

Staff Report



To **City Council**
Service Area Infrastructure, Development and Environment
Date Tuesday, February 13, 2024
Subject **Decision Report**
1563-1579 Gordon Street; 42 & 48 Lowes Road West; and 164-182 Dawn Avenue
Proposed Zoning By-law Amendment
File: OZS22-006
Ward: 6

Recommendation

1. That the application from MHBC Planning Limited on behalf of the owner, Reid's Heritage Homes, for a Zoning By-law Amendment to rezone the subject property from the current "Residential Single Detached" (R.1B) Zone in the City of Guelph 1995 Zoning By-law (1995)-14864, as amended, to a "Specialized Residential Townhouse" (R.3A-73) Zone with site-specific zoning regulations, and a "Residential Single Detached" (R.1D) Zone in the City of Guelph 1995 Zoning By-law (1995)-14864, as amended, and to further rezone the subject property from the current "Medium Density Residential 6 with a Parking Adjustment Suffix and Holding Symbol" (RM.6[PA][H12]) Zone and "Low Density Residential 1" (RL.1) Zone in the City of Guelph Comprehensive Zoning By-law (2023)-20790, as amended, to a "Site-Specific Medium Density Residential 6 with a Parking Adjustment Suffix" (RM.6-26[PA]) Zone with site-specific zoning regulations, and a "Low Density Residential 2" (RL.2) Zone in the City of Guelph Comprehensive Zoning By-law (2023)-20790, as amended, to permit a 150 unit stacked townhouse development and eight (8) single detached dwelling units on the lands municipally known as 1563-1579 Gordon Street; 42 & 48 Lowes Road West; and 164-182 Dawn Avenue and legally described as Part Lot 7 and Part Lot 8, Plan 74, Township of Puslinch and Lots 2, 3, 7, 8, and 9, Plan 467, City of Guelph, be approved in accordance with Attachment-3 of the Infrastructure, Development and Environment Report 2024-45, dated February 13, 2024.
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 1563-1579 Gordon Street; 42 & 48 Lowes Road West; and 164-182 Dawn Avenue.

Executive Summary

Purpose of Report

This report provides a staff recommendation to approve a Zoning By-law Amendment application to facilitate the development of 150 stacked townhouse units and eight single detached dwelling units.

Key Findings

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

Strategic Plan Alignment

The recommended Zoning By-law Amendment aligns with the approved 2024-2027 Strategic Plan theme of City Building and the Future Guelph objective of improving housing supply by providing a range of housing options for current and future residents. 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-11.

Future Guelph Theme

City Building

Future Guelph Objectives

City Building: Improve housing supply

Financial Implications

Estimated Development Charges: \$4,813,640

Estimated Community Benefit Charge: Not applicable as proposed development is under 5 storeys in height.

Estimated Annual Property Taxes: \$540,000 - \$550,000 (estimate only, actuals may vary)

Report

Background

An application for a Zoning By-law Amendment was received for the lands municipally known as 1563-1579 Gordon Street; 42 & 48 Lowes Road West; and 164-182 Dawn Avenue by MHBC Planning Limited on behalf of the owner, Reid's Heritage Homes. The application was received by the City on April 8, 2022, and deemed to be complete on May 3, 2022. The Statutory Public Meeting for the proposed Zoning By-law Amendment application was held on June 13, 2022.

Following revisions made by the applicant, a Notice of Revised Planning Application was posted on the City's Current Development Applications webpage on June 26, 2023. Further resubmissions to address technical comments were provided to the City in October and December of 2023.

Location

The subject lands are located within Ward 6 and are situated west of Gordon Street, east of Dawn Avenue, and south of Lowes Road West (see Attachment-1 and Attachment-2 for Location Map and Aerial Photograph). The subject lands are comprised of nine separate parcels, each occupied with a single detached dwelling and accessory buildings.

Surrounding land uses include:

- To the north: single detached dwellings on Lowes Road West, a six (6) storey apartment building, and a two (2) storey commercial building located at the intersection of Lowes Road West and Gordon Street;
- To the east: cluster townhouse units directly across Gordon Street, beyond which are further low-rise residential uses in the Westminster Woods and Pine Ridge neighbourhoods;
- To the south: a City-owned property identified as part of the Natural Heritage System in the Official Plan and as a future trail in the Trail Master Plan Update, beyond which are cluster townhouses and single detached dwellings fronting on Dawn Avenue and Gordon Street; and
- To the west; single detached dwellings along Dawn Avenue, beyond which is Preservation Park and additional Natural Heritage System Features, including the Hanlon Creek Swamp Provincially Significant Wetland complex.

Existing Official Plan Land Use Designations and Policies

The Official Plan land use designations that apply to the subject lands are “Medium Density Residential” on the portion fronting Gordon Street and Lowes Road West and “Low Density Residential” on the portion fronting onto Dawn Avenue. Specifically, 1563-1579 Gordon Street and 42 and 48 Lowes Road West are designated “Medium Density Residential”, while 164, 174, and 182 Dawn Avenue are designated “Low Density Residential”.

The “Low Density Residential” designation applies to residential areas within the built-up area of the City which are predominantly low-density in character. The primary permitted land use of the “Low Density Residential” designation is residential, including but not limited to, single-detached dwellings, semi-detached dwellings, and multiple unit residential buildings, such as townhouses and apartments. The “Low Density Residential” land use designation permits a maximum building height of three (3) storeys and the maximum net density of 35 units per hectare, with a minimum net density of 15 units per hectare.

The “Medium Density Residential” designation applies to areas of the City which are intended for medium density housing forms. The permitted land uses within the “Medium Density Residential” designation are multiple unit residential buildings, such as townhouses and apartments. The “Medium Density Residential” designation permits a maximum height of six (6) storeys and a maximum density of 100 units per hectare.

The relevant Official Plan land use schedule map and policies for the applicable land use designations are included in Attachment-4.

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

The subject lands are currently zoned “Residential Single Detached” (R.1B) in the City of Guelph Zoning By-law (1995)-14864, as amended. The R.1B Zone permits

single detached dwellings, additional residential dwelling units, home occupations, and other similar residential uses. Further, the R.1B Zone requires all lots for single detached dwellings to have a minimum site area of 460 square metres, and a minimum lot frontage of 15 metres. The R.1B Zone does not permit townhouses.

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

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

The subject lands are also zoned "Medium Density Residential 6 with a Parking Adjustment Suffix and Holding Symbol" (RM.6(PA)(H12)) and "Low Density Residential 1" (RL.1), in the City of Guelph Comprehensive Zoning By-law (2023)-20790, as amended. The RM.6 Zone permits apartment buildings, home occupations, townhouse buildings, and other similar residential uses. The Parking Adjustment Suffix establishes parking regulations for the subject lands, where a minimum parking rate of 1 space per dwelling unit plus 0.2 visitor parking spaces per dwelling unit is required, to a maximum of 1.5 spaces per dwelling unit plus 0.5 visitor spaces per dwelling unit. The H12 Holding Symbol further indicates that municipal services must be adequate and available to the satisfaction of the City prior to construction of new buildings or additional residential development. The RL.1 Zone permits single detached dwellings and requires all lots for single detached dwellings have a minimum site area of 460 square metres, and a minimum lot frontage of 15.0 metres.

The Comprehensive Zoning By-law (2023)-20790 was approved by Council in April 2023 after the development application was submitted and deemed complete. The Comprehensive Zoning By-law has been appealed to the Ontario Land Tribunal and is not currently in full effect.

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

Proposed Zoning By-law Amendment, (1995)-14864

The purpose of the Zoning By-law Amendment application under the City's 1995 Zoning By-law (1995)-14864, as amended, is to rezone a portion of the existing "Residential Single Detached" (R.1B) Zone to a "Residential Single Detached" (R.1D) Zone, and rezone another portion of the same R.1B Zone to a "Specialized Residential Townhouse" (R.3A-73) Zone with site-specific zoning regulations to permit a stacked, cluster townhouse development and eight (8) single detached dwellings.

Several specialized regulations to the R.3A zone were requested for the proposed development, including:

- To permit a maximum density of 81 units per hectare, whereas Section 5.3.2.6 and Table 5.3.2, Row 20, permits a maximum density of 60 units per hectare for Stacked Townhouse developments.
- To permit a minimum lot area of 120 square metres per dwelling unit, whereas Table 5.3.2, Row 3 requires a minimum lot area of 150 square metres per dwelling unit.
- To permit a minimum interior side yard of 3.0 metres, whereas Section 5.3.2.2 and Table 5.3.2, Row 6, requires a minimum interior side yard of one-half of the building height and no less than 3.0 metres from any rear or side lot line.
- To permit a minimum lot frontage of 11.0 metres along Dawn Avenue, whereas Table 5.3.2, Row 4, requires a minimum lot frontage of 18.0 metres.

- To permit a minimum private amenity area for stacked townhouses of 9.0 square metres per dwelling unit and specific regulations to clarify the location of private amenity areas; whereas a minimum 10 square metres per dwelling unit is required for stacked townhouse units above grade and whereas 20 square metres is required for ground level stacked townhouse units (Sections 5.3.2.5.1, 5.3.2.5.2, 5.3.2.5.3).
- To permit in-ground garbage containers to be located within the required 3.0 metre buffer strip, whereas Table 5.3.2, Row 14, permits the required buffer strip be provided in a side or rear yard and Section 4.9.1 limits garbage containers to a side or rear yard.
- To permit a maximum building height of 4 storeys, whereas Table 5.3.2, Row 9, permits a maximum building height of 3 storeys.
- To permit a maximum of 36 dwelling units in a row within a stacked townhouse, whereas Table 5.3.2, Row 18, permits a maximum of 12 dwelling units in a row within a stacked townhouse or a maximum of 8 dwelling units in a row where the units are adjacent to a public street.
- To permit a severability clause to ensure the requested site-specific policies above continue to apply to the entire portion of the subject lands zoned R.3A-73 after any future subdivision of the lands through a plan of condominium and/or severance.

Planning staff recommend some modifications and additions to the requested regulations. The following specialized regulation is also recommended:

- Reduce the required visitor parking to 10% of the calculated total required number of parking spaces, provided that a minimum 15% of dwelling units contain both a driveway and individual garage; whereas 20% of the calculated total required number of parking spaces are to be provided for the use of visitors (Section 4.13.6).
- To permit a minimum parking space dimension of 2.75 metres by 5.5 metres (excluding any obstructions) within a garage; whereas a minimum dimension of 3 metres by 6 metres is required (Section 4.13.3.2.2).

Proposed Zoning By-law Amendment, (2023)-20790

The applicant has also requested under the City's 2023 Comprehensive Zoning By-law (2023)-20790, as amended, to rezone the existing "Low Density Residential 1" (RL.1) Zone to a "Low Density Residential 2" (RL.2) zone and to rezone the existing "Medium Density Residential 6 with a Parking Adjustment Suffix and Holding Symbol" (RM.6(PA)(H12)) to a "Specialized Medium Density Residential 6 with a Parking Adjustment Suffix" (RM.6-26(PA)) Zone with site-specific zoning regulations to permit a stacked, cluster townhouse development with 150 dwelling units and eight (8) single detached dwellings.

Several specialized regulations to the RM.6 zone were requested for the proposed development, including:

- To permit a minimum lot frontage of 11.0 metres along Dawn Avenue, whereas a minimum lot frontage of 30.0 metres is required (Section 6.3.5, Table 6.17 a)).
- To permit a minimum interior side yard of 3.0 metres, whereas a minimum interior side yard of one-half the building height and no less than 3.0 metres is required (Table 6.18 c)).

- To permit in ground garbage containers to be located within the required 3.0 metre buffer strip, whereas a 3.0 metre buffer strip adjacent to the interior side or rear yard and Section 4.9 a) limits garbage containers to a side or rear yard is required (Table 6.18 f)).
- To permit a minimum private amenity area for stacked townhouses of 9.0 square metres per unit and specific regulations to clarify the location of private amenity areas; whereas a minimum 10 square metres per unit is required (Table 6.18 and additional regulations 12 and 13).
- To exempt the RM.6-26(PA) zone from the minimum front, exterior side and rear yard setbacks from private streets back of curb or sidewalk or lot line (Table 6.19); whereas a minimum front yard of 3 metres is required for stacked townhouse blocks with no garage is required, a minimum exterior side yard of 4.5 metres is required, and a minimum rear yard of 7.5 metres is required from private streets, back of curb or sidewalk or lot line (to the townhouse unit).
- To permit a maximum overall townhouse building length of 60.0 metres, whereas a maximum overall townhouse building length of 49.0 metres is permitted (Table 6.19(g)).
- To permit surface parking to be located anywhere, provided it is setback 3.0 metres from any lot line, whereas parking spaces are required to be located in an interior side yard or rear yard and be setback 3.0 metres from any lot line (Section 5.2.2(a)).
- To permit surface parking to exceed 75% of the total required residential parking spaces; whereas a maximum of 75% of parking spaces are to be provided as surface parking spaces (Section 5.2.2(c)).
- To include a severability clause to ensure the requested site-specific policies above continue to apply after any future subdivision of the lands through a plan of condominium and/or severance.

Planning staff recommend some modifications and additions to the requested regulations. The following specialized regulation is also recommended:

- The required parking rate shall be a minimum of 1 parking space per dwelling unit, plus 0.1 visitor spaces per dwelling unit, provided that a minimum of 15% of dwelling units contain both a driveway and individual garage; whereas a minimum parking rate of 1 space per dwelling unit, plus 0.2 visitor spaces per dwelling unit is required (Table 5.13, Row 17).
- To require secure bicycle parking spaces be provided at a rate of 0.5 spaces per dwelling unit where individual garages are not provided; whereas a rate of 1 bicycle parking space, long term per dwelling unit is required for each stacked townhouse dwelling unit where individual garages are not provided (Section 5.8), and to clarify that Sections 5.8.1 and 5.8.2 do not apply to secure bicycle parking spaces (Section 5.8).
- To require a minimum 6.6% (11) of total required surface parking spaces be electric vehicle parking spaces; whereas 20% (33) of total required spaces shall be provided as electric vehicle parking spaces (Section 5.9(a)).
- To require a minimum 93.4% (154) of total required surface parking spaces be designed electric vehicle parking spaces; whereas 80% (136) of total required surface parking spaces shall be provided as designed electric vehicle parking spaces (Section 5.9(b)).

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

A review of the recommended zoning and specialized regulations to both Zoning By-laws is included in the Staff Review and Planning Analysis in Attachment-11.

Proposed Development

The applicant is proposing to construct 150 stacked townhouse units across 6 blocks, and 8 single detached units fronting onto Dawn Avenue on the subject lands. The two public facing townhouse blocks to Gordon Street and Lowes Road West (26 units) will include integrated rear garages for each unit which are accessed from the internal private roadways. These units will have their primary entrances and porches facing the public streets. The four (4) internal stacked townhouse blocks (124 units) will be traditional stacked townhouses with primary entrances facing the internal streets. These traditional stacked townhouses will have their parking spaces within the surface lot.

The proposed development contains a total of 193 off-street parking spaces. This includes 26 garage parking spaces and 26 driveway parking spaces for the two stacked townhouse blocks facing Gordon Street and Lowes Road West. The remaining 141 parking spaces are within a surface lot on the subject lands, which includes 15 visitor parking spaces and 6 barrier-free spaces.

The 8 single detached dwellings will front onto and be accessed from Dawn Avenue, separate from the proposed stacked townhouse blocks. Vehicular access for emergency use only is proposed to connect from Dawn Avenue to the stacked townhouse portion of the development, which runs adjacent to the northern single detached dwelling.

The 6 stacked townhouse blocks will be oriented to surround the interior of the subject lands, east from the single detached dwellings, with one block directly adjacent and fronting to Lowes Road West and another adjacent and fronting to Gordon Street. A single primary vehicular access will be provided from Lowes Road West. Pedestrian access from the stacked townhouses will connect from the interior of the site to the existing sidewalk connections on Lowes Road West, Gordon Street, and Dawn Avenue. Parking for the townhouses is proposed to consist of a mix of surface parking, driveway, and garage parking depending on the unit type. A 1,393 square metre outdoor common amenity area is proposed to be located centrally on the subject lands.

The conceptual site plan is included in Attachment-9 and the proposed building renderings are included in Attachment-10.

Staff Review and Planning Analysis

The staff review and planning analysis for this application is provided in Attachment-11. 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-13. The staff review and planning analysis addresses the following:

- Evaluation of the development proposal's consistency with the 2020 Provincial Policy Statement (PPS) and conformity to A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the development proposal's conformity with the Official Plan;

- Review of the proposed R.1D and R.3A-73 zoning as well as specialized zoning regulations in the 1995 Zoning By-law ((1995)-14864);
- Review of the proposed RL.2 and RM.6-26(PA) zoning as well as specialized zoning regulations in the 2023 Zoning By-law ((2023)-20790);
- Review of the proposal's land use and built form compatibility with adjacent and established land uses;
- Review of the proposed site layout, amenity areas, pedestrian and vehicular connections to the surrounding area;
- Review of stormwater management on the subject lands;
- Review of the proposed reduction of off-street visitor parking;
- Consideration of the applicable sections of the Community Energy Initiative (CEI) update;
- Review alignment with the City's Affordable Housing Strategy;
- 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.

Financial Implications

Estimated Development Charges: \$4,813,640

Estimated Community Benefit Charge: Not applicable as proposed development is under 5 storeys in height.

Estimated Annual Property Taxes: \$540,000 - \$550,000

These figures are approximations only and are subject to change. Actual numbers may vary depending on the final number of bedrooms per unit as well as the assessed property value.

Staff Recommendation

Planning staff are satisfied that the proposed Zoning By-law Amendments are 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 Amendments conform 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 conditions as outlined in Attachment-3.

Staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Consultations and Engagement

A combined Notice of Complete Application and Public Meeting was mailed on May 12, 2022 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was also advertised in the Guelph Mercury Tribune on May 19, 2022. Notice of the application has also been provided by signage on the subject lands, which was installed on May 12, 2022. All supporting documents submitted with the application have been posted on the City's website.

The Notice of Decision Meeting was mailed/emailed on January 24, 2024 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-14.

Final comments from local boards and agencies and City service areas are included in Attachment-13. A complete summary of public notifications and consultation is included in Attachment-14.

Attachments

Attachment-1 Location Map and 120 metre Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Zoning, Regulations and Conditions

Attachment-4 Existing 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 Proposed Conceptual Site Plan

Attachment-10 Proposed Building Renderings

Attachment-11 Staff Review and Planning Analysis

Attachment-12 Community Energy Initiative Commitment

Attachment-13 Departmental and Agency Comments

Attachment-14 Public Notification Summary

Departmental Approval

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