

# STAFF REPORT



TO City Council

SERVICE AREA Infrastructure, Development and Enterprise

DATE July 11, 2016

**SUBJECT Decision Report  
1229 Victoria Road South  
Proposed Official Plan Amendment and Zoning By-law  
Amendment  
(File: OP1501/ZC1507)  
Ward 6**

REPORT NUMBER 16-36

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

This report provides a staff recommendation to amend the Official Plan and Zoning By-law to permit the development of a four (4) storey, 101-unit apartment building as well as a neighbourhood commercial plaza with approximately 752.7 m<sup>2</sup> (8,102 square feet) of gross floor area in two (2) separate buildings on the property municipally known as 1229 Victoria Road South.

**Location:** [1229 Victoria Road South](#)

### KEY FINDINGS

Planning staff support the proposed Official Plan Amendment and Zoning By-law Amendment, subject to the regulations and conditions set out in Attachment 4.

### FINANCIAL IMPLICATIONS

Estimated Development Charges: *Residential Component* - With 101 units, estimated to range from \$1,382,993 to \$1,900,719; *Commercial Component* - With a proposed GFA of 752.7 m<sup>2</sup>, estimated to be \$76,172.23.

Estimated Annual Tax Levy: *Residential Component* - \$292,450 (with 101 dwelling units at an estimated average assessment of \$275,000); *Commercial Component* - \$28,000 to \$30,000 (with an estimated lease rate at \$15 per square foot and a cap rate at 8%).

### ACTION REQUIRED

Council is being asked to approve the Official Plan Amendment and Zoning By-law Amendment with a holding ('H') symbol for the subject lands.

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## RECOMMENDATION

1. That the application submitted by Reid's Heritage Homes Ltd. (on behalf of Westminister Woods Ltd.) for approval of an Official Plan Amendment to change the land use designation on the western portion of the lands from "General Residential" to "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" to permit the development of a neighbourhood commercial plaza with approximately 752.7 square metres (8,102 square feet) of gross floor area in two (2) separate buildings on the property municipally known as 1229 Victoria Road South, legally described as Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph be approved in accordance with the conditions and zoning regulations contained in Attachment 4 of Infrastructure, Development and Enterprise Report 16-36 dated July 11, 2016.
2. That the application submitted by Reid's Heritage Homes Ltd. (on behalf of Westminister Woods Ltd.) for approval of a Zoning By-law Amendment to change the zoning from the "Agricultural" (A) Zone under the former Township of Puslinch Zoning By-law No. 19/85 to the specialized "General Apartment Zone" (R.4A-51(H)) with a holding symbol on the eastern portion of the lands to permit a four (4) storey, 101-unit apartment building and to the "Neighbourhood Commercial" (NC(H)) Zone with a holding symbol on the western portion of the lands to permit a neighbourhood commercial plaza with approximately 752.7 square metres (8,102 square feet) of gross floor area in two (2) separate buildings at the property municipally known as 1229 Victoria Road South, legally described as Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph be approved in accordance with the conditions and zoning regulations contained in Attachment 4 of Infrastructure, Development and Enterprise Report 16-36 dated July 11, 2016.

## BACKGROUND

Applications for an Official Plan Amendment (File OP1501) and a Zoning By-law Amendment (File ZC1507) have been received for the property municipally known as 1229 Victoria Road South from Reid's Heritage Homes Ltd. on behalf of Westminister Woods Ltd.

The Official Plan Amendment application is requesting to amend the land use designation on the western portion of the property only (approximately 25% of the property) from the current "General Residential" land use designation to the "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" land use designation to permit a neighbourhood commercial plaza with approximately 752.7 square metres of gross floor area allocated in two (2) separate buildings proposed to be accessed off Samuel Drive.

The Zoning By-law Amendment application is requesting to amend the zoning from the current "Agricultural" (A) Zone under the former Township of Puslinch Zoning

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By-law No. 19/85 to the specialized "General Apartment Zone" (R.4A-51(H)) with a holding symbol on the eastern portion of the lands to permit a four (4) storey, 101-unit apartment building, and to the "Neighbourhood Commercial" (NC(H)) Zone with a holding symbol on the western portion of the lands to permit the neighbourhood commercial plaza described above.

Planning staff are recommending that a holding symbol ('H') be added to the specialized R.4A-51(H) and NC(H) zoning to allow time for the City and developer to ensure the road upgrades are constructed at the developer's expense or that an agreement securing payment to the City from the developer for their portion of the road improvements is executed and registered on title, prior to the zoning coming into force and effect (See Attachment 9).

In this report, the proposed Official Plan land use mapping can be found in Attachment 6, the proposed Zoning By-law mapping can be found in Attachment 9, and a Conceptual Site Plan and Renderings of the development in Attachment 10.

The applications were received on May 7, 2015 and deemed to be complete pursuant to the *Planning Act* on June 5, 2015. The statutory Public Meeting for these applications was held before City Council on October 13, 2015. At the Public Meeting, report 15-67 from Infrastructure, Development and Enterprise provided background information related to the proposed Official Plan and Zoning By-law Amendment applications.

## **Location**

The property that is subject to the Official Plan Amendment and Zoning By-law Amendment applications has a total area of 1.44 hectares, is generally rectangular in shape and is located at the northwest corner of Victoria Road South and Clair Road East in a neighbourhood commonly referred to as Westminster Woods (see Location Map in Attachment 1 and Orthophoto in Attachment 2). The subject lands are legally described as Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph. The subject property is currently vacant, and was most recently used as a construction staging area with a topsoil stockpile for the development of previous phases of the Westminster Woods subdivision. Generally the subject property is surrounded by low and medium density housing to the north, west and south, as well as agricultural lands to the east.

Existing apartment buildings, cluster townhouses and single detached dwellings are to the north in the Westminster Woods neighbourhood. Additional single detached dwellings are found to the west and are also within the same Westminster Woods neighbourhood. Single detached dwellings on estate residential zoned lots are to the south across Clair Road in the Rolling Hills neighbourhood. Finally, agricultural lands are to the east across Victoria Road, outside the City of Guelph in the neighbouring Township of Puslinch.

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## **Existing Official Plan Land Use Designations and Policies**

The current Official Plan land use designation that applies to the subject property is "General Residential", which permits a range of housing types including single, semi-detached residential dwellings and multiple unit residential buildings subject to meeting certain criteria (See Attachment 5). The City's Natural Heritage System policies in the Official Plan do not identify any Significant Natural Area on or immediately adjacent to the subject lands.

Schedule 1B of the Official Plan also identifies the subject property as being within the "Greenfield Area" of the City. Lands within the designated "Greenfield Area" in the Official Plan must accommodate a minimum density of 50 people and jobs per hectare. The relevant Official Plan policies are included in Attachment 5.

## **Official Plan Amendment No. 48: Land Use Designations and Policies**

Official Plan Amendment #48 (known as OPA 48 - currently under appeal), a comprehensive update to the City's Official Plan, proposes to designate the subject property as "Medium Density Residential" at the east along Victoria Road South, and "Neighbourhood Commercial Centre" to the west along Samuel Drive. If the "Neighbourhood Commercial Centre" land use designation in OPA 48 were to currently be in effect on the subject lands, it would have enabled this development to proceed without an Official Plan Amendment. However, as OPA 48 is currently under appeal in its entirety, a site specific Official Plan Amendment is required to enable the proposed neighbourhood commercial component.

Although the applications are being processed under the 2001 Official Plan, Staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations and policies contained in OPA 48 are included in Attachment 7.

## **Existing Zoning**

The subject property is currently zoned 'A' (Agricultural Zone) under the former Township of Puslinch Zoning By-law No. 19/85. This agricultural zoning was in place when the subject lands were annexed into the City of Guelph in 1993 from the Township of Puslinch. This zone permits agricultural uses as well as one (1) single detached dwelling per property. Details of the existing zoning are included in Attachment 8.

## **REPORT**

### **Westminster Woods Background**

The large-scale Westminster Woods Subdivision has been developing in phases from west to east over the past 16 years (See Attachment 12). A draft plan of subdivision for the Westminster Woods East Subdivision was initially submitted to the City in May 2002 as draft plan number 23T02502. This draft plan of subdivision has been revised several times since this time, with the most recent draft plan revision received in October 2010 as Phase 5 to 23T02502. Phase 5 of the draft

plan covers the subject lands in the most southeasterly part of Westminster Woods. However the subject lands were never registered as a lot or block within the subdivision and are now being developed alone as vacant land outside of Phase 5 of draft plan 23T02502. The proposed development would substantially complete the Westminster Woods neighbourhood.

## **Description of Proposed Official Plan Amendment**

The applicant is requesting an Official Plan Amendment to redesignate a portion (approximately 0.36 hectares or 25%) of the subject lands from the existing "General Residential" land use designation to the "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" land use designation. The portion of the site proposed for the 101-unit residential apartment building (approximately 1.08 hectares) is not included in the Official Plan Amendment. The applicant is requesting to retain the existing "General Residential" designation for this portion of the property. The proposed amendment is known as Official Plan Amendment No. 64 (OPA 64).

OPA 48 proposes to redesignate a portion of the subject lands to "Neighbourhood Commercial Centre" on the west, and the other portion to "Medium Density Residential" on the east (See Attachment 7). However, as OPA 48 is currently under appeal in its entirety, an Official Plan Amendment is required at this time to enable the commercial portion of the proposed development. The applicant's proposed limits of the Neighbourhood Commercial Centre designation are similar to the Neighbourhood Commercial Centre designation boundary in OPA 48.

The "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" land use designation in the current 2001 Official Plan (September 2014 Consolidation) is to apply to lands that are intended to serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts. New Neighbourhood Commercial Centres are to be no larger than 4,650 square metres (50,000 square feet) and are to have a minimum separation distance of 0.5 kilometres from other designated Neighbourhood Commercial Centre nodes. The applicant has indicated that based on a conceptual site plan, the commercial portion of the proposed development is to be approximately 807 square metres (8,686 square feet).

The proposed Official Plan Amendment (OPA 64) is included in Attachment 3. The relevant policies of the "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" land use designation that is proposed for the western portion of the property is included in Attachment 6.

## **Description of Proposed Zoning Bylaw Amendment**

The applicant is proposing to rezone the subject property from the current 'A' (Agricultural) Zone under the former Township of Puslinch Zoning By-law No. 19/85 to an 'R.4A-51' (Specialized General Apartment) Zone for the residential block and to the 'NC' (Neighbourhood Commercial) Zone for the commercial block.

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The applicant has requested to develop the proposed residential portion of the subject lands in accordance with the permitted regulations of the standard R.4A zone, with the following exceptions:

- To permit a minimum rear yard setback of 7.5 metres; whereas the Zoning By-law requires a minimum rear yard setback of 21.52 metres;
- To permit a setback of 1.0 metres from a parking area to a property line; whereas a minimum setback of 3.0 metres is required; and
- Despite Section 4.1 of the Zoning By-law, access from a Building to a public Street may be provided by way of a private Street.

No specialized or site specific provisions are being requested for the commercial block proposed to be zoned 'NC(H)' (Neighbourhood Commercial). This portion of the lands is proposed to be developed in accordance with the permitted regulations of the standard NC zone.

Under the authority of Section 36 of the *Planning Act* and Section 9.10.7.1 a) of the Official Plan, Staff are recommending that a Holding Symbol ('H') be placed on both the specialized R.4A-51(H) and NC(H) Zoning due to the requirement to construct or secure funding for necessary road improvements in the area that are influenced by the proposed development. Engineering staff have requested that any required road upgrades be constructed at the developer's expense prior to development of the subject lands proceeding, or that the developer enter into an agreement to secure a financial contribution for their share of future construction. Once the road improvements are constructed or an agreement to pay for the actual cost to design and construct the road improvements is executed, the developer can apply to the City to amend the zoning to have the Holding Symbols lifted.

The existing zoning details are provided in Attachment 8, and the proposed zoning details are provided in Attachment 9.

## **Proposed Development Concept**

The proposed development is for a four (4) storey, 101-unit apartment building with approximately 9,530 square metres (102,580 square feet) on the eastern two-thirds of the property. The apartment building is proposed to be "L" shaped, and be situated directly at the northwest corner of Victoria Road South and Clair Road East. For the residential component, a total of 134 off-street parking spaces are proposed, and the building will be accessed through extending existing private roads (with associated right-of-way easements) from the Kingsbury Square condominium development to the north.

A neighbourhood commercial plaza is also proposed as part of the development on the western third of the property, and will have approximately 807 square metres (8,686.5 square feet) of gross floor area allocated to two (2) separate commercial buildings. The two commercial buildings are each similar in size (floor area) and

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would both be directly along and accessed off Samuel Drive, with 48 off-street parking spaces situated to the rear of the buildings. The most current (April 2016) proposed site plan and renderings can be found in Attachment 10.

## **Supporting Documents**

The applications are supported by the following:

- Planning Justification Report, Prepared by GSP Group Inc., April 2015
- Urban Design Brief, Prepared by BJC Architects, March 2015; *Revised March 2016*;
- Conceptual Site Plan (Commercial – 'Option 2'), Prepared by BJC Architects, April 2015; *Revised February 2016*;
- Functional Servicing Report, Prepared by Stantec, March 2015; and
- Traffic Impact Study, Prepared by Stantec, March 2015.

## **Staff Review and Planning Analysis**

The staff review and planning analysis for these applications is provided in Attachment 13. Planning staff's analysis addresses the issues and questions that were raised during the public review of the applications, including any issues raised by Council at the statutory Public Meeting held on October 13, 2015. Comments received from internal departments and external agencies are included in Attachment 15. The staff review and planning analysis addresses the following:

- Evaluation of the proposal against the 2014 Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the applications conform to the applicable Official Plan land use designations and policies, including any related amendments
- Consideration of the merits of the Official Plan Amendment;
- Review of the proposed zoning, specialized regulations and recommended Holding symbol (H) provisions;
- Review of the proposed site design and building elevations;
- Review of servicing and traffic issues;
- Environmental and natural heritage review;
- Confirm support for the Community Energy Initiative (CEI); and
- Questions raised by Council and members of the public at the October 13, 2015 Public Meeting including privacy to adjacent properties, source water protection requirements, and the use of low impact development measures for stormwater management.

## **CORPORATE STRATEGIC PLAN**

**Strategic Direction 3.1:** Ensure a well-designed, safe, inclusive, appealing and sustainable City.

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## **Planning Staff Recommendation**

Planning staff support the proposed Official Plan Amendment and Zoning By-law Amendment applications subject to a Holding symbol (H) being applied to both the R.4A-51(H) and NC(H) zoning, and the recommended permitted uses, regulations and conditions in Attachment 4. The applications are consistent with the 2014 Provincial Policy Statement (PPS) and conform to the Growth Plan for the Greater Golden Horseshoe. The Official Plan Amendment to redesignate a portion of the subject site to the "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" designation is appropriate, as the application meets the criteria in Section 9.3 of the Official Plan for the consideration of Official Plan Amendments.

## **FINANCIAL IMPLICATIONS**

For the residential component, development charges are \$13,693 for bachelor and 1 bedroom units and \$18,819 for 2+ bedroom units. With 101 apartment units proposed, the total residential development charges for this development are estimated to range from \$1,382,993 to \$1,900,719, depending on the apartment unit types selected by the developer. Commercial development charges are \$101.02 per square metre of gross floor area (GFA). With a proposed commercial GFA of 752.7 square metres in the development, total commercial development charges are estimated to be \$76,172.23. The total development charges for the residential and commercial component combined are estimated to range from \$1,459,165.23 to \$1,976,891.23.

Based on assumptions and information available at this time, total annual property taxes are estimated to be approximately \$292,450 for the residential portion and between \$28,000 and \$30,000 for the commercial portion. It should be noted that this number may differ significantly from the final assessment and taxation based on the ultimate development of the subject properties.

## **DEPARTMENTAL CONSULTATION**

Comments received from Agencies and City Departments during the review of the applications as well as associated recommended conditions are included as well as summarized in Attachment 15.

## **COMMUNICATIONS**

The Notice of Complete Application was mailed on June 19, 2015 to local boards and agencies, adjacent municipalities, City service areas, and property owners within 120 metres of the subject site for comments. Notice was also provided by signage on the site, which was posted on June 18, 2015. The Notice of Public Meeting was mailed to local boards and agencies, adjacent municipalities, City service areas and property owners within 120 metres of the subject site for comments on September 14, 2015 and also advertised in the *Guelph Tribune* on September 22, 2015. All material received with the applications was made available to the public for review at City Hall and on the City's website on June 19, 2015, and was updated accordingly as information and drawings were revised. Notification of Council's scheduled decision meeting was mailed on June 27, 2016 to all individuals



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who provided comments on the development applications or who requested notification.

Key dates for the public process regarding this planning application are included in Attachment 16.

## ATTACHMENTS

- Attachment 1 – Location Map and 120 m Circulation Area
- Attachment 2 – Orthophoto
- Attachment 3 – Proposed Official Plan Amendment No. 64
- Attachment 4 – Recommended Conditions and Zoning Regulations
- Attachment 5 – Existing Official Plan Land Use Designations and Policies
- Attachment 6 – Proposed Official Plan Designation and Policies
- Attachment 7 – Official Plan Amendment No. 48 Land Use Designations and Policies
- Attachment 8 – Existing Zoning and Details
- Attachment 9 – Proposed Zoning and Details
- Attachment 10 – Proposed Site Plan and Renderings
- Attachment 11 – Sightline Analysis
- Attachment 12 – Westminster Woods Development Progression, 2000-2014
- Attachment 13 – Staff Review and Planning Analysis
- Attachment 14 – Community Energy Initiative Commitment
- Attachment 15 – Agency and City Department Comments
- Attachment 16 – Public Notification Summary

### Report Author

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Development Planner II

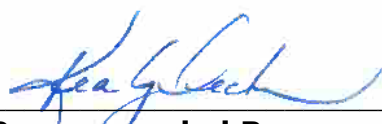
### Approved By

Sylvia Kirkwood  
Manager of Development Planning



### Approved By

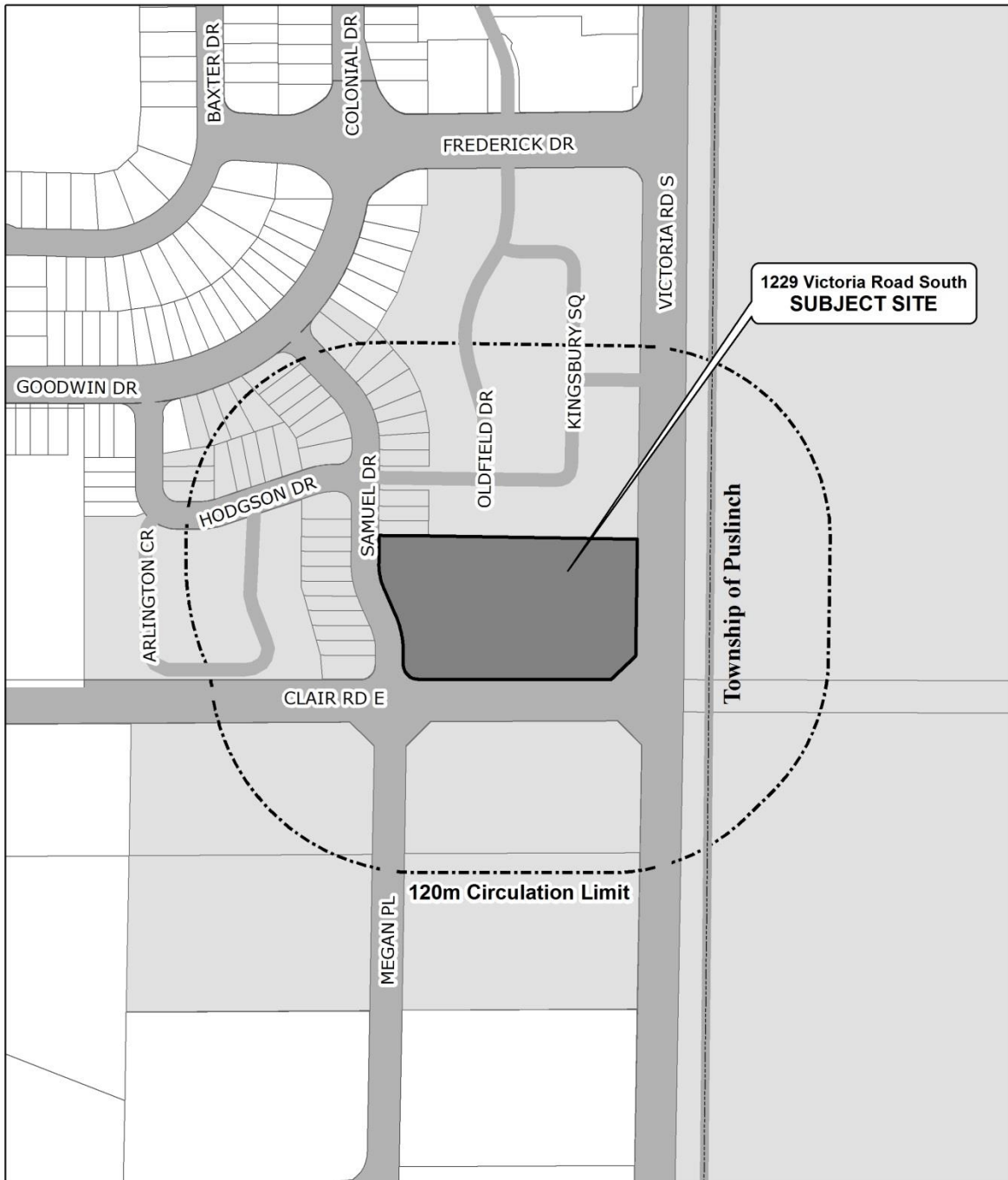
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### Recommended By

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Enterprise  
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## Attachment 1 Location Map and 120 m Circulation Area



0 15 30 60 90 120 m

Location Map and 120m Circulation Area  
1229 Victoria Road South



CITY OF  
**Guelph**  
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Planning, Urban Design and Building Services, Development Planning  
June 2015

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## Attachment 2 Orthophoto



**SUBJECT LANDS**  
1229 Victoria Road South

50 25 0 50 m

Produced by the City of Guelph  
Infrastructure, Development and Enterprise  
Development Planning  
August 2015

**2012 Orthophoto**  
**171 Kortright Road West**

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**Attachment 3  
Proposed Official Plan Amendment No. 64**

**O.P.A. 64:**

The purpose of Official Plan Amendment #64 is to amend Schedule 1: Land Use Plan by changing the land use designation of a 0.349 hectare portion of the property municipally known as 1229 Victoria Road South and legally described as Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph from the "General Residential" designation to the "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" designation to permit the development of a neighbourhood commercial mall.

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## Attachment 4 Recommended Conditions and Zoning Regulations

### PART A: PROPOSED CONDITIONS:

The following conditions are provided as information to Council and will be imposed through a development agreement and/or site plan approval with the City, registered on title for the subject lands.

1. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed **site plan**, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the City Engineer, prior to any construction or grading on the lands.
2. The Developer acknowledges and agrees that ensuring the **suitability of the land from an environmental engineering** perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to the site plan approval or prior to any construction or grading on the lands, the Consultant shall certify that all properties to be developed and/or conveyed to the City pose **no risks to public health and safety and to the environment** and can be developed for proposed uses.
4. Prior to site plan approval and prior to the City accepting any real property interests, if contamination is found, the applicant shall:
  - i. Submit all **environmental assessment** reports prepared in accordance with O. Reg. 153/04 or CSA Z768-00 standard, describing the current conditions of the land to be developed and/or conveyed to the City to the satisfaction of the City; and
  - ii. Complete any **necessary remediation/risk assessment work** and submit certification from a Qualified Person (QP) that the lands to be developed and/or conveyed to the City meet the applicable standard(s) of the intended land use.
5. Prior to site plan approval and prior to any construction or grading on the lands, the Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following **studies, plans and reports** that may be requested by the General Manager/City Engineer:
  - i. A **stormwater management report** and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;

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## Attachment 4 (continued) Recommended Conditions and Zoning Regulations

- ii. A **geotechnical report** certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
    - iii. A **grading, drainage and servicing plan** prepared by a Professional Engineer for the site; and
    - iv. A detailed **erosion and sediment control plan**, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
  6. The Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for **adhering to all the recommended measures contained in the plans, studies and reports** outlined in subsections 5 i) to 5 iv) inclusive.
  7. The Developer shall pay to the City the actual cost of the construction of the **new driveway entrance and required curb cut and/or curb fill**. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrance and required curb cut and/or curb fill.
  8. That the Developer **grades, develops and maintains the site including the storm water management facilities** designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
  9. That the Developer will ensure that any **existing domestic wells** as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
  10. The Developer acknowledges that the City does not allow **retaining walls** higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
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## Attachment 4 (continued) Recommended Conditions and Zoning Regulations

11. The Developer agrees to obtain and register all necessary **access easements** over any adjacent provide property to provide legal access to future residents and users of the property, to the satisfaction of the General Manager of Planning, Urban Design and Building Services, and prior to site plan approval.
12. Prior to site plan approval, the **City's Risk Management Official** shall be circulated the site plan drawing/documents, including a salt management plan, for review and comment.
13. The Developer shall deed at no cost the City, free of all encumbrances, any **road widenings** necessary to accommodate the turning lanes on Clair Road East from Victoria Road to west of the Samuel Drive and Megan Place intersection prior to final site plan approval.
14. That all **electrical services** to the lands are underground and the Developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
15. The Developer agrees to maintain an unobstructed setback of 3.0 metres between any dwelling unit and **pad-mounted transformers** and an unobstructed setback of 1.5 metres between any driveways or entrances and street light poles or pad-mounted transformers and further that any relocations would be at the Developer's expense.
16. The developer agrees to reserve a 6.5 metre by 5.0 metre area for a three-phase, **pad-mounted transformer** on the commercial property to service the proposed commercial buildings to the satisfaction of Guelph Hydro Electric Systems Inc.
17. The developer agrees to reserve a 6.5 metre by 5.0 metre area for a three-phase, **pad-mounted transformer** on the residential property to service the proposed apartment building to the satisfaction of Guelph Hydro Electric Systems Inc.
18. That the developer agrees to supply and erect a sign affixed to the permanent development sign, to the **Upper Grand District School Board's** specifications and satisfaction, that advises prospective residents about schools in the area.

**AND**

### **PART B: ZONING REGULATIONS**

The portion of the property affected by Official Plan Amendment No. 64 and Zoning By-law Amendment No. ZC1507 is municipally known as 1229 Victoria Road South,

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## Attachment 4 (continued) Recommended Conditions and Zoning Regulations

and is legally described as Part of Lot 10, Concession 8, Geographic Township of Puslinch, City of Guelph.

That the Zoning By-law Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law (1995)-14864, as amended, to transfer the subject lands from the "Agricultural" (A) Zone in the former Township of Puslinch Zoning By-law No. 19/85 to the following:

### East Portion (Residential)

#### **PROPOSED ZONING: "Specialized General Apartment Zone with Holding Provision" - R.4A-51(H)**

In accordance with Section 5.4 of Zoning By-law (1995)-14864, as amended, with the following site specific exceptions:

#### Rear Yard

- Despite Table 5.4.2, Row 9, the minimum Rear Yard shall be 7.5 metres, whereas the Zoning By-law requires a minimum Rear Yard of 21.52 metres.

#### Parking Area Setback

- Despite Section 4.13.2.2, every Parking Space shall be located in the Side or Rear Yard provided that no Parking Space is located within 1 metre of any Lot Line, whereas the Zoning By-law requires no Parking Space to be located within 3 metres of any Lot Line.

#### Frontage on a Street

- Despite Section 4.1, access from a Building to a public Street may be provided by way of a private Street.

#### Holding Provision (H)

Purpose:

- To ensure that the development of the lands does not proceed until the Owner has met certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions:

- i. The developer shall design and construct traffic control signals and a southbound right turn lane at the Victoria Road South and Frederick Drive intersection, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the



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## Attachment 4 (continued) Recommended Conditions and Zoning Regulations

- actual cost for design and construction, secured in a manner satisfactory to the City taking into account all previous contributions to these works.
- ii. The developer shall design and construct a back to back left turn lane on Clair Road East between Victoria Road South and Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual cost for design and construction, secured in a manner satisfactory to the City.
  - iii. The developer shall design and construct turning lanes on Clair Road East at the intersection of Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual costs for design and construction, secured in a manner satisfactory to the City.

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### West Portion (Commercial)

#### **PROPOSED ZONING: "Neighbourhood Commercial with Holding Provision" - NC(H)**

In accordance with Section 6.2.1.1 of Zoning By-law (1995)-14864, as amended, with the following:

#### Holding Provision (H)

Purpose:

- To ensure that the development of the lands does not proceed until the Owner has met certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions:

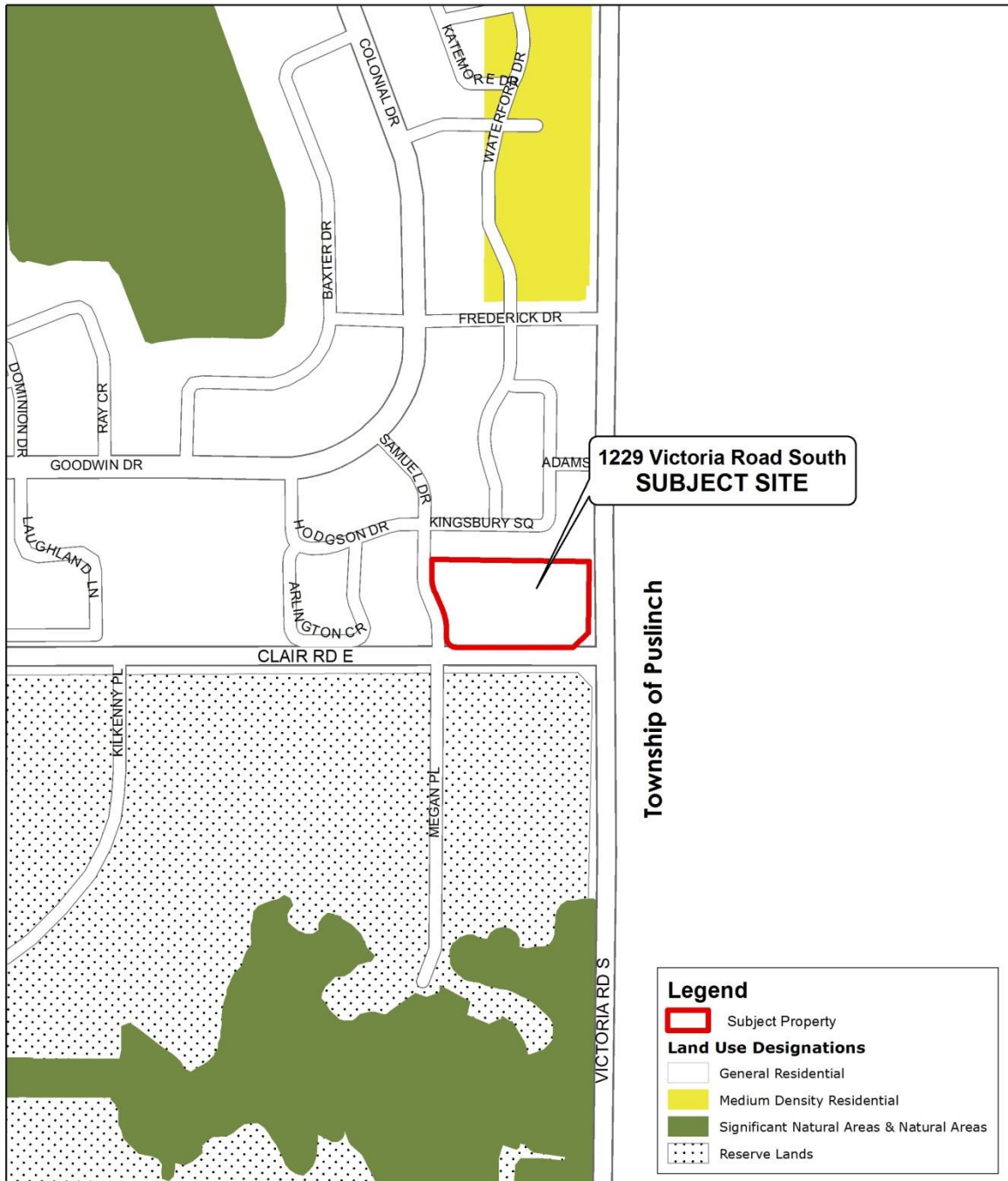
- i. The developer shall design and construct traffic control signals and a southbound right turn lane at the Victoria Road South and Frederick Drive intersection, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual cost for design and construction, secured in a manner satisfactory to the City taking into account all previous contributions to these works.
- ii. The developer shall design and construct a back to back left turn lane on Clair Road East between Victoria Road South and Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the

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## **Attachment 4 (continued) Recommended Conditions and Zoning Regulations**

- actual cost for design and construction, secured in a manner satisfactory to the City.
- iii. The developer shall design and construct turning lanes on Clair Road East at the intersection of Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual costs for design and construction, secured in a manner satisfactory to the City.

## Attachment 5 Existing Official Plan Land Use Designations and Policies





2001 Official Plan, September 2014 Consolidation  
**Land Use Designations**  
**1229 Victoria Road South**



Produced by the City of Guelph  
Planning Services  
August 2018

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## Attachment 5 (continued) Existing Official Plan Land Use Designations and Policies

### General Residential / Housing Policies

- 7.2.1 In order to provide an adequate amount of residential *development* and *redevelopment* lands for projected demographic and housing market requirements, the City will endeavour to do the following:
- a) Maintain at all times at least a 10 year supply of *designated and available* residential lands;
  - b) Maintain at all times at least a 3 year supply of residential land that has allocated servicing capacity.
- 7.2.2 The City shall encourage and assist, where possible, in the production of an adequate supply and mix of affordable housing by:
- a) Expediting the *development* approval process and other administrative requirements;
  - b) Partnering with the private sector and other government levels to implement housing programs;
  - c) Encouraging the provision of *affordable housing* in plans of subdivision that are designed for moderate and lower income households, and, more particularly, for large subdivisions requiring this housing form to be provided to a minimum 25% of the total potential units.
  - d) Encouraging the use of alternative development techniques that can assist in lowering development costs and potentially lower housing costs;
  - e) Promoting a 3 percent vacancy rate for rental housing;
  - f) Encouraging the provision of additional rental housing;
  - g) Promoting the provision of *affordable housing*, located near transit, shopping, parks and other community facilities, in order to meet the needs of lower income and senior citizen households;
  - h) Supporting student housing developments conveniently accessible to the University of Guelph;
  - i) Supporting the provision of specialized housing facilities to meet the needs of persons with disabilities.

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## Attachment 5 (continued) Existing Official Plan Land Use Designations and Policies

- 7.2.3 In order to provide for the housing needs of a wide array of socio-economic groups, the City will encourage the development of a variety of housing types and forms in large plans of subdivision.
- 7.2.4 The City shall provide for the creation of accessory apartments and other alternative, low impact housing forms for the lower density residential areas of the City. Regulations promoting compatibility of this housing form will be outlined in the *Zoning By-law*.
- 7.2.5 The City will encourage the conversion of suitable non-residential structures to residential accommodation, provided other non-residential land uses in the vicinity would not pose an *adverse effect*.
- 7.2.6 The conversion of a residential building and the *conversion or redevelopment* of existing non-residential buildings for *multiple unit housing* will be encouraged, where appropriate. Where the proposed *conversion or redevelopment* is of a building previously used for industrial, or other use having the potential to have resulted in environmental contamination, the provisions of subsection 5.6 will also apply to the building as well as the property. Such *conversions or redevelopment* shall require an amendment to the Zoning By-law and satisfy the criteria outlined in policy 7.2.7.
- 7.2.7 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit* housing:
- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
  - b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
  - c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
  - d) That adequate municipal *infrastructure*, services and amenity areas for the residents can be provided.
- 7.2.8 The development criteria of policy 7.2.7 will be used to assess the merits of a rezoning application to permit new multiple unit residential buildings on sites that are presently not zoned to permit these particular housing forms.

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## Attachment 5 (continued) Existing Official Plan Land Use Designations and Policies

- 7.2.9 The implementing *Zoning By-law* will contain a number of residential zone categories based on the form and density of residential development.
- 7.2.10 In spite of the maximum residential densities that are specified for various land use designations of this Plan, *development* projects designed exclusively for occupancy by *senior citizens* may be permitted to exceed the maximum unit density allowed provided that the overall size, height and impact on the adjacent areas is consistent with that which would be associated with a standard multiple residential building that would be permitted.
- 7.2.11 The City will encourage the upgrading and rehabilitation of existing housing, particularly in the older residential neighbourhoods.
- 7.2.12 The City will consider alternative development standards that promote City environmental responsiveness and, at the same time, assist in reducing development costs. In addition, innovative and energy-efficient housing designs and subdivision plans will be encouraged.
- 7.2.13 The City will implement and periodically update the policies and targets of its approved "Municipal Housing Statement".

### 'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density* of *development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density* of *development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design

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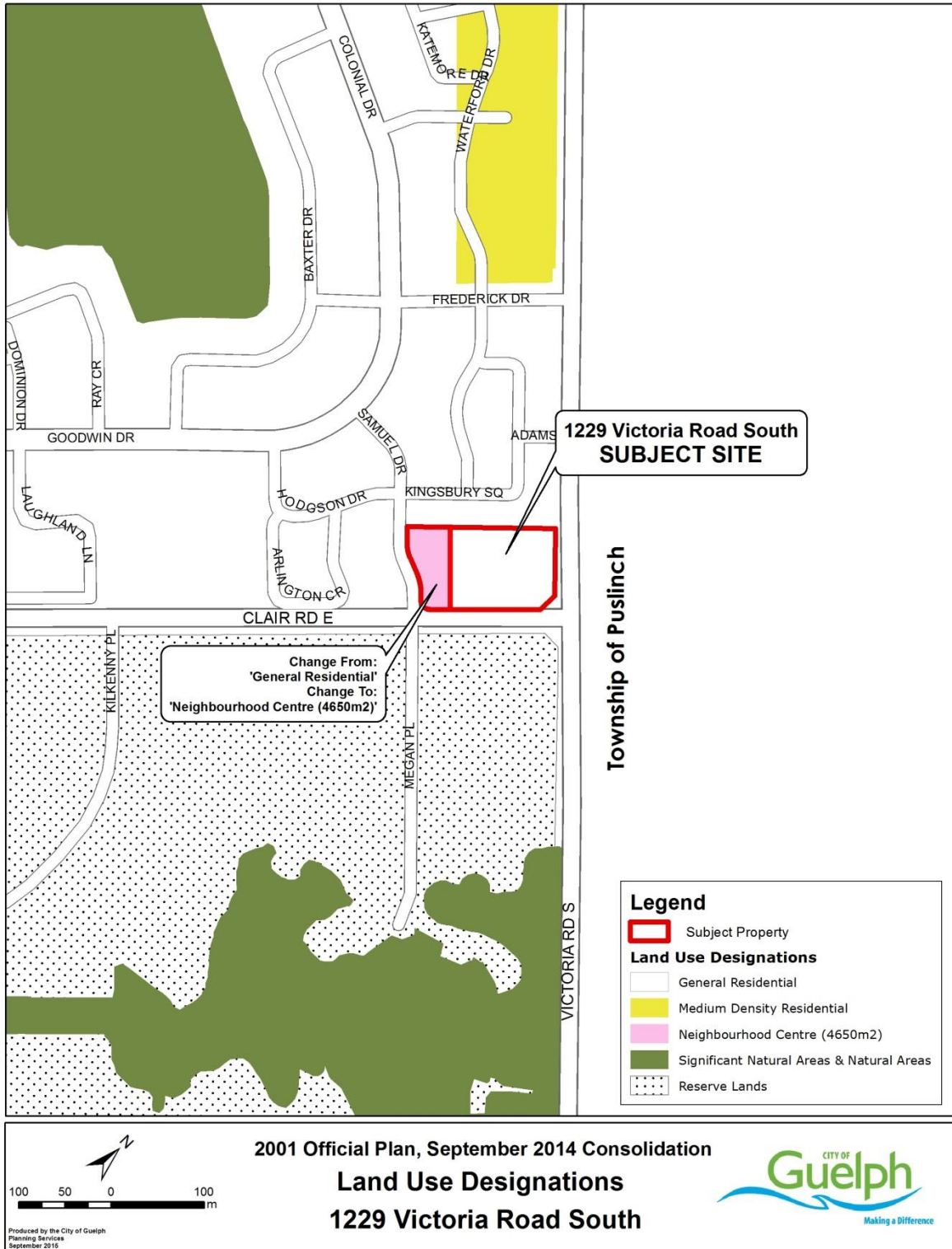
## **Attachment 5 (continued)** **Existing Official Plan Land Use Designations and Policies**

parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:

- a) The form and scale of existing residential development;
- b) Existing building design and height;
- c) Setbacks;
- d) Landscaping and amenity areas;
- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

## Attachment 6 Proposed Official Plan Designation and Policies





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## Attachment 6 (continued) Proposed Official Plan Designation and Policies

The following policies in the Official Plan would apply if the subject lands as shown on Page 24 of this report are redesignated to "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)":

### Neighbourhood Commercial Centre

- 7.4.22 A 'Neighbourhood Commercial Centre', comprised of one or several commercial buildings on one or more properties within a compact "node", is intended to primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts. In addition, institutional and small scale office uses may also be permitted where these uses are compatible with the particular surroundings. Medium density multiple unit residential buildings and apartments in accordance with Section 7.2 may also be permitted provided the principle commercial function is maintained.
- 7.4.23 The 'Neighbourhood Commercial Centre' designations on Schedule 1 recognize the existing centres within the City and identify the general location of new 'Neighbourhood Commercial Centres'.
- 7.4.24 Proposals to designate new 'Neighbourhood Commercial Centres' or to expand an existing designation beyond the area indicated on Schedule 1 shall require an amendment to this Plan and the implementing Zoning By-law.
- 7.4.25 In order to prevent the creation of "strip commercial" development comprising a series of 'Neighbourhood Commercial Centres' located adjacent to one another along a major traffic street, it is a general requirement of this Plan that designated nodes have a minimum distance separation from one another of 0.5 kilometres.
- 7.4.26 Applications for the purpose of establishing or expanding a 'Neighbourhood Commercial Centre' designation will satisfy the following criteria:
- a) Located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
  - b) The location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
  - c) Designed in a manner that is compatible with the building design and use of surrounding properties;

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## Attachment 6 (continued) Proposed Official Plan Designation and Policies

- d) The location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
- e) Adequate site area will be provided for parking, loading and all other required facilities;
- f) Adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties;

7.4.27 This Plan intends that a 'Neighbourhood Commercial Centre' shall not be extended or enlarged to provide more than 4,650 square metres (50,000 square feet) of gross leasable floor area.

7.4.27.1 Notwithstanding policy 7.4.27, the existing 'Neighbourhood Commercial Centres' listed below shall be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of gross leasable floor area:

- Speedvale Avenue at Stevenson Street
- Victoria Road at Grange Avenue
- Victoria Road at York Street
- Kortright Road at Edinburgh Road
- Harvard Road at Gordon Street
- Kortright Road at Gordon Street
- Wellington Road at Imperial Drive.

7.4.28 A 'Neighbourhood Commercial Centre' as listed in 7.4.27.1 shall only be extended or enlarged to provide more than 10,000 square metres (108,000 square feet) of gross leasable floor area by amendment to this Plan and shall require an impact study.

7.4.29 The maximum gross leasable floor area of an individual retail use within the node shall be 3,250 square metres (35,000 square feet).

7.4.29.1 Notwithstanding policy 7.5.29, the existing 'Neighbourhood Commercial Centre' located at Kortright Road and Edinburgh Road shall be permitted to provide an individual retail use of a maximum of 5,200 square metres (55,000 square feet).

7.4.30 The City will require the aesthetic character of site and building design to be consistent with the City's urban design objectives and guidelines and shall incorporate measures into the approval of Zoning By-laws and site plans used to regulate development within the

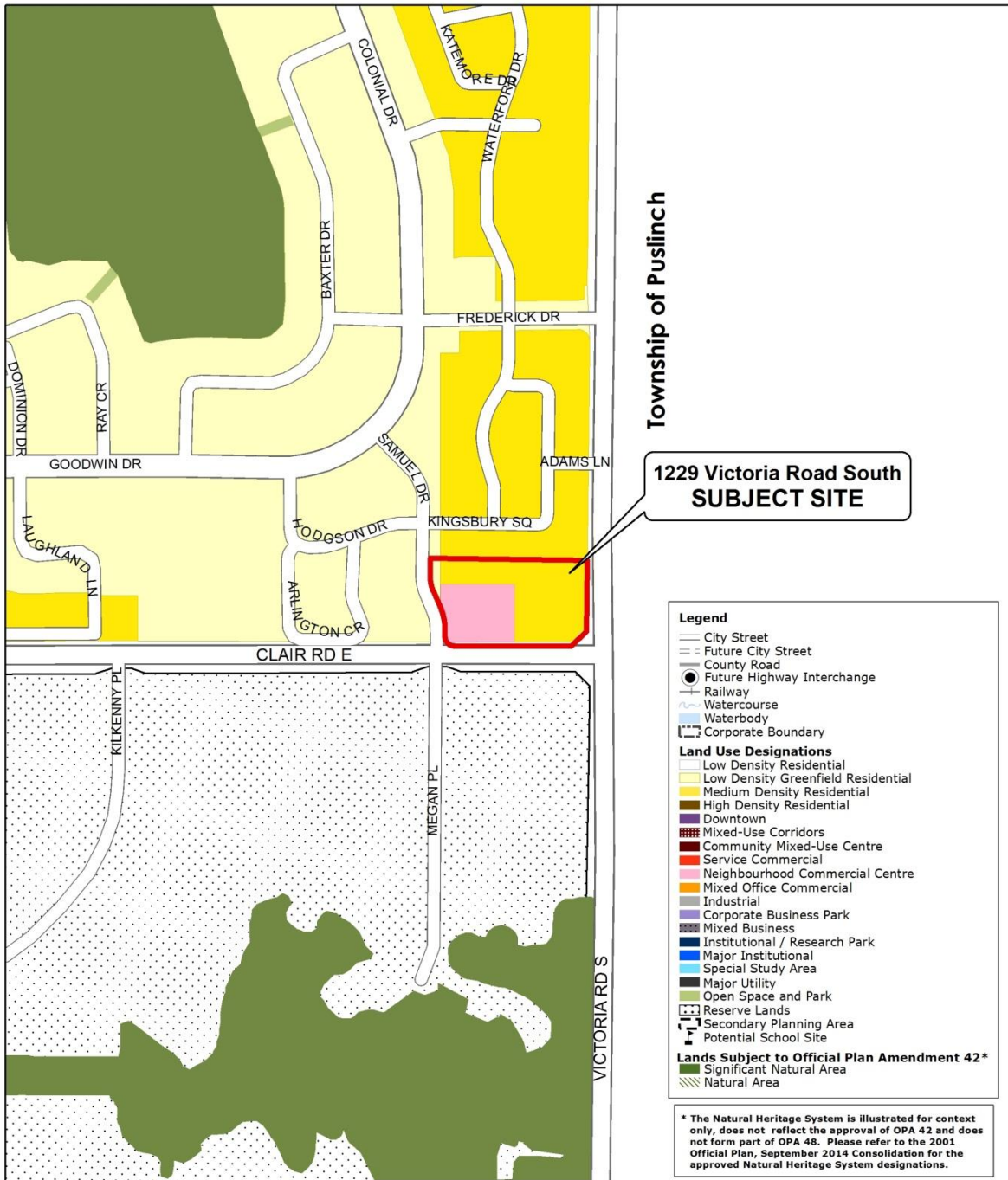
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## **Attachment 6 (continued)** **Proposed Official Plan Designation and Policies**

'Neighbourhood Commercial Centre' designation to ensure such consistency.

- 7.4.31 It is intended that where there are adjacent properties within the node that as new development occurs the lands will be integrated with one another in terms of internal access roads, entrances from public streets, access to common parking areas, grading, open space and storm water management systems. Furthermore, it is intended that individual developments within the Neighbourhood Commercial Centre designation will be designed to be integrated into the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.


## Attachment 7 Official Plan Amendment No. 48 Land Use Designations and Policies



100 50 0 100 m

Produced by the City of Guelph  
Planning Services  
September 2015

Official Plan Amendment No. 48  
Proposed Land Use Designations  
1229 Victoria Road South



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## Attachment 7 (continued) Official Plan Amendment No. 48 Land Use Designations and Policies

### 9.3.4 Medium Density Residential

The use of land within the Medium Density Residential Designation will be medium density housing forms.

#### Permitted Uses

1. The following uses may be permitted subject to the applicable provisions of this Plan:
  - i) multiple unit residential buildings, such as townhouses and apartments.

#### Height and Density

2. The minimum height is two (2) storeys and the maximum height is six (6) storeys.
3. The maximum *net density* is 100 units per hectare and not less than a minimum *net density* of 35 units per hectare.
4. Increased height and density may be permitted in accordance with the Height and Density Bonus policies of this Plan.

### 9.4.4 Neighbourhood Commercial Centre

Neighbourhood Commercial Centres are identified on Schedule 2 of this Plan.

#### Objectives

- a) To establish local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas.
- b) To ensure Neighbourhood Commercial Centres are developed in a cohesive and coordinated manner that is *compatible* with the surrounding residential neighbourhood.
- c) To primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts.
- d) To be connected to surrounding neighbourhoods through the City's pedestrian trails, walkways and by transit.

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## Attachment 7 (continued) Official Plan Amendment No. 48 Land Use Designations and Policies

### Policies

1. The Neighbourhood Commercial Centre designations on Schedule 2 recognize the existing centres within the City and identify the general location of new Neighbourhood Commercial Centres.
2. To prevent the creation of strip commercial development comprising a series of Neighbourhood Commercial Centres located adjacent to one another along a major street, it is the general requirement of this Plan that designated Neighbourhood Commercial Centres have a minimum distance separation from one another of 500 metres.
3. This Plan intends that a Neighbourhood Commercial Centre shall not be extended or enlarged to provide more than 4,650 square metres (50,000 square feet) of *gross floor area*.
4. Notwithstanding policy 9.4.4.3, the existing Neighbourhood Commercial Centres listed below will be permitted to provide a maximum of 10,000 square metres (108,000 square feet) of **gross floor area**:
  - Speedvale Avenue at Stevenson Street
  - Victoria Road at Grange Street
  - Victoria Road at York Road
  - Kortright Road at Edinburgh Road
  - Harvard Road at Gordon Street
  - Kortright Road at Gordon Street
  - Wellington Road at Imperial Road.
5. A Neighbourhood Commercial Centre as listed in policy 9.4.4.4 shall only be extended or enlarged to provide more than 10,000 square metres (108,000 square feet) of *gross floor area* by amendment to this Plan and shall require a Market Impact Study.
6. The maximum *gross floor area* of an individual retail use within a Neighbourhood Commercial Centre shall be 3,250 square metres (35,000 square feet).
7. The City will require the aesthetic character of site and building design to conform to the Urban Design policies of this Plan and applicable guidelines, and will incorporate measures into the approval of *Zoning By-laws* and *Site Plans* to ensure conformity.
8. Where new *development* occurs within a Neighbourhood Commercial Centre, adjacent lands will be integrated in terms of internal access roads, entrances from public streets, access to

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## Attachment 7 (continued) Official Plan Amendment No. 48 Land Use Designations and Policies

common parking areas, open space, urban squares, grading and stormwater management systems.

9. *Development* within the Neighbourhood Commercial Centre designation will be designed to be connected to the wider community by footpaths, sidewalks and bicycle systems and by the placement of buildings in close proximity to the street line near transit facilities.
10. Applications for the purpose of establishing or expanding a Neighbourhood Commercial Centre designation will be required to satisfy the following criteria:
  - i) located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection;
  - ii) the location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major street;
  - iii) designed in a manner that is *compatible* with the building design and use of surrounding properties;
  - iv) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;
  - v) adequate site area will be provided for parking, loading and all other required facilities; and
  - vi) adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.

### Permitted Uses

11. The following uses may be permitted in Neighbourhood Commercial Centres, subject to the applicable provisions of this Plan:
  - i) commercial, retail and service uses;
  - ii) small-scale offices;
  - iii) community services and facilities;
  - iv) *live/work*;
  - v) multiple unit residential within mixed-use buildings; and
  - vi) urban squares.
12. Vehicle sales and vehicle repair uses shall not be permitted.
13. *Development* will be planned and designed to maintain the principle commercial function through the following:

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**Attachment 7 (continued)**  
**Official Plan Amendment No. 48 Land Use Designations and Policies**

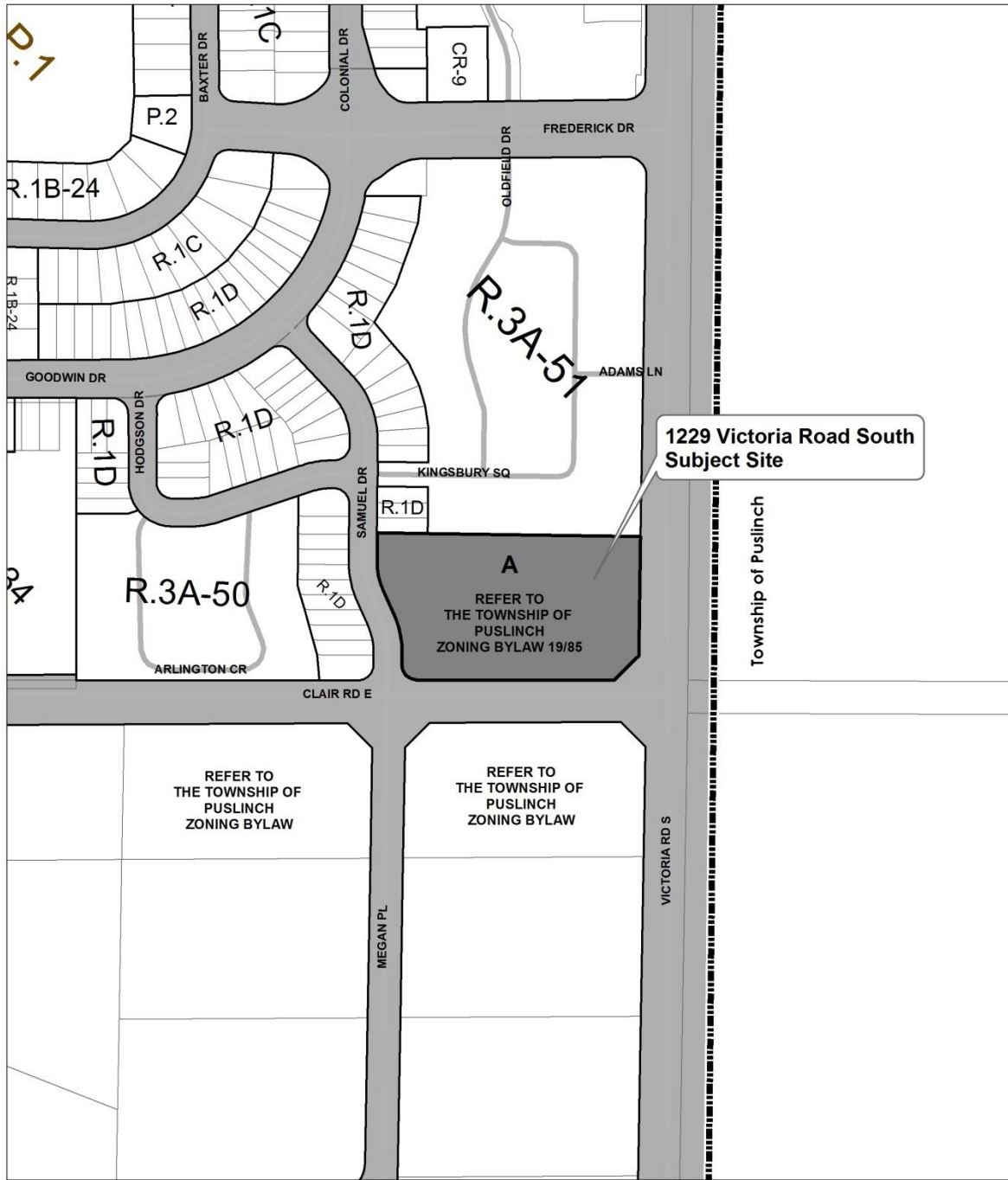
- i) commercial, retail and office uses situated on the ground floor; and
- ii) residential uses only provided on upper floors.

**Height and Density**

- 14. The maximum height is six (6) storeys.
- 15. Additional building height and density may be considered subject to the Height and Density Bonus provisions of this Plan.




## Attachment 8 Existing Zoning and Details



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Produced by the City of Guelph  
Infrastructure, Development and Enterprise  
Development Planning

### EXISTING ZONING 1229 Victoria Road South



CITY OF  
**Guelph**  
Making a Difference

**Attachment 8 (continued)  
Existing Zoning and Details**

SECTION 5 - A ZONE - AGRICULTURAL ZONE

(1) SCOPE

The provisions of this Section shall apply in all Agricultural (A) Zones except as otherwise provided in the Special Provisions Subsection hereto.

(2) USES PERMITTED

No person shall, within any A Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A uses, namely:

- (a) an agricultural use;
- (b) an intensive agricultural use;
- (c) a single detached dwelling;
- (d) a home occupation;
- (e) a retail farm sales outlet accessory to an agricultural use;
- (f) existing churches, schools, community halls and nursing homes;
- (g) a wayside pit;
- (h) forestry and woodlots;
- (i) open space and conservation areas;
- (j) a fish and wildlife management area;
- (k) a public use.

(3) ZONE REQUIREMENTS

No person shall, within any A Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (MINIMUM) *9.88 acres* - 4.0 ha
- (b) LOT FRONTAGE (MINIMUM) - 121.9 m
- (c) SIDE YARD (MINIMUM) EACH SIDE
  - (i) Residences - 3.0 m
  - (ii) Other Permitted Uses - Equal to one-half building height but not less than 4.5 m.
- (d) REAR YARD (MINIMUM) - 7.6 m

## Attachment 8 (continued) Existing Zoning and Details

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### REDUCED LOT REQUIREMENTS

Notwithstanding anything contained in this Section, the minimum lot requirement may be reduced when:

- (i) Such lot is contained within a plan of subdivision which was registered after the 27th day of March, 1946; or
- (ii) The lot is a parcel of land created by a conveyance pursuant to the provisions of the Planning Act, 1983.

A lot so created may only be used for a use permitted under Section 5(2) and shall be subject to the following provisions:

- (iii) LOT AREA (MINIMUM) - 1 394.0 m<sup>2</sup>
- (iv) LOT WIDTH (MINIMUM) - 24.3 m
- (v) SIDE YARD (MINIMUM) EACH SIDE

- 1. Residences:
  - 1 storey - 1.8 m
  - 1 1/2 or 2 storeys - 2.4 m
  - More than 2 storeys - Equal to 1/2 building height but in no case less than 3 metres.

If a garage is not provided either attached to or forming an integral part of the main building, a minimum side yard of not less than 3 metres shall be provided.

- 2. Other Permitted Uses - Equal to 1/2 building height but in no case less than 3 metres.

- (vi) REAR YARD (MINIMUM) - 7.6 m

### (f) LIQUID MANURE STORAGE

No facility for the storage of liquid manure in association with a permitted or existing intensive agricultural use shall hereafter be erected or altered except where such facility:

- (i) is constructed of masonry, metal, pressure-treated timber or other impervious and durable material;
- (ii) is of sufficient size to accommodate the total amount of manure generated by the intensive agricultural use in any six-month period;

## Attachment 8 (continued) Existing Zoning and Details

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- (iii) is sealed to prevent surface drainage or ground water from gaining entrance; and
- (iv) is erected not closer than 15 metres to any watercourse or lot line and is not located within a required yard.

(4) SPECIAL PROVISIONS

(a) A-1 (SHOOTING RANGE/SPORTSMEN'S CLUB)

Notwithstanding any provisions of this By-Law to the contrary, within any area designated A-1 on Schedule "A" hereto, the following special provisions shall apply:

- (i) Uses Permitted
  - a shooting range;
  - a hall for meetings and banquets;
  - a sportsmen's private club;
  - 20 seasonal tourist trailers;
  - any use permitted in an A Zone.

(b) A-2 (KENNEL)

Notwithstanding any provisions of this By-Law to the contrary, within any area designated A-2 on Schedule "A" hereto, the following special provisions shall apply:

- (i) Uses Permitted
  - a kennel;
  - any use permitted in an A Zone.

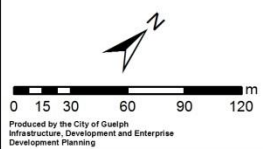
(c) A-3 (NURSING HOME)

Notwithstanding any provisions of this By-Law to the contrary, within any area designated A-3 on Schedule "A" hereto, the following special provisions shall apply:

- (i) Uses Permitted
  - a nursing home;
  - a single dwelling unit.


## Attachment 9 Proposed Zoning and Details





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Infrastructure, Development and Enterprise  
Development Planning

### PROPOSED ZONING 1229 Victoria Road South



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## Attachment 9 (continued) Proposed Zoning and Details

### **PROPOSED ZONING: "Specialized General Apartment Zone with Holding Provision" - R.4A-51(H)**

In accordance with Section 5.4 of Zoning By-law (1995)-14864, as amended, with the following site specific exceptions:

#### Rear Yard

- Despite Table 5.4.2, Row 9, the minimum Rear Yard shall be 7.5 metres, whereas the Zoning By-law requires a minimum Rear Yard of 21.52 metres.

#### Parking Area Setback

- Despite Section 4.13.2.2, every Parking Space shall be located in the Side or Rear Yard provided that no Parking Space is located within 1 metre of any Lot Line, whereas the Zoning By-law requires no Parking Space to be located within 3 metres of any Lot Line.

#### Frontage on a Street

- Despite Section 4.1, access from a Building to a public Street may be provided by way of a private Street.

#### Holding Provision (H)

##### Purpose:

- To ensure that the development of the lands does not proceed until the Owner has met certain conditions to the satisfaction of the City of Guelph.

##### Holding Provision Conditions:

- i. The developer shall design and construct traffic control signals and a southbound right turn lane at the Victoria Road South and Frederick Drive intersection, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual cost for design and construction, secured in a manner satisfactory to the City taking into account all previous contributions to these works.
- ii. The developer shall design and construct a back to back left turn lane on Clair Road East between Victoria Road South and Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual cost for design and construction, secured in a manner satisfactory to the City.
- iii. The developer shall design and construct turning lanes on Clair Road East at the intersection of Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual costs for design and construction, secured in a manner satisfactory to the City.

## Attachment 9 (continued) Proposed Zoning and Details

The following is the full excerpt of the R.4A Zone. With the exception of the three (3) provisions above and Holding Symbol, the following uses would be permitted and regulations would apply to the residential component of the development:

### 5.4 RESIDENTIAL **APARTMENT** (R.4) **ZONES**

#### 5.4.1 PERMITTED **USES**

The following are permitted **Uses** within the Residential **Apartment R.4 Zones**:

- 5.4.1.1 R.4A - General **Apartment Zone**
- **Apartment Building**
  - **Nursing Home**
  - **Home for the Aged**
  - **Retirement Residential Facility**
  - **Maisonette**
  - **Accessory Uses** in accordance with Section 4.23
  - **Home Occupation** in accordance with Section 4.19.

#### 5.4.2 REGULATIONS

Within the **Apartment R.4 Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.4.2, and the following:

- 5.4.2.1 Minimum **Side Yard** - R.4A and R.4B **Zones**  
Despite Row 8 of Table 5.4.2, where windows of a **Habitable Room** face on a **Side Yard**, such **Side Yard** shall have a minimum width of not less than 7.5 metres.
- 5.4.2.2 Minimum Distance Between **Buildings** - R.4A and R.4B **Zones**  
Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

## Attachment 9 (continued) Proposed Zoning and Details

5.4.2.2.1 The distance between the face of one **Building** and the face of another **Building** either of which contains windows of **Habitable Rooms**, shall be one-half the total height of the two **Buildings**, and in no case less than 15 metres.

TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES

Row 1	Residential Type	General <b>Apartment</b>	High Density <b>Apartment</b>	Central Business District <b>Apartment</b>	Infill <b>Apartment</b>
2	<b>Zones</b>	R.4A	R.4B	R.4C	R.4D
3	Minimum <b>Lot Area</b>	650 m <sup>2</sup>			
4	Minimum <b>Lot Frontage</b>	15 metres			
5	Maximum Density (units/ha)	100	150	200	100
6	Minimum <b>Front</b> and <b>Exterior Side Yard</b>	6 metres and as set out in Section 4.24.		3 metres and in accordance with Section 4.24.	
7	Maximum <b>Front</b> and <b>Exterior Side Yard</b>	-----		6 metres	
8	Minimum <b>Side Yard</b>	Equal to one-half the <b>Building Height</b> but not less than 3 metres and in accordance with Section 5.4.2.1.		Equal to one-half the <b>Building Height</b> but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional <b>Zone</b> . In these circumstances, a minimum of 3 metres is required.	
9	Minimum <b>Rear Yard</b>	Equal to 20% of the <b>Lot Depth</b> or one-half the <b>Building Height</b> , whichever is greater, but in no case less than 7.5 metres.		Equal to 20% of the <b>Lot Depth</b> or one-half the <b>Building Height</b> , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional <b>Zones</b> . In these circumstances, a minimum of 7.5 metres is required.	
10	Maximum <b>Building Height</b>	8 <b>Storeys</b> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.	10 <b>Storeys</b> and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68.	6 <b>Storeys</b> and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68.	4 <b>Storeys</b> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.



# STAFF REPORT

## Attachment 9 (continued) Proposed Zoning and Details

11	Minimum Distance Between <b>Buildings</b>	See Section 5.4.2.2.	See Section 5.4.2.3.		
12	Minimum <b>Common Amenity Area</b>	See Section 5.4.2.4.	None required.		
13	Minimum <b>Landscaped Open Space</b>	20% of the <b>Lot Area</b> for <b>Building Heights</b> from 1 - 4 <b>Storeys</b> and 40% of the <b>Lot Area</b> for <b>Buildings</b> from 5 - 10 <b>Storeys</b> .	The <b>Front Yard</b> of any <b>Lot</b> , excepting the <b>Driveway</b> , shall be landscaped. In addition, no parking shall be permitted within this <b>Landscaped Open Space</b> .		
14	Off- <b>Street</b> Parking	In accordance with Section 4.13.			
15	Buffer Strips	Where an R.4 <b>Zone</b> abuts any other Residential <b>Zone</b> or any Institutional, Park, Wetland, or Urban Reserve <b>Zone</b> , a Buffer Strip shall be developed.			
16	Accessory <b>Buildings</b> or <b>Structures</b>	In accordance with Section 4.5.			
17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.			
18	<b>Floor Space Index (F.S.I.)</b>	1	1.5	2	2
19	Fences	In accordance with Section 4.20.			

# STAFF REPORT



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## Attachment 9 (continued) Proposed Zoning and Details

### **PROPOSED ZONING: "Neighbourhood Commercial with Holding Provision" - NC(H)**

In accordance with Section 6.2.1.1 of Zoning By-law (1995)-14864, as amended, with the following:

#### Holding Provision (H)

Purpose:

- To ensure that the development of the lands does not proceed until the Owner has met certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions:

- i. The developer shall design and construct traffic control signals and a southbound right turn lane at the Victoria Road South and Frederick Drive intersection, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual cost for design and construction, secured in a manner satisfactory to the City taking into account all previous contributions to these works.
- ii. The developer shall design and construct a back to back left turn lane on Clair Road East between Victoria Road South and Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual cost for design and construction, secured in a manner satisfactory to the City.
- iii. The developer shall design and construct turning lanes on Clair Road East at the intersection of Samuel Drive/Megan Place, to the satisfaction of the City Engineer/General Manager of Engineering and Capital Infrastructure Services or pay the actual costs for design and construction, secured in a manner satisfactory to the City.

## Attachment 9 (continued) Proposed Zoning and Details

### 6.2 COMMERCIAL SHOPPING CENTRE ZONES

#### 6.2.1 PERMITTED USES

The following are permitted **Uses** within the Commercial Shopping Centre (NC, CC, and RC) **Zones**:

##### 6.2.1.1 Neighbourhood Shopping Centre - NC Zone

**Dwelling Units** with permitted commercial **Uses** in the same **Building** in accordance with Section 4.15.2

- **Art Gallery**
- **Artisan Studio**
- **Club**
- **Day Care Centre** in accordance with Section 4.26
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Group Home** in accordance with Section 4.25
- **Laundry**
- **Library**
- **Medical Clinic**
- **Medical Office**
- **Office**
- **Personal Service Establishment**
- **Religious Establishment**
- **Restaurant**
- **Restaurant (take-out)**
- **Retail Establishment**
- **Vehicle Gas Bar**
- **Veterinary Service**
- **Accessory Uses** in accordance with Section 4.23
- **Occasional Uses** in accordance with Section 4.21

#### 6.2.2 REGULATIONS

Within the Commercial Shopping Centre **Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations as set out in Table 6.2.2, and the following:

- ##### 6.2.2.1 Maximum Gross Floor Area Per Unit - NC Zone 625 m<sup>2</sup>.

**Attachment 9 (continued)  
Proposed Zoning and Details**

6.2.2.2 Special Regulations for **Vehicle Gas Bars**:

6.2.2.2.1 Minimum **Setback** of Pump Islands - 7.5 metres from the curbing of the pump islands to the **Street Line** or the designated **Street Line** as set out in Section 4.24.

Despite the above, canopies over pump islands and underground storage tanks are allowed to project up to 1.5 metres from the **Street Line**.

6.2.2.2.2 Entry Ramps

There shall be no more than one entry ramp for each 15 metres of **Street** frontage and the width of any entry ramp shall not exceed 9 metres at the **Street Line**.

6.2.2.2.3 Minimum **Front** or **Exterior Side Yard**

Despite Row 5 of Table 6.2.2, the minimum **Front** or **Exterior Side Yard** for a **Vehicle Gas Bar** shall be 15 metres and as set out in Section 4.24.

6.2.2.2.4 Minimum **Rear Yard**

Despite Row 7 of Table 6.2.2, the minimum **Rear Yard** for a **Vehicle Gas Bar** shall be 1.5 metres.

6.2.2.2.5 Surfacing

The surfaces of all ramps, **Driveways**, service areas, and off-**street** loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

6.2.2.3 Regulations Governing **Car washes, Automatic** and **Car washes, Manual**

6.2.2.3.1 Entry Ramps

There shall be no more than one entry ramp for each 15 metres of **Street** frontage and the width of any entry ramp shall not exceed 9 metres at the **Street Line**.

6.2.2.3.2 Number of **Vehicle** Standing Spaces - in accordance with Section 4.13.4.2.

6.2.2.3.3 Surfaces

The surfaces of all ramps, **Driveways**, service areas, and off-**street** loading areas shall be surfaced with a capped, hard top

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## Attachment 9 (continued) Proposed Zoning and Details

substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

### 6.2.2.3.4

#### Enclosed Operations

Despite Section 4.22, the following shall apply to car wash establishments in the CC and RC **Zones**:

#### 6.2.2.3.4.1

All of the operations of a **Car wash, Automatic** or **Car wash, Manual** shall be conducted within an enclosed **Building** except for the moving and storage of **Vehicles**.

#### 6.2.2.3.4.2

Despite Section 6.2.2.3.4.1, on-site vacuuming devices, and wiping or drying areas, where provided may be located outside the **Main Building**

### 6.2.2.3.5

#### Vehicle Storage Space

A minimum of 2 **Vehicle** storage spaces per bay shall be provided.

### 6.2.2.3.6

#### Vehicle Standing Space Dimensions

Each **Vehicle** standing space shall have minimum dimensions of not less than 6 metres by 2.4 metres.

### 6.2.2.3.7

#### Location of Vehicle Area

#### 6.2.2.3.7.1

Despite the provisions of Section 4.13.2.3, required **Vehicle** standing spaces and **Vehicle** storage spaces may be located ahead of the **Setback** line.

#### 6.2.2.3.7.2

**Vehicle** standing spaces shall be arranged in a continuous line or lines leading into the washing bay or bays in such a way so as not to interfere with the movement of traffic on public **Streets** and the normal functioning of the site.

#### 6.2.2.3.7.3

**Vehicle** storage, standing, loading and wiping areas shall not be permitted within 3 metres of any public **Street**.

#### 6.2.2.3.7.4

Public **Streets**, lanes and other public places shall not be **Used** for the storage, standing, wiping and maneuvering of motor **Vehicles** in any manner as if they were part of the car wash premises.

## Attachment 9 (continued) Proposed Zoning and Details

TABLE 6.2.2 - REGULATIONS GOVERNING COMMERCIAL SHOPPING CENTRES

Row 1	Commercial Type	Neighbourhood (NC) Shopping Centre	Community (CC) Shopping Centre	Regional (RC) Shopping Centre
2	Minimum <b>Lot Area</b>	2,000 m <sup>2</sup>	7,500 m <sup>2</sup>	100,000 m <sup>2</sup>
3	Maximum <b>Lot Area</b>	7,500 m <sup>2</sup>	50,000 m <sup>2</sup>	--
4	Minimum <b>Lot Frontage</b>	30 metres	50 metres	100 metres
5	Minimum <b>Front and Exterior Side Yard</b>	3 metres and in accordance with Section 4.24.		
6	Minimum <b>Side Yard</b>	One-half the <b>Building</b> Height but not less than 3 metres.	10 m or twice the <b>Building Height</b> whichever is greater, but not less than 15 metres where a <b>Side Yard</b> abuts a Residential or Urban Reserve <b>Zone</b> .	
7	Minimum <b>Rear Yard</b>	One-half the <b>Building</b> Height but not less than 3 metres.	10 m or twice the <b>Building Height</b> whichever is greater, but not less than 15 metres where a <b>Side Yard</b> abuts a Residential or Urban Reserve <b>Zone</b> .	
8	Maximum <b>Building Height</b>	2 <b>Storeys</b> to a maximum of 10 metres and in accordance with Sections 4.16 and 4.18.	3 <b>Storeys</b> to a maximum of 15 metres and in accordance with Sections 4.16 and 4.18.	8 <b>Storeys</b> to a maximum of 30 metres and in accordance with Sections 4.16 and 4.18.
9	Minimum <b>Gross Floor Area</b>	--	1,875 m <sup>2</sup>	31,250 m <sup>2</sup>
10	Maximum <b>Gross Floor Area</b>	1,875 m <sup>2</sup> and in accordance with Section 6.2.2.1.	12,500 m <sup>2</sup>	75,000 m <sup>2</sup>

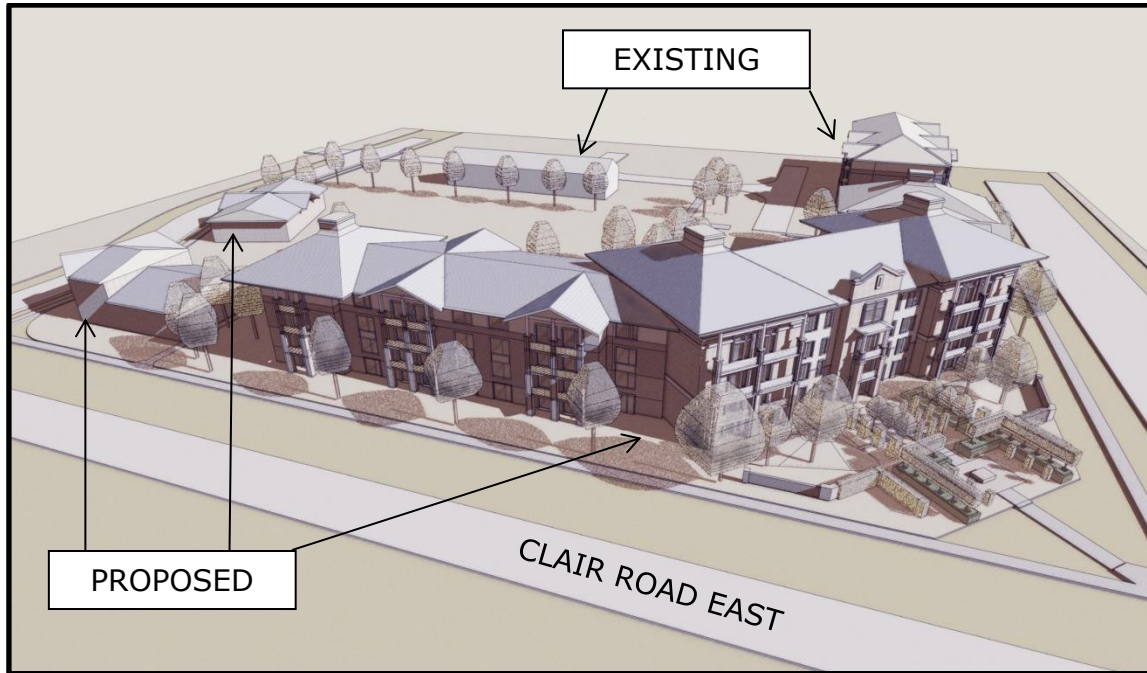
## Attachment 9 (continued) Proposed Zoning and Details

11	Minimum <b>Landscaped Open Space</b>	9% of the <b>Lot Area</b> .
12	Planting Area	A landscaped strip of land, 3 metres in width shall be maintained adjacent to the <b>Street Line</b> , except for those areas required for entry ramps.
13	Buffer Strips	Where a NC, CC, or RC <b>Zone</b> abuts any Residential, Institutional, Park, Wetland, or Urban Reserve <b>Zone</b> , a Buffer Strip shall be developed.
14	Off- <b>Street</b> Parking	In accordance with Section 4.13.
15	Off- <b>Street</b> Loading	In accordance with Section 4.14.
16	Enclosed Operations	In accordance with Section 4.22.
17	Accessory <b>Buildings</b> or <b>Structures</b>	In accordance with Section 4.5.
18	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
19	Fences	In accordance with Section 4.20.





## Attachment 10 (Continued) Proposed Site Plan and Renderings

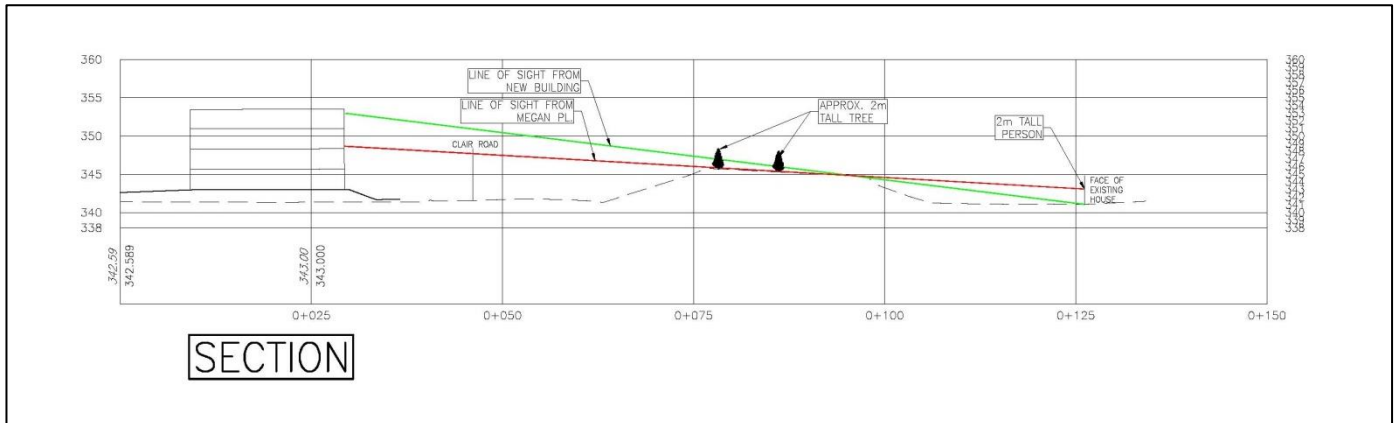


**Attachment 10 (Continued)**  
**Proposed Site Plan and Renderings**



(From revised Urban Design Brief, prepared by GSP Group, March 2016)

## Attachment 11 Sightline Analysis



(Prepared by Stantec for Reid's Heritage Homes, April 2016)



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## Attachment 13 Staff Review and Planning Analysis

### 2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development and is issued under the authority of Section 3 of the *Planning Act*. In general, the PPS promotes efficient use of land and development patterns and addresses matters of provincial interest in land use planning. As per section 4.2, all planning decisions shall be consistent with the PPS. Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns with an appropriate range and mix of residential and employment (including commercial) and other uses to meet long term needs [1.1.1 a), b)]. Also, development must avoid land use patterns that may cause environmental concerns, and be cost-effective, ensuring the necessary infrastructure is in place to meet the projected needs [1.1.1 c), e), g)].

Policy 1.1.3 requires development in settlement areas to use land and resources wisely, considering opportunities for intensification and redevelopment. Specifically, densities are to be appropriate for and efficiently utilize the infrastructure and public service facilities that are planned or available. In addition, land use and development patterns in settlement areas are to be efficient, transit supportive and take into account existing building stock [1.1.3.1, 1.1.3.2 a), b), 1.1.3.3]. New growth within designated growth areas should occur next to the built up area and have a compact form and mix of uses and densities [1.1.3.6].

Economic development shall be promoted through encouraging compact, mixed-use development incorporating compatible and appropriately scaled employment uses to support liveable and resilient communities [1.3.1 c)]. With the proposed Official Plan and Zoning By-law Amendment, development of the subject lands will be contributing to providing an appropriate mix of residential and commercial uses within the larger Westminster Woods neighbourhood.

Section 1.6.6 of the PPS outlines policies for planning for sewage, water and stormwater services. Particularly for stormwater, changes in water balance should be minimized, and stormwater best management practises such as low-impact development (LID) should be promoted [1.6.6.7 e)]. The proposed development will be on full municipal services, and Engineering staff have confirmed that capacity is available to fully service the proposed development [1.6.6.2] (See Engineering staff comments in Attachment 15). Detailed Stormwater management design will be reviewed through site plan approval.

# STAFF REPORT



To summarize the above, the proposed development will provide a mix of residential and commercial uses in a greenfield area at a transit supportive density. The development will make more efficient use of land through developing a vacant and underutilized parcel that is designated for development. Further, the development of the subject lands will significantly complete the full build out of the Westminster Woods neighbourhood, which has been gradually developed over the past 15 years (See Attachment 12).

Policy Section 2.0 of the PPS – Wise Use and Management of Resources speaks to long-term prosperity, environmental health and social well-being. With any development, the City must protect the quality and quantity of water. This is achieved by identifying water sources and implementing restrictions on development and site alteration to protect municipal drinking water supplies and ground water along with associated hydrologic functions, thereby minimizing any potential negative impacts [2.2.1 b) c), e) 1. 2.]. Also, stormwater management (SWM) practises are to be implemented that minimize volumes and contaminant loading [2.2.1 h)].

Policy Section 2.6 speaks to cultural heritage and archaeology. Development and site alteration is not permitted on lands containing archaeological resources or on areas of archaeological potential unless the significant archaeological resources have been conserved [2.6.2]. Archaeological clearance has been satisfied in earlier phases of the Westminster Woods subdivision.

In Planning staff's opinion, the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the 2014 Provincial Policy Statement. As the City's Official Plan is to be the main instrument for implementation of the PPS in Guelph [4.7], a more detailed review on how the proposed Official Plan and Zoning By-law Amendments are consistent with the above PPS policies as well as policies in the City's Official Plan will be outlined below in this analysis.

## **Places to Grow: Growth Plan for the Greater Golden Horseshoe**

The *Growth Plan for the Greater Golden Horseshoe* (the Growth Plan) issued under the *Places to Grow Act* contains policies to direct development to settlement areas. The Growth Plan aims to plan and build compact, vibrant and complete communities. The subject lands are within the City of Guelph settlement area and are designated and available in the City's Official Plan for urban development.

Specifically, the property is within the City's Designated Greenfield Area (DGA). Within the City's entire DGA, the minimum density is to be 50 people and jobs per hectare [2.2.7.2, 2.2.7.3]. In accommodating new growth, communities will be planned to be compact, transit supportive and have easy access to stores and services [2.2.2 c), 2.2.2 h)].

New development within the DGA is to be planned, designated, zoned and designed to contribute to creating complete communities. New development is to provide a diverse mix of land uses that include residential and employment to support vibrant neighbourhoods [2.2.7.1].

# STAFF REPORT

The proposed development for the subject site will combine a new multiple residential development with an associated walkable neighbourhood commercial component that will assist in serving the day-to-day needs of the surrounding Westminster Woods and Rolling Hills residents. The proposed development is compact, mixed use, and transit supportive and will contribute to the City's required DGA density targets. Overall, the proposed development is an efficient use of land and conforms with and meets the objectives of the *Growth Plan for the Greater Golden Horseshoe*.

## **Official Plan (September 2014 Consolidation)**

The portion of property subject to the Official Plan Amendment (to be known as OPA 64) and Zoning By-law Amendment applications is currently designated as "General Residential" in the Official Plan (See Attachment 5).

Policy 9.4.2 of the Official Plan provides eight (8) criteria to evaluate when considering an application to amend the Official Plan. The proposed Official Plan Amendment to change the land use designation on a portion of the subject lands from "General Residential" to "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" satisfies the eight (8) criteria in Policy 9.4.2 of the Official Plan, as outlined below.

- a) *The conformity of the proposal to the goals and objectives of the Official Plan.*

**Staff Comment:** The proposed Official Plan Amendment satisfies the goals and objectives of the Official Plan. The Major Goals of the Official Plan are within Section 2.3. Goal 2.3.2 is to promote a compact and staged development pattern to maintain a distinct urban/rural separation and to avoid sprawl and premature development. The commercial component of the proposed development that is subject to the Official Plan Amendment application places neighbourhood scale commercial development at the northeast corner of Clair Road East and Samuel Drive, and is within walking distance of existing low rise residential developments within the Westminster Woods neighbourhood. The commercial development is integrated closely within the surrounding residential uses, and provides an appropriate transition to rural lands further to the east across Victoria Road South. Comments on the Official Plan's Staging of Development (Schedule 4) policies will be provided later in this report.

Goal 2.3.4 is to direct development to areas where municipal services and related physical infrastructure are most readily or can be made available, considering existing land uses and other related factors. Engineering staff have confirmed that adequate municipal services are in place to support the proposed development. Engineering staff are still working with the applicant's Engineering consultants to determine the extent of any required area road improvements required such as the addition of new turning lanes and traffic signals. If these improvements are determined to be required as a result of

the proposed development and are influenced by the overall development of the Westminster Woods Community, they will be at the developer's expense and can be easily modified into the existing road network.

Section 3.3 of the Official Plan establishes the urban form policies of the City. This builds upon the major goals discussed above in Section 2.3. Policy 3.3.1 of the Official Plan requires the City to promote a compact urban form and a gradual expansion of existing urban development. Specifically, this will be achieved by several measures, such as promoting mixed use development in appropriate locations to provide residents with the opportunity to live, work and shop in close proximity [3.3.1 e)].

Commercial land uses in the City also have a set of objectives in Section 7.4 of the Official Plan. These objectives include encouraging the distribution of local convenience and neighbourhood commercial uses to locations within convenient walking distance of residential areas and to promote their development in a manner that is compatible with the residential environment [7.4 d)]. Approximately 807 square metres (8,686 square feet) of commercial gross floor area is proposed in two (2) separate buildings. These commercial buildings are situated directly across from existing single detached dwellings on Samuel Drive, and is within short walking distance to a mix of residential uses such as additional single detached dwellings, cluster townhouses and apartment buildings in Westminster Woods. The proposed scale and placement of the commercial buildings is appropriate and compatible with the surrounding residential environment (see proposed site plan and renderings in Attachment 10).

The proposed Official Plan Amendment will contribute to creating a complete community in the surrounding area and Westminster Woods neighbourhood, and in providing a range commercial uses to surrounding residents. The development will create a mix of commercial and residential land uses on the subject lands. The variety of small scale commercial uses in close proximity to residential uses will contribute to reducing the need for and length of vehicular trips.

The Official Plan does not identify any designated Significant Natural Areas on or immediately adjacent to the surrounding lands. As such, the natural environment is being adequately protected.

- b) *Suitability of the site or area for the proposed use, especially in relation to other sites or areas of the City.*

**Staff Comment:** The portion of the subject lands proposed to be redesignated to "Neighbourhood Commercial Centre (4650 m<sup>2</sup>)" are appropriate and suitable for a neighbourhood commercial development.



The proposed neighbourhood commercial lands are within the southeast corner of the Westminster Woods neighbourhood, with close access to two (2) arterial roads being Clair Road East and Victoria Road South. The opposite southwest corner of the neighbourhood contains the Clair/Gordon Mixed Use Community Node with commercial uses that are intended to serve the residents living and working in the nearby neighbourhoods and the wider City as a whole. The northwest and northeast corners of the larger neighbourhood bound by Arkell Road, Victoria Road South, Clair Road East and Gordon Street also have designated neighbourhood commercial lands in the current Official Plan. Although the north two corners are not within the Westminster Woods neighbourhood, they are within the larger major block outlined above that contains a significant residential population in the City's south end.

In Planning staff's opinion, permitting additional neighbourhood commercial in the southeast quadrant of the larger neighbourhood block will continue the practise to anchor each of the major corners with an appropriately scaled commercial development. The neighbourhood commercial uses proposed for the subject lands will be similar to the neighbourhood commercial development and uses that currently exists in the northeast corner of the block at Victoria Road South and Arkell Road (Arkell Crossing commercial mall/plaza).

Through site plan control, staff will ensure that the design of the commercial buildings is compatible with and compliments the existing single detached dwellings along the west side of Samuel Drive. This will include appropriate building façade material treatments, landscaping, exterior lighting, signage and pedestrian connections. Further, all off-street parking for the commercial buildings will be situated to the rear of the commercial buildings, accessed by a new driveway to Samuel Drive. Engineering staff have expressed no operational concerns with the proposed new driveway to Samuel Drive, but have indicated that Clair Road East will require a dedicated eastbound left-turn lane to the existing intersection with Samuel Drive. Any portions of the off-street parking that is visible from Samuel Drive will be screened from view through appropriate landscaping treatments. The design of the site will also encourage pedestrian connectivity into the site and commercial unit entrances directly from a future public sidewalk along the east side of Samuel Drive.

- c) *Compatibility of the proposed use with adjacent land use designations.*

**Staff Comment:** The proposed neighbourhood commercial component to the proposed development is compatible with the predominantly low and mid-rise residential development that surrounds it in the Westminster Woods neighbourhood.

In the City's commercial land use hierarchy within the Zoning By-law, the Neighbourhood Commercial Zone is the second least intensive zoning category of the four (4) main commercial uses, before the Convenience Commercial Zone. The more intensive commercial categories in the Zoning By-law include the Community Shopping Centre Zone and the Regional Shopping Centre Zone. In the Neighbourhood Commercial Zone, uses that would not be compatible with the predominantly low rise residential surroundings of the subject property are not permitted as of right, such as a carwash (automatic or manual), a garden centre, a tavern, and a funeral home. Components of a commercial development that are not compatible adjacent to residential developments will also be restricted, such as prohibiting outdoor patios. Outdoor patios are prohibited as of right in the Zoning By-law for any property with more than one (1) lot line that adjoins lands in any residential zone.

A minimum three (3) metre wide buffer strip with appropriate landscaping and fencing will be provided along the northerly property line to mitigate any impacts from the proposed commercial development on the townhouse units directly to the north.

In Planning staff's opinion, there will be no adverse impact on surrounding properties with the proposed development and associated commercial land uses established by the proposed Official Plan Amendment. Detailed design of the commercial component will be further refined through site plan control to ensure a suitable transition and interaction to the existing low rise residential uses in the neighbourhood, while meeting the urban design policies of the Official Plan.

- d)-e) *The need for and the market feasibility of the proposed use, in light of projected population and employment targets.*

**Staff Comment:** The proposed Neighbourhood Commercial component of the development will introduce a range of commercial uses to the largely built out Westminster Woods Neighbourhood. The applicant's request for an Official Plan Amendment is responding to local market demand as well as the ultimate development of these lands as envisioned by the City through proposing to designate a similar portion of the property "Neighbourhood Commercial" through OPA 48. The scale and nature of the proposed neighbourhood commercial development is considered appropriate and viable to continue to introduce a greater mix of land uses to serve the surrounding residential communities. The proposed commercial uses will provide area residents with convenient access to day-to-day goods and services. The proposed development will not have an adverse impact on other commercial or employment lands within the City as at a neighbourhood scale and intended to serve multiple smaller businesses rather than a large single commercial use development.

# STAFF REPORT

- f) *The extent to which the existing areas of the City designated for the proposed use are developed or are available for development.*

**Staff Comment:** The majority of other areas of the City designated “Neighbourhood Commercial Centre (4650 m<sup>2</sup>)” that are vacant and available for development are adjacent to recent and ongoing residential developments, similar to the subject site. The areas of the City designated “Neighbourhood Commercial Centre (4650 m<sup>2</sup>)” within the built up areas of the City are predominantly occupied by commercial developments. The proposal to add additional Neighbourhood Commercial lands to the Westminster Neighbourhood is consistent with this pattern.

In addition, OPA 48 proposes to redesignate a portion of the subject lands as “Neighbourhood Commercial”. Planning staff completed a review of commercial lands within this area of the City through OPA 48. It was determined at this time that additional Neighbourhood Commercial intended to serve the daily needs of residents in the surrounding neighbourhoods was desirable and consistent with the City’s policy goals of creating complete and compact communities with a variety and mix of uses.

In Planning staff’s opinion, the addition of smaller scale commercial uses into this area of the City would not detract from other existing or planned commercial areas. Commercial uses that will occupy the proposed development would be at a neighbourhood scale and mainly draw residents and employees from the neighbourhoods immediately surrounding the subject site as opposed to functioning on a City-wide or regional scale.

- g) *The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the natural environment.*

**Staff Comment:** The proposal represents a cost-effective and compact form of development that will make efficient use of existing services and infrastructure. During previous phases of the Westminster Woods subdivision (See Attachment 12), municipal services were extended to the subject lands in anticipation of future development. Engineering staff have confirmed that adequate water and sanitary capacity exists to service the proposed development (Attachment 15).

Through the site plan review process, staff will evaluate solid waste management requirements, and will require the applicant to submit a Waste Management Plan.

Engineering staff have reviewed a Traffic Impact Study (TIS) provided by the applicant. Upon review and discussions with the applicant’s Engineering consultant, Engineering staff have identified several required improvements to the existing road network that are influenced by the proposed development.

# STAFF REPORT

First of all, the future requirement for new traffic control signals at Victoria Road South and Frederick Drive will need to be determined by Engineering staff. A southbound right turn lane on Victoria Road South is currently required and must be provided as peak hour volumes have exceeded the threshold. All costs associated with future traffic control signals and new turning lanes at this intersection are to be the responsibility of the developer as the required improvements are triggered exclusively by traffic travelling to and from Frederick Drive and into the Westminster Woods neighbourhood.

An eastbound left turn lane on Clair Road East to Samuel Drive to accommodate traffic into the Westminster Woods Subdivision and proposed development and a matching westbound left turn lane on Clair Road East to Megan Place to maintain a consistent road alignment were identified in the TIS. A road widening on the south side of Clair Road East will be required to accommodate the addition of new turning lanes. Due to the short distance on Clair Road East between Samuel Drive/Megan Place and Victoria Road South, the TIS recommended that a back-to-back left turn lane between the two intersections be provided. Engineering staff have determined that the cost of the new turning lanes at the intersection of Clair Road East and Samuel Drive/Megan Place as well as any land acquisition for the road widening on the south side of Clair Road East will be the responsibility of the developer.

Finally, the future need for a southbound right turn lane at Victoria Road South and Clair Road East will be determined by Engineering staff. However, the cost for both design and construction of this turning lane will be borne by the City as the right turn traffic from Victoria Road South to Clair Road East consists of primarily background traffic.

Discussions regarding the required road improvements as a result of the proposed development are still ongoing between Engineering staff and the applicant. Engineering staff have indicated that when the final improvements are known and agreed upon by all parties, a development agreement shall be entered into and registered on title prior to any construction commencing to ensure payment of the estimated value of the road works. Planning staff are recommending that a Holding Symbol (H) be added to both Zoning categories until such time that the final road improvements are determined and if necessary, a development agreement to ensure payment is entered into.

The Upper Grand District School Board did not object to the proposed development. Further, an extensive trail and park system has been constructed within previous phases of Westminster Woods. The developer will also be required to provide parkland dedication as per Section 42 of the *Planning Act*.

The Official Plan does not identify any significant natural heritage features on or immediately adjacent to the subject lands.

# STAFF REPORT

Considering the above, Planning staff are of the opinion and conclude that the Official Plan Amendment meets this requirement. Subject to further and ongoing review of required improvements as a result of the proposed development, through the inclusion of a Holding Symbol (H) on the proposed zoning, this will ensure that development is not able to proceed until appropriate road upgrades to support the development are committed to and financed by the developer.

h) *The financial implications of the proposed development.*

**Staff Comment:** Planning staff have reviewed the proposed development with Finance staff, and the proposed development is estimated to generate between \$1,382,993 and \$1,900,719 in residential development charges and \$76,172.23 in commercial development charges (2016 rates). For the entire development, development charges will range from between \$1,459,165.23 and \$1,976,891.23. The range in development charges is dependent on the type of residential units ultimately chosen for the apartment building. Bachelor and one (1) bedroom units have a lower development charge rate than apartment dwelling units with two (2) or more bedrooms. As of March 2, 2016, residential development charge rates are \$13,693 for bachelor and 1 bedroom units; \$18,819 for 2+ bedroom units, and \$101.02 per square metre of gross floor area (GFA) for commercial developments.

Upon reviewing the proposed development concept, Finance staff have estimated the annual tax levy of the commercial component to be \$28,000 to \$30,000. This estimation is based off each commercial unit in the development having an average rent of \$15 per square foot, and a cap rate of 8%. Finance staff have estimated the annual tax levy of the residential component to be \$292,450. This estimation is based off each unit having a uniform assessment ratio of \$275,000. These figures are based off 2016 final property tax rates.

As discussed previously, Engineering staff are recommending that a Holding symbol ("H") be included in the Zoning By-law that if necessary, requiring the developer to enter either construct prior to development commencing or into a development agreement with the City in regards to paying for improvements to the local road system that is influenced by the proposed development. These improvements would not be triggered by background traffic that would otherwise exist whether the proposed development proceeded or not. Proportionate payment for other minor works within the municipal right of way, such as new curb cuts and the extension of a sidewalk along the east side of Samuel Drive will also need to be made by the developer prior to approval of any site plan application. Engineering staff's full assessment of these payments and financial implications can be found in Attachment 15.

# STAFF REPORT

In summary, the proposed Official Plan Amendment will provide neighbourhood commercial opportunities that are intended to serve the daily needs of residents living in close proximity to the subject lands. The introduction of neighbourhood commercial lands in the southeast quadrant of the Westminster Woods neighbourhood will contribute to building a complete community with a variety and mix of land uses. Smaller scale commercial uses on the subject lands will not detract from other existing and future commercial areas of the City. The design of the commercial component will be further refined through site plan control to ensure compatibility with existing low rise residential uses that directly abut the subject lands. There is adequate servicing capacity available for the development of the subject lands, and the cost of any necessary improvements to existing roads to support the development will be the responsibility of the developer. Overall, the Official Plan Amendment conforms to the goals and objectives of the City's Official Plan, and the site is suitable for the proposed neighbourhood commercial uses. The proposed amendment satisfies all of the criteria required to be evaluated when considering an amendment to the Official Plan [Section 9.4].

## Official Plan "Neighbourhood Commercial Centre" Land Use Designation

Section 7.4.22 of the Official Plan outlines the policies that apply to lands designated "Neighbourhood Commercial Centre". Lands that are designated "Neighbourhood Commercial Centre" are comprised of one or several commercial buildings forming a compact node. Commercial uses found in this designation are intended to primarily serve the shopping needs of residents living and working in nearby neighbourhoods and employment districts. Small scale offices may also be permitted.

To prevent the creation of "strip commercial" development of multiple "Neighbourhood Commercial Centres" located directly adjacent to one another along major traffic streets such as Clair Road East, designated Neighbourhood Commercial nodes are to have a minimum separation distance of 0.5 kilometres from one another [7.4.25]. There are no other Neighbourhood Commercial nodes within 0.5 kilometres from the subject lands.

Policy 7.4.26 of the Official Plan contains a set of six (6) criteria that must be satisfied when establishing a new "Neighbourhood Commercial" designation. They are as follows:

- a) *Located with direct access to an arterial or collector road, preferably at an arterial or collector road intersection.*

**Staff Comment:** Although the proposed driveway will be located off a local road (Samuel Drive), the driveway is located 73 metres north of the intersection of Samuel Drive and Clair Road East. Clair Road East is designated in the Official Plan as an arterial road. The commercial block will be situated directly at the northeast corner of Clair Road East and Samuel Drive. Due to the spacing on Clair Road East between the intersections with

Victoria Road South and Samuel Drive/Megan Place, adding a second driveway off Clair Road East would not be appropriate from a traffic operations perspective. It is important to note that a similar portion of the subject lands is proposed to be redesignated Neighbourhood Commercial through OPA 48. As the Official Plan Amendment is being considered together with a Zoning By-law Amendment to rezone the east portion of the subject lands to a specialized General Apartment Zone and the commercial portion to the Neighbourhood Commercial Zone, the development of the subject lands should be considered and interpreted together. Considering the above, Planning staff are of the opinion that it is appropriate to establish a new Neighbourhood Commercial in the proposed location, and feel that the location meets the intent of this first criterion.

- b) *The location will contribute to the creation of a compact, well-defined node oriented to a major intersection and does not promote the creation of 'strip commercial' development along a major road.*

**Staff Comment:** The location of the lands proposed to be redesignated "Neighbourhood Commercial" will create a minor, compact and well-defined node within the Westminster Woods neighbourhood. The proposed development of the commercial component of the subject lands is a part of a larger development containing a 101-unit residential apartment building that is situated directly at the northwest corner of Victoria Road South and Clair Road East – two designated arterial roads in the Official Plan. As indicated previously, there are no other Neighbourhood Commercial lands within 0.5 kilometres of the subject lands, and the proposed development will therefore not contribute to the creation of 'strip commercial' development. The Neighbourhood Commercial component of the development also needs to be considered in the whole context of the gradual progression of the Westminster Woods community over the last 15 years (See Attachment 12). The Official Plan Amendment meets this criteria.

- c) *Designed in a manner that is compatible with the building design and use of surrounding properties.*

**Staff Comment:** The placement of the two (2) commercial buildings are proposed directly along Samuel Drive, with off-street parking located to the rear of the buildings. The one commercial building is proposed to be located directly at the northeast corner of Clair Road East and Samuel Drive (See Attachment 10). Since the submission of the Official Plan Amendment application in May 2015, Planning staff have worked closely with the applicant on their supporting Urban Design Brief, specifically ensuring the project's design goals correspond and are consistent with the Urban Design Goals of the Official Plan. As per Urban Design Planning's memo (see Attachment 15), the revised Urban Design Brief submitted in March 2016 is acceptable. Once a site plan application is submitted, detailed design of the proposed commercial buildings will be completed while referring to the Urban

# STAFF REPORT

Design Brief. Materials, landscaping treatments, and pedestrian connections will be further explored at this time so ensure the site's design elements are compatible with the building design and use of surrounding properties. The Official Plan Amendment therefore satisfies this criteria.

- d) *The location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas.*

**Staff Comment:** Engineering staff have reviewed the Traffic Impact Study (TIS) submitted by the applicant. The extent and scope of any required improvements to the existing transportation network need to be further explored such as the addition of turning lanes at Clair Road East and Samuel Drive/Megan Place and a traffic control signal at Victoria Road South and Frederick Drive. Should it be determined that such improvements are required, the developer will be required to enter into an agreement to secure proportionate payment prior to development of the lands proceeding.

Further, any noise concerns will be controlled through the City's Noise By-law. Components of commercial uses with a tendency to generate excessive noise such as outdoor patios will not be permitted, and loading areas will be small scale and designed to minimize noise impact on adjacent properties.

Signs and lighting will be further evaluated following the submission of a site plan application, and it will need to be demonstrated at this time that there will be no light trespass on adjacent private properties. Planning staff will continue to work with the developer through the site plan process to ensure the sign type and design and lighting proposed has minimal impact on adjacent residential areas.

- e) *Adequate site area will be provided for parking, loading and all other required facilities.*

**Staff Comment:** The applicant is proposing to meet or exceed all Zoning By-law requirements for the Neighbourhood Commercial zone. This includes off-street parking provisions and loading.

- f) *Adequate landscaping, screening and buffering will be provided to preserve the amenities and appearance of surrounding properties.*

**Staff Comment:** A minimum three (3) metre buffer is proposed adjacent to all adjacent properties. This buffer will be appropriately landscaped. Further, sections of the proposed off-street parking will be screened by landscaping. Final landscaping design will be determined during review of a site plan application.

In addition, more broad objectives that apply to any commercial land use designation in the Official Plan are found at the beginning of Section 7.4. Objective



# STAFF REPORT

d) is to encourage the distribution of local convenience and neighbourhood commercial uses to locations that are within convenient walking distance of residential areas. Further, their development is to be promoted in a manner that is compatible with the natural environment. In Planning staff's opinion, the Official Plan Amendment achieves this goal.

## Official Plan "General Residential" Land Use Designation

The General Residential land use designation permits all forms of residential development, with the general character of development being low-rise, ground oriented housing forms. As per Section 7.2.32 of the Official Plan, the net density of development within the General Residential designation is not to exceed 100 units per hectare (40 units/acre).

Section 7.2.7 of the Official Plan permits apartment buildings within the General Residential designation, subject to four (4) criteria – that the building form, massing, appearance and siting are compatible in design, character and orientation with the buildings in the immediate vicinity; that the proposal can be adequately served by shopping, schools, parks and recreation facilities; that vehicular traffic generate can be accommodated with minimal impact on area roads and intersections; and finally that adequate municipal infrastructure, services and amenity areas can be provided.

In Planning staff's opinion, each of these four (4) criteria are met. An Urban Design Brief has been prepared by the applicant and was revised in March 2016 after discussions with Planning staff. In Planning staff's opinion, the revised Urban Design Brief sufficiently demonstrates how townhouses will fit within to the existing neighbourhood. For the remaining three (3) criteria, Planning staff have consulted with other City departments and external agencies and are satisfied that they are also met. Specific details on how they are met, such as traffic impacts, servicing capacity and infrastructure requirements have been previously summarized in this report.

## Growth Management Strategy

Section 2.4 of the Official Plan has policies regarding the City's Growth Management Strategy. An objective of the City's Growth Management Strategy as it pertains to developing in greenfield areas is to have a diverse mix of land uses at transit supportive densities [2.4.2 c)]. The DGA must collectively be developed to a minimum density of 50 people and jobs per hectare [2.4.10.1 a)]. Developments within the DGA will provide for a diverse mix of land uses to support vibrant neighbourhoods and have high quality urban design [2.4.10.1 d), e)]. The subject site is located within the DGA and proposes development at a density of approximately 136 persons and jobs per hectare, which will contribute towards meeting the Growth Plan's Greenfield density requirement of 50 persons and jobs per hectare.

Overall the proposed development consisting of 101 apartment dwelling units and 752.7 square metres of neighbourhood commercial will contribute to making

# STAFF REPORT



Westminster Woods a vibrant and complete neighbourhood, and will be well integrated with the existing development that surrounds the site. The proposed development is consistent with and conforms to the Growth Management policies in the Official Plan.

## Staging of Development

The subject lands are subject to the City's staging of development policies in Section 4.2 of the Official Plan. These policies are intended to guide the rate and direction of new development in greenfield areas by the City's ability to extend municipal services and by the City's ability to meet the financial obligations for the provision of the required services. New development is to be staged in accordance with the sequence of staging areas as per Schedule 4 of the Official Plan.

Schedule 4 of the Official Plan identifies the subject lands as within 'Stage 2'. As per Section 4.2.2 b), development proposals within Stage 2 will be considered as services become available and as Council indicates that the City is prepared to provide the required trunk sewer services.

The subject lands are further identified as "Stage 4" on Schedule 4B of the Official Plan. Schedule 4B identifies phasing for lands within the South Guelph Secondary Plan area. Similar to the city-wide phasing policies discussed above, the secondary plan phasing policies also require a review of the treatment capacities of the City's water, wastewater and waste management systems to determine the adequacy of the facilities and any required improvements to the systems [4.2.5].

The provision of municipal services to accommodate the anticipated development of the subject lands was designed through the approval of the Westminster Woods East draft plan of subdivision. Engineering staff have also reviewed the proposal, and supporting studies provided by the applicant such as the Functional Servicing Report (FSR), and have confirmed that adequate and full municipal services are available (See Engineering comments in Attachment 15). With regards to the South Guelph Secondary Plan phasing policies, the subject lands are proposed to be removed from "Stage 4" through Official Plan Amendment No. 48 (OPA 48).

## Community Energy Initiative

The applicant has provided a letter summarizing how their proposed development will meet the goals and objectives and support the City's Community Energy Initiative (CEI) through the implementation of several conservation measures and construction techniques (Attachment 14). This is consistent with Section 6 of the Official Plan.

In conclusion, the proposed Official Plan Amendment and Zoning By-law Amendment conforms with the Official Plan.

# STAFF REPORT



## **Official Plan Amendment #48**

On June 5, 2012, the City adopted Official Plan Amendment No. 48 (OPA 48), a comprehensive update to the Official Plan. The Minister of Municipal Affairs and Housing approved OPA 48 with modifications on December 13, 2013. OPA 48 is currently under appeal and not yet in effect. However, consideration must be given to the policies of OPA 48 since these they provide current guidance for development within the City and within the context of the Provincial Growth Plan.

OPA 48 proposes to designate the commercial block as "Neighbourhood Commercial Centre" and the residential block as "Medium Density Residential".

The Neighbourhood Commercial Centre designation permits commercial, retail and service uses, small-scale offices and community services and facilities that are compatible with and within a convenient walking distance of residential areas [9.4.4]. These areas are intended to serve the day-to-day shopping needs of residents living and working in nearby communities. In keeping with the current Official Plan, OPA 48 also requires Neighbourhood Commercial areas to have a minimum separation distance between other lands designated Neighbourhood Commercial to avoid strip commercial development. Further, the maximum gross floor area is to be 4,650 square metres of GFA, with a maximum building height of six (6) stories. The proposed commercial development meets these policies, and is well below the maximum GFA and height.

As OPA 48 is under appeal and not yet in effect, the proposal to redesignate the commercial portion to Neighbourhood Commercial at this time necessitates the submission of this Official Plan Amendment. If OPA 48 were to be in effect, an Official Plan Amendment would not be required to permit the commercial portion of the proposed development.

The Medium Density Residential designation permits multiple unit residential buildings such as townhouses and apartments. The minimum height of residential buildings in the Medium Density Residential designation is to be two (2) storeys and the maximum height is (6) stories. The density range for the Medium Density Residential designation is between 35 and 100 units per hectare. The density of the proposed 101-unit apartment building development is 93 units per hectare, which is within the density range of the Medium Density Residential designation.

Overall, the proposed mixed use commercial development conforms to the goals and objectives of OPA 48.

## **Review of Proposed Zoning**

The requested rezoning of the subject site to the R.4A-51(H) on the eastern two thirds, and to NC (H) on the western third is appropriate to accommodate the development of an apartment building and neighbourhood commercial mall.

## **Holding Provision/Symbol**

Under the authority of Section 36 of the *Planning Act* and Section 9.10.7.1 a) of the

# STAFF REPORT

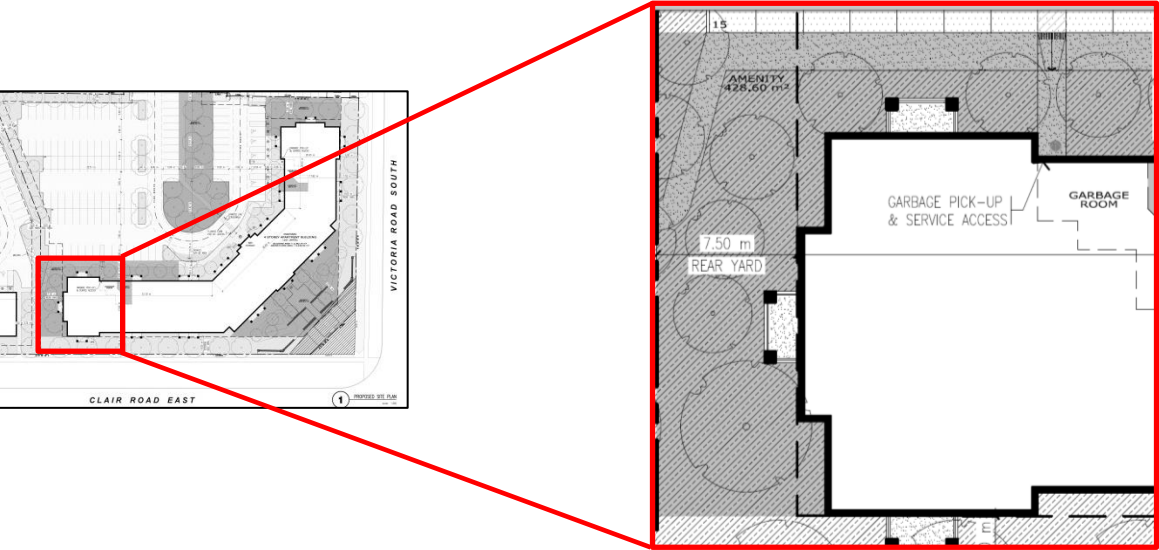
Official Plan, Staff are recommending that a Holding Symbol ('H') be placed on both the specialized R.4A-51(H) and NC(H) Zoning due to the requirement to construct or secure funding for necessary road improvements in the area that are influenced by the proposed development. Engineering staff have requested that any required road upgrades be constructed at the developer's expense prior to development of the subject lands proceeding, or that the developer enter into an agreement to secure a financial contribution for their share of future construction. Once the road improvements are constructed or an agreement to pay for the actual cost to design and construct the road improvements is executed, the developer can apply to the City to amend the zoning to have the Holding Symbols lifted.

The wording and conditions of the proposed Holding symbol can be found in Attachment 4.

### Rear Yard Setback

As a specialized provision to the proposed R.4A-51(H) Zone, the applicant has requested a reduced rear yard setback of 7.5 metres whereas the Zoning By-law requires the rear yard setback of any apartment development within the R.4A Zone to be 20% of the lot depth or one-half of the building height, whichever is greater but in no case less than 7.5 metres. Using this provision being 20% of the lot depth, the required rear yard setback in this case would be 21.52 metres.

The subject lands are bound on three (3) sides by public roads and on the north side by a private road. Where a property abuts more than one public road, as per the definition of Front Yard Line in the Zoning By-law, the Front Yard Line is the shortest of the lines. As the shortest road frontage is along Victoria Road South, the rear yard would be between the west façade of the proposed apartment building and the future lot line dividing the residential component and the commercial component of the development. The diagram from the proposed site plan below shows the location rear yard, and identifies the requested specialized rear yard setback of 7.5 metres.



# STAFF REPORT

While the location outlined above is the technical rear yard as per the definition in the Zoning By-law, by design, this location will not function as the rear yard for the development. Rather, it will function and appear more as a side yard from Clair Road East. By design, the rear yard will appear to be on the north side of the proposed apartment building and contain the surface parking area as well as amenity space. The requested rear yard setback also meets the minimum 7.5 metres recommended in the Zoning By-law. Planning staff are therefore supportive of this specialized provision to reduce the technical rear yard setback to 7.5 metres.

## **Access from Private Road**

The residential portion of the development proposes to use existing private roads in the Kingsbury Square condominium development to the north to obtain vehicular access. As per Section 4.1 of the Zoning By-law, no building or structure shall be built on any lot unless the said lot abuts a public street. For the purposes of this section, private lanes shall not be considered to be streets.

Planning staff are supportive of the requested specialized provision to the R.4A-51(H) Zone to permit access to a private street. Similar provisions exist in the site specific zoning for the Kingsbury Square development to the north, and would extend similar provisions onto the site of the proposed apartment building. The apartment building will also function as a continuation of the Kingsbury Square development to the north. Prior to site plan approval, the applicant would need to demonstrate to Planning staff that all necessary access easements are in place and registered to permit residents and users of the residential lands to access and travel over private roads.

## **Parking Space Setback**

The off-street and surface parking area for the proposed apartment development is proposed to be an extension of and integrated with the existing parking area for the Kingsbury Square development to the north. As such, a standard 3.0 metre setback is not required for most of the parking spaces, especially along the northern lot line.

From the current site plan (See Attachment 10), several parking spaces along the future lot line between the residential and commercial portion and lot line to the existing townhouses in Kingsbury Square are also less than the required three (3) metre setback. This modification to the parking design was made following the Public Meeting in October 2015 and in response to Planning staff's concerns regarding placement of common amenity areas, green space in the parking lot and walkway connections. Due to the addition of a central landscaped walkway through the parking lot to better connect the residential component to the Kingsbury Square development to the north, some of the parking spaces needed to be shifted further east. The specialized provision would also recognize these parking spaces to permit them to be a minimum of one (1) metre to the future and existing eastern lot lines. Planning staff are supportive of this specialized provision.

# STAFF REPORT



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## **Comments from Statutory Public Meeting**

The following additional matters were raised by Council and members of the public before and during the statutory Public Meeting in October 2015.

### **Privacy to Existing Residential Development**

Concerns were raised by members of the public regarding privacy of existing estate residential on Megan Place, directly south of the subject site. The concerns were primarily regarding impacts from the four (4) storey apartment to rear yards of the estate residential dwellings across Clair Road East.

In response to these concerns and following discussions with Planning staff, the applicant prepared a sightline analysis (see Attachment 11). This sightline analysis shows that residents from the fourth floor of the proposed apartment building may at times be able to see into the immediate rear yards of the single detached dwellings across Clair Road East on Megan Place. An existing vegetated berm with a mix of coniferous and deciduous trees is located on the south side of Clair Road East, and will provide significant screening. As the existing vegetation on the berm continues to mature, the naturalized screening will improve and expand over time, ultimately screening full views.

It should be noted that the City's intention for medium density residential as well as commercial on the subject lands was identified through Council's adoption of OPA 48 in June 2012. As per the Land Use Schedule of OPA 48 (See Attachment 7), the subject lands have been identified as "Medium Density Residential" on the east portion and "Neighbourhood Commercial on the west portion.

### **Agricultural Zoned Lands**

Questions were raised at the Public Meeting as to where existing zoned agricultural lands were located. Referring to the existing Zoning Map in Attachment 8, the subject lands are currently zoned Agricultural (A) from the former Township of Puslinch Zoning By-law No. 19/85. The City inherited this zoning from the Township of Puslinch when the subject lands were annexed into the City's boundaries in 1993 from the Township of Puslinch. The Agricultural zoning has remained the same since this time.

Additional Agricultural lands exist further to the east, across Victoria Road South, however these lands are outside of the City of Guelph's corporate boundary in the Township of Puslinch.

### **Commercial Policy Review**

The need for additional commercial land was questioned during the Public Meeting, and whether a full Commercial Policy Review was required. While Policy Planning staff will be commencing a full, city-wide Commercial Policy Review in the coming year, additional Neighbourhood Commercial uses on a portion of the subject lands was already identified through Council's adoption of OPA 48 in June 2012.

# STAFF REPORT



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## **Source Water Protection**

### Permeable Pavers

The City's Risk Management Official (RMO - Peter Rider) for source water protection planning has reviewed the discussion that took place at the Public Meeting in October 2015 regarding the use of permeable pavers and porous pavement materials. The City's RMO has determined that the decision to use porous pavement materials is up to the individual property owners. In addition, the City is currently reviewing the advantages and disadvantages of using permeable pavers, and as such, they will be evaluated on a site-by-site basis.

### Salt Management Plan

Under the *Clean Water Act* and associated regulations, the application of road salt and the handling and storage of road salt are prescribed drinking water threats. The City's Source Protection Plan came into effect July 1, 2016 and City of Guelph Source Protection Plan policies CG-MC-29 and CG-MC-32.1 requires new development to be designed based on best management practices for the handling and storage of salt and best management practices for the storage of snow and the management of associated meltwater. This requires proponents to prepare a Salt Management Plan as part of their submission for new developments in the City. The City's RMO will review the applicant's Salt Management Plan to ensure that the report is satisfactory at the subsequent site plan approval stage.

## **Urban Design**

The City's Urban Design Planning staff have reviewed the proposed Official Plan Amendment and Zoning By-law Amendment and has also been reviewing the site plan submission for the 101-unit apartment building (File SP15A049) with the applicant, and has provided a memo summarizing their comments and recommended zoning provisions (Attachment 15). Specifically, Urban Design Planning staff suggested specialized provisions be added to the NC(H) zoning that require a consistent setback along Clair Road East and Victoria Road South. An additional specialized provision for a minimum building height for the commercial building immediately at corner of Clair Road East and Samuel Drive was also suggested. Upon further discussion, Planning staff have determined that this will be further addressed through site plan approval, while referring to the Urban Design Brief, rather than through specialized zoning provisions.

## Attachment 14 Community Energy Initiative Commitment



6783 Wellington Road 34, RR 22  
Cambridge ON N3C 2V4  
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TF: 877.88.REIDS  
F: 519.654.9746

April 26, 2016

City of Guelph  
Planning, Urban Design and Building Services | Infrastructure, Development and Enterprise  
1 Carden Street  
Guelph, ON N1H3A1  
**Attention: Michael Witmer, Development Planner II**

### RE: ZC1507/OP1501 (1229 Victoria Road South) - Community Energy Initiative

Michael,

Please accept this letter outlining Reid's Heritage Homes Ltd. ("Reid's Heritage") commitment to the City's Community Energy Initiative.

Reid's Heritage has a long history of building energy efficient homes and advancing sustainable building practices. Notably, in 2012, Reid's Heritage was the first home builder in Canada to receive the ENERGY STAR® Participant Award from the federal Ministry of Natural Resources.

Reid's Heritage has also been a leader in championing the Blue Built Home program within the City of Guelph, and recently received the City's 2013 Water Conservation and Efficiency Award. In addition to these recognitions, Reid's Heritage built the first LEED (and LEED Platinum) home in Canada, the first Built Green home in Ontario (also Built Green Platinum), and developed the first fully certified pilot LEED Neighbourhood Development in Canada.

Reid's Heritage is also one of the five Canadian home builders selected to participate in the national Net Zero Energy (NZE) homes demonstration project which aims to build houses which produce as much energy as they consume on an annual basis. To date, we have constructed five (5) Net Zero Homes and were recently awarded recently awarded EnerQuality's 2015 Net Zero Builder of the Year Award.

The proposed development at 1229 Victoria Road South will continue to support the City's Community Energy Initiative through the implementation of the following conservation measures:

- All dwellings will be equipped with low flow faucets and showerheads and low volume flush toilets;
- All dwellings will incorporate Low VOC (volatile organic compounds) emitting and recycled materials wherever possible;
- All dwellings will be equipped with triple glazed low emissivity windows to reduce heat loss and heat gain;
- Each resident will have access to individual controls for the Heating, Cooling, Lighting and Ventilation;

[reidsheritagehomes.com](http://reidsheritagehomes.com)



## Attachment 14 (continued) Community Energy Initiative

- The project will incorporate light fixtures which utilize energy efficient bulbs with refractor and cut-off shields to reduce energy consumption and minimize light pollution;
- Street lights will include automated controls which will turn off when natural lighting is sufficient;
- Private waste collection will be provided and will comply with the City of Guelph's three stream system;
- Drought resistant soft landscape materials will be utilized wherever possible;
- Street trees will be planted to enhance tree canopy and eventually provide cooling to the surrounding dwellings as well as contribute to the overall urban forest canopy;
- A comprehensive erosion and sediment control plan will be implemented on the site for the duration of the construction.

In addition, during construction, a construction waste management plan will be implemented and local materials will be sourced in order to reduce the environmental impact on the transportation system. There are also a number of transit routes and multi-use trails serving the Westminster Woods East community which provide residents with alternative transportation options. We believe these measures will help contribute to the City's target to reduce transportation energy use by 25%.

With this in mind, we believe the proposed development continues to demonstrate Reid's Heritage commitment to building energy efficient homes and advancing sustainable building practices. We would be happy to discuss further if you have any questions.

Regards,



**Reid's Heritage Homes Ltd.**  
Matthew Robson  
Land Development Project Manager

cc: Hugh Handy, GSP Group (by e-mail only)  
Alfred Artinger, Reid's Heritage Homes Ltd. (by e-mail only)

reidsheritagehomes.com

# STAFF REPORT

## Attachment 15 Agency and City Department Comments

Respondent	No Objection or Comment	Conditional Support	Issues /Concerns
Planning (including Urban Design)*		√	Subject to conditions in Attachment 4
Engineering*		√	Road improvements to be determined, Holding Provision Recommended; Subject to conditions in Attachment 4
Parks Planning*	√		
Environmental Planning*		√	LID stormwater management elements recommended
Zoning	√		
Source Water Protection*		√	Wellhead Protection Area (WHPA) B with a vulnerability score of 8, therefore the Dense, Non-Aqueous Phase Liquid (DNAPL) policies of Source Water Protection Plan Apply, Risk Management Plan Required
Guelph Transit*	√		
Guelph Hydro*		√	Underground hydro service provisions; Locational provisions for transformers, Subject to conditions in Attachment 4
Upper Grand District School Board*		√	Placement of school notice sign, Subject to conditions in Attachment 4
Wellington Catholic District School Board	√		
Guelph Police Service	√		
Guelph Fire	√		
Grand River Conservation Authority	√		
Guelph Wellington Development Association	√		
Union Gas Ltd.	√		

\* letter/email attached

## Attachment 15 (continued) Agency and City Department Comments

# MEMO



FILE: 16.131.001

TO: Michael Witmer  
FROM: Development and Environmental Engineering  
DEPARTMENT: Engineering Services  
DATE: May 19, 2016  
SUBJECT: 1229 Victoria Road South - Zoning By-law and Official Plan Amendment  
(OP1501/ZC1507) \*REVISED\*

The application is for a Zoning By-law and Official Plan Amendment to permit the development of a four storey apartment with 101 units as well as a commercial plaza with approximately 807 m<sup>2</sup> in two buildings. The current zoning is Agricultural with a land designation of General Residential.

The comments below are in response to the review of the following plans & reports:

- Site Plan Commercial Option 2 – BJC Architects Inc. (April 1, 2015)
- Functional Servicing Report – Stantec Consulting Ltd. (March 2015)
- Traffic Impact Study – Stantec Consulting Ltd. (March 2015)

### 1. Road Infrastructure:

*Victoria Road South* abutting the subject property is designated as a two (2) lane arterial road with asphalt pavement, curb and gutter and concrete sidewalk on the west side of the street.

*Clair Road East* abutting the subject property is designated as a two (2) lane arterial road with asphalt pavement, curb and gutter and concrete sidewalk on both the north and south side of the street.

*Samuel Drive* abutting the subject property is designated as a two (2) lane local road with asphalt pavement, curb and gutter and concrete sidewalk on the east side of the street.

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

The highlights of the traffic analysis and subsequent discussions with the applicant include the following:

- The future need for a southbound right turn lane at the Victoria Road South and Clair Road East intersection will be determined by the City of Guelph. The cost for both the design and construction of this project will be borne by the City as the right turn traffic primarily consists of background traffic.
- The future need for traffic control signals at the Victoria Road South and Frederick Drive intersection will also be determined by the City of Guelph. A southbound right turn lane at this intersection must be provided as the peak hour volumes have exceeded the threshold. Costs for the design and construction for both the turning lanes and the future traffic signals at this intersection are to be borne by the Developer as the improvements are triggered exclusively by the traffic travelling to and from Frederick Drive.
- The eastbound traffic on Clair Road East at Victoria Road intersection can be accommodated in the current lane configuration without road widening. The study indicates that an eastbound left turn lane will be required on Clair Road East to Samuel Drive to accommodate traffic to Westminister Woods Subdivision

**Engineering Services**  
Infrastructure, Development & Enterprise

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## Attachment 15 (continued) Agency and City Department Comments

### MEMO



and a westbound left turn lane on Clair Road East to Megan Place to maintain the road lane alignment. As such, a road widening will be required on the south side of Clair Road East to accommodate the necessary inclusion of the turning lanes. Due to the short distance on Clair Road East between Samuel Drive/Megan Place and Victoria Road, the study recommended a back-to-back left turn lane between these two intersections. The cost of the design and construction of the back-to-back left turn lane on Clair Road East and the turn lanes at the intersection of Samuel Drive & Megan Place as well as any required land acquisition for the road widening on the south side of Clair Road East will be the sole expense of the Developer.

All of the identified costs or land acquisitions are to be included in a Development Agreement so that suitable securities can be received by the City of Guelph to construct the required work. The City does acknowledge receipt of \$100,000.00 towards the cost of the traffic control signals located at Victoria Road and Frederick Drive that was secured during the development of Westminister Woods East, Phase 3 – refer to subdivision agreement dated March 15, 2007 (receipted as WC172409). This amount will be reflected in future accounting. Please note that parking demand and supply for the site is to be reviewed by Planning/Zoning staff.

#### 3. Municipal Services:

##### *Samuel Drive*

Existing servicing stubs within the right-of-way of Samuel Drive were provided during the subdivision construction of Westminister Woods East, Phase 5 and have been paid by the Developer. The service sizes are as follows:

- 200mm diameter sanitary sewer approximately 3.1 metres in depth;
- 450mm diameter storm sewer approximately 1.8 metres in depth;
- 150mm diameter watermain approximately 2.0 metres in depth.

It has been confirmed that adequate sanitary and water capacities are available to service the proposed development. However the Developer shall be advised that there is potential for marginal water supply pressures 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 341 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.

#### 3. Storm Water Management:

The site has been pre-serviced during the Westminister Woods East, Phase 5 subdivision to include a storm sewer connection. The Functional Servicing Report (FSR) mentions the potential for on-site infiltration of clean roof runoff with the overflow being directed to the provided municipal connection. As such, a storm water management report will be required at the time of site plan application to ensure that the discharge from the site complies with an allowable outlet rate determined by City Engineering staff. Also, a site specific geotechnical report will be required at the time of site plan submission to support the proposed use of the infiltration galleries.

The cost of all the storm water management works and quality controls will be the responsibility of the owner. A grading, erosion/sedimentation control and servicing plan will also have to be submitted for review and approval as part of the site plan application.

## Attachment 15 (continued) Agency and City Department Comments

# MEMO



#### 4. Environmental:

The Developer shall submit a Phase 1 Environmental Site Assessment in accordance with O. Reg. 153/04 or CSA Z768-00 standard, describing the current conditions of the subject property to the satisfaction of the City. If contamination is found, the consultant will determine its nature and indicate any necessary measures to manage the contamination at the Developer's expense.

The Developer will also be required to ensure that all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned prior to site grading and servicing in accordance with current MOE regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer.

#### 5. Staff Recommendations:

The following conditions are recommended to be included in a Development Agreement that is registered on title and executed prior to presentation of the Zoning By-law to City Council. Should the time associated with the execution of the agreement be a hindrance to the Developer, Engineering Services is amenable to instead recommend that the following conditions be provisions of a Holding Zone (H) until such time as the Development Agreement can be finalized and executed;

1. The Developer shall pay to the City the actual cost of the design and construction of **traffic control signals and a southbound right turn lane at the Victoria Road South and Frederick Drive intersection**. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer for the design and construction of traffic control signals and a southbound right turn lane.
2. The Developer shall pay to the City the actual cost of the design and construction of **the back-to-back left turn lane on Clair Road East between Victoria Road South and Samuel Drive/Megan Place**. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer for the design and construction of the back-to-back left turn lane on Clair Road East between Victoria Drive South and Samuel Drive/Megan Place.
3. The Developer shall pay to the City the actual cost of the design and construction of the **turning lanes on Clair Road East at the intersection of Samuel Drive/Megan Place**. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer for the design and construction of the turning lanes on Clair Road East at the intersection of Samuel Drive/Megan Place.
4. The Developer shall deed at no cost the City, free of all encumbrances, any **road widenings** necessary to accommodate the turning lanes on Clair Road East from Victoria Road to west of the Samuel Drive and Megan Place intersection prior to final site plan approval.

The following conditions are provided as information to Council and will be imposed through site plan approval unless noted otherwise.

## Attachment 15 (continued) Agency and City Department Comments

# MEMO



1. That the Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. The Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Developer/Landowner.
3. Prior to the site plan approval or prior to any construction or grading on the lands, the Consultant shall certify that all properties to be developed and/or conveyed to the City pose no risks to public health and safety and to the environment and can be developed for proposed uses.
4. Prior to site plan approval and prior to the City accepting any real property interests, if contamination is found, the applicant shall:
  - i. Submit all environmental assessment reports prepared in accordance with O. Reg. 153/04 or CSA Z768-00 standard, describing the current conditions of the land to be developed and/or conveyed to the City to the satisfaction of the City; and
  - ii. Complete any necessary remediation/risk assessment work and submit certification from a Qualified Person (QP) that the lands to be developed and/or conveyed to the City meet the applicable standard(s) of the intended land use.
5. Prior to site plan approval and prior to any construction or grading on the lands, the Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
  - i. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual", which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
  - ii. a geotechnical report certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
  - iii. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
  - iv. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
6. The Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 5 i) to 5 iv) inclusive.
7. The Developer shall pay to the City the actual cost of the construction of the new driveway entrance and

**Engineering Services**  
Infrastructure, Development & Enterprise

T 519-837-5604  
F 519-822-6194  
engineering@guelph.ca

## Attachment 15 (continued) Agency and City Department Comments

### MEMO



required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrance and required curb cut and/or curb fill.

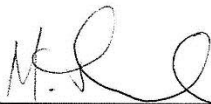
8. That the Developer grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
9. That the Developer will ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
10. The Developer acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
11. That all electrical services to the lands are underground and the Developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.



**Terry Gayman, P. Eng.**  
Manager, Infrastructure, Development &  
Environmental Engineering



**Allister McIlveen**  
Manager, Transportation Services



**Michelle Thalen, C.Tech**  
Development Technologist

**Engineering Services**  
Infrastructure, Development & Enterprise

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## Attachment 15 (continued) Agency and City Department Comments

### INTERNAL MEMO



DATE April 12, 2016  
TO **Michael Witmer**  
FROM Rino Dal Bello, Planner – Urban Design  
DIVISION Planning Services  
DEPARTMENT Infrastructure, Development and Enterprise  
**SUBJECT Design Comments – 1229 Westminister Woods Phase 10**

I have reviewed the revised Urban Design Brief for the Westminister Woods Phase 10 lands located at Victoria Road South and Clair Road East date February 2016. I have also reviewed the building elevations that were sent separately from the Design Brief by email on March 11, 2016.

I am satisfied with the revised Urban Design Brief and the revised elevations that were sent separately. The Design brief has addressed the comments and concerns that were provided to the applicant and the elevations are satisfactory.

The Zoning by-law could consider including regulations that address creating a consistent building setback along Clair Road and Victoria Road. A minimum building height could be included for the commercial building at the corner of Clair Road and Samuel Drive.

I have provided some site plan comments that should be addressed at time of Site Plan submission. We would also be asking for an updated Urban Design Brief that would reflect the site plan comments below and the brief should include the elevations that were provided.

*Site Plan Comments:*

As part of the site plan process further detailed comments will be discussed including:

- Building length fronting both roads heavily impacts this design and should be revisited and/or further mitigated through detailed design.
- Consider breaking up the building into two separate buildings and have an opening/view from the intersection to the rear of the parking area or place an amenity area to the rear.
- Principal entrances including lobby entrances should be adjacent to the surrounding streets.
- Look for opportunities to integrate the balconies into the building massing and floor plate rather than having them appear as an element that has been affixed to the facade.
- Principal entrances and front doors for the commercial uses should be provided along adjacent streets.
- Review and finalization of building materials, landscaping materials and other site plan-level design elements will be completed through the site plan process. This includes:
  - o Lighting fixtures
  - o Hardscape materials



## Attachment 15 (continued) Agency and City Department Comments

Michael WitmerDe Groot  
April 7, 2016  
**RE: 1229 Westminister Woods Phase 10**  
Page 2 of 2

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- Brick and Stone types, colours
- Siding materials, colour and type
- Railing materials and type
- Type and material of benches
- Type of bicycle parking feature

Thanks

**Rino Dal Bello, BES, MCIP, RPP**  
Planner - Urban Design

Development Planning  
**Planning, Urban Design & Building Services**  
Location: City of Guelph, City Hall

T 519-822-1260 x 2780  
F 519-822-4632  
E Rino.dalbello@guelph.ca

**Attachment 15 (continued)**  
**Agency and City Department Comments**

## INTERNAL MEMO



DATE September 29, 2015  
TO **Michael Witmer**  
FROM Prachi Patel  
SUBJECT OP1501/ZC1507 – 1229 VICTORIA ROAD SOUTH – ENVIRONMENTAL  
PLANNING COMMENTS

I have reviewed the proposed Official Plan Amendment (OP1501) and Zoning By-law Amendment for 1229 Victoria Road South and offer the following comment:

1. In accordance with the Hanlon Creek Subwatershed Studies recommendations please ensure infiltration best management practices are incorporated through the stormwater management approach to maintain pre-development hydrologic regime. A treatment train approach and vegetative best management practices should be explored. I defer to City Engineering for detailed requirements on Stormwater Management.

Please let me know if you have any questions,

Thanks,



**Prachi Patel**  
Environmental Planner - Development

Planning Services  
**Infrastructure, Development and Enterprise**  
Location: City Hall

T 519-822-1260 x 2563  
E [prachi.patel@guelph.ca](mailto:prachi.patel@guelph.ca)

## Attachment 15 (continued) Agency and City Department Comments

### INTERNAL MEMO



DATE June 8, 2016  
TO **Michael Witmer**  
FROM Helen White  
DIVISION Parks and Recreation  
DEPARTMENT Community and Social Services  
SUBJECT **1229 Victoria Road South – Proposed Zoning By-Law Amendment ZC1507 and Official Plan Amendment OP1501 (Westminster Woods East Phase 10) – revised comments**

Park Planning has reviewed the Notice of Complete Application dated June 19, 2015, Public Meeting Notice dated September 15, 2015, Concept Plan dated April 2015 and Planning Justification Report dated April 2015 for the above noted Proposed Zoning By-Law and Official Plan Amendment and offers the following comments:

#### **Zoning Bylaw Amendment:**

Park Planning and Development has no objection to the proposed Zoning By-Law and Official Plan Amendment to rezone the property from 'A' (Agricultural) to R4.A-? (Specialized General Apartment) Zone and 'NC' (Neighbourhood Commercial) Zone and to change the Official Plan designation on the west side from 'General Residential' to 'Neighbourhood Commercial'.

#### **Development Concept Plan**

#### **Parkland Dedication:**

The Parkland dedication requirement for the subject lands has been satisfied by the previous land dedications for Westminster Woods East subdivision.

#### **Trails, Open Space:**

There are no existing or planned trail routes through the subject lands. There are no existing or planned open spaces on or adjacent to the subject lands.

## Attachment 15 (continued) Agency and City Department Comments

Michael Witmer  
June 8, 2016  
**RE: 1229 Victoria Road South - Proposed Zoning By-Law and Official Plan  
Amendment**  
Page 2 of 2

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**Summary:**

The above comments represent Park Planning & Development's review of the proposed development. Based on the current information provided I would support the development as proposed.

Regards,

**Helen White**  
Park Planner

Parks and Recreation  
**Community and Social Services**  
Location: City Hall

T 519-822-1260 x 2298  
F 519-763-9240  
E helen.white@guelph.ca

C Janet Sperling, Mary Angelo

File # P:\CommunityServices\Riverside\\_Park Planning\PLANNING\SOUTH DISTRICT\Zoning  
By-Law & Official Plan Amendments\1229 Victoria Rd S (Westminster East Ph10)\1229  
Victoria Rd S.docx

## Attachment 15 (continued) Agency and City Department Comments

### Michael Witmer

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**From:** Peter Rider  
**Sent:** September 16, 2015 5:01 PM  
**To:** Michael Witmer  
**Subject:** 1229 Victoria Road South Proposed OP and Zoning By-Law Amendment  
**Attachments:** ProvincialTable2\_CW8S.pdf; ProvincialTable9\_DWAS.pdf; What are the Prescribed Threats.docx

Hi Michael:

As discussed, I have had a look at the proposed development site located at 1229 Victoria Road South. Based on the notice dated September 15, 2015, I understand that the proposed OPA and ZBL is being filed to permit:

- A 4 storey , 101 unit apartment building and well as a neighbourhood commercial plaza with approximately 807 m<sup>2</sup> of gross floor area in 2 separate buildings.

I have the following comments from a Source Water Protection Program perspective:

1. The site and proposed development is located within WHPA B.
2. The vulnerability score for the subject property is 8
3. The site is not located within an Issues Contributing Area

Once the Source Protection Plan is approved and in effect (estimate Q1 2016), the subject property will be subject to DNAPL policies (as will be any other properties in the City within a WHPA A through WHPA C). As such, it would be helpful to the RMO if the proponent could advise the City as to what DNAPL products (if any) (or other potentially significant drinking water threats-see attached) will be stored or handled on the property.

If DNAPL products (in any quantity) will be handled or stored, a risk management plan would have to be negotiated with the person engaged in the activity to ensure that such products are handled and stored in a safe and environmentally secure manner.

I have attached information that is available from the Lake Erie Source Protection Region website: [Source Water Protection - Lake Erie Region](#)

It is anticipated that the proponent would consider implementing a variety of best available technology and management practices for the proposed land use to minimize potential impacts to the groundwater and environment.

There will be opportunities for the RMO to comment on the proposed design(s) at a later stage in the Planning process.

Trusting this is sufficient. If there are any questions, please contact me.

Thanks,

**Peter G. Rider, P. Geo.,** Risk Management Official  
Engineering and Capital Infrastructure Services | Source Protection Planning  
**City of Guelph**  
T 519-822-1260 x 2368 | F 519-822-6194 | C 226-820-3608  
E [peter.rider@guelph.ca](mailto:peter.rider@guelph.ca)

## Attachment 15 (continued) Agency and City Department Comments

### Michael Witmer

---

**From:** Peter Rider  
**Sent:** June 9, 2016 6:20 PM  
**To:** Michael Witmer  
**Cc:** Kristin Pressey; April Nix  
**Subject:** RE: 1229 Victoria Rd S - Whiteley Comments

Hi Michael:

Based on the 3 points raised by Dr. Whiteley, I offer the following responses in bold text below:

1. Clearance is required from the City's RMO under provisions of the Clean Water Act. He is looking for a clear protocol in this regard, and source water protection should be considered as part of an EIS.

**Dr. Whitely is correct in that the proposed development requires a review by the RMO, however, the Source Protection Plan for the City of Guelph is not in effect until July 1, 2016. Accordingly, in the interim, the RMO has been meeting with proponents during the development review and site plan review stages to advise them of what specific policies would apply, once the plan is in effect. This process has been underway for over a year now and is independent of the EIS process. Preliminary comments on the subject development were provided by the Risk Management Official on September 16, 2015 (attached).**

2. The use of road salt and other de-icing materials are toxic substances. He wants to see a commitment to a salt management plan for this development 'with substance'.

**Under the Clean Water Act and associated regulations, the application of road salt and the handling and storage of road salt are prescribed drinking water threats. Once the Source Protection Plan is in effect, City of Guelph Source Protection Plan policies CG-MC-29 and CG-MC-32.1 will require new development to be designed based on best management practices for the handling and storage of salt and best management practices for the storage of snow and the management of associated meltwater. This will require proponents to prepare a Salt Management Plan as part of their submission for new developments in the City of Guelph. The Risk Management Official will review the applicant's Salt Management Plan to ensure that the report is satisfactory.**

3. Advocated for the use of porous pavement materials, and indicated technology available so that they can reduce salt in infiltration by 75%.

**The decision to use porous pavement materials is up to the proponent. The City of Guelph is reviewing the advantages and disadvantages of using such materials. As such, they will be evaluated on a site-by-site basis.**

Trusting the above is sufficient. Please contact me if further clarification is required.

**Peter G. Rider, P. Geo.,** Risk Management Official  
Engineering and Capital Infrastructure Services | Source Protection Planning  
City of Guelph  
T 519-822-1260 x 2368 | F 519-822-6194 | C 226-820-3608  
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## Attachment 15 (continued) Agency and City Department Comments

**Michael Witmer**

---

**From:** Darren Gowing  
**Sent:** September 24, 2015 9:32 AM  
**To:** Michael Witmer  
**Cc:** Nancy Button; Darron Glasgow  
**Subject:** 1229 Victoria Road South

Good Morning Michael.

Transit has reviewed the Official Plan Amendment for 1229 Victoria Rd South and has the following comments:

We do not have any planned, or existing routes that travel by this property. Access to current and planned transit services and bus stops will involve pedestrian access to Goodwin Dr.

Sincerely,

**Darren Gowing** | Route Performance & Scheduling Specialist | Guelph Transit  
T 519.822.1260 x2523 | E [darrengowing@guelph.ca](mailto:darrengowing@guelph.ca)



## Attachment 15 (continued) Agency and City Department Comments



UPPER GRAND DISTRICT SCHOOL BOARD  
500 Victoria Road North, Guelph, Ontario N1E 6K2  
Phone: (519) 822-4420 Fax: (519) 822-2134

Martha C. Rogers  
Director of Education

July 17, 2015

PLN: 15-49  
File Code: R14  
Sent by: mail & email

Michael Witmer, MCIP RPP  
Planning, Urban Design and Building Services  
City of Guelph  
1 Carden Street  
Guelph, Ontario N1H 3A1

Dear Mr. Witmer;

Re: **Notice of Complete Application**  
1229 Victoria Road South, Reid's Heritage Homes Ltd, Guelph

Planning staff at the Upper Grand District School Board has received and reviewed the above notice of complete application for an Official Plan and Zoning Bylaw amendment to permit a four storey, 101 unit apartment building as well as a neighbourhood commercial plaza.

The Planning Department at the Upper Grand District School Board **does not object** to the application, subject to the following conditions:

- Education Development Charges shall be collected prior to the issuance of a building permit;
- That adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point;
- The developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents about schools in the area.

Thank you for the opportunity to comment on this application. Should you require additional information, please feel free to contact me at (519) 822-4420 ext. 824.

Sincerely,

Heather Imm, MCIP, RPP  
Senior Planner



## Attachment 15 (continued) Agency and City Department Comments



395 Southgate Drive  
Guelph, ON N1G 4Y1  
Tel: 519-837-4719  
Fax: 519-822-4963  
Email: [mwittemund@guelphhydro.com](mailto:mwittemund@guelphhydro.com)  
[www.guelphhydro.com](http://www.guelphhydro.com)

August 24, 2015

Michael Witmer  
Infrastructure, Development and Enterprise  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

Dear Sir:

**Re: 1229 Victoria Road South (File No. OP1501/ZC1507)**

We would like to submit the following comments concerning this application:

Given the existing site plan, dated April 1, 2015:

1. Hydro supply for the proposed one-storey Commercial buildings will be from Clair Road East.
2. Hydro supply for the 4-storey Apartment Building will be from Victoria Road South.
3. The hydro services for this development should be underground except for pad-mounted transformers.
4. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
5. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and street light poles or pad-mounted transformers. Any relocations required would be done at the owner's expense.

**Attachment 15 (continued)**  
**Agency and City Department Comments**

-2-

6. An area of 6.5 metres by 5.0 metres will be required for a three-phase, pad-mounted transformer on the property containing the one-storey Commercial buildings to service the Commercial buildings.
7. An area of 6.5 metres by 5.0 metres will be required for a three-phase, pad-mounted transformer on the property containing the 4-storey Apartment building.
8. Locations of pad-mounted transformers must be arranged with Guelph Hydro Electric Systems Inc.'s Technical Services Department.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.



for Michael Wittemund, P.Eng.  
Director of Engineering

MW/gc

## Attachment 15 (continued) Agency and City Department Comments

# GWDA

September 15, 2015

Mr. Michael Witmer  
Development Planner II  
Planning, Urban Design and Building Services  
City of Guelph  
1 Carden Street  
GUELPH, Ontario N1H 3A1

Dear Mr. Witmer:

**Re: 1229 VICTORIA ROAD SOUTH: Proposed Official Plan and Zoning By-law  
Amendment (Files: OP1501/ ZC1507)**

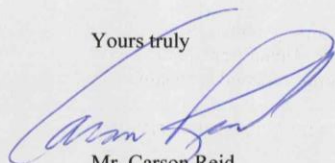
The Guelph and Wellington Development Association is in receipt of the June 19, 2015 notice of complete application for the above-noted property.

The subject application proposes an Official Plan Amendment to recognize a "Neighbourhood Commercial" designation on the northeast corner of Samuel Drive and Clair Road and a Medium Density designation for the lands located on the northwest corner of Clair Road and Victoria Road. These designations would support a neighbourhood commercial plaza and a 4-storey apartment building accommodating 101 residential units.

Our association views this project as being consistent with the City's long range plans as expressed in OPA 48 for development of the final phase of the Westminster Woods community. This project will assist in bringing neighbourhood convenience commercial uses to this area, while also providing additional housing opportunities at a transit supportive density, focused on the intersection of two major arterial roads in the City. The proposed design of the project also serves as an enhanced gateway to this area, while the buildings have been scaled to provide a pedestrian friendly streetscape.

The Guelph and Wellington Development Association encourages the City to support this Official Plan Amendment and Zone Change and to expedite the processing of the application.

Yours truly



Mr. Carson Reid  
President

GUELPH AND WELLINGTON DEVELOPMENT ASSOCIATION • BOX 964 • GUELPH, ONTARIO N1H 6N1  
TEL: 519-822-8511 FAX: 519-837-3922

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## Attachment 16 Public Notification Summary

May 7, 2015	Applications received by the City of Guelph
June 5, 2015	Applications Deemed Complete
June 18, 2015	Notice Sign Placed on Property
June 19, 2015	Notice of Complete Applications mailed to prescribed Agencies and surrounding property owners within 120 metres
September 14, 2015	Notice of Public Meeting mailed to prescribed Agencies and surrounding property owners within 120 metres
September 22, 2015	Public Meeting Notice advertised in the <i>Guelph Tribune</i>
October 13, 2015	Statutory Public Meeting of City Council
June 27, 2016	Notice of Decision Meeting sent to parties that commented on applications or requested notice
July 11, 2016	City Council Meeting to consider staff recommendation