



AGENDA

GUELPH CITY COUNCIL

October 10th, 2006 - 6:30 p.m.

- O Canada
- Silent Prayer
- Disclosure of Pecuniary Interest

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| <p style="text-align: center;">PLANNING PUBLIC MEETING UNDER THE PLANNING ACT</p> |
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Council is now in a public meeting under the Planning Act to deal with the following matters:

- 1) **66, 70 AND 72 YORK ROAD, 1 RICHARDSON STREET:** Proposed Official Plan and Zoning By-law Amendment (OP0601, ZC0518)
 - Staff presentation by Melissa Castellan
 - Correspondence:
 - Professor J.J. McMurtry
 - James White
- 2) **806 GORDON STREET:** Proposed Official Plan and Zoning By-law Amendment (OP0602, ZC0606)
 - Staff presentation by Melissa Castellan
 - Correspondence:
 - Wayne and Carol Taylor
 - Judith McKenzie
 - Julie Petrella
- 3) **SIMON WOOD LIMITED:** Proposed Redline Amendment and Zoning By-law Amendment to permit a rezoning from Institutional (I.1) Zone and Specialized Residential (R.2-6) Zone to the R.1C (Single Detached Residential) Zone to permit 35 single detached dwellings (City of Guelph, File: ZC0602) - Ward 1.
 - Staff presentation by Chris DeVriendt
- 4) **365 WATSON PARKWAY NORTH** – Proposed Zoning By-law Amendment (City of Guelph File ZC0603) – Ward 1.
 - Staff presentation by Chris DeVriendt

Please bring reports which were previously distributed.

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| <p style="text-align: center;">ADJOURNMENT</p> |
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City of Guelph

Report:

PLANNING & DEVELOPMENT SERVICES (REPORT 06-89)

TO: Council

DATE: 2006/10/10

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

RECOMMENDATION:

THAT Report 06-74 dated August 28, 2006 and Report 06-89 dated October 10, 2006 regarding Official Plan and Zoning By-law Amendments for property municipally known as 66, 70 and 72 York Road and 1 Richardson Street from Planning and Development Services **BE RECEIVED**; and

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a site specific policy amendment to the “Medium Density Designation” of the Official Plan affecting properties municipally known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph, **BE APPROVED**, in the form outlined in Schedule 2 of the Planning Report 06-89 dated October 10, 2006; and

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a Zoning By-law amendment from the R.3A-2 (Residential Cluster Townhouse) Zone to a new Specialized R.3A (Residential Cluster Townhouse) Zone and to the R.1B (Residential Single Detached) Zone, the R.1D (Residential Single Detached) Zone and the R.2 (Residential Semi-detached) Zone affecting properties municipally known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph, **BE APPROVED**, in accordance with the regulations and conditions set out in Schedule 3 of the Planning Report 06-89 dated October 10, 2006;

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

THAT City Council directs the Director of Planning and Development Services to advise property owners directly adjacent to the site in writing when a formal application for site plan approval has been filed with the City to allow residents the opportunity to view the plans and make suggestions, if necessary, for the consideration of the Director of Planning and Development Services prior to granting site plan approval; and

That in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 66, 70 and 72 York Road and 1 Richardson Street (file ZC0518) as set out in Report (06-89) from the Department of Planning and Development Services dated October 10, 2006.

BACKGROUND:

The statutory Public Meeting for this Official Plan and Zoning By-law Amendment application was held on August 28, 2006. At that meeting, Council passed the following resolution:

“THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a proposed Official Plan and Zoning By-law Amendment for 66, 70 and 72 York Road and 1 Richardson Street be referred back to staff to engage a mediator and report back at the October 10th, 2006 Guelph City Council meeting.”

Glenn Pothier of GLPi was engaged by the City to facilitate meetings between neighbouring residents, the applicant and City Staff in an attempt to resolve the residents' issues with the proposed development. Meetings were held on September 5, September 11 and September 18, 2006. The meetings were attended by seven residents representing a larger group of neighbourhood residents, the applicant (Andrew Lambden of Terra View Homes) and his consulting team (including Nancy Shoemaker of BSR&D, Chris Sims of Gamsby and Mannerow, and Brooks Wickett of The LandPlan Collaborative Ltd.), Fred Natolochny of the Grand River Conservation Authority and City Staff (Melissa Castellan and Scott Hannah from Planning Services and Don Kudo from Engineering Services).

At the beginning of the first facilitated meeting held on September 5, Glenn Pothier consulted with the residents group on a list of issues derived from the comment letters and Planning Report 06-74 (See **Schedule 4**) and it was determined that the following issues would be the focus of the facilitated meetings:

1. Waste Collection
2. Students
3. Water / Storm Water Management
4. Trees
5. Traffic
6. Site Design / Community Compatibility

See **Schedule 5** for the presentation of the issues prepared by Glenn Pothier.

REPORT:

Outcome of the Facilitated Meetings

The facilitated meetings provided an open forum for the residents to clarify their concerns and seek resolutions. One outcome of these meetings is the recommendation for the Director of Planning and Development Services to notify the residents when a formal application for site plan approval is received by the City. The residents will be invited to view the plans and provide any comments to the Director for consideration in the site plan approval process. This recommendation provides the residents the opportunity to view the plans and confirm that the final design meets the intent of the resolutions identified during the facilitated meetings.

Resolutions were identified for all of the main issues as outlined below:

1. Waste Collection: The residents explained that their concern with waste collection was mainly related to their desire that future townhouse residents participate in the City's Wet Dry+ program. The residents' preference would be for waste to be collected on-site in front of the individual townhouse units. This concern has been reviewed by staff and it was determined that the site likely cannot be serviced by City waste collection vehicles because the site does not have a looped road system. This means that waste collection vehicles would have to reverse on-site which City staff will not accept for on-site collection due to safety and liability issues. The standard practice for developments such as this to participate in the City's Wet Dry+ program is for waste to be collected curbside on the municipal street.

The following condition is recommended to resolve the residents' concern and is included in **Schedule 3** as Condition 28:

"The developer acknowledges and agrees that waste collection for the proposed townhouse development shall involve the municipal waste collection program in effect at the time of development. The actual collection of waste shall be by City forces or by private contractor and will be reviewed at the time of site plan approval. The site plan agreement will stipulate the method of collection."

2. Students: The concern about students was explained by the residents mainly as a concern about nuisance issues (e.g., property maintenance, noise) that may result from the units being occupied by tenants. There was also some concern that the proposed townhouse units may be more desirable as investment properties rather than as homes for families.

While this issue was raised in resident comment letters, the participants in the facilitated meeting suggested that it was not a key issue and it was agreed that there were no conditions required to resolve the concerns.

3. Water / Stormwater Management: The water and storm water concerns were considered to be one of the primary issues and were discussed at length during the facilitated meetings. Specifically, these was concern about the potential for run-off from the subject property to the east and concern that basements may be more prone to flooding along York Road as a result of the construction of this development. The residents also requested that the City contract an independent consultant to review the stormwater management report.

Engineering Services require that all development sites must control post-development stormwater flows to the level of pre-development flows and that it must be controlled on-site without impact to neighbouring properties. Conditions are included in **Schedule 3** to address these concerns (Conditions 5, 8, 9, 12, 15, 29). The applicant has agreed to design the system with a larger drainage pipe in order to improve flow of water from the ditch along the Richardson Street and York Road properties back to the outlet at the river. The size of the pipe will be determined after a review of the drainage area. Condition 9 of **Schedule 3** has also been revised to provide certainty that the developer is required to control the 1 in 5 year storm on site.

While the developer has agreed to increase the size of the pipe on the subject property, improvements to drainage for the properties to the east of the townhouse development will also require the City to upgrade the remainder of the pipe from the site to its outlet at the river. Engineering Services has reviewed this in terms of the Ward One Infrastructure study. The City has allocated Capital Budget funds and staff have proposed future funding to support recommendations from the Ward One Infrastructure Study. Currently, this section of York Road/Wyndham Street has been forecasted for reconstruction in 2010/2011 in the proposed 2007 Capital Budget for Ward One upgrades. The road reconstruction would include upgrades to storm sewer infrastructure. The proposed 2007 Capital Budget is subject to Council approval.

The developer has also agreed to increase the period of monitoring of the storm water system and groundwater elevations from 2 years to 4 years following completion of construction on the site (Condition 29, **Schedule 3**).

In response to the request for a peer review of the stormwater management report, it was explained that City Engineering staff are qualified to review these plans and that the Grand River Conservation Authority also reviews and approves the plan. There is no need for a third party to be involved in reviewing plans and implementing City and GRCA regulations.

4. Trees: The main concern related to trees was that there is expected to be little opportunity for retention of the mature trees on site with this development. It was explained by the applicant that due to the site grading, servicing and amount of fill required that it is not possible to retain the majority of the existing trees. The developer has made a commitment to a replanting plan that incorporates more trees on the townhouse site than what currently exists.

The conditions recommended by City staff require a landscaping plan to be submitted as part of site plan approval. The plan will indicate the number and species of trees to be planted on the site. It was clarified at the September 11, 2006 meeting that the City has standards for the type and size of trees with a requirement for native tree species. The developer has also agreed to plant a maximum of 4 trees on each of the adjacent properties to the east (i.e., 4 trees at 5 Richardson Street and 4 trees at 74 York Road) to enhance the proposed perimeter plantings. It was also noted that trees can only be planted on adjacent properties with the owners' consent.

The recommendation for the Director of Planning and Development Services to notify the residents when the site plan application is submitted also applies to the landscaping plan and will allow residents the opportunity to comment on the species of trees shown on the plan.

Condition 1 and 21 of **Schedule 3** of the Planning Report require a tree plan and landscaping plan. Condition 1 states that the final plans will be in accordance with the preliminary plans to the satisfaction of the Director of Planning and Development Services; this includes the preliminary landscape plan which indicates plantings along the perimeter of the site.

5. Traffic: It was agreed that the traffic related issues are at the neighbourhood level and will not be dealt with through this development application. Concerns about the need for a pedestrian traffic light have been forwarded to Transportation Planning and Traffic Services staff for review.
6. Site Design / Community Compatibility: The main issue with site design was the row of townhouse units labeled as units 9 to 14 on the original concept plan (see **Schedule 6**). The residents felt that this section of townhouse units should be broken up or reoriented to provide less visual impact. They were also concerned about loss of privacy with rear yard amenity areas of the townhouse units backing onto their rear yard amenity areas.

The developer committed to working on a new design for the site and presented a revised concept to the group on September 18, 2006. The revised concept (**Schedule 7**) was based on the residents' request for changes and shows units 10 to 16 facing south to York Road with the rear of the building backing onto 1 Richardson Street. This design requires modifications to the proposed new Specialized R.3A Zone including a reduction in side yard setback to a minimum of 2 metres to accommodate units 10-16 in the proposed location and a reduction in front yard setback at York Road from 12 metres to 10 metres.

The revised concept plan and associated modifications to the zoning amendment represent minor changes to the original concept in terms of the proposed zoning regulations. The revisions do not impact the intent of the zoning amendment and therefore, it is recommended that in accordance with Section 34(17) no further public notice is required for this application.

The residents stated at the meeting that they are supportive of the revised plan because it satisfies their concerns with site design.

Planning Analysis:

The Planning Division recommends approval of the proposed official plan and zoning by-law amendment in accordance with **Schedule 2 and 3** of this report.

Conditions have been revised and new conditions are recommended to address the outstanding issues from the August 28, 2006 Council meeting. It is staff's understanding that the issues related to waste collection, water/stormwater management, and trees have been satisfactorily addressed through conditions of approval. The issues about traffic and need for a pedestrian signal are neighbourhood issues that are beyond the scope of this development application. Site design and compatibility concerns have been resolved through a redesign of the rear portion of the site.

The facilitated meetings further assisted the residents in understanding the planning process and the role of conditions in achieving desired outcomes on a development site. The residents who participated in the facilitated meetings expressed their support for the facilitation process, the proposed design concept and the recommended conditions.

CORPORATE STRATEGIC PLAN:

This application supports Strategic Plan Direction 1:

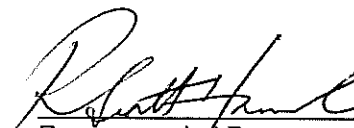
- 1) To manage growth in a balanced and sustainable manner.

ATTACHMENTS:

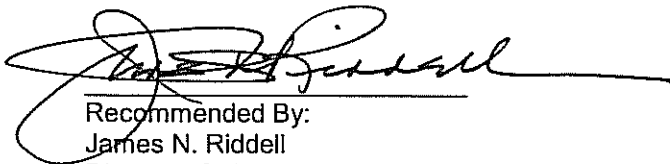
- Schedule 1 – Location Map
- Schedule 2 – Proposed Official Plan Amendment
- Schedule 3 – Proposed Zoning Amendment, Regulations and Conditions
- Schedule 4 – Planning and Development Services Report (06-74) – (excluding Comment letters from Schedule 7)
- Schedule 5 – Glenn Pothier's Presentation
- Schedule 6 – Original Concept Plan
- Schedule 7 – Revised Concept Plan



Prepared By:
Melissa Castellan
Senior Development Planner



Recommended By:
R. Scott Hannah
Manager of Development Planning



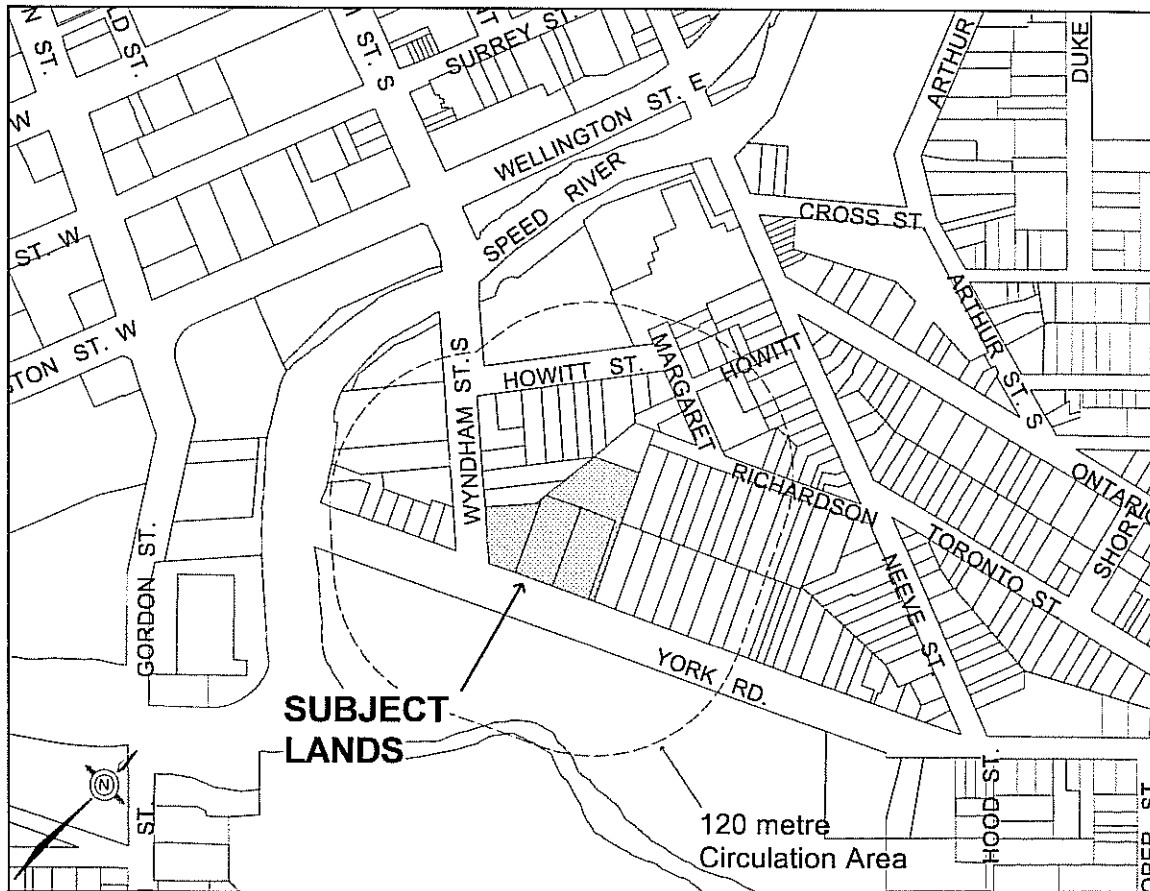
Recommended By:
James N. Riddell
Director of Planning and Development Services



Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

Location Map



SCHEDULE 2

Proposed Official Plan Amendment

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

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

SCHEDULE 3

Proposed Zoning By-law Amendment Regulations and Conditions

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

The following zoning is proposed:

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

Regulations

For the Specialized R.3A Zone

Permitted Uses

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

Regulations

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

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

Minimum **Front Yard**

10 metres.

Minimum **Side Yard**

The Minimum **Side Yard** shall be:

- 2 metres for the east and west **Side Yard**, except where **private amenity areas** face the east lot line in which case the minimum side yard shall be 8 metres; and

- 6 metres for the south **Side Yard**.

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

Minimum **Rear Yard**

4.5 metres

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

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

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

Minimum Distance between **Buildings**

Despite Section 5.3.2.3.1, the minimum distance between one **Building** and the face of another **Building**, each of which contain windows to Habitable Rooms, shall be 2.4 metres.

Access to **Private Amenity Area**

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

Maximum Density of Site

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

Off-Street Parking

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

For the R.1B Zone

Permitted Uses

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

Regulations

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

For the R.1D Zone

Permitted Uses

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

Regulations

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

For the R.2 Zone

Permitted Uses

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

Regulations

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

Conditions

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

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be generally in accordance with and conform to the Owner's concept plans attached to the October 10, 2006 Planning Staff Report (Site Plan, prepared by BSRD Project 04-5891-5, Landscape Plan, prepared by Landplan, Project #04-5891-6) and the owner shall address all of the elements of good urban design as outlined by the City of Guelph Urban Design Guidelines 1995 Manual, to the satisfaction of the Director of Planning and Development Services and the City Engineer.
 - b. The owner acknowledges and agrees that a wood privacy fence

with a minimum height of 1.8 metres will be constructed along the rear and side yard.

- c. That the Landscaping Plan indicate a maximum of 8 trees to be planted on adjacent properties with a maximum of 4 trees situated in the rear yard of 5 Richardson Street and a maximum of 4 trees situated in the rear yard of 74 York Road. The landscaping plan shall also indicate site perimeter plantings that provide screening to adjacent properties to the east.
2. That the consent applications B-11/0, B-12/04, B-13/04, B-14/04 and B-15/04 receive Committee of Adjustment approval and that the registration of the deeds occurs in a proper sequence to ensure amalgamation of the parcels to the satisfaction of the City Solicitor prior to the issuance of any building permits.
3. That prior to site plan approval or the endorsement of the deeds, the owner grants to the City a 6.0-metre wide easement across the lands, centred on the storm sewer, satisfactory to the City Solicitor.
4. That prior to any demolition, grading or construction on the lands the owner shall retain a Professional Engineer to inspect and report on the condition of the 450mm storm sewer from the site to its outlet, satisfactory to the City Engineer.
5. That the owner agrees to replace the existing storm sewer with a new storm sewer at an appropriate size to the satisfaction of the City Engineer.
6. Prior to the submission of any site plan showing a connection to the 750mm trunk sanitary sewer in the park, the owner shall pay the City's cost of having a geotechnical investigation report done of the soils along the sanitary service lateral route. Furthermore, the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted if landfill materials and gases are not going to be encountered during the construction of the sanitary sewer lateral.
7. That the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted by the City during certain times of the year when construction will not disrupt the use of the park.
8. Prior to site plan approval for the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the said lands incorporating a control flow weir and a connection to the existing storm sewer, satisfactory to the City Engineer.
9. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. The storm water management facilities will be designed to contain the 1 in 5 year storm on site with no drainage running off the property to the east. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of

the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

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

19. That the owner pays the tree frontage charge of \$8.00 per metre of frontage for the entire frontage on Wyndham Street and York Road, prior to site plan approval or the endorsement of the deeds.
20. That the owner shall be responsible to pay for all required curb cuts and fills, prior to the issuance of any building permit.
21. That the owner prepares a tree conservation plan identify trees to be retained and removed, to the satisfaction of the Director of Planning and Building Services, prior to site plan approval or the endorsement of the deeds.
22. That the owner applies for, and receives, a permit from the Grand River Conservation Authority, prior to the issuance of any building permit.
23. That the owner deeds to the City free of all encumbrances and satisfactory to the City Solicitor, a parcel of land 3.0-metres wide for a road widening across the entire Wyndham Street frontage of the lands, prior to site plan approval or the endorsement of the deeds.
24. That a legal off-street parking space, including any easements for right-of-way that are required for access, be created, satisfactory to the Director of Planning and Development Services for 70 York Road, prior to the endorsement of the deeds.
25. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval or prior to the endorsement of the deeds, at the rate in effect at the time of the endorsement.
26. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
27. Prior to the site plan approval or endorsement of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
28. The developer acknowledges and agrees that waste collection for the proposed townhouse development shall involve the municipal waste collection program in effect at the time of development. The actual collection of waste shall be by City forces or by private contractor and will be reviewed at the time of site plan approval. The site plan agreement will stipulate the method of collection.
29. That the Developer/Owner shall, as part of Site Plan Approval, prepare and implement a monitoring program to evaluate the hydraulic performance of the stormwater management system and groundwater elevations within the site for comparison with the baseline information collected as part of the Zone Change Approval. The monitoring program will commence with the completion of area

grading of the site and will extend for a period of 4 years beyond the build out of the townhouse units. An annual monitoring report will be prepared and submitted to the City Engineer and the Grand River Conservation Authority.

30. That the owner enters into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.

SCHEDULE 4

Planning Report 06-74



City of Guelph

Report:

PLANNING & DEVELOPMENT SERVICES

Report 06-74

TO: Council

DATE: 2006/08/28

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

RECOMMENDATION:

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

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

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

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

BACKGROUND:

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

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

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

Application Background:

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

In support of the application the following reports were prepared:

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

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

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

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

REPORT:

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

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

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

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

Description of the Proposed Zoning By-law Amendment:

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

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

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

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

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

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

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

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

Public Comments:

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

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

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

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

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

Planning Analysis:

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

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

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

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

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

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

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

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

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

CORPORATE STRATEGIC PLAN:

This application supports Strategic Plan Direction 1:

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

FINANCIAL IMPLICATIONS:

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

Population Projections

- 57 persons (based on 2.58 persons per unit)

Projected Taxation

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

Development Charges

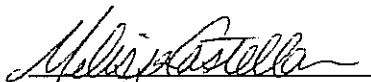
- \$105 776 Residential (Maximum of 22 Townhouse Units)

DEPARTMENTAL CONSULTATION/CONCURRENCE:

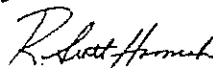
The comments received in the review of the application are included on **Schedule 7**.

ATTACHMENTS:

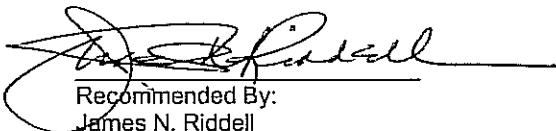
- Schedule 1 – Location Map
- Schedule 2 – Proposed Official Plan Amendment
- Schedule 3 – Proposed Zoning Amendment, Regulations and Conditions
- Schedule 4 – Existing Official Plan Designation and Zoning
- Schedule 5 – Proposed Zoning
- Schedule 6 – Preliminary Site Plan and Building Elevations
- Schedule 7 – Circulation Comments
- Schedule 8 – Staff Comments
- Schedule 9 – Public Notification Summary



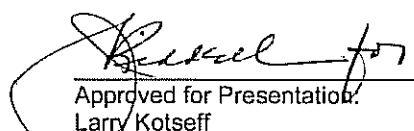
Prepared By:
Melissa Castellan
Senior Development Planner



Recommended By:
R. Scott Hannah
Manager of Development Planning



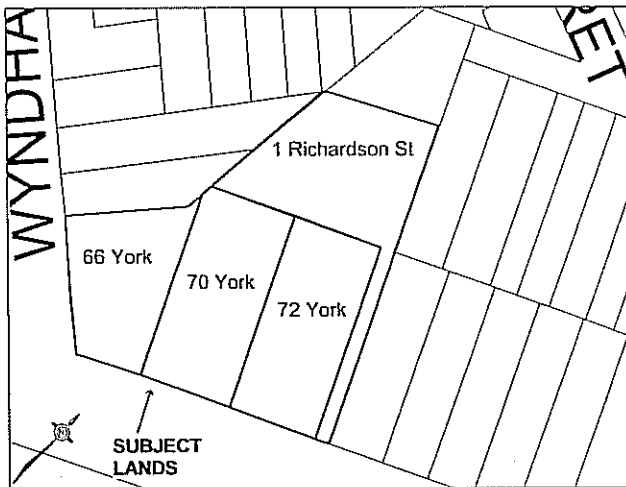
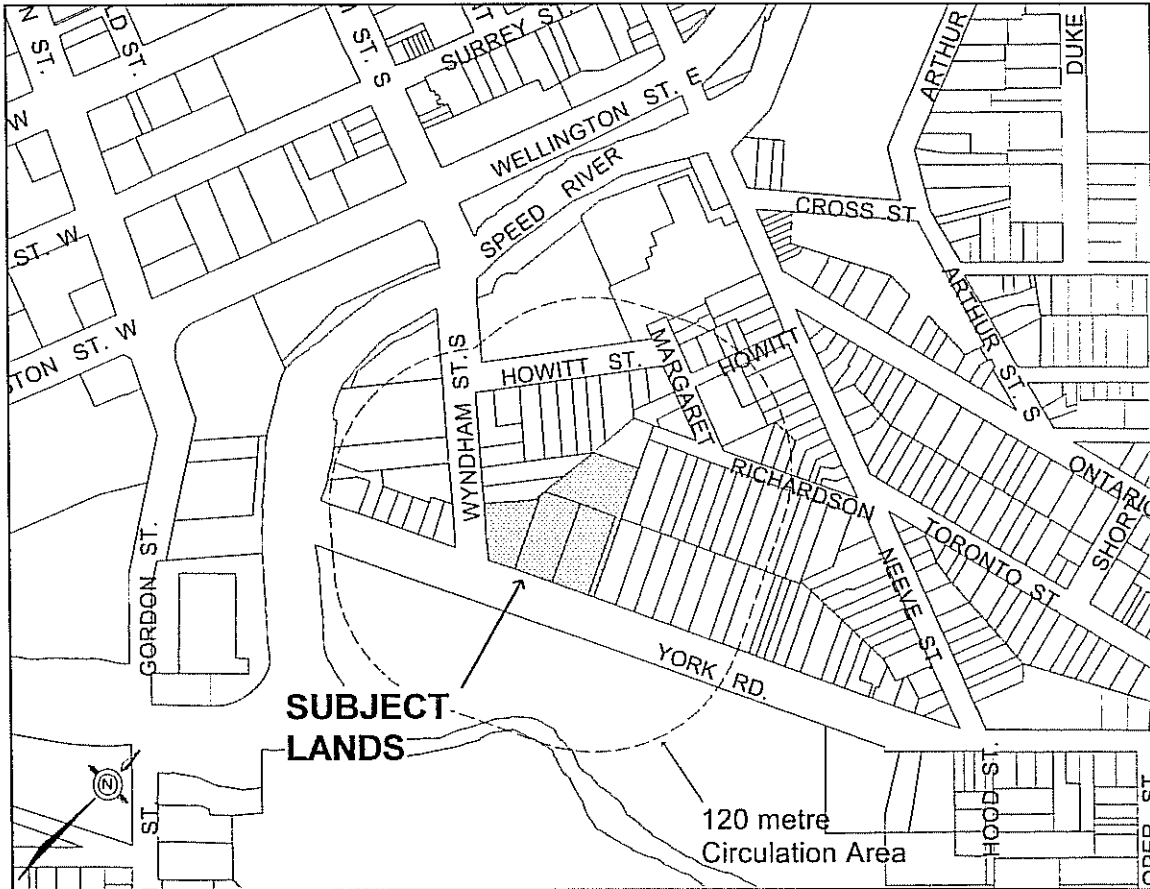
Recommended By:
James N. Riddell
Director of Planning and Development Services



Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

Location Map



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SCHEDULE 2

Proposed Official Plan Amendment

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

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

SCHEDULE 3

Proposed Zoning By-law Amendment Regulations and Conditions

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

The following zoning is proposed:

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

Regulations

For the Specialized R.3A Zone

Permitted Uses

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

Regulations

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

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

Minimum **Front Yard**

12 metres.

Minimum **Side Yard**

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

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

Minimum **Rear Yard**

4.5 metres

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

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

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

Minimum Distance between **Buildings**

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

Access to Private Amenity Area

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

Maximum Density of Site

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

Off-Street Parking

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

For the R.1B Zone

Permitted Uses

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

Regulations

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

For the R.1D Zone

Permitted Uses

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

A Great Place to Call Home

Regulations

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

For the R.2 Zone

Permitted Uses

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

Regulations

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

Conditions

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

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

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

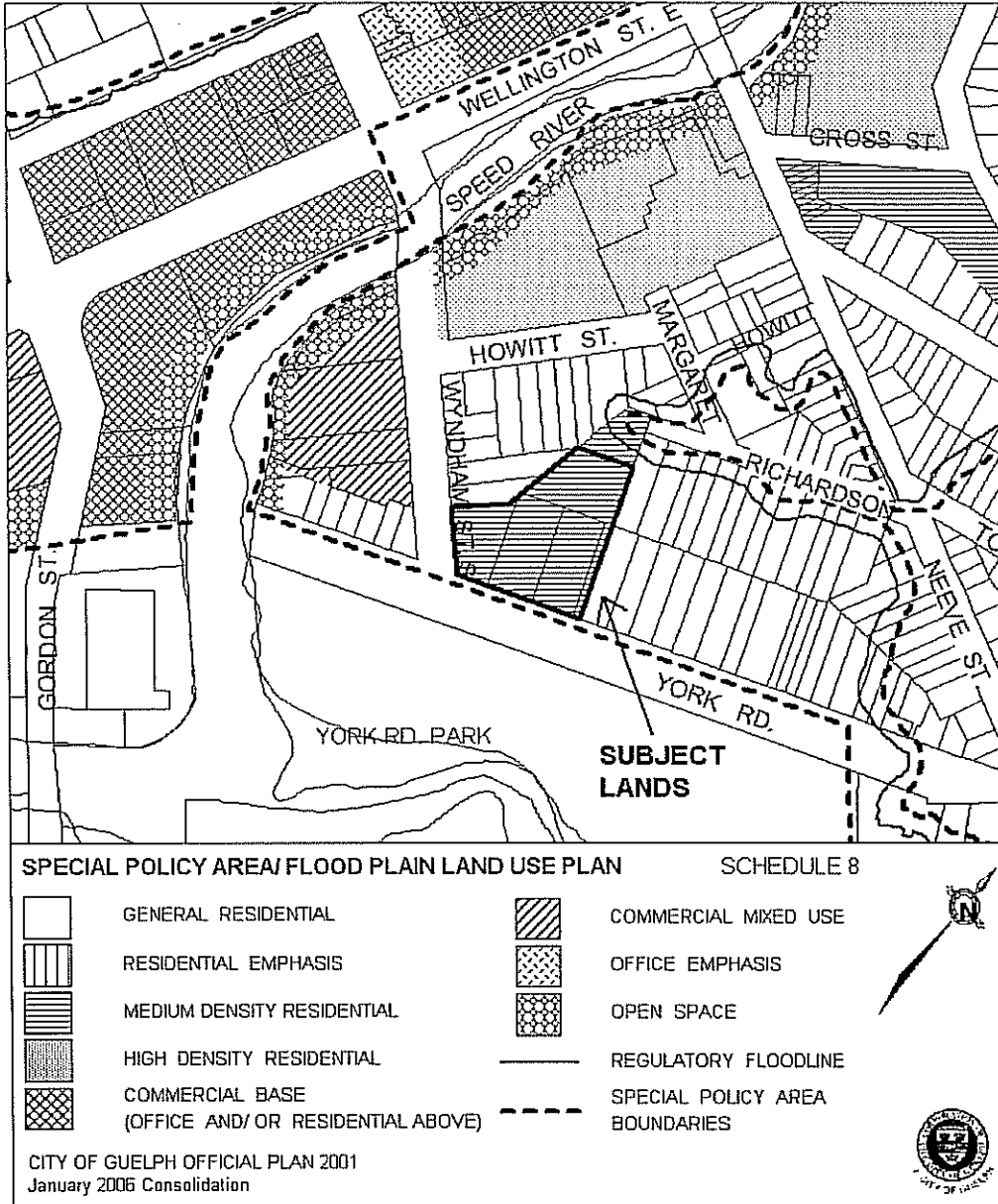
with the erosion and sediment control plan on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

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

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

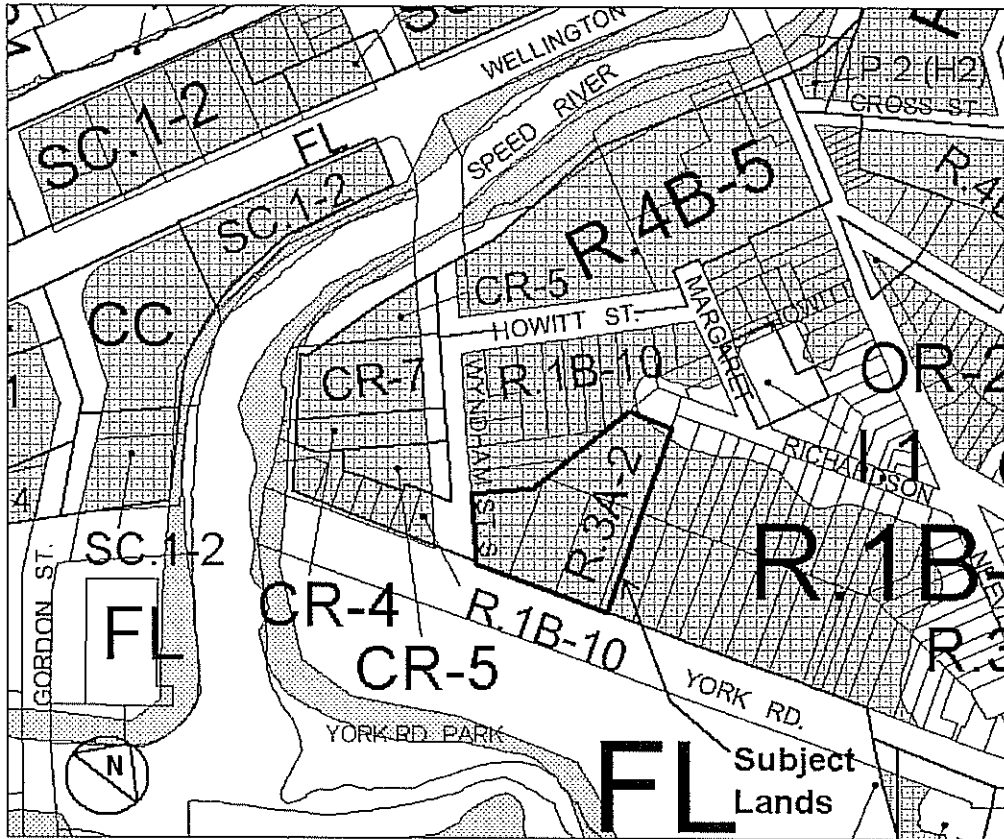
SCHEDULE 4


Existing Official Plan Designation



SCHEDULE 4 continued

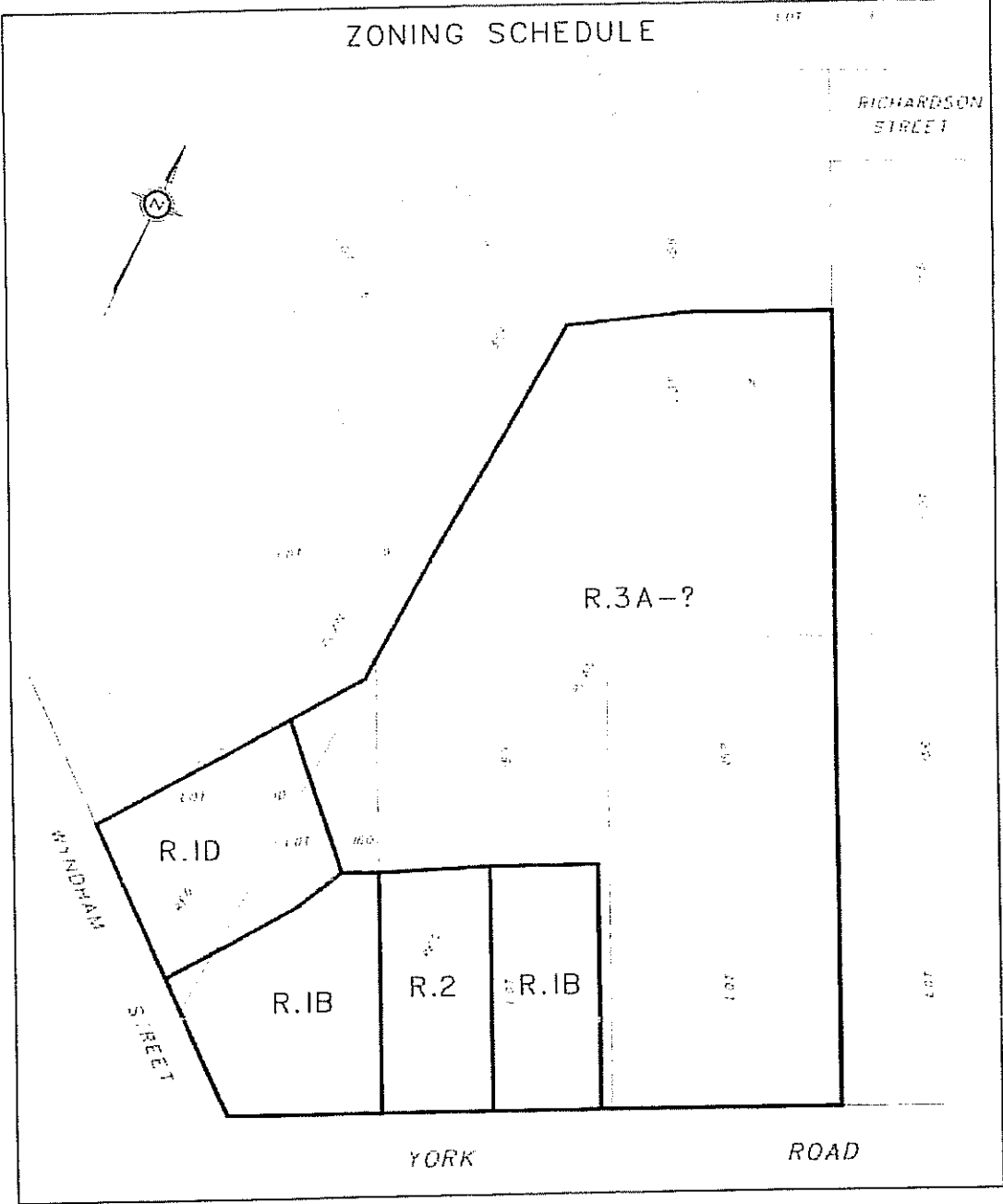
Existing Zoning



 LANDS WITHIN THE SPECIAL POLICY AREA
(See Section 12.4)

SCHEDULE 5

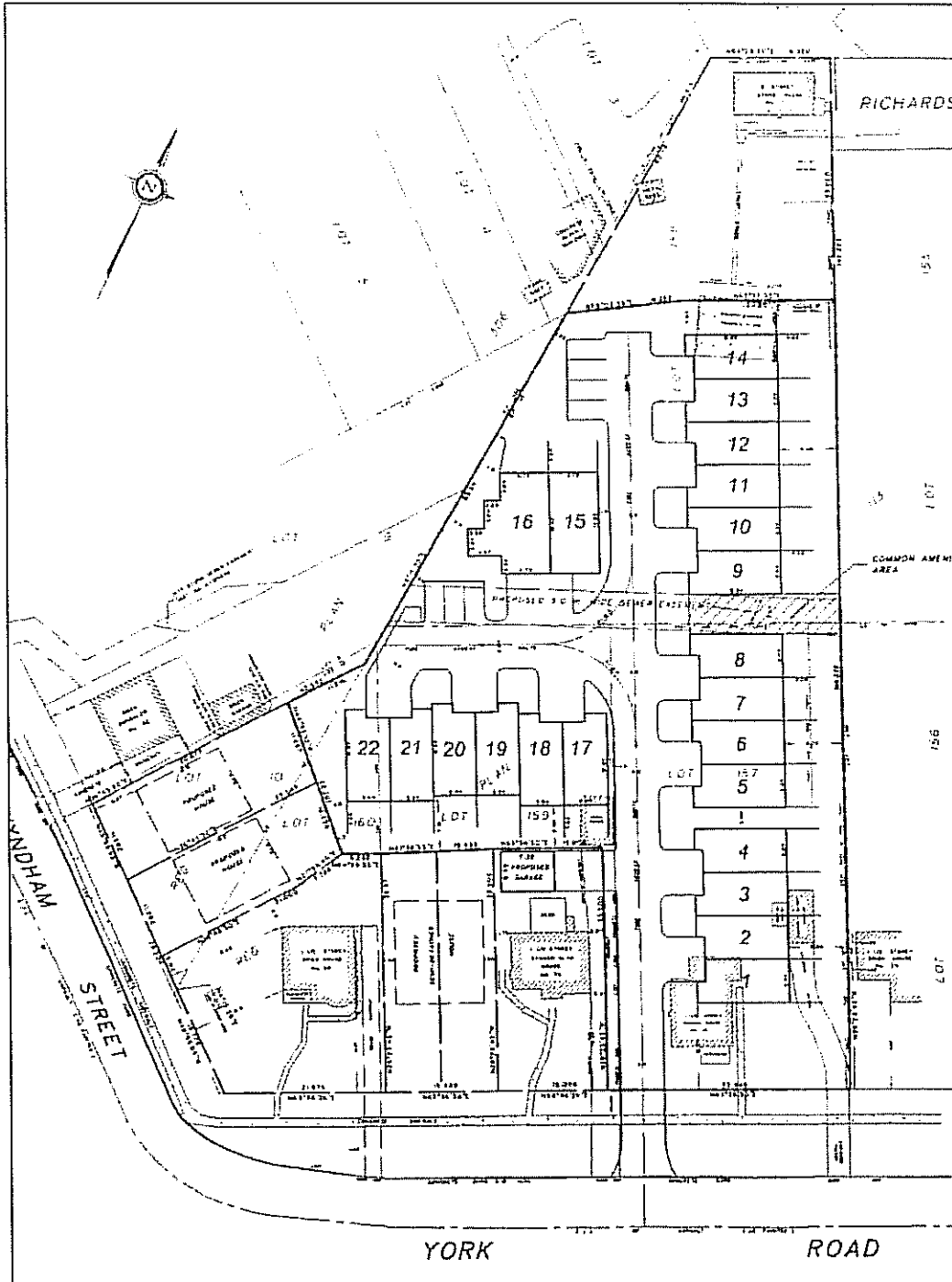
Proposed Zoning



SCHEDULE 6

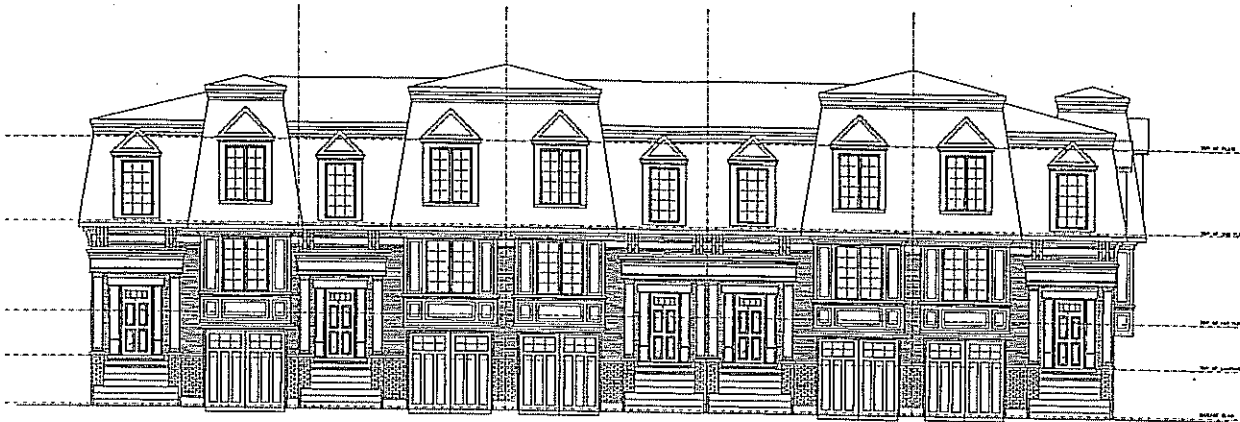
Preliminary Site Plan and Building Elevations

Preliminary Site Plan

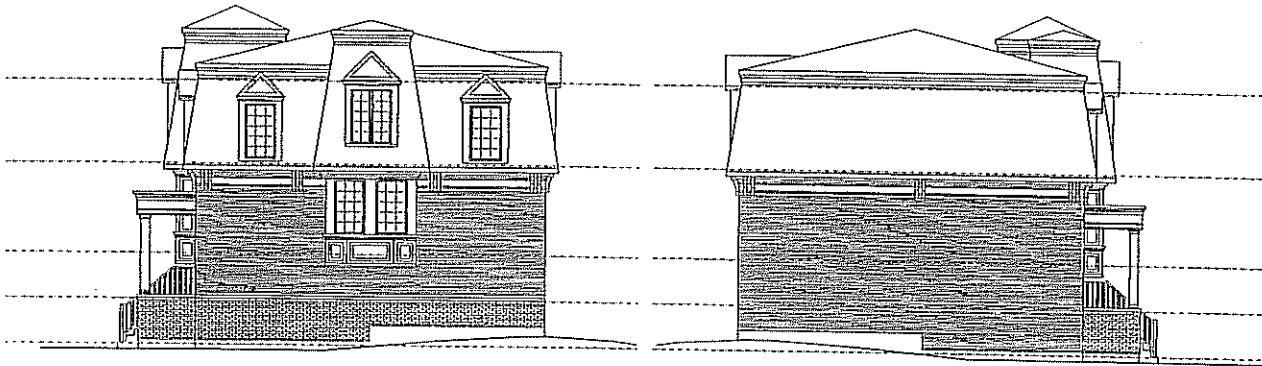


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Building Elevations

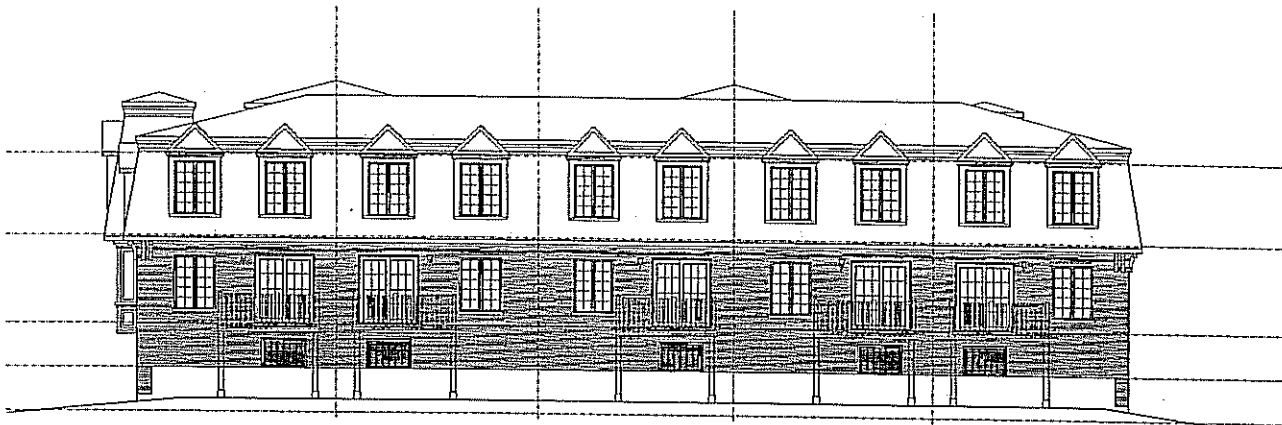


FRONT ELEVATION OF 5 UNIT BLOCK



EXPOSED SIDE ELEVATION

INTERNAL SIDE ELEVATION



REAR ELEVATION OF 5 UNIT BLOCK

Elevation of Unit Facing York Road



EXPOSED SIDE ELEVATION

SCHEDULE 7

Circulation Comments

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

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

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

*Comments attached

SCHEDULE 8

Staff Comments

Staff Response to Issues:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE 9

Public Notification Summary

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

SCHEDULE 5

Glenn Pothier's Presentation



An Agenda and an Approach

- Opening remarks
 - Welcome; session overview; introductions
 - Some observations and defining success
 - Getting and giving the most
- The issues
 - Mapping and defining them
 - Exploring them
- What's possible?
 - The issue...the ask...the response
 - What's been done...what can be done?
- Open forum
- Next steps and closing remarks

GLP:



Some Observations

- Without movement, nothing changes
- Success gradient:
 - **We agree to everything/resolve all issues**
 - **We agree to something/resolve some issues, and identify those that are outstanding**
 - **We clearly understand each other/the issues, but little to nothing is resolved**
 - **At the very least, we want *dialogue***
- Success is not always found in the ‘middle ground’
- Time is not on our side
- When enough is enough
- My role: facilitate/mediate — not judge nor rule

GLP:



Getting and Giving the Most

- Look to the future
- It's OUR meeting...participate enthusiastically
- Terminology expertise is secondary
- There is such a thing as a bad idea!
- Build, don't duplicate
- Respect (for each other and the process)
- Voices without titles
- Consensus on no consensus
- Informal style, structured approach
- No dissertations (rather, 'rap and roll')

GLP?



Food for Thought

“The knowledge of the world is only to be acquired
in the world, and not in a closet”

Earl of Chesterfield

“He speaks to me as if I was a public meeting”

G. W. E. Russell

GLP*i*



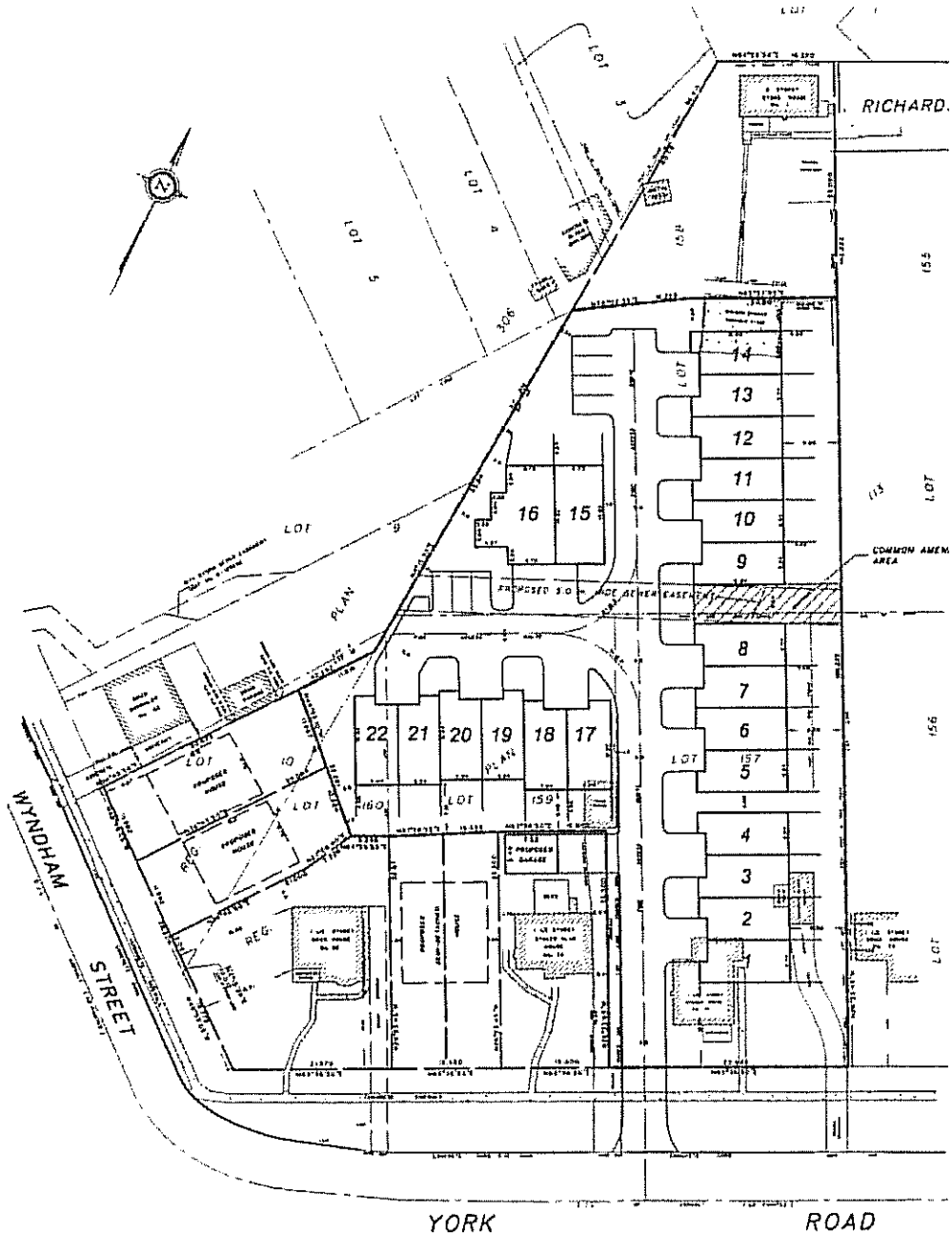
Mapping the Issues

- Fit with community character: Site design; intensification/density; unit look/height
- Loss of trees/forest cover/greenspace — and resulting impact on wildlife/birds/etc.
- Increased traffic: Congestion; parking; noise; air quality
- Hydrological impact: Implications for drainage/water table; fear of flooding; placement on floodplain; monitoring/ liability issues
- Neighbour privacy: windows; site lines; fencing
- Impact on property values
- Other: Students; construction disruption; unnecessary growth; garbage disposal/waste management
- What else: Environmental impact onsite and across the park (sanitation sewer); uniqueness of site

GLP:

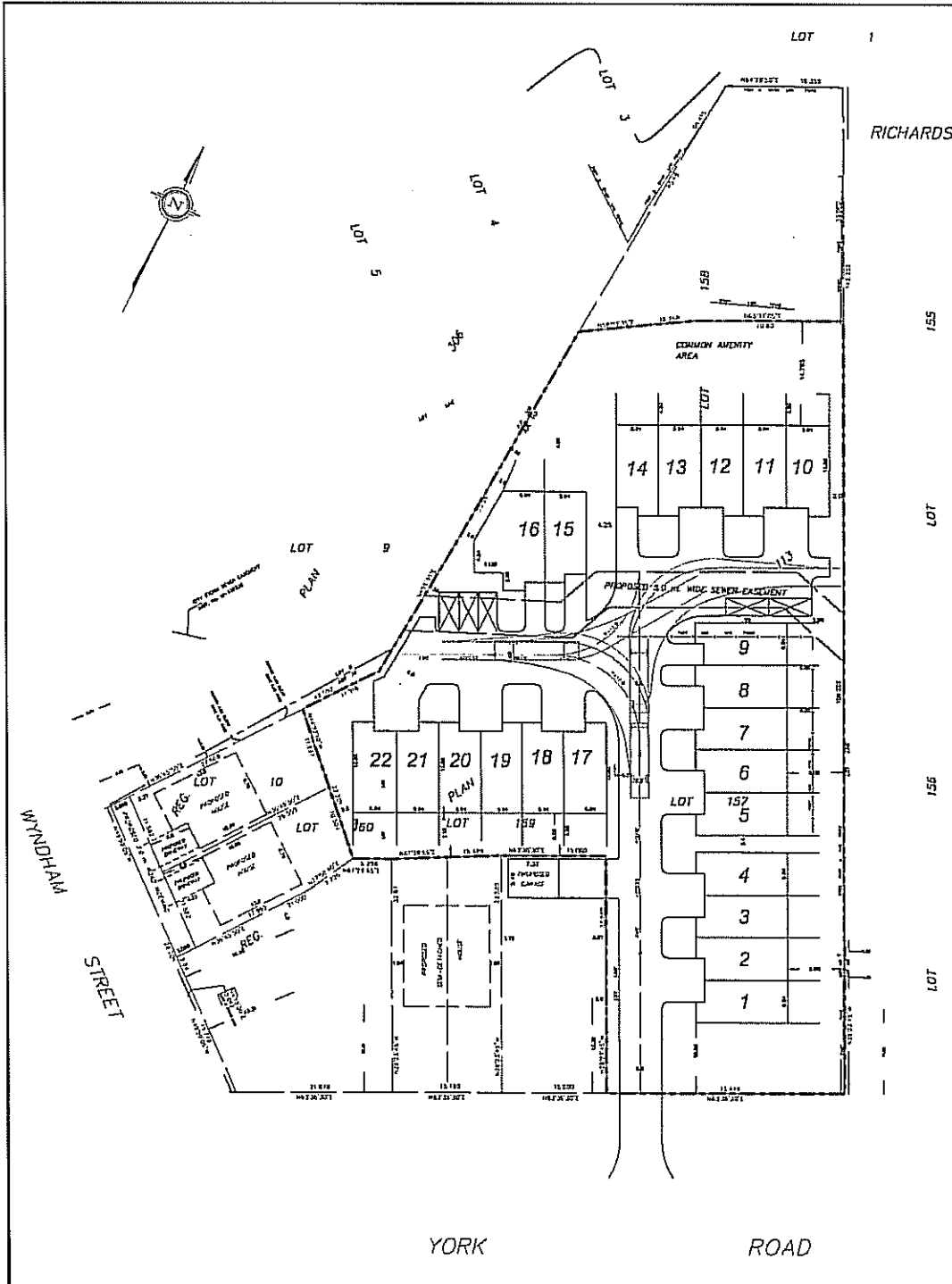
SCHEDULE 6

Original Concept Plan



SCHEDULE 7

Revised Concept Plan



September 25, 2006

Mayor Kate Quarrie
Guelph City Council
City of Guelph Planning Staff
Terraview Homes

I'm writing this letter on behalf of Residents for Responsible Development which was formed over two years ago to address issues of development in the York Road and Wyndham St. area of St. Patrick's Ward. This group has been specifically involved in the application by Terraview Homes to develop the corner of York Road and Wyndham Street involving the properties of 66 – 72 York Road and 1 Richardson Street.

I am pleased to report that, after City Council voted to hire a mediator (Glenn Pothier) to facilitate an agreement between our group, City staff, and Terraview Homes, we have been able to agree on a framework for development that has gone a long way to resolving the numerous issues that have caused significant friction between the community and the developer. Our group is now prepared to accept the proposed _____ development as modified.

The parties have been able to reach substantive agreement on most issues of concern such as waste collection, tree replacement, and fence height. Most importantly, the developer and the neighbourhood have found the middle ground on the two central issues of storm-water management and site design. While the community is still concerned with the level of intensification in our neighbourhood and the larger drainage issues in the Special Policy Area, the developer has made important concessions in the design of his proposal to address these concerns on his site. Andrew Lambden and the Terraview consultants should be commended for their significant efforts to address neighbourhood concerns.

However, our group believes that this agreement between the neighbourhood and Terraview homes requires an increased commitment from the City of Guelph to truly make this development work. Specifically, the City of Guelph needs to build upon Terraview's commitments and address the larger issues that remain. First, our group will be working to ensure that Council moves forward the funds committed for 2010/2011 for Ward One upgrades to occur in tandem with the development of the York Road and Richardson Street development. The City needs to commit now to increase the size of the existing undersized 450mm pipe to the west of the Terraview site, which is the City's responsibility, to match the construction schedule for the Terraview project. For our part, our group will be working to unifying property owners along Richardson St. and York Road to establish easements to ensure that the drainage to the east of the proposed development flows through to the Terraview site efficiently. As a general principle, the City should commit to match development and infill with badly needed infrastructure improvements in the areas targeted for infill. In our specific case, service improvement for current residents and taxpayers should not be deferred when a unique opportunity for upgrades exists.

We also will work towards ensuring that the City address through the York Road environmental assessment the increasing traffic pressures which have come with intensification in our area. Specifically, we are hopeful, and Andrew Lambden has committed to work with us in this regard, that a crosswalk or traffic light could be placed near or across from the development to facilitate access to the park as well as calm traffic flows through this area. We would also like to see a reduction in the twenty-four hour, seven day a week heavy truck traffic that has recently become a major issue of concern for our neighbourhood.

In conclusion our group would like to speak in strong support of the mediation solution, initiated in our case by Councillor Cathy Downer, as a process that should be employed more often by the City. Our mediator, Glenn Pothier, was able in three meetings to move the parties from a situation where appeals to the OMB appeared inevitable, to one where both sides are in substantial agreement. The sessions were informative and positive, and I believe all parties gained a much more developed understanding of each other's issues. Involving citizens in the development process only helps our City as it struggles with the pressures of change which policies like Places to Grow demand. In fact, our group feels strongly that City Staff should initiate this process much earlier when conflict is looming. Meaningful citizen involvement from inception to site plan approval should be encouraged at every level. For her part in initiating and facilitating the mediation process, Councillor Downer deserves the highest praise. City Staff's time during the mediation process was also appreciated.

Our group looks forward to hearing of the City's participation in completing the process that mediation has begun.

Sincerely,

Professor J.J. McMurtry

Mr. Don Kudo P. Eng.,
Planning & Development Services
Engineering Division
City Hall
59 Carden Street
Guelph On N1h 3A1

September 20, 2006
James White
82 York Road
Guelph, Ont,
N1E 3E6

Re: Proposed Official Plan & Zoning By-Law Amendment (OPO6011,ZC0518}
#66,#70,#72 York Road.#1 Richardson Street
Terraview Homes

PLANNING AND BUILDING SERVICES

SEP 25 2006

Attention Mr. Don Kudo P. Eng.

I am writing in regard to the proposed Storm Drainage System for this Development as per the Preliminary Site Servicing and Storm Management Report and North and South Grading Plans Dwgs. 1 and 2 of 3 by Gamsby and Mannerow Limited.

We have been informed by the consulting engineer for this project that the existing 450mm storm sewer is not large enough to handle the storm runoff from this watershed for major storms (I understand a 1000mm or 1050mm pipe is required) and in addition the existing 450mm pipe is very old and the condition of the 450mm pipe is now under investigation . We have been informed the developer is proposing to replace the section of 450mm pipe across his property with a new larger pipe, and so our concern is now focused on the existing 450mm pipe to the west of the developer's property which outlets in the Speed River and is the City's responsibility.

We are concerned if this 450mm pipe is continued to be used as proposed for this development and there is pipe failure or the 450mm pipe as indicated is too small to handle the storm runoff, the properties upstream or east of this development would flood & the homes on York Road could suffer significant property damage because of the resultant increase in the elevation of the water table. (The basements of the existing homes on York Road are now only inches above the existing high water table)

As you are well aware the City of Guelph is promoting intensification across the city, particularly in Ward 1 and this proposed project by Terraview Homes is a direct result of this policy. It is therefore clearly the responsibility of the City to see that the infrastructure for these intensification projects is in place or will be in place and has enough capacity to ensure that the City is protecting existing homes and properties and will service the area.

I suggest the City of Guelph must step up to the table here and do the right thing and ensure their 450mm storm outlet pipe which is clearly undersized, is replaced with the properly sized storm sewer with a backflow preventor at its outlet as soon as possible.

We also understand the City of Guelph is presently doing a n E.A. study of York Road and as the revised overland flow route for major storms from the Terraview development is now to York Road via the entrance road, we wish to draw to your attention there is no overland flow route to the river for this section of York Road from house #70 to house #98.

This should be provided to protect the existing homes and incorporated in any reconstruction of York Road.

I would also like to observe that this section of road (York Road) is also too high to provide drainage for the North Boulevard and sidewalk. The existing sidewalk is underwater for many sections in the summer after a rain and very treacherous in the winter and is a safety issue.

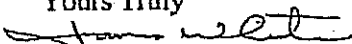
I would like to suggest this section of road could be lowered if the existing 18 inch sanitary sewer in the road was removed and its flow directed to the existing 18inch sanitary sewer in the north boulevard.

A new concrete sidewalk on the south side of York Road from the Greek Orthodox Church to connect up with the trail at the Covered Bridge would also be a definite improvement.

Would you please forward this information pertaining to York Road to the department doing the E.A. study for York Road as it may be of some assistance.

In conclusion we feel most definitely the proposed drainage system and infrastructure for the Terraview Project should undergo vigorous examination by the City of Guelph Engineering Department to protect all parties. We would like to thank you for your consideration of the views expressed in this letter.

Yours Truly


James White C.E.T.

cc

Scott Hannah Manager of Development Planning
Melissa Castellan Senior Development Planner



City of Guelph

Report:

PLANNING & DEVELOPMENT SERVICES (REPORT 06-84)

TO: Council

DATE: 2006/10/10

**SUBJECT: 806 GORDON STREET: PROPOSED OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENT (OP0602, ZC0606)**

RECOMMENDATION:

'THAT Report 06-84 regarding Official Plan and Zoning By-law Amendments for property municipally known as 806 Gordon Street from Planning and Development Services dated October 10, 2006 BE RECEIVED; and

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Mar-cot Homes Ltd. for a site specific policy amendment to the "General Residential" designation of the Official Plan affecting property municipally known as 806 Gordon Street and legally described as Part of Lots 1 and 2, Concession 8, City of Guelph, BE APPROVED, in the form outlined in Schedule 2 of the Planning Report 06-84 dated October 10, 2006; and

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Mar-cot Homes Ltd. for a Zoning By-law amendment from the R.1B (Residential Single Detached) Zone to a new Specialized OR (Office - Residential) Zone affecting property municipally known as 806 Gordon Street and legally described as Part of Lots 1 and 2, Concession 8, City of Guelph, BE APPROVED, in accordance with the regulations and conditions set out in Schedule 3 of the Planning Report 06-84 dated October 10, 2006; and

THAT the request by Mar-cot Homes Ltd to demolish the detached dwelling located on the property municipally known as 806 Gordon Street BE APPROVED."

SUMMARY:

The applicant proposes to amend the Official Plan and Zoning By-law for the property municipally known as 806 Gordon Street to permit office and/or residential uses.

BACKGROUND:

Location: The subject site is located on the east side of Gordon Street, south of the intersection of Harvard Road and Gordon Street (see **Schedule 1** - Location Map). The site is in close proximity to the Campus Estates Plaza and Days Inn and is located adjacent to a cluster townhouse development (to the north) and office buildings (to the south). Detached residential dwellings are situated to the east and west (across Gordon Street) of the subject property.

The subject property has an area of 0.69 hectares with a frontage of 74.9 metres on Gordon Street. The site contains a two storey detached dwelling and a coach house which are proposed to be demolished.

Official Plan Designation: The subject site is designated "General Residential" in the Official Plan. This designation permits residential uses in low rise housing forms at a maximum density of 100 units per hectare. The 'General Residential' designation also permits non-residential uses that are complementary to and serve the needs of residential neighbourhoods. These non-residential uses include schools, churches, day-care centres, parkland and convenience commercial. Convenience commercial uses are limited in size to a maximum gross floor area of 300 square metres.

Existing Zoning: The subject property is currently zoned R.1B (Residential Single Detached).

The following uses are permitted in the R.1B zone:

- Single Detached Dwelling
- Accessory Apartment
- Bed and Breakfast
- Day Care Centre
- Group Home
- Home Occupation
- Lodging House

REPORT:

Description of the Proposed Official Plan Amendment: The applicant is proposing a free standing office building on the site including a medical clinic use in addition to residential uses.

Official Plan policy 7.2.26 permits certain non-residential land uses within residential areas. These uses include schools, churches, parks, day care centres, recreational facilities, and convenience commercial uses that do not exceed 300 square metres (3200 square feet). Offices, medical offices and medical clinics are not a convenience commercial use nor do they meet the definition of any of the other non-residential land uses; therefore an Official Plan amendment is required. In similar circumstances, site specific amendments to the Official Plan have been permitted for non-residential uses and are outlined in Official Plan policy 7.2.30.

The proposed site-specific Official Plan amendment would add a new Official Plan policy to Section 7.2.30 that would state the following:

"In addition to the provisions of policy 7.2.26, office, medical clinic and medical office uses shall be permitted on property known municipally as 806 Gordon Street to a maximum gross floor area of 2500 square metres."

Description of Proposed Zoning By-law Amendment: The applicant proposes to amend the zoning from the R.1B (Residential Single Detached) Zone to a new Specialized OR (Office-Residential) Zone to permit the development of a free standing office building and/or townhouses.

The following uses are proposed for the new Specialized OR Zone:
(Note: these uses are the same as the standard OR zone with the addition of medical clinic, cluster townhouse and stacked townhouse):

| | |
|---------------------|--------------------------------|
| Accessory Apartment | Medical Clinic |
| Artisan Studio | Office |
| Bed and Breakfast | Personal Service Establishment |
| Dwelling Units | School |
| Duplex Dwelling | Semi-Detached Dwelling |
| Group Home | Single Detached Dwelling |
| Home for the Aged | Tourist Home |
| Home Occupations | Cluster Townhouse |
| Lodging House | Stacked Townhouse |
| Medical Office | |

Planning Analysis

This application has been reviewed in terms of the Non-residential uses in Residential Areas policies of the Official Plan and Official Plan policies related to multi-unit housing, intensification and infill.

Section 9.3 of the Official Plan provides the criteria for Council to consider in evaluating proposed amendments to the Official Plan. It is planning staff's opinion, as outlined below, that this proposed Official Plan amendment satisfies the criteria of Section 9.3.

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

Staff Comment: The proposed amendment is a site specific, minor change to the Official Plan. This application satisfies the policies of the Official Plan related to non-residential uses in residential areas (Section 7.2.27) as follows:

- *Be located on an arterial or collector road* – The subject site is located on Gordon Street which is an arterial road.
- *Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties* – Site plan approval applies to this development and will ensure that appropriate buffering and screening are incorporated into the site design and that lighting is directed away from neighbouring properties.
- *Have adequate landscaping and screening to promote compatibility with adjacent activities* – These items will be addressed through site plan

approval. The applicant is required to submit a tree plan identifying trees to be removed and retained and a landscape plan showing new plantings. It is expected that perimeter plantings will be incorporated into the landscape plan and as many significant existing trees as possible will be retained.

- *Have sufficient off-street parking, circulation and access points* – There is adequate land area to provide the required parking for the proposed use. During site plan approval, Engineering staff will review the parking area, circulation and access points to ensure it meets City criteria.
- *Have adequate municipal services* – Municipal services are available to service the site.

This proposal also fulfills the Official Plan policy for encouraging non-residential uses to concentrate at neighbourhood nodes. A mix of land uses exists in the area of the intersection of Gordon Street and Harvard Road. This property provides a natural extension of the existing office developments on Gordon Street.

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

Staff Comment: The site is suitable for the proposed activity and provides adequate area for on-site parking. The property is situated on an arterial road and a transit route and is within walking distance of residential areas. The proposed office building is in an appropriate location to concentrate additional office uses within a residential area.

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

Staff Comment: The proposed office use development in this location is compatible with the residential, office and commercial land uses in the vicinity. The area is characterized by mixed use development. Development of the site is subject to site plan approval which will address matters such as screening, lighting, landscaping and traffic circulation. Site Plan Approval will also ensure that the site is developed appropriately and meets the urban design and compatibility criteria outlined in the Official Plan.

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

Staff Comment: The 2004 Background Report to the Commercial Policy Review identified a need for approximately 120 000 square feet of additional professional service space in the City of Guelph by the year 2021.

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

Staff Comment:

There are limited lands readily available for medical office use in the South Guelph area including the Gordon Street and Stone Road area. The majority of office uses in the immediate area are part of the University of Guelph Research

Park. They are related to the agri-food industry and do not meet neighbourhood needs for professional or medical offices. Places to Grow policy promotes the provision of "a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods". This proposal satisfies Places to Grow policies based on the proposed professional/medical use and its location in close proximity to residential neighbourhoods which provides a new opportunity to meet people's needs for daily living by providing convenient access to jobs and services.

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

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

Engineering Services has requested that the development have only one driveway access based on the site's proximity to the intersection of Gordon Street and Harvard Road and the number of existing driveways in the area which create conflicting turning movements. It is recommended that the driveway access be located on the south portion of the property at the furthest distance possible from the intersection of Gordon Street and Harvard Road. This has been included in **Schedule 3** as Condition 12.

The proposed zoning amendment to permit an office and/or townhouse development is appropriate for the site. The subject property is situated on an arterial road in an area that is characterized by mixed use development. A free standing office building, a townhouse development or a combination of the two uses is appropriate for this site.

This application and the proposed development are consistent with the Official Plan and Zoning By-law Amendments that were approved in the late 1980s for the properties to the south at 824-854 Gordon Street. The subject site is a natural extension of the existing cluster of office uses in this area and this property is appropriate for redevelopment based on its size and location. The recommended condition for tree retention and replacement is also consistent with the approach taken for the development of the properties at 824-854 Gordon Street.

A minimum density regulation is proposed for residential development of this site. This regulation has been included in the specialized regulations for the new Specialized OR (Office-Residential) Zone as a minimum density of 26 units per hectare (i.e., minimum of 18 units). The inclusion of a minimum density provision will assist in ensuring that the site meets the intensification goals of the Official Plan and the objectives of Places to Grow policy.

One concern raised by a neighbouring property owner is related to the retention of the existing trees on the north property line abutting the townhouse development at 784 Gordon Street. A tree plan is required for the property as it falls within the size range covered by the Tree By-law. This plan will indicate which trees are to remain on site and which trees are to be removed. A landscaping plan is also required and will indicate the location and type of trees/vegetation to be planted on the site. See Conditions 2 and 3 of **Schedule 3**.

The proposed demolition of the existing detached dwelling and coach house was reviewed by Heritage Guelph. While Heritage Guelph encourages the applicant to consider retention and adaptive re-use of the existing building, they stated that the existing structures do not merit designation under the Heritage Act. In order to maintain a record of this built heritage resource, Condition 6 of **Schedule 3** requires the submission of documentation of the structures and existing landscaping prior to demolition.

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

CORPORATE STRATEGIC PLAN:

Supports Strategic Plan Directions 1 and 2:

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

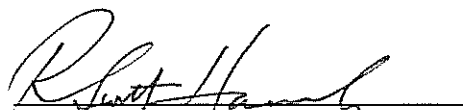
DEPARTMENTAL CONSULTATION:

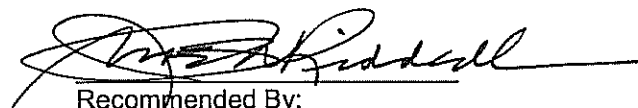
The public and agency comments received during the review of the application are included on **Schedule 6**.

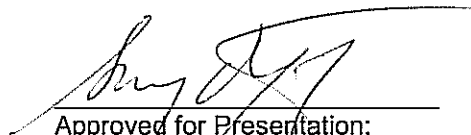
ATTACHMENTS:

- Schedule 1** – Location Map
- Schedule 2** – Proposed Official Plan Amendment
- Schedule 3** – Zoning Regulations and Conditions
- Schedule 4** – Existing Official Plan Designation
- Schedule 5** – Existing Zoning
- Schedule 6** – Circulation Comments
- Schedule 7** – Public Notification Summary


Prepared By:
Melissa Castellan
Senior Development Planner


Recommended By:
R. Scott Hannah
Manager of Development Planning

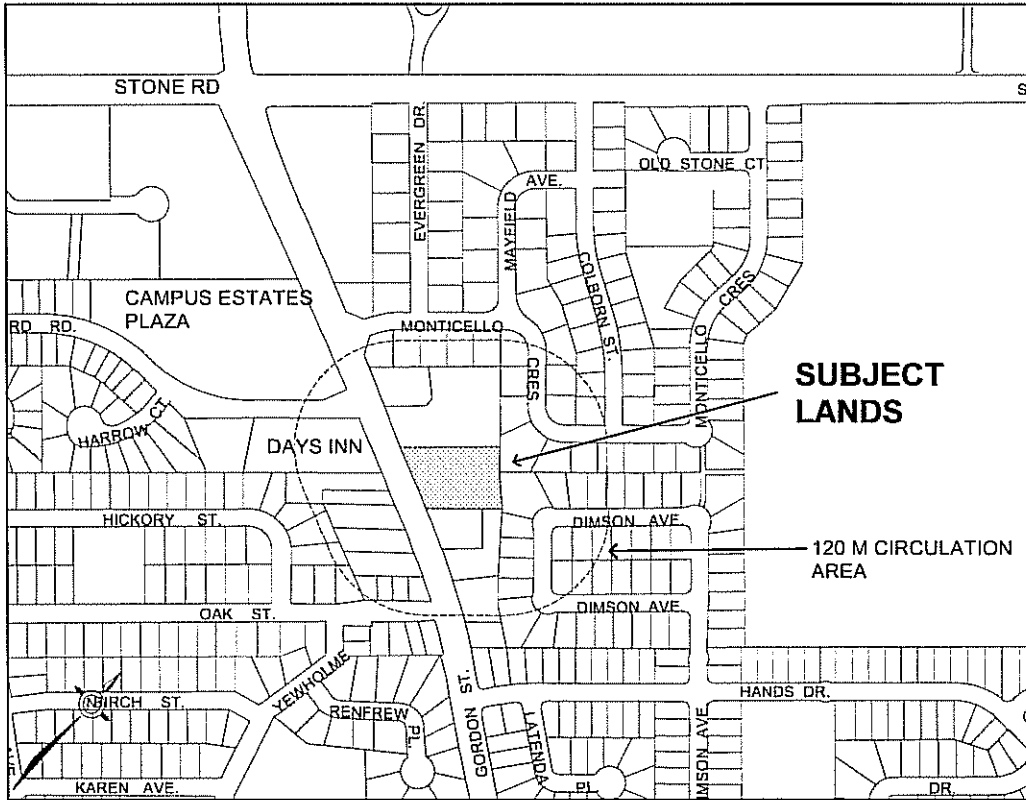

Recommended By:
James N. Riddell
Director of Planning and Development Services


Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

T:\Planning\COUNCIL REPORTS\Council Reports - 06\06-84) (10-10) 806 Gordon Street (Melissa C).doc

SCHEDULE 1

Location Map



SCHEDULE 2

Proposed Official Plan Amendment

Amend the Official Plan text by the addition of a new site specific sub-policy. Amend Official Plan Policy 7.2.26, Non-residential Uses in Residential Areas, by adding the following clause:

- 7.2.30.? In addition to the provisions of policy 7.2.26, office, medical clinic and medical office uses shall be permitted on property known municipally as 806 Gordon Street to a maximum gross floor area of 2500 square metres.

SCHEDULE 3

Proposed Zoning By-law Amendment Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 806 Gordon Street and legally described as Part of Lots 1 and 2, Concession 8, City of Guelph.

The following zoning is proposed:

Specialized OR-? (Office Residential) Zone

Regulations

Permitted Uses

In addition to the Uses listed in Section 6.5.1 of Zoning By-law (1995) – 14864, as amended, the following Uses shall also be permitted:

- **Cluster Townhouse** developed in accordance with Section 5.3.2
- **Stacked Townhouse** developed in accordance with Section 5.3.2
- **Medical Clinic**

Regulations

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

Minimum Density for **Cluster Townhouses** or **Stacked Townhouses**

26 units per hectare

Maximum **Gross Floor Area** for Non-residential Uses

2500 square metres

Conditions

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services and the City Engineer, prior to the issuance of a building

permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.

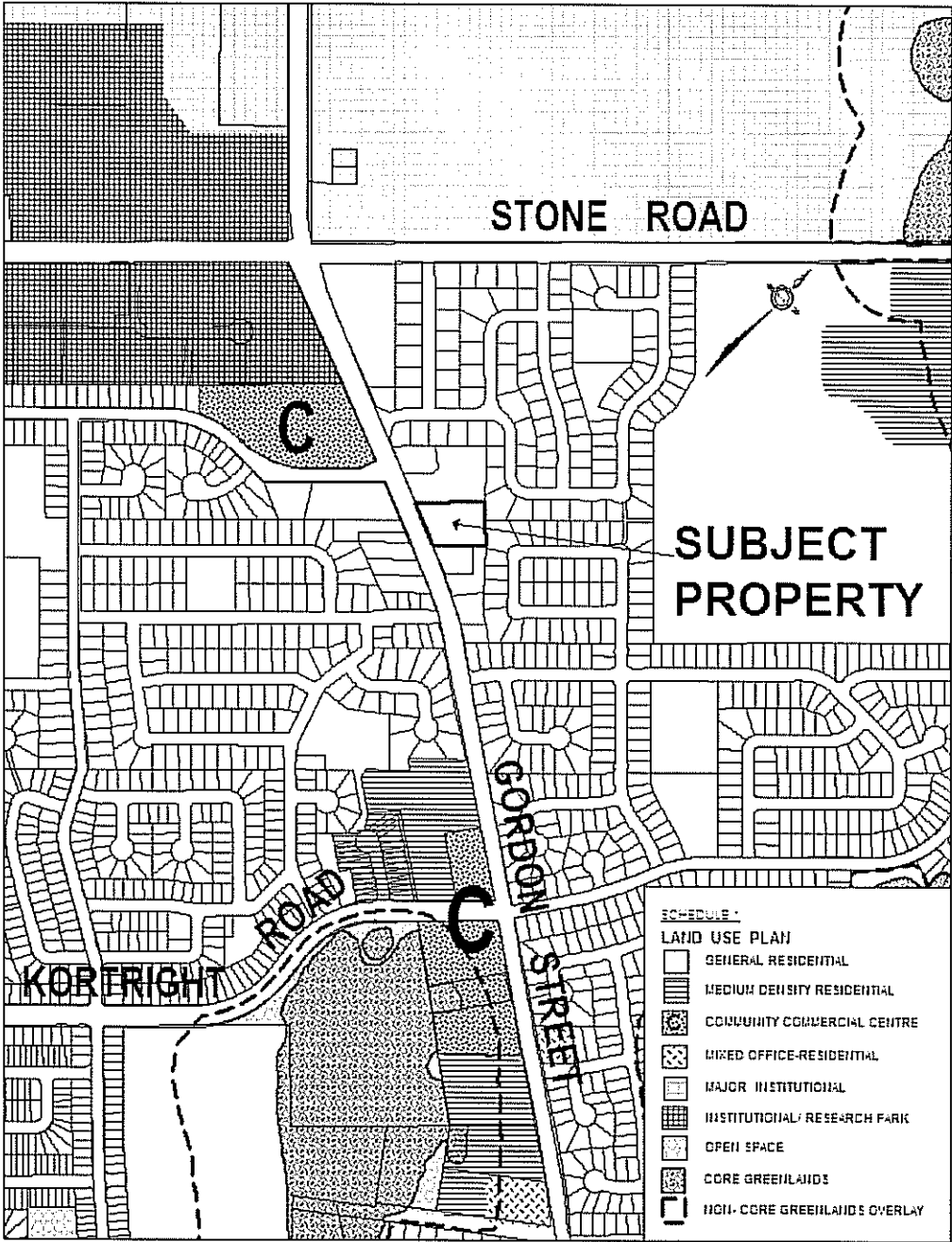
2. That the owner prepares a tree conservation plan identifying trees to be retained and removed, to the satisfaction of the Director of Planning and Building Services, prior to site plan approval.
3. That the Developer shall prepare a replanting plan that includes details about the species, size and location of new plantings on the site to the satisfaction of the Director of Planning and Development Services. The replanting plan shall address perimeter planting.
4. That the developer shall be responsible for paying cash-in-lieu of parkland for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to site plan approval.
5. Prior to the site plan approval, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
6. That the owner provide a Heritage Documentation Report, to include a recording of the interior and exterior of the house as well as the existing gardens, to the satisfaction of Heritage Guelph, prior to the issuance of a demolition permit.
7. Prior to site plan approval, the owner shall pay to the City the sum of \$40,438.70 for the owner's share of the actual cost of constructing the existing municipal services on Gordon Street across the frontage of the lands including roadworks, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer.
8. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That prior to the site plan approval, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
10. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the

storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.

11. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
12. That the property be developed with only one driveway to Gordon Street and that the driveway be located on the southerly half of the site.
13. That prior to site plan approval, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

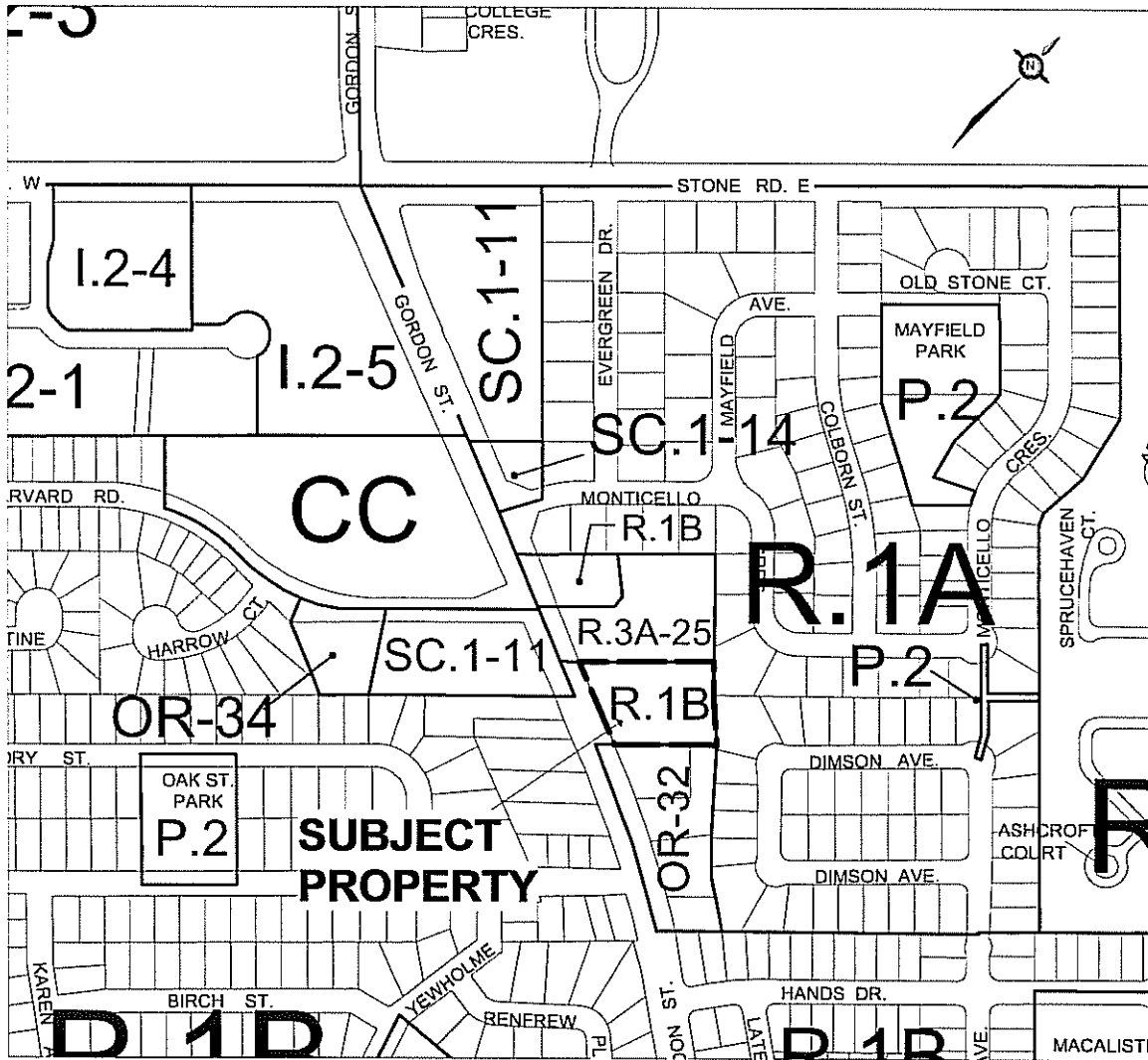
SCHEDULE 4

Existing Official Plan Designation



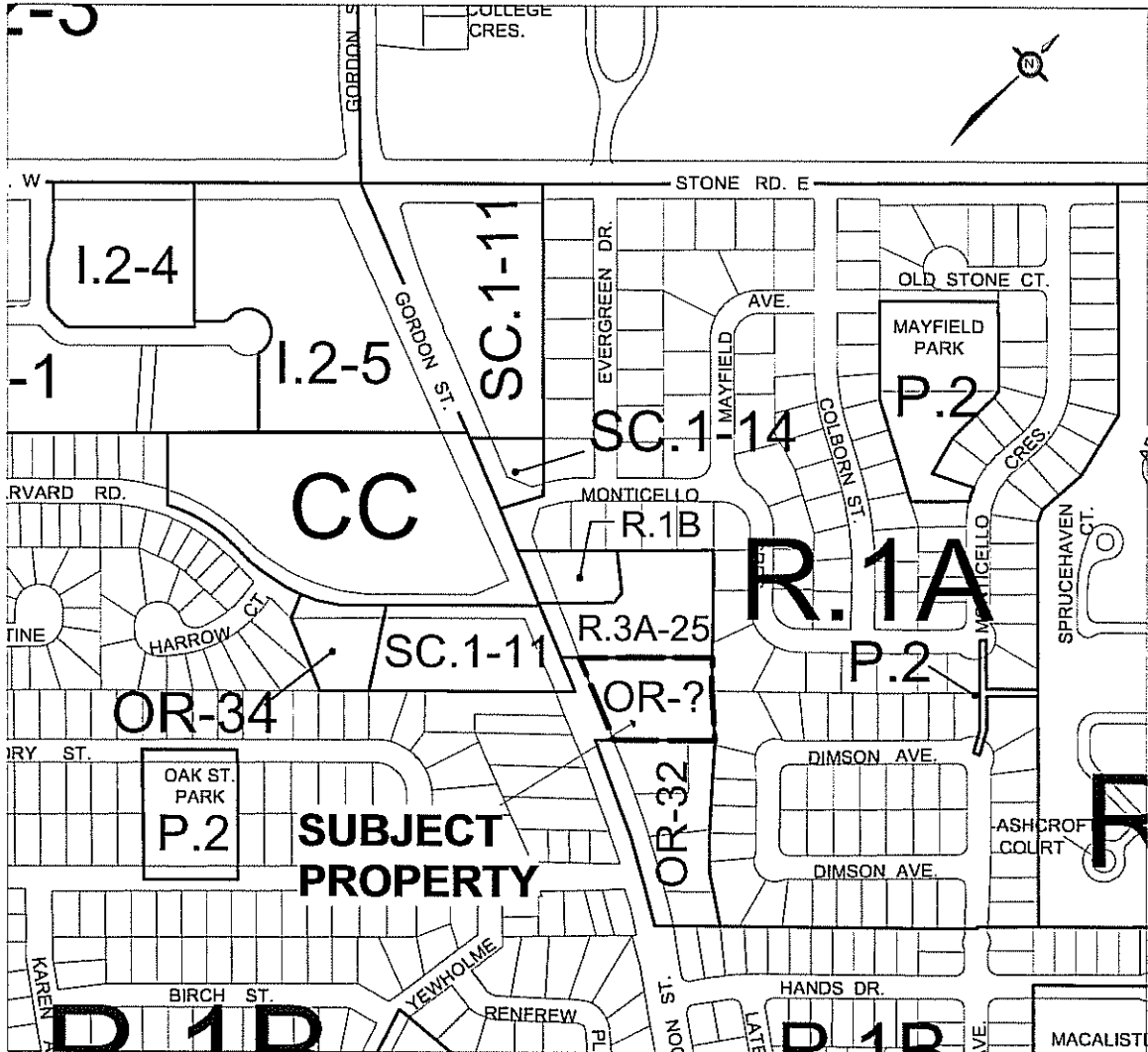
SCHEDULE 4 continued

Existing Zoning



SCHEDULE 5

Proposed Zoning



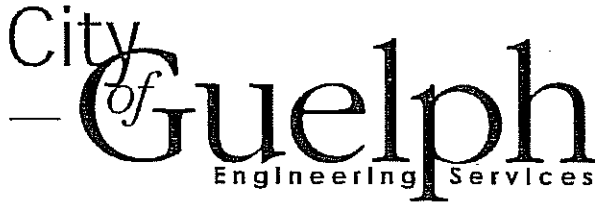
SCHEDULE 6

Circulation Comments

| <u>RESPONDENT</u> | <u>NO OBJECTION OR COMMENT</u> | <u>CONDITIONAL SUPPORT</u> | <u>ISSUES/CONCERNS</u> |
|---|--------------------------------|----------------------------|---|
| Planning and Development Services | | ✓ | <ul style="list-style-type: none"> • Subject to Schedule 2 & 3 |
| Engineering Services* | | ✓ | <ul style="list-style-type: none"> • Subject to Schedule 2 & 3 |
| Finance | | ✓ | <ul style="list-style-type: none"> • Development Charges |
| Community Services (Recreation and Parks) | | ✓ | <ul style="list-style-type: none"> • Cash in lieu of parkland |
| Heritage Guelph | | ✓ | <ul style="list-style-type: none"> • Documentation of existing structures prior to demolition |
| Guelph Development Association | ✓ | | |
| Emergency Services / Fire Department | ✓ | | |
| Guelph Police Service | ✓ | | |
| Wellington Dufferin Guelph Public Health | ✓ | | |
| Wellington Catholic District School Board | ✓ | | |
| Guelph Chamber of Commerce | ✓ | | |
| Ministry of Municipal Affairs and Housing | ✓ | | |
| K & B Hines* 1-784 Gordon Street | | | <ul style="list-style-type: none"> • Prefers free standing office building • Prefers townhouse development • Protect trees along mutual property line • Concern about traffic and access associated with medical office • Concern about drainage, amount of paved area |
| J. Petrella* 2-784 Gordon Street | | | |

*Comments attached

SCHEDULE 6 continued



File No. 16.132.113

To: Melissa Castellan
From: Don Kudo
Department: Planning and Development Services Division: Engineering Services
Date: September 11, 2006
Subject: **OP and Zone Change Amendment at 806 Gordon Street
(File OP0602 and ZC0606)**

On Gordon Street, abutting this property, the sanitary sewer changes from a 200mm to 250mm sewer that is approximately 2 to 2.5 metres deep, a 375mm to 450mm storm sewer approximately 2 metres deep, a 400mm watermain, 4 lanes of asphalt pavement with curb and concrete sidewalk. At about the middle of the property, the asphalt road width begins to increase to provide a fifth lane for left turns at the intersection with Harvard Road just to the north of the site. The right-of-way width is 30.48 metres which complies with the specified right-of-way width of 30 metres in the Official Plan.

Part of the lands (with a frontage of about 49.7 metres) that were associated with 806 Gordon Street were severed off in the late 1980's and combined with other lands to the north which are now part of the condominium townhouse development at 784 Gordon Street. At that time, the existing house at 806 Gordon Street was required to connect to the municipal sanitary sewer and watermain and the owners paid for the sanitary sewer to be extended to the property and watermain frontage charge. This development should be required to pay their share of the cost of the existing road works and storm sewer on Gordon Street which is what the townhouse development at 784 Gordon Street was required to pay. After deducting \$4,850.12 for work specifically related to the townhouse property at 784 Gordon Street, the townhouse developer paid \$540.09 per metre of frontage for the existing roadworks, street lighting and storm sewer. The property that is the subject of this application has 74.874 metres (245.65 feet) of frontage and should therefore pay \$40,438.70 for their share of the existing roadworks, street lighting and storm sewer on Gordon Street.

This northerly limit of this property is only 45 metres from the signalized intersection with Harvard Road. There are numerous driveways in this area which create conflicting turning movements. This property should be developed so that it has minimal impact to the through traffic on Gordon Street. The site should be limited to one driveway to Gordon Street and that



driveway should be located as far as practical from the intersection at Harvard Road.

The storm sewer on Gordon Street has limited capacity and the intensification of the use of this property will require the use of an on-site stormwater management system to control both the quantity and the quality of the stormwater discharge.

If this Official Plan amendment and Zoning Bylaw Amendment are approved, the following conditions should be imposed:-

1. The owner shall submit and receive approval from the City for a site plan under Section 41 of the Planning Act, for the property prior to the issuance of a building permit.
2. Prior to the issuance of a building permit, the owner shall pay to the City the sum of \$40,438.70 for the owner's share of the actual cost of constructing the existing municipal services on Gordon Street across the frontage of the lands including roadworks, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer.
3. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
4. That prior to the issuance of any building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
5. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
8. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.

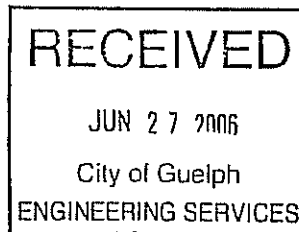


-
9. That the property be developed with only one driveway to Gordon Street and that the driveway be located on the southerly halve of the site.
 11. That prior to the passing of the zone change by-law, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

SCHEDULE 6 continued

Julie Petrella
Unit 2
784 Gordon Street
Guelph
N1G 5C8

June 26, 2006



Re: file OP0602,ZC0606 By-Law amendment 806 Gordon Street

Attn: Melissa Castellan, Senior Development Planner

In response to your notification to homeowners on this plan amendment I support any proposal that will maintain or enhance property values. For this I believe that cluster town homes are the most appropriate use. My concerns on the development of this property are in regard to

a: the current tree line dividing our properties. This is a mature barrier of interesting shrub and trees. This plantation should be protected under any recommendation going forward to council.

b: Access to the site if developed as medical office space. A medical building would indicate regular appointments, and regular in out traffic. The current site access would be extremely difficult to access from south bound lanes.

c: danger to pedestrians and cyclists. Every new entrance into properties on Gordon Street creates more danger to these people. I have been 'near missed' several times as a pedestrian by traffic turning into the newer buildings clustered adjacent to the subject. This is typically at "starting and leaving work" work times. This strip of Gordon Street has many walkers going to the university and the offices on Stone Rd. Cyclists tend to use the sidewalk illegally as there is no bike lane and traffic hugs the curb. It now appears that this portion of Gordon Street is a "Truck Route" instead of being diverted east at Arkell Rd .

d: That the plans are keeping with Smart Growth.

e: That any development interferes with drainage. This property is heavy clay and water sits for days after a heavy rain or snow melt. I would imagine that the soil type is the same next door.

f: the amount of paved or built on area in the property. This will affect all the neighbours with increased heat in the summer and salt leaching in the winter.

Please keep me informed on the planning process, and what recommendations are being brought forward

A handwritten signature in black ink, appearing to read "Julie Petrella". The signature is fluid and cursive, with a long horizontal stroke at the end.

Julie Petrella

SCHEDULE 6 continued

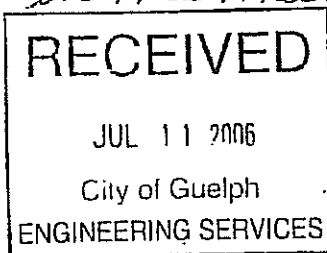
1-784 Hi don St
Guelph Ont
July 6, 2006

City of Guelph,
Senior Development Planner,
Melissa Castellano

Dear Melissa:

We recently received a letter concerning the property at 806 Gordon Street in Guelph which is next door to us. Our preference is to have a free standing office building including a medical clinic as opposed to a cluster townhouse development. Our backyard abuts on the said property. Please consider our request in your final decision.

Thank-you for your attention in this matter.



Yours truly,
Ken & Betty Hines

SCHEDULE 7

Public Notification Summary

| | |
|--------------------|---|
| April 13, 2006 | Application submitted to the City of Guelph. |
| May 18, 2006 | Notice of Application Sign erected on the subject property. |
| May 23, 2006 | Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres. |
| September 15, 2006 | Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres. |
| September 22, 2006 | Courtesy Notice of Public Meeting advertised in the City News pages of the Tribune. |
| October 10, 2006 | Public Meeting of City Council. |

Wayne and Carol Taylor
#8-784 Gordon St.
Guelph Ontario.
N1G 5C8

RECEIVED
SEP 29 2006

CITY CLERK'S OFFICE

copy: D. Black
Planning.

September 26th. 2006

ATTN. Ms. Lois Giles, City Clerk
City of Guelph
Planning Division
City Hall
59 Carden St.
Guelph Ontario. N1H 3A1

By-Law Amendment: File OP0602, ZC0606

We are residents of Wellington Condominium Corporation 92, (Barber Estates), 784 Gordon St. This property is next door to 806 Gordon St., the property on which the subject amendment pertains.

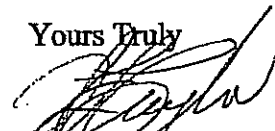
We are not naive enough to think that our wish to have no change take place with the subject property will forestall it's happening. We originally heard that it was to be a townhouse development. That is what we prefer it to be and not another office building. There are two issues that do concern us. Gordon St. at Harvard is a very busy thorough fare and the office complex (particularly if there are a number of doctors offices) will add to the volume of traffic.

Most important to us is the lot line between the two properties. At present there is a buffer of large trees and bushes. We would like to see it stipulated that the developers try and maintain this as is.

I'm sure that our Board of Directors would like to meet with the developers and work with them in both our best interests.

Please add these comments to your file for consideration and please notify us of any decision on Guelph City Council in respect of this proposed Official Plan Amendment.

Yours Truly


Wayne Taylor


Carol Taylor

P.S. as a footnote to the traffic situation. I'm sure it's not the only location in the city but the running of the red light is rampant. We must be very cautious when crossing this intersection, both on foot and in our vehicle.

#15-784 Gordon Street,
Guelph, ON
N1G 5C8

October 2, 2006

Members of Guelph City Council,
Planning and Development Services,
Planning Division,
City Hall,
59 Carden Street,
Guelph, ON
N1H 3A1

RECEIVED
OCT - 2 2006
CITY CLERK'S OFFICE

Dear Members of the City Council and Members of the Planning Department:

806 Gordon Street: Proposed Official Plan and Zoning By-Law Amendment

I am writing to you as a resident in 784 Gordon Street (Barber Estates) and as a former urban planner. I have several serious concerns about the proposed Official Plan amendment and zoning by-law amendment. The current 'General Residential' designation limits commercial uses on the site to a maximum gross floor area of 300 square meters. If you are familiar with the site, this would allow for a small-scale commercial use that would allow for the retention of a number of mature trees that grace this property. The proposed OPA would allow a maximum gross floor area of 2500 square meters, more than eight times than what is permitted in the current Official Plan. This, no doubt, would lead to the total clearcutting of the site with a large commercial building and extensive parking lot. The Newmann Real Estate Office located just south of the subject property is an example of what can be expected at 806 Gordon Street. If a cluster townhouse development was to be built on this site, I am sure that the developer would make serious efforts to keep some of the site's landscape for marketing reasons. From a planning point-of-view, it strikes me that this site is a perfect example of sustainable and infill residential land use development. These are the clear goals of the Smart Growth Strategy that the province is committed to. Residents in this development would be able to walk to the Campus Estates Mall, easily catch a downtown bus, or catch a courtesy Greyhound Bus in front of No Frills to Toronto and beyond. If employed at the University of Guelph or other commercial developments in the area, they would not need to use their automobiles. Environmentally, a cluster townhouse development just makes so much sense.

A second concern relates to the traffic generated by this development. I would invite members of Council and the Planning Department to witness how difficult it is for residents in my development to turn left into Barber Estates at busy times of the day going south on Gordon. If a medical clinic goes in 200-300 yards south, we are looking at a major traffic hazard. Has there been a study looking at the traffic that would be generated by a 5-8 doctor practice?

I have not been a planning practitioner for some 10 years, but to have a zoning by-law amendment that allows for an office building and/or a townhouse development strikes me as odd and misleading to the public. While a cluster townhouse development makes sense to me in terms of the developer making efforts to retain trees for marketing purposes and for limited traffic generation, a medical office is just the opposite.

I plan to attend the meeting on October 10, and would like to reiterate these concerns.

Yours truly,

Judith McKenzie, PhD. MCIP

copy: Plan, D. Black

RECEIVED
OCT - 3 2006
CITY CLERK'S OFFICE

Oct 3, 2006

Julie Petrella
Unit 2
784 Gordon Street
Guelph N1G 5C8

Lois Giles, City Clerk, by fax 519-763-1269
City of Guelph
59 Carden Street
N1H 3A1

Re 806 Gordon Street proposed official plan and zoning by-law amendment to permit either an office or cluster townhouse development (our file OP0602, ZC0606)

I request in writing the decision of Guelph City Council.

Comments for consideration by council

As follow up to my letter of June 26th 2006

Thank you for taking my initial letter into consideration.

My concerns are based on the application being made with NO site plan. This leaves this neighbour in an uncomfortable position.

I do support smart growth and necessary service industries, but I have concern for the environment and the "paving over of Southern Ontario"

If this amendment is passed as it is presented; my concerns for the community are; 'Green Space', water management (off natural drainage and into storm sewers), and traffic. My personal concern is for invasion of my privacy and interference with my light source

The general provisions of the by law amendment are inadequate to protect my property.

My home's back yard faces the North side yard of 806 Gordon Street. Under the provision of the by law the min. set back to the side yard is 3 meters. If this was their rear yard, to protect the privacy and light of the neighbours it would be 10 meters. It is my rear yard and I need the same light and privacy protection.

0001-2

Under the commercial zoning the set back would be min ½ the building height.

The adjacent property, to the south, was rezoned OR -32 from general residential sometime in the 1980's. The reference by -law does not address any issues of set backs or tree conservation. The plans for this building state 2.5 storey (max in by-law) with no height recorded. The building is an office complex, the height is over 12.4 meters, the side yard set back to the General Residential property is just 4 meters instead of 6+ if zoned for actual use.

Please ensure that those oversights are not repeated in this amendment.

I request that sufficient side yard set back be incorporated into the amendment to protect my back yard privacy and light (min 10 meters).

Currently the 2 properties are bounded by a substantial tree line. I request that the majority of these mature trees remain in the site plan, that maximum fines be imposed for all trees sited in the plan and subsequently removed by the developer (we know it happens) and that the developer is ordered to replace those illegally removed with specimens of significant interest and maturity. This appears to be somewhat covered in the conditions of the amendment, to the satisfaction of the city solicitor.

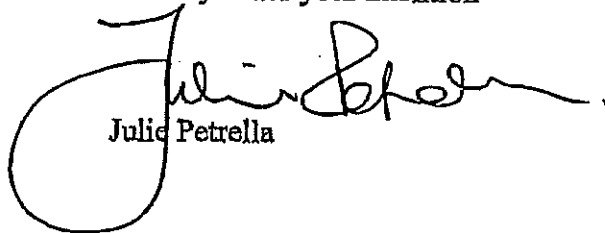
I request that a copy of the agreement entered into between the owner and the city (item 13) be available to the immediate property owners

The tree by-law is now 20 years old and the 'fine structure' has not been adjusted accordingly: a consideration that should be addressed when any fine structure is included in any by-law.

Finally, the general provisions of the by- law, calls for a buffer zone between properties. The current standard, adopted by the planning department, appears to be a fence. Max height of 1.8 meters on a side yard. My home sits considerably higher than the property boundary. The top of a fence of 1.8meter (max height) would be **below** the windowsill of my main window: **NOT MUCH OF A BUFFER.**

The best buffer in this circumstance is to keep the current tree, undergrowth barrier.

Thank you for your attention



Julie Petrella



City of Guelph

Report:

PLANNING AND DEVELOPMENT SERVICES Planning (Report 06-83)

TO: Council

DATE: 2006/10/10

SUBJECT: Simon-Wood Limited: Proposed Redline Amendment and Zoning By-law Amendment to permit a rezoning from the Institutional (I.1) Zone and Specialized Residential (R.2-6) Zone to the R.1C (Single Detached Residential) Zone to permit 35 single detached dwellings (City of Guelph File: ZC0602) – Ward 1.

RECOMMENDATION:

“THAT Report 06-83 regarding the Redline Amendment to a portion of Draft Plan of Subdivision 23T-98501 and Zoning By-law Amendment for property municipally known as 129 Watson Parkway North from Planning and Development Services dated October 10, 2006 BE RECEIVED; and

“THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd on behalf of Simon-Wood Limited for a Redline Amendment to a portion of Draft Plan of Subdivision 23T-98501 on lands municipally known as 129 Watson Parkway North and legally described as Part Lot 6, Concession 4, Division C (Parts 4, 5, 6 and 7 of Plan 61R-9482), City of Guelph BE APPROVED, subject to the conditions outlined in SCHEDULE 2 of Planning report #06-83 dated October 10, 2006; and

“THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd on behalf of Simon-Wood Limited for a Zoning Bylaw Amendment from the Institutional (I.1) Zone and Specialized Residential (R.2-6) Zone to the R.1C (Single Detached Residential) Zone affecting the property municipally known as 129 Watson Parkway North and legally described as Part Lot 6, Concession 4, Division C (Parts 4, 5, 6 and 7 of Plan 61R-9482), City of Guelph BE APPROVED in the form outlined in SCHEDULE 2 of Planning report #06-83 dated October 10, 2006.”

SUMMARY OF PROPOSAL:

The applicant proposes a Redline Amendment to a portion of Draft Plan of Subdivision 23T-98501 and an associated Zoning By-law Amendment to permit 35 lots for detached dwellings on 2.2 hectares of land.

BACKGROUND:

Location: The subject property is bounded by Shackleton Drive to the north, Grange Road to the south, Severn Drive Park to the west and the City of Guelph boundary to the east (see Location Map on **Schedule 1**). The subject property is vacant.

Official Plan Designation: The subject property is designated "General Residential" in the Official Plan. This designation permits residential uses in low rise housing forms at a maximum density of 100 units per hectare. The proposal conforms to the Official Plan.

Existing Zoning: The subject property is zoned Institutional (I.1) Zone and Specialized Residential (R.2-6) Zone.

Adjacent Lands: The area surrounding the subject site has been developed, or is currently being developed for residential and parkland purposes. As illustrated by the registered plans shown on **Schedule 6**, the subject lands represent the last remaining larger parcel of undeveloped land within this area. Previous phases of the Watson East Subdivision (23T-98501) have occurred to the north (61M-111), to the south (61M-99 and 61M-92) and to the west (61M-88). This application will establish residential use on the subject lands to complete the neighbourhood.

Application Background

The majority of the subject lands were reserved and zoned for a future public school site upon approval of the draft plan of subdivision for this Watson East planning area. These lands were identified as Block 150 within the original Draft Plan 23T-98501. The East Guelph accommodation review, to establish a plan for elementary school accommodation in East Guelph, did not contemplate a future school site east of Watson Road. Therefore, the Upper Grand School District has advised the owner that these lands are no longer required for a school site. As a result, the current application has been submitted to request this redline amendment to draft plan of subdivision 23T-98501 and associated zoning bylaw amendment to permit the development of 35 lots for detached dwellings.

REPORT:

Description of Proposed Redline Amendment to Draft Plan 23T-98501

The applicant proposes to subdivide the property in accordance with the attached Redline Amendment shown on **Schedule 5**. The plan includes a proposed street connecting Davis Street to the north with Norton Drive to the south between Shackleton Drive and Grange Road. A total of 35 residential lots each with a minimum lot frontage of 12 metres are proposed along this new street. The residential density proposed is 16 dwellings per hectare.

Description of Proposed Zoning By-law Amendment

The applicant proposes to amend the zoning on the subject property from the Institutional (I.1) Zone and Specialized Residential (R.2-6) Zone to the R.1C (Single Detached Residential) Zone (see **Schedule 4 – Proposed Zoning**). The R.1C Zone permits a minimum lot frontage of 12 metres.

Planning Analysis

The Planning Division supports this application to permit 35 residential lots on the subject property. This proposed redline amendment represents a logical approach to utilize lands that are no longer required by the School Board for a future school site.

The applicant's proposal conforms to the policies and land use schedules of the Official Plan. The proposed development is considered to be an appropriate infill development that will allow an appropriate degree of residential intensification, consistent with the goals and direction of the Provincial Policy Statement and Places to Grow legislation. The application will increase the availability of housing within the surrounding Watson East planning area that consists of a full range of housing forms, including single detached, semi-detached, townhouse and apartment dwelling units.

The adjacent parkland to the west will also provide a valued amenity to the proposed development, easily accessed from Grange Road to the south and from Shackleton Drive to the north, utilizing the walkway block developed as part of the adjacent Registered Plan 61M-111. Cash-in-lieu of parkland for the additional residential development proposed will be required (see **Condition 37** in **Schedule 2**).

Engineering staff did identify one potential concern with the new proposed street providing a direct route for through traffic from Davis Street to Grange Road. This concern was based on the potential impact that through traffic could have on local residents. This necessitated the need to explore certain "traffic calming" measures. In response, **Condition 16** has been included in **Schedule 2** to require the developer to submit a traffic management plan to the City for approval. The recommended traffic calming measure identified is the implementation of a traffic circle at the intersection of Davis Street and Shackleton Drive. No additional land is required to accommodate the traffic circle.

This proposal was not anticipated in the preparation of the 2006 Development Priorities Plan (DPP) since this application was filed in January of 2006, following approval of the 2006 DPP in December of 2005. The application is a redline revision of an existing draft approved plan and the 35 proposed units will be included in the 2007 DPP for consideration of the timing of registration. The chart shown on **Schedule 7** indicates that adequate water and wastewater capacity exists for this 35 lot residential subdivision.

Planning and Development Services is in support of the proposed redline amendment and associated Zoning By-law amendment, subject to the conditions and regulations specified in **Schedule 2**.

CORPORATE STRATEGIC PLAN:

The subdivision application supports Strategic Direction #1: The management of growth in a balanced and sustainable manner.

Based on Maximum of 35 Residential Units

Population Projections

- 112 persons

Projected Taxation

- \$109,060 (based on average values from 2003 to 2005 assessment data)

Development Charges

- \$360,675 Residential (Maximum of 35 Singles)

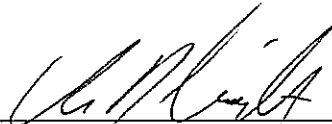
DEPARTMENTAL CONSULTATION/CONCURRENCE:

The public and agency comments received during the review of the application are included on **Schedule 7**. There were no public concerns raised during the circulation of this application.

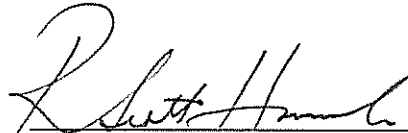
A Great Place to Call Home

ATTACHMENTS:

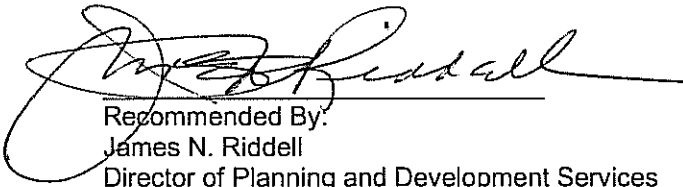
- Schedule 1 – Location Map
- Schedule 2 – Regulations and Conditions
- Schedule 3 – Official Plan Designation
- Schedule 4 – Existing and Proposed Zoning
- Schedule 5 – Proposed Redline Amendment to Plan 23T-98501
- Schedule 6 – Surrounding Development
- Schedule 7 – Water/Wastewater Capacity Chart
- Schedule 8 – Circulation Comments
- Schedule 9 – Public Notification Summary



Prepared By:
Chris DeVriendt,
Senior Development Planner



Recommended by:
R. Scott Hannah, Manager of
Development Planning



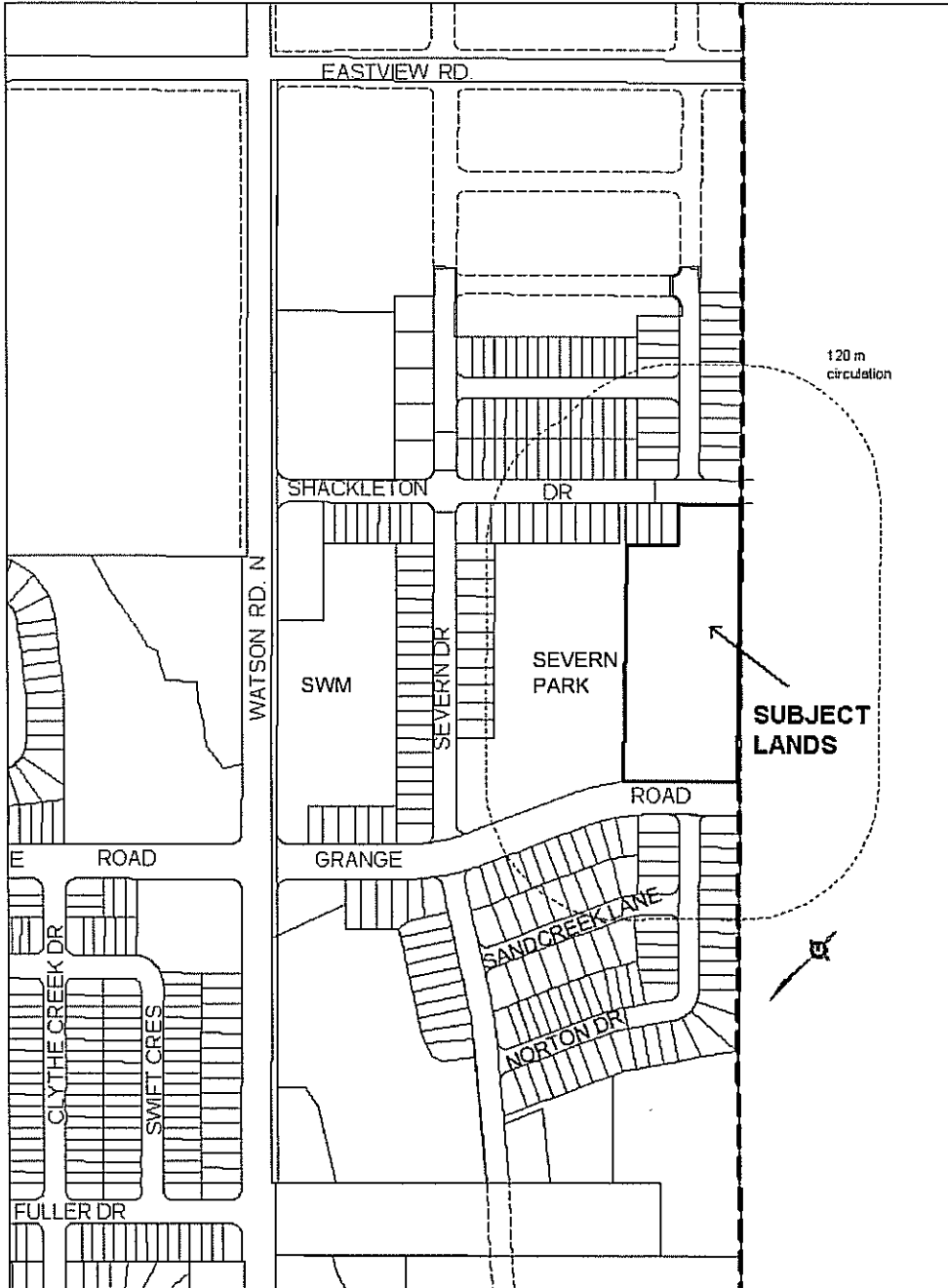
Recommended By:
James N. Riddell
Director of Planning and Development Services



Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

Location Map



SCHEDULE 2

REGULATIONS AND CONDITIONS

PART A

“THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd on behalf of Simon-Wood Limited for a Redline Amendment to a portion of Draft Plan of Subdivision 23T-98501 on lands municipally known as 129 Watson Parkway North and legally described as Part Lot 6, Concession 4, Division C (Parts 4, 5, 6 and 7 of Plan 61R-9482), City of Guelph, be approved, subject to the following conditions:

CITY CONDITIONS:

1. That this approval applies only to the redline amendment to a portion of draft plan of subdivision plan 23T-98501 prepared by Black, Shoemaker, Robinson and Donaldson Ltd. dated April 12, 2006 (project No. 03-4869-6).

Conditions to be met prior to grading and site alteration

2. That the Developer enters into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
3. That the developer prepare a **site drainage and grading plan** for the entire subdivision, satisfactory to the City Engineer.
4. That the developer constructs, installs and maintains **erosion and sediment control** facilities, satisfactory to the City Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified **Environmental Inspector**, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
5. The developer shall prepare and follow an **Environmental Implementation Report** based on Terms of Reference prepared by the applicant and approved by the City and the Grand River Conservation Authority (GRCA) which includes a monitoring program to assess the performance of the storm water management facilities. Furthermore, the report shall address the information and implementation process to get details to the home owners concerning the storm sewer and storm water management process.
6. That the developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City. All damage or maintenance required to surrounding streets as a result of such traffic shall be at the developers cost.

7. That the developer shall submit a detailed **Stormwater Management Report and Plans** to the satisfaction of the City Engineer which show how stormwater will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quality in accordance with recognized best management practices and Provincial Guidelines.
8. That the developer agrees to **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the subdivision agreement on the block/lot so disturbed.
9. That the developer agrees that no work, including, but not limited to tree removal, grading or construction, will occur on the lands until such time as the developer has obtained **written permission** from the City Engineer or has entered into a Subdivision Agreement with the City.
10. That any **domestic wells and boreholes** for hydrogeological or geotechnical investigations be properly abandoned in accordance with the current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.

Conditions to be met prior to execution of the subdivision agreement

11. That the developer agrees that, in the event that development of the property is to be phased, a **phasing plan** must be submitted prior to final approval and registration of the first phase.
12. That the Developer agrees to pay the costs related to the installation of 1- second order, second level **Geodetic Benchmarks** in locations within the proposed subdivision to the satisfaction of the City Engineer.
13. That the developer is responsible for the total cost of the design and construction of any **road works, including sidewalks, boulevards and curbs**, within or surrounding the plan of subdivision.
14. That the developer shall prepare and implement a **traffic calming plan** that will address the possible short cutting of traffic on Davis Street between Grange Street and Eastview Road to the satisfaction of the City.
15. That the developer pays the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
16. That the developer pays to the City the flat rate charge established by the City per metre of road frontage to be applied to **tree planting** within the proposed subdivision.
17. That the developer is responsible for the total **cost of the design and construction of all services** required to service all lands within the plan of subdivision, including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph, with such costs to include services required to service the subdivision which are located outside the limits of the subdivision.
18. That the developer pays the cost of all **existing services** within and abutting the proposed subdivision, as determined by the City Engineer.

19. That the developer makes arrangements, satisfactory to the City Engineer concerning the **scheduling of the development** and the developer's payment of costs for services within the subdivision.
20. That the developer shall be responsible for the **cost of design and development of the demarcation of the park block** in accordance with the City of Guelph Demarcation Policy. This shall include submitting drawings completed by a registered Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Planning and Development Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the "Property Demarcation" improvements and works for the City lands to the satisfaction of the Director of Planning and Development Services.
21. That the developer shall be responsible for paying **cash-in-lieu of parkland** for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the registration of the plan.

Conditions to be met prior to registration

22. That the Developer enters into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
23. That the developer shall pay any **outstanding debts** owed to the City, prior to the registration of the plan.
24. That the registration of the plan, or any part thereof, shall require approval of the City with respect to **adequate water supply and sewage treatment capacity** being available, prior to the registration of the plan.
25. That any **dead ends and open sides of road allowances** created by this plan, or the phasing thereof, be terminated in 0.3 metre reserves which shall be conveyed to the City.
26. The developer shall pay **development charges** to the City in accordance with the City's Development Charges By-law, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
27. That all **easements and rights-of-way** required within or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.
28. That **street lighting and underground wiring** shall be provided throughout the subdivision at the developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro.
29. That the **road allowances** included in the draft plan be shown and dedicated as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in

the plan conforms to the City's "Geometric Design Criteria - July 23, 1993".

30. The Developer shall notify all purchasers that **sump pumps** will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, the Developer shall ensure that all sump pumps are discharged to the rear yard and the Developer shall notify all purchasers that the discharge shall be to the rear yard.
31. That the developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer shall retain a properly qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
32. That the Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
33. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling unit abutting the common boundary between the City and the Township of Guelph Eramosa the following **warning clause**:

"The land adjacent to this subdivision is being actively farmed which includes activities such as herbicide application, planting and harvesting of various crops which may affect the living environment of residents living in close proximity to the farming operations."
34. That the developer agrees to place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and in the City's subdivision agreement to be registered on title:
 - "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Grange Road within the subdivision at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages".
 - "Purchasers and/or tenants of all lots and units are advised that the Park Block has been designed for active public use and may include sports fields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions"
 - "Purchasers and/or tenants of all lots and units are advised that the boundaries of the park block will be demarcated in accordance with the City of Guelph Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to proposed lots 20 through 35, and black vinyl chain link fence adjacent to lots 23 and 16 (Registered Plan 61M-111) on both sides of the park access from Shackleton Drive.

Conditions to be met prior to issuance of a building permit

35. The developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official **certifying all fill** placed below proposed building locations. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
36. That the developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases** (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
37. That **site plans for all corner building lots**, as determined by the City Engineer, shall be submitted to the City Engineer for approval of driveway location.
38. That prior to the release of building permits for any Phase containing a Park, the developer shall demarcate the boundary of the Park Block(s) in accordance with the "City of Guelph **Property Demarcation Policy**". This shall include submitting drawings for approval, identifying the concrete markers and living fences, to the satisfaction of the Director of Planning and Development Services. The developer shall be responsible for the cost of design and development of the living fence and property demarcation for the Park Blocks.
39. That the developer shall **erect signs** at the entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to the Department of Planning and Development Services, City Hall". Further, the signs shall also advise that Watson Road will be upgraded to four lanes of traffic and may be used as a truck route.

AGENCY CONDITIONS:

40. That all telephone service and cable TV service in the plan be underground and the developer shall enter into a servicing agreement with **Bell Canada** providing for the installation of underground telephone service prior to registration of the plan of subdivision.
41. That the developer and the **Wellington Catholic School Board** reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
42. That the developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
43. That the developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:

- "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.

44. That the developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
45. The developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.
46. That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.
47. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 41 has been satisfied.
48. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 42, 43 and 44 have been satisfied.
49. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 27 and 28 have been satisfied.
50. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 45 has been satisfied.

AND

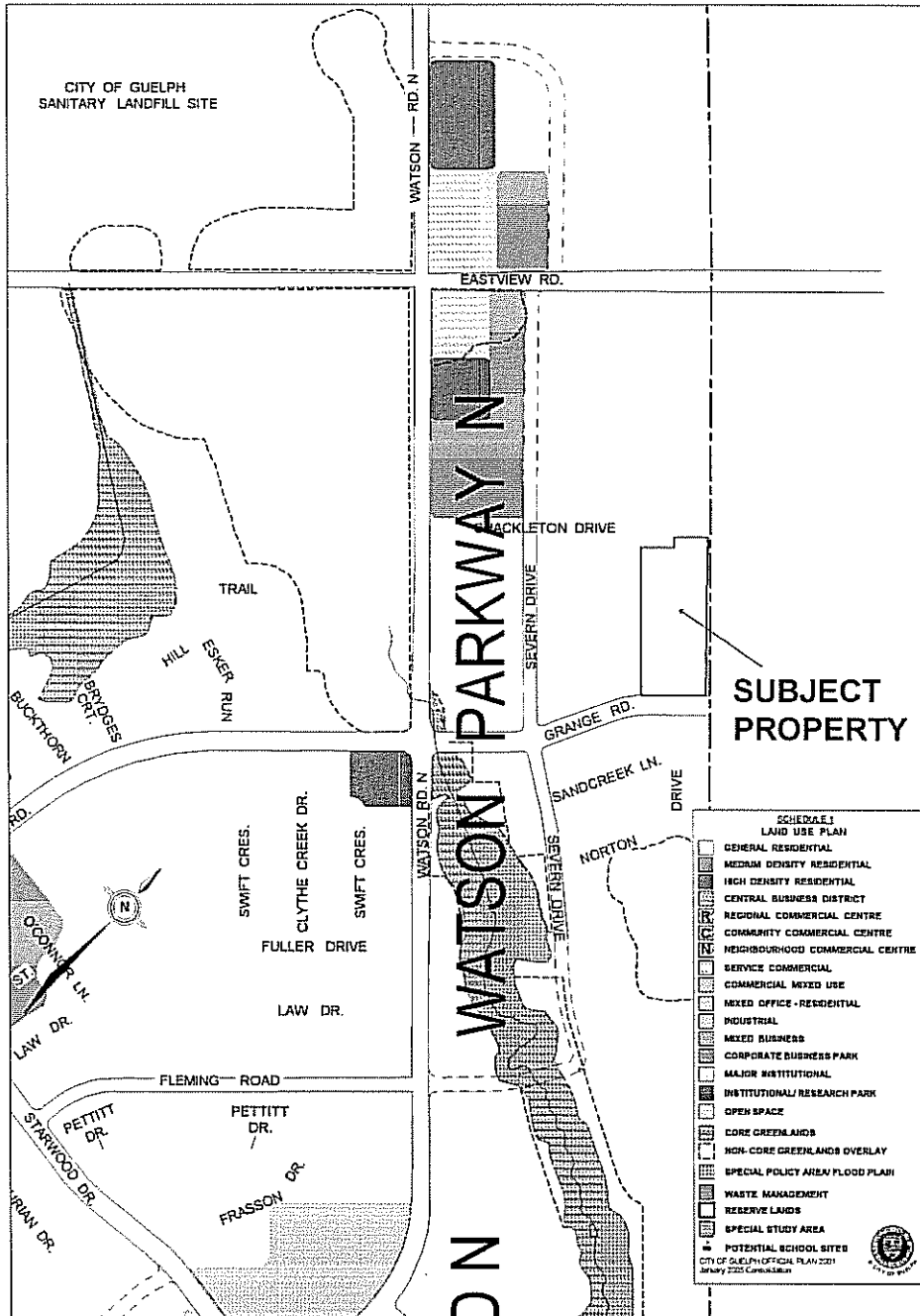
PART B

"That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current UR (Urban Reserve) Zone and Specialized Residential (R.2-6) Zone to the following zoning categories as follows:

| LOTS OR BLOCKS | PROPOSED ZONING |
|----------------|--|
| Lots 1-35 | R.1C Detached Dwellings – minimum frontage of 12 metres |

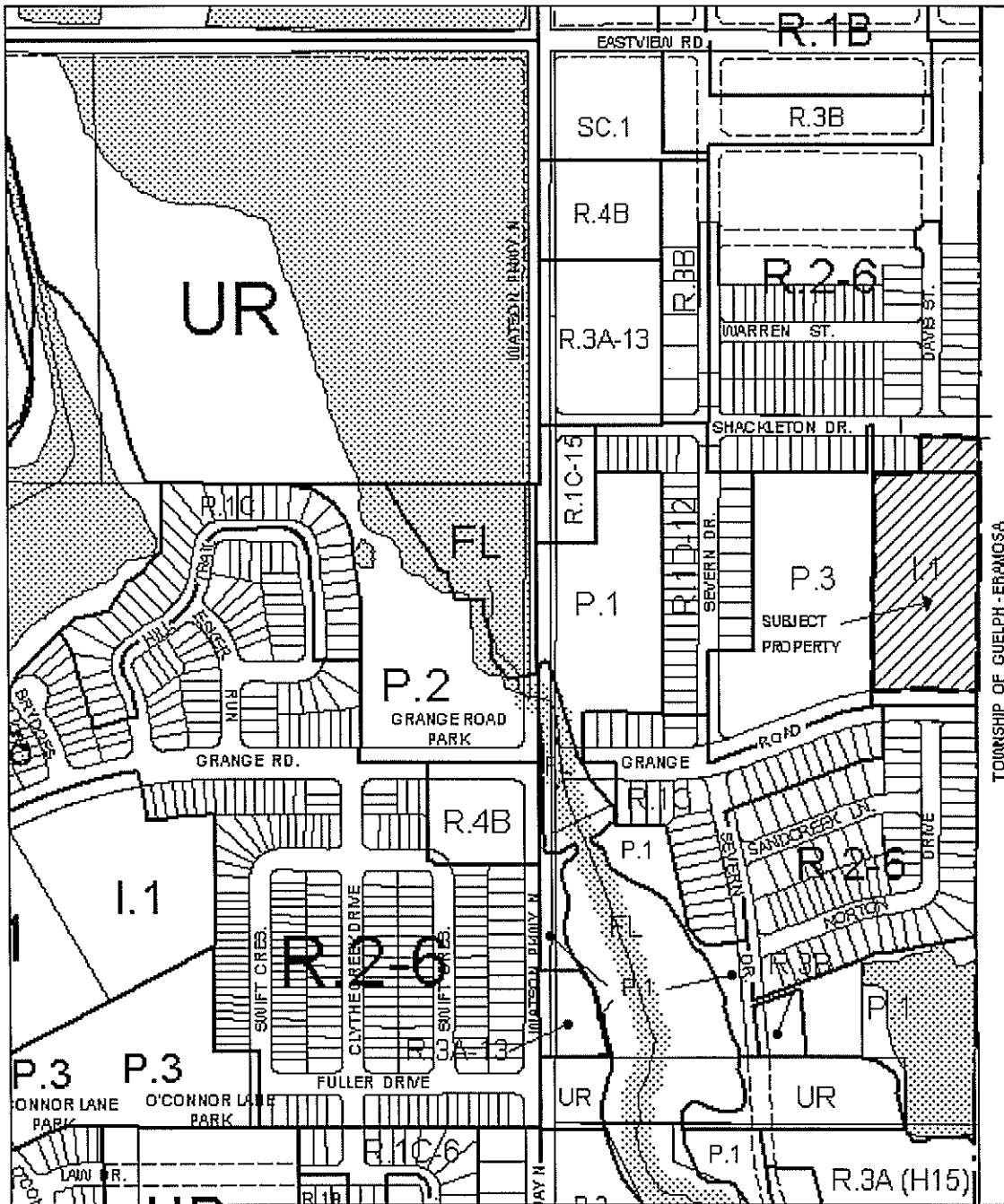
SCHEDULE 3

OFFICIAL PLAN DESIGNATION



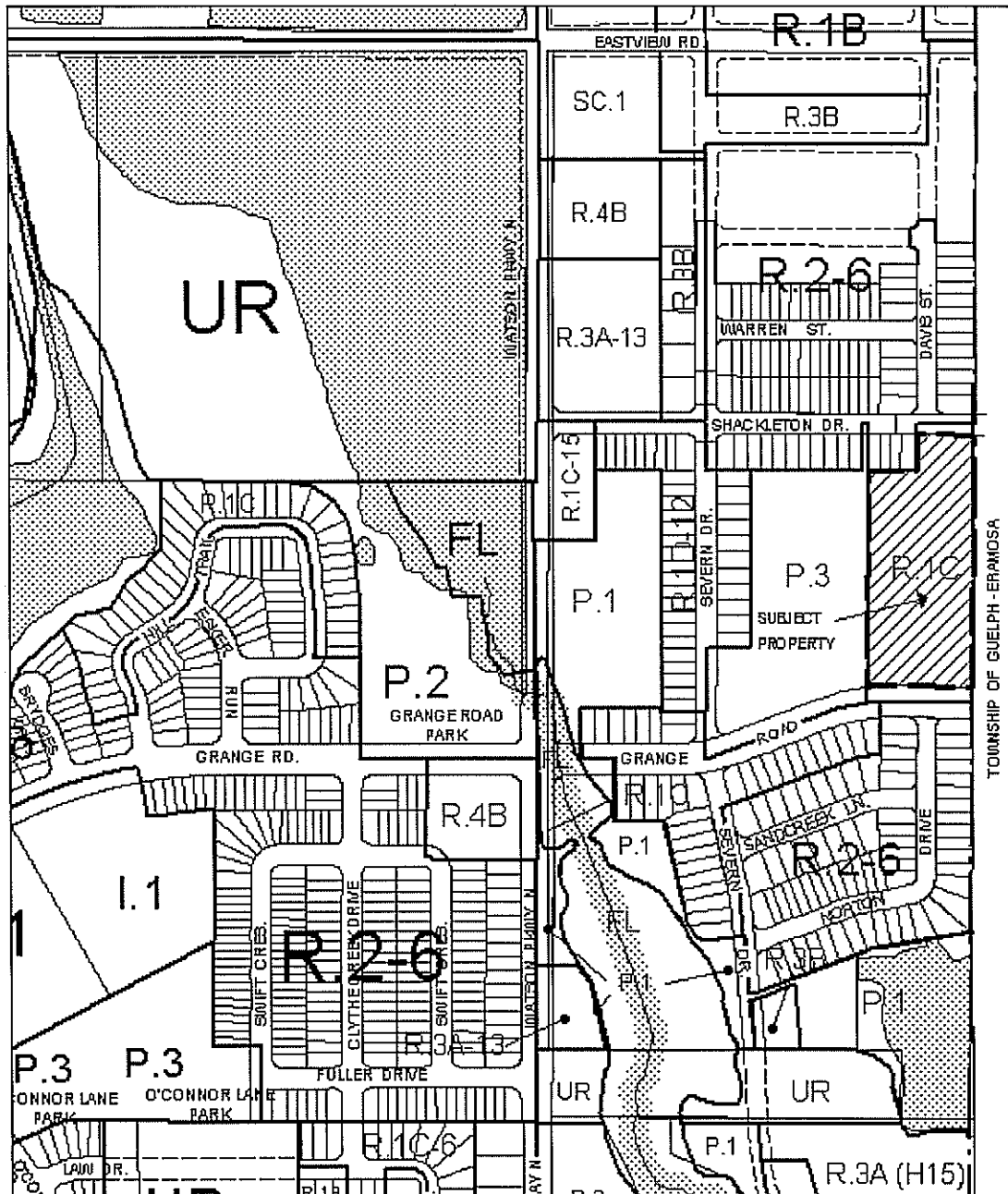
SCHEDULE 4

EXISTING ZONING



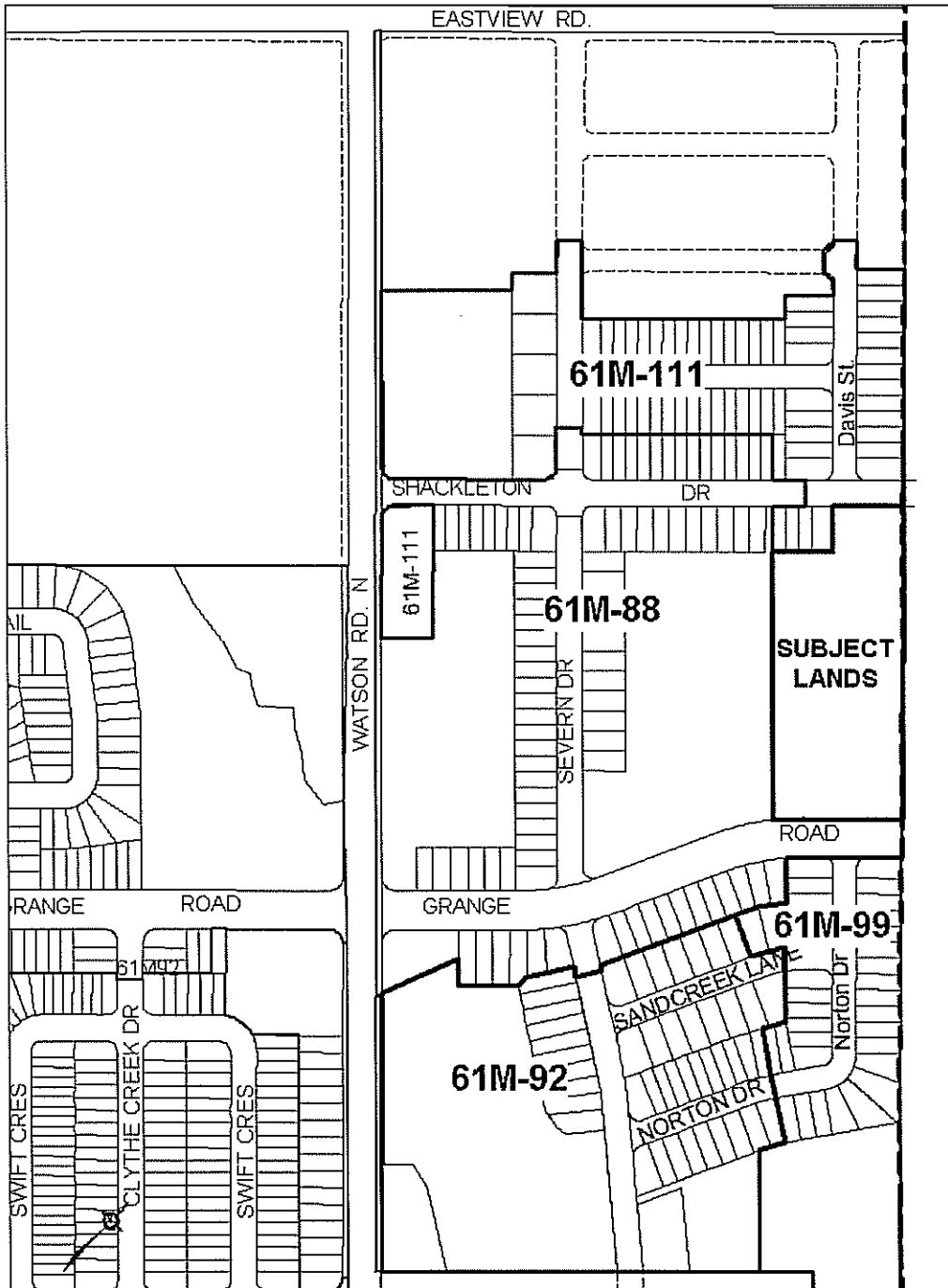
SCHEDULE 4 (continued)

PROPOSED ZONING



SCHEDULE 6

SURROUNDING DEVELOPMENT



SCHEDULE 7

2006 DPP Water/Wastewater Capacity

Explanation: This table shows the determination of how many units can be serviced (line 4) after subtracting the actual daily flow used (line 2 a) and 2 b)) and the servicing commitments (line 3) from the total available firm capacity (line 1). Line 5 shows how many units are proposed in the 2006 Development Priorities Plan and line 6 confirms whether there is capacity available for these units.

| | October 31, 2005 | Water | Wastewater |
|------|--|---|---|
| 1 | Firm Capacity | 75,000 m ³ /day | 64,000 m ³ /day |
| 2 a) | Average Maximum Daily Flow (water) | 64,575 m ³ /day | N.A. |
| 2 b) | Average Daily Flow (wastewater) | N.A. | 52,203 m ³ /day |
| 3 | Servicing Commitments | 5,961 m ³ /day (4304 units) | 6,023 m ³ /day (5375 units) |
| 4 | Available Servicing Capacity to Register New Dwelling Units (Uncommitted Reserve Capacity) | 3,223 units | 5,153 units |
| 5 | Units to be Registered in 2006 based on the approved Development Priorities Plan | 1,287 units | 1,287 units |
| 6 | Capacity Available | YES (1936 units) | YES (3866 units) |

Notes

1. Total Available Firm Capacity:

Water - the physical capacity of the constructed water infrastructure to deliver an annual daily flow of 75,000 m³/day of water supply.

Wastewater - the physical capacity of the constructed wastewater infrastructure to deliver an annual daily flow of 64,000 m³/day of wastewater treatment

2. a) **Maximum Daily Flow (water)** is the actual maximum daily flow based on the past three year average.

2. b) **Average Daily Flow (wastewater)** is the actual average daily flow for wastewater treatment based on the past three year average.

3. **Servicing Commitments** are registered and zoned lots/blocks that could currently proceed to building permit and construction. The figure for wastewater treatment also includes a total of 1200 m³/day committed to the Village of Rockwood.

Redline Amendment to Watson East Subdivision 23T-98501 (35 lots)

Explanation: This table shows the determination of how many units can be serviced (line 5) after subtracting the actual daily flow used (line 2 a) and 2 b)), the servicing commitments (line 3) and the draft plan approval commitments (line 4) from the total available planning capacity (line 1). Line 6 shows how many units are proposed in the current draft plan application and line 7 confirms whether there is capacity available for the draft plan approval of the units proposed with this application.

| | July, 2006 | Water | Wastewater |
|------|---|--|--|
| 1 | Planning Capacity | 78,600 m ³ /day | 73,000 m ³ /day |
| 2 a) | Average Maximum Daily Flow (water) | 64,575 m ³ /day | N.A. |
| 2 b) | Average Daily Flow (wastewater) | N.A. | 52,203 m ³ /day |
| 3 | Servicing Commitments | 5,961 m ³ /day (4,304 units) | 6,023 m ³ /day (5,375 units) |
| 4 | Draft Approval Commitments | 6,260 m ³ /day (4,520 units) | 5,065 m ³ /day (4,520 units) |
| 5 | Available Servicing Capacity for New Draft Plan Approved Units (Uncommitted Reserve Capacity) | 1,302 units | 7,734 units |
| 6 | Units to be Draft Plan Approved | 35 units | 35 units |
| 7 | Capacity Available | YES | YES |

Notes

1. Planning Capacity:

Water - includes the sum of the existing physical capacity of constructed water infrastructure plus additional water pumping certificates of approval, some of which are not currently available) An additional +5000 m³/day will be available once Arkell Springs Supply EA is approved. It should be noted that this additional capacity is not factored in the Planning Capacity shown on this chart.

Wastewater - based upon the approved assimilative capacity of the Speed River. Plant expansion to provide an additional 9,000 m³/day of treatment capacity in order to reach the approved assimilative capacity is planned for 2008.

2. a) **Maximum Daily Flow (water)** is the actual maximum daily flow based on the past three year average.

2. b) **Average Daily Flow (wastewater)** is the actual average daily flow for wastewater treatment based on the past three year average.

3. **Servicing Commitments** are registered and zoned lots/blocks that could currently proceed to building permit and construction. The City provides servicing commitment at the time of lot/block registration in keeping with the agreement with the MOE. The figure for wastewater treatment also includes a total of 1200 m³/day committed to the Village of Rockwood.

SCHEDULE 8

CIRCULATION COMMENTS

| <u>RESPONDENT</u> | <u>NO OBJECTION OR COMMENT</u> | <u>CONDITIONAL SUPPORT</u> | <u>ISSUES/CONCERNS</u> |
|---|------------------------------------|--------------------------------|--------------------------------|
| Planning | | ✓ | Support subject to Schedule 2 |
| Engineering* | | ✓ | |
| G.R.C.A. | ✓ | | Support subject to Schedule 2* |
| Parks | | ✓ | Support subject to Schedule 2* |
| Wellington County | ✓ | | |
| Heritage Guelph | ✓ | | |
| Guelph Development Association | ✓ | | Support proposal* |
| Canadian National Railway | ✓ | | |
| Finance | | ✓ | Development Charges |
| Guelph Hydro | ✓ | | |
| Guelph Police Service | ✓ | | |
| Guelph Chamber of Commerce | ✓ | | |
| Emergency Services / Fire Department | ✓ | | |
| Canada Post | ✓ | | |
| Wellington Catholic District School Board | ✓ | | |
| Upper Grand District School Board | ✓ | | Education Development Charges |

*Comments attached



File No. 16.152.212

To: Chris DeVriendt
From: Don Kudo
Department: Planning and Development Services Division: Engineering Services
Date: July 14, 2006
Subject: **Redline Amendment and Zoning By-law Amendment at 129 Watson Parkway North – (File ZC0602)**

The proposed redline amendment to the draft plan and the zone change amendment are a logical method of utilizing this property if the school board does not require the land.

The sanitary sewers and storm sewers for this development will connect to the existing sewers on Grange Road and the watermain will be looped between Grange Road and Shackleton Drive. According to the Site Servicing and Stormwater Management Report by Gamsby and Mannerow dated January 27, 2006 there is adequate capacity in the existing sanitary sewer and storm drainage system for this development. The existing service laterals to Lots 23, 24, 25 and 26, Plan 61M-111 on Shackleton Drive will have to be abandoned in accordance with the City policy of plugging the sewer laterals and cutting off the water service laterals at the watermain.

If this redline amendment to the draft plan and the zone change amendment are approved, we recommend that the following conditions be imposed:

1. That any dead ends and open sides of road allowances created by this draft plan by phasing be terminated in 0.3-metre reserves which shall be conveyed to the City.
2. That the registration of the plan, or any part thereof, shall require approval of the City with respect to adequate water supply and sewage treatment capacity being available, prior to the registration of the plan.
3. That the developer shall pay any outstanding debts owed to the City, prior to the registration of the proposed plan of subdivision.
4. The developer shall pay development charges to the City in accordance with the City's Development Charges By-law, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the

Memo



Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto..

5. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of driveway location.

6. That the developer is responsible for the total cost of the design and construction of all services required to service all lands within the plan of subdivision, including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph, with such costs to include services required to service the subdivision which are located outside the limits of the subdivision.

7. That the developer is responsible for the total cost of the design and construction of any road works, including sidewalks, boulevards and curbs, within or surrounding the plan of subdivision.

8. That the developer is responsible for the total cost of abandoning, to the satisfaction of the City Engineer, the existing service laterals to Lots 23, 24, 25 and 26, Plan 61M-111.

9. That all easements and rights-of-way required within or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.

10. That the developer pays the cost of all existing services within and abutting the proposed subdivision, as determined by the City Engineer.

11. That the developer makes arrangements, satisfactory to the City Engineer concerning the scheduling of the development and the developer's payment of costs for services within the subdivision.

12. That the developer phase the subdivision to the satisfaction of the City of Guelph.

13. That the developer prepare a site drainage and grading plan, satisfactory to the City Engineer, for the entire subdivision, prior to the issuance of any building permit within the subdivision.

14. That the developer constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified environmental inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

15. That the developer shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City. All damage or maintenance required to

Memo



surrounding streets as a result of such traffic shall be at the developers cost.

16. That the developer agrees that no work, including, but not limited to tree removal, grading or construction, will occur on the lands until such time as the developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.

17. That all telephone service and cable TV service in the plan be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service prior to registration of the plan of subdivision.

18. That the developer pays the cost of supplying and erecting street name and traffic control signs in the subdivision, to the satisfaction of the City.

19. That the Developer agrees to pay the costs related to the installation of 1- second order, second level Geodetic Benchmarks in locations within the proposed subdivision to the satisfaction of the City Engineer.

20. That the developer pays to the City the flat rate charge established by the City per metre of road frontage to be applied to tree planting within the proposed subdivision.

21. That street lighting and underground wiring shall be provided throughout the subdivision at the developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro.

22. That the road allowances included in the draft plan be shown and dedicated as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria - July 23, 1993".

23. The developer shall prepare and follow an Environmental Implementation Report based on Terms of Reference prepared by the applicant and approved by the City and the Grand River Conservation Authority which includes a monitoring program to assess the performance of the storm water management facilities. Furthermore, the report shall address the information and implementation process to get details to the home owners concerning the storm sewer and storm water management process.

24. The developer shall at its expense implement and address all recommendations contained in the latest Environmental Impact Study, that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City.

25. That the developer shall submit a detailed Stormwater Management Report and Plans to the satisfaction of the City Engineer which show how stormwater will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quality in accordance with recognized best management practices and Provincial Guidelines.

Memo



26. The Developer shall notify all purchasers that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, the Developer shall ensure that all sump pumps are discharged to the rear yard and the Developer shall notify all purchasers that the discharge shall be to the rear yard.

27. That any domestic wells and boreholes for hydrogeological or geotechnical investigations be properly abandoned in accordance with the current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer prior to any grading or construction on the lands.

28. That the Developer shall pay to the City, the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.

29. That the developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer shall retain a properly qualified consultant to prepare a Phase 1 Environmental Site Assessment (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.

30. That the Developer enters into an Engineering Services Agreement with the City, satisfactory to the City Engineer.

31. That the Developer enters into a Subdivision Agreement, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.

Memo



File No. 16.152.212

To: Chris DeVriendt
From: Don Kudo
Department: Planning and Development Services Division: Engineering Services
Date: September 1, 2006
Subject: **Redline Amendment and Zoning By-law Amendment at 129 Watson Parkway North – (File ZC0602)**

In addition to our comments of July 14, 2006, I received comments from the city's Operations – Traffic Investigations division. The application was circulated to this division due to possible concerns with the revised street lay out.

Operations staff agree that the proposed street design (Davis Street) will become problematic from a operations perspective as this area of the City develops. The design of Davis Street, which will provide a direct connection between Eastview Road and Grange Road, will encourage short-cutting through the neighbourhood. Operations staff recommend and support any condition(s) which will require the addition of traffic calming measures to mitigate this behaviour.

Operations staff recommend the addition of traffic circles at the intersection of Shackleton Drive and Davis Street. This will help to discourage traffic in the future from using Davis Street as a short-cut route between Eastview Road and Grange Road. The inclusion of a traffic circle may require changes to the plan in order to accommodate the traffic circle at the intersection.

In addition to the conditions provided in our July 14, 2006 memo, please add the following condition:

That the developer shall prepare and implement a traffic calming plan that will address the possible short cutting of traffic on Davis Street between Grange Street and Eastview Road to the satisfaction of the City.

City of Guelph

— M e m o —



COMMUNITY AND
LAND SERVICES

APR 24 2006

To: Chris DeVriendt; Mary Angelo
From: Helen White, Park Planner
Department: Park Planning
Date: April 24, 2006
Subject: 129 Watson Parkway North-Proposed Redline Amendment and Zoning By-law Amendment
and Site Servicing and Storm Water Management Report
File No. ZC0602

Park Planning has reviewed the above items for 129 Watson Parkway North (circulated March 20, 2006) and offers the following comments:

1. **Parkland Dedication:**

No further parkland dedication is required due to previous parkland dedication for this subdivision.

2. **Proposed Redline Amendment and Zoning:**

Park Planning has no comments or concerns with respect to the proposed redline amendment or rezoning.

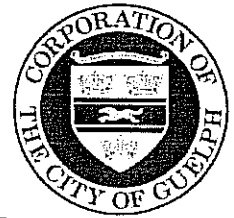
3. **Conditions of Subdivision Approval:**

Based on my review of the Proposed Draft Plan of Subdivision, I recommend the following subdivision approval conditions:

Conditions to be met prior to registration of the plan:

- a. The developer shall be responsible for the cost of design and development of the demarcation of the park block in accordance with the City of Guelph Property Demarcation Policy. This shall include submitting drawings completed by a registered Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Commissioner of Community Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the "Property Demarcation" improvements and works for the City lands to the satisfaction of the Commissioner of Community Services.
- b. The developer shall provide Community Services with a digital file in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network,

Memo



grades/contours and landscaping of the park, open space and storm water management blocks.

- c. That the Developer agrees to place the following notifications in all offers of purchase and sale for all lots and/or dwelling units and in the City's subdivision agreement to be registered on title:
- a. "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sports fields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
 - b. "Purchasers and/or tenants of all lots are advised that the boundaries of the park block will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to proposed lots 20 through 35, and black vinyl chain link fence adjacent to lots 23 and 16 (Registered Plan 61M-111) on both sides of the park access from Shackleton Drive". The developer shall also send written notification of the proposed living fence demarcation to any existing homeowners in the other lots adjacent to the park block.

4. Site Servicing and Storm Water Management Report:

Park Planning has no concerns with the report, including erosion control and grading plans.

Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, I would support the proposed development subject to the conditions outlined above.

Please contact me if you have any questions.

Regards,

Helen White, OALA, CSLA
Park Planner

Phone: (519) 822-1260 ext.2298

Fax: (519) 767-2871

Email: Helen.white@guelph.ca

Web: guelph.ca



March 23, 2006

Mr. Chris DeVriendt
Senior Development Planner
Department of Planning City of Guelph
59 Carden Street
GUELPH, Ontario
N1H 3A1

Dear Mr. DeVriendt:

Re: 129 WATSON PARKWAY NORTH - Proposed Redline Amendment and Zoning By-law Amendment from Institutional (I.1) & Specialized Residential (R.2-6) to Single Detached Residential (R.1C) - (File # ZC00602)

Thank you for your notice of March 20, 2006. The Guelph Development Association supports these proposed amendments for the subject lands. Since the School Board has confirmed that this site is no longer required for a school, the use of these lands for 38 single detached residential units is compatible with the adjacent uses.

It is unfortunate that flex zoning, permitting development of this site with a housing form consistent with the adjacent neighbourhood, was not considered during the processing of this original application. This approach would have provided the new residents to this area with a better understanding of the fact that this site may not accommodate a school facility. It would also avoid this costly and time consuming process to establish a new use for these lands.

We encourage staff to expedite the processing of this application.

Yours truly

A handwritten signature in black ink, appearing to read 'Tom Krizsan', written over a white background.

Mr. Tom Krizsan
President

SCHEDULE 9

PUBLIC NOTIFICATION SUMMARY

| | |
|--------------------|---|
| January 25, 2006 | Application submitted to the City of Guelph |
| January 31, 2006 | Notice of Application sign erected on the property. |
| March 20, 2006 | Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres. |
| September 18, 2006 | Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres. |
| October 10, 2006 | Public Meeting of City Council. |



City of Guelph

Report: 06-65

PLANNING & DEVELOPMENT SERVICES

TO: Council

DATE: 2006/10/10

SUBJECT: 365 WATSON PARKWAY NORTH – Proposed Zoning By-law Amendment (City of Guelph File ZC0603) – Ward 1.

RECOMMENDATION:

THAT report 06-65 regarding 365 Watson Parkway North from Planning and Development Services dated October 10, 2006 be received

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd. Planning Consultants on behalf of Simon Wood Limited for a zoning amendment from the Specialized Residential Single Detached (R.1C-15) Zone to the Specialized R.3A-? Cluster Townhouse Zone affecting the property municipally known as 365 Watson Parkway North and legally described as Block 66, Registered Plan 61M-111 in the City of Guelph, BE **APPROVED**, in accordance with the regulations and conditions set out in **SCHEDULE 2** of the Planning Report dated October 10, 2006.

BACKGROUND:

Location

The subject property is located on the south east corner of Watson Parkway North and Shackleton Drive (see Location Map on **Schedule 1**). Adjacent land uses consist of a zoned townhouse site to the north, single family dwellings to the east and a stormwater management block to the south. The subject lands were registered as Block 66 within Registered Plan 61M-111 on March 30, 2005, representing Phase 3 of the Watson East Subdivision (23T-98501).

Official Plan Designation

The lands are designated "General Residential" in Schedule 1 of the City of Guelph Official Plan.

Existing Zoning

The subject lands are currently zoned Specialized Residential Single Detached (R.1C-15) Zone. The current zoning permits a maximum of 8 detached residential units on the subject property. Access to the dwellings under the current zoning would be provided by a rear laneway, as no direct access from Watson Parkway to these units would be permitted. This specialized zone was implemented in conjunction with the draft plan approval of the overall Watson East Subdivision (23T-98501).

REPORT:

Description of Proposed Zoning By-law Amendment

The applicant proposes to amend the zoning for the subject property from the current R.1C-15 (Specialized Residential Single Detached) Zone to the R.3A-? (Specialized Cluster Townhouse) Zone to permit the development of 12 townhouse units. The net effect of the development would be four additional dwelling units. The existing and proposed zoning is shown in **Schedule 3**.

The applicant has requested specialized zoning regulations from the standard R.3A Zone Cluster Townhouse Zone to permit a reduced side yard requirement where the windows to a habitable room face the southerly side yard.

Planning Analysis

Planning staff support this application to rezone the subject property to permit a 12 unit cluster townhouse development. The proposed zoning amendment represents a reasonable intensification of 4 residential units by permitting the development of townhouse units as opposed to single detached units. The application is in conformity with the policies of the Official Plan and meets specific criteria for permitting multiple unit residential buildings in the General Residential designation outlined in Section 7.2.7 of the Official Plan.

The proposal supports the intensification policies of the Provincial Policy Statement and the Places to Grow Act. The proposed development of 12 townhouse units would result in a net density of 30 units per hectare. The current zoning for a maximum of 8 detached dwellings would result in a net density of 20 units per hectare.

While the basis of this land use proposal is supported, planning staff have expressed concern with the site design concepts presented by the applicant. Following consultations with the applicant over specific design issues, staff have developed the preferred concept plan shown on **Schedule 5**. Planning staff are recommending that the application be approved on the basis of this preferred concept plan (see **Condition 2 in Schedule 2**).

Applicant's Design Concepts

The original concept plan submitted by the applicant is shown on **Schedule 4a**. Planning staff expressed concerns with this proposed design, primarily on the basis that no private amenity areas would be provided for the individual townhouse units. This concept would have necessitated a specialized zoning

A Great Place to Call Home

regulation to waive the requirement to provide private amenity areas. In response, the preferred staff design shown on **Schedule 5** was developed and presented to the applicant for their consideration. This concept was not supported by the applicant. In response, the applicant developed the alternative design shown on **Schedule 4a**, which represents their current design proposal. This design reverses the orientation of the buildings with a private lane adjacent to Watson Parkway provided to access the driveways and garages of the individual units. Planning staff do not support this concept, as this design does not provide a good street presence orientation to the street, which is contrary to the City's Urban Design Guidelines. Further, this latest concept identifies an access to Watson Parkway North which cannot be permitted, as the City owns a 0.3 metre reserve. This reserve was taken to prevent access to this Block from Watson Parkway at the time the subdivision was approved.

Planning Staff's Preferred Concept

Planning staff's concept shown in **Schedule 5** is recommended as the preferred design to the applicant's current proposal shown on **Schedule 4b**. This design locates the buildings closer to Watson Parkway North to ensure that the building entries are visible and prominent from the street consistent with the City's Urban Design Guidelines. The provision of the rear laneway and detached garages also minimizes the public view of the parking areas and garages, provides a functional private amenity area and ensures a more interesting and attractive streetscape environment.

The staff preferred concept does not represent a significant change from the expected design of the site under the current zoning, as development of either single detached dwellings or townhouse units would require the provision of a rear lane from Shackleton Drive to access the individual units. The proposed development is compatible with the existing townhouse development to the north and the change from single detached units to townhouse units will not have any additional impacts on the adjacent single detached lots fronting onto Shackleton Drive to the east. Site Plan Approval will be required to ensure that the site is developed appropriately and meets the urban design and compatibility criteria outlined in the Official Plan. A 2 metre buffer strip between the rear lane and the adjacent properties is proposed, as shown on the concept plan on **Schedule 4**.

Public Comments

Public comments have been received from two property owners along Shackleton Drive that are adjacent to the subject lands (see **Schedule 5**). The residents have expressed their opposition to the proposed zoning bylaw amendment on the basis that the future development of 8 single detached dwellings was expected in this location. Concerns regarding the impact of the proposed rear laneway were also expressed in their comments.

Planning staff have consulted with the adjacent residents in an attempt to address these concerns. The explanation was provided that the development of 8 single detached dwellings under the current zoning would have also included a rear laneway, given that direct access to Watson Road would not be permitted. The current application only proposes a change in the type of residential unit to be developed; 12 townhouse units as opposed to 8 single detached dwellings. The 2 metre buffer strip proposed along the rear of the property will accommodate the appropriate fencing and landscaping to screen the site from the adjacent properties.

CORPORATE STRATEGIC PLAN:

The subdivision application supports Strategic Direction #1: The management of growth in a balanced and sustainable manner.

FINANCIAL IMPLICATIONS:

Based on Maximum of 12 Residential Units

Population Projections

- 31 persons (based on 2.58 persons per unit)

Projected Taxation

- \$25,548 (based on average values from 2003 to 2005 assessment)

Development Charges

- \$112,368

DEPARTMENTAL CONSULTATION/CONCURRENCE:

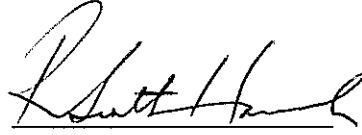
The public and agency comments received during the review of the application are included on **Schedule 5**.

ATTACHMENTS:

- Schedule 1** - Location Map
- Schedule 2** - Regulations and Conditions
- Schedule 3** - Existing and Proposed Zoning
- Schedule 4a** – Applicant’s Original Concept Plan
- Schedule 4b** – Applicant’s Current Concept Plan
- Schedule 5** – Planning Staff Preferred Concept
- Schedule 6** – Circulation Comments
- Schedule 7** – Public Notification Summary



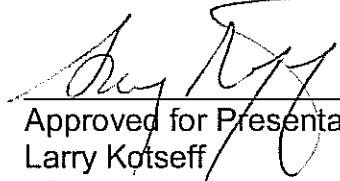
Prepared By:
Chris DeVriendt
Senior Development Planner
(519) 837-5616 ext. 2360
chris.devriendt@guelph.ca



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



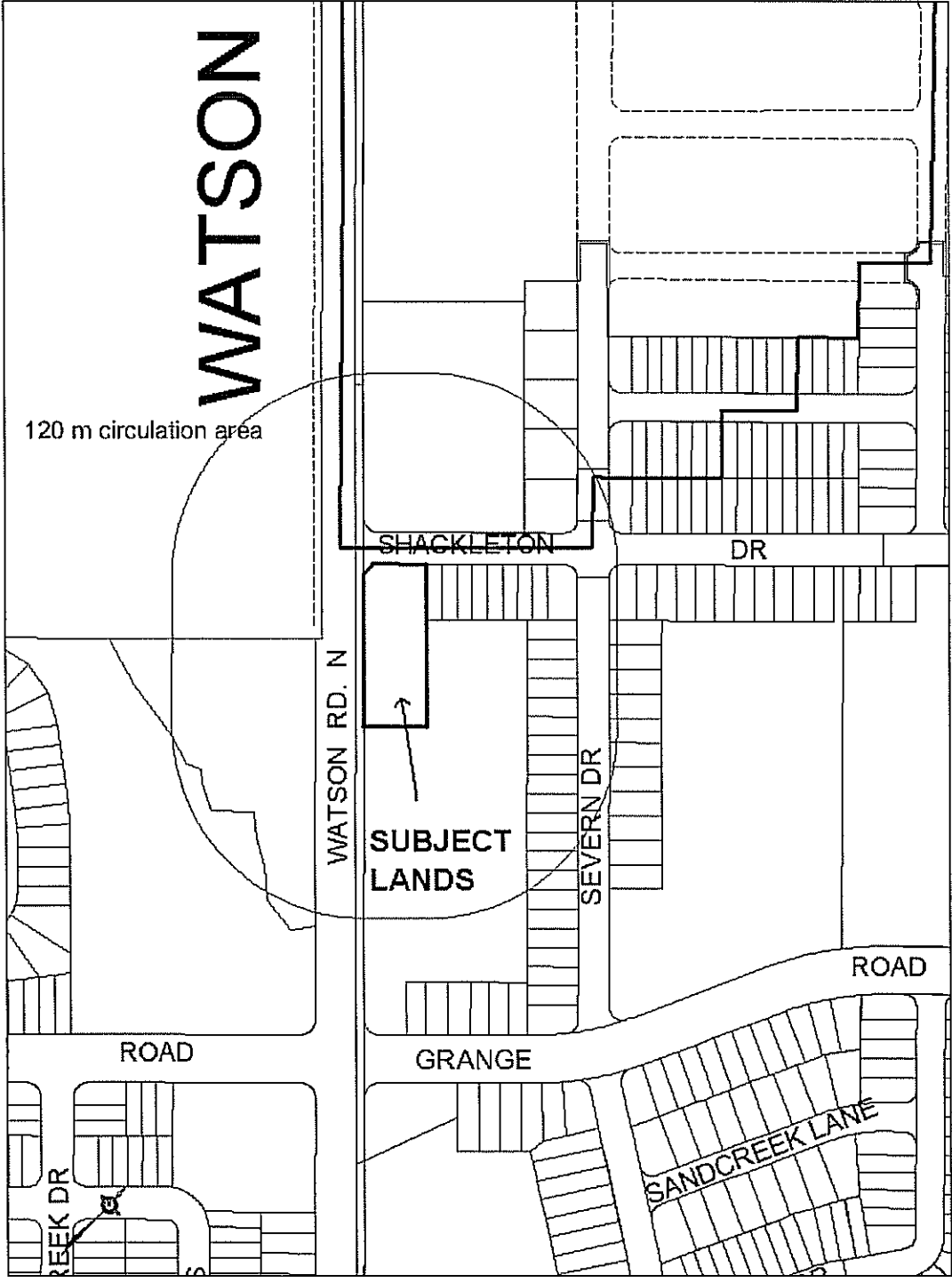
Recommended By:
James N. Riddell
Director of Planning and
Development Services
(519) 837-5616 ext. 2361
jim.riddell@guelph.ca



Approved for Presentation
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

LOCATION MAP



SCHEDULE 2

REGULATIONS AND CONDITIONS

The property affected by this zoning amendment is municipally known as 365 Watson Parkway North and legally described as Block 66, Registered Plan 61M-111 in the City of Guelph.

The following zoning is proposed:

Specialized R.3A-? Cluster Townhouse Zone

Permitted Uses

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

Regulations

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

- 1. Side Yard Setback for Buildings with Windows to Habitable Room**
Despite Section 5.3.2.2.2, the building with windows to a habitable room shall be permitted 3 metres from the southerly side yard lot line.

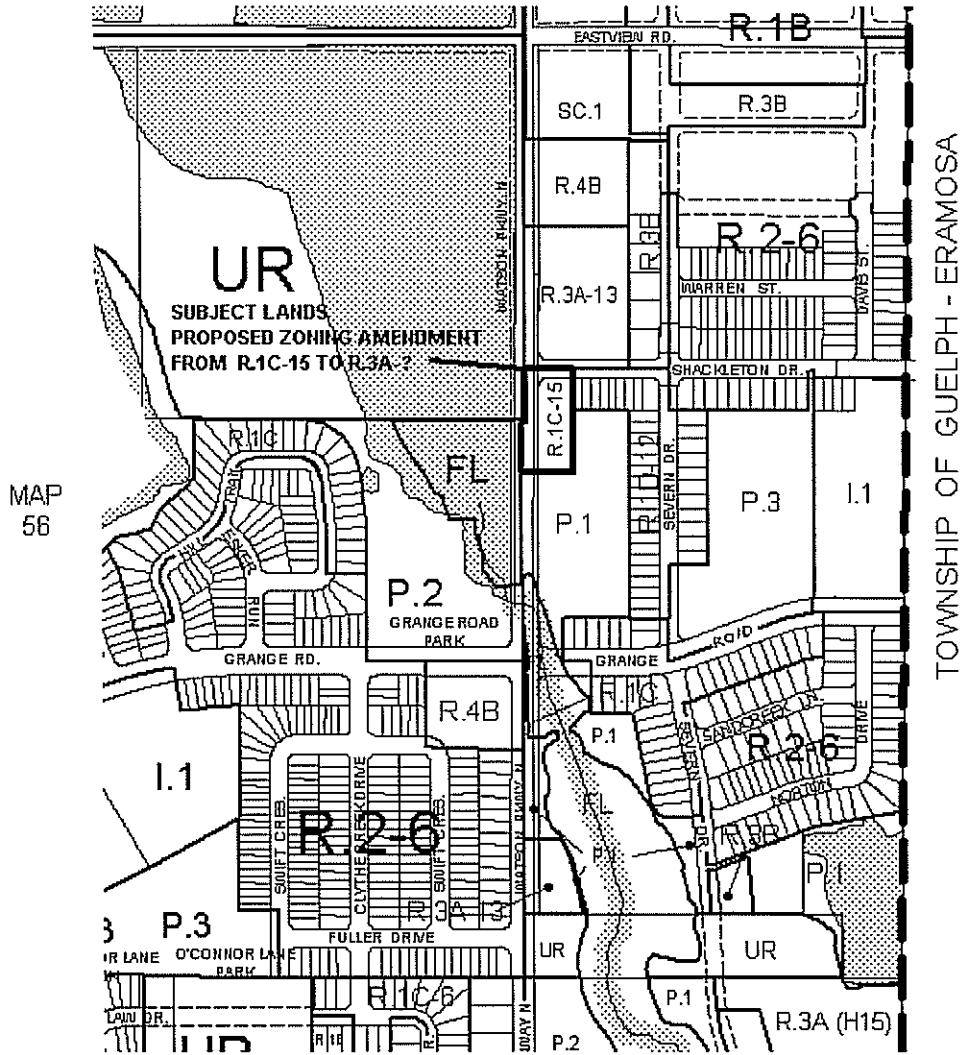
Conditions

1. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
2. The owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, building elevations, grading, drainage, and servicing for the said lands, to the satisfaction of the Director of Planning and Development Services, prior to the issuance of the building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan. Further, the Owner agrees that the design shall be consistent with the concept plan illustrated on **Schedule 5** of this report to the satisfaction of the Director of Planning and Development Services.

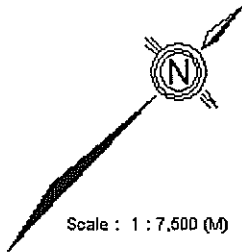
3. That the owner shall pay the actual cost of abandoning and disconnecting, at the watermain, any of the existing water services that cannot be used and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of abandoning and disconnecting the existing water services at the watermain as determined by the City Engineer.
4. The owner shall pay the actual cost of abandoning and plugging any of the existing sewer laterals, that cannot be used, in accordance with the City's standard and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of abandoning and plugging the existing sewer laterals as determined by the City Engineer.
5. The owner shall pay the actual cost of constructing any service laterals required to service the lands, prior to issuance of any building permit.
6. That prior to the granting of site plan approval, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

SCHEDULE 3 EXISTING AND PROPOSED ZONING

MAP 60



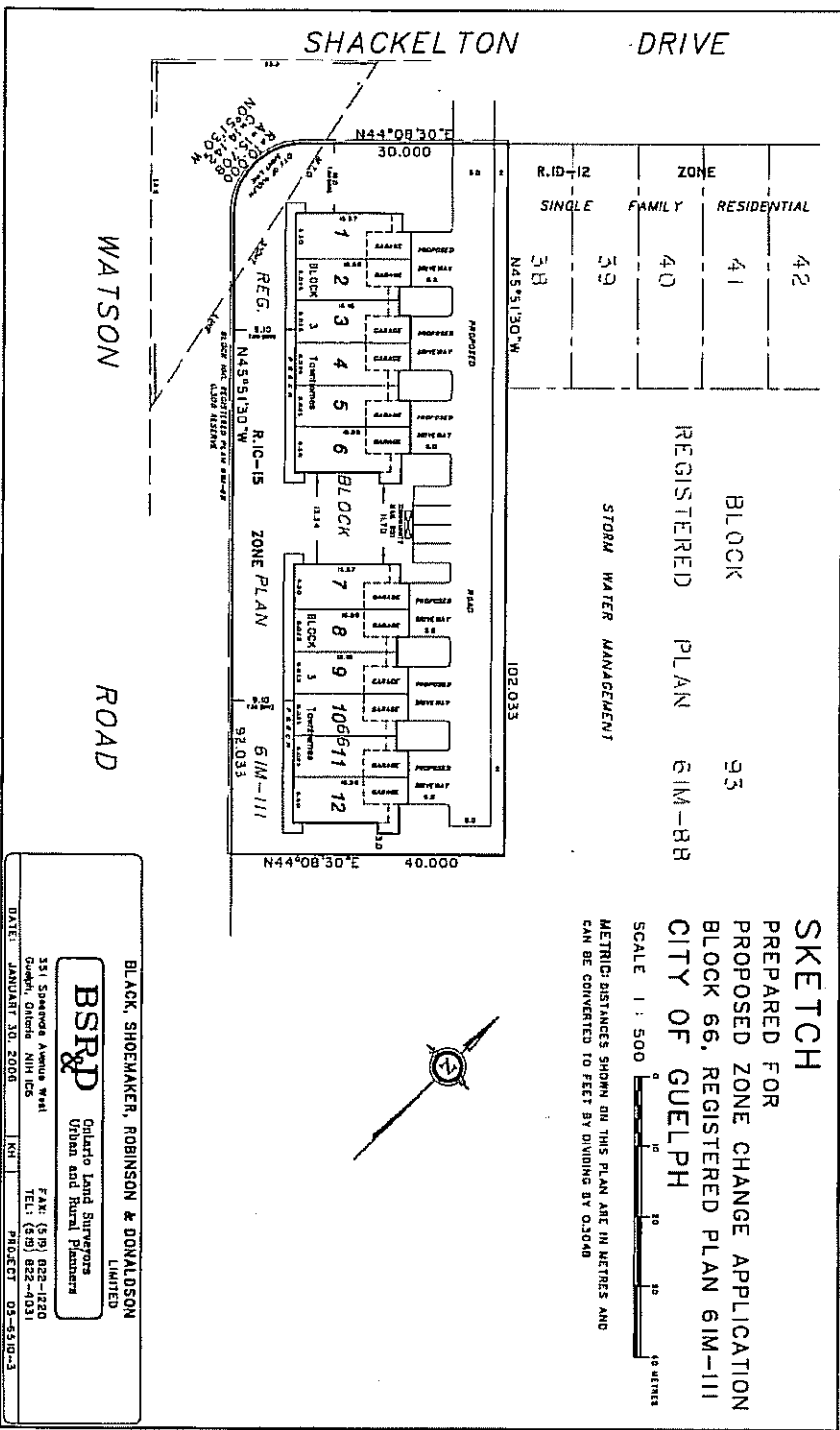
MAP 62



LANDS WITH ONE OF THE FOLLOWING : LOCALLY SIGNIFICANT WETLANDS,
SIGNIFICANT WOOD LOTS, NATURAL CORRIDOR, OR LINKAGE (See Section 13.4)

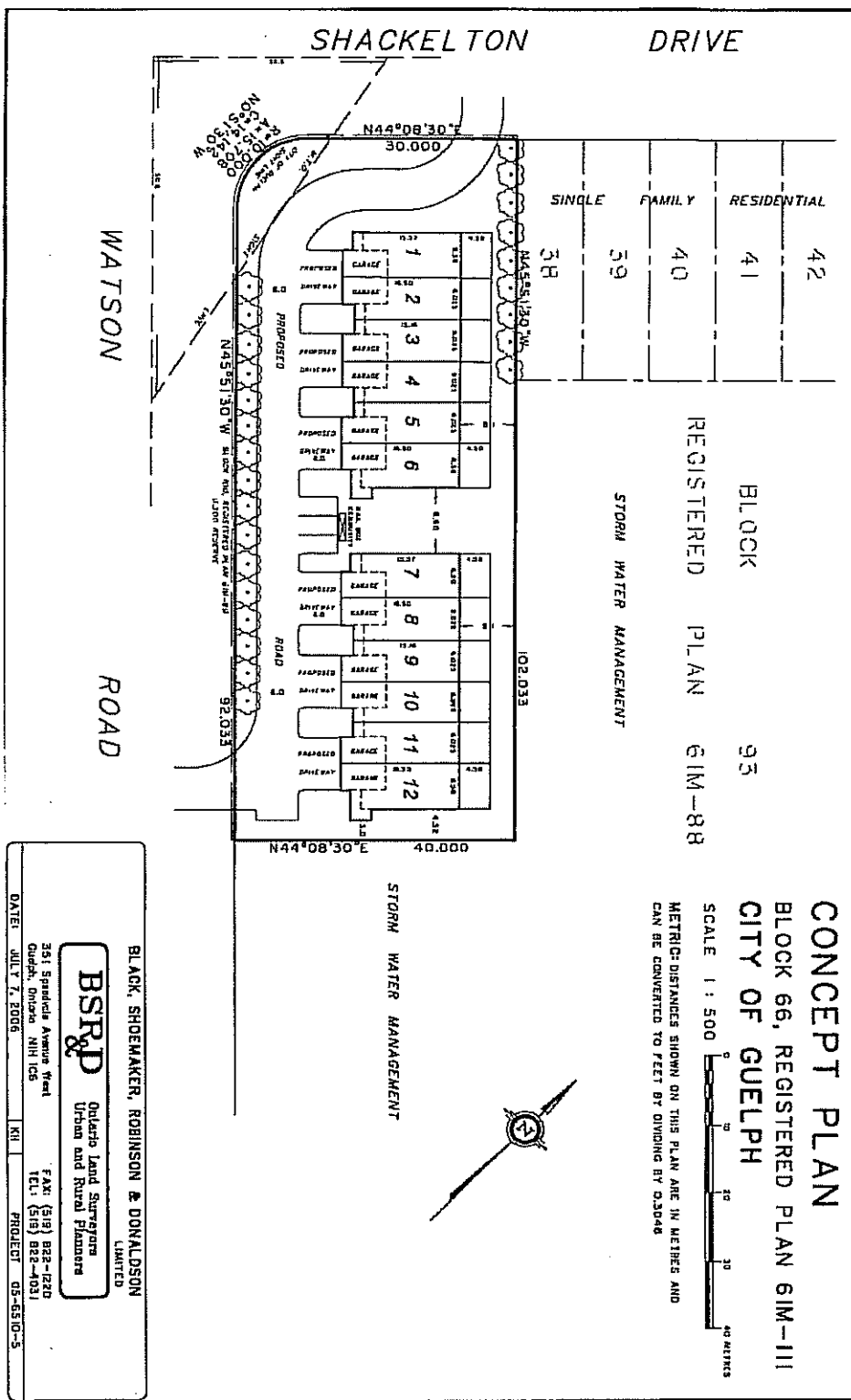
SCHEDULE 4a

APPLICANT'S ORIGINAL CONCEPT PLAN



SCHEDULE 4b

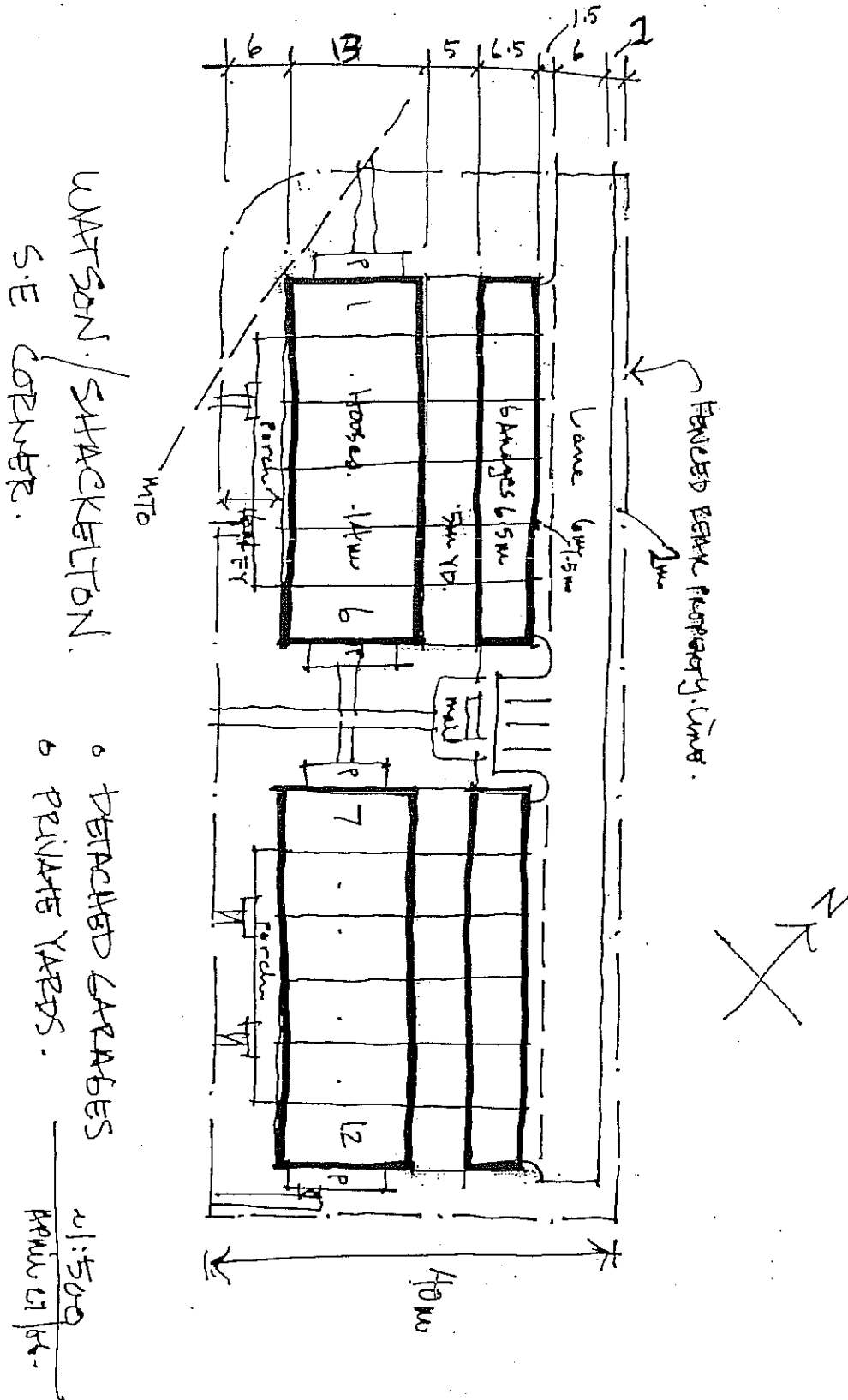
APPLICANT'S CURRENT CONCEPT PLAN PROPOSED



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SCHEDULE 5

PLANNING STAFF PREFERRED CONCEPT PLAN



SCHEDULE 6

CIRCULATION COMMENTS

| <u>RESPONDENT</u> | <u>NO OBJECTION OR COMMENT</u> | <u>CONDITIONAL SUPPORT</u> | <u>ISSUES/CONCERNS</u> |
|--|--------------------------------|----------------------------|---|
| Planning and Development Services | | ✓ | <ul style="list-style-type: none"> • Subject to Schedule 2 |
| Engineering Services | | ✓ | <ul style="list-style-type: none"> • Subject to Schedule 2 |
| Finance | | ✓ | <ul style="list-style-type: none"> • Development Charges |
| G.R.C.A. | ✓ | | |
| Community Services (Recreation and Parks) | ✓ | | |
| Heritage Guelph | ✓ | | |
| Guelph Development Association | ✓ | | <ul style="list-style-type: none"> • Support application (see attached letter) |
| Economic Development | ✓ | | |
| Fire Department | ✓ | | |
| Guelph/Wellington Seniors Association | ✓ | | |
| Guelph Police Service | ✓ | | |
| Wellington Dufferin Guelph Public Health | ✓ | | |
| Wellington Catholic District School Board | ✓ | | |
| Upper Grand District School Board | ✓ | | |
| Guelph Chamber of Commerce | ✓ | | |
| Conseil Scolaire de district Catholique Centre-sud | ✓ | | |
| Paul and Brenda Hendry (15 Shackleton Drive) | | | <ul style="list-style-type: none"> • Concerns regarding townhouse units and rear laneway (see attached letter) |
| Mika and Michelle Rajamaki (11 Shackleton Drive) | | | <ul style="list-style-type: none"> • Concerns regarding townhouse units and rear laneway (see attached letter) |



To: Chris DeVriendt
From: Don Kudo
Department: Planning and Development Services Division: Engineering Services
Date:
Subject: **Zoning By-law Amendment at 365 Watson Road – File ZC0603 – Block 66, Plan 61M-111**

On Watson Road there is a 375mm sanitary sewer, a 450mm storm sewer, a 400mm watermain, four lanes of asphalt pavement with curb and gutter on both sides of the road. There will be concrete sidewalks on both sides of the road when residential construction is completed.

On Shackleton Drive there is a 200mm sanitary sewer, a 200mm watermain, a 675mm storm sewer, two lanes of asphalt pavement with curb and gutter and there will be concrete sidewalks when residential construction is completed.

Across the rear of the property, parallel to Watson Road from Shackleton Drive to the storm water management pond on Block 93, Plan 61M-88, there is a 1350mm storm sewer on an 8 metre wide easement.

The proposed engineering drawings indicate that sewer and water laterals were to be constructed to service the eight single detached units permitted by the R1.C-15 zoning and a site inspection confirms that service lateral marker posts for the eight lots were installed. It is unclear whether any of the existing service laterals can or will be used for the townhouse development. Any of the sewer laterals that are not used will have to be plugged and abandoned in accordance with the City's standard. Any water service laterals that can not be used will have to be dug up and cut-off at the corporation on the watermain.

The development of this block as a cluster townhouse development with one common driveway to Shackleton Drive, as shown on the conceptual plan, is preferential to development of eight single detached dwellings with individual driveways to Watson Road which is classified as an arterial.

Memo



If the zoning bylaw amendment for this block to be developed as cluster townhouses, we recommend the following conditions to be imposed:

1. That prior to the issuance of a building permit for the townhouse development, the owner shall submit and receive approval from the City for a site plan under Section 41 of the Planning Act. Furthermore, the owner shall develop the said lands in accordance with the approved site plan.
2. That the owner shall pay the actual cost of abandoning and disconnecting, at the watermain, any of the existing water services that cannot be used and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of abandoning and disconnecting the existing water services at the watermain as determined by the City Engineer.
3. The owner shall pay the actual cost of abandoning and plugging any of the existing sewer laterals, that cannot be used, in accordance with the City's standard and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of abandoning and plugging the existing sewer laterals as determined by the City Engineer.
4. The owner shall pay the actual cost of constructing any service laterals required to service the lands, prior to issuance of any building permit.
5. That prior to the passing of the zone change by-law, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

Memo



PLANNING AND
BUILDING SERVICES

APR 21 2006

April 20, 2006

Mr. Chris DeVriendt
Senior Development Planner
Department of Planning City of Guelph
59 Carden Street
GUELPH, Ontario
N1H 3A1

Dear Mr. DeVriendt:

**Re: Proposed Zoning By-law Amendment for lands municipally known as 365
Watson Parkway North from a Specialized R.1C-15 Zone to a Specialized
R.3A Zone to permit a 12 unit cluster townhouse development
City Guelph File #'s ZC0603**

Thank you for your notice of March 31, 2006. The Guelph Development Association supports this application.

The subject property is located along an arterial road and the increase in density from 8 units to 12 units represents a modest intensification for the site.

We encourage staff to expedite the processing of this application.

Yours truly

A handwritten signature in black ink, appearing to read 'Tom', followed by a stylized flourish.

Tom Krizsan
President

Brenda and Paul Hendry
15 Shackleton Drive
Guelph, ON
N1E 7K5
(519)821-6331

PLANNING AND
BUILDING SERVICES

APR 19 2006

April 6, 2006

Chris DeVriendt
Senior Development Planner
Planning and Building Services
Planning Division
City Hall, 59 Carden Street
Guelph, ON
N1H 3A1

Dear Mr. DeVriendt,

We have recently been made aware of the zoning amendment being proposed for 365 Watson Parkway North. We are located at 15 Shackleton Drive, which is also known as Lot #39.

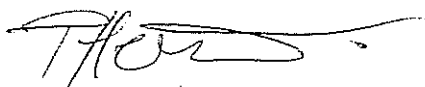
After careful review of the proposal we felt it was necessary to write to let the City know of our disapproval of this rezoning. We purchased our home in October of 2004, at which time we were told that the area of land located at 365 Watson Parkway North was to be 8 detached residential units not town homes. We purchased our home under this understanding. In no way was there a roadway mentioned to run between Lot #38 and this development. This concerns us.

Not only will this proposal add immensely to the population we anticipated living there but also to noise level and traffic in our neighbourhood. We are also concerned that the townhouses will decrease our property value in comparison to single detached homes.

We, along with many of our neighbours, are very opposed to this amendment and hope that our concerns be taken into consideration. Please feel free to contact us for anymore input into this matter.

Thank you!

Sincerely,



Paul and Brenda Hendry

Brenda Hendry

Chris DeVriendt

From: MIKA RAJAMAKI [mikarajamaki@rogers.com]

Sent: Sunday, April 30, 2006 11:28 PM

To: Chris DeVriendt

Subject: Re: 365 Watson Parkway North- Proposed Zoning By-Law Amendment

Dear Mr. Chris DeVriendt :

We residents and owners of 11 Shackleton Drive, known as Lot 38 on the proposed sketch, we are strongly against the rezoning of 365 Watson Parkway North (File ZC0603) from detached homes to townhouse clusters. Our primary concern is the proposed roadway that provides access to the townhouses' driveways. This road is just over three metres from our home. We can already anticipate the increased noise levels due to this road with cars idling in the driveways, doors slamming and road traffic in the early morning hours.

This is not what we planned on when we chose our dream home to raise our children. We believed the said lot could be developed with detached homes. Had we known there were going to be townhouse clusters with a road, we would definitely not have purchased this lot with the large premium involved. We feel this amendment will cause depreciation in value and quality of our property.

As our property is mainly the only home directly affected by this rezoning, we hope our concern is addressed.

Respectfully,

Mika & Michelle Rajamaki

SCHEDULE 7

PUBLIC NOTIFICATION SUMMARY

| | |
|--------------------|---|
| January 31, 2006 | Application submitted to the City of Guelph |
| March 24, 2006 | Notice of Application sign erected on the property. |
| March 31, 2006 | Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres. |
| July 10, 2006 | Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres. |
| July 31, 2006 | Public Meeting of City Council (application deferred). |
| September 19, 2006 | Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres. |
| October 10, 2006 | Public Meeting of City Council. |