

PLANNING REPORT

**19, 29, 35, 41, 51 and 59 Lowes Road West
City of Guelph**

**Prepared on behalf of
Reid's Heritage Homes Ltd.**

May 31, 2017

Project No. 1322



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1. Introduction

This report has been prepared in support of a zone change and vacant land draft plan of condominium application for the property municipally addressed as 19, 29, 35, 41, 51 and 59 Lowes Road West, City of Guelph and legally described as Lots 2, 3, 4 and 5, Registered Plan 508 and Part of Lots 15 and 16 Registered Plan 467 (Geographic Township of Puslinch) City of Guelph. The subject property is under contract to purchase from Parry Schnick and Catriona Forbes by Reid's Heritage Homes Ltd. The total area of the property subject to these applications is 1.654 hectares.

A pre-consultation meeting was held with the City on December 16, 2015. A Planning Report was requested by the City as a requirement for a complete application. The original application proposed 60 townhouse units with 12 visitor parking spaces. A Public Meeting was held related to this townhouse submission and agency circulation comments were received. The proposed development for this property has been revised to respond to these public and agency comments. The zone change application is now requesting a Specialized R.1D- __ Zone to permit 36 single detached homes with 10 visitor parking spaces. A Vacant Land Draft Plan of Condominium has also been submitted to implement this proposal.

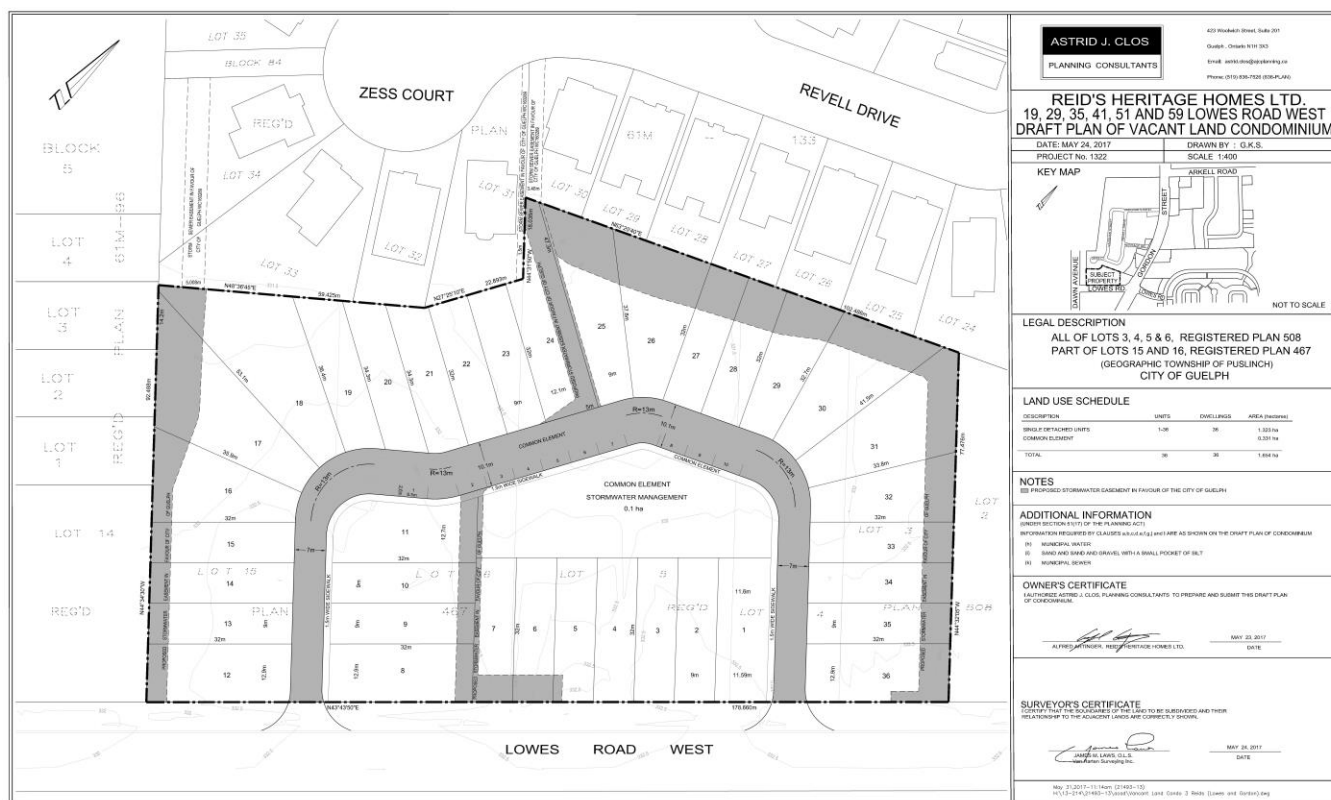
2. Description of the Proposal

The First Submission of the Zone Change Application ZC1615 was provided to the City on August 31, 2016. The pre-consultation meeting was held for this proposal on December 16, 2016. The notice signs were posted on the property on September 28, 2016. The City declared this application complete on September 20, 2016. The Public Meeting was held on November 14, 2016.

This Planning Report has been prepared in support of the Second Submission of Zone Change Application ZC1615. This Second Submission has been revised to address the public and technical comments received through the planning process as follows;

- Previously townhouses were proposed. The application has been revised and now proposes single detached dwellings.
- Previously 60 units were proposed; this has now been reduced to 36 dwellings.
- The location of the proposed stormwater management facility has been moved from the boundary of the property to a more central location within the subject property.
- The ability to retain more trees on site has been re-evaluated by the certified arborist and grading engineer. The grading and stormwater management plans have been revised to allow the retention of more trees around the periphery of the subject property to retain the existing visual buffer where it is possible.
- 10 visitor parking spaces are provided on-site in addition to the one garage and one driveway parking space provided per dwelling.
- A Scoped Environmental Impact Study has been provided with this submission in accordance with the Terms of Reference provided by the City.
- A detailed Hydrogeological Report has been provided to address groundwater.
- A detailed Stormwater Management Report has been provided to address stormwater.
- A Vacant Land Draft Plan of Condominium application has been included with this submission.

Figure 1 – Proposed Draft Plan of Vacant Land Condominium (May 24, 2017)



The specialized zoning regulation being requested includes;

Frontage on a Street

Despite Section 4.1, of this By-law, Development in this Zone may occur on a common element street within a condominium.

Figure 2 – Zoning Compliance

Specialized R.1D- Single Detached Dwelling Zone			
Zoning Regulation	Required	Provided	Compliance
Minimum Lot Area	275 m ²	288 m ²	Yes
Minimum Lot Frontage	9 m	9 m	Yes
Maximum Building Height	3 storeys	2 storeys	Yes
Minimum Front Yard	6 m	6 m	Yes
Minimum Exterior Side Yard	4.5 m	4.5 m	Yes
Minimum Interior Side Yard	0.6 m	0.6 m	Yes
Minimum Rear Yard	7.5 m	7.5 m	Yes
Off-Street parking 1 per unit.	36	36 driveway 36 garage 10 visitor	Yes
Minimum Landscaped Open Space between driveway and the lot line	0.5 m	0.5 m	Yes
Frontage on a Street (4.1)	No Building or Structure shall be built upon any Lot unless that Lot abuts a Street.	Building on a lot abutting a private condo road.	No
Maximum driveway width (4.13.7.2.1)	5 m	3 m	Yes
Measurement of Driveway Width Driveway width is measured parallel to the front of Garage 4.13.7.2.6	3 m	3 m	Yes
Minimum Driveway width of 3 metres. Driveway width may be 2.5 metres at the point of entry to a garage. 4.13.7.2.7	3 m	3 m	Yes

3. Existing Conditions and Surrounding Land Uses

The subject property includes six existing single detached dwellings which are proposed to be demolished. None of these homes is included on the Municipal Register of Cultural Heritage Properties, nor have any of these dwellings been designated as having heritage significance. The request for permission to demolish these homes is being made as part of this zone change application.

The existing surrounding land uses include;

North - Two storey single detached dwellings fronting onto Zess Court and Revell Drive in the Conservation Estates Subdivision.

- East - Approved future 2 storey Mixed Use building in the CR-14 Zone with frontage on Gordon Street and Lowes Road West.
- South - Single detached dwellings facing onto Lowes Road West and Gordon Street.
- West - Single detached dwellings facing onto Lowes Road West and Dawn Avenue.

Figure 3 - Surrounding Land Use



4. **Planning Framework**

4.1 **Provincial Policy Statement 2014**

The Provincial Policy Statement 2014 (PPS) is issued under the authority of Section 3 of the Planning Act and was in effect as of April 30, 2014. It replaces the Provincial Policy Statement issued March 1, 2005. In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they

work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. (**bolding** added for emphasis)

“1.1.3 *Settlement Areas*

1.1.3.1 ***Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.***

1.1.3.2 *Land use patterns within settlement areas shall be based on:*

a. *densities and a mix of land uses which:*

1. ***efficiently use land and resources;***
2. *are appropriate for, and **efficiently use, the infrastructure and public service facilities which are planned or available,** and avoid the need for their unjustified and/or uneconomical expansion; and*
3. *minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and*

b. *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

“1.6.3 a) *The use of existing infrastructure and public service facilities should be optimized;”*

“1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. **Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.***

1.4.1 *To provide for an **appropriate range and mix of housing types and densities** required to meet projected requirements of current and future residents of the regional market area,”*

The site will be serviced with municipal sewage and water services consistent with the Provincial Policy Statement. The proposal will assist the City in providing an appropriate range and mix of housing types and densities. The site will be intensified by replacing the 6 existing homes with the 36 proposed homes. The proposal for the subject property is consistent with the Provincial Policy Statement 2014.

4.2 Places to Grow

The Growth Plan for the Greater Golden Horseshoe (2017) takes effect on July 1, 2017. *“This Plan applies to the area designated by Ontario Regulation 416/05 as the Greater Golden Horseshoe growth plan area. All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise.”*(1.2.2)

Excerpts from the Growth Plan are included in this report. **Bolding** has been added for emphasis. The Growth Plan directs growth through intensification to the built-up area to make efficient use of land and infrastructure to support transit viability.

“1.2.1 Guiding Principles

- ***Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.***

2.2.2 Delineated Built-up Areas

3. *Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.*

Outer Ring

*The geographic area consisting of the cities of Barrie, Brantford, **Guelph**, Kawartha Lakes, Orillia, and Peterborough; the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe, and Wellington; and the Regions of Niagara and Waterloo.”*

The proposal for the subject property will assist the City to meet the Places to Grow guiding principles to prioritize intensification and higher densities to make efficient use of land and infrastructure to support transit viability. Where there are now 6 homes, 36 homes are proposed. The proposal will assist the City in meeting the “in effect” minimum target for the Delineated Built-up Area within the Guelph Official Plan.

4.3 City of Guelph Official Plan (September 2014 Consolidation)

The property is designated General Residential in the current Official Plan. The general character of development in the General Residential designation will be low-rise housing forms. The net density of development shall not exceed 100 units per hectare. The proposed density of 21.8 units per hectare is less than the maximum permitted density of 100 units per hectare.

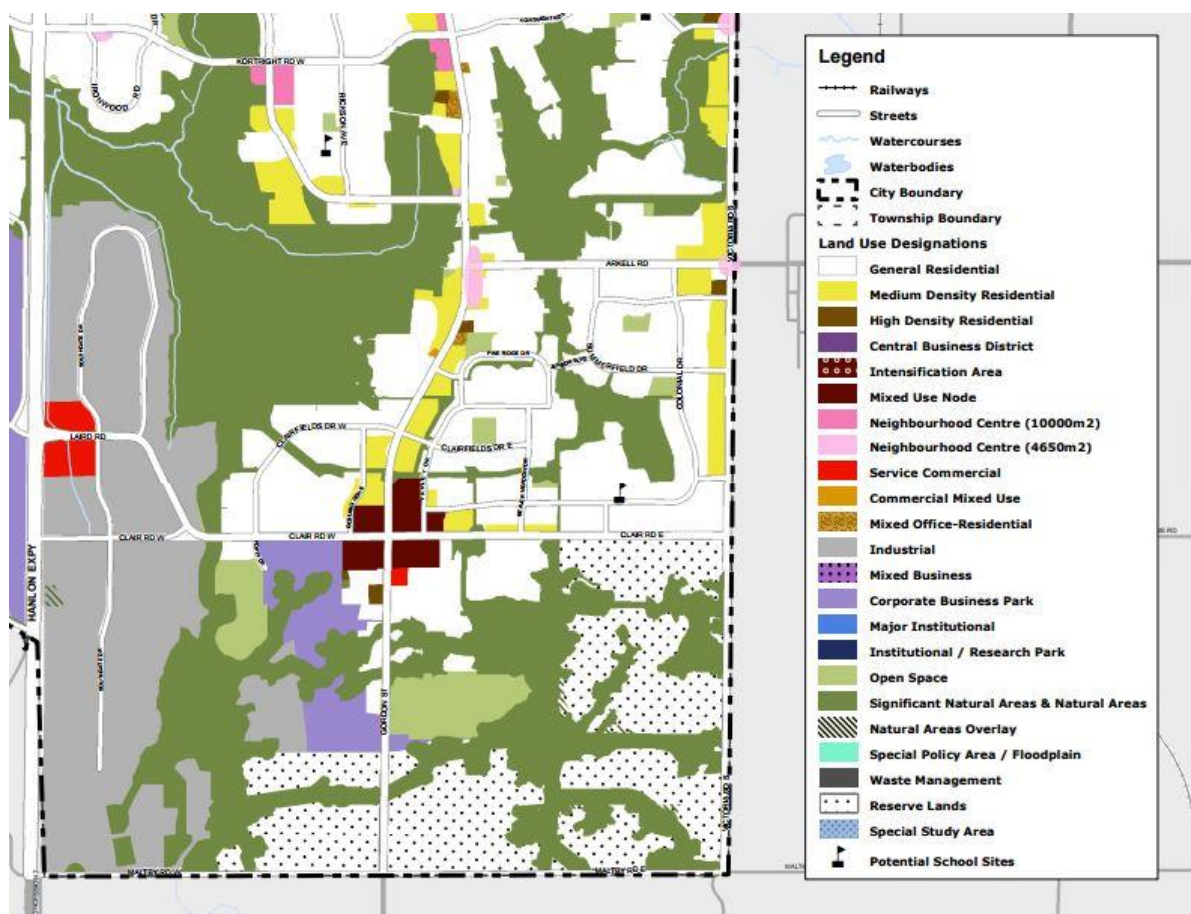
“General Residential' Land Use Designation

- 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)."

Figure 4 – Guelph Official Plan (2014 Consolidation)



2001 Official Plan, September 2014 Consolidation

**CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 1:
LAND USE PLAN**



Schedule 1B – Growth Plan Elements of the Official Plan includes the subject property within the Built-up Area. The Official Plan anticipates higher residential densities within the built-up area to ensure the viability of existing and planned transit service levels.

“2.4.4 Settlement Area Boundary

The City's future *development* to the year 2031 will be accommodated with the City's *settlement area* boundary identified on Schedule 1B of this Plan.

2.4.4.1 The City will meet the forecasted growth within the *settlement area* through:

- b) **intensifying generally within the built-up area**, with higher densities within Downtown Guelph, the community mixed use nodes and within the identified *intensification corridors*;

The proposal is in conformity with the policies of the General Residential designation. The proposed density of 21.8 units per hectare conforms with the maximum permitted density of 100 units per hectare. The proposal also assists the City in conforming with the Official Plan target of meeting forecasted growth by intensifying within the built-up area.

4.4 Envision Guelph Draft Official Plan (OPA No. 48)

Official Plan Amendment No. 48 is the 5 year review of the Guelph Official Plan. OPA No. 48 has been appealed to the Ontario Municipal Board and is not in effect. OPA No. 48 proposes to designate the subject property as “Low Density Residential”. The proposal has been designed to ensure that the form of housing respects and is compatible with the low rise character of the neighbourhood.

OPA No. 48 proposes to designate the subject property as “Low Density Residential”. Townhouses are a permitted use within this designation. The proposed building height of 2 storeys is less than the maximum permitted building height of 3 storeys. The proposed density of 21.8 units per hectare is within the density range of 15 to 35 units per hectare permitted within this designation.

“9.3.2 Low Density Residential

This designation applies to residential areas within the built-up area of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

1. *The following uses may be permitted subject to the applicable provisions of this Plan:*

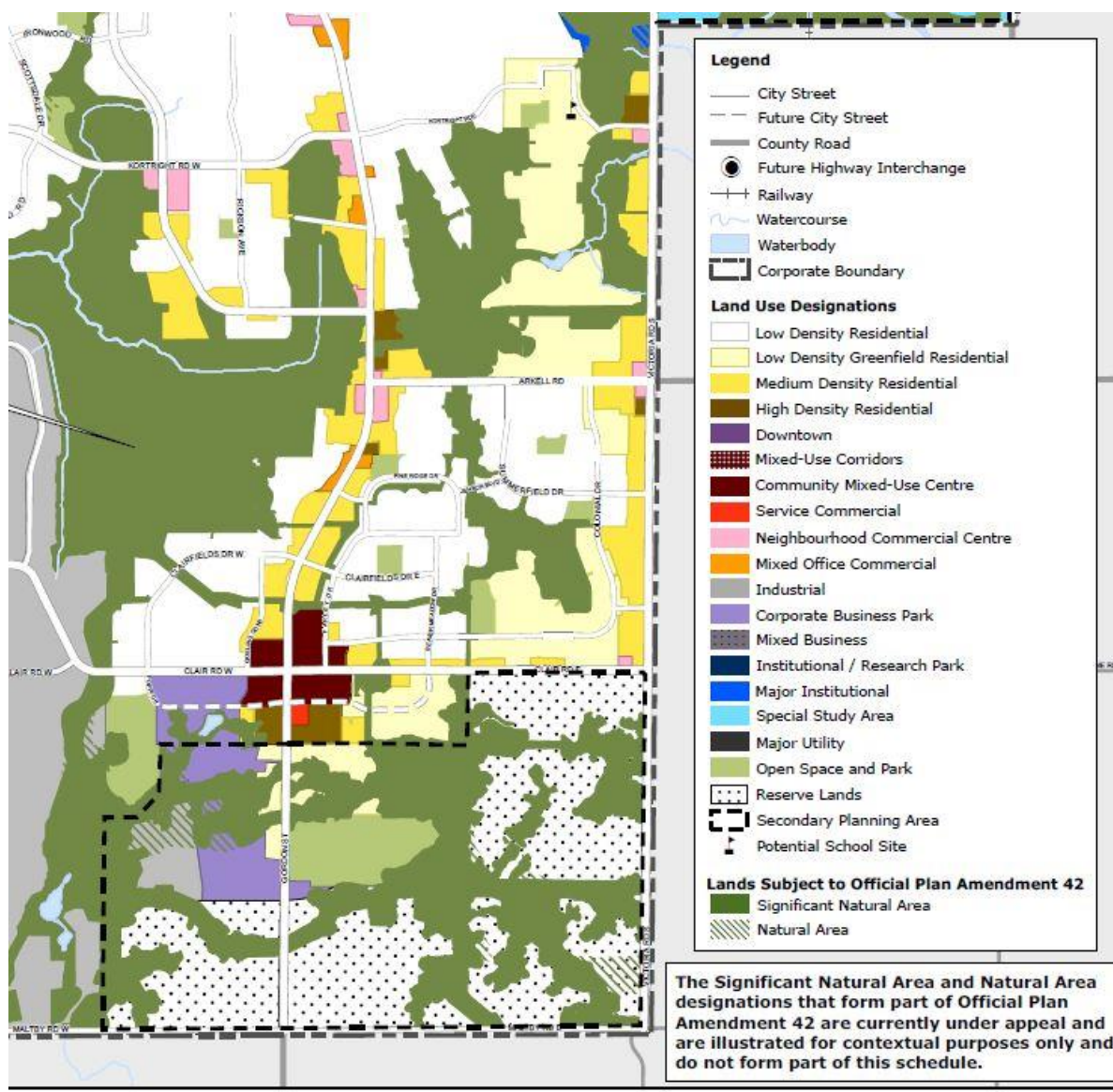
- i) **detached**, semi-detached and duplex dwellings; and
- ii) *multiple unit residential buildings, such as townhouses and apartments.*

Height and Density

The built-up area is intended to provide for development that is compatible with existing neighbourhoods while also accommodating appropriate intensification to meet the overall intensification target for the built-up area as set out in Chapter 3. The following height and density policies apply within this designation:

2. The maximum height shall be **three (3) storeys**.
3. The **maximum net density is 35 units per hectare and not less than a minimum net density of 15 units per hectare.**

Figure 5 - OPA No. 48 Land Use Schedule



CITY OF GUELPH OFFICIAL PLAN SCHEDULE 2: LAND USE PLAN

4.5 Zoning By-law

The current zoning of the property is the R.1B Zone which permits the following uses:

Single Detached Dwelling

Accessory Apartment in accordance with Section 4.15.1

Bed and Breakfast establishment in accordance with Section 4.27

Day Care Centre in accordance with Section 4.26

Group Home in accordance with Section 4.25

Home Occupation in accordance with Section 4.19

Lodging House **Type 1** in accordance with Section 4.25

Figure 6 - Existing Zoning



As noted in section 2 of this report, a Zone Change application is proposed to change the R.1B Zone to a Specialized R.1D- __ Zone as outlined below.

The specialized zoning regulation being requested;

Frontage on a Street

Despite Section 4.1, of this By-law, Development in this Zone may occur on a common element street within a condominium.

The specialized zoning regulation has been supported and approved previously by the City for units fronting onto a private condominium road within a Vacant Land Condominium. An example is the R.1B-47 Zone. The Zoning By-laws of other municipalities permit frontage on a private condominium road within a Vacant Land Condominium within the parent by-law with no amendment to the zoning being required.

5. Conclusion

This Planning Report has been prepared in support of a Zoning Amendment and Vacant Land Draft Plan of Condominium application for the properties municipally addressed as 19, 29, 35, 41, 51 and 59 Lowes Road West, City Guelph. The proposal is consistent with the Provincial Policy Statement and in conformity with the Growth Plan, is in conformity with both the “in effect” and new Official Plan and in my professional opinion represents good planning.

This report has been prepared and respectfully submitted by,

Original Signed and Sealed.

Astrid Clos, MCIP, RPP

May 31, 2017

Date