

# Attachment-9 Staff Review and Planning Analysis

## Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024, came into effect on October 20, 2024. The Provincial Planning Statement (PPS) provides direction on matters of provincial interest related to land use planning and development.

Section 2.1 provides that planning authorities establish population and employment growth forecasts based on Ontario Population Projections, modified as appropriate from those published by the Ministry of Finance.

The proposed development would assist with achieving the City of Guelph's population growth targets by contributing to the urban housing stock. The development will provide additional housing opportunities for future residents through a range of unit types.

Section 2.1.6 states that planning authorities should support the achievement of complete communities by: accommodating an appropriate range and mix of land uses, housing, transportation, employment, public service facilities, recreation, parks, open space, and other uses to meet the long term needs of the community; Improving accessibility for people of all ages and abilities by addressing land use barriers; and improving social equity and overall quality of life for people of all ages, abilities, and incomes.

The proposed development provides compact medium density residential uses continuing to diversify the housing stock in the area addressing the long-term needs of the community. By continuing to diversify the local housing stock, there are more housing options and opportunities available to residents of various ages, abilities, and certain socioeconomic statuses.

Specifically, Section 2.2.1 directs planning authorities to: establish and implement minimum targets for housing that is affordable to low- and moderate-income households as well as providing a full range of housing options; Permitting all housing options to meet the social, health, economic, and overall well-being requirements of residents; Promoting densities which efficiently use land, resources, infrastructure, and public service facilities; and Requiring transit-supportive development.

The proposal includes 62 units in an efficient development pattern that intensifies the subject lands. An appropriate amount of landscape and amenity space address the social and health needs of the residents. As well a range of unit types provide options for moderate-income households. Additionally, the proximity to commercial land uses and transit options address a variety of the anticipated commercial needs of the residents.

Section 2.9.1 directs planning authorities to prepare for the impacts of a changing climate through approaches that: support compact, transit-supportive, and complete communities; incorporate climate change considerations in planning; support energy conservation and efficiency; promote green infrastructure, low

impact development, and active transportation; and consider additional approaches to reduce greenhouse gas emissions and build community resilience.

The proposal's design includes multiple densely situated residential blocks utilizing minimal land while upholding community goals. The proposal is transit-supportive and connects to the active transportation opportunities. The close proximity to commercial land uses incentivizes active transportation to meet daily needs. As future dwelling units are designed the developer will give consideration to building and design elements which support energy conservation and efficiency, low impact development, and green infrastructure.

Section 3.1.1 of the PPS states that infrastructure and public service facilities shall be provided in an efficient manner while accommodating the projected needs of the community. These facilities are encouraged to co-locate with one another to promote cost-effectiveness in service integration.

Road and municipal service infrastructure can accommodate the proposal as confirmed through the servicing studies prepared in support of the associated draft plan of subdivision. Service enhancements will be provided to the surrounding neighbourhood with the design of the adjacent stormwater management block and the Poppy Drive extension incorporated into the proposed development.

Section 3.2 discusses transportation systems, and states that they should be safe, energy efficient, facilitate the movement of people and goods, be appropriate to address projected needs, and support the use of zero and low emission vehicles. The PPS also states that efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

The proposal would establish stacked townhouse units accessed from Poppy Drive West, a part of the City's Public Road network. The subject development provides pedestrian and transit connections to Gosling Gardens, a local road, Clair Road West, an arterial road and Poppy Drive West, an extended local road. With frontage onto Poppy Drive West the development provides adequate vehicle connectivity to an east/west arterial corridor (Clair Road) and connection to a nearby major north/south arterial corridor (Gordon St). In addition, the development is situated to provide access to the bike lanes on Clair Road West offering connection to nearby bike lanes on Gordon St., providing cycling mobility.

Section 3.5.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, minimize, or mitigate any potential adverse effects from contaminants, minimize risk to public safety, and ensure long-term operational and economic viability of major facilities.

No major facilities are found in influential proximity to the subject lands and as such, there are no anticipated land use compatibility issues. Further, the lands are considered adequate for residential and/or mixed-use development through the City's Official Plan and implementing zoning by-law.

Section 3.6.2 states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

The proposal will be on full municipal services via Poppy Drive West and will utilize the stormwater management block immediately adjacent to the subject lands. Additionally, an infiltration gallery is proposed within the subject lands.

Section 3.9.1 of the PPS states that healthy, active, and inclusive communities should be promoted by: planning streets, spaces, and facilities which are safe, foster social interaction, facilitate active transportation and community connectivity; providing a full range of publicly accessible built and natural settings for recreation; and recognizing conservation reserves and protected areas, and minimizing impact on those areas.

There is a range of publicly accessible recreation opportunities available in proximity to the subject lands that are both in built and natural form. This includes the South End Community Facilities, the Clairfields Perimeter Trails, Larry Pearson Park, Preservation Park Field, and the gym facilities around the Clearfield Commons commercial areas. These places and spaces can be accessed by the City's sidewalk network which connects to the subject lands via the sidewalks along the sites three street frontages.

Direction on Natural Heritage is provided in Chapter 4 of the PPS, specifically in Section 4.1 which states that natural features and areas shall be protected for the long term. As well Section 4.1.2 states that the diversity, connectivity, long-term ecological function, and biodiversity of natural heritage systems should be maintained, restored, or where possible, improved. An Environmental Impact Study was completed by Natural Resource Solutions Inc. in support of the associated draft plan of subdivision.

The wetlands located south of the site were identified and given consideration in the draft plan. The subject lands are located outside of the wetland area and the related buffers and do not contain any natural heritage features. Prior to final site plan approval an EIS addendum will be completed by the applicant to confirm the wetland will not be negatively impacted by the proposed development.

Policy 4.7 of the PPS directs that a City's Official Plan is the most important vehicle for implementation of the PPS. A more detailed review on how the proposal is consistent with the above PPS policies, as well as policies in the City's Official Plan will be outlined later in this analysis. The proposed development is consistent with the Provincial Planning Statement.

### **City of Guelph Official Plan Conformity**

The subject lands are designated as *Commercial Mixed-Use Centre* on Schedule 2 of the Official Plan. The subject lands are also identified to be within a Strategic Growth Area.

Permissible uses within the *Commercial Mixed-Use Centre* (CMUC) land use designation are intended to accommodate a broad range of residential and employment uses in a mix of highly compact development forms. This designation requires a minimum height of 2 storeys and a maximum height of 10 storeys and up to 14 storeys if located within a Strategic Growth Area. The minimum density in the CMUC land use density is 100 units per hectare and the maximum is 150 units per hectare for free standing residential buildings. If the lands are located within a SGA, the maximum density is 250 units per hectare. At a height of 3.5-storeys, and with a compact form the townhouse blocks conform with the height requirements within this designation.

Policy 3.6.2 of the Official Plan outlines that Strategic Growth Areas shall provide a mix of uses, a diverse range of housing options, and be in proximity to transit services. The encompassing Strategic Growth Area includes a significant amount of non-residential uses, including four commercial plazas with three separate food stores. The proposed development will provide an adequate amount of residential units to further support these uses into the future.

The Official Plan further outlines development criteria for multi-unit residential buildings and intensification proposals through policy 9.3.1.1. The intent of this criteria is to assess the compatibility of the proposed development with adjacent land uses, minimize any negative impacts, as well as ensure adequate services are available to future residents of the proposed development. Staff are satisfied that the proposed development is in conformity with the described development criteria through review of the applicant's submitted reports and materials, in addition to the proposed layout and design of the development.

## **Review of Proposed Official Plan Amendment**

The purpose of Official Plan Amendment No. 104 is to amend Section 9.4.3.19.i. of the Official Plan, by adding a new site-specific policy for the subject lands to permit a stacked townhouse development with a minimum net density of 60 units per hectare.

The subject lands are located within a Strategic Growth Area as shown in Schedule 1a: Urban Structure of the Official Plan. Strategic Growth Areas, other than Downtown, are classified as community mixed-use nodes or intensification corridors. Clair Road, which the lands front onto, are also identified as an arterial road as shown on Schedule 5: Road and Rail Network of the Official Plan.

A reduction in density to 60 units per hectare for the proposed stacked townhouse development can be supported by existing services, additionally, the extension of a Poppy Drive will be established. The massing and location of the townhouses have been oriented to be compatible with the existing built form of the neighbourhood. The proposed amendment intensifies lands within an area designated for growth and intensification, and is in conformity with the Official Plan, and Provincial Planning Statement.

Official Plan policy 1.3.14 outlines criteria to consider when reviewing an application to amend the Official Plan. The criteria and an analysis of how the proposal conforms to the criteria is outlined below:

- i. The conformity of the proposal to the strategic directions of this Plan and whether the proposal is deemed to be in the overall interests of the City.

The proposed Official Plan Amendment conforms to the strategic goals of Official Plan in Policy 2.3, by facilitating development that contributes to a complete and healthy community, protects what is valuable, will be developed on full municipal services, and proposes a built form that is compact and transit supportive.

- ii. The proposed development is consistent with applicable provincial legislation, plans and policy statements.

Staff have reviewed the proposal against the policies of the 2024 Provincial Planning Statement (PPS) and are satisfied that the proposal is consistent with the PPS.

- iii. Suitability of the site or area for the proposed use, particularly in relation to other sites or areas of the city.

The proposed use is permitted in the CMUC land use designation and Zone. It is in proximity to low and medium density residential uses, located on an arterial road, and in a strategic growth area.

- iv. Compatibility of the proposed use with adjacent land use designations.

The proposed stacked townhouses are compatible with adjacent residential, commercial and recreational land uses.

- v. The need for the proposed use, in light of projected population and employment targets.

The proposed development contributes to meeting the City's population targets. The City's Official Plan provides policy directions for monitoring growth including policies directed at monitoring development activity to ensure that growth is consistent with population forecasts, intensification targets for the built-up area and density targets for the greenfield area. The Official Plan also requires tracking of the supply of residential units in accordance with the housing supply policies of the Official Plan. The proposed development will contribute to the City's goal of achieving a more diverse and balanced mix of available housing options as it offers a range in the size of the units. It will contribute to the City remaining on track to meet several of its growth targets identified in the Official Plan. This includes helping to achieve the City's overall 2051 population forecast, and the City continuing to achieve its intensification target, where each year, a minimum of 46% of all new residential development must be within the delineated built-up area.

- vi. The market feasibility of the proposed use, where appropriate.

The applicant has determined that the proposed use is marketable.

- vii. The extent to which the existing areas of the city designated for the proposed use are developed or are available for development.

The proposed stacked townhouses are a permitted use in the CMUC land use designation and Zone.

- viii. The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the Natural Heritage System.

A detailed review of servicing is/has occurred through the associated draft plan of subdivision application and site plan application. Adequate services are available and there are no anticipated negative impacts on any of the above systems.

- ix. The financial implications of the proposed development.

Financial implications of the proposed development are outlined at the beginning of the report in terms of estimated development charges, community benefit charges and taxes.

- x. Other matters as deemed relevant in accordance with the policies of this Plan.

Consideration of other relevant matters are discussed in this planning analysis.

The proposed Official Plan Amendment meets the criteria outlined in Policy 1.3.14 of the Official Plan.

## **Residential Development Policies**

Policy 9.3.1.1 of the Official Plan identifies criteria that must be used to assess multi-unit residential development proposals as well as for intensification proposals within existing neighbourhoods.

- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.

The proposed stacked townhouses are a permitted use in the Commercial Mixed-Use land use designation and conforms to the minimum and maximum height provisions. It is as well compatible with the nearby low and medium density residential land uses. An Official Plan Amendment is required to establish a site-specific policy to permit a reduced density of 60 units per hectare. The stacked townhouse use

The proposed residential use is compatible with the surrounding residential and commercial uses and the built form has been designed to complement the neighbourhood. The 9 blocks of townhouses have been oriented to face the property's three exterior frontages adding visual interest to all three streetscapes. Along Gosling Gardens the 3-storey stacked townhouses compliment the nearby street townhouses while still respecting the massing of the adjacent single detached dwellings. The townhouses have individual unit access onto all street frontages, creating connectivity to the surrounding community and reinforcing a publicly accessible street grid network for active transportation.

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

This is not applicable as lot infill is not proposed.

- c) The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.

The subject lands are situated near multiple transit connections, trails, a secondary school, and recreation facilities and are accessible to each through active and public transit. Parking for the townhouses is provided in individual garages and within private driveways. With this arrangement the visual impact of parking is reduced. The parking provided meets the required parking in the Zoning By-law.

- d) Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections.

Considering the reduced density no adverse traffic impact is anticipated from the development. Stacked townhouses are a permitted use in the Commercial Mixed-use Centre Zone and were added as a use through a previous Ontario Land Tribunal decision in 2021.

- e) Vehicular access, parking and circulation can be adequately provided, and impacts mitigated.

One vehicular access is proposed to the site and each stacked townhouse has an individual garage on the internal driveway. The stacked townhouses are oriented to locate garage access and driveway parking along the internal driveway limiting visibility from surrounding streets. The parking provided meets the required parking in the Zoning By-law.

- f) That adequate municipal infrastructure, services and amenity areas for residents can be provided.

Engineering staff have confirmed through the review of the associated draft plan of subdivision that there is adequate servicing capacity available to service the proposed residential development.

- g) Surface parking and driveways shall be minimized.

Surface parking areas are oriented away from Gosling Gardens. Driveways are oriented along the internal driveway significantly reducing visibility from the surrounding streets.

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

Impacts on adjacent properties are not anticipated as the site only directly abuts a future stormwater management block that matches grade at the property lines and will be utilized. Additionally, an infiltration gallery is proposed to be included within the site. The impacts of the proposed development on the neighbourhood with regard to shadows and wind is not anticipated due to the proposed height of 3.5 storeys.

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

Public safety is addressed by providing additional *eyes on the street* through a design that has windows facing all street frontages and the interior of the site, as well as through pedestrian connections within the site.

The subject lands are located within proximity to parks and trails. There are no identified public views that will be impacted or obstructed by the residential buildings.

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

There are no identified cultural heritage resources on the subject lands.

The proposed development satisfies the criteria outlined in Official Plan Policy 9.3.1.1.

## **Review of Proposed Zoning**

The subject lands form part of a draft approved plan of subdivision (Draft Plan of Subdivision 23T-15501), which was advanced by the previous property owner along with a Zoning By-law Amendment (City File: ZC1510). The applications were filed in 2015. At the time the applications were filed, Zoning By-law (1995)-14864, as amended was the in-effect Zoning By-law. In 2018, Official Plan Amendment 48 (OPA 48) included minimum a minimum density required of 100 units per hectare within the Commercial Mixed-Use Centre land use designation applying to the subject lands. In 2021, the Ontario Land Tribunal (OLT) approved both the Zoning By-law Amendment and Draft Plan of Subdivision applying to the subject lands.

The site-specific zoning approved by the OLT provided for additional permitted uses including: Stacked Townhouses, in accordance with Section 5.3.2 of the Zoning By-law and Apartments, in accordance with Section 5.4.1.1 of the 1995 Zoning By-law. Site-specific density requirements were not included in the by-law approved by the OLT, rather density was determined by the parent by-law in effect at the time of decision. For stacked townhouse uses, this meant a maximum density of 60 dwellings per hectare. When the City passed Zoning By-law (2023)-20790, as amended, it carried forward the density permissions of OPA 48, meaning the subject lands are now zoned with a minimum density requirement of 100 units per hectare. While stacked townhouses remain a permitted use, it is not possible to achieve the minimum density with a stacked townhouse form of development. The primary purpose of these applications is to provide for the site-specific density permission previously approved by the OLT for stacked townhouses.

### **Minimum Density**

The applicant has requested a minimum density of 60 units per hectare, whereas Table 7.2 of the Zoning By-law requires a minimum residential density of 100 units per hectare. Staff are supportive of this request as the reduction is in keeping with the Ontario Land Tribunal decision. The proposed stacked townhouse development

upholds the intent for compact development and is compatible with the surrounding uses in neighborhood. Staff support this request.

### **Minimum Front Yard Setback**

A minimum front yard setback of 4.5 metres from Poppy Drive and a minimum front yard setback of 4.4 metres from the Clair Road West/Gosling Gardens sight line triangle is requested. Table 6.18 requires a front yard setback of 6 metres from a front property line. Staff support this reduction as the impact will be negligible as sufficient space is still maintained between the development and pedestrian walkways. The front yard setback reduction along Clair Road West only applies to the sight line triangle. Staff support this request.

### **Minimum Buffer Strip**

The applicant is requesting to permit a sidewalk within the minimum 3 metre buffer strip in the interior side yard, whereas Table 6.18 requires a minimum 3 metre buffer strip. A 3.98 metre buffer strip has been provided across the majority of the interior lot line. Relief is required for a small section between Clair Road West and Block 7, where a sidewalk is located within the buffer. The subject lands directly abut a stormwater management pond so impacts to adjacent uses are not expected by allowing a sidewalk within the buffer. Staff support this request.

### **Setbacks from Private Street, Curb or Sidewalk**

The applicant is requesting that Table 6.19, C, D and E do not apply, whereas a minimum setback of 6 metres is required to the front yard from private street back of curb or sidewalk or lot line, and 4.5 metres is required from private street back of curb or sidewalk or lot line and 7.5 metres is required for the rear yard from private street back of curb or sidewalk or lot line.

The internal driveway is not considered to be a private street and achieving the setbacks from sidewalks as noted in these regulations will result in reduced housing units and a less efficient form of development. The exemption from the required setbacks is appropriate and will not have an impact on the overall function or aesthetic of the development. The proposed developments is designed to be pedestrian-scale with good connectivity to the residential units, amenity areas, and parking. The proposed exemption allows for a compact built-form and allows for the efficient use of the land. Staff support this request.

### **Parking Location**

A site-specific regulation is required to permit a parking space within the exterior side yard, whereas Section 5.2.2 requires parking spaces to be located in the interior side yard or rear yard.

No parking spaces are located within the front yard along Clair Road West or Poppy Drive. The exterior side yard requirement from Gosling Gardens is 4.5 metres and there are no parking spaces within 4.5 metres of Gosling Gardens. This request applies to one parking space partially located in front of the main building wall of townhouse blocks along Gosling Gardens. Staff support this request.

## **Minimum Private Amenity Area**

The applicant is requesting a reduction in private amenity area to 7 square metres per dwelling unit, whereas Table 6.18 requires 10 square metres per each dwelling unit and is requesting that Table 6.18 (11)(12)(13) not apply to allow for flexibility in size and location of private amenity area. This request considers that each dwelling unit includes either a porch, a balcony, or both, but recognizes that the size of each varies with the unit types. Stacked townhouse units function more as apartment units than traditional townhomes. There is no such private amenity requirement for apartment units in the by-law. The proposed development exceeds the common amenity area and still proposes some private amenity in the form of balconies/porches. Staff support this request.

## **Affordable Housing Strategy**

The City's Affordable Housing Strategy (AHS) sets an annual City-wide 30% target for housing that is affordable with the goal of ensuring that affordable housing is included in the range and mix of housing provided for all households across the City. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2 (Affordable Housing). These policies are intended to encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities and have been applied to the review of this proposed residential development application.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential use, including mixed use developments. There is a high correlation between the City's growth management policies and the ability to meet both growth management and affordable housing targets. Apartment units, along with townhouse units, represent the vast majority of residential units that are below the affordable benchmark price, as identified in the AHS.

The applicant has indicated that the proposed development is not intended to be affordable housing as defined in the Official plan. However, the development will provide a total of 62 stacked townhouse residential units. The form of stacked townhouse units can be considered more affordable than traditional single detached dwellings while adding to the City's housing stock.

## **Municipal Services and Infrastructure**

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and transportation networks. Through the review of the associated draft plan and site plan applications, Engineering staff have confirmed that the development can be supported by full municipal services and that sufficient capacity is available.

## **Park and Trail Development**

Parkland dedication has been calculated for the approved draft plan of subdivision 23T-15501. As per staff comments provided through the draft plan of subdivision application, parkland conveyance was calculated at a rate of 5% for Block 2.

A top-up of payment in lieu of parkland conveyance may be required prior to the first building permit issuance based on the alternative rates in the Planning Act. Staff will provide confirmation through the site plan application review.

## **Parking**

Parking for the proposed development is broken down as follows:

### **Stacked Townhouses**

Provided: 62 parking spaces provided within attached garages, with some units providing capacity for one driveway parking space provided on driveways.

Required as per Table 5.3 – 1 space per dwelling unit (62 parking spaces required).

### **Visitor Spaces**

Provided: 13 visitor parking spaces are provided across the site.

Required as per Table 5.3 – 0.2 visitor spaces per dwelling unit (13 parking spaces required).

### **Bike Parking**

Provided: 68 parking spaces are provided across the site.

The proposed development meets the parking requirements of the Zoning By-law (2023) – 20790, as amended.

## **Comments Received on the Applications**

No public comments have been received to date on these applications.