

# Attachment-9 Department and Agency Comments

## Urban Design Comments 1/11

### Internal Memo



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Date	March 12, 2020
To	<b>Katie Nasswetter, Senior Development Planner</b>
From	David de Groot, Senior Urban Designer
Service Area	Infrastructure, Development and Enterprise Services
Department	Planning Services
Subject	<b>70 Fountain Street: Official Plan and Zoning By-law Amendment Application – Urban Design Comments OZS19-015</b>

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### Introduction

Urban Design staff has the following comments based on the:

- Urban Design Brief received December 4, 2019 from GSP Group and SRM Architects Inc.;
- Building drawings, elevations and massing from SRM Architects Inc. received December 4, 2019;
- Sun and Shadow Study report from SRM Architects Inc. received December 4, 2019;
- 75 Farquhar/ 70 Fountain Street Pedestrian Wind Study from RWDI received December 4, 2019; and,
- Planning Justification report from GSP Group received December 4, 2019.

Urban design staff has concentrated on reviewing applicable urban design policies against the Official Plan and the Downtown Built Form Standards.

### Downtown Urban Design Policy Context

Guelph has a distinct history as a planned town. As outlined in the Official Plan (section 2.1, Connecting with our Past):

"Guelph is a historic city, founded in 1827 and originally planned by John Galt. The city was initially designed in a fan shape, radiating outward from the Speed River. The rivers and topography influenced the design of the city and allowed for scenic views and focal points particularly within the downtown."

The city's future depends on carefully balancing yesterday's legacy, today's needs and tomorrow's vision. This balance can be achieved by respecting the

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history that enriches local architecture and culture, enhancing the integrity of natural systems and promoting an atmosphere of innovation and creativity. Protecting Guelph's existing character while introducing innovative development is part of creating a vibrant city." [emphasis added]

Part of Downtown Guelph's history and legacy is its planned nature (i.e. its urban design) based, in part, on its topography. This is evident in, for example, the placement of the Basilica of Our Lady at the highest topographic point in the Downtown.

### Downtown Secondary Plan Approach to Height

The Downtown Secondary Plan (which is part of the City's Official Plan) builds on this legacy. It balances this historic legacy and carefully considers how to integrate additional density within this context.

One of the key policies regarding building height is 11.1.7.2.1:

"Schedule D identifies building height ranges to be permitted within the Downtown Secondary Plan Area. In general, the predominant mid-rise built form of Downtown shall be maintained with taller buildings restricted to strategic locations, including gateways that act as anchors for key streets. Taller buildings in these locations will have minimal direct impacts to existing neighbourhoods and the historic core of Downtown, and they will be outside protected public view corridors. In the height ranges contained on Schedule D, the lower number represents the minimum height in storeys for buildings and the higher number represents the maximum permitted height in storeys. The maximum heights recognize the Church of Our Lady's status as a landmark and signature building; it is the general intent that no building Downtown should be taller than the elevation of the Church. Exemptions from minimum height requirements may be permitted for utility and other buildings accessory to the main use on a site."

In summary, the Downtown Secondary Plan approach to height:

- Maintains the predominant mid-rise built form.
- Maintains the Basilica of Our Lady's landmark/signature status, public views, and its geodetic height as the tallest point in the Downtown.
- Places taller buildings at lower topographic points.
- Places taller buildings at strategic locations.
- Ensures minimal direct impacts on historic core of Downtown (i.e. historic context).
- Ensures minimal direct impacts on existing neighbourhoods (i.e. compatibility).

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The following sections will review the site and proposal based on this height framework established by the Downtown Secondary Plan. However, it is important to also note that a 25 storey building is not proposed anywhere within the Downtown Secondary Plan. The Downtown Secondary Plan fundamentally does not propose to accommodate the growth projected in the Downtown through this very tall type of building form. Indeed, the height and density proposed is without precedent anywhere within the City of Guelph or within the Official Plan.

### **The Site in Context**

#### **The Site in Context: This proposal does not respect the prominence of the Basilica of Our Lady as a Landmark**

The Official Plan contains a number of policies in regards to the Basilica of Our Lady<sup>1</sup>:

- The maximum building heights recognize the Church of Our Lady's status as a landmark and signature building (11.1.7.2.1);
- It is the general intent that no building Downtown should be taller than the geodetic elevation of the Church (11.1.7.2.1);
- Ensure taller buildings contribute to a varied skyline in which the Church of Our Lady is most prominent (11.1.7.2.3 h); and,
- The protection of public views to the Basilica of Our Lady (11.1.7.2.2).

While the site is not within a protected public view corridor, this development does not conform to the Downtown Secondary Plan policy that no building is taller than the highest geodetic elevation of the church.

As demonstrated in Attachment 1 (see Attachment-7 in Planning Recommendation Report) this building would result in the Basilica of Our Lady no longer being the highest geodetic elevation within downtown Guelph.

In addition, as shown in Attachment 2 (see Attachment 8 in Planning Recommendation Report) and given the building height, this design proposal competes with the Basilica as the Guelph skyline's most prominent feature.

This building is substantively taller and does not conform with the Official Plan policy that the Basilica of Our Lady is the most prominent within the downtown skyline.

#### **The Site in Context: This is not a low topographic point**

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<sup>1</sup> The Church of Our Lady became the Basilica of Our Lady after the Downtown Secondary Plan was completed. Therefore the Official Plan still references the Church of Our Lady.

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As noted above, topography is taken into account by Galt in the placement of key features (e.g. the Basilica of Our Lady) (Section 2.1). The Downtown Secondary Plan builds on this legacy by carefully placing its tallest buildings (i.e. 18 storey buildings) at topographically low points.

Below is a table that compares the topographic geodetic elevations of 18 storey sites within the downtown.

### Geodetic Site Elevations

Site	Address	Approximate Geodetic Elevation
Riverhouse	160 MacDonnell St.	319m (corner of MacDonell/Woolwich)
Rivermill	150 Wellington St.	316m (corner of Wellington/Surrey)
Guelph Fire Hall	50 Wellington Street	311m (corner of Wyndham/Wellington)
N/W Corner of Wellington St. and Wyndham Street	58 Wellington Street	311m (corner of Wyndham/Wellington)
<b>Subject Site</b>	<b>75 Farquhar/70 Fountain St.</b>	<b>323m</b>

As shown in the table this site's elevation is greater than the other 18-storey sites. It is taller than the two sites on Wyndham Street sites by approximately 13 metres. It is not at a low elevation topographically. Therefore increasing the building height on this site would not meet the urban design framework as shown in the Secondary Plan Height Schedule for tall buildings—let alone a location for the tallest building in Guelph and seven storeys taller than the tallest height permitted in the City.

### The Site in Context: The proposal will impact the relationship to the Historic Core

The Downtown Secondary Plan ensures that the image and experience of Downtown from within the historic core will not change dramatically--maintaining the principles of 'Celebrating What We've Got' (11.1.2.2, Principle 1).

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The Vision outlined in section 11.1.2 states that:

"In the historic heart of Downtown, the existing character will have been enhanced and taller buildings will have been strategically located at the periphery, where they have minimal direct impacts on existing neighbourhoods." [emphasis added]

In particular, building height is to be strategically located.

As noted in Objective e):

"Strategically locate and articulate tall buildings to minimize impacts on historic areas and preserve important public views;" [emphasis added]

Based on its relation to the historic core, the site is not a strategic location for building height and the proposal will dramatically change the image and experience from the historic core based on the following:

- The image and experience of the historic core area will be dramatically impacted. This is demonstrated in Attachment 2 (See Attachment 8 in Staff Recommendation Report) such as viewing the historically-designated train station from Carden Street and views from St. George's Square. A 25-storey building in this location does not have a minimal direct impact on the historic core as per policy 11.1.7.2.1.
- This site abutting the historic Market Ground is at the geographic centre of Galt's Plan. Adding 25 storeys in this location does not meet the vision of the Downtown Secondary Plan which places tall buildings at the periphery (see Vision from 11.1.2 excerpted above).
- As outlined by the Heritage Planning Comments, the site fronts onto the Market Ground area which is a key feature of Galt's Plan. Given the already established midrise character along north side of the Market Ground, it is more in keeping with the historic plan to maintain the midrise character on this site and along Farquhar creating a balanced massing surrounding Galt's Market Ground.
- As noted by the Heritage Planning Comments, the site is adjacent to protected heritage properties and within close proximity to a number of significant cultural heritage resources. These properties are low to mid-rise in character in keeping with the current height schedule permissions. This context is not appropriately taken into account or responded to in the proposal to add a 25-storey building to this site.

### **The Site in Context: This is not a gateway site to the Downtown**

In addition the factors above, another urban design concept underpinning the proposed location of tall buildings is to place height at strategic locations (policy 11.1.7.2.1). These include gateways to the downtown such as Wellington/Wyndham and MacDonnell/Wellington intersections.

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The intersection of Wyndham/Farquhar or Wyndham/Fountain are not key intersections or gateways into the Downtown. Therefore, the placing of a 25 storey building at this location does not meet the intent of the Downtown Secondary Plan.

### Technical Compatibility within the immediate vicinity

In addition to contextual compatibility concerns identified above, the following section addresses compatibility with the immediate area in regards to:

- Wind impacts;
- Shadow impacts; and,
- Transition to adjacent properties.

### Pedestrian Wind Study Outcomes: Wind impacts do not meet City policies

The Official Plan requires, in regard to tall buildings, to:

- Assess potential impacts of wind on surrounding neighbourhoods (8.9.1iii);
- Ensure maintenance of an inviting and comfortable public realm (11.1.8.1.4); and,
- Minimize wind impacts on adjacent properties (9.3.1.1.9)

This review is based on the Pedestrian Wind Study (dated November 25, 2019). A summary of the outcomes include the following:

- At the southwest and northwest building corners the wind study shows the proposal does not meet the Wind Study wind safety criterion.
- Potentially uncomfortable conditions are predicated along Farquhar Street, Wyndham Street and Fountain Street. Uncomfortable wind speeds are higher than desired for sidewalks and walkways.
- Wind speeds at the main entrances are predicted to be potentially slightly too windy for the intended pedestrian use.

In response to the above concerns, the Pedestrian Wind Study includes the following:

- Satisfactory wind speeds can be achieved through the use of large building setbacks, deep canopies or windscreens or dense coniferous or marcescent landscaping. These should be validated through the Site Plan approval stage.

Based on the City of Guelph Pedestrian Level Wind Studies Terms of Reference, urban design staff has the following concerns related to the pedestrian level wind study submitted:

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- The proposal does not meet the Wind Comfort and Safety Criteria of the City's terms of reference.
- The Wind Study criteria excerpted in 2.3 of the report are not the same as those identified in the City of Guelph Pedestrian Level Wind Studies Terms of Reference.
- In particular, where a safety criterion is exceeded, wind mitigation is required (not "typically" required). Given that this is a 0m lot line building, the placing of canopies, windscreens or landscaping is not generally a viable option. In other words, it is not acceptable for the wind mitigation measures to rely on adding additional elements to the City's rights-of-way.
- The concern identified by the wind study on the public realm with regard to "uncomfortable conditions" on adjacent streets has not been adequately addressed. This is particularly important along Farquhar Street which should be designed to "accommodate high volumes of pedestrian traffic to and around the [major transit] station (policy 11.1.4.3.2).
- The concern identified wind speeds at main entrances has also not been adequately addressed through the study or the design.
- Impacts on the amenity space of 90 Fountain Street E. have not been addressed by the study.

Given that:

- this application proposes to substantially increase the building height on this site;
- wind impacts are in large part a function of building height; and,
- this is a 0m lot-line condition building,

Staff do not agree that this can be addressed through the site plan approval stage. As stated in the City's Pedestrian Level Wind Studies Terms of Reference, these studies "should be conducted as early as possible in the development application process when building massing can still be altered for wind control".

In summary, based on the safety criteria exceeded within the public realm and the uncomfortable winter conditions identified, which have not been adequately addressed, the proposal does not meet the Official Plan policies in regard to ensuring no negative adverse wind impact.

### **Shadow Study Outcomes: Shadow impacts do not meet City policies**

The Official Plan requires, in regard to tall buildings, to:

- Determine the potential impacts of shadow on the surrounding neighbourhood (8.9.1 iii);
- Minimize and mitigate adverse shadow impacts to ensure an inviting and comfortable public realm (11.1.8.1.4); and,
- Minimize shadow impacts on adjacent properties (9.3.1.1.9).

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Based on the City of Guelph Sun and Shadow Study Terms of Reference, urban design staff has the following concerns related to the study submitted:

- Criterion 3.1 regarding shadow impacts on the opposite Farquhar Street sidewalk is not achieved. On September 21 at 12pm, the opposite sidewalk is in shade. Therefore the study does not show full sunlight at 12pm, 1pm and 2pm as required by this criterion.
- The shadow study does note that "there is limited pedestrian traffic in this area as it is currently facing a parking lot." Staff does not agree with this justification especially given policy 11.1.4.3.2 of the Official Plan that states that Farquhar Street should be designed to "accommodate high volumes of pedestrian traffic to and around the [major transit] station."
- The shadow study notes that the criterion 1 (Residential Amenity Spaces) in regards to the adjacent property to the east is not met. Staff does not agree that the existing vegetation justifies the exceeding of this criterion.

In summary, based on not meeting the criterion of the Sun and Shadow terms of reference with no adequate justification, the proposal does not minimize or mitigate adverse shadow impacts on the public realm (i.e. Farquhar Street) or the adjacent property.

### **Transition: The development does not meet policies for transition to adjacent properties**

The Official Plan contain as number of policies in regard to transition between tall buildings and surrounding areas:

- Where proposed buildings exceed the built height of adjacent buildings, the City may require the new buildings to be stepped back, terraced or set back to reduce adverse impacts on adjacent properties and/or the streetscape (8.11.2).
- The massing and articulation of buildings taller than six storeys shall provide appropriate transitions to areas with lower permitted heights (11.1.7.2.3 h).

Furthermore, the Downtown Built Form Standards include the following:

While angular planes may be used to evaluate developments throughout the downtown, special consideration should be given to the use of angular planes in and adjacent to Historic House-Based Character Areas (Performance Standards #15, pg 52).

This site is partially in and partially adjacent to the Historic House-Based Character Area. Therefore angular planes should be used to evaluate the massing, height and transition to adjacent properties, in particular to the east and south-east.



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The Downtown Built Form Standards contains rear yard and front yard angular plane provisions that the applicant has included in their building sections drawings.

In regards to the front yard angular plane provision, the Downtown Built Form Standard provision is designed for containing the massing of a shorter building (i.e. less than 10 storeys). Therefore, while this standard is not meant to apply to a building of this height, it is important to note that this standard would apply to a 6 storey building (as required by the Official Plan). The proposal submitted does not meet the front yard angular plane performance standard.

In regard to the rear angular plane, the development is adjacent to existing low-rise residential development. This being said, the Downtown Secondary Plan designates the lands to the east as Institutional or Offices (which does not permit residential). However, given that the proposal is greater than 10 storeys, the Downtown Built Form Standards states that the rear yard angular plane provisions should apply. As illustrated by the applicant, the proposal greatly exceeds the angular plane and transition test. Therefore the application does not comply with this performance standard.

In addition, as illustrated in the following rendering, the transition to the building to the east is also a concern from an overlook perspective.



Although there is existing vegetation in this location, the amount of glazing, building setback and the lack of conformance to the angular plane provision standards, the proposal does not conform to the Official Plan policies to provide

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appropriate transitions to areas with lower permitted heights or reduce adverse impacts on the adjacent properties. Appropriate building massing has not been achieved.

### Other Urban Design Comments

Based on the proposal, urban design staff have additional comments based on the building design and elevations submitted:

- The proposed building does not have a distinctive building top as required for tall buildings (Official Plan policy 8.9.1i); and,
- Loading and servicing along Farquhar is not screened therefore does meet Official Plan Policy 11.1.7.2.4 b).

### Conclusions

This development application portrays a profound disregard for local context from an urban design, heritage and policy perspective. From an urban design perspective the proposal is not supportable for the following reasons:

- It proposes a development that is out of scale with the existing and planned context, including a height and density that is without precedent anywhere within the City of Guelph or within the Official Plan.
- It ignores the over 190 years of planning Guelph, as outlined in the Official Plan, by proposing the tallest building in Guelph in the heart of the Downtown, on a high topographic point, which results in a building that is significantly taller than the Basilica of Our Lady. Based on building height and geodetic elevation, the proposal will be the tallest building in Downtown Guelph. This is not a strategic site from an urban design, topographic or historic context. The proposal does not meet the intent of the Official Plan or its urban design framework.
- It disregards the careful design-led Downtown Secondary Plan that was an outcome of an exhaustive public process. The Secondary Plan received an OPPI Award in 2013. The Secondary Plan carefully balances the historic and urban design context with the imperative to accept additional density as per the provincial policy. This major site-specific Official Plan Amendment does not conform to the Downtown Secondary Plan or indeed its framework for accommodating growth.
- The site will dramatically changes the image and experience from the historic core. The site bounds the south side of the historic Market Ground with its already established mid-rise character on its north side. Based on this, a mid-rise building as permitted by the Official Plan is more appropriate.
- The proposal is not compatible with the surrounding area. The proposal does not conform to the Official Plan policies to provide appropriate transitions to areas with lower permitted heights or reduce adverse impacts on the adjacent properties. The development proposal does not meet the City's criteria for wind studies or sun/shadow studies. Based on this, the proposal does not meet the Official Plan policies regarding mitigating wind and shadow impacts. A building of this height in this location is too tall.

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- The proposal does not meet other urban design-related Official Plan policies for building design, including the Official Plan requirements for distinctive building tops, and the screening of loading areas.
- The Downtown Secondary Plan represents comprehensive, integrated and long-term policies that should not be changed by significant ad-hoc site specific amendments that are not consistent with the urban design policies of the Official Plan. The proposal is in excess of the appropriate scale of development that can be sufficiently supported within the existing urban design framework.

Prepared by:

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ATTACHMENT 1: Height Comparison Study

ATTACHMENT 2: View Impacts of Proposed Development

Note: Both attachments have been incorporated into the Planning Recommendation Report (2020-04) as Attachments 7 and 8 respectively.

# Attachment-9 Heritage Planning Comments 1/23

## Internal Memo



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Date	March 13, 2020
To	<b>Katie Nasswetter</b>
From	Stephen Robinson
Service Area	Infrastructure, Development and Enterprise Services
Department	Planning Services
<b>Subject</b>	<b>70 Fountain St/75 Farquhar St: Official Plan and Zoning Bylaw Amendment Application – Heritage Planning Comments</b>

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Heritage Planning staff provides the following comments based on the **Cultural Heritage Resource Impact Assessment in Support of Proposed Redevelopment of the Property at 75 Farquhar Street / 70 Fountain Street** by CHC Limited dated November 2019.

Heritage planning staff has concentrated on reviewing the proposed development using the Ontario Heritage Act and O. Reg 9/06 as well as applicable cultural heritage policies from the Provincial Policy Statement (2014) and the City of Guelph's Official Plan, Downtown Secondary Plan and Downtown Built Form Standards.

### Introduction

The proposed development at 75 Farquhar Street/70 Fountain Street East (Attachment 1) involves several challenging heritage planning issues. These can be summarized as follows:

- a significant built heritage resource that is both rare and an anomaly in the architectural history of this area of downtown Guelph
- a CHRIA that does not define this proposed development's impact on the listed heritage building as demolition
- a CHRIA that states the subject property has cultural heritage value and yet still supports demolition with no reasonable mitigation
- a CHRIA that considers complete demolition and reuse of salvageable materials in a new building design that does not resemble the original as acceptable heritage conservation
- a proposed development that would locate excessive height beside protected heritage properties and many significant listed built heritage

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resources within the context of the Market Ground, an identified heritage character area and part of a candidate cultural heritage landscape

### **Cultural Heritage Resource Policy Context**

Policy 2.6.1 of the Provincial Policy Statement states that significant built heritage resources and significant cultural heritage landscapes shall be conserved.

According to PPS Policy 2.6.3, Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The objectives of the City's Official Plan (section 4.8) ensure that all new development, site alteration, building alteration and additions are contextually appropriate and maintain the integrity of all in situ cultural heritage resources or adjacent protected heritage properties.

Section 4.8.1 (14) states that it is preferred that cultural heritage resources be conserved in situ and that they not be relocated unless there is no other means to retain them.

Section 4.8.5 (2) describes Council's ability to, in consultation with Heritage Guelph, remove non-designated properties from the Heritage Register, provided it has been demonstrated to the satisfaction of Council, through a Cultural Heritage Review or an appropriate alternative review process, that the property is no longer of cultural heritage value or interest.

Section 4.8.5 (6) states that built heritage resources and cultural heritage landscapes that have been listed in the Heritage Register shall be considered for conservation in development applications initiated under the Planning Act, unless the applicant demonstrates to Council in consultation with Heritage Guelph, through a Cultural Heritage Resource Impact Assessment, Scoped Cultural Heritage Resource Impact Assessment or Cultural Heritage Review, that the built heritage resource or cultural heritage landscape is not of cultural heritage value or interest and, therefore, does not meet the criteria for designation under the Ontario Heritage Act.

### **Cultural Heritage Value or Interest**

The subject property contains a built heritage resource that has cultural heritage value and has been listed as non-designated on the Heritage Register of Cultural Heritage Resources. Built in 1958 in the International Style, an architectural design style popular for government office buildings in the mid-20<sup>th</sup> century, the Federal Building was built to house services relocated from the Customs Building being demolished at that time in St. George's Square. Very few examples of mid-20<sup>th</sup> century architectural design of cultural heritage value have been built in Guelph's downtown as most of its Victorian and Edwardian built form and scale has been conserved within the core of Galt's original town plan.

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Staff and Heritage Guelph have concurred with the CHRIA report that 75 Farquhar St/70 Fountain St is a significant heritage building for its time. The Federal government's plans for the building were carried out under the supervision of Guelph architect T. Alan Sage. The building has been presented as an example of the International Style on Shannon Kyles' "Ontario Architecture" website. (Attachment 2). However, the subject building is both rare and an anomaly in the architectural history of this area of Guelph.

In 1960 T. Alan Sage designed the Guelph Hydro Building using similar materials (Attachment 2).

### **Conservation vs. Demolition/Salvage**

On page 35 of the CHRIA report, CHC Limited offers two conflicting statements in its explanation of "how does the proposal fare with respect to adhering to the principles, objectives and targets in the City's Downtown Secondary Plan?" CHC's answer begins by stating that "75 Farquhar Street / 70 Fountain Street qualifies as a significant heritage structure" then describes the development intention to demolish the significant listed built heritage resource so that "Its heritage attributes are conserved in a new structure that re-uses the three facades that face the streets surrounding it."

The Official Plan defines the term conserved as "the identification, protection, use and/or management of cultural heritage resources and archaeological resources in such a way that their heritage attributes and integrity are retained. This may be addressed through a cultural heritage conservation plan or cultural heritage resource impact assessment."

Staff is not of the opinion that complete demolition and reuse of salvageable materials in a new building design that does not resemble the original building can be defined as conservation of the integrity of the heritage attributes of a built heritage resource. In its recommendation to Heritage Guelph, Heritage Planning staff suggested that an opportunity exists to retain more of the integrity of the original building's heritage attributes by reconstructing aspects of the three street-facing facades of the main block of the Federal Building at the ground to third floor of the podium of a proposed new building development.

### **Development Adjacent to Protected Heritage Properties**

The proposed development site is adjacent to two protected heritage properties. The Alling house built in the 1830s at 81 Farquhar Street (Attachment 3, Figure 10) and the Drill Hall built in 1868 at 72 Farquhar Street (Attachment 3, Figure 14). Both properties are protected under individual heritage designation bylaws. Although the Armoury at 7 Wyndham Street South (Attachment 3, Figure 15) is a recognized Federal Heritage Building in the custodianship of the Department of National Defence it is not protected under Federal legislation and therefore not a protected heritage property as defined in the Provincial Policy Statement.

The subject property is adjacent to numerous listed heritage properties and the subject real property is part of the historic Farquhar Street streetscape which is part of the Market Ground area identified as a heritage character area in the

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downtown Built Form Standards and also part of the Old Downtown candidate cultural heritage landscape identified in the draft Cultural Heritage Action Plan.

### **Building Height within a Heritage Character Area and Candidate Cultural Heritage Landscape**

Galt's 1827 plan for the Town of Guelph contained what have been described as four "big moves": Catholic Hill; St. George's Square; the Burying Ground; and the Market Ground. These four areas continue to be some of downtown Guelph's most significant heritage attributes (Attachment 4, Figures 19 and 20).

The Market Ground is still easily identified as the area within Carden Street, Wilson Street, Freshfield St and Farquhar St including the street walls that front onto this area. Galt's 1827 plan shows the Market House (Town Hall) in the centre of the Market Ground. The arrival of the railway in 1856 would bisect the Market Ground and create sections that became space for a Drill Hall, a fairground/baseball diamond and by 1909 the City's Armoury. Five of the buildings within the Market Grounds CHL have already been protected by designation bylaws under the Ontario Heritage Act (Attachment 4, Figure 23).

In the preparation of the Downtown Streetscape Manual & Built Form Standards a committee was formed to assess heritage qualities within the Downtown Secondary Plan study area in consultation with municipal planning staff and Heritage Guelph. The purpose of the review was to assist in developing a heritage layer to support and enhance the description of the six character areas. The review furthered important discussion of potential heritage conservation districts or the delineation of historic precincts of special municipal significance within the Secondary Plan.

The Heritage Character Area Survey completed by the members of Heritage Guelph resulted in the identification of ten separate heritage character areas (Attachment 5). The character areas have un-delineated boundaries to allow for a degree of interpretation.

The underlay of these character areas provided the basis for the description of the heritage attributes in the six Downtown Guelph Character Areas and provided background to encourage the discussion of the merits for potential heritage conservation districts within and adjacent to the study area.

Design principles have been developed for the six character areas to insure that site and building design supports the unique characteristics, Downtown Secondary Plan policies, and Strategic Assessment recommendations for each area.

The Downtown Streetscape Manual & Built Form Standards states that "the future success of Downtown Guelph is dependent on how built heritage resources and the cultural heritage landscape are conserved and integrated into the built form and physical landscape context. Heritage conservation in an urban context presents an opportunity to enhance and maintain the inheritance of the early and more recent city builders. Planning is about the management of change. New design compatible with the existing heritage built form and the original Town Plan streetscapes will produce a high quality built environment."

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Attachment 5 (Figure 7 in the CHRIA by CHC Limited, November 2019) presents the ten heritage character areas identified in the downtown Built Form Standards. The author describes the neighbourhood south of the railway tracks as the "Upper Neeve Village" heritage character area identified by the Heritage Character Area Survey. It is important to point out that the character areas identified in the Downtown Streetscape Manual and Built Form Standards have un-delineated boundaries to allow for a degree of interpretation and that the hard line of the Market Place heritage character area can easily include the buildings that front on Farquhar Street. While it is true that the Upper Neeve Village is adjacent to the subject property, what CHC does not point out is that the "Market Place" heritage character area includes both the north and south sides of the railway tracks and that the subject property plays an important anchor role as a corner property at Wyndham and Farquhar Streets and is a major contributor in the delineation of the southern boundary of the Market Place (or Market Ground) heritage character area.

Figure 25 in Attachment 6 (Figure 62 in the CHRIA by CHC, November 2019) presents the "Old Downtown" candidate cultural heritage landscape (CHL) area identified by the City's current draft Cultural Heritage Action Plan. The candidate CHL boundaries are also in a preliminary form and hard line boundaries would only be confirmed after the candidate CHL area has undergone formal study (e.g. as a potential heritage conservation district). The Old Downtown CHL area includes several significant component areas, such as the "Upper Neeve Village" area and the Market Ground.

Figure 26 in Attachment 7 (Figure 36 in the CHRIA by CHC Limited, November 2019) presents a 2017 aerial photo that shows how the Official Plan has avoided highrise development in areas at or too close to the Market Ground area. The properties with an eight-storey maximum would be far enough away to avoid a negative impact to what historically has been a mid-rise building form along the north side of the Market Ground.

The photos in Attachments 3 and the City's GIS map image in Attachment 8 show the Market Ground area, the street addresses that front onto the area and the street walls that help to define the Market Ground.

### **Heritage Planning staff recommendations**

(as provided to Heritage Guelph's meeting of February 10, 2020)

- That the listed built heritage resource at 70 Fountain Street East /75 Farquhar Street has cultural heritage value or interest as it is a rare example in Guelph of the International Style in architecture and demonstrates the work of T. Allan Sage an architect who is significant to the Guelph community; and
- That the heritage attributes of the subject property include the
  - scale, massing and method of dealing with the sloping site
  - limestone and dark granite veneer exterior walls



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- glazed and solid panel curtain wall sections; and
- That the development (OZS19-015) proposes complete demolition of the listed built heritage resource at 70 Fountain Street East /75 Farquhar Street with a mitigation plan to salvage only the limestone and dark granite veneer panels for reapplication in the upper areas of the podium of the proposed building; and
- That while staff supports the retention of built heritage resources, staff does not recommend that Council protect 70 Fountain Street East / 75 Farquhar Street through individual designation under section 29, Part IV of the Ontario Heritage Act, and;
- That Heritage Guelph has no objection to the property known as 70 Fountain Street East / 75 Farquhar Street being removed from the Municipal Register of Cultural Heritage Properties, and;
- That Heritage Guelph encourages the proponent to consider retaining heritage attributes and salvageable elements of the building (e.g. exterior limestone and granite veneer panels) for possible reuse and integration into proposed new construction on the property, and;
- That although the listed built heritage resource at 70 Fountain Street East /75 Farquhar Street is a representative example of mid-20<sup>th</sup> century development and architectural design in the downtown area, it is not physically, visually or historically linked to its surroundings, and;
- That a 3 to 6-storey building proposed on this site with appropriate step backs for upper floors would not only be more appropriate in relative scale with the adjacent protected heritage properties but would also serve to maintain and support the historic scale, massing and character of the Market Ground area of the Old Downtown cultural heritage landscape; and
- That staff advises Council that the proposed building design and the related Cultural Heritage Resource Impact Assessment (CHC Limited - Nov 29, 2019) should be revised to better integrate the salvaged elements into the podium design and reduce the overall building form to better integrate with the site and its historical context.

At their meeting of February 10, 2020 Heritage Guelph's carried the following [draft] recommendations:

- That the listed built heritage resource at 70 Fountain Street East /75 Farquhar Street has cultural heritage value or interest as it is a rare example in Guelph of the International Style in architecture and demonstrates the work of T. Allan Sage an architect who is significant to the Guelph community; and

## Attachment-9 Heritage Planning Comments 7/23

- That the heritage attributes of the subject property include: the scale, massing and method of dealing with the sloping site; limestone and dark granite veneer exterior walls; and glazed and solid panel curtain wall sections;
- That the built heritage resource at 70 Fountain Street East/75 Farquhar Street be retained on the Heritage Register
- That a 3 to 6-storey building proposed on this site with appropriate step backs for upper floors would not only be more appropriate in relative scale with the adjacent protected heritage properties but would also serve to maintain and support the historic scale, massing and character of the Market Grounds area of the Old Downtown cultural heritage landscape
- That a 3 to 6-storey building proposed on this site with appropriate step backs for upper floors would not only be more appropriate in relative scale with the adjacent protected heritage properties including; the Alling House at 81 Farquhar Street, the Drill Hall at 72 Farquhar Street and the Armoury at 7 Wyndham Street South, but would also serve to maintain and support the historic scale, massing and character of the Market Ground area of the Old Downtown cultural heritage landscape.
- That Heritage Guelph recommends that Council direct staff to issue a Notice of Intention to Designate the property 70 Fountain Street East/75 Farquhar Street under section 29, Part IV of the Ontario Heritage Act.

# Attachment-9 Heritage Planning Comments 8/23

## Attachment 1 – Current Photos of Subject Property

Figure 1 – Subject building fronting Farquhar Street.



Figure 2 - Subject building fronting Wyndham Street North.



## Attachment-9 Heritage Planning Comments 9/23

Figure 3 - Subject building fronting Fountain Street East.



Figure 4 - 2-storey block at rear facing Fountain Street East.



# Attachment-9 Heritage Planning Comments 10/23

Figure 5 – Rear of building from Farquhar Street.



Figure 6 - Stair railings.



## Attachment-9 Heritage Planning Comments 11/23

### Attachment 2 - International Style

Figure 7 - Subject property as example of International Style on Shannon Kyles' Ontario Architecture website at <http://www.ontarioarchitecture.com>



Figure 8 - Guelph Hydro Building, 104 Dawson Road, built 1960. T. Alan Sage, architect.



# Attachment-9 Heritage Planning Comments 12/23

## Attachment 3 – Current street views on Market Ground area

Figure 9 - Farquhar Street from Wyndham Street South.



Figure 10 - Alling house at 83 Farquhar Street (inset photo from 1930s).



# Attachment-9 Heritage Planning Comments 13/23

Figure 11 – 95 and 91 Farquhar Street.



Figure 12 - 111 and 97 Farquhar Street.





# Attachment-9 Heritage Planning Comments 14/23

Figure 13 - Train Station at 79 Carden Street and Drill Hall at 72 Farquhar Street at right.



Figure 14 - Drill Hall 72 Farquhar Street with inset photo from 1939.



## Attachment-9 Heritage Planning Comments 15/23

Figure 15 - Armoury at 7 Wyndham Street North and Drill Hall at 72 Farquhar Street.



Figure 16 - Carden Street from Farquhar Street.



# Attachment-9 Heritage Planning Comments 16/23

Figure 17 - Carden Street from Wyndham Street North



Figure 18 - Wilson Street at Northumberland Street





# Attachment-9 Heritage Planning Comments 18/23

Figure 21 – Detail from a Bird's Eye View of Guelph, 1872.

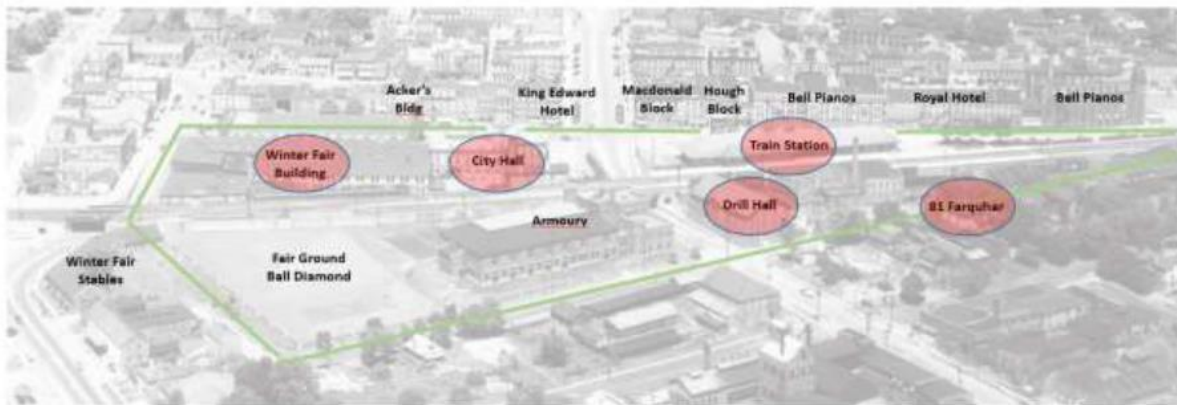


Figure 22 - Detail from Cooper's Map of Guelph, 1874.



## Attachment-9 Heritage Planning Comments 19/23

Figure 23 - Detail from 1931 aerial photo of the City of Guelph with overlay showing four protected heritage properties.



# Attachment-9 Heritage Planning Comments 20/23

## Attachment 5 – Heritage Character Areas identified in City of Guelph Downtown Streetscape Manual & Built Form Standards

Figure 24 - Heritage Character Areas

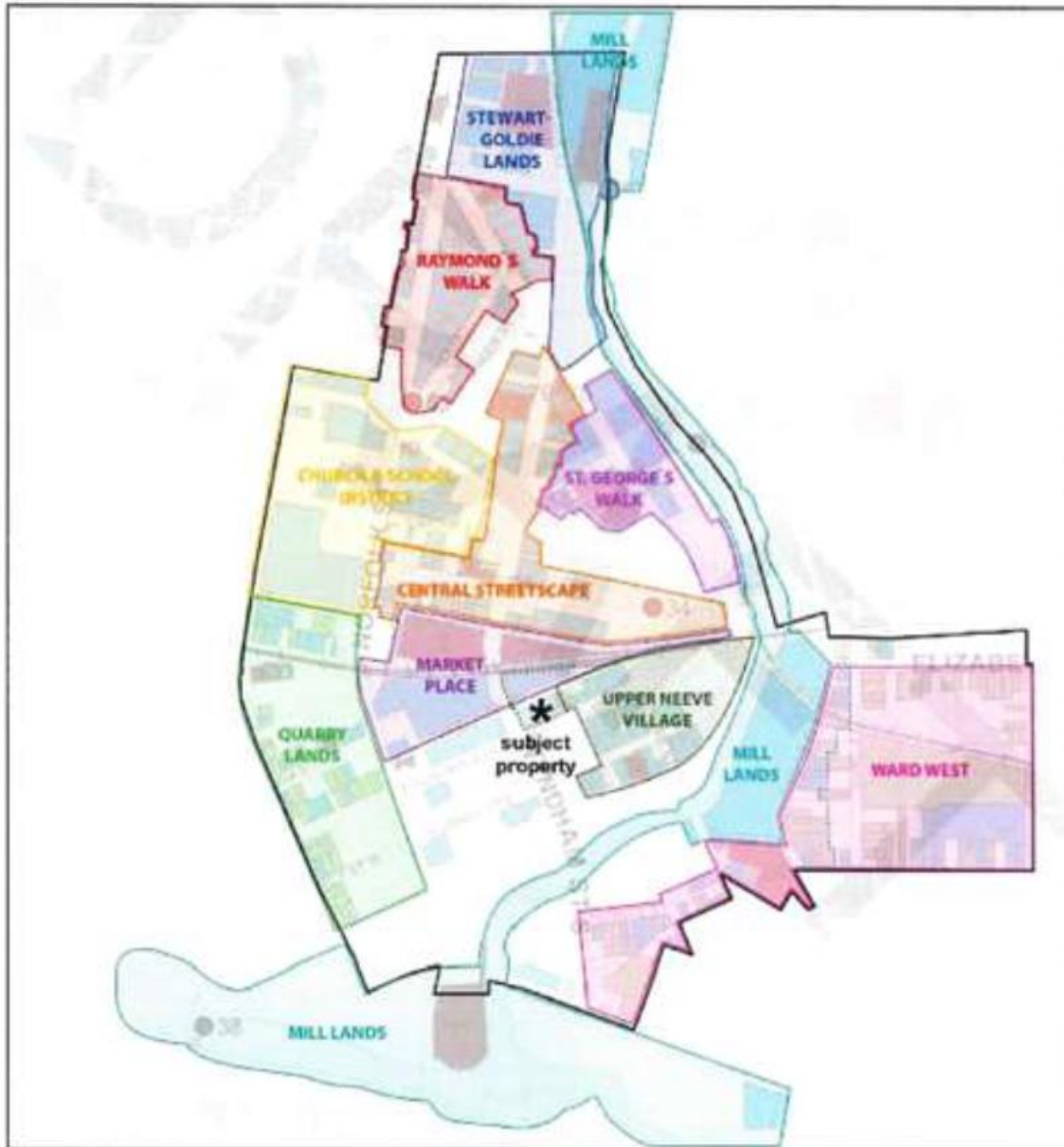


Figure 7

Heritage Guelph identified cultural heritage landscapes & subject property<sup>1</sup>

## Attachment-9 Heritage Planning Comments 21/23

### Attachment 6 – Detail from map of Candidate Cultural Heritage Landscapes in Guelph

Figure 25 - Detail from Candidate Cultural Heritage Landscapes in Guelph (from page B-15 of draft Cultural Heritage Action Plan, November, 2019)

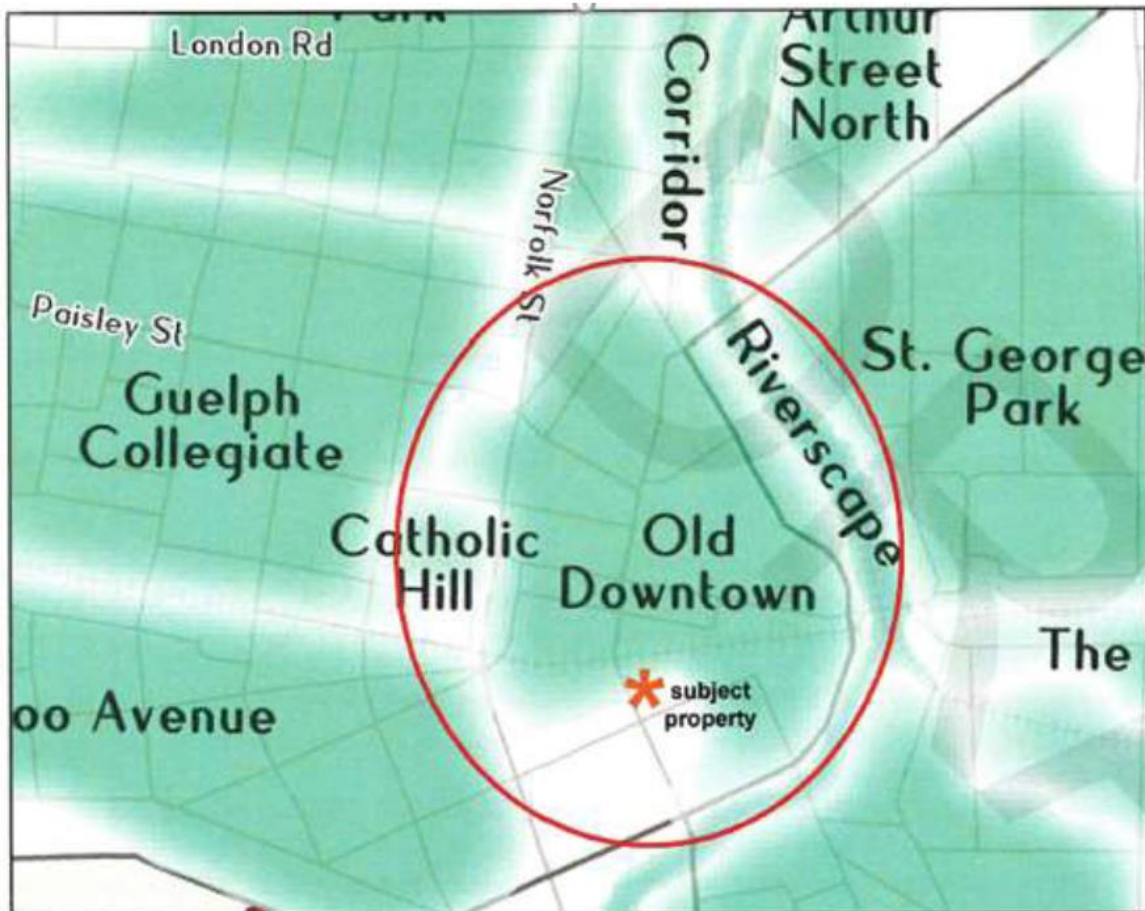


Figure 62 from: *City of Guelph Cultural Heritage Action Plan (DRAFT)*, MHBC, March 2019 - CCHL-18 page 1 of 2



# Attachment-9 Heritage Planning Comments 22/23

## Attachment 7 – Aerial Photo of Subject Property Area

Figure 26 – Image from CHRIA by CHC Limited (Figure 36) a 2017 aerial photo showing part of the Market Ground area.



Figure 36

from the west to subject property - August 7, 2017

[https://commons.wikimedia.org/wiki/File:Guelph\\_Downtown\\_Aerial.jpg](https://commons.wikimedia.org/wiki/File:Guelph_Downtown_Aerial.jpg) - Bill Carius pilot/photographer



# Attachment-9 Engineering Comments 1/5



## MEMO

FILE: 16.13.001

**TO:** Katie Nasswetter, Senior Development Planner  
**FROM:** Shopan Daniel, Engineering Technologist III  
**DEPARTMENT:** Engineering and Transportation Services  
**DATE:** March 3, 2020  
**SUBJECT:** 70 Fountain Street – Zoning By-law/Official Plan Amendment – OZS19-015

An application for a Zoning By-law Amendment has been received for the property municipally known as 70 Fountain Street from Skydevco Inc., on behalf of Skyline Commercial Real Estate Holdings Inc. The application has been submitted to allow the development of a 25 storey mixed use building containing retail and office space together with 180 apartment units on the subject site. The Official Plan Amendment and Zoning By-law Amendment applications were received by the City on December 4, 2019 and deemed to be complete on January 2, 2020.

The subject site has an area of 0.213 hectares and is currently developed with a two storey office building containing several commercial and office uses. The site slopes to the south, so the site appears to be two storeys from Farquhar Street and three storeys from Fountain Street.

The purpose of the proposed Zoning By-law Amendment is to change the zoning from the specialized "Central Business District" (CBD.1-1) Zone to a specialized "Downtown 1" (D.1-?) Zone. A specialized Downtown 1 zone is required to permit the proposed mixed use building to be 25 storeys instead of the three storeys allowed in the standard zone.

The applicant is proposing to redevelop the site by demolishing the existing 2 storey office building and building a 25 storey high mixed use building. The mixed use building is proposed to contain approximately 3900 square feet of ground floor retail space and 67,000 square feet of office floor space on the first four floors which make up the podium of the building. Above the fourth floor is a 21 storey tower containing 180 apartment units. Parking is located in four underground parking levels, with a total of 207 parking spaces provided.

Staff comments are based on the following reports and plans listed below:

- Proposed Massing, Conceptual Site Plan and Floor Plans, prepared by SRM Architects Inc., dated November 7, 2019;
- Transportation Impact Assessment, Transportation Demand Management and Parking Study, prepared by Paradigm Transportation Solutions Ltd., dated November 2019;
- Functional Servicing and Storm Water Management Report, prepared by Walter Fedy, dated November 12, 2019;
- Phase I Environmental Site Assessment, prepared by Pinchin Ltd., dated June 3, 2016;
- Revised Phase I Environmental Site Assessment, prepared by Pinchin Ltd., dated November 18, 2019;

**Engineering Services**  
Infrastructure, Development & Enterprise

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engineering@guelph.ca

# Attachment-9 Engineering Comments 2/5



## MEMO

- Noise & Vibration Impact Study, prepared by RWDI, dated November 22, 2019.

### 1. Road Infrastructure:

*Wyndham Street South* abutting the subject property is designated as a two (2) lane Arterial road with an urban cross section, grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on both sides of the street. The ultimate right-of-way width of Wyndham Street abutting the property is approximately 30.00 metres, therefore no road widening is required.

*Fountain Street East* abutting the subject property is designated as a two (2) lane local road with grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on the south sides of the street. There is also sidewalk located along the flankage of the subject property. The ultimate right-of-way width of Fountain Street abutting the property is 30.00metres therefore no road widening is required.

*Farquhar Street* abutting the subject property is designated as a two (2) lane local road with grass boulevard on both sides, asphalt pavement, curb and concrete sidewalk on both sides of the street. The ultimate right-of-way width of Fountain Street abutting the property is 20.00 metres therefore no road widening is required.

### 2. Traffic Study, Access, Parking and Transportation Demand Management:

Transportation Services staff have reviewed the submission "*Mixed-use Development 75 Farquhar Street / 70 Fountain Street Guelph, Ontario, Transportation Impact Assessment, Transportation Demand Management and Parking Study,*" dated November 2019. We offer the following comments.

- Both Gordon Street and Wyndham Street are identified as north-south arterial roadways, while Fountain Street and Farquhar Street as east-west local roadways. However, intersection approaches in Figures 2.5a, 2.5b and Appendix B have different orientations and the traffic volumes are reversed. Furthermore, the traffic analysis continued with incorrect traffic data input. As a result, staff have insufficient information to provide a recommendation at this time.
- Waste collection vehicles must enter and exit the site in forward facing motion only.
- Planners will review parking demand and supply study.

### **TDM related comments.**

- The TIS acknowledges that the developer intends to provide the Downtown Zoning Bylaw rate of bicycle parking, both long term and short term. Given the high connectivity to cycling networks in the area, staff encourage the developer to exceed the requirements and provide 1 long-term storage space per residential unit. The commercial and retail long-term bicycle parking acknowledge that these spaces will include change and shower facilities and staff will look for these on the site plans.
- TDM Staff support that the development intends to provide unbundled parking.
- The developer may wish to consider consulting with Metrolinx, as the agency is actively seeking additional parking downtown to support growing ridership.

**Engineering Services**  
Infrastructure, Development & Enterprise

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## MEMO

- The TIS makes recommendations to encourage car share on-site. A CommunAuto car share vehicle exists in the Fountain Street Municipal Parking Lot facing the proposed development. CommunAuto currently also has a vehicle at 5 Gordon Street and at Surrey St Medical, within an 8-minute walk

### 3. Municipal Services:

Existing services within the right-of-way along Farquhar Street are as follows:

- 300mm diameter that becomes a 375mm storm sewer
- 200mm diameter sanitary sewer
- 150 mm diameter watermain

Existing services within the right-of-way along Wyndham Street are as follow:

- 1350 mm diameter storm sewer
- 375 mm diameter sanitary sewer
- 300 mm diameter watermain

Existing services within the right-of-way along Fountain Street are as follows:

- 375mm diameter storm sewer.
- 150mm diameter watermain.

A preliminary Servicing Plan shows that the proposed development will be serviced from Wyndham Street for water and wastewater and the storm discharge connection is proposed from Farquhar Street. The proposed connection will be further assessed at the site plan stage.

### Sanitary Sewer Wastewater Collection System and Water Supply/Distribution System.

It has been confirmed that adequate sanitary and water capacity is available to service the proposed development. However, the developer is advised that there is potential for marginal water supply pressure under certain conditions such as peak hour demand scenario at locations with elevation greater than 347 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 340 m height AMSL in the existing water system. Any means to mitigate this water pressure scenario to meet current Ontario Building Code standards on site, is the responsibility of the developer.

### 4. Storm Water Management & Servicing:

We are aware of significant capacity issues occurring within the existing storm sewer network. It appears that the Hydraulic Grade Line (HGL) is close to surface, and surcharging and surface flooding is expected under the 5 year storm event. As such, it will be required by the applicant to control all events, up to and including the 100 – year, to

**Engineering Services**  
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# Attachment-9 Engineering Comments 4/5



## MEMO

pre-development 2 - year peak flow conditions at a maximum 50% imperviousness. Since no hydrological modeling information was provided in the report staff are unable to comment on the pre and post development peak flow rates generated from the site. Further, staff cannot complete the analysis to determine if the existing storm infrastructure can accommodate the stormwater discharge from this site as flow rates were not provided in the FSR.

Using Miduss, we require the developer to complete the hydrological model of the site showing the peak flow rates in the pre and post development conditions, for all storm events including the 100 – year storm.

### 5. Source Water Protection:

This property is located in a WHPA-B with a Vulnerability Score of 10. Therefore, prior to site plan approval we require the developer to complete the following:

- a Section 59 Policy Applicability Form, (See City's Website)
- a Waste Survey Form and provide me with a Salt Management Plan (Guidance document attached) for review

### 6. Environmental:

Based on the former use of the subject Site as a coal storage yard with historical gasoline underground storage tanks, an RSC filing with the MECP is a mandatory requirement for the Site to be developed as a mixed use residential. In addition, our guideline- (<https://guelph.ca/wpcontent/uploads/DevelopmentGuidelinesContaminatedSites.pdf>) clearly states that if the property is changing from less sensitive to more sensitive use. Therefore, we do not accept ESAs completed outside of O. Reg. 153/04 regulation; please refer to the conditions below:

- Prior to ZBL and OPA approval, the Owner/Developer must submit the Phase One ESA completed per the requirements of O. Reg. 153/04 (as amended) in accordance with the City's guidelines for the development of contaminated or potentially contaminated sites (2016).
- Prior to zoning approval, the Owner/Developer will be required to submit a proof of RSC filling and acknowledgement along with the pertinent environmental reports (Phase Two ESA, Remediation and/or Risk Assessment reports) used in filling RSC for City's records.
- The QP must submit a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports submitted to the City.

### 7. Noise and Vibration Study

For noise and vibration comments, please see peer review memo attached, provided by GHD consultants.

**Engineering Services**  
Infrastructure, Development & Enterprise

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engineering@guelph.ca

# Attachment-9 Engineering Comments 5/5



## MEMO

---

Staff Recommendations:

Based on the aforementioned comments, insufficient information has been provided and Engineering staff cannot support the applications at this time.

A handwritten signature in black ink, appearing to read "Shophan Daniel", is written above a horizontal line.

**Shophan Daniel**  
Engineering Technologist III

A handwritten signature in blue ink, appearing to read "Mary Angelo", is written above a horizontal line.

**Mary Angelo**  
Supervisor, Development Engineering

**Engineering Services**  
Infrastructure, Development & Enterprise

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# Attachment-9 Noise/Vibration Peer Review 1/4



February 25, 2020

Reference No. 11198562

Mr. Shophan Daniel  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Dear Mr. Daniel:

**Re: Peer Review of Noise and Vibration Impact Study  
Proposed Mixed Use Development  
70 Fountain Street East, Guelph, Ontario**

## 1. Introduction

GHD Limited (GHD) was retained by the City of Guelph (City) to complete a Peer Review of the Noise and Vibration Impact Study submitted in support of the proposed mixed use development located at 70 Fountain Street East in Guelph, Ontario (Site).

The following documents were reviewed:

- Noise and Vibration Impact Study (Study), dated November 22, 2019 and prepared by RWDI.

The results of our Peer Review are detailed herein.

## 2. Review Discussion

### 2.1 Rail Traffic Growth Rates

Per the study *“Current rail volumes were assumed to grow at a rate of 2.5% per annum for the 10-year horizon (2029).”* However, the City of Guelph Noise Control Guideline (NC Guideline) dated November, 2018 requires that *“rail traffic data must be requested from the rail line owner(s) and/or operator(s), and must include worst-case forecasted volumes and train configurations to at least 10 years beyond the anticipated construction completion date. In the absence of information from the railway companies on the future rail traffic volume, the existing data should be increased at annual rate of 2.5% for a minimum of 10 years after the expected construction completion date.”*

The Traffic Impact Study prepared by Paradigm Transportation Solutions Limited notes that *“The development is expected to be completed by 2024.”*

#### *GHD Response*

GHD recommends the Study update the traffic forecast to be consistent with the Guelph Noise Control Guideline and anticipated construction completion date.



# Attachment-9 Noise/Vibration Peer Review 2/4



## 2.2 Stationary Noise Assessment

The Study notes that “A site visit was conducted September 20th, 2019, from 4:45AM until 11:00AM for vibration measurements and a site walk to observe the acoustic environment in the surrounding area.”

Based on a review of the aerial imagery and with consideration of the height of the proposed development, additional noise sources are visible at Guelph City Hall and the Guelph Provincial Offences Court which have the potential to impact the development.

### *GHD Response*

GHD recommends the Stationary Noise Assessment include the stationary and emergency (if applicable) noise sources from Guelph City Hall and the Guelph Provincial Offences Court.

## 2.3 Feasibility Noise Study Requirements

The Guelph NC Guideline lists the items which should be included in a Feasibility Noise Study. The following item(s) have not been provided.

1. “Scale Plan(s) identifying distance and angles between sources and receptors.”

It further requires that:

1. “In all cases, stationary noise source assumptions must be clearly stated in the report and supported by included data and references.”
2. “Prediction of stationary noise levels and impacts to points of reception may be determined using alternate computerized software including 3D noise mapping software. In all cases the report must outline all model assumptions used, and contain sufficient input and output data including a complete sample calculation.”

### *GHD Response*

GHD recommends additional information be provided to clarify the modelling assumptions, input, and output data.

## 2.4 Warning Clauses

The Guelph NC Guideline requires that the following clause be included in all cases: “*The Transferee covenants with the Transferor that the below clause, verbatim, will be included in all subsequent Agreements of Purchase of sale or lease and Sale and Deeds conveying the lands described herein, which covenant shall run with the said lands and is for the benefit of the subsequent owners and renters of the said lands and the owner of the adjacent road.*”

### *GHD Response*

GHD recommends the Study include the required Guelph Noise Control Guideline warning clause.

# Attachment-9 Noise/Vibration Peer Review 3/4



## 2.5 Detailed Impact Study

The Study found that noise control measures and additional design considerations are necessary. The following items are identified for a Detailed Impact Study:

1. Stationary Noise Assessment of the potential noise impacts of the proposed development on itself (self-contamination).
2. Stationary Noise Assessment of the potential impacts of the proposed development on the adjacent noise sensitive land uses.
3. Vibration Impact Assessment of CN Freight trains.
4. A Class 4 Development Application, abatement agreement(s) with the owners of the stationary sources, or an updated Stationary Noise Assessment of the potential impacts from the adjacent land uses on the proposed development.

### *GHD Response*

GHD recommends that a Detailed Impact Study addressing the identified items be a requirement for Site Plan approval.

# Attachment-9 Noise/Vibration Peer Review 4/4



## 3. Conclusion

Based on our review, GHD recommends that the following items be reviewed and additional information be provided to clearly document the Study's findings:

1. GHD recommends the Study update the traffic forecast to be consistent with the Guelph Noise Control Guideline and anticipated construction completion date.
2. GHD recommends the Stationary Noise Assessment include the stationary and emergency (if applicable) noise sources from the Guelph City Hall and the Provincial Offences Court.
3. GHD recommends additional information be provided to clarify the modelling assumptions, input, and output data. (Section 2.3)
4. GHD recommends the Study include the required Guelph Noise Control Guideline warning clause.
5. City Reference – GHD recommends that a Detailed Impact Study addressing the identified items be a requirement for Site Plan approval. (Section 2.5)

Should you have any questions on the above, please do not hesitate to contact us.

Yours truly,

GHD

A handwritten signature in blue ink, appearing to read "M Brenner", with a long horizontal flourish extending to the right.

Matthew Brenner, BASc

# Attachment-9 Hydrogeological Comments 1/1

**From:** Scott Cousins <Scott.Cousins@guelph.ca>  
**Sent:** February-14-20 12:18 PM  
**To:** Shophan Daniel <Shophan.Daniel@guelph.ca>; Katie Nasswetter <Katie.Nasswetter@guelph.ca>  
**Cc:** April Nix <April.Nix@guelph.ca>  
**Subject:** RE: 70 Fountain St E application

Hi all,

Not really sure where to start with this report since it's only a preliminary investigation based on field data that Pinchin didn't even collect, but here are a number of comments I had:

- Water levels were taken over 2 events which correspond to seasonal lows in local water levels (July/August). Due to the lack of data collected, it is unlikely that the water levels observed at site represent high groundwater levels during the year;
- Although the size of excavation is not given, the dewatering volumes that have been estimated seem extremely low and likely do not consider a factor of safety, nor do they consider a thicker saturated zone requiring dewatering based on my previous comment;
- The proponent sampled groundwater for a limited suite of analytes (PHC & BTEX), which I'm assuming were targeted based on previous land uses at the site or in the near vicinity. Unclear as to why VOC samples were not collected, considering the site lies within the City's Issue Contributing Area for trichloroethylene. Recommend that the proponent collect samples for the City's Sewer Use Bylaw to determine where dewatering effluent can be discharged (i.e. sewer or hauled offsite)
- Based on water quality samples that were collected, the proponent would not be able to use the municipal sewer to discharge dewatering effluent and would require pre-treatment to remediate the effluent to a standard consistent with the City's Sewer Use Bylaw
- No wells onsite were drilled to the base of the proposed excavation. Estimates of hydraulic conductivity may not account for a greater flow at increasing depth based on prior experience in this area from recent infrastructure improvements (Bristol Street)
- No dewatering calculations are given in the report (likely because it's a preliminary investigation). A radius of influence of the proposed dewatering would be helpful in determining whether there would be impacts to municipal drinking water wells in the area. The site lies within groundwater capture zones for a number of wells within the Water Street Wellfield and could exhibit interference effects based on the volumes required to maintain a dry excavation.
- The proponent states that ~11.3m of saturated thickness is observed between the bottom invert of the excavation and the water table. Waterproofing or permanent dewatering would be required to keep the proposed below grade parking garage dry

Again, this was just the preliminary report, so there's not much to it to comment on. I can definitely provide support when the full investigation report is completed/provided. If anyone has any further questions, please don't hesitate to call.

Regards,

**Scott Cousins, P.Geo.**, Hydrogeologist  
Water Services, **Environmental Services**  
**City of Guelph**  
519-822-1260 extension 3521  
Mobile 519-827-4739  
[scott.cousins@guelph.ca](mailto:scott.cousins@guelph.ca)

## Attachment-9 Parks Planning Comments 1/2

# INTERNAL MEMO



DATE March 11, 2020  
TO **Katie Nasswetter**  
FROM Jyoti Pathak  
DIVISION Parks and Recreation  
DEPARTMENT Public Services  
SUBJECT **70 Fountain Street East – Proposed Official Plan Amendment and Zoning By-Law Amendment (File # OZS19-015)**

---

Open Space Planning has reviewed the 'notice of complete application and public meeting to amend the Zoning Bylaw and the Official Plan' for 70 Fountain Street property and the following supporting documents:

- Notice of Complete Application and Public Meeting dated January 2020
- Conceptual site plan package prepared by SRM Architects Inc. dated November 2019
- Planning Justification Report prepared by GSP Group dated December 2019

### **Subject Lands:**

The development lands are located within Downtown Guelph along the east side of Wyndham Street, bounded by Fountain Street to the north and Farquhar Street to the south. It is a single parcel of land known municipally as 70 Fountain Street and 75 Farquhar Street. It is rectangular in shape and 0.213 hectares in size, with approximately 33 metres of frontage along Wyndham Street, 65 metres of flankage along Farquhar Street, and 66 metres of flankage along Fountain Street.

### **Proposed Development:**

A 25 storey mixed use buildings, with ground floor commercial units, office space and a total of 180 apartment units on the upper floors.

The Official Plan amendment application proposes changing the land use designation from "Institutional or Office" to "Mixed Use 1", to change the height permissions from 3-6 storeys to up to 25 storeys and to add a site-specific policy that limits the building tower floorplate above 4 storeys to 700 square metres in size. The zone change application proposes that the specialized "Central Business District" (CBD.1-1) Zone be changed to a specialized "Downtown 1" (D.1-?) Zone. A specialized Downtown 1 Zone is required to permit the proposed mixed use building to be 25 storeys instead of the 3 storeys allowed in the standard zone.

Open Space Planning offers the following comments:

### **Zoning Bylaw and Official Plan Amendments:**

Open Space Planning has no objection to the proposed official Plan and Zoning By-Law Amendments to change the zoning from the specialized "Central Business District" (CBD.1-1) Zone to a specialized "Downtown 1" (D.1-?) Zone subject to the conditions outlined below:

## Attachment-9 Parks Planning Comments 2/2

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### **Parkland Dedication:**

Open Space Planning recommends payment in lieu of conveyance of parkland for the proposed development. Payment of money-in-lieu of parkland conveyance shall be required prior to issuance of any building permits, pursuant to s. 42 of the *Planning Act*, and in accordance with City of Guelph By-law (2019)-20366, as amended by By-law (2019)-20380 or any successor thereof. The calculation of the parkland dedication rate will depend on the details of the approved development and rate in effect at the time of the issuance of the first building permit.

Regards,

**Jyoti Pathak**, Parks Planner  
Parks and Recreation, **Public Services**  
T 519-822-1260 extension 2431  
E [jyoti.pathak@quelfh.ca](mailto:jyoti.pathak@quelfh.ca)

C Luke Jefferson, Mary Angelo

P:\CommunityServices\Riverside\\_Park Planning\PLANNING\DOWNTOWN (Downtown Urban Growth Centre)\Zoning ByLaw and Official Plan Amendments\70 Fountain Street\20200311- 70 Fountain Street East OPA ZBLA.doc

# Attachment-9 UGDSB Comments 1/1



**UPPER GRAND  
DISTRICT SCHOOL  
BOARD**

**Jennifer Passy BES, MCIP, RPP**

*Manager of Planning*

Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2

Email: [jennifer.passy@ugdsb.on.ca](mailto:jennifer.passy@ugdsb.on.ca)

Tel: 519-822-4420 ext. 820 or Toll Free: 1-800-321-4025

13 February 2020

PLN: 20-011

File Code: R14

Katie Nasswetter  
Senior Development Planner  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

Dear Ms. Nasswetter;

**Re: OZS19-015  
70 Fountain Street East, Guelph**

Planning staff at the Upper Grand District School Board have received and reviewed the above noted application for an Official Plan and Zoning By-law Amendment to permit the development of a 25-storey mixed use building with ground floor commercial units and a total of 180 apartment units.

Please be advised that the Planning Department **does not object** to the proposed application, subject to the following conditions:

- That Education Development Charges shall be collected prior to the issuance of a building permit(s).
- That the developer shall agree in the site plan agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point.
- That the developer shall agree in the site plan agreement to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

*"In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."*

Should you require additional information, please feel free to contact the undersigned.

Sincerely,

**Upper Grand District School Board**

Jennifer Passy, BES, MCIP, RPP Manager of Planning

---

## Upper Grand District School Board

• Martha MacNeil; Chair  
• Mark Bailey

• Barbara Lustgarten Evoy; Vice-Chair  
• Jen Edwards

• Jolly Bedi  
• Mike Foley

• Linda Busuttill  
• Robin Ross

• Gail Campbell  
• Lynn Topping

# Attachment-9 Canada Post Comments 1/1



CANADA POST  
955 Highbury Ave N  
London ON N5Y 1A3  
[CANADAPOST.CA](http://canadapost.ca)

POSTES CANADA  
955 Highbury Ave N  
London ON N5Y 1A3  
[POSTESCANADA.CA](http://postescanada.ca)

JAN 24, 2020

KATIE NASSWETTER  
SENIOR DEVELOPMENT PLANNER  
PLANNING SERVICES  
INFRASTRUCTURE, DEVELOPMENT AND ENTERPRISE  
1 CARDEN ST  
GUELPH, ON N1H 3A1

Re: **0ZS19-015 – 70 FOUNTAIN ST E, GUELPH, ON**

Dear Katie,

This development, as described, falls within Canada Post's centralized mail policy.

I will specify the condition which I request to be added for Canada Post Corporation's purposes.

- a) Canada Post's multi-unit policy requires that the owner/developer provide the centralized mail facility a rear-loading mailroom [mandatory for 100 units or more]), at their own expense. This will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me. I appreciate the opportunity to comment on this project.

Regards,

*n. mazy*

NEIL MAZEY  
Delivery Services Officer  
[neil.mazey@canadapost.ca](mailto:neil.mazey@canadapost.ca)

