comments from Environmental Planning staff are included in Attachment-12.

Water Balance

A Functional Servicing Report (FSR) prepared by Stantec Consulting Ltd. and a Hydrogeological Investigation study prepared by Stantec Consulting Ltd. were prepared as part of a complete application and reviewed by Engineering and Transportation Services staff, the Grand River Conservation Authority (GRCA) and Environmental Planning staff. There are inconsistencies with the proposed water balance included in these reports/ studies and it is recommended conditions be implemented as part of a future site plan control application (see conditions in Attachment-3). Detailed comments are included in Attachment-12.

Noise

The applicant submitted a Noise Impact Study, prepared by Stantec Consulting Ltd. as part of a complete application. Engineering staff reviewed this study and will require that a detailed noise study be completed as part of a future site plan control application in accordance with the City's Noise Control Guidelines. See conditions in Attachment-3 and detailed comments from Engineering and Transportation Services staff included in Attachment-12.

Lighting

As part of a future site plan control application, the applicant will be required to provide a detailed photometric plan prepared by a Professional Engineer in accordance with the City's Lighting Guidelines. The applicant will be required to demonstrate that there are only negligible lighting impacts along all private property lines and will be required to include details on the types and locations of the proposed exterior light fixtures on the photometric plan.

Solid Waste

The applicant will be required to complete a Waste Management Plan as part of a future site plan control application that will ensure the development has and maintains a three-stream waste system (recycling, organics, and garbage). The Waste Management Plan will also evaluate the feasibility for municipal waste collection, which is strongly encouraged by staff.

Relationship with the Adjacent Lands (Access & Servicing)

The adjacent lands with frontage on Clair Road East are designated Medium Density Residential through Official Plan Amendment 80, a rezoning application would be required to redevelop these parcels. Staff understand the owners of the neighbouring properties are considering redeveloping their properties as well, however a formal application has not been submitted.

Staff continue to encourage the applicant to coordinate with the neighbouring site (287 Clair Road East) to achieve safe access efficiencies which would benefit both sites as outlined in Engineering and Transportation Services staff included in Attachment-12.

As noted above, there is sufficient servicing capacity in the existing water and sanitary systems to service the subject site, however it is recommended that the

owner extend the existing watermain located just west of 287 Clair Road East to the east to service the subject lands so that the water pressure would achieve the preferred service pressure range per the MECF. If this is something the owner opts to proceed with, it would be advantageous for the owner to coordinate with the adjacent property at 287 Clair Road East as the extension of these services would benefit both properties.

The City has long term plans to connect a sanitary trunk sewer on Clair Road to the Clair-Maltby Trunk Sewer as part of the Clair-Maltby Overall Servicing Plan, however, this work does not have a targeted budget timeframe associated with it.

Further detailed comments from Engineering and Transportation Services staff are included in Attachment-12.