

PLANNING REPORT

**Churchill Court
75 Dublin Street North
City of Guelph**

**Prepared on behalf of
Rykur Holdings Inc.**



September 21, 2016

Project No. 1227

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1. Introduction

This report has been prepared in support of a City-initiated Official Plan Amendment and a Zoning Amendment for a portion of the Downtown Zoning By-law applicable to the property municipally addressed as 75 Dublin Street North, City of Guelph, legally described as Lot 1051 and Part of Lot 1052 Registered Plan 8, City of Guelph. Bolding and underling have been added in this report to provide emphasis. The subject property is owned by Rykur Holdings Inc.

The Guelph Official Plan (2014 Consolidation) states that the City shall assist in the production of affordable housing by expediting the development approval process.

“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;***”

On September 1, 2016 Rykur Holdings Inc. was advised that this project had been selected to receive Investment in Affordable Housing (IAH) funding. A requirement of this funding is that a building permit be available in April 2017.

The subject property is included within the City-initiated Downtown Zoning By-law. On September 8, 2016 a letter was provided to Council on behalf of Rykur Holdings Inc. outlining the revisions required to the proposed Downtown Zoning By-law to implement this affordable housing project. These zoning revisions were presented to Council at the Public Meeting held on September 12, 2016 for the Downtown Zoning By-law.

At the September 12, 2016 Public Meeting for the Downtown Zoning By-law Guelph Council approved the following two motions;

“That staff be directed to bring forward the portion of the Downtown Zoning By-law related to 75 Dublin St North to a November 2016 council meeting for a decision, in order to facilitate the required April 2017 building permit timing of the investment in affordable housing grant and that a public process be provided.

That staff be directed to initiate a site specific Official Plan Amendment for 75 Dublin Street North in order to facilitate the investment in Affordable Housing Grant.”

A second Public Meeting will be held on October 17, 2016 for the Downtown Zoning By-law as it relates to 75 Dublin Street North and will be combined with a Public Meeting related to the proposed Official Plan Amendment. In accordance with the Planning Act and the City’s public notification policy, notice signs will be posted on the subject property and the public meeting notice will be mailed to landowners within the circulation area for this City-initiated Official Plan Amendment and Zoning Amendment for a portion of the Downtown Zoning By-law applicable to 75 Dublin Street North. A notice of the Public Meeting will also be published in the local newspaper. These notices will include a link to the City’s website where information related to this proposal can be accessed by the public.

At a meeting held with the City on September 15, 2016 this Planning Report was requested as a requirement for processing these applications.

2. Description of the Proposal

The current zoning of the subject property permits a four storey building. The Downtown Secondary Plan designates the subject property as Mixed Use 2. The Mixed Use 2 designation permits an apartment building with a maximum of 4 storeys. In order to implement the Downtown Secondary Plan, the City initiated the Downtown Zoning By-law which proposes to zone the subject property within the Downtown D.2 Zone. The Downtown D.2 Zone permits a maximum 4 storey apartment building. The total area of the property subject to these applications is 0.147 hectares.

The proposal for 75 Dublin Street North presented at the **September 12, 2016 Public Meeting** for the Downtown was for a 5 storey apartment building with 42 units including 20 of these units as affordable rental seniors apartment units. 22 units were proposed to be market apartment units. 27 parking spaces were proposed. Each market unit would be provided with 1 parking space in accordance with the Downtown Zoning requirements. The parking ratio for the affordable rental seniors units was proposed as 0.25 parking spaces per unit. No visitor parking spaces would be provided on site where 3 were required. The rear yard was proposed to be reduced to a minimum of 3m where 10 m was required. The request included that bicycle parking requirements not be included in the Downtown Zoning By-law but continue to be included in the City's Site Plan Guidelines. The zoning request also included that the proposed prohibition of utilities being located in a front or exterior side yard be replaced with a requirement for screening.

The proposal has now been revised. The proposed Official Plan Amendment and Downtown Zoning Amendment maintain the 20 affordable rental seniors units to receive the Investment in Affordable Housing (IAH) funding. The number of market units has been reduced to 17 units. 24 parking spaces are now proposed to be provided including one Type A (van) Accessible Parking Space. Each market unit will be provided with one parking space in accordance with the Downtown Zoning By-law requirement. The parking ratio for the affordable rental seniors units is proposed as 0.35 parking spaces per unit. No visitor parking spaces will be provided on site. The rear yard is proposed to be a minimum of 3m. A reduction in the long term bicycle parking requirements from 26 to 19 bicycle parking spaces is being requested. A maximum building height of 5 storeys is being requested.

2.1 Proposed City-initiated Official Plan Amendment

The City-initiated Official Plan Amendment for 75 Dublin Street North requests that the maximum building height increase from 4 to 5 storeys. The Official Plan is proposed to be amended by the addition of a special policy;

"11.1.7.11.14

Notwithstanding Schedule D: Downtown Secondary Plan Minimum & Maximum Building Heights the Maximum Building Height permitted for 75 Dublin Street North property shall be 5 storeys. The 5th storey shall be setback a minimum of 9 m from the street lines of Dublin Street North and Cork Street West."

2.2 Proposed Changes to the Downtown Zoning By-law

The revisions to the Downtown Zoning By-law proposed to implement the affordable housing project for 75 Dublin Street North are listed below:

Figure 1 – Proposed Concept Plan (September 19, 2016)

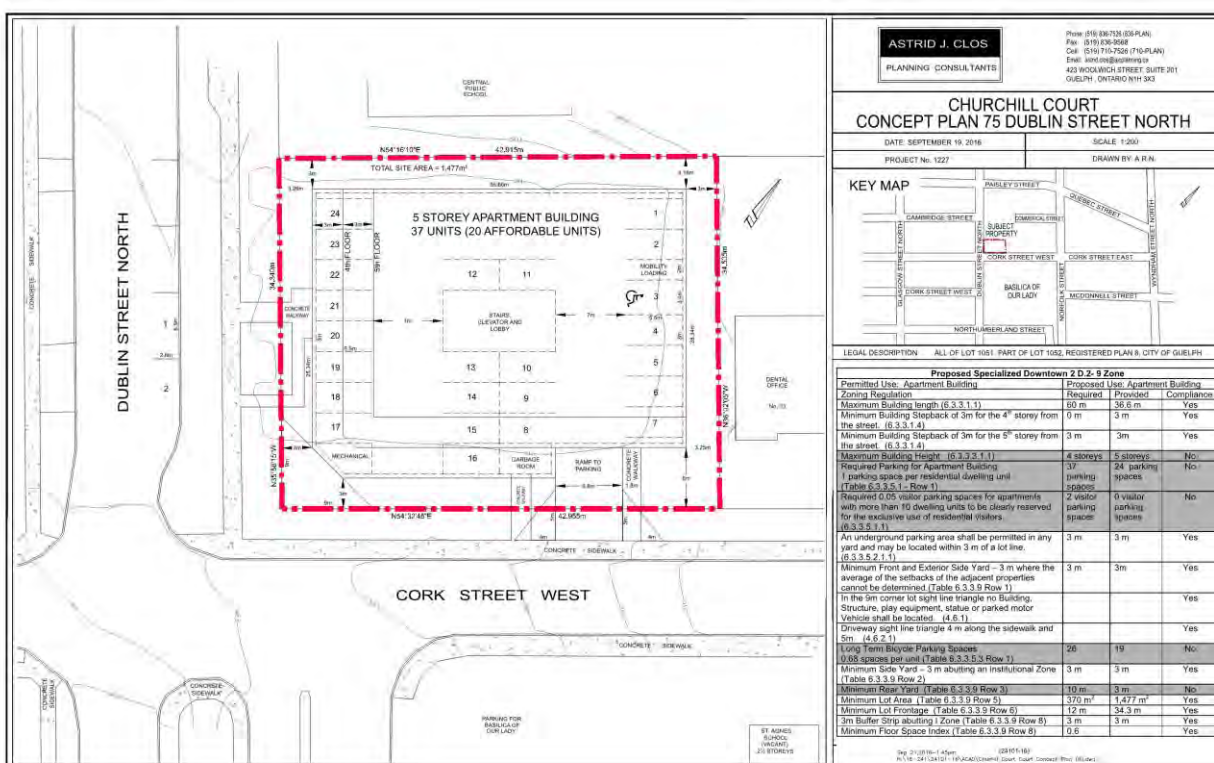


Figure 2 – Zoning Compliance

Proposed Specialized Downtown 2 D.2- 9 Zone			
Permitted Use: Apartment Building	Proposed Use: Apartment Building		
Zoning Regulation	Required	Provided	Compliance
Maximum Building length (6.3.3.1.1)	60 m	36.6 m	Yes
Minimum Building Stepback of 3m for the 4 th storey from the street. (6.3.3.1.4)	0 m	3 m	Yes
Minimum Building Stepback of 3m for the 5 th storey from the street. (6.3.3.1.4)	3 m	3m	Yes
Maximum Building Height (6.3.3.3.1.1)	4 storeys	5 storeys	No
Required Parking for Apartment Building 1 parking space per residential dwelling unit (Table 6.3.3.5.1 - Row 1)	37 parking spaces	24 parking spaces	No
Required 0.05 visitor parking spaces for apartments with more than 10 dwelling units to be clearly reserved for the exclusive use of residential visitors. (6.3.3.5.1.1)	2 visitor parking spaces	0 visitor parking spaces	No
An underground parking area shall be permitted in any yard and may be located within 3 m of a lot line. (6.3.3.5.2.1.1)	3 m	3 m	Yes
Minimum Front and Exterior Side Yard – 3 m where the average of the setbacks of the adjacent properties cannot be determined.(Table 6.3.3.9 Row 1)	3 m	3m	Yes
In the 9m corner lot sight line triangle no Building, Structure, play equipment, statue or parked motor Vehicle shall be located. (4.6.1)			Yes
Driveway sight line triangle 4m along the sidewalk and 5m. (4.6.2.1)			Yes
Long Term Bicycle Parking Spaces 0.68 spaces per unit (Table 6.3.3.5.3 Row 1)	26	19	No
Minimum Side Yard – 3 m abutting an Institutional Zone (Table 6.3.3.9 Row 2)	3 m	3 m	Yes
Minimum Rear Yard (Table 6.3.3.9 Row 3)	10 m	3 m	No
Minimum Lot Area (Table 6.3.3.9 Row 5)	370 m ²	1,477 m ²	Yes
Minimum Lot Frontage (Table 6.3.3.9 Row 6)	12 m	34.3 m	Yes
3m Buffer Strip abutting I Zone (Table 6.3.3.9 Row 8)	3 m	3 m	Yes
Minimum Floor Space Index (Table 6.3.3.9 Row 8)	0.6		Yes

2.3 Building Height

The current zoning of the subject property permits a four storey building. The Downtown Secondary Plan designates the subject property as Mixed Use 2. The Mixed Use 2 designation permits an apartment building with a maximum of 4 storeys. In order to implement the Downtown Secondary Plan, the City initiated the Downtown Zoning By-law which proposes to zone the subject property within the Downtown D.2 Zone. The Downtown D.2 Zone permits a maximum 4 storey apartment building. Schedule D of the Downtown Secondary Plan identifies “Protected Public View Corridors” where views to the Basilica of Our Lady should be protected. The subject property is not located within an identified “Protected Public View Corridor.”

The Downtown Zoning By-law does not require a setback for the fourth floor of the proposed residential building, however, a 3m setback is proposed. In addition, the setback proposed for the fifth floor is double that required by the Downtown Zoning By-law. The proposed 5th floor of the building is located a minimum of 9 m from Dublin and Cork Streets. The building is also proposed outside of the 9m sight line triangle required by the City's Zoning By-law. James Fryett Architect Inc. has prepared a Shadow Study comparing the difference between a 4 storey building with no setbacks and the proposed 5 storey building with two setbacks provided.

The proposed 4th and 5th floor setbacks exceed those required by the Downtown Zoning By-law. The primary pedestrian access to the building is from Dublin Street where the existing on-street parking is located. The access to the underground parking is from Cork Street West. Additional on-street parking is provided on Cork Street West. The proposed grading of the property indicates that more than 50% of the underground parking level will be below the finished grade. GM Blue Plan, the project engineers, have advised based on the Preliminary Grading Plan, that the *“average finished grade around the building is 343.51. Based on the proposed garage floor elevation of 341.90, we have calculated that more than 50% of the underground parking level/garage floor level is below the average finished grade.”*

The proposed 5th floor of the apartment building is necessary to provide the floor area for the affordable and market units proposed and make the scale of the project viable. The floor area of the 5th floor is considerably less than that of the first three storeys of the building.

The difference of a partial 5th storey compared to the 4 storey building with no setbacks permitted by the current Zoning and the proposed Downtown Zoning meets the definition of compatible development. The setbacks proposed will reduce any potential impact to the Dublin and Cork streetscapes while allowing the provision of 20 affordable rental senior units.

2.4 Off-Street Parking

The proposed zoning for the subject property includes a regulation that parking for the 20 senior affordable housing units be provided at a rate of 0.35 parking spaces per unit where one parking space per unit is required. In addition, it is proposed that no off-street visitor parking be required where two parking spaces are required.

The Guelph Affordable Housing Strategy 2016 included the consideration of reducing parking requirements for affordable residential units in multiple residential properties as a recommended action. The City's Report recognized that other municipalities have reduced parking standards to assist with the provision of affordable housing. The City's Report notes that parking has been reduced for smaller units, seniors housing and affordable housing in other municipalities. In addition, the City's Report recognizes that parking could be reduced where Transportation Demand Management (TDM) measures are in place. The City's current zoning by-law does not include any parking reductions for affordable housing.

“Affordable Housing Strategy: Recommended Strategic Actions July 11, 2016 (REPORT NUMBER 16-55)

3.3.2 Planning Regulations and Processes **Recommended Actions**

2. That the City's comprehensive review of its Zoning By-law consider: **reduced parking requirements for appropriate multiple residential properties and mixed-use developments that include affordable residential units;**

Parking

*A number of municipalities have investigated and/or adopted alternative parking standards within their zoning by-law to assist with the provision of affordable housing. For example, parking has been reduced for smaller units (e.g. bachelor and one bedroom units), types of housing (e.g. **affordable housing, seniors housing, supportive housing**), blended mixed use developments (e.g. commercial/residential buildings recognizing different uses access parking at different times), and for **units providing Transportation Demand Management (TDM) measures** that are in proximity to existing and planned transit within higher density areas. **Smaller affordable units could be treated as a community benefit and allowed a reduction in parking standards...** Currently, residential parking requirements are based on residential structure type and number of units."*

The Region of Waterloo uses a Travel Demand Management (TDM) Management Checklist to evaluate where reductions in parking should be permitted. The criteria used to evaluate parking reduction requests include:

- building entrance oriented to a public street
- access to public transit
- minimum of 75% of parking provided underground
- access to car share service
- access to on-street parking
- parking not located between the building and the street
- parking spaces provided off-site in a municipal lot near the site
- availability of subsidized transit passes (ie. senior bus pass)
- bicycle parking provided.

Figure 3 - Guelph Approved Parking Ratio Reductions for Senior Apartments

Zone	Municipal Address	Parking Ratio
R.4A-2	387-411 Waterloo Avenue 576 Woolwich Street 33 Marlborough Road 130 Grange Street 32 Hadati Road	0.5 parking spaces per senior apartment unit
R.4A-5	166 College Avenue West	0.45 parking spaces per senior apartment unit
R.4A-6	229 Dublin Street	0.28 parking spaces per senior apartment unit
R.4A-8	92 Speedvale Avenue West	0.5 parking spaces per senior apartment unit
R.4A-21	165 Cole Road	0.4 parking spaces per senior apartment unit
R.4B-3	70 Woodlawn Road East	0.4 parking spaces per senior apartment unit
R.4B-7	25 Wellington Street West	0.4 parking spaces per senior apartment unit
R.4B-18	60 Woodlawn Road East	0.4 parking spaces per senior apartment unit

Paradigm Transportation Solutions have authored a Traffic Impact Study evaluating the proposed reduction in parking for the 20 affordable senior rental housing units.

The 17 market apartment units proposed at 75 Dublin will provide parking in accordance with the Downtown Zoning By-law. The proposed parking of 0.35 parking spaces per affordable senior apartment unit is consistent with the recommended action of the Guelph Affordable Housing Strategy 2016 that there be consideration of required parking be reduced for small units, affordable units and senior units. The 20 affordable units within the Churchill Court proposal meet these criteria. This proposal also includes the listed Travel Demand Management (TDM) Management factors used to determine whether parking should be reduced. In Figure 3 the Guelph Zoning By-law includes precedents where parking has been reduced for Senior Apartment buildings. There is also an affordability factor related to owning and operating a vehicle which will reduce the ownership rate of vehicles for the affordable units. The location of the proposal has the benefit of being walkable to downtown services and amenities and to public transit. The lease agreements for the proposed units will be specific with respect to the parking that is available for a particular unit.

2.5 Visitor Parking

The proposed Downtown Zoning By-law requires that 2 visitor parking spaces be provided on site. The zoning request is that no visitor parking spaces be provided on site. There are existing on-street parking spaces along the Dublin Street North frontage of the subject property. These on-street parking spaces have timing restrictions for parking within school drop off and pick up times which are not proposed to change. These visitor parking spaces are conveniently located for the use of residents of the proposed building. Visitor parking used predominately in the evenings and on weekends will not conflict with school operating hours. The front door to the building, with a proposed accessible ramp is located on Dublin Street in proximity to these existing on-street parking spaces. Section 1.1.4.5.3 of the Official Plan states that ***“The City may reduce or exempt any requirement for private off-street parking for development in Downtown provided there is adequate alternative parking.”*** In this case there is adequate alternative visitor parking provided on-street.

Figure 4 - Photo of Parking Restrictions on Dublin Street North



2.6 Long Term Bicycle Parking

The zoning for the proposal requests that 19 long term bicycle parking spaces be provided where 26 are required by the proposed Downtown Zoning By-law. The short term bicycle parking requirement will be met by the proposal.

The Downtown Zoning By-law includes an exemption for buildings of 10 units or less. While the proposed building has 37 units, the long-term bicycle parking space requirement was calculated based on exempting the first 10 units. The 0.68 spaces per unit regulation for long term bicycle parking does not take into consideration the type of housing being provided ie. students or seniors. It is a generic regulation for all unit types. In addition, there is a preference for cyclists to store their bikes within their unit rather than in a communal storage area. Long term bicycle parking will be provided for 19 bikes within the building. An area off the lobby will also be provided to store mobility devices for seniors, such as scooters, and be equipped with a washing station for bikes, scooters and companion animals.

2.7 Minimum Rear Yard

The 10m Minimum Rear Yard regulation proposed in the Downtown Zoning By-law is based on the City's Office Residential Zone which is typically applied to areas with single detached homes converted to office and other uses with parking provided in the rear yard. While other properties located on Cork Street are currently within the OR Zone, the subject property is not. Since there is no existing building on the property to be retained with parking in the rear yard, the 10m Minimum Rear Yard Regulation is not needed. Parking is not proposed to be provided in the rear yard of the site but will be provided entirely underground. A 3m rear yard is appropriate for this corner lot and will allow the required 3m landscape buffer to be provided on the subject property next to the existing dental office located on Cork Street.

3. Existing Conditions and Surrounding Land Uses

The subject property is not included on the Municipal Register of Cultural Heritage Properties, nor has it been designated as having heritage significance. Fenced tennis courts are located on the property, which have not been in use since approximately 2010. The current fencing extends beyond the property line into the road allowance.

The existing surrounding land uses include:

- North - Central Public School
- East - dental office
- South - Cork Street West and parking for Basilica of Our Lady
- West - Dublin Street North and single and semi-detached homes

Figure 5 - 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. Excerpts from the Provincial Policy Statement which relate to the proposal are included below;

“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, ”

“1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- b) accommodating an appropriate range and mix of residential (including second units, **affordable housing and housing for older persons**), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;”*

“1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- a) establishing and **implementing** minimum targets for the provision of **housing which is affordable to low and moderate income household**. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all forms of housing required to meet the social, health and well being requirements of current and future residents, **including special needs requirements**;...
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) **promoting densities for new housing which efficiently use land**, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- e) establishing development standards for residential intensification, redevelopment and new residential development which **minimize the cost of housing and facilitate compact form**, while maintaining appropriate levels of public health and safety.”

“Affordable: means

- a) in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.”

“**Special needs:** means any **housing**, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as **mobility requirements** or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.”

“Cultural Heritage

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

*Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a **National Historic Site** or District designation, or a UNESCO World Heritage Site).”*

The site will be serviced with municipal sewage and water services consistent with the Provincial Policy Statement. A density is proposed which will use land efficiently in a compact form. The proposal will assist the City in providing an appropriate range and mix of housing types and densities including affordable, senior and special need housing. In accordance with the Provincial Policy Statement, a Heritage Impact Assessment has been prepared to evaluate the proposal in relation to the Basilica of Our Lady which is designated as a National Historic Site. The proposal for the subject property is consistent with the Provincial Policy Statement 2014.

4.2 Places to Grow

Pursuant to the Places to Grow Act, 2005: the Growth Plan for the Greater Golden Horseshoe, 2006 was approved by the Lieutenant Governor in Council, Order-in-Council No 1221/2006 took effect on June 16, 2006; minor amendments were made to the Growth Plan for the Greater Golden Horseshoe, 2006 by Minister’s Order dated December 19, 2011; and Amendment 1 (2012) to the Growth Plan for the Greater Golden Horseshoe, 2006, was approved by the Lieutenant Governor in Council, Order-in-Council No 1702/2011 to take effect on January 19, 2012. Amendments 1 and 2 have been approved and are in effect.

The Growth Plan identifies the subject property within the Urban Growth Centre (Downtown Guelph). The Urban Growth Centre is intended to accommodate a significant share of population growth including affordable housing. Excerpts from the Growth Plan which are relevant to the proposal are included below;

“1.2.2 Guiding Principles

*The vision for the Greater Golden Horseshoe is grounded in the following **principles that provide the basis for guiding decisions on how land is developed**, resources are managed and public dollars invested:*

- ***Build compact, vibrant and complete communities.***

- **Optimize the use of existing and new infrastructure to support growth in a compact, efficient form."**

2.2.2 Managing Growth

1. Population and employment growth will be accommodated by –
 - h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, **a range and mix of employment and housing types**, high quality public open space and easy access to local stores and services

2.2.3 General Intensification

6. All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target. This strategy and policies will –
 - i) plan for a **range and mix of housing**, taking into account **affordable housing needs**"

"2.2.4 Urban Growth Centres

Urban growth centres will be planned –

- a. as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses
 - b. to accommodate and support major transit infrastructure
 - c. to serve as high density major employment centres that will attract provincially, nationally or internationally significant employment uses
 - d. to accommodate a significant share of population and employment growth.
2. Urban growth centres will be planned to achieve, by 2031 or earlier, a minimum gross density target of –
 - a. 150 residents and jobs combined per hectare for each of the Downtown Barrie, Downtown Brantford, Downtown Cambridge, Downtown Guelph, Downtown Peterborough and Downtown St. Catharines urban growth centres.
 3. If at the time this Plan comes into effect, an urban growth centre is already planned to achieve, or has already achieved, a gross density that exceeds the minimum density target established in Policy 2.2.4.5, this higher density will be considered the minimum density target for that urban growth centre."

"3.2.6 Community Infrastructure

5. Municipalities will establish and **implement** minimum **affordable housing** targets in accordance with Policy 1.4.3 of the PPS, 2005.

Complete Communities

*Complete communities meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure **including affordable housing**, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided."*

The proposal for the subject property will assist the City to meet the Places to Grow principle to build in a compact and efficient form in the Urban Growth Centre, provide intensification within the built-up area and provide a range and mix of housing types including affordable housing.

4.3 City of Guelph Official Plan (September 2014 Consolidation)

The subject property is included within the Urban Growth Centre identified by the Province and included within the Guelph Official Plan. This area is identified for higher densities. The City's Official Plan promotes intensification in particular within the Urban Growth Centre (Downtown). Excerpts from the Guelph Official Plan relevant to this proposal are included within this section of the report.

4.3.1 Urban Growth Centre (Downtown Guelph)

The subject property is located within the Urban Growth Centre (Downtown Guelph) as identified on Schedule 1B of the Official Plan. (Figure 6)

"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.

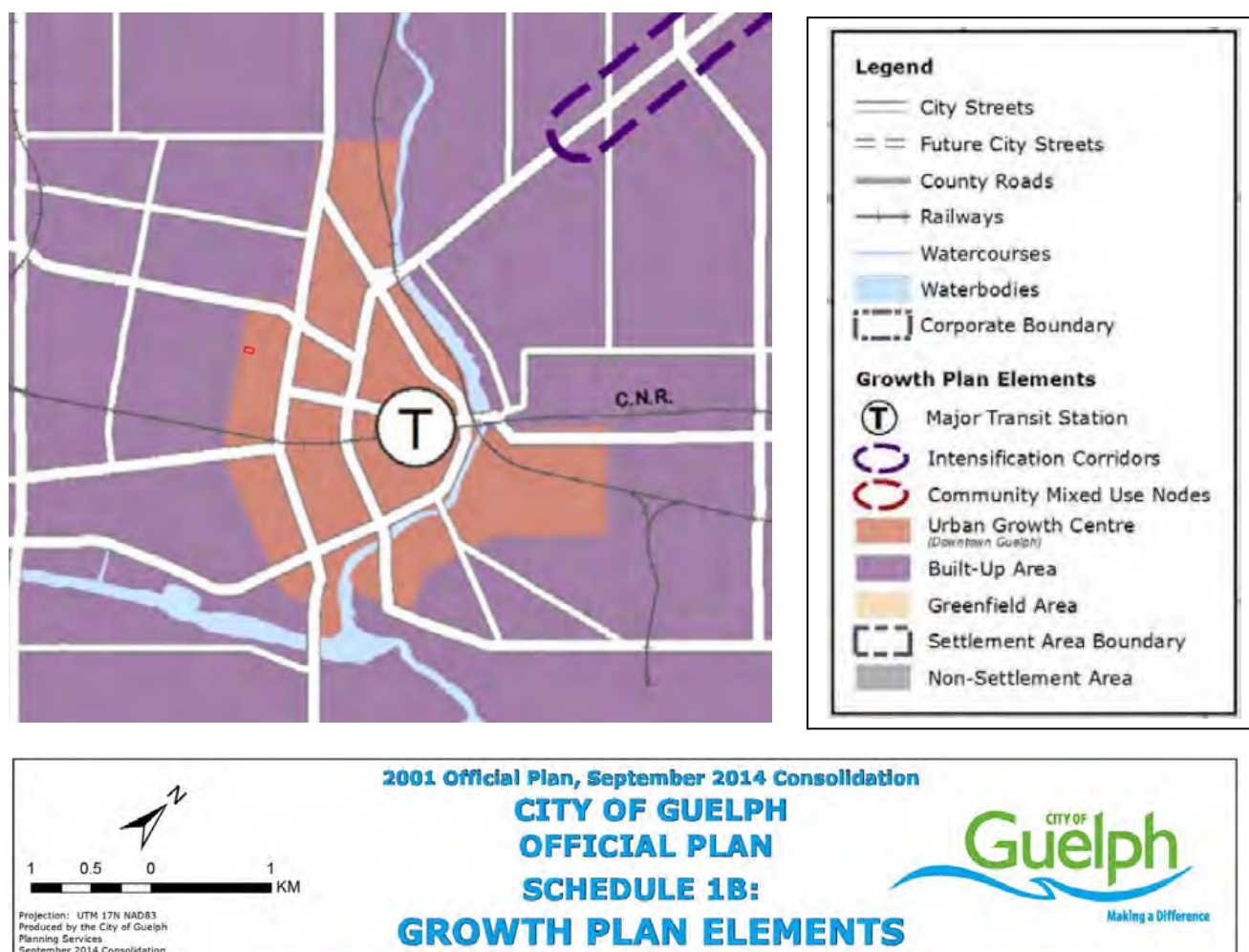
2.4.4.1 The City will meet the forecasted growth within the *settlement area* through:

- 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*;"

2.4.5.1 *Within the built-up area the following general intensification policies shall apply:*

- b) The City will promote and facilitate intensification throughout the built-up area, and in particular within the urban growth centre (Downtown), the community mixed use nodes and the intensification corridors as identified on Schedule 1B "Growth Plan Elements".***

Figure 6 - Official Plan – Growth Plan Elements



“2.4.6 Urban Growth Centre (Downtown Guelph)

The Urban Growth Centre is Downtown Guelph as identified on Schedule 1B. The precise boundary of the Urban Growth Centre will be clearly defined through a detailed secondary plan.

Downtown Guelph will continue to be a focal area for investment in office-related employment, commercial, recreational, cultural, entertainment, and institutional uses while attracting a **significant share of the City’s residential growth**. The downtown will be maintained and strengthened as the heart of the community and will be the preferred location for major office and institutional uses as well as major transit infrastructure including a major transit station.

2.4.6.1 Downtown Guelph will be planned and designed to:

- Achieve a minimum density target of 150 people and jobs combined per hectare by 2031, which is measured across the entire Downtown;”**

The subject property is located within the Urban Growth Centre (Downtown Guelph). The Urban Growth Centre is identified as an area to accommodate intensification with higher densities. The Downtown is intended to attract a significant share of the City's residential growth. The Downtown has the highest minimum density target in the City. The proposal is in conformity with the policies encouraging intensification and higher densities within the downtown.

4.3.2 Affordable Housing

The Investment in Affordable Housing (IAH) funding for the 20 affordable rental senior units proposed is an opportunity for the City to implement their Official Plan policies related to ensuring that Downtown contains a diversity of housing types and tenures including affordable housing.

"2.4.11 Affordable Housing

*In order to maintain and enhance a healthy and complete community, the **City will make provisions for an adequate range of housing type and affordability options by:***

- b) **permitting and facilitating all forms of housing required to meet social, health and well being requirements, including special needs requirements of current and future residents."***

"2.4.6.1 Downtown Guelph will be planned and designed to:

- c) **Provide for additional residential development, including affordable housing, major offices, commercial and appropriate institutional development in order to promote live/work opportunities and economic vitality in the Downtown;"***

***"Affordable Housing** means accommodation, which is affordable to households with incomes in the lowest 60 % of the income distribution for the Guelph housing market. Affordable housing also includes not-for-profit housing.*

***Affordable housing** means: a) in the case of ownership housing, housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the City of Guelph; b) in the case of rental housing, a unit for which the rent is at or below the average market rent of a unit in the City of Guelph."*

"Principle 2. Set the Scene for Living Well Downtown

More people living in Downtown will be critical to adding and maintaining economic vitality and creating a vibrant place to live. Along with a variety of housing options in and around the historic core, Downtown will attract more residents by offering diverse employment opportunities, unique shopping, excellent entertainment, arts and culture and important amenities like an easy-to-use public transit system and recreation options.

Objectives

To create a vibrant and diverse Downtown neighbourhood that benefits existing and future residents and businesses in and around Downtown, it will be important to:

- c) ***Ensure Downtown contains a diversity of housing types, sizes and tenures and affordable housing;***

The proposal including the 20 affordable rental senior units is in conformity with the Official Plan by ensuring that Downtown contains a diversity of housing types and tenures including affordable housing.

4.3.3 Cultural Heritage

While the subject property itself is neither designated nor of heritage interest, the Official Plan encourages development proposals to be designed to preserve and enhance the context in which cultural heritage resources are situated. The Basilica of Our Lady is a designated National Historic Site. In addition, there are heritage homes located in proximity to the proposal. A Heritage Impact Assessment by CHC Limited has been required to evaluate the proposed design at 75 Dublin Street North to ensure that it preserves and enhances this cultural heritage context.

On September 15, 2016 the City of Guelph Heritage Planner advised that;

“Regardless if the Basilica of Our Lady (a National Historic Site) meets the definition in the PPS of a “protected heritage property” [note this requires some research with respect to protection that may have been added through federal and/or provincial funding and is not a straight forward answer in this instance], it is hoped that we can all agree that a development proposal adjacent to what is likely the City’s most important landmark and cultural heritage landscape needs to be designed in such a way that is compatible with its surroundings from a heritage conservation and urban design perspective. The impact that this development may have on the designated and listed (non-designated) built heritage resources in the area and the cultural heritage landscape that is “Catholic Hill” needs to be assessed and considered with care in all planning discussion going forward.”

The Guelph Official Plan (2014 Consolidation) encourages the design of development proposals to preserve and enhance the context of cultural heritage resources.

“3.5 Cultural Heritage Resources

General Policies

- 3.5.2 ***This Plan promotes the design of development proposals in a manner, which preserves and enhances the context in which cultural heritage resources are situated.”***

Figure 7 – Building Activity on Catholic Hill

Approximate Year(s)	Activity
1827	John Galt gave the hill in the centre of Guelph to the Catholic Church
1835	St. Patrick, a small wooden church, constructed
1844	St. Patrick Church destroyed by fire
1846	St. Bartholomew, a small stone church, constructed
1853 - 1857	Loretto Convent constructed
1857	Rectory constructed
1863	Construction began of a huge church which would occupy most of the hill. The project was abandoned due to debt.
1877	St. Agnes School constructed
1877 – 1926	Church of Our Lady Immaculate constructed. (including two front towers)
1883	St. Stanislaus School constructed
1887	St. Bartholomew Church demolished
1953	Bishop MacDonnell High School constructed
1975	St. Stanislaus School demolished
2004	Bishop MacDonnell High School demolished
1977	St. John Bosco Secondary School constructed (previously St. Stanislaus School)
1990	Our Lady of the Immaculate Conception Church was designated a National Historic Site in 1990 because it is an example of the High Victorian Gothic Revival style in Canadian architecture.
2012	Guelph Museum, addition and adaptive reuse of the Loretto Convent building

(Sources: Basilica of Our Lady website, Wellington Catholic District School Board website, Guelph Mercury Tribune website)

The 2012 addition and adaptive reuse of the Loretto Convent building to establish the Guelph Museum was constructed taking into consideration the impact that this development may have had on the designated and listed (non-designated) built heritage resources in the area and the cultural heritage landscape that is “Catholic Hill”. The design of the Guelph Museum preserves and enhances the cultural heritage resource context in which it is situated. Similarly the proposed design of 75 Dublin Street North considers and enhances the cultural heritage resource context in which it is situated. A Heritage Impact Assessment of the proposal for 75 Dublin Street North has been prepared.

Final Report of the Task Force - Future of the Loretto Convent March 22, 2005;

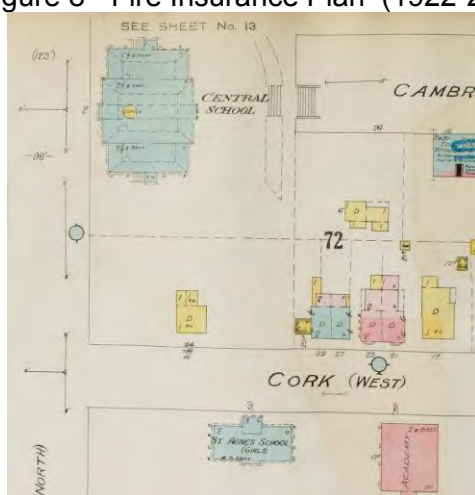
“The Task Force believes the Convent is an ideal site for the Museum...The other concept discussed in some detail by the Task Force was an innovative residential development for the Convent, perhaps including other facilities on Catholic Hill. While this concept remains with the Diocese to explore and develop, the Task Force noted the opportunity this plan might offer for revenue generation - potentially used by the Diocese for the restoration and on-going maintenance of the Convent and perhaps other facilities on Catholic Hill. Providing additional residences close to downtown Guelph would also support the development of the downtown, consistent with the interests of the Downtown Advisory Group.”

RECOMMENDATION 1

The Task Force recommends that City Council encourage and actively facilitate development of the Convent and the other buildings on Catholic Hill. This includes the Loretto Convent and St. Agnes School. Demolition of these facilities should not be approved."

Stephen Robinson, Guelph Senior Heritage Planner, has provided an excerpt from the Fire Insurance Plan (1922-29). (Figure 8) The house that was located on 75 Dublin Street North (previously addressed as 41 Cork Street West) was demolished before 1946 to make way for the tennis courts.

Figure 8 - Fire Insurance Plan (1922-29)



4.3.4 Downtown Secondary Plan

The Official Plan promotes the downtown as the focal point for investment where incentive programs will be implemented and regulating tools will be reviewed to facilitate and support economic vitality. The Downtown Mobility Plan identifies the subject property as being located on Cork Street West, a local street within the Downtown which is intended to provide access to development and facilitate circulation by all modes. (Figure 9) 75 Dublin Street North is included within the Mixed Use Node 2 designation which permits multiple unit apartment buildings. (Figure 10) To maintain the general character within this designation, development is to be compatible with the character of the surrounding area and respect the character of neighbouring buildings in terms of their scale, materials, articulation, landscaping and relationship to the street.

“11.1.3.2 **Downtown Investment**

11.1.3.2.1 *The City will, through economic development initiatives, **promote Downtown as a focal point for private and public investment, as well as tourism.***

11.1.3.2.4 *The **City will continue to implement incentive programs** to achieve economic vitality through such measures as Community Improvement Plans.*

11.1.3.2.5 The City will continue to review its regulating tools and processes and identify opportunities to promote, facilitate and support the economic vitality of Downtown, consistent with the policies and objectives of the Downtown Secondary Plan.”

“11.1.4.2.5 Existing and potential new future Local Streets are intended to provide access to development and facilitate circulation by all modes Downtown. They generally will accommodate two travel lanes and parking on one or both sides. All Local Streets should have sidewalks on both sides and be designed such that cyclists can safely share the road with vehicles.”

“11.1.7 LAND USE AND BUILT FORM

Objectives In addition to supporting the Principles, Objectives and Targets in Section 11.1.2, the intent of the policies below is to:

- a) **Promote design excellence.**
- b) **Encourage a wide range of land uses and built forms.**
- d) **Promote the development of diverse neighbourhoods in Downtown with a variety of housing choices, including units suitable for families and affordable housing.**
- f) **Ensure the built form of development contributes to attractive streetscapes and open spaces and supports an inviting, comfortable and active public realm.**
- g) **Ensure new development respects the character of downtown’s historic fabric and the quality of life in surrounding neighbourhoods.”**

Figure 9 - Downtown Secondary Plan Mobility Plan



“11.1.7.4 Mixed Use 2 Areas

11.1.7.4.1 Mixed Use 2 areas, as identified on Schedule C, are those areas of downtown that were historically mostly residential with a mixture of housing styles but have evolved to accommodate a range of uses, many in partially or fully converted houses. Therefore the predominant character of this area is of low-rise buildings that are residential in character, with landscaped front yards, and small-scale, visually unobtrusive commercial signage. In addition, many of the existing buildings and properties in these areas are of Cultural Heritage Value or interest and contribute to Downtown’s unique identity. As land uses evolve, the predominant character of Mixed Use 2 areas should be maintained.

11.1.7.4.2 The following uses may be permitted in Mixed Use 2 areas:

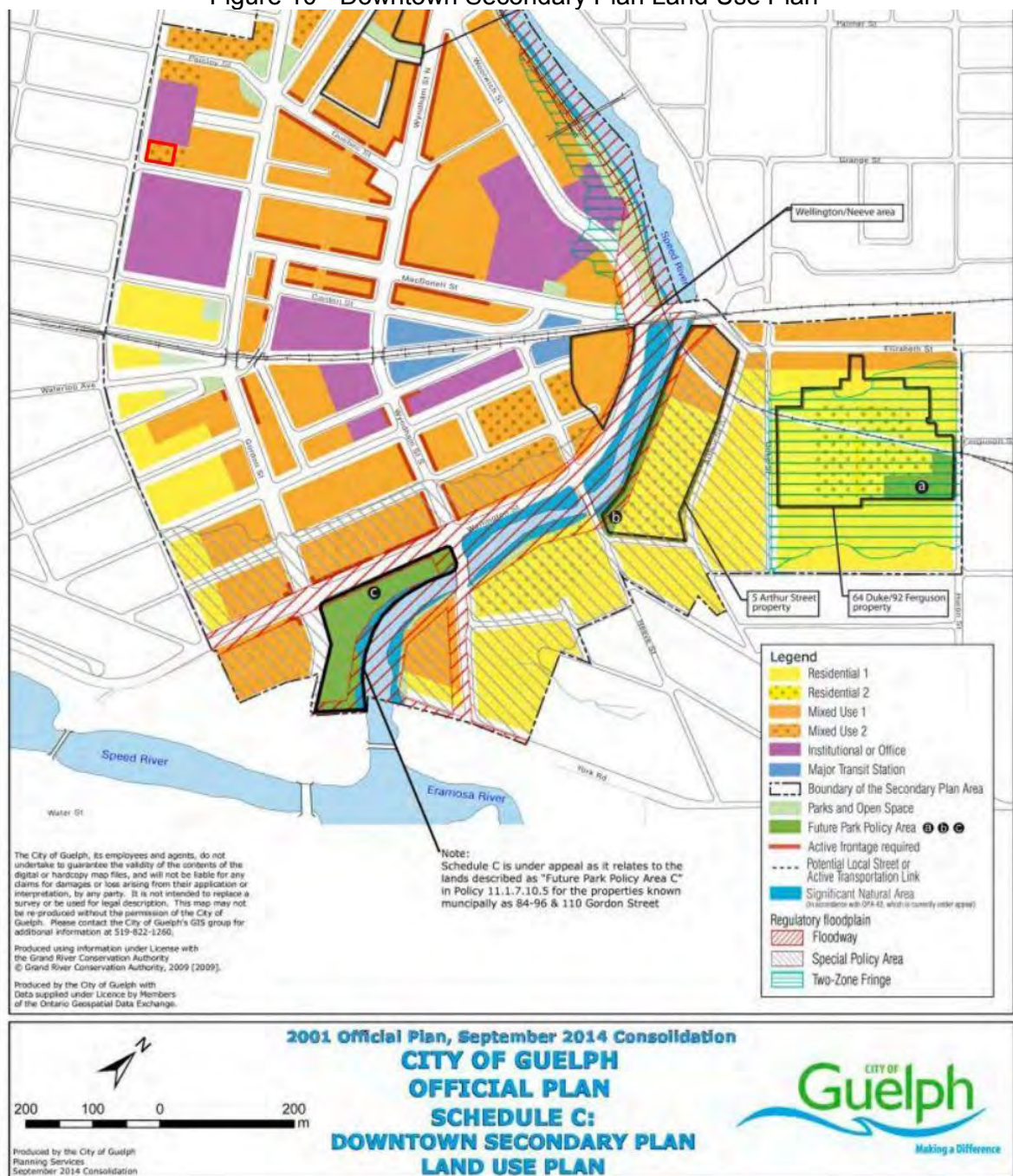
- a) small-scale retail uses and convenience commercial;*
- b) personal service uses;*
- c) detached, semi-detached and duplex dwellings, townhouses and **multiple unit apartment buildings**;*
- d) live/work uses;*
- e) offices, including medically related uses;*
- f) community services and facilities;*
- g) cultural, educational and institutional uses;*
- h) small-scale hotels; and*
- i) parks, including urban squares.*

11.1.7.4.3 The minimum floor space index (FSI) in Mixed Use 2 areas shall generally be 0.6.

11.1.7.4.4 To maintain the general character of Mixed Use 2 areas, development shall adhere to the following:

- a) Development shall be compatible with the character of the surrounding area and respect the character of neighbouring buildings in terms of their scale, materials, articulation, landscaping and relationship to the street.*
- b) Building setbacks along the street shall be generally consistent with those of neighbouring buildings within the Mixed Use 2 area.*
- c) Parking and servicing areas shall generally be located at the rear or side of buildings. Parking shall generally not be permitted between the front of a building and the street.”*

Figure 10 - Downtown Secondary Plan Land Use Plan



The proposal will bring investment to the downtown which will facilitate and support economic vitality. Cork Street West will provide vehicular access to the proposed development. 75 Dublin Street North is included within the Mixed Use Node 2 designation which permits multiple unit apartment buildings. To maintain the general character within this designation, the proposal has been designed to be compatible with the character of the surrounding area by providing setbacks and stepbacks in the building design, underground parking, landscaping and a similar orientation to the street as buildings within the area.

4.3.5 **Urban Design**

The proposed five storey apartment building is oriented to the street with the main pedestrian entrance proposed onto Dublin Street North. The building is not considered long, and will not exceed 40 m in length. A residential pick-up, drop off and lay-bys is provided on Dublin Street North. High quality enduring materials are proposed for this building. The maximum building height is 5 storeys therefore the built form policies for buildings taller than six storeys do not apply. However, the proposal has been designed to moderate the mass and shadow impacts by using building stepbacks which exceed those required by the Downtown Zoning By-law. Parking for the proposal will be provided underground in accordance with the parking policy for the downtown. No parking is proposed on the property between the building and the street. The subject property is not located within a "Protected Public View Corridor". James Fryett Architect Inc. has prepared the design for the proposed building. GM Blue Plan has prepared a Functional Servicing Report in support of this proposal.

"11.1.7.2.3 The following additional built form policies shall apply to all areas of Downtown:

- a) Generally, buildings shall be oriented towards and have their **main entrance on a street** or open space.*
- b) **Long buildings, generally those over 40 metres in length, shall break up the visual impact of their mass** with evenly spaced vertical recesses or other architectural articulation and/or changes in material.*
- c) **Mechanical penthouses and elevator cores** shall be screened and integrated into the design of buildings.*
- d) Generally balconies shall be recessed and/or integrated into the design of the building facade. Exposed concrete balconies generally shall not be permitted.*
- e) **Residential pick-up and drop-off areas and lay-bys** should be located on Secondary or Local Streets and/or Laneways, and not on Primary Streets.*
- f) Front patios for ground-floor residential units, where appropriate, should be raised to provide for privacy and a transition between the public and private realms.*
- g) **All buildings downtown should be finished with high quality, enduring materials, such as stone, brick and glass.** Glass should be transparent or tinted with a neutral colour. Materials that do not age well, including stucco, vinyl, exterior insulation finishing system (EIFS) and highly reflective glass, shall be strongly discouraged and may be limited through the implementation documents and by-laws.*
- h) The massing and articulation of buildings **taller than six storeys** shall moderate their perceived mass and shadow impacts, provide appropriate transitions to areas with lower permitted heights, and contribute to a varied skyline in which the **Church of Our Lady is most prominent**. Generally, the maximum floorplate of any floor **above the sixth storey**, where permitted, shall be 1,200 square metres. Furthermore, the floorplates of floors above the eighth storey, where permitted, generally shall be a maximum of 1000 square metres and should not exceed a length to width ratio of 1.5:1.*

"11.1.7.2.4 The following general policies respecting parking, loading and servicing shall apply to all areas of downtown:

- a) **Vehicular entrances to parking and servicing areas generally be on Local Streets, Secondary Streets or Laneways** and should be consolidated wherever possible to maximize*

c) **Parking for apartment dwellings, including visitor parking, generally shall be located in underground or above-ground structures or surface parking lots at the rear of the building, unless other arrangements for off-site parking have been made to the City's satisfaction.**

e) **Generally no parking shall be permitted between the front of a building and the street to help create pedestrian-oriented streetscapes."**

"11.1.4.5 Parking 11.1.4.5.1 Downtown shall continue to be served by a range of parking facilities, including but not limited to above ground and below-ground parking structures, small public and private surface parking lots, and on-street parking. The City shall continue to play an active role in the supply of off-street parking in the Downtown."

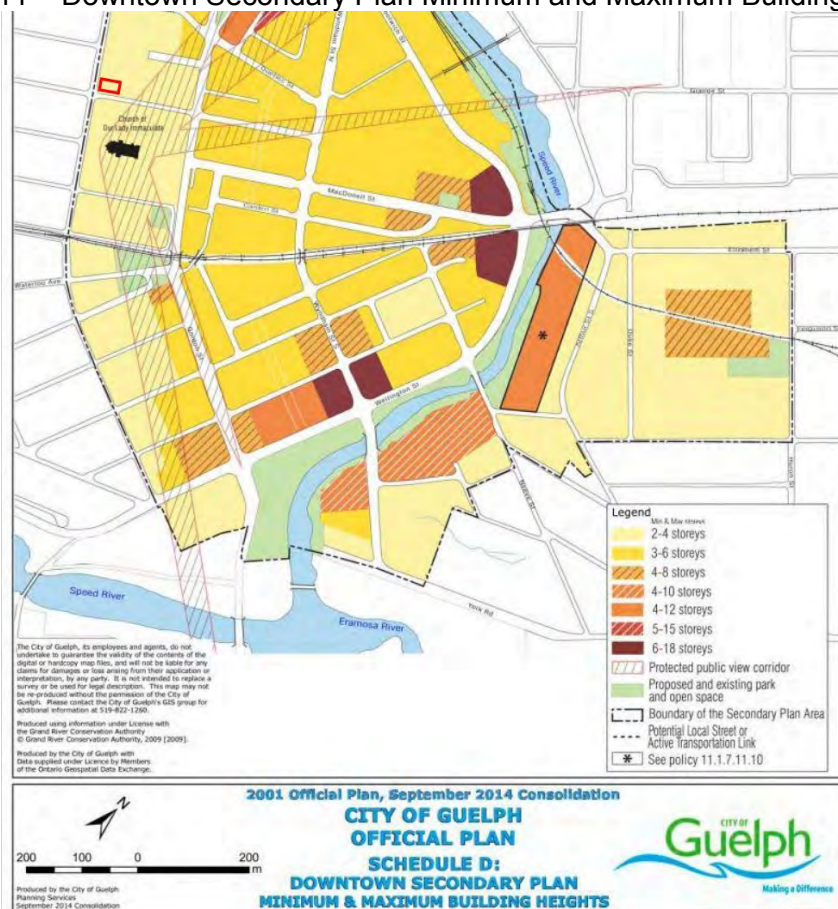
"11.1.4.5.3 The City may reduce or exempt any requirement for private off-street parking for development in Downtown provided there is adequate alternative parking."

"11.1.8.11 Definitions

In addition to definitions of the Official Plan, the following definitions are applicable in the Downtown Secondary Plan:

Compatibility/compatible means: Development or redevelopment which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without unacceptable adverse impact."

Figure 11 – Downtown Secondary Plan Minimum and Maximum Building Heights



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 includes Height and Density Bonusing provisions for affordable housing.

“9.2 Residential Uses

9.2.1 General Policies for Residential Uses

1. ***Affordable housing is encouraged wherever residential uses are permitted.”***

“10.7 Height and Density Bonus Provisions

1. *The Planning Act allows the City to consider increases in the height and density of development otherwise permitted on a specific site in exchange for community benefits as set out in the Zoning By-law.*

2. *The City will consider authorizing increases in height and density provided that the development proposal:*

- i) *is consistent with the goals, objectives and policies of this Plan;*
- ii) *is compatible with the surrounding area;*
- iii) *provides community benefits above and beyond those that would otherwise be provided under the provisions of this Plan, the Planning Act, Development Charges Act or other statute; and*
- iv) *provides community benefits that bear a reasonable planning relationship to the increase in height and/or density such as having a geographic relationship to the development or addressing the planning issues associated with the development.*

3. *Subject to policy 10.7.2, the community benefits may include but are not limited to:*

- i) ***housing that is affordable to low and moderate income households, special needs housing or social housing;***
- iv) *buildings that incorporate sustainable design features;*

4. *In considering community benefits the City may give priority to identified community needs, any identified issues in the area and the objectives of this Plan.*

5. *Increases to height and/or density shall only be considered where the proposed development can be accommodated by existing or improved infrastructure. Planning studies may be required to address infrastructure capacity for the proposed development and any impacts on the surrounding area.*

6. *A by-law passed under Section 34 of the Planning Act is required to permit increases in height and/or density. The by-law shall set out the approved height and/or density and shall describe the community benefits which are being exchanged for the increases in height and/or density. The landowner may be required to enter into an agreement with the City that addresses the provision of community benefits. The agreement may be registered against the land to which it applies.”*

While OPA No. 48 is not yet in effect, the proposal has been considered in relation to these policies.

4.5 Zoning By-law

The current zoning of the property is the Institutional I.1 Zone which permits a 4 storey building on the subject property.

Figure 12 - Existing Zoning

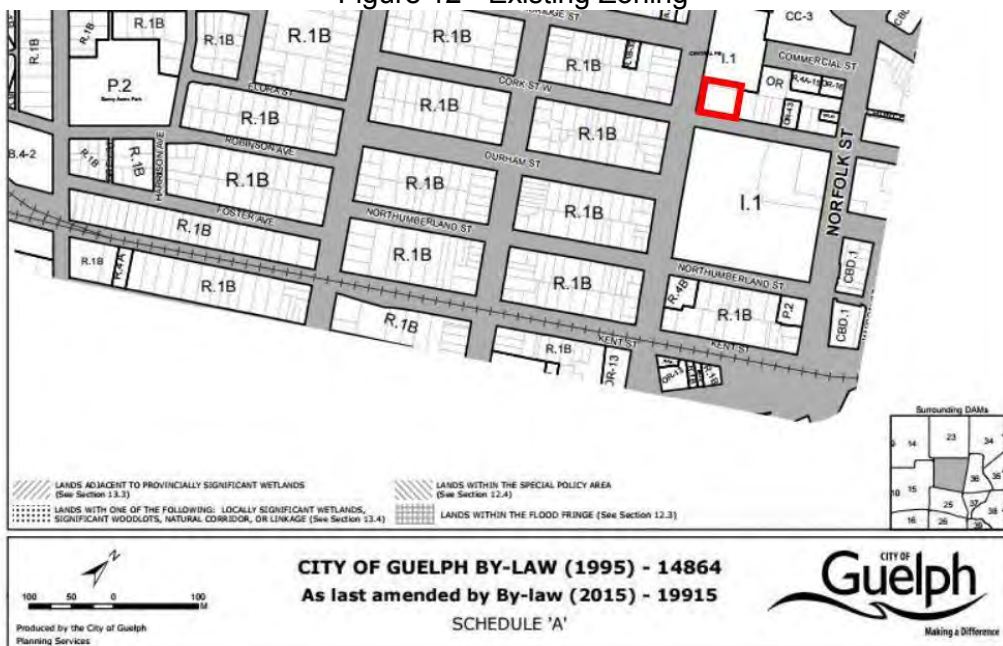


Figure 13 - Downtown Zoning By-law

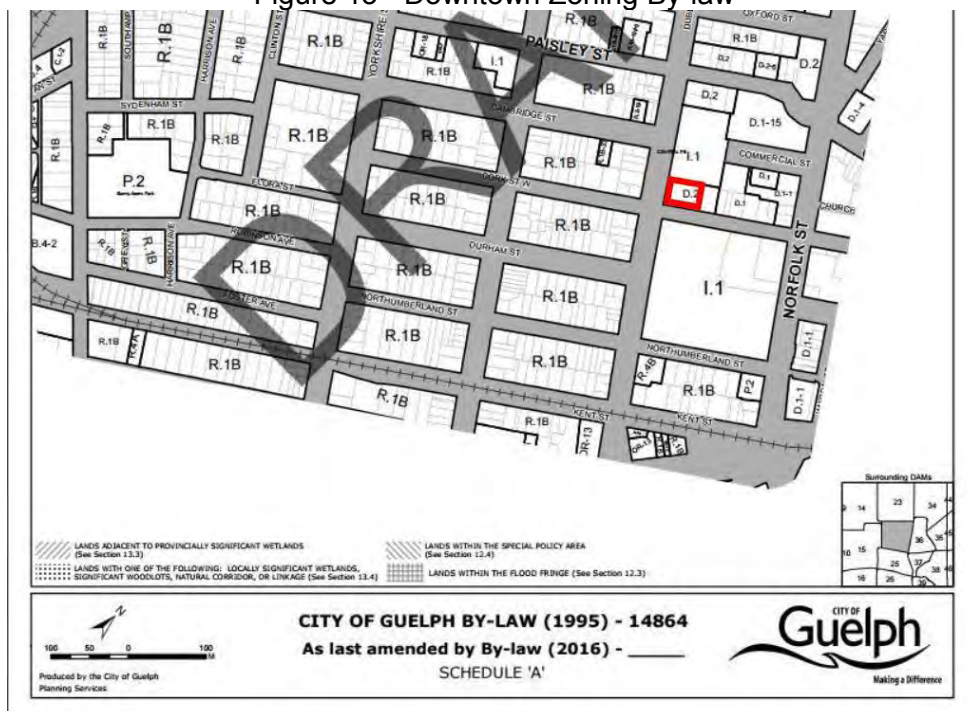
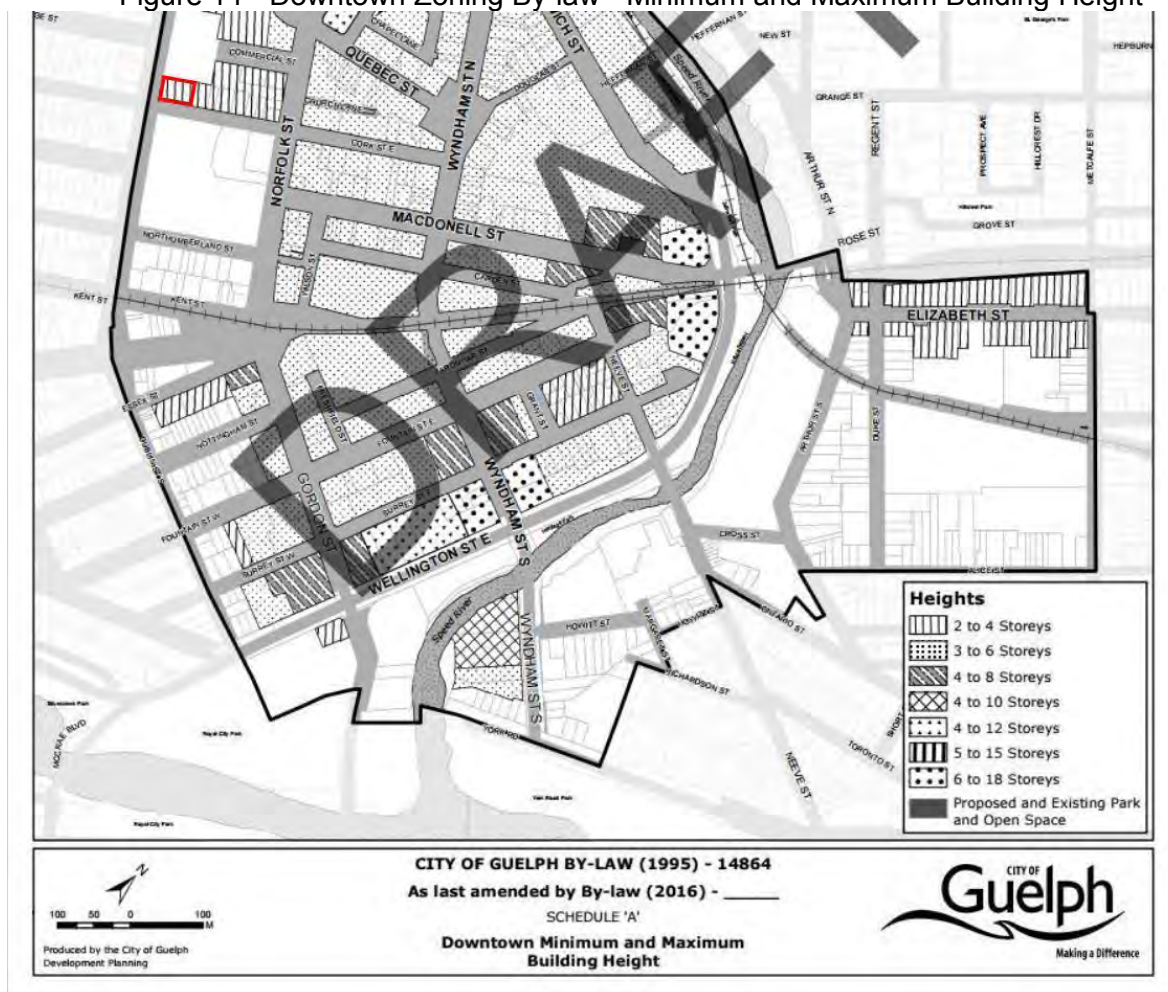


Figure 14 - Downtown Zoning By-law - Minimum and Maximum Building Height



As noted in section 2 of this report, a Zone Change application is proposed to change the current zoning to a Specialized D.2-9 Zone to permit an apartment building including the provision of affordable housing

Specialized Zoning Regulations being requested:

- Maximum Building Height of 5 storeys where 4 storeys is permitted.
- Parking for the Senior Affordable Housing Units shall be provided at a rate of 0.35 parking spaces per unit where one parking space per unit is required.
- No off-street visitor parking shall be required where two visitor parking spaces are required.
- Minimum Rear Yard of 3 m where 10 m is required.
- 19 long term bicycle parking spaces where 26 are required.

5. Conclusion

This Planning Report has been prepared in support of the proposed City-initiated Official Plan Amendment and Downtown Zoning Amendment to implement the proposed development including 20 affordable rental senior apartment units to receive Investment in Affordable Housing (IAH) funding for 75 Dublin Street North as outlined within this report. This proposal is consistent with the Provincial Policy Statement and in conformity with the Growth Plan, is in conformity with the intent of the Guelph Official Plan and in my professional opinion represents good planning.

This report has been prepared and respectfully submitted by,

Astrid Clos, RPP, MCIP

September 21, 2016

Date