

# Attachment-11 Staff Review and Planning Analysis

## Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. All decisions on planning applications shall be consistent with the PPS.

Section 2.1 “Planning for People and Homes” requires municipalities to plan for population and employment growth in accordance with provincial forecasts and to accommodate complete communities through an appropriate range and mix of land use and housing options. Policy 2.1.4 requires the City to provide for an appropriate range and mix of housing options and densities required to ensure it can accommodate at least 15 years of residential growth on lands that are suitably zoned.

Policy 2.1.6 requires planning authorities to support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, multimodal transportation choices, recreation, parks and open space, and other uses to meet long-term community needs.

In this context, the proposed mixed-use development represents an efficient use of serviced land by incorporating compact housing options, commercial uses, and parks and by increasing housing options with convenient access to transit and community amenities.

Section 2.2 “Housing” requires municipalities to provide for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents. This is to be achieved by establishing and implementing minimum targets for affordable housing and permitting and facilitating a wide variety of housing options, including residential intensification of underutilized commercial and institutional sites for residential use (Policy 2.2.1 b).

The proposed mixed-use development utilizes suitably zoned lands at an appropriate scale of intensification to provide a range of housing options in both apartment and townhouse style units.

Section 2.3.1 provides General Policies for Settlement Areas, and notes that settlement areas should be the focus of growth and development.

Policy 2.3.1.1 identifies the focus of settlement area growth within strategic growth areas.

Policy 2.3.1.2 specifies that land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Optimize existing and planned infrastructure and public service facilities;
- c) Support active transportation;
- d) Are transit-supportive, as appropriate; and
- e) Are freight-supportive

As indicated by the applicant, the proposed development will utilize existing municipal services and benefit from nearby community amenities. The proposed density represents an efficient use of the land. The proposal is within walking distance to several bus transit services which connect to higher-order rail service. Long term and short-term bicycle parking is provided to further encourage active transportation.

Section 2.4, Strategic Growth Areas, includes policies to identify and focus growth and development in strategic growth areas.

Policy 2.4.1.3(c) directs municipalities to permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form.

Policy 2.4.1.3(e) states that municipalities should support redevelopment of commercially designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

The proposed development is within a Strategic Growth Area and represents a complete community development by accommodating an appropriate range and mix of land uses, housing options, recreation, parks and open space, and other uses to meet the long-term needs of future residents.

Section 2.9, Energy Conservation, Air Quality, and Climate Change, states planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through supporting the achievement of compact, transit-supportive, and complete communities.

The proposed compact development provides long-term community needs including commercial uses, housing options, recreation, parks, and open space in close proximity, promoting sustainable and active transportation. The development will support residents, employees and visitors in choosing sustainable modes of transport through the provision of short and long-term bicycle parking infrastructure.

Section 4.1.2, Natural Heritage, states the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The Scoped Environmental Impact Study prepared in support of the proposal indicates that no development will occur within the Natural Heritage System. Further, no negative impact is expected from adjacent development with the use of the recommended mitigation measures.

Based on this review, staff are of the opinion that the application is consistent with the Provincial Planning Statement (2024).

### **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 located within a Strategic Growth Area as shown in the Official Plan, Schedule 1a: Urban Structure.

Section 2.3 outlines the strategic goals of the City's Official Plan. The strategic goals emphasize ecological, social, cultural, and economic sustainability in decision making. Of particular relevance to these applications are the following goals:

- Policy 2.3.1 (b) - Ensure an appropriate range and mix of employment opportunities, local services, community infrastructure, housing including affordable housing and other land uses are provided to meet current and projected needs to the year 2051.
- Policy 2.3.1 (d) - Ensure that development is planned to meet the goals, objectives and policies of this Plan.
- Policy 2.3.4 (a) - Ensure servicing, including water, wastewater and stormwater, are adequate to support Guelph's growth.

- Policy 2.3.4 (b) - Direct development to those areas where full municipal services and related infrastructure are existing or can be made available, while considering existing land uses, natural heritage systems, development constraints, fiscal sustainability, development costs and related factors.
- Policy 2.3.5 (a) - Ensure an accessible, connected open space, park and trail system and sustainable network of recreational facilities necessary to promote a physically active and healthy community that meets resident needs for active and passive recreation activities.

Section 3.4 outlines policies for development within the Delineated Built-up Area and General Intensification. The proposed applications contribute to the City's ability to meet these policies, including:

- Policy 3.4.2 - The minimum intensification target for the delineated built-up area is as follows: a minimum of 46 per cent of all residential development occurring annually will be within the delineated built-up area.
- Policy 3.4.3 - The City will promote and facilitate intensification throughout the delineated built-up area, and in particular within Downtown and Strategic Growth Areas as identified on Schedule 1a.
- Policy 3.4.4 - To support the achievement of the minimum intensification target, vacant or underutilized lots, greyfield, and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings.
- Policy 3.4.5 - A diverse range and mix of housing options and densities will be planned, including affordable housing and additional residential dwelling units to meet projected needs of current and future residents at all stages of life and to accommodate the needs of all household sizes and incomes.
- Policy 3.4.6 - Development within the delineated built-up area will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent properties.
- Policy 3.4.7 - Development within the delineated built-up area will create attractive and vibrant spaces in accordance with the urban design policies of this Plan.

The proposed mixed-use development will provide a mix of commercial opportunities as well as a range of housing options, thereby contributing to the City's projected needs to the year 2051. Located within the delineated built-up area, the proposed density of the residential units will likewise contribute to intensification targets on an otherwise vacant site. A net residential density of approximately 208 units per hectare will be combined with commercial uses to create a higher density-built form.

Section 3.6 outlines policies for development within Strategic Growth Areas. Strategic Growth Areas will be planned to provide for higher-density mixed-use development in proximity to transit services. The proposed application is within a Strategic Growth Area and supports the City's ability to meet these policies, including:

- Policy 3.6.3 (i) - Achieve increased residential that support and ensure the viability of existing and planned transit service levels.
- Policy 3.6.3 (ii) - Be well served by transit and facilitate pedestrian and cycling traffic.
- Policy 3.6.3 (iii) - Provide mixed-use development in higher-density, compact form that supports walkable communities and live-work opportunities.
- Policy 3.6.3 (iv) - Provide a mix of residential, office, institutional and commercial uses that allows for a range of housing options and services.
- Policy 3.6.8 - Community Mixed-use Nodes will evolve over the Plan horizon and beyond through intensification and redevelopment to provide a compact built form.

The subject lands are located within the Watson Parkway / Starwood Drive Community Mixed Use Node, an identified Strategic Growth Area within the Official Plan. The proposal leverages this designation by proposing increased residential and commercial employment densities, particularly with the nine (9) to fourteen (14) storey towers fronting the intersection of Watson Parkway North and Starwood Drive.

### **Commercial Mixed-use Centre Policies**

The subject lands are designated as "Commercial Mixed-Use Centre" as shown on Schedule 2 of the Official Plan. The objectives of the Commercial Mixed-Use Centre designation are to promote a mix of uses, including concentrations of commercial, residential, and complementary uses serving the immediate neighbourhood and the wider community.

### **Height and Density**

The maximum building height within this designation if located in a Strategic Growth Area is 14 storeys and the minimum density requirement is 100 units per hectare and maximum permitted density is 250 units per hectare.

The applicant is proposing a maximum building height of 14 storeys and a maximum net residential density of approximately 210 units per hectare. The proposed development conforms with the height and density policies of the Commercial Mixed-use Centre land use designation.

### **Commercial Function Study**

As per OP policy 9.4.2, Commercial Function Studies are required as part of complete application development proposals for Commercial Mixed-use Centres where the applicant is proposing to:

- Provide commercial gross floor area at less than 0.15 FSI;
- Reduce the commercial gross floor area existing at the time of the application by more than 25 per cent; or,
- Provide less than 6,500 square metres of commercial gross floor area cumulatively or all buildings with the designation for lands designated Commercial Mixed-use Centre.

The applicant submitted a Commercial Function Study prepared by Urban Metrics to support a commercial gross floor area of less than 0.15 FSI. The City retained Watson and Associates Limited ("Watson") to complete a peer review of the Commercial Function Study. In response to Watson's first peer review, which identified a shortage of 457 square metres of gross floor area, the applicant increased the proposed commercial gross floor area in their development to approximately 2,750 square metres of gross floor area and submitted a revised Commercial Function Study.

The revised Commercial Function Study was peer reviewed by Watson, who concluded that the revisions to the development concept significantly increase the prominence of the commercial space in the concept plan, providing for a range of commercial opportunities and a better integration with the surrounding area. While the proposed development plan (at the time) did not provide details on the revised proposed yield of housing units, it is assumed that the development concept has led to a better balance of residential and commercial uses and, therefore, will likely contribute towards a higher amount of commercial gross floor area per capita for local residents. Watson went on to further conclude that the commercial gross floor area proposed of approximately 2,790 square metres would result in the York/Watson Parkway/Starwood Commercial Mixed-use Centre exceeding the minimum OP policy requirement of 6,500 square metres by 833 square

metres. Based on the conclusions of the peer review, staff are in support of a site-specific zoning regulation for gross commercial floor area less than 0.15 FSI.

The Commercial Function Study peer review memo prepared by Watson and Associated Economists is included in Attachment-12 Commercial Function Study Peer Review Memo.

### **Urban Design**

To achieve a complete community, the Official Plan contains policies regarding urban design that apply to all development. The Zoning By-law is to be used to implement the urban design policies of the Official Plan and include regulations to promote compatibility in built form. The applicant submitted an Urban Design Brief in support of the original application and a revised Urban Design Brief to address staff comments received on the original submission.

The design of the proposed development is influenced by the proposed Urban Design Concept Plan for the Watson/Starwood mixed-use node, as well as by the existing conditions: the arterial road (Watson Parkway North) bounding the site from the west, the collector road (Watson Road North) bounding the site from the east and the Natural Heritage System (SWM pond, woodland and watercourse) bounding the site from the south.

To create a vibrant mixed-use interface with surrounding community and as a gateway to the site, the proposed design introduces commercial uses within high-rise mixed-use buildings along Watson Parkway North. A proposed private road (Street A) is aligned as an extension of Starwood Drive. This road features sidewalks on both sides and extends internally to provide visual and physical connections to the proposed townhouse blocks, public park, and the Natural Heritage System to the south.

The edge along Watson Parkway North is defined by four buildings atop two shared podiums. These podiums will feature commercial and retail uses at grade, fronting onto Watson Parkway North, with residential buildings (A, B, C, and D) above. These mixed-use buildings provide active frontages along Watson Parkway North that animate the street. The proposed podiums include residential units at grade under buildings B and C, while commercial uses extend at grade under buildings A and D. The proposed buildings are designed to address the streets and public open spaces by ensuring that buildings front onto the street and that there is a consistent street edge achieved through appropriate building setbacks.

Townhouse blocks comprise the central portion of the site and extend to its southern and eastern boundary, adjacent to the NHS and Watson Road North, respectively. The proposed neighbourhood park can also be viewed and accessed from Watson Road North.

Urban design staff have reviewed the proposed development and Urban Design Briefs and have provided comments to be addressed at the time of site plan approval. Final comments from Urban Design staff are included in Attachment-14 Departmental and Agency Comments.

### **General Policies - Natural Heritage System**

The applicant submitted a Scoped Environmental Impact Study (EIS), a Revised Scoped Environmental Impact Study, and a Natural Heritage System Response Memo in support of the applications.

The requirement for an EIS is triggered by the presence of the following environmental features adjacent (within 120 metres) of the subject lands:

- Clythe Creek (Surface water and [cold water] fish habitat);

- Clythe Creek floodplain (hazard lands regulated by Grand River Conservation Authority; GRCA);
- Provincially Significant Wetland (PSW) – Clythe Creek Wetland Complex;
- Significant Woodland;
- Significant Valleyland (Undeveloped Portions of the Regulatory Floodplain);
- Cultural Woodland; and
- Ecological Linkage.

The subject lands are also within the Grand River Conservation Authority’s (GRCA’s) Regulated Area such that proposed development will also require a permit from GRCA under O. Reg. 150/06. In accordance with the City of Guelph Official Plan, development is not permitted on lands adjacent to natural heritage features and areas, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an (EIS) that there will be no negative impacts on the natural features or on their ecological functions. The EIS characterized the existing conditions and assessed potential impacts to the natural areas within and immediately adjacent to the area of proposed development. The EIS assessed the significance of features identified as part of the City’s Natural Heritage System, determined the potential for occurrences of Species at Risk (SAR) and/or the habitat of SAR, and assessed the presence of any Significant Wildlife Habitat (SWH).

Through this site-specific Zoning By-law Amendment application, the limits of the floodplain are being modified, however, the City of Guelph is also refining the floodplain mapping through the Clythe Creek Subwatershed Study, and the limits of the floodplain mapping on 115 Watson Parkway North are subject to further change. Environmental Planning staff support the proposed Zoning By-law Amendment and Draft Plan of Subdivision based on the current floodplain mapping, and the Grand River Conservation Authority (GRCA) expressed support for the proposed Zoning By-law Amendment and Draft Plan of Subdivision in their letter dated September 16, 2025.

Environmental Planning and GRCA have provided draft plan conditions, which include the submission of an Environmental Implementation Report prior to subdivision registration. Final comments from Environmental Planning and GRCA are included in Attachment-14 Departmental and Agency Comments.

### **Review of Proposed Zoning By-law Amendment**

The purpose of the Zoning By-law Amendment application is to establish site-specific zoning regulations in Zoning By-law (2023)-20790, as amended, through a new “Site-specific Commercial Mixed-use Centre with a Parking Adjustment Suffix and Holding Provisions” (CMUC-9(PA)(H)) Zone, implement the boundary of the Natural Heritage System (NHS) Zone, adjust the Floodplain (FL) Overlay, and zone the public park as Neighbourhood Park (NP).

Staff are in support of the following site-specific zoning regulations for the CMUC-9 Zone:

#### Permitted Uses

In accordance with the permitted uses and additional regulations in Table 7.1 (CMUC Zone) of this By-law and the following additional uses are permitted:

- On-street Townhouse

For the purposes of this Zone, On-street Townhouse shall be defined as:

A townhouse where each dwelling unit is located on a separate lot and has legal frontage on a street, public or street, private and includes a rear-access on-street townhouse located on either a street, private or street, public.

Response: This amendment is technical in nature in order to permit the proposed on-street townhouse units. On-street townhouse units provide a different building form in the development and staff are in support of this request.

**Regulations that apply to the whole of the subject lands zoned CMUC-9(PA)(H):**

- To deem Watson Parkway North as the front lot line.

Staff Response: this is a technical amendment to facilitate zoning interpretation.

- To permit the regulations of the CMUC-9 Zone to apply to the whole of the lands despite any future subdivision or condominium registration.

Staff Response: this is a standard regulation added to developments that are designed and function as one site and simplifies zoning interpretation and review.

- To include a private road within the common elements of an approved draft plan of condominium or registered plan of condominium provided that road has access to a public highway in the definition of Street.

Staff Response: this is a technical amendment.

- To include a condominium unit within an approved draft plan of condominium or registered plan of condominium in the definition of Lot.

Staff Response: this is a technical amendment.

- To allow for a maximum lot area of 64,500 square metres, whereas Table 7.2, Row B permits a maximum of 50,000 square metres.

Staff Response: this is a technical amendment to recognize the existing lot area.

- To allow for a residential density of 250 units per hectare, where for "Block 1" the maximum Residential density-units per hectare (uph) shall be 600, for "Block 2" the maximum Residential density-units per hectare (uph) shall be 600, and for "Block 3" the minimum Residential density-units per hectare (uph) shall be 50, whereas Table 7.2, Row B permits a minimum residential density of 100 units per hectare and a maximum residential density of 150 units per hectare.

Staff Response: This regulation is bringing the density into the alignment with the Official Plan. The subject lands are located within a Strategic Growth Area, which allows for a maximum density of 250 units per hectare.

- To add a regulation to include 0.3 metre reserves in the setback calculation.
- To permit a minimum interior side yard of 1 metre for the mixed-use buildings, whereas Table 7.3, Row B requires a minimum of 3 metres.

Staff Response: This regulation secures the location of the building as reviewed.

- To allow for a minimum rear yard of 0 metres, whereas Table 7.3, Row C requires a minimum rear yard of 7.5 metres.
- To permit a buffer strip of 0 metres along the rear property line and 1 metre along the interior side lot line, whereas Table 7.3, Row D requires a minimum buffer strip of 3 metres.
- To permit a minimum landscaped open space of 15 percent of the lot area, where 30% of the required landscaped open space area can be in the form of a green roof or blue roof, whereas Table 7.3, Row D requires a minimum 20 percent of the lot area to be landscaped open space.
- To allow for a minimum commercial gross floor area of 2,750 square metres, whereas Section 7.3.2 (a) requires a minimum commercial gross floor area of 0.15 floor space index (FSI).

Staff Response: As discussed earlier in the report, the applicant provided a Commercial Function Study to support a reduced commercial gross floor area. Staff retained a third party peer reviewer who concluded that the reduction was supportable.

- To remove the requirement for angular planes, whereas Table 7.5 Rows A, B, and C require them.

Staff Response: For the proposed development, evaluation of the proposed mixed-use buildings is based upon an urban design guideline approach as opposed to an angular plane regulation approach. The proposed development provides for appropriate transition to the adjacent SWM pond, Natural Heritage System, adjacent 7-storey residential building, as well as the existing developments to the north of Watson Parkway North. The Shadow Study prepared by Turner Fleischer Architects Inc. concludes that the subject lands will produce shadows that conform to the acceptable criteria set forth in the City of Guelph's Terms of Reference.

- To allow short term bicycle parking spaces to be located no more than 45 metres from the primary pedestrian entrance to the building where 5.8.1(a)(ii), 5.8.1(a)(iii), 5.8.1(b)(ii) do not apply, whereas Section 5.8.1 (b) (i) requires bicycle parking spaces be located no more than 25 metres.

Staff Response: The proposed regulations related to long term and short term bicycle parking provide for flexibility in design for the proposed development while providing the required number of long term and short term bicycle parking spaces.

- To permit a minimum of 10 percent of the total required parking spaces in areas with the (PA) suffix to be provided as electric vehicle parking, whereas Section 5.9 (a) requires a minimum of 20 percent and to permit a minimum of 50 percent of total required parking spaces for all proposed uses to be designed as electric vehicle parking, whereas Section 5.9 (b) requires a minimum of 80 percent.

Staff Response: Based upon the proposed conceptual site plan and the proposed site-specific regulations, more than 600 "Built" and "Designed" EV spaces are proposed in the mixed-use buildings. Accordingly, the proposed development can respond to the need for electric vehicle parking.

### **Site-specific regulations requested for the mixed-use buildings include:**

- To allow for a maximum building height of 14 storeys, whereas Table 7.4, Row B permits a maximum building height of 10 storeys.

Staff Response: this amendment brings the maximum building height into conformity with the Official Plan height permissions for the Commercial Mixed-use Centre land use designation within a Strategic Growth Area.

- To permit a maximum floorplate size of 1,950 square metres above the first storey, whereas Table 7.4, Row C permits a maximum floorplate size of 1,200 square metres for the 7th and 8th storeys and a maximum floorplate size of 1,000 square metres above the 8th storey.

Staff Response: The site-specific amendment allows for site-specific design and context as well as the achievement of higher density development on the subject lands that are within a Strategic Growth Area. The floorplate sizes for the proposed mixed-use buildings are appropriate in the context of the proposed development and are comparable/compatible with the adjacent existing developments, while the Shadow Study prepared by Turner Fleischer Architects Inc. concludes that the subject lands will produce shadows that conform to the acceptable criteria set forth in the City of Guelph's Terms of Reference.

- To remove any requirement for building setbacks, whereas Table 7.4, Row D requires a minimum setback of 3 metres for all portions of the building above the 6th storey facing a street for buildings located within 15 metres of a street.

Staff Response: The proposed site-specific provision is in response to the building design and site planning. In appropriate locations, the building design provides multiple step-backs at the rear of the buildings as well as above the first-floor podiums. Through the appropriate use of setbacks, setbacks, separation distances, and height distribution, the proposed development provides adequate height transitions externally, towards the surrounding developments and existing open spaces, and internally, between different proposed built forms.

- To permit a maximum building length of 140 metres or 105 metres for buildings located within 15 metres of a street for the portion of the building adjacent to the street, whereas Table 7.4, Row E permits a maximum building length of 75 metres.

Staff Response: The proposed site-specific provision is in response to the building design and site planning for the subject lands, which are located within a Strategic Growth Area.

- To allow for a minimum number of 1 active entrance to the first storey along facades facing Watson Parkway North, whereas Table 7.4 requires 1 active entrance for every 30 metres of street line.

Staff Response: In order to accommodate larger retail and commercial tenants, a minimum of 1 of active entrance is proposed for facades facing Watson Parkway North.

- To allow the tower portion of the building which is the portion of a building above the 2<sup>nd</sup> storey to be setback a minimum of 15 metres from any portion of another tower measured perpendicularly from the exterior wall of the 2nd storey, whereas Table 7.4,

Row A requires the tower portion of the building which is the portion of a building above the 6th storey to be setback a minimum of 25 m from any portion of another tower measured perpendicularly from the exterior wall of the 6th storey.

Staff Response: The proposed site-specific provisions are in response to the building design and site planning for the subject lands, which are located within a Strategic Growth Area. The proposed tower portion setbacks are consistent with the setbacks for adjacent developments. The reduced tower setback still allows for sunlight and privacy.

- To allow the tower portion of a building to be setback a minimum of 1 metres from an interior side lot line and rear lot line measured perpendicularly from the exterior wall of the 2nd storey, whereas Table 7.4, Row A requires the tower portion of a building to be setback a minimum of 12.5 m from an interior side lot line and rear lot line measured perpendicularly from the exterior wall of the 6th storey.

Staff Response: The proposed site-specific provisions are in response to the building design and site planning for the subject lands, which are located within a Strategic Growth Area. The proposed tower portion setbacks are consistent with the setbacks for adjacent developments. The reduced tower setback still allows for sunlight and privacy.

- To permit the first storey height to be less than 4.5 metres for residential uses and to allow dwelling units on the first storey, whereas, Table 7.4 requires a minimum first storey height of 4.5 metres and additional regulation (6) for Table 7.1 does not permit dwelling units on the first storey of a building.

Staff Response: This site-specific regulation applies to townhouse units located within the mixed-use buildings. Staff are in support of this request as the minimum 4.5 metre height is meant for commercial units and the number of townhouse units proposed within the mixed-use building is limited (six are shown on the site plan).

- To permit a minimum common amenity area of 4.5 square metres per dwelling unit for the mixed-use buildings, whereas Table 7.4, Row A, requires a minimum of 20 square metres per dwelling unit. where Additional Regulations for Table 7.2-7.13, Footnote 4(a) and 4(d) do not apply, whereas Table 7.4, Row A, requires a minimum of 20 square metres per dwelling unit.

Staff Response: Staff support a reduction in common amenity area for the mixed-use buildings, however, do not support the removal of footnotes (a) which speaks to minimum aggregated size and shape (length to width ratio) of the common amenity area and (d) which states that rooftop common amenity area shall be located a minimum of 2 metres from the roof edges facing an interior side yard. Common amenity areas have to be designed appropriately to be functional and useable by residents. The removal of the above regulations would create spaces that are not usable. The reduction in minimum common amenity space to 4.5 square metres is supported because of the location within a Strategic Growth Area and close proximity to public parks and City trails.

- To permit a minimum required parking rate of 0.9 spaces per residential unit for the mixed-use buildings, plus 0.1 visitor parking spaces per dwelling unit, whereas Table 5.3, Row 12 requires, in addition to the non-residential parking rate, 1 space per dwelling unit plus 0.1 visitor spaces per dwelling unit.

Staff Response: The requested amendment represents a small parking reduction in a Strategic Growth Area and allows for a higher density, compact development.

**Site-specific regulations requested for the on-street and back-to-back townhouses include:**

The following site-specific regulations are supported by staff and respond to the site-specific context and location within a Strategic Growth Area. Strategic Growth Areas are intended for higher-density and compact development forms and allowing these site-specific regulations to townhouse units allows for additional building types in more compact form.

- To permit a minimum common amenity area of 7.9 square metres per dwelling unit for back-to-back townhouses, whereas Table 6.18, Row H requires a minimum of 10 square meters per dwelling unit.
- To permit a minimum private amenity area of 12 square metres per dwelling unit, whereas Table 6.18, Row H requires a minimum of 20 square metres per dwelling unit.
- To permit a maximum resident parking rate of 2.0 spaces per dwelling unit, whereas Table 5.3, Row 17 requires a maximum of 1.5 parking space per dwelling unit.
- To permit a minimum visitor parking rate of 0.15 spaces per unit, whereas Table 5.3, Row 17 requires a minimum visitor parking rate of 0.2 spaces per unit.
- To permit a maximum width of attached garage of 53% lot frontage, whereas Table 5.9, Row 3 requires a maximum width of 50% of lot frontage.
- To permit a minimum front yard and exterior yard of 0 metres from private street back of curb or sidewalk or lot line, whereas Table 6.19, Row C, requires a minimum of 6 metres.
- To permit a minimum interior side yard of 1.0 metres, whereas Table 6.18, Row C, requires a minimum of one half the building height, and no less than 3.0 metres.
- To permit a maximum overall building length of 52 metres for townhouse buildings, whereas Table 6.19, Row G permits a maximum building length of 49 metres.
- To allow for a maximum lot coverage of 72 percent, whereas Table 6.18, Row E, permits a maximum lot coverage of 40 percent.
- To permit a minimum landscaped open space area of 9 percent of the lot area per unit, whereas Table 6.18, Row E requires a minimum of 40 percent of the lot area to be landscaped open space.
- To allow for a minimum lot area per dwelling unit of 113 square metres for on-street townhouses and 83 square metres for back-to-back townhouses, whereas Table 6.10, Row A requires a minimum of 180 square metres for on-street townhouses and a minimum of 90 square metres for back-to-back townhouses.

- To permit a minimum front yard setback of 2.9 metres, whereas Table 6.11, Row A requires a minimum of 6 metres.
- To permit a minimum exterior yard of 3.5 metres, whereas Table 6.11, Row B requires a minimum of 4.5 metres.
- To permit a minimum rear yard setback of 3.8 metres when abutting the Natural Heritage System Zone, whereas Table 6.11, Row D requires a minimum rear yard setback of 7.5 metres for on-street townhouses.
- To permit a minimum landscaped open space of 32%, where 30% of the total landscaped open space must be covered by soft landscaping in the form of natural vegetation, such as grass, flowers, trees and shrubbery, whereas Table 6.11, Row F requires a minimum landscape open space of 35% and Section 6.33, Note 1 requires 50% of the total landscaped open space must be covered by soft landscaping in the form of natural vegetation, such as grass, flowers, trees and shrubbery.
- To permit a minimum distance between buildings of 3 metres where the exterior side walls of one townhouse building to another townhouse building on exterior side walls contain opening to habitable rooms, whereas additional regulation 4(a) for Tables 6.17 to 6.19, required a minimum distance of 15 metres between walls containing habitable rooms.

Staff do **not** support the following site-specific zoning regulations for the CMUC-9 Zone:

- To permit a minimum front yard along Watson Parkway North and an exterior side yard on Watson Road North of 2 metres for the mixed-use buildings, whereas Table 7.3, Row A requires a minimum of 3 metres.

Staff Response: Staff do not support the reduced front yard setback. The overhead hydro stretches across the majority of the building and a reduced setback would not leave sufficient room for street tree planting. As per the Tree Technical Manual, trees are to be planted a minimum of 4.5 metres from overhead hydro and are to be planted a minimum 1 metre from the property line. Although, a setback of 5 metres would be more appropriate the minimum required in the Zoning By-law is only 3 metres.

- To permit a minimum of one required parking space for the uses specified in Section 5.2.1 (a) to be located a minimum distance of 1.95 metres from the street line and to the rear of the front wall of the main building for end units, whereas Section 5.2.1 requires that (a) For every single detached dwelling, semi-detached dwelling, on-street townhouse, rear access on-street townhouse, duplex dwelling, and multi-unit buildings with 3 dwelling units or less, the following provisions apply: (i) One required parking space for the uses specified in 5.2.1 (a) shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building.

Staff Response: Staff do not support this request. The intent of this zoning regulation is to ensure that driveways are of a sufficient length so vehicles do not over-hang onto the street and sidewalks. This request applies to end units of back-to-back townhouses.

The following three site-specific requests are not supported by staff. Minimum dwelling unit widths and lot frontages help ensure sufficient space for residents and help manage the balance of density and quality of life. Minimum lot frontages ensure that there is enough room for landscaping and a driveway.

- To permit a minimum dwelling unit width of 6.4 metres for back-to-back townhouse units, whereas Table 6.19, Row B, requires a minimum unit width of 7 metres;
- To permit a minimum dwelling unit width of 5.7 metres for on-street townhouse units, whereas Table 6.12, Row C, requires a minimum unit width of 6 metres; and,
- To permit a minimum lot frontage per dwelling unit of 5.4 metres, whereas Table 6.10, Row B, requires a minimum of 6 metres.

In addition to the above, the applicant recently requested the following additional uses and regulations that have not been fully reviewed and are not supported by staff:

- Request that regulations for mixed-use buildings apply to other permitted uses in the CMUC Zone including: apartment buildings, long term care facilities and retirement residential facilities.
- Request for a further reduction in common amenity area to 4.4 square metres per dwelling unit for back-to-back townhouses (staff are supporting a reduction to 7.9 square metres per dwelling unit as noted above).
- Request to increase the maximum number of permitted compact parking spaces from 15 percent to 20 percent, and request to reduce the minimum length of compact vehicle spaces from 5.5 metres in length to 5.4 metres in length with a vertical clearance of 2.0 metres, and a request to add the following wording in "if the side of the parking space is obstructed it is not required to be increased by 0.3 metres."
- Request to include a regulation regarding first storey transparency for non-residential uses. The applicant has requested that 30 % of the surface area of the first storey of a building up to 4.5 metres from the ground along the street frontage of Watson Parkway North, shall be comprised of transparent windows and/or active entrances when a building is within 15 m of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan in force and effect on the effective date" in order to provide flexibility as well as clarity to intent for the non-residential uses along Watson Parkway, whereas the Table 7.4 of the Zoning By-law requires a minimum of 40%.

#### Holding Provisions

The zoning for the subject lands in the Comprehensive Zoning By-law has two Holding Symbols – (H10) and (H12).

The (H10) is a carry-over from the 1995 Zoning By-law and is not applicable to the current proposed development. The (H10) was put in place through a previous Zoning By-law Amendment that contemplated the development of more commercial space and less residential and specifically lists conditions related to the Owner entering into a Site Plan Agreement and Urban Design features specific to the previous development. Staff recommend that this Holding Symbol be removed. The applicant is required to submit a site plan application and enter into an agreement prior to development occurring.

The (H12) is related to confirmation of municipal services. Section 17.1.12(d) of the 2023 Zoning By-law indicates that should a municipal services review demonstrate that all necessary municipal services required for the proposed construction of a new building or residential development are adequate and available, the 'H' may be lifted.

The Holding Symbol (H12) can be removed through this Zoning By-law Amendment and replaced with a new Holding Symbol (H), specific to the subject lands to ensure that the

development of the subject lands does not proceed, until the following conditions are met to the satisfaction of the City Engineer/General Manager:

- The Owner/Developer shall provide the City an updated Traffic Impact Study (TIS) to the satisfaction of the City Engineer/General Manager.
- The Owner/Developer shall provide the City with an updated Functional Servicing Report outlining the servicing needs of the site for water pressure and fire flows to the satisfaction of the City Engineer/General Manager.
- The Owner/Developer shall provide the City with an updated Functional Servicing Report addressing the stormwater management/stormwater drainage design to the satisfaction of the City Engineer/General Manager.

Site-specific zoning regulations that are supported by staff are included in Attachment-3.

### **Review of Proposed Draft Plan of Subdivision**

Section 51(24) of the *Planning Act* outlines criteria for consideration of a Draft Plan of Subdivision application, including those relating to health, safety, convenience, accessibility, and welfare of residents. The proposed Draft Plan of Subdivision is consistent with the criteria of Section 51(24) of the *Planning Act*, including as follows:

(a): the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2.

The proposed Draft Plan of Subdivision has regard for the Section 2 of the *Planning Act*. Section 2 of the *Act* outlines items of provincial interest, which approval authorities must have regard for when reviewing development proposals. The proposed Draft Plan of Subdivision has regard for Section 2, including as follows:

Section (a): The proposed Draft Plan of Subdivision provides appropriate setbacks to the Natural Heritage System, while Block 4 will be dedicated to the City of Guelph as part of the Natural Heritage System.

Section 2(d): A Stage 1 Archaeological Assessment dated May 1, 2018, was prepared by Stantec Consulting Ltd. to assess the archaeological potential on the subject lands. The Assessment concludes that the subject lands do not maintain archeological potential due to past land disturbance activities, and therefore no further archaeological assessment is required. The Assessment was accepted by the Ministry of Tourism, Culture and Sport and entered into the Public Register, as confirmed in a letter from the Ministry dated June 1, 2018.

Sections 2(f) and (h): Municipal water and sanitary services will provide for appropriate water and sewage services for the proposed development. No new public roads will be created through the Draft Plan of Subdivision process; however private roads will facilitate pedestrian and vehicular transportation throughout the proposed mixed-use development. The proposed Draft Plan of Subdivision is a logical extension of an existing built-up area and contributes to the orderly development of a safe and healthy community.

Sections 2(i), (j) and (k): The Draft Plan of Subdivision will provide for a combination of commercial uses that will provide employment as well as residential uses comprised of apartments in mixed-use buildings and townhomes, adding to the range of housing types in Guelph to ensure a full spectrum of housing options are available. The Draft Plan of Subdivision provides a park to support a healthy community; Sections 2(o) and (p): The Draft Plan of Subdivision has consideration for the Natural Heritage System and maintains appropriate setbacks to ensure public health and safety are protected.

The development is located adjacent to existing development, and the lands and infrastructure available can support the growth of the community.

Sections 2(q): The proposed mixed-use development that is compact and designed to be pedestrian-friendly, proposes a connection to the Guelph trail network, which will support activity and pedestrian movement. The subject lands that are within walking distance to several existing Guelph Transit bus services are well served by public transit; and Sections 2(r): The proposed mixed-use development provides for a number of high-quality, safe, and attractive spaces throughout the development to promote a built form that is well-designed and provides a sense of place.

(b): whether the proposed subdivision is premature or in the public interest.

The proposed Draft Plan of Subdivision will facilitate the proposed mixed-use development on vacant lands, and provide much needed housing and commercial space. The proposed subdivision is in the public interest.

(c): whether the plan conforms to the official plan and adjacent plans of subdivision, if any.

The proposed Draft Plan of Subdivision conforms with the City of Guelph Official Plan as discussed earlier in this report.

(d): the suitability of the land for the purposes for which it is to be subdivided.

The land is designated as a Commercial Mixed-use Centre in the Official Plan and identified as a Strategic Growth Area. The proposed subdivision will facilitate ultimate development of the lands.

(e): the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.

There are no public roads proposed within the plan of subdivision, but the lands have direct access to existing public roads.

(f): the dimensions and shapes of the proposed lots.

Nine blocks in total are proposed – 2 mixed-use, 1 multiple residential, 1 Natural Heritage System Block, 1 park block and 4-0.3 metre reserves. The shapes and dimensions proposed are considered to be appropriate and can accommodate the intended uses on each block.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.

Appropriate zoning will be in place to ensure appropriate development.

(h) conservation of natural resources and flood control.

The limits of the Natural Heritage System Zone are being refined through the Zoning By-law Amendment application. Natural Heritage System features are being protected for the long-term and adequate setbacks to the features are proposed.

(i) the adequacy of utilities and municipal services.

A Holding Provision (H) is being recommended to ensure that development does not occur until it has been demonstrated that municipal services are adequate and available.

(j) the adequacy of school sites.

The Upper Grand District School Board has provided comments on the application and has no concerns related to school capacity.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

A public park block will be dedicated to the City. Staff support the location and size of the park block.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land.

The proposed Draft Plan of Subdivision will support the mixed-use development, which will be facilitated through future applications for Site Plan Approval.

Accordingly, the proposed Draft Plan of Subdivision is consistent with the criteria outlined Section 51(24) of the *Planning Act*.

### **Traffic Review and Vehicle Access**

The applicant submitted a Transportation Impact Study, an Updated Transportation Impact Study and a Transportation Memo/Addendum in support of their proposed development. Transportation staff have reviewed all three submissions and support the Zoning By-law Amendment in principle, however, staff comments regarding the traffic signal warrant analysis remain unresolved. Staff are of the opinion that the introduction of the fourth leg of the intersection and the site-generated traffic are the primary contributors to the need for signalization. Therefore, it is required that the Developer will be 100% responsible for the design and construction of the new traffic signals.

Transportation staff have included conditions to be addressed at both the site plan approval stage and prior to registration of the subdivision, which includes a functional design for the intersection and right-of-way improvements required for the development as outlined in Engineering and Transportation Services final comments, which are included in Attachment-14.

Since zoning can not be conditioned, a Holding (H) Provision is recommended to ensure the Traffic Impact Study is updated to the satisfaction of the City as outlined earlier in this report.

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy (AHS) sets an annual City-wide 30 per cent 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. Implementing the City's affordable housing target is largely dependent on designating a suitable amount of land and density for residential use, including mixed-use developments.

The proposal will contribute to housing affordability more generally, as it results in the development of lands within a Strategic Growth Area at a high density. The proposed development will provide housing options in the form of studio, 1-bedroom, 2-bedroom, and 3-bedroom apartment-style units, and on-street and back-to-back townhouse units. The proposed development is of a type and form that is better suited to meet economic needs in comparison to an alternative form of development, such as low-density

residential or single-detached dwellings, by providing a range of unit sizes and types to accommodate diverse needs of future residents.

## **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.

As outlined in the final memo provided by Engineering staff, they are recommending Holding (H) Provisions to ensure that the development of the subject lands does not proceed until the following conditions are met to the satisfaction of the City Engineer/General Manager:

- The Owner/Developer shall provide the City an updated Functional Servicing Report outlining the servicing needs of the site for water pressure and fire flows to the satisfaction of the City Engineer/General Manager.
- The Owner/Developer shall provide the City an updated Functional Servicing Report addressing the stormwater management/stormwater drainage design to the satisfaction of the City Engineer/General Manager.

The above Holding (H) provisions are required to ensure municipal services are available and adequate prior to development occurring on the subject lands.

Engineering staff have provided conditions to be addressed at the time of site plan approval and have also provided draft plan conditions to be addressed at various stages prior to registration of the final plan of subdivision.

Detailed comments from Engineering staff are provided in Attachment-14 Departmental and Agency Comments.

## **Park and Trail Development**

Conveyance of parkland is required for this development in accordance with Official Plan Policy 7.3.5.1. In accordance with the Planning Act s.42 the parkland dedication rate will be the greater of 5 per cent of the land, or 1 hectare for each 600 dwelling units, up to a maximum of 15 per cent of the land (for sites greater than 5 ha). For this development the 15 per cent rate will apply.

The plans identify a net site area of 6.09 hectares and a Parkland Dedication of 0.71 hectares. Park and Trail Development require a minimum Parkland Dedication in the amount of 0.91 hectares in accordance with the City of Guelph Parkland Dedication By-law (2022) 20717, as amended by By-law (2024)–20860, By-law (2025)–21133 or any successor thereof. Park and Trail Development will accept the remaining 0.20 hectares of parkland dedication as payment in lieu of parkland.

Payment in lieu of parkland conveyance will be required for the balance of the development in accordance with the Planning Act s.51.1 and City of Guelph Official Plan Policy 7.3.5.6.

In accordance with the Planning Act s.51.1 the rate of payment in lieu of parkland conveyance will be 1 hectare per 1000 dwelling units; up to a maximum of 15 per cent of the equivalent market value of the land.

The remaining payment in lieu of parkland dedication amount is calculated at the equivalent market value of **3.34 per cent** of the net site area after land dedication (i.e., 5.38 ha). The outstanding payment in lieu of conveyance of land amount calculated at one hectare per 1000 units is 13.07% which is greater than the 15% maximum (for sites greater than 5 hectares) when combined with the 11.66% of land to be conveyed.

Park and Trail Development staff have no objection to the approval of the subject applications and have provided draft plan conditions, which are included in Attachment-4 Recommended Draft Plan Conditions and final comments from Park and Trail Development staff are included in Attachment-14 Departmental and Agency Comments.

### **Community Energy Initiative**

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features. The Developer has indicated that they will be including a number of energy efficiency measures within the proposed development consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the Developer will contribute to the City meeting its goal to become a net zero community by 2050. The Developer has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment-13 Community Energy Initiative Commitment.

### **Comments Received on the Applications**

Land use planning questions and issues raised by Council at the Statutory Public meeting held on January 21, 2025 have been addressed throughout the planning analysis.