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A vibrant downtown

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An appealing attractive city

AGENDA

GUELPH CITY COUNCIL

August 28th, 2006 - 6:30 p.m.

- O Canada
- Silent Prayer
- Disclosure of Pecuniary Interest

**PLANNING PUBLIC MEETING
UNDER THE PLANNING ACT**

Council is now in a public meeting under the Planning Act to deal with the following matters:

1) **66, 70 AND 72 YORK ROAD , 1 RICHARDSON STREET: Proposed Official Plan and Zoning By-law Amendment (OP0601/ ZC0518)**

- Staff presentation by Melissa Castellan
- Brian Lauder
- Marie Denham
- Lisa Schincariol

Correspondence:

- Dr. Kris Inwood
- Petition of the York Road & Wyndham Street Area Residents
- Terrance J. Flaherty

2) **1077 GORDON STREET – Proposed Official Plan and Zoning By-law Amendment (ZC0505/OP0513)**

- Staff presentation by Chris DeVriendt
- Astrid Clos on behalf of Astrid J. Clos Planning Consultants
- Robb Atkinson, land owner

Please bring reports which were previously distributed.

ADJOURNMENT

RECEIVED
AUG 2 2006
CITY CLERK'S OFFICE

To the members of Council,

I am writing about the coming (August 28) discussion at Council of the development plan for 66, 70 and 72 York Road. I apologize that it is not possible for me to be present for the meeting; I am now in Europe with my work. I am writing from a distance to ask you to defer discussion in order to allow time for a more careful consultation and consideration of the design of the proposal.

The proposal being advanced is not some minor modification of an agreed-upon plan for the site. Rather, it is a substantial deviation from a plan examined by a previous Council more than a decade ago. In the new version more than one-third of the original site has been removed, and the nature of the proposed architecture is completely changed. The units are now being spread out and pushed closer to the houses behind - creating much greater disruption of mature tree cover, greenland, wildlife and drainage, and a very different pattern of impact on neighbours. The original density approval was already at a level anomalously high for the area, and yet this proposal asks for a further increase in density and reduction in area per unit. And there are additional requests for parking setback and reduction for minimum side and rear yards.

These units are being represented as medium to high-end townhouses, and yet this is clearly incorrect. They are small units, with small decks, limited clearance to property lines, no basements, no real garages and the utility area must be on the ground floor. There is simply no way to avoid this development as currently planned (short of being designated a seniors' complex) from becoming a quasi-residence for students.

Residents in the neighbourhood have attempted to engage with the developer on a number of occasions about the new design concept. On each occasion he has been prepared to discuss at some length the small details and yet refused outright to discuss the basic design. I hasten to add that I do not speak ill of the developer, who is a capable and decent businessman with a solid track record in the community. But in this matter his concerns are not those of the neighbourhood and they should not be allowed to dictate the nature of development in this corner of Ward One.

I am asking for a deferral so that there might be serious discussion of all this. We have not yet had a discussion about how to meet the legitimate interests of the current owners of the site without imposing an inappropriate development on the neighbourhood. This is not fair to me and the other owners and nearby residents, and it is not supportive of a healthy community. For that reason I plead with the developer to engage with the neighbourhood in a serious discussion of the basic design concept, and I plead with you to let that happen through a deferral of any decision for the site.

This matters a lot to people in the neighbourhood. Some weeks ago I knocked on doors up and down Neeve Street. Other people canvassed on nearby streets. I talked to a lot of people. Obviously they have diverse opinions but, on this issue, there was a surprising degree of consensus. All but one person, after seeing the Terraview documents posted on the city web page, immediately signed a petition asking to reconsider the design for 66, 70 and 72 York Road.

Why do so many people feel this is important? I am not sure because truthfully I was a little surprised at the tone of frustration and even anger directed at City Hall in my conversations with the neighbours. But I can tell you why it matters to me. Since moving to Richardson Street in 1986 I have seen the introduction of a massive high-density redevelopment of the former industrial lands along the River and at York and Neeve a townhouse complex that clearly has too many bedrooms in too small a space. Clearly some redevelopment of these sites had been needed, and there was opportunity for some interesting intensification. Instead, it was a little too much and not sufficiently adapted to the character of the neighbourhood.

In less than twenty years the population of my immediate neighbourhood has more than doubled through these two big projects and the ongoing intensification on a unit by unit basis. That is a very large change in a small area during a relatively short period.

You would not be able to find many other neighbourhoods that have been changed quite so dramatically. How much longer can this continue and what will it do to the basic character of a small but successful neighbourhood?

Terraviva now proposes a third redevelopment at 66, 70 and 72 York Road. Again it is a little too big and not sufficiently adapted to the nature of the neighbourhood. It needs more discussion on its merits and because of the earlier developments in the neighbourhood. I thank you for reading this note, and apologize again that I cannot be present for the meeting on the 28th.

Sincerely,
Dr. Kris Inwood
41 Richardson St.

RECEIVED
AUG 23 2006
CITY CLERK'S OFFICE

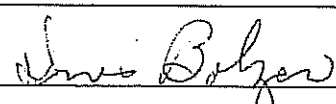
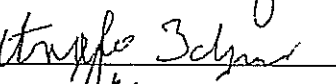


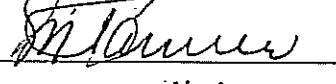


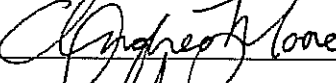
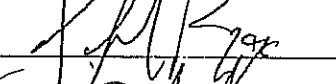
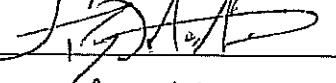
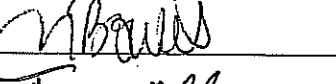

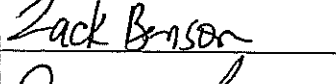
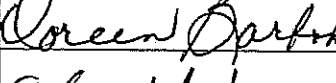
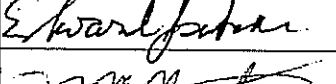

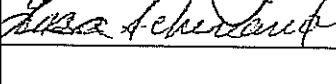
Petition of the York Road & Wyndham Street Area Residents Opposing the Application for an Official Plan & Zoning By-Law Amendment for 66, 70, 72 York Road & 1 Richardson St. (OP0601, ZC 0518) & also a Petition which is to be considered by Guelph City Council regarding any applicable matters concerning this development.

Residents of the York Rd. & Wyndham St. neighborhood and the surrounding area by their signatures on this petition indicate their support of the principles, & information stated in this petition & would respectfully ask Guelph City Council & the City Planning Department to consider this petition in all future deliberations pertaining to the proposed aforementioned development by Terraview Homes. We understand & support the desire for intensification of future development in the city & preserving our farmland, but feel strongly it should not be done at any cost to the character, physical & social environment of our neighborhood & in fact any neighborhood within our ward or the City of Guelph.

- 1) We object to the reduced yards and increased densities from 37.5 to 40 dwellings per hectare. This is not in keeping with the neighborhood, which consists of single-family detached homes. No reduction to any of the minimum standards for front yards, side yards or rear yards should be approved. An increase in these minimum standards would be more appropriate.
- 2) The proposed reduction to the rear deck amenity area from 4.5m (14.7ft.) to 3.36m (11.0ft.) should not be approved in the best interests of the new residents and neighboring yards.
- 3) There should be no approval to the reduction of the minimum lot area from 270 square meters to the requested 251 square meters per dwelling unit as this reduces the amenity area and green space of the already too tightly compacted townhouses. This is not in the best interests of the new residents or in keeping with the character of the neighborhood.
- 4) The developer's proposal to build tightly compacted townhouses does not suit this site which is a wild life habitat. In addition, the massing of the proposed townhouses does not reflect the character of the neighborhood, which consists mostly of detached bungalows and 1^{1/2} storey homes.
- 5) The developer is proposing to place approximately metres of fill over the whole area, which is a floodplain, including the ravine that provides natural underground and overland drainage of the wetlands to the east. This could have the effect of raising the water table and causing soggy backyards and problems for the existing homes on York Road, as their basements are now only a few inches above the water table. In the best interests of the residents of York Road the original grade of the ravine should remain undisturbed and the grades of the development should be designed to blend into the ravine. This area should be fenced off during the grading operation.
- 6) Grading of the site should be altered to save as many of the century old healthy trees as possible in the interior of the site and to maintain the character of this natural wildlife habitat. We have seen little effort if any by the developer to date, in this regard which is disappointing.

Signature	Name (print)	Address	Phone
	Amy Collins	100 York Rd. Guelph	341-1456
	Kathleen Berger	100 York Rd Guelph	"
	Margaret McQuinn	98 York Rd Guelph	767-6086
	MIKR HARBIN	102 YORK RD	822-9444
	SOFI HARBIN	102 YORK RD	822-9444
	Sally Zinger	104 York Rd	829-2595
	Joe Zinger	104 York Rd.	829-2595
	Jessica Dame	104 York Rd.	766-9118
	Greg Young	106 York Rd	823-5560
	Ellen McCann	106 York Rd	823-5560
	Amber Wagle	112 York Rd.	823-0997
	SANDRA PARKER	121 York Rd	763-1332
	Bob Arsenault	121 York Rd.	763-1332
	Cheryl Laird	125 York Rd	821-7324
	Trevor Street	125 York Rd	821-7324
	SEITZ	203 Neese St	235-5226
	Smit, Mike	110A York Rd	821-1277
	Lynne McIntee	110A York Rd	821-1277
	Kelly Veteany	100 York Guelph	341-1456
	Alison Walden	106 York Rd Guelph	823-5560

Signature	Name (print)	Address	Phone
	KAREN WHITE	82 YORK RD	519-829-1642
	JIM BURGESS	74 YORK RD.	824-5866
	SONIA BEAULIEU	56 York Rd	780.1342
	Michael Curry	56 York Rd	- -
	DOREEN BARTOK	78 York Rd.	341-0089
*	TARA TREANDOR	94 York Rd.	824-9095
	Peter Long	96 York Rd	835-1232
	Laura Gair	52 York Rd	821-1945
	ANNE GERICEN	86 York Rd.	341-1521
	STEVE DICKSON	86 York Rd	341 1521
	MERISA WALLACE	58 YORK RD	836-6808
	FRANK CICOGNA	54 York Rd.	822-3408
	Martin Sticht	60 York Rd.	822-6505
	Daniel Katsuno	62 York Rd.	341-1118
	Kim Gadowy	74 York Rd	822-2684
	Meghan Henry	74 York Rd.	222-2684
	MARK LEE WETLER	80 York Rd.	763 9198
	KEN BELL	82 York Rd.	809-1643
	Corrie Sanford	88 York Rd	841-2946
	Jim White	82 York Rd	763-5380

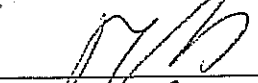



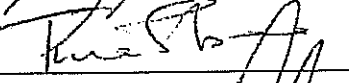

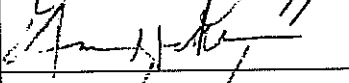



Signature	Name (print)	Address	Phone
	INES BOLZON	31 RICHARDSON ST	822-0273
	ANGELO BOLZON	31 RICHARDSON ST	822-0273
	Jon Brown	161 NEEVE ST	400 6688
	Scott McWhinnie	165 NEEVE ST.	822-8075
	MARIE TANNER	177 NEEVE ST.	821-7163
	David Wilhelm	179 NEEVE ST	826 6150
	BRAD MOORE	163 NEEVE ST	763-2775
	ANDREA MOORE	163 NEEVE ST	763-2775
	JEFF RIGGS	161 NEEVE ST	835-5574
	Ryan Wm. MacAdam	33-B Richardson st	763-3407
	Nicole Bowes	33-B Richardson	763-3407
	TIM ALLMAN	35 Margaret St.	837-0276.
	Zack Benson	94 York Rd.	830-4412
	DOREEN BARTOK	78 YORK RD.	341-0089
	Edmund Jackson	8 Cambridge St	767-3394
	JJ M'Murtry	5 Richardson St.	763-0982
	Lisa Schincariol	5 Richardson St.	763-0982

Signature

Name (print)

Address

Phone

Signature	Name (print)	Address	Phone
	Dave Bos	181 Neeve St.	824-3906
	Emily Bos	181 Neeve St	824-3906
	Sherry McMinn	188 Neeve St	341-9422
	Larry Landot	188 Neeve St	341-9422
	TINA SORBATTA	174 NEEVE ST.	835-6461
	MARE DEFILIPPIS	174 NEEVE ST.	835-6461
	Amanda Hillier	167 Neeve St	827-976
	WARREN OLYNIK.	167 Neeve St.	827-976
	Janet Fleece	167 Neeve St.	827-114
	James Wallace	147 YORK RD	824-3400



Signature	Name (print)	Address	Phone
	Travis Coleman	106 York Road	823-5560
	Allison Kidd	106 York Road	823-5560
	ELLEN CATLEY	110 YORK ROAD	546-3121
	Tomia Wagner	112 York Rd.	823-0992
	Ben Schleen	114 York Rd	763 8627
	Steven Tucker	196 Neeve St	829 0212
	Peter Kabnos	202 Neeve St.	836-5162
	Jamic Boss	202 Neeve St	836-9161
	BARBARA HAIST	137 York Rd	821-3783
	DINA STRADIDINA	139 YORK RD	822-5435
	AMELIA STRADIDINA	139 YORK RD	822-5435
	MARIO COLUZO	143 YORK ROAD	826 6067
	Diana Mooij	147 York Road	824 3400
	Kim Sreed	160 York Road	763-8815
	RETA PROTEAU	158 YORK RD	824 6591
	GILLIAN LEWIS	156 NEEVE ST.	763-8097
	Bonnie Forbes	195 Neeve St	803-4542
	Sheryl Tenier	195 Neeve St	803-3894
	GORDO	192 Neeve St	n/a
	TODD BRADLEY	190 NEEVE	824-3873

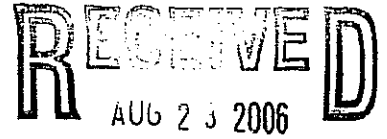
TERRENCE J. FLAHERTY, B.A. LL.B.

BARRISTER & SOLICITOR

29 Cork Street West, Guelph, Ontario N1H 2W9

Tel: (519) 836-5730 Fax: (519) 836-8654

email: tjflahertylaw@bellnet.ca



CITY CLERK'S OFFICE

August 23, 2006

City of Guelph
City Clerk
59 Carden Street
GUELPH, ON N1H 3A1

DELIVERED

Attention: Ms. Lois Giles

Dear Ms. Giles:

Re: 66, 70 and 82 York Road and 1 Richardson Street:
Proposed Official Plan and Zoning By-Law Amendment (OP0601, ZC0518)

I am the lawyer for James White and Karen White being the owners of the premises municipally known as 82 York Road, Guelph, Ontario. I am specifically referring to the Notice of Public Meeting dated August 4, 2006 which they received.

I am writing on behalf of my clients. Although they agree with the principle of the intensification of growth within the City as preferable to urban sprawl, they feel that it must be done in a manner that is compatible with and poses no threat to established neighborhoods.

The developer in this case is proposing to build in a flood plain and to fill the natural ravine of an area of the floodplain that provides overland and underground flow for the wet lands to the east of this development. This has the potential to raise an already high water table which could flood the basements of the existing homes on York Road.

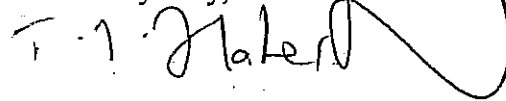
Please find enclosed a letter addressed to Nancy Shoemaker being the developer's planner. I am advised it was sent in August, 2005 and outlines the concern of a number of residents of York Road concerning this matter.

The residents on York Road have co-operated with the developer by allowing the geotechnical study to take place on their properties but to date have had no written response to the above-noted letter but rather, only recent verbal assurances that measures are being taken to ensure that the water table will not be raised higher by this

development. My clients would like a written commitment that the normal water table will not be raised by this development.

My clients are looking to the City of Guelph, The Grand River Conservation Authority, Terra View Homes and their consultants to implement the necessary special measures which are required to ensure the water table will not be raised above normal levels by this development as well as to set up a program to monitor the ground water table after construction for their protection.

Yours very truly,

A handwritten signature in black ink, appearing to read "T. J. Flaherty", with a large, sweeping flourish extending to the right.

TERRENCE J. FLAHERTY

TJF/cm

Encl.

c.c. Mr. James White

Ms. Karen White



City of Guelph

PLANNING & DEVELOPMENT SERVICES

Report 06-74

Report:

TO: Council

DATE: 2006/08/28

**SUBJECT: 66, 70 AND 72 YORK ROAD, 1 RICHARDSON STREET:
PROPOSED OFFICIAL PLAN AND ZONING BY-LAW
AMENDMENT (OP0601, ZC0518)**

RECOMMENDATION:

THAT Report 06-74 regarding Official Plan and Zoning By-law Amendments for property municipally known as 66, 70 and 72 York Road and 1 Richardson Street from Planning and Development Services dated August 28, 2006 BE RECEIVED; and

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a site specific policy amendment to the "Medium Density Designation" of the Official Plan affecting properties municipally known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph, BE APPROVED, in the form outlined in Schedule 2 of the Planning Report 06-74 dated August 28, 2006; and

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a Zoning By-law amendment from the R.3A-2 (Residential Cluster Townhouse) Zone to a new Specialized R.3A (Residential Cluster Townhouse) Zone and to the R.1B (Residential Single Detached) Zone, the R.1D (Residential Single Detached) Zone and the R.2 (Residential Semi-detached) Zone affecting properties municipally known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph, BE APPROVED, in accordance with the regulations and conditions set out in Schedule 3 of the Planning Report 06-74 dated August 28, 2006; and

THAT the request by Terra View Homes to demolish the detached dwelling located on the property municipally known as 72 York Road BE APPROVED."

BACKGROUND:

Location: The subject properties are located at 66, 70 and 72 York Road and 1 Richardson Street. This .8 ha site is situated on the north side of York Road to the east of the intersection of Wyndham Street South and York Road. The subject properties are situated in a mixed residential and commercial area with residential properties located along York Road and Richardson Street and commercial and residential properties located on Wyndham Street South. York Road Park is located across York Road to the South (see **Schedule 1** – Location Map).

Official Plan Designation: The subject property is designated "Medium Density Residential" in the Official Plan which permits multiple unit residential buildings such as townhouses, row houses and walk-up apartments at a minimum density of 20 units per hectare and a maximum density of 100 units per hectare. The property is also located with the Special Policy Area of the Official Plan which permits development within the flood plain provided that any new buildings or structures are designed such that its structural integrity is maintained during a regulatory flood and every attempt is made to floodproof buildings and structures to the regulatory flood level.

Existing Zoning: The subject properties are currently zoned R.3A-2 (Residential Cluster Townhouse). This zoning permits a stacked townhouse development with a maximum density of 20.2 units per acre (50 units per hectare). The permitted density would allow a total of 28 units on the portion of the subject property that is proposed to be re-zoned to a new Specialized R.3A (Residential Townhouse) Zone and 40 units on the entire subject lands. (Refer to **Schedule 4**)

Application Background:

This application for an Official Plan and Zoning By-law Amendment was submitted in January 2006.

In support of the application the following reports were prepared:

- Tree Conservation Report (Prepared by the Landplan Collaborative Ltd, November 2005)
- Preliminary Site Servicing and Stormwater Management Report (Prepared by Gamsby and Mannerow Ltd, November 2005)
- Preliminary Geotechnical Investigation (Prepared by V.A. Wood Guelph Incorporated, October 2005).

A previous Official Plan and Zoning By-law Amendment in 1994 placed the subject property in the "Medium Density Residential" designation and in the R.3A-2 (Residential Cluster Townhouse) Zone. A 40 unit stacked townhouse project was proposed and the applicant at the time intended to construct the development under the Provincial Government's Subsidized Housing program. This proposal involved the demolition of the dwellings located at 66, 70 and 72 York Road and the provision of a dry land access through the site to Richardson Street as a provision of flood plain policies. When the program was cancelled by the Ontario Government, the project was also cancelled. Since that time, a few of the subject properties have changed ownership and the owners at 66 and 70 York Road decided that they would like to retain their homes. As a result, this proposal to develop the majority of the land area for townhouses and develop the

York Road and Wyndham Street South frontages with detached and semi-detached dwellings was created.

There have also been changes to policies related to new developments within the flood plain. The Grand River Conservation Authority (GRCA) now requires safe access to dwellings within the flood plain rather than dry land access, therefore a secondary access to Richardson Street is no longer required to develop this property.

REPORT:

Description of the Proposed Official Plan Amendment: The application requires a site specific policy amendment to the "Medium Density Residential" designation to allow detached and semi-detached dwellings within the "Medium Density Residential" land use designation. The "Medium Density Residential" designation states that the predominant use of the land in this designation shall be for multiple unit residential buildings and is not intended for housing forms such as detached or semi-detached units.

This amendment is required because the applicant proposes to include new single detached and semi-detached dwellings on the subject site (see **Schedule 6**) through:

- the creation of a new lot for a semi-detached dwelling fronting on York Road; and
- the creation of two new lots for detached dwellings fronting on Wyndham Street South.

The retention of 3 existing detached dwellings located at 66 York Road, 70 York Road and 1 Richardson Street is also contemplated as part of this application.

Description of the Proposed Zoning By-law Amendment:

The applicant proposes to amend the zoning on the subject property from the R.3A-2 (Residential Cluster Townhouse) Zone to (see **Schedule 5**) the following:

- a new specialized R.3A Zone to permit a cluster townhouse development with 22 units;
- the R.1D zone to permit 2 new detached dwellings fronting on Wyndham Street South with a minimum frontage of 9 metres;
- the R.2 zone to permit a semi-detached dwelling fronting on York Road with a minimum frontage of 7.5 metres for each unit; and
- the R.1B Zone to recognize two existing dwellings located at 66 and 70 York Road with a minimum frontage of 15 metres.

Twenty-six new units are proposed with this application; for a total of twenty-eight units on the site when the two retained dwellings on York Road are included. This results in a density of 35 units per hectare (14 units per acre) for the overall site. The portion of the site that is proposed to be developed as cluster townhouses has a density of 40 units per hectare (16 units per acre).

This proposal includes the demolition of the detached dwelling located at 72 York Road. Heritage Guelph has reviewed the application and has expressed no concerns with the removal of this dwelling.

The proposed lots for detached and semi-detached dwellings and the proposed parcel for the cluster townhouse development is proposed to be created through a subsequent application for severance through the Committee of Adjustment. The existing house at 1 Richardson Street is not part of this application. The subsequent applications to the Committee of Adjustment will involve the retention of the house at 1 Richardson Street on its own lot with the remainder of the property consolidated with 72 York Road and the rear portions of 66 and 70 York Road to create the parcel for the proposed townhouse development. These applications were submitted to and deferred by the Committee of Adjustment in 2004 and will only be considered upon a Council decision on the Official Plan and Zoning By-law Amendments.

Specialized regulations are required for the proposed R.3A zone and include:

- Front Yard Setback – 12 metres where the front yard setback is required to be the average of the existing yards within the same City block face.
- Minimum Side Yard – 3 metres for the west side yard and 6 metres for the south side yard where the required side yard is one-half the building height and not less than 3 metres or 7.5 metres where windows to habitable rooms face on the side yard.
- Minimum Rear Yard – 4.69 metres where the required rear yard is one-half the building height and not less than 3 metres or 7.5 metres where windows to habitable rooms face on the rear yard.
- Minimum Lot Area per Dwelling Unit – 251 square metres where 270 square metres is required.
- Distance between buildings – minimum of 3 metres where 1) 15 metres is required between the face of one building and the face of another, each of which contains windows of habitable rooms, 2) 12 metres is required between the face of one building which contains windows and the face of another building which does not contain windows, and 3) 12 metres is required between the face of a building containing windows that faces a private amenity area.
- Access to Private Amenity Area – access provided by exterior stairs where access from a doorway to a hall or habitable room other than a bedroom is required (note: this will allow the ground floor area to be used as the Private Amenity Area by access from stairs off the deck).
- Maximum Density of Site – 40 dwellings per hectare where 37.5 dwellings per hectare is permitted.

Upon review of the application it was determined that additional specialized regulations are required for the setback of the visitor parking area from the west side lot line and to permit a townhouse building with less than 3 units in a row. These regulations have been included in the proposed new Specialized R.3A Zone.

Public Comments:

The notice of application was circulated to agencies and area residents on February 3, 2006. A public information meeting was held on May 11, 2006. Also, City staff have met with a focus group of area residents and the applicant in an attempt to understand and resolve the residents' issues with the proposed development. In addition to these City

initiated meetings, the applicant held two information meetings with area residents prior to submitting their application to explain their proposal and gather public input.

The following issues were raised by residents through the circulation of the application (See **Schedule 7** for residents' letters):

1. Site design, height of buildings, layout and compatibility
2. Intensification and density
3. Loss of mature trees and preservation of greenspace
4. Location on flood plain and potential for changes to the water table
5. Traffic
6. Waste collection

Planning staff have considered all comments received and a detailed staff response is provided in **Schedule 8**.

Planning Analysis:

This application has been reviewed in terms of the Medium Density Residential Policies of the Official Plan, Official Plan policies related to multi-unit housing, intensification and infill, and the approved St. Patrick's Ward Community Improvement Plan. Planning staff conclude that the subject property is suitable for a multi-unit development and the inclusion of detached and semi-detached dwellings along York Road and Wyndham Street South will reinforce and enhance the existing streetscape and character.

This proposal is also an example of the type and form of development that is expected under the Places to Grow policy because it is located within an identified intensification area in the built-up area of the City; it provides a mix of housing types in the neighbourhood; and the site's location provides convenient access to transit and employment opportunities in the downtown.

This proposal supports the following Major Goals of the Official Plan as outlined in Section 2.3 of the City of Guelph Official Plan:

Goal 6: development in established areas is sympathetic and compatible with the built form of existing land uses.

Goal 16: provide an adequate supply and range of housing types and amenities to satisfy needs of all residents

Goal 22: plan efficient and attractive urban landscape that enhances sense of place while acknowledging innovative design opportunities.

This proposal also meets Official Plan policies specifically those that encourage:

- various housing types to accommodate a diversity of lifestyles and housing needs,
- higher density, multiple forms of housing in the downtown and its environs;
- a more compact urban form than what exists today.

This Official Plan and Zoning By-law amendment application is recommended for approval subject to the regulations and conditions outlined in **Schedule 2 and 3** of this report.

CORPORATE STRATEGIC PLAN:

This application supports Strategic Plan Direction 1:

- 1) To manage growth in a balanced and sustainable manner.

FINANCIAL IMPLICATIONS:

For the proposed townhouse development; based on a maximum of 22 Residential Units

Population Projections

- 57 persons (based on 2.58 persons per unit)

Projected Taxation

- \$46 840 (based on average values from 2003 to 2005 assessment data)

Development Charges

- \$105 776 Residential (Maximum of 22 Townhouse Units)

DEPARTMENTAL CONSULTATION/CONCURRENCE:

The comments received in the review of the application are included on **Schedule 7**.

ATTACHMENTS:

Schedule 1 – Location Map

Schedule 2 – Proposed Official Plan Amendment

Schedule 3 – Proposed Zoning Amendment, Regulations and Conditions

Schedule 4 – Existing Official Plan Designation and Zoning

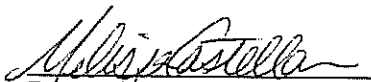
Schedule 5 – Proposed Zoning

Schedule 6 – Preliminary Site Plan and Building Elevations

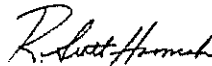
Schedule 7 – Circulation Comments

Schedule 8 – Staff Comments

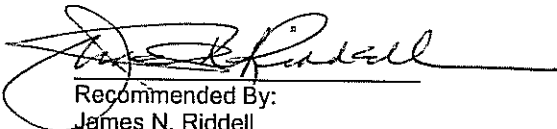
Schedule 9 – Public Notification Summary



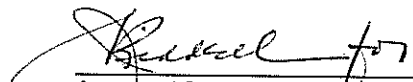
Prepared By:
Melissa Castellan
Senior Development Planner



Recommended By:
R. Scott Hannah
Manager of Development Planning



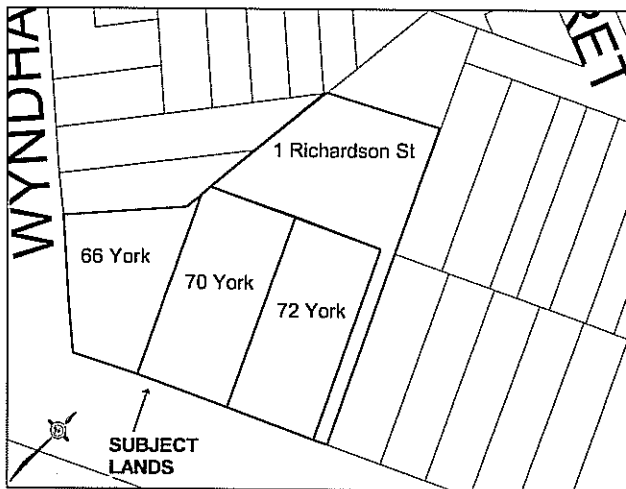
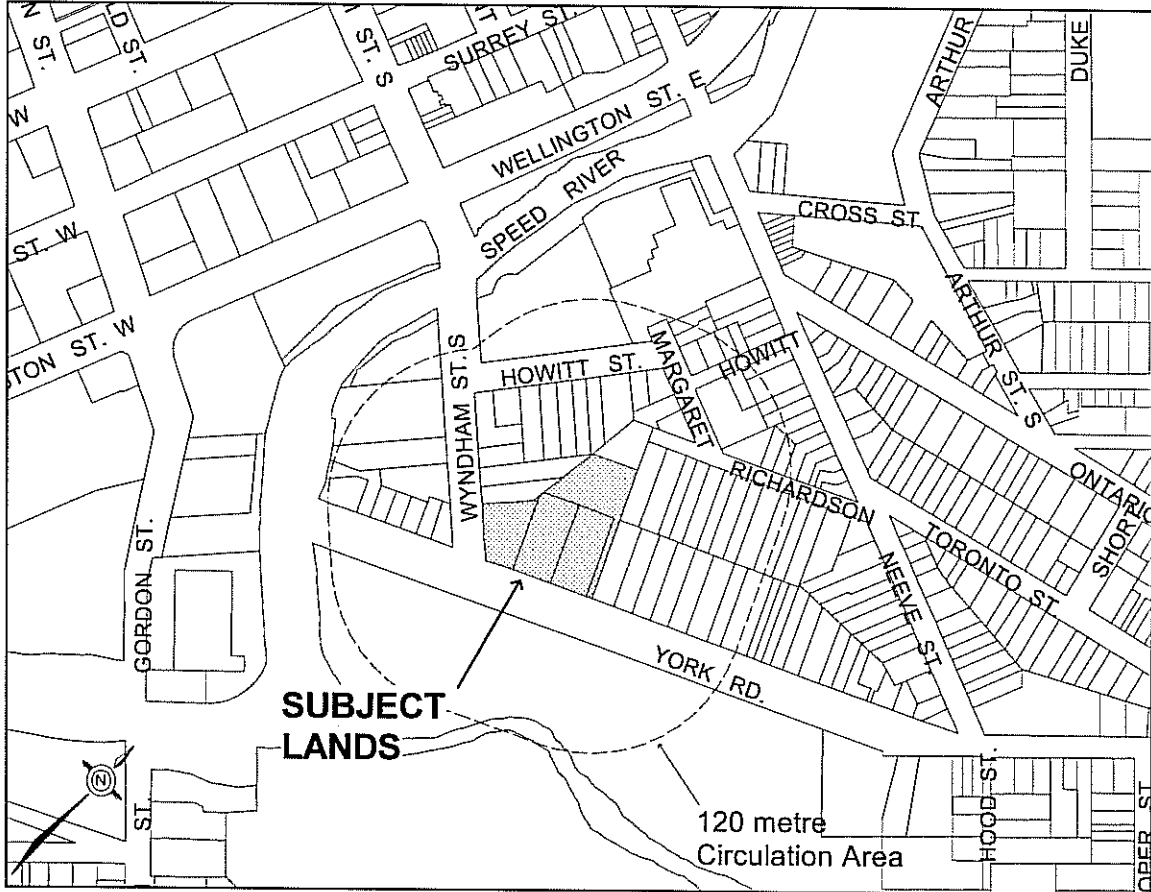
Recommended By:
James N. Riddell
Director of Planning and Development Services



Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

Location Map



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SCHEDULE 2

Proposed Official Plan Amendment

Amend the Official Plan text by the addition of a new site specific sub-policy. Amend Official Plan Policy 7.2.36, Medium Density Residential Land Use Designation, by adding the following clause:

- 7.2.36 a) Within the Medium Density Residential designation at the northeast side of the intersection of York Road and Wyndham Street South, detached and semi-detached housing forms are permitted with frontage onto York Road, Wyndham Street South and Richardson Street South provided that the overall density of development within the Medium Density Residential designation in this location complies with Section 7.2.28.

SCHEDULE 3

Proposed Zoning By-law Amendment Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph.

The following zoning is proposed:

Specialized R.3A (Residential Cluster Townhouse) Zone
R.1B (Residential Single Detached) Zone
R.1D (Residential Single Detached) Zone
R.2 (Residential Semi-detached) Zone

Regulations

For the Specialized R.3A Zone

Permitted Uses

In accordance with the provisions of Section 5.3.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.3.2 of Zoning By-law (1995) – 14864, as amended, with the following exceptions:

Despite the definition of Townhouse in Section 3 (58) (i), this development may contain a **Building** that is divided vertically into a minimum of 2 separate **Dwelling Units**.

Minimum **Front Yard**

12 metres.

Minimum **Side Yard**

The Minimum **Side Yard** shall be 3 metres for the west **Side Yard**, 8 metres for the east **Side Yard** and 6 metres for the south **Side Yard**.

Despite Section 5.3.2.2.2, windows to **Habitable Rooms** shall be permitted to face onto the west and south side yards.

Minimum **Rear Yard**

4.5 metres

Despite Section 5.3.2.2.2, windows to **Habitable Rooms** shall be permitted to face onto the rear yard.

Minimum **Lot Area** per **Dwelling Unit**

The Minimum **Lot Area** per **Dwelling Unit** shall be 250 square metres.

Minimum Distance between **Buildings**

Despite Section 5.3.2.3.1, the minimum distance between one **Building** and the face of another **Building**, each of which contain windows to Habitable Rooms, shall be 3 metres.

Access to Private Amenity Area

Despite Section 5.3.2.5.1, access to the **Private Amenity Area** may be provided by exterior stairs.

Maximum Density of Site

Despite Section 5.3.2.6.1, the maximum density of the **Cluster Townhouse** development shall be 40 dwellings per hectare.

Off-Street Parking

Despite Section 4.13.2.2, **Parking Spaces** located in the **Side** or **Rear Yard** may be located within 1.5 metres of the **Lot Line**.

For the R.1B Zone

Permitted Uses

In accordance with the provisions of Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended.

For the R.1D Zone

Permitted Uses

In accordance with the provisions of Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

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Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended.

For the R.2 Zone

Permitted Uses

In accordance with the provisions of Section 5.2.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.2.2 of Zoning By-law (1995) – 14864, as amended.

Conditions

The following conditions will be imposed through Site Plan Approval or as conditions of consent:

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be generally in accordance with and conform to the Owner's concept plans attached to the August 28, 2006 Planning Staff Report (Site Plan, prepared by BSRD Project 04-5891-5, Landscape Plan, prepared by Landplan, Project #05-0028) and the owner shall address all of the elements of good urban design as outlined by the City of Guelph Urban Design Guidelines 1995 Manual, to the satisfaction of the Director of Planning and Development Services and the City Engineer.
 - b. The owner acknowledges and agrees that a wood privacy fence with a minimum height of 1.8 metres will be constructed along the rear and side yard.
2. That the consent applications B-11/0, B-12/04, B-13/04, B-14/04 and B-15/04 receive Committee of Adjustment approval and that the registration of the deeds occurs in a proper sequence to ensure amalgamation of the parcels to the satisfaction of the City Solicitor prior to the issuance of any building permits.

3. That prior to site plan approval or the endorsement of the deeds, the owner grants to the City a 5.0-metre wide easement across the lands, centred on the existing 450mm diameter storm sewer, satisfactory to the City Solicitor.
4. That prior to any demolition, grading or construction on the lands the owner shall retain a Professional Engineer to inspect and report on the condition of the 450mm storm sewer through the site and down to its outlet, satisfactory to the City Engineer.
5. That prior to any demolition, grading or construction on the lands, the owner shall have a Professional Engineer prepare a report, satisfactory to the City Engineer, outlining the methods to be used during demolition, grading and construction on the lands, to protect from damage and monitor the existing 450mm diameter storm sewer which crosses the lands. Furthermore, the owners shall ensure that the methods outlined in the report are put into place and that the owners shall be responsible to pay for any damage to the existing storm sewer.
6. Prior to the submission of any site plan showing a connection to the 750mm trunk sanitary sewer in the park, the owner shall pay the City's cost of having a geotechnical investigation report done of the soils along the sanitary service lateral route. Furthermore, the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted if landfill materials and gases are not going to be encountered during the construction of the sanitary sewer lateral.
7. That the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted by City during certain times of the year when construction will not disrupt the use of the park.
8. Prior to site plan approval for the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the said lands incorporating a control flow weir and a connection to the existing 450mm storm sewer, satisfactory to the City Engineer.
9. That the owner 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 City Engineer. Furthermore, the owner 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 approved by the City and that it is functioning properly.
10. That the owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall provide a qualified environmental inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance

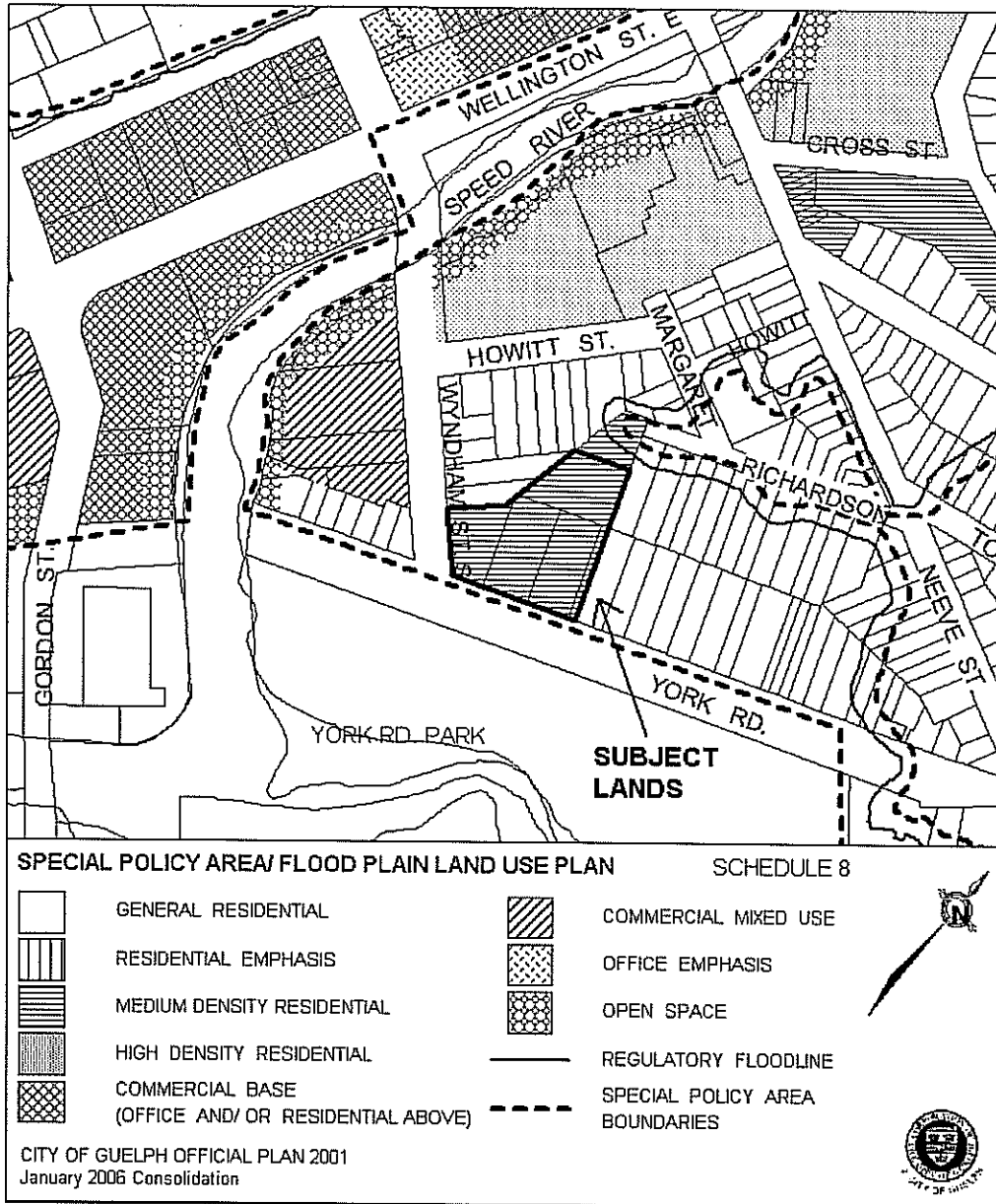
with the erosion and sediment control plan on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

11. The owner shall pay the actual cost of constructing any service laterals required to service the lands, prior to issuance of any building permit.
12. The owner shall pay the actual cost of constructing any works including backflow preventors on the 450mm storm sewer serving the lands, prior to the issuance of any building permit.
13. That the owner enters into a Storm Sewer Agreement as established by the City, providing for a grading and drainage plan that is registered on the title of the single detached and semi detached lands, prior to the endorstation of the deeds.
14. That the owner constructs all the buildings at such an elevation that the lowest habitable level of the buildings can be serviced with a gravity sewer connection to the sanitary sewer.
15. That the owner shall confirm that any fill placed to raise the elevation of the lands shall have similar drainage characteristics to the native soil on the lands. Gradation testing or other acceptable testing procedures will be required to confirm the acceptability of the fill material to the satisfaction of the City Engineer.
16. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
17. That the owner pays to the City, the watermain frontage charge of \$8.00 per foot for 21.98-metres (72.12 feet) of frontage on Wyndham Street, prior to site plan approval or the endorstation of the deeds.
18. That the owner shall pay to the City, the watermain frontage charge of \$8.00 per foot for 15.85-metres (52.0 feet) of frontage on York Road, prior to site plan approval or the endorstation of the deeds.
19. That the owner pays the tree frontage charge of \$8.00 per metre of frontage for the entire frontage on Wyndham Street and York Road, prior to site plan approval or the endorstation of the deeds.
20. That the owner shall be responsible to pay for all required curb cuts and fills, prior to the issuance of any building permit.

21. That the owner prepares a tree conservation plan identify trees to be retained and removed, to the satisfaction of the Director of Planning and Building Services, prior to site plan approval or the endorsation of the deeds.
22. That the owner applies for, and receives, a permit from the Grand River Conservation Authority, prior to the issuance of any building permit.
23. That the owner deeds to the City free of all encumbrances and satisfactory to the City Solicitor, a parcel of land 3.0-metres wide for a road widening across the entire Wyndham Street frontage of the lands, prior to site plan approval or the endorsation of the deeds.
24. That a legal off-street parking space, including any easements for right-of-way that are required for access, be created, satisfactory to the Director of Planning and Development Services for 70 York Road, prior to the endorsation of the deeds.
25. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval or prior to the endorsation of the deeds, at the rate in effect at the time of the endorsation.
26. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
27. Prior to the site plan approval or endorsation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
28. That the Developer/Owner shall, as part of Site Plan Approval, prepare and implement a monitoring program to evaluate the hydraulic performance of the stormwater management system and groundwater elevations within the site for comparison with the baseline information collected as part of the Zone Change Approval. The monitoring program will commence with the completion of area grading of the site and will extend for a period of 2 years beyond the build out of the townhouse units. An annual monitoring report will be prepared and submitted to the City Engineer and the Grand River Conservation Authority.
29. That the owner enters into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.

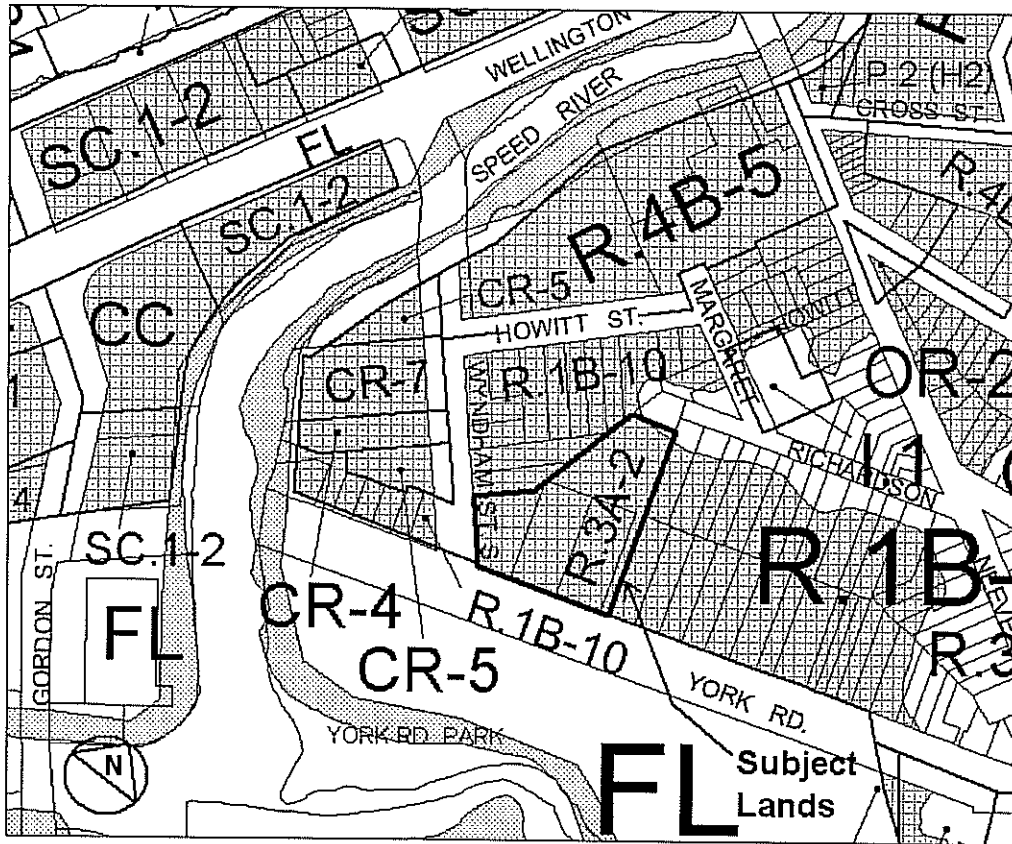
SCHEDULE 4

Existing Official Plan Designation



SCHEDULE 4 continued

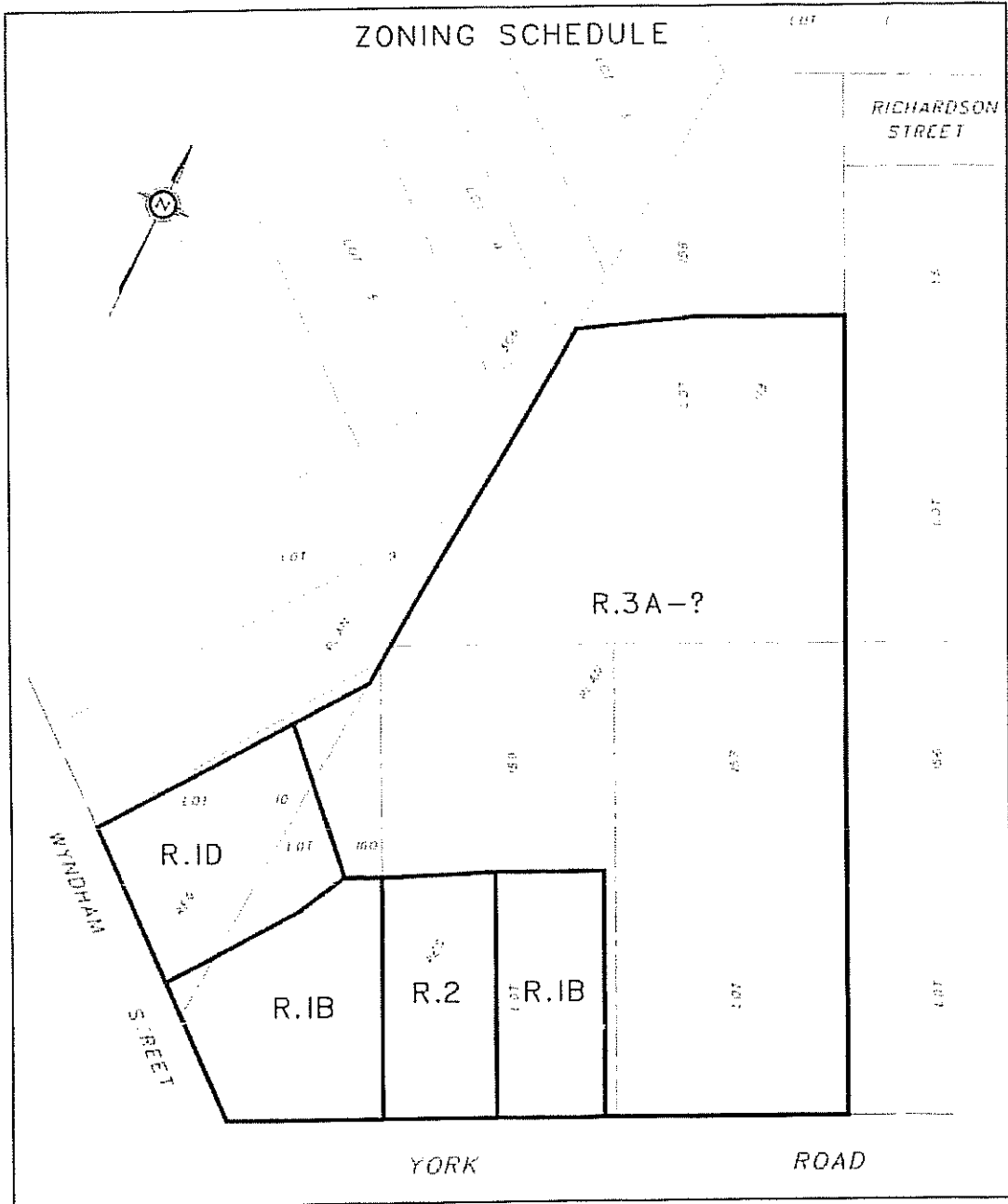
Existing Zoning



LANDS WITHIN THE SPECIAL POLICY AREA
(See Section 12.4)

SCHEDULE 5

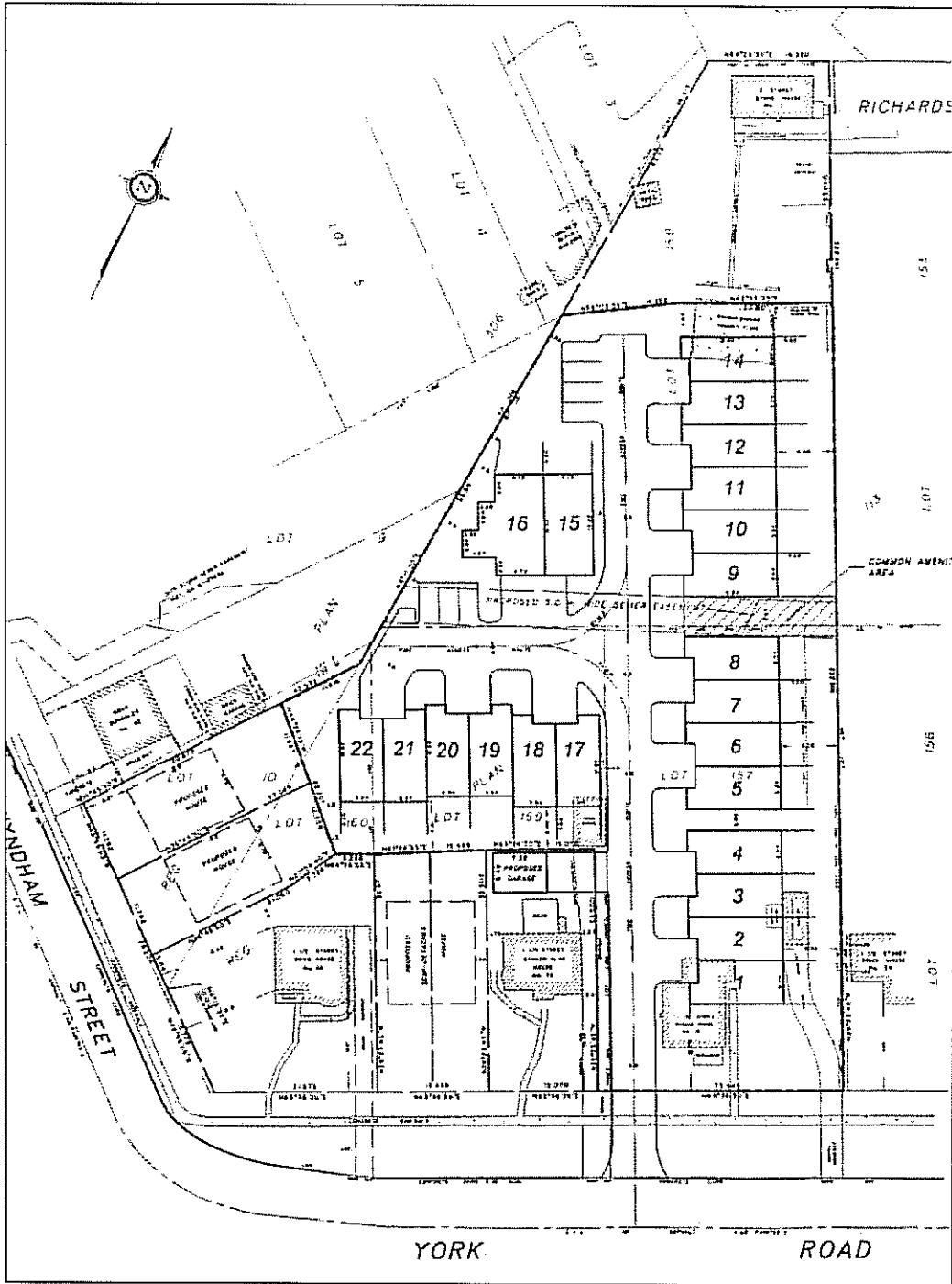
Proposed Zoning



SCHEDULE 6

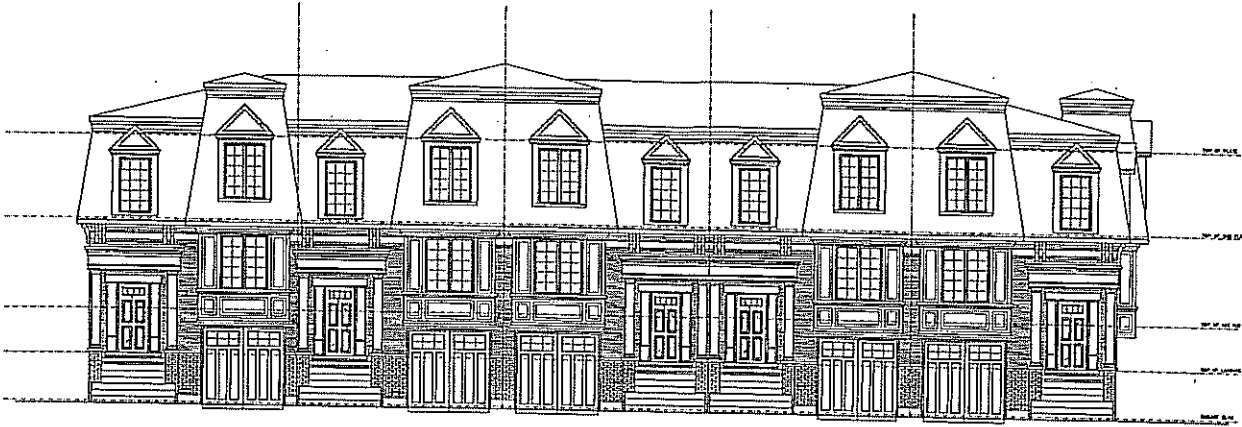
Preliminary Site Plan and Building Elevations

Preliminary Site Plan

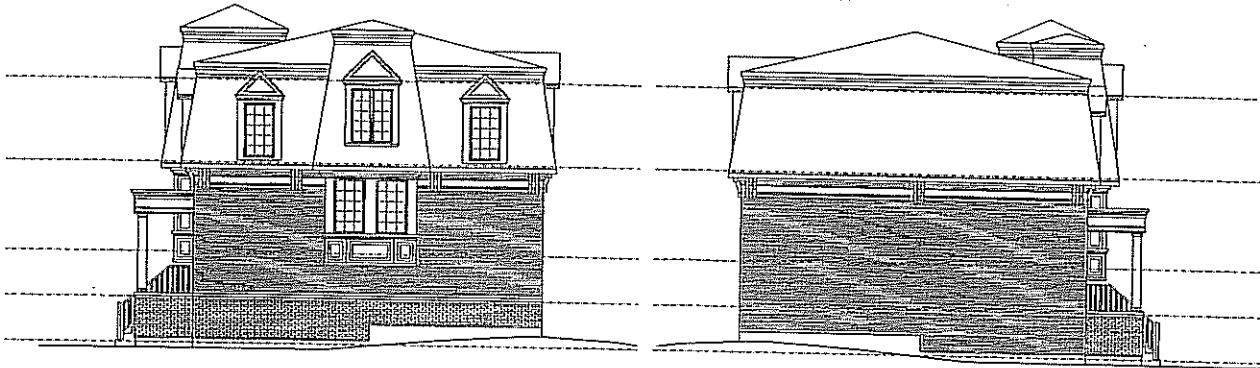


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Building Elevations

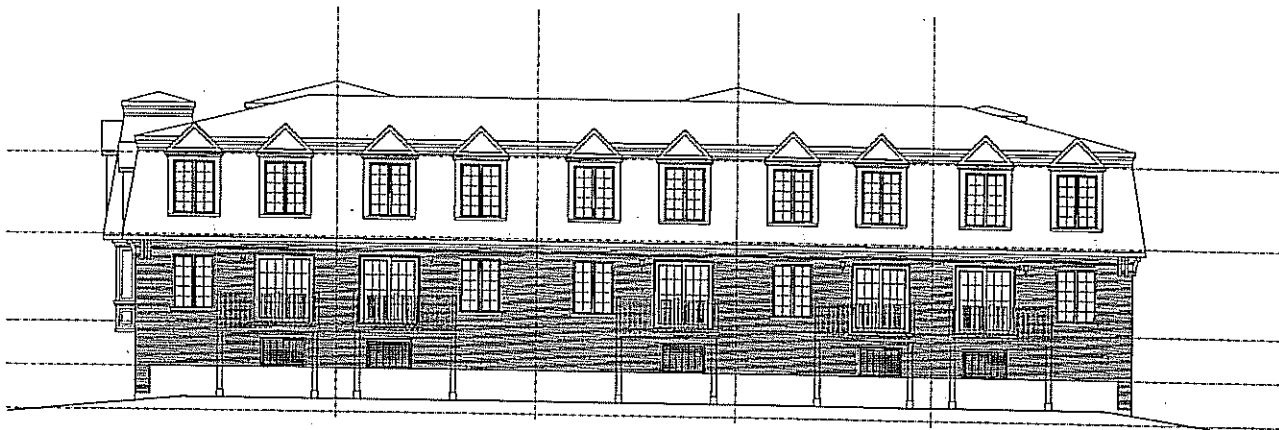


FRONT ELEVATION OF 5 UNIT BLOCK



EXPOSED SIDE ELEVATION

INTERNAL SIDE ELEVATION



REAR ELEVATION OF 5 UNIT BLOCK

Elevation of Unit Facing York Road



EXPOSED SIDE ELEVATION

SCHEDULE 7

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning and Development Services		✓	<ul style="list-style-type: none"> • Subject to Schedule 2 and 3
Engineering Services*		✓	<ul style="list-style-type: none"> • Subject to Schedule 2 and 3
Community Services (Recreation and Parks)		✓	<ul style="list-style-type: none"> • Cash-in-lieu of parkland
Finance		✓	<ul style="list-style-type: none"> • Development Charges
Emergency Services / Fire	✓		
Guelph Police Service	✓		
Grand River Conservation Authority		✓	<ul style="list-style-type: none"> • Fill, Construction and Alteration to Waterways Permit required
Canada Post	✓		<ul style="list-style-type: none"> • Door to door mail delivery
Ministry of Municipal Affairs			<ul style="list-style-type: none"> • Outlined relevant Provincial Policy
Wellington Dufferin Guelph Public Health	✓		
Heritage Guelph	✓		
Guelph Development Association	✓		
Guelph Hydro		✓	<ul style="list-style-type: none"> • Easements for hydro facilities
Conseil Scolaire de district Catholique Centre-Sud	✓		
Wellington Catholic District School Board	✓		<ul style="list-style-type: none"> • Education Development Charges

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Upper Grand District School Board		✓	<ul style="list-style-type: none"> Education Development Charges
Guelph Field Naturalists	✓		
Economic Development	✓		
Guelph Chamber of Commerce	✓		
Guelph Wellington Seniors Association	✓		
K. Forbes* 50 York Rd			<ul style="list-style-type: none"> Objects to the proposal
K. Somers* 29 Hooper St			<ul style="list-style-type: none"> Objects to high density development
K. Inwood & E. Ewan* 41 & 43 Richardson Street			<ul style="list-style-type: none"> Concern about loss of trees, property drainage, neighbourhood character, density.
J. & B. Gots* 27 Howitt St.			<ul style="list-style-type: none"> Objects to proposed specialized regulations, concern about traffic and construction in the flood plain.
M. McGuire* 98 York Rd.			<ul style="list-style-type: none"> Concern about density and neighbourhood character, loss of trees, liability related to basement flooding of existing homes
B. Lauder & S. Seibert* 23 Richardson St			<ul style="list-style-type: none"> Concerned about compatibility with neighbouring properties, impacts of construction in the flood plain, retention of existing trees.
R. O'Reilly* 31 Margaret St			<ul style="list-style-type: none"> Too much intensification in neighbourhood.

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
J.J. McMurtry* 5 Richardson St.			<ul style="list-style-type: none"> Concerned about preservation of neighbourhood character, lack of green space in proposed development, concerns with specialized regulations, lack of tree retention, construction on flood plain, traffic issues, garbage collection, fence height.
L. Schincariol* 5 Richardson St			<ul style="list-style-type: none"> Concerned with neighbourhood compatibility, proposed specialized regulations
L. Pagnan*		✓	<ul style="list-style-type: none"> More reduction in density, prefer that semi-detached was a single detached
M. Denham* Richardson Street			<ul style="list-style-type: none"> Concerned with density, size of project, proximity of units to property line, loss of trees.
B. Haist* 137 York Rd			<ul style="list-style-type: none"> Concerned with loss of trees, traffic, strain on water and sewage systems.
P. McDonald* 33 Howitt St			<ul style="list-style-type: none"> Concerned with neighbourhood compatibility, loss of trees, increased traffic.
K. & J. White* 82 York Road			<ul style="list-style-type: none"> Objects to semi-detached dwelling, concerned with neighbourhood compatibility, construction in flood plain, fill required, potential changes to water table, and garbage collection.
S. McWhinnie* 165 Neeve St.			<ul style="list-style-type: none"> Does not want student rentals, concerned about construction on flood plain

*Comments attached

SCHEDULE 7

Circulation Comments - Letters

From: Kaelan Forbes [mailto:kkforbesy@yahoo.com]
Sent: Friday, March 10, 2006 5:04 PM
To: Melissa Castellan
Subject: Development Coming - York Rd

Hello Melissa

I just recieved this notice in the mail about a development coming to the corner of York Rd. at 66, 70 and 72. I did not have time to write a formal letter before March 10, 2006 and hope that this will be ok.

I live on the dead end part of York Rd. and I strongly disagree with building in the zone mentioned above. Why does Terra View Homes need to build there? Being a resident of Guelph, Ontario for 25 years, I feel that this town is growing out of control and that someone needs to put a stop to the massive quantity of building that is occuring. We are starting to look, as I like to call it, like a "Lego-Land".

That space is small and to put 22 "tightly" packed town homes in there will, not only be an eye sore, it will cause an increase in traffic flow that will disrupt the area. There is a fire station and police station just around the corner and to increase traffic flow and volume there, could be dangerous.

Also, I disagree with the cutting down of the large amount of mature trees that are on that property. There is not that much green space around the downtown area as is right now, and to reduce it even more would be a bad idea. Let alone what this building will do to the water systems in the neighbourhood.

So, I disagree with this completely. There is no need for it at all. We are building enough in this town as is and we need to put an end to it somewhere and I think it should start here. This is a beautiful town and we are destroying it. Our downtown is unique, with it's historic buildings and homes, and to put up new, "eye sore" condo homes will reduce the beauty and character of this town.

I say NO!

Thank you,

Kaelan Forbes - 50 York Rd.
519-824-1842

From: Stress Management Clinic [mailto:ksomers@uoguelph.ca]
Sent: Friday, March 10, 2006 1:13 PM
To: Melissa Castellan
Subject: proposed development at 66, 70, 72 York Road

March 10, 2006

Melissa Castellan,
Senior Development Planner
City of Guelph
59 Carden Street
Guelph ON N1H 3A1

Dear Ms. Castellan

I am writing to you with my concerns about the high density development (22 townhouse units) proposed by Terra View Homes for 66, 70, and 72 York Road in Guelph.

Such high density will change the character of this historic neighbourhood.

It would be disappointing to see the current homes disappear. For example, recent painting and exterior work at 70 York Road make this older home so attractive and welcoming. Removing these homes and the wooded area around them in order to replace them with such a dense townhouse development is like shooting a small family of deer and bulldozing their woods in order to replace it with a factory cow feedlot. It would be a sad loss that would permanently alter the character of the neighbourhood.

I am also concerned about increasing traffic entering and exiting these lands.

There are poor sight lines at the corner of Wyndhan Street and York Road making it very difficult for vehicles pulling out of these driveways since they cannot see traffic approaching from around the corner. It is not prudent to add density and traffic on this corner.

Please act to preserve this neighbourhood by preventing such high density development in this area.

Thank you.

K. Somers
29 Hooper Street
Guelph ON N1E 5W6

-----Original Message-----

From: Kris Inwood [mailto:kinwood@uoguelph.ca]

Sent: Friday, March 10, 2006 10:08 AM

To: Melissa Castellan

Subject: Zoning application 66, 70, 72 York Road and 1 Richardson Street

Melissa Castellan,
Senior Development Planner,
Planning Division,
City Hall,
59 Carden Street,
Guelph, Ontario,
N1H 3A1

Re: Zoning application 66, 70, 72 York Road and 1Richardson Street

Dear Ms. Castellan,

We are writing as nearby residents and property-owners (41 and 43 Richardson Street) regarding the proposed redevelopment by Terraview Homes of three York Road properties and 1 Richardson Street. We preface our concerns by acknowledging the importance for Guelph and its downtown of appropriate intensification, the redevelopment of older properties and enhancement of the property tax base. The Len's Mill lofts are an excellent example of appropriate redevelopment and a great credit to the City. We recognize as well the added costs and complications of any housing investment within the Grand River floodplain area.

Having said this, however, the Terraview proposal is disappointing. We have no expertise with traffic, but to us it is surprising that the proposal envisages quite so much traffic emerging onto a major artery at an already awkward and potentially dangerous corner. Beyond this we have two substantial concerns with the proposal.

One concern is environmental. The area is rather wet. Back yards along the entire south side of Richardson Street have springs that bring forth ground water in a steady trickle. Parts of the area have a layer of very dense clay of varying thickness that tends to retain surface water, whatever its origin. A backyard ditch the length of Richardson street provides an outlet for ground springs and rain water as well as acting (I am told) as an overflow for the storm sewers on Toronto Street. This drainage is important for all the properties backing onto the York-Neeve-Richardson-Wyndham bloc. It is perhaps especially important for Richardson because the street has no storm sewers.

Twenty-five years ago the City regularly sent workers (or on one occasion a machine) to clean the ditch. Unfortunately we have

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not seen any effort by the City for quite some time. At this point we do not know if the ditch/storm sewer will be maintained and by whom. Does the City continue to take responsibility or not? Now Terraview proposes to

(i) remove a large number of water-consuming trees, (ii) cover a large expanse with buildings and parking areas with implications for surface evaporation and (iii) raise the ground level with retaining walls and fill. Each of these changes could have an impact on upstream hydrological conditions. How many upstream owners are aware of this possibility? For our part, we are uncomfortable that consideration of the Terraview proposal would continue without a more substantial study of hydrological impact and long term plan for groundwater control in the Richardson St. back yards up to Neeve Street.

We note as well that Terraview would remove a significant stand of trees including established willows of an unusual variety. This will reduce significantly bird-life in the area and further reduce the forest cover within the City. As a society we know that the maintenance of forest cover and wildlife corridors is important for personal and community health on a sustainable basis. From a purely commercial perspective, Guelph's appeal as a place to live and work is based on part on its natural environment. This site is especially sensitive because it is adjacent to a splendid park at one of the gateways to our downtown. It is disappointing that Terraview proposes a type of development with adverse environmental impact rather than an enhancement of the community's natural environment. We very much hope that the City will deny or at least moderate the removal of forest cover, destruction of a fragile ecosystem and possible impairment of the value of upstream properties through an impact on water levels.

Our second comment or concern involves the character of the neighbourhood. We have invested in the area because it is an area of family dwelling, low-density multiple occupancy, low-density infill and an ongoing upgrading of older properties. Happily, the general rise in house prices and recent improvements in rental availability elsewhere in the city seem to have had the effect of increasing family occupancy and diminishing tenancy in this area. Consequently this is a healthy neighbourhood - perhaps healthier and more sustainable than it has been for some decades.

And yet the density, size, style and environmental impact of the Terraview proposal are out of keeping with neighbourhood character. The impact is potentially greater than it would be otherwise because in recent memory we have seen a very high-density redevelopment of the old industrial site along the river from Wyndham to Neeve and a townhouse development at Neeve and York that approximates an undergraduate student residence. Now

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we have a third proposal in very close proximity that again entertains a density and style of development out of keeping with the area. The cumulative effect of so many out-of-character developments in such a small area would be damaging. We are especially concerned by the request for various exemptions from normal setbacks, deck size, density and lot area per dwelling. The proposed development is already out of character with the nature of the neighbourhood. Please do not make it worse by granting exemptions to the normal standards.

We urge you not to let the Terraview application go forward in its present form because of the environmental impact and inconsistency with the nature of the neighbourhood. Thanks for taking the time to consider this.

Sincerely,

Elizabeth Ewan
Kris Inwood
41 and 43 Richardson Street

27 Howitt Street
Guelph, Ontario N1E 3C6
March 10, 2006

Melissa Castellan
Senior Development Planner
Planning and Building Services
Planning Division
City Hall
59 Carden Street
Guelph, Ontario N1H 3A1

Dear Melissa Castellan:

Re: 66, 70, 72 York Road and 1 Richardson Street; Proposed Official Plan and Zoning By-law Amendment (OP0601, ZC 0518)

We object to the specialized regulations proposed in this application for the cluster townhouse zone (R.3.A)

We object: to the reduction of the minimum lot area per dwelling unit from the required 270 square metres to 251 square metres.

We object to the reduction from 7.5 metres to 3 metres of the side lot line for windows of a habitable room.

We object to the increase of maximum density of the site from 37.5 dwelling units per hectare to 40 dwellings.

We object to the reduction from the required one half building height Rear and Side Yard Setback.

There is also concern with the access road being so close to the Wyndham St. and York Rd. corner turn, which is a very high traffic area, as well as pedestrian crossing point to the park, soccer and baseball fields.

Building a cluster townhouse in the flood plane is not a wise act, and the owners should take full responsibility for its consequences even if a building permit is issued.

Looking at the drawings or illustrations attached to the notice, it is unclear what the subject lands of the application really are. The location map shows two additional lots along Wyndham St. S. included, which are excluded from Schedule 1 Zoning Schedule. We assume that the location shown on Schedule 1, Zoning Schedule is the correct one.

The impact of this proposal on existing mature trees and natural habitat will be devastating.

Please keep us informed of any future decisions concerning this application.
Thank you very much.

John Paul Gots

15 Howitt Street
Guelph, Ontario N1E 3C6
March 9, 2006

Melissa Castellan
Senior Development Planner
Planning and Building Services
Planning Division
City Hall
59 Carden Street
Guelph, Ontario N1H 3A1

Dear Melissa Castellan:

Re: 66, 70, 72 York Road and 1 Richardson Street; Proposed Official Plan and Zoning By-law Amendment (OP0601, ZC 0518)

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The impact of this proposal on existing mature trees and natural habitat will be devastating.

Please keep us informed of any future decisions concerning this application.
Thank you very much.

John and Barra Gots
Both e-mailed and copy delivered.

From: MAGEE MCGUIRE [mailto:correlieu@sympatico.ca]
Sent: Friday, March 10, 2006 1:00 AM
To: Melissa Castellan
Cc: MAGEE MCGUIRE
Subject: zoning application 66,70,72 York Rd. and 1 Richardson St.

Magee McGuire
98 York Rd
Guelph Ont. N1E 3E6

March 9, 2006

Attention:
Melissa Castellan
Planning Department
City of Guelph.Ont

Re: Zoning application 66,70,72 York Rd.and 1Richardson St.

Dear Ms. Castellan

I am writing to you with regard to the above mentioned zoning application. As I understand it, you wish to have a change from a previous zoning application made in 1994. I wish to refer to that application. While we were not approving of the density, the considerations within were honoured by both the neighbours and the city council at that time. I would hope that the city planners of today hold this relationship in high regard.

I will comment in reference sections

Regarding Density

First off, I have a question around the density proposed for this application. I know that not all of 1 Richardson is included in the land transfer. Therefore, I wish to have it clarified that the entire measurement of 1 Richardson is not included in the factoring of the proposed density of 40 dwellings per hectare.

In this case, it appears that you have calculated for 40 dwellings per hectare. In my opinion, this is far too many. (It is also beyond the permissible limit of 37.5) Looking around myself, in one city block I see three high rise buildings that contain over 1000 residents (329 apartment dwellings) and to the east, I see 24 townhouses, built out of character for lack of better planning, which house another 96 persons and now, to the west, I will have to look at another 22 townhouses, out of character that can house another 88 persons.

While I agree with intensification, it is very apparent to me, that this city block is being targeted for the highest density once again, without respect for the heritage value in the development of this ward and its significance in the history of Guelph . At some point in the future, this area, which is singularly flooded with Edwardian design, Brick and Peer, for example, could actually become an architectural as well as anthropological study site. Therefore, as suggested in the previous zoning, the materials and design of the building should only enhance the age of the area and not detract from it.

Regarding the trees

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This is another question. Has an environmental impact study been done? Is this site an environmentally sensitive area?

Many of these trees were evaluated and were considered to be in good form. Some are upward of 200 years of age. There is a willow grove which follows a stream through the property. This is how you can find it. It is often referred to as a storm water drainage system. However, it is a river tributary and needs to be protected.

Many of this area's residents came here because of the trees and the vegetation that goes along with the ravine. Draining this land would ultimately kill any of the good trees. Add to this the fact that all this vegetation, that creates a haven for a host of wildlife, also acts as a buffer for the homes on Margaret, Howitt and Richardson streets.

Regarding water levels

In the last few years, our water table has dropped. This is cyclic and therefore, it can be assumed that the water table will rise again at some point. In the existing homes on York Road, there are many with basements. These were allowed before Hurricane Hazel sharply brought the focus of the Grand River Authority to the very real possibility of flooding. In fact, the water stains in my basement were two feet up the wall.

When my new chain link fencing was installed in the early 90's, the workers hit ground water two feet down close to the above mentioned stream (which sometimes flows in the spring). I can not tell you how they wailed about that job. They had to pour cement four to six feet down to stabilize the fence at the back of my property. Old photos show that there was a large pond there at one time before the Eramosa was diverted. I believe the original farm water pump may still be standing somewhere.

In other words. We live on a river bed and this must be respected for all cycles of water levels. Also, any land fill will compound the problem of water flow AWAY from the property.

At the time. Ms Shoemaker received a letter from Gamsby and Mannerow Ltd in reference to the existing water levels on the proposed site. In it, Mr. Hans Groh stated that since there would be no basements built (in development at that time..no different than the rule now) that the residents along York Rd. to Neeve should not have to worry about groundwater flow that would affect basements with sump pumps. In other words, this is a legitimate concern. He measured the ground water table at #72 York Rd. since it had the lowest basement elevation. The existing ground level was 309.5 elevation. The water table was at 308.95 elevation. With only a .65 elevation this means the water can be very close to the surface. This information was essential for the developer to consider proper drainage at all.

Mr. Groh went on to add that the proximity of this site to the confluence of the Eramosa and Speed rivers could certainly disperse the ground water in a RADIAL manner, rather than concentrate flow toward the propose development.

This is the thrust of my concern and of neighbours as well. Insurance adjusters have already stated that they will not cover sump pump failure or water entering walls and floors (It dampens one area in the floor in my house in the spring). My own insurance agent at that time explained that only a backup of sewers would be covered. Companies are becoming more stringent in their coverage. If there were such a claim, the insurance would increase or be cancelled. Furthermore, he stated that he would consider the city to be liable for damages of future development if it results in increased accumulation of water in our basements. If this development does not respect this advice, then a pre development assessment of all the home basements would be in order for

A Great Place to Call Home

future liability claims. I would ask that the city address this issue conditionally before the development begins.

Summary

I have other concerns as well but will stop there for now. I was unable to meet the developer at the neighbourhood meeting. However, it was my understanding that there were many concerns voiced at that meeting. By the looks of this proposal, they were not considered. Why did they bother having a neighbourhood meeting? This outcome would not be in keeping with the Henson report done for the city on this area in 1992 which reflects a certain respectful approach for the neighbourhood and its residents. The only difference now is that the current residents are restoring the neighbourhood to much of its original stature. Our house values have increased. So have our taxes.

I am sure that with fewer units, units with varying denominators for habitation, saving the Willows and protecting the tributary would bring a lot more consolation to the residents of this neighbourhood. Also, the MANSARD design in a three story building defies architectural balance and communion with the earth.

One of the principles of closure in the final round before the last zoning was that the units would be constructed of similar materials and have heights and design consistent with the neighbouring houses. (Bricks, stone, two story, units on the end facing the street. etc.)

I look foreword to working with the city and my neighbours on this most important development.

Sincerely yours,

Magee McGuire

23 Richardson Street
Guelph, Ontario N1E 3C9

March 8, 2006

Ms. Melissa Castallan
Senior Planner
City of Guelph
Guelph, Ontario

Re: 66, 70, 72 York Road and 1 Richardson Street
(OP0601, ZC 0518)

Dear Ms. Castallan:

We are writing to you to express some concerns that we have regarding the above-referenced Official Plan Amendment and Zoning By-law Amendment to permit a cluster townhouse development, semi-detached lot and two single detached lots on York Road and Wyndham Street.

As members of a vital downtown community, we understand the importance of maintaining that vitality through providing adequate housing that is close to the downtown core. We also support the concentration of urban growth in the downtown area as an alternative to suburban sprawl, which is expensive and contributes to the loss of valuable agricultural and recreational land.

We also understand that, through the Province's Places to Grow Draft Plan, municipalities such as Guelph are under pressure to increase their housing stock through urban intensification.

However, this intensification should not be undertaken at any cost. Good planning is more than conformity with Official Plan policies, Zoning By-laws and Provincial directives. Because communities are made up of people, good planning must also take into account the needs of these established communities. Municipalities should not satisfy policy requirements at the expense of ignoring their citizens and the character of their established neighbourhoods.

Planning staff also need to have regard for both the short term as well as the long term effects of such intensification on the physical and social environment of the community. The proposed development appears to have been undertaken with little regard for the community within which it would be located.

Specifically, it is our opinion that the proposed specialized regulations for the R3A cluster townhouse zone, which contain reduced yards and increased densities, could adversely impact the adjacent properties:

- the private amenity area (deck) is to have a depth of only 3.36 metres (11.0 feet) instead of the standard 4.5 metres (14.7 ft.). Not only does this result in a substantially reduced amenity area for the townhouse residents; it could also adversely impact the privacy of the neighbouring yards to the east;
- the maximum density is proposed to be increased from 37.5 dwellings per hectare to 40 dwellings per hectare. How is this in keeping with the existing character of the neighbourhood, which consists of mainly single detached dwellings? Has Planning staff allowed similar density increases in predominantly single detached communities?
- how significant an increase or decrease is the proposed front setback of 12 metres? To what extent is this consistent with the surrounding neighbourhood (apart from the two adjacent dwellings)?
- finally, the reduction in minimum lot area per dwelling unit from 270 square metres to 251 square metres also represents a significant increase in density. If calculated for all 22 units, this comes to an overall lot area reduction of 418 square metres.

The proposed development could have even more serious adverse impacts. At a previous neighbourhood meeting, the applicant's engineering consultant indicated that it would be necessary to bring in approximately 2-3 feet of fill because of the development's location in an existing floodplain. This number has yet to be confirmed and will likely remain unconfirmed until more detailed studies have been undertaken, most likely during the site plan application process. What are the long-term impacts on adjacent low-lying properties of altering the grade so significantly: soggy back yards and wet basements? As neighbours who could be affected by such a significant change in grade, a public process such as a zoning by-law amendment and Official Plan amendment remains the best forum for having these concerns addressed, before the site plan process is initiated.

The preliminary landscape plan submitted by the applicant shows what are essentially three-storey townhouses. Placed within the surrounding neighbourhood which consists mainly of bungalows and 1^{1/2}-storey single detached dwellings, the massing of the proposed buildings is not in keeping with the character of the neighbourhood.

The proposed development would be improved if scaled back, both in height as well as in the number of units. The character of the surrounding neighbourhood would be better maintained if greater consideration was given to maintaining at least a few of the existing trees rather than simply clear-cutting and replacing them with saplings. The Landplan Collaborative, in their Tree Conservation Report dated November 20, 2005 admit that: "The form of development proposed for the site; and the significant filling required as a

result of its low lying nature preclude the retention of most trees.” The report further states that what few trees that will be preserved are either at the perimeter or on adjacent lands. The reference to “the form of development” suggests that perhaps a different form of development would allow the retention of more trees, many of which the consultants recognize as being in good condition. Retaining as much of the existing landscape as possible would ensure that the development would be better integrated into its environment.

As members of the community, we recognize the need to preserve its vitality. But we remain concerned that the proposed development has been undertaken to satisfy large scale policy directives at the expense of ignoring the concerns, needs and character of our neighbourhood. We are of the opinion that it would be premature to approve the Official Plan amendment and Zoning By-law amendment applications at this point until there is a better understanding of both the short term as well as the long term implications of this proposal. With some thoughtful revisions, this development could fulfill planning policies while at the same time addressing the needs of the community. We sincerely hope that you will consider these needs in your review of the proposal.

Yours truly,

Brian Lauder

Sharyn Seibert

From: Richard O'Reilly [mailto:ricor@sympatico.ca]
Sent: Monday, March 06, 2006 5:22 PM
To: Melissa Castellan
Subject: Terra View Homes York Rd. Development

Hi Melissa.

I'm not opposed to increased density in areas of the downtown, however, the proposed development at 66,70,72 York Rd. and 1 Richardson St. is not appropriate for this type of housing.

This area has already been intensified with recent projects on Neeve St., York Rd., Wyndham and the Mill Lofts, all of which have brought increased traffic and noise, less parking and a greater demand on an already strained water/sewer system. It is not fair that our quiet neighbourhood be made to shoulder the entire burden of increasing downtown density. It is not fair to ask residents to endure another year of construction noise and disruption. It is not fair that a housing tract totally out of step with existing dwellings be wedged into an inadequate and inappropriate space at the expense of mature trees and people's peace.

A person's home is an important sanctuary. It provides shelter, but it also shapes children's lives and brings, memories, solitude and satisfaction to the entire household. A home is also a huge investment and its' value should not be jeopardized by the want of one builder.

Please consider locating this development elsewhere. This area has already contributed more than its' share to downtown intensification.

Thanks,

Richard O'Reilly
31 Margaret St.

March 5, 2006

Melissa Castellan
Senior Development Planner
City of Guelph

Dear Melissa:

I own one of the properties adjacent to the proposed development on 66, 70, 72 York Road and 1 Richardson Street. After almost two years of letters as well as personal and official consultation about the proposed development, I received the City's letter of February 3rd with great disappointment. I will outline my concerns in detail below, but in general it appears that despite my, as well as my neighbours, concerns, Terraview Homes and Black, Shoemaker, Robinson and Donaldson have largely ignored the residents' apprehension with this proposed development.

The area in question is one of unique historic and environmental interest. It forms the western edge of St. Patrick's Ward which borders downtown. It is the meeting place of the Speed and Eramosa Rivers. It is the gateway community to the York Road Park. This means that for many visitors to Guelph our neighbourhood is their entry point to, or destination in, our city. For residents it is a chosen area to live because of these features, and we are fiercely committed to protecting its character as Guelph grows.

What makes this proposed development problematic is that it is so out of character with the existing neighbourhood architecturally, environmentally and in terms of community. Architecturally, our neighbourhood has seen a number of out of character intensification projects over the past decade, and at least one in-character development in the Lens Mill Lofts. Its character as a historic single-family home area with a unique architectural and street heritage, while fragile, remains despite these impositions. This fragility means that if the City is to approve further intensification of our neighbourhood, it should insist that it consist of single family homes or smaller townhouse development in character with the rest of the area.

Unfortunately, the proposed development does neither. Of greatest concern are the "specialized" zoning proposals **which violate the city's current minimum standards** to pack as many out-of-character units into the space as possible. Removing units 13 and 14 for a "green space" at the back of the proposed development and imposition of greater than minimum distances from the property lines would help pacify some of these concerns. Replacement of units 15 and 16 for single family homes and breaking the "rows" of townhouses up into sets of two or three would also be more in character. Reduction of unit height in relation to neighbouring homes would be a welcome step. Altering the design to better meld into the period of the neighbourhood would help address some concerns. All of these suggestions were made to Terraview and ignored. The city should ensure that this project is a design leader in the move towards

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residential infill, not another example of out-of-character packed development geared to profit not community.

Environmentally, the proposal is of great concern as well. There is essentially no tree retention in an area surrounded by mature trees on most properties and with a major trail and park famous for its environment. Furthermore, the attraction of this area to tourists and residents are its flora and fauna which will be severely affected by the alteration of this area's treed composition. Terraview could easily retain a few of the healthiest trees by being innovative with its design (see the suggestions above), but has chosen its concerns over the community's. The replacement trees also need to be greater in number, reflective of those in the existing neighbourhood, varied, and of significant maturity and height. The community values this environmental heritage highly, and it would behove the city to protect what it can in order to maintain the character of the existing neighbourhood which so many residents and visitors enjoy.

Perhaps of greater concern is the effect on the floodplain of this development. The proposal essentially suggests an "island" development towering above the existing community. The aesthetics of this aside, the impact on the homes and gardens in the area is of great concern. The land in the floodplain is already extremely wet and prone to pooling and flooding. The restrictions placed on surrounding properties in terms of development and fill are in place because of these concerns. Various small scale changes in the past have caused significant difficulties on adjacent properties often not observed until a year or two later. Consequently, the city must impose conditions upon the developer for any short or long-term impact that this development creates to ensure that the effects downstream are taken into consideration in this development. As an adjacent property owner, I am deeply concerned about the impacts that this development might have on my yard.

The creation of an "island" cluster of townhouses above the community is also a concern in terms of safety and infrastructure. York Road is already a busy street which divides the community from the park across from it. Increased traffic flow and potential road widenings will exacerbate the problem further. A crosswalk or traffic light at the junction where Wyndham turns into York would be a welcome addition. The setback of a walled-in community is also a concern for safety and noise. Setback parking lots provide ideal spaces for crime or late night activity which this neighbourhood has seen enough of. Adequate covered lighting would be essential. The garbage location at the back of the site is also of concern, with raccoons and other animals a problem. Enforced recycling would be appreciated. The fence height surrounding the island is also of crucial concern. It should be as high as possible (eight or more feet) with adequate treed (of significant maturity) green space on the development side to ensure privacy for the new units as well as the existing neighbourhood. If the development must be inserted into the community, it should do so quietly, with natural and human barriers to sound, vision and human traffic on existing properties. Good fences often do make good neighbours.

Our neighbourhood is very concerned with the type of development which has been accepted in the past against the wishes of the community. This development has the potential to turn this history around, with truly leading-edge infill development which meets the community's concerns and involves them in the process. Please consider ways in which this development can remain viable with less impact on the community – from greater green space and property-line setbacks to more tree retention and architectural continuity with the community. Ensure that the developer remains responsible for his development past the point when the last unit is sold. Involve the community in the approval process beyond meetings where concerns are raised and not addressed. **Above all, do not allow this development to lower minimum standards of development further by approving the special designation requested.** This development, our community, and our city will be better for it.

Sincerely,

Professor J.J. McMurtry
5 Richardson St.
Guelph, ON
763-0982
jmcmurtr@yorku.ca

Lisa Schincariol
5 Richardson Street
Guelph, Ontario
N1E 3C9

Melissa Castellan
Senior Development Planner
City of Guelph, City Hall
59 Carden Street
Guelph, Ontario
N1H 3A1

March 6, 2006

Dear Ms. Castellan,

I am a well-researched, vigilant proponent of mixed-zoning principles. This enterprise represents a tragic misapplication of those principles.

Let's ignore the elimination of a small but ecologically significant green space. If we ignore the total lack of creativity executed in its design, if we ignore that a high density townhouse complex will detract from one of Guelph's most attractive and historic neighbourhoods—for which this city is celebrated—what about the fact that it violates existing by-laws?

Can we ignore that the policies put in place through laborious consideration and careful intent will be rejected by this development? Even in Lamden's submission to the city he outlines how he's breaking the rules by ignoring the city's standards for front, side and rear yard setback; the placement of windows in relation to neighbouring buildings; the size of residents' decks; lot area; and maximum site density. His plan represents a willful disregard of the civic process that has already determined these standards with good reason.

Finally, it must be noted *with gravity* that this property owner and this builder are loathed in the community for their explicit dedication to antagonizing others. Ms. Burman is so lacking in any genuine social conscience that when she moved out of her last neighbourhood her next door neighbour Stephen Fearing—renowned Canadian musician—actually wrote (and still performs) a song celebrating her departure.

This information did not surprise me since, in our last neighbourhood meeting with the builder, I listened to her seek reassurance from Lamden that not a single window in this new development would *face* her property, even from a distance. She had the audacity to address this “concern” in a neighbourhood meeting at the exact moment she was imposing upon her neighbours a X high structure that will rise smack-up against *their*

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properties. She has specifically won from this developer privileges in relation to this development that the rest of the community has been denied.

Because you own land, you can exploit your neighbours? No, these are not feudal times. And this is not merely Ms. Burman's property; it is our space, and we collectively said "no" to this form of development.

Guelph is a citizenry, not a marketplace. If our civic representatives can't even recognize their responsibility to defend us as such, then they must be educated or eliminated.

Sincerely,

Lisa Schincariol
Managing Editor, Canadian Review of Social Policy

PhD. Candidate, Department of Communications & Culture
York University

From: lpagnan@uoguelph.ca [mailto:lpagnan@uoguelph.ca]
Sent: Tuesday, March 14, 2006 9:58 PM
To: Melissa Castellan
Subject: Official Plan and Zoning Amendment (OP0601, ZC 0518) Re:
.66,70,72 an 1 Richardson street

Application for proposed Official Plan and Zoning By-law
Amendment (OP0601, ZC
0518)

Dear Melissa Castellan,

I have reviewed the information sent to me with regards to the above application. This property currently is a specialized zoned town house development that the Sir John A. MacDonald neighbourhood group, the former Bestfab developer and the city agreed to.

The proposed changes that Terraview Homes proposes is very different from the specialized zone. I am glad to see the densities reduced but would like to see further reduction in the densities. I wish to see the creation of a detached dwelling on York rd instead of the proposed semi-detached.

I will be looking forward to having the opportunity attend an open house to get a better idea as to what Terraview Homes is recommending for these lands. It is my hope that this development will be a positive one for our neighbourhood.

Regards
Lorraine L. Pagnan

PLANNING
BUILDING SERVICES
March 6 2006
MAR 07 2006

Melissa Castellan
Planning and Building Services
City Hall
59 Carden St. Guelph.

Dear Ms Castellan,

I am writing in response to the proposed Official Plan and Zoning By-law amendment (OPO601 ZC0518).

As you are well aware the development of this parcel of land is of great concern to the immediate neighbourhood. In April 2004, many of us expressed our opposition to its severance from Richardson as we viewed this as the first step in its development. This recent request for amendments to the Official Plan and Zoning By-laws is the same issue and consequently I would expect that all of the correspondence and dialogue that was filed at that time with the Committee of Adjustment, be included in any formulation of the Planning Report.

In addition to those comments and concerns I would also suggest that the numerous variances that are now being requested from the Zoning By-laws or the Official Plan, for this site, reinforce the fact that this entire project is too large. While I applaud the design, as an adjacent neighbour, I am concerned about the density requested. I would suggest that the character of the area and environmental

concerns would be better addressed by building fewer townhouse units. The strip of fourteen units so closely packed together on the eastern boundary of this property is inappropriate. Although this density is not reflected over the entire site, the impact for adjacent neighbours is immense. In addition to this localized density, the proximity to the property line and a retaining wall the exact height of which is unknown, create an affect that is not significantly different than adding a small apartment building right next door.

We are losing a natural preserve with many mature trees and numerous birds and wildlife. Although it has been neglected for the last few years by the present owner of Richardson, for over 50 years I have appreciated this tree buffer from the surrounding streets. Do not let the pressure for infilling completely destroy this. By building fewer units more allowance could be made from the eastern boundary which would keep this massive row of buildings from abutting so tightly against adjacent properties. It would also allow for a vegetative barrier more in keeping with what is being sacrificed. English oaks which have been suggested as possible trees for the site are the smallest oak and purely cosmetic. They in no way compare in size or density to the mature willows or evergreens that are being destroyed.

Please think before cramming a development into this area. More space and larger trees will maintain its special qualities.

Sincerely
Marie Denham

Melissa Castellan

08 March 2006

Senor Development Planner

Planning and Building Services

Planning Division

City Hall

59 Carden St

Guelph, Ont N1H 3A1

PLANNING AND
BUILDING SERVICES

MAR 09 2006

Just received the letter of notification, of the proposal
of development at 66,70,72 York Road.

I am not in Favour of the proposal
of uprooting trees, or more traffic which now is to high and
causes bad air quality, also to much strain on the sewage and
water systems if you add 22 tightly packed townhouses, to this
neighbour hood.

I'm a longtime resident of the nice Park area and the trees
and feel this would not fit in the old neighbour hood.

Yours respectfully,

Barbara A Haist

Barbara A Haist (Mrs)

137 York Rd

Guelph, Ont N1E 3E8

Karen & James White
82 York Road
Guelph Ontario
N1E 3E6

March 9, 2006

Melissa Castellan
Senior Development Planner
City Hall
59 Carden Street
Guelph Ontario
N1H 3A1

PLANNING AND
BUILDING SERVICES

MAR 10 2006

Re: Application for an Official Plan & Zoning by-Law Amendment for Properties known as 66,70,72 York Road and 1 Richardson Street by Terraview Homes.

Dear Ms. Mellissa Castellan:

We are writing to express our concerns regarding the noted application by Terraview Homes.

Although we agree with the principal of the intensification of growth within the city as preferable to urban sprawl and the disappearance of our farmland, we feel that this must be done in a manner that is compatible with the established neighborhood, the character and environment of the land which is being developed, and also compatible with the adjacent land.

The developer, in this case, is showing no sensitivity to the surrounding area or in fact to his unique site.

Let's focus our attention on the developer's proposal in a concise point-by-point manner for clarity:

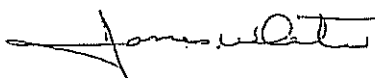
- 1) The surrounding homes on Wyndham Street and York Road are single family bungalows or 1 1/2 story homes. The developer proposes to build a semi-detached home in the middle of the single family detached homes, and would like the zoning amended the to allow this. We object to this amendment as it is not fair to the adjacent owners of detached homes and will no doubt devalue their properties.

Let's look at this hypothetical situation. If the developer owned a vacant lot in your neighborhood do you think you would approve of an amendment to the zoning to permit the construction of a semi-detached home a few doors down from your house? Of course you wouldn't, and neither would we.

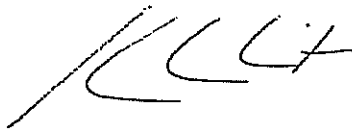
- 2) The developer proposes to build three story high townhouses with a garage occupying the first floor, in an area composed of mainly bungalows and 1 1/2 story single-family homes. He proposes to build 22 tightly-packed townhouses beside a park and family home neighborhood. Is this towering cluster of townhouses compatible with the neighborhood? Of course they are not, just look up York Road at The Yorkville Townhouses at #142 York Road Units 1 to 23. These three-story townhouses tower over the adjacent homes and are certainly not compatible with the neighborhood, which is similarly composed of bungalows and 1 1/2 story single-family homes. They are the topic of negative conversations everyday and people wonder why they were ever allowed to be built in this location.
- 3) The developers' parcel of land is in a flood plain and is a unique wildlife habitat as are the adjacent lands to the east. What steps has the developer taken to try and preserve this unique environmental heritage? The answer is simply none. The developer proposes to cut down all the trees within the boundary of his lands except for a few around the perimeter and he proposes to fill the entire flood plain with 2 or 3 meters of fill and then replace some of the mature century old trees with 75mm saplings. We feel more effort should be made in the proposed grading to save some of the mature healthy trees and the saplings should be a minimum of 100mm diameter.
- 4) The developer proposes to fill and disturb the natural ravine that provides overland and underground flow from the flood plain which not only includes his land but the lands to the east of his development. This most certainly will have the potential of putting some of the houses on York Road (house # 74 to # 90) at risk, as this would have the effect of raising the water table and flooding the basements as the now dry basements are only a few inches above the existing water table. No further approvals of any kind should be given until this problem is addressed and guarantees are given to the homeowners that the water table will not be raised by this development.
- 5) Garbage is another concern of the residents on York Road and surrounding neighborhood. The garbage generated should be looked after internally in the subdivision and not stock-piled onto York Road to become a nuisance and an eye-sore for visitors to York Road Park and the residents of York Road.

There are many issues yet to be resolved with the developer, but as stated herein, I feel we have demonstrated that the application for this Zoning Plan Amendment should not be granted at this time.

Yours Truly,



James White CET.



Karen White

March 10, 2006

Jim White
82 York Rd.
Guelph, ON N1E 3E6

Melissa Castellan, Senior Development Planner
Planning and Building Services
City Hall
59 Carden Street
Guelph ON N1H 3A1

PLANNING AND BUILDING SERVICES
MAR 10 2006

Re: Proposed Official Plan and Zoning By-Law Amendment (OPO601, ZC 0518)
66, #70, # 72 York Road. # 1 Richardson Street
Terraview Homes

Attention: Melissa Castellan, Senior Development Planner
Planning Division, City of Guelph

We wish to bring to your and city officials attention that the residents of York Road are very concerned about the effect of the proposed development on the water table, in the area upstream of this development, as our basements are only a few inches above the water table.

This concern was brought to the attention of the developers' planner Ms. Nancy Shoemaker, his Consultant, Mr. Chris Sims, P.Eng, Gamsby & Mannerow, and Mr. Scott Hannah, Manager of Planning and Development, City of Guelph in August of 2005.

Please find attached, copies of this correspondence of August 2005, sent to the aforementioned and signed by:

Mr Burgess - Owner of # 74 York Road
Ms Doreen Bartok - Owner of # 76 York Road
Ms Mary Potter - Owner of # 80 York Road
Ms Karen White - Owner of # 82 York Road
Mr. Andrew Dancey - Owner of # 86 York Road
Mr. Cecil Hebden - Owner of # 88 York Road
Mr P. Menus - Owner of # 90 York Road

The residents are very concerned this project is being allowed to build in a "flood plain" and in the natural ravine that provides for "underground and overland flow" for lands to the east. There is concern the normal "underground water flow" will be disturbed by this development and that their dry basements will become wet basements, as the water table will be raised upstream, or to the east of this proposed development.

The residents of York Road have co-operated with the developer in their geo-technical investigations, but have not yet been told or guaranteed that the water table will not be raised by this development. We feel that it is the duty of the Mayor, Council and City Officials to protect the residents and their property that now exist on York Road, and that no approvals be given by Council or City Officials until this problem is addressed satisfactory to the aforementioned residents on York Road.

Yours Truly



Jim White C.E.T.

BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.,
351 SPEEDVALE AVENUE WEST,
GUELPH ONTARIO,
N1H 1C6

ATTENTION: MS NANCY SHOEMAKER, MCIP, RPP

RE: PROPOSED REDEVELOPMENT
PROPOSAL # 66, 70, & 72 YORK RD.
TERRA VIEW HOMES LTD.

DEAR MS SHOEMAKER:

YOU WILL RECALL THAT A NUMBER OF CONCERNS WERE RAISED AT THE LAST PUBLIC INFORMATION MEETING HELD ON JULY 26 2005.

ONE MAIN CONCERN THE RESIDENTS THAT HAVE HOMES ON YORK ROAD , TO THE EAST OR UPSTREAM OF THIS PROPOSED DEVELOPMENT IS :

WE ARE AWARE THAT OUR BASEMENT FLOORS ARE ONLY A MATTER OF INCHES ABOVE THE EXISTING HIGH GROUND WATER TABLE, & OUR BASEMENTS ARE, AND HAVE BEEN DRY. THE BIG CONCERN WE HAVE IS - WILL THEY REMAIN DRY AFTER THE RAVINE IS FILLED IN BY THIS PROPOSED DEVELOPMENT DOWNSTREAM FROM OUR HOMES?

WE WOULD LIKE THIS QUESTION ADDRESSED AS TO THE EFFECT OF THE DISTURBANCE OF THE NATURAL GROUND WATER FLOW TO THE RIVER BY THIS DEVELOPMENT & ITS EFFECT ON THE NATURAL GROUND WATER TABLE ELEVATION UPSTREAM .

CAN THE DEVELOPER GUARANTEE THAT THE EXISTING GROUND WATER TABLE WILL NOT BE RAISED UPSTREAM BY HIS PROPOSED DEVELOPMENT & CAUSE OUR BASEMENTS TO FLOOD?

THE FOLLOWING RESIDENTS ON YORK ROAD BY THEIR SIGNATURE OF THIS LETTER WOULD LIKE THEIR JOINT CONCERNS ADDRESSED & HEREBY GIVE THEIR PERMISSION FOR A GEOTECHNICAL STUDY TO BE DONE (BY OTHERS) ON THEIR PROPERTY PROVIDING ANY DISTURBED AREAS ARE RESTORED TO THEIR ORIGINAL CONDITION.

<u>Mr. Burgess Signature on Original Letter</u>	OWNER 74 YORK ROAD
<u>No Home</u>	OWNER 76 YORK ROAD
<u>Margaret Baird</u>	OWNER 78 YORK ROAD
<u>Mary Packer</u>	OWNER 80 YORK ROAD
<u>C C K KARCH WHITE</u>	OWNER 82 YORK ROAD
<u>No Home</u>	OWNER 84 YORK ROAD
<u>6/18/05 Alexia Helodan</u>	OWNER 86 YORK ROAD
<u>Cecil Helodan</u>	OWNER 88 YORK ROAD
<u>P. Miller</u>	OWNER 90 YORK ROAD

CC MR. CHRIS JIMS P. ENG. GAMSBY & MANNEROW

Scott Hartman - Manager of Planning Development
City of Guelph



ATTENTION STUDENTS!

Walk to UofG and Downtown
4 Bedrooms, 2 Full Bathrooms
5 Appliances
Smart Wired for Internet, Cable, Phone
\$1700/month + utilities

Issa Castellan
Senior Development Planner
City Hall

New Homes 66,70,72 York Road & 1 Richardson

When you will find a classified from The Ontarion student paper from

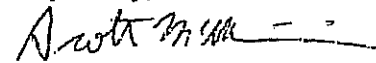
Thursday's issue (March 9th). This is the townhouse complex at the corner of Neeve (my street) and York Road. This project had been in the works for years so it wasn't a surprise when it went up even though two of the four houses that came down to build this were considered to be "of interest" from a heritage perspective. It was stressed at that time that these townhouses were to be built with families in mind and that they wouldn't be rented to students, this was indicated more than once at community meetings. I have nothing personal against students in general but it would seem that the neighbourhood was misled. There are countless students living in this complex. Is it true that four or more non-relatives in a dwelling is considered a rooming house or hotel or is that an urban myth?

The ad also indicates with emphasis that there is "immediate occupancy" which implies that some units are empty. Therefore, if there are empty townhouses in our neighbourhood, does the area really need more? Are we not "maxed out"?

In addition, I'm not sure why anyone would want to live on a floodplane with questionable drainage but of course this won't be advertised in the real estate listings. This would be my other concern. We bought this house for the yard (part Lots 142 and 143) and I would like a bit more assurance that the directional issues of water will be addressed, regardless of what is built there.

I am not anti-infill by any means but a grouping of detached houses would be a far more sensible option for this area should it be developed at all.

Respectfully,


Scott McWhinnie
165 Neeve Street
Guelph

PLANNING
BUILDING SERVICES

MAR 10 2007



File No. 16.132.110

To: Melissa Castellan
From: Don Kudo
Department: Planning and Development Services Division: Engineering Services
Date: June 12, 2006
Subject: **Official Plan Amendment and Zoning By-law Amendment for 66, 70, 72 York Road and 1 Richardson Street**

We have completed our review of the above noted application and supporting documents and offer the following comments and recommended conditions of approval.

The following is a summary of the existing municipal services adjacent to and on the subject properties:

Wyndham Street

- 225mm sanitary sewer approximately 1.0 metre deep
- 100mm watermain
- 2 wide traffic lanes with asphalt pavement with curb and gutter and concrete sidewalks on both sides of the street.

The right-of-way is 24.402 metres (80.06 feet) wide. The Official Plan specifies an ultimate right-of-way width for this section of Wyndham Street of 30.0 metres with 3.0 metre road widenings being required from each side of the road. A road widening across the Wyndham Street frontage will be required.

York Road

- 450mm sanitary sewer approximately 0.9 metres deep
- 150mm watermain
- 500mm water transmission main
- 2 wide traffic lanes with asphalt pavement, curb gutter on both sides of the road and concrete sidewalk on the north side of the road adjacent to the site
- 300mm storm sewer approximately 0.7 metres deep across the easterly half of the York Road frontage

The abutting York Road right-of-way is 35.05 metres (115 feet) wide.

Other Services

- In the park, across the road approximately 65 metres south of York Road, there is a 750mm trunk sanitary sewer approximately 1.4 metres deep.
- Through the middle of the site, there is a 450mm storm sewer approximately 0.9 metres deep.

Due to the shallow nature of the sanitary sewers abutting the site, it should be a condition that the proposed single detached dwellings and the proposed semi detached dwelling be constructed at such an elevation that a gravity connection to the sanitary sewers is constructed.

The City's records show that the existing houses at 66 and 70 York Road, which are to remain, have independent sanitary sewer and water service laterals. The servicing report proposes that the two new single detached units and the two semi detached units be connected to the sanitary sewer and watermain on Wyndham Street and York Road. The creation of the two single detached lots on Wyndham Street South will require service connections to the existing sanitary sewer and watermain. The applicant should be advised that the August, 2002 Ward One Infrastructure Study indicated that the existing 225mm sanitary sewer is in poor condition. Connections to this shallow sanitary sewer may prove to be difficult or impossible without replacing significant length of pipe. The watermain on Wyndham Street is also undersized and has been recognized in the Ward One study to be upgraded. Despite these infrastructure requirements, Wyndham Street was not been listed as a priority street to be upgraded relative to the other needs in the Ward One area. A water service to the townhouse block is proposed to be provided by a 150mm connection to the watermain on York Road.

The Preliminary Site Servicing and Stormwater Management Report proposes to connect the townhouse block to the trunk sanitary sewer located in the park some 65 metres south of York Road. Service connections are exempt under the Municipal Class Environmental Assessment (EA) so an EA is not required for the proposed sanitary sewer lateral construction and connection. The trunk sanitary sewer is at a lower elevation than the abutting sanitary sewers on York Road but such a connection does raise some concerns. The trunk sanitary sewer in the park is in or very close to the designated "Landfill Constraint Area". Before any sanitary lateral connection to the trunk sewer in the park is approved, the owner should be required to pay the cost for a geotechnical investigation done of the soils along the proposed sanitary service lateral route. Determination of whether a connection to the trunk sanitary sewer should not be allowed if any landfill material or landfill gases are encountered could then be reviewed.

Another issue with the sanitary sewer lateral through the park is that it would be disruptive to the park users and in particular the construction would prohibit the use of a soccer field and ball diamond. Therefore, the sewer lateral construction should only be permitted in the off season.

With respect to grading and drainage and storm water management, the following is a summary of issues:

- the existing 450mm diameter storm pipe located on the site drains the ditch along the rear of the properties on York Road and Richardson Street
- City has assumed the maintenance of the storm pipe but the ditch is considered to be private
- there are no easements for this storm pipe except on the vacant lot between 76 and 82 Wyndham Street South
- the developer will be required to grant the City an easement for the storm sewer through the lands owned by the developer.
- the subject lands are lower than the abutting roadway on York Road and Wyndham Street. Along

York Road, the boulevard and the sidewalk drain from the curb back onto the site.

From the Preliminary Site Servicing and Stormwater Management Report by Gamsby and Mannerow the following is proposed:

- all the stormwater from the existing detached dwelling lots and the proposed semi detached lot on York Road be directed to the stormwater management system that will be constructed on the townhouse block
- roof water and the rear yard stormwater from the two proposed single detached lots on Wyndham Street would be directed to the stormwater management system on the townhouse block.
- minor storms will be controlled by a superpipe on-site storage system with a controlled outlet to the 450mm storm sewer
- a “TideFlex Check Valve” is recommended to be installed at the downstream invert of the 450mm storm sewer due to the outlet elevation at the river of the 450mm storm sewer
- the condition of the existing 450mm storm sewer be inspected before it is utilized
- major storms will overflow to the east and pond in the depression in the rear yards between Richardson Street and York Road after some ponding on the townhouse site
- the “backflow preventor will maintain or slightly reduce” the rear yard ponding with the “TideFlex Check Valve” in place

Since the report recommends that the existing condition of the 450mm storm sewer be investigated, we recommend a condition to be included for a plan to be put in place to ensure that this shallow storm pipe through the site is not damaged by the work on the site. As well, since the report recommends the use of a check valve (or backflow preventor) on the existing 450mm storm sewer, the developer must ensure that adjacent lots will be not affected by the storm water management measures proposed for the subject property.

The subject lands are within the Special Policy Area Flood Plain as designated in Schedule 1 of the Official Plan. The property must therefore be developed in accordance with the requirements established for residential uses in the Special Policy Area Flood Plain. The regulations for development in the Special Policy Area are contained in the City’s Zoning By-law. These regulations will result in a development where all of the building is constructed above ground.

With respect to traffic, since the access for this development is to an arterial road with no access to the local streets in the area and it is not anticipated that a development of this nature and size will be a significant traffic generator, a site specific traffic study is not required.

There are Committee of Adjustment applications to sever the site to accommodate the townhouses, the detached dwellings and the semi detached dwellings. Those applications were made in 2004 and their status is that they are deferred pending the O.P.A. and the Zone Change amendment. The 2004 recommended conditions for the severance applications would still apply to this application with some minor revisions due to reconsideration of the Regional Floodline by the Grand River Conservation Authority since the time of the Committee of Adjustment application.

If this O.P.A. and Zone Change amendment are approved, we recommend that the following conditions be imposed:-

1. That the consent applications B-11/0, B-12/04, B-13/04, B-14/04 and B-15/04 receive Committee of Adjustment approval and that the registration of the deeds occurs in a proper sequence to ensure amalgamation of the parcels to the satisfaction of the City Solicitor prior to the issuance of any building permits.
2. That the owner deeds to the City free of all encumbrances and satisfactory to the City Solicitor, a parcel of land 3.0-metres wide for a road widening across the entire Wyndham Street frontage of the lands.
3. That prior to issuance of any building permit, the owner grants to the City a 5.0-metre wide easement across the lands, centred on the existing 450mm diameter storm sewer, satisfactory to the City Solicitor.
4. That prior to any demolition, grading or construction on the lands the owner shall retain a Professional Engineer to inspect and report on the condition of the 450mm storm sewer through the site and down to its outlet, satisfactory to the City Engineer.
5. That prior to any demolition, grading or construction on the lands, the owner shall have a Professional Engineer prepare a report, satisfactory to the City Engineer, outlining the methods to be used during demolition, grading and construction on the lands, to protect from damage and monitor the existing 450mm diameter storm sewer which crosses the lands. Furthermore, the owners shall ensure that the methods outlined in the report are put into place and that the owners shall be responsible to pay for any damage to the existing storm sewer.
6. Prior to the submission of any site plan showing a connection to the 750mm trunk sanitary sewer in the park, the owner shall pay the City's cost of having a geotechnical investigation report done of the soils along the sanitary service lateral route. Furthermore, the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted if landfill materials and gases are not going to be encountered during the construction of the sanitary sewer lateral.
7. That the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted by City during certain times of the year when construction will not disrupt the use of the park.
8. That prior to the issuance of a building permit for the townhouse development, the owners agree to submit and receive approval from the City for a site plan under Section 41 of the Planning Act. Furthermore, the owner shall develop the said lands in accordance with the approved site plan.
9. Prior to the issuance of a building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the said lands incorporating a control flow weir and a connection to the existing 450mm storm sewer, satisfactory to the City Engineer.
10. That the owner 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 City Engineer. Furthermore, the owner 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 approved by the City and that it is functioning properly.

11. That the owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall provide a qualified environmental inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the erosion and sediment control plan on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
12. The owner shall pay the actual cost of constructing any service laterals required to service the lands, prior to issuance of any building permit.
13. The owner shall pay the actual cost of constructing any works including backflow preventors on the 450mm storm sewer serving the lands.
14. That the owner enters into a Storm Sewer Agreement as established by the City, providing for a grading and drainage plan that is registered on the title of the single detached and semi detached lands.
15. That the owner constructs all the buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
16. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
17. That the owner pays to the City, the watermain frontage charge of \$8.00 per foot for 21.98-metres (72.12 feet) of frontage on Wyndham Street.
18. That the owner shall pay to the City, the watermain frontage charge of \$8.00 per foot for 15.85-metres (52.0 feet) of frontage on York Road.
19. That the owner pays the tree frontage charge of \$8.00 per metre of frontage for the entire frontage on Wyndham Street and York Road.

20. That the owner shall be responsible to pay for all required curb cuts and fills, prior to the issuance of any building permit.
21. That a legal off-street parking space, including any easements for right-of-way that are required for access, be created, satisfactory to the Director of Planning and Development Services for 70 York Road.
22. That the owner enters into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.



To: Melissa Castellan
From: Don Kudo
Department: Planning and Development Services Division: Engineering Services
Date: July 28, 2006
Subject: **Official Plan Amendment and Zoning By-law Amendment for 66, 70, 72 York Road and 1 Richardson Street**

Further to our comments of June 12, 2006, we wish to provide the additional condition of approval for this application:

That the owner shall confirm that any fill placed to raise the elevation of the lands shall have similar drainage characteristics to the native soil on the lands. Gradation testing or other acceptable testing procedures will be required to confirm the acceptability of the fill material to the satisfaction of the City Engineer.

Due to resident concerns in area with respect drainage, we recommend that annual monitoring (ground elevations and storm water performance) be undertaken by the owner and subsequently taken over by a future condominium corporation. Ground water monitoring could consist of utilizing existing site monitoring wells to determine water elevations and storm water performance monitoring could consist of analysis of actual storm water flows versus design flows. At this time, an undertaking by the owner to conduct this monitoring could be made and consideration to include a condition of approval with respect to monitoring in a future condominium application could be made at that time.

SCHEDULE 8

Staff Comments

Staff Response to Issues:

1. Site Design, height of buildings and layout – Residents expressed concern that the site design had too many units in a row, the height of the buildings was out of character with neighbouring dwellings, the number of units should be reduced in the rear area of the site and the townhouse layout should be changed to increase the separation distance between the proposed units and the rear yard of the neighbouring property at 5 Richardson Street.

Staff Comment: These concerns seem to stem from privacy issues and a general opposition to development on this site. The site has been zoned for a townhouse development for over ten years and it is expected that it will be developed as a medium density multi-unit project. The proposal meets the Official Plan policies for intensification and infill and improves the variety of housing types in a residential neighbourhood in close proximity to the downtown. In response to the concerns, the applicant has provided a landscaping plan which includes tree planting and a privacy fence along the perimeter of the site to provide privacy and screening. Also, the east side yard setback exceeds the requirement of the zoning by-law in this area. The east side yard setback is proposed to be 8 metres and has been included in the specialized regulations to ensure that a minimum setback of 8 metres is provided in this area.

Prior to submitting the application and in response to comments received at a meeting held by the applicant in 2005, the proposed design of the townhouse dwellings was revised to address concerns about height. The applicant proposes a mansard roof which has a lower height when compared to typical peaked roofs. Members of the residents' focus group have expressed satisfaction with this design. A condition has been recommended (see Condition 1, **Schedule 3**) to ensure that the design is in keeping with the preliminary elevations submitted by the applicant and displayed in **Schedule 6**. The townhouses will be 3 storeys in height where the first floor is not permitted to contain any habitable space and will provide the required parking for each unit; this proposed height is the same as that permitted by the existing zoning on the site. This height of dwelling is expected in this area for new construction given the requirements for construction within the floodplain. A height of three storeys is compatible with the surrounding neighbourhood; is considered to be a low rise housing form and is permitted within detached, semi-detached and townhouse zones. The topography of the area will result in the proposed townhouses having a finished height slightly lower or equivalent to the houses on Richardson Street.

The proposed specialized regulations are generally for aspects of the site that are internal or face onto other properties that are subject to this application. The specialized regulations for yards are related to requirements for placement of windows. Townhouse developments currently have greater restrictions on the

placement of windows than other forms of housing. The proposed setbacks are similar to setbacks permitted for detached and semi-detached dwellings where windows are permitted. The proposed regulations will create an attractive, medium density proposal and will allow for variety in house design with greater opportunity for natural light in dwellings. There are no privacy or building code issues related to these specialized side yard setbacks.

The proposed variances to the R.3A zone are appropriate for the development of the property. Perimeter plantings combined with a privacy fence will allow for privacy of both existing and future residents. The proposed variance to a reduced lot area for the townhouse units is acceptable because the development, as a whole, exceeds the required landscaped space on-site, meets amenity area size requirements and the building coverage is 10% less than what is permitted by the zoning by-law. Staff requested a 12 metre setback along York Road to provide a consistent setback along this area of the street. The proposed setback is the same as that of the adjacent dwellings. Generally, for detached dwellings in St. Patrick's Ward, the setback is determined as the average of the adjacent dwellings and not the average of the block face as is required for townhouses. This proposed setback provides a consistent street presence and assists with reinforcing the existing streetscape. The proposed semi-detached and single detached dwellings will have a similar setback.

2. Intensification and Density– Residents expressed concern that the project exceeds the density permitted by the Zoning By-law and that recent developments in their neighbourhood along with this proposed development have created a great deal of intensification in their area.

Staff comment: In the Official Plan, the density for the "Medium Density Residential" designation is a minimum of 20 units per hectare and a maximum of 100 units per hectare. This proposal with a density of 40 units per hectare for the townhouse portion of the site and an overall density of 35 units per hectare, while exceeding the maximum density permitted in the Zoning By-law for the R.3A Zone by 2.5 units per hectare; falls in the lower end of the range permitted by the Official Plan. This application actually represents a decrease in density from the zoning that currently exists on the property. Under the existing R.3A-2 zone, a 40 unit stacked townhouse project is permitted. This application proposes a total of 28 units (including 22 townhouse units, 2 existing detached dwellings, 2 new detached dwelling and 2 new semi-detached units). The proposed density for the property is appropriate and staff are not supportive of further decreases in density on the subject property. The property is appropriate for this type of development because the property is designated "Medium Density Residential" in the Official Plan. As well, it is recognized in the approved St. Patrick's Ward Community Improvement Plan as a site planned for intensification. This proposal is also an example of the type and form of development that is expected under the Places to Grow policy.

3. Loss of Mature Trees and Preservation of Green Space – Residents expressed concerns about the removal of the trees on the site. They view this site as a green space in the neighbourhood and a habitat for birds. They were also concerned that the townhouse proposal did not include enough greenspace or open space for the future residents of the townhouses.

Staff comment: The site is not identified as a Natural Heritage Feature and therefore does not require an Environmental Impact Study. A tree plan is a requirement of the application since it falls within the property size limit of the Tree By-law. A Landscape Plan outlining the planting of trees and other landscape treatments is required for site plan approval.

The tree plan identified approximately 70 trees on the site, including approximately 25 trees on the detached lots on York Road. The Tree Plan states that "a mixture of deciduous and coniferous trees of horticultural and natural origin are located on the site. A small depressional wooded area is situated in the central west portion of the property. There has been dumping in this area and in general the woods was found to be significantly degraded with numerous dead and fallen trees. There are numerous "weed" trees such as Norway maple and Manitoba maple present of the property." Staff confirmed the findings of the study through a site visit.

The preliminary landscape plan submitted with the application demonstrates that the site will be adequately landscaped and the number of replacement trees will exceed the number of trees removed. The proposed landscaping is an improvement in terms of quality and health of tree species and will provide a buffer along the perimeter of the site for surrounding residents. The applicant has also proposed to plant trees on the property at 5 Richardson Street to provide a double row of trees at the property line in the general area of proposed townhouse units 13 and 14 to provide additional screening.

In terms of green space/open space on the site, the proposed development meets the requirements for size of private amenity areas and common amenity areas and exceeds the landscaped open space requirement of the zoning by-law for the R.3A Zone. The applicant has not requested any specialized regulations related to open space or amenity space in terms of area requirements. Also, the site is situated across York Road from York Road Park. The proposed development meets the requirements for amenity space and open space and future residents have access to parkland within 50 metres of this development.

4. Location on Flood Plain and Potential for changes to the Water Table – Residents expressed concerns that construction on this site will impact the water table and thus cause basements in homes along York Road to flood. They are also concerned about the effect of this development on an area that has historically been a low, wet area.

Staff comment: The applicant has submitted a preliminary site servicing study and a geotechnical study in support of the application. The developer is required to develop a stormwater management system to control post-development flows as well as maintain the upstream floodline elevations. Standard conditions requiring approval by the City Engineer of the proposed stormwater management

system are included in Condition 9, **Schedule 3**. This development proposal is also subject to Grand River Conservation Authority approval and requires permits to meet the requirements of development within the Special Policy Area.

Further, due to these concerns, it is recommended that annual monitoring (ground water elevations and storm water performance) be undertaken by the owner and subsequently taken over by a future condominium corporation. Ground water monitoring could consist of utilizing existing site monitoring wells to determine water elevations and storm water performance monitoring could consist of analysis of actual storm water flows versus design flows. At this time, an undertaking by the owner to conduct this monitoring could be made and consideration to include a condition of approval with respect to monitoring in a future condominium application could be made at that time. The applicant is agreeable to a condition of this nature and it has been included in **Schedule 3**, Condition # 28.

5. Traffic – The residents expressed that a traffic study should be conducted for this development due to concerns about increased traffic volumes and requested that the developer install a pedestrian traffic light on York Road.

Staff Comment: This development proposal does not require a traffic study. The access for this development is to an arterial road and no access points are proposed to local streets. A development of this nature and size is not considered to be a significant traffic generator. The residents concern about the need for a pedestrian traffic light is a neighbourhood issue that may be dealt with through the York Road Environmental Assessment which is currently ongoing.

6. Waste Collection – Residents expressed concerns about the potential for a dumpster to be used and about the potential for all the units to pile their garbage on York Road for collection by the City.

Staff comment: Waste collection will be the responsibility of the future condominium corporation. It is proposed that waste will be collected from individual units in a manner similar to curbside collection on residential streets. The condominium corporation will be responsible for hiring a contractor to collect the waste or entering into an agreement with the City for the City to collect the waste.

SCHEDULE 9

Public Notification Summary

March 1, 2005	City Staff meet with neighbourhood residents re: potential development proposal
April 1, 2005	City Staff meet with neighbourhood residents re: potential development proposal
January 13, 2006	Application submitted to the City of Guelph
February 2, 2006	Notice of Application sign erected on the property.
February 3, 2006	Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres.
May 11, 2006	Public Information Meeting.
July 12, 2006	City staff meeting with neighbourhood residents.
August 4, 2006	Notice of Public Meeting advertised in the City News pages of the Guelph Tribune.
August 4, 2006	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres.
August 28, 2006	Public Meeting of City Council.



City of Guelph

Report:

PLANNING & DEVELOPMENT SERVICES (06-70)

TO: Council

DATE: 2006/08/28

SUBJECT: 1077 GORDON STREET – Proposed Official Plan and Zoning
By-law Amendment (File ZC0505/OP0513) - Ward 6

RECOMMENDATION:

THAT Report 06-70 regarding Official Plan and Zoning By-law Amendments for property municipally known as 1077 Gordon Street from Planning and Development Services dated August 28, 2006 BE RECEIVED; and

THAT the application (OP0505/ZC0513) by Astrid J. Clos Planning Consultants for approval of an Official Plan Amendment to amend the front easterly portion of the property at 1077 Gordon Street, legally described as Con 7, Part Lot 4, Plan 61R9349, Part 7, City of Guelph, from the current "Medium Density Residential" Official Plan designation to the Mixed Office-Residential designation with the addition of a site specific policy amendment to the Mixed Office-Residential designation BE APPROVED in the form outlined in SCHEDULE 2 of Planning report #06-70 dated August 28, 2006; and

THAT the application (OP0505/ZC0513) by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone and WL (Wetland) Zone to a new Specialized OR (Office-Residential) Zone and to the R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 1077 Gordon Street and legally described as Con 7, Part Lot 4, Plan 61R9349, Part 7, City of Guelph, BE APPROVED in accordance with the permitted uses and conditions provided in SCHEDULE 3 of Planning report #06-70 dated August 28, 2006.

BACKGROUND:

Location

The subject property is a 1.22 hectare parcel of land located west of Gordon Street and north of Harts Lane West. Adjacent land uses consist of a funeral home (Gilbert MacIntyre & Son Funeral Home) to the south, townhouses to the north and a stormwater management facility to the west (see Location Map on **Schedule 1**).

Official Plan Designation

The property is designated "Medium Density Residential" and "Non-Core Greenlands Overlay" in the Official Plan (see **Schedule 4**). The "Medium Density Residential" designation permits multiple unit residential buildings in the form of townhouses, row dwellings and walk-up apartments at a minimum of 20 units per hectare to a maximum of 100 units per hectare.

The "Non-Core Greenlands Overlay" designation that applies to a small portion along the rear of the subject property does not contain any environmental features and is buffered from the Hanlon Creek wetland to the west by an existing stormwater management facility.

Existing Zoning

The subject property is currently zoned UR (Urban Reserve) Zone and WL (Wetland) Zone (see **Schedule 5**).

Application Background

The original application for an Official Plan and Zoning By-law Amendment, proposed office and commercial retail use with no residential component. Revisions to the application were made to address staff concerns with introducing commercial retail development in this location that is designated for future medium density residential use. The revised application proposes an office building on the front easterly portion of the property and residential development on the remaining rear westerly portion. Further details on the chronology of this development application are provided on **Schedule 8**.

The current concept plan is shown on **Schedule 6**, which illustrates a proposed 1885 m² office building on the easterly 0.43 ha portion of the property with a 19 unit cluster townhouse development on the remaining 0.79 ha of the property. The net density of residential development proposed on the westerly portion of the property is 24 units per hectare. The office and residential uses on the subject site are ultimately proposed to be severed into two parcels.

REPORT:

Description of Official Plan Amendment

An Official Plan Amendment is required to permit the proposed office-residential uses within the Medium Density Residential land use designation. The proposal is to amend approximately 0.43 ha of the easterly portion of the property from the current "Medium Density Residential" Official Plan designation to the Mixed Office-Residential designation, as shown in **Schedule 4**. The proposed Mixed Office-Residential designation permits small scale office uses, personal service uses and residential activities. A site specific policy amendment has been included to restrict the office use on the property to a maximum size of 1900 square metres of gross floor area (see **Schedule 2**).

The current Medium Density residential designation would continue to apply to the remaining 0.79 hectares of the rear westerly portion of the property. The Medium Density residential designation permits residential uses in multiple unit forms such as townhouses, row dwellings and walk-up apartments.

Description of Zoning By-law Amendment

The associated zoning by-law amendment proposed for this revised application is to amend approximately 0.43 ha of the easterly portion of the subject property from the UR (Urban Reserve) Zone to a Specialized OR-? (Office Residential) Zone (see **Schedule 5**). A specialized zoning regulation is included to limit the office use on the property to a maximum size of 1900 square metres of gross floor area. The uses permitted in the OR (Office Residential) Zone are:

- Artisan Studio
- Day Care Centre
- Dwelling Units
- Group Home
- Home for the Aged
- Home Occupations
- Lodging House
- Medical Office
- Office
- Personal Service Establishment
- School
- Tourist Home

The remaining 0.79 hectares of the westerly portion of the property is proposed to be rezoned from the UR (Urban Reserve) Zone and the WL (Wetland) Zone to the R.3A (Cluster Townhouse) Zone to permit a cluster townhouse development of approximately 19 units. The small westerly portion of the subject site currently zoned Wetland does not reflect the most recent Grand River Conservation Area (GRCA) wetland mapping, since no environmental features are identified on the site. The GRCA and the City's Environmental Planner have reviewed this application and have not identified any environmental concerns. The existing stormwater management facility buffers the subject site from the Hanlon Creek Wetland to the west.

Planning Analysis

Official Plan

Section 9.3 of the Official Plan provides criteria for Council to consider in evaluating proposed amendments to the Official Plan. This proposed Official Plan amendment satisfies the criteria of Section 9.3, as outlined below:

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

Staff Comment: The proposed amendment satisfies the goals and objectives of the Mixed Office-Residential designation of the Official Plan. The proposed office building is in an appropriate location to concentrate additional office uses within a residential area. The proposed amendment will not create an isolated Mixed Office-Residential designation, as it will result in the contiguous extension of the existing Mixed Office-Residential designation on the adjacent property to the south. The introduction of this new Mixed Office-Residential designation will be confined to an arterial road location that will provide a good interface to surrounding residential uses.

b) *Suitability of the site for the proposed use*

Staff Comment: The site is suitable to accommodate the proposed office building on the front portion of the site with good orientation to Gordon Street. Adequate off-street parking is proposed for both the office and residential sites. The property is situated on an arterial road and a transit route. It is also noted that a number of additional properties fronting onto Gordon Street within the immediate area are designated "Office-Residential" in the Official Plan.

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

Staff Comment: The proposed office use development in this location is compatible with the residential and commercial land uses in the vicinity. The easterly front portion of the adjacent property to the south at 1099 Gordon Street that contains a funeral home is designated Office-Residential in the Official Plan. The design of the proposed cluster townhouse project on the subject site also provides an opportunity to extend the private street south to accommodate a future medium density housing development on the vacant portion of this adjacent property. **Schedule 7** illustrates this potential to coordinate the proposed residential development with the adjacent property to the south and to provide an ultimate street connection to Harts Lane. It is noted that the rear westerly portion of this adjacent property is designated "Medium Density Residential", consistent with the designation on the rear westerly portion of the subject property.

Site Plan Approval will also be required to ensure that the site is developed appropriately and meets the urban design and compatibility criteria outlined in the Official Plan. Landscape improvements along the Gordon Street frontage will be requested during the Site Plan Approval process in order to screen parking areas and to provide appropriate streetscaping to form an attractive urban corridor.

d) *The need for and market feasibility of the proposed use*

Staff Comment: The owner is proposing to develop a free-standing office building for the purpose of allowing a local business (Royal LePage Realty) to consolidate their operations on the site and to own their own facility rather than continue to lease office space. The intent is not to develop the office building on speculation.

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

Staff Comment: There are limited lands readily available for office use in the South Gordon area. The subject site provides an opportunity to integrate a mixed office-residential development as a compatible extension of surrounding development. The proposed development would result in the contiguous expansion of the existing "Office-Residential" designation on the adjacent site to the south. The infill of one additional office building in this location is not expected to have an impact on the existing sites designated for office use, including the mixed use nodes that were identified through the commercial policy review process.

f) *The impact of the proposed use on services and financial implications to the City.*

Staff Comment: The evaluation of this proposal did not identify any negative servicing or financial impacts to the City.

South Gordon Community Plan

The South Gordon Community Plan, approved by Council in 1999, includes policy to allow additional office locations to be considered along the Gordon Street corridor in appropriate locations (Policy 11.6.4). The subject property is considered a suitable location to encourage this type of mixed use. The site is located along a major arterial road with excellent accessibility to transit and within walking distance of surrounding existing and future residential neighbourhoods.

Urban Design

Urban design guidelines will be applied during the site plan approval process to ensure that the proposed development implements a high quality of design that is complementary and compatible with adjacent properties. The site plan approval process will also be used to secure architectural details.

Commercial Policy Review

The proposed Official Plan Amendment as outlined in this report does not impact the City's current policies nor is it inconsistent with the commercial policy framework adopted by Council in March 2006.

Conclusions

The development proposal for 1077 Gordon Street is supported by Planning staff, subject to the regulations and conditions outlined in **Schedule 3**. The subject property can accommodate the uses proposed within the Office Residential (OR) Zone in a manner that is compatible with surrounding properties. The application meets the criteria established in Section 9.3 of the Official Plan for the consideration of Official Plan amendments. Site plan approval will be required to provide a detailed review of various development components, including access, parking, landscaping and general site design. The concept plan presented in **Schedule 6** has been developed to ensure that that the appropriate site plan requirements are satisfied. Urban design objectives will also be implemented through the site plan approval process.

Public Comments

The public and agency comments received during the circulation of the original application are shown on **Schedule 9**. There were no public comments received following the circulation of the revised application.

CORPORATE STRATEGIC PLAN:

Supports Strategic Plan Directions 1 and 2:

- 1) To manage growth in a balanced and sustainable manner.
- 2) Diversifying and building upon our competitive strengths to create a positive environment for business investment.

FINANCIAL IMPLICATIONS:

Proposed townhouse development (based on a maximum of 19 Residential Units)

Population Projections

- 49 persons (based on 2.58 persons per unit)

Projected Taxation

- \$40,451 (based on average values from 2003 to 2005 assessment data)

Development Charges

- \$157,567 Residential (Maximum of 19 Townhouse Units)

Proposed office development (based on gross floor area of 1885 square metres)

Projected Taxation

- \$17,887 (based on average values from 2003 to 2005 assessment data)

Development Charges

- \$133,043

DEPARTMENTAL CONSULTATION:

The public and agency comments received during the review of the application are included on **Schedule 9**.

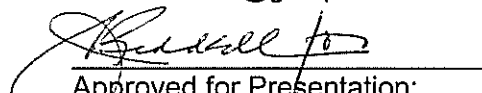
ATTACHMENTS:

- Schedule 1** – Location Map
- Schedule 2** – Proposed Official Plan Amendment
- Schedule 3** – Regulations and Conditions
- Schedule 4** – Existing and Proposed Official Plan Designations
- Schedule 5** – Existing and Proposed Zoning
- Schedule 6** – Concept Plan
- Schedule 7** – Potential Street Extension to Harts Lane
- Schedule 8** – Background on Application
- Schedule 9** – Circulation Comments
- Schedule 10** – Public Notification Summary

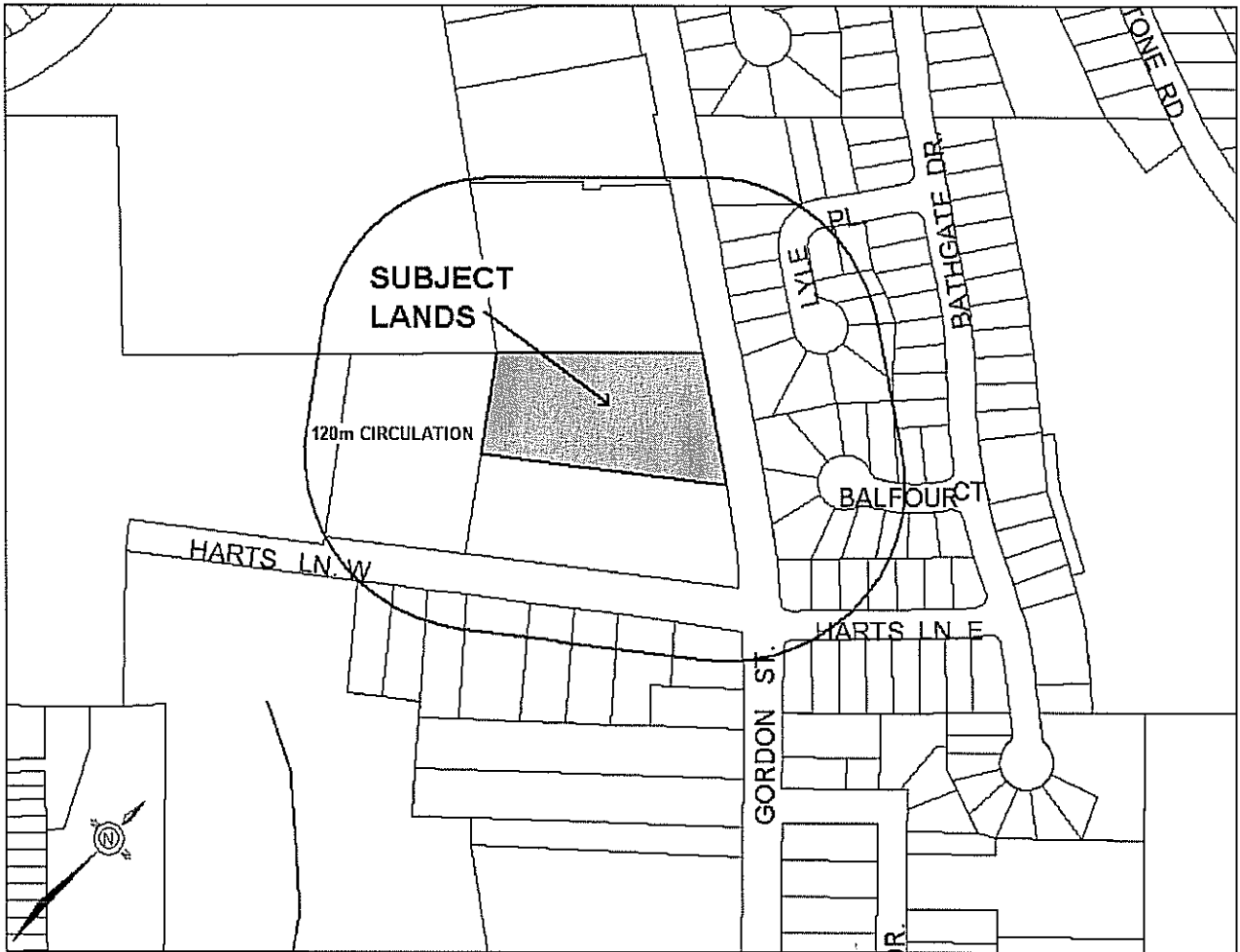

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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1 LOCATION MAP



SCHEDULE 2

Proposed Official Plan Amendment

Amend Schedule 1, Land Use Plan of the Official Plan by changing the land use designation on the front easterly 0.43 hectare portion of the property municipally known as 1077 Gordon Street, legally described as Con 7, Part Lot 4, Plan 61R9349, Part 7, City of Guelph, from the current “Medium Density Residential” to “Mixed Office–Residential”.

Amend the Official Plan text by the addition of a new site specific sub-policy. Amend Official Plan Policy 7.6.9, Mixed Office-Residential Land Use Designation, by adding the following clause:

7.6.9 Notwithstanding Policy 7.6.1, office or professional uses to a maximum size of 1900 square metres gross floor area shall be permitted on property known municipally as 1077 Gordon Street.

SCHEDULE 3

REGULATIONS AND CONDITIONS

The property affected by this zoning amendment is municipally known as 1077 Gordon Street. The following zoning is proposed:

Specialized Office-Residential (OR-?) Zone (easterly 4344 m² portion of property)

Permitted Uses

- Accessory Apartment in accordance with Section 4.15.1
- Artisan Studio
- Bed and Breakfast establishment in accordance with Section 4.27
- Day Care Centre in accordance with Section 4.26
- Accessory Uses in accordance with Section 4.23
- Dwelling Units with permitted commercial Uses in the same Building in accordance with Section 4.15.2
- Duplex Dwelling
- Group Home in accordance with Section 4.25
- Home for the Aged or rest home developed in accordance with R.4D Zone Regulations
- Home Occupations in accordance with Section 4.19
- Occasional Uses in accordance with Section 4.21
- Lodging House in accordance with Section 4.25
- Medical Office
- Office
- Personal Service Establishment
- School
- Semi-Detached Dwelling
- Single Detached Dwelling
- Tourist Home

Regulations

In accordance with Section 6.5.2 of Zoning By-law (1995) – 14864, as amended, with the following exception:

Maximum Floor Area for Office Use

1900 m²

Cluster Townhouse (R.3A) Zone (westerly 7976 m² portion of property)

Permitted Uses

In accordance with Section 5.3.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.3.2 of Zoning By-law (1995) – 14864, as amended.

Conditions of Site Plan Approval

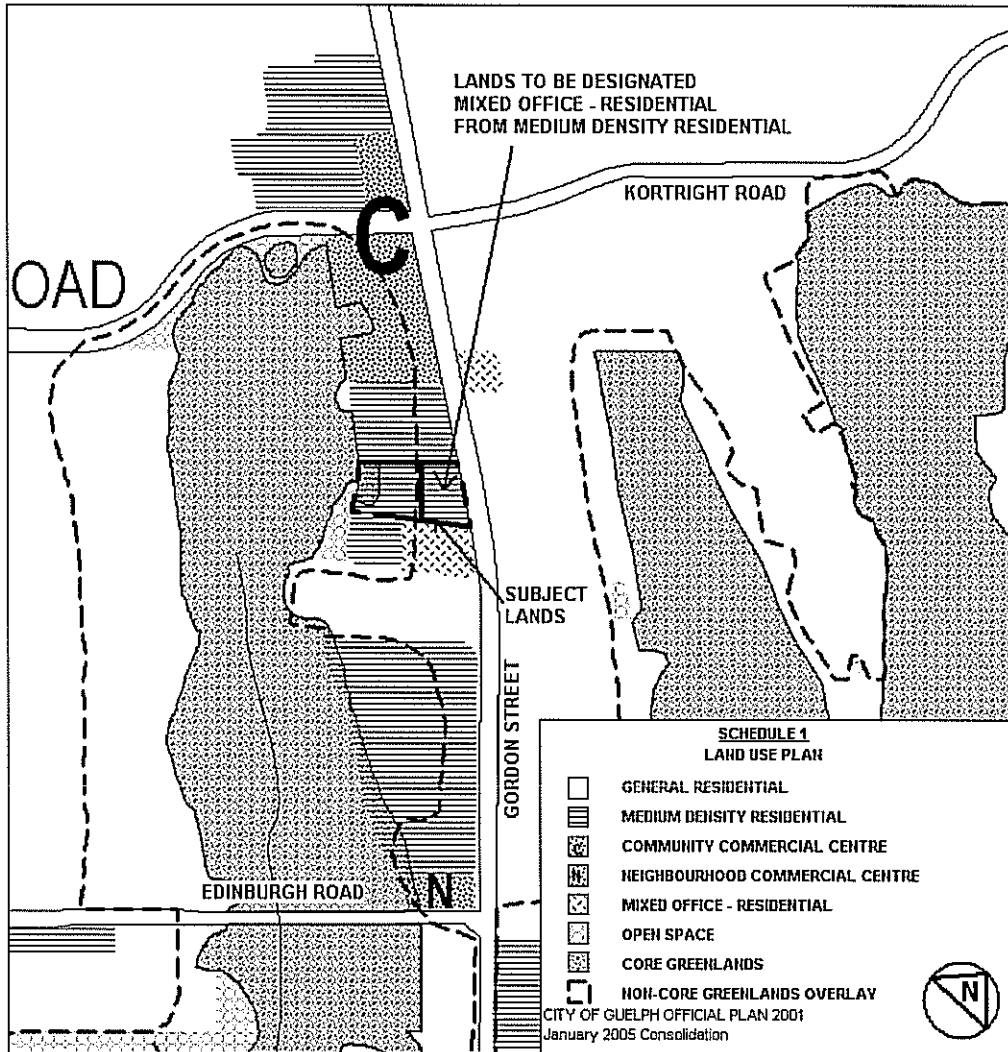
1. That prior to any grading or servicing of the lands, the Owner shall enter into a Site Plan Control Agreement registered on title and satisfactory to the City Solicitor. Such agreement shall include, but not be limited to, provisions regarding parking, grading, servicing, access, implementation of stormwater management and payment of frontage charges for existing services. The following conditions must be addressed or included in the Site Plan Agreement:
 - a. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - b. The owner shall pay to the City the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing stormwater management facility to the rear of the lands which is known as Harts Stormwater Management Pond.
 - c. The owner shall pay to the City the owner's share of the actual cost of constructing the existing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, watermain, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer.
 - d. The owner shall pay to the City the owner's share of the actual cost of constructing the existing Gordon Street sewage pumping station and forcemain as determined by the City Engineer.
 - e. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
 - f. The Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the issuance of a building permit, at the rate in effect at the time of the issuance of a building permit.
 - g. The owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
 - h. That the owner 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 City Engineer. Furthermore, the owner 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.

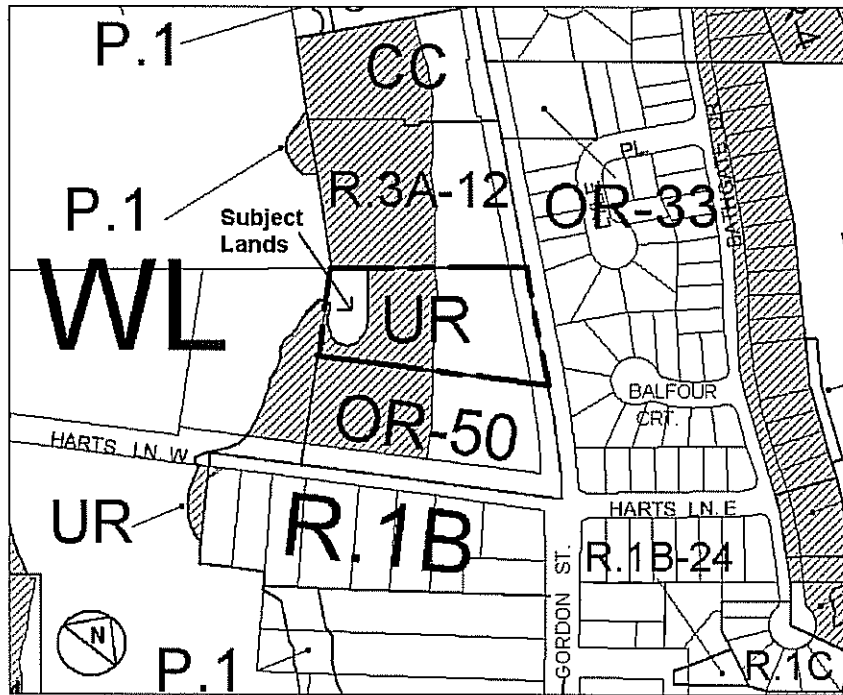
- i. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
- j. That the property be developed with one full driveway access to Gordon Street in a location that provides separation distance from the nearest other driveway that is satisfactory to the City Engineer. Should the owner propose an additional access to Gordon Street, a right in/right out or temporary emergency access may be considered.

SCHEDULE 4

PROPOSED OFFICIAL PLAN AMENDMENT



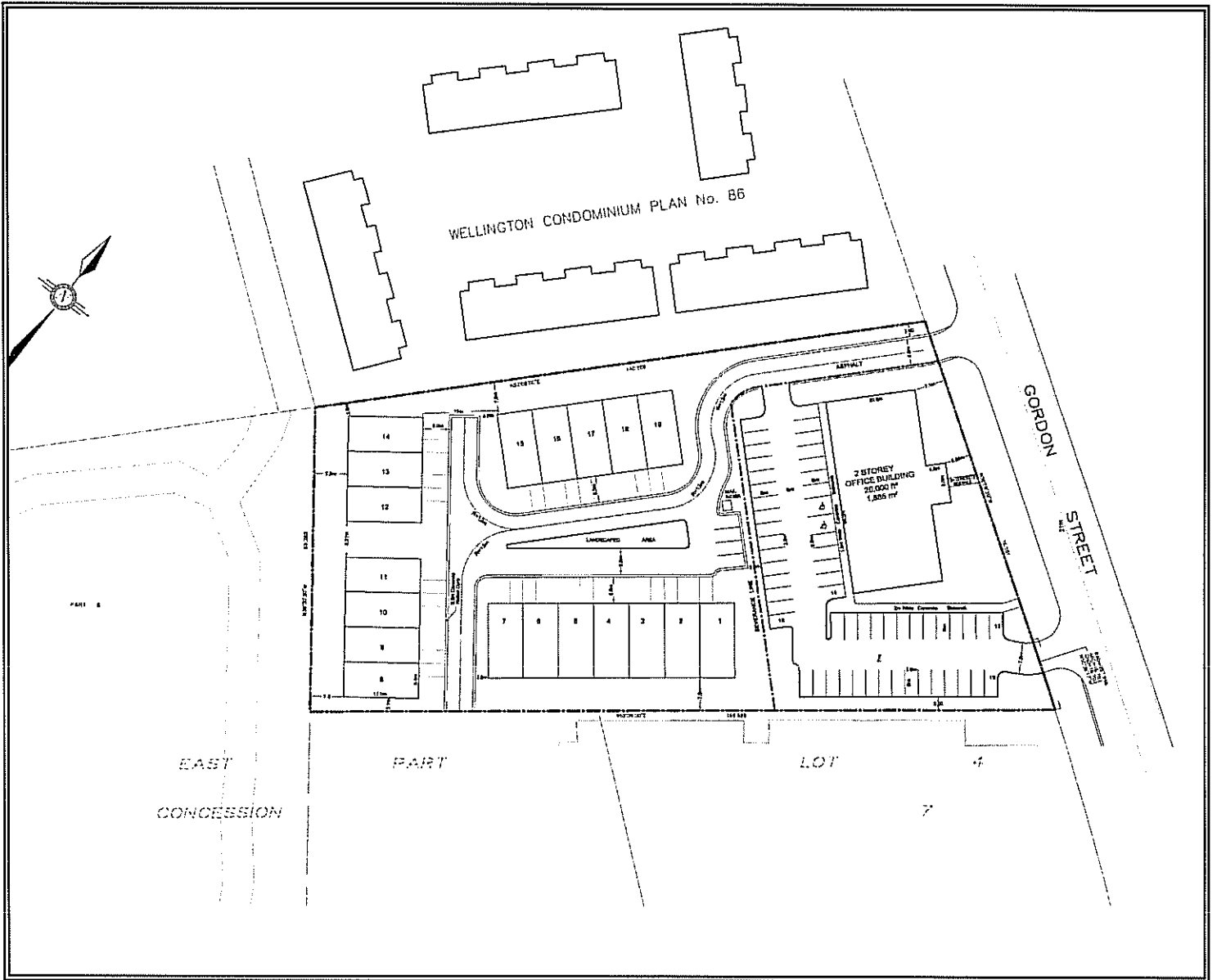
SCHEDULE 5 EXISTING ZONING



PROPOSED ZONING

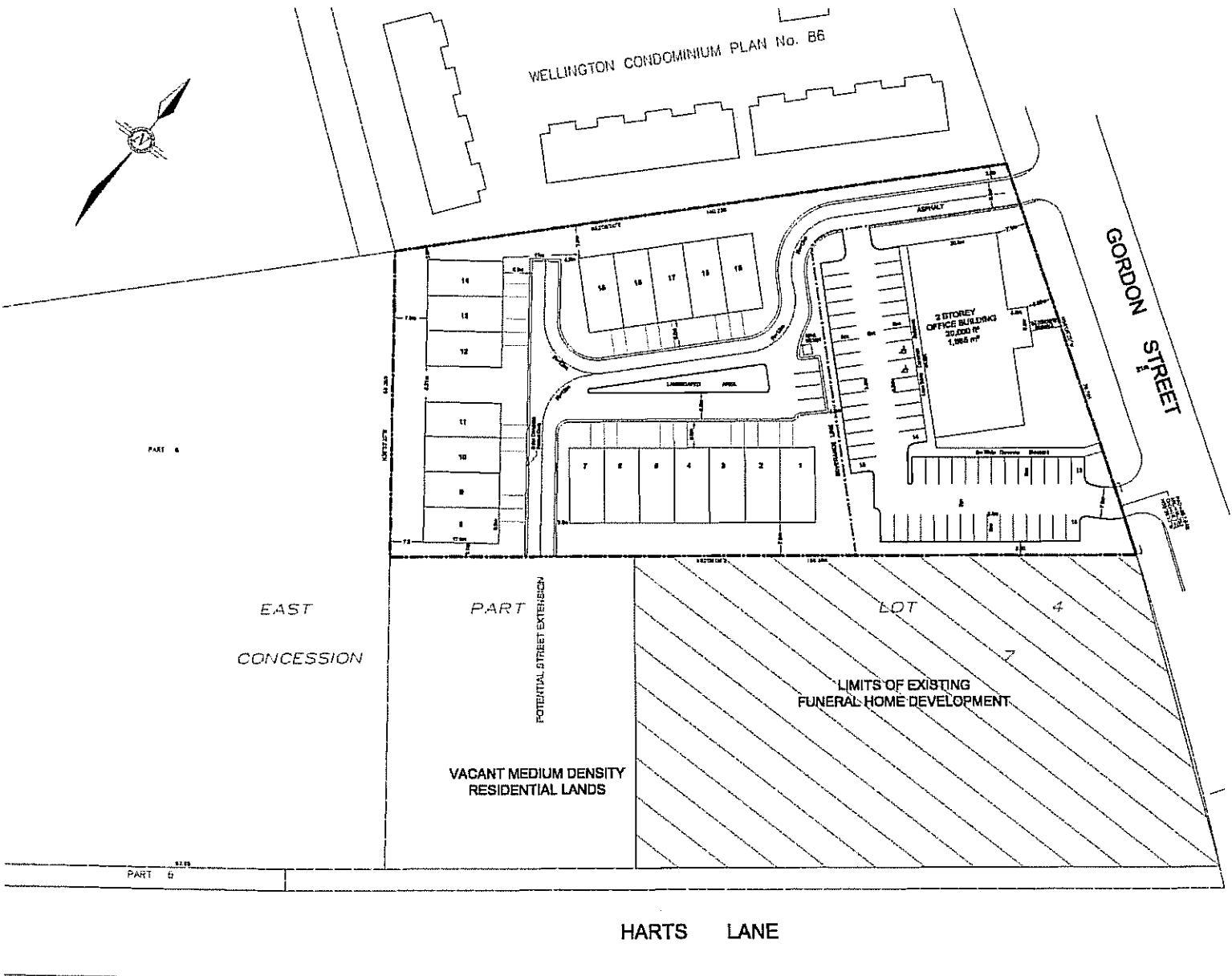


SCHEDULE 6 CONCEPT PLAN



SCHEDULE 7

POTENTIAL STREET EXTENSION TO HARTS LANE



SCHEDULE 8

BACKGROUND OF APPLICATION

The original application for an Official Plan and Zoning By-law amendment was circulated on October 18, 2005. This initial application proposed the development of one 2323 m² building for office use and one 1394 m² building for commercial retail use. A new "Office Residential" Official Plan designation and Specialized Office Residential (OR) Zone were proposed to accommodate these uses. No residential uses were proposed in this original application.

Planning staff expressed concerns with introducing commercial retail development in this location. Official Plan Policy discourages the creation of new strip commercial development along major streets. However, the South Gordon Community Plan does contain the following policy to consider additional office uses along the Gordon Street corridor:

11.6.4 Additional office locations may be considered along the Gordon Street corridor in appropriate locations. Offices should be located adjacent to non-residential or multiple residential uses, meet City standards for off-street parking and have appropriate access to a major road. Proposals will be evaluated on a site-specific basis as part of the development application process. Retail commercial uses will not be permitted within the Office designation.

As a result, planning staff and the applicant entered into discussions to develop a revised proposal that would accommodate an office use on the front portion of the property and maintain medium density residential development on the remaining portion of the property.

A revised application was circulated May 12, 2006, which included the development of an office building on the easterly 0.43 hectares of the property and townhouse development on the remaining 0.79 hectare westerly portion. An Official Plan amendment was still required to accommodate the proposed office use, while the proposed residential development would remain consistent with the existing "Medium Density Residential" designation. The removal of the commercial retail component from the revised application addressed the key concern originally raised by planning staff.

Further consultations between City staff and the applicant resulted in minor revisions being made to the concept plan. These changes included:

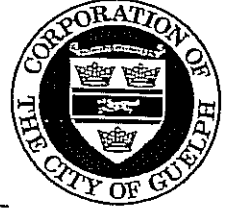
- providing a landscaped median in the centre of the townhouse development;
- redesigning the northerly driveway to provide a shared access to both the residential and office sites; and
- removing the central unit of the townhouse row along the rear property line to facilitate stormwater overland flow and to provide a view to adjacent natural areas through the site.

The current concept plan is shown on **Schedule 6**.

SCHEDULE 9

CIRCULATION COMMENTS

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning and Development Services		✓	<ul style="list-style-type: none"> Support proposal subject to conditions outlined in Schedule 2
City Engineer		✓	<ul style="list-style-type: none"> Support proposal subject to conditions outlined in Schedule 2 (see attached letter)
Community Services	✓		
G.R.C.A.	✓		
Heritage Guelph	✓		
Guelph Field Naturalists	✓		
Guelph Development Association			<ul style="list-style-type: none"> Support proposal
Finance		✓	<ul style="list-style-type: none"> Development charges
Fire	✓		
Police	✓		
Health Unit	✓		
Upper Grand School District	✓		
Wellington Catholic School Board	✓		
Guelph Hydro	✓		



File No. 16.132.112

To: Chris DeVriendt
 From: Don Kudo
 Department: Planning and Development Services Division: Engineering Services
 Date: July 14, 2006
 Subject: **1077 Gordon Street – O.P. Amendment and Zoning By-law Amendment - (File ZC0513 & OP0505)**

Please find below our comments and conditions on the above noted application. Since we have two main concerns with the current application proposal (access and site servicing) and require additional information, we request that you provide these comments to the applicant and that staff meet with the applicant to discuss these concerns and the applicant submit additional material prior to finalizing the comments and conditions for this application.

On Gordon Street abutting this property there is a 200mm sanitary sewer approximately 4.0 metres deep, a 450mm storm sewer approximately 1.2 metres deep and a 400mm watermain. The sanitary sewer on Gordon Street discharges to the sewage pumping station on Gordon Street from where it is pumped through a forcemain to a gravity outlet. The roadworks consist of four lanes of asphalt pavement with curb and gutter, street lighting and concrete sidewalks on each side of the road. The owner will be responsible for a share of the actual cost of the municipal services on Gordon Street and a share of the actual cost of the sewage pumping station and forcemain, as determined by the City Engineer in accordance with the City's policies. The street right-of-way is 30.048 metres wide which complies with the 30 metre width specified in the Official Plan for this section of Gordon Street.

The property appears to slope, at a relatively steady grade, from the front down to the rear. At the rear of the subject property, on a lot that fronts on Harts Lane is a City stormwater management facility that is known as Harts Stormwater Management Pond. The subject lands are not included in the drainage area for the Gordon Street storm sewer but they are part of the drainage area for the Hart's Pond however, they will have to use stormwater management on the site to keep the required release rate to the pond and quality controls will be required. The owner will be responsible for a share of the actual cost of Harts Stormwater Management Pond.

The original application of October, 2005 was reviewed for a commercial proposal on this site. We understand the application was revised due to concerns with commercial uses on the entire site. The original commercial application was supported by a Stormwater Management and Site Servicing Report

Memo



prepared by Gamsby and Mannerow Limited. The current proposal is for an office/cluster townhouse development was circulated with no reports supporting the revised application.

Stormwater control methods proposed for the original commercial application can be used for the portion of the site being zoned for office use. Since no supporting reports were submitted for the revised application, it is not clear how stormwater quality and quantity control will be provided for townhouse component. As well, with office/residential proposal, it is also unclear how the stormwater from the office component will be conveyed to Harts SWM Pond since the office component (which will presumably be severed) will not have any frontage on the pond property. Although a private easement is a possibility, there does not appear to be sufficient room in the townhouse side yards to provide an accessible easement width. Depending on the depth of the storm sewer, the easement should be about five to six metres wide.

It appears that the provision of sanitary sewer sewers with adequate depth to the townhouse component may also present some problems as the existing ground along the rear row of the townhouses is only about 0.8 metres higher than the sanitary sewer on Gordon Street. In the previous commercial proposal, the buildings were much closer to Gordon Street and since the development was intended for commercial uses, these buildings would not typically have basements. It appears that it will be necessary to place a considerable amount of fill in the rear of this site to provide a sanitary sewer that is deep enough to service the rear row of townhouses. Retaining walls may also be required along the side yards to maintain the fill on site. These retaining walls in the side yards may further complicate the provision of storm sewer outlets to the pond from the site.

Due to the servicing details required because of the revised application, we recommend that the applicant provide a revised servicing report for review and comment prior to the application proceeding.

The previous commercial proposal only had one driveway to Gordon Street. This office/townhouse proposal shows two driveways to Gordon Street which is major arterial road. The most southerly of the proposed driveways which serves the townhouse component is only about 35 metres from the driveway serving the adjacent funeral home property. It has been the City's policy to minimize the number of driveways to Gordon Street and to keep other driveways approximately 60 metres from commercial driveways. We, therefore, recommend that the office/townhouse proposal be serviced by only one common driveway. If the site is severed, an easement for a right-of-way would be required to provide the necessary access/egress.

If the Official Plan Amendment and Zoning By-law Amendment are approved, the following conditions should be imposed:-

1. The owner shall submit and receive approval from the City for a site plan under Section 41 of the Planning Act, for the property prior to the issuance of a building permit.
2. Prior to the issuance of a building permit, the owner shall pay to the City the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing

Memo



stormwater management facility to the rear of the lands which is known as Harts Stormwater Management Pond.

3. Prior to the issuance of a building permit, the owner shall pay to the City the owner's share of the actual cost of constructing the existing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, watermain, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer.
4. Prior to the issuance of a building permit, the owner shall pay to the City the owner's share of the actual cost of constructing the existing Gordon Street sewage pumping station and forcemain as determined by the City Engineer.
5. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
6. That prior to the issuance of any building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
7. That the owner 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 City Engineer. Furthermore, the owner 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.
8. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
9. That the property be developed with only one driveway access to Gordon Street in a location that provides separation distance from the nearest other driveway that is satisfactory to the City Engineer.

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10. That if the property is severed, private easements and rights-of-way between the parts shall be provide to the satisfaction of the City Engineer.
 11. That an application to sever the property not be made until a detailed site servicing and stormwater management plan has been prepared satisfactory to the City Engineer.
 12. That prior to the passing of the zone change by-law, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

SCHEDULE 10

PUBLIC NOTIFICATION SUMMARY

July 22, 2005	Application received by the City of Guelph.
September 26, 2005	Notice of Application sign erected on the property.
October 18, 2005	Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres.
May 12, 2006	Notice of Revised Application mailed to prescribed agencies and surrounding property owners within 120 metres.
August 11, 2006	Courtesy Notice of Public Meeting advertised in Guelph Tribune.
August 7, 2006	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
August 28, 2006	Public Meeting of City Council