

COUNCIL REPORT



TO Guelph City Council

SERVICE AREA Planning & Building, Engineering and Environment
DATE November 7, 2011

SUBJECT **Proposed Official Plan Amendment 43: Downtown
Guelph Secondary Plan**

REPORT NUMBER 11-98

SUMMARY

Purpose of Report

- To outline a proposed amendment to the Official Plan which will:
 - Establish a Secondary Plan for Downtown which provides a comprehensive vision, principles and policy framework to manage land use change in Downtown to the year 2031; and
 - Make corresponding changes to the policies and schedules of the Official Plan consistent with the Downtown Secondary Plan.
- To provide a summary, analysis and response to public and stakeholder input to date.
- To present the above information in order to seek further public and stakeholder input.

Council Action

Council will hear public delegations on the proposed Official Plan Amendment, ask questions of clarification and identify any planning issues. This report is to be received and no decisions are to be made at this time.

RECOMMENDATION

"THAT the Planning & Building, Engineering and Environment Report No. 11-98 entitled Proposed Official Plan Amendment 43: Downtown Guelph Secondary Plan, dated November 7, 2011, be received."

BACKGROUND

It has long been the City's objective to attract more development and more people Downtown, to keep it vital and create an environment that enhances Guelph as a place to live, work and visit. The Official Plan policies for Downtown however, have not been thoroughly reviewed and updated since the 1970s. The policy framework of Downtown began to change in the mid-late 2000s with the issuance of the Provincial Growth Plan for the Greater Golden Horseshoe in June 2006. The Growth Plan, coupled with the City's on-going growth management work culminated in the adoption of a new City-wide growth management strategy and urban structure in the form of Official Plan Amendment (OPA) 39 in June of 2009. This brought the City's Official Plan into conformity with the Growth Plan for the Greater Golden

Horseshoe as required by the Province's Places to Grow Act. Specifically, OPA 39 updated the overall population and employment targets for the city to 2031, established a 'built boundary' and updated other elements of the Official Plan including generally defining the limits of the Downtown Urban Growth Centre (UGC), which includes the historic 'Central Business District' and a portion of the St. Patrick's Ward Community. OPA 39 also established a density target of 150 people and jobs per hectare for the UGC and states that the specific boundaries and detailed policies for the UGC will be developed through a Downtown Secondary Plan. OPA 39 was approved by the Provincial Government on November 20, 2009 and is in full force and effect.

In addition, in July 2010, OPA 42 was adopted by Council for the purpose of creating a Natural Heritage System that establishes a sustainable green space network throughout the City. The Provincial decision to approve OPA 42 on February 22, 2011 has been appealed to the Ontario Municipal Board. Therefore, while the Natural Heritage System policies have been incorporated into this draft Secondary Plan, the Secondary Plan may need to be modified subject to the outcome of the Ontario Municipal Board hearing regarding OPA 42.

In September 2007, in response to new Provincial policies applicable to Downtown, a visioning charrette was held to identify new broad directions for redeveloping areas of Downtown and improving its public realm. The Secondary Plan study began the following year with extensive consultations with Downtown business owners, community leaders, residents and various other stakeholders to understand Downtown and identify issues and opportunities. All relevant policy and other background documents were reviewed. Existing conditions were analyzed, and the capacity of Downtown for new housing and employment was assessed. During the study, current projects, including City Hall Square, the new Transit Terminal (Guelph Central Station) and redevelopment of the Baker Street parking lot were examined in detail to help advance them and guide detailed planning. Early in 2010, the results of the study team's analysis and a proposed vision for Downtown were presented to stakeholders and the public for comment and discussion.

The Secondary Plan also incorporates recommendations and directions from recently adopted Master Plans and studies that have been initiated by the City, including:

- Market Place Strategic Urban Design Plan (May 2008)
- Urban Design Action Plan (2009)
- Prosperity 2020 (2010)
- Agri-Innovation Cluster Strategy (2010)
- Transit Growth Strategy and Plan (2010)

An intensification capacity analysis was also undertaken to ensure that the Urban Growth Centre has been planned to achieve 150 jobs and people per hectare and that enough flexibility is included in the policies to promote its achievement. In addition a transportation review was undertaken to assess the impact of the proposed intensification.

Public consultation regarding the directions for the Secondary Plan began in early 2010. Since that time, there have been a number of workshops, public open houses, and public meetings, including a public open house in March 2010. Physical and computer generated models were used to illustrate a potential long-term vision for Downtown and elicit feedback.

Following the March 2010 open house, a number of community workshops were held regarding the St. Patrick's Ward portion of the Urban Growth Centre. The meetings focused on working with the community to talk about the characterization of the Ward and developing principles for redevelopment with an emphasis on the 5 Arthur Street (formerly the Woods 1 property) and 64 Duke/92 Ferguson Street properties.

The Downtown Directions document was completed in August 2010 as an interim step that set the stage for additional stakeholder and public input to be received prior to the drafting of the Secondary Plan. It established key principles for the development of the policies, building on the general directions presented at the public open house in March 2010. In addition to being received by the Community, Development and Environmental Services Committee, additional opportunities for public consultation were held in the fall of 2010.

The Downtown Secondary Plan Study was a key milestone and contains a review of a number of additional master plans and studies that have informed the preparation of the Downtown Secondary Plan. The Downtown Secondary Plan Study and Proposed Secondary Plan were made publically available for review in late March 2011 and were discussed at a Council Workshop on March 29, 2011.

A public open house was also held on June 15, 2011 at City Hall. The purpose of the open house was to provide the public with an opportunity to review the Downtown Secondary Plan Study and Proposed Secondary Plan. The public and stakeholders were invited to provide comments. Submitted comments have been attached to this report (Attachment 3). Approximately 35 members of the public and stakeholders were in attendance.

Based on the forgoing work and input, the draft Downtown Secondary Plan Official Plan Amendment, OPA 43, was developed. Draft OPA 43 was available for public review on October 13, 2011. The Province and affected ministries and agencies have been circulated the Draft Official Plan Amendment. Throughout the process, staff has also consulted with key committees including the Downtown Advisory Committee, Heritage Guelph, the Environmental Advisory Committee and the River Systems Advisory Committee.

REPORT

Draft Official Plan Amendment 43 amends the existing 2001 Official Plan, as amended. The City's Official Plan states that preparation of a Downtown Secondary Plan for the Central Business District "has been identified as having a high priority for completion of a Secondary Plan" (Section 9.5.5).

Purpose and Effect

The Downtown Secondary Plan builds on the Local Growth Management Strategy, Urban Design Action Plan, and Official Plan Amendment 39 (Growth Plan Conformity Amendment) all of which identify the Downtown as an Urban Growth Centre and a critical area for achieving City-wide intensification goals. It also incorporates policy directions from OPA 42, the City's Natural Heritage Strategy. The Downtown Secondary Plan presents a vision, principles and land use designations and policies to guide development to the year 2031.

Overview of Amendment

The Downtown Secondary Plan:

Draft OPA 43 adds a new Downtown Secondary Plan Section to the Official Plan. The Secondary Plan describes the intended structural framework for Downtown Guelph in terms of streets accommodating all users, open spaces and land use, and contains policies regarding all aspects of development. The Schedules form part of the Secondary Plan. All other images in this document, including diagrams and photographs, are for purposes of illustration and are not intended to be prescriptive.

The Secondary Plan consists of the following key sections:

- Vision, Principles and Objectives
- Economic Development
- Mobility
- Public Realm, Heritage and Community Facilities
- Energy, Water and the Natural Environment
- Land Use and Built Form
- Interpretation and Implementation

Section 11.1.2: Vision, Principles and Objectives

This section establishes the overall vision, principles and objectives of the Plan:

- The proposed vision for Downtown during the planning period is:
"Downtown Guelph: a distinct and vital urban centre nestled against the Speed River, comprised of beautiful buildings and public spaces, and surrounded by leafy neighbourhoods, where people live, work, shop, dine, play and celebrate."
- The following eight principles provide a foundation for the detailed policies of the Secondary Plan and are the basis of the specific objectives and targets:
 1. *Celebrate what we've got.*
 2. *Set the scene for living well downtown.*
 3. *A creative place for business.*
 4. *We come together here.*
 5. *Reconnect with the river.*
 6. *Make it easy to move around.*
 7. *Embody Guelph's green ambitions.*
 8. *Build Beautifully.*

Section 11.1.3: Economic Development

This section contains policies intended to support economic development efforts Downtown and recognizes that economic vitality as a success measure is paramount to implementing the Downtown Secondary Plan vision.

- Policies recognize the significant role of the Downtown in the overall positioning of Guelph as a place for new investment, culture and tourism activities.
- Policies encourage jobs including major office, major institutional uses, the expansion of the Farmers' Market and food related sectors, undertaking pilot projects and investment partnerships to further the goals of the Plan.

Section 11.1.4: Mobility

The policies of this section recognize that a successful Downtown must be supported by a system of streets providing convenient access to all modes of travel and that Downtown plays a critical role as the location of the City's major transit station:

- A hierarchy of streets is established: primary streets (which provide access to and through downtown), main streets (which are the main commercial streets), secondary streets, local streets and laneways. Supplementing the street hierarchy is a trail and bicycle network.
- This section also addresses parking and provides an initial scope for the completion of a downtown parking strategy.

Section 11.1.5: Public Realm, Heritage and Community Facilities

Downtown's many beautiful buildings should be matched by beautiful public spaces. The creation of unique, attractive and useful urban spaces will contribute to 'placemaking' and the furthering economic vitality and investment. The policies in this section focus on key streets as places targeted for improvements that will support Downtown land uses, functional needs and the overall aesthetics of Downtown:

- Public realm and streetscape policies address various elements such as street trees, street furnishings and public art.
- The creation of midblock pedestrian mews is proposed to create linear pedestrian-oriented spaces for passive enjoyment (as shown on Schedule B). Also described is the need for a number of specific public realm improvements such as the redesign of St. George's square.
- Cultural heritage policies are proposed to ensure that significant cultural buildings are protected, maintained and sensitively repurposed.

-
- As well, this section addresses community facilities such as the proposed new main library, along with coordinating and expanding the core's cultural infrastructure.

Section 11.1.6: Energy, Water and the Natural Environment

Innovative approaches to urban design and development Downtown are critical to contributing to the City's goals of sustainability and being a leader in energy and water management. The policies of this section address energy, water and natural environment:

- Policies recognize and support the opportunity for district energy Downtown.
- Low impact development measures are encouraged.
- Existing policies regarding lands affected by the Speed River are referenced and continue to apply.
- As chimney swifts have been identified Downtown, policies reference the applicability of the species of risk policies contained in the general Official Plan.

Section 11.1.7: Land Use and Built Form

Policies in this section permit residential and mixed-use development and redevelopment that support vibrancy in the Downtown but will also be planned to be compatible with existing neighbourhoods. New built form will reflect Downtown's urbanity and reflect the principles of adaptability, permanence, and simple beauty.

This section sets out built form policies:

- A diversity of building typologies is proposed to provide more flexibility for the private sector to respond to market demand, and achieve the growth target Downtown; however, the predominant mid-rise built form of Downtown is maintained with taller buildings restricted to strategic locations. Taller buildings in these locations will have minimal direct impact on existing neighbourhoods and the historic core of Downtown, and they will be outside protected public view corridors.
- The maximum heights recognize the Church of Our Lady's status as a landmark and signature building; it is the general intent that no building Downtown should be taller than the height of the Church (i.e. its elevation).
- Built form policies are included that limit the floor plate sizes of tall buildings and require step backs and the articulation of longer buildings.

The following land use categories are also proposed:

Mixed Use 1:

- Applies to the majority of the historic Downtown west of the river.
- Accommodates a broad range of uses in a mix of highly compact development forms.

-
- Special policies ensure that on key streets active uses which enliven the street are located on the ground floors of buildings.

Mixed Use 2:

- This designation generally applies to the north area of Downtown and in the vicinity of Neeve Street.
- These areas were historically residential with a mixture of housing styles but have evolved to accommodate a range of uses, many in partially or fully converted houses. Permitted uses include residential and compatible small-scale retail and commercial uses.

Institutional or Office areas

- This designation includes those properties by significant civic, cultural and other public institutions or an office building. They also include properties close to the Downtown Transit Terminal (Guelph Central Station).
- Accommodates uses such as offices, recreational, and community services.

Major Transit Station

- This designation is intended to accommodate the various components of the Downtown Transit Terminal (Guelph Central Station).

Residential 1

- Generally this designation applies to land located at the periphery of the Urban Growth Centre, are contiguous with adjacent lower density residential neighbourhoods.
- Residential 1 permits low-rise forms of housing, including detached and semi-detached houses, townhouses and apartment buildings.

Residential 2

- These are areas within Downtown where, based on the location, size and configuration of properties, high density forms of housing are appropriate.

Parks and Open Space

- This land use category recognizes the existing parks and open space.

Future Park Policy Areas

- This designation includes significantly-sized lands that the City intends to bring into the public park system during the life of the Downtown Secondary Plan while allowing legally existing uses to continue in the interim.
- Future Park Policies Areas A and B address the creation of parkland as part of the 64 Duke/92 Ferguson and the 5 Arthur Street property redevelopments respectively.
- Future Park Area C addresses the creation of a new park on the south side of Wellington Street that will open up the riverfront and, with passive and some active recreation uses, provide additional parkland for residents of Downtown and the larger city. The acquisition of the parkland is to be further outlined as part of an acquisition strategy for the lands to identify when and how the City intends to acquire the affected properties.

Special Policies Applicable to part of the St. Patrick's Ward in the Urban Growth Centre

- The Downtown Urban Growth Centre includes a portion of the St. Patrick's Ward Community (the Ward) east of the Speed River.
- A character statement is included recognizing that The Ward contains a mix of land uses including existing and former industrial lands. While there are strategic opportunities on former industrial lands for residential and mixed-use intensification that supports vibrancy in the Downtown, such intensification will be planned to be compatible with existing neighbourhoods. As land uses evolve, the character of The Ward's existing residential areas should be maintained.
- The proposed building heights, maximum density (i.e. Floor Space Index) in combination with refined built form policies and design principles to be demonstrated in an Urban Design Master Plan will permit an appropriate high density development on the 5 Arthur Street Property.
- For the 64 Duke/92 Ferguson Site, through an Urban Design Master Plan, the creation of a local road network will create a more pedestrian-oriented street grid and provide an opportunity for appropriate mid-rise development to occur on the site while transitioning to existing single-detached housing around the periphery of the site.

Section 11.1.8: Interpretation and Implementation

The Downtown Secondary Plan concludes with a description of the actions, initiatives, tools and strategies required to implement the plan:

- As a key companion piece to the Downtown Secondary Plan, a Downtown Guelph Implementation Strategy is being developed by the Downtown Renewal Office in close collaboration with related City departments. The purpose of the Downtown Guelph Implementation Strategy will be to coordinate and activate the implementation of this Secondary Plan and other Downtown renewal strategies. Specifically, it will address components of the Plan related to public infrastructure, facilities and programs which require some degree of City investment to implement.
- In addition, this section permits the establishment of height and density bonusing within the Downtown (1.1.8.10). Section 37 of the Planning Act empowers municipalities and developers to agree on the provision of community benefits in exchange for increased height or density. Specifically, the DSP permits a maximum of two (2) additional storeys of height above the identified maximum where height limits of 8 storeys, and 12 storeys are established. Bonusing is also proposed to be permitted on the 5 Arthur Street and 64 Duke/92 Ferguson site, as discussed further in the section below. Further general information regarding height and density bonusing (Section 37) can be found in Attachment 6.

Other Policy Revisions

The introduction of the detailed Secondary Plan policies described above has also necessitated a number of general modifications required to other sections of the Official Plan. For example, references to 'Central Business District' are changed to 'Downtown' and references to the completion of the Downtown Secondary Plan are also required. A number of changes are made to the existing schedules to recognize the completion and integration of the Downtown Secondary Plan.

Summary and Analysis of Public Input Received to Date

Staff circulated the Downtown Secondary Plan Study and Proposed Secondary Plan and held a public open house regarding this document on June 15, 2011. Comments received from the public, stakeholders and agencies are attached as Attachment 3. A detailed staff response to comments is included as Attachment 4. The following summarizes and discusses the major themes that emerged from the comments received.

Economic Vitality

Summary of Comments

- Comments from the Downtown Guelph Business Association have been received that the Secondary Plan should more explicitly recognize the critical importance of using the principle and measure of economic vitality as a key underpinning to the Secondary Plan policies and decision making Downtown.
- The Secondary Plan should more explicitly recognize the role that cultural institutions or initiatives have in achieving economic vitality.

Staff Response

- Staff agrees with the intent of these comments. Language has been added to the Downtown Secondary Plan to directly reference that economic vitality is a fundamental principle and measure of success.
- Additional language has been added to the Downtown Secondary Plan recognizing the contribution of cultural institutions and initiatives to economic vitality.

Tall Buildings

Summary of Comments

- Concerns about the impact of permitting high-rise buildings including two 18 storey buildings near Wellington Street and Wyndham Street, and a site near Macdonell Street and Wellington Street as well as permitting up to a 15 storey building in the vicinity of the Baker Street parking lot.
- Concerns regarding permitting high-rise buildings if 6-storey mid-rise buildings could accommodate projected growth.
- Concerns about the impact on the profile of Downtown, the potential of blocking views towards downtown (e.g. the creation of a wall-effect along Wellington Street), and the impact on surrounding uses and residents.

- Questions around how taller buildings would conform to the principles established by the Downtown Secondary Plan.
- Feasibility of built-form controls and the maximum floorplate of 1000m² above the 8th storey in particular.

Staff Response

- A diversity of building typologies provides more flexibility (Reflecting principle 2: Set the Scene for Living well Downtown) for the private sector to respond to market demand, for the City to achieve the growth target Downtown, and to support the achievement of the Community Energy Initiative goals and sustainability generally.
- The proposed policy approach is to provide for additional 'theoretical development capacity' beyond the minimum capacity required to achieve the density target for downtown recognizing that that all sites may not achieve the maximum permitted under the policies during the Plan during the plan period.
- The urban design concept underpinning the proposed location of tall buildings is to place height at strategic locations which mark key streets and intersections.
- Intensification will also make it more feasible to acquire new riverfront parkland that will "offset" the building up of downtown and significantly improve its image.
- Draft OPA 43 contains a number of policies to ensure that tall buildings reflect the principle of 'Building Beautifully' (e.g. floorplate maximums, and stepbacks). These policies are critical to ensuring that taller buildings contribute positively to Guelph's profile, and do not have significantly adverse impacts in terms of shadows and views of the sky.
- In cities where there are concerns about tall buildings overwhelming the pedestrian realm and blocking sunlight and sky views, floorplate restrictions are an increasingly common tool to regulate their form. The proposed floorplate maximum is larger when compared with floorplate maximums in other municipalities within the 'inner ring' of the Greater Golden Horseshoe which are typically between 700 m² and 1000 m². A slightly larger maximum floorplate in Guelph recognizes that there is a limited number of sites for taller buildings, height limits have been moderated to be compatible with the surroundings, and the housing market in Downtown Guelph is different than 'inner ring' markets. For comparison, the one existing 18 storey tower in Guelph at 685 Woolwich (near Woodlawn) has a floorplate of less than 1000 m². See Attachment 2 for floorplate examples of taller buildings in Guelph and other area municipalities.
- The plan ensures that the image and experience of Downtown from within the historic core will not change dramatically--maintaining the principles of 'Celebrating What We've Got'.
- The important public views of the church will be maintained, and it will remain the highest point in the downtown.
- The proposed 18 storey building sites are in areas located on the periphery of the historic core and at topographical low points.

Traffic and Parking

Summary of Comments

- Implications of growth for traffic (e.g. regarding safety and impact on existing residents) and parking.

Staff Response

- A transportation review including demand projection and analysis was undertaken by City Engineering staff (see Attachment 5 to this report).
- The review concluded that the proposed level of intensification can be supported by the existing road system based on existing 2006 modal shares. Projected modal share changes (i.e. generally more transit usage, cycling and walking) will enhance safety, traffic operations, and energy conservation.
- The completion of a Parking Strategy has also been identified as necessary in order to comprehensively address parking demands in Downtown along with the role of the public and private sectors in its development. The timing of the study will be addressed through the Downtown Guelph Implementation Strategy.

The lands in the vicinity of Neeve Street, Wellington Street and the CN Railway Tracks, including 150 Wellington

Summary of Comments

- The impact of the proposed view corridor from Arthur Street and Fountain Street Extension on 150 Wellington and its effect on the potential redevelopment of the site
- The impact of the proposed view corridor from Arthur Street, and its effect on the potential for a parking structure near Neeve Street and Fountain Street
- The impact of the Fountain Street Extension and associated laneway on the existing parking area and surrounding streets
- Comments of support regarding the view corridor were received from The Ward Residents Association.

Staff Response

Views

- The preservation of the view corridor as depicted would result in the following general impacts:
 - A maximum two storey height on a portion of the 150 Wellington Street; and
 - Approximately a maximum of one storey bisecting the existing surface parking lot near Fountain Street and Neeve Street
- The original criteria for the establishment of the existing protected views to the Church of Our Lady were:
 - To preserve obvious views of the Church which exist today as one approaches the downtown along major streets: those streets used by the majority of Guelphites from time to time and those likely to be used by visitors to the City; and,

- To preserve obvious views of the Church along the old original streets which appear to have been intentionally focused on the church lands.
- Staff believes the view does not meet the above criteria. In addition, the view will impact the redevelopment potential of a number of sites. Therefore, the proposed view corridor is not included in draft OPA 43.

Fountain Street Extension

- The primary objective regarding the proposed extension of Fountain Street to Wellington Street was to improve access for pedestrians and cyclists to the major transit terminal from the St. Patrick's Ward area and create a more fine-grained street block network to improve access for active transportation modes.
- A secondary objective was to provide better access to redevelopment within the area.
- While the creation of a local road accomplishes the above objectives, it could have an undue impact on the ability to develop the site and may not be needed from a strict traffic flow perspective. As an alternative, the inclusion of a logical and direct active transportation trail to the major transit terminal may also achieve this objective as would a trail potentially located farther south (i.e. closer to Surrey Street).
- Based on the forgoing analysis and the complexity of this particular area, the draft OPA 43 identifies the Fountain Street extension as a "local street or active transportation link" and proposes that an Urban Design Master Plan be required for this area prior to development to address how development will achieve these transportation objectives in the area and the built form policies of the plan.

5 Arthur Street

Summary of Comments

The Ward Residents' Association

- More contextual study is required to determine appropriate building heights, massing and open space
- More mixed uses should be permitted within Residential 1 and 2 Designations
- See full comments in Attachment 3 and staff responses to a number of other issues in Attachment 4.

Kilmer Brownfield Equity

- More flexibility is needed in regards to the development of the site
- Permit additional height ranges (6-18 storeys north of the rail line, 2-4 storeys abutting Arthur Street and 5-15 storeys across the balance of the property)
- Permit Floor Space Index maximums (i.e. 3.0 FSI rather than 1.5 FSI)
- Additional flexibility to permit mixed-use development on the 5 Arthur Street property—re-designate entire site to Mixed Use 1
- Need to permit more office, commercial and retail elements by allowing mixed uses across the site and removing limits on commercial development

-
- See full comments in Attachment 3 and staff responses to a number of other issues in Attachment 4.

Staff Response

Building Height and Density

- The Secondary Plan needs to provide appropriate urban design direction regarding height, massing and an open space network that is compatible with the existing physical context while providing for suitable flexibility for creative development solutions to take place, recognizing that redevelopment will take a number of years because of the site's size and complexity. Policies need to ensure that development will create an appropriate transition between the historic 'Central Business District' west of the Speed River and the predominantly lower density residential character of the historic St. Patrick's Ward east of Arthur Street.
- While setting out generally design parameters and principles for the site, the draft Secondary Plan requires an Urban Design Master Plan to be submitted prior to development applications being approved.
- The Urban Design Master Plan will:
 - Demonstrate adherence to the principles that have been developed in consultation with the community and Kilmer and policies of the Secondary Plan and provide a full analysis and visual simulation.
 - Demonstrate how development will be master planned.
 - Demonstrate how issues such as environmental sustainability and affordable housing will be dealt with on the site.
- The Urban Design Master Plan will be used to:
 - Guide detailed site design including the approval of a Zoning By-law and Site Plan applications.
 - Provide a basis for the zoning by-law to set appropriate maximum heights based on the height ranges shown on Schedule D (Note: no change has been made to the height ranges since the March 2011 proposed Secondary Plan).
 - Provide a basis for the zoning by-law to set a maximum density up to 2.0 FSI based on the urban design master plan that satisfy the built form policies of the plan and any other technical requirements or limitations. Since the March 2011 draft, it has also been clarified that the historic building to be retained is exempt from this calculation as well as structured parking which is in keeping with the existing interpretation of how to calculate FSI (e.g. the Zoning By-law).
 - Provide a basis for consideration of bonusing for height and/or density.
- That in addition to the built form policies that apply across the study area (e.g. floor plate maximums for taller buildings, length to width ratios of taller buildings, stepbacks etc.), additional built form policies have been added to the Secondary Plan regarding this site to ensure appropriate massing and open space configuration are achieved. Specifically, policies have been added to require east-west open space connections through the site. Policies have also been added to limit the floorplates of mid-rise buildings (between 4 and 6 storeys) and ensure that taller portions of buildings are spaced appropriately.

- That two storeys of additional building height except along Arthur Street, may be permitted through bonusing as well as additional density (i.e. FSI).
- The rationale for the changes proposed from the March 2011 Secondary Plan (i.e. adding additional built form policies, and increasing the FSI from 1.5 to 2.0 and allowing bonusing) is based on the massing exercises included in Attachment 7 which conform to the proposed height ranges and demonstrate that the proposed FSI of up to 2.0 (plus bonusing) does not create an inherent conflict between the FSI and the principles when combined with the new additional built form policies which further limit floorplate size and distance between taller building portions.
- The historic building is proposed to be exempted from the FSI calculation to allow for flexibility in its reuse.
- Bonusing policies provide an opportunity for additional flexibility and a public process to evaluate impacts as part of detailed site specific analysis through the Urban Design Master Plan and in combination with appropriate community benefits. It is through this public process that Council could permit additional height and/or density on the site should the applicant demonstrate adherence to the principles and other policies of the plan and ensure that the development continues to represent good planning. A similar approach is also proposed for the 64 Duke/92 Ferguson Site and is proposed for a number of height categories across the Urban Growth Centre. For a further discussion of bonusing please see Attachment 6.

Mix of Uses

- Within the Residential 2 designation, live/work uses and convenience commercial uses are permitted. The draft Secondary Plan proposes to increase the maximum unit size for convenience commercial from 300m² to 500m². This will allow for some additional flexibility for commercial uses in this area while ensuring that any commercial development in this portion of the property will be locally focused.
- Within the Mixed Use 1 designation, the proposed approach has been revised to not provide a cap on the size of individual commercial uses or an overall cap. The amount of commercial development is already limited by the geographic extent of the designation. In addition, this approach is consistent with the policy approach to Mixed Use 1 sites west of the river and along Elizabeth Street to the east.
- Expansion of the Mixed Use 1 designation across the entire site is not supported. The draft OPA maintains the Residential 2 designation on the site south of the heritage building in recognition of the transitional nature of this site between the historic Central Business District and the historic St. Patrick's Ward neighbourhood. However, small-scale office and artisan studios have been added as permitted uses.

Drive Through Facilities

Summary of Comments

- The Ontario Restaurant Hotel and Motel Association (ORHMA) have asserted that drive throughs should be treated fairly in comparison to other uses and not singled out in the Secondary Plan as being prohibited in the Downtown.

-
- Like other uses, drive through uses should be allowed provided they conform to the built form and other policies of the Secondary Plan applicable to commercial uses (e.g. minimum building heights, minimum FSI, setbacks etc.) and be regulated through Zoning and design requirements

Staff Response

- While it may be possible to mitigate some of the specific potential impacts of drive through facilities through zoning regulations and design requirements, concerns remain regarding the compatibility of such facilities with the vision of Downtown as compact, walkable and transit-supportive.
- No change in approach is proposed at this time, however, ORHMA has more recently submitted a package of sample policies and best practices from other jurisdictions, which staff will review and consider as the process moves forward.

Riverfront Parkland—Future Park Policy Area

Summary of Comments

- Impact of policy on potential improvements/investments planned to existing commercial buildings.
- Impact of policy on the ability to secure tenants in the existing commercial buildings.

Staff Response

- To address the comments and provide more certainty to existing business, it has been clarified that the plazas will likely continue to existing in their current form in the short term and into the latter half of the planning period based on projected growth rate.
- The acquisition of the parkland is to be further outlined as part of an acquisition strategy for the lands to identify when and how the City intends to acquire the affected properties.
- From a City-building perspective, converting these low density plaza uses to a park in this strategic location near the confluence of the Speed and Eramosa Rivers would provide an important city-wide asset that highlights the downtown by:
 - Linking Royal City Park (a city-wide asset) and John Galt Park.
 - Marking and enhancing a major gateway to the downtown. In combination with views to Church of Our Lady, this park would announce arrival to Downtown Guelph and improve its sense of place.
 - Providing a 'front yard' and additional public amenity space for the high-density residential development planned on the north side of Wellington and elsewhere Downtown. This is an urban solution to providing green space in a high-density environment.
 - Allowing for the high quality Primary trail connection identified in the Trail Master Plan.
 - Providing an essential active transportation connection since bike lanes are not planned for Wellington Street.

- Improving visual and physical public access to the river, which was a key goal of Guelph planning for years as reflected in the River System Management Study, Guelph Trail Master Plan, Parks, Recreation and Culture Master Plan and the Official Plan.
- Meet the open space needs of the significant new population planned for the Downtown.
- Provide an opportunity for a living community centre with outdoor uses such as sculpture gardens, grassed areas, basketball courts or a splash pad.

Implementation

Summary of Comments

- How will implementation occur and the vision be achieved?

Staff Response

- The Implementation section of the plan outlines a number of tools and strategy that will be important to achieving the vision for Downtown, including a Parking Strategy and Master Plan for St. George's Square.
- In conjunction with the presentation of the draft Secondary Plan OPA in November, the Downtown Renewal Office, along with Council's Downtown Advisory Committee, will be presenting the framework and steps for the development of a Downtown Guelph Implementation Strategy. The Downtown Guelph Implementation Strategy is a critical companion document that will be essential in developing short, medium and long term strategies and priorities for implementing key initiatives required to realize the City's vision for Downtown.

Refinements based on staff review

Through internal review and circulation, staff has made a number of changes in comparison with Part C of the Downtown Guelph Secondary Plan Study and Proposed Secondary Plan released in March 2011. These changes are relatively minor in nature and also provide greater clarity and accuracy. They are summarized as part of Attachment 4.

Next Steps

Following Council holding the Statutory Public meeting under the Planning Act and receiving this report, staff will receive comments from the public and interested stakeholders. Staff will review and analyze all submissions and prepare a final recommended Secondary Plan OPA for Council's consideration.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city

- 1.2 Municipal sustainability practices that become the benchmark against which other cities are measured

- 1.5 The downtown as a place of community focus and destination of national interest

Goal 3: A diverse and prosperous local economy

-
- 3.1 Thriving and sustainable local employment opportunities
 - Goal 4: A vibrant and valued arts, culture and heritage identity*
 - 4.4 Intact and well managed heritage resources
 - Goal 5: A community-focused, responsive and accountable government*
 - 5.4 Partnerships to achieve strategic goals and objectives
 - Goal 6: A leader in conservation and resource protection/enhancement*
 - 6.3 A safe and reliable local water supply

FINANCIAL IMPLICATIONS

In conjunction with the Secondary Plan, the Downtown Guelph Implementation Strategy is being completed which will more directly quantify the potential financial implications of various actions and strategies in the Secondary Plan. The Downtown Guelph Implementation Strategy, being developed by the Downtown Renewal Office along with the Downtown Advisory Committee will coordinate and activate the implementation of this Secondary Plan and other Downtown renewal strategies. Specifically, it will address components of the Plan related to public infrastructure, facilities and programs which require some degree of City investment to implement. The Downtown Guelph Implementation Strategy will be the short term and long term framework for implementing the Downtown Secondary Plan and other Downtown Renewal strategies and will, among other things, act as a guide to the City's annual and long-term budgeting processes.

DEPARTMENTAL CONSULTATION

Corporate Administration: Downtown Renewal, Economic Development and Tourism
Planning & Building, Engineering and Environment: Engineering Services
Corporate & Human Resources: Legal Services
Operations & Transit: Park Maintenance & Development, Community Connectivity and Transit
Finance
Community & Social Services: Community Engagement & Social Services

COMMUNICATIONS

The Downtown Secondary Plan communications process builds on the public engagement that had already taken place regarding other strategic initiatives such as the Urban Design Action Plan and Growth Management Strategy, the Downtown Secondary Plan public process began with a number of public meetings held between March and September 2010 to communicate the key policy directions of the Secondary Plan.

A public open house was held on June 15, 2011 where the full proposed draft Downtown Guelph Secondary Plan Study and Proposed Secondary Plan was available for review. Information was presented and planning staff was available to answer questions. Notice of the public open houses was widely promoted to stakeholders and community.

In addition to the above, many of the policy inputs to the proposed Secondary Plan involved a public engagement processes (e.g., Urban Design Action Plan, Growth Management Strategy and OPA 39, Market Place Precinct Plan, Prosperity 2020).

A statutory public meeting of November 7, 2011 provides an opportunity for the public to make representations or submit written comments on the proposed Draft Official Plan amendment (OPA 43). Notice of the Council meeting was mailed to persons and public bodies prescribed in Ontario Regulation 543/06, and mailed/emailed to persons and organizations that have been involved and/or requested notice regarding the Downtown Secondary Plan.

ATTACHMENTS

Attachments are available on the City's website at Guelph.ca/downtownplan. Click on the link for the November 7, 2011 OPA 43 (Downtown Secondary Plan) Public Meeting Staff Report (with attachments).

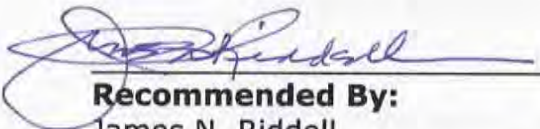
- Attachment 1: Proposed Official Plan Amendment 43: Downtown Guelph Secondary Plan Amendment
- Attachment 2: Examples of tall building floorplates
- Attachment 3: Comments submitted by the public, stakeholders and agencies
- Attachment 4: Comments and Response Summary Table
- Attachment 5: Engineering Transportation Analysis and Model Background Memo
- Attachment 6: Background Information on Bonusing
- Attachment 7: Massing models of 5 Arthur Street

Prepared By:

David de Groot
Urban Designer
519-822-1260 ext. 2358
david.degroot@guelph.ca

Recommended By:

Todd Salter
Manager, Policy Planning and Urban Design
519-822-1260 ext. 2395
todd.salter@guelph.ca



Recommended By:

James N. Riddell
General Manager
Planning & Building Services
519-837-5616, ext 2361
jim.riddell@guelph.ca



Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning & Building, Engineering and Environment
519-822-1260, ext 2237
janet.laird@guelph.ca