

COUNCIL PLANNING AGENDA



DATE October 5, 2009

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

**O Canada
Silent Prayer
Disclosure of Pecuniary Interest**

PUBLIC MEETING TO HEAR APPLICATIONS UNDER SECTIONS 17, 34 AND 51 OF THE PLANNING ACT

Application	Staff Presentation	Applicant or Designate	Delegations (<i>maximum of 10 minutes</i>)	Staff Summary
a) 146 Downey Road – Proposed Zoning Bylaw Amendment (File ZC0906) – Ward 6	Al Hearne	Jeremy Grant (Mark Godman, Dave Braun and Brett Woodman will be present to answer questions)	Andrew McGillivray Rob Moreland Shirley Greenwood Wally Kowal Adrian Dangerfield Wendy Powell	
b) 80 Frederick Drive – Proposed Zoning Bylaw Amendment (ZC0903) – Ward 6	Al Hearne	Brian Blackmere		

CORRESPONDENCE

a) 146 Downey Road: Proposed Zoning By-law Amendment (ZC0906)

- Fred G. Porter & Sandra D. Brown
- Rob Moreland
- Wally Kowal
- Diane & Glenn Smale
- Michael Carriere
- Robert & Jennifer Holmes
- Ken & Shirley Greenwood
- Tracy English
- Wendy Powell
- Dianne & Chan Tran

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- Karen & Wayne Lee
 - Adrian & Carol Dangerfield
 - Jay & Jennifer Marett
 - Franca & Rocco Manni

ADJOURNMENT

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE October 5, 2009

**SUBJECT 146 DOWNEY ROAD - Proposed Zoning Bylaw
Amendment (File ZC0906) Ward 6**

REPORT NUMBER 09-76

RECOMMENDATION

"THAT Report 09-76 regarding a proposed Zoning By-law Amendment application applying to property municipally known as 146 Downey Road, City of Guelph, (File ZC0906) from Community Design and Development Services dated October 5, 2009, be Received."

BACKGROUND

This report provides information on a zoning bylaw amendment application submitted by Seaton Ridge Communities Limited on August 14, 2009, applying to lands located at 146 Downey Road (See **Schedule 1**). The application requests a rezoning that would permit a minimum of 29 dwelling units and a maximum of 60 units on the site.

There has been considerable pre-consultation prior to the submission of this zoning bylaw amendment application. The owner organized and held a Public Information Meeting on January 20, 2009 at the Kortright Hills Public School on Ptarmigan Drive. The meeting was attended by approximately thirty area residents and the owner's consulting team along with both Ward 6 City Councillors and a Staff member from Planning Services. The purpose of the meeting was to introduce the owner to the neighbourhood community and review three preliminary development options that were being considered for the subject site (**Schedule 8**). The area residents' comments at the meeting are generally summarized as main topics as follows:

- traffic impact concerns and Downey Road
- proposed height of buildings
- concern about loss of privacy
- desire to retain trees on site
- recognition that development will occur but would prefer low density
- land use compatibility
- environment

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- would like to be involved in the planning process

Location

The subject property is located on the east side of Downey Road between Teal Drive and Quail Creek Drive, just south of Ptarmigan Drive (See **Schedule 1**). The property has approximately 56 metres of frontage on Downey Road, an average lot depth of 193 metres and a total site area of 1.3 hectares (3.2 acres). The property is legally described as Part of Lot 16, Concession 5 and Part of the Road Allowance between Concessions 5 & 6, Geographic Township of Puslinch, City of Guelph (PIN 71219-0069LT).

The site is presently occupied by an existing house, garage and barn and a substantial amount of trees and shrub vegetation. The existing house is currently occupied as a residential rental unit and the barn and garage are rented as storage units.

The existing circa 1920 single-detached dwelling is a 215 m² (2,300 sq. ft.) two-storey structure with architectural heritage importance. The existing garage is a single-storey frame building approximately 196 m² (2,100 m²) in size and the remaining structure of the one-storey barn (second floor has been removed) is approximately 300 m² (3,230 sq. ft.) in size. An existing high-pressure natural gas main operated by Union Gas crosses the east end of the subject site along a registered easement which runs in a south to north direction.

The subject site is located within the Kortright Hills Subdivision residential community located south of Niska Road and west of the Hanlon Expressway. There is a full range of community amenities in the neighbourhood including the Kortright Hills Public School, Mollison Park, a neighbourhood commercial centre and trail connections to the open space associated with the Hanlon Creek Conservation lands. Downey Road along the frontage of the site is identified in the Official Plan as an arterial road. City transit route 10 services the neighbourhood.

The site is bounded by established low-density residential neighbourhood comprised of single-detached dwellings to the north along Downey Road, Hazelwood Drive and Quail Creek Drive and to the west across Downey Road and along Pheasant Run Drive and Hunter's Lane. Single-detached dwellings along Teal Drive abut the site to the south. Tributary 'A' of the Hanlon Creek with the associated Provincially Significant Wetlands (PSW) and floodplain lands along with low density residential neighbourhood are located to the east of the site (See **Schedule 1**).

Existing Official Plan

The existing land use designations on Schedule 1 of the Official Plan applying to the subject property are 'General Residential' and 'Non-Core Greenlands Overlay'. Schedule 2 of the Plan identifies the east end of the site as 'Other Natural Heritage Features' (See **Schedule 2**).

The 'General Residential' designation allows all forms of residential development with the general character of development being low-rise housing forms. In this

designation, the net density of development is not to exceed 100 units per hectare (40 units per acre). The 'Non-Core Greenlands Overlay' designation applies to lands that may have development constraints such as natural heritage features, natural feature adjacent lands and natural hazard lands and these constraints may result in the lands being protected from development. The 'Other Natural Heritage Features' identifies lands that primarily comprise environmental corridors, ecological linkages and buffers to natural heritage features. These land use designations are illustrated and explained further in **Schedule 2**.

Existing Zoning

The subject property is zoned UR (Urban Reserve) as illustrated in **Schedule 3**. The UR Zone permits a short list of agricultural, conservation land and recreational type uses on land that is not yet approved for development or redevelopment and is not connected to municipal services.

REPORT

Description of Proposed Zoning Bylaw Amendment

The owner proposes to rezone the property to a site specific zoning that will establish a range of permitted uses, housing types and accompanying zoning regulations. Subsequently, the owner plans to apply for Site Plan and Condominium approval to implement the project. The owner has attempted to utilize the City's existing Zoning Bylaw regulations however certain exceptions are proposed to respond to the site-specific conditions. The owner intends to retain the existing single-detached house and demolish or remove the garage and barn.

The proposal is a mixed residential development, to be designed and ultimately implemented as a condominium project (See **Schedule 4**). A range of dwelling unit types and sizes is proposed including single-detached dwellings, cluster townhouses, street townhouses, stacked townhouses and apartment dwellings. The application is based on four distinct areas of the site, illustrated in **Schedule 4**. The proposal includes the following primary elements:

Area One - The front portion of the site facing Downey Road is proposed to be rezoned to the R.1C (Single-Detached Residential) Zone to permit a maximum of 3 single-detached dwellings facing Downey Road as illustrated in the Preliminary Site Plan Concept C attached in **Schedule 5**. This front portion of the site would be developed as separate freehold lots and will not be part of the proposed condominium.

Area Two - The main, central portion of the site is proposed to be rezoned to a specialized R.3 Zone to permit a minimum of 19 and a maximum of 25 townhouses with frontages ranging from a minimum of 6 metres to a maximum of 13.1 metres.

Area Three - Within the main, central portion of the site, the existing house will be retained, renovated and incorporated into a new lot. The proposed specialized R.4A zoning will permit this house to be occupied by a single-detached dwelling or up to a maximum of 4 apartment dwelling units.

Area Four - The lower east end of the site, east of the existing house is proposed to be rezoned to a specialized R.4 Zone to permit a range of housing types including single- detached dwellings, cluster townhouses, street townhouses, stacked townhouses and an apartment building consisting of a maximum of 28 units on four floor levels. Prior to the submission of Site Plan and Condominium applications, the owner proposes to decide which forms of housing will be built on this portion of the site.

The owner intends to include a minimum and maximum number of housing units on the total site, along with related regulations regarding lot width, building height, coverage, etc. (See **Schedule 4**).

The proposed minimum unit count is 29 dwelling units as per Concept Plan A (**Schedule 8**) and the maximum is 60 dwelling units, reflecting the layout shown in the Concept Plan C (**Schedule 5**). With respect to the Places to Grow legislation, the proposed density would be 59.7 persons per hectare for the 29 unit Concept A and 100 persons per hectare for the 60 unit Concept C.

Support Documents

In support of the application, the owner has submitted the following reports and information:

-Planning and Development Report (in support of a Zoning Bylaw Amendment Application for Residential Development) prepared by Seaton Ridge Communities Limited dated August 2009. This document also contains an 'Angular Plane Analysis' for the apartment building concept (attached in **Schedule 6** of this report) and a summary of 'Design Considerations' (attached in **Schedule 7** of this report).

-Preliminary Site Servicing and Storm Water Management Report prepared by Braun Consulting Engineers Ltd. dated August 5, 2009.

-A Geotechnical Investigation Report including Water Budget prepared by Naylor Engineering Associates Ltd. dated February 2009 (attached in SWM and Servicing Report).

-Scoped Environmental Impact Study and Tree Inventory and Assessment prepared by Natural Resource Solutions Inc. dated August 7, 2009.

-Traffic Impact Assessment prepared by Paradigm Transportation Solutions Limited dated August 10, 2009.

Community Energy Plan (CEP)

Also forming part of the application, the owner has submitted a letter explaining how the proposal will support the objectives of the Guelph Community Energy Plan (CEP) (**Schedule 9**).

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the policies of the Official Plan and Provincial policies including the Provincial Policy Statement and Places to Grow.
- Evaluate how the application fits with the 'General Residential' designation and policies with particular attention to planning principles including, but not limited to:
 - a) land use compatibility
 - b) the urban design of the infill project to fit into the established residential neighbourhood
 - c) the proposed building siting, height, massing and elevations
 - d) the protection of privacy with emphasis on rear yard space, buffering and separation
 - e) the tree inventory and retention or replacement
 - f) the traffic impact on the existing neighbourhood roads
 - g) the sustainability of the proposed built project
 - h) the provision of local amenities, conveniences and services for residents
 - i) the availability of full municipal services
 - j) the protection of the natural environment
- Review urban design principles against the City's Urban Design Policies.
- Review the range of permitted uses and the proposed zoning regulations.
- Review the proposed site servicing and storm water management.
- Review of the Environmental Impact Study with particular attention to tree retention.
- Review of the Traffic Impact Study.
- Review of the proposed phasing and timing in compliance with the Developments Priority Plan (DPP).
- Discuss CEP considerations and commitment with the owner.
- Address all comments and issues raised during the circulation of the application.

Once the application is reviewed and all issues are addressed, a report from Community Design and Development Services with a Staff recommendation for Council's consideration and a decision will be presented at a future meeting of Council.

CORPORATE STRATEGIC PLAN

-Supports Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Community Design and Development Services recommendation report to Council.

COMMUNICATIONS

The Notice of Application and Public Meeting was circulated by mail on September

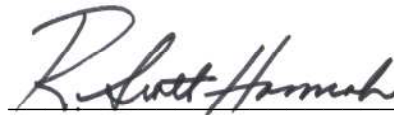
11, 2009 and an advertisement was placed in the Guelph Tribune on September 11, 2009 encouraging public participation and comments on the application.

ATTACHMENTS

Schedule 1 – Location Map
Schedule 2 – Existing Official Plan Land Use Designations and Policy
Schedule 3 – Existing Zoning
Schedule 4 – Proposed Zoning
Schedule 5 – Site Plan Concept C illustrating maximum development
Schedule 6 – Angular Plane Analysis (from Owner's Planning Report)
Schedule 7 – Design Considerations (from Owner's Planning Report)
Schedule 8 – Site Plan Concepts A, B & C presented at the January 20, 2009 Neighbourhood Information Meeting
Schedule 9 – Owner's Letter of Commitment to the Community Energy Plan

Original Signed by:

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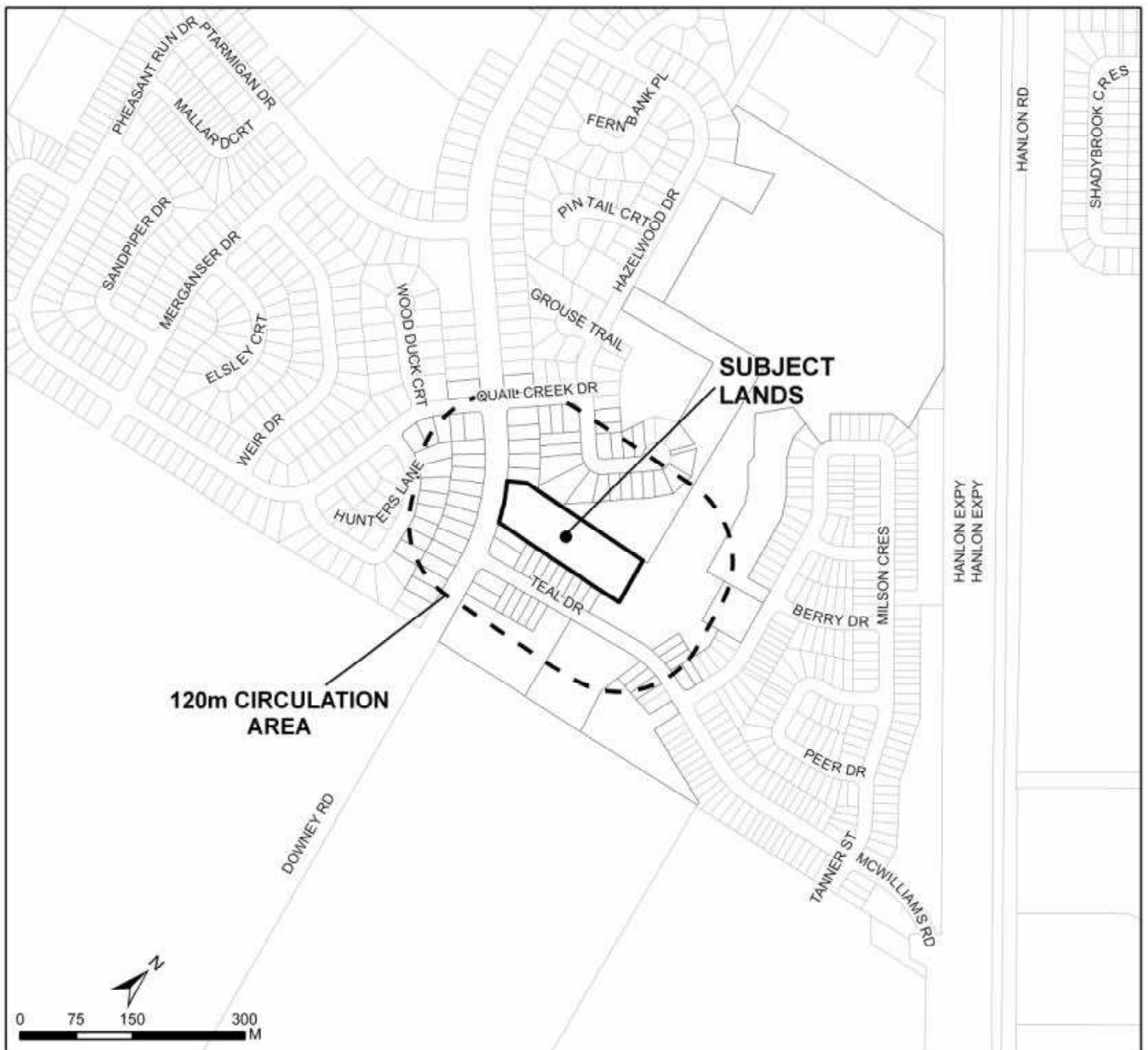
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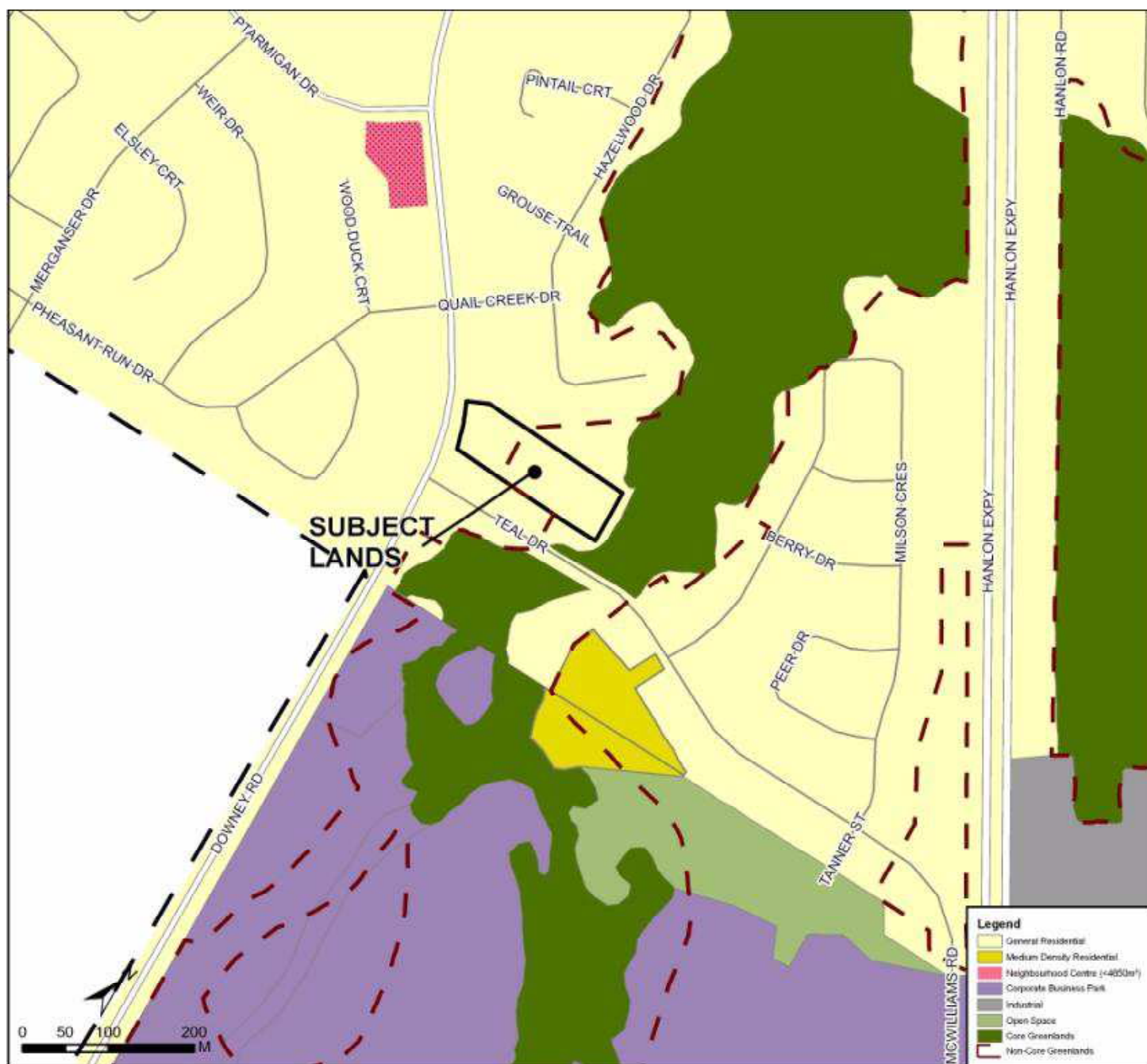
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Schedule 1 Location Map



Schedule 2 Existing Official Plan Land Use Designations and Policy



Schedule 2

Existing Official Plan Land Use Designations and Policy

7.2.7 *Multiple unit residential buildings*, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit* housing:

- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
- b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
- c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
- d) That adequate municipal *infrastructure*, services and amenity areas for the residents can be provided.

7.2.8 The development criteria of policy 7.2.7 will be used to assess the merits of a rezoning application to permit new *multiple unit residential buildings* on sites that are presently not zoned to permit these particular housing forms.

'General Residential' Land Use Designation

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the *net density of development* shall

not exceed 100 units per hectare (40 units/acre).

1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots

within the older established areas of the City will be encouraged, provided that

the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:

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

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

Non-Core Greenlands Overlay

7.13.5 The lands associated with the Non-Core Greenlands overlay on Schedule 1 may contain *natural heritage features*, *natural feature adjacent lands* and *natural hazard lands* that should be afforded protection from *development*. The following *natural features* and their associated *adjacent lands* are found within the Non-Core Greenlands area: *fish habitat*, *locally significant wetlands*, *significant woodlands*, *significant environmental corridors and ecological linkages*, *significant wildlife habitat*. In many instances these *natural features* also have *hazards* associated with them which serve as development constraints.

1. Policies relating to *natural heritage features* are contained in Section 6 of this Plan.

2. Policies relating to *natural hazard lands* are contained in Section 5 of this Plan.

7.13.6 *Development* may occur on lands associated with the Non-Core Greenlands overlay consistent with the underlying land use designation in instances where an environmental impact study has been completed as required by subsection 6.3 of this Plan, and it can be demonstrated that no *negative impacts* will occur on the *natural features* or the *ecological functions* which may be associated with the area. Where appropriate and reasonable, consideration will be given to measures to provide for the enhancement of any identified *natural heritage feature* as part of such environmental impact study.

7.13.7 It is intended that the *natural heritage features* associated with the Non-Core Greenlands overlay are to be protected for their *ecological value* and *function*. The implementing *Zoning By-law* will be used to achieve this objective by placing such delineated features from an approved environmental impact study in a restrictive land use zoning category.

7.13.8 *Development* may occur on lands associated with the Non-Core Greenlands overlay where the matters associated with *hazard lands* as noted in Section 5 can be safely addressed. In addition, *development* within the *flood fringe* areas of the Two Zone Flood Plain will be guided by the policies of subsection 7.14.

Interpretation Considerations

7.13.9 The physical limits of the 'Core Greenlands' designation and Non-Core Greenlands overlay on the various Schedules to this Plan may be subsequently

refined by more detailed mapping on individual properties or through the completion of *scoped* and *comprehensive environmental impact studies*. It is intended that, in circumstances where more detailed mapping is available, this Plan will be interpreted as applying to the most recent information available.

7.13.10 The boundaries of the Greenlands System are approximate. The completion of environmental impact studies will be used to determine the exact limits of *development* and areas to be afforded protection. In instances where an approved environmental impact study adjusts the boundaries of the 'Core Greenlands' designation or the Non-Core Greenlands overlay, the land use policies of the adjacent or underlying designation will apply.

SECTION 6: NATURAL HERITAGE FEATURES

6.1 Introduction

This section of the Plan provides policy for the protection of features and ecological functions of Guelph's natural environment. The policies of this section are intended to identify and provide a level of protection for lands representing the full spectrum of Guelph's natural heritage features and ecosystems.

Natural heritage features are important for their environmental and social values and as a legacy of the natural landscapes of the area. These features include areas containing wetlands, forested areas, wildlife habitats for terrestrial and aquatic species (including endangered and threatened species), valleylands, areas of natural and scientific interest (ANSI), *environmental corridors* and *ecological linkages*.

Natural heritage features are included within the Greenlands System as identified on Schedule 1 to this Plan. Subsection 7.13 of this Plan provides land use policies respecting lands within the Greenlands System.

A more refined illustration of the various forms of *natural heritage features* that have been currently inventoried in the City is outlined on Schedule 2. The following categories are outlined on this Schedule: *Provincially Significant Wetlands, Areas of Natural and Scientific Interest, Locally Significant Wetlands* and *Other Natural Heritage Features*.

The "Other Features" category includes lands that primarily comprise *environmental corridors, ecological linkages* and buffers to *natural heritage features*. The specific delineation of any of these *features* on the Schedule is intended to indicate the primary function that is associated with the lands outlined on the Schedule. However, this *feature* delineation does not create a mutually exclusive classification of natural features, e.g. animal habitat is found in all *natural heritage feature* areas.

Objectives

- a) To recognize and identify existing *natural features* and their associated *ecological functions* in the City that should be preserved and/or enhanced.
- b) To provide ecologically-appropriate recreational and educational opportunities in the unique natural areas incorporated into the urban form and structure of the City.
- c) To protect, preserve and enhance land with unique or environmentally significant *natural features* and *ecological functions*.
- d) To maintain and enhance natural river valleys, vistas and other aesthetic

qualities of the environment.

e) To promote the continued integrity and enhancement of *natural features* by interconnecting these features with *environmental corridors* and *ecological linkages*, where possible.

f) To establish a comprehensive systems approach to the protection and enhancement of *natural heritage features*.

g) To ensure *development* activities on lands adjacent to *natural heritage features* do not detrimentally impair the *function* and ecological viability of the abutting heritage feature.

h) To provide a clear and reasonable mechanism for assessing the impact of applications for land use change on *natural features* and *functions*.

General Policies

6.1.1 The City requires the protection of *natural heritage features* and their associated *ecological functions* and also encourages their enhancement where appropriate.

The City also encourages *feature* protection in areas adjacent to the Municipality's boundaries.

1. In addition to implementing the other policies of this Plan, the City may use one or more of the following alternative means to protect *natural heritage features*:

a) The acquisition of lands;

b) Requesting the Grand River Conservation Authority to acquire those lands associated with a hydrologic function and/or suitable for conservation purposes;

c) Entering into agreements with landowners using measures such as the use of conservation easements to secure the protection of lands;

d) Encouraging landowners to preserve or convey land to a public agency or land trust;

e) Implementing municipal by-laws to protect lands.

6.1.2 Where any land is delineated as a *natural heritage feature* on Schedule 2 and the land is under private ownership, this Plan does not intend that such land is open to the general public, or that the lands will be purchased by the City or any other public agency.

6.1.3 The City shall undertake public *infrastructure* works and actions that are consistent with the protection of *natural heritage features*. In instances where *infrastructure* works may impinge upon these areas, the City will give consideration to the impacts of its proposed actions, consider alternatives and implement measures to minimize impacts.

6.1.4 *Natural heritage features* and their associated *ecological functions* are a central component of the Greenlands System as outlined in subsection 7.13.

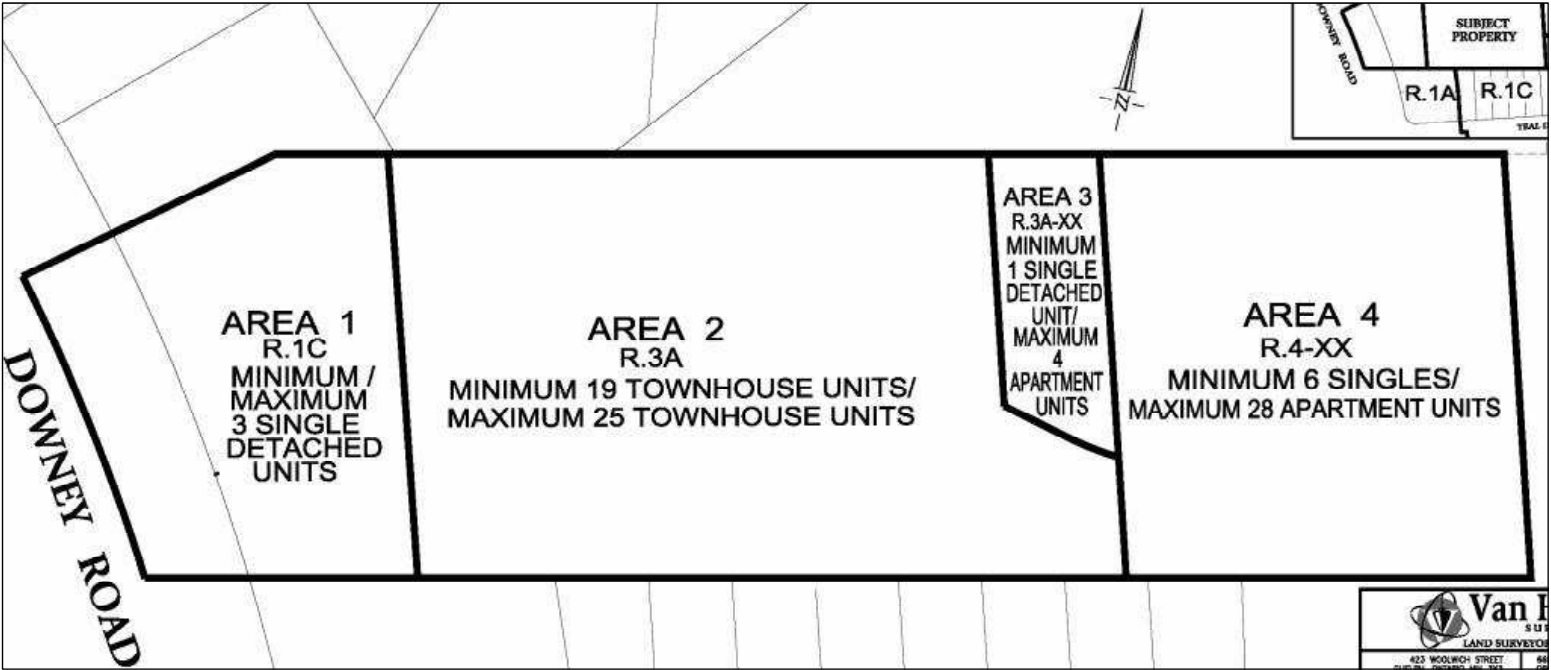
**Schedule 3
Existing Zoning**



**Schedule 4
Proposed Zoning**



**Schedule 4
Proposed Zoning**



Schedule 4 Proposed Zoning

SPECIAL USE PROVISIONS

The following table sets out the proposed uses and zone categories for the various sections of the subject lands as illustrated on the attached Zone Change Map:

Location within Site	Proposed Uses/housing types	Proposed Zone Category
Area 1 West section fronting on Downey Road	Single family dwellings	R.1C
Area 2 Central section of site	Townhouses	R.3 - XX
Area 3 Lot to be created around existing house	to be renovated to contain from one to four units	R.4 - XX
Area 4 East section of site backing onto open space	Range of alternate unit types: single detached, cluster townhomes, stacked townhomes, low rise apartments	R.4 - XX

SPECIAL REGULATION PROVISIONS

The following table sets out the existing and proposed zone categories for the subject lands as illustrated on the attached Zone Change Map, along with the basic proposed zone regulations:

Area 1 – R.1C – west portion of site adjacent to Downey Road

Item	R.1C – Single Detached Dwellings	Proposed Standard
Housing type(s)	Single detached	Same
Min. Lot area:	370 m ²	Same
Min. Lot frontage	12 m	Same
Max. Building Height	3 storeys as per Sections 4.18	Same
Min. Front yard setback:	6 m and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 & 5.1.2.7	Same on Downey Road side.
Min. Exterior Side setback:	4.5 m and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.	4.5 m to habitable area of house or to side of garage, 3.0 meters to porch, 6.0 m to face of rear garage. (See Rear Yard re: rear garage provision.) (4.24, 5.1.2.4, 5.1.2.7 not applicable)
Min. Side yard setback	<ul style="list-style-type: none"> • 1 to 1.5 storeys: 1.2 m • 1.5 to 2 storeys: 1.2 m • Over 2 storeys: 2.4 m and in accordance with • Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2. 	Same (5.1.2.8 not applicable)
Min. Rear yard setback:	7.5 m or 20% of Lot Depth whichever is less and in accordance with 5.1.2.4	Add special provision to allow an attached or detached garage to be located within the rear yard, with a setback of 6.0 meters from the garage door to the curb or sidewalk and 1.2 m to other lot lines, provided the area of the remainder of the rear yard is at least 75 sq. meters.
Accessory Buildings or Structures	In accordance with Section 4.5	Same
Fences	In accordance with Section 4.20	Same

Off Street parking	1 per unit in accordance with Section 4.13	Same
Min. Landscaped Open Space	<ul style="list-style-type: none"> • Except for driveway, the front yard shall be landscaped and no parking permitted within the landscaped open space • Driveway cannot be more than 40% of the width of the front yard 	Same
Garbage, refuse storage & composters	In accordance with Section 4.9	Same
Garages	Provision relates to older part of city; not applicable to this site	Same (make applicable to this site?)

Area 2 – R.3 – XX – Central Portion of Site

Item	R.3A		R.3B	
	Existing Standard	Proposed Standard	Existing Standard	Proposed Standard
Housing type(s)	Cluster Townhouses		On-Street Townhouses	Expanded definition of On-Street Townhouses: a Townhouse where each Dwelling Unit is located on a separate Lot and has legal frontage on a public Street, or is a parcel of tied land to a private street that is part of a common elements condominium.
Min. Lot area	800 m ²	Same	180 m ²	160 m ²
Min. Lot area per unit:	270 m ² (per dwelling unit)	250 m ² (per dwelling unit)	180 m ²	160 m ²
Min. Lot frontage	18 m	12,2 m	6 m	Same
Min. Front yard setback:	6 m	1.5 m (technical front yard is side yard of units abutting rear of new singles)	6 m	measured from face of curb, or where there is a sidewalk, from the edge of sidewalk: 6 m to garage door, 3 m to remainder of building.
Min. Exterior Side setback:	4.5 m	n/a	4.5 m	n/a

Min. Rear yard setback:	<ul style="list-style-type: none"> Section 5.3.2.2.1 – no closer than $\frac{1}{2}$ the distance of building height & no closer than 3 m. Section 5.3.2.2.2 if window faces yard, setback to rear or side shall be 7.5 m. 	Same	7.5 m	7.5 meters average - exception to permit part of the house to encroach up to 1.5 m provided the remaining setback is increased such that the average depth of the yard across the width of the lot is 7.5 meters Reason: to encourage staggered rear walls.
Min. Side yard setback	<ul style="list-style-type: none"> Section 5.3.2.2.1 – no closer than $\frac{1}{2}$ the distance of building height & no closer than 3 m. Section 5.3.2.2.2 if window faces yard, setback to rear or side shall be 7.5 m. 	Same	1.5 m from side of building	Same
Max. % Coverage:	30%	40%	40%	50%
Max. Building Height	3 storeys as per Sections 4.16 & 4.18	Same	3 storeys as per Sections 4.16 & 4.18	Same
Min. distance between Buildings	<p>Section 5.3.2.3:</p> <ul style="list-style-type: none"> 15 m. from building face to building face – if both buildings have windows 12 m. from building face to building face – if one building has window & other doesn't If 2 buildings on same lot, no less than 3 m 	Same	Not applicable	

Min. Common Amenity Area	<p>Section 5.3.2.4: - does not apply to developments with less than 20 units</p> <ul style="list-style-type: none"> • 5 m2 per unit • If more than one common area, cannot be less than 50 m2 • Length cannot exceed 4x its width • Shall be located in any yard except Front or Exterior side • Can be inside or outside a structure (eg. could be the old house and grounds around it if we wanted a common recreation facility) • Cannot include a driveway or parking area 	<p>Concept plan currently shows 18 townhouse units – therefore n/a. But if it does, can be met utilizing area shown on concept plan as “green space buffer”. Therefore Same required.</p>	Not applicable	
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Min. Private Amenity Area	Section 5.3.2.5: <ul style="list-style-type: none"> • min. area 20 m² • min. depth 4.5 m • width to be same as width of unit if design permits • not be part of Front or Exterior Side yard • not face a public street • be accessed through a door to a hall or room but not bedroom • not include any portion of common areas • be defined by a wall or fence • Cannot include a driveway or parking area 	Same	Not applicable	
Min. Landscaped Open Space	40% of lot area	30% of lot area	40% of lot area	35% of lot area (can be higher because road not included)
Buffer strip	<ul style="list-style-type: none"> • if site abuts a Residential zone and Wetland, a buffer shall be provided • buffer may be located within the Side or Rear yard 		<ul style="list-style-type: none"> • if site abuts a Residential zone and Wetland, a buffer shall be provided • buffer may be located within the Side or Rear yard 	
Fences	In accordance with Section 4.20		In accordance with Section 4.20	

Off-street parking	In accordance with 4.13: <ul style="list-style-type: none"> 1 space per unit plus 1 disabled space on site plus 20% of the calculated total required spaces for visitor parking 	Same	In accordance with 4.13: 1 per unit	Same
Accessory Buildings or Structures	In accordance with Section 4.5	Same	In accordance with Section 4.5	Same
Maximum no. of dwelling units in a row	12 (8 if on a public road)	Same	8	Same
Maximum Density of Site	In accordance with Section 5.3.2.6 <ul style="list-style-type: none"> 37.5 dwellings per ha. 	40 units per ha.	Not applicable	
Garbage, refuse storage & composters	In accordance with Section 4.9 (must be screened)	Same	In accordance with Section 4.9 (must be screened)	Same
Max. Driveway width	4.13.7.1: minimum width 6.0 m for R3 zones	Same	In accordance with Section 5.3.2.8. The driveway width not to exceed garage width.	Same

Area 3 – R.4 - XX – lands surrounding existing house. Lot to be created as a POTL to common elements condominium or to be a lot on a vacant land condominium. Definition required.

Item	Single Detached Dwellings (based on R.1B)	Proposed Standard	Duplex and Semi-Detached Dwelling (based on R.2 zone)	Proposed Standard
Housing type(s)	Single detached		Duplex and Semi-Detached Dwelling	Same plus Triplex & Fourplex units
Min. Lot area:	460m ²	same	460 m2 for every 2 units 230 m2 for each unit	600 sq. m.
Min. Lot frontage	15 m	same	15 m for every 2 units, 7.5 m for each unit	15 m
Min. Ground Floor Area				
1 storey		Not applicable	80 m2	same
1.5 storeys		Not applicable	55 m2	same
2 or more storeys		Not applicable	40 m2	same
Min. Front yard setback:	6 m	same	6 m	same
Min. Rear yard setback:	7.5 m or 20% of Lot Depth whichever is less	same	7.5 m or 20% of Lot Depth whichever is less	same
Min. Exterior Side setback:	4.5 m	Same (n/a)	4.5 m	Same (n/a)
Min. Side yard setback			1.2 m. where a garage, carport, or off street parking spaces is not provided for each unit, each side yard be a minimum width of 3 m. for off street parking.	same
1 to 1.5 storeys	1.5 m	Same	Not applicable	
1.5 to 2 storeys	1.5 m	Same	Not applicable	

Over 2 storeys	2.4 m	Same	Not applicable	
Accessory Buildings & Structures	In accordance with Section 4.5	Same	In accordance with Section 4.5	same
Fences	In accordance with Section 4.20	Same	In accordance with Section 4.20	same
Max. Building Height	3 storeys as per Sections 4.16 & 4.18	Same	3 storeys as per Section 4.18	same
Max. Lot % Coverage:	Not applicable		40% of lot area	same
Off street parking	In accordance with Section 4.13	Request exception to 4.13 to permit either a garage to be built beside the house where the extg. Patio is (ie. Less than 3.0 m from property line and from wall with windows), or to permit carport in front yard.	In accordance with Section 4.13	same
Garages	Provision relates to older part of city; not applicable to this site	See above.	Provision relates to older part of city; not applicable to this site	

Min. Landscaped Open Space	<ul style="list-style-type: none"> • except for driveway, the front yard shall be landscaped and no parking permitted within the landscaped open space. • driveway cannot be more than 40% of the width of the front yard 	See above.	<ul style="list-style-type: none"> • except for driveway, the front yard shall be landscaped and no parking permitted within the landscaped open space. • driveway cannot be more than 40% of the width of the front yard 	
Garbage, refuse storage & composters	In accordance with Section 4.9		In accordance with Section 4.9 must be screened	

Area 4 – R.4 –XX – east portion of site
Propose flexible zoning including Cluster Townhouses and Street
Townhouses with the same standards as Area 2, plus Apartments, Stacked
Townhouses and Single Detached Dwellings with the following standards.

Item	Apartments (based on R.4A)	Proposed Standards R.4-XX	Stacked Townhouses (based on R.3A)	Proposed Standards R.4-XX	Single Detached Dwellings (based on R.1C)	Proposed Standards R.4-XX
Housing type(s)	Apartments	Apartments	Stacked townhouses		Single detached dwellings	Single detached with modified definition to include POTLS & Vacant Land Condos
Min. Lot area:	650 m2	3500 m2	1,000 m2	same	370 m ²	same
Min. Lot frontage	15 m	12.5 m	18 m	12.5	12 m	same
Min. Lot area per unit	Not applicable		150 m2	same	n/a	n/a
Max. Density (units/ha)	100	28 units total	60	same	n/a	n/a
Min. Front yard setback:	6 m. in accordance with Section 4.24	Same	6 m. in accordance with Section 4.24 & 5.3.2.7	Same	6 m and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 & 5.1.2.7	6m to garage door and otherwise 3 m

Min. Rear yard setback:	equal to 20% of lot depth, or ½ Building Height, whichever is greater; in no case less than 7.5 m	Same	<ul style="list-style-type: none"> distance equal to one-half the Building Height, and in no case less than 3 metres from any Rear or Side Lot Line. where windows to a Habitable Roof face on a required Yard, such Building shall not be located within 7.5 metres of that Side or Rear Lot Line. 	Same except allow windows within 4.5 meters of side lot line where it does not abut another residential zone.	7.5 m or 20% of Lot Depth whichever is less and in accordance with 5.1.2.4	same
Min. Side yard setback	equal to ½ Building Height but not less than 3 m, in accordance with 5.4.2.1	4.5 m	Same as rear	same	<ul style="list-style-type: none"> 1 to 1.5 storeys: 1.2 m 1.5 to 2 storeys: 1.2 m Over 2 storeys: 2.4 m 	same
Min. Exterior Side setback:	6 m as per Section 4.24	n/a	n/a		4.5 m	n/a
% Coverage:	Not applicable	30% of lot area	40% of lot area	same	Not applicable	n/a

Max. Building Height	8 Storeys as per 4.16 (45 degree angular planes adjacent to rivers/parks), 4. 18 (exceptions), 5.4.2.5 (older built up area)	4 Storeys (plus underground parking) <ul style="list-style-type: none"> • Angular plane analysis based on preliminary apt building design has been carried out. • 60 degree angular plane is requested (see Item No. 2 in Appendix 5 in for explanation /rationale for this proposed standard 	3 storeys subject to 4.16 – Angular Planes (4.18 is not applicable)		3 storeys as per Sections 4.18	same
Min. distance between Buildings	Section 5.4.2.2- ½ building height of the two buildings (with windows) and no in case less than 15 m. If no windows to Habitable Rooms, 15 m.	same	Section 5.3.2.3: <ul style="list-style-type: none"> • 15 m. from building face to building face – if both buildings have windows • 12 m. from building face to building face – if one building has window & other doesn't • If 2 buildings on same lot, no less than 3 m 	same	n/a	n/a

Min. Common Amenity Area	Section 5.4.2.4 30 m2 per dwelling for the first 20, 20 m2 per each additional unit = 760 sq. m. for 28 units	same	Section 5.3.2.4: - does not apply to developments with less than 20 units <ul style="list-style-type: none"> • 5 m2 per unit • If more than one common area, cannot be less than 50 m2 • Length cannot exceed 4x its width • Shall be located in any yard except Front or Exterior side • Can be inside or outside a structure (eg. could be the old house and grounds around it if we wanted a common recreation facility) • Cannot include a driveway or parking area 	same	n/a	n/a
Min. Private Amenity Area	n/a		Section 5.3.2.5: <ul style="list-style-type: none"> • min. area 20 m2 • min. depth 4.5 m • width to be same as width of unit if design permits <p>For units above grade each Private Amenity Area shall:</p> <ul style="list-style-type: none"> • have a minimum area of 10 m2; • consist of a patio or terrace; and • be defined by a wall 	same	Not applicable	

Min. Landscaped Open Space	For buildings 1-4 storeys, 20% of the lot area & 40% for buildings 5-10 storeys	Same (ie. 20% of the lot area)	40%	same	<ul style="list-style-type: none"> Except for driveway, the front yard shall be landscaped and no parking permitted within the landscaped open space Driveway cannot be more than 50% of the width of the front yard 	<ul style="list-style-type: none"> Same same
Off-street parking	In accordance with Section 4.13 for the first 20 units: 1.5 per unit, and for each unit in excess of 20: 1.25 per unit	same	4.13.4.3: one per unit	same	In accordance with Section 4.13: 1 per unit	same
Buffer strip	Where an R4 zone abuts Res'l, Industrial, Park, Wetland, Urban Reserve, a Buffer Strip is to be developed	Need details (width? Relation to common amenity area?)	if site abuts a Residential zone and Wetland, a buffer shall be provided buffer may be located within the Side or Rear yard	same	n/a	n/a
Accessory Buildings and Structures	In accordance with Section 4.5	same	In accordance with Section 4.5	same	In accordance with Section 4.5	same
Maximum no. of dwelling units in a row	n/a		12 (8 if on a public road)	same	Not applicable	n/a
Garbage, refuse storage & composters	In accordance with Section 4.9	same	In accordance with Section 4.9	same	In accordance with Section 4.9	same
Floor Space Index (F.S.I.)	1	same	Not applicable		Not applicable	
Fences	In accordance with Section 4.20	same	In accordance with Section 4.20	same	In accordance with Section 4.20	Same

Schedule 5
Preliminary Site Plan Concept C



Schedule 6 Angular Plane Analysis (from Owner's Planning Report)

The following sketches were prepared by Lloyd Grinham Architect Ltd., August 13/09. They

are based on preliminary architectural sketches of a four storey (plus underground parking) for the east end of the 146 Downey Road site.

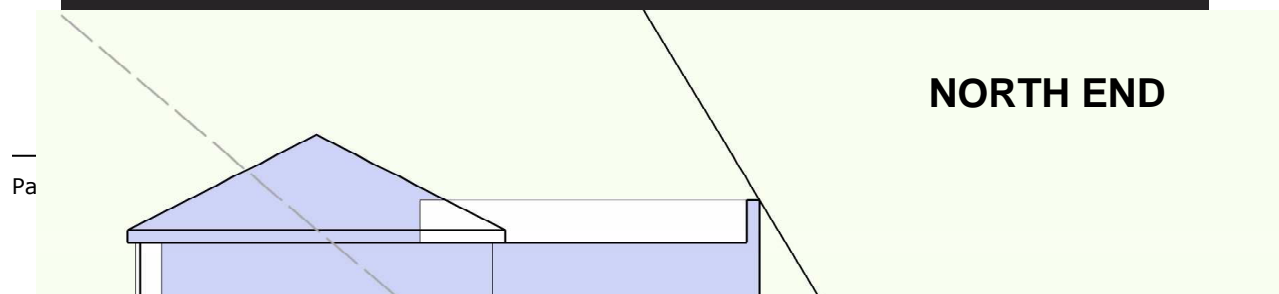
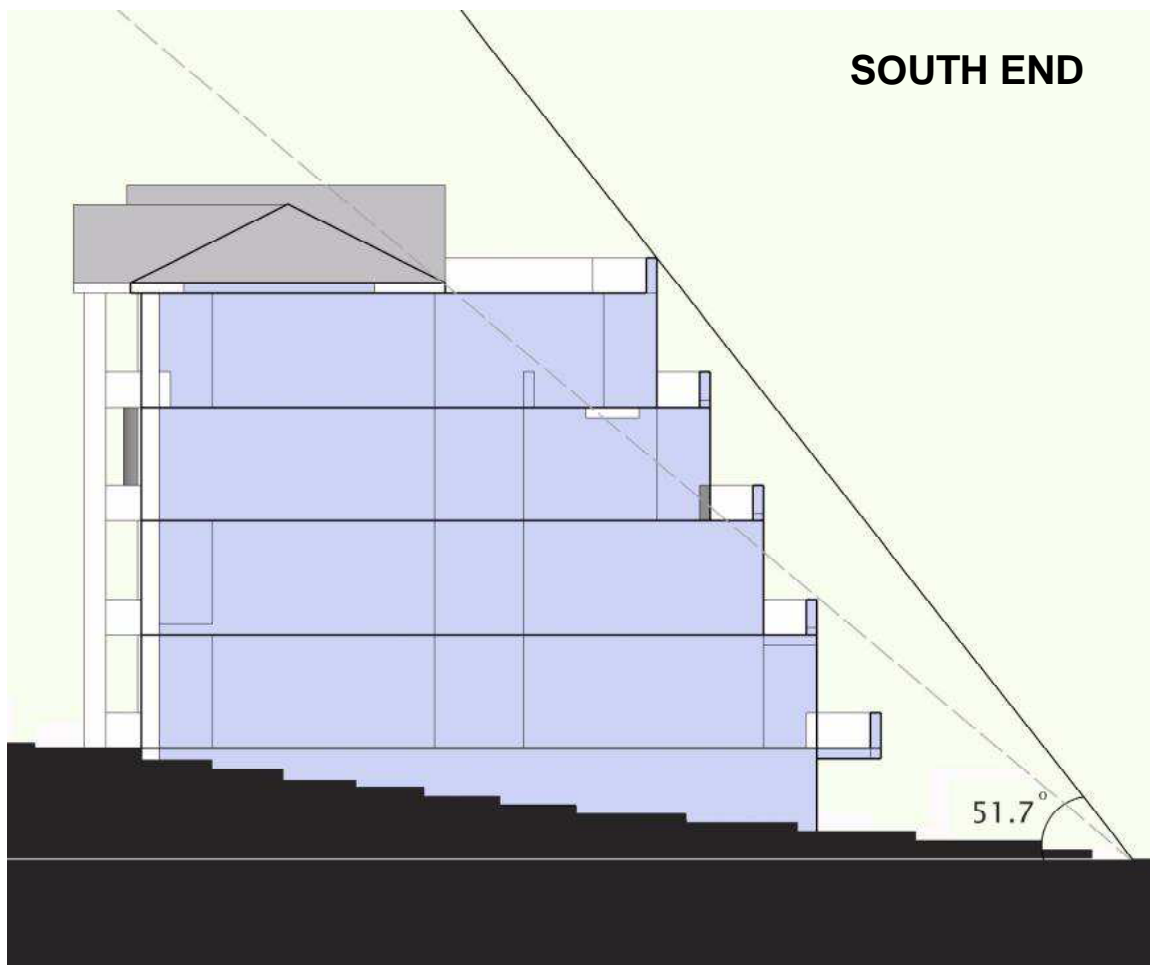
The following are notes from an email from Lloyd Grinham, August 13/09:

The sketches are calculations from a 3-D site model which illustrate the effective angle of the building relative to the rear property line.

Two important points to note:

1 - the building as positioned isn't currently parallel to the rear lot line, so the "north" end calculation is steeper because the building setback is less;

2 - the angle that has been calculated is based on the property line at the existing grade - not a hypothetical extension from the ground floor level - which would produce a shallower angle. It is not entirely clear at this stage how the starting point (ie. the elevation) is to be established for the angle line at the property line. The zoning bylaw shows a theoretical flat or level diagram which is not the reality of this site. If the City Planning Department wants to use the more schematic/theoretical approach - the angular plane could be decreased somewhat (ie. less than 58 degrees and closer to the zoning standard of 45 degrees).



Schedule 7
Design Considerations

(from Owner's Planning Report)

This application is focused on establishing the land use(s) and type, nature and number of residential units on the property. While this is not the detailed site plan design stage, there are various regulations, site conditions and other planning and development factors that need to be considered at this stage to ensure the proposed zoning boundaries match a future Site Plan, to maximize compatibility with the existing neighbourhood, and generally, to promote good urban/neighbourhood design.

The following table summarizes these factors:

No.	Item for Consideration	Description	Impact/Consequence/Design approach
1.	Aesthetic compatibility with neighbourhood, continuance of streetscape, impact on neighbours.	General principle of good planning to be applied. Scale of building forms should be compatible with surroundings.	<ul style="list-style-type: none">• place single detached units facing onto Downey Road to continue existing streetscape• interior portion of site should not overshadow existing adjacent residences• buffer measures such as fences, vegetation, or combination to be incorporated into site planning

2.	Introduction of a higher density housing form on the site	Provincial Policy and City growth strategy require/encourage more efficient use of land and higher densities. East end of site is a strong candidate for such a use. Devising an appropriate design/scale is the key challenge.	<ul style="list-style-type: none"> • No other apartments in this quadrant of the City • Limit the higher height building to portion of site that does not abut existing residences; • East end of site is not directly adjacent to existing low density residential uses and there are great views of the park/open space lands to the north and east • introduction of higher density in this area will maximize enjoyment for the greatest number of people • this portion of the site will be visible from the residential lands to the east across the park/open space (ranging from approx. 90 to 150 m away) • architectural design features (eg. terrace design) can be employed as part of Site Plan process to mitigate and enhance the view of a low rise apartment building • the distance between the gas easement and the property line and the fact that the land is sloped rather than flat, the 45 degree angular plane adjacent to a river or park is impossible to achieve. If an apartment building is to be implemented, the lowest angle that can be accomplished with a potentially viable building is approx. 60 degrees (see sketches in Appendix 5)
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3.	Environmental Considerations	Site is in proximity to Tributary A of the Hanlon Creek and abuts public open space on three sides	<ul style="list-style-type: none"> • scoped Environmental Impact Study has been undertaken in accordance with Terms of Reference reviewed and approved by EAC in September 08 • protection of the Hanlon Creek tributary in terms of surface and groundwater impacts has been examined and no negative impacts anticipated • use of various engineering design and construction measures during Site Plan process will be required
4.	Existing trees	Site contains a number of trees of varying species, health, age, risk of hazard and aesthetic quality. A tree inventory by a qualified arborist to assess trees has been completed.	<ul style="list-style-type: none"> • interior tree loss necessary to utilize site to any reasonable, efficient degree • A detailed tree Retention Plan and Landscape Plan will be prepared during Site Plan process • Trees recommended to be retained to be taken into account in laying out lots and building envelopes. • Tree preservation efforts will affect grading design & building envelopes and vice versa
5.	Width of Site	Site is only approx. 64 m. (210 ft.) across.	<ul style="list-style-type: none"> • dictates narrow Condominium road (6.0 m plus 1.2 m sidewalk plus 2.5 utility corridors on each side = total 12.2 m) leaving 51.8 m for two rows of lots of 25.9 m (85') deep (ie. shallower than normal lots). • Due to width of site, a reduction of front yard setbacks for interior townhouse units is proposed and justified
6.	Economics	Site is to be developed by private sector developer.	<ul style="list-style-type: none"> • plan to be developed must be economically viable. • efficient ratio of road to saleable lot frontages is important. • project must be aesthetically pleasing and marketable. • prefer zoning to provide flexibility to respond to changing market demand conditions.

7.	Gas Easement	An existing 15 m wide easement at south end of site bisects the property	<ul style="list-style-type: none"> easement cannot be built upon with buildings but does permit roadways, open space, etc. Union Gas has been contacted and copy of preliminary Concept Plan A provided Union Gas has provided its requirements relating to construction in proximity to its line field work has been done to determine the exact location of the gas main, in preparation for detailed design
8.	Existing house	Heritage Guelph has requested house be preserved and incorporated into the development	<ul style="list-style-type: none"> the house is proposed to be preserved and incorporated into the lot fabric of the development. preservation affects curvature of internal road the house will need to be renovated to bring it up to modern standards. potential subdivision of house to be explored as a means to increase unit count
9.	Zoning Standards	Site specific Zoning By-law is requested. Where possible, development will meet established zoning standards, but certain exceptions will be required due to site constraints.	<ul style="list-style-type: none"> See Appendix 4 with tables relating to Special Use Provisions and Special Regulations proposed setback reductions, due in large part to the width of the site, will also contribute to compact urban form and provide opportunities for creative urban design and architectural features
10.	Municipal Servicing Considerations	Site to be fully serviced	<ul style="list-style-type: none"> preliminary Servicing and SWM report confirms the site is capable of being fully serviced through connections to existing municipal infrastructure (water, sanitary, storm, hydro, telephone). Existing well and septic system to be decommissioned

		<ul style="list-style-type: none"> • Stormwater Management • Hydrology • Water budget • Soil Conditions • Hydrogeology 	<ul style="list-style-type: none"> • preliminary grading plan confirms all lots/blocks can be drained in conformity with City standards • A portion of the stormwater (not from roads) from the site will be directed to adjacent open space lands; with such flows not to exceed existing flows. • Soil conditions are favourable for infiltration • Preliminary site water balance confirms existing hydrological conditions will be replicated and it is feasible to meet the City's Water Budget requirements • It is anticipated that there will be no hydrogeological impacts/interference or impacts on groundwater relating to Tributary A
11.		Traffic impacts	<ul style="list-style-type: none"> • traffic impact assessment confirms the adjacent roadway network can accommodate the proposed development
12.	Community Energy Plan	New development to incorporate energy conservation elements	<ul style="list-style-type: none"> • detailed energy and other environmental conservation elements will be incorporated into unit/building and site plan at the time of the Site Plan process

Schedule 8
Site Plan Concepts presented at the January 20, 2009 Neighbourhood
Information Meeting

146 DOWNEY ROAD
CONCEPT PLAN 'A' : 29 UNITS



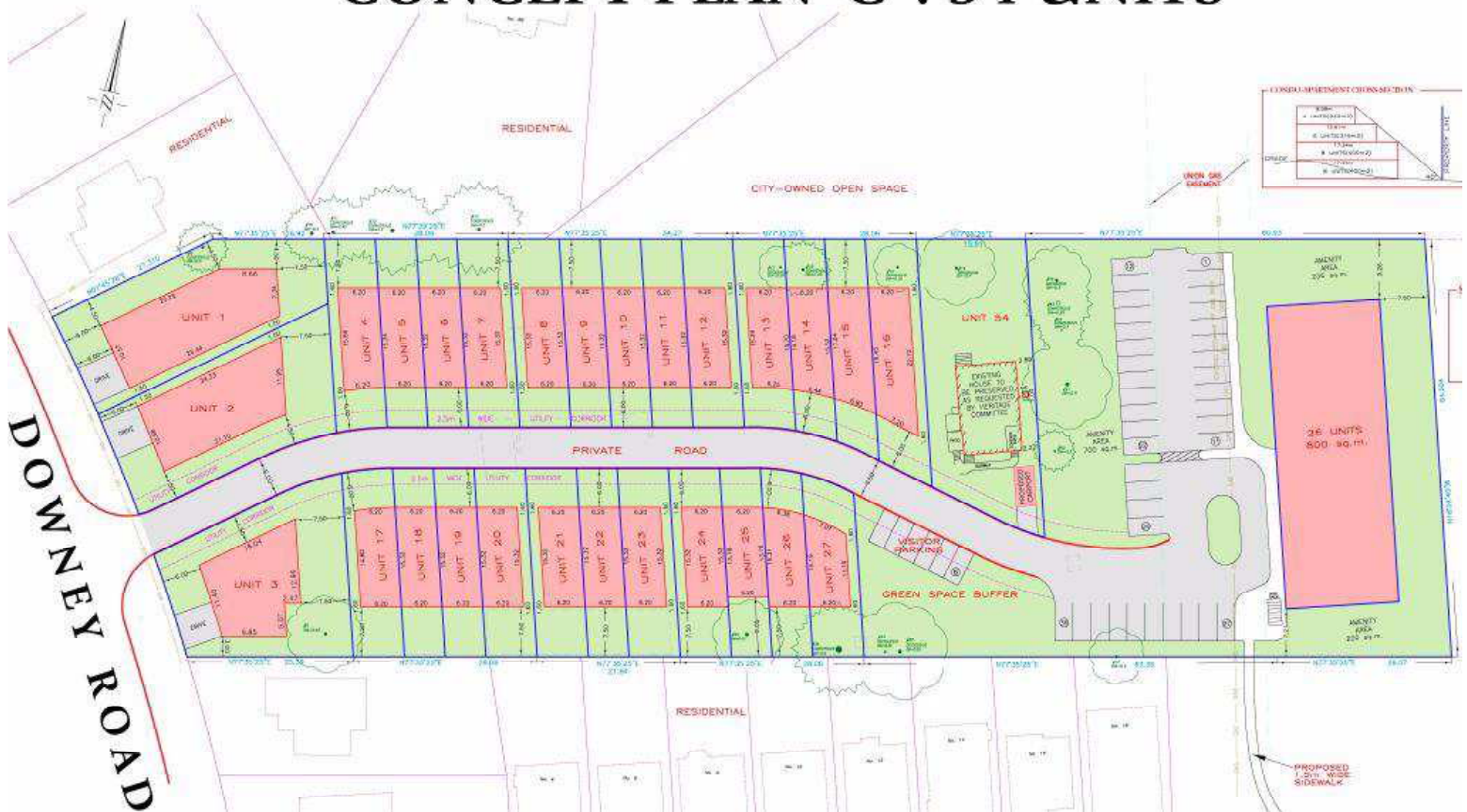
Schedule 8
Site Plan Concepts presented at the January 20, 2009 Neighbourhood
Information Meeting

146 DOWNEY ROAD CONCEPT PLAN 'B' : 40 UNITS



Schedule 8
Site Plan Concepts presented at the January 20, 2009 Neighbourhood
Information Meeting

146 DOWNEY ROAD
CONCEPT PLAN 'C' : 54 UNITS



Schedule 9
Owner's Letter of Commitment to the Community Energy Plan



September 9, 2009

SENT VIA EMAIL

City of Guelph
Community Design and Development Services
1 Carden St.
Guelph, Ontario
N1H 3A1

Attention: Al Hearne, Senior Development Planner

Re: 146 Downey Road – Community Energy Plan

Dear Mr. Hearne;

We've had some internal discussions about various planning, development and construction features that could be realistically incorporated into the 146 Downey Road development that would contribute to the goals of the Community Energy Plan. We support the goals and objectives of the CEP and would like to do our part to reduce the footprint of our development in terms of energy, water use and other environmental impacts. It is important to note however that the site is relatively small and as such we do not have a lot of scope within which to work. Also, we are not anticipating a large range of singles and townhouse unit designs due to the realities of the market place and cost constraints. Therefore our scope for customized solutions is somewhat limited.

There are however several features that we think can be committed to at this stage, and other features that we will commit to undertake further research on prior to committing to implement as part of the Site Plan or Building Permit processes.

The following table summarizes the various features, design ideas, and technologies that are feasible or potentially feasible:

Project Component	Feature/Item that we can commit to at this time	Feature/item that we will do further research on prior to committing to implement as part of Site Plan/Building Permit processes
Singles, townhouse, stacked townhouse infrastructure		
	1. <i>Energy Star</i> rating system – various measures can be implemented and there are different elements for different unit/housing types	2. geothermal heating systems
	3. water conservation devices (eg. low flow toilets, faucets); ultra low flow dual flush toilets to be used	4. Passive solar gain - the east-west orientation of the internal road makes this potentially feasible. Due to nature of townhouses, the amount of glazing is restricted to uniform locations, however the topography of the south side row of townhouse units may be able to be designed with raised basements in which the basement windows on south facing facades could be enlarged for passive solar gain
	5. rain water harvesting through provision of rain barrels as a standard feature	6. solar film or extended roof eaves on south facing windows to aid with summer time cooling
	7. if appliances are included in unit sales, energy efficient models will be used and optional super energy efficient models will be offered	
apartment building infrastructure		
	8. exterior low level lighting to be solar fixtures	9. photovoltaic cells or solar hot water on the apartment building
	10. outdoor and/or indoor bicycle racks	11. green roof on apartment

	12. native grasses and other low water plant species to reduce the need for watering gardens	13. rainwater harvesting watering system for gardens (expected to be minimized due to items 12 & 15)
	14. if appliances included in unit sales, energy efficient models will be used and optional super energy efficient models will be offered	
land development features		
	15. stormwater management – infiltration either on a lot by lot basis, or more generalized basis	16. condo laneway streetlight fixtures and/or bulbs to be as energy efficient as reasonable
	17. tree planting – species, locations and other techniques for providing shade in the summer (reduce cooling) and solar heating in winter	
	18. preservation of farmhouse; it's imbedded energy not being wasted and instead being preserved	
	19. entrance feature incorporating reclaimed stone (and timbers if available)	
	20. nearby bus stop at Ptarmagin and Downey (bus route no.10) makes site accessible for public transit users	
	21. it is anticipated a bus route will be extended to the future Hanlon Creek Business Park off of Downey Road, south of this site. If this is implemented within the time frame of this project, we would be receptive to incorporating a bus shelter into the entry feature on the north side of the entrance road	

	22. trail connection to Teal Drive to access existing public trail system along Hanlon Creek Park.	
	23. common area landscaping to include native grasses and other low water plant species	

We trust the above is useful at this stage in the process and if you have any questions or comments, please do not hesitate to contact me.

Sincerely;

SEATON RIDGE COMMUNITIES LIMITED



Jeremy Grant, BES, MCIP, RPP
Vice President, Planning and Development

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE October 5, 2009

**SUBJECT 80 FREDERICK DRIVE – Proposed Zoning Bylaw
Amendment (File ZC0903) Ward 6**

REPORT NUMBER 09-75

RECOMMENDATION

“THAT Report 09-75 regarding a proposed Zoning By-law Amendment to allow the development of two proposed new single-detached R.1D lots on lands municipally known as 80 Frederick Drive, City of Guelph, being lands located in Phase 4 of the Westminister Woods East Subdivision (File 23T-02502), from Community Design and Development Services dated October 5, 2009, be Received.”

SUMMARY:

This report provides information on a zoning bylaw amendment application received on July 14, 2009 from Westminister Woods Limited, applying to lands at 80 Frederick Drive (See **Schedule 1**).

BACKGROUND

Subdivision and rezoning applications for Phase 4 of the Westminister Woods East Subdivision were approved by City Council on March 2, 2009. The approved subdivision plan was registered as Plan 61M-160 on June 26, 2009 (See **Schedule 2**). The subdivision lands are currently being serviced and building permits are now available for some of the lots.

Following the registration of Plan 61M-160, the owner consulted with Staff regarding an application to rezone a small portion of Block 86 from the recently approved Specialized R.3A-41(H) (Multiple-Residential Holding) Zone to the R.1D (Single-Detached Residential) Zone to permit the development of two single-detached lots consistent with the existing and future house lots approved along Colonial Drive (See **Schedule 2**). The first phase of development on Block 86 will receive site plan approval from the City this fall.

The owner submitted applications to the Committee of Adjustment for consent for severance to create the two lots (See **Schedule 3**) and C/A files B-26/09 and B-27/09 were conditionally approved at the September 8, 2009 Committee meeting. One of the conditions of severance and deed endorstation is the approval of

appropriate R.1D zoning to allow the construction of a single-detached dwelling on each of the two lots.

Location

The subject lands are located at the northeast corner of Frederick Drive and Colonial Drive (See **Schedule 1**). The lands include 25 metres of frontage on Colonial Drive, an average lot depth of 36 metres and a total site area of 0.083 hectares.

The lands are bounded by approved lots to accommodate single-detached dwellings to the north along Colonial Drive, approved lots to accommodate single-detached dwellings to the west across Colonial Drive and a small block of land described as Block 87 of Plan 61M-160, to the east, which is zoned to permit residential dwellings, live-work units and convenience commercial uses. The small parcel of land located to the south of the subject site was approved as a common element condominium landscape feature during the earlier Westminister Woods East Phase 3 subdivision approval.

Official Plan Designation

The existing land use designation on Schedule 1 of the Official Plan applying to the subject property is "General Residential ". This land use designation is illustrated and explained in **Schedule 4**. This designation allows all forms of residential development.

Existing Zoning

Block 86 being the parent property which includes the subject site (See **Schedule 1**), is currently in the Specialized R.3A-41(H) (Multiple-Residential Holding) Zone which permits a range of housing styles in the form of townhouses and apartment dwellings (See **Schedule 5**). This rezoning application is necessary as a single-detached dwelling is not permitted in the existing R.3A-41(H) zoning.

REPORT

Description of Proposed Zoning Bylaw Amendment

To implement the proposed severance application that would create the two lots, the owner is asking to rezone the lands from the existing Specialized R.3A-41(H) (Multiple-Residential Holding) Zone to the R.1D (Single-Detached Residential) Zone. The details of the proposed R.1D zoning are illustrated and described in **Schedule 6**.

Community Energy Plan

The owner's list of energy conservation measures to be incorporated into the development of the Westminister Woods East Phase 4 Subdivision to support the Community Energy Plan (CEP) is highlighted in **Schedule 7**. The owner has committed to including these energy conservation measures on the two proposed R.1D lots.

Public and Agency Comments

To date, agencies commenting on the proposal have been supportive and there

have been no concerns expressed by surrounding property owners. Once the application is reviewed and all issues are addressed, a report from Community Design and Development Services with a Staff recommendation will be considered for a decision by City Council at a future Council meeting.

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the 'General Residential' land use designation and policies of the Official Plan.
- Evaluation of the recommended range of Permitted Uses and Regulations.
- Consideration of other comments and issues raised during the circulation of the application.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Community Design and Development Services recommendation report to Council.

COMMUNICATIONS

The original Notice of Application and Public Meeting for the proposal was mailed to surrounding property owners and advertised in the Guelph Tribune on September 11, 2009.

ATTACHMENTS

Schedule 1 – Location Map
Schedule 2 – Phase 4 - Registered Subdivision Plan 61M-160
Schedule 3 – Committee of Adjustment Severance Proposal B-26&27/09
Schedule 4 – Existing Official Plan Land Use Designations and Policies
Schedule 5 – Existing Zoning
Schedule 6 – Proposed Zoning
Schedule 7 - Proposed Westminster Woods East Phase 4 Conservation Measures

Original Signed by:

Prepared By:
Allan C. Hearne
Senior Development Planner
519 837-5616, ext. 2362
al.hearne@guelph.ca



Recommended By:
R. Scott Hannah
Manager of Development and Parks Planning
519 837-5616, ext. 2359
scott.hannah@guelph.ca

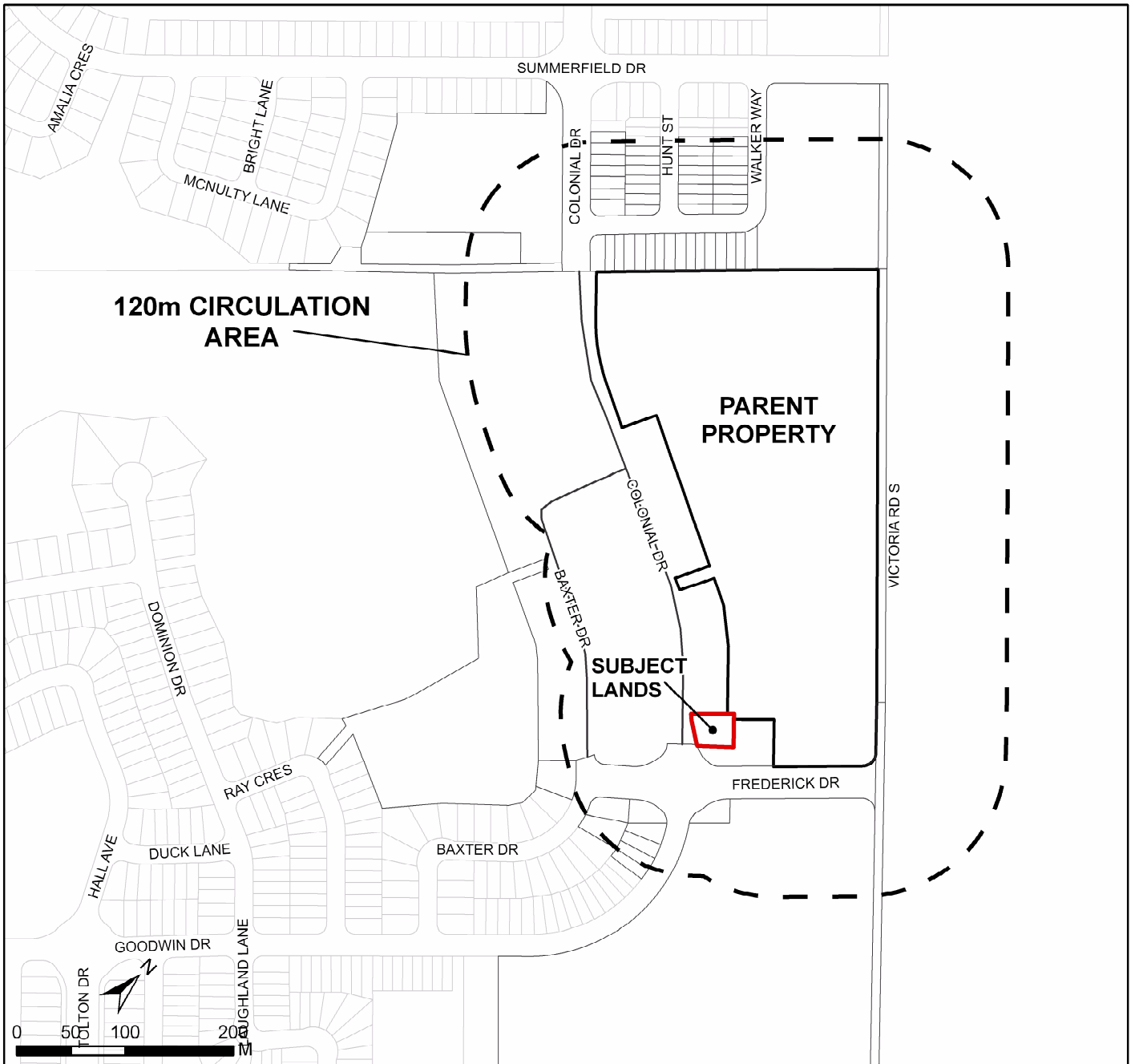
Original Signed by:

Recommended By:
James N. Riddell
Director of Community Design

and Development Services
519 837- 5616, ext. 2361
jim.riddell@guelph.ca

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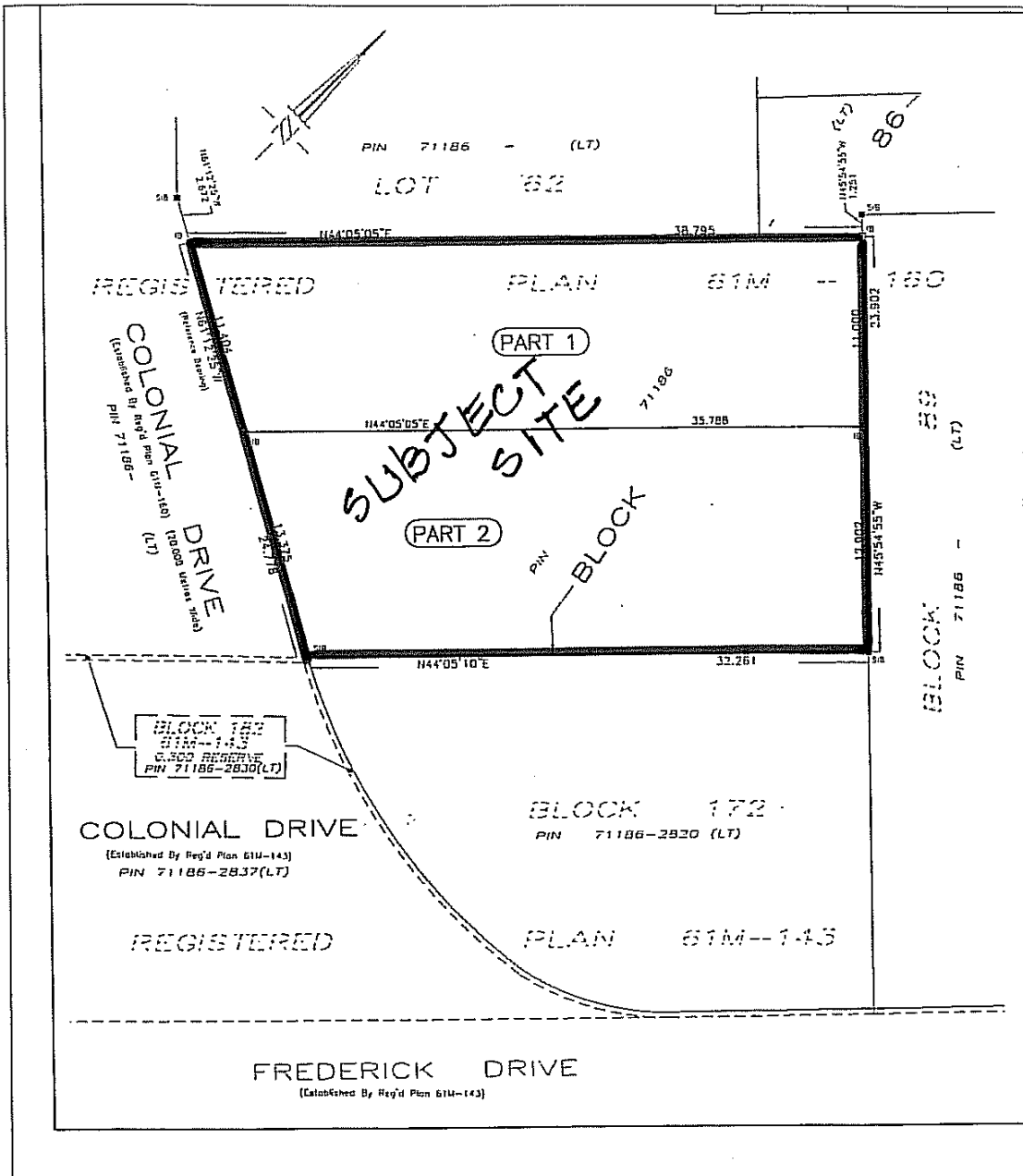
Schedule 1 Location Map



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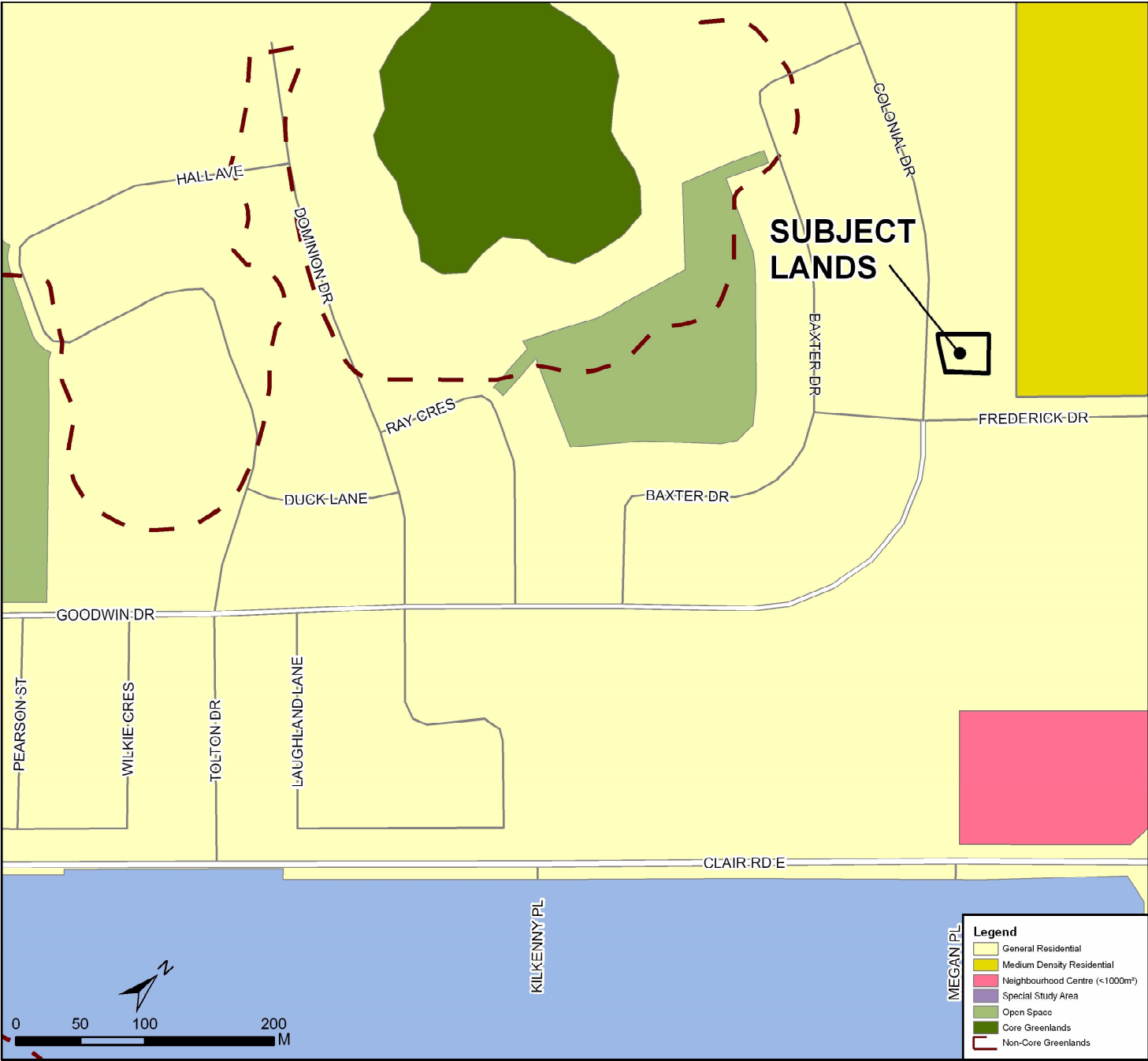
CITY OF GUELPH COUNCIL REPORT

Committee of Adjustment Severance Proposal B-26&27/09



Schedule 4

Existing Official Plan Land Use Designations and Policies



Schedule 4

Existing Official Plan Land Use Designations and Policies

General Residential' Land Use Designation

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy

7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).

1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

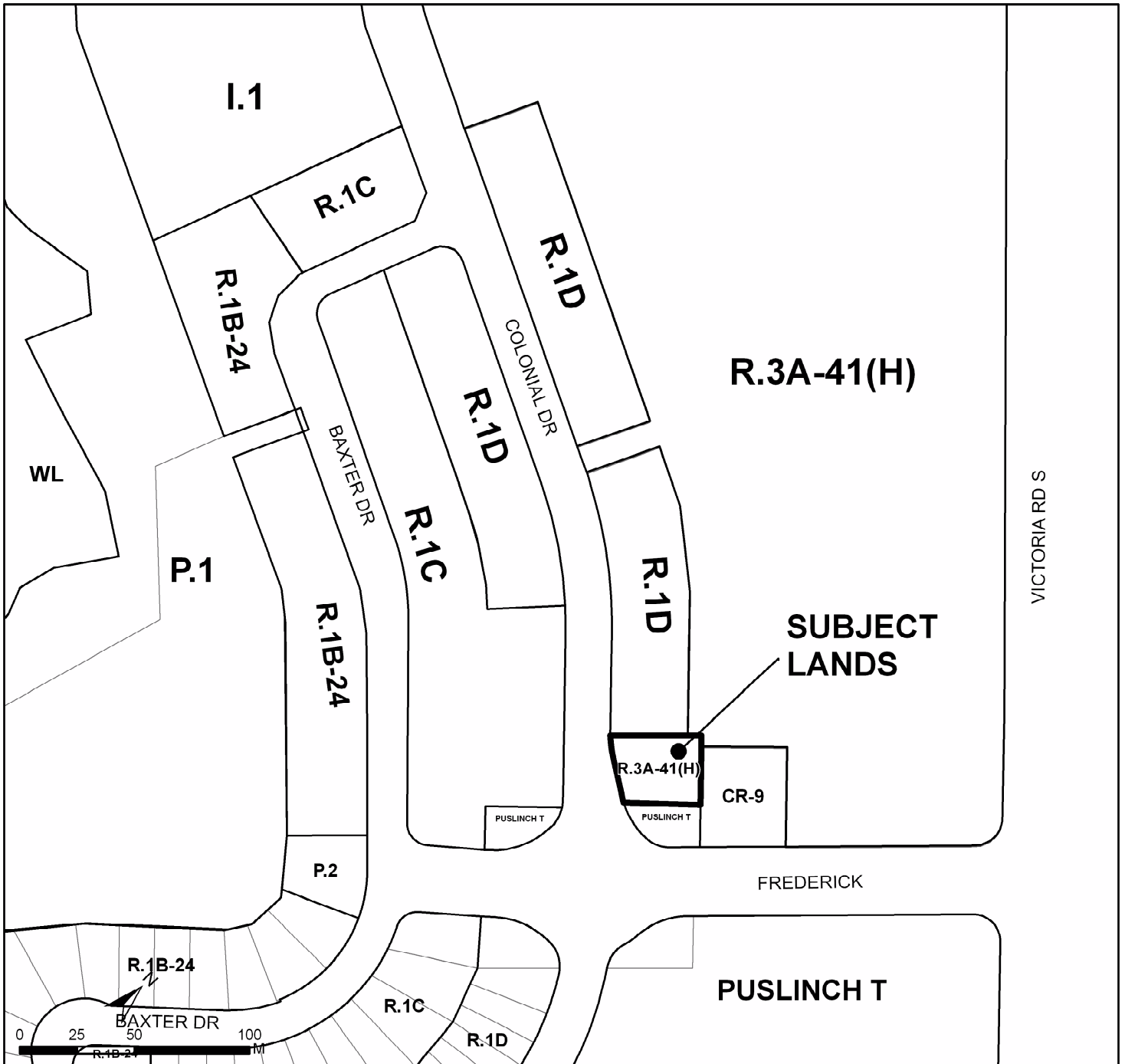
7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:

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

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

**Schedule 5
Existing Zoning**



Schedule 5 Existing Zoning

5.3.3.1.41 R.3A-41 (H)

340 Clair Road East

As shown on Defined Area Map Number 75 of Schedule "A" of this *By-law*.

5.3.3.1.41.1 Permitted Uses

In accordance with Section 5.3.1.1 of Zoning *By-law* (1995) – 14864, as amended, with the following additional permitted use:

(a) *Apartment Building*

5.3.3.1.41.2 Regulations

Despite Sections 5.3.2 and 5.4.2 of Zoning *By-law* (1995) – 14864, as amended, the following regulations shall apply:

5.3.3.1.41.2.1 *Minimum Dwelling Units*

A minimum of 240 *Dwelling Units* shall be constructed in this *zone*.

5.3.3.1.41.2.2 *Minimum Number of Apartment Dwellings*

A minimum of 120 *Apartment Dwelling Units* shall be constructed in this *zone*.

5.3.3.1.41.2.3 *Minimum Gross Floor Area (per unit)*

50 square metres

5.3.3.1.41.2.4 *Minimum Front Yard*

(a) From a public *Street* – 4.5 metres

(b) From a private *Street* – 4.5 metres from the nearest sidewalk

5.3.3.1.41.2.5 *Maximum Building Height*

4 *Storeys* with the exception that all *buildings* and *structures* located within 30 metres of the north property C.1- 33

line shall be a maximum *building height* of 2 *storeys*.

5.3.3.1.41.2.6 *Maximum Block Coverage*

A maximum of 40% of the area in this *zone* shall be covered by *buildings* and *structures*.

5.3.3.1.41.2.7 *Minimum Common Amenity Area*

A minimum of 15m per *dwelling unit* shall be provided and aggregated into areas of not less than 50m . *Amenity areas* shall be designed so that the length does not exceed 4 times the width.

5.3.3.1.41.2.8 *Minimum Landscaped Open Space*

A minimum of 30% of the area of this *zone* shall be provided.

5.3.3.1.41.2.9 *Minimum Off-Street Parking for Each Dwelling Unit Townhouse* - 1.5 spaces

Apartment – 1.25 spaces

5.3.3.1.41.2.10 Minimum Distance between Residential *Buildings*

The minimum distance between any two *buildings* containing *dwelling units* shall be 4.0 metres.

5.3.3.1.41.2.11 Frontage on a *Street*

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

5.3.3.1.41.2.12 Maximum Number of *Dwelling Units* in a Row

The maximum number of *dwelling units* in a row shall be 12 *Dwelling Units*.

5.3.3.1.41.3 Holding Provision R.3A-41 (H) *Zone*

Purpose:

To ensure that the development of the lands does not proceed until the owner has completed certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions:

Prior to the removal of the Holding symbol (H), the owner shall complete the following conditions to the satisfaction of the City:

(a) The registration of the subdivision or partial subdivision phase is complete.

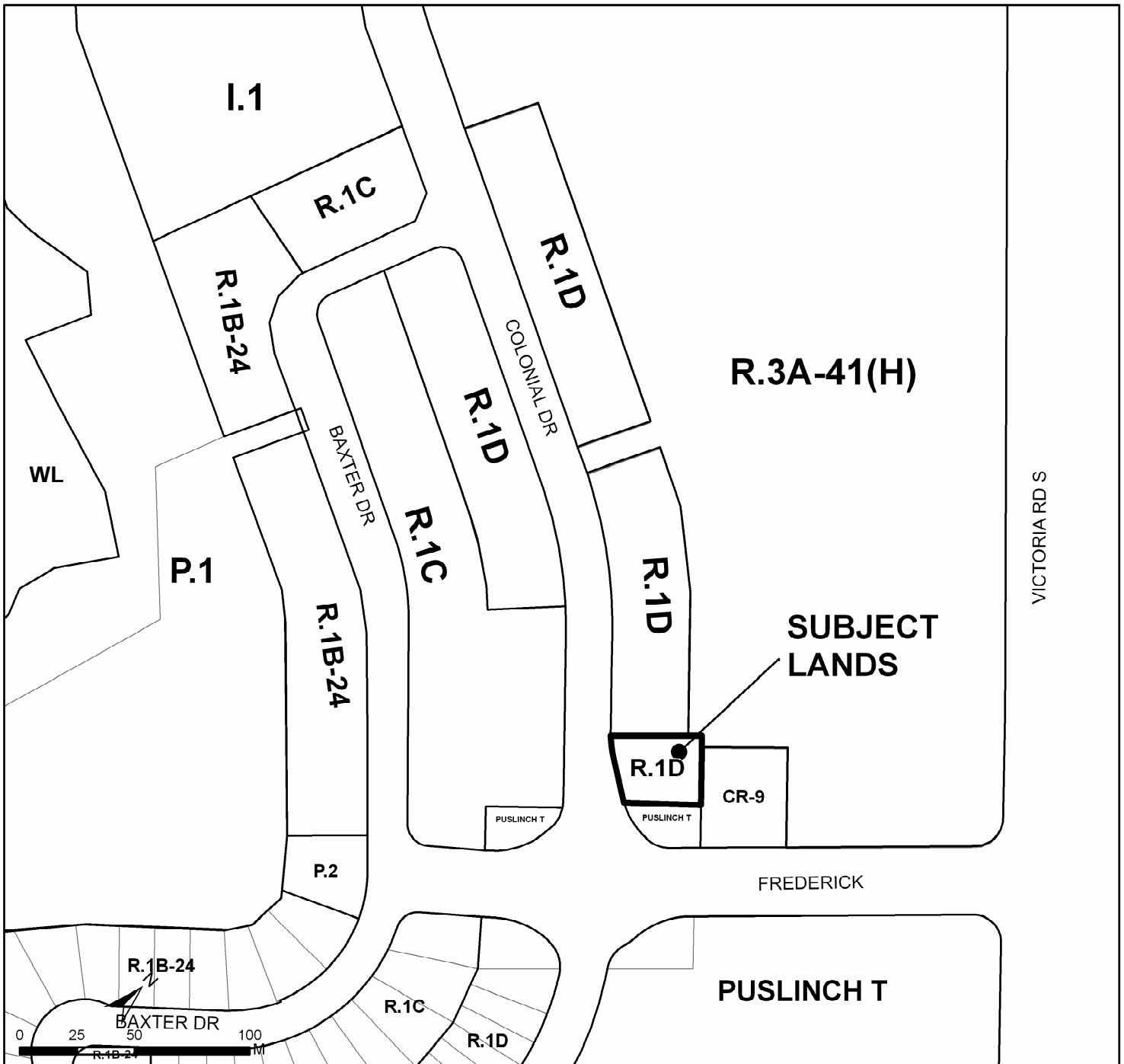
(b) The timing and allocation of dwelling units is supported by the approved Development Priorities Plan.

C.1- 34

(c) The City has confirmed there are full municipal services to support the development.

(d) The site plan agreement is registered on title.

**Schedule 6
Proposed Zoning**



The R.1D (Single-Detached Residential) Zone permits uses outlined in Section 5.1.1 of the Zoning Bylaw, subject to the regulations outlined in Section 5.1.2 of the Bylaw.

Schedule 6 Proposed Zoning

R.1D Zone

5.1.1 PERMITTED *USES*

The following are permitted *Uses* within the R.1A, R.1B, R.1C, and **R.1D** Zones:

- *Single Detached Dwelling*
- *Accessory Apartment* in accordance with Section 4.15.1
- *Bed and Breakfast* establishment in accordance with Section 4.27
- *Day Care Centre* in accordance with Section 4.26
- *Group Home* in accordance with Section 4.25
- *Home Occupation* in accordance with Section 4.19
- *Lodging House Type 1* in accordance with Section 4.25

5.1.2 REGULATIONS

Within the Residential 1 (R.1) *Zones*, no land shall be *Used* and no *Building* or *Structure* shall be erected or *Used* except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations listed in Table 5.1.2, and the following:

Minimum Lot Area
275 m²

Minimum Lot Frontage
9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.

Maximum Building Height
3 Storeys and in accordance with Section 4.18.

Minimum Front Yard
6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.

Minimum Exterior Side Yard
4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.

Minimum Side Yard
1 to 1.5 Storeys
1.5 to 2 Storeys
Over 2 Storeys
0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.

Minimum Rear Yard
7.5 metres or 20% of the Lot Depth, whichever is less and in accordance with Section 5.1.2.4.

Schedule 7 Westminster Woods East Phase 4 Proposed Conservation Measures

In addition to the owner's commitment to build all of the residential units in the subdivision to ENERGY STAR specifications and certification or better, the following list of energy conservation measures will also be incorporated in the subdivision including the two proposed R.1D lots.

		Standard Specification
<u>Sustainable Sites</u>		
Urban Development	A compact and well utilized site helps contain urban sprawl	X
Urban Development-erosion and sedimentation control	A comprehensive erosion and sedimentation control plan is in effect throughout redevelopment of the site.	X
Existing & Proposed Trees	New tree planting contributes to the overall rejuvenation of the urban forest.	X
Site Lighting	The project incorporates exterior light fixtures with refractor and cut-off shields to control light pollution, with energy efficient operation controlled by light sensors.	X
Alternative Transportation	Planned bus route along Goodwin Drive and Colonial Drive. Bicycle racks will be provided. Walking trails incorporated through out development and adjacent open space area.	X
Landscape and Exterior Design	The project incorporates the use of light colored surface paving and terrace/balcony materials where practical to increase reflectivity & decrease heat island effect	X

<u>Water Efficiency</u>		
Water efficient Landscaping	Drought resistant soft landscape material will be specified as much as possible	X
Landscape Irrigation	Automated drip irrigation systems which maximize utility of applied water are specified and only in areas were it would be essentially required	X
Storm Water Management	Controlled roof drains provided to control flow rate of storm water	X
Reduced Water Consumption	Low flow faucets and showerheads and low volume flush toilets(HET high efficiency toilets) where possible	X
Drain Water Recovery	Drainwater Heat recovery will be provided in majority of units. Reducing Gas consumption by 30-40%.	x

<u>Energy & Atmosphere</u>		
Design Features	Project complies with ban on ozone-depleting refrigerant gases	x
Design Features-mechanical systems	Building's HVAC systems are centralized and heat recovery ventilators (HRV's or ERV's) are incorporated in the majority of the central air return systems.	X
Design Features	Low E windows reduce heat gains and heat loss	X
Design Features-mechanical systems	High efficiency boilers will be used to save natural gas	X
Design Features-mechanical systems	Cooling equipment will be min 14 seer capacity. efficiency. This exceeds the MNEC and OBC.	X

Design Features-Electrical	Lighting for residences will be min 75% CFL (or comparable energy efficient lighting alternative)	x
Design Features-Mechanical Systems	Insulated and Sealed supply and return plenums will be specified in majority of units. Ensures efficient distribution of heating/cooling.ventilation.	x
Electrical Metering and Controls	Individual real-time energy and GHg(greenhouse gas) monitoring devices installed in majority of units. Makes occupants aware/conscious of energy use(kW & \$) and ghg emissions.	x
Electrical Metering and Controls	Occupancy sensors provided in service rooms with intermittent occupancy to reduce hydro consumption	X
Electrical Metering and Controls	Perimeter day lighting controls to conserve hydro (lights turn off automatically when natural lighting is sufficient)	X

<u>Materials & Resources</u>		
Regional Materials	The vast majority of materials utilized are available locally (800km radius as defined in the LEED standard) limiting environmental impact on source supply transportation.	X
Low Emitting Materials	Low VOC emitting materials where possible. Examples include, low VOC paints, recycled content carpet, etc.	X
Collection of Recyclables	In compliance with City by-laws	X
Building Materials	High recycled content material to be specified wherever possible	X
Construction Waste Management	A construction waste management plan will be implemented	X

<u>Indoor Environmental Quality</u>		
System Controllability	Each resident will have access to individual controls for the Heating, Cooling, Lighting and Ventilation	X
Natural Ventilation	All occupied spaces have access to an operable window	X
Low VOC emitting materials	See above (materials)	X
Natural Light	The building provides natural light to 100% of regularly occupied spaces	X

<u>Innovation & Design Process</u>		
LEED Accredited Professional	The design team is headed by a LEED Accredited Professional	X
Sustainable Consultants	Residences and units will be designed/developed with input from accredited "sustainable" consultants (i.e LEED AP's, Energy Auditors,etc)	x

Al Hearne,
Senior Development Planner, City of Guelph.
Dear Mr. Hearne,

Once again I thank you for our one on one discussion on Sept.16/09 and your sending me further info on this proposed development. Your attention was most courteous and appreciated.

As you will recall, I had some reservations as to the posted sign on the 146 Downey Rd. property--obstructed location, info contained thereon, etc. I still have problems in this regard when reviewing the application "regulations" which apply to a proposal to amend a Zoning Bylaw.

In this area of procedures, I disagree with the assumption on the part of Planning Services that there was insufficient public interest or concern with this proposed development and as a consequence they (Planning Services) did not arrange for an informal 'Public Information Meeting within the 30 day envelope after the "Notice of Application Sign was erected (obstructed by boulevard trees) on the subject property.

Also the mailed Sept.11/09 'Public Meeting Notice from the City of Guelph contained two diagrams-Schedule 1-Proposed Zoning provide conflicting descriptions with Planning Services'- Description of Proposed Zoning Bylaw Amendment. The diagrams should describe that the application for zoning is actually for "Specialized Zones- Area Two:Specializes R3 Zone- Area Three:Specialized R4AZone and Area Four:Specialized R4Zone. The aforementioned info provided is very confusing and therefore raises 'Red Flags'.

While the October 5/09 meeting will undoubtedly provide myself, as well as the concerned residents living in the vicinity of this proposed development, with additional useful information, it is my opinion the climate in this area would be considerable calmer had the aforementioned 'informal meeting' been called by Planning Services.

Be assured that I am viewing this proposed development realistically, however, I am of the opinion that, considering the lack of appropriate information, and/or clarification as required, is unavailable at this time, the subject application for a Zoning Bylaw Amendment by Seaton Ridge Communities Limited, as submitted, should not be accepted by City Council. Refinements are required.

Regards,

Yours truly,

Fred G. Porter,
Sandra D. Brown,

To Whom it May Concern,

My family and I reside on Teal Drive and are obviously very concerned about the potential development on 146 Downey Road. The homes on Teal Drive have very small backyards, and the potential plans on the Downey Road development have homes extremely close to our property boundaries, creating a very alarming situation.

I am inquiring if Seaton Group would have any interest in severing portions of 146 Downey Road to be available to the households on Teal Drive that back on to the property. Expanding the length of the Teal backyards may allow for a more acceptable separation from the Downey Road development. If this is of interest to Seaton Group please advise the potential amount of land available to each household on Teal.

Please note that I am merely asking on behalf of my household, and if this is of interest to Seaton Group I will inform the other 7 households that directly back on to the property.

Thank you and I appreciate your consideration.

Rob Moreland

Al,

I would like to arrange access on Tuesday, September 15th to the application and all supporting reports referred to in the Public Meeting Notice dated 11 September, 2009 regarding 146 Downey Road. Last week in our telephone conversation you specifically told me that the application will not be available to the public until the City Council meeting on October 5th. However, I was surprised to see that the Notice states that all these documents are available for public review.

I am very concerned that this application is entirely inappropriate for this property in that it is wholly incompatible with both the existing neighbourhood and the intent of the revised City of Guelph Master Plan.

I intend to vigorously oppose the application and proposed zoning and I expect the full cooperation of City of Guelph staff in providing access to the appropriate documents and information.

I am even more concerned about the statement in the Notice that "*This may be the only statutory Public Meeting for this application.*" Once again, this contradicts your own statement on several occasions that the City will arrange at least one meeting between the developer and affected residents after the application is submitted and before it goes to Council for approval.

I understand that there is a formal process to be followed in these situations, but affected residents must be given fair access to information and be provided every opportunity to participate in that process.

Regards,

Wally Kowal

From: dsmale

Sent: September 29, 2009 8:27 PM

Subject: Development 146 Downey Road

We are writing to express our great concerns over the proposed development at 146 Downey Road.

We moved our family to Guelph 8+ years ago and picked our "spot" because of the quiet, peaceful and "green" area in which to live and eventually retire. While we realize that progress does not stand still, we never in a million years expected or dreamed that the City of Guelph would even contemplate, never mind **suggest**, that an apartment building of any size or magnitude be placed in this location!!!!

We value our privacy and have no desire to have a large building staring down into our yard or home. It is also hard to believe that the City of Guelph would encourage or promote this type of density in such a spot. The number of trees that would be destroyed in the process will most certainly take away from the look of this mature location. We have been lead to believe that the development would fit in and resemble the current array of homes in the area. To my knowledge there are NO townhomes and there MOST CERTAINLY IS NO APARTMENT BUILDING!!!!

Our home will be directly behind the apartment building and feel we will be greatly affected by noise, traffic and possibly those wanting to take short cuts through our property. We have lived through a similar circumstance in our previous home and do not wish to have to deal with this problem again!

As our Mayor and councillors, we ask that you support the residents in this area and actually listen to our concerns and suggestions. As mentioned above, we all know progress happens, but to disregard the current residents' wishes and thoughts shows a blatant disregard for current residents/TAXPAYERS.

We will attend the meeting on October 5th in order to show our concern and support for those working on our behalf to make this development one that is amicable to all concerned parties. PLEASE DO NOT dismiss this note as one from complaining citizens. We love our home and the City of Guelph and have appreciated our beautiful surroundings for the past 8 years. We hope that this can continue for many more years to come!.

Diane and Glenn Smale

From: Michael Carriere

Sent: September 29, 2009 10:24 PM

Subject: Development at 146 Downey Road

Dear Councillors Billings & Wettstein,

I would like to express some of my concerns to you about the proposed rezoning and development at 146 Downey Road and I'm asking for your support in opposing the proposed bylaw amendment to change the zoning of this property. Below are some of my main concerns.

1. Lack of a final proposal for development - At present, the developer is proposing at least three plans for the site which range from 29 - 60 units. How can the residents surrounding this development or the Council make an informed decision to support or reject the development when there is no firm plan in place?

Shouldn't the developer come forward with a final proposal for the site before the Council changes the zoning? Why would Council allow for rezoning without knowing what the developer's real intentions are? This fact alone should be enough for the council to categorically deny the request for rezoning.

2. Traffic - The present flow of traffic and high rate of speed travelled on Downey Road can make it a dangerous place to drive, ride your bike, and use the sidewalk. Not only is it busy with residents of the community, but also with many cars that use Downey Road as an alternative to the Hanlon Expressway. With the increased traffic expected due to the Hanlon Creek Business Park, adding another 29-120 cars (1-2 cars / unit) at 146 Downey will certainly make Downey Road even less safe for both cars, cyclists, and most importantly, the numerous children that walk (across what will be the access way to this development) to Kortright Hills Public school, including my own two young children. What evidence is there that these issues are going to be addressed by the developer and the City to ensure the safety of all residents?

3. Inconsistency of proposed development with existing neighbourhood and Places to Grow Act - Many times I've heard that the Places to Grow Act demands intensification. Upon reading Places to Grow: Growth Plan for the Greater Golden Horseshoe, there is no doubt that this is the case for the City of Guelph as a whole. However, I'm not convinced that the Act states anywhere that every parcel of land being developed must be intensified, just the City as a whole must meet its intensification targets. Also, the guiding principles state that development should lead to "Compact, vibrant and complete communities" and that development should "Protect, conserve, enhance, and wisely use the valuable resources of land, air and water for current and future generations." As well, the guiding principles promote "collaboration of all sectors - government, private, non-profit - and residents to achieve the vision." Additionally, section 2.2.3.7 states that "All intensification will be designed and planned to -

" "c) provide high quality public open spaces...that create attractive and vibrant places," "d) support transit, walking and cycling for everyday activities," "f) achieve an appropriate transition of built form to adjacent areas." I would guess that the developer is using the Places to Grow Act to justify proposing such a high density development. However, upon reviewing the proposals, it appears that he has not taken into account the guiding principles and the general intensification policies in section 2.2.3. None of the current proposals meet these

criteria, as the development will not lead to a vibrant or complete community, protect valuable natural resources (What happens to all the trees on the lot? How will the intensification affect groundwater and surface water in the Hanlon Creek? What species occupy the current property and how will they be affected?), there has been no collaboration with residents (even though the developer promised to involve the community throughout this process), and clearly there is not an appropriate transition of built form to adjacent areas (nowhere within the Kortright Hills neighbourhood is there a highrise, multi-unit dwelling, let alone one beside a single family dwelling).

I would like to thank you for taking time to read through some of my concerns with this development. As my elected representative for Ward 6, I ask that you support me in opposing the change to zoning and this development as it is currently proposed. Please respond to this e-mail confirming your support.

Thank you and take care,

2009-09-29

Robert & Jennifer Holmes
Guelph, On N1C 1A3

Mr Hearne

Sir, this letter is intended to advise you of some concerns and objections we have to the submission for the property known as 146 Downey Rd. We live directly across from the subject site. We have had a chance to review all three of the proposed development options and have concerns regarding all three.

We would like to outline our questions and concerns regarding the proposed development as clearly as we can for your consideration.

1. The zoning is inconsistent with the zoning of single family dwellings in the neighbourhood. It is currently zones as urban reserve. We would like to see it remain that way especially because the HCBP will be removing green space from the area.
2. There appears to be only one entrance/exit to the proposed complex. We have concerns that even conservatively estimating 2 people per home we expect at least 100 vehicles attempting to enter and exit onto Downey Rd in the morning and afternoon rushes. Since the addition of the subdivision at Teal we have noticed a marked increase in the traffic and are concerned that with the entrance to 146 Downey being so close to the Teal intersection there will be an increased risk of accidents directly in front of our home. People who are turning left from Downey onto Teal already move into the centre lane prematurely and we have had to face head-on traffic while waiting to turn left into our own driveway. This situation can only be expected to get worse once more cars are trying to turn left into 146 Downey.
3. We are concerned that the garbage from the 29 - 60 units will be piled up on Downey Rd on pick up days and we will be forced to view 15 foot long stacks of garbage waiting on the curb side. If the access driveway were to be continued through to Teal in the back, the complex could pile their waste on Teal where it would only be across from an empty field.
4. The proposed apartment building does not have direct access to a service road. Apartments typically have higher volume of deliveries, services and access to public transit and have direct access from streets. The proposed design has the building located at the back of the site – making access difficult.
5. This use to be a very pleasant place to live largely because of the diversity of wildlife in the area and the quiet and peaceful neighbourhood. It is being turned in to an urban, highly developed ghetto where the only wildlife we will be enjoying will be rats and skunks.
6. What is role of the residents that were contacted? Will the input of the residents have any weight in the decision process for the actual zoning and development? Reviewing the documentation it appears that the city is requesting the developer to build an apartment – does the city have a predetermined plan that includes an apartment in this

area regardless of the desired of the neighbourhood?

7. Will the city reconsider the resident property tax if the development proceeds?

We look forward to hearing back from you.

Thank you for letting us share our concerns with the city council.

We hope our concerns are taken into consideration when assessing the development for 146 Downey Rd.

Regards

Robert & Jennifer Holmes

From: Ken & Shirley Greenwood

Sent: Tuesday, September 29, 2009 7:17 PM

Subject: Proposed Infill Development - 146 Downey Road

September 29th, 2009

After having reviewed the three concept plans submitted by the Developer for the proposed infill development at 146 Downey Road, I have the following concerns and respectfully request that these concerns be taken into account when discussion on this development takes place:

- All three versions of the proposed development are definitely inconsistent with our existing Kortright Hills neighbourhood in density, height and visual design.
- The property itself is considerably higher than most of the adjacent neighbourhood, so that the excessively-high townhouses, which the developer is proposing and had to ask for special zoning to build, will appear to dominate the neighbourhood even more than expected.
- In addition, the height of the townhouses proposed will likely create a significant shadowing across existing properties.
- Under Concept Plan "C", by adding fill to the east side of the property, which has a difference in elevation of 5.5 meters, this will increase the prominence of the apartment building even more. Where will this fill come from and what efforts will the developer make to contain dust and runoff during construction.
- What the developer calls a "four storey apartment", from the rear view, will quickly turn into a 6 storey building with the addition of lower level parking, a roof, and the height of the fill.
- The excessive height of the proposed apartment building, combined with the geographic prominence of the site will result in a visual desecration of the beautiful neighbourhood that the existing residents and the City of Guelph have created and enjoyed over the last 25 years.
- The developer is asking for special zoning for the eastern portion of the property because of the right-of-way required by the high-pressure natural gas pipeline that runs across the property. The basement walls of the proposed apartment building will directly abut the easement, and with construction so close to the gas pipeline, could pose a significant risk to the entire neighbourhood as a single accident could result in a cataclysmic explosion.
- The developer is also requesting a minimum setback far less than that which is permitted according to the current zoning standards. This will contribute to the shadowing and magnify the dominance of these buildings over the existing neighbourhood.
- These proposed setback reductions will create a fishbowl effect where the new townhomes will overlook adjacent properties, even further reducing

- the current residents' enjoyment of their properties.
- The developer's plans appear inconsistent as they show a setback of 6 metres for the townhouses, but he then requests permission to build the front of the townhouse within 3 metres of the sidewalk.
 - The developer is requesting permission to allow "an attached or detached garage to be located within the rear yard" of the houses planned for Downey Road, but once again, the plans do not reflect this. This form is completely inconsistent with the neighbourhood as there are no homes in this area with rear garages.
 - The developer is requesting smaller lot sizes and less landscaped area than current zoning requires. The density of this development is completely inconsistent with the existing neighbourhood.
 - While the developer is claiming that the existing house will be retained, the proposal is requesting zoning changes to allow splitting of the house into four separate apartments. I understood from Councillor Piper that this home had been indexed as a Heritage Home, which to me this proposal is a violation of such a property, especially as it would be surrounded by high density housing.
 - As a current resident in the area of 146 Downey, the developer's request for flexible zoning is of great concern for me personally and for our neighbourhood in general. It appears that once approved, the residents of Kortright Hills neighbourhood will have no say in the final design of the development, which basically means, if approved for the requested R4 zoning on Area 4 of his proposal, could allow the developer to build an 8 storey apartment building. This is like giving the developer a "blank cheque."
 - The scale and scope of the specific changes to the zoning standards requested by the developer suggest that the proposed plans are inconsistent with the site and with the framework of the City of Guelph's existing zoning bylaws, so it doesn't make sense to me why this Council would even give consideration to such a request.
 - The property includes a wedge of land identified by the City of Guelph as "*lands with one of the following: locally significant wetlands, significant woodlots, natural corridor or linkage*", and is adjacent to a Provincially Significant Wetland, a wildlife corridor, and a major green space that connects to other green spaces in the City of Guelph. I am very concerned that the documentation submitted by the developer does not address the critical issues involved in construction in such a sensitive and important environment.
 - The fact that the developer is requesting special exemption to eliminate 241 of the 256 trees, so that the development site can be even denser than standard zoning allows, with less landscaping that is required, to me is appalling. What is now a beautiful property full of mature trees will become a barren wasteland of paved road, parking lots and concrete sidewalks.
 - Groundwater from portions of the property will drain directly onto the

meadow and wetlands that are adjacent to the property. Since most of the property will be covered with impenetrable buildings, roads, parking spots, driveways and sidewalks, a great deal of runoff will be generated and this may have a deleterious effect on the adjacent meadow and wetlands.

- I also understand that City Planning staff are apparently proceeding with a process that differs significantly from the existing City of Guelph planning process, which gives me great concern. Apparently, at the request of City Planning staff, the developer has not provided a specific development plan, but has provided a range of plans and is requesting zoning approval for the most-dense option. Council should reject this proposal as submitted and direct City Planning staff to follow existing planning procedures.
- I am disturbed that City Planning staff, despite the vehement opposition of residents present at the meeting held on January 20, 2009, subsequently appeared to direct the developer to include an apartment building in the proposal. This is a flagrant disregard for the clearly-expressed views of residents who have to live with this proposed plan.
- The traffic study submitted by the developer is based on out-of-date information, as the traffic levels used in the study do not take into account the increase in traffic that will result from the development of the Hanlon Business Park directly to the south.
- This traffic study also does not take into account the speed of cars travelling in that area. Cars entering Downey Road from the driveway of the property will have to merge with traffic that has been proven to travel well in excess of posted speed limits. This is a very dangerous situation and poses a serious safety risk for neighborhood residents and in fact all cars travelling on Downey Road.
- Having already spoken to the School Board Trustee, the present schools in the area are already over capacity and therefore any children that live in this proposed development will have to be bussed to other locations. The school buses themselves will add to the traffic concerns.

I strongly urge City Council to give consideration to allow the residents to work together with the Developer and City Planning to create a new proposal that would better meet all needs.

Shirley and Ken Greenwood

***Issues and concerns regarding the proposed development at 146 Downey Road:
September 30, 2009***

Neighbourhood residents need to be involved in the planning of this development to **ensure quality and consistency**. The developer's request for flexible zoning creates **uncertainty** for all residents in our neighbourhood. It appears that once approved, the residents of Kortright Hills neighbourhood will have no say in the final design of the development.

All three versions of the proposed development are **inconsistent** with our existing Kortright Hills neighbourhood in density, height and visual design.

The scale and scope of the specific changes to the zoning standards requested by the developer suggest that the proposed plans are **inconsistent** with the site and with the framework of the City of Guelph's existing zoning bylaws.

The property is **considerably higher** than most of the adjacent neighbourhood, so that the excessively-high townhouses, for which the developer is **asking special zoning**, will appear to dominate the neighbourhood even more than expected. The **excessive** height of the proposed apartment building, combined with the geographic prominence of the site will result in a **visual desecration** of the beautiful neighbourhood that we residents and the City of Guelph have created and enjoyed over the last 25 years.

The height of the townhouses proposed will likely create significant shadowing across existing properties on Teal Drive, greatly reducing the current residents' enjoyment of their properties. The proposed setback reductions will create a fishbowl effect where the new townhomes will overlook adjacent properties, even further reducing the current residents' enjoyment of their properties.

The property includes a wedge of land identified by the City of Guelph as "lands with one of the following: locally significant wetlands, significant woodlots, natural corridor or linkage", and is adjacent to a Provincially Significant Wetland, a wildlife corridor, and a major green space that connects to other green spaces in the City of Guelph. I have personally witnessed & photographed deer on the land in question on several occasions. I am concerned that the documentation submitted by the developer **does not address the critical issues** involved in construction in such a sensitive and important environment.

City Planning staff are apparently proceeding with a **process that differs significantly** from the existing City of Guelph planning process. At the request of city Planning staff, the developer has not provided a specific development plan, but has provided a range of plans and is requesting zoning approval for the most-dense option. Council should **reject** this proposal as submitted and direct city Planning staff to follow existing planning procedures.

I am very concerned that city Planning staff, despite the vehement opposition of residents present at the meeting held on January 20, 2009, subsequently directed the developer to include an apartment building in their proposal. This is a **flagrant disregard** for the clearly-expressed views of residents.

The traffic study submitted by the developer does not take into account the speed of cars travelling in that area. Cars entering Downey Road from the driveway of the property will have to merge with traffic that has been proven to travel well in excess of posted speed limits. This is a very dangerous situation and poses a **serious safety risk** for neighborhood residents and in fact all cars travelling on Downey Road.

Also, the traffic study submitted by the developer is based on out-of-date information, as the traffic levels used in the study do not take into account the increase in traffic that will result from the development of the Hanlon Business Park directly to the south. The increased amount of traffic will greatly increase the **danger** to young children walking to school on a daily basis.

The developer is proposing eliminating 241 of the 256 trees on the development site, and requesting **special exemption** so that the development can be even **denser** than standard zoning allows with less landscaping that required. What is now a beautiful property full of mature trees will become a barren wasteland of paved road, parking lots and concrete sidewalks. The tallest pine tree is a significant landmark and source of visual pleasure directly from my residence, the loss would greatly affect my view, a major factor in my living in this area.

Groundwater from portions of the property will drain directly onto the meadow and wetlands that are adjacent to the property. Since most of the property will be covered with impenetrable buildings, roads, parking spots, driveways and sidewalks, a great deal of runoff will be generated and this may have a **harmful** effect on the adjacent meadow and wetlands. This will affect an area that already floods significantly every spring.

The property has a difference in elevation of 5.5 metres, and the developer mentions adding fill to the east side of the property. Where will this fill come from and what efforts will the developer make to contain dust and runoff during construction?

Adding fill to the east side of the property will increase the prominence of the apartment building even more. To what the developer calls a “four storey apartment”, there is added lower level parking, a roof, and the height of the fill. The “four storey apartment” quickly approached the height and dominance of a six storey apartment building.

The developer is asking for **special zoning** for the eastern portion of the property because of the right-of-way required by the high-pressure natural gas pipeline that runs across the property. The basement walls of the proposed apartment building will directly abut the easement, and construction so close to the gas pipeline poses a **significant risk** to the entire neighbourhood as a single accident could result in a cataclysmic explosion.

The developer’s plans appear **incomplete** as they show a setback of 6 metres for the townhouses, but he then requests permission to build the front of the townhouse within 3 metres of the sidewalk.

The developer is requesting permission to allow “an attached or detached garage to be located within the rear yard” of the houses on Downey Road, but the plans do not reflect this. This form is completely **inconsistent** with the neighbourhood as there are no homes in this area with rear garages.

The developer **is requesting minimum setback far less that permitted in current zoning standards**. This will contribute to shadowing and magnify the dominance of these buildings over the existing neighbourhood.

The developer is requesting smaller lot sizes and less landscaped area than current zoning requires. The density of this development is completely **inconsistent** with the existing neighbourhood.

While the developer is claiming that the existing house will be retained, the proposal is requesting zoning changes to allow splitting the house into four separate apartments. This is **inconsistent** with the existing neighbourhood.

All of these proposals require “**special exemptions**” from Guelph City Council to enable the Developer to be able to fit in the housing he is proposing. **The question I am asking the Council is why you would even consider granting him approval on even the lowest density, if he has to have special exemptions to even build that when it’s obviously inconsistent with the current neighborhood design?**

Regards,

Proposed Zoning Bylaw Amendment for 146 Downey Road
Some Constructive Criticism

September 30, 2009

Prepared by: Wendy Powell

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September 30, 2009

City of Guelph
City Hall
1 Carden Street
Guelph Ontario
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RE: Proposed Zoning Bylaw Amendment for 146 Downey Road

In August of 2009 Seaton Ridge Community submitted a zoning by-law amendment application to the city of Guelph for the property at 146 Downey Road (Grant, 2009). This property is currently zoned Urban Reserve (UR) and therefore would require rezoning if it is to become a residential development as the Seaton Ridge Community proposes.

Seaton Ridge Community has brought forward three proposals. In the proposals the lot is divided into four parts. The zoning requested for each part is different. The zoning requested for the western part of the property is R.1C; for the centre, which is the majority of the property, it is R.3A. The zoning requested for the eastern part is "flexible" zoning or R.4-??. The zoning requested for the small area that surrounds the old farmhouse is R.3A-?? (Grant, 2009).

The request for flexible zoning is a concern. Flexible zoning would leave what is built to the discretion of the owner of the property and is in direct conflict with the "Official Plan" (Guelph, 2006). The Official Plan is a document that embodies the "City's aspirations" for future land use in the city. One of the purposes of the plan is "to reduce uncertainty concerning future development" (Guelph, 2009). Flexible zoning would increase uncertainty dramatically.

In 2005 the province of Ontario passed the Places to Grow Act, 2005 (Ontario, 2005). The purpose of this legislation was to "accommodate future population growth, support economic prosperity and achieve a high quality of life for all Ontarians" (Ontario, 2005). This act states that a proposed growth plan must be prepared for each municipality that is designated as part of the growth plan area. Guelph is in this area. The plans are recognized and adopted by the Minister and can only be amended by going through a specified process as outlined in the Act (Ontario, 2005).

The "Official Plan" (Guelph, 2006) and "Growth Plan for the Greater Golden Horseshoe" (Ontario, 2006) were both written to address the requirements of the Places to Grow Act. These plans both outline population density targets, requirements for infill and parkland. They were developed to address the concerns about the predicted increase in population of southern Ontario over the next few decades.

The property at 146 Downey Road is 1.28 hectares. According to both the Official Plan and the Growth Plan for the Greater Golden Horseshoe, the density requirement for this type of development is 50 people per hectare (Guelph, 2006 and Ontario, 2006). That means that housing in this area must be sufficient to house 64 people.

According to a report prepared for the Brampton City Council, dated June 10, 2009, the average number of people living in a single family dwelling in Brampton, Markham, Vaughan, Oakville and Mississauga is between 3.1 and 4 (Brampton, 2009). The city was also able to show that the average number of people living in a single-family dwelling has increased by 18% between 2004 and 2009 (Brampton, 2009).

Using these density numbers, the site at 146 Downey would require between 16 and 20 single family dwellings to meet the standard set out in the Official Plan. A quick glance at the proposals submitted by Seaton Ridge Community demonstrates that there is ample room on this site for this number of single-family dwellings.

In addition to the above, the Official Plan states in Section 2.3 Major Goals of the Official Plan:

The Official Plan is based upon a number of goals that provide the broad framework for the development and planning of the City. Goals are general statements of intent that describe a desired future condition.

6. Ensure that any development in established areas of the City is done in a manner that is sympathetic and compatible with the built form of existing land uses (Guelph, 2006).

All of the existing land uses in the area consist of open preserved green spaces and single-family dwellings.

It has been said that the density numbers in the Official Plan may be insufficient to meet the predicted population growth for this area. If this is in fact the case the Official Plan should be amended, as it was in 2006, using the official channels. An opinion that the Official Plan is insufficient should not supersede the Official Plan.

A tree survey was done by Natural Resource Solutions Inc. (Natural, 2009). 256 trees were recorded on the property representing 11 different species. (Natural, 2009). A plantation of 83 scots pine trees was designated as CUP3-3 on Figure 1 (APPENDIX I) of the report by Natural Resource Solutions Inc. (Natural, 2009). It was assumed in the report that these trees would simply be removed. That is not surprising because the

report contains all three proposals, so the proposals were created before the Environmental Impact Study and Tree Inventory were concluded.

Another aspect of the Official Plan that is not respected by the submission by Seaton Ridge Communities is section 7.12.16 Parkland Dedication

7.12.16 The City will **require** parkland dedication from *development* proposals in accordance with the following formulae:

- a) Where the density of residential development is 15 units/hectare (6 units/acre) or less, 5 per cent of the development or plan of subdivision lands are to be dedicated for parkland purposes.
- b) Where the density of residential development is greater than 15 units/hectare (6 units/acre), parkland is to be taken at the rate of one hectare of park space for every 300 *dwelling units* of development or portion thereof (Guelph, 2006).

Five percent of 1.28 hectares is a plot of land approximately 25.5 m². A majority of the scots pine plantation could be left as it stands if this part of the Official Plan was enacted. The single-family dwellings that front onto Downey could accommodate more of this plantation in their backyards. Additional trees could be preserved on the 146 Downey property by considering their locations before the lines between the single family dwellings are determined. The preservation of trees is desirable and the zoning by-law amendment application says, "A detailed tree Retention Plan and Landscape Plan will be prepared during Site Plan process" (Grant, 2009).

Trees also play an important role in producing oxygen and reducing carbon dioxide in the atmosphere. "A mature leafy tree produces as much oxygen in a season as 10 people inhale in a year." (Nix, 2009). "Studies have shown that trees contribute as much as 27% of the appraised land value in certain markets" (Howe, 1989).

The Official Plan says in Section 3.5.14:

"The City will encourage measures to preserve mature trees of scenic value, and any other cultural heritage landscape resources of heritage significance. Existing trees, tree and hedge lines should be an essential consideration in the design of any development proposal. The City will consider measures to preserve mature, desirable trees along streets and roads, except in circumstances where removal is necessary because of disease, damage, or to ensure public health and safety."

The tree survey speaks to the relative 'safety' of the trees. It is important to stress that more people are killed by cars than by trees and as long as cars are going to be let into the subdivision there is very little argument that can be made to remove trees because of safety hazards, except for the truly damaged and rotting trees.

The environmental plan also speaks about the wildlife on the site. Two species at risk were spotted at the site: the eastern or northern ribbonsnake and the eastern milksnake (Natural, 2009). "The Eastern milksnake occupies a wide variety of habitats including field, swamp and open woodlot" (COSEWIC, 2002). It is not unreasonable to conclude that this, at risk, snake might make the scots pine woodlot home.

Heritage Guelph has requested that the existing house remain on the property and the proposal is in line with this (Grant, 2009). It is curious that we have legislation to protect old homes that humans have built but we do not show the same consideration for the old trees that people have planted.

By zoning this property R1 and maintaining as many of the current trees, bushes and inhabitants as possible, the proposed development of the property at 146 Downey is a perfect opportunity to put the City of Guelph Official Plan into action and to create a truly beautiful subdivision.

Thanks for taking the time to read this comments.

Wendy Powell

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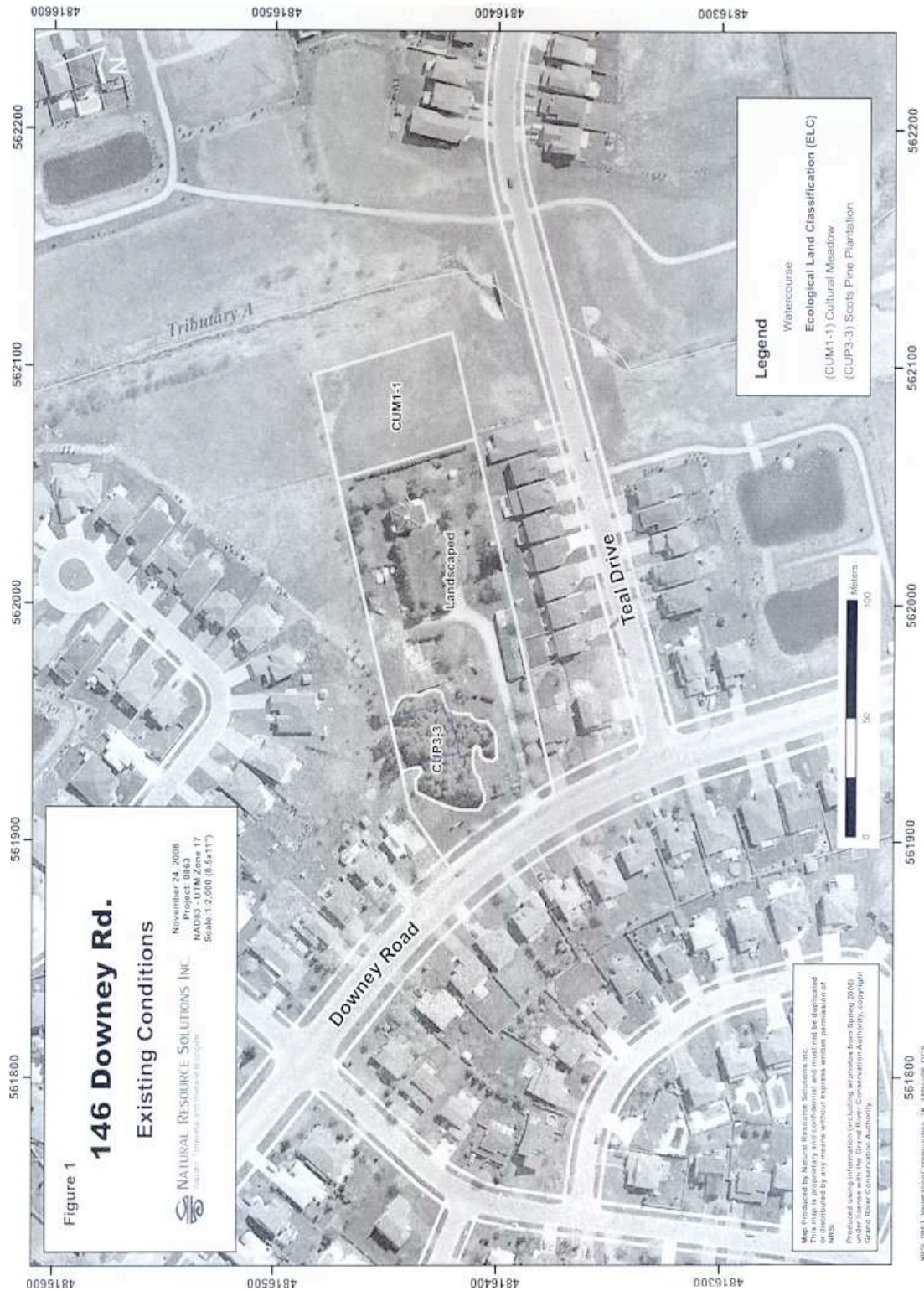
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APPENDIX II



September 30, 2009

To the Mayor, all City Councillors and City Planning

**Re: Issues and concerns regarding the proposed development at 146
Downey Road**

Issues:

- All three versions of the proposed development are inconsistent with our existing Kortright Hills neighbourhood in density, height and visual design.
- The property is considerably higher than most of the adjacent neighbourhood, so that the excessively-high townhouses, for which the developer is asking special zoning, will appear to dominate the neighbourhood even more than expected.
- The scale and scope of the specific changes to the zoning standards requested by the developer suggest that the proposed plans are inconsistent with the site and with the framework of the City of Guelph's existing zoning bylaws.
- City planning staff is apparently proceeding with a process that differs significantly from the existing City of Guelph planning process. At the request of city Planning staff, the developer has not provided a specific development plan, but has provided a range of plans and is requesting zoning approval for the most-dense option. Council should reject this proposal as submitted and direct city planning staff to follow existing planning procedures.
- The excessive height of the proposed apartment building, combined with the geographic prominence of the site will result in a visual desecration of the beautiful neighbourhood that we residents and the City of Guelph have created and enjoyed over the last 25 years.
- I am very concerned that city Planning staff, despite the vehement opposition of residents present at the meeting held on January 20, 2009, subsequently directed the developer to include an apartment building in their proposal. This is a flagrant disregard for the clearly-expressed views of residents.
- Also, the traffic study submitted by the developer is based on out-of-date information, as the traffic levels used in the study do not take into account the increase in traffic that will result from the development of the Hanlon Business Park directly to the south.
- The height of the townhouses proposed will likely create significant shadowing across existing properties on Teal Drive, greatly reducing the current residents' enjoyment of their properties.
- The proposed setback reductions will create a fishbowl effect where the new town homes will overlook adjacent properties, even further reducing the current residents' enjoyment of their properties.
- The developer's request for flexible zoning creates uncertainty for me as a resident and our neighbourhood in general. It appears that once approved, the residents of Kortright Hills neighbourhood will have no say in the final design of

the development.

- The developer is asking for special zoning for the eastern portion of the property because of the right-of-way required by the high-pressure natural gas pipeline that runs across the property. The basement walls of the proposed apartment building will directly abut the easement, and construction so close to the gas pipeline poses a significant risk to the entire neighbourhood as a single accident could result in a cataclysmic explosion.
- The developer's plans appear incomplete as they show a setback of 6 metres for the townhouses, but he then requests permission to build the front of the townhouse within 3 metres of the sidewalk.
- The developer is requesting minimum setback far less than permitted in current zoning standards. This will contribute to shadowing and magnify the dominance of these buildings over the existing neighbourhood.
- The developer is requesting smaller lot sizes and less landscaped area than current zoning requires. The density of this development is completely inconsistent with the existing neighbourhood.
- The developer is requesting permission to allow "an attached or detached garage to be located within the rear yard" of the houses on Downey Road, but the plans do not reflect this. This form is completely inconsistent with the neighbourhood as there are no homes in this area with rear garages.
- While the developer is claiming that the existing house will be retained, the proposal is requesting zoning changes to allow splitting the house into four separate apartments. This is inconsistent with the existing neighbourhood.
- The property has a difference in elevation of 5.5 metres, and the developer mentions adding fill to the east side of the property. Where will this fill come from and what efforts will the developer make to contain dust and runoff during construction.
- Adding fill to the east side of the property will increase the prominence of the apartment building even more. To what the developer calls a "four storey apartment", there is added lower level parking, a roof, and the height of the fill. The "four storey apartment" quickly approached the height and dominance of a six storey apartment building.
- The traffic study submitted by the developer does not take into account the speed of cars travelling in that area. Cars entering Downey Road from the driveway of the property will have to merge with traffic that has been proven to travel well in excess of posted speed limits. This is a very dangerous situation and poses a serious safety risks for neighbourhood residents and in fact all cars travelling on Downey Road.

Concerns

- The property includes a wedge of land identified by the City of Guelph as "lands with one of the following: locally significant wetlands, significant woodlots, natural

corridor or linkage”, and is adjacent to a Provincially Significant Wetland, a wildlife corridor, and a major green space that connects to other green spaces in the City of Guelph. I am concerned that the documentation submitted by the developer does not address the critical issues involved in construction in such a sensitive and important environment.

- The developer is proposing eliminating 241 of the 256 trees on the development site, and requesting special exemption so that the development can be even denser than standard zoning allows with less landscaping that required. What is now a beautiful property full of mature trees will become a barren wasteland of paved road, parking lots and concrete sidewalks.

- In-water work such as dredging and installation of cages and on-land disturbance leading to erosion can degrade water quality. Materials and wastes pose hazards to environmental quality, migratory birds and species at risk

- Contamination/degradation from solid waste accumulation. Reduce water and habitat quality. Spill or releases of hazardous products, construction activities may involve the use of hazardous substances such as petroleum products, fresh concrete, concrete additives, preservatives, paints, solvents, process chemicals, and cleaning agents.

- Machinery, equipment, and personnel associated with construction activities represent sources of sensory disturbance e.g. noise, light to migratory birds and species-at-risk and quite neighbourhood.

- Groundwater from portions of the property will drain directly onto the meadow and wetlands that are adjacent to the property. Since most of the property will be covered with impenetrable buildings, roads, parking spots, driveways and sidewalks, a great deal of runoff will be generated and this may have a deleterious effect on the adjacent meadow and wetlands.

- Environmental effects of extraction and processing of materials, which are used in the building fabric of prefabricated building.

- Excessive use of scarce water resources.

- Air impacts/pollution caused by the transport of construction site accommodations to and from the construction site.

- Possible generation of effluents that can lead to water pollution

Regards,

Dianne Tran

Chan Tran

Dianne and Chan Tran

Hello Mayor Farbridge, City Councillors and Allan Hearne (Sr. Development Planner)

My name is Karen Lee and I live in the Kortright Hills community. Following is a list of my concerns about the proposed development at 146 Downey Road. While I could embellish each point, I am sure you have sufficient information about each of these points to make this unnecessary.

- The excessive height of the proposed apartment building resulting in an impact on the current visual beauty
- The developer's request for flexible zoning
- The impact of the development on the Provincially Significant Wetlands
- Lack of a specific development plan versus a range of plans requesting zoning approval for the most dense option
- The inclusion of an apartment building despite opposition from residents at the January 20, 2009 meeting
- Increased traffic with the potential to impact safety and noise levels
- Apparent lack of attention to the impact of both this development and the Hanlon Business Park directly to the south
- Eliminating trees is in direct opposition to everything "green" and the ambitious plans in other communities to plant trees
- The detrimental effect of "ground water runoff" on the adjacent meadow and wetlands
- Inconsistencies in the developer's plan with the intention to include rear garages
- Density, smaller lot sizes and less landscaped areas are outside the current zoning requirements

I am fully aware that the development will proceed and this is not my issue. My reason for getting involved is to ensure that everyone – developer, residents and the city - reach a collaborative and harmonious conclusion to this initiative in the south end of our beautiful city.

Submitted with respect by

Karen & Wayne Lee

Adrian & Carol Dangerfield,
142 Downey Road,
Guelph,
Ontario.
N1C 1A3

RECEIVED
SEP 30 2009
CITY CLERK'S OFFICE

29th September, 2009

City Council,
City Clerk's Office,
City Hall,
1 Carden Street,
Guelph.
N1H 3A1

Dear Mayor Farbridge & Councillors,

Please find enclosed our objections to the proposed development at 146 Downey Road, Guelph.

Three versions of the proposed development are being submitted and they are all inconsistent with our existing Kortright Hills neighbourhood in density, height and visual design. From the developers own comments on page 3 of their submitted Zoning By-Law Amendment Application they clearly state this neighbourhood "is an existing primarily single detached neighbourhood" and yet they have come forward with such an inconsistent design for the area. From your papers Schedule 1 Proposed Zoning it is evident Downey Road is R.1A, to suddenly have 3 R.1C is inconsistent. Also to note in Mr. Hearne's notes the frontage is 56m yet the developers say the site is 64m wide, 3 houses, a road, necessitating in the removal of a tree whose roots will be under our property, to make room for excessive housing is not compatible with the existing neighbourhood.

The existing property is considerably higher than most of the adjacent neighbourhood, so that the excessively high townhouses, for which the developer is asking special zoning, will be elevated above the neighbourhood and will appear to dominate the neighbourhood even more than expected. The height of the townhouses proposed will likely create significant shadowing across existing properties on Downey Road, Teal Drive and Hazelwood Drive, greatly reducing the current residents' enjoyment of their properties, and will be detrimental to the growth of trees and plants already planted. Our rear garden backs onto the townhouses and our side and front gardens will be overshadowed by the single dwelling houses, what was once a quiet peaceful area will be overlooked, cast into shadow along with associated noise and light pollution. The single dwellings are also not in keeping with the area, they are not set back far enough from the sidewalk and as such

extend beyond the building lines for houses either side of them and along the entire length of Downey Road. This will create a public hazard, whilst trying to get out of driveways vision will be blocked and as this is a major walkway for the children from Teal area to walk to school the proximity to the sidewalk will result in accidents to pedestrians and motorists.

The developer is requesting permission to allow "an attached or detached garage to be located within the rear yard" of the houses on Downey Road, but the plans do not reflect this. This form is completely inconsistent with the neighbourhood as there are no homes in this area with rear garages. It would appear this proposal is because the single dwelling lots are so narrow it would be impossible to build a house size in keeping with the area and add a garage onto the house. The plan says the single dwelling houses will not form part of the condo area, if a road has to be put in for access to the garages who will maintain this? Where during winter months will the snow be put? The fact it is not shown on the plan does not reflect how little frontage and how little rear garden, will be left. This is a neighbourhood built around family values and green space from trails and homeowner's gardens, this proposal is against all that has been achieved so far. If garages are placed in the rear gardens of these single houses the fumes will pass into our rear garden, my wife has poor lung function and an undiagnosed neuromuscular disease this pollution will affect her considerably during summer when she is outside in the garden and in winter when our windows are open to enable her to breathe. Our quality of life will also be affected with the noise of vehicle engines in our rear garden and the physical sight of brick garages in what once was a treed area. The other drawback is if 3 single dwelling houses are put on Downey Road that would create only enough room for a single garage either front or rear. Downey Road is a 2-vehicle garage neighbourhood because it is family orientated, if these houses have single garages where would additional vehicles park? During the summer months they could cause obstructions by parking on Downey Road overnight but where will they be put during the winter months, there is insufficient parking in the condo development and as they are not part of the condo development theoretically they cannot park in the area and as such each house must be confined to one vehicle which in this day and age is unreasonable to expect from families. Another factor is where would their visitor's park? Right now with double driveways and garages most houses on Downey Road can easily house 6 vehicles. The developer is requesting smaller lot sizes and less landscaped area than current zoning requires which does not reflect family based accommodation. The density of this development is completely inconsistent with the existing neighbourhood.

The developer has also put in his notes that the lots will be shallower than normal lots, by their own admission they are small and not in keeping with the area. If this development is being aimed at student use it will create more noise pollution to residents and garbage problems. Other areas of the City regularly have problems with abandoned furniture, garbage not sorted correctly and we are not as stated on a bus route to enable students to travel easily to the University. The bus route is on Ptarmigan Drive towards Woodland Glen, the bus service does not come down through this part of Downey Road. This poses the question that if students share the townhouses where will all the extra vehicles be put? During party season (September to May) will there be sufficient by-law police to patrol

this area for excessive noise and overnight vehicles? While the developer is claiming that the existing house will be retained, the proposal is requesting zoning changes to allow splitting the house into four separate apartments. Turning the existing house into effectively 4 bedsits must also be aimed towards students and yet no parking was shown for the house. This is inconsistent with the existing neighbourhood

The developer's request for flexible zoning creates uncertainty for me as a resident and our neighbourhood in general. It appears that once approved, the residents of Kortright Hills neighbourhood will have no say in the final design of the development. We have made several requests to the developer regarding how he proposes to deal with the grading of our land towards the development and what will happen to two specific trees..

Currently on the plan the majority of trees shown actually belong to the local residents, there does not appear to be the number of trees suggested to be saved by the tree report shown on the plan, instead 246 out of 251 are to be felled. There is an extremely large and characteristic tree within 6 feet of our property which provides good shade for the house in summer meaning we use less air conditioning, from digging on our own land we have encountered massive roots next to our foundations. This tree would be moved to accommodate one of the single dwelling houses, the root decay if this tree were to be removed would be extensive and we worry if our house will subside or at least have its foundations cracked. Therefore we are concerned both for the character of the tree and what damage we will incur if it is removed. There is another tree also within a couple of feet of an existing tree which were both planted together and have become entwined, again removal will cause untold damage to our tree. We are concerned that our trees form canopies over the development area and as such may be cut or damaged with the proposed development, we have tried to communicate with the developer but to no avail on these matters.

The scale and scope of the specific changes to the zoning standards requested by the developer suggest that the proposed plans are inconsistent with the site and with the framework of the City of Guelph's existing zoning bylaws, an example is in appendix 5 Angular Plane Analysis, point 2 "If the City Planning Department wants to use the more schematic/theoretical approach – the angular plane could be decreased somewhat (i.e. less than 58 degrees and closer to the zoning standard of 45 degrees", if we have zoning standards surely these should be adhered to.

The excessive height of the proposed apartment building, combined with the geographic prominence of the site will result in a visual desecration of the beautiful neighbourhood that we residents and the City of Guelph have created and enjoyed over the last twenty five years.

The property includes a wedge of land identified by the City of Guelph as "lands with one of the following: locally significant wetlands, significant woodlots, natural corridor or linkage", and is adjacent to a Provincially Significant Wetland, a wildlife corridor, and a major green space that connects to other green spaces in the City of Guelph. We are concerned that the documentation submitted by the developer does not address the critical issues involved in construction in such a sensitive and important environment. The report

makes mention of MNR reporting that two species at risk, eastern or northern ribbonsnake and eastern milksnake have been observed in the vicinity of the study area.

Both of these species are considered species of special concern nationally and provincially, just because the inspectors did not observe them does not mean they are not there. Following problems with the Hanlon Creek Business Park, it would not appear to be in the City's interest to create further problems from an area, which has wetland connections with the park.

City Planning staff are apparently proceeding with a process that differs significantly from the existing City of Guelph planning process. At the request of city Planning staff, the developer has not provided a specific development plan, but has provided a range of plans and is requesting zoning approval for the most-dense option. Council should reject this proposal as submitted and direct city Planning staff to follow existing planning procedures. OPA 39 stated we were not in a corridor of high-density infill and as such Council should adhere to that.

We are very concerned that City Planning staff, despite the vehement opposition of residents present at the meeting held on January 20, 2009 subsequently directed the developer to include an apartment building in their proposal. This together with uncharacteristic smaller than normal townhouses and single dwelling houses is a flagrant disregard for the clearly expressed views of residents.

The traffic study submitted by the developer does not take into account the speed of vehicles travelling in that area. Vehicles entering Downey Road from the driveway of the property will have to merge with traffic that has been proven to travel well in excess of posted speed limits. This is a very dangerous situation and poses a serious safety risk for neighbourhood residents and in fact all vehicles travelling on Downey Road. There is obviously peak times during the day but even during non-peak times it can take several minutes to get onto Downey Road, factoring in children riding bikes on the pavements which are always obscured by parked vehicles on driveways, mothers walking by, school children and general pedestrians. With the single dwelling houses being so close to the sidewalk this will impact the problem more creating danger to everyone. Only last week a police speed check machine was placed at the corner of Downey Road and Quail Creek Drive, it was catching people leaving Downey Road and entering Downey Road speeding, this has been an ongoing problem. The traffic report suggested most traffic will filter North to access The Hanlon, however once development starts on the expressway most traffic will turn South i.e. Having to cross the lanes when vehicles are already in the middle lane waiting to turn into Teal Drive. From our own personal experience at least once a week whilst travelling South and moving to the middle lane and indicating and slowing down to enter our driveway we have been nearly hit from behind, vehicles who are travelling to Teal Drive think we are also going to Teal and as such fail to notice we are breaking to enter our driveway. If these same drivers are behind us and vehicles trying to turn into this new development it is only a matter of time before a serious collision will occur. This proposed single entrance is too close to Teal and Quail Creek Drive to allow safe driving at the speeds for which people travel on Downey Road both legally and illegally.

The traffic study submitted by the developer is based on out-of-date information, as the traffic levels used in the study do not take into account the increase in traffic that will result from the development of the Hanlon Business Park directly to the south. The neighbourhood will become one traffic jam with countless school children walking to and from school and exiting school buses and crossing the roads creating a hazard zone.

The proposed setback reductions along with extra fill to elevate the properties even more will create a fishbowl effect where the new homes will overlook adjacent properties, even further reducing the current residents' enjoyment of their properties. The privacy all residents currently enjoy will be taken away.

The developer is proposing eliminating 241 of the 256 trees on the development site, and requesting special exemption so that the development can be even denser than standard zoning allows with less landscaping that required. What is now a beautiful property full of mature trees will become a barren wasteland of paved road, parking lots and concrete sidewalks. Another point to note is the developer is asking for the plans to be approved in stages, Gordon Street at the junction of Clair Road was developed in this vein and the land was cleared and nothing done on it for the past 7 years, if the developer is allowed to clear the land and build as the economy predicts we will be enduring soil storms, dust and lack of quality of life from once looking at a beautiful backdrop to a scraped off building site in the middle of an established residential area.

There will certainly be no enjoyment in looking out onto this. It begs the question is it normal for developers to pick and choose when to build? If he is having a financially bad time the land may lay derelict for years to come, which is certainly not infilling the City.

Groundwater from portions of the property will drain directly onto the meadow and wetlands that are adjacent to the property. Since most of the property will be covered with impenetrable buildings, roads, parking spots, driveways and sidewalks, a great deal of runoff will be generated and this may have a deleterious effect on the adjacent meadow and wetlands. Local condo developments have their snow moved to the 'green space' area within the development which come the spring causes a great thaw. This extra snow melt would increase the water level over the meadow and wetlands and flooding onto other land carrying away what was trying to be preserved just because it would seem the natural area to 'dump' this problem during the winter months. The snow cannot be put onto the main road and the single dwelling houses do not have sufficient space between each other and established residents to keep snow banks low so again this will create a driving hazard for everyone concerned to reverse out of our and their properties especially when children (who may be smaller than these snowbanks) are walking to school possibly alone without the guidance of a taller adult.

The developer is asking for special zoning for the eastern portion of the property because of the right-of-way required by the high-pressure natural gas pipeline that runs across the property. The basement walls of the proposed apartment building will directly abut the

easement, and construction so close to the gas pipeline poses a significant risk to the entire neighbourhood as a single accident could result in a cataclysmic explosion. The developer also only showed concept A, has Union Gas also approved concept B and C?

The developer's plans appear incomplete as they show a setback of 6m for the townhouses, but he then requests permission to build the front of the townhouse within 3m of the sidewalk. The single dwellings have a minimum lot frontage of 12m and yet the stacked townhouses are 18m, if townhouses are bigger than the single dwellings, then the single dwellings are certainly not in keeping with the character of the neighbourhood.

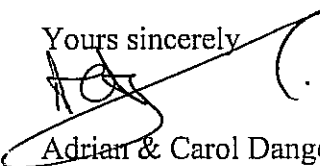
This means with his provision for the driveway not being more than 50% of the width of the front yard the possible parking for a vehicle will only be 6m wide and with the house being set back 6m from the sidewalk this is not leaving sufficient room for parking. The developer is also requesting minimum setback far less than permitted in current zoning standards. This will contribute to shadowing and magnify the dominance of these buildings over the existing neighbourhood, destroying our quality of life, enjoyment of our current home and is not compatible with what is currently built and established around it.

The proposed development will bring higher than average additional residents to this area. Right now the school is filled to capacity, if any of these families have children it would appear they could not attend the local schools and at a cost have to use buses to nearby schools. Currently in Guelph there are corridors as suggested in OPA 39 where developers are custom building communities which are covering the requirement for density and the whole of the neighbourhoods are geared up for new schools, correct zoning and grading for the development, to try and fit a whole isolated incompatible community into an infill site to the detriment of the existing neighbours is abhorrent and City Council should look after its existing residents quality of life and the compatibility with the rest of the existing neighbourhood.

During the initial surveys being undertaken we had reason to ring Van Harten and inform them not to park their vehicles on our driveway, walk through our garden digging up grass without our permission taking measurements and erecting tripods as though they had every right. We informed the developer and Van Harten. Van Harten thought it was hilarious that we were complaining, is this how major players in Guelph treat the rest of the community? What safeguards would be in place if building started, first impressions are not very impressive if the neighbors were not considered in the early stages we will stand no chance in the latter stages. The property has a difference in elevation of 5.5m and the developer mentions adding fill to the east side of the property. Where will this fill come from and what efforts will the developer make to contain dust and runoff during construction. No mention has made put forward about how the developer will safeguard our properties, subsidence, or cracked foundations from earth movement. In new developments houses are built next to each other within months generally, the earth next to our house has not been moved in 21 years, what reports are available to suggest no damage will occur, or if it does how it will be rectified.

We trust this development will not be allowed to continue in its current state, to effectively write a blank cheque to a developer who has 'ideas' about what he 'thinks we need' is wrong. We appreciate this developer has offices in Guelph but he also has offices in Toronto. Toronto residents are used to high density areas high rise apartments and condo units, residents in Guelph are not which is why we chose to live here and not in Toronto. There has been no follow up consultation with neighbours as individuals and how it will affect them or as a group, we have been railroaded and our enjoyment and peace of mind over the past two years has been eroded. We hope we will not have to endure much more which is removing our daily quality of life.

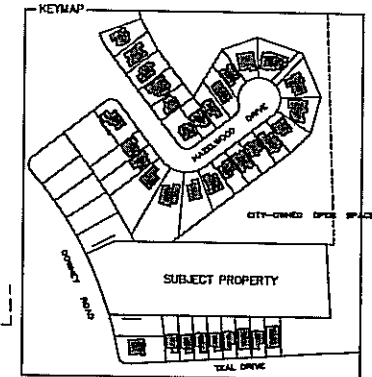
Yours sincerely


Adrian & Carol Dangerfield



CONCEPTUAL SITE PLAN OPTION 'C'
PART OF LOT 16, CONCESSION 5
AND PART OF THE ROAD ALLOWANCE BETWEEN
LOTS 15 & 16, CONCESSION 5
GEOGRAPHIC TOWNSHIP OF PUSLINCH
CITY OF GUELPH

SCALE 1 : 250
0 5 10 15 meters
VAN HARTEN SURVEYING INC.




SITE AREA	1.3ha (3.2acres)
TOTAL UNITS	57
SINGLE FAMILY DWELLINGS	4 (7%)
TOWNHOMES - 6.2m (20'4")	25 (44%)
APARTMENT UNITS	28 (49%)
DENSITY	43.1 units/hectare (17.5 units/acre)

APPROXIMATE BLOCK AREA	0.43 ha (1.08 acres)
COMMON AMENITY AREAS	760m2 (760m2 MIN.)
TOTAL UNITS	28
TOTAL FLOORS	4
DENSITY	65 units/hectare (26.4 units/acre)

NOTE: CONCEPT PLAN ONLY. THIS IS NOT A LANDSCAPE PLAN.
TREE INVENTORY BY NATURAL RESOURCE SOLUTIONS
INC. JULY 2008.

DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

REVISION SCHEDULE			
No.	DATE	BY	COMMENTS
0	DEC 8/08	COL	CONCEPT PLAN 11'-HIGH EXAM
1	JAN 19/09	PCS	FINISHED & LAST REVISIONS
2	JULY 25/08	PCS	ADD LENGTH 28, 28, & 1 CORN
3	AUG 08/08	MAN	ADJUST FINISHED & TRIM ROUN



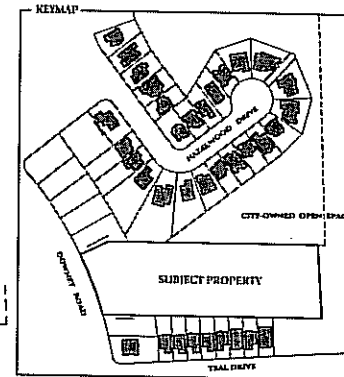
Van Harten
SURVEYING INC.

423 WILSON STREET RALEIGH, NORTH CAROLINA 27601 PHONE 878-6211-6263 FAX 878-6211-6278 www.mccall.com	POB MCCALL, 10001 HWY 1 DURHAM, NORTH CAROLINA 27703 PHONE 878-640-1118 FAX 878-640-1115 www.mccall.com
DRAWN BY: M.A.M.	CHECKED BY: L.B. PRICKETT No. 18734

146 DOWNEY ROAD CONCEPT PLAN 'C' : 57 UNITS

CONCEPTUAL SITE PLAN OPTION 'C'
PART OF LOT 15, CONCESSION 5
AND PART OF THE ROAD ALLOWANCE BETWEEN
LOTS 15 & 16, CONCESSION 5
GEOGRAPHIC TOWNSHIP OF PUSLICH
CITY OF GUELPH

SCALE 1 : 250
VAN HARTEN SURVEYING INC.



SITE DETAILS

SITE AREA	1.3ha (3.2acres)
TOTAL UNITS	57
SINGLE FAMILY DWELLINGS	4 (7%)
TOWNHOMES - 6.2m (20'4")	25 (44%)
APARTMENT UNITS	28 (49%)
DENSITY	43.1 units/hectare (17.5 units/acre)

CONDO-APARTMENT DETAILS

APPROXIMATE BLOCK AREA	0.43 ha (1.06 acres)
COMMON AMENITY AREAS	760m ² (760m ² MIN.)
TOTAL UNITS	28
TOTAL FLOORS	4
DENSITY	65 units/hectare (26.4 units/acre)

NOTE: CONCEPT PLAN ONLY. THIS IS NOT A LANDSCAPE PLAN.
TREE INVENTORY BY NATURAL RESOURCE SOLUTIONS
INC. JULY 2008.

LEGEND



METRIC

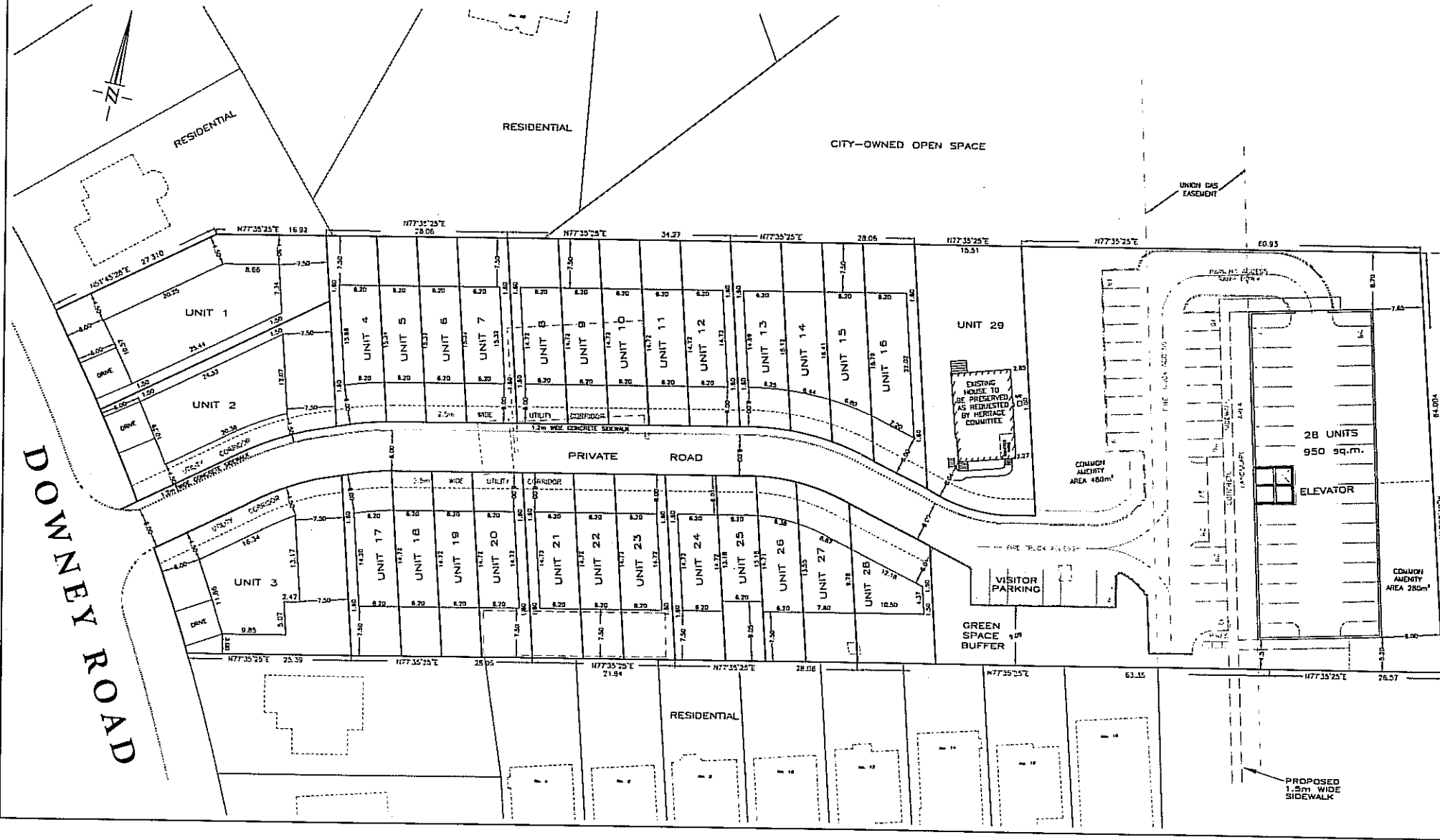
ESTIMATES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

REVISION SCHEDULE

NO.	DATE	BY	COMMENTS
1	DEC 1/08	CH	CONCEPT PLAN 'C' - HIGH DENSITY
2	JAN 1/09	CH	ADJUSTING A UNIT REVISION
3	MAY 1/09	CH	ADJUSTING A UNIT REVISION
4	AUG 20/09	CH	ADJUSTING A UNIT REVISION

Van Harten
SURVEYING INC.
LAND SURVEYORS AND ENGINEERS

146 DOWNEY ROAD UNIT 1
GUELPH, ONTARIO N1H 6K5
TEL: 519-837-1111
FAX: 519-837-1112
WWW.VANHARTEN.SURVEYING.COM
DRAWN BY: B.A.M. / CHECKED BY: B.S. / PROJECT NO. 10194-01
DATE: 12/15/08



Dear Mr. Hearne,

As a resident of Kortright Hills in the neighbourhood of this proposal, I would like to voice my concern. I have reviewed the three "Concept Plans" (A, B, and C). I find all of them unacceptable, but "B" and 'C' are the most disturbing.

First of all, I understand that the Developer is requesting "special exemptions" to change the zoning bylaws to allow one of their "Concept Plans" to be approved. Zoning bylaws are in place for many good reasons, among them to ensure compatibility with the surrounding neighbourhood. Although from time to time zoning bylaws are modified, or exemptions made, this proposal definitely does not warrant any "special exemptions". To be compatible with the surrounding neighbourhood, there should be a lower density, with larger lots, than even Concept "A" (29 units) proposes.

This fact is even more important when considering that this particular area of land is at a higher elevation than the surrounding neighbourhood. Any cluster of townhouses will stand out even more sorely. An apartment building of any height is simply out of the question, and should not even be considered. . There is also the issue of these building casting unwanted shadows to the immediate neighbours. The visual impact to our beautiful neighbourhood will be greatly affected by any development, so the building heights should be kept to an absolute minimum, and number of dwellings should also be kept to an absolute minimum.

Furthermore, this property includes a wetland, open green space and a wildlife corridor. Any development encroaching on this wetland/open green space/wildlife corridor should be curtailed, not be granted more "exemptions" to develop a very sensitive natural area. Guelph is a city that promotes many open green spaces and protected wetland areas, and strives to maintain them as protected. Any development in these sensitive areas should have as low an impact as possible. This proposal at 146 Downey Road should be no exception, and Guelph City Council and the Planning Department should ensure protection of this sensitive area. Perhaps having fewer units will also make it possible to save some of the many mature trees that are currently on this property.

Having too many new units would also put a strain on the nearby school of Kortright Hills, which appears to already be over capacity (4 portables). Once again the fewer units allowed the better.

Having too many units will also cause more traffic congestion and traffic dangers. This is especially true when considering the close proximity to Teal Drive. The proposed road will be entering onto Downey Road, an already very busy and high volume road. Downey Road will become even more congested and more dangerous as the proposed Business Park is developed over time south of this area.

In conclusion, I would sincerely ask that you not allow any special zoning bylaw exemptions to 146 Downey Road proposal. I would seriously request that you permit only the fewest units possible, preferably less than the 29 units proposed in Concept 'A'.

Yours sincerely,

Jay and Jennifer Marett

To Our Mayor and City Councillors:

We live across from the proposed development at 146 Downey Rd.

As Guelph residents for over 30 years and 20 of those years at the present address we have a lot of issues and concerns with the proposed development. First let us say that at the first meeting the developer had, he was quite adamant that they did not have concrete plans as of that present time but the reason for our neighbourhood meeting was to introduce themselves to the residents of Kortright Hills. They also wanted to reassure all of us that there would be many more meetings as developments progressed. They wanted to "work" with us so that we could all agree on what happened on the property at 146. We didn't hear of another information meeting after that. Then one day a neighbour came to tell us that a sign had been posted on the property. From our front door you couldn't see the sign and we had driven by for a couple of days before we heard about the new sign. The developer conveniently positioned the sign far enough back on the property close to a tree with branches overhanging the sign, thus making it less noticeable. This is a developer who wants to work with his neighbours? No developer really cares about that. They are concerned about making the most out of their investment. This developer wants to put a city on a very small piece of land and I can't believe the city is even considering allowing this.

Below we will state in point form some of our concerns. We hope that city council will listen to these concerns and take them into consideration when deciding on zoning of 146 Downey Rd.

-When the Teal sub-division went in, the traffic flow on Downey increased greatly, in an already busy sub-division, with only one exit to the Hanlon for residents going north on the Hanlon

-City Planning staff are apparently proceeding with a process that differs significantly from the existing City of Guelph planning process. At the request of city Planning staff, the developer has not provided a specific development plan, but has provided a range of plans and is requesting zoning approval for the most-dense option. Council should reject this proposal as submitted and direct city Planning staff to follow existing planning procedures.

- The noise level will increase greatly with such a highly populated density in a small area at this location.

- Our schools are already running in over capacity.

- All three versions of the proposed development are inconsistent with our existing Kortright Hills neighbourhood in density, height and visual design.

-The property is considerably higher than most of the adjacent neighbourhood, so that the excessively-high townhouses, for which the developer is asking special zoning, will appear to dominate the neighbourhood even more than expected.

-The developer's request for flexible zoning creates uncertainty for as residents and our neighbourhood in general. It appears that once approved, the residents of Kortright Hills neighbourhood will have no say in the final design of the development.

-The scale and scope of the specific changes to the zoning standards

requested by the developer suggest that the proposed plans are inconsistent with the site and with the framework of the City of Guelph's existing zoning bylaws.

-The excessive height of the proposed apartment building, combined with the geographic prominence of the site will result in a visual desecration of the beautiful neighbourhood that we residents and the City of Guelph have created and enjoyed over the last 25 years.

-The property includes a wedge of land identified by the City of Guelph as "lands with one of the following: locally significant wetlands, significant woodlots, natural corridor or linkage", and is adjacent to a Provincially Significant Wetland, a wildlife corridor, and a major green space that connects to other green spaces in the City of Guelph. We are very concerned that the documentation submitted by the developer does not address the critical issues involved in construction in such a sensitive and important environment.

-We are very disappointed that city Planning staff, despite the very strong opposition of residents present at the meeting held on January 20, 2009, subsequently directed the developer to include an apartment building in their proposal. This is a total disregard for the clearly-expressed views of residents.

-The traffic study submitted by the developer does not take into account the speed of cars travelling in that area. Cars entering Downey Road from the driveway of the property will have to merge with traffic that has been proven to travel well in excess of posted speed limits. This is a very dangerous situation and poses a serious safety risk for neighborhood residents and in fact all cars travelling on Downey Road. Also, the traffic study submitted by the developer is based on out-of-date information, as the traffic levels used in the study do not take into account the increase in traffic that will result from the development of the Hanlon Business Park directly to the south.

-The developer is proposing eliminating 241 of the 256 trees on the development site, and requesting special exemption so that the development can be even denser than standard zoning allows with less landscaping that required. What is now a beautiful property full of mature trees will become a barren wasteland of paved road, parking lots and concrete sidewalks.

-Groundwater from portions of the property will drain directly onto the meadow and wetlands that are adjacent to the property. Since most of the property will be covered with impenetrable buildings, roads, parking spots, driveways and sidewalks, a great deal of runoff will be generated and this may have a deleterious effect on the adjacent meadow and wetlands.

-The developer is asking for special zoning for the eastern portion of the property because of the right-of-way required by the high-pressure natural gas pipeline that runs across the property. The basement walls of the proposed apartment building will directly abut the easement, and construction so close to the gas pipeline poses a significant risk to the entire neighbourhood as a single accident could result in a cataclysmic explosion.

-The developer's plans appear incomplete as they show a setback of 6 metres for the townhouses, but he then requests permission to build the front of the townhouse within 3 metres of the sidewalk.

-The developer is requesting permission to allow "an attached or detached garage to be located within the rear yard" of the houses on Downey Road , but the plans do not reflect this. This form is completely inconsistent with the neighbourhood as there are no homes in this area with rear garages.

-The developer is requesting minimum setback far less than permitted in current zoning standards. This will contribute to shadowing and magnify the dominance of these buildings over the existing neighbourhood.

-The developer is requesting smaller lot sizes and less landscaped area than current zoning requires. The density of this development is completely inconsistent with the existing neighbourhood.

-While the developer is claiming that the existing house will be retained, the proposal is requesting zoning changes to allow splitting the house into four separate apartments. This is inconsistent with the existing neighbourhood.

-The property has a difference in elevation of 5.5 metres, and the developer mentions adding fill to the east side of the property. Where will this fill come from and what efforts will the developer make to contain dust and runoff during construction.

-Adding fill to the east side of the property will increase the prominence of the apartment building even more. To what the developer calls a "four storey apartment", there is added lower level parking, a roof, and the height of the fill. The "four storey apartment" quickly approached the height and dominance of a six storey apartment building.

-The height of the townhouses proposed will likely create significant shadowing across existing properties on Teal Drive , greatly reducing the current residents' enjoyment of their properties.

-The proposed setback reductions will create a fishbowl effect where the new townhomes will overlook adjacent properties, even further reducing the current residents' enjoyment of their properties.

We will be at the meeting next week. We hope that our mayor and city council will take the residents of Kortright Hills concerns very seriously.

Franca & Rocco Manni