

Planning Memo

601 Scottsdale Drive, Guelph

October 31, 2024

Lindsay Sulatycki
Senior Development Planner
Planning and Building Services
City of Guelph

Via Email: lindsay.sulatycki@guelph.ca

**RE: 601 Scottsdale Drive, Guelph, ON.
Applications for Official Plan Amendment and Zoning By-law Amendment**

Dear Ms. Sulatycki,

Fotenn has prepared this Planning Memo to provide professional planning assessments of the proposed Official Plan Amendment and Zoning By-law Amendment applications for the proposed development of Phase 2 on lands municipally known as 601 Scottsdale Drive in the City of Guelph (hereby referred to as the subject lands). The following assessment recommends that the applications be approved, subject to the site-specific official plan amendments and zoning provisions outlined within this report. It should be noted that some of the proposed zoning amendments do not match the plans submitted by the applicant in order to meet Ministry of Transportation (MTO) setback requirements of 14 metres from Stone Road W and 25 metres from Highway 6 while ensuring the proposed density and number of residential suites remain unaffected.

Fotenn Planning + Design (Fotenn) has reviewed all relevant application materials provided by the municipality as well as the following policy documents which form the bases of our findings:

- / Provincial Planning Statement (2024);
- / City of Guelph Official Plan 2024 (OPA 80 Consolidation);
- / City of Guelph Zoning By-law (1995) – 14864; and,
- / City of Guelph Comprehensive Zoning By-law (2023)-20790.

Please note that this report has assessed all applicable policy and regulatory framework.

Sincerely,



Michael Keene, MCIP RPP
Principal



Nathan Petryshyn, MCIP RPP
Senior Planner

1.0 Introduction

1.1 Purpose of Memorandum

Fotenn Planning + Design has been retained by the City of Guelph to provide a professional planning opinion on the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications for the proposed development of Phase 2 on the lands municipally known as 601 Scottsdale Drive (hereby referred to as the subject lands). Based on a review of the proposal, it has been determined that the proposed development is consistent with the relevant policies of the Provincial Planning Statement (2024). The proposal also conforms with the general intent of the City of Guelph Official Plan (2024 consolidation), with the proposed amendments representing good planning.

As of February 6, 2024, Zoning By-law (2023)-20790 is in full force and effect, and therefore the provisions of Zoning By-law (1995) – 14864 are no longer applicable. While both Zoning By-laws have been reviewed for this memo, only the provisions and amendments related to the acting Zoning By-law are included. Zoning By-law (2023)-20790 contains lands, areas, and sections that remain under appeal, with some appealed provisions applicable to the subject lands. Therefore, in addition to the proposed amendments, this memo includes the site-specific appealed provisions which are required for the proposed development. It is our opinion that many the proposed Zoning By-law Amendments conform to the general intent and purpose of the Zoning By-law and represent good planning. However, it should be noted that the recommended site specific zoning provisions do not exactly match the supporting plans submitted by the applicant and have been adjusted to meet Ministry of Transportation (MTO) setback requirements from Highway 6 while ensuring the proposed density and number of residential suites remain unaffected.

Accordingly, it is our opinion that the Official Plan Amendment and Zoning By-law Amendment applications should be approved, subject to the site-specific provisions as outlined herein.

1.2 Proposed Development Overview

Applications for an Official Plan Amendment and Zoning By-law Amendment were received for the proposed Phase 2 of development on subject lands on behalf of Forum 601 Scottsdale LP (Forum) to permit development of the vacant portion of the subject lands. Phase 2 consists of two (2) seven storey buildings with a combined 489 suites (391 studios and 98 two bed units), a single storey indoor amenity area connecting the two new buildings, structured parking for vehicles and bicycles with landscaping, pedestrian connections, and integration with the existing Phase 1 of development. Phase 1 was approved through previous planning processes (Zoning By-law Amendments and Site Plan Control) and is currently fully occupied.

The Planning Justification Addendum Report (PJR) prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) dated April 2024 states the intent of the OPA and ZBA applications is to support Phase 2 of the proposal, which aims to create a high-quality, modern, student-focused residential development that complements the surrounding area, optimizes the use of existing infrastructure, aligns with the planned built form in the neighborhood, and enhances connectivity to both existing and planned active transportation networks. The proposed development supports the provision of increased student housing supply to meet the projected needs of students attending the University of Guelph, supports the significant demand of housing in the City and relieving rental pressures on the City of Guelph at large. It further states that the intensification of this site is considered appropriate given the transport connections with serviced infrastructure, adequate municipal servicing, and its proximity to university, schools, commercial, parks and open space and other amenities.

The proposed seven-storey buildings will have a combined gross floor area of 21,936 square metres and will contain 489 units (294 units per hectare), consisting of 391 studio units and 98 two bedroom units in its Phase 2 development. The Phase 2 proposal includes a single storey indoor amenity area of 3,095.7 square metres, connecting the two new buildings.

The following are the site statistics:

Total Site

Site Area: 22,226 square metres (2.22 Ha or 239,239 square ft)

Frontage: 122.20 metres (401 ft)

Depth: 241.20 metres (791 ft)

Total GFA: 30,577.6 square metres (329,132 square ft)

Total units: 653 units (542 Studio and 111 two bedroom units)

Phase 1 (existing) –

GFA: 8,641.6 square metres (93,017 square ft)

Units: 164 units (151 Studio and 13 two bedroom units)

Building Height: 5-storeys

Phase 2 (proposed) –

GFA: 21,936 square metres (236,115 square ft)

Units: 489 units (391 Studio and 98 two bedroom units)

Building Height: 7-storeys

The Community Energy Initiative (CEI), formerly the Community Energy Plan, is Guelph's commitment to improving energy efficiency and management, with a goal to become a Net Zero Carbon community by 2050. The applicant aims to align with the CEI by considering various measures, including optimizing energy efficiency and airtightness in building design, using LED lighting, zonal thermostats, and Energy Star appliances, and installing water-efficient fixtures. Efforts will also include accounting for embodied carbon in materials, using high albedo surfaces to reduce the urban heat island effect, and incorporating low-VOC materials to enhance indoor air quality. At construction stage, the applicant plans to implement sustainable practices such as reusing onsite soils, utilizing local trades and suppliers, and enforcing a Sediment and Erosion Control Plan to minimize environmental impact, ensuring that both the building and construction methods support Guelph's vision for a sustainable future.

The design of the proposed building would satisfy all Ontario Accessibility Standards and the Ontario Building Code.

The applicant is proposing to:

- / Amend the Guelph Official Plan to permit the maximum net density of up to 300 units per hectare on the entirety of the subject lands. The proposed development aims to achieve a density of approximately 294 units per hectare; and,
- / Amend the Mixed Use Corridor and site specific Mixed Use Corridor - 2 ((MUC -2(PA)(H12)) zone established by Zoning By-law (2023) – 20790 to a new Mixed Use Corridor (MUC - xx) Zone, with site specific provisions.

It is our opinion that the subject lands must adhere to enhanced Ministry of Transportation (MTO) setbacks along the western property line adjacent to Highway 6 and the southern property line bordering Stone Road West due to a potential future highway improvement project. Currently, portions of the proposed buildings, as well as some surface and structured parking areas, outdoor amenity spaces, segments of the driveway and fire route, and pedestrian walkways encroach upon the required MTO setbacks. The proposal will need to be revised to achieve compliance with these setbacks along the western and southern boundaries. Our urban design review report suggests design modifications that include increased building height and reduced lengths to mitigate the impact of the enhanced MTO setbacks. Therefore, this memo outlines necessary additional or revised amendments to the Zoning By-law regarding building height, setbacks, angular plane, and building separation requirements to align with the proposed design modifications and ensure compliance with the enhanced setback requirements.

1.3 Site Description and Surrounding Context

The subject lands are located at the northwest corner of the Stone Road West and Scottsdale Drive intersection, with the Highway 6 (Hanlon Parkway) immediately to the west. The subject lands slopes gently from east to west and currently occupies a residential student housing building with 164 suites (totaling 177 bedrooms) for University of Guelph students. Access to the subject lands is provided by two entrances on Scottsdale Drive, located at the north and south ends of the subject lands.

The subject lands have an area of approximately 2.2 hectares, with approximately 122 metres of frontage along Scottsdale Drive. A hydro corridor with overhead wires runs through the property, within a 20 metre wide easement. The subject lands also border Stone Road West to its south. The Ministry of Transportation (MTO) manages Highway 6 and owns the land to the west and south of the subject lands, including the area between the parking lot and Stone Road. The subject lands are located in a developed part of the city, which has many high-level commercial establishments - including the regional Stone Road Mall, schools, playground facilities, and places of worship. Stone Road is a major road in Guelph, connecting the Highway 6 on the west side of the city with the University of Guelph, Gordon Street, and the downtown area. Surrounding land uses include:

- / **North:** TD Canada Trust bank and portions of the Stone Road Mall development; a new 8- and 10-storey multi-unit residential development has been approved for the adjacent lands to the north, on Janefield Avenue.
- / **South:** Multi-unit Commercial Plaza across Stone Road West; further to the south are multiple low-rise residential dwellings and Stone Lodge Retirement Residence.
- / **East:** Commercial uses on both sides of Stone Road with some low-rise residential context.
- / **West:** Highway 6 connecting Hwy 401 in the south and Hwy 7 in the north; a Baptist Church is located northwest of the subject lands.

1.4 Existing Official Plan (OPA 80 Consolidation) Land Use Designations and Policies

The 1994 City of Guelph Official Plan (Official Plan) was comprehensively updated in 2001 and more recently through the City-initiated Official Plan Amendment (OPA 80) and was consolidated in February 2024. The Official Plan conforms to the 2024 PPS and changes to the Planning Act through Bill 108, More Homes, More Choice Act. OPA 80 was approved by the Ministry of Municipal Affairs and Housing and subsequently repealed in November 2023. Bill 150 received Royal Assent on December 6, 2023, which reenacted the OPA 80 with remedied modifications.

The subject lands are designated as Mixed-Use Corridor 1 and are situated within a Strategic Growth Area in the Official Plan. These areas are intended for higher-density, mixed-use developments that support transit. Specifically, within a Strategic Growth Area, lands with the Mixed-Use Corridor 1 designation allow for a maximum building height of 14-storeys and a maximum density of up to 250 units per hectare.

1.4.1 Proposed Official Plan Amendment

The proposed application is requesting text amendments to the City of Guelph Official Plan to a site-specific policy to permit an increase in maximum density to 300 units per hectare, resulting in an increase to the overall density permitted at the subject lands.

1.5 Zoning By-law (2023)-20790

The City of Guelph is subject to Zoning By-law (2023)-20790 as of February 6, 2024, and Zoning By-law (1995)-14864 is no longer in force. While both Zoning By-laws were reviewed in support of this memo, only provisions from the in-force Zoning By-law are included. Zoning By-law (2023)-20790 contains a number of appeals related to the subject lands and therefore the site specific amendments will include both requested amendments and appealed provision relevant to the subject lands.

Under (2023)-20790, the subject lands are zoned under Mixed-Use Corridor (MUC -2 (PA)(H12)). The general purpose of this zone is to provide for a mix of residential and non-residential uses within the City's mixed-use corridors. Site-specific Zoning By-law provisions 18.9.2, 2.8 and 17.1.12 apply to the subject lands, which state the following:

18.9.2 (a) - Permitted uses

In addition to the permitted uses listed in Table 7.1 (MUC zone), the following additional uses shall be permitted:

- / Apartment building (permitted on the first storey of a building)
- / Residential suites for the purposes of this zone, the following definition shall apply:
Residential suites: means a building containing 5 or more suites that are used to provide living accommodation where access to each suite is obtained through a common entrance or entrances from the street level and subsequently through a common hall or halls. Each suite shall contain bathroom facilities but does not have exclusive use of a kitchen.

(b) Regulations

- i. Maximum building height Despite Table 7.8, B, the maximum building height shall be 8 storeys.
- ii. Calculating density and off-street parking
For the purpose of determining the number of units, a suite shall be considered equivalent to a dwelling unit.
- iii. Minimum common amenity area Despite Table 7.8, the minimum common amenity area shall be 1,300 square metres.

2.8 Parking adjustment (PA) area

Where a zone shown on Schedule A is followed by a (PA) suffix, the parking adjustment regulations found in Table 5.3 apply.

Note: The (PA) suffix applies to lands within the city's Intensification Corridors and Community Mixed-use Nodes as defined in the City of Guelph Official Plan in force and effect on the effective date of this by-law. 'PA' refers to a parking adjustment to reduce parking within Intensification Corridors and Mixed-use Nodes. Please note provisions of Table 5.3 are currently under appeal.

17.1.12 (H12) Municipal Services

- a) Purpose: To ensure that municipal services are adequate and available to the satisfaction of the City, prior to construction of new buildings and/or additional residential development of the lands.
- b) Uses Subject to Removal of the (H)
For such time as the holding provision (H) is in place, these lands may be used for all uses permitted in the applicable zone except for new residential uses as set out in Table 6.1 or 7.1. The use of these lands for new residential uses is subject to the interim regulations in (c) as follows:
- c) Conditions: Prior to the removal of the holding provision (H) a municipal services review shall be completed to the satisfaction of the City. The scope and boundary of the municipal services review will be determined by the City and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.
- d) Should the municipal services review demonstrate that all necessary municipal services required for the proposed construction of a new building and/or residential development are adequate and available to the satisfaction of the City, the (H) may be lifted; or,
- e) Should the municipal services review determine that all necessary municipal services required for the proposed construction of a new building and/ or residential development are not adequate and available, then prior to the (H) being lifted:
 - i. Adequate security for the actual design and construction costs of any municipal services required for the proposed new building and/ or residential development shall be provided to the City in a matter satisfactory to the City; and,
 - ii. Any municipal services required for the proposed new building and/ or residential development shall be designed to the satisfaction of the City; and,

- iii. Any municipal services required for the proposed new building and/ or residential development shall be constructed to the satisfaction of the City.
Please note that Section 17.1.12 is currently under appeal.

1.5.1 Proposed Zoning By-law Amendments

A new site-specific Zoning By-law Amendment would be required to permit the proposed student residential buildings. The Zoning Bylaw Amendment proposes a new Mixed Use Corridor Zone with site-specific provisions.

A summary of (2023)-20790 Mixed Use Corridor (MUC) Zone regulations and requested amendments are as follows. Please note that the appealed provisions are included in forthcoming sections:

- / **Holding Provisions:** The details of the Holding provision are currently under review, will be revised based on recommendations from Engineering Staff and other departments.
- / **Definitions:** In addition to the definitions outlined in Part B of City of Guelph Zoning By-law (2023)-20790, For the purposes of this site specific zone, the following definitions shall apply to the lot located at 601 Scottsdale Drive:
 - / **Front Property Line:** The boundary of the lot along Scottsdale drive shall be considered as the front property line;
 - / **Rear Property Line:** The boundary along Highway 6 shall be defined as the rear property line;
 - / **Interior Property Line:** The property line that separates the lot from the northern adjacent properties shall be defined as the interior property line;
 - / **Exterior Property Line:** The boundary along Stone Road shall be defined as the rear property line; and,
 - / **Residential Suite:** In addition to the definition of residential suite outlined in section 18.9.2 a) of Zoning By-law 2023-20790; for the purpose of this by-law, the terms unit, dwelling unit and residential suite may be used interchangeably.
- / **Maximum Density:** To permit a density of 300 units per hectare for the entire site, whereas Table 7.6 b) requires 100 to 150 units per hectare.
- / **Exterior Yard Setback:** To permit a minimum 14 metres as an exterior yard setback as per MTO requirements, whereas Table 7.7 a) requires a minimum exterior yard of 3 metres and maximum of 13 metres.
- / **Rear Yard Setback:** To permit a minimum 25 metres as a rear yard setback as per MTO requirements, whereas Table 7.7 c) requires a minimum rear yard of 3 metres and maximum of 13 metres.
- / **Buffer Strip:** A 3 metre buffer strip shall be maintained adjacent to interior side and rear lot lines.
- / **Building Height:** To permit maximum building height of 14 storeys, whereas section 18.9.2 b (i) allows for maximum building height of 8 storeys.
- / **Maximum Building Separation:** To remove the maximum building separation requirements, whereas Table 7.8.(e) requires a maximum of 15 metres.
- / **Angular Plane:** To remove the angular plane requirement which will allow for building heights that align with the Official Plan, whereas Table 7.9 requires 45 degrees.
- / **Common Amenity Area:** To require that 6.8 square metres per residential suite of amenity space be provided for the entire site, whereas Section 18.9.2 b (iii) requires minimum common amenity area to be 1,300 square metres.
- / **Parking Rates:** To permit vehicle parking to be provided at rate of 0.28 spaces per residential suite, for both residential and visitor spaces combined; whereas Table 5.3 permits a minimum of 1.5 spaces per dwelling unit for first 20 dwelling units and 1.25 spaces per units for excess of 20 dwelling units of which 20% shall be used for visitor parking and maximum of 1.5 spaces per dwelling unit plus 0.25 visitor parking spaces per dwelling unit.
- / **Bicycle Parking Rate:** To permit a rate of 0.57 bicycle parking spaces per residential suite (long term and short term, combined), whereas Table 5.7 requires a 0.1 spaces per dwelling unit short term i.e. 67 spaces

and 1 space per dwelling unit long term i.e. 655 bicycle parking spaces; and, to remove the under appeal provisions of Sections 5.8.1 and 5.8.2 to avoid potential compliance issues regarding the location, placement, and size of horizontal and stacked bicycle parking systems.

- / **Electric Vehicle Parking:** To permit 5 electric vehicle parking spaces and 20 designed to accommodate electric vehicles, while Section 5.9 (a) requires that 20% of required parking to have electric vehicle charging stations, with 80% designed to accommodate EV parking in the future.

2.0 Planning Analysis

2.1 Provincial Planning Statement (PPS, anticipated October 2024)

The Ontario government released the final version of the Provincial Planning Statement, 2024 (PPS 2024) on August 20, 2024. The Provincial Planning Statement, 2024 (PPS 224) will come into force on October 20, 2024, and, as of that date, will replace the primary provincial policy documents that govern land use planning in Ontario, being the Provincial Policy Statement, 2020 (PPS 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan).

It is anticipated the decision for this application will be made following October 20th, 2024, rendering the 2024 Provincial Planning Statement the appropriate policy context for review. To this effect, our report focuses its review on the incoming Provincial Planning Statement (2024) (at present draft) to ensure consistency with its effective date, approval timing and the timing of this submission.

The 2024 Provincial Planning Statement (PPS 2024) provides high-level land use policy direction on matters of Provincial Interest as they relate to land use planning in Ontario municipalities. The provincial vision for land use planning states - Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation. Decisions of municipal councils must be consistent with the PPS, which outlines key objective such as building homes, sustaining strong and competitive communities, infrastructure and facilities, wise use and management of resources, and protecting public health and safety.

Section 2.2 states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents [...]. Housing Options are defined as - a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, affordable housing, additional needs housing, multigenerational housing, **student housing**, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or institutional uses, such as long-term care homes.

The development proposes both studio and two bedroom units with accessible entry and elevator entrance; as well as accessible barrier free units in the proposed student residential development. The proposal is consistent with the policy direction and facilitates housing needs in the neighbourhood.

Section 3.6 states planning shall accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services [...]. Existing municipal infrastructure for sanitary and storm is available on Torch Lane and within an existing easement to the subject lands, and water is available from Scottsdale Drive. A Functional Servicing Brief Addendum includes a yearly water balance and has been updated to reflect the new Development Engineering Manual. An infiltration gallery has been added to maximize infiltration and replaces the previously proposed underground storage tank. Additional grading, servicing and stormwater management details will be provided during detailed design at Site Plan Approval stage.

The proposal represents a significant intensification, of a property within a settlement area and the built-up area of the City, with an overall density of 294 units per hectare. It proposes to efficiently use existing municipal infrastructure and services, will provide for increased densities within proximity to existing transit services, and is within walking distance of the university buildings, parks, places of worship, and commercial areas on Stone Road.

It is our opinion that proposed development to facilitate the Phase 2 development of student residential building to introduce 489 units, two (2) seven-storey residential buildings are consistent with the policies

and objectives of the PPS. The design alterations suggested in the Urban Design Review report to accommodate the enhanced setback requests from the Ministry of Transportation (MTO) will also maintain consistency with these policies, despite the proposed increase in building height. Furthermore, the additional amendments to the City of Guelph Zoning By-law 2023-20790, as detailed in this memo, will ensure that the future design proposal continues to adhere to the objectives and policies of the PPS 2024.

2.2 Conformity with the City of Guelph Official Plan (OPA 80 Consolidation)

The City of Guelph Official Plan (OP) is a future-oriented document that sets out a course for the desired development of Guelph to the year 2031. In July 2022, Council adopted OPA 80, which expanded the planning horizon of the OP from 2031 to 2051. OP 80 was approved by the Minister of Municipal Affairs and Housing on April 11, 2023. The following policies of the OP are relevant to the proposed development, inclusive of the key policy updates introduced through OPA 80.

As per Section 2.3, the relevant strategic goals from the Official Plan are as follows:

1. Planning a Complete and Healthy Community
 - a) Utilize an interdisciplinary approach whereby decisions are made with an understanding of the ecological, social, cultural and economic interrelationships and implications for any particular course of action;
 - b) Ensure an appropriate range and mix of employment opportunities, local services, community infrastructure, housing including affordable housing and other land uses are provided to meet current and projected needs to the year 2031;
 - c) Provide for urban growth and land use patterns that support community needs and ensures efficient use of public expenditures and municipal financial sustainability over the long term.
 - d) Ensure that development is planned to meet the goals, objectives and policies of this Plan.
 - g) Preserve and enhance a safe, liveable and healthy community.
4. Municipal Services
 - b) Direct development to those areas where full municipal services and related infrastructure are existing or can be made available, while considering existing land uses, natural heritage systems, development constraints, fiscal sustainability, development costs and related factors.
5. Community Infrastructure
 - h) Ensure that an adequate supply, range and geographic distribution of housing types including affordable housing, special needs housing and supporting amenities are provided to satisfy the needs of the community.
6. Urban Design
 - b) Build a compact, mixed-use and transit-supportive community;
 - c) Plan and design an attractive urban landscape that reinforces and enhances Guelph's sense of place and identity while encouraging innovative design and development opportunities; and
 - d) Encourage intensification and redevelopment of existing urban areas that is compatible with existing built form.
7. Downtown
 - a) Strengthen the role of the Downtown as a major area for investment, employment and residential uses such that it functions as a vibrant focus of the city.

Section 3 states that Guelph will be a compact, vibrant City, made up of complete communities for current and future generations that meets the following objectives:

- a) To provide for a sufficient supply of land within the City's settlement area boundary to accommodate projected growth to the year 2051;
- b) To direct growth to locations within the delineated built-up area where the capacity exists to best accommodate the expected population and employment growth;

- f) To support a multi-modal transportation network and efficient public transit that links Downtown to the rest of the community and surrounding municipalities;
- g) To reduce overall energy demands with an integrated approach to planning; and
- l) To support transit, walking and cycling for everyday activities.

As per Section 3.1, the City of Guelph OP contains policies to achieve a complete community as follows:

1. Planning to support the achievement of complete communities, as a central theme to this Plan, is focused on the achievement of a well-designed, compact, vibrant city that meets the people's needs for daily living throughout their lifetime by providing:
 - ii) a full range and mix of housing options and densities to accommodate a range of incomes and household sizes;
 - iii) local services and public service facilities including affordable housing and schools;
 - iv) high quality publicly accessible open space and adequate parkland opportunities for recreation including trails and other recreational facilities; and,
 - vi) convenient access to a wide range of transportation options including public transit and active transportation.

As per Section 3.4, the OP states:

2. the minimum intensification target for the delineated built-up area is 46% of all residential development occurring annually will be within the delineated built-up area;
4. To support the achievement of the minimum intensification target, vacant or underutilized lots, greyfield, and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings;
5. A diverse range and mix of housing options and densities will be planned, including affordable housing and additional residential dwelling units to meet projected needs of current and future residents of all stages of life and to accommodate the needs of all household sizes and incomes;
6. Development within the delineated built-up area will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent properties; and,
7. Development within the delineated built-up area will create attractive and vibrant spaces in accordance with the urban design policies of this Plan.

As per policies 4.2.4 and 4.4.5, the City may require proponents of development to submit a Hydrogeological Study for lands situated in Wellhead Protection Area C (much like our subject lands) and an environmental screening for contaminated sites including a Phase 1 and/ or Phase 2 Environmental Site Assessment to assess and mitigate the potential impact of a development application. As per policy 4.4.6, the City requires the applicant to provide a Noise and Vibration Study to ensure minimum land use conflicts between sensitive land uses and uses that create noise and vibration. These reports have been completed and are outlined in the following sections. As per policy 4.7.2, the OP gives direction to encourage and facilitate local energy generation through renewable energy systems and alternative energy systems.

The OP encourages development that supports a sustainable transportation network as per policies of Section 5.1 and 5.3. The OP generally encourages the increased use of non-auto travel modes. Development of transportation demand management (TDM) options will be an essential part of evaluating development proposals and developing a sustainable transportation system. TDM measures may include active transportation facilities, reduced parking standards, carpooling programs or transit pass initiatives, among others. The OP encourages shorter commuting distances through compact urban design. Section 5.4 encourages active transportation measures be implemented to support walking and cycling as priorities within the transportation system.

Section 6 outlines the general framework for the provision and extension of municipal services to new development. All new development will be required to connect to full municipal services, including sanitary, water, stormwater management, solid waste management, electrical power, and transportation networks.

Section 8 sets out the framework for good urban design within the municipality. The policies outlined under Section 8 are intended to promote the creation of a complete community and apply to all developments within the City. New

developments will support sustainable design elements, including energy efficiency, water conservation, sustainable building design, low impact stormwater infiltration systems, and other similar measures. Residential uses shall be integrated and well-connected to surrounding existing neighbourhoods, featuring a mix of transportation modes and access to transit services. Pedestrian oriented streetscapes shall be promoted through the design and construction of new development.

2.3 Assessment of the Official Plan Amendment

2.3.1 General Overview

The subject lands are currently designated as Mixed-Use Corridor 1 and are situated within a Strategic Growth Area in the Official Plan. These areas are intended for higher-density, mixed-use developments that support transit; with maximum permitted building height of 14-storeys and a density of up to 250 units per hectare.

The proposed Official Plan Amendment seeks to increase the maximum permitted density to 300 units per hectare. The proposed Phase 2 of development is for two (2) seven-storey residential buildings with 489 dwelling units. The total site area is 22,226 square metres (2.22 Ha); which currently occupies Phase 1 of the development. Phase 1 consists of 164 units with gross floor area (GFA) of 8,641.6 square metres, while the proposed Phase 2 of the development proposes 489 units with gross floor area of 21,936 square metres. The total number of units including both phases are 653 with a total gross floor area of 30,577.6 square metres. The proposed density including both phases combined is 294 units per hectare.

The applicant's development proposal to introduce more density near transit services conforms with the OP's strategic goal of developing a complete community. The proposal to develop two seven-storey buildings with 489 units represents an appropriate use of land that is aligned with the OP's policy direction for the strategic growth areas. The proposed development is located within the built-up area of the city and will introduce intensification to the site. Intensification projects are encouraged throughout the strategic growth area, particularly near a mix of uses, amenities and transit. The subject lands are within 200 metres of transit facilities, university, schools, places of worship and shopping centres.

With regards to housing objectives, the introduction of student housing with 489 units in Phase 2 will contribute positively towards the provision of student housing in the neighbourhood and in the City. The proposal also conforms with policies that direct Mixed-Use Corridor 1 in proximity to transit, open spaces, university, and other public amenities to optimize investments in public infrastructure.

With regards to infrastructure works, the applicant has provided relevant infrastructural studies demonstrating that the development will be appropriately serviced by municipal water, wastewater, solid waste and stormwater management facilities that can be realized in an orderly manner. A Stormwater Management and Functional Servicing Report, Hydrogeological Study, Phase I and Phase II Environmental Site Assessment with a Record of Site Condition, Environmental Noise and Vibration Study, and Shadow and Wind studies have been completed, among other studies, and have indicated the site is an appropriate location for this proposal.

With regards to sustainability measures the proposal includes drought tolerant landscaping, zonal thermostats, auto light sensors, leak detection systems, low VOC materials, and high albedo roofing and exterior paving, the proposed development will integrate photovoltaic solar panels on the rooftop of the building. Reduced parking standards along the Intensification corridors (similar to our subject lands) will support a shift from car dependency.

The proposal for Phase 2 is generally in alignment with the urban design strategic goal of intensifying urban areas with a compact, attractive, and transit supportive development. The proposed development also complements the Phase 1 development, while activating the overall area and supporting transit and active transportation policies of the Official Plan. Indoor and outdoor amenity spaces are shared between Phase 1 and 2 of the development, providing areas for seating and engagement. The building will accommodate barrier free residents and those with vehicles.

2.3.2 Assessment of the Density Increase

The purpose of the proposed OPA is to seek permission to allow a maximum density of 300 units per hectare.

The Planning Justification Report provided by the applicant states that the intent of the development is to develop the vacant underutilized portion of the subject lands with additional residential buildings that will provide housing for students.

The subject lands are designated as Mixed-Use Corridor 1 and are situated within a Strategic Growth Area, as outlined in the Official Plan. These areas are planned for higher-density, mixed-use developments that promote transit accessibility. Within a Strategic Growth Area, the Mixed-Use Corridor 1 designation allows for a maximum building height of 14-storeys and a density of up to 250 units per hectare. The proposed land use is consistent with the Mixed-Use Corridor 1 designation and is currently applicable to the subject lands. An Official Plan Amendment is being proposed to introduce a site-specific policy that would permit an increase in density to 300 units per hectare, facilitating a minor enhancement in the overall project's density.

It is our opinion that the proposed site-specific amendment to increase the maximum permitted density from 250 units per hectare to 300 units per hectare conforms with OP policy direction, is consistent with Provincial policies, and is appropriate for the subject lands. Given the location of the subject lands within the built-up area, near transit and amenities, increasing the permitted density on this site is appropriate and minor in nature to optimize the use of the subject lands.

Accordingly, it is our recommendation that the proposed OPA be approved permitting a maximum density of 300 units per hectare.

2.4 Conformity with Zoning By-law (2023) – 20790

The subject lands are zoned Mixed Use Corridor (MUC-2(PA)(H12)) under Zoning By-law (2023)-20790. The MUC-2 zone maintains certain site-specific provisions from the previous By-law (1995-14864), including a maximum density of 150 units per hectare. The H12 holding provision requires verification of sufficient municipal services to accommodate the proposed development. The 'PA' denotes a parking adjustment, reducing parking requirements within Intensification Corridors and Mixed-Use Nodes.

Since many sections of this Zoning By-law are under appeal, the Zoning By-law Amendment should also require the addition of all relevant appealed provisions. These will be added in Table 3 below, with justification given in Section 3.7 below.

To accommodate the enhanced setbacks as per MTO's requirements from Highway 6 to the rear yard lot line, Fotenn has prepared a conceptual sketch demonstrating impacts on the building footprints of the proposed development (Appendix B). As such, the building footprint has been reduced in the western portion of the site. Additional or revised amendments to the rear yard setback and building height have either been included in the below tables to accommodate this revision, denoted below (ex: **Building Height).

Table 1: Amendments to Zoning By-law (2023) – 20790

Regulation	Reference	Required	Proposed	Compliance
Holding Provision	Section 17.1.12 Holding provision (H12)	Site Specific Conditions related to Municipal Services	Revision of the Holding Provision per Engineering Staff Recommendations	Amendment Required

Regulation	Reference	Required	Proposed	Compliance
Definitions	Part B: Definitions	<p>Front Property Line: Scottsdale drive</p> <p>Rear Property Line: Highway 6</p> <p>Exterior Property Line: Stone Road West</p> <p>Interior Property Line: Property line that separates the lot from adjacent properties to the north shall be defined as the interior property line;</p> <p>Residential Suite: In addition to the definition of residential suite outlined in section 18.9.2 a) of zoning by-law 2023-20790; for the purpose of this by-law, the terms unit, dwelling unit and residential suite may be used interchangeably.</p>	<p>To define the property lines at the subject lands due to the irregular shape of the lot.</p> <p>To define a Residential Suite as student housing.</p>	Amendment Required
Min. Residential density (units per hectare)	Provision B, Table 7.6 in Section 7.3.3a of Part D	100 units per hectare	300 units per hectare	Amendment Required
Max. Residential density (units per hectare)	Provision B, Table 7.6 in Section 7.3.3a of Part D	150 units per hectare	300 units per hectare	Amendment Required
Min. Front yard	Provision A, Table 7.7 in Section 7.3.3b of Part D	3 m	24 m	Yes; Legal non-compliant as Phase 1 building is an existing condition.

Regulation	Reference	Required	Proposed	Compliance
Max. Front yard	Provision A, Table 7.7 in Section 7.3.3b of Part D	13 m	24 m	Yes; Legal non-compliant as Phase 1 building is an existing condition.
Min. Exterior side yard	Provision A, Table 7.7 in Section 7.3.3b of Part D	3 m	16.27 m to Stone Road Minimum 14 metres per MTO requirements	Amendment Required
Max. Exterior side yard	Provision A, Table 7.7 in Section 7.3.3b of Part D	13 m	16.27 m to Stone Road Minimum 14 metres per MTO requirements	Amendment Required
Min. Interior side yard	Provision B, Table 7.7 in Section 7.3.3b of Part D	3 m	13.85 m	Yes
Min. Rear yard	Provision C, Table 7.7 in Section 7.3.3b of Part D	7.5 m	25 m to Highway 6 per MTO requirements	Amendment Required
Min. Buffer strip	Provision D, Table 7.7 in Section 7.3.3b of Part D	A 3 m wide buffer strip is required adjacent to interior side and rear lot line	1.4 metres proposed by applicant. 3.0 metres recommended to accommodate transition to nearby properties, where other transition performance standards have been removed.	It is recommended to maintain the 3 metres wide buffer strip along the interior side yard and rear yard.
**Building Height	Section 18.9.2 (b)(i)	8-storeys	Maximum: 14-storeys	Amendment Required
**Minimum Distance Between Buildings	Table 7.8.(e)	Min: 5 metres Max: 15 metres	The maximum building separation shall not apply to allow for future redesign to accommodate MTO setbacks	Amendment Required

Regulation	Reference	Required	Proposed	Compliance
**Angular Plane	Provision B, Table 7.9 in Section 7.3.3d of Part D	Building heights shall not exceed an angular plane of 45 degrees from any interior side yard and/or rear yard lot lines when adjacent to a residential low and medium density and/ or institutional zone, as measured from 10.5 m above the average elevation of the grade at the required setback from the property line	Remove Angular Plane Provision to allow for building heights which align with the Official Plan	Amendment Required
Minimum Common Amenity Space	18.9.2 (b)(iii)	1,300 m ²	6.8 m ² per residential suite = 4,522 m ² required 4,578 m ² provided	Amendment Required
Parking Rates – Min. parking requirements for Apartments	Table 5.3 in Section 5.5 of Part C	For the first 20 dwelling units: 1.5 spaces per dwelling unit, and for each dwelling unit in excess of 20: 1.25 spaces per dwelling unit. A minimum of 20% of the required parking spaces shall be for the use of visitor parking Required Parking – Min. 837 parking spaces	0.28 spaces / residential suite (for both residential and visitor parking spaces combined) Total provided: 191 spaces	Amendment Required

Regulation	Reference	Required	Proposed	Compliance
Accessible Parking	Table 5.5 in Section 5.7 of Part C	<p>1 accessible parking space plus an additional 3% of total spaces⁽¹⁾ with an equal number of Type A and Type B accessible parking spaces⁽²⁾</p> <p>Additional regulations for Table 5.5: 1. Rounded up to the nearest whole number 2. If an odd number of accessible parking spaces is required, the additional space may be a Type B accessible parking space</p> <p>$1 + (191 \times 0.03) = 7$ spaces required</p> <p>Type A – 3 spaces Type B – 4 spaces</p>	7 spaces	Yes
Bicycle Parking	Table 5.7 in Section 5.8 of Part C	<p>Short term – 0.1 spaces per dwelling unit</p> <p>Long term – 1 space per dwelling unit</p> <p>Required – 67 short term and 665 long term</p>	<p>0.57 space / residential suite (for both short and long term spaces combined)</p> <p>Total provided = 382 spaces</p>	Amendment Required
Electric vehicles	Section 5.9 (a) of Part C	<p>20% of required parking to have electric vehicle charging stations, with 80% designed to accommodate EV parking in the future</p> <p>Required – $191 \times 0.2 = 38$ spaces to have minimum Level 2 chargers</p>	5 supplied, 20 designed	Amendment Required – not supported.

2.4.1 Assessment of the Zoning By-law

Following an assessment of the site-specific amendments to Zoning By-law (2023) - 20790 proposed by the applicant, we have no major objections to the proposed amendments in principle. However, we recommend certain modifications to the proposed amendments for greater clarity and/or to incorporate additional or revised amendments which were not identified by the applicant. As such, Fotenn has prepared a table below which summarizes the recommended site-specific amendments to the Zoning By-law. Table 3 includes the appealed provisions related to the subject lands to bring them into effect until those sections are in-force.

Table 2: Assessment of the Zoning By-law

Amend. #	Section	Regulation	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
1	Section 17.1.12 (currently under appeal)	Holding provision (H12)	Revised Provisions	Revisions to the Holding provisions	Despite Section 17.1.12, the Holding provision (H12) be revised or partially lifted; per the recommendations provided by the Engineering department under separate cover.

Amend. #	Section	Regulation	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
2	Section 3, Part B	Definitions	Definitions to be added for site specific by-law	-	<p>In addition to Section 3, following definitions shall be applicable to this site specific by-law:</p> <p>Front Property Line: The boundary of the lot along Scottsdale drive shall be considered as the front property line;</p> <p>Rear Property Line: The boundary along Highway 6 shall be defined as the rear property line;</p> <p>Exterior Property Line: The boundary adjacent to Stone Road West shall be defined as the exterior property line;</p> <p>Interior Property Line: Property line that separate the lot from adjacent properties shall be defined as the interior property line;</p> <p>Residential Suite: In addition to the definition of residential suite outlined in section 18.9.2 a) of zoning by-law 2023-20790; for the purpose of this by-law, the terms unit, dwelling unit and residential suite may be used interchangeably.</p>
3	Table 7.6 b	Min. Residential density (units per hectare)	100 units per hectare	300 units per hectare	Despite Table 7.6b, a maximum density of 300 units per hectare shall be permitted.
3	Table 7.6 b	Max. Residential density (units per hectare)	150 units per hectare	300 units per hectare	Despite Table 7.6b, a maximum density of 300 units per hectare shall be permitted.

Amend. #	Section	Regulation	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
4	Table 7.7 a	Min. Exterior yard	3 m	16.27 m to Stone Road West	<p>Given that the Ministry of Transportation's setback requirements exceed that maximum exterior yard setback limits specified in Table 7.7 of the Zoning By-law, the maximum exterior yard and rear yard setbacks shall be determined per MTO requirements. Hence, the provision must be amendment as below -</p> <p>Despite Table 7.7a, a minimum exterior yard setback of 14 metres shall be permitted.</p>
4	Table 7.7 a	Max. Exterior yard	13 m	16.27 m to Stone Road West	<p>Given that the Ministry of Transportation's setback requirements exceed that maximum exterior yard setback limits specified in Table 7.7 of the Zoning By-law, the maximum exterior yard and rear yard setbacks shall be determined per MTO requirements. Hence, the provision must be amendment as below -</p> <p>Despite Table 7.7a, a minimum exterior yard setback of 14 metres shall be permitted.</p>

Amend. #	Section	Regulation	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
4	Table 7.7 a	MTO setback required on exterior yard	Setback to be determined per MTO's requirements	16.27 m to Stone Road West	<p>Given that the Ministry of Transportation's setback requirements exceed that maximum exterior yard setback limits specified in Table 7.7 of the Zoning By-law, the maximum exterior yard and rear yard setbacks shall be determined per MTO requirements. Hence, the provision must be amendment as below -</p> <p>Despite Table 7.7a, a minimum exterior yard setback of 14 metres shall be permitted.</p>
5	Table 7.7 c	Min. Rear Yard	7.5 m	14 m to Highway 6	Despite Table 7.7c, a minimum rear yard setback of 25 metres shall be permitted.
5	Table 7.7 c	MTO setback required on rear yard	Setback to be determined per MTO's requirements	14 m to Highway 6	Despite Table 7.7c, a minimum rear yard setback of 25 metres shall be permitted.
6	Table 7.7 d (currently under appeal)	Min. Buffer strip	A 3 m wide buffer strip is required adjacent to interior side and rear lot line	1.4 m to interior yard	It is recommended to maintain the 3 metre buffer strip along the interior side yard. Hence, the provision shall not be amended.
7	Section 18.9.2 (b)(i)	Max. Building Height	Despite Table 7.8, B, the maximum building height shall be 8-storeys.	14-storeys	Despite Table 7.8 B and Section 18.9.2 (b)(i), the maximum building height shall be 14-storeys.

Amend. #	Section	Regulation	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
8	Table 7.8 e	Distance Between Buildings	Where two or more buildings are located on a lot, the distance between the wall of one building and the wall of another building either of which contain windows of habitable rooms, shall be one - half of the building height to a maximum of 15 m and a minimum of 5 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 5 m	Remove the maximum building separation provision	Despite Table 7.8 E, the provision for maximum distance between buildings shall not apply.
9	Provision B, Table 7.9 B in Section 7.3.3d of Part D (currently under appeal)	Angular Plane	Building heights shall not exceed an angular plane of 45 degrees from any interior side yard and/or rear yard lot lines when adjacent to a residential low and medium density and/ or institutional zone, as measured from 10.5 m above the average elevation of the grade at the required setback from the property line	N/A	Despite Table 7.9 B, the provisions concerning the angular plane shall not be applicable.
10	Section 18.9.2 (b)(iii)	Min. common amenity space	1,300 square metres	6.8 square metres per residential suite	Despite Section 18.9.2 (b)(iii), the minimum required common amenity are rates shall be provided at 6.8 square metres per residential suite.

Amend. #	Section	Regulation	Required	Proposed Zoning Amendment (applicant)	Recommended Amendment (Fotenn)
11	Table 5.3 (2) (currently under appeal)	Parking Rates – Min. parking requirements for Apartments	<p>For the first 20 dwelling units: 1.5 spaces per dwelling unit, and for each dwelling unit in excess of 20: 1.25 spaces per dwelling unit.</p> <p>A minimum of 20% of the required parking spaces shall be for the use of visitor parking</p> <p>Required Parking – Min. 837 parking spaces</p>	<p>0.28 spaces / residential suite for both residential and visitor parking spaces combined)</p> <p>Total provided: 191 spaces</p>	Despite Table 5.3 (2), the minimum required parking rates shall be provided at 0.28 spaces per residential suite, inclusive of visitor parking spaces.
12	Table 5.7 (1) (currently under appeal)	Bicycle Parking	<p>Short term – 0.1 spaces per dwelling unit</p> <p>Long term – 1 space per dwelling unit</p> <p>Required – 67 short term and 665 long term</p>	<p>0.57 spaces/ residential suite (for both short and long term spaces combined)</p> <p>Total provided = 382 spaces</p>	Despite Table 5.7, the minimum required bicycle parking spaces rates shall be provided at 0.57 spaces per residential suite for both short and long term spaces combined.
13	Section 5.9 (a) (currently under appeal)	Electric vehicles	<p>20% of required parking to have electric vehicle charging stations, with 80% designed to accommodate EV parking in the future</p> <p>Required – $191 \times 0.2 = 38$ spaces required</p>	5 supplied, 20 designed	Despite Section 5.9(a), 5 electric vehicle parking spaces shall be provided, and 20 electric vehicle parking spaces shall be designed to accommodate EV parking in the future. See below for reasons for not supporting this request.

Table 3: Appealed Provisions Relevant to the MUC-2(PA)(H12) Zone to be included within Site Specific Provisions. The proposed development complies with these provisions.

Amend. #	Section	Regulation	Required	Compliance
14	Table 7.8	Max. Building length	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street
15	Table 7.8	Active entrance	When a building(s) or portion thereof is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the City's Official Plan in force and effect on the effective date of this bylaw, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street	When a building(s) or portion thereof is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the City's Official Plan in force and effect on the effective date of this bylaw, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street
16	Table 7.8	Min. first storey height	4.5 m	The first storey height of the building must be minimum 4.5 m.
17	Table 7.8	Min. first storey transparency	40 % of the surface area of the first storey of a building, up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date.	40 % of the surface area of the first storey of a building, up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date.
18	Table 5.2	Parking Space dimensions	2.75 m width x 5.5 m length (standard)	The standard parking space dimensions shall be 2.75 m width x 5.5 m length (standard).

2.5 Planning Discussion on Recommended Amendments

Amendment #1: Holding Provisions

Section 17.1.12 (currently under appeal) of the Zoning By-law requires confirmation of adequate municipal services to support the proposed development. To facilitate the proposed development, the applicant needs to confirm that the municipal services including but is not limited to: watermain condition and water supply, sanitary sewer condition and sanitary capacity, storm sewer condition and capacity, stormwater management facility condition and capacity, road and intersection condition and capacity, transportation facilities, and hydro services are adequate and available. If the applicant is not able to confirm the same, then any municipal services required for the proposed new building and/or residential development shall be provided, designed, and constructed to the satisfaction of the City prior to lifting of provision.

The applicant has submitted the Functional Servicing and Stormwater Management Report; however, it is our understanding that there are outstanding engineering comments that remain to be addressed. As such, it is expected that the Holding provision may be revised or lifted conditional upon the applicant addressing all remaining provisions, to the satisfaction of the City. Additional comments and recommended amendments to the Holding provision are provided by Engineering Staff and discussed under separate cover.

Amendment #2: Definitions

In addition to Section 3, following definitions shall be applicable to this site specific by-law:

- / Front Property Line: The boundary of the lot along Scottsdale drive shall be considered as the front property line;
- / Rear Property Line: The boundary along Highway 6 shall be defined as the rear property line;
- / Exterior Property Line: The boundary adjacent to Stone Road West shall be defined as the exterior property line;
- / Interior Property Line: Property line that separate the lot from adjacent properties shall be defined as the interior property line;
- / Residential Suite: In addition to the definition of residential suite outlined in section 18.9.2 a) of zoning by-law 2023-20790; for the purpose of this by-law, the terms unit, dwelling unit and residential suite may be used interchangeably.

Given the lot's location, surrounded by roads on three sides, it is essential for the Zoning By-law to clearly define each property line to ensure that all stakeholders have a shared understanding when addressing the various provisions of the by-law.

Amendment #3: Maximum Density

Table 7.6 b) of the Zoning By-law requires a minimum density of 100 units per hectare and a maximum density of 150 units per hectare. To accommodate the proposed development, the applicant has requested to permit 300 units per hectare. Under the current zoning, a maximum density of 150 units per hectare would result in 334 units, while the proposed development proposes a total of 653 units, representing a density increase of 1.96 times. Should the interior composition of the building change at the detailed design stage, the proposed density of 300 units per hectare could appropriately accommodate detailed design revisions.

Given the subject lands are designated Mixed-Use Corridor 1 and are situated within a Strategic Growth Area in the Official Plan; these areas are intended for maximum building height of 14-storeys and a density of up to 250 units per hectare. As the proposed development conforms to policy direction of the PPS and the Official Plan regarding intensification and providing housing options including student housing, we believe an increase in density is appropriate.

We accept the applicant's rationale that the increase in density is appropriate for the subject lands given the proximity to transit services, parks, universities, commercial shopping amenities and its intention to provide the much-needed student housing in this neighborhood. Through submitted technical studies, the applicant has demonstrated that the proposed development can be supported by existing and planned improvements to servicing and infrastructure and that the proposal will not create adverse traffic or shadow impacts on the nearby buildings or lands.

Amendment #4 and 5: Exterior and Rear Yard Setback

As noted above, table 7.7a) of the Zoning By-law requires a front yard or exterior side yard setback of minimum 3 metres and maximum 13 metres. In addition to the Zoning By-law, the property is subject to the Public Transportation and Highway Improvement Act (PTHIA), the Ministry of Transportation's Highway Corridor Management Manual (HCMM), and related guidelines and policies. It is also within the Ministry of Transportation's Permit Control Area, as indicated in their comments dated February 26, 2024. The setback required by the Ministry of Transportation exceeds the maximum setback allowed under the Zoning By-law. Therefore, the applicant must comply with the MTO specified setback i.e. 14 metres along the Stone Road W and 25 metres along Highway 6.

The applicant has proposed an exterior yard setback of 16.27 metres from Stone Road and 14 metres from Highway 6. However, both Block A and Block B encroach into the setback area as required by the Ministry of Transportation (MTO). According to MTO's comments, portions of the 6.5 metre wide drive aisle/fire route - including the turnaround and access to internal loading areas - along with pedestrian walkways, amenity spaces, and approximately 32 parking spaces along the east property line also encroaches the prescribed setback.

Given the anticipated major reconstruction at the Highway 6 and Stone Road intersection, it is imperative that the applicant complies with the MTO mandated setbacks. Consequently, while we accept the proposed development density, we recommend that the applicant to redesign the proposed development to comply with the MTO setback requirement. This redesign should accommodate the relocation the affected units, which may be incorporated through additional building height, as well as adjust the site plan to reposition parking, drive aisles, and other infrastructure away from the setback area. Urban design review report provided along with this planning memo demonstrates the design alternatives which help mitigate the losses and adhere to setback requirements set by MTO. We recommend zoning by-law amendments to accommodate the exterior yard and rear yard setbacks as prescribed by MTO.

Amendment #6: Minimum Buffer Strip

Table 7.7 d) (currently under appeal) mandates a 3 metre buffer strip adjacent to interior side and rear lot lines. The applicant has proposed a reduced buffer strip of 1.4 metres for the interior yard.

The applicant has indicated that this proposed buffer strip for Phase 2 is an extension of the existing Phase 1 buffer. Despite the reduction, the buffer will still accommodate landscaping, and the addition of fencing may be considered to mitigate visual impacts from cars in the driveway or surface parking areas.

We understand that the proposed reduction will maintain consistency with the existing conditions. However, given the expected height increase and removal of angular plane requirements to meet the MTO prescribed setbacks for the development of Phase 2; it is recommended to maintain the 3 metre buffer strip along the interior side yard to ensure smooth transition from the neighbouring properties. The buffer strip will additionally provide adequate space for landscaping without obstruction. Hence, we recommend adhering to the zoning by-law provision without seeking an amendment.

Amendment #7: Maximum Building Height

Section 18.9.2 (b)(i) of the Zoning By-law requires that the maximum building height is 8-storeys. The applicant currently proposes two (2) seven-storey buildings, which encroach into the MTO prescribed setbacks. Given that the Ministry of Transportation's setback requirements exceed that maximum exterior yard setback limits specified in Table 7.7 of the Zoning By-law and considering the encroachments into this setback by the proposed site layout, the applicant must redesign the site to comply with the MTO's setbacks. We believe that the applicant may shift the affected units to an additional storey and adjust the site plan to reposition parking, drive aisles, and other infrastructure away from the setback area.

We recommend a zoning by-law amendment to allow for a maximum building height of 14 storeys, provided it complies with MTO mandated setbacks. Given that the Official Plan permits 14-storey buildings on this site, we believe that amending the zoning by-law accordingly will align with OP policies and enhance the design while respecting MTO's requirements.

Amendment #8: Maximum Distance Between Buildings

Table 7.8 (e) of the Zoning By-law stipulates a minimum distance of 5 metres and a maximum distance of 15 metres between buildings. The applicant's current proposal of 15.3 metres exceeds the maximum permitted distance, which may be subject to increase further should the proposed development be redesigned.

Given that the subject lands are subject to enhanced setback requirements from the MTO, the proposed design will necessitate shifting the buildings further away from the property line, thereby increasing the distance between them

even more. Therefore, we recommend a zoning by-law amendment to exempt the subject lands from the distance provisions between buildings.

Amendment #9: Angular Plane

Table 7.9 b) (currently under appeal) of the Zoning By-law requires that the building heights shall not exceed an angular plane of 45 degrees from any interior side yard and/or rear yard lot lines when adjacent to a residential low and medium density and/ or institutional zone, as measured from 10.5 m above the average elevation of the grade at the required setback from the property line.

The proposal is seeking to amend this by providing a 58-degree angular plane to the portion of the interior side yard. The applicant noted that along the western property limit, the proposed building would remain compliant with the minimum interior side yard setback of 3 metres, however the Zoning By-law requires the 45-degree angular plane when abutting lands zoned Institution (in this case - Prior Park Baptist Church). The applicant has noted that the 10.5 metre angular plane measurement was taken from the lowest elevation along the mutual property line with the church. Even though the angle seems to be a large numerical value, the proposed 7-storey building is unlikely to significantly impact the church visually. A sun shadow analysis prepared by applicant in support of the built form demonstrates that the adjacent community gardens on church lands will remain shadow-free after 9 a.m. during spring and summer, and the church building itself will not be affected by shadows. Based on the sun study, we note that the church garden experiences shading during winter mornings and unfavorable wind conditions.

Given the MTO's prescribed setbacks and the designation of the subject lands as a *strategic growth area* in the Official Plan, which permits a maximum building height of 14-storeys, we recommend increasing the proposed height accordingly. This adjustment is crucial for maintaining overall density while ensuring compliance with MTO setback requirements while remaining within the building height permissions of the Official Plan. However, adhering to the angular plane requirements of the Zoning-By-law are not possible to provide building heights in accordance with Official Plan policies. Therefore, a zoning by-law amendment is required to exempt the subject lands from the provisions of angular plane.

Amendment #10: Minimum Common Amenity Space

Section 18.9.2 (b)(iii) of the Zoning By-law requires minimum common amenity space area to be 1,300 square metres. To address comments received by City Staff during the application process, the applicant is proposing a total of 4,578 square metres area of common amenity space, which is approximately at 6.8 square metres per unit rate for the subject lands.

We accept the applicant's rationale that the amount of common amenity for the entire site should be provided at the above mentioned rate, given the subject lands are developed with the intention to provide the much-needed student housing with supportive amenities and infrastructure in this neighborhood. Therefore, we recommend a zoning by-law amendment to provide the common amenity space at the minimum rate of 6.8 square metres per residential suite for the entire subject lands.

Amendment #11: Vehicle Parking Rates

As per Table 5.3(2) (currently under appeal) of the Zoning By-law the minimum parking requirements for apartment buildings are determined to have 1.5 spaces per dwelling unit for the first 20 dwelling units; and 1.25 spaces per dwelling unit. for each dwelling unit in excess of 20. A minimum of 20% of the required parking spaces shall be for the use of visitor parking.

The proposal seeks relief from the prescribed parking rate requirements and proposes only 191 parking spaces at 0.28 space per unit, inclusive of the visitor parking spaces. Given the applicant proposes 653 units, the proposal requires to provide 837 parking spaces per the current provisions of the by-law.

Given similar developments (specifically student housing), we recommend the parking rate to be calculated at 0.28 per residential suite rates, inclusive of visitor parking spaces. The recommended parking rate reductions are

preferable; however, we recommend discussing the reduced rates once the number of residential suites are finalized.

Amendment #12: Bicycle Parking Rates

As per Table 5.7(1) (currently under appeal), bicycle parking spaces are required at a minimum rate of 0.1 space per dwelling unit for short term bicycle parking, with a minimum of two spaces, and 1 space per dwelling unit for long term bicycle parking, with a minimum of two spaces. This requires 67 short term spaces and 665 long term spaces for proposed 653 units. The applicant proposes 382 bike parking spaces at 0.57 spaces per residential suite, for both short and long term spaces combined.

Staff recommend that the applicant explore ways to increase the amount of bike parking to come closer to the requirements of the 2023 Comprehensive Zoning By-Law (CZBL) as part of site plan approval.

Additionally, Sections 5.8.1 and 5.8.2 stipulate requirements for long term and short term bicycle parking spaces, including the location, placement, and size requirements for bicycle spaces. Specifically, horizontal bicycle parking spaces be a minimum dimension of 0.6 metres wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres.

Amendment #13: Electric Vehicle Charging Stations

Section 5.9 a) (currently under appeal) requires 20% of required parking to have electric vehicle charging stations, with 80% designed to accommodate EV parking in the future. The applicant is requesting relief from this requirement and proposes 5 electric charging stations and 20 spaces designed to accommodate EV parking in future.

While we have expressed concerns about the adequacy of the provided spaces, we would accept a reduction in overall parking rates to a minimum of 0.28 per dwelling unit providing a total of 191 parking spaces. This adjustment would decrease the required number of electric vehicle parking spaces to 38 parking spaces with electric vehicle charging stations and 115 parking spaces designed to accommodate EV parking in the future. Therefore, we recommend adhering to the zoning by-law without seeking an amendment.

Amendments #14 Through #18: Appealed Amendments

While the uses permitted with the General Provisions and Mixed Use Corridor (MUC) Zone are in full force and effect, certain regulations associated with the General Provisions and the MUC Zone remain under appeal and are not yet in effect. To address this, the amending By-law includes all regulation for these Zones of Zoning By-law (2023)-20790 that are under appeal, to bring site-specific zoning into force in a manner consistent with the intent of Zoning By-law (2023)-20790.

3.0 Professional Planning Opinion

The proposed development of the subject lands is supported by Provincial policies and the City of Guelph Official Plan. The vision for the development appropriately introduces intensification within an area that is municipally designated as *Mixed-Use Corridor 1* and are situated within a *Strategic Growth Area*, and proposed student housing with a mix of units. The proposed development will contribute to the housing stock and towards the social and economic needs of future residents. The proposed applications for Official Plan Amendment and Zoning By-law Amendment meet municipal objectives by introducing additional student housing within a transit-supportive area and neighbourhood with a university and range of services and amenities.

The nature of the proposed amendments to the in-force Zoning By-law are consistent with and conform to the policies of the City of Guelph Official Plan. We have proposed certain language for the site-specific amendments to ensure clarity and consistency with the city-wide planning standards. Through a detailed assessment of the proposed amendments, we recommend approval of the proposed Official Plan and Zoning By-law amendment applications for 601 Scottsdale Drive, conditional upon adherence to the MTO-mandated setbacks and a revised site plan. Overall, it is our professional land use planning opinion that the applications are appropriate for the development of the subject lands and should be approved.

Appendix A

Complete Zoning Matrix – Zoning By-law (2023) - 20790)

Regulation	Section	Appeal/ In-force	Required	Proposed	Compliance
Permitted Uses	Table 7.1 in Section 7.2 of Part D & 18.9.2 a) of Part E	In-force	Apartment Buildings	Apartment buildings and residential suites	Yes
Permitted Uses	Section 18.9.2 a) of Part E	In-force	Residential suites	Apartment buildings and residential suites	Yes
Min. Lot Frontage	Provision A, Table 7.6 in Section 7.3.3a of Part D	In-force	50 m	122 m	Yes
Min. Lot Area	Provision B, Table 7.6 in Section 7.3.3a of Part D	In-force	7,500 sq. m	Total site area (including Phase 1 & 2): 22,226 sq m	Yes
Max. Lot Area	Provision B, Table 7.6 in Section 7.3.3a of Part D	In-force	N/A	Total site area (including Phase 1 & 2): 22,226 sq m	Yes
Min. Residential density (units per hectare)	Provision B, Table 7.6 in Section 7.3.3a of Part D	In-force	100 units per hectare	300 units per hectare	No
Max. Residential density (units per hectare)	Provision B, Table 7.6 in Section 7.3.3a of Part D	In-force	150 units per hectare	300 units per hectare	No

Regulation	Section	Appeal/ In-force	Required	Proposed	Compliance
Min. Front yard	Provision A, Table 7.7 in Section 7.3.3b of Part D	In-force	3 m	24 m	Legal Non-compliant (Phase 1 existing building)
Max. Front yard	Provision A, Table 7.7 in Section 7.3.3b of Part D	In-force	13 m	24 m	Legal Non-compliant (Phase 1 existing building)
Min. Exterior yard setback	Provision A, Table 7.6 in Section 7.3.3b of Part D	In-force	3 m	16.27 m to Stone Road	No
Max. Exterior yard setback	Provision A, Table 7.6 in Section 7.3.3b of Part D	In-force	13 m	16.27 m to Stone Road	No
MTO setback required on exterior yard	-	-	As per MTO prescribed setback i.e. 14 metres	16.27 m to Stone Road	No
Min. Rear yard setback	Provision A, Table 7.6 in Section 7.3.3b of Part D	In-force	3 m	14 m to Highway 6	No
Max. Rear yard setback	Provision A, Table 7.6 in Section 7.3.3b of Part D	In-force	13 m	14 m to Highway 6	No
MTO setback required on exterior yard	-	-	As per MTO prescribed setback i.e. 25 metres	14 m to Highway 6	No

Regulation	Section	Appeal/ In-force	Required	Proposed	Compliance
Min. Interior yard	Provision B, Table 7.7 in Section 7.3.3b of Part D	In-force	3 m	13.85 m	Yes
Min. Rear yard	Provision C, Table 7.7 in Section 7.3.3b of Part D	In-force	7.5 m	Per MTO Requirements, > than 7.5 m	Yes
Min. Buffer strip	Provision D, Table 7.7 in Section 7.3.3b of Part D	Appealed	A 3 m wide buffer strip is required adjacent to interior side and rear lot line	1.4 m	No
Min. Landscaped open space	Provision D, Table 7.7 in Section 7.3.3b of Part D	In-force	20% of lot area	31%	Yes
Max. Building height	Section 18.9.2 b i) of part E	In-force	8 storeys	Proposed 7-storeys, but 14-storeys to be permitted	No
Max. Building length	Provision C, Table 7.8 in Section 7.3.3c of Part D	Appealed	75 m for buildings located within 15 m of a street for the portion of the building adjacent to the street	N/A Building is not located within 15 m of a street	Yes
Active entrance	Provision C, Table 7.8 in Section 7.3.3c of Part D	Appealed	When a building(s) or portion thereof is within 15 m of an existing and proposed arterial and/ or collector road, as identified in the City's Official Plan in force and effect on the effective date of this bylaw, a minimum number of 1 active entrance for every 30 m of street line shall be required for the portion of the building facing the street	N/A Building is not located within 15 m of a street	Yes

Regulation	Section	Appeal/ In-force	Required	Proposed	Compliance
Min. Distance between buildings	Provision E, Table 7.8 in Section 7.3.3c of Part D	In-force	Where two or more buildings are located on a lot, the distance between the wall of one building and the wall of another building either of which contain windows of habitable rooms, shall be one - half of the building height to a maximum of 15 m and a minimum of 5 m The distance between the faces of any two buildings with no windows to habitable rooms shall be a minimum of 5 m	15.3 m > with increased setbacks	No
Min. first storey height	Provision F, Table 7.8 in Section 7.3.3c of Part D	Appealed	4.5 m	6.5 m	Yes
Min. first storey transparency	Provision G, Table 7.8 in Section 7.3.3c of Part D	Appealed	40 % of the surface area of the first storey of a building, up to 4.5 m from the ground, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date	N/A Building is not located within 15 m of an arterial road	Yes
Min. common amenity area	Section 18.9.2 b iii) of Part E	In-force	1,300 sq m	> 1,300 sq m	No

Regulation	Section	Appeal/ In-force	Required	Proposed	Compliance
Angular plane	Provision B, Table 7.9 in Section 7.3.3d of Part D	Appealed	Building heights shall not exceed an angular plane of 45 degrees from any interior side yard and/or rear yard lot lines when adjacent to a residential low and medium density and/ or institutional zone, as measured from 10.5 m above the average elevation of the grade at the required setback from the property line	58 degrees > with 14-storey building height	No
Part C: General Provisions and Parking					
Parking Space dimensions	Table 5.2 in Section 5.5 of Part C	Appealed	2.75 m width x 5.5 m length (standard)	2.75 m width x 5.5 m length (standard)	Yes
Parking Rates – Min. parking requirements for Apartments	Table 5.3 in Section 5.5 of Part C	Appealed	For the first 20 dwelling units: 1.5 spaces per dwelling unit, and for each dwelling unit in excess of 20: 1.25 spaces per dwelling unit. A minimum of 20% of the required parking spaces shall be for the use of visitor parking Required Parking – Min. 837 parking spaces	191 spaces	No

Regulation	Section	Appeal/ In-force	Required	Proposed	Compliance
Accessible Parking	Table 5.5 in Section 5.7 of Part C	In-force	2 accessible parking spaces plus an additional 2% of total spaces with an equal number of Type A and Type B accessible parking spaces 2 + (837*0.02) = 19 spaces required (Rounded up to the nearest whole number) Type A – 9 spaces Type B – 10 spaces	7 spaces, proposed compliant with parking rate amendment	Yes
Accessible Parking space dimensions	Table 5.6 in Section 5.7 of Part C	In-force	3.4 m x 5.5 m (Type A accessible) 2.4 x 5.5 m (Type B accessible)	3.4 m x 5.5 m (Type A accessible) 2.4 x 5.5 m (Type B accessible)	Yes
Parking Aisle Width	Section 5.3.1 (e) of Part C	In-force	The minimum width of a parking aisle providing two way access shall be 6.5 metres	6.5 m single-loaded aisle 7.0 m double loaded aisle	Yes
Bicycle Parking	Table 5.7 in Section 5.8 of Part C	Appealed	Short term – 0.1 spaces per dwelling unit Long term – 1 space per dwelling unit Required – 67 short term and 665 long term	382 spaces at 0.57 per residential suite	No
Electric vehicles	Section 5.9 (a) of Part C	Appealed	20% of required parking to have electric vehicle charging stations, with 80% designed to accommodate EV parking in the future Required – 837*0.2 = 167 spaces required	5 supplied, 20 designed	No

Appendix B